

Municipality of  
*Bluewater*

**Zoning By-law**

**Consolidated: June, 2022**

Prepared by:  
Municipality of Bluewater  
Huron County Planning & Development Department

# MUNICIPALITY OF BLUEWATER

## *ZONING BY-LAW CONSOLIDATION*

This document is a consolidation of the Municipality of Bluewater Zoning By-law 43-2015 and subsequent amendments to that By-law. This compilation is for convenience for administrative purposes and does not represent true copies of the by-laws it contains. Any legal interpretation of this document should be verified with the Municipal Clerk.

This Consolidated Zoning By-law contains: Comprehensive Zoning By-law 43-2015,

Plus the following amendments to By-law 43-2015 (as of the printing date):

Consent file B02-2014  
Consent file B09-2014  
Consent file B61-2014  
Consent file B08-2015  
Consent file B09-2015  
Consent file B37-2015  
By-law 68-2015  
By-law 95-2015  
By-law 07-2016  
By-law 24-2016  
By-law 62-2016  
By-law 63-2016  
By-law 72-2016  
By-law 82-2016  
Consent file B09-2016  
Consent file B62-2016  
By-law 109-2016  
By-law 131-2016  
By-law 05-2017  
By-law 18-2017  
By-law 36-2017  
By-law 58-2017  
By-law 59-2017  
By-law 72-2017  
By-law 105-2017  
By-law 106-2017  
By-law 118-2017  
By-law 120-2017  
By-law 130-2017  
By-law 132-2016  
Consent file B28-2017  
Consent file B50-2017  
By-law 7-2018  
By-law 18-2018  
By-law 30-2018  
By-law 31-2018

By-law 32-2018  
By-law 45-2018  
By-law 46-2018  
Consent file B66-2017  
By-law 68-2018  
By-law 77-2018  
Consent file B13-2017  
By-law 100-2018  
Consent file C66-2018  
Consent file C22-2018  
Consent file C87-2018  
Consent file B69-2017  
Consent file C08-2018  
Consent file C23-2018  
Consent file C67-2018  
Consent file C21-2019  
Consent file C47-2019  
Consent file C23-2019  
Consent file C27-2019  
Consent file C50-2019  
Consent file C94-2019  
Consent file C15-2020  
Consent file C29-2020 as amended by By-law 90-2020  
By-law 105-2019  
By-law 01-2020  
By-law 02-2020  
By-law 03-2020  
By-law 24-2020  
By-law 25-2020  
By-law 65-2020  
By-law 66-2020  
By-law 77-2020  
By-law 90-2020  
By-law 104-2020  
By-law 128-2020  
By-law 04-2021  
By-law 21-2021  
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By-law 45-2021  
By-law 46-2021  
By-law 47-2021  
By-law 48-2021  
By-law 56-2021  
By-law 66-2021  
By-law 67-2021  
By-law 81-2021

By-law 107-2021  
By-law 27-2022  
By-law 28-2022  
By-law 69-2022

Temporary Use By-law 82-2016 (for 72650 Bluewater Highway, Hay East Ward), Expires: August 2, 2019  
Notwithstanding the provisions of By-law 43-2015 to the contrary, the lands to which this temporary use by-law applies may also be used for a *dwelling unit* in an *accessory building* on a temporary basis. The *dwelling unit* is to be removed at the expiry of this temporary use by-law and the space converted and combined with the existing art studio.

Temporary Use By-law 30-2018 (for Lot 24, Conc. 14, Hay East Ward) Expires: April 23, 2021  
Notwithstanding the provisions of By-law 43-2015 to the contrary, the lands to which this temporary use by-law applies may also be used for a second single-detached dwelling on a temporary basis. The number of single-detached dwellings on the property is to be reduced to one single-detached dwelling at the expiry of this temporary use by-law.

Temporary Use By-law 45-2018 (for Lot 9, RP 22M-9, Stanley West Ward) Expires June 18, 2021  
Notwithstanding the provisions of By-law 43-2015 to the contrary, the property to which this temporary use by-law applies may be used for an accessory building in the absence of a main building providing the accessory building does not contain plumbing and does not exceed 106 m<sup>2</sup>.

Temporary Use By-law 105-2019 (for Part lot 11, Conc. 2, Hay East Ward) Expires October 21, 2039  
Notwithstanding the provisions of By-law 43-2015 to the contrary, the property to which this temporary use by-law applies may also be used for a garden suite (a temporary single residential dwelling unit) as a replacement for the existing mobile home. The garden suit is to be removed at the expiry of this temporary use by-law.

Temporary Use By-law 104-2020 (for Part Lots 200 and 201, Plan 265, Hensall Ward) Expires August 17, 2023  
Notwithstanding the provisions of By-law 43-2015 to the contrary, the property to which this temporary use by-law applies may be permitted to have additional structures to a maximum size of 150 square metres and may be permitted to use two shipping containers for storage.

Temporary Use By-law 100-2020 (for Lot 3, Plan 527, Hay East Ward) Expires October 5, 2040  
Notwithstanding the provisions of By-law 43-2015 to the contrary, the property to which this temporary use by-law applies may also be used for a garden suite (a temporary single residential dwelling unit). The garden suite is to be removed at the expiry of this temporary use by-law.

Temporary Use By-law 45-2021 (for Lot 9, Plan 22M-9 Stanley Ward) Expires May 3, 2024  
Notwithstanding the provisions of By-law 43-2015 to the contrary, the property to which this temporary use by-law applies may be used for an accessory building in the absence of a main building providing the accessory building does not exceed 106 m<sup>2</sup>.

Temporary Use By-law 66-2021 (for Lot 21, Plan 225 Stanley East Ward) Expires July 12, 2024  
Notwithstanding the provisions of By-law 43-2015 to the contrary, the property to which this temporary use by-law applies may be used for a 45 square metres accessory building in the absence of a main building.

Temporary Use By-law 81-2021 (for Lot 12, Conc LRW Hay Ward) Expires Aug 3, 2024  
Notwithstanding the provisions of By-law 43-2015 to the contrary, the lands to which this temporary use by-law applies may also be used for a dwelling unit in an accessory building on a temporary basis. The dwelling unit is

to be removed at the expiry of this temporary use by-law and the space converted and combined with the existing art studio.

Temporary Use By-law 108-2021 (for Pt Lt 20, West of Lake Road Conc. Stanley Ward) Expires October 4, 2024

Notwithstanding the provision of By-law 43-2015 to the contrary, the property to which this temporary use by-law applies may be used for an accessory building in the absence of a main building provided this accessory building has a maximum ground floor area of 90 square metres and a maximum building height of 7.6 metres, an additional accessory building has a maximum ground floor area of 17 square metres, and an additional accessory structure in the form of a pergola in the absence of a main building may be permitted provided this accessory structure has an area of 21 square metres.

The temporary use permitted by this by-law replaces and renews a previously passed temporary use by-law as follows: Notwithstanding the provision of By-law 43-2015 to the contrary, the property to which this temporary use by-law applies may be used for an accessory building in the absence of a main building provided this accessory building has a maximum ground floor area of 90 square metres and a maximum building height of 7.6 metres.

**THE CORPORATION  
OF THE MUNICIPALITY OF BLUEWATER  
BY-LAW NO. 43 - 2015**

Being a By-law to regulate the use of land and the erection, location and use of buildings or structures.

WHEREAS under Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended, zoning by-laws may be passed by the councils of local municipalities; and

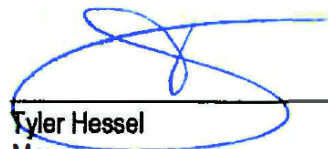
WHEREAS the Council of the Corporation of the Municipality of Bluewater considers it in the public interest to regulate the use of all land within the Corporation of the Municipality of Bluewater; and

WHEREAS the purpose of the zoning by-law is to implement the policies contained in the Municipality of Bluewater Official Plan;

NOW THEREFORE the Council of the Corporation of the Municipality of Bluewater ENACTS as follows:

1. This By-law is comprised of Sections 1 to 33 and zone maps delineating the zones created by text in this By-law, all attached hereto.

Read a first, second and third time and finally passed this 20<sup>th</sup> day of April, 2015.

  
\_\_\_\_\_  
Tyler Hessel  
Mayor

  
\_\_\_\_\_  
Charlene Overholt  
Manager of Corporate Services/Clerk

# EXPLANATORY NOTE

## ZONING BY-LAW NO. 43 - 2015 OF THE CORPORATION OF THE MUNICIPALITY OF BLUEWATER

### **Preamble**

The Zoning By-law was passed on April 20, 2015 under Section 34 of the *Planning Act*. It implements the Official Plan for the Municipality of Bluewater which was adopted by the Council of the Municipality of Bluewater on April 5, 2005.

The Zoning By-law comprises both text and the zone maps on which are delineated the various zones created in the By-law.

### **Purpose**

The purpose of this By-law is to provide the Corporation of the Municipality of Bluewater with regulations which will affect control over all forms of land use or other related matters within the Municipality.

### **Basis**

Such regulations have been deemed necessary and in the public interest by local Council in order that possible conflicts between existing and proposed land uses can be minimized or reduced in the future.

### **Affected Lands**

The lands directly affected by this By-law are all properties lying wholly or partly within the corporate limits of the Municipality of Bluewater.

### **Existing By-Laws**

From the coming into force of this By-law, all previous by-laws of the Municipality passed pursuant to Section 34 of The Planning Act, R.S.O. 1990, as amended or a predecessor thereof, shall be deemed to have been repealed.

### **Duration**

It is the intention of the Council that this Zoning By-law will be effective until circumstances change to such a degree that a revision and updating of the By-law is required. Additional uses for specific lands may be permitted by means of a rezoning or amendment to the Zoning By-law.

It is the intention of the Council to accept and review applications to amend the Zoning By-law in order to allow the establishment of uses which are permitted by the Municipality of Bluewater Official Plan.

### **Effect**

This Zoning By-law is designed to regulate by prohibition all new development except that specifically allowed in the By-law. Municipal Council does, however, have the legal authority to review the merits of any new use which is not specifically allowed by the By-law. If Council, after studying a proposal for a new use, is satisfied that the new use is in the best interests of the Municipality and in conformity with the Bluewater Official Plan and other Planning Act requirements, the new use may be permitted provided that a separate By-law amending this By-law is passed which would permit the new use on the specified parcel of land, subject to appropriate regulations.



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<b>Municipality of Bluewater Zoning By-law</b> <b>Section 1      Application, Administration, Enforcement, Interpretation and Schedules</b>
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**Section 1      Application, Administration, Enforcement, Interpretation and Schedules**

**1.1.      TITLE**

This By-law may be cited as the Municipality of Bluewater Zoning By-law.

**1.2.      ACTS**

All Acts as stated in this By-law are in accordance with the most recent version of the cited Act.

**1.3.      APPLICATION**

The provisions of this By-law shall apply to all lands within the boundaries of the Municipality of Bluewater.

No *person* shall use any land, or *erect, alter* or use any *building, structure* or part thereof within the limits of the Municipality of Bluewater except in conformity with the provisions of this By-law. No *person* shall use any *building, structure* or part thereof, *erected* or *altered* in contravention of this By-law so long as such *building, structure* or part thereof, continues to contravene the provisions of this By-law.

No *property* shall be reduced in area by the conveyance, mortgage or other alienation of a part thereof so that any remaining *yard* or other open space is less than that required by this By-law. If any such reduction occurs, such *property* and any *building* or structure thereon shall not thereafter be *used* by any *person* unless and until the said *yard* or requirements of this By-law are complied with.

The preceding subsection shall not apply to a *property* reduced in area by the conveyance to or expropriation by the Municipality of Bluewater or any other authority having the powers of expropriation.

No *person* shall change the purpose for which any *property, building* or *structure* is *used, or erect, alter, or use any building or structure, or sever* any lands from any *existing property*, if the effect of such action is to cause the original, adjoining, remaining or new *building, structure* or *property* to be in contravention of this By-law.

**1.4.      ADMINISTRATION AND ENFORCMENT**

This By-law shall be administered and enforced by the Municipality of Bluewater's *Chief Building Official* and other employees of the Municipality acting under the direction of the *Chief Building Official*. All such individuals shall be considered an officer for the purposes of Section 49 of the *Planning Act*.

**1.5.      VIOLATION AND PENALTY**

Every *person* who *uses* or *alters* the use of any land or *property* or *alters* or *erects* or *uses* any *building* or *structure* in a manner contrary to any requirements of this By-law, or who causes or permits such *use* or *erection* or *alteration*, or who violates any provision of this By-law or causes or permits a violation, is guilty

of an offence and upon conviction thereof shall be liable to a fine as set out in Section 67 of the *Planning Act*, for each offence, and each day of the occurrence of the offence shall be deemed to be a separate occurrence. Every such penalty shall be recoverable under the Provincial Offences Act.

**1.6.      UNLAWFUL USES**

Any *use* established in violation of this by-law or a predecessor of this By-law will be deemed to have been established unlawfully.

**1.7.      ERRORS AND OMISSIONS – OBLIGATION TO COMPLY**

The lack of a survey or adequate information or an error or omission does not relieve the applicant from responsibility for complying with the provisions of this By-law.

**1.8.      SEVERABILITY**

If any provision or part of a provision of this By-law, including any part of the zoning as shown on the zone maps, is for any reason held to be invalid, it does not affect the validity, effectiveness or enforceability of the other provisions, parts of provisions, or zoning as contained in this By-law.

**1.9.      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, or of the County of Huron, or of the Municipality pursuant to the provisions of the *Planning Act*, the *Municipal Act*, or the *Administration of Justice Act*.

Where a *person*, guilty of an offence under this By-law has been directed to remedy any violation and is in default of doing any matter or thing required, such matter or thing shall be done at the *person's* expense.

Where a *person* has refused or neglected to reimburse the Municipality of Bluewater for the cost of such work, thing or matter done, the same may be recovered by the Municipality of Bluewater in like manner as municipal taxes.

**1.10.      INFORMATION AS TO CONFORMITY**

Any *person* requiring written information as to whether a *property* or any *building* *erected* thereon is situated in conformity with the provisions of this By-law, shall present to the *Chief Building Official* or the authorized alternate:

- an application fee in an amount established by *Council* by resolution from time to time;
- a current plan of survey signed by an Ontario Land Surveyor showing the boundaries of the *property* and the location of all *buildings* and *structures* thereon; and
- any other information as the *Chief Building Official* or the authorized alternate may require.

<b>Municipality of Bluewater Zoning By-law</b>	
<b>Section 1</b>	<b>Application, Administration, Enforcement, Interpretation and Schedules</b>

Information as to conformity issued hereunder is subject to the condition that the Municipality of Bluewater shall not be bound by any information issued in error.

Where information as to conformity is issued with respect to a *non-conforming* use such information shall so state.

If an application for information as to conformity does not comply with the above information submission requirements, the *Chief Building Official* or the authorized alternate may issue such information notwithstanding such non-compliance, if satisfied as to the correctness and adequacy of the application made.

**1.11. LICENCES AND PERMITS**

No building permit, Municipal permit, certificate, or license shall be issued for the *use* of any land, *building* or *structure* unless the requirements of this By-law are met.

**1.12. SIGN PERMITS**

A sign permit shall be required for the erection of any *sign* upon private or public *property* which shall only be issued if such *sign* is in conformity with the Municipal and County Sign By-laws.

**1.13. BUILDINGS TO BE MOVED**

In all *zones*, any *building* or *structure* which is moved from one location to another, whether within the *zone* or from one *zone* to another, or from any location beyond the boundary of the Municipality, into any *zone*, shall be considered as being a new *building* or *structure* and shall comply with the provisions of this By-law.

**1.14. REPEALS**

From the coming into force of this By-law all previous By-laws passed under Section 34 of the *Planning Act* or a predecessor thereof, shall be deemed to have been repealed, including the following:

- By-law 508-1991 of the former Village of Bayfield
- By-law 10-1987 of the former Township of Hay
- By-law 001-87 of the former Village of Hensall
- By-law 22-1985 of the former Township of Stanley
- By-law 14-1988 of the former Village of Zurich

**1.15. MEANING OF TERMS**

**1.15.1. USE**

Unless the context otherwise requires, the expression “use” or “to use” in this By-law shall include anything done or *permitted* by the *owner* or occupant of any land, *building* or *structure*, directly or indirectly or by or through any trustee, *tenant*, servant, or agent, acting with the knowledge or consent of such *owner* or occupant, for the purpose of making use of the said land, *building* or *structure*.

**1.15.2. TENSE, PLURALITY AND GENDER**

For the purposes of this By-law, words used in the present tense include the future; words in the singular number include the plural and words in the plural include the singular number. Words

imparting the masculine gender shall include the feminine and the converse.

**1.16. SHALL**

The word “shall” will always be construed as mandatory in this By-law.

**1.17. TERMS**

All terms used in this By-law, which are not otherwise specifically defined, shall have the meanings given to them by the *Planning Act* and the *Condominium Act* at the relevant point in time.

**1.18. ZONES, SYMBOLS, AND SECTION NUMBERS**

For the purposes of this By-law the Municipality is hereby divided into the following *use zones*:

Symbol	Zone	Section
AG1	General Agriculture	4
AG3	Agricultural Commercial Industrial	5
AG4	Agricultural Small Holding	6
C1	Harbour Commercial	7
C3	Highway Commercial	8
C4	Core Commercial	9
CF	Community Facility	10
DS	Disposal Zone	11
ER1	Extractive Resources	12
ER2	Extractive Industrial	13
FD	Future Development	14
FF	Flood Fringe	15
FW	Floodway	16
LR1	Lakeshore Residential	17
M1	Light Industrial	18
M2	General Industrial	19
NE1	Natural Environment	20
NE2	Natural Environment	21
NE3	Natural Environment	22
NE4	Natural Environment	23
OS	Parks & Open Space	24
R1	Residential – Low Density	25
R2	Residential – Medium Density	26
R3	Residential – High Density	27
R4	Residential Park	28
RC2	Trailer & Tent Park	29
RC3	Recreational Commercial	30
SY	Salvage Yard	31
U	Utilities	32
-h	Holding Zone	33

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

<b>Municipality of Bluewater Zoning By-law</b> <b>Section 1      Application, Administration, Enforcement, Interpretation and Schedules</b>
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The extent and boundaries of all the said *zones* are shown on the attached zone maps which form part of this By-law.

The symbols/*zones* listed in the subsection above may be used to refer to *buildings* and *structures*, the *uses* of properties, *buildings* and *structures permitted* by this By-law in the said *zones*, and whenever in this By-law the word "Zone" is used, preceded by any of the said symbols, such *zones* shall mean any area within the Municipality of Bluewater within the scope of this By-law, delineated on a zone map and designated thereon by the said symbol.

Where the *zone* symbol designating certain lands as shown on the zone maps is followed by a dash and a number, (for example R2-1), then special provisions apply to such lands and such special provisions will be found by reference to that section of the By-law which deals with that particular zone. Lands designated in this manner shall be subject to all the restrictions of the *zone* except as otherwise provided by the special provisions.

#### **1.19. BOUNDARIES OF ZONES**

*Zone* boundaries are construed to be *property lines*, *street lines*, or the boundaries of Registered Plans, *lanes*, *private roads*, and unopened road allowances as interpreted in accordance with the map legend shown on the zone maps.

Where any *zone* on the zone maps abuts a natural *watercourse*, such *zone* shall be deemed to apply to the natural *watercourse* and any islands within the *watercourse*.

In the event a *street*, *lane*, *private road*, or road allowance, shown on the zone maps is closed, the *property* formerly in said *street*, *lane*, *private road*, or road allowance shall be included within the *zone* of the adjoining *property* on either side of the said closed *street*, *lane*, *private road*, or road allowance unless:

- a) the said *street*, *lane*, *private road*, or road allowance was a *zone* boundary between two or more different *zones*, in which case the new *zone* boundary shall be the former centreline of the closed *street*, *lane*, *private road*, or road allowance;
- b) the land formerly included in such *street*, *lane*, *private road*, or road allowance is purchased in its entirety by an abutting landowner, in which case the said land shall be included in the same *zone* as that of the abutting landowner purchasing said land; or
- c) the land formerly included in such *street*, *lane*, *private road*, or road allowance is purchased in its entirety by a *person* or *persons* other than an abutting landowner, in which case the said land shall be included in the abutting *zone* which is the most restrictive in terms of *use* or density.

Following the *street*, *lane*, *private road*, or road allowance closure, the appropriate zone map in this By-law shall be amended in accordance with the above provision. These administrative amendments are *permitted* from time to time without further public notice or *Council* approval.

Where uncertainty exists with respect to the boundaries of the various *zones* as shown on the zone maps, the following rules shall apply:

- a) Any *street*, *lane*, *private road*, or road allowance wholly within the boundary of a *zone* as shown on the zone maps is deemed not to be *zoned* but is to be *used* for public highway purposes.
- b) Where any *zone* boundary is shown as approximately the centreline of a *street*, *lane*, *watercourse*, or *easement*, such *zone* boundary shall be construed to follow the centreline of the *street*, *lane*, *watercourse* or *easement* or the production thereof.
- c) Where the *zone* boundaries are not shown to be *streets*, *private roads*, or *lanes*, and where indicated boundaries on the zone maps are approximately *property lines*, the *property lines* shall be construed to be the *zone* boundaries unless the boundaries are otherwise indicated on the zone map.
- d) Where a *zone* boundary is not a *street*, *lane*, *private road*, road allowance, *property line*, or *watercourse* and a specific measurement indicating the position of the said boundary is not shown on the zone map, or indicated in the text of the By-law, the position of the zone boundary shall be determined by the *Chief Building Official*.

#### **1.20. MINIMUM REQUIREMENTS**

In interpreting and applying the provisions of this By-law, they are held to be the minimum requirements for the orderly, economic and attractive *development* of the Municipality.

#### **1.21. USES NOT LISTED AS PERMITTED**

*Uses* not listed as *permitted* in a *zone* or otherwise provided for in this By-law shall be prohibited in such *zone* except as provided for under the Non-Conforming Uses Section of this By-law.

#### **1.22. USE OF EXAMPLES**

Where examples are provided to explain a By-law provision, these examples are illustrative only.

#### **1.23. REFERENCES TO PROVINCIAL LEGISLATION**

Where a Provincial statute or regulation is referenced, the reference includes all amendments to the statute/regulation that may have occurred since the By-law was passed as well as any successor statutes/regulations to the referenced statute/regulation.

#### **1.24. EFFECTIVE DATE**

This By-law shall take effect from the date of passing by *Council* and shall come into force upon approval under the *Planning Act*.

#### **1.25. TRANSITION: MINOR VARIANCES**

All applications approved by the Municipality of Bluewater Committee of Adjustment under Section 45 of the *Planning Act* prior to the date this by-law was passed remain effective for a further eighteen month period provided all the conditions of the approval are met.

**Municipality of Bluewater Zoning By-law**  
**Section 2 Definitions**

**Section 2 Definitions**

For the purposes of this By-law, the definitions and interpretation given in this section shall govern:

**ACCESSORY**

when used to describe a *use, building or structure*, means a *use or a detached building or structure* that is naturally and normally incidental, subordinate and exclusively devoted to supporting the principal *use, building or structure* and located on the same *property*. This does not include an *accessory residence* unless otherwise specified.

**ACCESSORY DWELLING**

a *dwelling* which is *accessory* to a *building or use* as permitted by this By-law.

**ACTIVE RECREATION**

the *use of land, water and/or building* for the purpose of organized active leisure activities and shall include such *uses* as an arena, a pool and a sports field.

**ADULT ENTERTAINMENT PARLOUR**

a *building used* for the purpose of a live performance, exhibition or activity and/or goods and services designed to appeal to erotic or sexual desires or interests:

- a) of which a principal feature or characteristic is the nudity or partial nudity of any *person*; and
- b) in respect of which the word 'nude', 'naked', 'topless', 'bottomless', 'sexy', or any other word or any picture, symbol or representation having like meaning or implication may be used in any *sign, advertisement, or advertisement device*; and without restricting the generality of the foregoing, includes any performance, exhibition, or activity involving striptease dancers, go-go dancers, exotic dancers, table dancers, wet clothing contests or best body parts contests.

**AGRICULTURAL INDUSTRIAL ESTABLISHMENT**

the *use of land and/or buildings or structures* for the manufacturing and *wholesale* and/or retail sale of goods that are necessary to support agricultural *uses*. These include such goods as *farm* machinery and equipment used for tillage of soil, the planting, spraying, harvesting, transporting, treatment, processing and storage of grain, forage, feed, or forest products, products used for the housing and husbandry of *livestock, poultry* and fur-bearing animals, and the storage, handling and processing of milk, eggs, and manure and the manufacture of sub-surface drainage materials and equipment.

**AGRICULTURAL PROCESSING ESTABLISHMENT**

the *use of land and/or buildings or structures* for the processing of products derived from agricultural *uses*, as defined in this By-law. These shall include such products as seed, grain, feed and forage processing, storage and transport, fruit and vegetable storage and treatment, *livestock* and poultry assembly, sales and transport, a cheese factory, an egg grading station, a *saw mill*, an abattoir and a dead stock removal facility.

**AGRICULTURAL SERVICE ESTABLISHMENT**

the *use of land and/or buildings or structures* for the purpose of buying or selling commodities and services that are necessary to support agricultural *uses* as defined in this By-law. These shall include such sales and services as welding and machinery repairs, auction sales facility including *livestock, farm* drainage and excavation, agricultural-related trucking, well drilling, contracting and trades related to *farm buildings and structures*, and custom spray, tillage, planting and harvesting services.

**AGRICULTURAL SUPPLY ESTABLISHMENT**

the *use of land and/or buildings or structures* for the purpose of supply of goods, materials or services that are necessary to support agricultural *uses* as defined in this By-law. These shall include such goods and services as the sale, processing and storage of seed, feed, fertilizers and chemical products, *farm* machinery and equipment sales and service, and animal and poultry health and breeding services.

**AGRICULTURAL USE, GENERAL**

general farming and without limiting the generality of the foregoing shall include such *uses* as: the general cultivation of land and the associated production, conditioning, processing and storage of field crops, vegetables, fruit, horticultural crops and nursery stock and the selling of such produced on the premises, the breeding and care of *livestock, fowl, fur-bearing animals* and bees, and the selling of such stock or the product of such stock raised on the premises, and the management of forest, and the sale of forest products, including fuel wood, pulp wood, timber, Christmas trees, and maple products, and includes a *farm dwelling* and *accessory buildings and uses*.

**AGRICULTURAL USES, LIMITED**

the planting and harvesting of field, bush, vine, forest, or tree crops and grazing not including an *accessory residence* or *livestock building*.

**AIR TREATMENT CONTROL** shall mean the functional use of industrial grade multi-stage carbon filtration system, or similar technology, to reduce and/or treat the emission of pollen, dust and odours expelled from a facility and sized accordingly in comparison to the facility it serves as designed by a qualified person. (As amended by By-law 77-2020)

**ALTER, ALTERATION, ALTERED, OR ALTERING**

when used in reference to a *building* or part thereof, means any change in a bearing wall or partition or column, beam, girder or other supporting member of a *building or structure* or any change in the area or volume of a *building or structure*.

When used in reference to a *property*, to decrease/increase the width, depth or area of a *property* or to decrease/increase the width, depth or area of any required *yard, setback, landscaped open space* or parking area, or to change the location of any boundary of such *property* with respect to a *street* or laneway, whether such *alteration* is made by conveyance or alienation of any portion of said *property*, or otherwise.

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**AMENITY AREA**

the area situated within the boundaries of a *multiple dwelling* unit project and intended for recreational purposes, which may include *landscaped open space*, patios, balconies, communal lounges, *swimming pools* and similar *uses*, but shall not include the area occupied at grade by the *buildings*, service areas, parking areas and *driveways*.

**AMUSEMENT ARCADE**

a place of business where an individual, association, partnership or corporation, maintains as its primary *use*, four or more amusement devices for public use.

**ANTENNA**

the *use* of land, *buildings* or *structures* for the purpose of sending or receiving electromagnetic waves. Any *antenna* over 16.6 metres (54 feet) above grade level is considered a *structure*.

**APARTMENT BUILDING**

a building or part thereof consisting of 5 or more *dwelling units* which units have a common entrance from the street level and the occupants of which have the right to *use* common halls and/or stairs and/or elevators and *yards*, but does not include a *motel* or a *hotel*.

**ART GALLERY**

a *building* or part thereof where works of art such as paintings, sculptures, pottery, glass and weaving are displayed for public viewing and may include sales of art and/or art supplies and art instruction.

**ASSEMBLY HALL**

a *building* or part of a *building*, in which facilities are provided for such purposes as meetings for charitable, civic, cultural, educational, political, religious or social purposes and shall include a banquet hall, *private club* or fraternal organization or community centre.

**ASPHALT/CONCRETE/READY MIX BATCHING PLANT**

an establishment *used* for the production of asphalt, concrete, ready mix or products *used* in building or construction and includes facilities for the administration and management of the business, the stockpiling of bulk materials *used* in the production process or a finished product manufactured on the premises and the storage and maintenance of required equipment.

**ATTACHED GARAGE**

a *private garage*, accessory to a *dwelling unit* on the same *property* and connected by a common wall and/or common roof structure. For the purpose of determining lines of setback and *side yard setbacks*, an *attached garage* shall be considered part of the *main building*.

**AUTO BODY SHOP**

a *building* and/or *property* used for the repair and painting of *motor vehicles* but does not include any other *motor vehicle* uses.

**BAKE SHOP**

a *building* for producing, mixing, compounding or baking bread, biscuits, cakes or other baked products, including the sale of baked goods.

**BASEMENT**

the portion of a *building* that is partly below finished grade level and has at least fifty percent of its height from finished floor to finished ceiling above the adjacent finished grade level and in which the height from adjacent finished grade level to the ceiling is less than two (2) metres.

**BAYFIELD SETTLEMENT AREA**

lands identified on "Schedule C Bayfield and Surrounding Area" of the Municipality of Bluewater Official Plan, as amended.

**BED AND BREAKFAST ESTABLISHMENT**

a *single detached dwelling*, in which the proprietor resides, where no more than 4 *guest rooms* are made available by the residents of the *dwelling* to travelers or vacationers for temporary overnight accommodation and their guest's meals. This definition does not include a *hotel*, *motel*, or *restaurant*.

**BREWING ESTABLISHMENT**

a commercial establishment where individuals produce beer, *wine* and/or hard cider for personal consumption off the premises; and where beer, *wine* and/or hard cider ingredients and materials are purchased. Equipment and storage area is *used* for a fee by the same individuals.

**BUILDING**

includes any *structure* whether temporary or permanent, *used* or built for any purpose other than a lawful boundary, wall or *fence*. Any enclosure, awning, bin, bunk or other container, or platform, *used* upon any land or in conjunction with or connected to any structure for any purpose shall be deemed a *building*.

**BUILDING ENVELOPE**

the buildable area on a *property*, defined by the minimum *front yard depth*, *rear yard depth* and *side yard* width requirements and maximum *height* requirements, within which a *building* can be *erected*.

**BUILDING HEIGHT**

see 'Height'.

**BUILDING LINE**

a line, the purpose of which is to establish the closest points to a road at which a *building* or *structure* may be located. The location of the *building line* shall be such that it is parallel to the centreline of the road and offset from the *street line*, a distance equal to the minimum *front yard* dimension.

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**BUILDING SETBACK**

the minimum horizontal distance between the *property line* and the nearest part of any *building* or *structure*.

**BUILDING SUPPLY AND SALES ESTABLISHMENT**

See "LUMBER YARD".

**BULK SALES ESTABLISHMENT**

the *use* of land, a *structure* or a *building* for the purposes of buying and selling fuel, oil, wood, coal, lumber, and/or nursery stock, but does not include manufacturing, assembling or processing *uses*.

**CAMPGROUND**

a recreational establishment operated by a private or public organization where children and adults are temporarily accommodated in tents, cabins, cottages or lodges and shall include a day camp or scout camp, but does not include a *trailer and tent park* or a *residential park*.

**CANNABIS** shall mean the plants marijuana, and hemp in the family Cannabaceae. (As amended by By-law 77-2020)

**CANNABIS PRODUCTION FACILITY** means lands, buildings or structures used for producing, processing, testing, destroying, packaging and/or shipping of cannabis authorized by an issued license or registration by the federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the *Controlled Drugs and Substances Act*, S.C. 1996, c. 19, and the *Cannabis Act*, S.C. 2018, c. 16 as amended from time to time, or any successors thereto. (As amended by By-law 77-2020)

**CANOPY**

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

**CARPORT**

a *parking space* that is partially enclosed, has a roof, and is for the purpose of storing one or more private vehicles.

**CAR WASH**

a *building* and *property* used for the washing or cleaning of *motor vehicles* by automobile washing equipment and may include the sale of fuels for *motor vehicles*, but shall not include any other automotive *use* defined in this By-law.

**CATALOGUE STORE**

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

**CATASTROPHE**

an unanticipated, disastrous loss of part or all of a *livestock facility*, *dwelling* or other *building* or *structure* due to fire, collapse, flood, wind or other such event.

**CEMETERY**

a cemetery, columbarium or mausoleum within the meaning of the Funeral, Burial and Cremation Services Act.

**CHIEF BUILDING OFFICIAL (CBO)**

the chief building official appointed by the Municipality under Section 3 or 4 of the Building Code Act.

**CHURCH**

a *building* commonly used by any recognized religious organization for public worship, and may include a rectory or manse, church hall, auditorium, monastery, convent, *day nursery* or religious school associated with or *accessory* thereto.

**CLINIC**

a *building* or part thereof, used exclusively by physicians, dentists, drugless practitioners, their staff and their patients for the purpose of consultation, diagnosis and office treatment. A *clinic* may also include administrative *offices*, waiting rooms, treatment rooms, laboratories, pharmacies and dispensaries directly associated with the *clinic*, but shall not include accommodation for in-patient care or operating rooms.

**COMMERCIAL ALCOHOLIC BEVERAGE FACILITY**

one or more buildings, structures or parts thereof located in a settlement area where alcoholic beverages are produced. It may also include related storage and display, beverage tasting, outdoor patio area, administrative facilities, alcoholic beverage and associated retail sales, restaurant, banquet facility, and commercial kitchen. The facility may also be referred to as a brewery, cidery, distillery, meadery or winery.

**COMMERCIAL MOTOR VEHICLE**

any *motor vehicle* having permanently attached thereto a truck or delivery body and without limiting the generality of the foregoing, includes: ambulances, hearses, motor buses and tractors used for hauling purposes, but excludes *travel trailers*, *park model trailers*, *motor homes* and tractor trailers, as defined herein.

**COMMERCIAL STORAGE WAREHOUSE (RENTAL UNITS)**

an enclosed *building* used for the storage of household, business and recreational goods on a rental basis; the rental units may be singular or multiple.

**COMMERCIAL USE**

the land, *building* or *structures* for the purpose of buying, renting or selling commodities and/or supplying services, but does not include an industrial *use*.

**COMMUNITY FACILITY**

a land *use* which provides facilities for public service and public use which are owned or operated by public, semi-public or

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private enterprise or regulations for the health, protection and welfare of the community. Community facilities include but are not limited to:

- a) public utilities such as a waterworks system, sewage works system, electricity generation facility and transmission and distribution system, gas, communications facilities, roads and railway networks, flood and erosion control works
- b) government *buildings* such as administration *offices*, court houses, post offices, assessment and registry offices
- c) cultural facilities such as libraries, museums, auditoriums, theaters, *historic sites*, and civic and convention centres
- d) sport facilities such as arenas, race tracks, fair grounds, and stadiums, health and recreation facility
- e) public service facilities such as police and fire stations, cemeteries, works yards and government garages
- f) institutions such as *churches*, *schools*, hospitals, day care centres, *group homes*, fraternal or other non-profit organizations

**COMMUNITY GARDEN**

An area *used* by a group of people for the purposes of growing food and/or ornamental plants.

**CONSERVATION**

the *use* of land and/or water for the purpose of planned management of natural resources.

**CONTRACTOR'S YARD**

a *property*, *building* or *structure* where mechanical, electrical, structural, plumbing or general contractors conduct their business and may include *office* space and *outdoor storage* of heavy equipment and building materials.

**CONSTRUCT, CONSTRUCTED, OR CONSTRUCTION**

to do anything in the erecting, installation or extension or material *alteration* or repair of a *building* and includes the installation of a *building* unit fabricated or moved from elsewhere.

**CONVERTED DWELLING**

a *dwelling* *erected* prior to the passing of this By-law which because of size and design the interior has been or can be converted to provide 3 or 4 *dwelling units*.

**CORNER PROPERTY**

a *property* situated at the intersection of, or abutting upon, two or more *streets*, provided that the angle of intersection of such *streets* is not more than 135 degrees.

**COUNCIL**

the Municipal Council of the Corporation of the Municipality of Bluewater.

**COUNTY OR COUNTY OF HURON**

the Corporation of the County of Huron.

**COUNTY ROAD**

a *street* owned by the County of Huron.

**COVERAGE**

see "ZONE COVERAGE".

**CRAWLSPACE**

the portion of a *building* with more than fifty percent of its height from finished floor to finished ceiling below the adjacent finished grade level.

**DAY NURSERY**

a premises that receives more than 5 children who are not of common parentage, primarily for the purpose of providing temporary care, or guidance, or both temporary care and guidance, for a continuous period not exceeding 24 hours, where the children are,

- under 18 years of age in the case of a *day nursery* for children with a developmental disability, and
- under 10 years of age in all other cases,

but does not include part of a *public school* or *private school* under the Education Act.

**DAY CENTRE**

a facility providing activities, programs and services for adults not including residential accommodation.

**DECK**

an external *structure* comprised of a floor, commonly made of wood, any portion of which more than 0.2 metres above the finished grade. A *deck* may or may not be attached to a building and does not include a balcony, patio, or porch.

**DERELICT MOTOR VEHICLE**

a *motor vehicle* that is in a wrecked, discarded, dismantled, inoperative or abandoned condition; and does not have a current license plate.

**DETACHED**

totally separate and in no way connected.

**DETACHED GARAGE**

a *private garage*, *accessory* to a *dwelling unit* on the same *property* that is not attached to the *dwelling*.

**DEVELOPMENT**

the creation of a new *property*, a change in land *use*, or the *construction* of *buildings* and *structures*, requiring approval under the *Planning Act*.

**DRIVE-THROUGH RESTAURANT**

an element of a *restaurant use* associated with ordering and serving food and beverages to patrons where they remain within a *motor vehicle*, and includes any associated speaker system and order board.

**DRIVEWAY**



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a vehicular passageway having at least one end connected to a public thoroughfare, and providing ingress to and/or egress from a *property*.

**DRY CLEANING ESTABLISHMENT**

a *building*, or part thereof, in which the business of dry cleaning, dye drying, cleaning, or pressing of articles or goods of fabric is carried on, in which only non-combustible and non-flammable solvents are *used*, which emits no odours, fumes, noise, or vibration causing a nuisance or inconvenience within or outside the premises. A *dry cleaning establishment* may include a self-service *dry cleaning establishment*.

**DRY INDUSTRY**

an industry which by nature of its operation, process, or fabrication of raw materials or services rendered does not require a water supply for processing. The only sewage effluent will be that produced from normal sanitary and eating facilities required for the employees.

**DUPLEX DWELLING**

the whole of a *dwelling* that is divided horizontally into 2 separate *dwelling units* each of which has an independent entrance either directly from the outside or through a common vestibule.

**DWELLING**

a *building* or part thereof, occupied or capable of being occupied as a home, *residence* or sleeping place by 1 or more *persons*, *constructed* on-site, or off-site in parts designed to be transported to a *property* and where they are joined as integral units and placed on a permanent foundation over a *crawlspace* or *basement*, but shall not include *travel trailers*, tourist trailers, camper and *motor vehicles*, *hotels*, *motels*, or institutions.

**DWELLING UNIT**

one or more *habitable rooms* constituting self-contained living quarters for *use* of one or more individuals including the provision of kitchen and sanitary facilities and sleeping accommodation for the exclusive *use* of such individual or individuals, and having a private entrance from outside the *building* or from a common hallway or stairway inside the *building*.

**DWELLING UNIT, ACCESSORY**

a *dwelling unit* which is part of and *accessory* to a *permitted* non-residential *building* as *permitted* by this By-law

**EASEMENT**

a right to use another *person's* land for a specified purpose.

**EQUIPMENT SALES AND RENTAL**

a *building* or part of a *building* or *structure* in which heavy machinery equipment is offered for sale or kept for rent, lease or hire under agreement for compensation, but not any other establishment defined or classified in this By-law.

**ERECT OR ERECTING**

includes build, *construct* or *reconstruct*, *alter*, enlarge and relocate and without limiting the generality of the foregoing, shall be taken to include any associated physical operation such as piling, cribbing, and structurally *altering* any *existing building* or structure by an addition, deletion, enlargement or extension.

**EXISTING**

in existence, being an actuality as of the date of the final passing of this By-law or for a special *zone*, on the date of the final passing of the By-law establishing the special *zone*.

**EXTERIOR SIDE PROPERTY LINE**

any *property line* other than a front *property line* or rear *property line* abutting a *street*, *private road*, or *lane*.

**EXTERIOR SIDE YARD**

a *side yard* immediately adjoining a *street*.

**EXTRACTIVE USE**

the *use* of land and/or *buildings*, or *structures* for the removal of gravel, stone, sand, earth, clay, fill, mineral, commercial scale water-taking or other similar substances for *construction*, industrial or manufacturing purposes; and includes *accessory uses*.

**FARM**

a parcel of land together with its dependent *buildings* including all associated on-farm *buildings* and *structures* held for the purpose of a *general agricultural use*.

**FARM DWELLING**

a *dwelling unit* that is naturally and normally incidental and subordinate and exclusively *used* in conjunction with a *farm* and is situated on the same *property* as the *farm*.

**FARM PRODUCE SALES OUTLET**

a fruit, vegetable, flower, plant and/or *farm* produce stand set up as an *accessory use* to an *agricultural use* on a *farm*, *used* for the sale of produce from that same *agricultural use*.

**FARM WINERY**

a *building* or *structure* or part thereof associated with an *agricultural use(s)* on the same *farm property* where *wines* are produced primarily from feedstock grown on the *property* and may include storage, display, processing, *wine* tasting, an outdoor patio area, and limited *wine* & associated retail sales. The area *used* for *wine* tasting and *wine* & associated retail sales shall not exceed 75m<sup>2</sup> or 25% of the total above ground *floor area*, whichever is least. *Wine* tasting does not include a *restaurant*, banquet facility, or commercial kitchen. Overnight accommodation is not part of a *farm winery use*.

**FARMERS MARKET**

a *building*, part of a *building*, or an open outdoor area where *agricultural produce*, food items, plants, and craft items are offered or temporarily stored for occasional retail sale on the site by more than one vendor, but does not include a  *flea market*.

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**FENCE**

a barrier, comprised of wooden, metal or plastic posts, wire mesh or hedge, for example, *used* as a boundary or means of enclosure. For the purpose of this By-law, a *fence* shall not be considered as a structure.

**FINANCIAL INSTITUTION**

any *building used* for the premises of a bank, trust company, finance company, mortgage company or investment company.

**FISHERY**

a *building* or part thereof which is *used* in conjunction with marine facilities for the catching of fish. A *fishery* may include freezing facilities, the retail and *wholesale* sale of fresh and frozen fish or a fast food outlet or a *restaurant* specializing in the retail sale of fish.

**FLEA MARKET**

an occasional or periodic market held in an open area or in a *building* or structure, where groups of individual sellers display and offer goods for sale to the public, but does not include a private *garage sale* or *farmers market*.

**FLOOR AREA**

the area of a floor of a *building* measured from the outside of all exterior walls exclusive of any *attic*, *basement*, *carport*, *crawlspace*, *private garage*, veranda, enclosed porch or sunroom unless such enclosed porch or sunroom is an integral part of the *building* and habitable in all seasons, and excluding any *floor area* with a ceiling height of less than 2 metres.

**FLOW PATH**

a surface channel or depression that conducts liquids away from a facility, site or area.

**FORESTRY**

the *use* of the land for the growth and management of trees.

**FRONT PROPERTY LINE**

the *property line* that abuts the *street* except that, in the case of a *corner property*, the shorter *property line* that abuts the *street* shall be deemed the *front property line* and the longer *property line* that abuts the *street* or unopened road allowance shall be deemed the *exterior side property line*.

In the case of a *corner property* with two *street lines* of equal lengths, the *property line* that abuts the wider *street* or abuts a *County Road* or Provincial Highway shall be deemed to be the *front property line*, and in the case of both *streets* being under the same jurisdiction, or of the same width, the Municipality may designate either *street line* as the *front property line*.

In the case of a *through property* the longer boundary dividing the *property* from the *street* shall be deemed to be the *front property line* and the opposite shorter boundary shall be deemed to be the *rear property line*. In case each of such *property lines* are of

equal length, the Municipality may designate either *street line* as the *front property line*.

For properties fronting on Lake Huron and for properties abutting or including the *top-of-bank* of Lake Huron, the *front property line* shall be the lake or *top-of-bank* side of the *property*.

**FRONT YARD**

a *yard* extending across the full width of the *property* between the *front property line* and the nearest part of any *building* or structure on the *property*.

**FRONT YARD DEPTH**

the least horizontal dimension between the *front property line* of the *property* and the nearest part of any *building* or structure on the *property*.

**FRONTAGE**

see "PROPERTY FRONTAGE".

**FUEL STORAGE**

a *building* or structure or depot designed and *used* exclusively as a storage facility for combustible liquids.

**FULL SERVICES**

municipally-provided (either directly or under contract) sewage disposal and drinking water services.

**GARAGE SALE**

an occasional sale held by the occupants of a *dwelling unit* on their own premises, of household goods and not merchandise which was purchased for resale or obtained on consignment. No *person* shall conduct more than 6 *garage sales* per year at one location, with a maximum duration of one weekend per sale.

**GAS STATION**

see 'MOTOR VEHICLE SALES AND/OR SERVICE ESTABLISHMENT.'

**GASOLINE BAR**

one or more *pump islands*, each consisting of one or more gasoline or fuel pumps, and shelter having a *floor area* of not more than 10 square metres, excluding washrooms, which shall not be *used* for the sales of any product other than liquids and small accessories required for the operation of *motor vehicles* and shall not be *used* for repairs, oil changes, or greasing.

**GOLF COURSE**

a public or private area operated for the purposes of playing golf and includes a par 3 *golf course*, *driving ranges*, *miniature golf courses* and associated recreational *uses* such as a club house, *restaurant*, *swimming pool* and tennis courts.

**GOLF DRIVING TEE OR DRIVING RANGE**

a *use* which provides facilities designed and operated primarily for the practicing of golf shots but does not include a *golf course* as defined herein.

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**GOVERNMENT USE**

a *property, building*, or part thereof owned, rented, or leased by the Municipality of Bluewater, County of Huron, Province of Ontario, or Government of Canada.

**GRAIN ELEVATOR**

a *building* or structure used for the commercial storage and/or transshipment of grain.

**GREENHOUSE, COMMERCIAL**

a *building* or group of *buildings* used for the growing of flowers, plants, shrubs, trees and similar vegetation, which are planned, designed, developed and managed as a unit, having off-street parking provided on the site. The products produced from such *buildings* or *structures* are wholesaled from the site.

**GROUND FLOOR AREA**

the *floor area* of the lowest *storey* of a *building* approximately at or first above the average finished grade level, excluding any *basement* or *crawlspace*, which area is measured between the exterior faces of the exterior walls at the floor level of such *storey*, but:

- a) excludes car parking areas within the *building*; and
- b) for the purpose of this paragraph the walls of an inner court are and shall be deemed to be exterior walls.

**GROUP HOME**

a residential *dwelling* licensed by the Province of Ontario for individuals with social, mental or physical problems operated as a single housekeeping unit in a residential area in which 3 to 10 residents, excluding staff or receiving family live as a family under responsible supervision consistent with the requirements of its residents but excludes a place of detention, correction or probation for individuals. A *group home* is fully *detached* and wholly utilized by the *group home* occupants.

**GUEST ROOM**

a room or suite of rooms used or maintained for the accommodation of the public.

**HABITABLE ROOM**

any room within a *dwelling unit* used or capable of being used for living, eating and sleeping, but excluding a bathroom toilet room, serving or storage pantry, laundry, and corridor.

**HAZARD LANDS**

those lands identified by the Ausable Bayfield Conservation Authority that are susceptible to flooding or erosion, have steep slopes or soil instability, sinkholes, as well as lands adjacent to ravines, river valleys, streams and water bodies, or other environmental or human made hazards.

**HEIGHT**

when used with reference to a *building* or *structure* shall mean the vertical distance between the finished grade at the front of the *building* or *structure* and the highest point of the roof surface or

parapet, whichever is the higher but exclusive of any *structure* accommodating an elevator, staircase, water tank, ventilating fan, skylight, aerial, steeple, cupola, chimney, firewall, smoke stack or other ornamental or utilitarian *structure* which rises above the roof level but does not provide habitable living space.

**HENSALL SETTLEMENT AREA**

lands identified on "Schedule D Hensall" of the Municipality of Bluewater Official Plan, as amended.

**HISTORIC SITE**

an area containing *buildings* or places in which historic events occurred, or having special public value because of notable architecture or features relating to the cultural or artistic heritage of the community.

**HOME INDUSTRY**

a business conducted in whole or in part in an *accessory building* to a *single detached dwelling* by the residents, provided:

- a) no external advertising other than a legal *sign*;
- b) no outside storage of goods, materials or equipment unless fully enclosed by a *fence* or other enclosure which provides visual screening;
- c) the home industry is not a noxious use;
- d) the *home industry* is clearly secondary to the main residential or agricultural use and does not change the residential character of the *dwelling*;
- e) not more than the equivalent of 2 full-time employees, other than the *owner*, are employed by the business;
- f) an *accessory home industry* (including building and outdoor storage) shall be a maximum of 10% of the property area or 400 m<sup>2</sup>, whichever is less; and
- g) the home industry shall not result in significant volumes of vehicular traffic or on-street parking which cause the disruption of normal activities of adjacent residential properties or negatively impact on the operating viability and safety of the highway.

Examples of home industries include animal *kennel*, carpentry, *day nursery, service and repair shop*, electrical, woodworking, window framing, welding, plumbing, machine, *farm machinery* or *motor vehicle repair shop*, used vehicle sales (maximum 6 vehicles for sale on site), small scale manufacturing, small engine repair, and blacksmith.

**HOME OCCUPATION**

a gainful activity and/or profession conducted entirely within a *dwelling* or *permitted accessory buildings* on the same *property* by the occupant(s) of the *dwelling*, subject to the following conditions:

- a) the *home occupation* is clearly secondary to and compatible with the principal use of the *dwelling* for residential purposes;
- b) no external *alteration* of the *dwelling* shall be *permitted* other than what is required by a *dwelling unit* as a private *residence*;
- c) no external display of goods, materials, wares or merchandise, or exterior advertising other than a legal *sign*

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to indicate to *persons* outside that the *dwelling, accessory building or property* is being *used* for other than residential purposes;

- d) the *home occupation* shall not create a significant nuisance or hazard to neighbours by reason of noise emission, vibration, smoke, dust, fumes, odour, heat, humidity, glare, debris, refuse, smoke, fire, lighting, interference with radio or television reception, or hours of operation;
- e) the *home occupation* shall not result in significant volumes of vehicular traffic or on-street parking which cause the disruption of normal activities of adjacent residential properties or negatively impact on the operating viability and safety of the highway;
- f) no *outdoor storage* of materials or goods in support of such *home occupation*;
- g) the total area *used* for the *home occupation* cannot exceed 25% of the *total floor area* of the *dwelling* where the *total floor area* excludes: *basement, crawlspace, attic, porch/verandah, carport, attached garage* and *accessory buildings*. A finished habitable *basement* may be included in the calculation of *total floor area* if the *dwelling* is a single *storey*;
- h) an animal *kennel*, small engine repair and automotive repair are not *home occupations*;
- i) no *use* of municipal services such as *streets*, sanitary and storm services, water supply, utilities such as hydro and natural gas, or the generation of waste and refuse, beyond that normal to the *use* of *property* for residential purposes;
- j) no unreasonable use of lights or night-time operations;
- k) no retailing of items not created on the site except for the minor retail of products which are essential and *accessory* to the provided service. Retailing of items crafted or fabricated on the site shall be allowed provided that the operation complies with all other requirements;
- l) prior to the establishment of a *home occupation*, the occupant shall deliver to the Municipality a statement indicating their intention to conform with this definition of a *home occupation*; and
- m) for greater clarity, a *home occupation* may mean and not be limited to:
  - a home child care business providing care for a maximum of 5 children,
  - an *office* or consulting room for a professional *person* or agent,
  - an *office* and shop for a trade such as a builder, painter, plumber or electrician,
  - an *office* for a charitable organization,
  - a personal service shop such as a hairdresser, dressmaker or tailor,
  - a service and repair shop, or
  - a studio for a teacher of music, art or academic subjects, a photographer, or commercial artists, or a wholly enclosed workshop, and any other *use* of a similar nature which conforms to the criteria above; but does not include or permit a rooming or boarding house, convalescent home, *clinic*, retail shop, or any storage yard or plant for any trade.

**HOSTEL**

an establishment providing accommodation for the traveling public and may include communal spaces such as a kitchen.

**HOTEL**

an establishment consisting of one *building* or part thereof or two or more connected or adjacent *buildings* providing sleeping accommodation (with or without meals) to the public. Each *guest room* may only be entered from the interior of the *building* and may not have private cooking facilities. A *hotel* may include public rooms licensed under the Liquor Licensing Act.

**INDUSTRIAL MALL**

a *building* or group of *buildings* designed, developed, owned and managed as a unit containing 3 or more separated spaces for lease or *occupancy* by industrial *uses* as established by this By-law.

**INTERIOR PROPERTY**

a *property* other than a *corner property*.

**INTERIOR SIDE PROPERTY LINE**

a *side property line* other than an *exterior side property line*.

**INTERIOR SIDE YARD**

a *side yard* immediately adjoining a *property* and does not include an *exterior side yard*.

**KENNEL**

any *property, building* or *structure* where domesticated animals are commercially housed, groomed, bred, boarded, trained or sold and which may offer provisions for minor medical treatment.

**LAKESHORE RESIDENTIAL SETTLEMENT AREA**

lands designated as "Lakeshore Residential" in the Settlement Areas list on Schedule B of the Municipality of Bluewater Official Plan, as amended.

**LANDSCAPED OPEN SPACE**

open space comprised of lawn and/or ornamental shrubs, flowers and trees and may include space occupied by paths, walks and patios, but shall not include parking areas, traffic aisles, *driveways*, ramps, sports courts (such as tennis or basketball courts), or areas *used* for the storage of equipment, vehicles or other materials.

**LANDSCAPING**

a combination of trees, shrubs, flowers, grass or other horticultural elements, together with decorative stonework, paving, screening or other architectural elements, all of which is designed to enhance the visual amenity of a *property* and to provide a screen to mitigate any objectionable aspects that may detrimentally affect adjacent land but does not include parking areas, patios, walkways, *driveways*, traffic aisles or ramps.

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**LANE**

a public thoroughfare which affords only a secondary means of access to abutting *properties* and which is not intended for general traffic circulation.

**LAUNDROMAT**

an establishment containing one or more washing machines and could include 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 coin operated *laundromat*.

**LINK SEMI-DETACHED DWELLING**

one of a pair of two *single attached dwellings* attached below grade by a wall, each *dwelling* having an independent entrance directly from the outside.

**LIVESTOCK**

includes dairy, beef, swine, poultry, horses, goats, sheep, ratites, fur-bearing animals, deer and elk, game animals, birds, and other animals identified in the *Minimum Distance Separation Formulae*.

**LIVESTOCK FACILITY**

one or more barns or permanent *structures* with *livestock*-occupied portions, intended for keeping or housing *livestock*. A *livestock facility* also includes all manure or material storages and anaerobic digesters.

**LOADING SPACE**

an off-street space, on the same *property* as the *building* or contiguous to a group of *buildings*, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials and which abuts a *street*, *lane* or other legal means of access.

**LONG-TERM CARE HOME**

as referred to in the Long-term Care Homes Act.

**LUMBER YARD**

a place of business which retails lumber and related materials and may include open storage and warehousing.

**MAIN BUILDING**

the *building* designed and/or intended to accommodate the principal *use(s)* *permitted* by this By-law.

**MINERAL AGGREGATE OPERATION**

- a) lands under license or permit, other than for *wayside pits* and quarries, issued in accordance with the *Aggregate Resources Act*;
- b) for lands not designated under the *Aggregate Resources Act*, established *pits* and quarries that are not in contravention of this by-law including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and

- c) associated facilities *used* in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.

**MINIATURE GOLF COURSE**

a *use* which provides facilities designed and operated primarily for what is commonly known as miniature golf but does not include a *golf driving tee* or range or a *golf course* as defined herein.

**MINIATURE COMMERCIAL STORAGE (RENTAL UNITS)**

Small scale singular or multiple rental units enclosed within a building used for the storage of household, business and recreational goods on a rental basis. (As amended by By-law 21-2021)

**MINIMUM DISTANCE SEPARATION (MDS) FORMULAE**

a tool to determine the required distance for new development from *existing livestock* facilities or for a new or expanding *livestock facility* from an *existing use* or proposed development as determined by the Minimum Distance Separation (MDS) Formulae approved by the Province of Ontario (as amended from time to time) and includes any MDS Implementation Guidelines issued by the Province.

**MOBILE HOME**

a pre-fabricated *dwelling unit* occupied or designed for *occupancy* by one or more *persons* on a permanent basis, having a *floor area* of not less than 50 square metres, designed to be towed on its own chassis (notwithstanding that its running gear is or may be removed), placed or designed to be placed on permanent foundations, *constructed* in conformity with CSAZ240 MH Series, and connected or designed to be connected to public utilities, but shall not include a *travel trailer*, *park model trailer*, tent trailer or a *trailer* otherwise designed.

**MODULAR HOME**

a pre-fabricated *single detached dwelling* designed to be transported once only to a final location and *constructed* so as the shortest side of such *dwelling* is not less than 6.0 metres in width. A modular home is built to the CSA A277 standard.

**MOTEL**

a separate *building* or a group of 2 or more connected or *detached buildings* designed and *used* mainly for the purpose of catering to the needs of the traveling public by furnishing sleeping accommodation with or without supplying food for guests. The motel may include *accessory* recreational facilities and each *guest room* may be entered directly from the exterior of the *building*. A motel shall not include a boarding or rooming house or a *hotel*.

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**MOTORIZED RECREATIONAL VEHICLE SALES AND SERVICE**

a *building* or a structure *used* for the sale and service of motorized recreational vehicles such as: boats, motorcycles, snowmobiles and all terrain vehicles.

**MOTOR HOME**

see "TRAVEL TRAILER".

**MOTOR VEHICLE**

an automobile, truck, motorcycle or motorized snow or all-terrain vehicle, but does not include the cars of electric or steam railways, or other vehicles running only on rails, or a traction engine, *farm* tractor, self-propelled *farm* machinery or road building machine.

**MOTOR VEHICLE REPAIR SHOP**

a *building* and/or land *used* for the servicing, repair, cleaning, polishing, lubrication and greasing of *motor vehicles* and may include minor vehicular body repair and re-painting, but shall not include any other *motor vehicle use* defined in this By-law.

**MOTOR VEHICLE RUST PROOFING ESTABLISHMENT**

a *building used* for the application of rust proofing materials on *motor vehicles*.

**MOTOR VEHICLE SALES AND/OR SERVICE ESTABLISHMENT**

a *building and/or property used* for the display and sale of new or used *motor vehicles*, and/or the servicing, repair, cleaning, polishing and greasing of these products, the sale of accessories and related products, the leasing or renting of *motor vehicles* and the retail sales of *motor vehicle* lubricants and fuels. This establishment may also include such minor body repair that may be incidental to the mechanical servicing and repair of *motor vehicles*.

**MULTIPLE ATTACHED DWELLING**

a *building* that is completely divided vertically into 3 or more *dwelling units* by a common wall of masonry construction, each *dwelling unit* having independent entrance directly from the outside.

**Attached**

a *building* or *structure* otherwise complete in itself, which depends for structural support or complete enclosure, upon a division wall or walls shared in common with an adjacent *building* or *buildings*. The division wall or wall shared in common must comprise at least 40% of the length of the affected wall of each *building* or *structure*.

**MUSHROOM GROWING FACILITY**

the growing of mushrooms using a non-manure based growing material, such as wood/sawdust, with no use of animal wastes in the production process.

**NATURAL ENVIRONMENT**

areas of wetlands, woodlands, *watercourses*, valleys, and/or environmentally sensitive areas (ESAs). ESAs may include: life science areas of natural and scientific interest (Life Science ANSIs); habitat for threatened or endangered species; wildlife habitat; earth science areas of natural and scientific interest (Earth Science ANSIs).

**NON-COMPLYING**

a *legally existing property, building* or structure that is *permitted* by the provisions of the applicable zone which does not meet the zone provisions with respect to *yards, zone area, frontage, parking, setback, or any other provision* of this By-law applicable to that *zone*.

**NON-CONFORMING**

a *legally existing use*, as of the date of passing of this By-law, that is not *permitted* in the zone in which it is located.

**NOXIOUS USE**

a *use* which:

- a) may be hazardous or injurious as regards health or safety,
- b) prejudices the character of the surrounding area, or
- c) may interfere with the normal enjoyment of any *use* of land, *building* or structure

by the emission of a contaminant within the meaning of the Environmental Protection Act. A *noxious use* is also a *use* which is a nuisance by reason of emission of airborne or waterborne odours, gases, dirt, smoke, noise, vibration, fumes, cinders, soot or waste, or the depositing or leaving of unsightly objects or chattels on land.

**NUTRIENT UNIT (NU)**

the equivalent value for various types of *livestock* based on manure nutrient production as provided by the *Minimum Distance Separation (MDS) Formulae*.

**OCCUPANCY**

to reside in as *owner* or *tenant* on a permanent or temporary basis.

**OFFICE**

any *building* or part of a *building* in which business may be transacted, a service performed or consultation given, but excludes such *uses* as retail sale, repair, manufacture, assembly or storage of goods, or places of assembly or amusement.

**OFFICIAL PLAN**

the Official Plan for the Municipality of Bluewater, including amendments thereto as adopted by Municipal *Council* and as approved by the *County of Huron*.

**OUTDOOR DISPLAY**

the open air display of goods or merchandise for sale.

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**OUTDOOR STORAGE**

the storage of goods, merchandise or equipment in the open air and in unenclosed portions of *buildings*, which are open to the air on the sides.

**OWNER**

the *person* who holds legal title to a piece of *property*.

**PARK MODEL TRAILER**

a recreational unit that meets the following criteria:

- a) built on a single chassis mounted on wheels;
- b) designed to facilitate relocation from time to time;
- c) designed as living quarters for seasonal camping and may be connected to those utilities necessary for the operation of installed fixtures and appliances;
- d) has a *floor area*, including lofts, not exceeding 65 m<sup>2</sup>; and
- e) designed and *constructed* in accordance with CSA Z241 Series, Park Model Trailers.

**PARK, PRIVATE**

a non-commercial recreation area other than a public park *used* by the *owner* and their guests and may include therein a *swimming pool*, wading pool, picnic area, tennis courts, a bowling green, a country club, and similar open space *uses*.

**PARK, PUBLIC**

a recreational area owned or controlled by the Municipality of Bluewater or by any Board, Commission or other Authority established under any statute of the Province of Ontario or any religious, charitable or philanthropic organization.

**PARKING AISLE**

a portion of a parking area which abuts on one or more sides *parking spaces* to which it provides access and which is not *used* for the parking of vehicles.

**PARKING LOT**

a property used or intended for the temporary parking of 2 or more *motor vehicles* and may include aisles, parking spaces and related entrances and exits, but shall not include any part of a street.

**PARKING SPACE**

a space on which a *motor vehicle* may be temporarily parked.

**PARTIAL/PRIVATE SERVICES**

sewage disposal and/or drinking water services that are not provided by the Municipality directly or through a contract, including:

- municipal water service and private sewage disposal (septic).
- private water service and sewage disposal.
- private water service and municipal sewage disposal.

**PASSIVE RECREATION**

the *use* of land and/or water for the purpose of passive leisure activity and shall include such *uses* as a park, a garden, a beach,

a picnic area and the like, hiking trails, as well as a *playground* with activity equipment for children.

**PERMITTED**

shall mean permitted by this By-law.

**PERSON**

any individual, association, partnership, corporation, Municipal Corporation, agent or trustee and the heirs, executors or other legal representative of a person to whom the context can apply accordingly to law.

**PERSONAL SERVICES SHOP**

a *building* or part of a *building* for the performance of personal services; for greater clarity a *personal services* shop may include a barber shop, beauty parlour, spa services, and dress-making.

**PIT**

a place where unconsolidated aggregate or other material is being or has been removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes.

**PLACE OF ENTERTAINMENT**

a motion picture or other *theatre*, auditorium, billiard or pool room, curling club, bowling alley, ice or roller skating rink, or dance hall, but does not include any place of entertainment or recreation otherwise defined or classified in this By-law.

**PLANNING ACT**

the Planning Act of Ontario, R.S.O. 1990, c P.13, as amended from time to time and includes the former Planning Acts of Ontario as in force from time to time.

**PLANTING STRIP**

an area which shall be *used* for no purpose other than planting a row of trees or a continuous unpierced hedgerow of evergreens or shrubs not less than 1.5 metres high, immediately adjacent to the *property line* or portion thereof along which such planting strip is required.

**PLAYGROUND**

an area of *landscaped open space*, equipped with children's equipment, such as slides, swings or wading pools.

**PORTABLE ASPHALT PLANT**

a temporary asphalt batching plant established for a public road project.

**PORTABLE FOOD OUTLET**

a *trailer*, tent or vehicle that is designed to be made mobile, from which food is prepared and offered for sale to the public for consumption outside.

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**PRIVATE CLUB**

a *building* or part of a *building* used as a meeting place for members of a chartered organization, and shall include a lodge, a fraternity or sorority house, *hostel*, and a labour union hall.

**PRIVATE GARAGE**

A fully enclosed attached or *detached accessory building* or portion of a *dwelling* which is designed or used for the sheltering of private *motor vehicles* and the storage of household equipment incidental to the residential *occupancy* but does not include a *carport* or other open shelter.

**PRIVATE ROAD**

a road which is not owned by the Province of Ontario, the *County of Huron* or the Municipality that provides private access to any properties abutting thereon.

**PROFESSIONAL OFFICE**

any *office* where professionally qualified *persons*, technical assistants and associated clerical staff are employed and where clients or patients go for advice, consultation or treatment. Without limiting the generality of the foregoing, *professional office uses* may include: business providing qualified professional services such as physicians, lawyers, drugless practitioners, and planners; and any other use of a similar nature which conforms to the criteria above; but shall not include the uses of a Personal Service Shop or Service Shop.

**PROPERTY**

a contiguous parcel of land owned by one *person* or by more *persons* than one either as tenants in common as to the whole parcel or as joint tenants as to the whole parcel, and which parcel of land is also:

- a) a whole of a lot or block on a registered Plan of Subdivision;
- b) a whole of a unit on a Vacant Land Condominium Plan;
- c) the whole of a contiguous parcel of common elements within a Vacant Land Condominium Plan or within a Common Elements Condominium Plan;
- d) the whole of the lands within a Standard Condominium Plan; or
- e) a parcel which may otherwise be conveyed separately without contravening the *Planning Act*, not including a unit within a Standard Condominium Plan.

**PROPERTY DEPTH**

the horizontal distance between the *front property line* and *rear property line*. Where these lines are not parallel, it shall be the length of a line joining the mid-points of the *front property line* and *rear property line*. For properties with curved *front property lines*, the measurement shall be taken from a line drawn parallel to the chord of the arc of the curve constituting the *front property line*, lying midway between said chord and a line drawn parallel to said chord and tangent to said arc. When there is no *rear property line*, *property depth* means the length of a straight line joining the middle of the *front property line* with the apex of the triangle formed by the *side property lines*.

**PROPERTY FRONTAGE**

the horizontal distance between the *side property lines* measured at right angles. Where the *front property line* is not a straight line or the *side property lines* are not parallel, the *property frontage* shall be measured by a line set at a maximum of 7.5 metres back from and parallel to the chord of the *property frontage* or a line parallel to the said chord and tangent to the arc. (For the purposes of this By-law the chord of the *property frontage* is a straight line joining the two points where the *side property lines* intersect the *front property line*.)

**PROPERTY LINE**

any boundary of a *property* or a vertical projection thereof.

**PROVINCIAL HIGHWAY**

a *street* owned by the Province of Ontario.

**PUBLIC BUILDING**

any *building* or structure owned or leased by a municipality, the *County*, Province of Ontario, or the Government of Canada and in which government activities are carried out.

**PUBLIC UTILITY**

a waterworks, a water supply system, sewage works, electrical power or energy generating, transmission or distribution system, street lighting system, natural or artificial gas works or supply system, a transportation system or a telephone system, and includes any lands, *buildings* or equipment required for the administration or operation of any such system and which may be privately or publicly owned.

**PUMP ISLAND**

that portion of a *gasoline bar*, *motor vehicle sales and/or service establishment*, or other permitted non-residential use for the retail sale of automotive fuels, which includes the gas pumps, concrete base, overhead *canopy* and kiosk, but shall not include any part of any *building* for the repair or service of vehicles.

**QUADRUPLEX**

the whole of a *building* originally designed for and divided into 4 separate *dwelling units* with at least one of the units on a second floor and each unit having an independent entrance either directly from the outside or through a common vestibule.

**REAR PROPERTY LINE**

the longest *property line* opposite to the *front property line*.

**REAR YARD**

a *yard* extending across the full width of the *property* between the *rear property line* of the *property* or rear *zone* boundary and the nearest part of any *building* or *structure* on the *property*.

**REAR YARD DEPTH**

the least horizontal dimension between the *rear property line* of the *property* or rear *zone* boundary and the nearest part of any *building* or *structure* on the *property* or *zone*.



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**RECONSTRUCT OR RECONSTRUCTION**

to *construct* again, and for the purposes of the reconstruction of a *non-complying building* means a *replacement building* with the same footprint or within the same footprint as the *building* it replaces.

**RECREATIONAL VEHICLE SALES AND SERVICE**

a *building* or a *structure* used for the sale and service of *park model trailers, travel trailers, and/or tent trailers.*

**RECYCLING CENTRE**

a *building* or an area where materials, excluding *motor vehicles* and *farm machinery*, are collected, separated and processed.

**RENOVATED OR RENOVATION**

the repair and restoration of a *building* within the *existing* external walls and roof.

**REPLACEMENT**

when used in reference to a *building* or *structure* or part thereof, the rebuilding, repairing or restoring of more than 25% of the total *building* or *structure.*

**RESEARCH FACILITY**

a *building* or group of *buildings* in which are located facilities for conducting investigations, testing, or experimentation, including a laboratory.

**RESIDENCE**

see "DWELLING".

**RESIDENTIAL DISPERSION MEASUREMENT**

the minimum distance between two properties where each *property* has at least one *building* containing 3 or more residential *dwelling units* or a portion of a *building* where the entire *building* contains 3 or more residential *dwelling units.* The measurement is only applied when it involves two separate *buildings* (i.e. the units on the two properties are not part of the same building).

The distance is calculated by measuring along the *street line* and including the shortest distance across *streets*, where necessary. Where applied to a *zone*, such as R2, the provision includes all special or status *zones* within that *zone.*

The required minimum distance is dependent on the number of *dwelling units* in the *buildings.* Where the number of *dwelling units* in the *buildings* is not the same then the required minimum distance for the *building* with the greater number of *dwelling units* shall apply.

This provision applies only within the Bayfield Settlement Area with the exception of all lands zoned R2-1.

**RESIDENTIAL PARK**

a *property* containing 2 or more *residential park sites* and which is under single management and ownership, *used* for the siting of

*mobile homes, modular homes, and/or built-on-site dwellings* together with commercial-recreational and service *uses* for residential park residents, including any *building, structure* or enclosure forming a part of such residential park.

**RESIDENTIAL PARK HOME**

a *mobile home, modular home, or built-on-site dwelling.*

**RESIDENTIAL PARK SITE**

a parcel of land within a *residential park* occupied by or intended for *occupancy* by one *residential park home* together with all *yards* and open space required by this By-law.

**RESIDENTIAL USE**

the *use* of a *building* or structure or parts thereof as a private *dwelling.*

**RESTAURANT**

a *building* or *structure* or part thereof *used* to prepare food and offer for sale and sell food for immediate consumption within the *building* or structure, or adjacent patio and may include an *accessory take-out or drive through service.*

**RETAIL FLOOR AREA**

the aggregate of the areas of all rooms where goods and services are made available for sale but shall not include storage areas or other *commercial uses.*

**RETAIL STORE**

a *building* where goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, articles or things sufficient only to service such stores but does not include any manufacturing, processing or *construction uses.*

**RETIREMENT HOME**

a *building* for the accommodation of senior citizens within single or double rooms or suites which do not contain kitchens, and where central kitchen, dining and laundry facilities are provided for the residents, together with other communal facilities, under the supervision of resident and other staff, but which shall not include a *long-term care home.*

**RURAL AREA**

lands located outside of *settlement areas*, including *natural environment* and agricultural areas.

**RURAL WINERY**

a *building* or group of *buildings* or parts thereof on a *property* containing a minimum of 4 hectares planted as a *wine* feedstock where *wines* are produced and may also include related storage and display, *wine* tasting, an outdoor patio area, administrative facilities, and *wine* & associated retail sales. The area *used* for *wine* tasting and *wine* & associated retail sales shall not exceed 150 m<sup>2</sup>. *Wine* tasting does not include a *restaurant, banquet facility, or commercial kitchen.* Overnight accommodation is not

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part of a *rural winery use*. A *rural winery* with a minimum of 8 hectares planted as a *wine feedstock* on the same *property* is also permitted a *service kitchen* and related dining area. A *rural winery* is also referred to as a brewery, cidery, distillery, or meadery.

Note: Important information regarding winery business development, including additional regulatory requirements, is available by contacting the County of Huron's Economic Development Services office.

**SALVAGE YARD**

a *property* and/or premises for the storage, handling, and/or sale of scrap or used materials, including waste paper, rags, wood, bottles, bicycles, vehicles, tires, metal, and/or other scrap material and salvage and includes a junk yard and scrap metal yard which may include a secondary *motor vehicle* sales and/or *service establishment*.

**SAW MILL**

the *use* of land, *building* or *structure* for the purpose of processing logs or other unfinished wood into lumber, shingles, pallets, sawdust, firewood or related products.

**SCHOOL**

a school under the jurisdiction of a Board as defined in the Education Act or the Universities or Colleges Act.

- a) **Commercial School**  
a *school* operated by one or more *persons* for gain or profit.
- b) **Private School**  
a *school* other than a *public school* or *commercial school* under the jurisdiction of a private non-profit board of trustees or governors, a religious organization, or a charitable institution.
- c) **Public School**  
a *school* under the jurisdiction of a public agency.

**SECOND UNIT**

an *accessory dwelling unit* with its own kitchen, sanitary facilities and bedroom(s)/sleeping area in a *single detached dwelling* that meets the following requirements:

- any additional exterior stairways provided for the *second unit* leading to a full floor above the first *storey* are not located in the *front yard*.
- one additional on-site *parking space* is provided for the *second unit* in addition to the parking for the main *dwelling*.
- there is only one *driveway* on the *property*.

**SEMI-DETACHED DWELLING**

a *building* that is completely divided vertically into 2 *dwelling units* by a common wall, each *dwelling unit* having an independent entrance directly from the outside.

**Attached**

a *building* or *structure* otherwise complete in itself, which depends for structural support or complete enclosure, upon a division wall or walls shared in common with an adjacent

*building* or *buildings*. The division wall or wall shared in common must comprise at least 40% of the length of the affected wall of each *building* or *structure*.

**SEPARATION DISTANCE**

the horizontal distance between *buildings* or *structures* measured from the closest point on the exterior wall of such *buildings* or *structures*.

**SERVICE AND REPAIR SHOP**

an establishment wherein articles of goods such as appliances, furniture or similar items may be repaired or serviced. This definition shall not include any manufacturing operation, small engine repair, or an establishment *used* for the service or repair of *motor vehicles*.

**SERVICE KITCHEN**

The portion of a *building* *used* for the preparation of food cooked or prepared off-site into serving portions for consumption on-site.

**SETBACK**

see "BUILDING SETBACK".

**SETTLEMENT AREA**

lands designated as a "Settlement Area" on Schedule B, and as may be further delineated on Schedules C-L, of the Municipality of Bluewater Official Plan, as amended.

**SIDE PROPERTY LINE**

a property line other than a front property line or rear property line.

**SIDE YARD**

any *yard* other than a *front yard* or *rear yard*. In determining the minimum or maximum width of a *side yard* the distance is measured from the *side property line* of the *property* to the nearest part of any *main building* or *structures* on the *property*.

**SIGHT TRIANGLE**

the triangular space on a *corner property* formed by the *street lines* and a line drawn from a point on one *street line* to a point on the other *street line*, each such point being 7.5 metres measured along the *street line* from the point of intersection of the *street lines*. Where the 2 *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 from the straight portion of the *street lines*.

**SIGN**

a name, identification, description, device, display, or illustration which is affixed to, or represented directly or indirectly upon a *building*, *structure* or *property* and which directs attention to an object, product, place, activity, *person*, institution, organization or business. A sign permit may be required for the erection of any sign upon private or public *property* in accordance with the applicable Municipal Sign By-law.

**Municipality of Bluewater Zoning By-law**  
**Section 2      Definitions**

**SINGLE DETACHED DWELLING**

a completely *detached* permanent *dwelling* to which entrance is gained only by a private entrance outside the *building*, and containing only one main *dwelling*.

**SITE PLAN**

a scaled drawing showing the relationship between the *property lines* and the *uses, buildings or structures existing or proposed on a property*, including such details as parking area, *driveways*, walkways, landscaped areas, *building areas*, minimum *yards*, *building heights*, *floor areas*, densities and areas for special *uses*.

**SPORTS AND RECREATION FACILITY**

land, *buildings or structures used* for the purpose of active leisure activities and shall include such *uses* as an arena, *swimming pool*, community centre, curling rink, outdoor ice rink, a sports field and *uses accessory* thereto.

**STOREY**

that portion of a *building* between any floor and the floor, ceiling or roof next above, provided that any portion of a *building* partly below grade level shall not be deemed a storey unless its ceiling is at least 1.8 metres above average grade and provided also that any portion of a storey exceeding 4 metres in height shall be deemed an additional storey for each 4 metres or fraction thereof of such excess.

**STREET**

a road owned by the Province of Ontario, the *County of Huron* or the Municipality that is of satisfactory construction and maintenance as to permit the reasonable and safe passage of *motor vehicles* and affords the main means of access to any properties abutting thereon. In addition, the common element used to access a unit in a vacant land condominium is a *street*.

For the purpose of determining *setbacks* and *yards* and *driveways* only, the following shall also be considered a *street*:

- an unmaintained road allowance; and
- an unassumed road.

**STREET LINE**

the boundary line between a *street* and a *property*.

**STRUCTURE**

anything that is *erected*, built or *constructed* of parts joined together or any such erection fixed to or supported by the soil and/or any other structure. For the purposes of this By-law, "structure" does not include a *fence*, hedge, light standards, tomb stones, sports screening, septic systems or *signs*.

**SWIMMING POOL**

a *structure*, basin, chamber or tank containing or capable of containing water, and designed to be *used* for swimming or wading.

**TAKE-OUT RESTAURANT**

a *building or structure* or part thereof where food is prepared and offered for sale to the public to be taken out and/or delivered for consumption off the premises.

**TAVERN**

shall mean tavern as defined by the Liquor License Act.

**TENANT**

a *person* or group who occupies a *building, structure* or land by rental or lease agreement.

**THEATRE**

an establishment which produces/performs plays, films and live theatre productions along with any *accessory uses used* in performance productions and management as well as an *accessory art gallery* and *accessory food concession*.

**THROUGH PROPERTY**

a *property* bounded on two opposite sides by a *street*. If any *property* qualifies as being both a *corner property* and a *through property* such *property* shall be deemed a *corner property*.

**TOP-OF-BANK**

a line delineated at a point where the oblique plane of the slope meets the horizontal plane.

**TOTAL FLOOR AREA**

in the case of a *dwelling*, the aggregate of the areas of all *habitable rooms* measured from the exterior walls, but excluding any *detached accessory buildings/structures*, balcony, breezeway, *deck*, unenclosed sunroom, porch and/or verandah, attic, or *crawlspace*.

In the case of a *building* other than a *dwelling*, the aggregate of the area of all floors devoted to retail sales, customer service and/or *office use* measured from the outside face of exterior walls but excluding storage, mezzanine areas, mechanical rooms, common halls, stairwells, garbage and electrical rooms, parking structures and similar *uses ancillary* to the main *use*. The *total floor area* in each *zone* applies only to that portion of such *property* that is located within said *zone*.

**TRAILER**

a trailer may include a trailer for the transport of vehicles, equipment and materials.

**TRAILER AND TENT PARK**

any land upon which overnight, short term or seasonal accommodation for two or more tents, *travel trailers* or *park model trailers* are *used* or intended to be *used* for human occupation, which shall not include permanent year-round human occupation of *permitted* tents or trailers, and includes on-site *accessory commercial, laundry, social, and recreational facilities*.

**Municipality of Bluewater Zoning By-law**  
**Section 2 Definitions**

**TRAVEL TRAILER**

a structure or vehicle designed, intended and *used* exclusively for the temporary or seasonal living, sleeping or eating accommodation for *persons* therein during travel, recreation and vacation and which is either capable of being drawn by a passenger vehicle or is self-propelled and shall include tent trailers, vans, motor homes and similar transportable accommodation but not a *mobile home*. Travel trailers that are not self-propelled are built to CSA Z240 RV Series specifications.

**TRIPLEX**

the whole of a *building* originally designed for and divided into 3 separate *dwelling units* with at least one of the units on a second floor and each unit having an independent entrance either directly from the outside or through a common vestibule.

**TRUCK TRANSPORT TERMINAL**

a *building, structure, or property* used for the parking, repairing or dispatching of *commercial motor vehicles or trailers*, as defined by the Highway Traffic Act.

**USE, USED, USES, OR TO USE**

the purpose for which any land, *building, structure, or premises*, or part thereof, is arranged, designed or intended to be used, or is or may be occupied or maintained.

**USABLE OPEN SPACE**

an area of land suitable for *landscaping*, including any area occupied by recreational *accessory buildings*, a surfaced walk, patio or similar area, a sports or recreational area, an ornamental or *swimming pool*, and the roof or other part of a *building or structure* open to the air and suitable for *landscaping* and used as a recreational area but excluding any *driveway* or ramp, whether surfaced or not, as well as any curb, retaining wall, *motor vehicle parking area, or loading space*.

**UTILITY SERVICE BUILDING**

a *building* used in connection with the supplying of local utilities services including a water or sewage pumping station, a water storage reservoir, a gas regulator *building*, a hydro sub-station, a telephone *building* for exchange, long distance or repeater purposes (but does not include major hydro transmission lines and transformer stations of 230kv or more).

**VETERINARY CLINIC**

a *building* or part thereof wherein animals of all kinds are treated or kept for treatment by a registered veterinarian, and where such animals can be temporarily boarded.

**WAREHOUSE**

a *building* used or intended to be *used* for the bulk storage of goods, merchandise or materials and shall include *wholesale* establishments.

**WASTE DISPOSAL FACILITY**

any land approved by the Ministry of the Environment upon, into or in which waste has or may be deposited or processed.

**WATERCOURSE**

any bay, lake, navigable waterway, canal, drain, river, municipal drain under the Drainage Act, or a natural/artificial channel for a stream including an intermittent stream.

**WAYSIDE PIT**

a temporary *pit* opened and *used* by the Municipality of Bluewater, *County of Huron*, Province of Ontario, or Government of Canada solely for the purpose of a particular project or contract of road construction.

**WHOLESALE**

an establishment, which sells merchandise to others for resale and/or to industrial or commercial users.

**WIND ENERGY FACILITY**

any device and related equipment that is used, or designed to be used, for the production of electrical power where wind is the energy source, including wind turbines, vertical axis wind turbines and horizontal axis wind turbines.

**WINE**

an alcoholic beverage made from fermented grapes or other fruits/plants as well as honey. Also referred to as beer, hard cider, mead, or spirits.

**YARD**

an open area of land, unoccupied and unobstructed except as otherwise provided for or required by this By-law, located on the same *property or zone* within a *property* with a *main building* or structure.

**ZONE**

an area delineated on the zone map and established by this By-law for a specific *use*.

**ZONE AREA**

the total horizontal area within the limits of a *property* with the zone area for each *zone* applying only to that portion of the *property* which is located within said *zone*, unless otherwise specified.

**ZONE COVERAGE**

the percentage of the *zone area*, covered by all *buildings* above ground level, and shall not include that portion of such *property* which is occupied by a *building* or portion thereof which is completely below ground level. Patios, unenclosed *swimming pools*, awnings, and ground-mounted solar energy collectors are not included in the calculation of zone coverage; however, *decks*, balconies, and tennis courts are included.

**ZURICH SETTLEMENT AREA**

lands identified on "Schedule E Zurich" of the Municipality of Bluewater Official Plan, as amended.



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<i>Structure</i>	<i>Yards in which Projection is Permitted</i>	<i>Maximum Projection into Minimum Required Yard</i>
Sills, belt courses, cornices, eaves, gutters, chimneys, pilasters	All yards	0.75 metres provided that no part of the <i>structure</i> extends closer than 0.75 metres to any <i>property line</i>
Fire escapes & exterior staircases	Rear yard or side yard	1.5 metres provided that no part of the <i>structure</i> extends closer than 1.5 metres to any <i>property line</i>
Window bays	Front, rear & exterior side yard	1 metre over a width of 3 metres provided that no part of the <i>structure</i> extends closer than 1.5 metres to any <i>property line</i>
Balconies	Front, rear & exterior side yards only for single detached dwellings	1.5 metres provided that no part of the <i>structure</i> extends closer than 1.5 metres to any <i>property line</i>
Open, roofed porches & decks (all not to exceed the first storey in height)	All yards	2.5 metres including eaves and steps provided that no porch, deck or patio extends closer than 1.5 metres to any <i>property line</i>
Closed-in porch	All yards	1.5 metres including eaves and steps provided that no closed in porch extends closer than 1 metre to any <i>property line</i>
Retaining walls or similar accessory structures	All yards	No maximum or minimum requirements, provided that no part of the <i>structure</i> extends beyond the <i>property line</i>

- a vertical clearance of 2.9 metres is maintained from the surface of the sidewalk to the lowest portion of the awning, *canopy*, balcony, or overhanging *sign*, and
- the *owner* obtains from the appropriate authorities all permits required prior to starting *construction*.

**3.6.2. Encroachment Exception**

Where a *building* or *structure* has been established in accordance with a building permit but is subsequently shown by an Ontario Land Surveyor's survey not to comply with the provisions of the Zoning By-law, an encroachment of up to 0.25 metres into any *yard* is recognized as being *permitted*.

**3.7. EXTERIOR LIGHTING**

The type, location, height, intensity, duration and direction of lighting shall be designed to conserve energy and ensure the light is confined to the *building* face, parking area and vicinity of the site so as to not cast glare onto adjacent properties adversely affecting the *use* of the *property* or onto an adjacent *street* posing a vehicular safety hazard.

**3.8. EXTERNAL BUILDING MATERIALS**

The following building materials shall not be used for the exterior vertical facing on any wall of any *building* or *structure*:

- tar paper or building paper;
- asphalt roll type siding or insul-brick;
- plain concrete or plain cinder block in Residential or Recreational zones; or
- galvanized steel in Residential or Recreational zones.

**3.9. FULL SERVICE REQUIREMENT**

All dwellings in a R1, R2, and R3 Zone (and the Special Zones within those *zones*) shall have *full services* (municipal sewage and water) with the exception of *single detached dwellings* located outside of the *Bayfield Settlement Area*, *Hensall Settlement Area*, and *Zurich Settlement Area*.

**3.10. GOVERNMENT USES PERMITTED**

A government use is a permitted use in all *zones*.

**3.11. HAZARD LAND REQUIREMENTS**

In addition to the provisions of the applicable *zones* and general provisions, no *buildings* or *structures* are *permitted* on *hazard lands* or adjacent to *hazard lands* within the area subject to the Ausable Bayfield Conservation Authority's authority under O. Reg. 14/06, as amended, unless the permission of the Ausable Bayfield Conservation Authority has been obtained.

**3.12. HEIGHT LIMITATION EXCEPTIONS**

The *height* limitations of this By-law shall not apply to a *church* spire, belfry, clock tower, water tower, elevator enclosure, flag pole, television or radio tower or *antenna*, cell tower, solar collector, electric power facility, ventilator, skylight, chimney, air conditioner duct, windmill, wind turbine, silo or *grain elevator*.

**3.6.1. Encroachment of Awnings, Canopies, Balconies, and Signs in Commercial Zones**

Awnings, canopies, balconies and *signs* may extend over *County* property in Commercial *zones* a maximum distance of 1.5 metres, subject to *County* approval, provided:

- no portion of the awning, *canopy*, balcony or *sign* is closer than 1 metre (one metre) from a parking area or the traveled portion of a *street*,
- no portion of the awning, *canopy*, balcony, or *sign* obstructs the view at any intersection,

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**3.13. LOADING SPACE REQUIREMENTS**

The *owner* or occupant of any *property, building or structure* in a Commercial, Community Facility or Industrial zone, *erected or used* for any purpose involving the receiving, shipping, loading or unloading of *persons, animals, goods, wares, merchandise and raw materials*, shall provide and maintain at the premises loading or unloading facilities.

Loading facilities shall be on the *property* occupied by the *building or structure*, not form part of a *street or lane*, and be in the same *zone* in which such *use* is located. All required *loading spaces* shall be 9 metres long, 3.5 metres wide and have a vertical clearance of at least 4 metres.

**3.13.1. Access**

Access to *loading spaces* shall be by means of a *driveway* at least 6 metres wide and lead to a *street or lane* located within or adjoining the Commercial, Community Facility or Industrial zone.

**3.13.2. Surface**

The *driveways and loading spaces* shall be maintained with a stable surface which is treated or finished so as to prevent the raising of dust and shall also have adequate drainage facilities.

**3.13.3. Location**

All *loading spaces* shall be located in the *interior side yard or rear yard*. If set back from the *street line* a minimum distance of 18 metres a *loading space* may be located in the *exterior side yard or the front yard*.

**3.14. MAIN BUILDINGS OR MAIN USES PER PROPERTY**

No *person* shall *erect* more than 1 *main building* on a property or establish more than 1 *main use* on a property except *permitted buildings and uses* in an Agriculture, Commercial, Community Facility, Disposal, Extractive Industrial, Industrial, Parks & Open Space, or Residential - High Density Zone.

In those zones where more than 1 *main use* or 1 *main building* is *permitted*, the requirements of this By-law for each *use and building* must be satisfied.

**3.15. MINIMUM DISTANCE SEPARATION (MDS)**

Notwithstanding any other provision of this by-law to the contrary, no agricultural, commercial, *community facility*, industrial, recreational, or residential *building or structure* shall be *constructed, enlarged, extended, or reconstructed* unless it complies with the *Minimum Distance Separation (MDS) Formulae*. This provision does not apply in a *settlement area* designation.

**3.15.1 MDS and Closed/Inactive Cemeteries**

For the purposes of calculating MDS II for a new or expanding *livestock facility*, closed or inactive cemeteries in the CF Zone shall be treated as a Type A land use. This provision does not apply in a *settlement area* designation.

**3.17. NON-COMPLYING BUILDINGS AND STRUCTURES**

**3.17.1. Establishment of Legal Non-Complying Status**  
Where a *building or structure or driveway* was legally established and is *permitted* by the provisions of the *zone* in which such *building or structure* is located but does not meet the zone provisions with respect to *yards, zone area, frontage, parking, setback* or any other provisions of this By-law applicable to that *zone*, the said *building or structure* shall be deemed to comply with the By-law and may be enlarged, extended, *reconstructed, repaired or renovated* provided that the enlargement, extension, *reconstruction, repair or renovation* does not further reduce the compliance of that *building or structure*, with the provision(s) of the By-law to which it does not comply and all other applicable provisions of this By-law are complied with. In addition, where such a building is reconstructed no enlargements or extensions are permitted to the reconstructed building for a five year period after its reconstruction.

**3.17.2. Legal Non-Complying Status & Rezoning/Severances**  
In the case of a rezoning or severance, the *permitted* and legally established *existing building or structure or driveway* shall be deemed to comply with any applicable zone provisions, except parking requirements, resulting from such rezoning or severance.

**3.17.3 Location of Reconstructed Building**

Where a *non-complying building or structure* is removed or destroyed, such *building or structure* may be *reconstructed* in a different location than the original *building or structure*, provided that the new location does not further reduce the compliance with the provisions of the By-law to which the original *building or structure* did not comply.

**3.17.4. Time Limit**

Where a *non-complying building or structure* is removed or destroyed, such *building or structure* may only be *reconstructed* within 18 months from the date of destruction. After this period of time, the replacement *building or structure* may only be built in compliance with the provisions of the By-law.

**3.17.5. MDS and Catastrophes**

Where a *building or structure* is destroyed in whole or in part by a *catastrophe, minimum distance separation (MDS) formulae* requirements will not be applied when the *building or structure* is rebuilt provided that it is built no closer to livestock facilities than before the *catastrophe* and it is rebuilt within 18 months.

Where a *livestock facility* is destroyed in whole or in part by a *catastrophe, minimum distance separation (MDS) formulae* requirements will not be applied when the *livestock facility* is rebuilt provided it is built no closer to surrounding land *uses and property lines* than before the *catastrophe*, the capacity of the *livestock facility* (expressed in *nutrient units*) is not being increased by the *replacement livestock facility*, and the *replacement livestock facility* is built within 18 months of the *catastrophe*.

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**3.18. NON-COMPLYING PROPERTIES**

Where an *existing property* does not meet the *zone area* and/or *frontage* and/or *property depth* requirements of this by-law, these *existing conditions* are recognized and the *existing property* is deemed to comply with the *zone area*, *frontage*, and *property depth* requirements.

**3.19. NON-CONFORMING USES**

**3.19.1. Continuation of Existing Use**

The provisions of this By-law shall not apply to prevent the *use* of any land, *building* or *structure* for any purpose prohibited by this By-law if such land, *building* or *structure* was lawfully established and *used* for such purpose on the date of passing of this By-law, and provided that it continues to be *used* for that purpose and all other applicable provisions of this By-law are complied with.

**3.19.2. Building Permit Issued**

The provisions of this By-law shall not apply to prevent the erection or *use* for a purpose prohibited by this By-law of any *building* or *structure*, the plans for which have been approved by the *Chief Building Official* prior to the date of passing of this By-law, so long as the *building* or *structure* when *erected* is *used* and continues to be *used* for the purpose for which it was *erected* and provided the erection of such *building* or *structure* is commenced within 18 months after the date of the passing of this By-law and such *building* or *structure* is completed within a reasonable time after the *construction* thereof is commenced.

**3.19.3. Strengthening, Repairing or Renovating of Buildings or Structures Used for Non-Conforming Uses**

Nothing in this By-law shall prevent the strengthening to a safe condition, the repair or *renovation* of any *building* or *structure* or part of any *building* or *structure* which *use* does not conform with the provisions of this By-law, provided such strengthening, repair or *renovation*:

- does not further reduce the compliance with the provisions of the By-law to which the *building* or *structure* does not comply, if any; and
- does not involve any *alteration* of use and the *building* or *structure* continues to be *used* for the purpose.

**3.19.4. Replacement of Buildings or Structures for Non-Conforming Uses**

If a *building* or *structure* *used* for a *non-conforming use* is removed or destroyed, it may be *replaced* provided the *non-conforming use* has continued and the *replacement building* or *structure* does not further reduce the compliance with the provisions of the By-law to which the removed or destroyed *building* or *structure* did not comply, if any.

**3.20. OUTDOOR STORAGE OF WASTE**

Where waste intended for landfill is stored outdoors (excluding manure), it shall be contained in a receptacle specifically designed for such reason and having walls and sides and a lid. The receptacle shall be located in the *rear yard* no closer than 2 metres from a *side property line* or *rear property line*.

**3.21. PARKING REQUIREMENTS**

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

**3.21.1. Number of Parking Spaces Required**

The minimum number of *parking spaces* required for the *uses* and purposes set out in this By-law are provided as follows:

Type of Use	Minimum Parking Requirements
<i>Accessory dwelling</i>	1 per <i>dwelling unit</i>
<i>Apartment building</i> and other multiple unit <i>dwellings</i>	1.5 per <i>dwelling unit</i>
Arena <i>Assembly hall</i> Community Centre Sports Field <i>Theatre</i>	1 per 4 <i>persons</i> of maximum designed capacity of the facility
Bowling Establishment (indoor)	3 per bowling lane
Business or <i>Professional office</i>	1 per 20 m <sup>2</sup> of office <i>floor area</i>
Car wash	2 per washing bay for self-serve 5 <i>parking spaces</i> for automatic
Church	1 per 4 <i>persons</i> of maximum designed capacity of the sanctuary
<i>Clinic</i> or <i>Veterinary clinic</i>	6 per practitioner
<i>Bed and breakfast establishment</i>	2 per <i>dwelling unit</i> plus 1 per <i>guest room</i> for rent
<i>Converted dwelling</i>	1 per <i>dwelling unit</i>
<i>Drive-through restaurant</i>	6 plus 1 per 4 <i>persons</i> of max. designed capacity
<i>Duplex dwelling</i>	1 per <i>dwelling unit</i>
Fire Hall	5 per bay
Funeral Home	1 per 5 seats capacity
Furniture store	1 per 90 m <sup>2</sup> of <i>retail floor area</i>
<i>Gasoline bar</i>	1
<i>Group home</i>	2 per <i>dwelling unit</i> plus 1 per 4 <i>group home</i> residents
Hospital	3 per 4 beds
<i>Hotel</i>	2 plus 1 per <i>guest room</i>
Industrial establishment	3 for every 4 employees on the largest shift, including <i>office staff</i>
<i>Long-term care home</i>	1 per 3 beds
<i>Motel</i>	2 plus 1 per <i>guest room</i>
<i>Motor vehicle repair shop</i> <i>Motor vehicle sales and/or service establishment</i>	4 plus 1 per repair bay
<i>Personal services shop</i>	1 per 20 m <sup>2</sup> of <i>total floor area</i>
<i>Public building</i> except where specifically identified	1 per 30 m <sup>2</sup> of <i>total floor area</i>



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<i>Restaurant</i>	1 per 4 <i>persons</i> of maximum designed capacity
<i>Retail store,</i>	1 per 20 m <sup>2</sup> of <i>retail floor area</i>
<i>Retirement home</i>	1 per 3 beds
<i>School, Nursery</i>	The greater of 3 per classroom or nursery or 1 per 60 m <sup>2</sup> of <i>floor area</i>
<i>School, Elementary</i>	The greater of 1.5 per classroom or 1 per 3 m <sup>2</sup> of auditorium assembly area
<i>School, Secondary</i>	The greater of 5 per classroom or 1 per 3 m <sup>2</sup> of auditorium assembly area
<i>Single-detached dwelling</i>	1 per <i>dwelling unit</i>
<i>Semi-detached dwelling</i>	1 per <i>dwelling unit</i>
Social Club, Service Club Golf Country Club Curling Club	1 per 10 m <sup>2</sup> of <i>total floor area</i> of all common club <i>buildings</i> excluding ice surface, plus: 2 per golfing green 4 per lawn bowling green 4 per tennis, racquetball, or other racket-sport court 6 per curling ice sheet
Supermarket, Grocery store	1 per 15 m <sup>2</sup> of <i>retail floor area</i>
<i>Take-out restaurant</i>	6 plus 1 per 4 <i>persons</i> of maximum designed capacity
<i>Tavern</i>	1 per 4 <i>persons</i> of maximum designed capacity
<i>Warehouse</i>	1 per 185 m <sup>2</sup> of <i>total floor area</i>
<i>Wholesale establishment</i>	1 per 90 m <sup>2</sup> of <i>retail floor area</i>
<i>Winery</i>	1 per 20 m <sup>2</sup> of <i>ground floor area</i>
<i>Uses permitted by this By-law other than those referred to above</i>	1 per 40 m <sup>2</sup> of <i>total floor area</i>

Where the application of the above parking space requirements results in a number that is not a whole number, the number shall be rounded-up to the next whole number (for example, 7.3 spaces would be rounded-up to 8).

**3.21.2. More Than One Use in a Building**

Where a *building* or *structure* accommodates more than one type of *use*, the *parking space* requirement for the whole *building* shall be the sum of the requirements of the separate parts of the *building* occupied by the separate types of *use*.

**3.21.3. Multiple Use of Parking Area**

Where two or more *uses* utilizing the same parking area will never occur simultaneously, the parking requirements of the use having the highest parking requirements shall govern.

3.21.4. Core Commercial Zone Parking Space Requirements  
The provisions of the Parking Requirements section shall not apply to require the establishment of *parking spaces* for a non-residential use in the Core Commercial (C4) Zone, other than for a *motel* or *hotel*.

**3.21.5. Existing Buildings and Changes in Use**

The parking area requirement referred to in this By-law shall not apply to any *building* lawfully in existence at the date of passing of this By-law so long as:

- the *building* is used for a *permitted use*,
- any change of *occupancy* is to a *use* having the same or a lesser parking requirement according to this By-law,
- the *floor area* is not increased, and
- all *parking spaces* existing at the date of passing of the By-law are retained.

**3.21.6. Additions to an Existing Building**

If an addition is made to a *building* or *structure* lawfully existing at the date of passing of this By-law, then *parking spaces* in addition to those already existing shall be provided to the number required for such addition or change of *use*. This section shall not apply to require the establishment of *parking spaces* and areas for an addition to a *single detached dwelling*.

**3.21.7. Parking Spaces for Individuals with Special Needs**

Accessible *parking spaces* shall be provided to accommodate a varying range of abilities including those in wheelchairs, limited mobility and those caring for small children. Accessible *parking spaces* shall be provided in the following zones: Highway Commercial, Community Facility, Industrial, and Recreational Commercial (RC3) zones as well as for the following uses: *apartment building, hotel, long-term care home, motel, and retirement home*.

<i>Parking Spaces</i>	Accessible <i>Parking Spaces</i>	Limited Mobility <i>Parking Spaces</i>
1-50	1	1
51-100	2	2
101-200	4	4
201-300	5	5
301-500	6	6
501 & over	6 plus 1 for each 100 over 500	6 plus 1 for each 100 over 500

The number of *parking spaces* required may not be sufficient for some facilities (e.g. seniors' centres) where increased numbers of *persons* with disabilities may be expected.

Designated accessible parking spaces shall:

- be located on an accessible route that provides a safe path of travel from the parking area to the accessible entrance of the *building*. Where possible, the parking area is to be located within 30 metres of the accessible entrance.

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- have a level and firm surface and be designated by painting a sign on the pavement and erecting a post mounted *sign* that displays the international symbol for accessibility.
- have a minimum vertical clearance of 2.75 metres, a minimum width of 2.7 metres and a length of 5.5 metres.
- have an adjacent access aisle of a minimum of 2 metres, clearly indicated by markings.

Designated limited mobility & caregivers only *parking spaces* shall:

- have a minimum width of 3.4 metres and a length of 5.5 metres.
- be designated by erecting a post mounted *sign* that displays the international symbol for accessibility.

**3.21.8. Use of Parking Areas and Spaces**

Any area where off-street parking is required under this By-law shall be *used* for no other parking purpose than for the parking of operative passenger vehicles and commercial vehicles used in operations incidental to the *permitted uses* on the *property*, all bearing currently valid license plates. For the purpose of this subsection "commercial motor vehicle" shall mean any commercial vehicles as defined in the Highway Traffic Act.

**3.21.9. Commercial Motor Vehicles and Tractor Trailers in Residential Zones**

No *person* shall *use* any *property, building* or *structure* in a residential *zone* for the parking or storage of any *commercial motor vehicle* unless the person is the *owner* or occupant of such *property, building* or *structure*, the vehicle does not exceed 4,000 kilograms per axle, and provided no more than one commercial vehicle is stored in accordance with this section.

No *person* shall *use* any *property, building* or *structure* in a residential *zone* for the parking or storage of any truck trailer or van body or part thereof.

This provision shall not include *commercial motor vehicles* or tractor trailers while they attend a residential premise for the purposes of delivery and service.

**3.21.10. Storage or Parking of Travel Trailers, Motor Homes and Personal Recreational Vehicles**

No *person* shall within any Residential *zone* *use* any *property* for the outdoor parking or *outdoor storage* of more than a total of 2 *travel trailers* or personal recreational vehicles, provided that these items are owned by the *owner* or occupant of the subject lands. The outdoor parking or storage shall be *permitted* in:

- a carport.
- an open driveway exclusive of any area covered by a sight triangle.
- an interior side yard or rear yard.

This By-law shall not restrict the number of *travel trailers* and personal recreational vehicles that are fully enclosed within a *private garage*.

**3.21.11. Occupancy of Travel Trailers**

No *person* shall, in any *zone*, *use* any *travel trailer* or *park model trailer* for the purpose of primary residential, permanent living.

In addition to the *permitted uses*, the occasional short-term, temporary, non-commercial *use* of a *travel trailer* or *park model trailer* is *permitted* for a cumulative maximum of 2 weeks annually provided there is a *main building* on the same *property*.

**3.21.12. Parking Area Location on a Property**

No *parking lot* or required parking area shall be located on a septic tank or tile bed area.

Outdoor parking areas shall be *permitted* in the required *yards* or in the area between the *street line* and the required setback as follows:

<i>Zone</i>	<i>Yards in which Parking Area Permitted</i>
Residential	<i>Driveway</i> <i>Interior side yard</i> and <i>rear yard</i>
All other zones	Parking areas are <i>permitted</i> in all <i>yards</i> . The minimum setbacks for a parking area, other than a <i>driveway</i> , shall be 3 metres from any <i>property line</i> abutting a residential zone and 1 metre from the <i>street line</i> .

**3.21.13. Off-Site Parking**

All required *parking spaces* are to be provided on the same *property* as the *use* for which they are provided. Off-site parking for a non-residential *use* may be located within 150 metres provided that parking is a legal *permitted use* in that *zone* and that total parking requirements are met for all *uses*. All off-site parking areas shall require a site plan agreement.

**3.21.14. Access to Parking Area Through Residential Zones**

No *person* shall *use* any land in a residential *zone* for *motor vehicle* access to any *parking space* or parking area located in any other *zone*.

**3.21.15. Parking Area Design Standards**

All parking areas required under this By-law shall conform with the following minimum standards:

**Parking Aisles**

Angle of Parking	In perpendicular width, the <i>parking aisle</i> shall not be less than
30 degrees	3.4 metres
45 degrees	3.7 metres
55 degrees	4.3 metres
60 degrees	4.9 metres
65 degrees	5.2 metres
70 degrees	5.5 metres
90 degrees	6.7 metres
Parallel parking	3 metres for one-way traffic 6 metres for two-way traffic
Parking at an angle other than those listed above	the requirements for the angle of parking which is next greater than the angle of parking being provided

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**Parking Space Width**

For cars parked:  
 side by side: 2.7 metres  
 with wall or fence adjacent: 3.0 metres

**Parking Space Depth**

Angle of Parking	In perpendicular width, the <i>parking space</i> depth shall not be less than
30 degrees	4.6 metres
45 degrees	5.5 metres
55 degrees	5.8 metres
70 degrees	5.8 metres
90 degrees	5.5 metres
Parallel parking	6.5 metres
Parking at an angle other than those listed above	the requirements for the angle of parking which is next greater than the angle of parking being provided

**Parking Area Surface and Drainage**

All parking areas are to be constructed so as to be usable in all seasons and shall have a granular base and surface of crushed stone, concrete, asphalt pavement or other similar hard and dust inhibiting surface. All parking areas shall be so graded and drained so as to ensure that surface water will not escape to neighbouring lands as a result of the construction or use of such parking areas.

**Entrances and Exits**

Entrances and exits from parking areas shall be at least 3 metres but not more than 9 metres in perpendicular width and all required exit and entrance approvals shall be obtained.

The maximum width of any joint entrance and exit *driveway* measured along the *street line* shall be 9 metres.

The minimum distance between a *driveway* and an intersection of a *street* shall be 7.5 metres.

The minimum angle of intersection between a *driveway* and a *street line* shall be 60 degrees.

The minimum distance between a *driveway* and an *interior side property line* shall be:

residential zones: 1 metre with the exception of multiple attached units where no minimum applies  
 all other zones: 3 metres

Maximum number of *driveways* per *property*:

in AG1 Zone: 2 *driveways*  
 all other properties: 1 *driveway*

With approval through the Municipality's entrance permit approval process, the number of *driveways* may be increased above these maximums without amendment to this By-law. All entrance permit approvals may be subject to additional municipal, County, and Ministry of Transportation requirements.

**3.22. PLANTING STRIP**

3.22.1. A *planting strip* shall be provided:

- on lands zoned or used for multiple dwellings where they abut lands zoned or used for single detached dwellings or duplex/semi-detached dwellings.
- on lands *zoned or used* for any commercial, agricultural commercial - industrial, recreational commercial, trailer & tent park, or industrial purpose where the *interior side property line* or *rear property line* abuts lands *zoned or used* for residential or open space purposes.
- on lands upon which a *residential use* or *community facility use* is being newly established where such lands abut an *existing use* that is not maintaining a *planting strip* but would be required to do so if newly establishing.

3.22.2. Such *planting strip* shall have an ultimate width of 1.5 metres and may be included as part of the required *yard*.

3.22.3. Such *planting strip* shall be contained within the *zone* or on the lands for which it is a requirement, and shall run the entire length of the *zone* or *property line(s)* separating it from the abutting *zone* or *use* which requires the *planting strip*. The height and location of the planting shall not pose a traffic hazard.

3.22.4. Such *planting strip* shall consist of a continuous planting of trees or shrubs, and shall be maintained at an ultimate height of not less than 1.5 metres.

3.22.5. Such *planting strip* shall be planted and maintained by the *owner(s)* of the land on which the *planting strips* are required.

3.22.6. Subject to *site plan* approval, a *fence* or wall height may be considered as an alternative to a *planting strip*. The following shall be considered: location, height, porosity, materials and finishing.

**3.23. PROHIBITED USES**

All *uses*, including the following *uses*, shall be prohibited unless otherwise provided for.

3.23.1. Adult Entertainment Parlour

An *adult entertainment parlour*, whether consisting of a main *use* or an *accessory use*, is not *permitted* within the Municipality.

3.23.2. Dangerous Uses

No land, *building* or *structure*, unless licensed, is *permitted* to be *used* for the storage or manufacture of dangerous products for commercial or industrial purposes.

3.23.3. Derelict Motor Vehicles

Other than in a Salvage Yard (SY) Zone, no *person* shall *use* any *property* in any *zone* for the parking or storage of any *derelict motor vehicle* except that such vehicles may be stored inside a *private garage*.

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3.23.4. Livestock in Settlement Areas  
 The keeping of *livestock* in a *settlement area* is prohibited except at a *veterinary clinic*.

3.23.5. Mobile Homes  
 The location or *use* of a *mobile home* in any *zone* is prohibited unless specifically provided for in that *zone*.

3.23.6. Noxious Uses  
 No *use* shall be *permitted* within the Municipality which from its nature or the material *used* therein is a *noxious use*.

3.23.7. Reptiles or Exotic Animals  
 The keeping of reptiles or exotic animals which are by their nature dangerous to human health is prohibited in all *zones*.

3.23.8. Salvage Yards & Solid Waste Landfills  
 The *use* of any land or the erection or *use* of any *building* or structure for the purposes of a *salvage yards* or solid waste landfill shall be prohibited in all *zones* in a *settlement area*.

3.23.9. Stinging Insects in Settlement Areas  
 The keeping of stinging insects in a *settlement area* is prohibited.

3.23.10. Vending From a Vehicle  
 No lands, *streets*, or *lanes* in the Municipality shall be *used* by a *portable food outlet* or for the sale of food, goods or wares from the confines of a *motor vehicle* unless the necessary permission has been obtained from the Municipality.

**3.24. PROPERTIES TO FRONT ON A STREET**

Unless otherwise specified by this by-law, a *building* or *structure* shall not be *erected* nor any land, *building*, or *structure* used unless the *property* abuts or fronts on a *street*, except in the *Lakeshore Residential Settlement Area*.

3.24.1. Plan of Subdivision  
 Lots in a registered plan of subdivision are deemed to meet the requirement to front on a *street* where the agreement registered on title between the Municipality and the subdivision developer provides for the *use* and development of lots in the subdivision prior to the Municipality's assumption of the roads in the subdivision.

3.24.2. Plan of Condominium  
 For a Plan of Condominium, only the development as a whole must front on a *street* provided all the units within the condominium plan have legally enforceable access to a *street*.

**3.25. PROPERTY ENLARGEMENT**

Where lands are severed and merged on title with an abutting *property* and the area of the severed lands is less than half the area of the abutting *property*, the zoning on the abutting *property* shall automatically apply to the lands to be merged on title. As an administrative amendment, the appropriate Zone Map shall be amended to reflect this *zone* change with such changes being *permitted* from time to time without further public notice or

*Council* approval. The resulting *zone area* and *zone coverage* of the retained parcel is deemed to comply with the provisions of this Zoning By-law.

**3.26. PROPERTY SIZE FROM AN AGRICULTURAL SEVERANCE**

Where a new agricultural *property* is created by severance, conforms with the *Official Plan*, and has a minimum *zone area* between 18 and 38 hectares, the said *property* is deemed to comply with the minimum *zone area* provisions of this By-law. This provision applies to both the severed and retained *properties*.

**3.27. RESIDENTIAL DISPERSION MEASUREMENT**

The minimum *residential dispersion measurement* between properties zoned R2 or R3 shall be as follows:

<i>Dwelling units in Building</i>	Minimum Distance (metres)
3	35
4	45
5	55
6	70
7	80
8	95
9	110
10	125
11	145
12	165
13	190
14	220
15	250
16	285
17	330
18	375
19	435
20	500

**3.28. SETBACKS FROM AN ABATTOIR, RESIDENTIAL**

No residential *dwelling* shall be *erected* within 183 metres of an abattoir.

**3.29. SETBACKS FROM LANES AND EASEMENTS**

Where a property abuts a *lane* or *easement*, all *buildings* and *structures* shall be set back a minimum distance equal to the smallest required *side yard* stipulated for the *zone* in which the *building* or *structure* is to be located. This provision does not apply in the R4, RC2, RC3, or AG1 zones.

**3.30. SETBACKS OF BUILDINGS & STRUCTURES ALONG MUNICIPAL DRAINS, SINK HOLES AND NATURAL WATERCOURSES**

3.30.1. Watercourse up to 4.5 metres in width or a Closed Municipal Drain

No *building* or *structure* shall be *erected* closer than 7.5 metres from the centreline of a closed municipal drain or from the *top-of-bank* of a natural *watercourse* or open municipal drain having a top width of less than 4.5 metres from *top-of-bank* to *top-of-bank*.

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In a *settlement area*, the *setback* for a *building* or *structure* from the centreline of a closed municipal drain may be reduced to 4 metres.

3.30.2. Open Municipal Drain or Watercourse between 4.5 metres and 7.5 metres in width

No *building* or *structure* shall be *erected* closer than 15 metres from the *top-of-bank* of a natural *watercourse* or open municipal drain having a top width of between 4.5 metres and 7.5 metres from *top-of-bank* to *top-of-bank*.

3.30.3. Watercourse over 7.5 metres in width

No *building* or *structure* shall be *erected* closer than 30 metres from the *top-of-bank* of a natural *watercourse* or open municipal drain which is more than 7.5 metres from *top-of-bank* to *top-of-bank*, or from a sinkhole.

3.30.4. Setback from Lake Huron

Where a *property* has a minimum distance between the shortest *street line* and the *top-of-bank* of Lake Huron of at least 50 metres, no *buildings* or *structures* shall be *erected* east of this *top-of-bank* unless a minimum setback of 30 metres is maintained.

3.30.5. Livestock Facility or Manure Storage Facility Setbacks

Notwithstanding the above provisions to the contrary, no *livestock facility* or manure storage facility shall be *constructed* except in compliance with the following minimum *setbacks*.

Minimum Setback from:	To <i>Livestock facility</i> or Covered, Open, or Earthen Manure Storage
Drilled Well	15 metres
Dug Well	30 metres
Municipal Well	100 metres
Watercourse	50 metre <i>flow path</i>
Open Ditch	50 metre <i>flow path</i>
Closed Municipal Drain	15 metres
Field Tile	15 metres
Sink Hole	50 metre <i>flow path</i>

**3.31. SETBACK FROM A SEWAGE TREATMENT PLANT FOR RESIDENTIAL USES**

No residential *dwelling* shall be *erected* within 100 metres of a *building* or treatment component of a sewage treatment plant.

**3.32. SETBACK FROM ESTABLISHED COMMERCIAL SCALE WIND ENERGY FACILITIES**

No *dwelling*, *hotel*, *motel*, *long-term care home*, *retirement home*, hospital, *campground*, *school*, or *church* on a separately titled *property* shall be established closer to a *wind energy facility* than the distance established in obtaining the Ministry of Environment's Renewal Energy Approval.

**3.33. SIGHT TRIANGLE**

No *building*, *structure*, *fence*, or planting, in excess of 0.75 metres in height which would obstruct the vision of drivers of

*motor vehicles* shall be *erected* in the *sight triangle* with the exception of the Core Area Commercial (C4) Zone.

**3.34. STACKING LANES**

3.34.1. Car Wash

Every *car wash* shall be provided with a minimum of 3 vehicle waiting spaces measuring 2.5 metres in width and 6 metres in length for each washing bay or 5 vehicle waiting spaces for an automatic *car wash*.

3.34.2. Restaurants with Drive-throughs

Every *restaurant* with a drive-through shall provide a stacking lane with adequate numbers of spaces to facilitate traffic movement. Drive through lanes shall comply with the following:

- no part of any drive through lane may be located within a parking area;
- no part of any drive through lane may be located within a *parking aisle*;
- drive through lanes shall not obstruct *parking spaces* and cannot affect on-site circulation; and
- drive through lanes shall have a minimum storage capacity of 10 *parking spaces*.

**3.35. SURPLUS FARM RESIDENCE SEVERANCE**

Where the *County of Huron* or its delegate has approved the severance of a surplus *farm residence property* the appropriate Zone Map in this by-law shall be amended to change the AG1 Zone to AG1-1 for the *farm* parcel and AG4-1 for the residential parcel, as applicable. These administrative amendments are *permitted* from time to time without further public notice or *Council* approval.

**3.36. SWIMMING POOLS**

For the location of pools on properties, see the Accessory Buildings, Structures & Uses provision in Section 3.

The height of a *swimming pool fence* shall be a minimum of 1.52 metres and also be in accordance with all provisions of the Swimming Pool Enclosures By-law of the Municipality.

**3.37. TEMPORARY ACCOMMODATION FOR WORKERS**

Outside of *settlement areas*, a shack, shanty, bunkhouse or other temporary structure may be *used* for the accommodation of workers engaged in work of a temporary or seasonal nature provided such *building* or *structure* has obtained the approval of the Municipality for such *use* and is:

- *used* only for the duration of the work and removed when work is complete, or
- locked or boarded up and not *used* as accommodation when the work in connection with which the *building* or structure was *constructed* is terminated.

**3.38. THROUGH PROPERTY**

Where a *property*, which is not a *corner property*, has *frontage* on two *streets*, the *front yard setback* requirements shall apply on each *street* in accordance with the provisions of the *zone* or

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*zones* in which such *property* is located. This setback provision does not apply to a *through property* between a *street* and a *lane*.

**3.39. TRUCK OR COACH BODIES**

No truck, bus, coach, or streetcar body, railway car, caboose, or shipping container shall be *used* for temporary or permanent human habitation within the Municipality, whether or not the same is mounted on wheels.

Truck bodies and similar *structures* may only be *used* for storage outside of a *settlement area*.

Truck bodies and similar *structures accessory* to a *permitted use* may be *used* for temporary storage in an industrial *zone*.

Within a *settlement area*, shipping containers may be *used* for storage in a commercial, community facility, or industrial *zone* if identified on an approved site plan.

**3.40. UTILITY SERVICES FOR THE PUBLIC**

3.40.1. The provisions of this By-law shall not apply to prevent the *use* of any land as a *street* or to prevent the installation of public services and utilities such as water mains, storm and sanitary sewers, gas distribution mains, railway lines, electrical substations and transmission lines of 230 kv or less, pumping stations, flood and erosion control works, telephone and cable lines, radio and communication towers, and *accessory utility service buildings* and *structures* provided that:

- the approval of the Municipality has been obtained,
- approval has been obtained under the Environmental Assessment Act, as required,
- utility service *buildings* in a residential area will require a rezoning to a Community Facility Zone;
- no goods, material, or equipment shall be stored in the open in a Residential *zone*,
- any *building* or *structure* shall be designed and maintained in general harmony with buildings of the type permitted in the *zone*, and
- any excessive noise or fumes resulting from such utility service shall be mitigated to reduce compliance issues with abutting residences.

3.40.2. Electric power facilities which are subject to the provisions of the Environmental Assessment Act are *permitted uses* in all *zones*, and are not affected by the provisions of this By-law. Electric power facilities which are not approved under the Environmental Assessment Act are *permitted uses* in all *zones* and are subject to the provisions of Utility Services for the Public provisions.

3.40.3. Notwithstanding any other provision of this by-law, *wind energy facilities* are not considered a utility service for the public.

**3.41. WASTE DISPOSAL SITES, RESTRICTIONS AROUND ACTIVE AND CLOSED**

No new *building* or *structure*, *used* for residential or *livestock* purposes shall be *erected* within 500 metres from the perimeter of the fill area of any licensed waste disposal site or any closed waste disposal site until it has been determined by a qualified professional to the satisfaction of the Municipality that there will

be no adverse off-site impacts. The assessment of impacts shall include the presence of methane/leachate and the potential for noise, odour, dust and litter complaints during operation.

If there is a licensed disposal site or a closed landfill site located in an adjacent Municipality, similar provisions shall apply.

**3.42 Cannabis Production Facility**

Notwithstanding any other provision of this By-law, any Cannabis Production Facility shall be subject to the following provisions:

a) No lands, building or structure or portion thereof used for Cannabis Production Facility purposes that is equipped with air treatment control situated in the General Industrial Zone (M2), Light Industrial Zone (M1), Agricultural Zones (AG1, AG3) may be located any closer than 150m to a Residential Zone, Community Facility Zone, commercial recreational facility, park or similar recreational use, dwelling, public school, private school, place of worship, community centre, or a day care.

b) No lands, building or structure or portion thereof used for Cannabis Production Facility purposes that is not equipped with air treatment control situated in the Agricultural Zones (AG1, AG3) may be located any closer than 300m to a Residential Zone, Community Facility Zone, commercial recreational facility, park or similar recreational use, dwelling, public school, private school, place of worship, community centre, or a day care.

c) No lands, building or structure or portion thereof used for Cannabis Production Facility purposes that is not equipped with air treatment control situated in General Industrial Zone (M2), Light Industrial Zone (M1) shall be permitted.

d) Cannabis Production Facilities must be entirely contained within wholly enclosed buildings or structures or portions thereof in the General Industrial Zone (M2) and Light Industrial Zone (M1).

e) Accessory buildings or structures used for security purposes for Cannabis Production Facilities may be located in any yard. The minimum setback for an accessory building used for security purposes from a front, side, or rear lot line shall be 1 metre, but it shall not be located in the sight triangle.

f) Outdoor storage is prohibited on the property in which a Cannabis Production Facility is located.

g) A Cannabis Production Facility shall only be permitted within the zones as explicitly indicated in this Zoning By-law.

h) All development in relation to the establishment of or the expansion to a Cannabis Production Facility shall be subject to Site Plan Control. (As amended by By-law 77-2020)



**4.6.8. AG1-8**

In addition to the *uses permitted* in an AG1 Zone, in the area zoned AG1-8 an *existing* aerodrome is also recognized as a *permitted use*.

**4.6.9. AG1-9**

In the area zoned AG1-9 *buildings* and *structures* are prohibited.

**4.6.10. AG1-10**

In addition to the *uses permitted* in an AG1 Zone, in the area zoned AG1-10 a landscaping business located no closer than 240 metres to the north property line and 65 metres to the west property line is a permitted use. In addition, the required minimum distance separation for a landscaping business shall be 212 metres to the existing neighbouring barns and manure storage facilities.

**4.6.11. AG1-11**

Notwithstanding any provisions to the contrary, in the area zoned AG1-11 a *residence* is not permitted. In addition, the *existing building* located on the *property* is not considered a barn and the keeping of *livestock* in this *structure* is prohibited

**4.6.12 AG1-12**

Notwithstanding the provisions to the contrary, the area zoned AG1-12, the following provisions shall apply:

- a) In addition to the permitted uses in AG1 zone, in the area zoned AG1-12 a driving range, miniature golf course, and accessory uses will be permitted on the westerly portion of the property, subject to the provisions of the RC3 zone;
- b) For the purpose of this by-law, the westerly portion of the property is defined as the area within 305 metres to the east of the fronts property line, with an area of approximately 6 hectares; and
- c) The driving range, miniature golf course, and accessory uses will operate in conjunction with the White Squirrel Golf Course on the adjacent property to the north.
- d) Development shall be subject to site plan approval.

(as amended by By-law 7-2021)



**Section 5 Agricultural Commercial-Industrial Zone (AG3)**

Within this Zone, no *person* shall establish any *use* of land or *building*, or *erect* or *alter* any *building* or *structure* for any purpose except in accordance with the following provisions:

**5.1 PERMITTED USES**

- *agricultural industrial establishment*
- *agricultural processing establishment*
- *agricultural service establishment*
- *agricultural supply establishment*
- *bulk sales establishment*
- *commercial greenhouse* operation greater than 0.8 hectare covered by greenhouse
- *rural winery*
- *cannabis production facility* subject to the provisions of Section 5 and 3.42. (as amended by By-law 77-2020)

**5.2 PERMITTED STRUCTURES**

- *accessory dwelling unit* or a *mobile home* detached from or part of the non-residential *structure*
- *buildings* and *structures* for the *permitted uses*
- *buildings* and *structures* *accessory* to the *permitted uses*

**5.3 ZONE REGULATIONS**

ZONE AREA (minimum)	4,000 m <sup>2</sup>
FRONTAGE (minimum)	30 metres
FRONT YARD (minimum)	20 metres
INTERIOR SIDE YARD (minimum)	15 metres or ½ of the <i>building height</i> , whichever is greater
EXTERIOR SIDE YARD (minimum)	20 metres
REAR YARD (minimum)	7.5 metres
ZONE COVERAGE (maximum)	30 %

LIGHTING AND ILLUMINATING SIGNS shall be arranged so as to deflect light away from adjacent properties

**5.4 BUFFER STRIP**

Notwithstanding the General Provisions 'Planting Strip' Section, a buffer strip of *landscaped open space*, 5 metres wide, shall be provided between storage and/or display area and side and/or rear *property lines*. Where an AG3 Zone abuts an AG1 Zone, the required buffer strip need not be landscaped.

**5.5 PROPERTY ABUTTING A RAILWAY**

Notwithstanding any other provisions of this By-law to the contrary, where any *property line* or portion thereof abuts a railway, the interior side or *rear yard* required along that portion of the *property line* which abuts the railway shall be: 0 metres.

**5.6 SPECIAL ZONES**

**5.6.1. AG3-1**

Notwithstanding the *zone* regulations to the contrary, in the area zoned AG3-1 the minimum *yards* shall be:

Front yard:	6 metres
Rear yard:	7.5 metres
Side yard:	12 metres.

**5.6.2. AG3-2**

Notwithstanding the list of *permitted uses* for the AG3 Zone, the area zoned AG3-2 shall only be *used* for a *motel* and *accessory* residential unit.

**5.6.3. AG3-3**

Notwithstanding the provisions to the contrary, two *accessory dwelling units* are *permitted* in the area zoned AG3-3.

**5.6.4. AG3-4**

Notwithstanding the provisions to the contrary, in the area zoned AG3-4 there shall be a minimum of 110 *parking spaces*.

**5.6.5. AG3-5**

Notwithstanding the provisions to the contrary, in the area zoned AG3-5 there shall be a minimum of 40 *parking spaces* and the minimum buffer strip between a storage and/or display area and the south *property line* shall be 3 metres.

**5.6.6. AG3-6**

Notwithstanding the provisions to the contrary, in the area zoned AG3-6 an *accessory dwelling unit* or *mobile home* is prohibited.

**5.6.7. AG3-7**

Notwithstanding the provisions to the contrary, in the area zoned AG3-7, the following provisions shall apply:

- a) all lands zoned AG3-7 are considered a single *property* for the purposes of a *rural winery*;
- b) A *rural winery* and one *accessory* residence, along with *buildings* and *structures* *accessory* to these two *uses*, are the only *buildings* and *structures* *permitted* in the AG3-7 zone;
- c) The amount of *wine* feedstock planted for the *rural winery* shall be a minimum of 2 hectares and a maximum of 4 hectares and shall produce the primary feedstock for the *rural winery*;
- d) The area used for *wine* tasting and *wine* & associated retail sales is limited to 75m<sup>2</sup>.

**5.6.8. AG3-8**

Notwithstanding the provisions to the contrary, in the area zoned AG3-8, the minimum interior side yard shall be 7 metres for existing structures present in 2020, the minimum interior side yard shall be 7.8 metres from a bin/silo and the minimum interior side yard shall be 18 metres from an elevator leg. All other provisions of By-law 43-2015 shall apply. (As amended by By-law 128-2020)

**Section 6      Agricultural Small Holding Zone (AG4)**

Within this Zone, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

**6.1      PERMITTED USES**

- converted dwelling
- group home in a single detached dwelling
- single detached dwelling, including a mobile home

**6.2      ACCESSORY USES**

- agricultural use, limited
- bed and breakfast establishment (maximum of four guest rooms)
- farm produce sales outlet
- home industry
- home occupation
- livestock use (maximum 4 nutrient units)
- second unit in a single detached dwelling
- uses accessory to the permitted uses

**6.3      PERMITTED STRUCTURES**

- one single detached dwelling, converted dwelling, or mobile home
- barns
- buildings and structures for the permitted uses
- buildings and structures accessory to the permitted uses

**6.4      ZONE REGULATIONS**

ZONE AREA - minimum	4,000 m <sup>2</sup>
- maximum	4 hectares
FRONTAGE (minimum)	23 metres
FRONT YARD (minimum)	
17 metres from a municipal street	
25 metres from a County Road	
INTERIOR SIDE YARD (minimum)	5 metres
EXTERIOR SIDE YARD (minimum)	
17 metres from a municipal street	
25 metres from a County Road	
REAR YARD (minimum)	7.5 metres
ZONE COVERAGE (maximum)	30%
BUILDING HEIGHT (maximum)	12 metres

**6.5      BARNs**

Notwithstanding the *Minimum Distance Separation (MDS)* requirements of this by-law, a maximum of 4 nutrient units of equivalent livestock may be housed either in an existing barn or a new accessory barn provided the distance from the barn to nearest off property residential, commercial, or community facility building or structure is a minimum of 85 metres.

**6.6      SPECIAL ZONES**

**6.6.1.      AG4-1      Residential Parcel from a Surplus Farm Residence Severance**

Notwithstanding any provisions to the contrary, in the area zoned AG4-1 both the property and any legally established existing buildings are deemed to comply with the AG4 zone provisions and the minimum distance separation requirements of this By-law.

**6.6.2.      AG4-2**

Notwithstanding the provisions for a home industry to the contrary, in the area zoned AG4-2 an auto repair shop and paint shop with a floor area not exceeding 372.4 m<sup>2</sup> is permitted as a home industry.

**6.6.3.      AG4-3**

Notwithstanding the provisions to the contrary, a maximum of 8 nutrient units of equivalent livestock may be housed in a barn in the area zoned AG4-3.

**6.6.4.      AG4-4**

Notwithstanding the *Minimum Distance Separation* provisions, the minimum distance from a single detached dwelling in the AG4-4 Zone to a hog barn to the north shall be 470 metres and 300 metres to the closest mink barn to the south.

**6.6.5.      AG4-5**

In addition to the uses permitted in the AG4 Zone, in the area zoned AG4-5, a landscaping business is also a permitted use and the outside storage of materials and equipment related to a landscaping business may occur in the front yard.

**6.6.6.      AG4-6**

Notwithstanding the provisions to the contrary, the existing main building on the lands zoned AG4-6 shall be considered a converted dwelling.

**6.6.7.      AG4-7**

Notwithstanding the provisions to the contrary, in the area zoned AG4-7 the rental of warehousing space in the form of a maximum of six rental units within the two existing buildings shall be considered a home industry.

**6.6.8.      AG4-8**

In addition to the permitted uses of the AG4 Zone, the area zoned AG4-8 may also be used for a livestock assembly yard and a transport truck operation.

**6.6.9.      AG4-9**

Notwithstanding the provisions to the contrary, in the area zoned AG4-9 the exterior side yard shall be a minimum of 5 metres.

**6.6.10.      AG4-10**

Notwithstanding the provisions to the contrary, in the area zoned AG4-10 a mobile home is prohibited.

**6.6.11. AG4-11**

Notwithstanding the provisions to the contrary, in the area zoned AG4-11 a microbrewery is a permitted use. In addition, the sale of beer-related merchandise, experiences, events, food and/or food trucks, and the sale of beverages not produced on the premises are permitted in an area that extends from the south property line towards the north a distance of 76 metres and from the rear of the microbrewery building towards the front property line a distance of 82 metres. (As amended by By-law 65-2020)

**6.6.12. AG4-12**

In the area zoned AG4-12, the provisions of the AG4-1 zone apply. In addition, in the area zoned AG4-12, a home industry is permitted to have a two (2) piece washroom in the accessory building used for the business and the home industry is limited to the following maximums on the property at any one time:

- a) the equivalent of four (4) full-time employees, other than the owner; and
- b) five (5) company vehicles

All other provisions of By-law 43-2015 shall apply. (As amended by By-law 24-2020)

**6.6.13 AG4-13**

Notwithstanding the provisions to the contrary, on the lands zoned AG4-13, the existing storage business and a mechanical contracting business limited to operations related to residential and commercial plumbing, electrical, and heating, ventilation, air conditioning and refrigeration (HVACR) shall be permitted. The storage business and mechanical contracting business is permitted to a total maximum building size of 2,290 square metres. The storage business is permitted for a total maximum outdoor storage space of 641 square metres of outdoor storage space and the mechanical contracting business is permitted for a total maximum outdoor storage space size of 522 square metres of outdoor storage space. The storage business and mechanical contracting business is permitted for a total maximum limit of 22 employees. All other provisions of By-law 43-2015 shall continue to apply. (As amended by By-law 46-2021)

**Section 7 Harbour Commercial Zone (C1)**

Within this Zone, no *person* shall establish any use of land or *building*, or *erect* or *alter* any *building* or *structure* for any purpose except in accordance with the following provisions:

**7.1 PERMITTED USES**

- *amusement arcade*
- *boat building establishment*
- *boat launching ramp*
- *fishery*
- *gift shop*
- *marina*
- *marine facility*
- *marine museum*
- *marine supply & service establishment*
- *residence, existing* on the date of the passing of this by-law
- *structures* for erosion protection and control
- *uses accessory* to the *permitted uses*

**7.2 PERMITTED STRUCTURES**

- *buildings* and *structures* for the *permitted uses*
- *buildings* and *structures* *accessory* to the *permitted uses*

**7.3 ZONE PROVISIONS**

<i>PROPERTY FRONTAGE</i> (minimum)	3 metres
<i>ZONE AREA</i> (minimum)	20 m <sup>2</sup>
<i>PROPERTY DEPTH</i> (minimum)	6 metres
<i>ZONE COVERAGE</i> (maximum)	80%
<i>FRONT YARD</i>	no minimum
<i>REAR YARD</i>	no minimum
<i>SIDE YARD</i>	no minimum
<i>BUILDING HEIGHT</i> (maximum)	14 metres

**7.4 SPECIAL ZONES**

**7.4.1. C1-1**

In addition to the C1 *permitted uses*, the area zoned C1-1 may also be used for a *restaurant* or *take-out restaurant*, subject to the Zone Provisions section of the C3 Zone.

**7.4.2. C1-2**

Notwithstanding the *permitted uses* listed in the C1 Zone, in the area zoned C1-2 the only *permitted uses* are:

- boat launching ramp*
- marina*
- marine facility*
- passive recreation*
- structures* for erosion protection and control
- washroom/change room*
- uses accessory* to the *permitted uses*

## Section 8 Highway Commercial Zone (C3)

Within this Zone, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

### 8.1 PERMITTED USES

- agricultural service establishment
- agricultural supply establishment
- animal and poultry health and breeding clinic
- artist, dance, exercise or photographic studio
- assembly hall
- auction sale facility excluding the sale of livestock
- auto body shop
- bake shop
- bed and breakfast establishment (maximum of four guest rooms)
- bottle return depot
- brewers retail outlet
- bus depot
- building supply and sales establishment
- business or professional office
- car wash
- commercial storage warehouse (rental units)
- convenience store
- converted dwelling
- drive-in theatre
- drive-through restaurant
- dwellings existing on the date of passage of this By-law
- dwelling units in combination with any permitted use provided the dwelling units are located above the ground floor or to the rear of the main commercial use
- equipment sales and rental establishment
- farm equipment sales, service and supply establishment
- farm produce sales outlet
- farmers market
- flea market
- food supermarket
- funeral home
- gasoline bar
- greenhouse, commercial
- group home, in a single detached dwelling
- hardware store
- health club
- home occupation in any permitted dwelling
- hotel
- kennel
- landscaping and garden supply establishment
- laundromat
- liquor store
- miniature golf course
- motel
- recreational vehicle sales and service
- motor vehicle repair shop
- motor vehicle rust proofing establishment
- motor vehicle sales and/or service establishment
- motorized recreational vehicle sales and service
- parking lot

- place of entertainment
- portable food outlet
- printing establishment
- private club
- research facility
- restaurant
- retail building supply establishment
- small engine sales and service establishment
- sports and recreation facility
- service and repair shop
- take-out restaurant
- tavern
- taxi stand
- tire sales establishment
- veterinary clinic
- uses accessory to the permitted use, including an automated bank machine, a refillable propane exchange program, wholesale, warehouse, or second unit in a single detached dwelling

### 8.2 PERMITTED STRUCTURES

- buildings and structures for the permitted uses
- buildings and structures accessory to the permitted uses

### 8.3 ZONE PROVISIONS

ZONE AREA (minimum)	1,500 m <sup>2</sup>
provided that for a hotel or motel an additional minimum of 160 m <sup>2</sup> of zone area is provided for each guest room in excess of 9 guest rooms.	
PROPERTY FRONTAGE (minimum)	30 metres
PROPERTY DEPTH (minimum)	45 metres
FRONT YARD (minimum)	
in an settlement area	7.5 metres
in a rural area	20 metres
INTERIOR SIDE YARD (minimum):	3 metres,
except for a hotel or motel where it shall be:	6 metres.
Where an interior side yard abuts a Residential zone: 7.5 metres	
EXTERIOR SIDE YARD (minimum)	
in a settlement area	7.5 metres
in a rural area	20 metres
REAR YARD (minimum)	7.5 metres
ZONE COVERAGE (maximum)	40%
LANDSCAPED OPEN SPACE (minimum)	20%
with a minimum 3 metre wide landscaped open space area along at least 60% of both the front property line and the exterior side property line.	
BUILDING HEIGHT (maximum)	14 metres,
except for a hotel or motel where it shall be:	18 metres.

### 8.4 SPECIAL PROVISIONS

#### 8.4.1 Outdoor Storage

The outdoor storage of goods or materials is permitted provided such outdoor storage is:

- to the rear or interior side of the main building.
- accessory to the use of the main building on the property.

- set back 3 metres from the *side property line* or *rear property line*.
- not more than 35% of the *zone area* nor exceeds twice the *ground floor area* of the *main building* on the *property*.

In addition, no *outdoor storage* is *permitted* in the *rear yard* or *interior side yard* abutting or across the *street* from a non-commercial *zone* unless the *outdoor storage* is enclosed, to a minimum height of 1.8 metres, by a *fence*, *planting strip* or decorative masonry wall, or has a *site plan* for the *outdoor storage* approved under the *Planning Act*.

#### 8.4.2. Outside Display Area

An *outdoor display area* shall be *permitted* in all *yards* provided such *outdoor display area* is:

- for merchandise kept for sale on the premises.
- set back a minimum of 1 metre from any *side property line* or *rear property line*; 3 metres from any *front property line*; and 3 metres from any *property line* which abuts a Residential *zone*.
- not more than 35% of the *zone area*.

#### 8.4.3. Re-establishment of a Residential Use

Any *building* which had been *used* as a *residence* and subsequently converted to a *commercial use* may be returned to a *residence* as a *single detached dwelling* subject to the provisions of the R1 *Zone*.

#### 8.4.4. Existing Dwellings & Accessory Dwelling Units Combined with a Commercial Use – Zone Provisions

The R2 zone provisions apply to an *existing dwelling* and an *existing dwelling* that is being converted to create one or more additional *dwelling units*.

A *group home* may be established in an *existing dwelling* subject to the provisions of the R1 *Zone*.

All or a portion of an *existing dwelling* may be *used* for a *permitted commercial use*.

Any portion of the *existing dwelling* which is retained as an *accessory dwelling unit(s)* or new *dwelling unit(s)* *accessory* to a *commercial use* shall be subject to the following:

- any *dwelling unit* or units shall form part of the *main building* and shall be to the rear and/or above the *commercial use*.
- the minimum depth within the *building* of the non-residential *use* shall be 7 metres.
- the *dwelling unit* or units shall be completely self-contained and have separate and direct access to a *yard* or *street*.

#### 8.4.5. Gasoline Bar

A *pump island* may be located within the *front yard* or *exterior side yard* provided:

- the minimum distance between any portion of the *pump island* and any *property line* is 8 metres, including a 3 metre *planting strip*.

- where the *property* is a *corner property*, no portion of any *pump island* shall be located within a sight triangle created by a straight line between a point on the *front property line* and a point on the *exterior side property line* with each such point being a distance of 16 metres from the intersection of these two *property lines*.

### 8.5 SPECIAL ZONES

#### 8.5.1. C3-1

In addition to the *uses permitted* in the C3 *Zone*, in the area zoned C3-1 a retail food sales business with associated food processing is a *permitted use*.

Notwithstanding the provisions to the contrary, in the area zoned C3-1 the following shall apply:

South <i>Side yard</i> (min.)	6.1 metres
North <i>Side yard</i> (min.)	1.5 metres

#### 8.5.2. C3-2

In addition to the *uses permitted* in the C3 *Zone*, in the area zoned C3-2 a commercial *sports and recreation facility* is a *permitted use*.

#### 8.5.3. C3-3 (as amended by By-law 37-2021)

In addition to the *uses permitted* in the C3 *Zone*, the area zoned C3-3 may also be used for indoor equipment repair, maintenance, and storage as well as office and training space. An accessory structure shall be permitted to a maximum size of 600 square metres. All other provisions of By-law 43-2015 shall apply.

#### 8.5.4. C3-4

Notwithstanding the provisions to the contrary, in the area zoned C3-4 the only *permitted use* shall be vehicle and equipment repair and storage for personal *use* only.

#### 8.5.5. C3-5

Notwithstanding the provisions to the contrary, a *planting strip* is not required where a C3-5 *Zone* abuts a residential *zone*.

#### 8.5.6. C3-6

In the area zoned C3-6, an operations and maintenance *building* for indoor equipment assembly, repair, maintenance, and storage along with associated office space as well as a separate business or *professional office building* are also considered *permitted uses*. In addition, the *existing buildings* in the C3-6 *zone* are deemed to comply with the provisions of the zoning by-law.

#### 8.5.7. C3-7

In addition to the *uses permitted* in the C3 *Zone*, the area zoned C3-7 may also be *used* for a 'fuel storage and supply yard'. As well, in the C3-7 *zone* the *front property line* shall be the *property line* abutting London Road.

#### 8.5.8. C3-8

In addition to the *uses permitted* in the C3 *Zone*, in the area zoned C3-8, a distribution *warehouse* with an *accessory retail store* is a

permitted use. The *retail store* may be a maximum of 60 square metres.

Notwithstanding the provisions to the contrary, in the area zoned C3-8:

- a) a *loading space* located in the *front yard* must be at least 8.5 metres from the *street line*,
- b) the minimum *rear yard depth* shall be 3 metres,
- c) *parking aisles* shall be at least 6 metres, and
- d) the minimum distance between a *driveway* and an *interior side property line* shall be 1.3 metres.

#### **8.5.9 C3-9**

The area zoned C3-9 may also be used for an awning and ventilation systems business. (As amended by By-law 66-2020)

#### **8.5.10 C3-10**

Notwithstanding the provisions to the contrary, the area zoned C3-10 and C3-11-h are considered a single unit for the purposes of the permitted uses which are restricted to a commercial alcoholic beverage facility with a minimum of 2 hectares of related crop production, one accessory dwelling unit, uses accessory to the permitted uses. Notwithstanding the provisions to the contrary, in the area zoned C3-10 development shall be permitted on temporary individual on-site sanitary systems until such time municipal sanitary service is available. (as amended by By-law 4-2021)

#### **8.5.11 C3-11-h**

Notwithstanding the provisions to the contrary, the area zoned C3-10 and C3-11-h are considered a single unit for the purposes of the permitted uses. In the area zoned C3-11-h the uses permitted in C3-10 shall be permitted. No new development of land will be permitted in C3-11-h zone, until such time the holding symbol has been removed. (as amended by By-law 4-2021)

**Section 9 Core Commercial Zone (C4)**

Within this Zone, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

**9.1 PERMITTED USES**

- art or cultural facility
- art gallery
- artist, dance, exercise or photographic studio
- assembly hall
- bake shop
- bank or a financial institution
- bed and breakfast establishment (maximum of four guest rooms)
- brewers retail outlet
- brewing establishment
- bus depot
- business or professional office
- catalogue store
- clinic
- clothing store
- commercial school
- convenience store
- converted dwelling
- department store
- dress making or tailor shop
- dry cleaning depot
- dwellings existing on the date of passage of this By-law
- dwelling units in combination with any permitted use provided the dwelling units are located above the ground floor or to the rear of the main commercial use outside of the Bayfield Settlement Area
- farm produce sales outlet
- farmers market
- food store
- fraternal lodge or association
- funeral home
- general store
- hardware store
- health club
- home occupation in any permitted dwelling
- hotel
- laundromat
- liquor store
- night club
- parking area, accessory
- parking lot
- personal services shop
- place of entertainment
- post office
- printing establishment
- private club
- restaurant
- retail store except those dealing with heavy machinery, fuels, factory equipment, building materials, new or used automobiles, boats, trailers, motorcycles or snowmobiles
- service and repair shop

- take-out restaurant
- tavern
- taxi stand
- theatre
- u-brew
- video rental store
- uses accessory to the permitted use, including wholesale, warehouse, a refillable propane exchange program, or second unit in a single detached dwelling

**9.2 PERMITTED STRUCTURES**

- buildings and structures for the permitted uses
- buildings and structures accessory to the permitted uses

**9.3 ZONE PROVISIONS**

	Full services (Public Water & Public Sewer)	Public Water & Private Septic	Private Water & Private Septic
Zone area (min.)	no minimum	1,650 m <sup>2</sup>	1,850 m <sup>2</sup>
Frontage (min.)	no minimum	30 metres	
Property depth (min.)	no minimum	46 metres	
Front yard (min.)	no minimum	3 metres	
Interior side yard (min.)	no minimum, except where the interior property line abuts a residential zone: 3 metres.	3 metres	
Exterior side yard (min.)	no minimum	3 metres	
Rear yard (min.)	7.5 metres		
Zone coverage (max.)	no maximum	40%	
Landscaped open space (min.)	no minimum	20%	
Setback from a Lane or Easement (min.)	no minimum		

**MAIN BUILDING HEIGHT**

- Abutting a 2 storey or higher building (min.): 2 storeys  
except where an existing 1 storey building is being rebuilt (minimum): 1 storey
- All other buildings (minimum): 1 storey
- Maximum height: 18 metres

**9.4 SPECIAL PROVISIONS**

**9.4.1. Re-establishment of a Residential Use**

Any building which had been used as a residence and subsequently converted to a commercial use may be returned to a residence as a single detached dwelling subject to the provisions of the R1 Zone.



**9.4.2. Existing Dwellings & Accessory Dwelling Units Combined with a Commercial Use – Zone Provisions**

The R2 zone provisions apply to an existing dwelling and an existing dwelling that is being converted to create one or more additional dwelling units.

A group home may be established in an existing dwelling subject to the provisions of the R1 Zone.

All or a portion of an existing dwelling may be used for a permitted commercial use.

Any portion of the existing dwelling which is retained as an accessory dwelling unit(s) or new dwelling unit(s) accessory to a commercial use shall be subject to the following:

- any dwelling unit or units shall form part of the main building and shall be to the rear and/or above the commercial use.
- the minimum depth within the building of the non-residential use shall be 7 metres.
- the dwelling unit or units shall be completely self-contained and have separate and direct access to a yard or street.

**9.4.3. Core Area Parking**

Off-street parking areas are prohibited from occupying any street frontage so as not to create a void in the built-up streetscape.

**9.5 SPECIAL ZONES**

**9.5.1. C4-1**

In addition to the list of permitted uses in the C4 Zone, in the area zoned C4-1 and subject to the requirements of the C3 Zone, the permitted uses in the C3 Zone that are not already listed as permitted uses in the C4 Zone are permitted, except for a kennel.

**9.5.2. C4-2**

Notwithstanding the parking requirements containing in the General Provisions section to the contrary, in the area zoned C4-2 off-street parking may occupy the street frontage provided the off-street parking complies with all other parking requirements.

**9.5.3. C4-3**

The provisions of the C4-1 Zone apply in the area zoned C4-3 and in addition furniture refinishing, woodworking, and upholstery shops are permitted uses.

**9.5.4. C4-4 (As amended by By-law 25-2020)**

Notwithstanding the provisions to the contrary, in the area zoned C4-4 an off-street parking area may occupy street frontage. The area zoned C4-4 may also be used for a gasoline bar subject to the C3 Zone special provisions for a gasoline bar.

**9.5.5. C4-5**

Notwithstanding the provisions to the contrary, the area zoned C4-5 may also be used for a home occupation, including a woodworking shop, accessory to an existing dwelling and subject to the home occupation definition requirements.

**9.5.6. C4-6-h**

Notwithstanding the provisions to the contrary, in the area zoned C4-6 the provisions of the C4-1 zone apply and a *contractor's yard* is also a *permitted use*. For a *contractor's yard use*, a solid fence, including a solid gate if access is required through the

fence, shall be installed and maintained along the west, north, and east *property lines* as per the required *site plan* approval.

**9.5.7. C4-7**

Notwithstanding the provisions of Section 9 and Section 3 to the contrary, on the lands zoned C4-7 the C4-1 provisions shall apply with the required minimum *rear yard* being 3 metres and the required number of *parking spaces* being 6 spaces with a reduced *parking aisle* width of 5.38 metres. In addition, the *permitted use* of the lands zoned C4-7 is limited to a commercial shop, vehicle and equipment storage, and shop, including a *contractor's yard*, as well as associated *accessory uses*

**9.5.8. C4-8**

In addition to the list of permitted uses in the C4 Zone, in the area zoned C4-8 and subject to the requirements of the C3 Zone, the permitted uses in the C3 Zone that are not already listed as permitted uses in the C4 Zone are permitted, except for a kennel. In addition, in the area zoned C4-8, the permitted uses also include, inside the main building only, the grooming, puppy imprinting (including housing), and training of dogs. All other provisions of By-law 43-2015 shall apply. (As amended by By-law 1-2020)

**9.5.9. C4-9a**

The area zoned C4-9 may also be used for a hand assembly manufacturing use that is limited to assembly by hand only (hand tools only) subject to the M1 zone provisions. All other provisions shall apply (As amended by By-law 3-2020)

**9.5.10. C4-9b**

Notwithstanding the provisions to the contrary, the area zoned C4-9 Miniature Commercial Storage (Rental Units) are also a permitted use subject to the provisions of the C4 zone (As amended by By-law 21-2021)

**9.5.11 C4-11**

Notwithstanding the provisions to the contrary, the area zoned C4-11, a veterinary clinic is also a permitted use subject to the provisions of the C4 zone and that a minimum of 6 parking spaces shall be provided. All other provisions of By-law 43-2015 shall apply. (As amendment by By-law 40-2021)

**Section 10 Community Facility Zone (CF)**

Within this Zone, no *person* shall establish any *use* of land or *building*, or *erect* or *alter* any *building* or *structure* for any purpose except in accordance with the following provisions:

**10.1 PERMITTED USES**

- art or cultural facility
- *art gallery*
- *assembly hall*
- *cemetery*
- *church* or religious institution
- *clinic*
- community centre
- day care facility
- *day centre*
- fairgrounds
- fraternal association
- funeral home
- hospital
- museum
- nursery school
- *park, public*
- post office
- *public utility*
- race track
- *school*
- *sports and recreation facility*
- *utility service building*
- *uses accessory to the permitted uses*
- *uses permitted in the OS Zone*

**10.2 PERMITTED STRUCTURES**

- *buildings and structures for the permitted uses*
- *buildings and structures accessory to the permitted uses*

**10.3 ZONE PROVISIONS**

ZONE AREA (minimum)	600 sq. m
PROPERTY FRONTAGE (minimum)	20 metres
PROPERTY DEPTH (minimum)	30 metres
ZONE COVERAGE (maximum)	40%
FRONT YARD (minimum)	
in a <i>settlement area</i>	7.5 metres
in a rural area	20 metres from a <i>municipal street</i> 25 m from a <i>County Road</i> or Provincial Highway
REAR YARD (minimum)	10 metres
INTERIOR SIDE YARD (minimum):	5 metres
EXTERIOR SIDE YARD (minimum)	
in a <i>settlement area</i>	7.5 metres
in a rural area	20 metres from a <i>municipal street</i> 25 m from a <i>County Road</i> or Provincial Highway
LANDSCAPED OPEN SPACE (minimum)	30%
BUILDING HEIGHT (maximum)	11 metres

**10.4 SPECIAL ZONES**

**10.4.1. CF-1**

In the area zoned CF-1, the front of the *property* shall be deemed to be Nelson Street.

Notwithstanding the provisions to the contrary, the area zoned CF-1 containing Lot 221, R.P. 268, Village of Hensall, shall only be used as a *parking lot accessory to a long-term care home or retirement home* and the *existing* location of the parking area in this area shall be deemed to be the minimum setbacks.

In addition, there shall be a *fence* with a minimum height of 1.8 metres on the east and west boundaries of Lot 221, R.P. 268. The *fence* located on the west *property line* shall commence at a setback of 2.1 metres from the front of Lot 221, R.P. 268. The *fence* on the east *property line* of Lot 221, R.P. 268 shall be at a setback of approximately 15.2 metres or equivalent to that of the southwest corner of the *existing building* located on Lot 220, R.P. 268.

**10.4.2. CF-2**

In the area zoned CF-2, the front of the *property* shall be deemed to be Goshen Street.

Notwithstanding the provisions to the contrary, in the area zoned CF-2:

- a) the C4 zone provisions shall apply,
- b) a *sight triangle* is not required at the intersection of Goshen Street and Mill Avenue,
- c) a *planting strip* is not required, and
- d) off-street parking at a minimum of one *parking space* per 40 m<sup>2</sup> of *floor area* shall be provided.

**10.4.3. CF-3**

In the area zoned CF-3, a *long-term care home and retirement home* are also *permitted uses* subject to the provisions of the R3 Zone.

**10.4.4. CF-4**

Notwithstanding the provisions to the contrary, in the area zoned CF-4, on-site parking and a *loading space* are not required.

**Section 11 Disposal Zone (DS)**

Within this Zone, no *person* shall establish any use of land or *building*, or *erect* or *alter* any *building* or *structure* for any purpose except in accordance with the following provisions:

**11.1. PERMITTED USES**

- *waste disposal facility* as approved by the Ministry of Environment, including a sewage treatment plant and landfill site
- *recycling centre*
- *uses accessory to the permitted uses*

**11.2. PERMITTED STRUCTURES**

- *buildings and structures for the permitted uses*
- *buildings and structures accessory to the permitted uses, not including a dwelling unit*

**11.3. ZONE PROVISIONS**

ZONE AREA (minimum) – <i>Full services</i>	450 m <sup>2</sup>
– <i>Partial/private services</i>	1,400 m <sup>2</sup>
PROPERTY FRONTAGE (minimum)	
– <i>Full services</i>	20 metres
– <i>Partial/private services</i>	25 metres
PROPERTY DEPTH (minimum)	30 metres
ZONE COVERAGE (maximum)	70%
FRONT YARD (minimum)	15 metres
REAR YARD (minimum)	15 metres
INTERIOR SIDE YARD (minimum):	10 metres
EXTERIOR SIDE YARD (minimum)	15 metres
LANDSCAPED OPEN SPACE (minimum)	10%
BUILDING HEIGHT (maximum)	12 metres

however, any portion of a *building* or *structure* erected above a *height* of 12 metres to a maximum of 30 metres, shall be set back from the *front property line*, *side property lines*, or *rear property line* a further distance of 0.5 metres for each metre the *building* or *structure* is erected above a *height* of 12 metres.

**11.4. SPECIAL PROVISIONS**

**11.4.1. Site Plan Approval**

Subject to an agreement pursuant to the Municipality’s site plan control by-law, the Municipality may require the establishment of a fence or *planting strip*.

**Section 12 Extractive Resources Zone (ER1)**

Within this Zone, no *person* shall establish any use of land or *building*, or *erect* or *alter* any *building* or *structure* for any purpose except in accordance with the following provisions:

**12.1. PERMITTED USES**

- *agricultural use, limited*
- agricultural uses as they existed at the date of passage of this by-law and the expansion of *existing* agricultural *buildings* subject to the zone provisions of the AG1 Zone
- *extractive use* licensed under the Oil, Gas and Salt Resources Act
- *mineral aggregate operation* or any other operation licensed under the Aggregate Resources Act
- processing of extracted materials from the site including crushing, screening, washing, sorting and storing of materials, and a *portable asphalt plant*, but not including a permanent *asphalt/concrete/ready mix batching plant*
- *uses permitted* in the NE1 Zone
- *uses accessory* to the *permitted uses*

**12.2. PERMITTED STRUCTURES**

- *buildings* and *structures* for the *permitted uses*, including an *office*, *service*, *storage*, and *maintenance building*
- *buildings* and *structures accessory* to the *permitted uses*, not including a *dwelling unit*

**12.3. ZONE PROVISIONS**

FRONT YARD (minimum)	25 metres
REAR YARD (minimum)	17 metres
INTERIOR SIDE YARD (minimum)	17 metres
EXTERIOR SIDE YARD (minimum)	25 metres

**12.4. SPECIAL PROVISIONS**

**12.4.1. Rehabilitation**

The site shall be mined, managed and rehabilitated in accordance with the Regulations of the Aggregate Resources Act and a *site plan* as approved by the Ministry of Natural Resources.

**12.4.2. Excavation Limitations**

No excavation shall occur or be expanded within the following minimum setbacks :

land <i>used</i> for residential purposes	30 metres
land designated as a <i>settlement area</i>	30 metres
<i>top-of-bank</i> of any body of water or water course that is not the result of excavation below the water table	30 metres
boundary of the site	15 metres
<i>street line</i>	30 metres

Where two extractive operations abut and are operated at the same time thus permitting a more efficient use of the available aggregate, the setback of 15 metres from the boundary of the site may be waived conditional upon a signed agreement being registered against the deeds of both properties and upon Ministry of Natural Resources approval.

Where an extractive operation abuts a *street* and a reduced setback would permit a more efficient use of aggregate, the setback from the *street* may be reduced conditional upon a signed agreement between the owner of the *street* and the *owner/licensee* and upon Ministry of Natural Resources approval. Setbacks from the Natural Environment zone shall be in accordance with the General Provisions section entitled Natural Environment Zone Setback.

**12.4.3. Future Uses Following Rehabilitation**

Following rehabilitation a General Agriculture (AG1) or Natural Environment (NE1) use is *permitted* subject to the provisions of the respective *zone*.

**12.4.4. Repair, Renovation, Expansion of Existing Buildings**

Where a *residence*, *accessory storage structure* or barn was *erected* prior to the date of passing of this By-law the said *building* or *structure* may be repaired, *renovated* or expanded in accordance with the provisions of the General Agriculture Zone (AG1).

**Section 13     Extractive Industrial Zone (ER2)**

Within this Zone, no *person* shall establish any use of land or *building*, or *erect* or *alter* any *building* or *structure* for any purpose except in accordance with the following provisions:

**13.1.     PERMITTED USES**

- permanent *asphalt/concrete/ready mix batching plant*
- *uses permitted* in the ER1 Zone
- *uses accessory* to the *permitted uses*

**13.2.     PERMITTED STRUCTURES**

- *buildings* and *structures* for the *permitted uses*
- *buildings* and *structures accessory* to the *permitted uses*, not including a *dwelling unit*

**13.3.     ZONE PROVISIONS**

ZONE COVERAGE (maximum)	20%
REAR YARD (minimum)	17 metres
INTERIOR SIDE YARD (minimum)	17 metres

Additional setbacks for *buildings* or *structures* for a permanent *asphalt/concrete/ready mix batching plant*:

FRONT YARD (minimum)	90 metres
EXTERIOR SIDE YARD (minimum)	90 metres
from any off-site <i>dwelling unit</i> (minimum)	300 metres

Additional setbacks for other *permitted structures* including *accessory structures*:

FRONT YARD (minimum)	25 metres
EXTERIOR SIDE YARD (minimum)	25 metres

**13.4.     SPECIAL PROVISIONS**

The special provisions of the ER1 Zone shall apply.

**Section 14 Future Development Zone (FD)**

Within this Zone, no *person* shall establish any *use* of land or *building*, or *erect* or *alter* any *building* or *structure* for any purpose except in accordance with the following provisions:

**14.1. PERMITTED USES**

- *uses existing* on the date of the passing of this By-law
- *uses accessory* to the *permitted uses*

**14.2. PERMITTED STRUCTURES**

- *buildings and structures existing* on the date of passage of this By-law
- *buildings and structures accessory* to the *permitted uses*, not including the establishment of new *livestock buildings*

**14.3. ZONE PROVISIONS**

FRONT YARD (minimum)	10 metres
REAR YARD (minimum)	7.5 metres
INTERIOR SIDE YARD (minimum)	7.5 metres
EXTERIOR SIDE YARD (minimum)	10 metres

**14.4. SPECIAL PROVISIONS**

Final approval of subdivision of land in a Future Development zone will not be *permitted* prior to a rezoning to the applicable zone.

*Existing residences* will be allowed to expand, enlarge or re-establish provided that the provisions of the R2 Zone are complied with and the number of *dwelling units* is not increased.

**14.5. SPECIAL ZONES**

**14.5.1. FD-1**

Notwithstanding the provisions to the contrary, in the area zoned FD-1 the *existing* abattoir operation and *accessory structures* are *permitted* in accordance with the C3 zone provisions.

**14.5.2. FD-2**

Notwithstanding the provisions to the contrary, in the area zoned FD-2 one *single detached dwelling* is *permitted*.

**14.5.3. FD-3**

Notwithstanding the provisions to the contrary, in the area zoned FD-3, one *detached garage* is a *permitted structure* provided it is located a minimum of 6 metres from the Lindy Avenue *property line*.

<b>FF</b>	<b>Municipality of Bluewater Zoning By-law Section 15 Flood Fringe Zone (FF)</b>	<b>FF</b>
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**Section 15 Flood Fringe Zone (FF)**

Within this Zone, no *person* shall establish any *use* of land or *building*, or *erect* or *alter* any *building* or *structure* for any purpose except in accordance with the following provisions:

**15.1. PERMITTED USES**

In accordance with the *zones* found within the flood fringe area.

**15.2. PERMITTED STRUCTURES**

In accordance with the *zones* found within the flood fringe area.

**15.3. ZONE PROVISIONS**

The flood fringe is a second *zone* layered on top of underlying *zone(s)* and extends from the limit of the flood way (*zoned* FW) to the limit of the flood plain (*zoned* FF).

Zone provisions in the FF Zone are in accordance with the underlying *zone(s)* found within the flood fringe area. In addition, the placing or removal of fill will be subject to the approval of the Ausable Bayfield Conservation Authority and the *construction* of *permitted buildings* and *structures* will be subject to flood damage reduction measures determined in consultation with the Ausable Bayfield Conservation Authority.

**Section 16 Floodway Zone (FW)**

Within this Zone, no *person* shall establish any *use* of land or *building*, or *erect* or *alter* any *building* or *structure* for any purpose except in accordance with the following provisions:

**16.1. PERMITTED USES**

- *conservation*
- *forestry*
- *passive recreation*
- *uses accessory to the permitted uses*

**16.2. PERMITTED STRUCTURES**

- *accessory structures* for the maintenance of the *permitted uses* as well as trails and footpaths, including stiles, stairs, bridges and benches, subject to the approval of the Ausable Bayfield Conservation Authority
- *structures* for flood and/or erosion control prevention, subject to the approval of the Ausable Bayfield Conservation Authority

**16.3. ZONE PROVISIONS**

New and expanding *structures* shall be established and *constructed* in accordance with the requirements of the Ausable Bayfield Conservation Authority, including flood damage reduction measures.

The placing or removal of fill will be subject to the approval of the Ausable Bayfield Conservation Authority.



**Section 17 Lakeshore Residential Zone (LR1)**

Within this Zone, no *person* shall establish any use of land or *building*, or *erect* or *alter* any *building* or *structure* for any purpose except in accordance with the following provisions:

**17.1. PERMITTED USES**

- *conservation*
- *passive recreation*
- *public park*
- *single detached dwelling*

**17.2. ACCESSORY USES**

- *uses accessory to the permitted uses*

**17.3. PERMITTED STRUCTURES**

- *buildings and structures for the permitted uses*
- *buildings and structures accessory to the permitted uses*

**17.4. ZONE PROVISIONS**

Zone area, including all portions of the <i>property</i> zoned NE3 (min.)	1,850 m <sup>2</sup>
Property frontage (min.)	23 metres
Front yard (min.)	7.5 metres
Interior side yard (min.)	3 metres
Exterior side yard (min.)	3 metres
Rear yard (min.)	7.5 metres
Zone coverage (max.)	25%
Building height (max.)	12 metres

**DRIVEWAY SETBACKS**

*Driveways* shall be a minimum of 1 metre from the *side property line*.

**LAKEFRONT FRONT YARD**

For properties fronting on Lake Huron and for properties abutting or including the *top-of-bank* of Lake Huron, the *front yard* shall be the lake or *top-of-bank* side of the *property*.

**STORAGE SHEDS ON VACANT PROPERTIES**

On vacant properties in the LR1 Zone, one *accessory storage shed* is *permitted* prior to the *construction* of the main *single detached dwelling* subject to the following requirements for the shed:

- a) maximum size of 10 m<sup>2</sup>;
- b) maximum *height* of 5.5 metres;
- c) not *used* for human habitation and does not contain plumbing;
- d) structurally moveable; and
- e) located in the required *rear yard* with a minimum *setback* from *property lines* of 1.25 metres.

**17.5. SPECIAL ZONES**

**17.5.1. LR1-1**

Notwithstanding any provisions to the contrary, in the area zoned LR1-1 the following provisions shall apply:

<i>Front yard</i> (min.)	7.5 metres				
<i>Rear yard</i> (min.)	<table style="width: 100%; border: none;"> <tr> <td style="padding: 2px;">Lots 1 through 5, Plan 22M-2</td> <td style="text-align: center; padding: 2px;">22.5 metres</td> </tr> <tr> <td style="padding: 2px;">Lots 8 through 15, Plan 22M-2</td> <td style="text-align: center; padding: 2px;">17.5 metres</td> </tr> </table>	Lots 1 through 5, Plan 22M-2	22.5 metres	Lots 8 through 15, Plan 22M-2	17.5 metres
Lots 1 through 5, Plan 22M-2	22.5 metres				
Lots 8 through 15, Plan 22M-2	17.5 metres				
Zone coverage (max.)	20% or 475 m <sup>2</sup> , whichever is less				
Driveway width (max.)	5 metres				
A maximum of 30% or 725 m <sup>2</sup> , whichever is less, of the LR1-1 zoned area may be cleared.					

**17.5.2. LR1-2**

Notwithstanding any provisions to the contrary, in the area zoned LR1-2 the following provisions apply:

- a) All *buildings* and *structures* shall be set back a minimum of 20 metres from the *west property line*,
- b) the area covered by all *buildings* and *structures* shall not exceed 200 m<sup>2</sup>, and
- c) the septic system shall be located to the east of the *main building*.

**17.5.3. LR1-3**

Notwithstanding any provisions to the contrary, in the area zoned LR1-3 the following provisions shall apply:

- a) *Front yard* (min.) 25 metres
- b) *Building height* (max.) 11 metres

In addition to the limitations on the size of *accessory buildings* and *structures* in the General Provisions, in the LR1-3 Zone the combined maximum size of all *accessory buildings* and *structures*, including an attached *private garage* or attached *carport*, shall not exceed 60 m<sup>2</sup>.

**17.5.4. LR1-4**

Notwithstanding any provisions to the contrary, in the area zoned LR1-4 two main *dwellings* are *permitted* and the existing *dwellings* may be *replaced* provided all applicable provisions of this By-law are complied with and one *dwelling* is located completely within 44 metres of the east *property line*.

**17.5.5. LR1-5**

Notwithstanding the provisions to the contrary, in the area zoned LR1-5 a *garage/storage building* in the absence of a *single detached dwelling* is *permitted* at the following setbacks: 21 metres from the *front property line* and 3.5 metres from the north *property line*.

**17.5.6. LR1-6**

Notwithstanding the provisions to the contrary, in the area zoned LR1-6 an *accessory building* greater than 10 square metres is *permitted* in the absence of a *single detached dwelling* at the following setbacks: 20 metres from the *front property line*.

In the area zoned LR1-6, the 'Storage Sheds on Vacant Properties' provisions of the Section 17.4 do not apply.

**17.5.7. LR1-7**

Notwithstanding the provisions to the contrary, in the area zoned LR1-7, an *accessory building* is permitted to a maximum size of 80.3 square metres, a maximum *height* of 8.13 metres.

**17.5.8. LR1-8**                      75336 Maxobel Road

Notwithstanding the provisions to the contrary, in the area zoned LR1-8, the following provisions shall apply:

<i>Rear Yard</i> (minimum)	22.5 metres
<i>Zone coverage</i> (maximum)	20% or 475 m <sup>2</sup> , whichever is less
<i>Driveway width</i> (maximum)	5 metres

**17.5.9. LR1-8**                      73777 Crest Beach Road North

Notwithstanding any provisions to the contrary, in the area zoned LR1-8, the *front property line* is the *west property line* and a *detached garage* in the *rear yard* shall be screened on its east and north sides with blue spruce trees that have a height when originally planted of 3 metres for the trees on the east side and 1.8 metres for the trees on the north side.

**Section 18 Light Industrial Zone (M1)**

Within this Zone, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

**18.1. PERMITTED USES**

- agricultural industrial establishment
- agricultural processing establishment, but not dead stock removal
- agricultural service establishment
- agricultural supply establishment
- assembly, manufacturing, fabricating, packaging, printing, publishing plant or warehouse conducted and wholly contained within an enclosed building
- auto body shop
- bottle return depot
- catering service or light equipment rentals
- commercial storage warehouse (rental units)
- communications facility
- contractor's yard
- dry cleaning establishment
- furniture refinishing, woodworking or upholstery shop
- indoor sports and recreational facility
- industrial mall
- machine shop
- motor vehicle repair shop
- mushroom growing facility
- parking lot
- research facility
- service industrial use
- sewage and solid waste management, but not a transfer facility or landfill site
- textile plant
- transport truck terminal
- warehouse
- wholesale outlet
- window and plate glass establishment
- accessory use subordinate to and located on the same property as a permitted main use including an office, showroom, retail outlet, cafeteria, or a wholesale outlet
- cannabis production facility subject to the provisions of Section 18 and 3.42. (as amended by By-law 77-2020)

**18.2. PERMITTED STRUCTURES**

- buildings and structures for the permitted uses
- buildings and structures accessory to the permitted uses

**18.3. ZONE PROVISIONS**

ZONE AREA (minimum) – Full services	450 m <sup>2</sup>
– Partial/private services	1,400 m <sup>2</sup>
PROPERTY FRONTAGE (minimum)	
– Full services	20 metres
– Partial/private services	25 metres
PROPERTY DEPTH (minimum)	30 metres
ZONE COVERAGE (maximum)	50%

FRONT YARD (min) 10 m abutting a municipal street  
15 metres abutting a County Road or Provincial Highway

REAR YARD (minimum) 7.5 metres  
except where the rear property line is the boundary between an industrial zone and a residential zone: 15 m

INTERIOR SIDE YARD (minimum): 3 metres  
except where the interior side property line is the boundary between an industrial zone and a residential zone: 10 metres

EXTERIOR SIDE YARD (minimum)  
10 metres abutting a municipal street  
15 metres abutting a County Road or Provincial Highway

LANDSCAPED OPEN SPACE (minimum) 10%

BUILDING HEIGHT (maximum) 12 metres  
however, any portion of a building or structure erected above a height of 12 metres to a maximum of 30 metres, shall be set back from the front property line, side property lines and rear property lines, a further distance of 0.5 metres for each metre the building or structure is erected above a height of 12 metres.

**18.4. SPECIAL PROVISIONS**

**18.4.1. Property Subject to Utility Easement**

Where any industrial property is subject to a utility easement, the building setbacks shall also be in accordance with the applicable utility's requirements.

**18.4.2. Restriction on Permitted Uses due to Industrial Effluent**

In areas with partial/private services, the permitted uses shall be limited to those which are a dry industry.

In areas with full services, the permitted uses shall be limited to those for which their waste materials are suitable for the sewage treatment plant or have access to waste disposal facilities approved by the Ministry of the Environment.

**18.4.3. Property Abutting a Railway**

Notwithstanding any other provisions of this By-law to the contrary, where any property line or portion thereof abuts a railway, the interior side yard or rear yard required along that portion of the property line which abuts the railway shall be: 0 metres.

**18.4.4. Outdoor Storage**

The outdoor storage of goods or materials shall be permitted provided:

- the outdoor storage is accessory to the use of the main building on the property, and
- the outdoor storage does not cover more than 75% of the zone area.

In addition, no outdoor storage is permitted in the side yard or rear yard abutting or across the street from a non-industrial zone unless the outdoor storage is enclosed, to a minimum height of 1.8 metres, by a fence, planting strip or decorative masonry wall,

or has a *site plan* for the *outdoor storage* approved under the *Planning Act*.

**18.4.5. Showroom or Retail Sales**

A maximum of 25% of the *floor area* of a *permitted industrial building* may be *used* for showroom or retail sale of products manufactured or assembled on the premises.

**18.4.6. Gate House**

In an Industrial zone, a gate house shall be *permitted* to the front or side of the *main building*, in accordance with the minimum *front yard* and *side yard setbacks* for the *main building*.

**18.5. SPECIAL ZONES**

**18.5.1. M1-1**

In the area *zoned* M1-1, a *grain elevator* is *permitted* in addition to the *permitted uses* of the M1 Zone and silos and bins are not included in determining the number of required *parking spaces*.

**18.5.2. M1-2**

In addition to the *uses permitted* in the M1 Zone, in the area *zoned* M1-2 an automobile washing and reconditioning establishment is also a *permitted use*.

In addition, in the area *zoned* M1-2 an *accessory building* may be located in the south *side yard* subject to the following:

- Front yard setback* (min.) 6.4 metres
- South side yard setback* (min.) 1.6 metres
- Setback from a main building* (min.) 1.2 metres
- Zone coverage of all accessory buildings* (max.) 11.9%

**18.5.3 M1-3**

Notwithstanding the provisions to the contrary, the area *zoned* M1-3 may only be *used* for a *warehouse* or *storage building* subject to the following:

- a) *Front Yard Setback* (min.) 6.4 metres
- b) A *loading space* 6.4 metres in depth is *permitted* in the *front yard*.
- c) The required number of *parking spaces* is one (1) and this *parking space* is *permitted* in the *front yard*.

**18.5.4. M1-4**

Notwithstanding the provisions to the contrary, the only *permitted uses* in the M1-4 Zone shall be:

- assembly, manufacturing, fabricating, packaging, printing, publishing plant or *warehouse* conducted and wholly contained within an enclosed *building*
- catering service or light equipment rentals
- *commercial storage warehouse* (*rental units*)
- furniture refinishing, woodworking or upholstery shop
- indoor sports and recreational facility
- *industrial mall*
- *motor vehicle repair shop*
- service industrial use
- *warehouse*
- wholesale outlet
- window and plate glass establishment

- *accessory use* subordinate to and located on the same *property* as a *permitted main use* including an *office*, *showroom*, *retail outlet*, *cafeteria*, or a *wholesale outlet*

**18.5.5. M1-5**

Notwithstanding the provisions to the contrary, on the lands *zoned* M1-5, the following provisions shall apply:

- Zone coverage* (max.) 90%
- Front yard* (min.) 4 metres
- Rear yard* (min.) 0 metres
- Interior side yard* (min.) 0.2 metres
- Exterior side yard* (min.) 2 metres

In addition, 100% of the *floor area* of the *permitted industrial building* on the lands *zoned* M1-5 may be *used* for showroom or retail sale of products produced by the attached *building zoned* M1.

As well, on the lands *zoned* M1-5 the sight triangle shall be 7 metres measured along the *street line* from the point of intersection of the *street lines*.

**18.5.6. M1-6**

Notwithstanding the provisions to the contrary, in the area *zoned* M1-6 the following shall apply:

- Front yard:* no minimum
- Landscaped open space:* no minimum
- Exterior side yard* (min.): 5.4 metres

In addition, the refuse storage receptacle shall be a steel bin with a lid and the requirements regarding the width of ingress and egress *driveways* shall not apply.

**18.5.7. M1-7**

Notwithstanding the list of *Permitted Uses* in the M1 zone to the contrary, the only *permitted uses* in the M1-7 zone shall be:

- *parking lot*
- *office*; and
- *accessory uses* to these *permitted uses*

**Section 19 General Industrial Zone (M2)**

Within this Zone, no *person* shall establish any use of land or *building*, or *erect* or *alter* any *building* or *structure* for any purpose except in accordance with the following provisions:

**19.1. PERMITTED USES**

- any use *permitted* in an M1 Zone
- cartage, express or truck transport terminal or truck transport yard
- carbon dioxide plant
- chemical plant
- composting facility
- dairy
- ethanol plant
- feed or flour mill
- foundry for casting of metals
- *fuel storage* tank or supply yard
- *grain elevator*
- *lumber yard*
- planing or *saw mill*
- plant, ready mix
- plating plant
- radio or television tower
- *recycling centre*

**19.2. PERMITTED USES**

- *buildings* and *structures* for the *permitted uses*
- *buildings* and *structures* accessory to the *permitted uses*

**19.3. ZONE PROVISIONS**

The zone provisions and special provisions of the M1 Zone shall apply, with the following exceptions:

ZONE COVERAGE (maximum)            70%

BUILDING HEIGHT (maximum)        30 metres

however, any portion of a *building* or *structure* erected above a *height* of 30 metres shall be set back from the *front property line*, *side property lines*, and *rear property lines*, a further distance of 0.5 metres for each metre the *building* or *structure* is erected above a *height* of 30 metres.

**19.4. SPECIAL ZONES**

**19.4.1. M2-1**

Notwithstanding any provisions to the contrary, in the area zoned M2-1:

- a) the minimum number of required *parking spaces* for all M2-1 zoned lands when considered together is 200 with an additional *parking space* required for every 30m<sup>2</sup> of office space over 1,332 m<sup>2</sup>
- b) *landscaped open space* (minimum):        0%
- c) *setback* from abutting railway lands (minimum):    0 metres
- d) all abutting M2-1 zoned lands shall be considered together as one *property* when calculating *yards*, *setbacks* and *zone coverage* with the *front property line* being the *property line* abutting London Road.

**Section 20 Natural Environment Zone (NE1)**

Within this Zone, no *person* shall establish any *use* of land or *building*, or *erect* or *alter* any *building* or *structure* for any purpose except in accordance with the following provisions:

**20.1. PERMITTED USES**

- *conservation*
- *forestry*
- *passive recreation*
- *uses accessory to the permitted uses*

**20.2. PERMITTED STRUCTURES**

- *accessory buildings* and *structures* for the maintenance of the *permitted uses* as well as trails and footpaths, including stiles, stairs, bridges and benches, subject to the approval of the Ausable Bayfield Conservation Authority
- *buildings* and *structures* for flood and/or erosion control prevention, subject to the approval of the Ausable Bayfield Conservation Authority
- class 1 sewage disposal facility as per the Ontario Building Code

**20.3. ZONE PROVISIONS**

The minimum front, rear, and *side yards* of new and expanding *buildings* and *structures* will be established and *constructed* in accordance with the requirements of the relevant approval authority and required studies.

**Section 21 Natural Environment Zone (NE2)**

Within this Zone, no *person* shall establish any use of land or *building*, or *erect* or *alter* any *building* or *structure* for any purpose except in accordance with the following provisions:

**21.1. PERMITTED USES**

- all NE1 Zone permitted uses
- *dwelling* in existence at the date of passage of this by-law and the *replacement* of such *dwelling*
- maple syrup production
- *public park*
- *uses accessory* to the *permitted uses*, including a *home industry* or *home occupation accessory* to an *existing dwelling*

**21.2. PERMITTED STRUCTURES**

- *buildings* and *structures accessory* to a *permitted dwelling*
- *buildings* and *structures existing* on the date of passing of this by-law
- *buildings* and *structures* permitted in the NE1 Zone
- maple syrup evaporating facility

**21.3. ZONE PROVISIONS**

**EXISTING DWELLINGS & THEIR REPLACEMENT**

The minimum *front yard*, *rear yard*, and *side yards* for an *existing dwelling* shall constitute the minimum requirements for the *dwelling* and any *replacement dwelling*.

The *zone coverage* and *height of existing buildings* and *structures* constitutes the maximum permitted for the *dwelling* and any *replacement dwelling*.

**NEW & EXPANDING NON-DWELLING BUILDINGS & STRUCTURES**

The minimum *front yard*, *rear yard*, and *side yards* and maximum *zone coverage* and *building height* for new and expanding *buildings* and *structures* that are not *dwellings* will be established and *constructed* in accordance with the requirements of the relevant approval authority and required studies.

Notwithstanding 21.3. and 3.2. to the contrary, in the NE2 areas below the Lake Huron *top of bank*, a single *accessory building* is permitted in any *yard* provided it is less than 10 square metres, not more than one storey, a maximum height of 4 metres and is established and constructed in accordance with the requirements of the relevant approval authority and required studies.

**21.4. SPECIAL ZONES**

**21.4.1. NE2-1**

In addition to the *permitted uses* of the NE2 Zone, the area *zoned* NE2-1 may also be *used* for a *trailer and tent park* with up to 125 sites and also *accessory marina docks* in accordance with the requirements of the RC2 zone. In addition, all the lands *zoned* NE2-1 shall be considered together for the purposes of determining compliance with this by-law. As well, in the area *zoned* NE2-1 that is within the floodway as identified by the

Ausable Bayfield Conservation Authority, no new *buildings* or *structures* are *permitted* except the *replacement* of *existing trailers* and *buildings* of the same or smaller area, volume, and *height*.

**21.4.2. NE2-2**

Notwithstanding the provisions to the contrary, in the area *zoned* NE2-2 the construction of a *dwelling* is permitted with a maximum size of 151 square metres (90 square metres for the *dwelling*, 40 square metres for a *deck* located on the west side of the *dwelling* and 21 square metres for a covered patio located on the north side of the *dwelling*), a maximum *height* of 7.2 metres and provided that it is located no closer than 4.5 metres from the north *property line* and 13.2 metres from the west *property line*.

**21.4.3. NE2-3**

Notwithstanding the provisions to the contrary, in the area *zoned* NE2-3, in addition to the existing permitted uses, a *dwelling* is permitted subject to the AG4 zone provisions in Section 6.4 of this by-law, and *buildings* and *structures accessory* to the *dwelling* are permitted. In the area *zoned* NE2-3, the occasional short-term, temporary, non-commercial use of a travel trailer is permitted prior to the establishment of a main use on the same property provided that the septage from the trailer be disposed of off-site and a sewage system is not permitted to be installed on the property unless to service a *dwelling*. The boundary of NE2-3 zone is 78 metres from the west and south property lines and is approximately 0.6 hectares (1.5 acres) in area. (As amended by By-law 107-2021)

**Section 22 Natural Environment Zone (NE3)**

Within this Zone, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

**22.1. PERMITTED USES**

- all NE1 Zone permitted uses
- single detached dwelling unless the NE3 Zone abuts a R1 Zone on the same property in which case all R1 Zone uses are permitted
- uses accessory to the permitted uses

**22.2. PERMITTED STRUCTURES**

- buildings and structures for the permitted uses
- buildings and structures accessory to the permitted uses
- buildings and structures permitted in the NE1 Zone

**22.3. ZONE PROVISIONS**

Where a single detached dwelling and its accessory buildings and structures does not contain a R1 Zone on the same property, the LR1 zone provisions shall apply.

For a R1 Zone permitted building and structure and its accessory buildings and structures, the R1 zone provisions shall apply.

For all other buildings and structures the NE1 zone provisions shall apply.

**22.4. SPECIAL ZONES**

**22.4.1. NE3-1-h**

Notwithstanding any provisions to the contrary in the area zoned NE3-1-h the following provisions shall apply:

- a) setback from the top-of-bank of Lake Huron (min.): 11 metres
- b) setback for a single detached dwelling from the top-of-bank of the ravine (min.): 14 metres
- c) setback for a septic system from the top-of-bank of the ravine (min.): 14 metres measured to the south and 6 metres measured to the east,
- d) minimum zone coverage shall not apply, and
- e) the north side yard shall be 1 metre with no obstruction (fence, hedge or other vegetation) greater than 0.3 metres in height along the north property line.

**22.4.2. NE3-2**

Notwithstanding the provisions to the contrary, the single detached dwelling and accessory deck in the area zoned NE3-2 shall have a maximum total floor area of 111 m<sup>2</sup> and be located in a building envelope 56 metres from the north property line, 55 metres from the east property line, and 31.5 metres from the south property line.

**22.4.3. NE3-3**

Notwithstanding the provisions to the contrary, in the area zoned NE3-3 there may be two single detached dwellings on the same property, one above the top-of-bank and the other existing single detached dwelling below the top-of-bank subject to the following:

- a) for the single detached dwelling below the top-of-bank, the footprint of the single detached dwelling is limited to the existing footprint.
- b) for the single detached dwelling above the top-of-bank, the minimum setback from the north top-of-bank of the ravine shall be 7.4 metres.

The area zoned NE3-3 shall not be subdivided as the two permitted single detached dwellings must remain as part of the same property.

**22.4.4. NE3-4**

Notwithstanding the provisions to the contrary, in the area zoned NE3-4, the boundary of the NE3-4 zone is located 15 metres from the northern property line and has dimensions of 46 metres along the eastern property line and a width of 46 metres. An accessory structure may be permitted in the absence of a main use with a maximum height of 6.7 metres and shall be permitted to be located 7.6 metres from the front property line. The boundaries of the NE3-4 zone that are not coincident with a property line shall be delimited with a fence of at least 0.9 metres in height. All other provisions of By-law 43-2015 shall apply. (As amended by By-law 47-2021)



**Section 23 Natural Environment Zone (NE4)**

Within this Zone, no *person* shall establish any *use* of land or *building*, or *erect* or *alter* any *building* or *structure* for any purpose except in accordance with the following provisions:

**23.1. PERMITTED USES**

- all NE1 Zone *permitted uses*
- all AG4 Zone *permitted uses*
- *park, public*
- *uses accessory* to the *permitted uses* , including those listed as Accessory Uses in the AG4 Zone

**23.2. PERMITTED STRUCTURES**

- *buildings and structures* for the *permitted uses*
- *buildings and structures accessory* to the *permitted uses*

**23.3. ZONE PROVISIONS**

For a *single detached dwelling* and its *accessory buildings and structures*, the AG4 zone provisions shall apply.

For all other *buildings and structures* the NE1 zone provisions shall apply.

**23.4. SPECIAL PROVISIONS**

**DRAINAGE**

Drainage is prohibited, other than for a direct agricultural drainage outlet, drainage required for *permitted structures*, and drains constructed in accordance with the Drainage Act.

**23.5. SPECIAL ZONES**

**23.5.1. NE4-1**

In the area *zoned* NE4-1, the recommendations of the Environmental Impact Study dated October 30, 2001 as approved by the Ausable Bayfield Conservation Authority shall be implemented.

**23.5.2. NE4-2**

In the area *zoned* NE4-2, the recommendations contained in both the October 2005 Scoped Environmental Impact Study prepared by EarthTech Canada Inc. and the August 31, 2006 letter from the Ausable Bayfield Conservation Authority for this *property* shall be implemented.

**Section 24 Parks & Open Space Zone (OS)**

Within this Zone, no *person* shall establish any use of land or *building*, or *erect* or *alter* any *building* or *structure* for any purpose except in accordance with the following provisions:

**24.1. PERMITTED USES**

- *conservation*
- *forestry*
- *park, private*
- *park, public*
- *passive recreation*
- lawn bowling club
- tennis court
- sports field
- *uses accessory to the permitted uses*

**24.2. PERMITTED STRUCTURES**

- *buildings and structures accessory to the permitted uses* subject to the consent of the Ausable Bayfield Conservation Authority or the appropriate authority
- *buildings and structures necessary for flood and/or erosion control prevention* subject to the consent of the Ausable Bayfield Conservation Authority
- class 1 sewage disposal facility as per the Ontario Building Code

**24.3. ZONE PROVISIONS**

ZONE COVERAGE (maximum)	20%
FRONT YARD (minimum)	10 metres
REAR YARD (minimum)	8 metres
INTERIOR SIDE YARD (minimum)	7.5 metres
EXTERIOR SIDE YARD (minimum)	10 metres
BUILDING HEIGHT (maximum)	14 metres

**24.4. SPECIAL ZONES**

**24.4.1. OS-1**

Notwithstanding any other provisions to the contrary, in the OS-1 Zone *buildings* or *structures* are prohibited and the only *permitted uses* are *conservation* and *passive recreation*.

**Section 25 Residential – Low Density Zone (R1)**

Within this Zone, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

**25.1. PERMITTED USES**

- duplex dwelling outside of the Bayfield Settlement Area
- group home in a single detached dwelling
- link semi-detached dwelling outside of the Bayfield Settlement Area
- semi-detached dwelling outside of the Bayfield Settlement Area
- single detached dwelling

**25.2. ACCESSORY USES**

- bed and breakfast establishment (maximum of two guest rooms) outside of the Bayfield Settlement Area and Lakeshore Residential Settlement Area, but only in a single detached, semi-detached, or link semi-detached dwelling
- home occupation
- second unit in a single detached dwelling outside of the Bayfield Settlement Area
- uses accessory to the permitted uses

**25.3. PERMITTED STRUCTURES**

- buildings and structures for the permitted uses
- buildings and structures accessory to the permitted uses

**25.4. SINGLE DETACHED DWELLINGS – ZONE PROVISIONS**

	Full services (Public Water & Public Sewer)	Public Water & Private Septic	Private Water & Private Septic
Zone area (min.) Interior property	450 m <sup>2</sup>	1,650 m <sup>2</sup>	1,850 m <sup>2</sup>
Zone area (min.) Corner property	540 m <sup>2</sup>		
Frontage (min.) Interior property	15 metres	23 metres	
Frontage (min.) Corner property	18 metres	23 metres	
Property depth (min.)	30 metres	46 metres	
Front yard (min.)	5 metres		
Interior side yard (min.)	1.5 metres on one side and 3 metres on the other side*; OR 1.5 metres on both sides when there is a private garage or carport attached to the main building*;		

	*Provided that the distance to any abutting residence (including attached private garages) is a minimum of 3 metres
Exterior side yard (min.)	6 metres
Rear yard (min.)	8 metres
Zone coverage (max.)	35%
Landscaped open space (min.)	30%
Building height (max.)	14 metres

**LAKEFRONT FRONT YARD**

For properties fronting on Lake Huron and for properties abutting or including the top-of-bank of Lake Huron, the front yard shall be the lake or top-of-bank side of the property.

**25.5. SEMI-DETACHED, LINK SEMI-DETACHED, AND DUPLEX DWELLINGS – ZONE PROVISIONS**

	Semi-Detached	Link semi-detached	Duplex
Zone area (min.) Interior property	270 m <sup>2</sup> per unit	270 m <sup>2</sup> per unit	540 m <sup>2</sup>
Zone area (min.) Corner property	315 m <sup>2</sup> per unit	330 m <sup>2</sup> per unit	
Frontage (min.) Interior property	15 metres	10 metres per unit	23 metres
Frontage (min.) Corner property	18 metres	Interior unit: 10m Corner unit: 13m	23 metres
Property depth (min.)		30 metres	
Front yard (min.)	6 metres		
Interior side yard (min.)	Unattached side: 3 m	Unattached side: 3m	3 metres on one side, 1.5 metres on the other side
	Attached side: 0 m	Attached side: 0.75 m	
	The 3 m requirement is reduced to 1.5 m when there is a private garage or carport attached to the main building provided that the distance to any abutting residence (including attached private garages) is a minimum of 3 metres.		
Exterior side yard (min.)	6 metres		
Rear yard (min.)	8 metres		
Zone coverage (max.)	40%		
Landscaped open space (min.)	30%		

<i>Building height (max.)</i>	14 metres
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**LAKEFRONT FRONT YARD**

For properties fronting on Lake Huron and for properties abutting or including the *top-of-bank* of Lake Huron, the *front yard* shall be the lake or *top-of-bank* side of the *property*.

**25.6. SPECIAL ZONES**

**25.6.1. R1-1**

Notwithstanding the provisions to the contrary, the area zoned R1-2 may also be used for a three unit *apartment building* subject to the provisions of the R3 Zone.

**25.6.2. R1-2**

In addition to any other requirements, in the area zoned R1-2 no *structures*, including *accessory structures* and *swimming pools*, are *permitted* within 8 metres of a NE2 Zone or 9 metres of an OS-1 Zone.

**25.6.3. R1-3**

Notwithstanding the provisions to the contrary, a *single detached dwelling* is the only *use permitted* in the area zoned R1-3 subject to the following:

- a) There shall be no other *buildings, structures*, or clearing of any vegetation on a *property* containing a R1-3 Zone except within the R1-3 *zoned area*.
- b) The area zoned R1-3 on each *property* is 743.2 m<sup>2</sup>, not including the clearing of trees for the portion of the *driveway* within required minimum *front yard setback*. There are to be no cleared areas beyond this maximum area.
- c) The location of the R1-3 *zoned area* includes a rectangular area set back a distance of 24.38 m from the *street line* with:
  - for Units 2 and 3 a width of 30.5 m and a depth of 18.3 m, and
  - for Unit 4 a width of 29.0 m and a depth of 17.7 m.
 An area outside of this rectangular area may be interpreted to fall within the maximum area zoned R1-3 for the *property* provided it includes this rectangular area and meets the requirements of subsection b) above.
- d) The maximum *zone coverage*, including unenclosed *swimming pools* and ground-mounted solar energy collectors, shall be 72% for Units 1 and 2 and 66% for Units 3 and 4.
- e) The maximum width of any *driveway*, including the common *driveway*, shall be 7 metres.

**25.6.4. R1-4**

Notwithstanding the provisions to the contrary, a *single detached dwelling* is the only *use permitted* in the area zoned R1-4 subject to the following:

- a) Access to the *property* shall be by a registered *right over* the Municipally-owned road allowance.

- b) There shall be no other *buildings, structures*, or clearing of any vegetation on a *property* containing a R1-4 Zone except within the R1-4 *zoned area*.
- c) The area *zoned* R1-4 is 700 m<sup>2</sup>. There is to be no cleared area beyond this maximum area.
- d) The maximum *zone coverage*, including unenclosed *swimming pools* and ground-mounted solar energy collectors, shall be 60%.
- e) The maximum *driveway* width shall be 5 metres.
- f) *Development* in the R1-4 Zone shall be in accordance with the Environmental Impact Study and site plan approved by the Ausable Bayfield Conservation Authority.

**25.6.5. R1-5**

In addition to any other requirements of the R1 Zone, in the area zoned R1-5 there shall be no *development*, including *structures* and site *alteration*, within 54 metres of the rear *property line* except as *permitted* by the development agreement.

**25.6.6. R1-6**

In addition to the *uses permitted* in the R1 Zone, in the area zoned R1-6 a *mobile home* is a *permitted use*.

**25.6.7. R1-7**

Notwithstanding the R1 Zone provisions to the contrary, a bed and breakfast in the R1-7 Zone may contain a maximum of 3 *guest rooms*.

**25.6.8. R1-8**

Notwithstanding the provisions to the contrary, in the area zoned R1-8 an *accessory garage/shop* not exceeding 134 m<sup>2</sup> is *permitted*.

**25.6.9. R1-9**

Notwithstanding the provisions to the contrary, in the area zoned R1-9 the existing *building* is deemed to comply with this by-law.

Notwithstanding Section 3.9, in the area zoned R1-9 sanitary services may be provided by an individual on-site sewage disposal system.

**25.6.10. R1-10**

Notwithstanding the provisions to the contrary, in the area zoned R1-10 a *garage/storage building* in the absence of a *single detached dwelling* is *permitted* at the following *setbacks*: 31 metres from the *front property line* and 12 metres from the north *property line*.

**25.6.11. R1-11**

Notwithstanding the provisions to the contrary, in the area zoned R1-11 the rental of four separate self-contained units with a maximum of two units in each of two *buildings* is also a *permitted use*. The rental of the units may be by the night, weekend, or week.

**25.6.12. R1-12**

Notwithstanding the provisions to the contrary, in the area *zoned* R1-12 the minimum required exterior side yard shall be 5 metres.

**25.6.13. R1-13**

Notwithstanding the provisions to the contrary, in the area *zoned* R1-13 a detached garage not exceeding 85 m<sup>2</sup> is considered an accessory building and is permitted in any yard.

**25.6.14. R1-14**

Notwithstanding the provisions to the contrary, in the area *zoned* R1-14 a detached garage shall not exceed 6.75 metres in height.

**25.6.15. R1-15**

Notwithstanding Section 3.9, in the area *zoned* R1-15 sanitary services may be provided by an individual on-site sewage disposal system

**25.6.16. R1-16**

Notwithstanding the provisions of Section 3.24., on lands *zoned* R1-16, development shall be *permitted* subject to the provisions of the R1 zone, and based on the current standard of Hill Terrace which is not up to Municipal road standards and is not assumed or maintained by the Municipality. An agreement shall be signed by the property owner prior to development and be registered on title acknowledging the status of Hill Terrace and responsibility for maintenance of Hill Terrace. Drainage shall be handled on-site for development of each lot.

Notwithstanding the provisions of Section 3.30.3., the *setback* from *top-of-bank*, shall be a minimum of 20 metres.

**25.6.17. R1-17**

Notwithstanding the provisions of Section 3.30 and any other provisions to the contrary, in the area *zoned* R1-17 all *structures* shall be set back a minimum distance of 7 metres from the boundary Block 17, Registered Plan 22M9 (the abutting, municipally-owned *property* containing a *watercourse*).

**25.6.18. R1-18**

Notwithstanding the provisions of Section 3.30 and any other provisions to the contrary, in the area *zoned* R1-18 all *structures* shall be set back a minimum distance of 7 metres from the boundary Block 18, Registered Plan 22M9 (the abutting, municipally-owned *property* containing a *watercourse*).

**25.6.19. R1-19**

In addition to any other requirements of the R1 Zone, in the area *zoned* R1-19 there shall be no development, including *structures* and site alteration, within 54 metres of the *rear property line* except as permitted by the development agreement.

Notwithstanding the provisions of Section 3.30. and any other provisions to the contrary, in the area *zoned* R1-19 all *structures* shall be set back a minimum distance of 8 metres from the boundary Block 18, Registered Plan 22M9 (the abutting, municipally-owned *property* containing a *watercourse*).

**25.6.20. R1-20**

In addition to any other requirements of the R1 Zone, in the area *zoned* R1-20 there shall be no development, including *structures* and site alteration, within 54 metres of the *rear property line* except as permitted by the development agreement.

Notwithstanding the provisions of Section 3.30. and any other provisions to the contrary, in the area *zoned* R1-20 all *structures* shall be set back a minimum distance of 8 metres from the boundary Block 19, Registered Plan 22M9 (the abutting, municipally-owned *property* containing a *watercourse*).

**25.6.21. R1-21**

Notwithstanding the provisions of Section 3.30 and any other provisions to the contrary, in the area *zoned* R1-21 all *structures* shall be set back a minimum distance of 7 metres from the boundary Block 19, Registered Plan 22M9 (the abutting, municipally-owned *property* containing a *watercourse*).

**25.6.22. R1-22**

Notwithstanding the provisions to the contrary, in the area *zoned* R1-22, the *setback* from a *watercourse* over 7.5 metres in width is 12 metres (minimum) measured from the *rear property line*.

**25.6.23**

**25.6.24 R1-24**

Notwithstanding the provisions of Section 3.9 to the contrary, one single detached dwelling is permitted on the subject lands serviced via private services including private water and private septic in the area *zoned* R1-24. The boundary of the R1-24 zone extends 167m west from the rear east property line and includes an approximate area of 1.7 hectares (4.2 acres).

Notwithstanding the provisions of Section 3.2.4 to the contrary, one accessory structure is permitted in the front yard of this single detached dwelling in the area *zoned* R1-24.

This single detached residential dwelling must be connected to full municipal services when the Future Development Zone on the remainder of the parcel is changed for residential purposes.

**Section 26 Residential – Medium Density Zone (R2)**

Within this Zone, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

**26.1. PERMITTED USES**

- duplex dwelling
- group home in a single detached dwelling
- link semi-detached dwelling
- semi-detached dwelling
- single detached dwelling
- converted dwelling (maximum of 4 dwelling units)
- multiple attached dwelling (maximum of 4 dwelling units)
- quadruplex
- triplex

**26.2. ACCESSORY USES**

- home occupation
- bed and breakfast establishment (maximum of two guest rooms) outside of the Bayfield Settlement Area but only in a single detached dwelling, semi-detached dwelling, or link semi-detached dwelling
- second unit in a single detached dwelling
- uses accessory to the permitted uses

**26.3. PERMITTED STRUCTURES**

- buildings and structures for the permitted uses
- buildings and structures accessory to the permitted uses

**26.4. SINGLE DETACHED DWELLINGS – ZONE PROVISIONS**

The R1 zone provisions for single detached dwellings apply.

**26.5. SEMI-DETACHED, LINK SEMI-DETACHED, AND DUPLEX DWELLINGS – ZONE PROVISIONS**

The R1 zone provisions for semi-detached dwellings, link semi-detached dwellings, and duplex dwellings apply.

**26.6. TRIPLEX AND QUADRUPLEX DWELLINGS – ZONE PROVISIONS**

	Triplex	Quadruplex
Zone area (min.) Interior property	810 m <sup>2</sup>	940 m <sup>2</sup>
Zone area (min.) Corner property	1,080 m <sup>2</sup>	1,260 m <sup>2</sup>
Property frontage (min.)	20 metres	
Property depth (min.)	34 metres	
Front yard (min.)	6 metres from a Municipal street 10 metres from a County Road 14 metres from a Provincial Highway	
Interior side yard (min.)		
Unattached Side	3 metres	
Attached side	0 metres	

Exterior side yard (min.)	6 metres from a Municipal street 10 metres from a County Road 14 metres from a Provincial Highway
Rear yard (min.)	8 metres
Zone coverage (max.)	40%
Landscaped open space (min.)	30%
Building height (max.)	14 metres

**26.7. CONVERTED DWELLINGS – ZONE PROVISIONS**

Any single detached dwelling lawfully existing on the date of passing of this By-law and containing a minimum floor area of 110 m<sup>2</sup> of dwelling area may be altered to a converted dwelling provided it complies with the following additional requirements:

- the dwelling is on full services (municipal sewage & water).
- any additional exterior stairways provided for such dwelling units leading to a full floor above the first storey shall not be located in the front yard.

**26.8. MULTIPLE ATTACHED DWELLINGS – ZONE PROVISIONS**

Property frontage for each dwelling unit (min.): interior unit	8 metres
end unit (not a corner unit)	11 metres
end unit abutting a side street	14 metres
Zone area for each dwelling unit (min.): end unit abutting a side street	400 m <sup>2</sup>
all other units	350 m <sup>2</sup>
Property depth (minimum)	38 metres
Zone coverage (maximum)	40%
Front yard (minimum) difference between front yards of adjoining units (min.)	6 metres 1 metre
Rear yard (minimum)	10 metres
Interior side yard (minimum) unattached side (end unit): attached side	3 metres 0 metres
Exterior side yard (minimum)	6 metres
Landscaped open space (minimum)	30%
Number of Dwelling units per Building (max.)	4
Building height (maximum)	14 metres
Attached private garage recess from front of unit (min.) width as % of unit width (max.)	1 metre 40%

Each dwelling unit in a multiple attached dwelling shall be provided with a privacy yard that is clear of any walkway, building, communal amenity areas, or parking and adjacent to each dwelling unit for the use of the dwelling unit's occupants as follows:

- the privacy yard shall extend the entire dwelling unit width.
- the minimum privacy yard depth shall be 6 metres from any exterior wall containing a habitable room and 3 metres in front of all other walls.

- within the privacy yard there shall not be a public pedestrian walkway.

**26.9. SPECIAL ZONES**

**26.9.1. R2-1**

In the area zoned R2-1 the following provisions apply to a multiple attached dwelling:

Property frontage for each dwelling unit (min.)	10 metres
Zone area for each dwelling unit (min.)	300 m <sup>2</sup>
Property depth (minimum)	30 metres
Zone coverage (maximum)	45%
Front yard (minimum)	5 metres
Rear yard (minimum)	8 metres
Interior side yard (minimum)	
unattached side (end unit)	2 metres
attached side	0 metres
Exterior side yard (minimum)	5 metres
Landscaped open space (minimum)	30%

All other provisions of this by-law apply with the exception of Sections 3.21.15, 3.22, and 3.29.

**26.9.2. R2-2**

Notwithstanding the provisions to the contrary, in the area zoned R2-2 there shall be no more than 55 dwelling units, comprised of:

- 11 four unit buildings
- 3 three unit buildings
- 1 two unit building

In addition, accessory buildings, structures and uses are also permitted (including in the front yard) as well as a clubhouse for the use of the residents of the property and their guests.

Property frontage	280 metres
Zone area (min.)	5.6 hectares
Front yard (minimum)	5 metres
Rear yard (minimum)	8 metres
Side yard (minimum)	7.5 metres
Separation distance between buildings containing multiple attached dwellings (minimum)	
- Between 2 end walls facing each other where neither wall contains a habitable room window	3 metres
- Between 2 end walls facing each other where one or both contain a habitable room window	8 metres
Zone coverage (maximum)	40%
Parking	
Total Minimum Number of Spaces	90
Parking Spaces for handicapped	2
Parking is permitted in all yards except the required front, side and rear yards and shall be a minimum of 1 metre from all streets	

**26.9.3. R2-3**

In addition to the uses permitted in the R2 Zone, in the area zoned R2-3 a barbecue catering and related food preparation business is a permitted use but only if such use has not been discontinued for a period of one year or more.

In the area zoned R2-3, the existing west side yard and rear yard setbacks for the existing large building at the rear of the property shall be the minimum setbacks for this structure. In addition, this structure may have an addition of no more than 6.1 metres on its southerly end from what existed in 2010. No additional structures are permitted.

**26.9.4. R2-4**

In addition to the uses permitted in the R2 Zone, in the area zoned R2-4 a funeral home is a permitted use subject to the provisions of the CF Zone.

Notwithstanding the provisions to the contrary, in the area zoned R2-4 a minimum of six parking spaces shall be provided.

**26.9.5. R2-5**

Notwithstanding the provisions to the contrary, a planting strip is not required where a R2-5 Zone abuts a Highway Commercial zone.

**26.9.6. R2-6**

Notwithstanding the R2 Zone provisions to the contrary, a bed and breakfast establishment in the R2-6 Zone may contain a maximum of 3 guest rooms.

**26.9.7. R2-7**

Notwithstanding the provisions of Section 3.9, in the area zoned R2-7 sanitary services may be provided by an individual on-site sewage disposal system.

**26.9.8. R2-8**

Notwithstanding their R2 zoning, those lands described as Lot 318, Plan 271, Hensall Ward, may also be used for office purposes in accordance with the R2 provisions. Notwithstanding any provisions to the contrary, in the area zoned R2-8 a parking area is permitted in the exterior side yard.

**26.9.9. R2-9 (PLAN 22M7 LOT 2)**

Notwithstanding the provisions to the contrary, in the area zoned R2-9 an accessory building may be permitted to contain plumbing and shall be permitted to a maximum size of 185 square metres. All other provisions of By-law 43-2015 shall apply. (As amended by By-law 48-2021)

**26.9.9 R2-9 (PLAN 618 LOTS 2-3)**

Notwithstanding the provisions to the contrary, in the area zones R2-9 there shall be no more than 23 dwelling units, comprised of:

- 10 single detached dwellings
- 3 three-unit buildings
- 1 four-unit building

In the area zoned R2-9 the following provisions apply to a single detached dwelling:

Zone area (min.) Interior property	620 square metres
Frontage (min.) Interior property	17 metres
Property depth (min.)	35 metres
Front yard (min.)	5 metres

<b>R2</b>	<b>Municipality of Bluewater Zoning By-law Section 26 Residential – Medium Density Zone (R2)</b>	<b>R2</b>
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<i>Interior side yard (min.)</i>	1.5 metres on one side/3 metres on one side
<i>Exterior side yard (min.)</i>	6 metres
<i>Rear yard (min.)</i>	11 metres
<i>Zone coverage</i>	35%
<i>Landscaped open space</i>	40%
<i>Building height (max.)</i>	14 metres

In the area zoned R2-9, the following provisions apply to a multiple attached dwelling:

<i>Property frontage for each dwelling unit (min.):</i>	
<i>Interior unit</i>	8.5 metres
<i>End unit abutting a side street</i>	11.5 metres
<i>Zone area for each dwelling unit (min.):</i>	
All units not abutting a side street	380 square metres
<i>Property depth (min.)</i>	36 metres
<i>Zone coverage (max.)</i>	45%
<i>Front yard (minimum)</i>	5 metres
Difference between <i>front yards</i> of adjoining units (min.)	1 metre
<i>Rear yard (min.)</i>	11 metres
<i>Interior side yard (min.):</i>	
Unattached side (end unit)	3 metres
Attached side	0 metres
<i>Exterior side yard (min.)</i>	6 metres
<i>Landscaped open space (min.)</i>	40%
<i>Number of Dwelling units per Building (max.)</i>	4
<i>Building height (max.)</i>	14 metres
<i>Attached private garage</i>	
Recess from front of unit (min.)	1 metre
Width as % of unit width (manx.)	60%

Notwithstanding the provisions to the contrary, in the area zoned R2-9 single-detached dwellings and multiple attached dwellings shall be permitted on the temporary individual on-site sanitary systems until such time municipal sanitary service is available.

Notwithstanding the provisions to the contrary, in the area zoned R2-9 the minimum Residential Dispersion Measurement shall be a minimum distance of 35 metres for 4 dwelling units a building.

All other provisions of By-law 43-2015 shall apply. (As amended by By-law 4-2021)



**Section 27 Residential – High Density Zone (R3)**

Within this Zone, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

**27.1. PERMITTED USES**

- apartment building
- long-term care home
- multiple attached dwelling
- retirement home

**27.2. ACCESSORY USES**

- home occupation
- uses accessory to the permitted uses

**27.3. PERMITTED STRUCTURES**

- buildings and structures for the permitted uses
- buildings and structures accessory to the permitted uses

**27.4. MULTIPLE ATTACHED DWELLINGS – ZONE PROVISIONS**

The R2 Zone provisions for multiple attached dwellings (Section 27.9) apply with the following modifications and additions:

**27.4.1. Dwelling Units per Building**

Maximum number of dwelling units per building: 8.

**27.4.2. Common Outdoor Amenity Area**

Every building having more than 4 dwelling units shall have an outdoor amenity area with a minimum size of 25 m<sup>2</sup> per dwelling unit.

**27.4.3. Multiple Attached Dwellings on a Property**

More than 1 multiple attached dwelling may be established on a property provided the dwellings also have the following minimum separation between the buildings:

- an exterior wall having a habitable window: 18 m
- all other exterior walls: 3 m

**27.5. APARTMENT BUILDING – ZONE PROVISIONS**

Zone area (min.)	730 m <sup>2</sup>
Property frontage (min.)	20 metres
Property depth (min.)	38 metres
Front yard (min.)	6 metres
Interior side yard (min.)	6 metres
Exterior side yard (min.)	6 metres
Rear yard (min.)	10 metres
Zone coverage (max.)	40%
Landscaped open space (min.)	35%

**27.6. APARTMENT BUILDING – BUILDING PROVISIONS**

Building height (max.)	3 storeys
Balconies for above grade apartment building dwelling units shall be a minimum of 1.5 m deep and 2.4 m long and	

enclosed by a privacy screen or wall on the 2 sides which abut the building.
No common walkway shall be located within 3 metres of a wall with a window.

Each ground floor dwelling unit in an apartment building shall be provided with a privacy yard that is clear of any walkway, building, communal amenity areas, or parking as follows:

- the privacy yard shall extend the entire dwelling unit width.
- the minimum privacy yard depth shall be 6 metres from any exterior wall containing a habitable room and 3 metres in front of all other walls.
- within the privacy yard there shall not be a public pedestrian walkway.

Every apartment building having more than 4 dwelling units shall have an outdoor amenity area with a minimum size of 25 m<sup>2</sup> per dwelling unit.

More than 1 apartment building may be established on a property provided the apartment buildings also have the following minimum separation between the buildings:

- an exterior wall having a habitable window: 18 m
- all other exterior walls: 3 m

**27.7. LONG-TERM CARE HOME AND RETIREMENT HOME – ZONE PROVISIONS**

Zone area (min.)	For the first 5 units: 550 m <sup>2</sup> and 75 m <sup>2</sup> for each additional unit.
Property frontage (min.)	20 metres
Property depth (min.)	38 metres
Front yard (min.)	6 metres
Interior side yard (min.)	3 metres
Exterior side yard (min.)	6 metres
Rear yard (min.)	10 metres
Zone coverage (max.)	40%
Landscaped open space (min.)	30%
Main building height (max.)	3 storeys
Amenity area per unit (min.)	14 m <sup>2</sup>

**27.8. SPECIAL ZONES**

**2.8.1. R3-1**

Notwithstanding provisions to the contrary, the lands zoned R3-1 shall permit 3 multiple attached dwellings with a maximum of 4 dwelling units per building, one semi-detached dwelling, and one single detached dwelling subject to the following:

- Front yard (min.) 7 metres
- Rear yard (min.) 7 metres
- Side yard (min.)
  - attached side 0 metres
  - unattached side 3 metres
- Zone coverage (max.) 40%
- Landscaped open space (min.) 30%
- Building height (max.) 12 metres.

In addition, an *accessory recreation building* with a maximum floor area of 144 m<sup>2</sup> is *permitted*.

**27.8.2. R3-2**

Notwithstanding the provisions to the contrary, the lands *zoned* R3-2 shall permit a maximum of 3 *apartment buildings* with a minimum of 50% of the ground floor units of each *building* having privacy yards.

In addition, a *planting strip* is not required where the R3-2 Zone abuts a *cemetery*.

**27.8.3. R3-3**

Notwithstanding the provisions to the contrary, on the lands *zoned* R3-3 the following shall apply:

- a) instead of a *planting strip* there shall be a 1.75 metre high solid *fence* along the interior and *rear property lines*.
- b) the front of the *property* shall be the south *property line* abutting Main Street.
- c) no part of the uncovered surface parking area shall be closer than 6.1 metres to the *interior side property line*.
- d) the parking area shall be illuminated by lighting fixtures arranged so that no part of any fixture shall be more than 9 metres above the finished grade and designed and installed so that light is directed downward and deflected away from adjacent properties.

**27.8.4. R3-4**

Notwithstanding the provisions to the contrary, on the lands *zoned* R3-3 the following shall apply:

- a) the front of the *property* shall be the south *property line* abutting Main Street.
- b) parking shall be provided immediately behind the *existing main buildings* on the *property* and shall be no closer than 4.2 metres to the *exterior side property line* and 3 metres to the *interior side property line*.
- c) the *existing private garage* shall provide parking for two cars.
- d) no portion of the parking area shall be located on a septic tank or tile bed disposal area.
- e) the parking area shall be illuminated by lighting fixtures arranged so that no part of any fixture shall be more than 9 metres above the finished grade and designed and installed so that light is directed downward and deflected away from adjacent properties.

**Section 28 Residential Park Zone (R4)**

Within this Zone, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

**28.1. PERMITTED USES**

- residential park

**28.2. ACCESSORY USES**

- active recreation
- home occupation
- passive recreation
- uses accessory to the permitted uses

**28.3. PERMITTED STRUCTURES**

- administrative, sales or rental office
- residential park home
- one dwelling unit within the rear portion of the second storey of the main office or sales facility OR one single detached dwelling accessory to the residential park use
- park or playground
- recreational or community centre
- swimming pool
- buildings and structures for the permitted uses
- buildings and structures accessory to the permitted uses

**28.4. ZONE PROVISIONS**

Zone area (min.)	1 hectare
Property frontage (min.)	75 metres
Front yard (min.)	6 metres from a Municipal street 10 metres from a County Road 14 metres from a Provincial Highway
Interior side yard (min.)	6 metres
Exterior side yard (min.)	6 metres
Rear yard (min.)	10 metres
Number of residential park sites (max.)	15 sites per hectare zoned R4

**28.5. BUILDING REGULATIONS**

Distance between residential park homes or between a residential park home and a main or accessory residential park building (min.)	4 metres
Building height (max.) mobile home non-accessory buildings & structures	1 storey 14 metres
Residential park home setback from the travelled surface of an internal access road (min.)	3 metres

**28.6. SPECIAL PROVISIONS**

**28.6.1. Access**

Each residential park site shall be located on a private internal access road which shall have a dust-free surface and a minimum

traveled width of 4 metres for one-way traffic and 6 metres for two-way traffic.

**28.6.2. Additions and Accessory Structures**

Additions (such as a porch, deck, sunroom, or deck cover) and accessory structures (such as a shed) are permitted as part of the mobile home unit provided the total footprint of the additions and accessory structures does not exceed 75% of the original mobile home's footprint.

Maximum number of permitted accessory buildings and structures per residential park site: 2.

**28.6.3. Communal Open Space**

Communal open space, which may include natural areas, shall occupy at least 25% of the residential park's area.

**28.6.4. Mobile Home Skirting and Foundation**

Each mobile home unit shall be placed on a permanent substructure or foundation supports and be provided with durable skirtings, with the ability to access below the unit, to screen the view of the undercarriage or foundation supports.

**28.6.5. Outdoor Storage**

There shall be no outside storage of any furniture, domestic equipment, or seasonally used equipment on the residential park site.

Outside storage may occur in a communal storage area provided by the residential park subject to an approved site plan under the Planning Act. The communal storage area may be located in the rear yard or side yard in accordance with the General Provisions section for Accessory Structures.

**28.6.6. Parking**

Each residential park site shall be provided with at least 1 car parking space and visitor parking shall be provided on the basis of 1 space for every 4 sites with visitor parking dispersed throughout the residential park at locations convenient to the site which it is intended to serve. Such visitor parking shall not be used for the storage of boats or trailers.

Parking for other uses shall be in accordance with Section 3, General Provisions.

**28.6.7. Recreation Area**

Not less than 10% of the residential park's R4 zoned area shall be usable open space for recreation purposes.

**Section 29 Trailer & Tent Park Zone (RC2)**

Within this Zone, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

**29.1. PERMITTED USES**

- conservation
- forestry
- passive recreation
- trailer and tent park
- uses accessory to the permitted uses

**29.2. ACCESSORY USES**

- dwelling for the owner or manager of the trailer and tent park
- for a trailer and tent park or a campground: recreational vehicle sales and service, convenience store, propane sales, recreational hall, and a laundromat
- uses accessory to the permitted uses

**29.3. PERMITTED STRUCTURES**

- buildings and structures for the permitted uses
- buildings and structures accessory to the permitted uses

**29.4. ZONE PROVISIONS**

Zone area (min.)	4 hectares
Property frontage (min.)	40 metres
Front yard (min.)	25 metres
Interior side yard (min.)	7.5 metres
Exterior side yard (min.)	25 metres
Rear yard (min.)	7.5 metres
Building height (max.)	
travel & park model trailers	5 metres
other main structures	12 metres

**29.5. SPECIAL PROVISIONS**

**29.5.1. Additions to Trailers**

Enclosed structures, in the form of additions to travel trailers or park model trailers, are permitted as an accessory “add-on” provided the total floor area of the addition(s) does not exceed the floor area, height, and does not extend beyond the length, of the travel trailer or park model trailer.

**29.5.2. Buffer**

Where a RC2 Zone abuts a Residential zone, NE3 Zone, LR1 Zone, or Agricultural zone, a minimum 10 metre buffer strip of landscaped open space or natural vegetation is required.

**29.5.3. Density of Development**

The overall density of development shall not exceed 14 travel trailer, park model trailer, or tent sites per gross hectare.

**29.5.4. Distance Between Trailers**

There shall be a minimum distance of 3 metres between travel trailers/park model trailers, including any “add-on” additions

having a wall, as well as between a travel trailer/park model trailer and a building or structure used for human habitation.

**29.5.5. Parking**

For trailer and tent parks, each trailer or tent site shall be provided with at least 1 car parking space and visitor parking shall be provided on the basis of 1 space for every 4 sites with visitor parking dispersed throughout the trailer and tent park at locations convenient to the site which it is intended to serve. Such visitor parking shall not be used for the storage of boats or trailers.

Parking for other uses shall be in accordance with Section 3, General Provisions.

**29.5.6. Recreational Space**

Not less than 20% of the area of the property shall be used for communal recreational purposes. Natural areas such as ravines, marshes, and lake/river banks are not included in meeting this requirement.

**29.5.7. Setback from a Lane**

All trailers, accessory buildings, and other buildings and structures shall be setback a minimum of 2 metres from the traveled portion of an access lane or road within the trailer and tent park.

**29.5.8. Water Access**

Where a trailer and tent park is located within 300 metres of a navigable body of water or lake, access to the water shall be provided. The width of this access shall be a minimum of 30 metres.

**29.6. SPECIAL ZONES**

**29.6.1. RC2-1 Turnbull’s Grove**

Notwithstanding the provisions to the contrary, in the RC2-1 Zone a maximum of 160 mobile homes or park model trailers are permitted and are considered recreational units. The top-of-bank setback requirements in the Setbacks of Buildings & Structures along Natural Watercourses general provision apply for the placement or replacement of recreational units and related accessory structures, unless a specific reduction is approved through a permit issued by the Ausable Bayfield Conservation Authority.

**29.6.2. RC2-2 Wildwood by the River**

Notwithstanding the provisions to the contrary, in the RC2-2 Zone a maximum of 279 travel trailer/park model trailer/tent sites are permitted.

**29.6.3. RC2-3 Paul Bunyan**

Notwithstanding the provisions to the contrary, in the RC2-3 Zone a maximum of 385 travel trailer/park model trailer/tent sites are permitted. In addition, for the purposes of determining the number of travel trailer/park model trailer/tent sites, the density of development and the parking provisions all the lands zoned RC2-3 shall be considered together.

**29.6.4. RC2-4**

Notwithstanding the provisions to the contrary, the area zoned RC2-4 shall be limited to the following uses:

- *conservation*;
- equestrian riding and training school;
- sale of horses and horse accessories;
- *trailer and tent park* not exceeding 214 *travel trailer/park model trailer/tent* sites;
- *uses accessory to the permitted uses*, including *recreational vehicle sales and service*;
- *hotel, motel*, and recreation park are *permitted only accessory to a trailer and tent park and campground*.

No trailer or tent site and no *motel* or *hotel* shall be established within 60 metres of the west or south *property lines*.

**Section 30 Recreational Commercial Zone (RC3)**

Within this Zone, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

**30.4.2. RC3-2**

Notwithstanding the provisions to the contrary, the area zoned RC3-2 may only be used for one or more of the following uses:

- a campground
- uses accessory to the permitted uses.

**30.1. PERMITTED USES**

- amusement arcade
- bed and breakfast establishment (maximum of four guest rooms)
- boating supply store
- campground
- drive-in restaurant
- golf course and/or driving range
- horse riding school
- hotel
- marina
- miniature golf course
- motel
- recreational park
- recreational vehicle sales and service
- restaurant
- retail store for the sale of convenience goods and foodstuffs, and recreational equipment
- take-out restaurant
- uses accessory to the permitted uses

**30.2. PERMITTED STRUCTURES**

- buildings and structures for the permitted uses
- buildings and structures accessory to the permitted uses, including one accessory dwelling unit

**30.3. ZONE PROVISIONS**

Zone area (min.)	1,850 m <sup>2</sup>
Property frontage (min.)	23 m
Front yard (min)	
from a municipal street	20 m
from a County Road or Provincial Highway	25 m
Interior side yard (min)	7.5 m
Exterior side yard (minimum)	
from a municipal street	20 m
from a County Road or Provincial Highway	25 m
Rear yard (minimum)	7.5 m
Zone coverage (max.)	30%
Building height (maximum)	15 m

**30.4. SPECIAL ZONES**

**30.4.1. RC3-1**

Notwithstanding the provisions of Section 30.1 to the contrary, the area zoned RC3-1- the following uses are permitted: assembly hall, event venue, flea market, farmers market, golf course and/or driving range, personal services shop, place of entertainment, a restaurant and uses accessory to the permitted uses. (As amended by By-law 35-2021)

**Section 31 Salvage Yard Zone (SY)**

Within this Zone, no *person* shall establish any use of land or *building*, or *erect* or *alter* any *building* or *structure* for any purpose except in accordance with the following provisions:

**31.1. PERMITTED USES**

- *salvage yard*
- *uses accessory* to the *permitted uses*, including the sale of *motor vehicles* and a *motor vehicle repair shop*

**31.2. PERMITTED STRUCTURES**

- *accessory residence* to be owned/operated by the owner/staff of the *permitted use*
- *buildings* and *structures* for the *permitted uses*
- *buildings* and *structures accessory* to the *permitted uses*
- storage shed

**31.3. ZONE PROVISIONS**

ZONE AREA (maximum)	6 hectares
PROPERTY FRONTAGE (minimum)	45 metres
FRONT YARD (minimum)	25 metres
REAR YARD (minimum)	3 metres
except: - abutting any non-industrial zone	15 metres
- abutting a railway	1 metre
INTERIOR SIDE YARD (minimum)	3 metres
except: - abutting any non-industrial zone	15 metres
- abutting a railway	1 metre
EXTERIOR SIDE YARD (minimum)	25 metres
BUILDING HEIGHT (maximum)	15 metres

In addition, an *accessory residential uses* may only be established where there is a minimum *zone area* of 4,000 m<sup>2</sup>.

**31.4. SPECIAL PROVISIONS**

**31.4.1. Outdoor Storage & Display**

All *outdoor storage* shall be surrounded by a solid *fence* and a *planting strip* with a minimum height of 3 metres or be in accordance with a *site plan* for the *outdoor storage* approved under the *Planning Act*. No *outdoor storage* shall be *permitted* higher than the *planting strip* or *fence*.

*Outdoor storage* and display is *permitted* in the *front yard* if enclosed by the required *fence* or *planting strip* but may not be located in the required *front yard* or required *exterior side yard*.

**31.4.2. Accessory Sale of Motor Vehicles**

The *motor vehicles* to be sold are *accessory* to a *motor vehicle repair shop* on the *property* and may include the sale of other used *motor vehicles*. The display area for the sale of *motor vehicles* shall be limited to 15 vehicles and may be located in the required *yard* at a *setback* of 10 metres from the *exterior side property line* or *front property line*. This display area for the *accessory sale of motor vehicles* shall not include vehicles which are derelict.

**Section 32 Utilities Zone (U)**

Within this Zone, no *person* shall establish any *use* of land or *building*, or *erect* or *alter* any *building* or *structure* for any purpose except in accordance with the following provisions:

**32.1. PERMITTED USES**

- *active recreation*
- *agricultural use, limited*
- *community garden*
- *conservation*
- *passive recreation*
- *pipeline*
- *public utility*
- *radio, television, microwave, or similar communications tower*
- *railway track and station*
- *storm water management facility*
- *telephone switching station*
- *uses accessory to permitted uses in other zones on the same property*
- *uses accessory to the permitted uses*

**32.2. PERMITTED STRUCTURES**

- *buildings and structures for the permitted uses*
- *buildings and structures accessory to the permitted uses, not including a dwelling unit*



**Section 33      Holding Zone (-h)**

Within this Zone, no *person* shall establish any *use* of land or *building*, or *erect* or *alter* any *building* or *structure* for any purpose except in accordance with the following provisions:

**33.1.      PERMITTED USES**

- *uses, buildings and structures* lawfully in existence on the date of passing of this By-law
- *uses accessory to the permitted uses*

**33.2.      PERMITTED STRUCTURES**

- *buildings and structures* existing on the date of passage of this By-law
- *buildings and structures accessory to the permitted uses*

**33.3.      SPECIAL PROVISIONS**

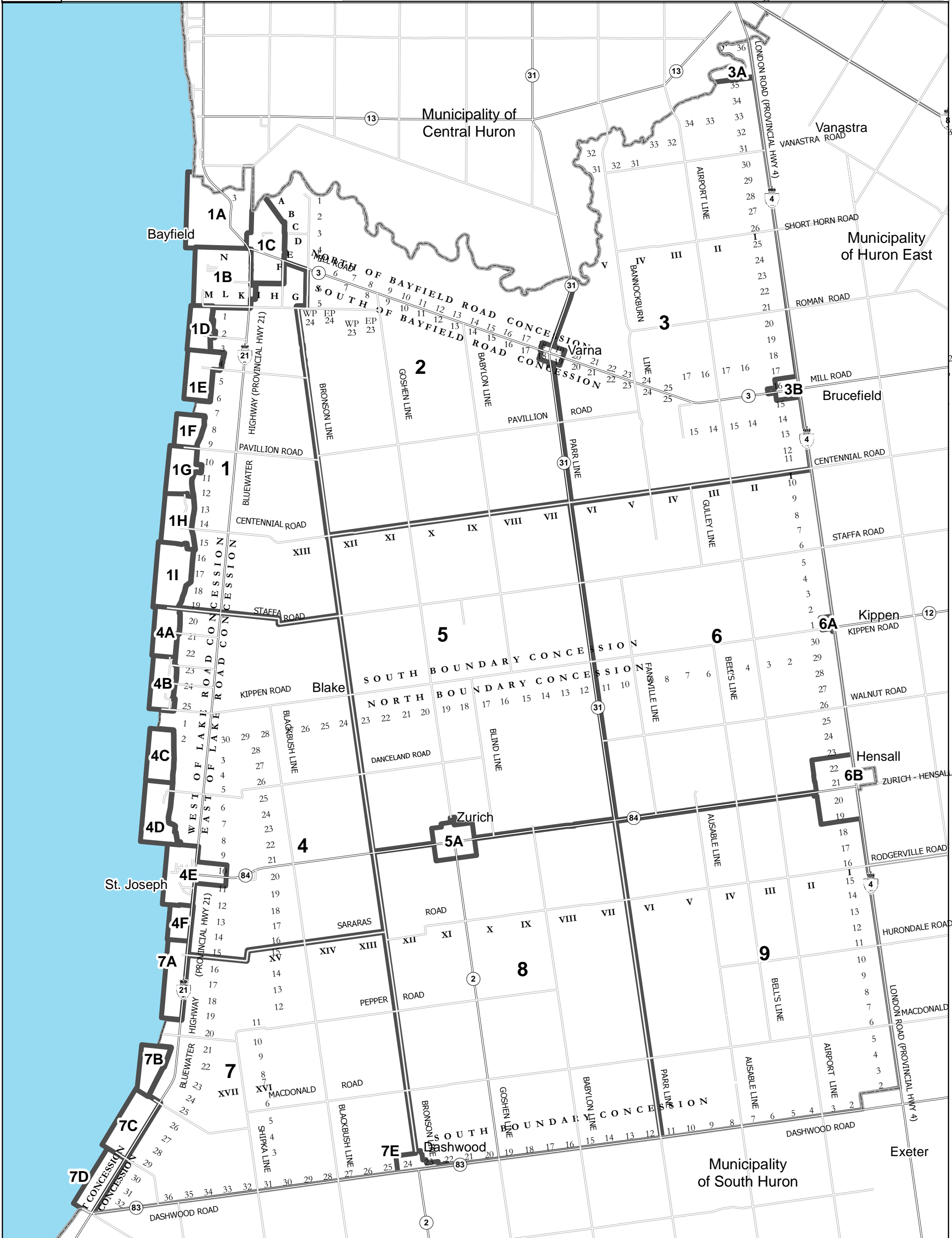
**33.3.1.    New Development**




No new *development* of land will be *permitted* in a Holding (-h) Zone, until such time as the holding symbol has been removed.

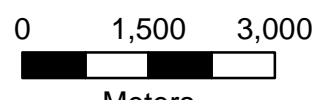
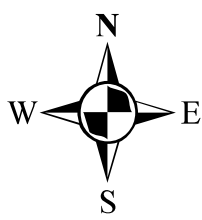
**33.3.2.    Existing Residences**

*Existing residences* will be allowed to expand, enlarge or re-establish provided that the provisions of the R2 Zone are complied with and the number of *dwelling units* is not increased.

## Index Map



-  Zone Key Map
-  Municipal Boundary
-  Lake Huron



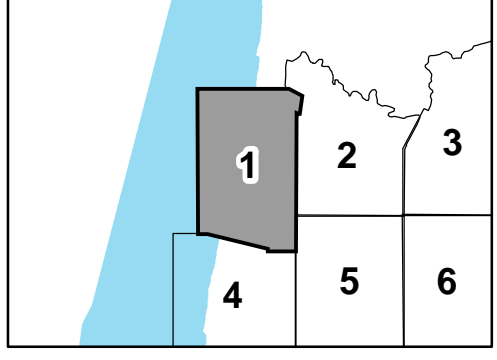
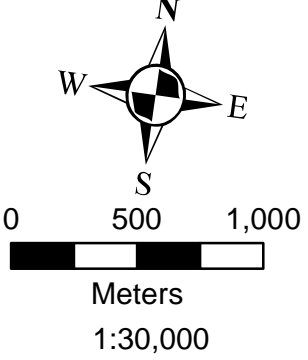
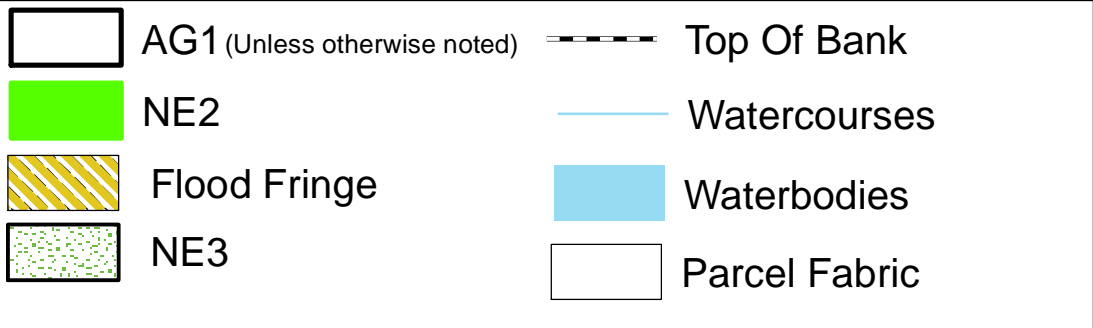
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See Zone Map 2

See Zone Map 5

See Zone Map 4







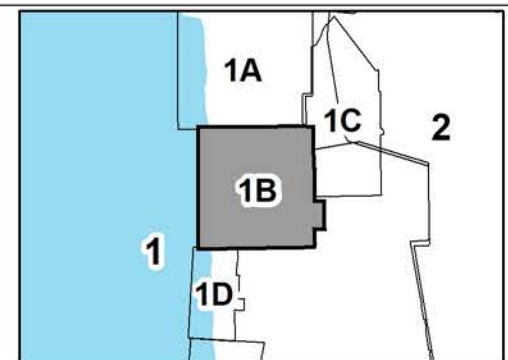
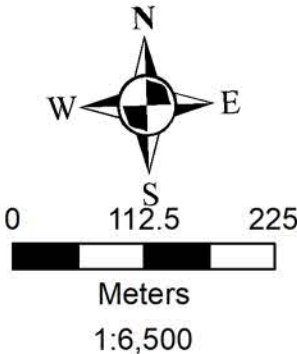
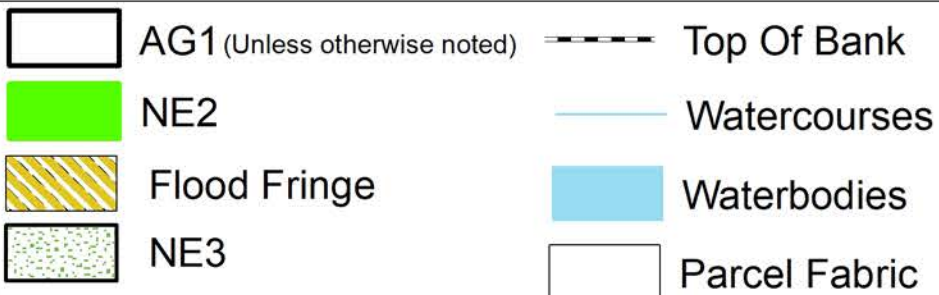
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See Zone Map 1C

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See Zone Map 1



See Zone Map 1A

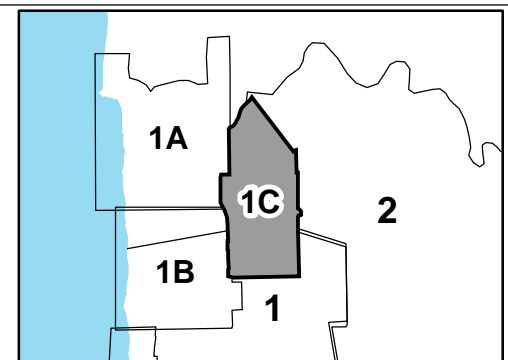
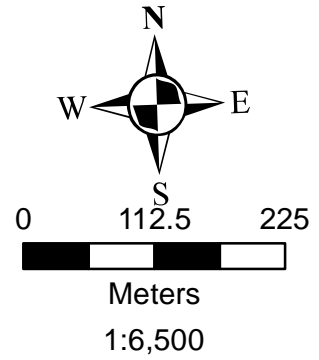


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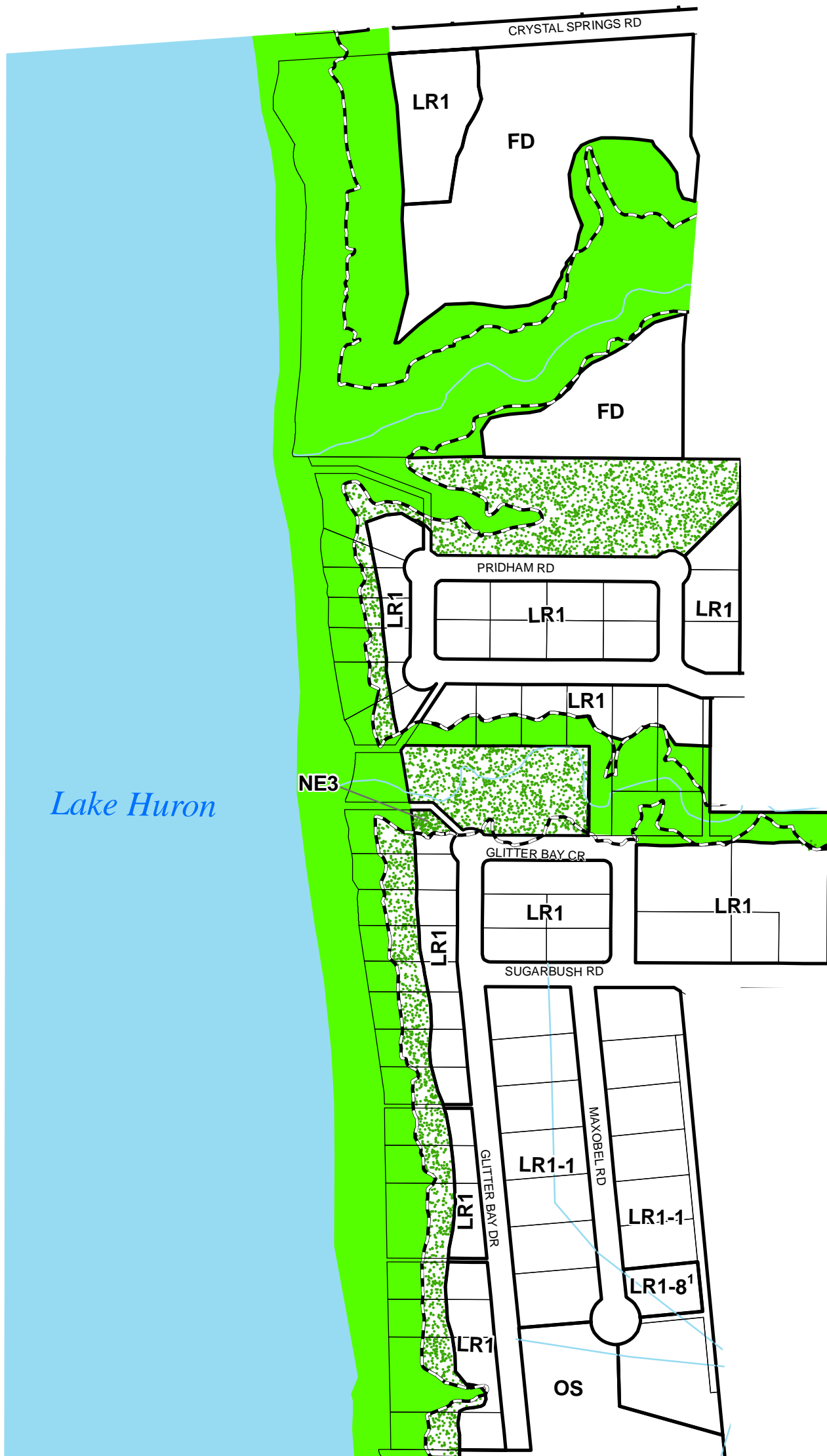
See Zone Map 1B

- AG1 (Unless otherwise noted)
- NE2
- Flood Fringe
- NE3

- Top Of Bank
- Watercourses
- Waterbodies
- Parcel Fabric



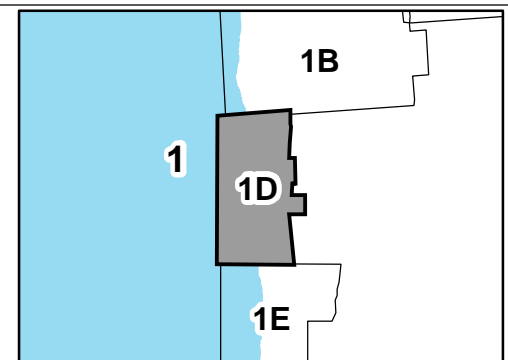
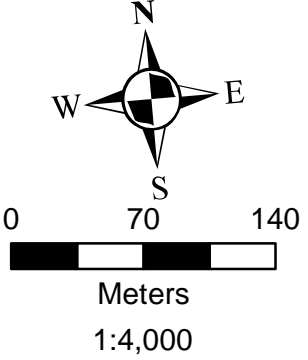
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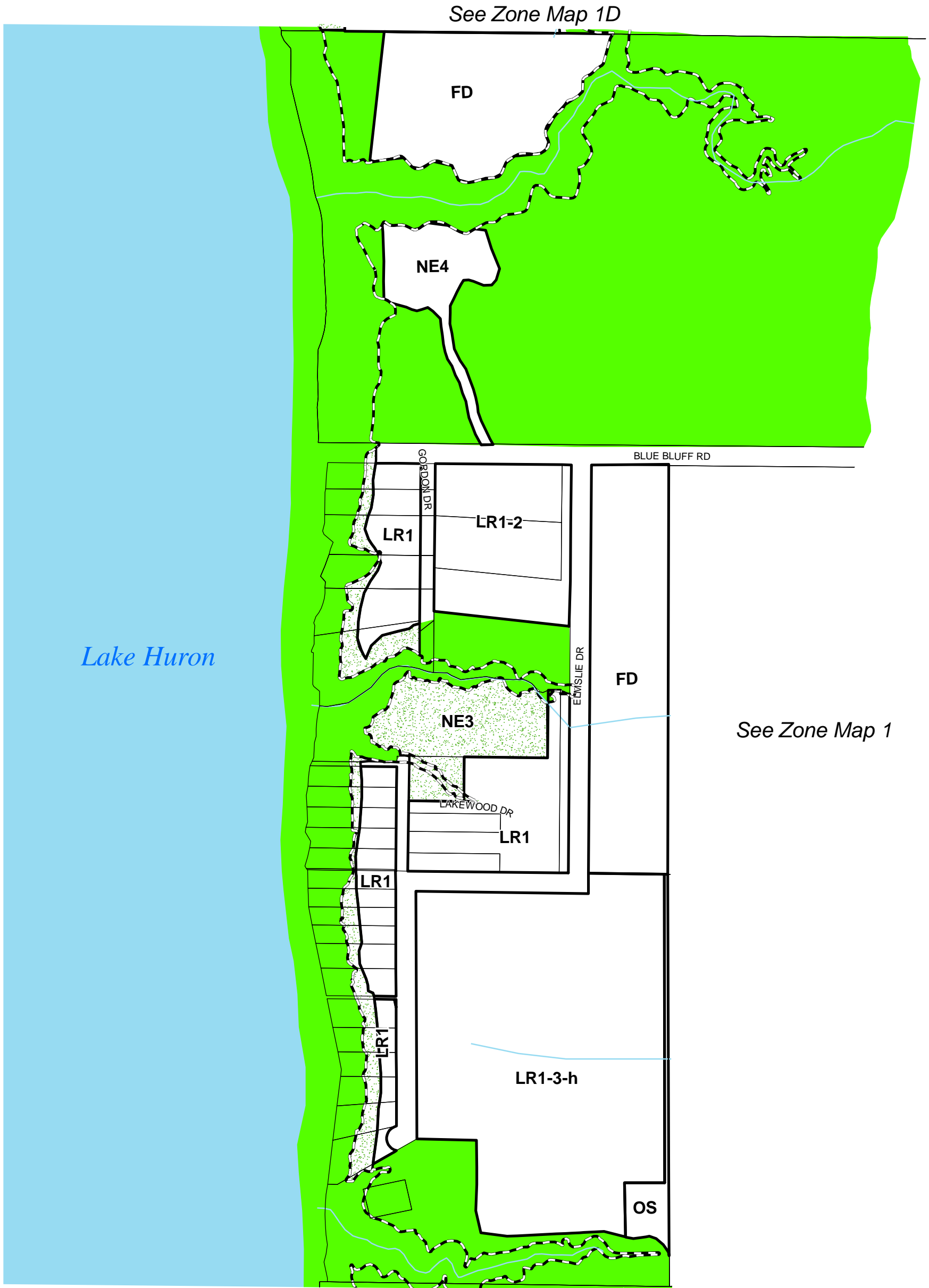


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See Zone Map 1E

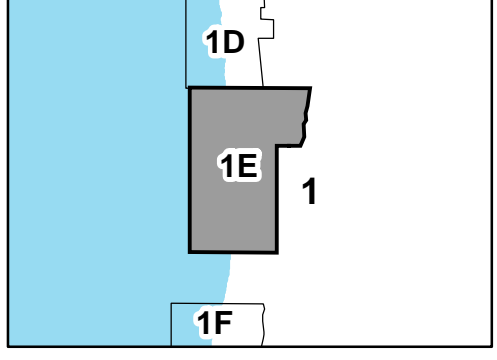
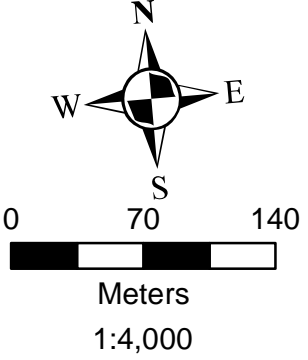
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	NE2		Watercourses
	Flood Fringe		Waterbodies
	NE3		Parcel Fabric





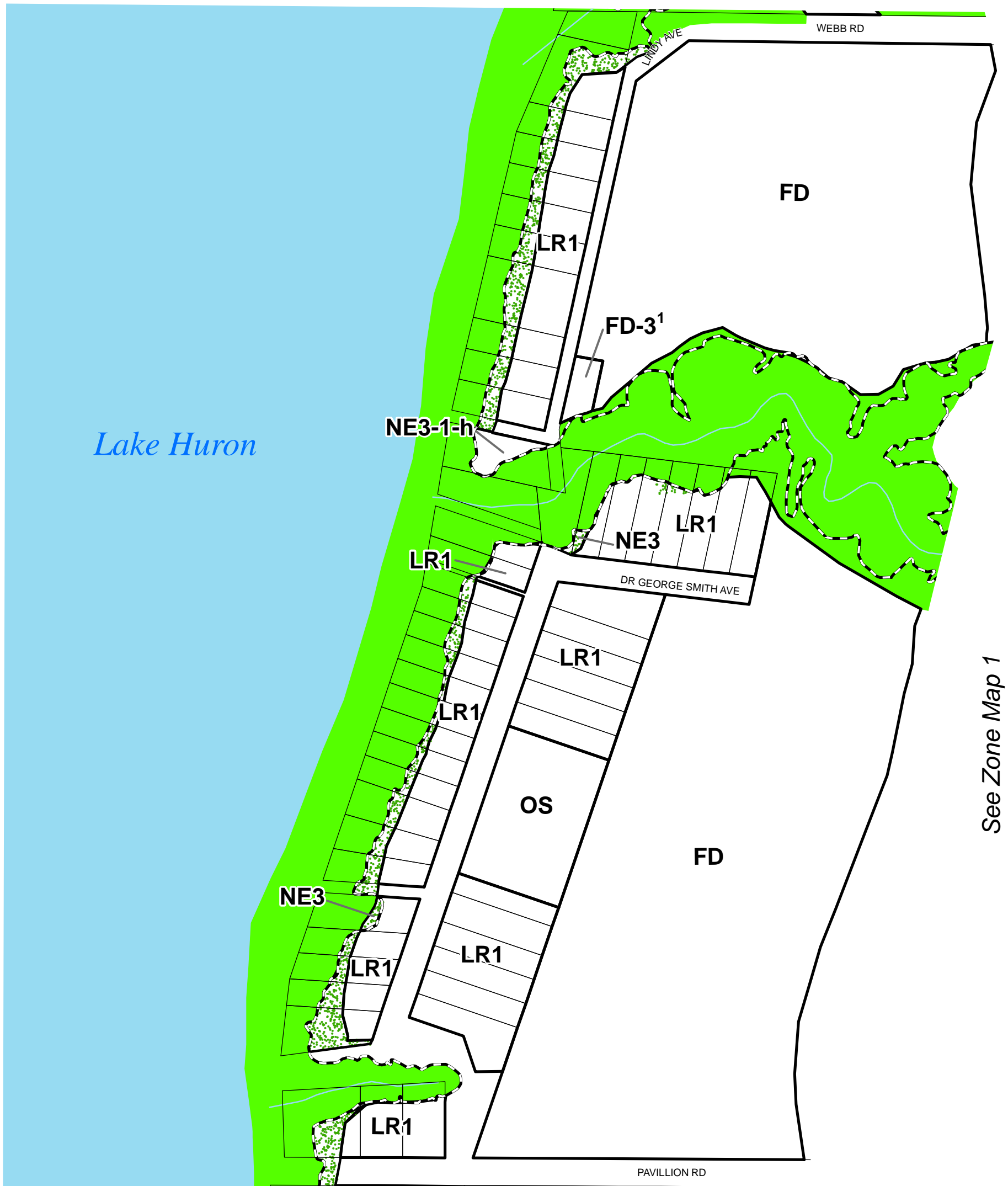
-  AG1 (Unless otherwise noted)
-  NE2
-  Flood Fringe
-  NE3

-  Top Of Bank
-  Watercourses
-  Waterbodies
-  Parcel Fabric













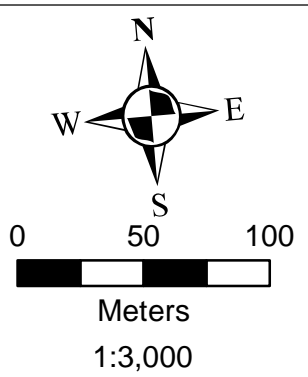
See Zone Map 1E



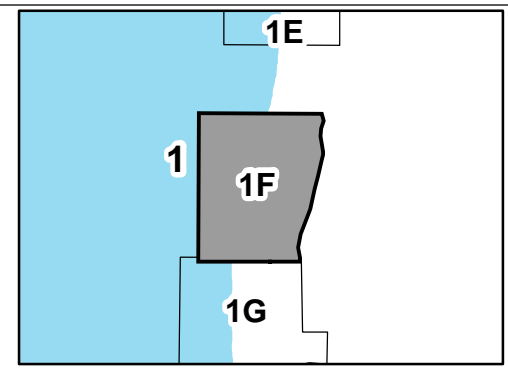
See Zone Map 1

See Zone Map 1G

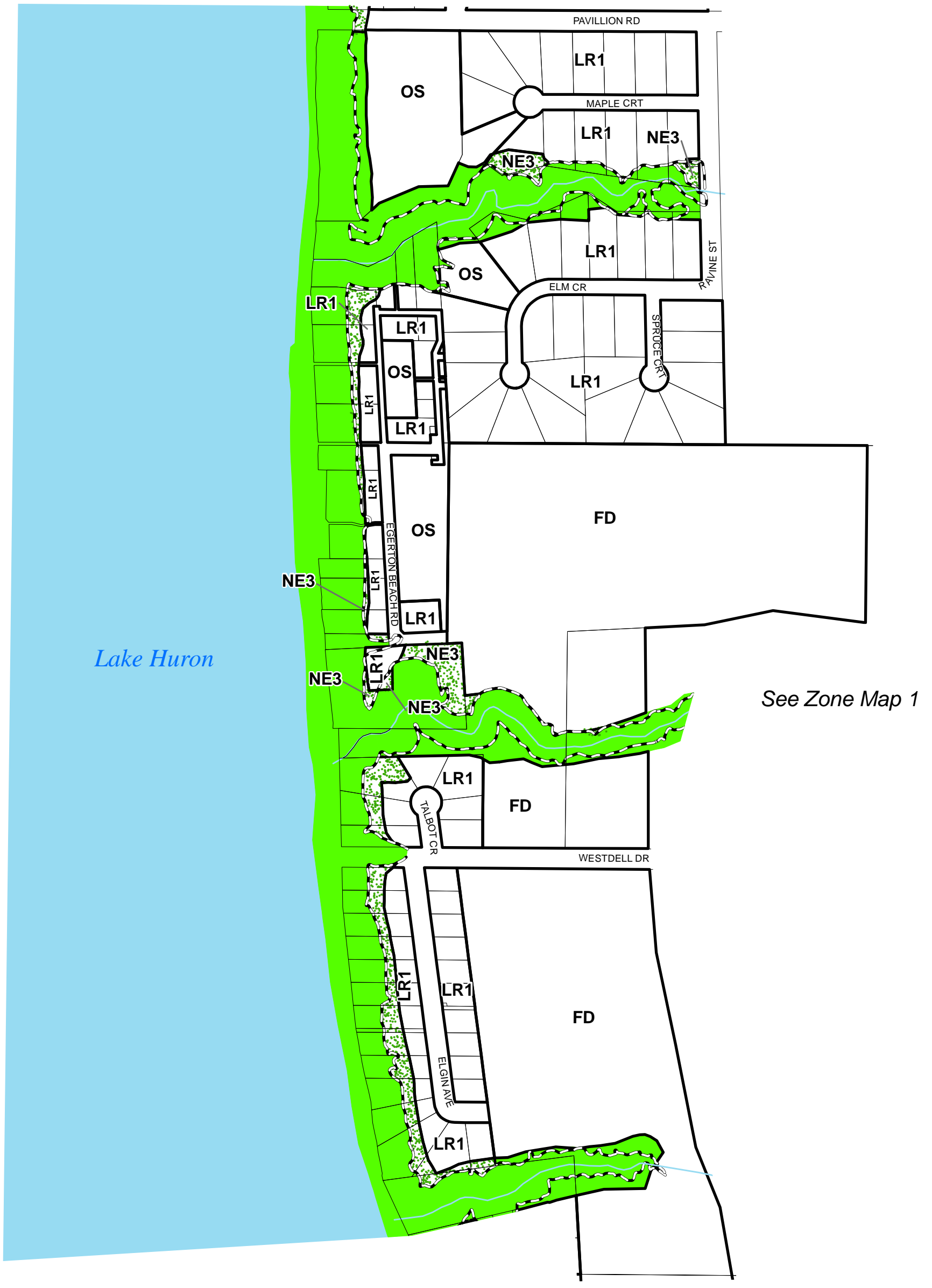
	AG1 (Unless otherwise noted)		Top Of Bank
	NE2		Watercourses
	Flood Fringe		Waterbodies
	NE3		Parcel Fabric



0 50 100  
Meters  
1:3,000











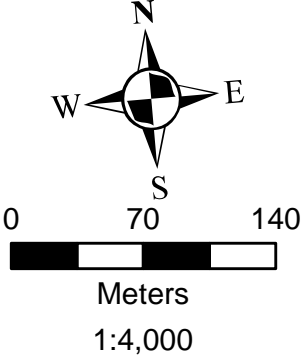
See Zone Map 1F



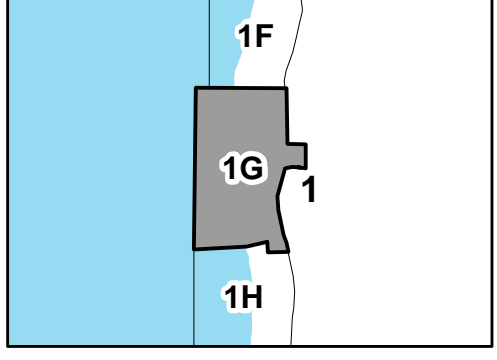
See Zone Map 1

See Zone Map 1H

	AG1 (Unless otherwise noted)		Top Of Bank
	NE2		Watercourses
	Flood Fringe		Waterbodies
	NE3		Parcel Fabric



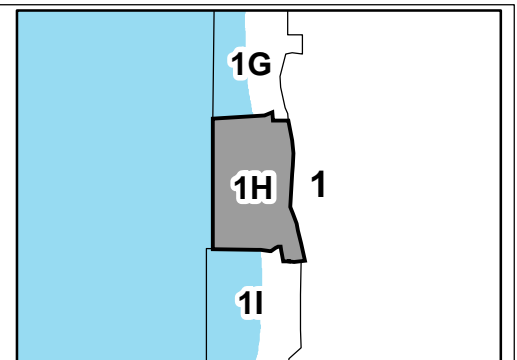
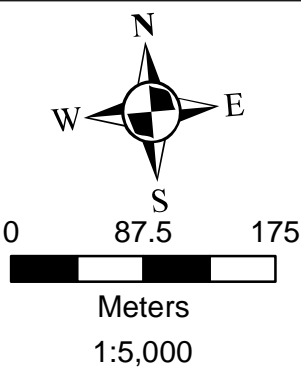
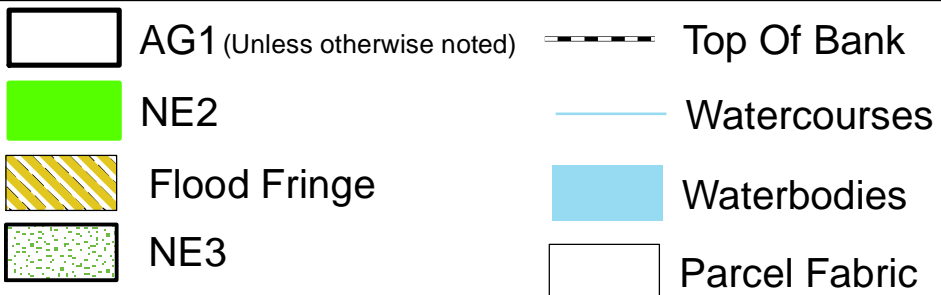
A north arrow is positioned at the top, with cardinal directions N, S, E, and W. Below it is a scale bar showing 0, 70, and 140 meters. The text 'Meters' and '1:4,000' is located at the bottom of the scale bar.



See Zone Map 1G



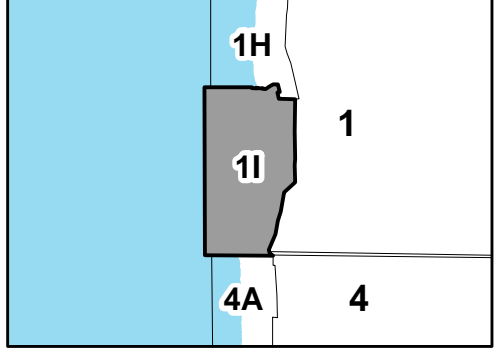
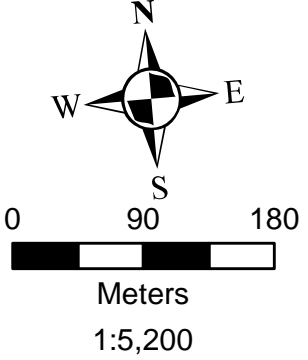
See Zone Map 1I

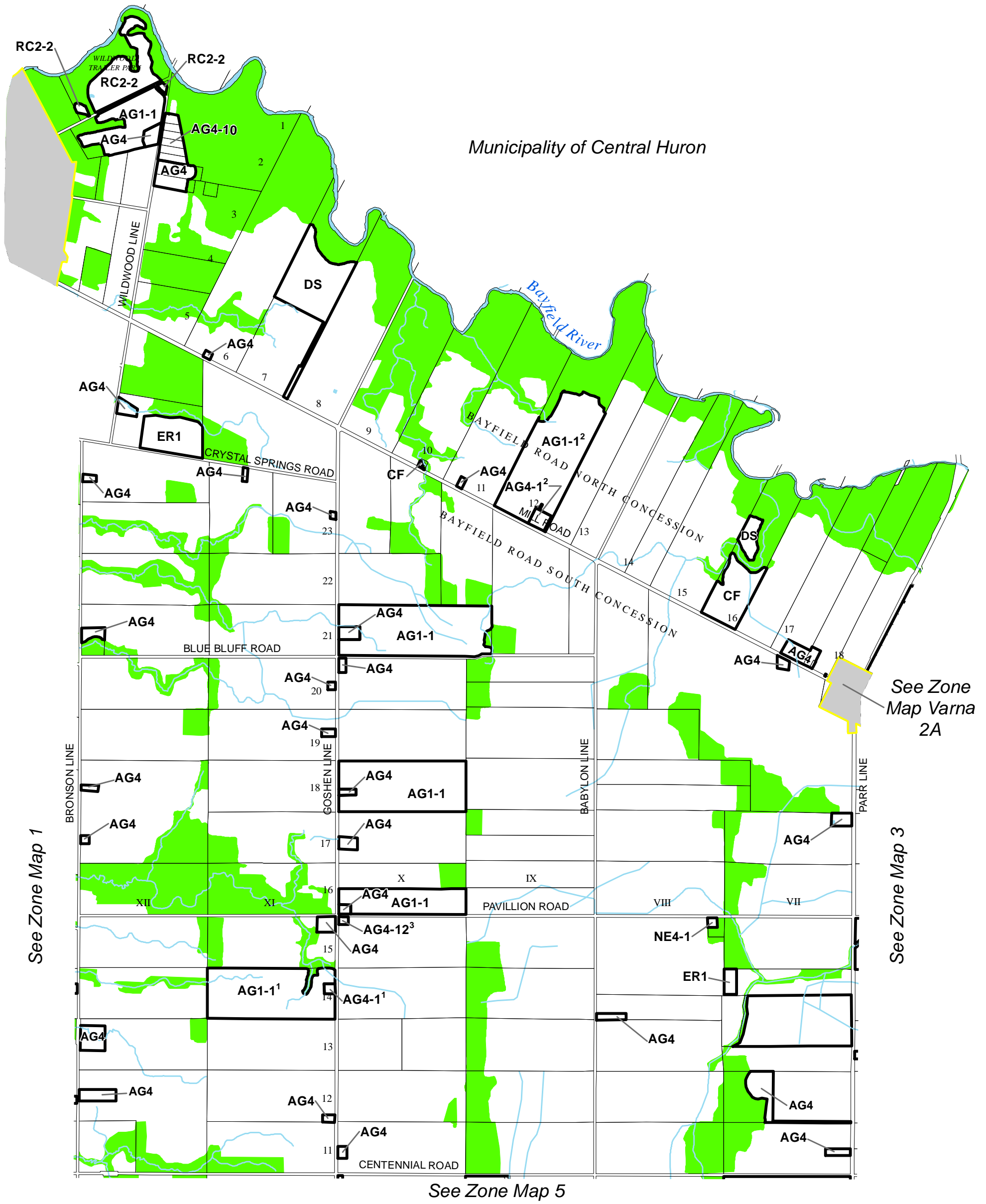




- AG1 (Unless otherwise noted)
- NE2
- Flood Fringe
- NE3

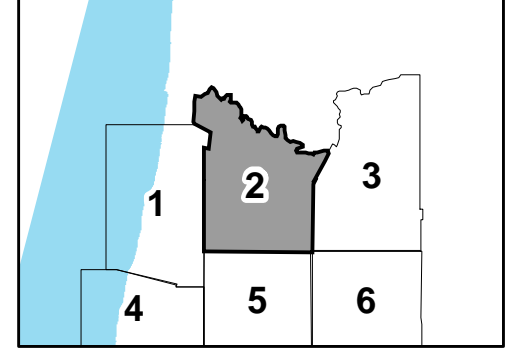
- Top Of Bank
- Watercourses
- Waterbodies
- Parcel Fabric

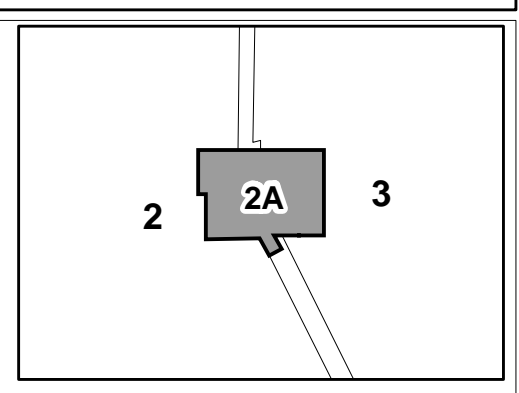
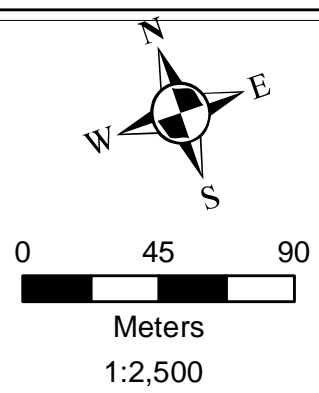
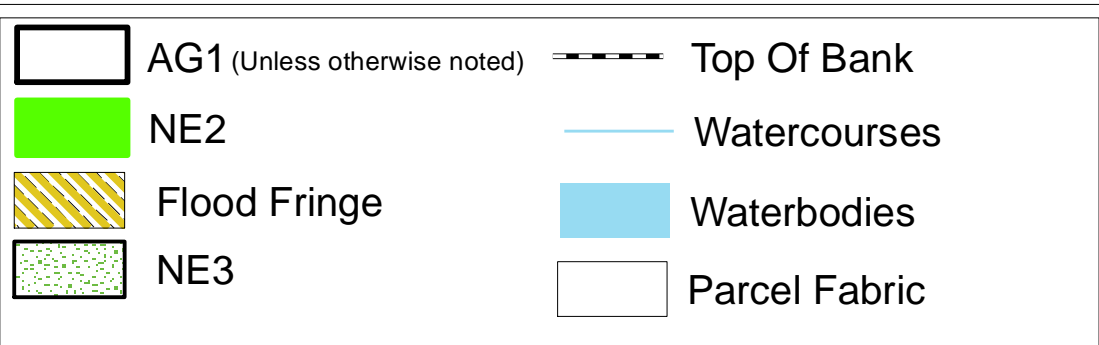
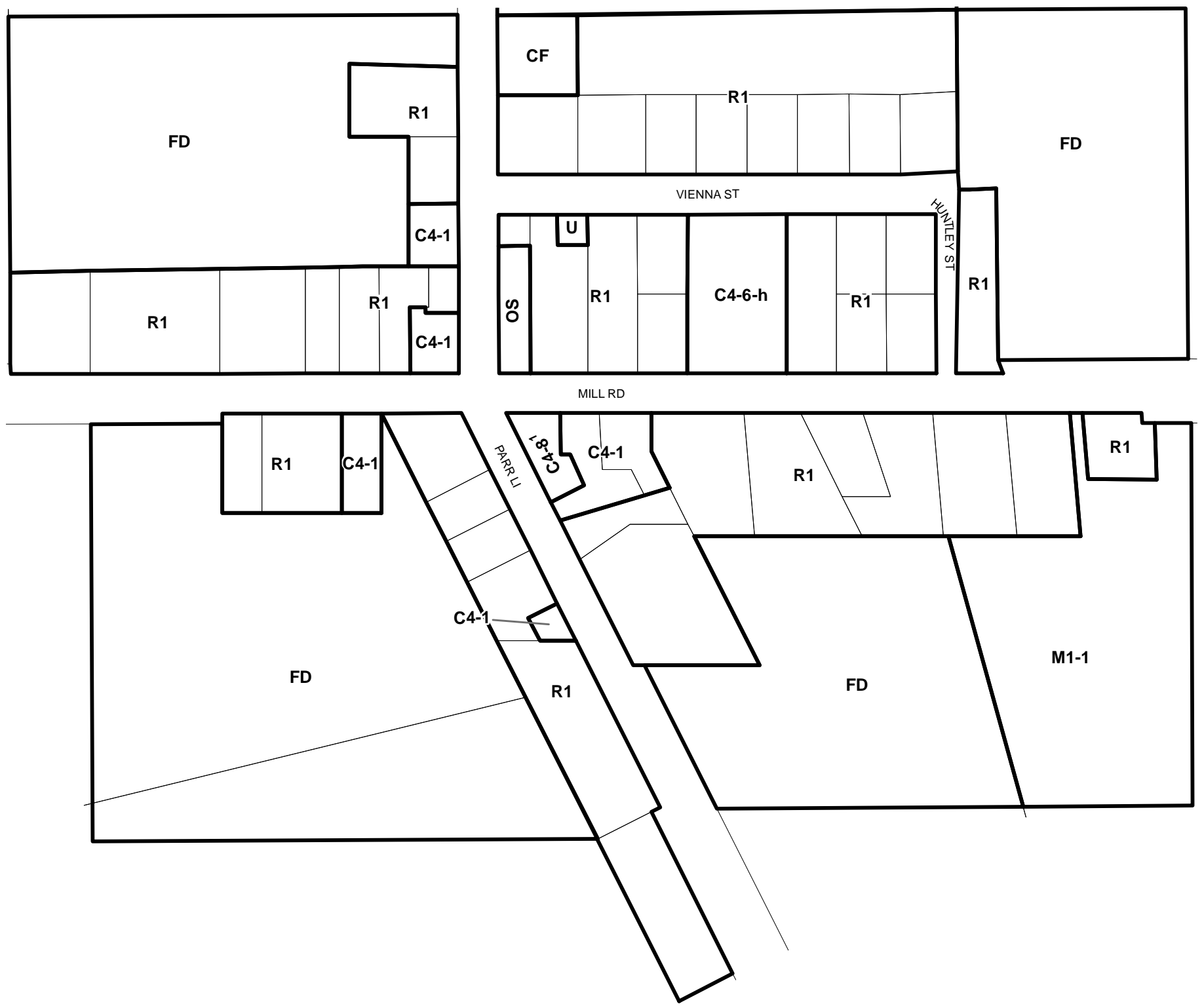




	AG1 (Unless otherwise noted)		Top Of Bank
	NE2		Watercourses
	Flood Fringe		Waterbodies
	NE3		Parcel Fabric

0 500 1,000  
Meters  
1:30,000

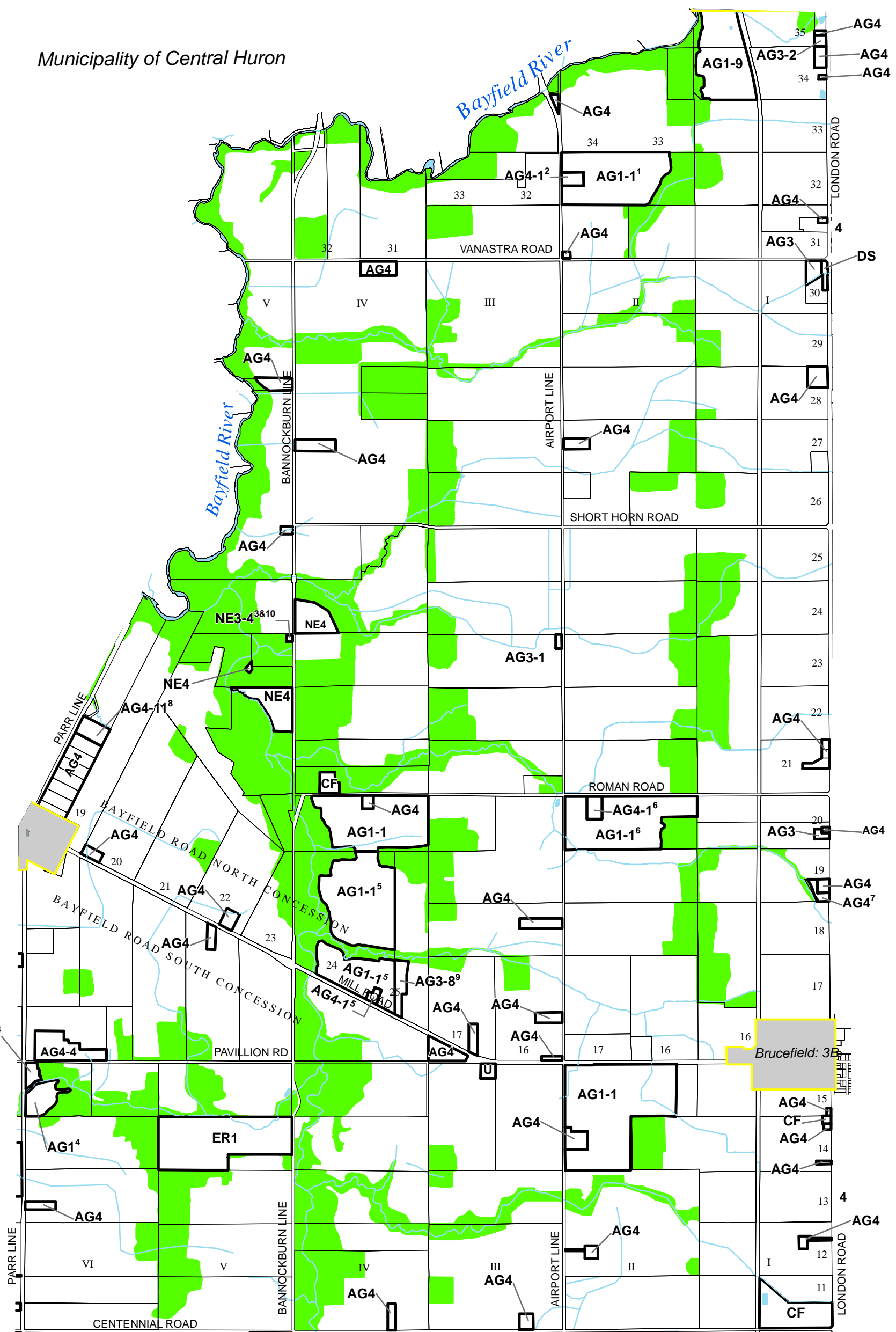






Municipality of Central Huron

Bayfield River



MUNICIPALITY OF HURON EAST

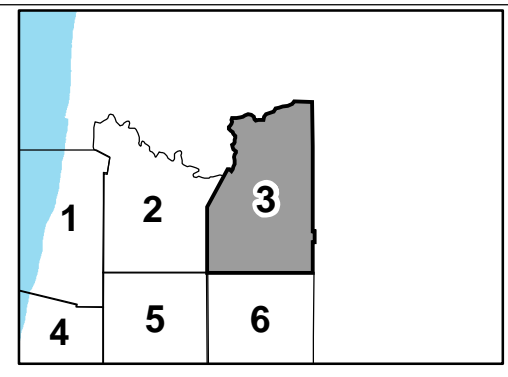
SEE Zone MAP 2

	AG1 (Unless otherwise noted)		Top Of Bank
	NE2		Watercourses
	Flood Fringe		Waterbodies
	NE3		Parcel Fabric

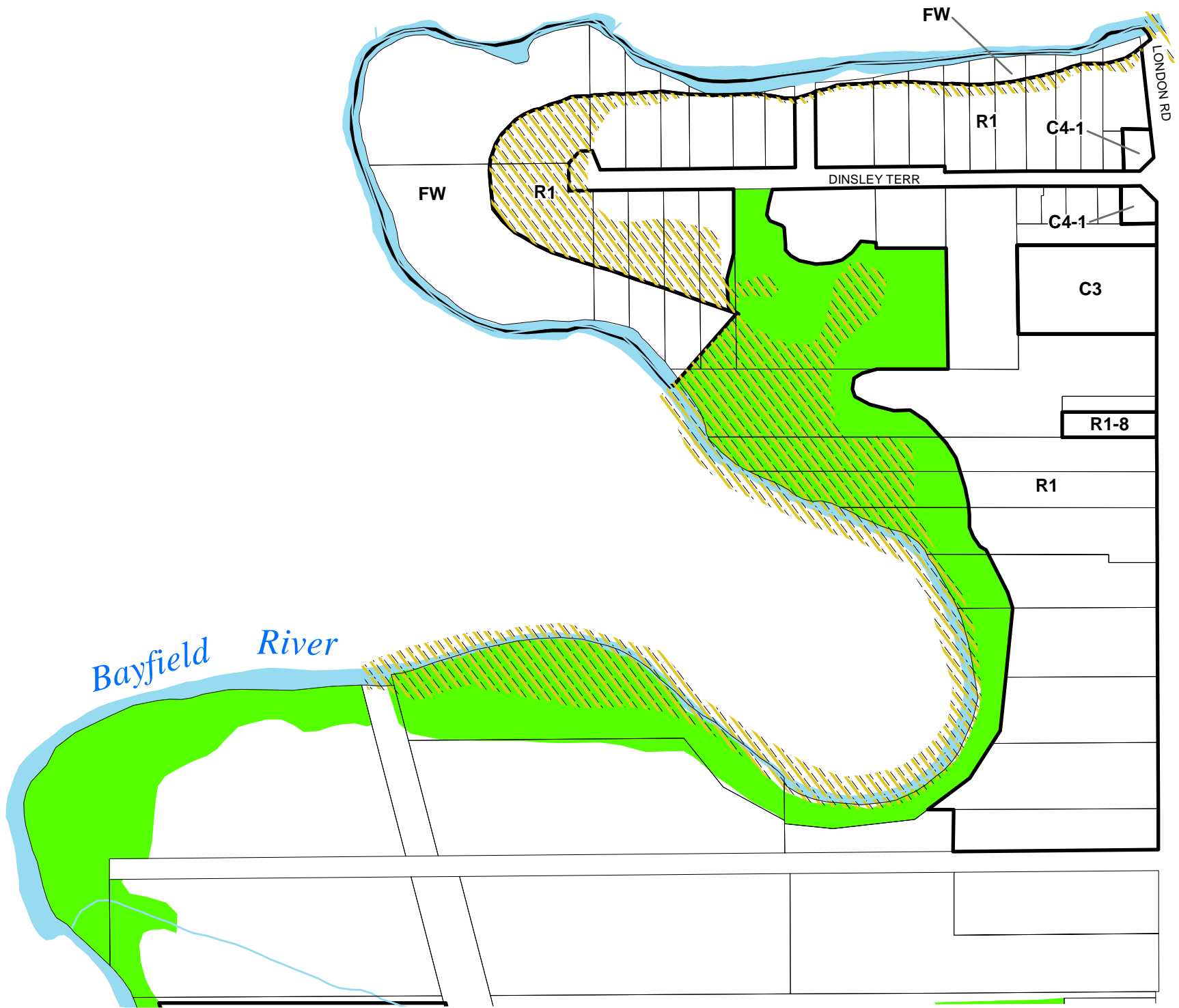
North arrow pointing North (N), South (S), East (E), West (W).

Scale bar: 0, 500, 1,000 Meters

1:31,000

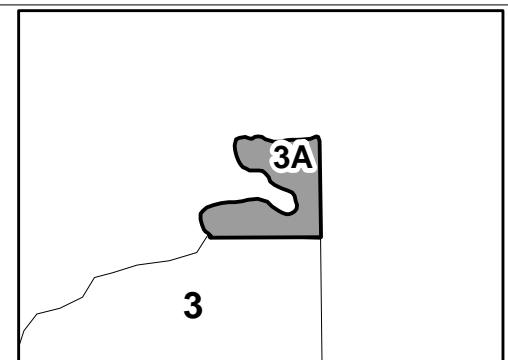
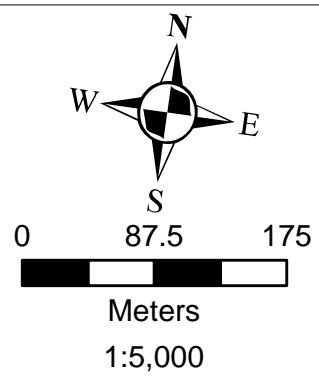
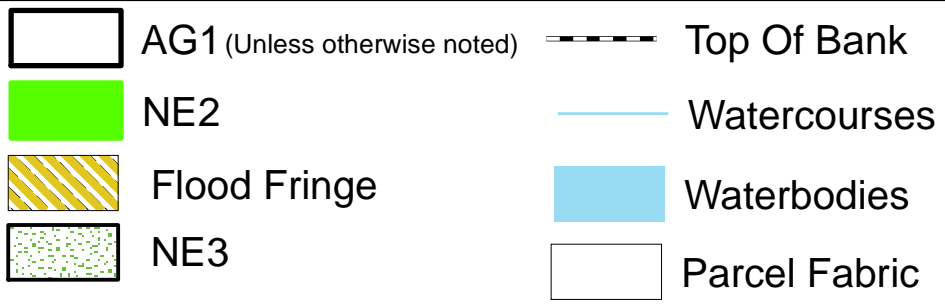


*Municipality of Central Huron*

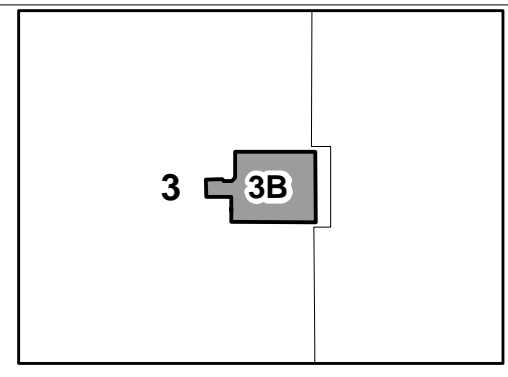
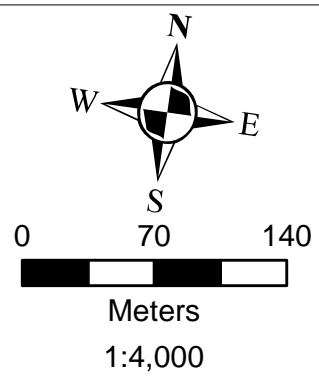
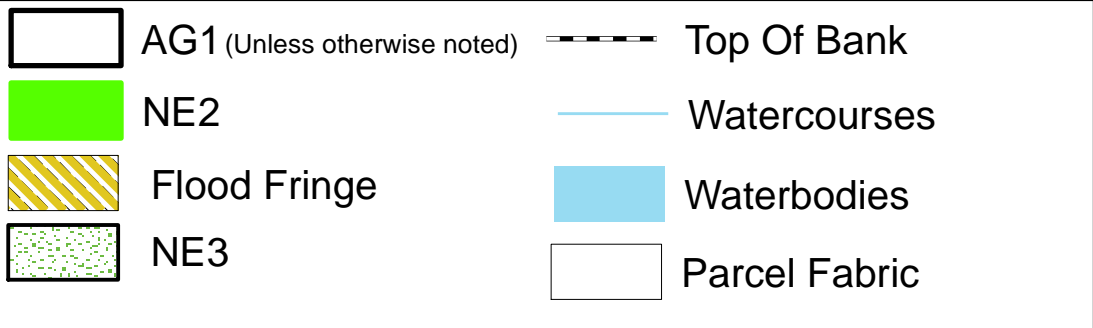
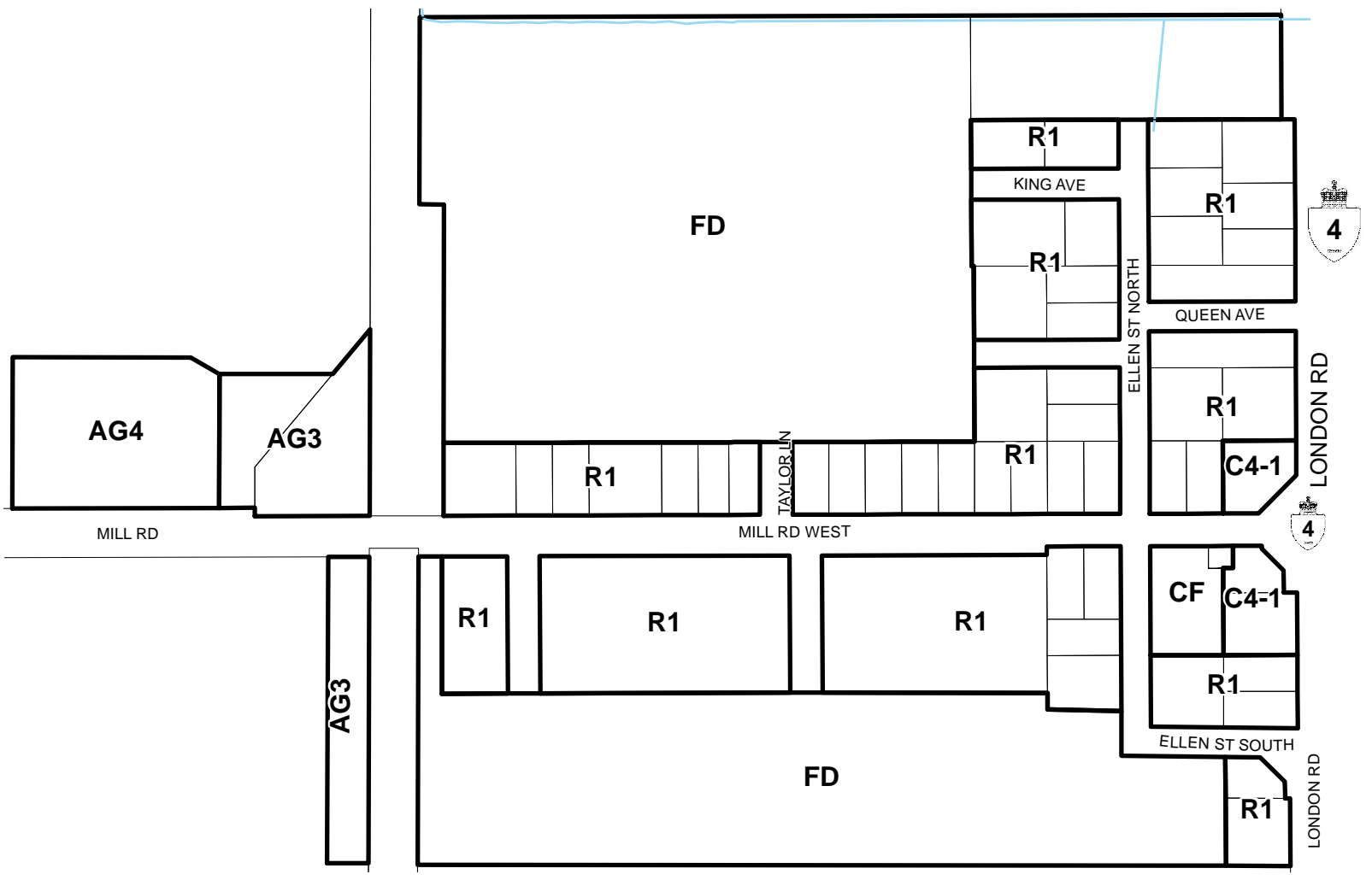


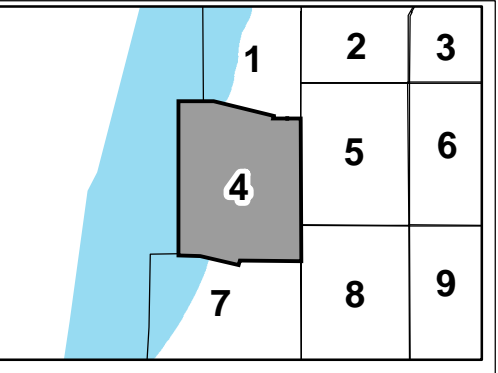
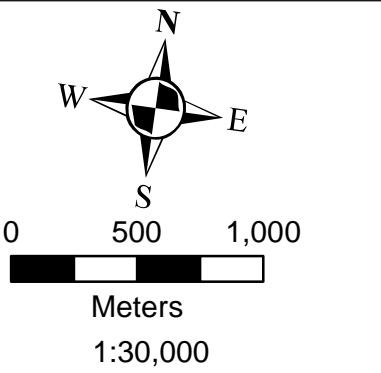
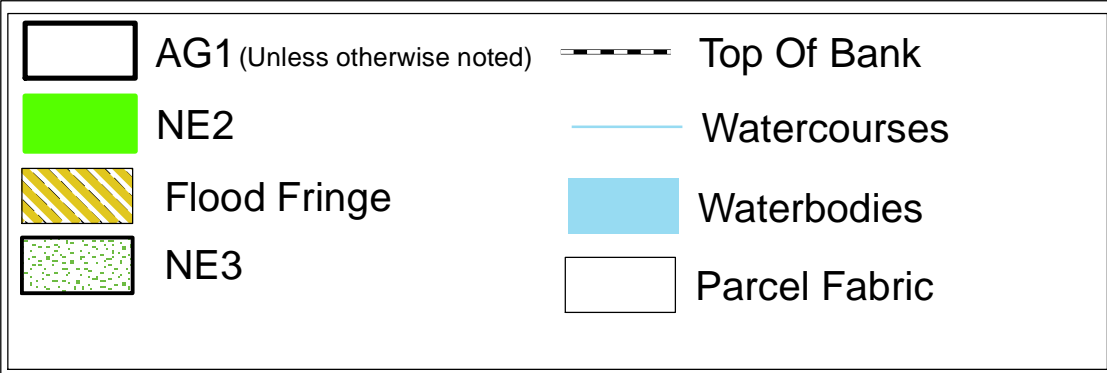
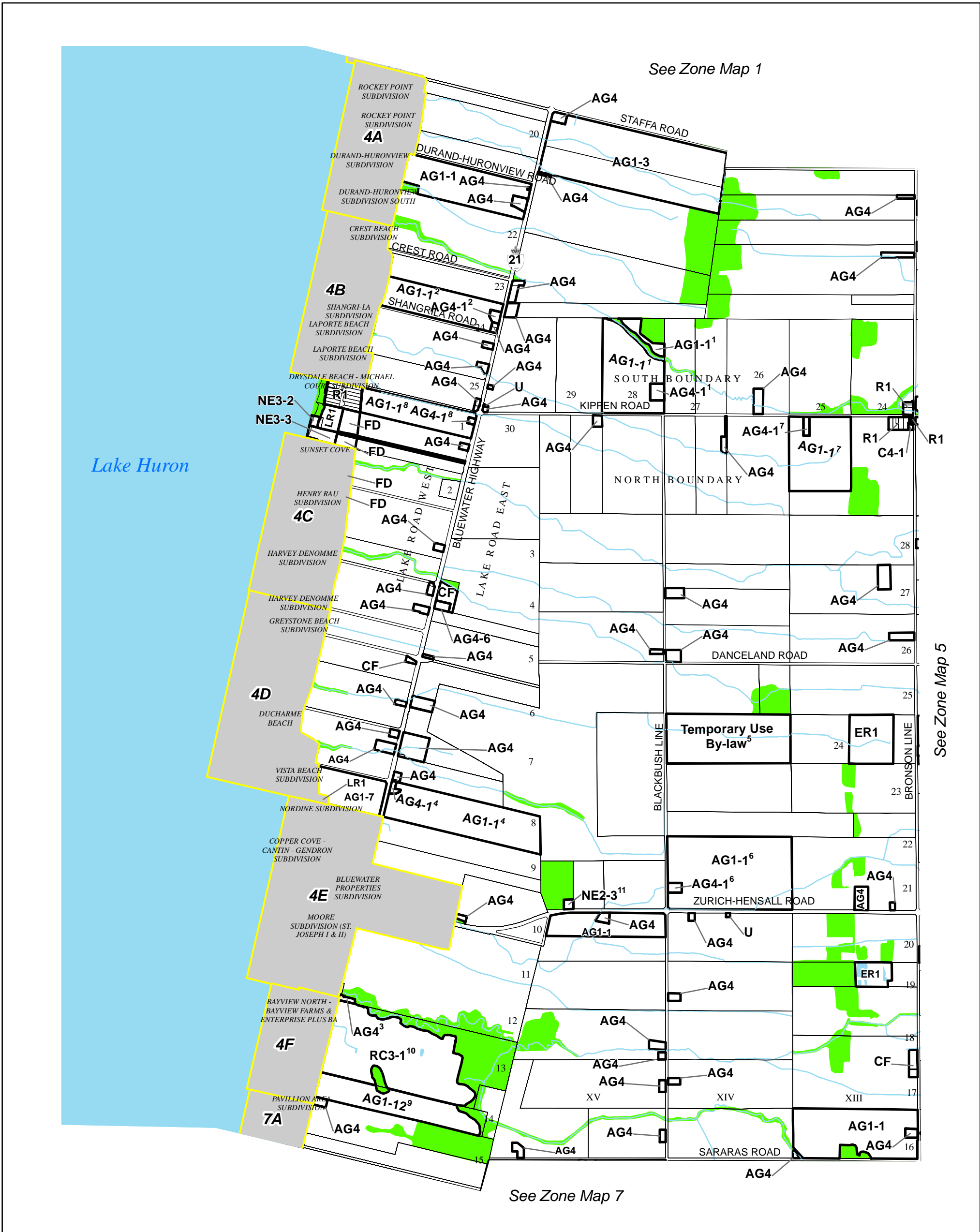
*Municipality of Huron East*

*See Zone Map 3*









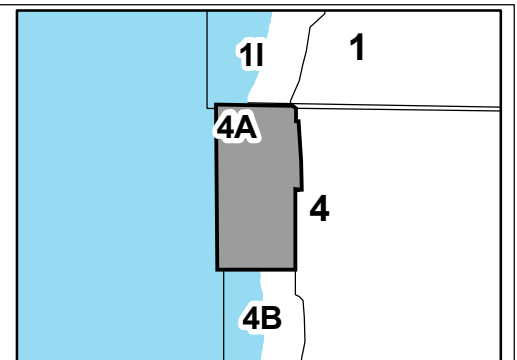
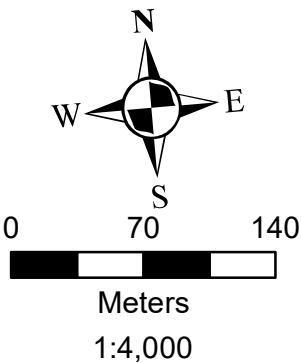
See Zone Map 11



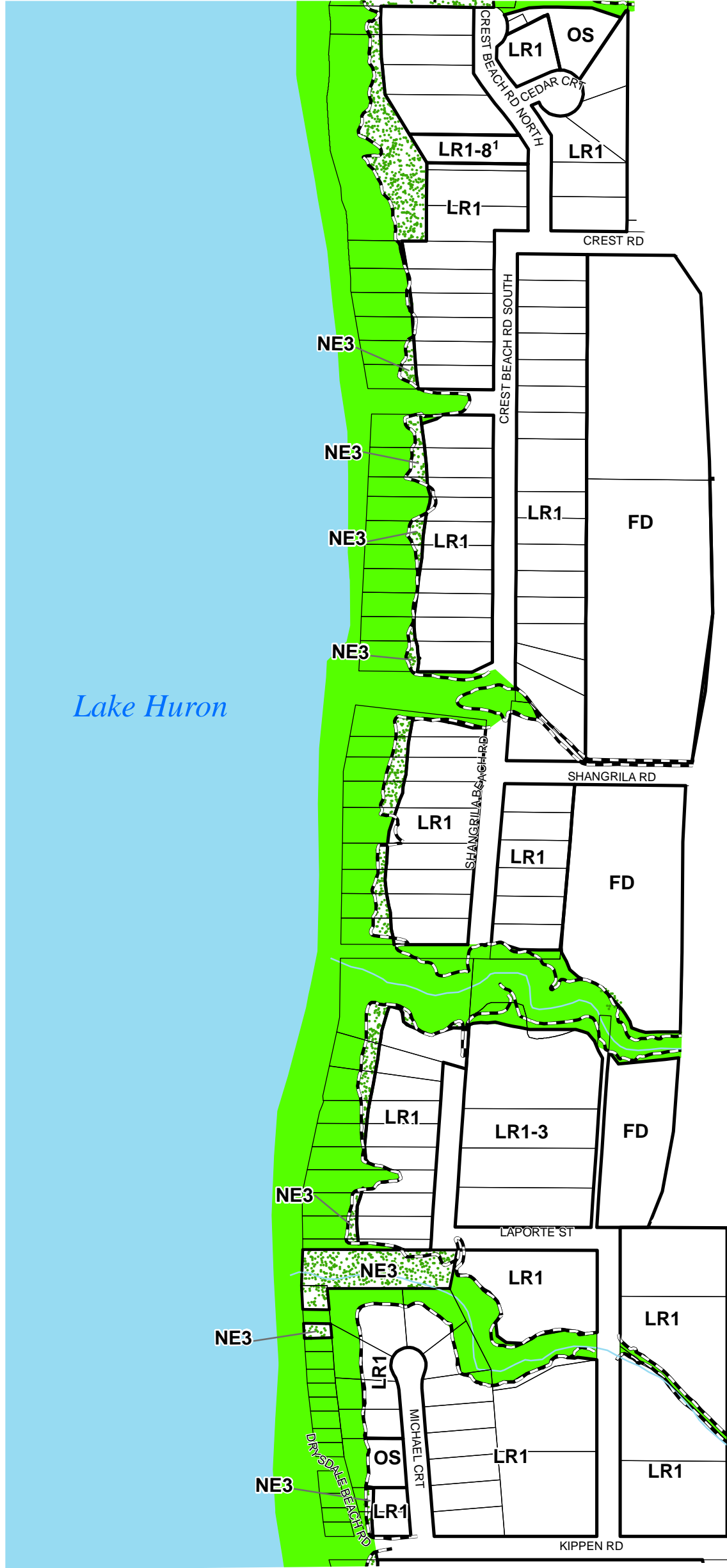
See Zone Map 4

See Zone Map 4B

- AG1 (Unless otherwise noted)
- NE2
- Flood Fringe
- NE3
- Top Of Bank
- Watercourses
- Waterbodies
- Parcel Fabric











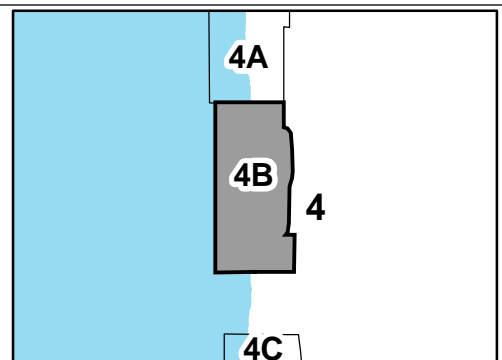
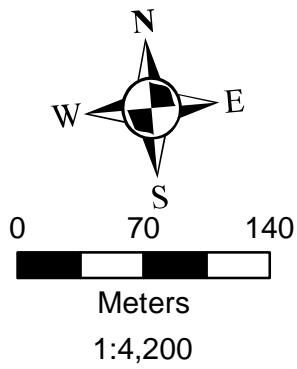
See Zone Map 4A







See Zone Map 4





See Zone Map 4C

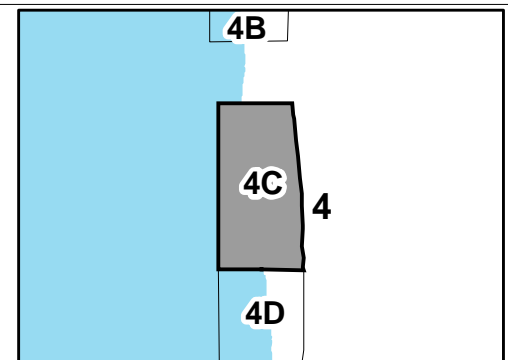
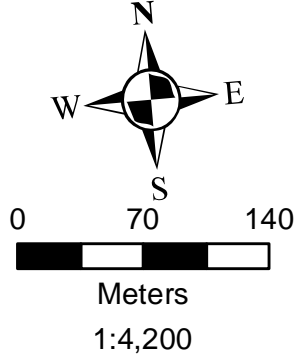
	AG1 (Unless otherwise noted)		Top Of Bank
	NE2		Watercourses
	Flood Fringe		Waterbodies
	NE3		Parcel Fabric





-  AG1 (Unless otherwise noted)
-  NE2
-  Flood Fringe
-  NE3

-  Top Of Bank
-  Watercourses
-  Waterbodies
-  Parcel Fabric

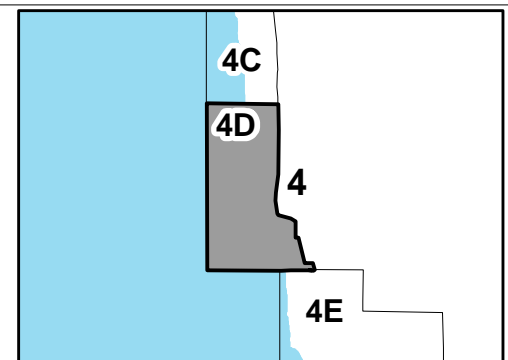
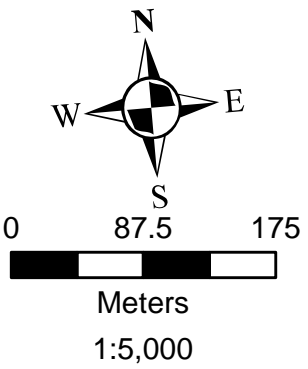
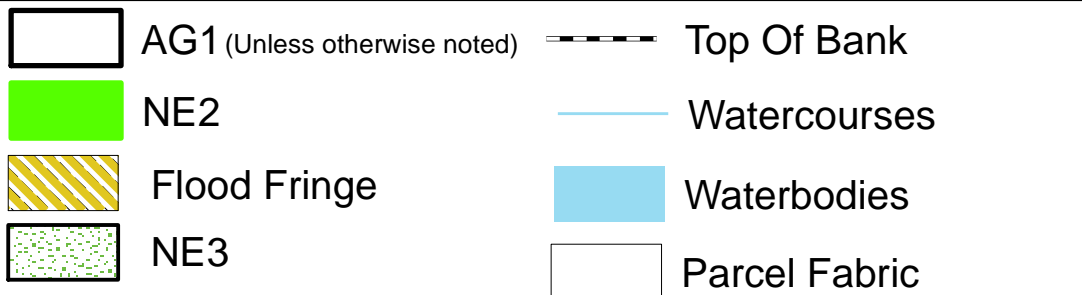


See Zone Map 4C



See Zone Map 4

See Zone Map 4E





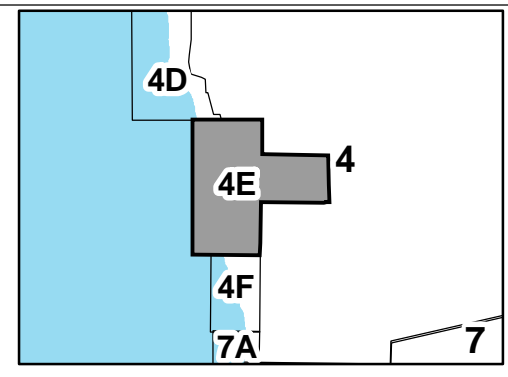
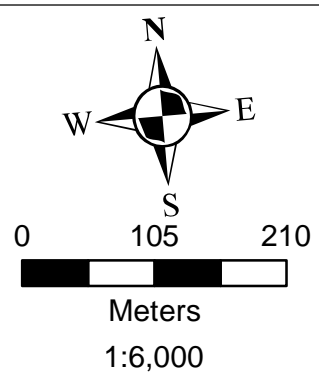
See Zone Map 4D



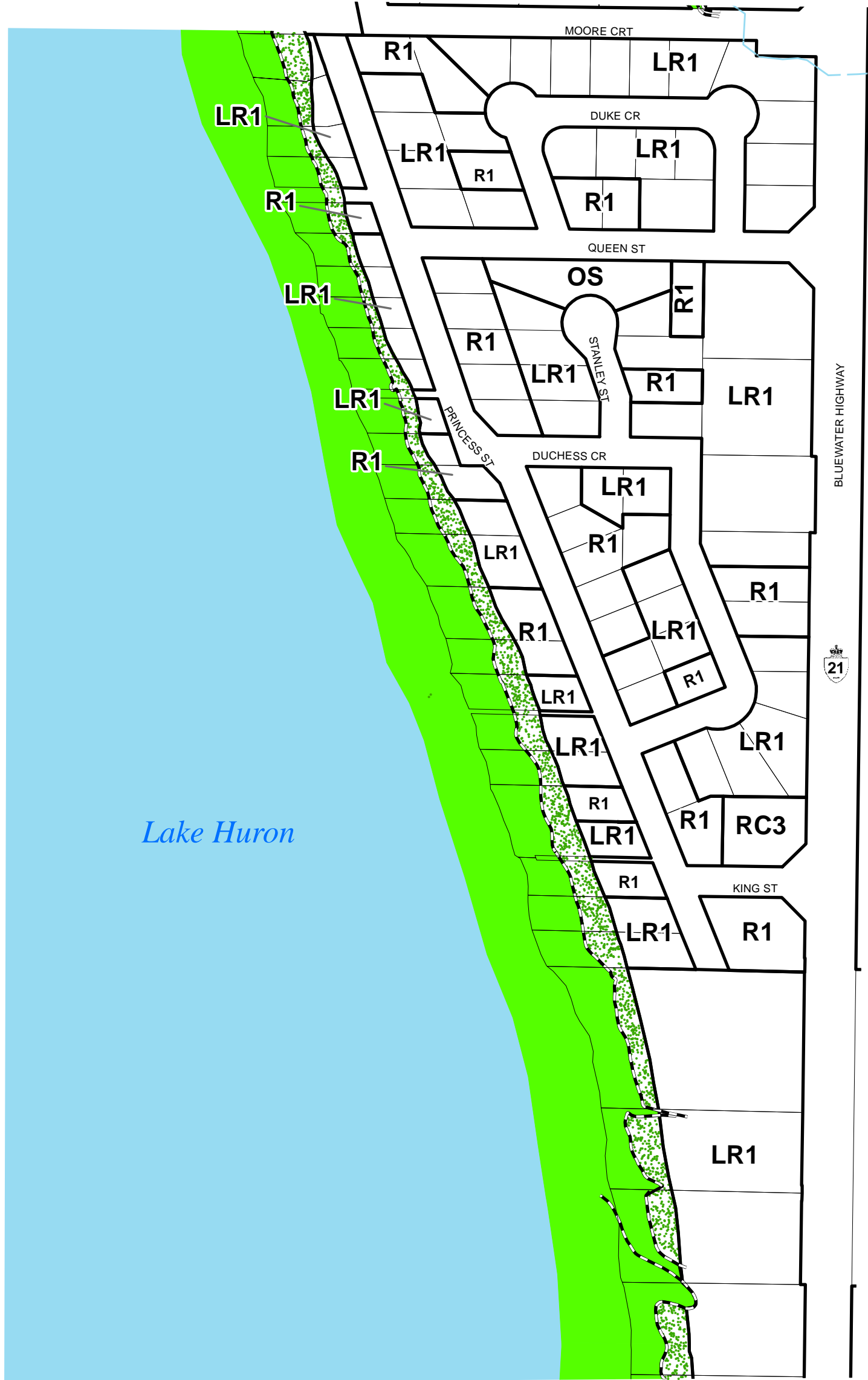
See Zone Map 4

See Zone Map 4F

	AG1 (Unless otherwise noted)		Top Of Bank
	NE2		Watercourses
	Flood Fringe		Waterbodies
	NE3		Parcel Fabric



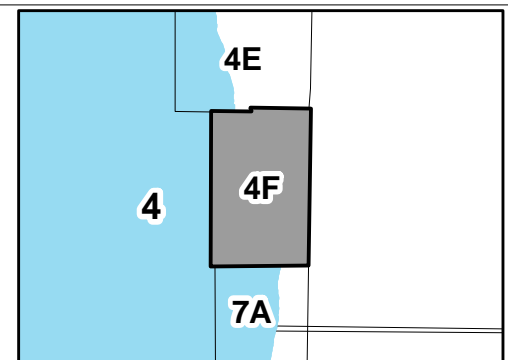
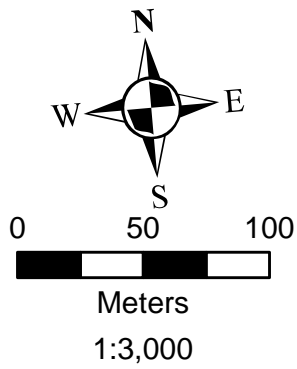
See Zone Map 4E



See Zone Map 4

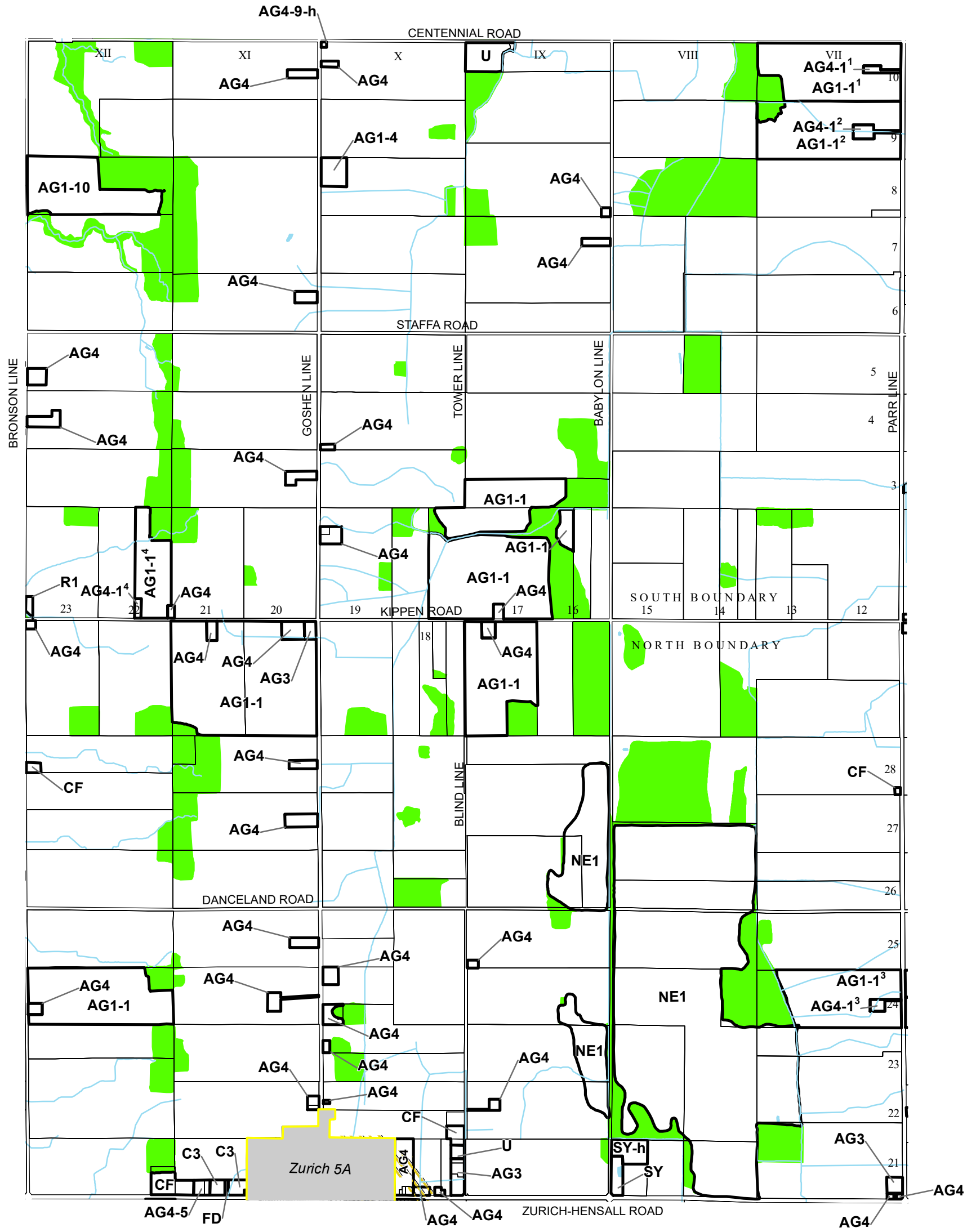
See Zone Map 7A

- AG1 (Unless otherwise noted)
- NE2
- Flood Fringe
- NE3
- Top Of Bank
- Watercourses
- Waterbodies
- Parcel Fabric





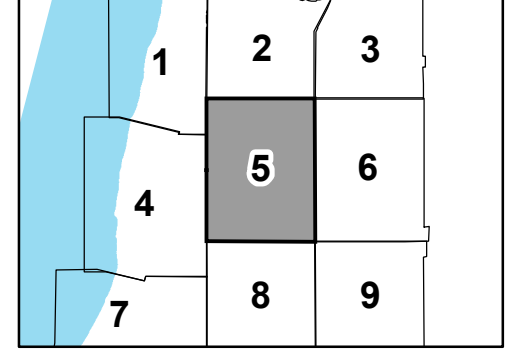
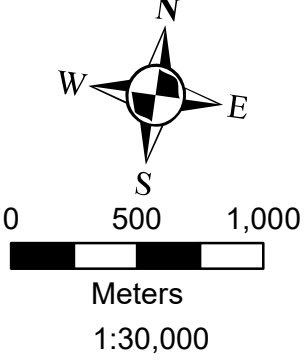
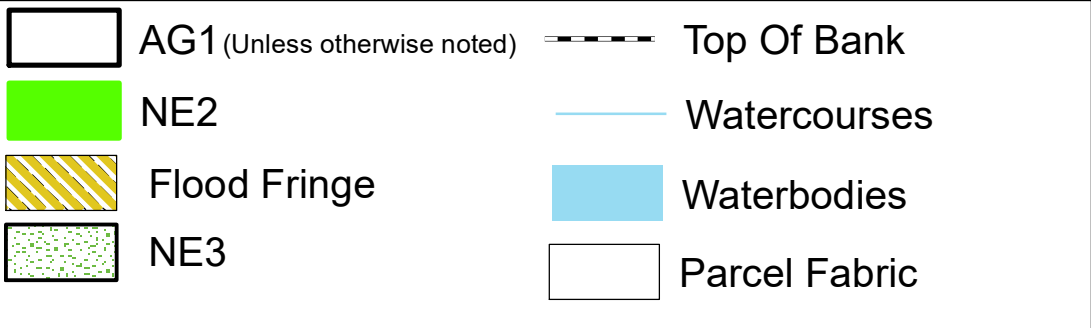
See Zone Map 2



See Zone Map 4

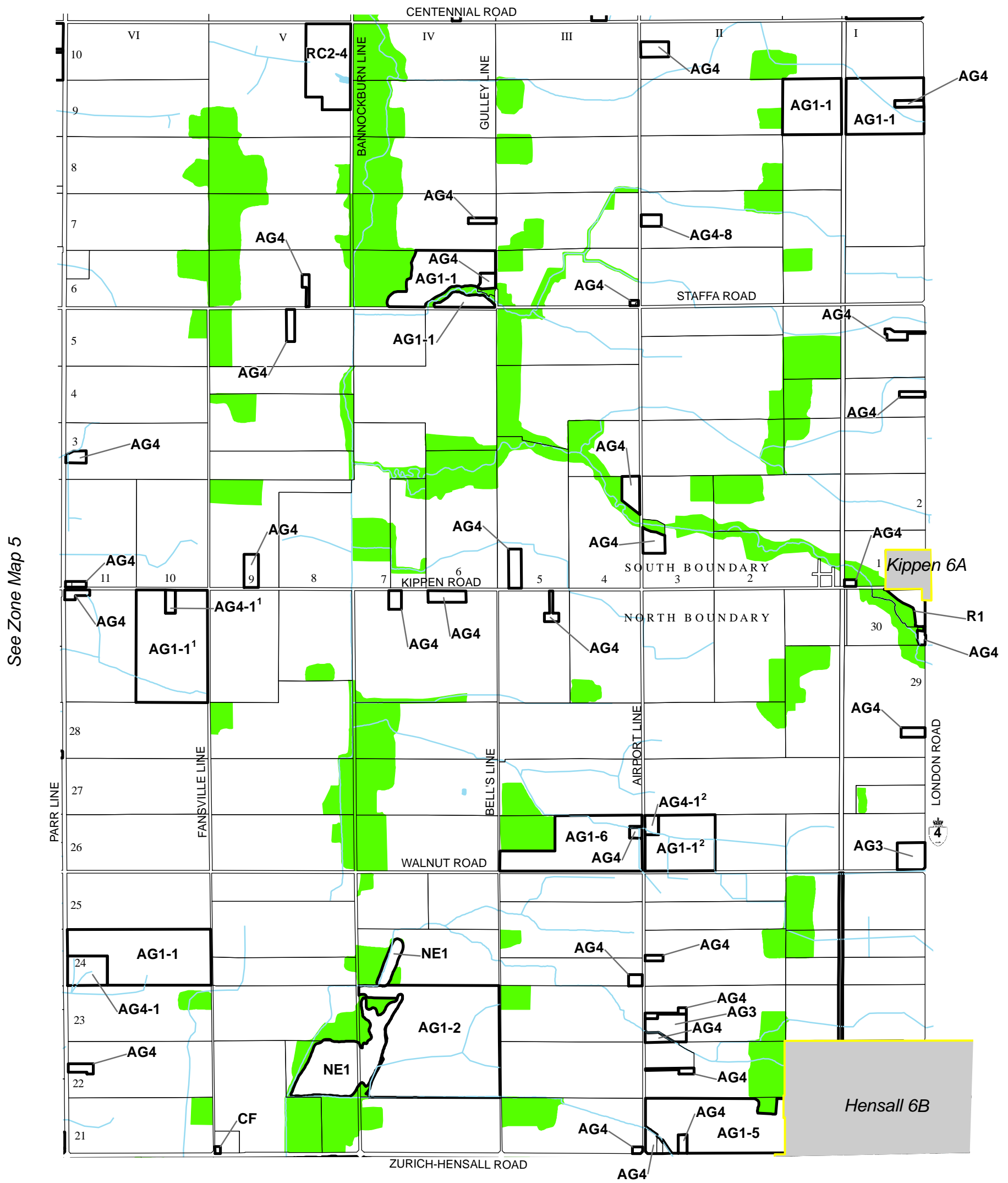
See Zone Map 6

See Zone Map 8



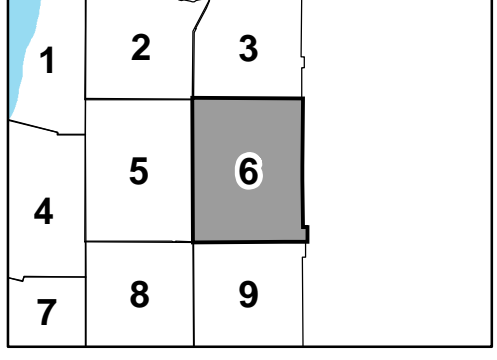
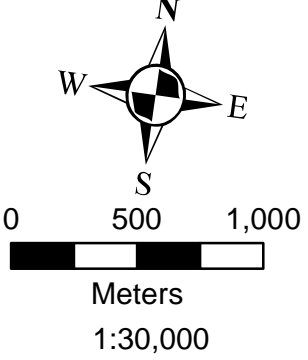
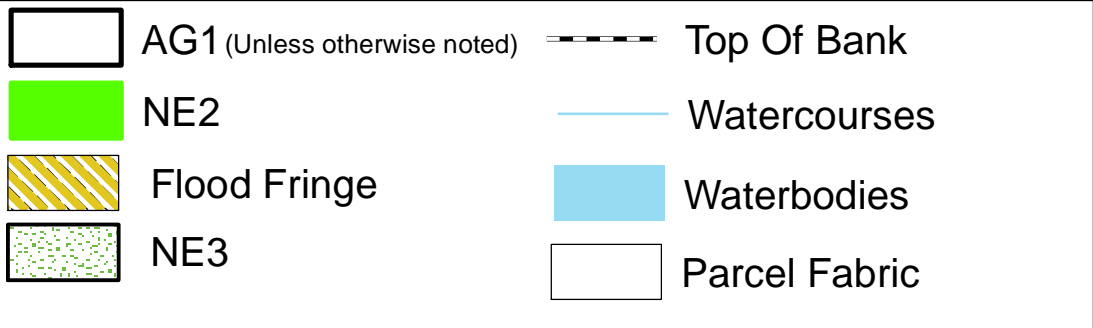


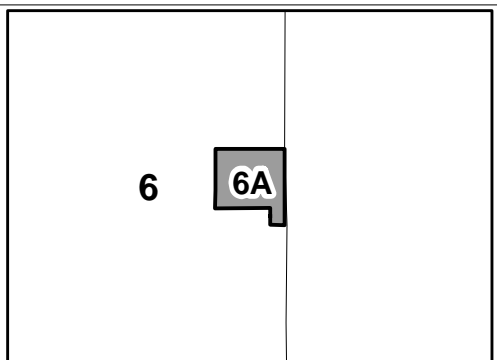
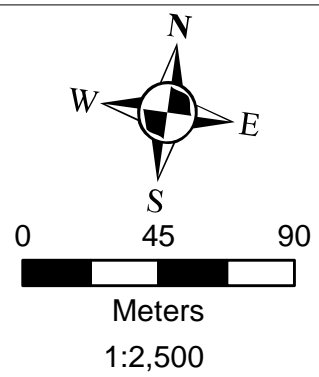
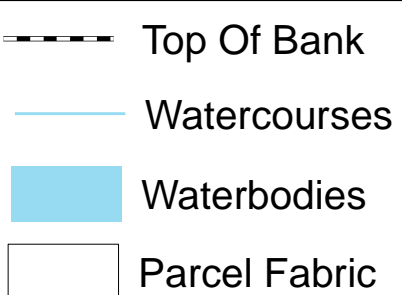
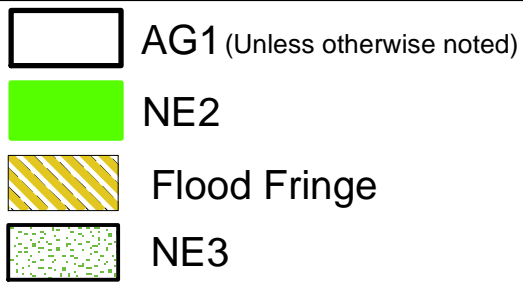
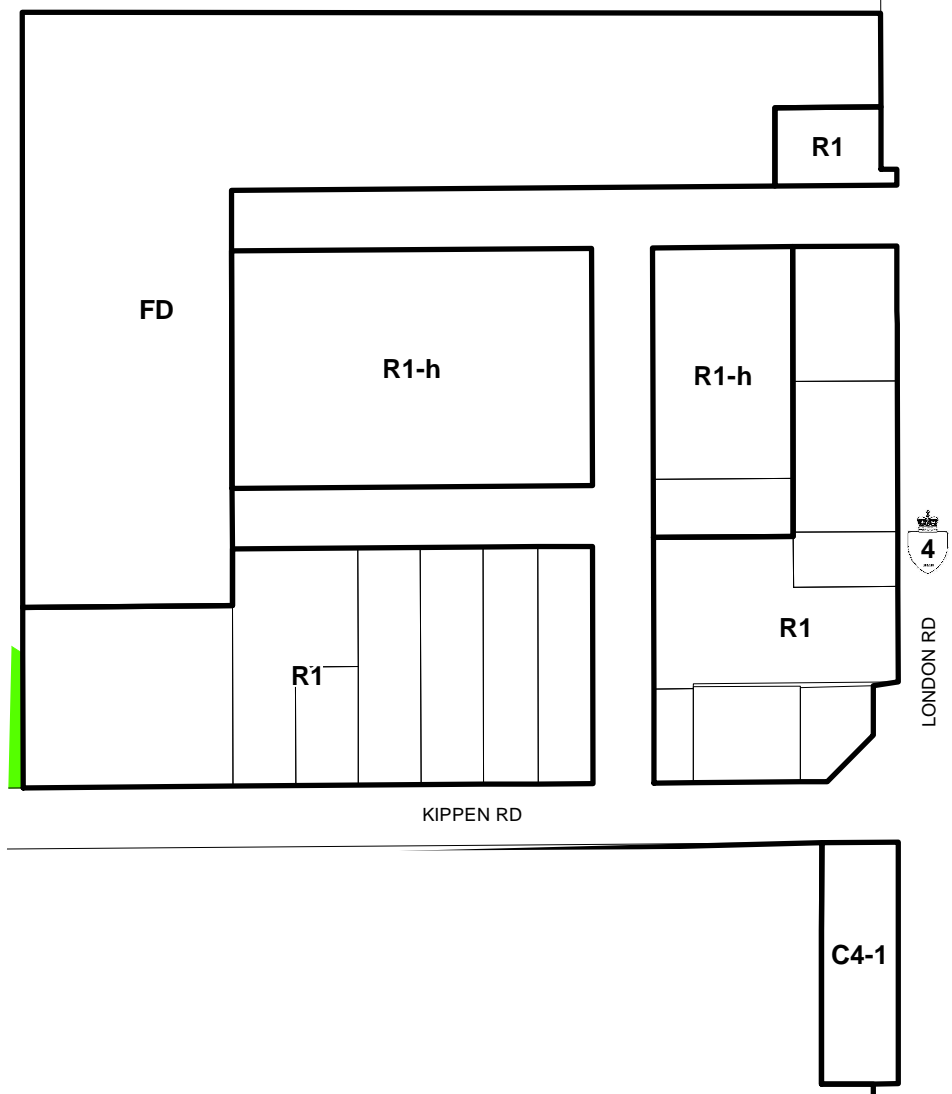
See Zone Map 3



Municipality of Huron East

See Zone Map 9

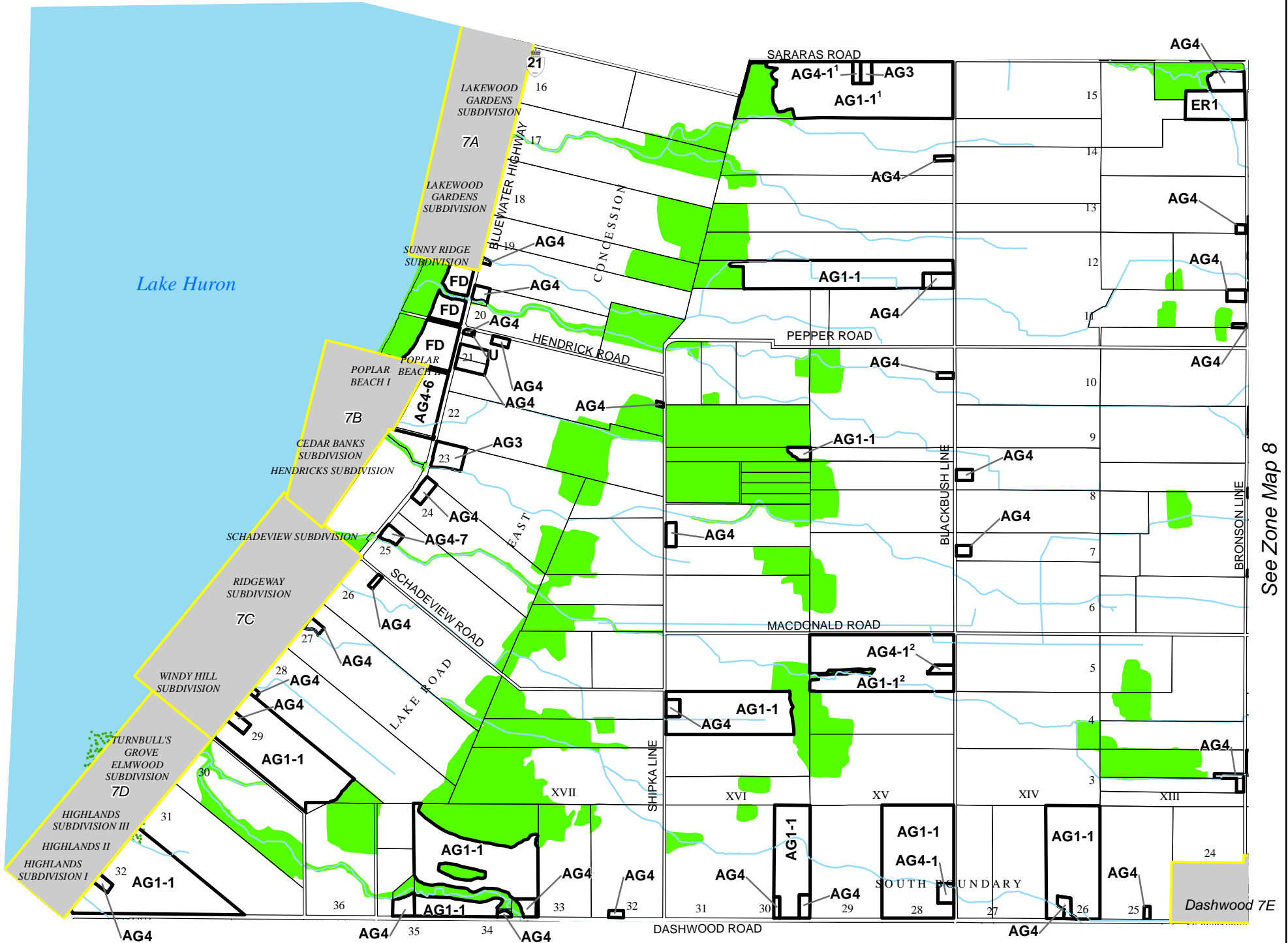








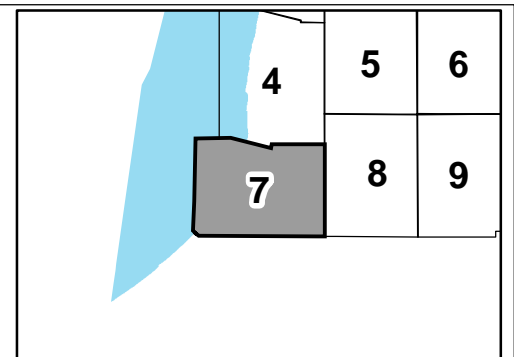
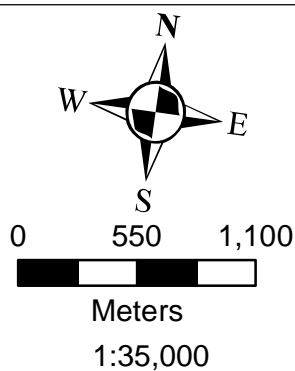
See Zone Map 4



See Zone Map 8

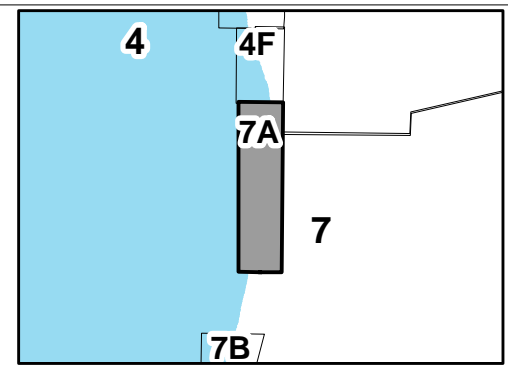
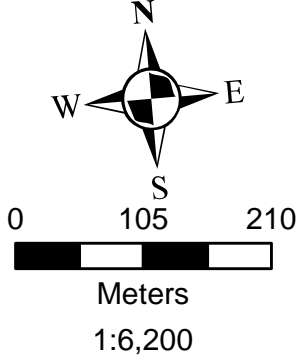
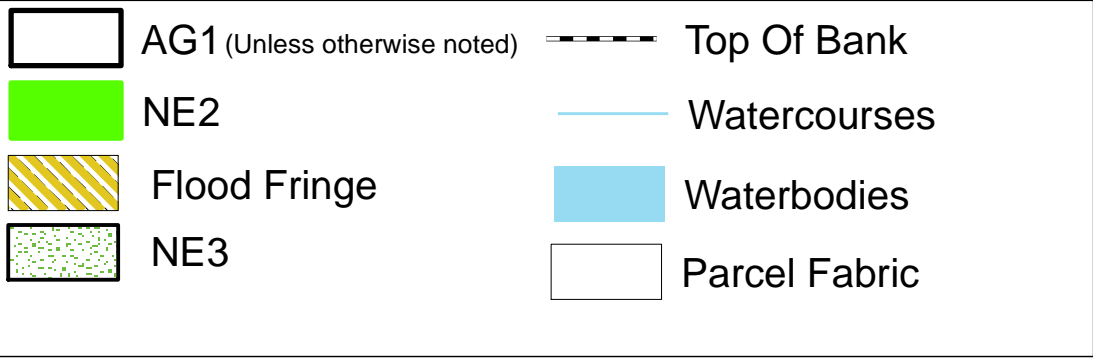
Municipality of South Huron

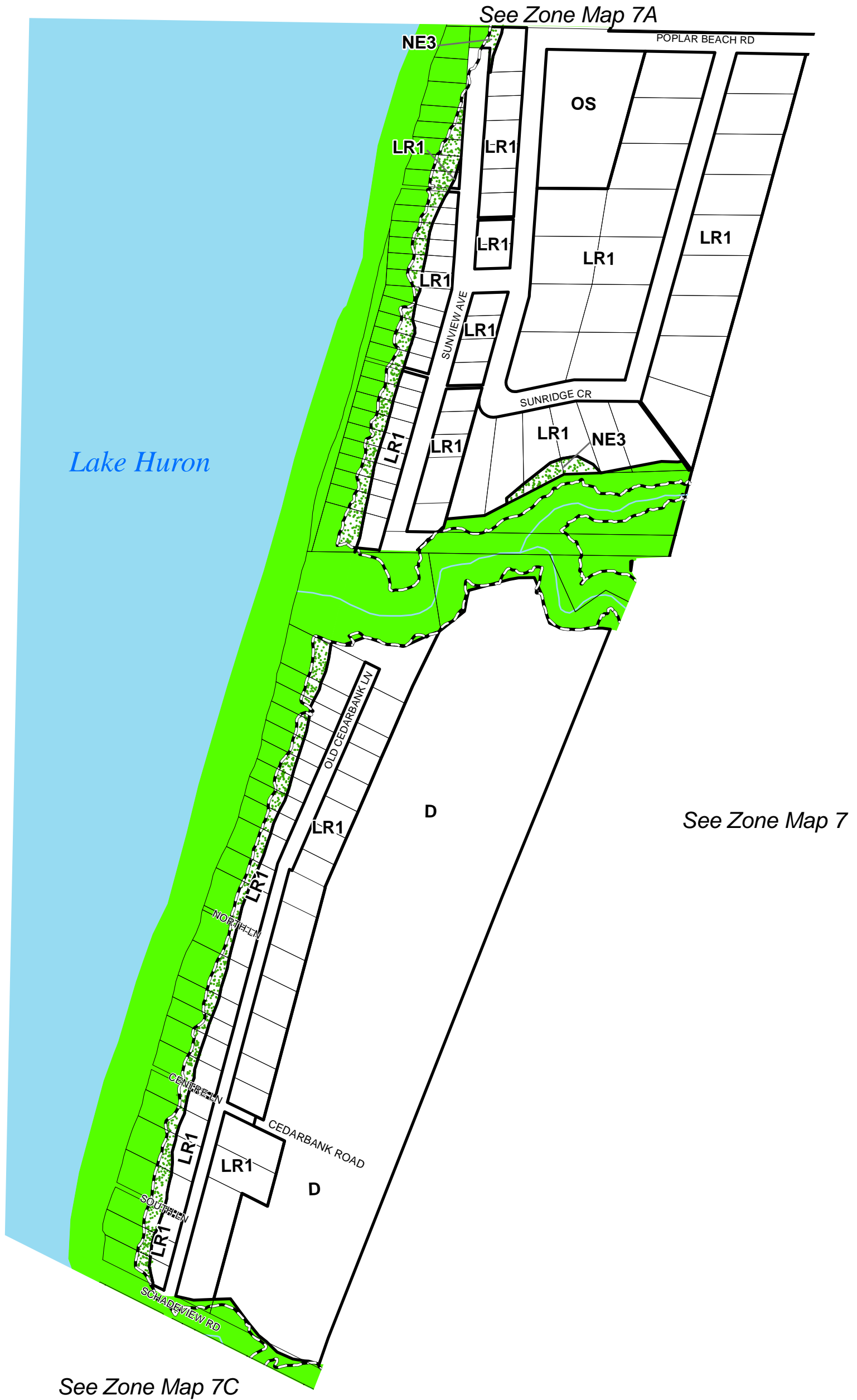
- AG1 (Unless otherwise noted)
- NE2
- Flood Fringe
- NE3
- Top Of Bank
- Watercourses
- Waterbodies
- Parcel Fabric






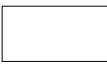


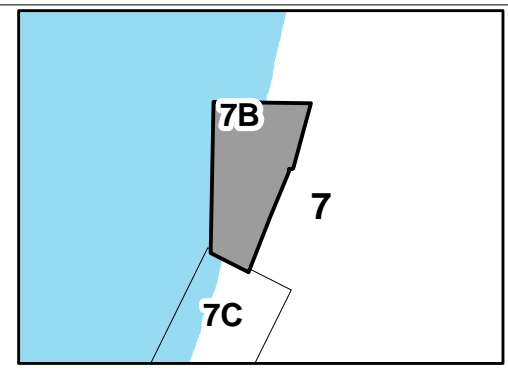
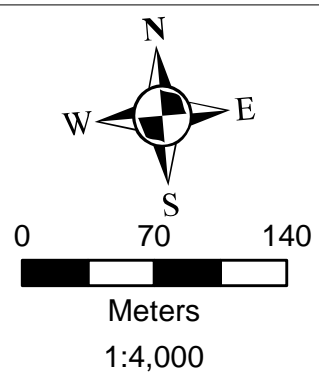
See Zone Map 7



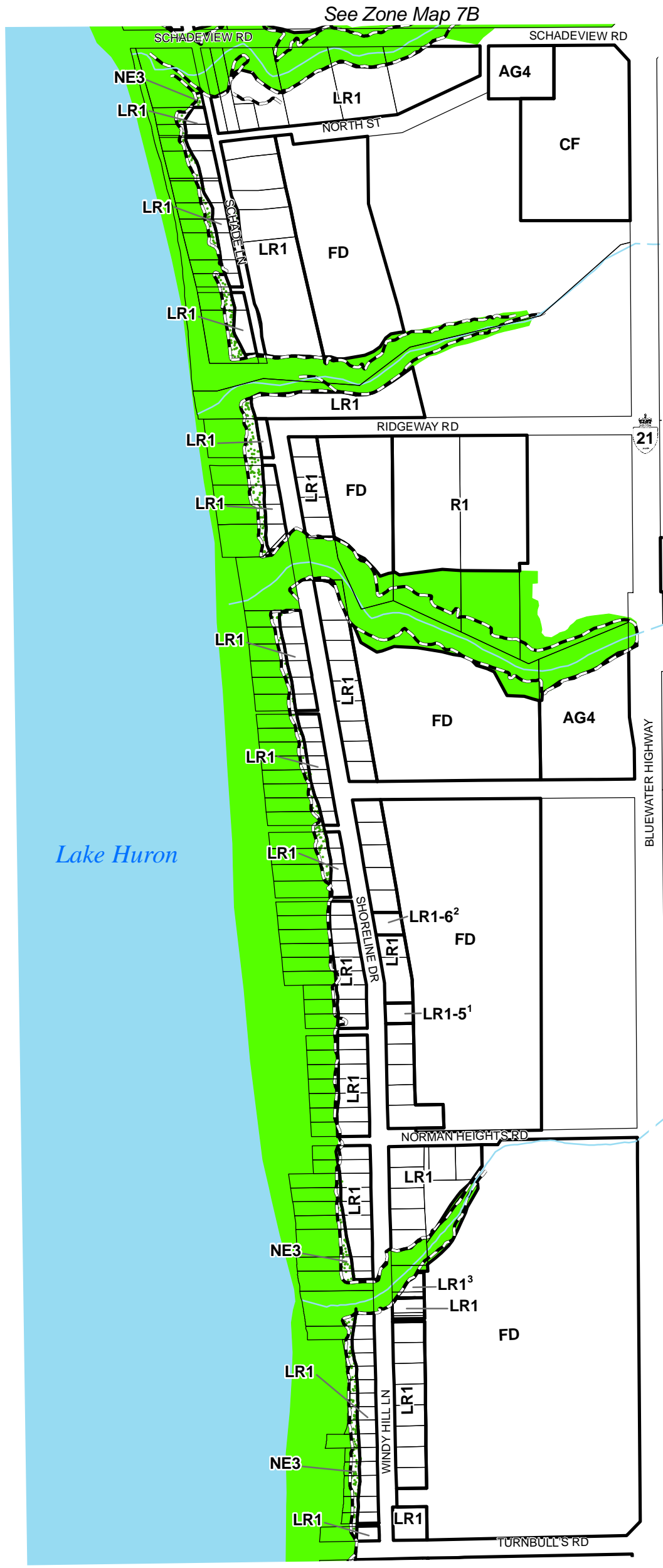


-  AG1 (Unless otherwise noted)
-  NE2
-  Flood Fringe
-  NE3

-  Top Of Bank
-  Watercourses
-  Waterbodies
-  Parcel Fabric













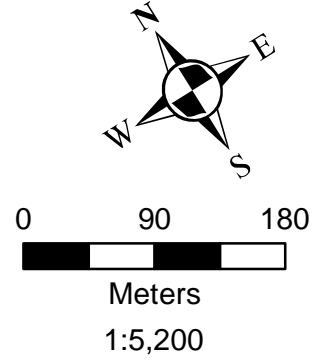


See Zone Map 7B

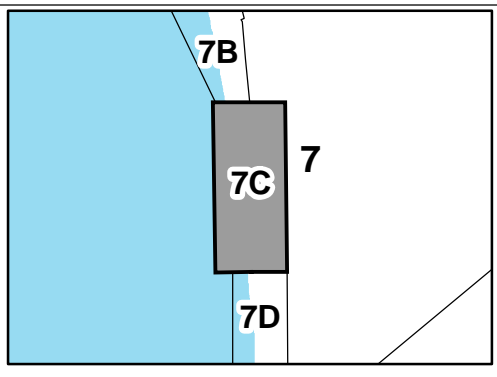
See Zone Map 7

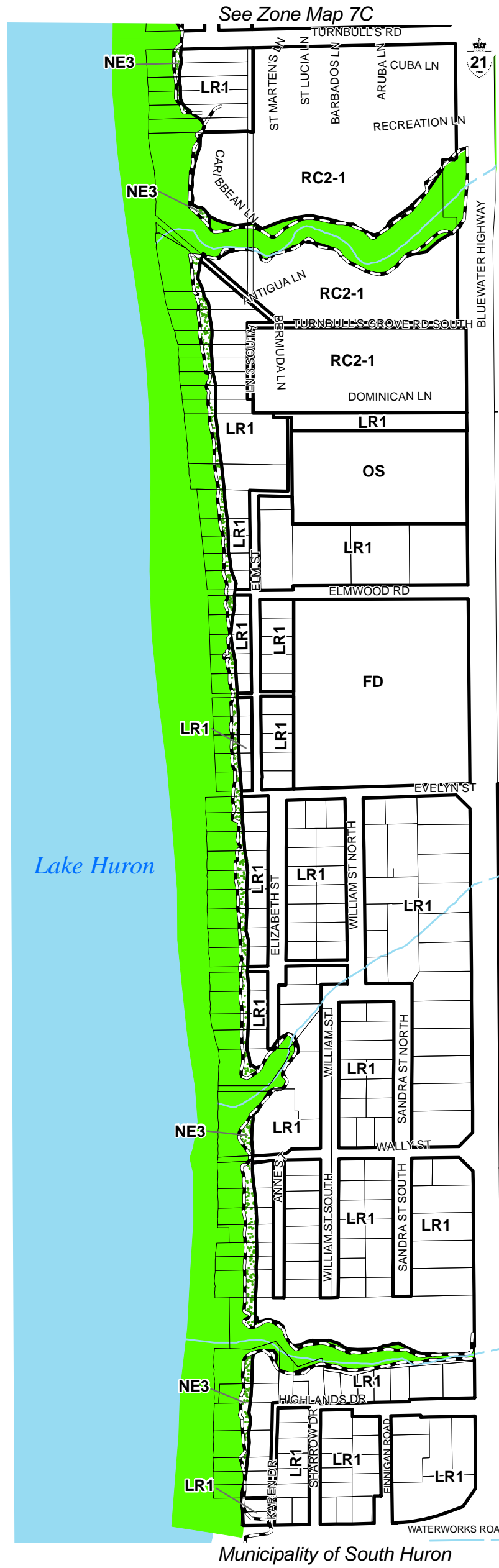
See Zone Map 7D

	AG1 (Unless otherwise noted)		Top Of Bank
	NE2		Watercourses
	Flood Fringe		Waterbodies
	NE3		Parcel Fabric



0 90 180  
Meters  
1:5,200



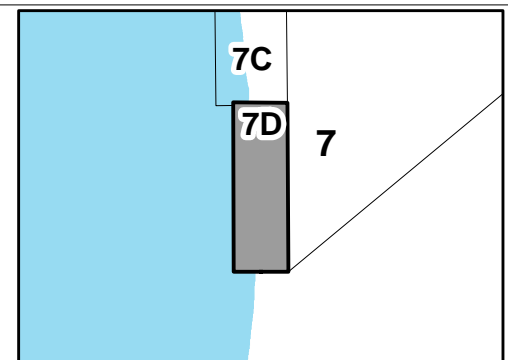
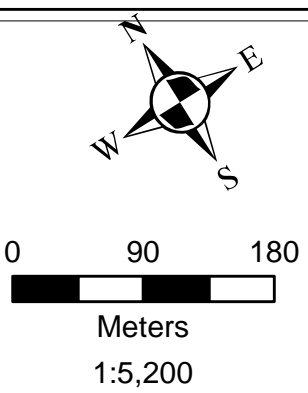


See Zone Map 7C

See Zone Map 7

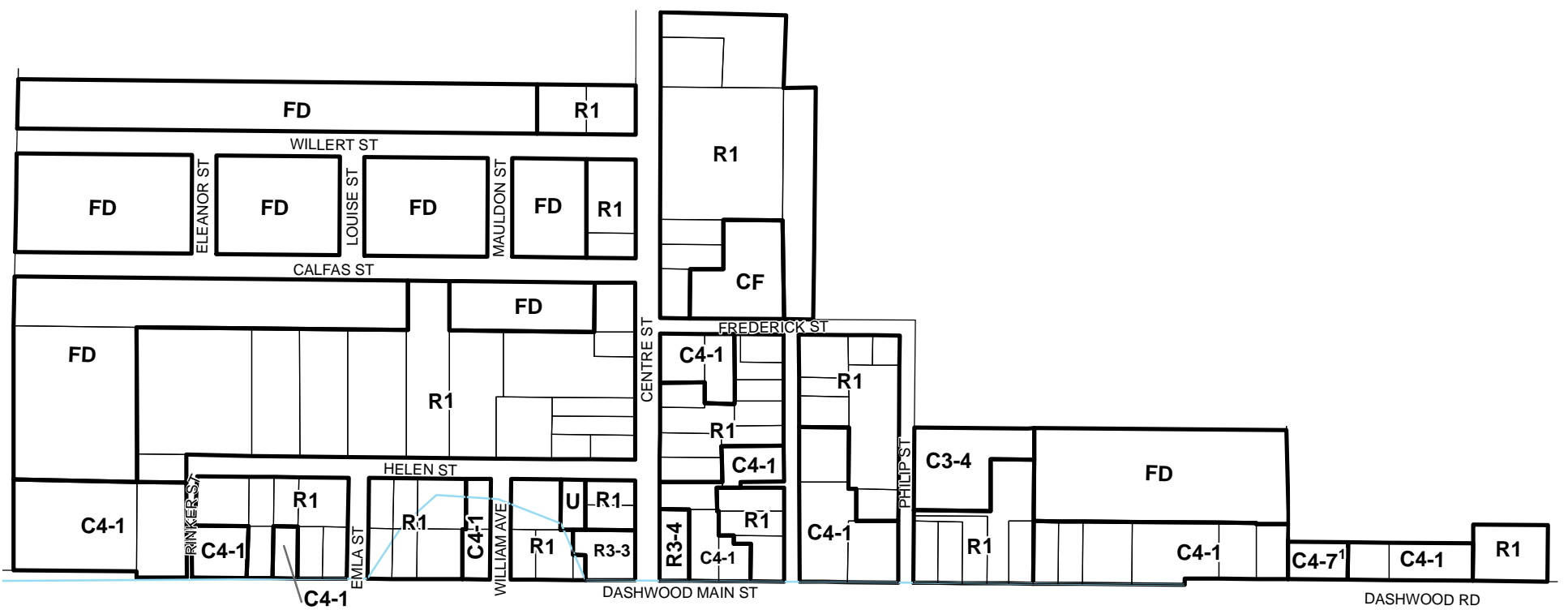
Municipality of South Huron

	AG1 (Unless otherwise noted)		Top Of Bank
	NE2		Watercourses
	Flood Fringe		Waterbodies
	NE3		Parcel Fabric

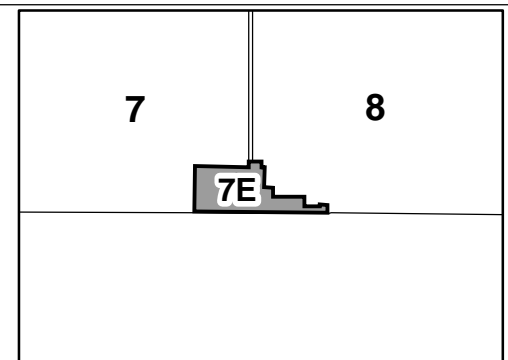
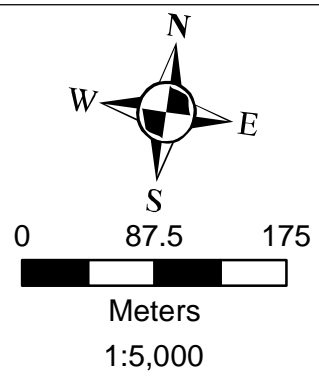
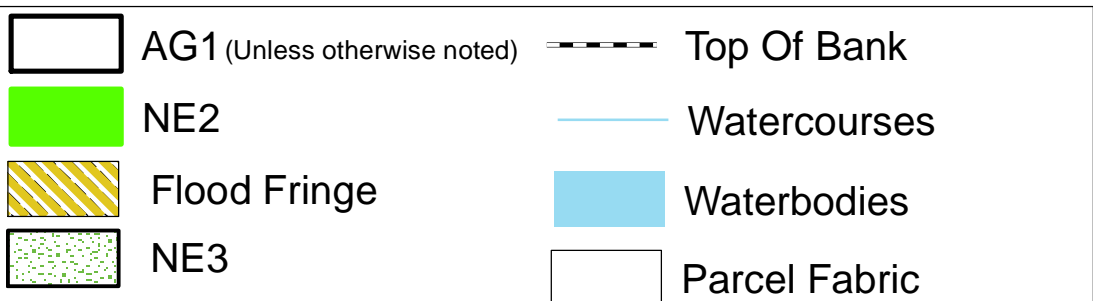


See Zone Map 7

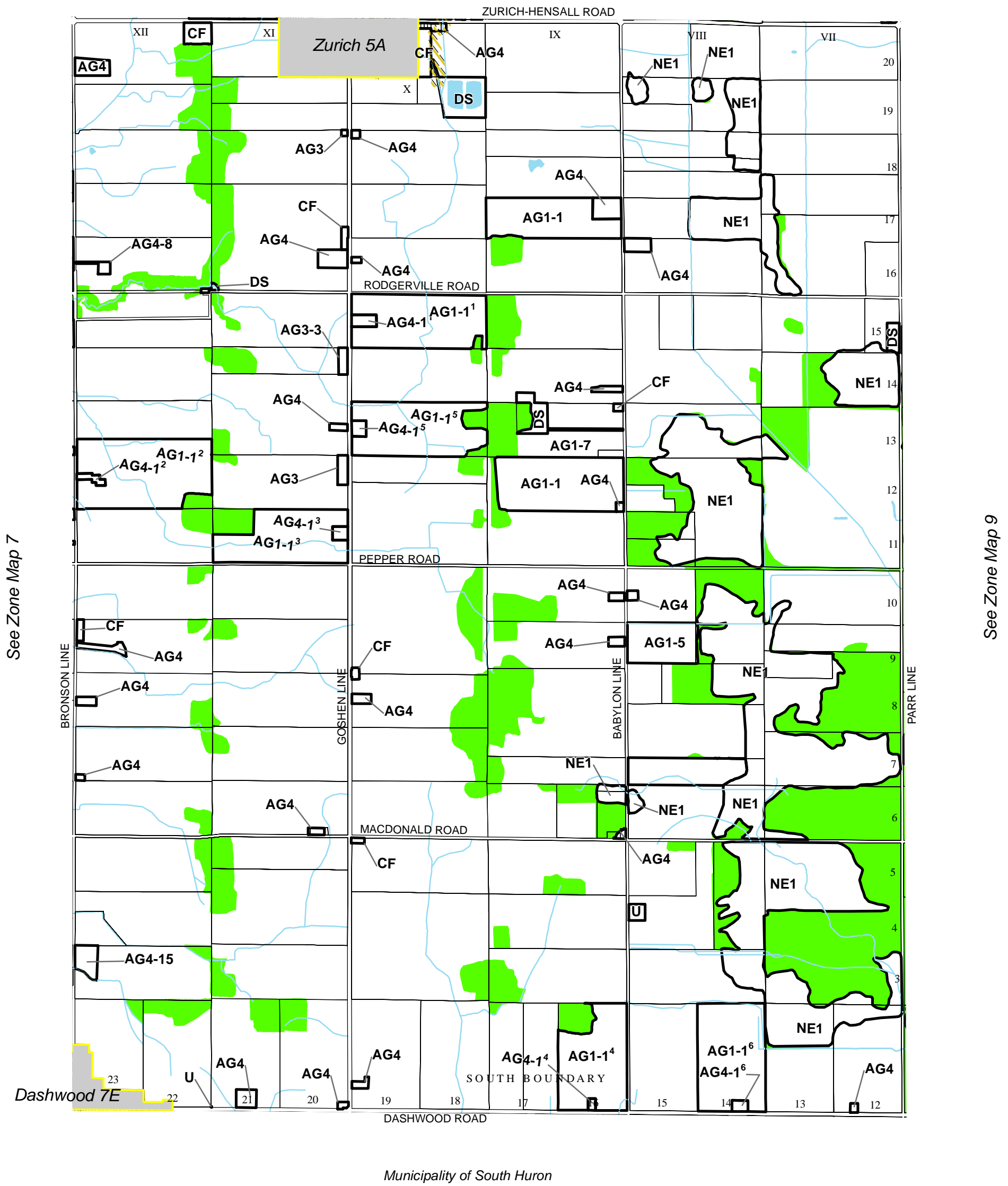
See Zone Map 8



Municipality of South Huron



See Zone Map 5

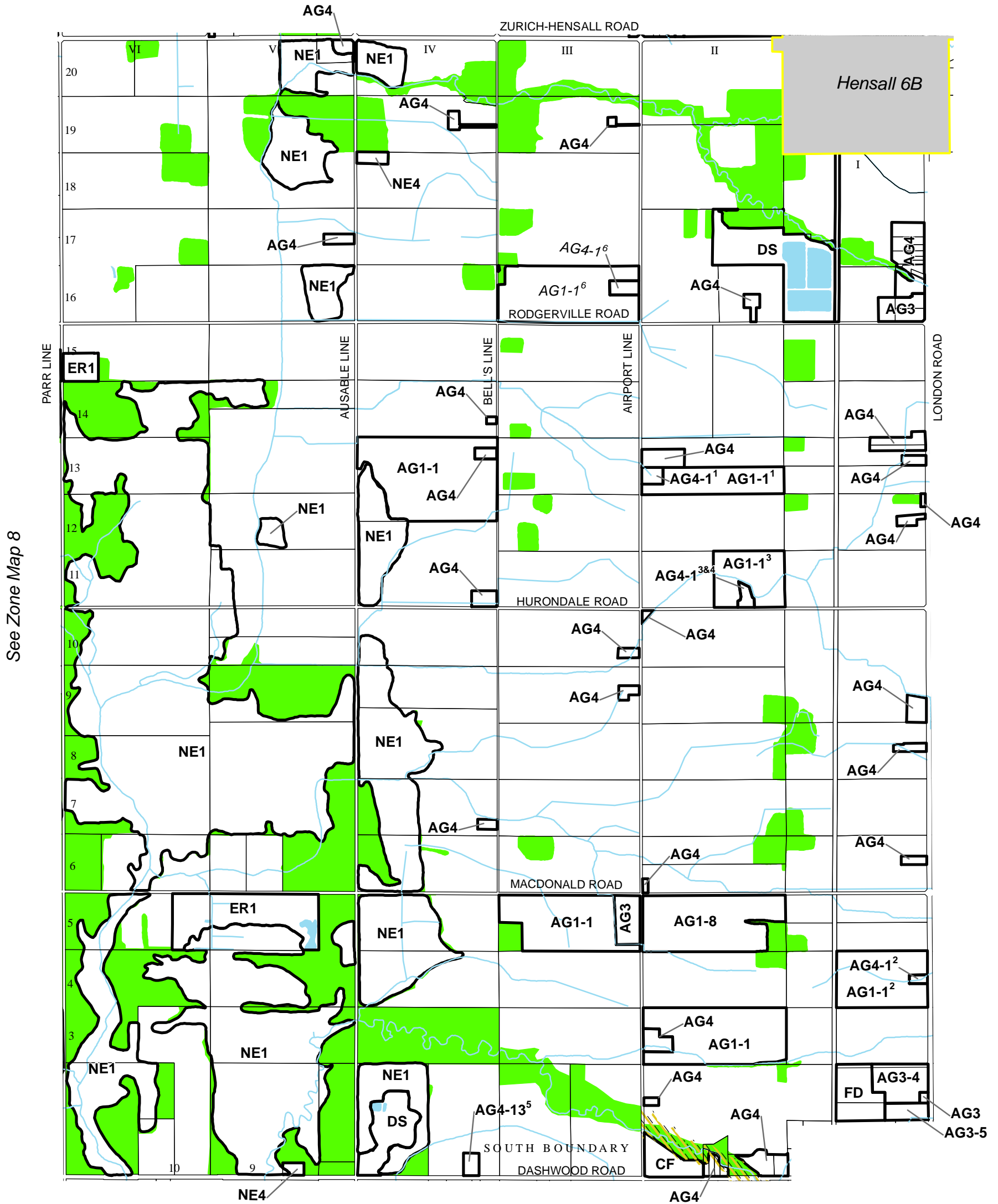


See Zone Map 7

See Zone Map 9

Municipality of South Huron

See Zone Map 6



See Zone Map 8

Municipality of South Huron

