

**THE CORPORATION OF THE TOWN OF DEEP RIVER**

**BY-LAW NUMBER 20-2020**

**A BY-LAW TO AMEND BY-LAW NUMBER 24-96, BEING THE  
COMPREHENSIVE ZONING BY-LAW OF THE CORPORATION OF THE  
TOWN OF DEEP RIVER, AS AMENDED.**

**WHEREAS** Section 34 of the *Planning Act* provides that the Council of a local municipality may pass By-laws to regulate the use of lands and the character, location and use of buildings and structures;

**AND WHEREAS** the Council of the Corporation of the Town of Deep River wishes to ensure proper and orderly development within the limits of the Town of Deep River;

**AND WHEREAS** this By-law encompasses all lands within the Town of Deep River;

**AND WHEREAS** the Council of the Corporation of the Town of Deep River has deemed it to be in the public interest that such a By-law be enacted;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the Corporation of the Town of Deep River enacts as follows:

***CORPORATION  
OF THE  
TOWN OF DEEP RIVER  
  
ZONING BY-LAW NO.***

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April 22, 2020

**Prepared For:**

The Corporation of the  
Town of Deep River

**Prepared By:**

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**Schedule "A" - Town of Deep River**



**THE CORPORATION OF THE TOWN OF DEEP RIVER****BY-LAW NUMBER \_\_\_\_\_**

*Being a By-law to regulate the use of lands and the character, location and use of buildings and structures within the Town of Deep River pursuant to Section 34 of the Planning Act.*

**PREAMBLE**

WHEREAS Section 34 of the Planning Act provides that the Council of a local municipality may pass By-laws to regulate the use of lands and the character, location and use of buildings and structures;

AND WHEREAS the Council of The Corporation of the Town of Deep River wishes to ensure proper and orderly development within the limits of the Town of Deep River;

AND WHEREAS this By-law encompasses all lands within the Town of Deep River;

AND WHEREAS the Council of The Corporation of the Town of Deep River has deemed it to be in the public interest that such a By-law be enacted;

NOW THEREFORE the Council of The Corporation of the Town of Deep River enacts as follows:

**SECTION 1.0 – ADMINISTRATION****1.1 TITLE**

This By-Law may be cited as the "Zoning By-Law" of the Town of Deep River.

**1.2 ENACTMENT**

This By-Law shall come into effect from the date of its passing by Council and shall come into force in accordance with Section 34 of the Planning Act.

**1.3 PENALTY**

Every person who contravenes any of the provisions of this By-law shall be guilty of an offence and on conviction is liable to the penalties provided by the Planning Act and every such fine is recoverable under the provisions of the Provincial Offences Act.

**1.4 ADMINISTRATOR**

This By-Law shall be administered by a person appointed by the Town of Deep River or by any employee of the Town of Deep River acting under the direction of that person.

**1.5 BY-LAWS REPEALED**

From the coming into force of this By-law, all previous By-laws passed by the Council(s) of the Town of Deep River under Section 34 of the Planning Act, or a predecessor thereof, shall be repealed, except to the extent that any of the said By-laws prohibit the use of any land, building or structure for a purpose or in a manner that is also prohibited by this By-law.

**1.6 STATUTE REFERENCES**

References to legislation imply the most recent statutes, as amended (e.g. Planning Act, Planning Act, R.S.O., 1990 c.P. 13, as amended). Therefore, this By-law need not be amended to maintain the applicability of such references.

**1.7 SCOPE****1.7.1 The Defined Area**

The provisions of this By-law shall apply to all of the lands within the limits of the Defined Area. The lands within the Defined Area as shown on Schedule A comprise that portion of the Town of Deep River lying within the Deep River Planning Area and are more properly described as follows:

All of Lots 39-48 inclusive, Ranges A and B, formerly of the Township of Buchanan;

All of Lot 5, Concession 1;

All of Lots 1-11 inclusive, Ranges A and B, formerly of the Township of Rolph.

#### 1.7.2 Zone Boundaries

The zones and the zone boundaries are shown on Schedule A, which is the Zoning Map, attached to and forming part of this By-law. Where the boundary line of a zone does not coincide with a property line, the location of the said boundary line shall be scaled from the Zoning Map.

#### 1.7.3 Application of the By-law

Land shall not be used and buildings and structures shall be neither erected nor used, except in accordance with the general provisions of this By-law and in accordance with the provisions of this By-law that apply to the zone in which the land is, or in which the building or structure is or is intended to be.

#### 1.7.4 Unlawful Uses

Any use established in violation of a predecessor of this By-law shall be deemed to have been established unlawfully. The passage of the By-law does not affect the right of the Town of Deep River to prosecute any violation of a previous by-law unless the use in question conforms and complies with this By-law.

#### 1.7.5 Compliance With Other Restrictions

This By-law shall not be used or have the effect to reduce or mitigate any other restrictions or regulations imposed by the Town of Deep River or by an authority having lawful jurisdiction to make such restrictions or regulations.

**SECTION 2.0 – DEFINITIONS**

For the purpose of this By-law the definitions and interpretations of this section shall apply.

- 2.1 **ABANDONED** means the failure, in the opinion of the Zoning Administrator, to proceed expeditiously with construction work during any continuous 12-month period.
- 2.2 **ABUT** means having a common border with a street or with a lot, as the case may be.
- 2.3 **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 lot therewith. This does not include an accessory residence unless otherwise specified.
- 2.4 **ADULT ENTERTAINMENT PARLOUR** shall mean any premise or part thereof in which, in pursuance of a business, trade, calling or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations, are provided. This definition does not include the exhibition, rental or sale of film or videos approved for distribution pursuant to the Theatres Act, or the sale of magazines or other printed material provided such sale does not contravene any law.
- Services appealing to or designed to appeal to erotic or sexual appetites or inclinations shall mean a performance, exhibition or activity of which a principal feature or characteristic is the nudity or partial nudity of any person.
- 2.5 **ADVANCED CENTRE FOR LEARNING** means an establishment, such as a technical school or university which provides instruction, but does not include any other school as defined herein.
- 2.6 **AGGREGATE** means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite and rock other than metallic ores.
- 2.7 **AGRICULTURAL USES** means the general cultivation of land and associated production, conditioning, and storing of field crops, vegetables, horticultural crops and nursery stock, but does not include animal husbandry or any agricultural industry or business such as fruit packing plants or animal hospitals or similar uses.
- 2.8 **AGRICULTURAL USES, NON-COMMERCIAL** means horticulture and gardening, but not including keeping or raising of domestic animals and fowl, except household pets, and not including any agricultural industry or business, such as fruit packing plants, fur farms, animal hospitals or similar uses.
- 2.9 **ALTER** means:
- a) When used in reference to a structure or part thereof, shall mean to change any one or more of the external dimensions of such building or structure or to make any

change in the supporting members to the type of construction of the exterior walls or roof thereof:

b) When used in reference to a lot, shall mean to change the area, frontage or depth thereof; to change the width, depth or area of any required yard, landscaped open space or parking area; or to change the location of any building of such lot with respect to a street or lane; or

c) When used in reference to use, shall mean to discontinue and replace the use with a use which is defined herein as being distinct from the discontinued use.

2.10 AMUSEMENT ARCADE means a place where three or more coin or token operated machines, devices, contrivances or games are provided for public amusement, but does not include:

a) any machine that provides exclusively musical entertainment, rides, food or drink;

b) premises licensed to serve alcohol under the appropriate statute;

c) the premises of a non-profit organization, association, institution or club which is operated for social, recreational, educational, religious or fraternal purposes; and/or,

d) a seasonal agricultural fair or travelling exhibition or carnival

2.11 ANIMAL HOSPITAL means a building or structure in which facilities are provided for the prevention, cure and alleviation of disease and injury to animals and in conjunction with which there may be shelter provided, within the building or structure, during the period of treatment.

2.12 ANIMAL HUSBANDRY means the use of land, building or structure for the keeping or raising of livestock.

2.13 ANIMAL HUSBANDRY, NON-COMMERCIAL means the use of land, or building, or structure ancillary to a dwelling unit, for the keeping or raising of livestock provided that,

a) the yield is for personal use of the inhabitants of the lot;

b) there is no sale of the yield; and

c) not more than a total of three animal units shall be permitted on the lot, provided, however, in no case shall there be more than one animal unit of fowl, and no fox, mink or similar fur-bearing animals.

- 2.14 ANIMAL SHELTER means a lot and/or building or part thereof used for the care of lost, abandoned or neglected animals.
- 2.15 ANIMAL UNIT means a measure of livestock that equates to one adult sheep, cow, horse, or swine and which includes any offspring of each unit until weaned, or ten fowl or ten adult rabbits which includes offspring to market size.
- 2.16 ARTISAN SHOP OR STUDIO means a building or structure where an artist or skilled craftsman creates unique articles and/or offers instruction in an art or skilled craft and/or a building or structure where such unique articles are offered for sale. This may include a gunsmith, a cabinetmaker, a wood carver, a potter, an ornamental welder, a photographer or any similar artist or craftsman whose workplace is not otherwise defined in this By-law.
- 2.17 ASPHALT MANUFACTURING PLANT means an industrial facility used for the production of asphalt for immediate use in the paving of roads and driveways and the damp-proofing of buildings or structures.
- 2.18 ASSEMBLY HALL means a building or part of a building in which facilities are provided for such purposes as meetings of civic, education, political, religious or social purposes, and shall include a banquet hall.
- 2.19 ATTACHED, when used in reference to a building, means dependent for structural support or complete enclosure upon a wall or roof shared in common with an adjacent building.
- 2.20 ATTIC means that portion of a building immediately below the roof and wholly or partly within the roof framing.
- 2.21 AUTOMOTIVE-BODY SHOP means a building or structure used for the painting or repairing of vehicle bodies or fenders, but shall not include a Wrecking Establishment.
- 2.22 AUTOMOTIVE-CAR WASH means a building or structure containing facilities for washing vehicles, either by production line methods and mechanical services or by a self-service operation.
- 2.23 AUTOMOTIVE-COMMERCIAL GARAGE means a building where all functions of an automotive service station may be carried out and where major repairs of vehicles may be performed, including body work and welding but shall not include dismantling of motor vehicles for scrap or the storage of motor vehicles awaiting scrapping.
- 2.24 AUTOMOTIVE-GASOLINE BAR means a commercial operation having one or more pump islands, each consisting of one or more gasoline pumps, and may include a shelter having a floor area of not more than 10 square metres, excluding

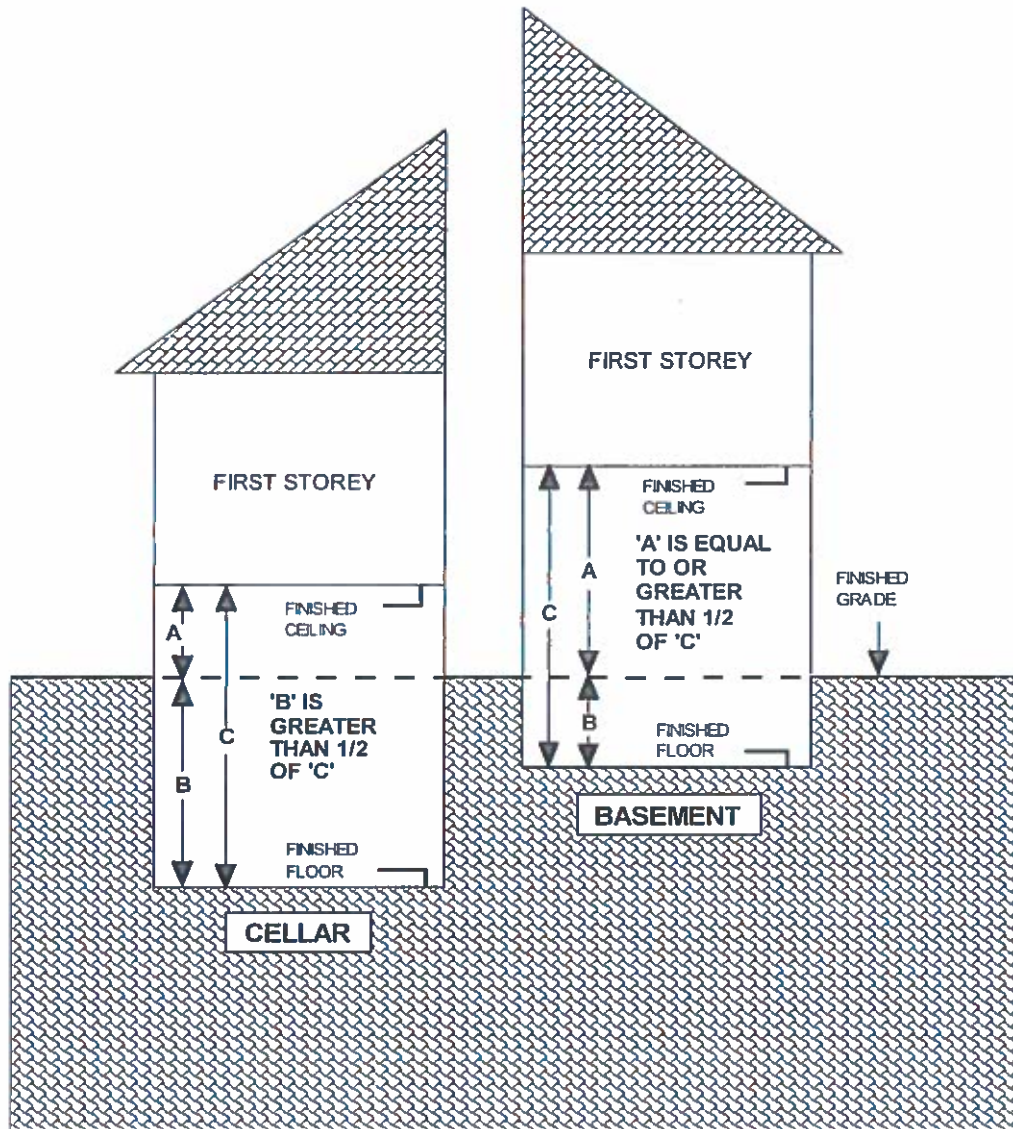
washrooms. The gasoline bar shall not be used for the sale of any product other than liquids and small accessories required for the operation of motor vehicles and shall not be used for repairs, oil changes or greasing.

- 2.25 **AUTOMOTIVE-SERVICE STATION** means a building or place where gasoline, grease, anti-freeze, tires, tubes, tire accessories, electric light bulbs, spark plugs and batteries for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries changed, or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed.
- 2.26 **AUTOMOTIVE-STORE** means an establishment primarily engaged in the retail sale of vehicle parts, accessories and tools. Accessory uses may include service bays for performing maintenance repair operations on motor vehicles.
- 2.27 **AUTOMOTIVE-VEHICLE SALES OR RENTAL ESTABLISHMENT** means an establishment having as its main use the storage of vehicles for sale or the storage of vehicles for rent or lease. Accessory uses may include facilities for the repair or maintenance of such vehicles.
- 2.28 **BAKERY** means a factory for producing, mixing, compounding or baking bread, biscuits, ice cream cones, cakes, pies, buns, or any other bakery product of which flour or meal is the principal ingredient, but does not include a restaurant or other premises where any such product is made for consumption on the premises or a bake shop.
- 2.29 **BAKE SHOP** means a retail establishment in which the manufacture of bakery goods is permitted only as an accessory use, provided the floor area of such accessory use is not greater than 200 metres squared.
- 2.30 **BANQUET HALL** means a service commercial establishment used for the purposes of catering to banquets, weddings, receptions or similar functions for which food and beverages are prepared and served on the premises, but does not include a caterer's establishment.
- 2.31 **BASEMENT** means that portion of a building between two floor levels which is partly underground but which has at least one-half of its height from finished floor to finished ceiling above adjacent finished grade as approved.
- 2.32 **BED AND BREAKFAST ESTABLISHMENT** means an owner-occupied single-detached dwelling in which there are rooms for rent as short-term accommodation, and may include the provision of meals to those persons temporarily residing at the establishment. This definition does not include any other establishment defined in this By-law.
- 2.33 **BERM** means a landscaped mound of earth.

- 2.34 **BOARDING HOUSE** means a dwelling in which the proprietor resides and supplies for gain, three or more bedrooms for boarders and may include the provision of meals. **ROOMING HOUSE** shall have a corresponding meaning.
- 2.35 **BOARDING STABLE** means a building, structure or premises used for the feeding, housing and exercising of horses for gain or profit.
- 2.36 **BOATHOUSE** means a building or structure or part thereof not over one storey in height, used for the storage of private watercraft and equipment incidental to their use, as an accessory use to a residential use, no part of which shall be used for residential or commercial purposes.
- 2.37 **BUILDING** means any structure used or designed to be used for shelter, accommodation or enclosure of persons, animals or chattels.
- 2.38 **BUILDING ENVELOPE** means the buildable area on a lot, defined by the maximum front yard depth, rear yard depth and side yard width requirements and maximum height requirements, within which a building can be erected.
- 2.39 **BUILDING LINE** means any line regulating the position of a building or structure on a lot.
- 2.40 **BUILDING SUPPLY STORE** means an establishment engaged in the selling of building supplies including lumber, mill work, siding, roofing, electrical, heating, air conditioners and similar items.
- 2.41 **BUSINESS, PROFESSIONAL OR ADMINISTRATIVE OFFICE** means any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business or brokerage, labour or fraternal organization, and shall exclude such uses as retail sale, manufacture, assembly or storage of goods, or places of assembly and amusement.
- 2.42 **BUS DEPOT** means a building or premise where commercial motor vehicles pick up and discharge fare-paying, intercity passengers. Accessory uses may include ticket offices, luggage checking facilities and similar uses.
- 2.43 **BUS TERMINAL** means a building, structure or place where buses are rented, leased, kept for hire, or stand or park for remuneration, or from which buses that are stored or parked on the property are dispatched as common carriers.
- 2.44 **CAMPING ESTABLISHMENT** means a tourist establishment consisting of at least five camping lots and comprising land used or maintained as grounds for the camping or parking of recreational vehicles and tents. **RECREATIONAL VEHICLE PARK** or **RECREATIONAL VEHICLE CAMPGROUND** shall have a corresponding meaning.



**ILLUSTRATION OF BASEMENT AND CELLAR DEFINITIONS**



Note: The above illustrations are for clarification purposes only.

- 2.45 CANNABIS PRODUCTION FACILITY means a facility used for growing, producing, testing, destroying, storing or distribution of cannabis products which occurs by authorized license from the Government of Canada.
- 2.46 CATERER'S ESTABLISHMENT means an establishment in which food and beverages are provided for consumption off the premises and are not served to customers on the premises or to take out.
- 2.47 CELLAR means the portion of a building between two floor levels, which is partly underground and which has more than one-half of its height from finished floor to finished ceiling below adjacent finished grade as approved.
- 2.48 CEMETERY means a cemetery, columbarium or mausoleum within the meaning of the Cemetery Act of Ontario.
- 2.49 CLINIC means a building or part thereof, used exclusively by physicians, dentists, their staff, and their patients for the purpose of consultation, diagnosis and office treatment. Without limiting the generality of the foregoing, a clinic may 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.
- 2.50 COLLECTOR STREET see STREET, COLLECTOR
- 2.51 COMMERCIAL means the use of land, building or structure for the purpose of buying and selling commodities and supplying of services as distinguished from such uses as manufacturing or assembling of goods, warehousing, transport terminals, construction and other similar uses.
- 2.52 COMMUNITY CENTRE means any tract of land or buildings or any part of any buildings used for community activities whether used for commercial purposes or not, and the control of which is vested in the municipality, a local board or agent thereof.
- 2.53 COMMUNITY INSTITUTION, NON-PROFIT means facilities provided by the municipality or by any other group or organization without profit or gain for such special purposes as a scout house, community meeting rooms, a community centre, a drop-in centre, an archaeological or fine arts museum, a public library etc. but does not include school facilities, public or private parks, playgrounds, arenas, stadiums, hippodromes, swimming pools, skating rinks, commercial-recreational establishments or any class of group home.
- 2.54 CONCRETE MANUFACTURING PLANT means an industrial facility used for the production of concrete for immediate use in the construction of buildings, structures, roads or driveways. This definition also means the manufacturing of finished concrete products and may include the retail sale of such products.

- 2.55 CONFERENCE CENTRE means an establishment used for the holding of conventions, seminars, workshops or similar activities, including dining and lodging facilities for the use of participants.
- 2.56 CONSERVATION PRACTICES means the proper implementation of techniques to manage, sustain or improve the components of the natural environment.
- 2.57 CONTIGUOUS means next to, abutting, touching or having a common boundary.
- 2.58 CONTRACTOR'S YARD OR SHOP shall mean an area of land or a building or structure, of a contractor of any building trade, where equipment and material are stored or where a contractor performs shop or assembly work but does not include any other yard or establishment otherwise defined or classified herein.
- 2.59 CONVENIENCE STORE means a retail commercial establishment, not exceeding 200 square metres in gross floor area, that is designed and stocked to sell primarily food, beverages, tobacco products, periodicals and household supplies to customers who purchase only a relatively few items, and which is customarily open for business during the evening or night hours.
- 2.60 COTTAGE means a building to accommodate one or more guests for temporary occupancy,
- a) that contains at least two rooms;
  - b) that is at least partially furnished; and
  - c) in which the guest may be permitted to prepare and cook food.
- 2.61 COTTAGE INDUSTRY means a use which combines, on a single lot, the principal dwelling of the owner of the lot, and a building or buildings for the carrying on of any of the following enterprises: a carpentry shop, an electrical shop, a craft shop, a welding shop, a metal working shop, a small engine repair shop, a plumbing shop, or other similar workshop, or a storage building for boats or vehicles.
- 2.62 DAIRY means a factory for the processing of raw milk into any of its various derivatives.
- 2.63 DAY CARE CENTRE means a building or part of a building licensed by the Province of Ontario for use as a facility for the day-time care of more than five children under ten years of age. DAY NURSERY shall have a corresponding meaning.
- 2.64 DECK means a structure adjacent to a dwelling with no roof or walls except for visual partitions and railings which is constructed on piers or a foundation above-grade for use as an outdoor living area.

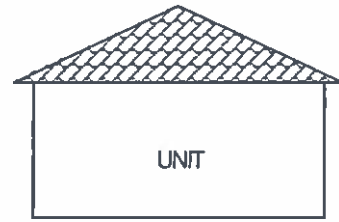
- 2.65 **DENSITY, GROSS RESIDENTIAL** means the ratio between the number of dwelling units located or proposed to be located on a lot and the area of the lot where the area to be measured includes all lands within the lot used or proposed to be used for roads or any other purpose other than an industrial use, and may be determined by dividing the lot area by the number of dwelling units.
- 2.66 **DEVELOPMENT** means the subdivision and severance of land, the erection and alteration of buildings and structures, and includes any improvement that can be made on land.
- 2.67 **DOCK** means a structure for the mooring of boats, attached to or forming part of the mainland or used in conjunction with a use on the mainland.
- 2.68 **DRIVEWAY** means a vehicle access provided between a street or lane and a parking area or a loading space, or between two parking areas, but does not include a manoeuvring aisle.
- 2.69 **DRY CLEANING PLANT** means a building where the dry cleaning of articles and fabrics is conducted using flammable or volatile solvents, and where other cleaning, pressing or dyeing activities may be performed. An outlet used solely to receive such articles or fabrics for cleaning at other premises is a service shop, not a dry cleaning plant.
- 2.70 **DRUG STORE** means a store where the primary business is the filling of medical prescriptions and the sale of drugs, medical devices and supplies and non-prescription medicines but where nonmedical products are sold as well.
- 2.71 **DWELLING, APARTMENT** means the whole of a building not otherwise defined herein, which contains four (4) or more dwelling units served by a common entrance or by an independent entrance directly from the outside in which the occupants have the right to use in common any corridors, stairs or elevators contained therein, and the yards appurtenant thereto.
- 2.72 **DWELLING, DETACHED** means a building wholly occupied by one dwelling unit that is freestanding, separate and detached from other main buildings or main structures and includes a modular home but does not include a mobile home.
- 2.73 **DWELLING, DUPLEX** means a building that is divided horizontally into two separate dwelling units each of which has an independent entrance either directly from outside or through a common vestibule.
- 2.74 **DWELLING, LIMITED SERVICE** means a detached dwelling unit that:
- a) has no frontage on a municipally maintained street, and

- b) does not receive municipal street services, such as snow clearing and road maintenance, and
  - c) has a means of access to the lot that is not part of the municipal street network.
- 2.75 DWELLING, ROW means a building wholly occupied by three or more dwelling units which are divided on the vertical plan in such a manner that there is no internal access from one to any other; and the dwelling has not been created through the alteration of a detached dwelling or a semi-detached dwelling. Each of the component dwelling units may be referred to as a ROW HOUSE. MULTIPLE ATTACHED DWELLING shall have corresponding meaning.
- 2.76 DWELLING, ROW STACKED means a residential building containing at least 3 dwelling units provided that:
- a) dwelling units shall be separated from each other vertically and horizontally
  - b) dwelling units shall be fully attached to adjoining units; and
  - c) access to all second level units shall be from an interior stairway within the building.
- 2.77 DWELLING, SEMI-DETACHED means a building wholly occupied by two dwelling units which are divided on the vertical plane in such a manner that there is no internal access from one house to the other; and the dwelling has not been created through the alteration of a detached dwelling. Each of the component dwelling units may be referred to as a SEMI-DETACHED HOUSE.
- 2.78 DWELLING, TINY HOUSE means a building wholly occupied by one dwelling unit or limited service dwelling that is freestanding, separate and detached from other main buildings or main structures that does not meet the minimum dwelling unit area requirements of the zone in which it is located but which otherwise meets all of the provisions of the Ontario Building Code
- 2.79 DWELLING, TRIPLEX means a building that is divided horizontally into three separate dwelling units each of which has an independent entrance either directly from outside or through a common vestibule
- 2.80 DWELLING, TWO UNIT (THREE UNIT OR FOUR UNIT) means a building containing two dwelling units (or three dwelling units or four dwelling units).
- 2.81 DWELLING UNIT means a suite of habitable rooms which:
- (a) is located in a building;

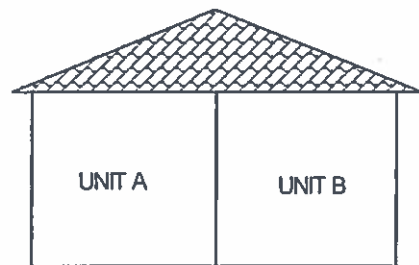
- (b) is used or intended to be used in common by one or more persons as a single, independent and separate housekeeping establishment;
  - (c) contains food preparation and sanitary facilities provided for the exclusive common use of the occupants thereof; and
  - (d) has a private entrance directly from outside the building or from a common hallway or stairway inside the building.
- 2.82 DWELLING UNIT, ACCESSORY means a dwelling unit ancillary to a permitted non-residential use.
- 2.83 DWELLING UNIT AREA means the gross floor area for one dwelling unit.
- 2.84 EATING ESTABLISHMENT means a building or part of a building where food is offered for sale or sold to the public for immediate consumption therein and includes a restaurant, café, cafeteria, ice cream parlour, tea or lunch room, dairy bar, coffee shop, snack bar, refreshment room or stand or a mobile food vehicle, but does not include a boarding house. Where the term eating establishment is used without any modifier, it is understood that drive-in, full service and take-out establishments are included.
- 2.85 EATING ESTABLISHMENT, DRIVE-IN means a premises consisting of a building or structure, together with a parking lot, from which food, refreshments, dairy products or beverages are offered for sale or sold to the public for consumption either in automobiles parked on the parking lot or for consumption elsewhere on the premises, but does not include any other use defined in this By-law.
- 2.86 EATING ESTABLISHMENT, FULL-SERVICE means a building or part thereof where food is prepared and offered for retail sale to the public for immediate consumption either on or off the premises.
- 2.87 EATING ESTABLISHMENT, TAKE-OUT means a building or structure used for the sale of food to the general public and from which food is made available to the customer from within the building. No provision is made for consumption of the food within the customer's car, within the building or elsewhere on the site.
- 2.88 ELECTRIC VEHICLE CHARGING STATION means a public or private parking space that contains a system that supplies electric energy for the charging of electric and hybrid vehicles.
- 2.89 ERECT means build, construct, reconstruct, alter, enlarge or relocate and without limiting the generality of the foregoing, shall include any preliminary physical operations such as cutting, grading, excavating, berming, piling, cribbing, filling or drainage, or any altering of any existing building by an addition, deletion, enlargement, extension or other structural change.

### ILLUSTRATION OF DWELLING TYPES

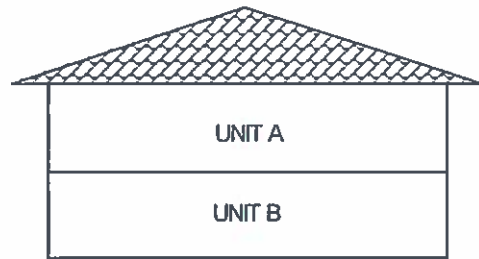
***DETACHED***



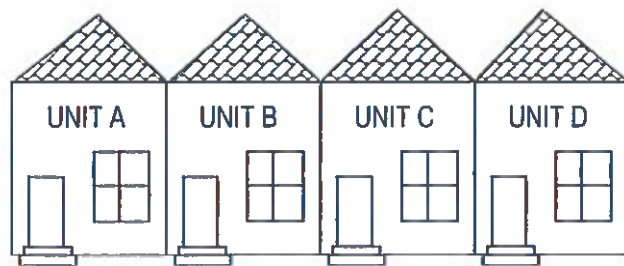
***SEMI-DETACHED***



***DUPLEX***



***ROW***



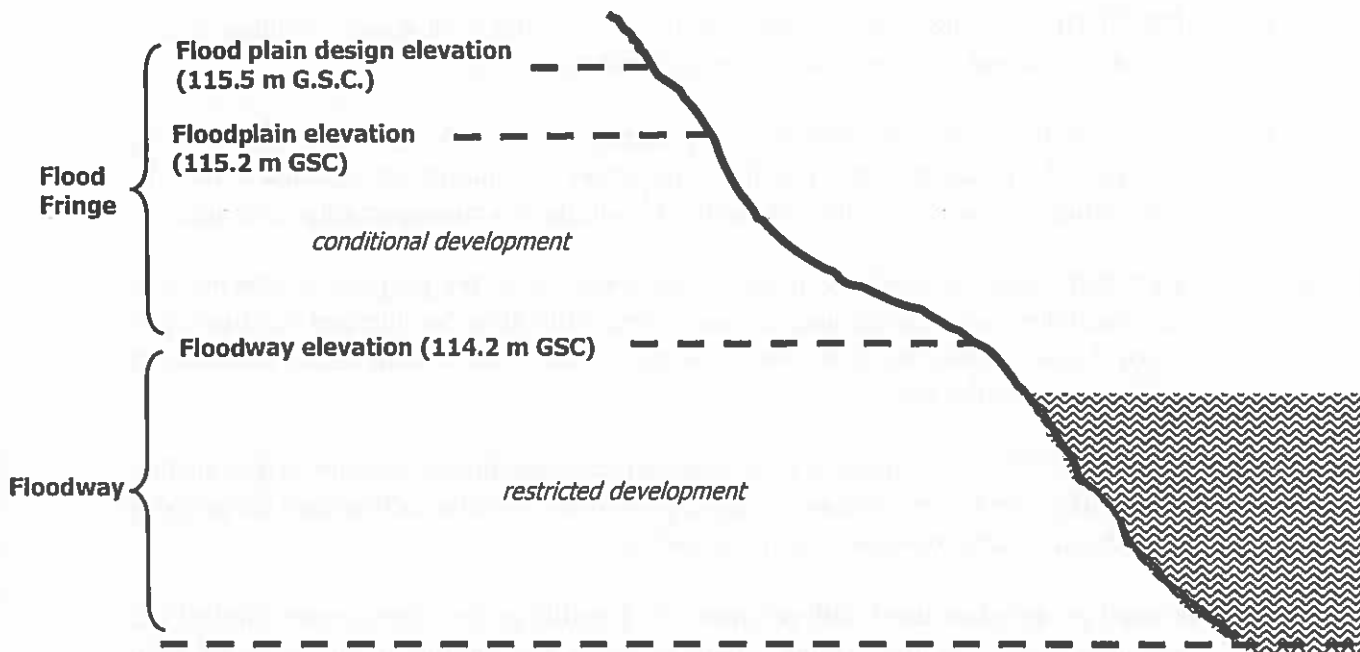
Note: The above illustrations are for clarification purposes only.

- 2.90 **ESTABLISHED BUILDING LINE** means the average distance from the street line to existing buildings on the same side of a street within 150 metres of a lot, where a minimum of 3 dwellings have been built within this area prior to the date of passing of this By-law.
- 2.91 **EXISTING** means existing as of the date of final passing of this By-law.
- 2.92 **EXTRACTIVE INDUSTRIAL FACILITY** means a building, structure or facility used for processing aggregate and includes the screening, sorting, washing, crushing, storing and other similar operations allied to an extractive industrial operation, but not including an asphalt manufacturing plant or a concrete manufacturing plant.
- 2.93 **FACTORY OUTLET** means a portion of a main building or an accessory building on an industrial lot where the products manufactured by that industry are kept and offered for wholesale or retail sale.
- 2.94 **FINANCIAL OFFICE** means the premises of a bank, trust company, finance company, mortgage company, or investment company.
- 2.95 **FLEA MARKET** means an occasional or periodic sales activity held within a building, structure or open area where groups of individual sellers offer goods, new and used, for sale to the public, not to include private garage sales
- 2.96 **FLOOD** means a temporary rise in the water level resulting in the inundation of areas that are adjacent to a water course and not ordinarily covered by water.
- 2.97 **FLOOD FRINGE** means those lands that are part of the flood plain between the floodway elevation and the flood plain design elevation.
- 2.98 **FLOOD PLAIN** means the area of land within a watershed which is subject to inundation during a flooding event. This area shall be calculated as being the area that would be flooded with an expected average frequency of once in a hundred years. Lands subject to flooding shall have a corresponding meaning. The estimated elevation is 115.2 m Geodetic Survey of Canada (G.S.C.) for the one in one hundred year flood.
- 2.99 **FLOOD PLAIN DESIGN ELEVATION** means the elevation established under this by-law below which all buildings must be floodproofed. This elevation shall be calculated based on the flood plain determined for a watershed.
- 2.100 **FLOOD PLAIN, ONE-ZONE CONCEPT** means a flood plain that is treated as one unit, and all development is prohibited or restricted.
- 2.101 **FLOOD PLAIN, TWO-ZONE CONCEPT** means a flood plain that is considered to have a less hazardous portion and is therefore treated as two units; the flood fringe where development is conditional on flood proofing; and the floodway where development is prohibited or restricted.



- 2.102 **FLOODPROOFING** means the installation of power service metering equipment, major electrical appliances, etc., such that they are not located below the flood plain design elevation but this does not prohibit the installation of electrical wall outlets equipped with ground fault plugs; the design and installation of heating, air conditioning, ventilation, plumbing, sewer and water systems which consider flood susceptibility; sanitary sewer and storm drainage systems having openings below the flood plain elevation which are provided with automatic back flow preventers; water supply systems which are designed to prevent contamination by flood waters; fuel-fired furnaces which are provided with float operated automatic control valves which shut off the fuel supply in the event of flooding; septic systems which are designed to operate during flood conditions and which prevent sewer discharges which could result in a health hazard; and no building openings below the flood plain design elevation.
- 2.103 **FLOODWAY** means the channel of a watercourse and the portion of the flood plain adjacent to the watercourse where flood depths and velocities are more severe than in the Flood Fringe. These flood depths and velocities are considered to have the potential to threaten lives and/or to damage property.
- 2.104 **FLOOR AREA GROSS** means the sum total of the horizontal area of all storeys of a building or structure exclusive of a cellar or an attic and measured between the exterior faces of exterior walls or from the centerline of a firewall separating adjoining buildings, as the case may be. Gross Floor Area for dwellings specifically excludes basement, cellars, attics, garages, breezeways, unenclosed verandahs, decks, porches, and sunrooms. Only that area of the floor having a clear height to the ceiling of at least 2.1 m may be used in the calculations.
- 2.105 **FLOOR AREA, GROSS LEASABLE** means the total floor area of a building including basements, mezzanines and upper floors, minus common areas including public walkways, malls, public toilets, truck and service facilities, joint service facilities, elevator shafts and lobbies, boiler rooms, maintenance rooms, mechanical or electrical or utility rooms and any parking for autos within the building.
- 2.106 **FLOOR AREA, NET** means only the habitable or useable floor space in a building exclusive of any foyer, hallway, stairwell, closet, washroom or toilet room and shall be measured from the inside walls.
- 2.107 **FRONTAGE** see LOT FRONTAGE.
- 2.108 **FUEL DEPOT** means the use of land, structures or buildings for the purpose of distributing fuels from a fuel storage tank on the premises.
- 2.109 **FUEL STORAGE TANK** means a tank for the bulk storage of gasoline, fuel oil, gas or flammable liquid or fluid but does not include a container for flammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use of the premises where such tank is located.

### ILLUSTRATION OF TWO-ZONE CONCEPT FLOOD PLAIN

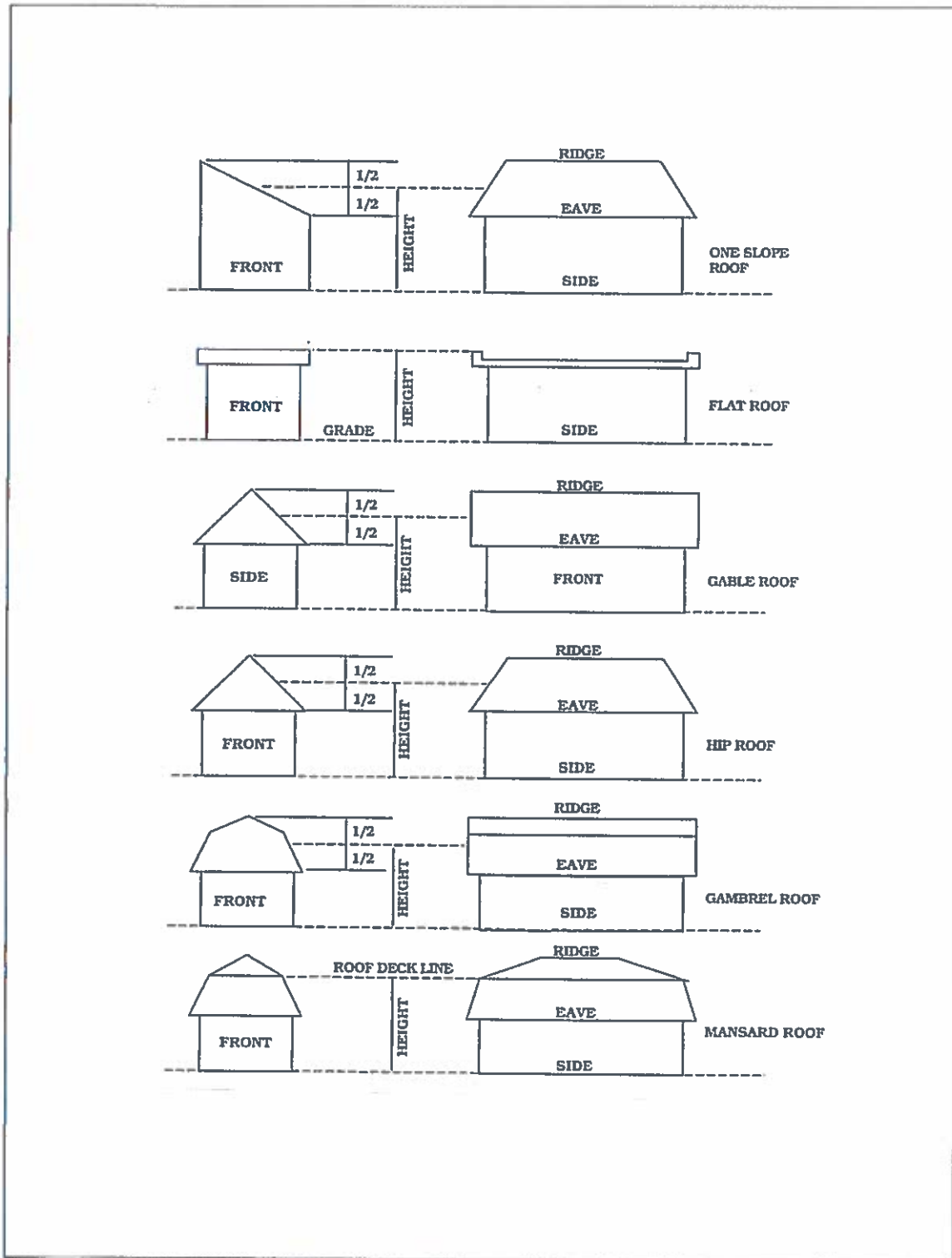


Note: The above illustration is for clarification and convenience only.

- 2.110 FUNERAL HOME means any premises where preparation of a human body for internment or cremation is undertaken.
- 2.111 GARAGE, PRIVATE means an enclosed or partially enclosed structure in which no business, occupation or service is conducted for profit, and which structure is used primarily for the storage of one or more vehicles and storage of household equipment incidental to the residential occupancy. CARPORT shall have a corresponding meaning.
- 2.112 GARAGE, PUBLIC means a government facility used for the storage and servicing of road construction and maintenance equipment and materials.
- 2.113 GARDEN CENTRE means an establishment primarily used for the retail sale of gardening equipment, products and planting materials, including greenhouses for the cultivation of such materials. NURSERY shall have a corresponding meaning.
- 2.114 GOLF COURSE means a public or private area operated for the purpose of playing golf and includes a club house and accessory recreational or commercial facilities, and a par 3 golf course, but does not include a commercial driving range, a miniature course or a similar use.
- 2.115 GOVERNMENT OFFICES means a municipal office, court house, registry office, health and welfare centre, employment office, post office, or other office uses for purpose of local or other government administration.
- 2.116 GRADE shall mean when used with reference to a building, the average elevation of the finished surface of the ground where it meets the exterior of the front of such building and when used with reference to a structure, shall mean the average elevation of the finished surface of the ground immediately surrounding such structure, exclusive in both cases of any artificial embankment, and when used with reference to a street, road or highway, means the elevation of the street, road or highway, means the elevation of the street, road or highway, established by the Town of Deep River or other designated road authority.
- 2.117 GRAVEL PIT means any open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral in order to supply material for construction, manufacturing or industrial purposes. This corresponds to a PIT as defined by the Aggregate Resources Act, R.S.O. 1989, as amended.
- 2.118 GROCERY STORE means a store in which various kinds of foodstuffs are offered or kept for retail sale, including fresh, frozen, prepared and preserved groceries, meats, poultry, fish, fruit, beverages, garden produce, dairy produce and bakery products.
- 2.119 GROUP HOME means a single housekeeping unit in a residential dwelling in which up to ten (10) persons, excluding staff or the receiving family, live as a unit under responsible supervision consistent with the requirements of its residents.

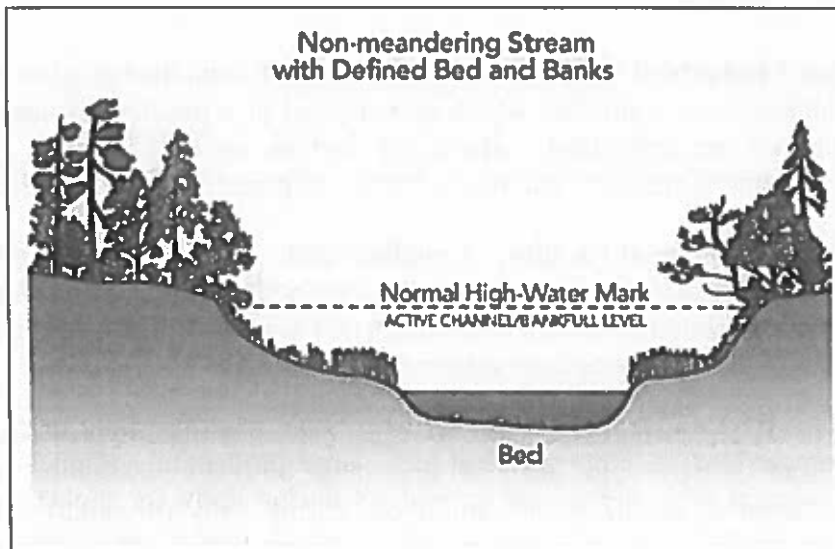
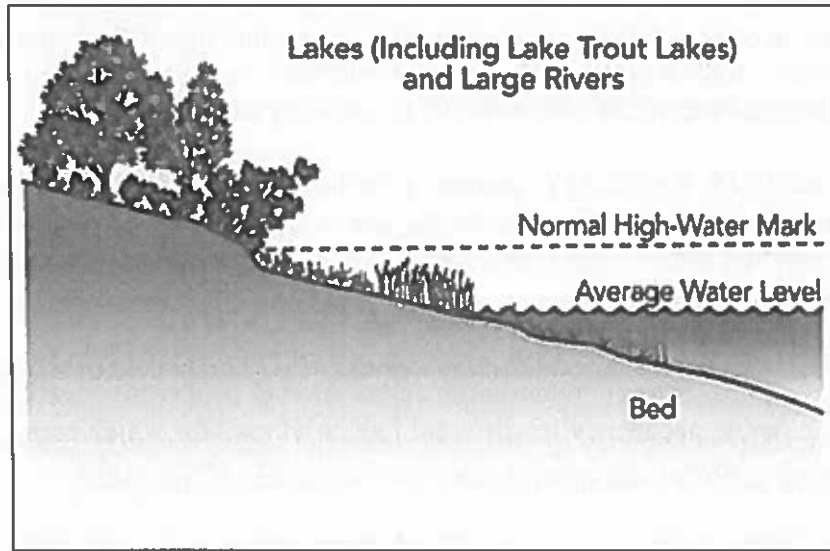
- 2.120 **GROUP HOUSING** means a multiple unit residential building or series of buildings, the owner(s) of which jointly administer and maintain all dwelling units, building services, facilities and amenities.
- 2.121 **HEIGHT** means, when used with reference to a building, the vertical distance between the average elevation of the finished surface of the ground at the front of the building and,
- (a) in the case of a flat roof, the highest point of the roof surface or the parapet, whichever is the greater;
  - (b) in the case of a mansard roof, the deck roof line;
  - (c) in the case of a gable, hip or gambrel roof, the mean height between the eaves and the ridge; and
  - (d) in the case of any other type of roof, the highest point of the roof surface.
- 2.122 **HERITAGE STOPPING PLACE** means buildings or structures and lands appurtenant, designated by Town by-law under the Heritage Conservation Act, which are maintained as a record of past human activities while being used for purposes of a dwelling unit, agricultural uses, animal husbandry and short term accommodation that could include the provision of meals.
- 2.123 **HIGH TECHNOLOGY RESEARCH FACILITY** means an establishment where research is conducted to refine or develop products and/or services for technology that involves highly advanced or specialized systems or devices.
- 2.124 **HIGH WATER MARK** means the mark made by the action of water under natural conditions on the shore or bank of water, which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark. (This may not coincide with the high water mark shown on a land survey)
- 2.125 **HOME OCCUPATION** means any occupation for gain or support, which is carried on as an accessory use within a dwelling unit by person(s) permanently residing in the dwelling unit. One employee, other than a permanent resident of the dwelling will be permitted to be employed. Such home occupation uses may include, but are not limited to a service or repair shop; a personal service shop; the office or consulting room of a doctor, dentist, chiropractor, drug-less practitioner, lawyer, real estate agent, insurance agent, caterer, engineer, planner, architect, photographer; an art, dance, music instructor or teacher limited to five pupils at any one time; but does not include a clinic, a hospital, a nursing home, a tea room, kennel, a taxi business or a small internal combustion engine repair shop. It also does not include a tradesman or contractor whose enterprises would include those listed in the cottage industry definition.

### ILLUSTRATION FOR HEIGHT DEFINITIONS



Note: The above illustrations are for clarification purposes only.

### ILLUSTRATION FOR HIGH WATER MARK



Note: The above illustrations are for clarification purposes only.

- 2.126 HOSPITAL means a hospital as defined under in the Private Hospitals Act, 1980, a sanitarium as defined by the private Sanitarium Act, 1980 or a hospital as defined by the Public Hospital Act 1970.
- 2.127 HOTEL means a commercial establishment that consists of one building containing five or more accommodation units accessible from the interior, or partially from the exterior. Indoor sports facilities, personal service shops, convenience stores, and eating establishments are permitted as ancillary uses.
- 2.128 INDOOR SPORTS FACILITY means a building in which game courts, exercise equipment, locker rooms, jacuzzies, saunas and similar facilities are provided for recreational athletic activities, and in which accessory uses would include a pro shop and a lounge.
- 2.129 INDUSTRIAL MALL means a building or group of buildings held in single ownership or by participants in a condominium corporation or cooperative and divided into units for separate occupancy by different industrial uses for which common loading and parking facilities and other common services may be provided.
- 2.130 INDUSTRY, INDUSTRIAL LAND USE OR INDUSTRIAL FACILITY means a facility or activity relating to: the assemblage and/or storage of substances/goods/raw materials; their processing and/or manufacturing; and/or the packaging and shipping of finished products. Industrial facilities are further defined as being either Class I, II or III.
- Class I Industrial Facility:** A small scale, self-contained plant or building which produces/stores a product which is contained in a package. Noise, odour or dust emissions are infrequent. There are daytime operations only, with infrequent movements of products and heavy trucks. Outside storage is not permitted.
- Class II Industrial Facility:** A medium scale processing or manufacturing plant. Noise, odour or dust emissions occur periodically. Shift operations may occur and there is frequent movement of products and/or heavy trucks during daytime hours. Outside storage of wastes or materials is permitted.
- Class III Industrial Facility:** A large scale manufacturing or processing plant, characterized by large physical size, large production volumes and continuous movement of products and employees during daily (or night) shift operations. There are frequent emissions of noise, odour, dust or other nuisances. Outside storage of raw and finished products, or wastes is permitted.
- 2.131 INNOVATION CENTRE means an organization that provides services for entrepreneurs in the science and technology field to start and grow companies and ideas.
- 2.132 INSTITUTIONAL USE means the use of buildings or structures for a public or non-profit purpose and without limiting the generality of the foregoing, may include such uses as schools, places of worship, recreation facilities, community centres, hospitals,

and government buildings.

- 2.133 KENNEL means land, buildings or structures in which the commercial business of breeding, buying, selling or boarding of dogs or cats is carried on.
- 2.134 LANDFILLING SITE means a site for the disposal of waste by deposit, under controlled conditions, and includes the compaction of the waste into a cell and covering the waste with cover materials at regular intervals.
- 2.135 LANDSCAPED OPEN SPACE means open space comprised of lawn and/or ornamental shrubs, flowers and trees and may include space occupied by paths, walks, courts and patios, but shall not include parking areas, traffic aisles, driveways, ramps or storage of equipment, vehicles or other materials.
- 2.136 LANE means a public thoroughfare which affords only a secondary means of access to abutting lots and which is not intended for general traffic circulation.
- 2.137 LAUNDROMAT means a building or part of a building where driers and washing machines using only water, detergents and additives are made available to the public for laundry cleaning, and where the ironing and finishing of such goods are conducted.
- 2.138 LICENSED ESTABLISHMENT means an eating establishment, hotel, place of entertainment, private club, banquet hall, assembly hall or similar use that is licenced to sell liquor for consumption on the premises. This does not apply to other premises for which special occasion liquor permits are issued.
- 2.139 LIVESTOCK means chickens, horses, turkeys, cattle, hogs, mink, rabbits, sheep, goats, as well as any other animal or fowl used in the production of food, fur or similar products.
- 2.140 LOADING SPACE means space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles to be used, and accessible to such vehicles when required off-street parking spaces are filled.
- 2.141 LONG TERM CARE FACILITY means an institution or a distinct part of an institution which is licensed or approved to provide health care under medical supervision for twenty-four or more consecutive hours to two or more patients who are not related to the governing authority or its members by marriage, blood or adoption.
- 2.142 LOT means a parcel or tract of land:
- (a) that is a whole lot as shown on a Registered Plan of Subdivision, unless such plan has been deemed by By-law not to be a Registered Plan of Subdivision pursuant to the Planning Act;
  - (b) that has been created by severance, consent to which has been given under the Planning Act; or



- (c) that is a separate parcel of land not covered by a) or b) and which is capable of being conveyed legally.

- 2.143 LOT AREA means the total horizontal area within the lot lines of a lot. In the case of a corner lot having street lines rounding at the corner with a radius of six (6) metres, or less, the lot area of such land shall be calculated as if the lot lines were extended to their point of intersection.
- 2.144 LOT, CORNER means a lot situated at the intersection of two or more streets having an angle of not more than 135 degrees.
- 2.145 LOT COVERAGE means the percentage of the lot area covered by all buildings on the lot.
- 2.146 LOT DEPTH means the shortest horizontal distance from the centre of the rear lot line to the nearest point on the front lot line.
- 2.147 LOT FRONTAGE means the horizontal distance between the side lot lines measured along a line parallel to and 6 m from the front lot line, except that if the front lot line is curved the distance shall be measured along a line on which any point is 6 m from the nearest point on the front lot line.
- 2.148 LOT, INTERIOR means a lot other than a corner lot.
- 2.149 LOT LINE means any boundary of a lot or a vertical projection thereof.
- 2.150 LOT LINE, FRONT means, in the case of an interior lot, the line dividing the lot from the street. In the case of a corner lot, the shorter lot line shall be the front of the said lot, except in the case of the following corner lots, which shall be deemed to front on the streets indicated in the following:

<u>Lot No.</u>	<u>Registered Plan No.</u>	<u>Street on Which the Lot is Deemed to Front</u>
18	280	Hillcrest Avenue
19	280	Hillcrest Avenue
77	282	Parkdale Avenue
81	282	Parkdale Avenue
82	282	Hillcrest Avenue
86	282	Hillcrest Avenue
116	283	Glendale Avenue
137	284	Parkdale Avenue
195	285	Beach Avenue
191	285	Beach Avenue
196	285	Spring Avenue
278	287	Troyes Street
265	287	Troyes Street
258	287	Troyes Street

In all other cases, including approved lots abutting a private road, the lot line where the principal access is approved shall be deemed to be the front lot line.

- 2.151 LOT LINE, REAR means the lot line opposite the front lot line, except that, when a lot does not have a rear lot line, the intersection point of two lot lines that is farthest from the front lot line shall be taken as the rear lot line for determining the rear yard, the rear yard depth and the lot depth.
- 2.152 LOT LINE, SIDE means a lot line other than a front or rear lot line.
- 2.153 LOT, THROUGH means a lot bounded on two opposite sides by a street. If any lot qualifies as being both a "Lot, Corner" and a "Lot, Through" as hereinbefore defined, such lot shall be deemed a "Lot, Corner" for the purpose of this By-law.
- 2.154 LOT WIDTH means the average horizontal distance between the side lot lines.
- 2.155 MAIN BUILDING means the building designed or used for the principal use on the lot.
- 2.156 MAIN WALL means the exterior front, side, or rear wall of a building, and all structural members essential to the support of a fully enclosed space or roof.
- 2.157 MANEUVERING AISLE means a manoeuvring space which serves two or more parking spaces, such as the area between two rows of parking spaces.
- 2.158 MARINA means a building, structure or place, containing docking facilities and located on a waterbody, where boats and boat accessories are berthed, stored, serviced, repaired or kept for sale or rent and where facilities for the sale of marine fuels and lubricants may be provided.
- 2.159 MINIATURE GOLF COURSE means an area of land or a building, structure or premises or part thereof operated for profit or gain as a commercial place of amusement in which facilities are provided to simulate the game of golf or any aspect of the game on a small scale, but does not include a golf ball driving range.
- 2.160 MINI STORAGE ESTABLISHMENT means one or more than one building containing separate spaces of varying sizes that are offered by lease or rent to persons for the storage of chattels. Self-service storage building shall have a corresponding meaning.
- 2.161 MIXED COMMERCIAL-RESIDENTIAL DEVELOPMENT means a development project containing both commercial and residential floor space conceived and designed as a single environment in which both commercial and residential amenities are provided.
- 2.162 MOBILE HOME means a factory-built, detached structural unit designed to be and capable of being transported after fabrication, on its own chassis and wheel system, to a lot and which is suitable for year-round occupancy in similar fashion as a dwelling

unit, except for minor and incidental unpacking and assembly operations, placement on defined supporting structures and connections to utilities.

- 2.163 **MOBILE HOME PARK** means a lot containing two or more mobile home sites and which is under single management and ownership, used for the siting of mobile homes together with commercial-recreational and service uses for Mobile Home Park residents, including any building, structure or enclosure forming a part of such a mobile home park.
- 2.164 **MOBILE HOME SITE** means a parcel of land within mobile home park occupied by or intended for occupancy by one mobile home together with all yards and open space required by this By-law.
- 2.165 **MODULAR HOME** means a dwelling unit constructed in accordance with the standards set forth in the Building Code applicable to site-built homes and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. Among other possibilities, a modular home may consist of two sections transported to the site or a series of panels or room sections transported on a truck and erected or joined together on the site.
- 2.166 **MOTEL** means a commercial establishment that consists of one or more buildings containing five or more attached accommodation units accessible from the exterior only and that may have facilities for serving meals.
- 2.167 **MUNICIPAL PIPED SERVICES** means storm sewers, sanitary sewers or water distribution systems.
- 2.168 **MUSEUM OR INTERPRETIVE CENTRE** means a building or buildings used, or to be used, for the preservation of a collection of paintings and/or other works of art, and/or of objects of natural history, and/or of mechanical, scientific and/or philosophical inventions, instruments, models and/or designs and dedicated or to be dedicated to the recreation of the public, together with any libraries, reading rooms, laboratories and/or other offices and premises used or to be used in connection therewith.
- 2.169 **MUTUAL DRIVEWAY** means an ingress and egress that is common to two or more owners of abutting lands as a right-of-way registered against the title of the lands.
- 2.170 **NATURAL AREA** means an undeveloped, open space area which has severe physical limitations for development because of characteristics such as steep slopes, susceptibility to flooding and erosion or organic soils; and/or which forms a unique natural feature such as a rare forest stand, fish and wildlife habitat or highly scenic landscape that should be preserved in the public interest.

- 2.171 NON-COMPLYING means, when applied to a lot, building or structure, that it does not fulfil the standards for the zone in which it is located.<sup>1</sup>
- 2.172 NON-CONFORMING means, when applied to any use, that the use is not permitted under this By-law for the zone in which the use is located.<sup>1</sup>
- 2.173 NOXIOUS means any activity that may,
- a) cause the emission of destructive gases or fumes, dust, objectionable odour, noise or vibration; or
  - b) produce any unsightly storage of goods, wares, merchandise, salvage, machinery parts, junk, waste or other materials; or
  - c) create a condition that may become hazardous or injurious to health and safety; or
  - d) prejudice the character of the surrounding area or interfere with the normal enjoyment of any land or building.
- 2.174 NURSING HOME means a nursing home as defined under the Nursing Home Act, as amended from time to time.
- 2.175 OFF-ROAD VEHICLE means a vehicle that is capable of being propelled or driven otherwise than by muscular power or wind and shall include all-terrain vehicles, utility terrain vehicles, and other vehicles prescribed under the Off-Road Vehicles Act, R.S.O, 1990.c.O.4, as amended.
- 2.176 OPEN STORAGE means the storage of goods, merchandise or equipment in the open air and in unenclosed portions of buildings which are open to air on the side.
- 2.177 PARK means an area permanently devoted to recreational uses and generally characterized by its natural, historic or landscaped features, and used for both passive and active forms of recreation.
- 2.178 PARKING AREA means an area provided for the parking of motor vehicles and encompassing parking spaces, driveways, manoeuvring aisles, entrances and exits, but shall not include any part of a street or private road.
- 2.179 PARKING LOT means a commercial parking area forming the principal use of a lot.
- 2.180 PARKING SPACE means an area of not less than 16.2 square metres, exclusive of

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<sup>1</sup> NOTE: In this By-law, the word "non-complying" is used exclusively to refer to physical features such as lots or buildings and their relationship to the applicable standards; the word "non-conforming" is used exclusively in relation to uses.

driveways or aisles, for the temporary parking or storage of motor vehicles.

- 2.181 **PARKING SPACE, BARRIER-FREE** means an area of not less than 22.2 square metres, exclusive of driveways or aisles, for the temporary parking or storage of motor vehicles for persons with physical disabilities.
- 2.182 **PARKING SPACES, TANDEM** means one parking space located immediately behind another parking space such that the means of egress or ingress for the rear space is through the front parking space.
- 2.183 **PEDESTRIAN WALKWAY** means an allowance other than a sidewalk designed exclusively for pedestrians and shall include nature trails and paths.
- 2.184 **PERMITTED** means permitted by this By-law.
- 2.185 **PERSON** means any human being, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executor or other legal representatives of a person to whom the context can apply according to law.
- 2.186 **PLACE OF ENTERTAINMENT** means an athletic, recreational or social club operated for gain or profit as well as a motion picture or other theatre, auditorium, billiard or pool room, bowling alley, ice or roller rink, curling rink, or dance hall, but does not include any place of entertainment or recreation otherwise defined or classified in this By-law.
- 2.187 **PLACE OF WORSHIP** means a building, structure or open space where congregations gather to perform religious acts.
- 2.188 **PORTABLE GARAGE** means a supporting metal or wood framework with a fabric cover made of canvas, nylon, clear plastic or similar material for the storage of one or more vehicles and storage of household equipment incidental to the residential occupancy.
- 2.189 **PRINTING ESTABLISHMENT** shall mean a building or part of a building in which a business is operated involving the duplicating, photographing, engraving, and reproduction of paper and stationary supplies by mechanical means for sale.
- 2.190 **PRIVATE CLUB** means 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 but shall not include an adult entertainment establishment or body rub parlour.
- 2.191 **PRIVATE ROAD** means a registered right-of-way not dedicated and accepted as, or otherwise deemed at law to be a public highway, that serves as a privately maintained motor vehicle access-route to one or more abutting, legally conveyable parcels of land.

- 2.192 **PROFESSIONAL OFFICE** means any office where professionally qualified persons, technical assistants and clerical staff are employed and where clients or patients seek advice, consultation, or treatment. Notwithstanding the foregoing, said office shall not be a hospital or any other use defined herein.
- 2.193 **PUBLIC AUTHORITY** means the Council, Renfrew County and any School Board, Public Utility Commission, Transportation Commission, Public Library Board, Board of Parks Management, Board of Health, Planning Committee or other board or commission or committee of the Town established or exercising any power or authority under any general or special statutes of Ontario with respect to any of the affairs or purposes of the Town or a portion thereof, and includes any committee or local authority established by By-law of the Town.
- 2.194 **PUBLIC BUILDING** means any building or structure owned or leased by the Town, the County of Renfrew, Province of Ontario or the Government of Canada and in which government activities are carried out.
- 2.195 **PUBLIC UTILITY** means 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 or a telephone system, and includes any lands, buildings or equipment required for the administration or operation of any such system.
- 2.196 **PUBLIC UTILITY BUILDING** means a building used in conjunction with the supply of local utility services including a water or sewage pumping station, a water storage reservoir, a gas regulator building, a hydro substation, a telephone building for exchange, long distance or repeater services.
- 2.197 **QUARRY** means an open excavation made for the removal of any consolidated rock or mineral including limestone, sandstone or shale, in order to supply material for construction, industrial or manufacturing purposes, but shall not include any excavation incidental to the erection of a building or structure for which a building permit has been granted by the Town or an excavation incidental to the construction of any public works.
- 2.198 **RECREATION, ACTIVE** means the use of land, water or buildings for the purpose of organized recreational pursuits that are typically performed with others, and that require equipment, facilities, specialized sites or significant alterations to the natural environment and shall include an arena.
- 2.199 **RECREATION FACILITY** means a place designed and equipped for the conduct of sports, leisure time activities and other customary and usual recreational activities.
- 2.200 **RECREATION, PASSIVE** means the use of land or water for the purpose of any recreational pursuit that is not considered active, and which generally does not consume resources or degrade the natural environment.

- 2.201 RECREATIONAL VEHICLE means a structure or vehicle designed, intended and used as accommodation exclusively for travel, recreation and vacation and which is either capable of being drawn by a passenger vehicle or is self-propelled and shall include travel trailers, tent trailers, vans, motor homes, and similar transportable accommodation excepting a mobile home.
- 2.202 RENOVATION means the repair and restoration of a building to good condition but shall not include its replacement.
- 2.203 REQUIRED means required by this By-law.
- 2.204 RESORT means a commercial establishment catering to the vacationing public, designed as a destination-oriented operation and/or being within an area recognized as a destination for vacations, and providing meals and sleeping accommodations that may consist of lodge houses, guest rooms or cottages, but shall not include any other use defined herein.
- 2.205 RESTAURANT see EATING ESTABLISHMENT.
- 2.206 RETAIL STORE means a building or part of a building in which goods, wares, merchandise, substance, articles or things are offered for sale at retail, but does not include any establishment otherwise defined herein or specifically named elsewhere in this By-law.
- 2.207 RETIREMENT HOME shall mean a building or structure providing accommodation primarily for retired persons, with or without meals, each with their own private or semi-private room, where common lounges, recreation rooms, eating and medical care facilities may be provided, and which building or structure is maintained by a staff and in which residents are ambulatory and do not require on-going bed care, although some minor nursing, medical, or similar care may be provided, but shall not include a nursing home, hotel, motel or hospital.
- 2.208 RIDING STABLES means an establishment where horses are kept and where, for a fee, horses are hired out to the general public for riding.
- 2.209 RIGHT-OF-WAY means an area of land that is legally described in a registered deed for the provision of private access.
- 2.210 ROAD see STREET.
- 2.211 ROOM, HABITABLE means a room which:
- (a) is located within a dwelling unit:
  - (b) is designed for living, sleeping or eating or for sanitary purposes; and
  - (c) is not located within a cellar.

- 2.212 ROOM, NON-HABITABLE means any room located within a dwelling unit that is not a habitable room, including, but not so as to limit the generality of the foregoing, a laundry room, a pantry, a lobby, a stairway, a closet, a veranda, a recreation room, a porch, a balcony, a private garage, an unfinished attic, a cellar, a boiler room and any space used for the service and maintenance of such dwelling or for vertical travel between storeys.
- 2.213 SALVAGE SHOP means the dismantling or refurbishing of small quantities of goods, machinery or articles, and the resale of the materials so produced, conducted entirely within a building or structure and not involving any storage outside such building or structure.
- 2.214 SALVAGE YARD includes a lot and/or premises for the storage and/or handling and/or sale of scrap or used materials, which without limiting the generality of the foregoing, shall include waste paper, rags, wood, bottles, bicycles, vehicles, tires, metal and/or other scrap material and salvage includes a junk yard, scrap metal yard and an automotive wrecking establishment (as defined in this By-law), including ancillary automotive sales and service establishment and premises.
- 2.215 SAWMILL means a building, structure or area where timber is stored and cut to rough or finished lumber.
- 2.216 SCHOOL means a place of primary, elementary or secondary education or a place where an employer provides job-related classroom training or instruction to its employees
- 2.217 SCIENTIFIC RESEARCH ESTABLISHMENT means a building or part of a building used for scientific testing, experimentation and/or research, but does not include a clinic or an animal hospital. These establishments are further defined as being either Class I or II.
- Class I Research Establishment:** A small scale, self-contained building or facility. Noise or odour emissions are infrequent, and there is no outside storage. There are daytime operations only, with infrequent movements of delivery trucks.
- Class II Research Establishment:** A medium or large scale establishment. Noise odour or dust emissions occur routinely, and there may be outside storage of wastes or materials. Shift operations may occur and there is regular movement of products and employees, not necessarily restricted to daytime hours.
- 2.218 SCREENING means a continuous fence, wall, compact evergreen hedge or combination thereof, supplemented with landscape planting, that would effectively block the viewing of the property which it encloses, and is broken only by access drives and walks.



- 2.219 SEACAN, SHIPPING CONTAINER, STORAGE CONTAINER, AND STORAGE TRAILER means any unlicensed trailer, whether or not the same is mounted on wheels; mobile storage trailers, storage structures or cargo boxes designed or once serving as commercial shipping or cargo containers; truck trailers or boxes; or the parking of tractor-trailers or separate tractors or cargo boxes, but not including an eating establishment. For the purposes of this definition, unlicensed trailer means a trailer which does not have a valid permit under the Highway Traffic Act, R.S.O. 1990, c. H.8., as amended.
- 2.220 SECONDARY DWELLING UNIT means a self-contained residential unit with kitchen and bathroom facilities within dwellings or within structures accessory to dwellings such as above laneway garages. Accessory APARTMENTS or basement apartments or secondary suites or in-law flats shall have corresponding meaning.
- 2.221 SENIOR CITIZEN'S HOME means any home for senior citizens sponsored and administered by any public agency or any service club, church or other profit or non-profit organization, which obtains its financing from Federal, Provincial or Municipal Governments or agencies, or by public subscription, donation or residents payments, or by any combination thereof, and such home shall include auxiliary uses such as club, kitchen, dining and/or lounge facilities, usually associated with Senior Citizens development.
- 2.222 SENSITIVE LAND USES means buildings, amenity areas or outdoor space where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated nearby. Sensitive land uses include, but are not limited to, dwellings, daycare centres, schools and hospitals.
- 2.223 SEPARATION DISTANCE means the horizontal distance between buildings or structures or physical features or boundaries measured from the closest point of the exterior wall of such building or structure, or of such physical feature or boundary.
- 2.224 SEPTAGE means untreated sanitary waste from a septic tank, privy or holding tank; and corresponds to Hauled Sewage as defined under the Environmental Protection Act.
- 2.225 SERVICE SHOP, GENERAL means a building or part of a building used for the servicing or repairing of articles, goods or materials, and in which no product is manufactured and includes radio, television and appliance repair shops, but does not include any automotive uses as defined by this By-law.
- 2.226 SERVICE SHOP, PERSONAL means a building or part thereof in which services are provided and administered to the individual and personal needs of persons, and without limiting the generality of the foregoing, includes barber shops, hairdressing establishments, workrooms for shoe repair and shoe shining shops, tailor shops, and photographic studios.

- 2.227 SETBACK means, with reference to a road, the distance between the centre line of a street allowance and the nearest building line; and, with reference to a water body, the distance between the high-water mark line and the nearest building line.
- 2.228 SEWAGE SLUDGE means waste from a sewage treatment plant that is predominantly organic in composition and that has been treated by aerobic or anaerobic digestion or other means.
- 2.229 SHOPPING CENTRE means a building or group of buildings on the same lot, containing three or more permitted commercial uses, developed and managed as a unit by a single owner or tenant or group of owners or tenants, in which,
- a) Any one use contains more than 600 m<sup>2</sup>, or
  - b) The average size of all the uses exceeds 300 m<sup>2</sup>, or
  - c) Three or more of the uses are retail stores, or
  - d) Public access to the uses is by means of an enclosed common mall area.
- 2.230 SHORELINE RESERVE means an allowance for road along the bank or on the shore of the Ottawa River reserved in the original survey.
- 2.231 SILVICULTURE means a practice which includes the establishment, maintenance and reproduction of tree stands for various forest uses including, but not limited to, timber production, recreation and wildlife habitat.
- 2.232 SITE PLAN means a scale drawing showing the relationship between the lot lines and their uses, buildings or structures, existing or proposed on a lot, including such details as parking areas, access points, landscaped areas, building areas, setbacks from lot lines, building heights, floor areas, densities, septic tank tile fields, utility lines and currents, or a special or particular use.
- 2.233 SKI AREA means land used for snow skiing or snowboarding and may include lifts, tows, maintenance shops, snow equipment sales shops, dining rooms, beverage rooms and other accessory uses.
- 2.234 SMALL MODULAR REACTOR means a nuclear reactor regulated by the Canadian Nuclear Safety Commission that generates greater than 15 megawatt electric (MWe) (or equivalent megawatt thermal (MWt)) per facility, but less than 300 megawatt electric (or equivalent megawatt thermal (MWt)) for the purpose of supplying heat and/or electrical power and/or heat generation.
- 2.235 SMALL MODULAR REACTOR, VERY means a nuclear reactor regulated by the Canadian Nuclear Safety Commission that generates not greater than 15 megawatts electric (MWe) (or equivalent megawatt thermal (MWt)) per facility, for the purpose of supplying heat and/or electrical power and/or heat generation.

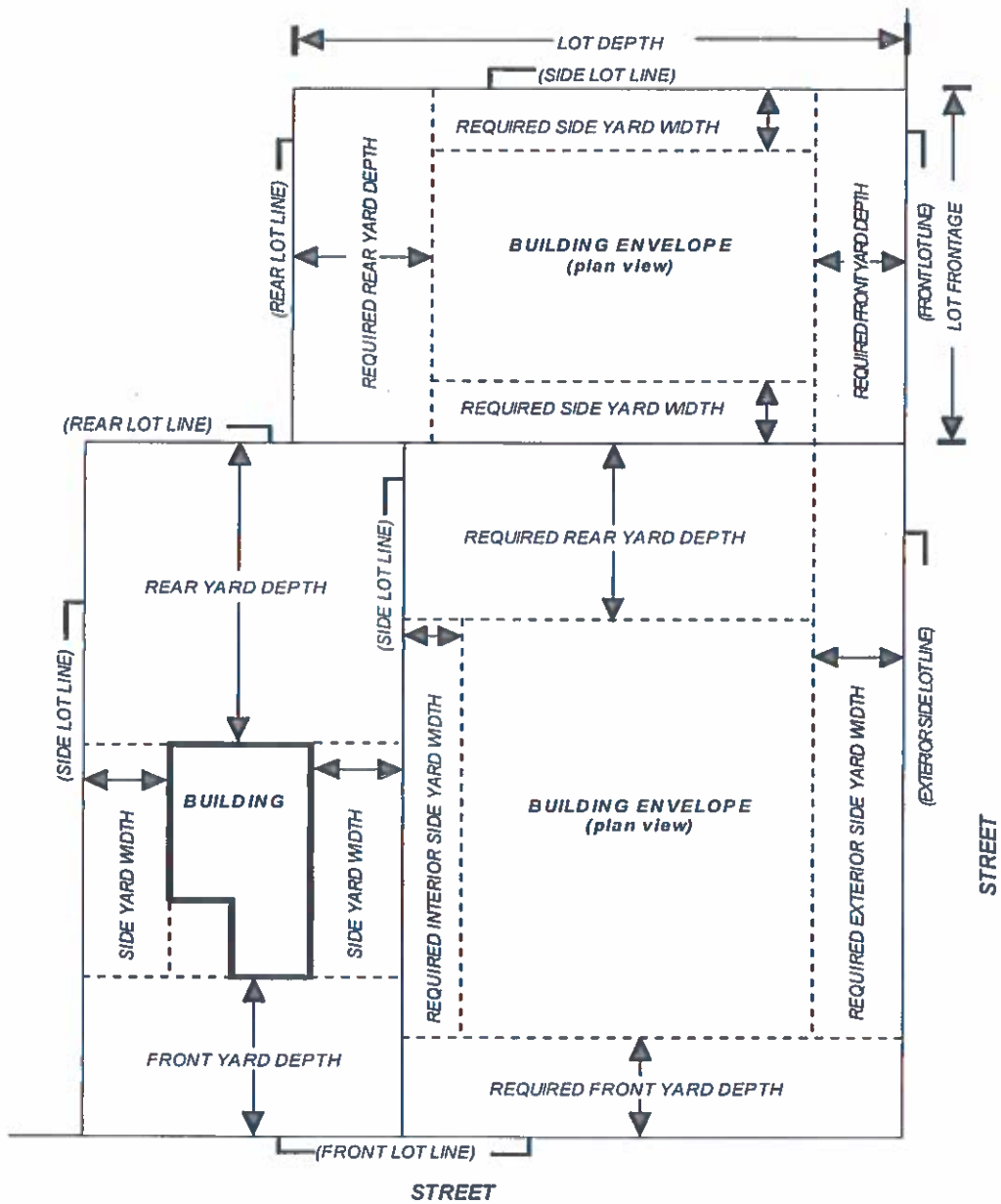
- 2.236 **SPECIAL EVENT** means an event, the duration of which is temporary in nature and which is limited to one or more of the following uses: an exhibition, a fair, a carnival, a regatta, a religious or music festival, or a recreational competition. For the purposes of this definition "temporary" shall mean that "the combined total duration of all Special Events held on one property shall not exceed seven days in a calendar year except in the case of tractor pull, snowmobile race, motorcycle motocross event, music festival or other Special Event capable of producing excessive noise levels, in which case only one of such events may be held and for a duration of no longer than three days on one property in a calendar year."
- 2.237 **STREET** means a public highway or public road which affords the principal means of access to abutting lots, and does not include a lane or private right-of-way or unopened road allowance.
- 2.238 **STREET ALLOWANCE** means land held under public ownership for the purpose of providing a street.
- 2.239 **STREET COLLECTOR** means a street identified as such on Schedule A to this By-law, to which accesses are partially controlled to facilitate the movement of traffic.
- 2.240 **STREET LINE** means the limit of the road or street allowance and is the dividing line between a lot and a street or a private road.
- 2.241 **STRUCTURE** means anything constructed or erected, the use of which requires location on or in the ground or attached to something having location on or in the ground.
- 2.242 **SUPERMARKET** means a store in which various kinds of foodstuffs are offered or kept for retail sale, including fresh, frozen, prepared and preserved groceries, meats, poultry, fish, fruit, beverages, garden produce, dairy produce and bakery products. Additionally, other goods or merchandise, including hardware, patent medicines, toilet preparations, personal hygiene products, household supplies and magazines, may be kept for retail sale.
- 2.243 **TEA ROOM** means a type of full-service eating establishment in which:
- a) alcoholic beverages are not provided, sold, or consumed; and
  - b) which is not licensed for the sale or consumption of alcoholic beverages.
- 2.244 **TOT LOT** means a vacant lot with recreational structures for children, including, but not limited to, swings, slides, climbing structures and splash pads.
- 2.245 **TOURIST ESTABLISHMENT** means a commercial building, structure or area of land designed for the accommodation of travelling or vacationing public.
- 2.246 **TOWN** means the Corporation of the Town of Deep River, or land included within the Town of Deep River as appropriate.

- 2.247 TRAILER means any vehicle so constructed as to be suitable for attachment to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, except a mobile home or farm implement.
- 2.248 TRAILER, TENT OR TRAVEL means any trailer capable of being used for the temporary living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked up or that its running gear is removed.
- 2.249 TRAILER PARK see CAMPGROUND.
- 2.250 TRANSFER STATION means a waste disposal site used for the purpose of transferring waste from one vehicle to another for transportation to another waste disposal site.
- 2.251 TRANSMITTER TOWER means a structure for the broadcasting, repeating or relaying of radio waves, microwaves and other electromagnetic waves or transmissions over long distances.
- 2.252 TRAVEL CENTRE means a facility operated by the Town, by a tourist or travel association, by Ontario or by Canada which provides literature and counselling pertaining to vacations, travel and cultural or recreational pursuits.
- 2.253 TRUCK TERMINAL means a building, structure or place where trucks or transports are rented, leased, kept for hire, or stand or park for remuneration, or from which trucks or transports, stored or parked on the property, are dispatched for hire as common carriers or which is a bonded warehouse
- 2.254 USE means the purpose or activity for which any land, building, structure or premises, or part thereof, is arranged, designed, intended, occupied or maintained.
- 2.255 VEHICLE, MOTOR means a passenger automobile or other motor vehicle, a boat, a farm implement, a commercial motor vehicle, a recreational vehicle, a snowmobile, a trailer and any other device that is capable of being propelled or driven by any kind of power but not any other device powered solely by human effort except a boat.
- 2.256 WAREHOUSE means a building or part of a building used primarily for the operation of general merchandise warehousing, cold storage and other storage facilities and also includes a centre for the distribution of wholesale goods and commodities for resale to retailers; to industrial, commercial, institutional, or professional users; to the wholesalers.
- 2.257 WASTE DISPOSAL SITE means any land approved by the Ministry of the Environment upon, into or in which waste may be deposited or processed. A Waste Disposal site may be further classified according to the type of waste and/or the treatment of the waste, for example see Landfilling Site, Transfer Station.

- 2.258 **WASTE DISPOSAL SITE - COMPOSTING** means a Waste Disposal Site approved for the treatment of waste by aerobic decomposition of organic matter by bacterial action for the production of stabilized humus.
- 2.259 **WASTE DISPOSAL SITE - PROCESSING** means a lot and premises approved by the Ministry of the Environment and Energy for that purpose where scrap or used materials are handled, dismantled, refurbished or temporarily stored for the purposes of resale or further disposal, and scrap or use materials shall include waste paper, rags, wood, bottles, metal, bicycles, vehicles and tires.
- 2.260 **WASTE HAZARDOUS** means hazardous waste as defined by Regulation 309, R.R.O. as amended, under the Environmental Protection Act.
- 2.261 **WASTE MANAGEMENT SYSTEM** means all facilities, equipment and operations for the complete management of waste, including the collection, handling, transportation, storage, processing and disposal thereof, and may include one or more waste disposal sites.
- 2.262 **WATER FRONTAGE** means the horizontal distance measured along the straight line between the side lot lines at their intersection with the shoreline or with the shoreline reserve.
- 2.263 **WATER SETBACK** means the straight line horizontal distance from the high water mark of a watercourse, bay or lake to the nearest part of any excavation, building, structure or open storage use on the lot.
- 2.264 **WATER SYSTEM, COMMUNAL** means a private water distribution supply system in which water is piped to more than one dwelling or business operation.
- 2.265 **WAYSIDE PIT** means a temporary gravel pit or quarry opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.
- 2.266 **WELDING SHOP** means a building or structure or part thereof where metal products are joined, repaired or shaped by welding but no mass productions shall be involved.
- 2.267 **WETLANDS** means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils (soils in which there is an abundance of moisture) and has favoured the dominance of either plants that commonly grow in water or in waterlogged soil, or water tolerant plants. The four major categories of wetland are swamps, marshes, bogs and fens.
- 2.268 **WORKSHOP** means a building for the carrying on of uses including, but not limited to: a carpentry shop, an electrical shop, a craft shop, a welding shop, a metal working shop, a small engine repair shop, a plumbing shop or other similar use.

- 2.269 **WRECKING ESTABLISHMENT** means a building and/or lot used for the wrecking or dismantling of vehicles as defined herein, and for the storage and sale of scrap material, salvage and parts obtained therefrom, but shall not include any other automotive use defined herein.
- 2.270 **YARD** means an open space appurtenant to a main building and on the same lot as such building, and includes the space occupied by permitted accessory and ancillary buildings or structures.
- 2.271 **YARD, FRONT** means a yard extending across the full width of a lot between the front lot line and the nearest part of any building, structure or excavation on the lot; **FRONT YARD DEPTH** means the shortest horizontal distance between the front lot line of the lot and the nearest part of any building, structure or excavation on the lot.
- 2.272 **YARD, REAR** means a yard extending across the full width of a lot between the rear lot line and the nearest part of any main building, structure or excavation on the lot; **REAR YARD DEPTH** means the shortest horizontal distance between the rear lot line of the lot and the nearest part of any building, structure or excavation on the lot.
- 2.273 **YARD, SIDE** means a yard extending along a side lot line from the required front yard, or from the front lot line if no minimum front yard is required, to the required rear yard, or to the rear lot line in the case of an Exterior Side Yard or where no rear yard is required; **SIDE YARD WIDTH** means the shortest horizontal distance between the side lot line and the nearest part of any building, structure or excavation on the lot.
- 2.274 **YARD, EXTERIOR SIDE** means a side yard immediately adjoining a street or abutting a reserve on the opposite side of which is located a street.
- 2.275 **YARD, INTERIOR SIDE** means a side yard other than an exterior side yard.
- 2.276 **YARD, REQUIRED** means a yard with the minimum front yard depth, rear yard depth or side yard width required by the provisions of this By-law.
- 2.277 **ZONE** means an area delineated on a Zoning Map Schedule and established by this By-law for a specific use or group of uses.
- 2.278 **ZONING ADMINISTRATOR** means the officer or employee of the Town charged with the duty of enforcing the provisions of this By-law.

## ILLUSTRATION OF YARDS, REQUIRED YARDS AND RELATED TERMINOLOGY



Note: The above illustration is for clarification purposes only.

**SECTION 3.0 - GENERAL PROVISIONS****3.1 APPLICATION**

The requirements contained in the General Provisions shall apply to all zones, except as otherwise indicated.

**3.2 ACCESS****3.2.1 Vehicle access on corner lots**

On a corner lot the vehicle access to one street shall not encroach closer to the adjacent street line than a distance equal to the minimum yard depth or width required from that adjacent street line.

**3.2.2 Access to collector streets**

(a) Where a lot abuts a collector street, a strip of land on the lot being not less than 1.5 m wide and lying immediately adjacent to and extending the full length of the lot line dividing the said lot from the road on which it abuts, shall not be used for any purpose other than landscaped open space. For the purpose of this subsection, the landscaping may include a sidewalk or paved path for pedestrian traffic, but shall not include a driveway for vehicles.

(b) This subsection does not apply to Lot 381, Plan 290 or to that part of Block T, Plan 303 designated as Part 4 on Reference Plan 49R-8762.

**3.3 AUTOMOTIVE SERVICE STATIONS, GASOLINE BARS, AND COMMERCIAL GARAGES**

Where a lot in the Highway Commercial Zone is used for any automotive use, except an automotive store, the following additional provisions shall apply:

- a) the minimum lot depth shall be 40 m;
- b) the minimum lot frontage shall be 31.5 m except for a corner lot, for which the minimum lot frontage shall be 60 m;
- c) no portion of any pump island shall be closer than 8 m to the lot line abutting Highway 17 or 6 m from any other street line;
- d) any entrance or exit driveway shall be at least 15 m from the intersection of two street lines on the same side;
- e) the width of any curbed driveway shall be neither less than 7 m nor greater than 10 m; and
- f) the distance between driveways shall be not less than 7 m.



### 3.4 ACCESSORY USES, BUILDINGS AND STRUCTURES

3.4.1 Uses and buildings accessory to a permitted use or to an existing legal nonconforming use are permitted within any zone, unless exempted by subsection 3.4.2 below, provided that:

- (a) No accessory building or structure shall be used for human habitation except where a dwelling is a permitted accessory use;
- (b) No accessory building or structure shall be located in the front yard of a lot in a Residential zone or in any minimum front yard depth of a lot in any other zone;
- (c) No accessory building or structure shall be located in minimum side yard depth (interior or exterior) of a lot nor in the minimum rear yard depth of a lot;
- (d) An accessory building or structure shall not exceed 4.5 metres in height and shall contain no more than one storey;
- (e) No accessory use, building or structure be erected, or be considered accessory, if located closer than 1.8 metres to the main building;
- (f) The maximum lot coverage of all accessory buildings shall not exceed 10% lot coverage in total; and
- (g) An accessory building or structure shall not be constructed within a floodplain except as may be permitted by the General Provisions of this By-law for Ottawa River Floodplain.

3.4.2 Exceptions to subsection 3.4.1 are permitted as follows:

- (a) Common semi-detached garages may be centred on the mutual side lot line;
- (b) On a lot in a Residential Zone, an accessory building that is erected in a rear yard may be located a minimum of 0.6 metres from an interior side or rear lot line if the wall of such building nearest the lot line does not exceed 2 metres above the average grade of the ground at the base of the wall;
- (c) Where a lot in a Residential Zone abuts a public lane, an accessory building may be located a minimum of 0.5 metres from that lot line;
- (d) Boat docks may be built to the lot line where the lot line abuts the Ottawa River, but not where the lot line abuts the shoreline reserve.

### 3.5 BED AND BREAKFAST ESTABLISHMENTS

A bed and breakfast establishment is permitted in a detached dwelling only, in the R1, R2, R3, Estate Residential and Rural Zones provided that,

- (a) The Bed and Breakfast use shall remain subordinate to the primary use of the building as a detached dwelling;
- (b) The dwelling is not used simultaneously for the keeping of roomers or boarders;
- (c) Off-street parking spaces shall be provided in accordance with the General Provisions of this By-law for Parking, but tandem spaces used to meet the requirement shall not be more than two (2) deep; and
- (d) Any sign identifying the Bed and Breakfast establishment must conform to the requirements for signs identifying a home occupation, as set out in subsection 3.13.3.2.
- (e) Not more than three (3) rooms are available for rent by the general public.

### 3.6 COMBINATION OF LOTS

Where two lots on a plan of subdivision share a common lot line and are held in common ownership, they may be considered as one lot for the purposes of this bylaw.

### 3.7 COTTAGE INDUSTRY

Where any lot is used for Cottage Industry,

- (a) Not more than 150 square metres of the combined floor areas of the buildings located on the lot, other than the building used as a dwelling unit, shall be used for such a purpose.
- (b) Not more than fifteen (15) square metres of the dwelling unit shall be used for the purpose of Cottage Industry.
- (c) Not more than three (3) persons, other than permanent residents of the principal residence, shall be engaged in the Cottage Industry.
- (d) Only goods produced or substantially modified on the premises or parts installed by the business shall be offered for sale or rent on the premises.
- (e) There shall be no open storage of goods, parts or materials.
- (f) Any building used in whole or in part for a Cottage Industry shall meet the standards in subsection 25.2.3 which apply to dwelling and accessory buildings for front yard depth, side yard depth and rear yard depth.

### 3.8 DWELLINGS PER LOT

In any Residential zone neither a detached dwelling nor a semi-detached dwelling shall be permitted to occupy the same lot as any other detached or semi-detached dwelling or any other dwelling unit. However, this shall not preclude the use of a garden suite authorized by a temporary use by-law.

### 3.9 ENCROACHMENTS ON MINIMUM YARDS

#### 3.9.1 Accessory Structures and Architectural Feature

Every part of any required minimum yard shall be open and unobstructed above the ground by any structure other than an accessory building permitted elsewhere in this By-law provided, however, that those structures and items listed in the following table shall be permitted to project into the required minimum yards indicated, for the distances specified:

<u>Structure</u>	<u>Yards in Which Encroachment is Permitted</u>	<u>Maximum Encroachment Permitted into Required Minimum Yard</u>
(a) Accessibility ramps	All	Unlimited
(b) Balconies	All	1.5 metres
(c) Bay Windows	Front and Rear only	1.0 metre (including eaves and cornices) for a maximum total width of 6.0 metres
(d) Fire escapes, exterior staircases	Rear only	1.5 metres
(e) Open veranda or porch not exceeding 3 m in height above the average grade at the wall to which such structure is attached, or deck*	Front and Rear only	2.5 m (including eaves and cornices) for a maximum total width of 6.0 metres
(f) Sills, belt courses, eaves, gutters, chimneys, cornices, pilasters	All	0.5 metre

\* Enclosures to any porch or veranda permitted to encroach by the provisions of this table shall not be greater than 1 m high except for roof supports.

### 3.9.2 Established Building Line

Notwithstanding the preceding paragraph a) or any Zone Standards of this By-law for front yard and exterior side yard, where there is an established building line of dwellings relative to a lot to be developed, a permitted dwelling may be erected with a minimum front yard depth or exterior side yard width equal to or greater than the established building line. This provision shall not apply to reduce any setback requirement for Highway 17.

## 3.10 EXCEPTIONS TO HEIGHT LIMITATIONS

The height limitations of this By-law shall not apply to chimneys, church spires, public buildings, water tanks, elevator enclosures, flag poles, television or radio antennae, electrical transmission facilities, ventilators, lighting standards, air conditioning units, HVAC systems, telecommunications towers and skylights.

## 3.11 FENCES

### 3.11.1 Fences in front yards

In any Residential zone neither a fence nor wall other than a retaining wall shall be permitted in the front yard of any lot other than a lot that has a direct access over the front lot line to Highway 17.

### 3.11.2 Fence height

- (a) Except as otherwise provided in this section, the top of any fence in a side or rear yard in any Residential zone shall not be more than 2.0 m. above the grade at the fence.
- (b) Notwithstanding the preceding paragraph, where the rear of a lot abuts Highway 17 in a Residential zone, the top of any portion of fence which is in the rear yard and is parallel with the rear lot line may be up to 3.0 m. above the grade at the fence.

## 3.12 HABITATION

The following buildings, structures, and vehicles or parts thereof, shall not be used for human habitation within the Defined Area:

- (a) Accessory buildings and garages;
- (b) Recreational vehicles, tent or travel trailers, boats and tents; except when such habitation within the Defined Area is for less than sixty days in any ten consecutive months;
- (c) Trucks, buses, coaches, railway cars and streetcars, with or without wheels.

### 3.13 HOME OCCUPATIONS

3.13.1 Nothing in this By-law shall prevent the use of a dwelling unit or accessory building in any Zone for a home occupation subject to the following:

- (a) The home occupation use shall be clearly subordinate to the dwelling unit and shall not alter the residential character of the property;
- (b) There shall not be any open storage or exterior display of items associated with the home occupation;
- (c) Such use shall not occupy an area greater than the lesser of 50 m<sup>2</sup> or 25% of the combined floor area of the dwelling unit including the floor area of the basement or cellar;
- (d) The home occupation shall not create noise, vibration, fumes, odour, dust, glare or other emissions evident outside the building and which exceed limits established by Town by-laws or Provincial legislation;
- (e) Where instruction is carried on, no more than five (5) pupils are in attendance at any one time;
- (f) Other than members of the household residing in the dwelling unit, there shall not be more than one employee provided that one off-street parking space is available solely for use by such employee;
- (g) Sufficient off-street parking shall be available for visitors to the premises;
- (h) Not more than one vehicle associated with the home occupation is parked on the premises in the open; and
- (i) No vehicle associated with the home occupation of gross vehicle weight exceeding 1 tonne shall be parked on the premises in the open.

3.13.2 There shall be no sign or other display on the property to indicate that the home occupation use is present, except:

- (a) where the property abuts and has direct access to Highway 17, a single, unlit sign not exceeding 1.5 square metres in area may be erected; or
- (b) in all other cases, a single, unlit identification sign, not exceeding 0.2 square metre in area and displaying only letters or numbers not more than 5 centimetres high, may be attached flush to the front wall of dwelling.

### 3.14 LANDSCAPED BUFFER

3.14.1 A continuous strip of landscaped open space shall be provided along the side and rear lot lines of any institutional, commercial or industrial use which abuts a Residential Zone and said landscaped open space shall be a minimum of 3.0 metres in width along the side and rear lot lines.

3.14.2 Where there is a wall, fence, or other form opaque barrier along the side or rear lot line that has a minimum height of 1.5 metres, the minimum landscaped open space set out in subsection 3.14.1 may be reduced to 1.5 metres.

### 3.15 LOT AREA REDUCTION

No part of any existing lot shall be reduced in area or frontage by the conveyance or alienation of any portion of the lot so as to create a situation of non-compliance or increase the degree of non-compliance with this By-law; except where any such a reduction is caused by the conveyance or acquisition of part of the lot by a Public Authority, the lot or any building or structure located upon the lot shall be deemed to remain in compliance with this By-law.

### 3.16 LOTS TO ABUT STREETS

All lots shall abut a public street or highway; no building or structure may be erected or used unless the lot on which it is located has a front lot line equal to at least one-half of the required minimum lot frontage. Where there is no minimum frontage standard for the applicable zone, it shall be deemed to be 6 metres for purposes of this subsection. The following exceptions to this provision will apply:

- (a) Where the Committee of Adjustment gives consent to create a lot in the Estate Residential (ER) or Limited Service Residential (LSR) Zone together with access by means of a right-of-way, such lot is not required to abut a public street or highway provided the right-of-way extends from the lot to a street.

### 3.17 LOTS CONTAINING MORE THAN ONE USE

Notwithstanding any other provisions of this By-law, where any land, building or structure is used for more than one main use, all provisions of this By-law shall be complied with for each use, except in the case of lot area, lot frontage, lot coverage, and minimum yard requirements in which case the most restrictive or stringent requirement shall apply

### 3.18 MUNICIPAL PIPED SERVICES

#### 3.18.1 Municipal Piped Water and Sewerage

No land shall be used or built upon and no building or structure shall be erected, used or expanded for any purpose unless municipal piped water and sewerage are available, adequate and connected at the lot line except as provided in subsections 3.19.2 to 3.19.5 inclusive.

### 3.18.2 Riverside and the Undeveloped Zone

Nothing in subsection 3.18.1 shall prevent the erection and use of a detached dwelling and accessory building on any lot abutting the shoreline or shoreline reserve along the Ottawa River or in any Undeveloped Zone, provided that,

- (a) such lot was held in separate ownership on the date of adoption of this Bylaw as shown by the Registry Division of the County of Renfrew; and
- (b) any such dwelling and accessory building conforms to the standards for such structures in the Second Density Residential Zone as given in subsection 6.2.

### 3.18.3 Lots fronting on Highway 17

Nothing in subsection 3.18.1 shall prevent the erection and use for a single family dwelling and accessory building on any of those existing lots that front on Highway 17 in any Residential Zone and have a lot depth at least 64 m provided that,

- (a) municipal piped water is available and connected; and
- (b) any such dwelling conforms to the standards for single family dwellings in the Second Density Residential Zone as given in subsection 6.2.

### 3.18.4 Structures without services

Nothing in subsection 3.18.1 shall prevent the erection or use of a permitted building or structure or use in any Light Industrial, General Industrial, Extractive Industrial or Environmental Protection Zone.

### 3.18.5 Estate Residential, Limited Service Residential and Rural

Nothing in subsection 3.18.1 shall prohibit any of the uses otherwise permitted by the provisions of the Estate Residential, Limited Service Residential and Rural on a lot in one of the aforementioned zones.

## 3.19 **NON-CONFORMING USES AND NON-COMPLYING BUILDINGS AND STRUCTURES**

### 3.19.1 Accessory Buildings

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

### 3.19.2 Continuation of Existing Uses

Nothing in this By-law shall prevent the strengthening or alteration to a safe condition of all or part of a building or structure that is a legal non-conforming use

provided that the repair or alteration will not increase the height, size or volume of the building or structure.

### 3.19.3 Repair of Existing Buildings

If a legal non-conforming building or structure should be damaged by fire, flood, wind, earthquake, or other natural or other occurrences beyond the owners control, nothing in this By-law shall prevent such a building from being restored and strengthened to a safe condition, provided the height, size or volume is not increased.

### 3.19.4 Enlargements to Existing Undersized Lots

An undersized lot that was held in separate and distinct ownership from adjoining lands on the date of passing of this By-law or that was created by expropriation subsequent to the said date, may be enlarged even if such enlargement does not result in a lot which complies with the minimum lot area and/or minimum lot frontage otherwise required by this By-law. Nothing in this By-law shall prevent such a lot from being used for a purpose permitted in the Zone within which the lot is located, provided that,

- (a) where the development is on private services, the resulting lot is of an adequate size for water supply and sewage disposal systems as approved by the Ministry of the Environment or its authorized agent;
- (b) all other applicable provisions of this By-law are complied with.

### 3.19.5 Non-complying Lots and Yards (Existing Buildings)

Any building that prior to the day of the passing of this By-law has been erected on a lot having less than the required minimum frontage or area, or with less than a minimum front, side or rear yard required by this By-law, may be changed by reconstructing or enlarging provided that;

- (a) such change neither reduces any depth, width or area that is already noncomplying, nor increases the gross floor area of the building within a noncomplying yard;
- (b) such change complies with all other applicable provisions of this By-law; and
- (c) such building and lot complied with or were legally non-conforming with By-law 340 as amended prior to the final passing of this By-law.

### 3.19.6 Floor Area Less than Required

Nothing in this By-law shall prevent an extension or an addition being made to a permitted dwelling house that existed at the time of passing of this By-law but



which has a gross floor area or dwelling unit area less than required by this By-law, provided such extension or addition does not contravene any other provision of this By-law.

### 3.19.7 Existing Vacant Undersized Lots

An existing vacant lot having less than the minimum frontage, depth or area required by this By-law may be developed for all uses in the appropriate zone, provided that,

- (a) all other provisions of this By-law are satisfied;
- (b) such lots are serviced by the public water supply and public sanitary sewer disposal facilities or alternatively meet the requirements of the authority having jurisdiction; and
- (c) such lots have a minimum frontage of 7.5 metres and shall abut a road or street.

### 3.19.8 Prior Building Permits

Nothing in this By-law shall prohibit the erection of a building or structure for which a building permit has been issued prior to the date of passing of the By-law provided that the building permit has not been revoked under the *Building Code Act*.

## 3.20 OPEN STORAGE

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

- (a) such open storage is clearly subordinate to the use of the main building on the lot;
- (b) such open storage is not in the front yard or exterior side yard, and complies with all other yard and setback requirements of this By-law;
- (c) such open storage does not cover more than the maximum area permitted by the zone provisions for the applicable zone; and,
- (d) any portion of a lot used for such open storage is separated from adjacent uses and streets adjoining the lot, by buildings and/or screening extending at least 1.8 metres in height from the ground.

3.20.2 Outdoor display used in conjunction with a permitted commercial use is excluded from the provisions for open storage but nonetheless shall comply with the minimum yard requirements and with the requirements of the particular zone for buffering from other zones.

**3.21 OTTAWA RIVER FLOODPLAIN**

For the lands affected by the flood plain of the Ottawa River, the following provisions shall apply:

- (a) No building permits shall be issued for new development, including additions or enlargements, within the flood fringe of the Ottawa River unless floodproofed to the flood plain design elevation of 113.9 metres GSC datum. An elevation survey prepared by an Ontario Land Surveyor should accompany all applications for building permit.
- (b) No development, with the exception of boat docking or launching facilities or flood or erosion control structures, shall be located on lands below the floodway elevation of 112.9 metres GSC datum. The placing or removal of fill originating on the site or elsewhere, shall not be permitted in the floodway except where such fill is intended for flood or erosion control or works which are normally associated with watercourse protection works or bank stabilization projects as approved by the Ministry of Natural Resources.

**3.22 PARKING AND LOADING SPACE REQUIREMENTS**

**3.22.1 PARKING REQUIREMENTS**

(a) Off Street Parking Requirements In Any Zone

In any Zone the owner of every building hereafter erected, enlarged or changed in use after the passing of this By-law shall provide and maintain at least the number of off-street parking space in accordance with the following:

<u>Type of Use</u>	<u>Minimum Parking Required</u>
i) Single Detached Dwelling, Semi-Detached Dwelling, Duplex Dwelling, Group Home, and Two Unit Dwelling	2.0 parking space per dwelling unit
ii) Triplex Dwelling, Townhouses, Apartment Dwelling and Multiple Attached Dwelling	1.5 parking spaces per dwelling unit
iii) Bed and Breakfast	2.0 parking spaces per dwelling unit

		and 1.0 parking space for each room rented
iv)	Boarding House	1.0 parking space plus 1.0 parking space per every 3.0 beds
v)	Place of Worship, Assembly Hall	The greater of 1.0 parking space per 10 m <sup>2</sup> of gross floor area or per every metre of gross floor area or per every four fixed seats or per every 2.5 metres of bench space
vi)	Clinic	6.0 spaces per practitioner for the first 5 practitioners, 4.0 spaces for every practitioner after 5
vii)	Day Care Centre	1.0 parking space per employee and 1 per 5 children
viii)	Eating Establishment	1.0 parking space per 10 square metres of gross leasable floor area
ix)	Financial Office	1.0 parking space per 17 square metres gross leasable area
x)	Group Home	1.0 parking space per employee
xi)	Hospital	3.0 parking spaces per four beds
xii)	Hotel, Motel	1.0 parking space per guest room plus any required parking spaces for other uses listed in this table
xiii)	Industrial Establishment	1.0 space per bedroom plus the greater of 1.0 space per 10 m <sup>2</sup> of public use area or 1.0 space per 4 persons design capacity of public use area
xiv)	Licensed Establishment	1.0 parking space per 4 persons design capacity
xv)	Long-term Care Facility, Nursing Home	1.0 space per staff member plus 1.0 parking space per 4 beds of which 15% shall be reserved for visitor parking

xvi)	Marina	1.0 parking space per boat slip
xvii)	Office (Business/Professional)	1.0 parking space per 29 square metres of gross leasable area
xviii)	Place of Entertainment, Recreation Facility, Indoor Sports Facility	1.0 parking space per 4 seat capacity
xix)	Retail Store, Service Shop General, Convenience Store, Service Shop Personal, Shopping Centre, Supermarket	1.0 parking space per 20 square metres of gross leasable floor area
xx)	Retirement Home	1.0 space per staff member plus 1.0 parking space per 2 beds of which 15% shall be reserved for visitor parking
xxi)	School — Elementary	1.5 parking spaces per classroom plus the greater of 1.0 parking space per 6.0 m <sup>2</sup> of floor area of the gymnasium space or 1.0 space per 6 fixed seats of any auditorium space
xxii)	School — Secondary	2.0 parking spaces per classroom plus the greater of 1.0 parking space per 6.0 m <sup>2</sup> of floor area of the gymnasium space or 1.0 space per 6 fixed seats of any auditorium space
xxiii)	Shopping Centre	1.0 parking space per 21 square metres of gross leasable area
xxiv)	Other Non-Residential Uses	1.0 parking space per 30 square metres of gross floor area

(b) Calculation of Spaces

If the calculation of the required parking spaces results in a fraction, the required parking spaces shall be the next higher whole number. Any parking space can serve only one building or facility for the purpose of the off street parking requirements listed above, except as provided for in mixed use developments.

(c) Location of Parking Areas

Parking space(s) shall be within 150 m of, within the same zone as, and on the same side of Highway 17 as the building or use served, except in a Residential Zone where the required parking shall be located on the same lot as the dwelling.

(d) Yard Where Permitted

Notwithstanding the yard and setback provisions of this By-law to the contrary, uncovered surface parking areas shall be permitted in the required yards or in the area between the street line and the required setback in accordance with the following:

	<u>Zones</u>	<u>Required Yards in which Required Parking Area Permitted</u>
(i)	Residential or Rural Zones	Within 1.0 m of the property line except that a driveway is permitted to lead from a street or lane to a garage or a parking space, provided that any parking area in the required front or exterior side yard shall account for no more than 50 percent of the actual frontage (or flankage).
(ii)	All Other Zones	All yards provided that no part of any parking area, other than a driveway, is located closer than 1.0 metre to any street line. Where the subject zone abuts a Residential zone, the parking area shall be set back 3.0 metres from the lot line.

(e) Access to Parking Spaces and Parking Areas

Every parking space shall have unobstructed access to the street except that the parking spaces required for a detached house, a semi-detached house, a duplex dwelling or a row house may include tandem parking spaces, enclosed parking spaces and parking spaces located in the driveway.

(f) Dimensions of Parking Spaces

Every required parking space shall have minimum rectangular dimensions of 2.7 metres by 5.5 metres. Every parallel parking space shall have a minimum length of 6.6 metres.

(g) Barrier-Free Parking

Wherever barrier-free access to a building is required under the *Building Code*, one barrier free parking space shall be provided for every 20 standard parking spaces or part thereof. Notwithstanding any section of this By-law to the contrary, every required barrier free parking space shall have minimum rectangular dimensions of 3.7 metres by 5.5 metres.

(h) Waiting Lane / Queuing Lane

An eating establishment that includes a drive-thru shall require a waiting lane / queuing lane analysis, approved by the Town, to determine the minimum requirements for a waiting / queuing lane.

(i) Buffer Strips for Parking Areas

Where in a yard in any Zone, a parking area which is required to provide 3 or more off-street parking spaces adjoins a lot in a Residential Zone, or where any lot in any Commercial Zone abuts a lot in any Residential Zone, then a buffer strip of a minimum width of 3.0 metres shall be provided along the lot line of the said yard or lot of the new use however it may be reduced to 1.5 metres if there is an opaque barrier with a minimum height of 1.5 metres along the lot line.

(j) Illumination

Where parking areas are illuminated, lighting fixtures shall be designed and installed so that the light is directed downward and deflected away from adjacent lot lines.

(k) Storage of Recreational Vehicles, Snowmobiles and Off-Road Vehicles (ORV)

No person shall, in any Residential Zone, use any lot for the parking or storage of any recreational vehicle except in accordance with the following provisions:

- (a) No recreational vehicle may be stored on any lot that does not contain at least one (1) dwelling unit.
- (b) The owner or occupant of any lot, building or structure, in any Residential Zone containing a dwelling may store or park on the lot, not more than one recreational vehicle of any type (except a snowmobile or ORV) and not more than two snowmobiles or ORVs, of which he/she is the owner.
- (c) The recreational vehicle shall be stored within a private garage or carport or located within the rear yard or interior side yard provided that such recreational vehicle is located no closer than 1.0 metre to the rear lot line or interior side lot line, nor within any front yard, nor on a corner lot, closer to any street than the main wall of the main building.

- (d) Notwithstanding the above, there shall be no limitations imposed which will restrict the number of such recreational vehicles that are fully enclosed within a garage provided that such recreational vehicles are owned by the occupant of such lot or dwelling.

### 3.22.2 LOADING REQUIREMENTS

Every building erected for a Commercial use or an Industrial use or for another permitted use that similarly involves the frequent shipping, loading or unloading of persons, animals or goods or shall be provided with spaces for loading and unloading on land that is not part of a public street.

- (a) Dimensions of Loading Spaces

Every required loading space shall have minimum rectangular dimensions of 4.5 metres by 12.0 metres with a minimum height clearance of 4.6 metres.

- (b) Minimum Number of Loading Spaces

This requirement does not apply to buildings and structures having less total floor area than 300 square metres. For all other buildings, there shall be one loading space for each 2000 square metres of floor area or part thereof, above the 300 square metre threshold.

- (c) Location

The loading space required shall be located in the interior side yard or rear yard unless set back a minimum distance of 16.0 metres from the street line. Every loading space shall have adequate access to a street as determined through the site plan approval process, pursuant to Section 41 of the Planning Act.

### 3.23 PUBLIC SERVICES

The provisions of the By-law shall not apply to the use of any land owned by the municipality, or to the erection or use of any building or structure for the purposes of a public service by the Municipality or any local board thereof defined by the Municipal Affairs Act (R.S.O 1980), by any telephone, gas, electrical generating (including Very Small Modular Reactors) or distribution company, communications company, or by any department or agent of the Government of Ontario, or Canada, provided that:

- (a) With the exception of a public utility, the lot coverage, parking and loading, setback and yard requirements prescribed for the zone in which such land, buildings or structure is located shall be complied with; and
- (b) No goods, material, or equipment shall be stored in the open in a Residential Zone; and

- (c) Any building erected in a Residential Zone or in a Zone which permits residential uses under the authority of this paragraph shall be designed and maintained in general harmony with residential buildings of the type permitted in the Zone.

### **3.24 SEACANS, SHIPPING CONTAINERS, STORAGE CONTAINERS, AND STORAGE TRAILERS**

Notwithstanding any other provisions of this By-law to the contrary, a storage trailer, seacan or shipping container shall be permitted in the Highway Commercial, Industrial and Rural Zones, in accordance with the following provisions:

- (a) Except as provided in 3.30 (g) of this section a storage trailer, seacan and shipping container may only be used for commercial storage as an accessory use to a permitted commercial use on lands zoned Highway Commercial or Rural;
- (b) Unless stated elsewhere in this By-law, no more than a cumulative total of three (3) storage trailers, seacans or shipping containers, shall be permitted on any property;
- (c) No storage trailer, seacan or shipping container shall be permitted to locate in a minimum required front yard;
- (d) Any storage trailer, seacan or shipping container shall be screened from view from the street and abutting properties zoned in any zone other than a Rural, Commercial or Industrial Zone;
- (e) Notwithstanding (g) any storage trailer, seacan or shipping container shall not be located in a required parking area and in no case shall encroach into any required minimum landscaped buffer or open space;
- (f) Notwithstanding any other provision of this section to the contrary, a storage trailer, seacan or shipping container on a construction site in any Zone being developed on a stand-alone basis or under a plan of subdivision is permitted only for the purposes of storing equipment and materials incidental to construction, subject to the following restrictions:
  - (a) shall be subject to subsection (c);
  - (b) not to exceed six (6) in number, and
  - (c) shall be removed from the site within 60 days of completing the work;
- (g) A storage trailer, seacan or shipping container shall not be placed for the purpose of display or advertising;
- (h) A storage trailer, seacan or shipping container shall not be used for the purpose of screening or fencing;



- (i) A storage trailer, seacan or shipping container shall be included in all calculations for the purpose of determining maximum lot coverage; and
- (j) Notwithstanding any other provision to the contrary, a storage trailer, seacan or shipping container shall not be used for the purpose of a commercial storage facility or mini storage establishment, unless the property is zoned to permit that use.

### 3.25 SECONDARY DWELLING UNITS

A secondary dwelling unit, as defined in Section 2.0, shall be permitted in any single-detached, semi-detached and row house dwellings as well as in ancillary buildings, in any zone that allows one or more of these uses, provided such secondary unit conforms to the following provisions:

- (i) Not more than one secondary unit shall be permitted per principal dwelling;
- (ii) The unit shall be located on the same lot as the principal dwelling;
- (iii) Secondary units may be located on lots partially or fully privately serviced provided they have a lot area greater than 0.8 hectares;
- (v) The unit shall not be located in any of the required yards nor within 1.8 metres of the principal dwelling if located in an ancillary structure; and
- (vi) One (1) additional parking space shall be required per secondary dwelling unit.

### 3.26 SEPARATION DISTANCES

#### 3.26.1 Aggregate Operations

- (a) Where land is used for a gravel pit, a quarry, a wayside pit or a wayside quarry adjacent to,
  - (i) land in use for any dwelling, retirement home, hospital, long term care facility, nursing home or school, or
  - (ii) land restricted to residential use by this By-law,then the corresponding separation distance for all extraction and processing activities shall be 120 metres from the lot line of (i) or (ii).
- (b) No dwelling, retirement home, hospital, long term care facility, nursing home or school shall be erected within 30 metres of the boundary of the site of a commercial aggregate operation.

#### 3.26.2 Agricultural Code of Practice

Inasmuch as some non-commercial agricultural uses are permitted in accordance with the provisions of the Estate Residential (ER) Zone, the Rural (RU) Zone and the Undeveloped (UD) Zone, development other than alterations to existing structures and lots shall comply with the applicable minimum distance separation formula of the Agricultural Code of Practice. A livestock facility shall not be permitted if it would preclude the orderly development of adjacent lands zoned for development.

### 3.26.3 Hauled Sewage Disposal Sites

No disposal of hauled sewage on land shall be permitted unless the disposal site has been approved by the Ministry of the Environment and no disposal site shall be located within:

- a) 200 metres of any dwelling on another lot;
- b) 750 metres of any subdivision or land zoned for residential development;
- c) 150 metres of any uncased well;
- d) 75 metres of any well with a casing depth of 6.0 metres or less;
- e) 180 metres of any surface water;
- f) 60 metres of the right-of-way of any road;
- g) 60 metres of any land used for livestock pasturing.

### 3.26.4 Industrial Uses

- (a) If intervening space is the only form of buffering proposed between an industrial use and,
  - (i) land in use for any church, dwelling, retirement home, hospital, long term care facility, nursing home, public park, school, or recreation facility; or
  - (ii) land restricted to residential use by this By-law, then the corresponding separation distances shall be:
    - Class I Industrial Use 70 metres
    - Class II Industrial Use 300 metres
    - Class III Industrial Use 1000 metres.

No building, structure or activity associated with an industrial use, as further specified below, shall be erected within the corresponding separation distance.

- (b) The separation distances set out in the preceding paragraph a) shall apply reciprocally when the industrial use exists and one or more of the other listed uses is being established with intervening space as the only proposed form of buffering.

#### 3.26.5 Sewage Treatment Facilities

No sewage treatment facility shall be located within 150 metres of a sensitive land use.

#### 3.26.6 Waste Disposal Sites

No waste disposal site shall be located within 500 metres of sensitive land use.

### 3.27 WATER SETBACK

A minimum water setback of thirty (30) metres for all buildings and structures, including private sewage disposal systems from the high water mark shall be provided.

### 3.28 TEMPORARY CONSTRUCTION USES PERMITTED

Nothing contained in this By-law shall prevent the erection or location of any sheds, scaffolds, or other structures (including trailers or recreational vehicles) incidental to building construction on the premises for so long as the same is necessary for work in progress which has neither been finalized, nor abandoned.

Notwithstanding subsection 3.8 DWELLINGS PER LOT to the contrary, on a lot having a residential use, where new construction of a dwelling is proposed, and where a written agreement between the owner and the corporation for its removal is implemented, the existing dwelling may be used as temporary accommodation only for the time period when new construction is in progress. The existing dwelling, used as temporary accommodation, shall be removed from the lot within 30 days of occupancy of the replacement dwelling.

### 3.29 UNDESIRABLE USES

#### 3.29.1 Keeping Animals

No animals, other than household pets, shall be kept in any zone other than for animal husbandry in the undeveloped zone and for non-commercial animal husbandry in the Estate Residential Zone or Rural Zone.

#### 3.29.2 Pits and Quarries

Pits and quarries are prohibited in the Defined Area except as specifically provided in this By-law.

### 3.29.3 Noxious Uses

No noxious use shall be permitted anywhere in the Defined Area.

### 3.29.4 Dangerous Trades

Neither land, nor buildings nor structures shall be used in the Defined Area for a purpose which is likely to create danger to health or danger from fire and explosion.

This section applies to:

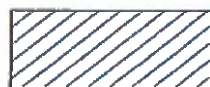
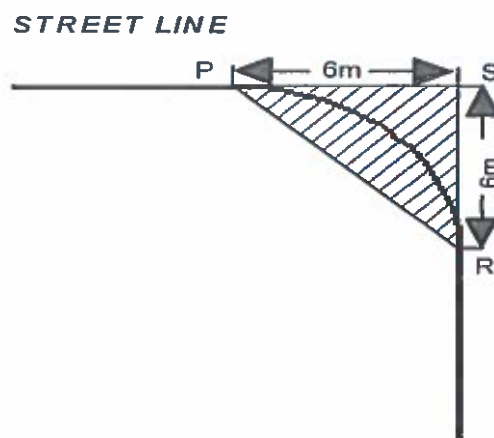
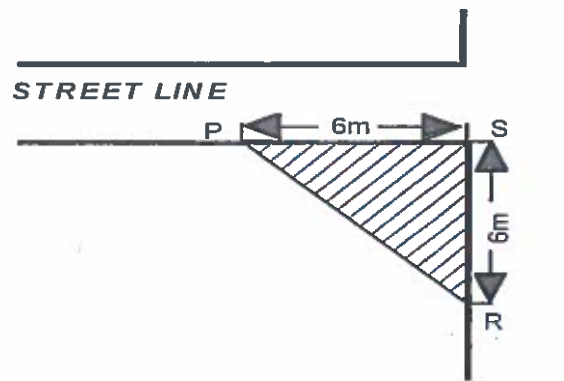
- (a) the manufacture, storage or sale of explosives except the sale at retail of small arms and ammunition as is otherwise lawful, and
- (b) the manufacture, storage or sale of poisonous or noxious chemicals or other poisonous substances, excepting the sale at retail of drugs and medicines, or household, commercial or farm chemicals and insecticides, as is otherwise lawful.

## 3.30 VISIBILITY ON CORNER LOTS

On any corner lot, no obstruction to motor vehicle driver views shall be placed within the triangular area bounded by the street lines and a line joining points on the street lines a distance of 6.0 metres from the point of intersection. Any opaque structure, object or vegetation between the elevations from 0.75 m. to 3.0 m. above the grade of the centre line of the streets that abut the lot shall be considered an obstruction to motor vehicle driver views.

Line PR shows the straight line described in sub-section 3.30; the shaded area PRS shows the area of the lot within which no obstruction to vision is permitted between elevations 0.75 m and 3 m above the grade of the travelled street at the point nearest to the intersection of the street lines shown by point S.

### VISIBILITY ON CORNER LOTS



**No obstruction permitted**

Note: The above illustrations are for clarification purposes only.

**SECTION 4.0 - ZONE CLASSIFICATIONS, EXCEPTION ZONE PROVISIONS****4.1 ZONE CLASSIFICATIONS**

For the purpose of this By-law, the following zones are established as shown on the Schedule(s) (Zoning Maps).

<u>Zones</u>	<u>Zone Symbol</u>
<b>(a) Residential Zones</b>	
i) Residential One	R1
ii) Residential Two	R2
iii) Residential Three	R3
iv) Residential Four	R4
v) Estate Residential	ER
vi) Limited Services Residential	LSR
<b>(b) Commercial Zones</b>	
i) Town Centre - General	C1
ii) Town Centre - Restrictive	C2
iii) Highway Commercial	HC
<b>(c) Industrial Zones</b>	
i) Light Industrial	M1
ii) Public Industrial	M2
iii) General Industrial	M3
iv) Extractive Industrial	ME
v) Disposal Industrial	MD
<b>(d) Additional Zones</b>	
i) Institutional	IN
ii) Waterfront Development	WD
iii) Environmental Protection	EP
iv) Open Space One	OS1
v) Open Space Two	OS2
vi) Open Space Three	OS3
vii) Rural	RU
viii) Undeveloped	UD

## 4.2 EXCEPTION ZONES

Where a Zone classification is followed by the numbered suffix "-Exception One", this denotes the further classification as an Exception Zone. The corresponding Zone symbol suffix is "-E1". Additional Exception Zones within the same zone classification are numbered consecutively (i.e. Highway Commercial - Exception One (HC-E1), etc.).

Exception Zone provisions are listed separately under the applicable Zone classification requirements sections in the text of this By-law. All provisions of this By-law will apply equally to the respective Exception Zone classification, except as otherwise specified by the Exception Zone provisions.

For the purpose of this By-law, Exception Zones are established as shown on the Schedule(s) (Zoning Maps).

The number in brackets represents the amending By-law number to the previous comprehensive zoning By-law 24-96, that has been carried over to this Zoning By-law.

## 4.3 HOLDING PROVISIONS

Any parcel of land in any Zone may be further classified as a holding zone, with the addition of the suffix – "h". The intention of the holding zone is to signify Council's approval in principle for future development for the purpose of the applicable zone. The holding provision restricts development of the land until the criteria as established in the Official Plan (unless otherwise specified in the Zoning By-law) are met to the satisfaction of Council prior to the removal of the holding provision.

Under this holding Zone, interim and passive uses such as open space and conservation will be permitted. Uses existing at the time of passing of the By-law will also be permitted. When the "h" is removed, the land use provisions of the appropriate zone shall apply.

The removal of the holding provisions shall require an amendment to this By-law. No public participation with mechanism for appeal shall be required where the principle of development has been established

## SECTION 5.0 - REQUIREMENTS FOR RESIDENTIAL ONE (R1) ZONE

**5.1 PERMITTED USES**

No person shall use any land or erect or use a building or structure in any R1 Zone except for:

**(a) Residential Uses**

- Single Detached Dwelling
- Group Home

**5.2 ZONE PROVISIONS**

No person shall use any lot or erect, alter or use any building or structure in any R1 Zone except in accordance with the following provisions:

**5.2.1 Zone Provisions for Single Detached Dwelling and Group Home**

- |     |                                    |                   |
|-----|------------------------------------|-------------------|
| (a) | Lot Area (minimum):                | 600 square metres |
| (b) | Lot Frontage (minimum)             | 19.5 metres       |
| (c) | Front Yard Depth (minimum)         | 6.0 metres        |
|     | (i) Abutting Highway 17            | 15.0 metres       |
| (d) | Interior Side Yard Width (minimum) | 1.2 metre         |
| (e) | Exterior Side Yard Width (minimum) | 4.5 metres        |
|     | (i) Abutting Highway 17            | 15.0 metres       |
| (f) | Rear Yard Depth (minimum)          | 10.0 metres       |
|     | (i) Abutting Highway 17            | 15.0 metres       |
| (g) | Dwelling Unit Area (minimum)       |                   |
|     | (i) Single storey unit             | 100 square metres |
|     | (ii) Double storey unit            | 120 square metres |
| (h) | Lot Coverage (maximum)             | 40 %              |



- (i) Building Height (maximum) 10.5 metres
- (j) Open Storage Area (maximum) 3 %
- (k) Open Storage: In accordance with the provisions for Open Storage in Section 3 – General Provisions of this By-law.
- (l) Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 – General Provisions of this By-law.
- (m) Separation Distances: In accordance with the provisions for Separation Distances in Section 3 – General Provisions of this By-law.
- (n) Water Setback: In accordance with the provisions for Water Setback in Section 3 – General Provisions of this By-law.
- (o) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provisions of this zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3 – General Provisions of this By-law.
- (p) Ottawa River Floodplain: In accordance with the provisions for the Ottawa River Floodplain in Section 3 – General Provisions of this By-law

### 5.3 EXCEPTION ZONES

#### 5.3.1 Residential One-Exception One (R1-E1) Zone

Notwithstanding anything in this By-law to the contrary, for those lands described as part of Lot 7, Range B, geographic Township of Rolph, in the Town of Deep River and delineated as Residential One-Exception One (R1-E1), on Schedule “A” to this By-law, the minimum required lot frontage shall be 19 metres.

#### 5.3.2 Residential One-Exception Two (R1-E2) Zone

Notwithstanding anything in this By-law to the contrary, for those lands described as part of Lot 7, Range B, geographic Township of Rolph, in the Town of Deep River and delineated as Residential One-Exception Two (R1-E2), on Schedule “A” to this By-law the following provisions shall apply:

- Front Yard Depth (minimum) 4.0 metres
- Rear Yard Depth (minimum) 2.0 metres
- Side Yard Depth Adjacent to an  
Unopened Road Allowance (minimum) 4.0 metres
- Interior Side Yard Depth (minimum) 2.0 metres

## 5.4 INTERIM USES AND STANDARDS (HOLDING)

### 5.4.1 Residential One-holding (R1-h) (Pine Pt. Trail Subdivision)

Until such time as the holding symbol is removed from the lands zoned R1-h in accordance with the conditions set forth herein, no person shall erect a building or structure.

(a) Permitted Uses

- Open Space
- Passive recreation that does not require a building

(b) Conditions for removal of Holding Symbol (h)

That at least 50% of the lots on west of Thomas Street within the Pine Point Trail Subdivision (47T-07006) are developed. For the purposes of this condition, developed shall mean 25% of the lots are subject to a building permit application for a dwelling, and an additional 25% of the lots have been sold.

### 5.4.2 Residential One-holding (R1-E1-h) (Pine Pt. Trail Subdivision)

Until such time as the holding symbol is removed from the lands zoned R1-E1-h in accordance with the conditions set forth herein, no person shall erect a building or structure.

(a) Permitted Uses

- Open Space
- Passive recreation that does not require a building

(b) Conditions for removal of Holding Symbol (h)

That at least 50% of the lots on west of Thomas Street within the Pine Point Trail Subdivision (47T-07006) are developed. For the purposes of this condition, developed shall mean 25% of the lots are subject to a building permit application for a dwelling, and an additional 25% of the lots have been sold.

### 5.4.3 Residential One-Exception Two-holding (R1-E2-h)

Until such time as the holding symbol is removed from the lands zoned R1-E2-h in accordance with the conditions set forth herein, no person shall erect a building or structure.

- (a) Permitted Uses
  - Open Space
  - Passive recreation that does not require a building
- (b) Conditions for removal of Holding Symbol (h)

To Council's satisfaction, a portion of the lands be conveyed to the Town for the purposes of accommodating a 2-metre wide trail along the rear of the property.

## SECTION 6.0 - REQUIREMENTS FOR RESIDENTIAL TWO (R2) ZONE

**6.1 PERMITTED USES**

No person shall use any land or erect or use any building or structure in any R2 Zone except for:

**(a) Residential Uses**

- Single Detached Dwelling
- Semi-Detached Dwelling
- Group Home

**6.2 ZONE PROVISIONS**

No person shall use any lot or erect, alter or use any building or structure in any R2 Zone except in accordance with the following provisions:

**6.2.1 Zone Provisions for Single Detached Dwelling and Group Home****(a) Lot Area (minimum):**

- |  |                    |
|--|--------------------|
| (i) municipal water and municipal sewer        | 500 square metres  |
| (ii) municipal water and private septic system | 1400 square metres |
| (iii) private well and private septic system   | 4000 square metres |

**(b) Lot Frontage (minimum)**

- |  |             |
|--|-------------|
| (i) municipal water and municipal sewer        | 15.0 metres |
| (ii) municipal water and private septic system | 15.0 metres |
| (iii) private well and private septic system   | 30.0 metres |

**(c) Front Yard Depth (minimum) 6.0 metres**

- |                         |             |
|-------------------------|-------------|
| (i) abutting Highway 17 | 15.0 metres |
|-------------------------|-------------|

**(d) Interior Side Yard Width (minimum) 1.2 metre****(e) Exterior Side Yard Width (minimum) 4.5 metres**

- |                         |             |
|-------------------------|-------------|
| (i) abutting Highway 17 | 15.0 metres |
|-------------------------|-------------|

**(f) Rear Yard Depth (minimum) 10.0 metres**

(i)	abutting Highway 17	15.0 metres
(g)	Dwelling Unit Area (minimum)	
(i)	Single storey unit	75 square metres
(ii)	Double storey unit	100 square metres
(h)	Lot Coverage (maximum)	40 %
(i)	Building Height (maximum)	10.5 metres
(j)	Open Storage Area (maximum)	3 %
(k)	All other provisions of Section 5.2.1 (k) to (p) apply.	

#### 6.2.2 Zone Provisions for Semi-Detached

(a)	Lot Area (minimum):	
(i)	municipal water and municipal sewer	350 square metres
(ii)	municipal water and private septic system	1400 square metres
(iii)	private well and private septic system	4000 square metres
(b)	Lot Frontage (minimum)	
(i)	municipal water and municipal sewer	11.5 metres
(ii)	municipal water and private septic system	15.0 metres
(iii)	private well and private septic system	30.0 metres
(c)	Front Yard Depth (minimum)	6.0 metres
(i)	abutting Highway 17	15.0 metres
(d)	Interior Side Yard Width (minimum)	1.2 metre
(e)	Exterior Side Yard Width (minimum)	4.5 metres
(i)	abutting Highway 17	15.0 metres
(f)	Rear Yard Depth (minimum)	10.0 metres
(i)	abutting Highway 17	15.0 metres

- |     |   |                   |
|-----|---|-------------------|
| (g) | Dwelling Unit Area (minimum)                            |                   |
|     | (i) Single storey unit                                  | 75 square metres  |
|     | (ii) Double storey unit                                 | 100 square metres |
| (h) | Lot Coverage (maximum)                                  | 40 %              |
| (i) | Building Height (maximum)                               | 10.5 metres       |
| (j) | Open Storage Area (maximum)                             | 3 %               |
| (k) | All other provisions of Section 5.2.1 (k) to (p) apply. |                   |

### 6.2.3 Zone Provisions for Duplex and Two-Unit Dwellings

- |     |   |                   |
|-----|---|-------------------|
| (a) | Lot Area (minimum):                                     | 300 square metres |
| (b) | Lot Frontage (minimum)                                  | 20.0 metres       |
| (c) | Front Yard Depth (minimum)                              | 6.0 metres        |
|     | (i) abutting Highway 17                                 | 15.0 metres       |
| (d) | Interior Side Yard Width (minimum)                      | 1.2 metre         |
| (e) | Exterior Side Yard Width (minimum)                      | 4.5 metres        |
|     | (i) abutting Highway 17                                 | 15.0 metres       |
| (f) | Rear Yard Depth (minimum)                               | 10.0 metres       |
|     | (i) abutting Highway 17                                 | 15.0 metres       |
| (g) | Dwelling Unit Area (minimum)                            | 75 square metres  |
| (h) | Lot Coverage (maximum)                                  | 40 %              |
| (i) | Building Height (maximum)                               | 10.5 metres       |
| (j) | Open Storage Area                                       | 3 %               |
| (k) | All other provisions of Section 5.2.1 (k) to (p) apply. |                   |

### 6.3 EXCEPTION ZONES

#### 6.3.1 Residential Two-Exception One (R2-E1) Zone

Notwithstanding the provisions of this By-law defining Front Lot Line, and any other provision to the contrary, for the lots in Registered Plans 312 and 313 zoned Residential Two-Exception One (R2-E1) the following exception provisions shall apply:

- a) Front Lot Line shall be deemed to be, for Plan 312, the lines that separate the lots zoned R2-E1 from Block FF, and for Plan 313, the lines that separate the lots zoned R2-E1 from Block CC.
- b) Any dwelling erected in the R2-E1 Zone shall be designed and oriented so that the front wall, including the main entrance and principal living room window, faces the Front Lot Line

#### 6.3.2 Residential Two-Exception Two (R2-E2) Zone

- a) The provisions of paragraphs 3.14.1 c) and 3.14.1 f) regarding home occupations do not apply to lands in the Residential Two-Exception Two (R2-E2) zone.
- b) A home occupation use in the Residential Two-Exception Two (R2-E2) zone shall not occupy more than 50% of the combined floor area of the dwelling unit including the floor area of the basement or cellar.
- c) A home occupation use in the Residential Two-Exception Two (R2-E2) zone shall not employ more than two persons other than members of the household residing in the dwelling unit.
- d) For a home occupation use in the Residential Two-Exception Two (R2-E2) zone, in addition to other parking requirements under this By-law, one off-street parking space shall be provided on the property for each employee who is not resident in the dwelling unit. (Hunter Gate Phases I & II)

#### 6.3.3 Residential Two-Exception Three (R2-E3) Zone

Notwithstanding Section 6.1 to the contrary, for those lands described as Lot 73, Plan 281 and delineated as Residential Two-Exception Three (R2-E3) on Schedule "A" (Map 38) to this By-law, a Business, Professional or Administrative office shall be an additional permitted main use in an existing structure, subject to the following:

- a) existing site performance standards for buildings on the property shall apply;

- b) the provisions of the Site Plan Control By-law shall apply;
- c) the residential character of the property shall be maintained;
- d) there shall not be any open storage or exterior display of items associated with the Business, Professional or Administrative office;
- e) there shall be no sign or other display on the property to indicate that the Business, Professional or Administrative office use is present, except a single, unlit identification sign not exceeding 0.2 m<sup>2</sup> in area and displaying only letters or numbers not more than 5 cm high may be attached flush to the front wall of the building;
- f) the Business, Professional or Administrative office shall not create noise, vibration, fumes, odour, dust, glare or other emissions evident outside the building and which exceed limits established by Town By-laws or Provincial legislation;
- g) there shall not be more than four persons regularly employed in the Business, Professional or Administrative office;
- h) one off-street parking space shall be provided for each person regularly employed in the Business, Professional or Administrative office;
- i) sufficient off-street parking shall be available for customers visiting the premises;
- j) no vehicle associated with the home occupation of gross vehicle weight exceeding 1 tonne shall be parked on the premises in the open.

#### 6.3.4 Residential Two-Exception Four (R2-E4) Zone

Notwithstanding any provisions of this By-law to the contrary, for those lands described as Lot 5, Plan 372, in the Town of Deep River and delineated as Residential Two-Exception Four (R2-E4) on Schedule "A" to this By-law, development shall be permitted on municipal water services and a private sewage disposal system.

#### 6.3.5 Residential Two-Exception Five (R2-E5) Zone

Notwithstanding any provisions of this By-law to the contrary, for those lands described as 46 Huron Street, being Lot 751, Plan 292, in the Town of Deep River, and delineated as Residential Two-Exception Five (R2-E5), a brewery is a permitted Home Occupation. The brewery may be operated out of a garage.

Pursuant to the requirements of Section 39 of the Planning Act, R.S.O. 1990, c.



P.13, this use shall be permitted for a period of three years, ending November 17th, 2017 or three years following the passage of this By-law, whichever time period is greater.

#### 6.3.6 Residential Two-Exception Six (R2-E6) Zone

Notwithstanding any provisions of this By-law to the contrary, for those lands described as Lot 292, Plan 287, located in part of Lot 3, Range 'B', in the geographic Township of Rolph, and delineated as Residential Two-Exception Six (R2-E6), a private garage is an additional permitted use.

### 6.4 INTERIM USES AND STANDARDS (HOLDING)

#### 6.4.1 Residential Two-holding (R2-h) (Lot 10, Range A (Rolph))

(a) Until such time that the holding symbol is removed from any of these lands zoned R2-h, in accordance with the criteria prescribed by Council when the lands are zoned to the holding category, no person shall subdivide land and no person shall use land or erect or use a building or structure except for these permitted uses:

- existing uses in existing locations
- park;

(b) The criteria for the removal of the holding symbol shall be,

- i) Council's acceptance in principle of a draft plan of subdivision and the conditions to approval imposed by the approval authority;
- ii) the finalization of a subdivision agreement; and
- iii) the fulfilment of any requirements for phasing.

<b>SECTION 7.0 - REQUIREMENTS FOR RESIDENTIAL THREE (R3) ZONE</b>
---

**7.1 PERMITTED USES**

No person shall use any land or erect or use any building or structure in any R3 Zone except for:

**(a) Residential Uses**

- Single Detached Dwelling
- Semi-Detached Dwelling
- Duplex Dwelling
- Two-Unit Dwelling
- Three-Unit Dwelling
- Triplex Dwelling
- Four-Unit Dwelling
- Multiple Attached Dwelling
- Rooming House
- Boarding House
- Group Home

**7.2 ZONE PROVISIONS**

No person shall use any lot or erect, alter or use any building or structure in any R3 Zone except in accordance with the following provisions:

**7.2.1 Zone Provisions for Single Detached Dwelling and Group Home**

Refer to Section 6.2.1

**7.2.2 Zone Provisions for Semi-Detached**

Refer to Section 6.2.2

**7.2.3 Zone Provisions for Duplex and Two-Unit Dwellings**

Refer to Section 6.2.3

**7.2.4 Zone Provisions for Triplex, Three-Unit Dwelling, Four-Unit Dwelling, Multiple Attached Dwellings (on one lot), Rooming House and Boarding House**

- |     |                            |                   |
|-----|----------------------------|-------------------|
| (a) | Lot Area (minimum):        | 750 square metres |
| (b) | Lot Frontage (minimum)     | 27.0 metres       |
| (c) | Front Yard Depth (minimum) | 6.0 metres        |

- |  |                  |
|--|------------------|
| (i) abutting Highway 17  | 15.0 metres      |
| (d) Interior Side Yard Width (minimum)   | 3.0 metres       |
| (e) Exterior Side Yard Width (minimum)   | 4.5 metres       |
| (i) abutting Highway 17  | 15.0 metres      |
| (f) Rear Yard Depth (minimum)  | 10.0 metres      |
| (i) abutting Highway 17  | 15.0 metres      |
| (g) Dwelling Unit Area (minimum)   | 75 square metres |
| (h) Lot Coverage (maximum)   | 40 %             |
| (i) Building Height (maximum)  | 10.5 metres      |
| (j) Open Storage Area (maximum)  | 3 %              |
| (k) Group Housing Projects and Row Dwellings: in a group housing project the standards for each dwelling unit shall be in accordance with the provisions of that type of dwelling unit. A group housing cluster shall not include more than thirty (30) dwelling units and the maximum number of town houses in a row dwelling shall be eight (8). |                  |
| (l) All other provisions of Section 5.2.1 (k) to (p) apply.  |                  |

7.2.5 Zone Provisions for Multiple Attached Dwellings (each unit on separate lots)

- |  |                   |
|--|-------------------|
| (a) Lot Area (minimum):  | 250 square metres |
| (b) Lot Frontage (minimum)   | 6.0 metres        |
| (c) Front Yard Depth (minimum)   | 6.0 metres        |
| (i) abutting Highway 17  | 15.0 metres       |
| (d) Interior Side Yard Width (minimum)<br>(no side yard required when lot line(s) is based on common wall) | 3.0 metres        |
| (e) Exterior Side Yard Width (minimum)   | 4.5 metres        |
| (i) abutting Highway 17  | 15.0 metres       |

- |     |   |             |
|-----|---|-------------|
| (f) | Rear Yard Depth (minimum)                               | 10.0 metres |
|     | (i) abutting Highway 17                                 | 15.0 metres |
| (g) | All other provisions of Section 7.2.4 (g) to (l) apply. |             |

### 7.3 EXCEPTION ZONES

#### 7.3.1 Residential Three-Exception One (R3-E1) Zone

Notwithstanding any provisions of this By-law to the contrary, for those lands described part of Lot 7, Range A and B, and part of the road allowance between Ranges A and B, also being Part of Block E, Registered Plan 331, and known as 12 Avon Road, in the Town of Deep River, a group housing cluster may include more than 30 dwelling units, and the only permitted uses are:

- Permitted uses of the Residential Three (R3) Zone
- Business, Professional or Administrative Office
- Scientific Research Establishment – Class 1
- Community Institution, non-profit
- Clinic
- Government Offices

#### 7.3.2 Residential Three-Exception Two (R3-E2) Zone

Notwithstanding any provisions of this By-law to the contrary, for those lands described as Block B, Plan 331 and Part of Block TT, Plan 324, located in part of Lots 6 and 7, Range 'A', in the Town of Deep River, and delineated as Residential Three-Exception One (R3-E2), shared living accommodations shall be a permitted use in the existing building. Gravel surfacing of parking areas shall be permitted. Parking will be provided at a rate of 1 parking space per bed.

For the purposes of this subsection, "shared living accommodations" shall mean a residential building containing a maximum of 10 boarding rooms with common living areas and common kitchen facilities, available for short term rental.

## SECTION 8.0 - REQUIREMENTS FOR RESIDENTIAL FOUR (R4) ZONE

**8.1 PERMITTED USES**

No person shall use any land or erect or use any building or structure in any R4 Zone except for:

- (a) Residential Uses
- Apartment Dwelling
  - Retirement Home
  - Group Home

**8.2 ZONE PROVISIONS**

No person shall use any lot or erect, alter or use any building or structure in any R4 Zone except in accordance with the following provisions:

**8.2.1 Zone Provisions for Apartment Dwelling, Retirement Home and Group Home**

- |     |                                    |   |
|-----|------------------------------------|---|
| (a) | Lot Area (minimum):                | 1000 square metres  |
| (b) | Lot Frontage (minimum)             | 27.0 metres   |
| (c) | Front Yard Depth (minimum)         | 6.0 metres  |
|     | (i) abutting Highway 17            | 15.0 metres   |
| (d) | Interior Side Yard Width (minimum) | 7.5 metres or half of the building height, whichever is greater |
| (e) | Exterior Side Yard Width (minimum) | 4.5 metres  |
|     | (i) abutting Highway 17            | 15.0 metres   |
| (f) | Rear Yard Depth (minimum)          | 10.0 metres or height, whichever is greater                     |
| (g) | Dwelling Unit Area (minimum)       |   |
|     | (i) bachelor                       | 40 square metres  |
|     | (ii) one bedroom                   | 45 square metres  |
|     | (iii) two bedroom                  | 55 square metres  |

- |      |  |                  |
|------|--|------------------|
| (iv) | three bedroom  | 65 square metres |
| (h)  | Lot Coverage (maximum)   | 40 %             |
| (i)  | Building Height (maximum)  | 15.0 metres      |
| (j)  | Open Storage Area (maximum)  | 3 %              |
| (k)  | Group Housing Projects and Row Dwellings: in a group housing project the standards for each dwelling unit shall be in accordance with the provisions of that type of dwelling unit. A group housing cluster shall not include more than thirty (30) dwelling units and the maximum number of town houses in a row dwelling shall be eight (8). |                  |
| (l)  | All other provisions of Section 5.2.1 (k) to (p) apply.  |                  |

### 8.3 EXCEPTION ZONES

#### 8.3.1 Residential Four-Exception One (R4-E1) Zone

Notwithstanding any other provision of this By-law to the contrary, for lands in the Residential Four-Exception One (R4-E1) Zone:

- (a) a day care centre shall be a permitted main use in an existing structure, and existing site performance standards shall apply for all existing buildings and structures on the lot.

#### 8.3.2 Residential Four-Exception Two (R4-E2) Zone

Notwithstanding any other provision of this By-law to the contrary, for lands in the Residential Four-Exception Two (R4-E2) Zone:

- (a) an apartment dwelling shall be a permitted main use in an existing structure, and existing site performance standards shall apply for all existing buildings and structures on the lot; and,
- (b) not more than one accessory building, not exceeding 16 m<sup>2</sup> in area shall be permitted on the lot

#### 8.3.3 Residential Four-Exception Three (R4-E3) Zone

Notwithstanding any other provision of this By-law to the contrary, for lands in the Residential Four-Exception Three (R4-E3) Zone:

- (a) Permitted Uses:

- Apartment Dwellings
- Multiple Attached Dwellings
- Open Space
- Park
- Recreation Facility

(b) Special Provisions:

- (i) Multiple Attached Dwellings shall comply with the Zone Provisions of the Residential Three (R3) Zone.
- (ii) Park and Recreation Facility uses shall comply with the Zone Provisions of the Open Space One (OS1) Zone.

#### 8.3.4 Residential Four-Exception Four (R4-E4) Zone

Notwithstanding any provisions of this By-law to the contrary, for those lands described as Part of Lots 4 and 5, Range "B", in the geographic Township of Rolph, and described more particularly as Part Block S on Plan 304 Rolph, and Parts 1 - 10, inclusive, on 49R- 8761, and delineated as Fourth Density Residential - Exception Four (R4-E4), the following provisions shall apply:

- i) Interior Side Yard Width (minimum) 2.8 metres
- ii) Exterior Side Yard Width (minimum) 3.0 metres
- iii) Height (maximum) 17.0 metres
- iv) Storeys (maximum) 4
- v) Balcony encroachment permitted into the required minimum yard (maximum) 2.1 metres
- vi) A garbage receptacle is permitted to be located within the required front yard "Lot 1" illustrated on the site plan.

### 8.4 INTERIM USES AND STANDARDS (HOLDING)

#### 8.4.1 Residential Four-Exception Four – holding (R4-E4-h) Zone

Until such time as the holding symbol is removed from the lands described as Part of Lots 4 and 5, Range "B", in the geographic Township of Rolph, and described more particularly as Part Block S on Plan 304 Rolph, and Parts 1 - 10, inclusive, on 49R-8761, and delineated as Fourth Density Residential - Exception Four - holding (R4-E4-h), no person shall erect a building or structure, except in accordance with the following:

- a) Permitted Uses
  - Open Space
  - Passive recreation that does not require a building

b) Conditions for removal of Holding Symbol (h)

That a detailed site plan has been submitted and approved by the Town of Deep River for the future development of these lots.



**SECTION 9.0 - REQUIREMENTS OF ESTATE RESIDENTIAL (ER) ZONE****9.1 PERMITTED USES**

No person shall use any land or erect or use any building or structure in any ER Zone except for:

- (a) Residential Uses
  - Single Detached Dwelling
- (b) Non-Residential Uses
  - Non-commercial Animal Husbandry
  - Non-commercial Agricultural Uses
  - Silviculture

**9.2 ZONE PROVISIONS**

No person shall use any lot or erect, alter or use any building or structure in any ER Zone except in accordance with the following provisions:

**9.2.1 Zone Provisions for Residential Uses**

(a)	Lot Area (minimum)	0.6 hectare
(b)	Lot Frontage (minimum)	45 metres
(c)	Front Yard Depth (minimum)	7.5 metres
(d)	Interior Side Yard Width (minimum)	3.0 metres
(e)	Exterior Side Yard Width (minimum)	7.5 metres
(f)	Rear Yard Depth (minimum)	7.5 metres
(g)	Dwelling Unit Area (minimum)	
	(i) single storey unit	100 square metres
	(ii) double storey unit	120 square metres
(h)	Lot Coverage (maximum)	20 %
(i)	Building Height (maximum)	10.5 metres

- (j) Open Storage Area (maximum) 3 %
- (k) All other provisions of Section 5.2.1 (l) to (q) apply.

### 9.2.2 Zone Provisions for Non-Residential Uses

- (a) Front Yard Depth (minimum) 20.0 metres
- (b) Rear Yard Depth (minimum) 10.0 metres
- (c) Dwelling Unit Area (minimum) 100 square metres
- (d) Lot Coverage (maximum) 15 %
- (e) Building Height (maximum) 11.0 metres
- (f) Open Storage Area (maximum) 3 %
- (g) Open Storage: In accordance with the provisions for Open Storage in Section 3 – General Provisions of this By-law.
- (h) Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 – General Provisions of this By-law.
- (i) Separation Distances: In accordance with the provisions for Separation Distances in Section 3 – General Provisions of this By-law.
- (j) Water Setback: In accordance with the provisions for Water Setback in Section 3 – General Provisions of this By-law.
- (k) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provisions of this zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3 – General Provisions of this By-law.
- (l) Ottawa River Floodplain: In accordance with the provisions for the Ottawa River Floodplain in Section 3 – General Provisions of this By-law

## 9.3 EXCEPTION ZONES

### 9.3.1 Estate Residential-Exception One (ER-E1) Zone

Notwithstanding any other provision in this By-law to the contrary, for lands in the Estate Residential-Exception One (ER-E1) Zone the following are permitted uses:

- (a) artisan shop, including in particular the buying and selling of antiques, the

buying and selling of crafts and small giftware, the refinishing of wood products, furniture and antiques.

- (b) a residential use in conjunction with a use permitted under subsection a).

The site performance standards shall be as provided for in Table 5.4.1 except,

- Lot Frontage (minimum) shall be 20 metres;
- Gross Floor Area total all buildings (maximum) shall be 500 m<sup>2</sup>.

- (c) a tea room as an accessory use to a commercial use permitted under subsection a), provided that:

- i) space is provided for no more than 40 patrons at any one time;
- ii) the tea room is located within the same building as the principal commercial use;
- iii) the floor area of the tea room does not exceed 50% of the gross floor area of the building; and
- iv) the tea room conducts business only during the same hours as the principal use; and paragraph 3.4.1 does not apply to such accessory use.

### 9.3.2 Estate Residential-Exception Two (ER-E2) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands in the Estate Residential-Exception Two (ER-E2) Zone, the following provisions shall apply:

- (a) Minimum lot area: 0.38 hectares
- (b) Prior to the issuance of a building permit, the slope crest shall be staked out by a qualified engineer, and a Plan of Survey shall be prepared by an Ontario land Surveyor showing the location of the slope crest on the lands. No buildings or structure shall be permitted within 20 metres of the crest of slope shown on the resulting Plan of Survey or within 20 metres of the rear lot line, whichever is greater.

### 9.3.3 Estate Residential-Exception Three (ER-E3) Zone

Notwithstanding any provisions of this By-law to the contrary, for those lands known as part of Lot 41, Range "B", and delineated as Estate Residential-Exception Three (ER-E3), the following Provisions shall apply:

- i) Lot Frontage (minimum) 37 metres

#### 9.3.4 Estate Residential-Exception Four (ER-E4) Zone

Notwithstanding any provisions of this By-law to the contrary, for those lands described as Part of Lot 39, Range 'B', in the former geographic Township of Buchanan, and delineated as Estate Residential-Exception Four (ER-E4), the following provision shall apply:

- i) Water Setback (minimum) 30 metres

#### 9.3.5 Estate Residential-Exception Five (ER-E5) Zone

Notwithstanding any provisions of this By-law to the contrary, for those lands described as Part of Lot 39, Range 'B', in the former geographic Township of Buchanan, and delineated as Estate Residential-Exception Five (ER-E5), the following provision shall apply:

- i) Water Setback (minimum) 30 metres
- ii) Lot Frontage (minimum) 47 meters

**SECTION 10.0 - REQUIREMENTS OF LIMITED SERVICE RESIDENTIAL (LSR) ZONE****10.1 PERMITTED USES**

No person shall use any land or erect or use any building or structure in any LSR Zone except for:

- (a) Residential Uses
- Limited Service Dwelling

**10.2 ZONE PROVISIONS**

No person shall use any lot or erect, alter or use any building or structure in any LSR Zone except in accordance with the following provisions:

**10.2.1 Zone Provisions for Residential Uses**

- |     |  |                    |
|-----|--|--------------------|
| (a) | Lot Area (minimum)   | 4047 square metres |
| (b) | Lot Frontage (minimum)   | 30 metres          |
| (c) | Front Yard Depth (minimum)   | 7.5 metres         |
| (d) | Interior Side Yard Width (minimum)   | 3.0 metres         |
| (e) | Exterior Side Yard Width (minimum)   | 3.0 metres         |
| (f) | Rear Yard Depth (minimum)  | 7.5 metres         |
| (g) | Dwelling Unit Area (minimum)   |                    |
|     | (i) single storey unit   | 75 square metres   |
|     | (ii) double storey unit  | 100 square metres  |
| (h) | Lot Coverage (maximum)   | 20%                |
| (i) | Building Height (maximum)  | 10.5 metres        |
| (j) | Open Storage Area (maximum)  | 3%                 |
| (k) | Open Storage: In accordance with the provisions for Open Storage in Section 3 – General Provisions of this By-law.               |                    |
| (l) | Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 – General Provisions of this By-law. |                    |

- (m) Separation Distances: In accordance with the provisions for Separation Distances in Section 3 – General Provisions of this By-law.
- (n) Water Setback: In accordance with the provisions for Water Setback in Section 3 – General Provisions of this By-law.
- (o) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provisions of this zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3 – General Provisions of this By-law.
- (p) Ottawa River Floodplain: In accordance with the provisions for the Ottawa River Floodplain in Section 3 – General Provisions of this By-law

**SECTION 11.0 - REQUIREMENTS OF TOWN CENTRE – GENERAL (C1) ZONE****11.1 PERMITTED USES**

No person shall use any land or erect or use any building or structure in any C1 Zone except for:

(a) Residential Uses

- Apartment Dwellings
- Dwelling Units above permitted, complying commercial premises

(b) Non-Residential Uses

- Amusement Arcade
- Artisan Shop or Studio
- Assembly Hall
- Bake Shop
- Business, Professional or Administrative Office
- Clinic
- Community Institution, Non-Profit
- Conference Centre
- Convenience Store
- Day Care Centre
- Drug Store
- Eating Establishment, Full Service
- Eating Establishment, Take-Out
- Financial Office
- Funeral Home
- Government Offices
- Hotel
- Innovation Centre
- Laundromat
- Licensed Establishment
- Parking Lot
- Uses permitted in the OS2 Zone
- Place of Entertainment
- Printing Establishment
- Retail Store
- Service Shop, General
- Service Shop, Personal
- Shopping Centre
- Supermarket
- Mixed Commercial-Residential Development

(c) Ancillary Uses

- Workshop

## 11.2 ZONE PROVISIONS

No person shall use any lot or erect, alter or use any building or structure in any C1 Zone except in accordance with the following provisions:

- |     |  |   |
|-----|--|---|
| (a) | Lot Area (minimum)   | 100 square metres   |
| (b) | Lot Frontage (minimum)   | 6.0 metres  |
| (c) | Front Yard Depth (minimum)   | 0 metres  |
| (d) | Interior Side Yard Width (minimum)   | 0 metres except that where the side lot line abuts any Residential Zone, the minimum side yard width shall be 6.0 metres. |
| (e) | Exterior Side Yard Width (minimum)   | Same as required for front yard   |
| (f) | Rear Yard Depth (minimum)  | 0 metres  |
| (g) | Lot Coverage (maximum)   | 100 % less the area for required parking spaces   |
| (h) | Building Height (maximum)  | 15.0 metres   |
| (i) | Open Storage Area  | Not Permitted   |
| (j) | Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 – General Provisions of this By-law.   |   |
| (k) | Separation Distances: In accordance with the provisions for Separation Distances in Section 3 – General Provisions of this By-law.   |   |
| (l) | Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provisions of this zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3 – General Provisions of this By-law. |   |
| (m) | Ottawa River Floodplain: In accordance with the provisions for the Ottawa River Floodplain in Section 3 – General Provisions of this By-law.   |   |
| (n) | Workshops: some very light manufacturing may be permitted in conjunction with a permitted use provided the floor area devoted to manufacturing in any separate business shall be less than 50% of the floor area of the total premises.  |   |



- (o) **Canopies:** In the Town Centre – General zone, every building that does not have yards on all sides shall be equipped with a canopy to protect pedestrians from the weather and to provide a unifying architectural feature. The said canopy shall project 2.9 m from the wall of the building at a height of 3 m above the sidewalk or pedestrian way. Canopies encroaching on property owned by the Town of Deep River shall be required to enter into a developer’s agreement with the Town.
- (p) **Buffering from other Zones:** Where land in a Town Centre Zone abuts a Residential or Undeveloped Zone, either directly or separated by only a road allowance, then a strip of land within the Town Centre Zone, not less than 1.5 m in width, measured horizontally from the lot line that divides that lot in the Town Centre Zone from the land in the Undeveloped or Residential Zones, or from the intervening road allowance, and for the extent of such lot line, shall be used only for landscaping. The only exceptions shall be where entrances or exits for a permitted use in the Town Centre Zone lot are necessary

### 11.3 EXCEPTION ZONES

#### 11.3.1 Town Centre - General-Exception One (C1-E1) Zone

Notwithstanding Section 11.1 and 11.2, in addition to the uses permitted in the C1 zone the following are permitted:

- Commercial Uses:** Advanced Centre for Learning;  
Industrial Facility – Class 1 – within a wholly contained building which existed as of August 1, 2007;  
High Technology Research Facility;  
Museum;  
Park/Open Space;  
School
- Residential Uses:** Dwelling, Row;  
Dwelling, Row Stacked;  
Nursing Home;  
Retirement Home;  
Senior Citizen’s Home

Every permitted residential use shall conform to the standards contained in the table below:

	<b>Dwellings—Row and Row Stacked</b>	<b>Apartments</b>
Lot area per dwelling unit	275 m <sup>2</sup> for each of first 3 units plus 150 m <sup>2</sup> for each additional unit	N/A
Lot frontage	6 m	27 m

Front yard depth	6 m	For stories one and two: No Minimum. For higher stories: $X = (Z - 7.5 \text{ m}) \times 0.3$ ; X being the required minimum yard and Z being the elevation in meters of the subject part of the building above the average grade at the front main wall, similar to the concept depicted in the illustration of min. side yard in a residential zone.
Rear yard depth	7.5 m	N.M.
Exterior side yard width	6 m	Same as Front yard
Interior side yard width	3 m, except 0 m if sharing a common wall	N.M. Except abutting a residential zone where 6 m shall be required
Gross floor area	75 square metres	N/A
Height (maximum)	13 m	13 m
Stories (maximum)	3	3
Coverage (maximum)	50%	100% less the area required for parking spaces

**SECTION 12.0 - REQUIREMENTS OF TOWN CENTRE – RESTRICTED (C2) ZONE****12.1 PERMITTED USES**

No person shall use any land or erect or use any building or structure in any C2 Zone except for:

**(a) Residential Uses**

- Apartment Dwellings

**(b) Non-Residential Uses**

- Artisan Shop or Studio
- Bake Shop
- Business, Professional or Administrative Office
- Clinic
- Community Institution, Non-Profit
- Convenience Store
- Day Care Centre
- Drug Store
- Eating Establishment, Full Service
- Financial Office
- Funeral Home
- Government Offices
- Hotel
- Parking Lot
- Uses permitted in the OS2 Zone
- Printing Establishment
- Retail Store
- Service Shop, General
- Service Shop, Personal

**(c) Ancillary Uses**

- Workshop

**12.2 ZONE PROVISIONS**

No person shall use any lot or erect, alter or use any building or structure in any C2 Zone except in accordance with the following provisions:

- |     |              |   |
|-----|--------------|---|
| (a) | Lot Area     | 600 square metres (minimum)<br>1200 square metres (maximum) |
| (b) | Lot Frontage | 15.0 metres (minimum)<br>40.0 metres (maximum)              |

- |     |  |  |
|-----|--|--|
| (c) | Front Yard Depth   | 3.0 metres (minimum)<br>7.5 metres (maximum)   |
| (d) | Interior Side Yard Width (minimum)   | 3.0 metres on one side, but 6.0 metres where abutting a residential zone; and 0 metres on the other. |
| (e) | Exterior Side Yard Width   | 3.0 metres (minimum)<br>7.5 metres (maximum)   |
| (f) | Rear Yard Depth (minimum)  | 10.0 metres  |
| (g) | Lot Coverage (maximum)   | 35%  |
| (h) | Building Height (maximum)  | 15.0 metres  |
| (i) | Open Storage Area (maximum)  | 3%   |
| (j) | Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 – General Provisions of this By-law.   |  |
| (k) | Separation Distances: In accordance with the provisions for Separation Distances in Section 3 – General Provisions of this By-law.   |  |
| (l) | Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provisions of this zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3 – General Provisions of this By-law.   |  |
| (m) | Ottawa River Floodplain: In accordance with the provisions for the Ottawa River Floodplain in Section 3 – General Provisions of this By-law.   |  |
| (n) | Workshops: some very light manufacturing may be permitted in conjunction with a permitted use provided the floor area devoted to manufacturing in any separate business shall be less than 50% of the floor area of the total premises.  |  |
| (o) | Canopies: In the Town Centre – Restricted zone, every building that does not have yards on all sides shall be equipped with a canopy to protect pedestrians from the weather and to provide a unifying architectural feature. The said canopy shall project 2.9 m from the wall of the building at a height of 3 m above the sidewalk or pedestrian way. Canopies encroaching on property owned by the Town of Deep River shall be required to enter into a developer's agreement with the Town. |  |

- (p) Buffering from other Zones: Where land in a Town Centre Zone abuts a Residential or Undeveloped Zone, either directly or separated by only a road allowance, then a strip of land within the Town Centre Zone, not less than 1.5 m in width, measured horizontally from the lot line that divides that lot in the Town Centre Zone from the land in the Undeveloped or Residential Zones, or from the intervening road allowance, and for the extent of such lot line, shall be used only for landscaping. The only exceptions shall be where entrances or exits for a permitted use in the Town Centre Zone lot are necessary.

### 12.3 EXCEPTION ZONES

#### 12.3.1 Town Centre-Restricted-Exception One (C2-E1) Zone

Notwithstanding any other provision of this By-law to the contrary, for lands in the Town Centre-Restricted-Exception One (C2-E1) Zone only the following uses shall be permitted:

- Artisan shop or studio
- Business, Professional or Administrative Office
- Retail Store
- Service Shop, General
- Service Shop Personal
- Workshop in accordance with clause 12.2(n)

#### 12.3.2 Town Centre-Restricted-Exception Two (C2-E2) Zone

Notwithstanding any other provision of this By-law to the contrary, for lands in the Town Centre-Restricted-Exception Two (C2-E2) Zone only the following uses shall be permitted:

- Artisan shop or studio
- Business, Professional or Administrative Office
- Community Institution, Non-Profit
- Printing Establishment
- Scientific Research Establishment – Class 1
- Telephone Switching Office
- Workshop in accordance with clause 12.2(n)

Notwithstanding any other provision of this By-law to the contrary, the site performance standards of existing buildings apply to lands in the Town Centre-Restricted-Exception Two (C2-E2) Zone.

### 12.3.3 Town Centre-Restricted-Exception Three (C2-E3) Zone

Notwithstanding any other provisions in this By-law to the contrary, for lands in the Town Centre-Restricted-Exception Three (C2-E3) Zone, only the following uses shall be permitted:

- Clinic

### 12.3.4 Town Centre - Restricted-Exception Four (C2-E4) Zone

Notwithstanding any provisions of this By-law to the contrary, for those lands delineated as Town Centre-Restricted-Exception Four (C2-E4), a residential dwelling unit on the first floor shall be an additional permitted use.

**SECTION 13.0 - REQUIREMENTS FOR HIGHWAY COMMERCIAL (HC) ZONE****13.1 PERMITTED USES**

No person shall use any land or erect or use any building or structure in any HC Zone except for:

(a) Non-Residential Uses

- Animal Hospital
- Artisan Shop or Studio
- Automotive-Car Wash
- Automotive-Commercial Garage
- Automotive-Gasoline Bar
- Automotive-Service Station
- Automotive-Store
- Automotive-Vehicle Sales or Rental Establishment
- Banquet Hall
- Building Supply Store
- Business, Professional and Administrative Offices
- Bus Depot
- Caterer's Establishment
- Convenience Store
- Dairy
- Drug Store
- Eating Establishment
- Factory Outlet
- Flea Market
- Funeral Home
- Garden Centre
- Grocery Store
- High Technology Research Facility
- Hotel
- Industrial Facility – Class I
- Innovation Centre
- Laundromat
- Licenced Establishment
- Miniature Golf Course
- Mini Storage Establishment
- Motel
- Museum or Interpretive Centre
- Place of Entertainment
- Retail store
- Service Shop, General
- Service Shop, Personal
- Travel Centre
- Workshop

(b) Ancillary Uses

- Campground (only in conjunction with a hotel, motel, museum or interpretive centre, or travel centre)
- Residential Dwellings

**13.2 ZONE PROVISIONS**

No person shall use any lot or erect, alter or use any building or structure in any HC Zone except in accordance with the following provisions:

- |     |   |  |
|-----|---|--|
| (a) | Lot Area (minimum)  | 2000 square metres   |
| (b) | Lot Frontage (minimum)  | 31.5 metres  |
| (c) | Front Yard Depth (minimum)  | 6.0 metres   |
|     | (i) abutting Highway 17   | 15 metres  |
| (d) | Interior Side Yard Width (minimum)  | 3.0 metres   |
| (e) | Exterior Side Yard Width (minimum)  | Same as required for front yard  |
| (f) | Rear Yard Depth (minimum)   | 3.0 metres   |
| (g) | Lot Coverage (maximum)  | 40%  |
| (h) | Building Height (maximum)   | 15.0 metres  |
| (i) | Floor Area (minimum)  | 139.34 square metres   |
| (j) | Open Storage Area (maximum)   | 35% of lot area or twice the ground floor area of the main building, whichever is less |
| (k) | Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 – General Provisions of this By-law.  |  |
| (l) | Separation Distances: In accordance with the provisions for Separation Distances in Section 3 – General Provisions of this By-law.  |  |
| (m) | Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provisions of this zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements |  |



for Accessory Uses, Buildings and Structures in Section 3 – General Provisions of this By-law.

- (n) **Ottawa River Floodplain:** In accordance with the provisions for the Ottawa River Floodplain in Section 3 – General Provisions of this By-law.
- (o) **Residential Uses:** Dwellings and accessory buildings shall be permitted in any Highway Commercial Zone provided that such dwellings are for resident owners, caretakers or maintenance staff only; there is only one dwelling unit associated with any one business or institution; the dwelling unit is on the same lot as the business or institution with which its associated and the dwelling unit is provided with a pedestrian access independent of the business or institution.
- (p) **Entrances:** The maximum number of private entrances permitted from a public road to any one property shall be two (2).
- (q) **Buffering from other Zones:** Where land in a Highway Commercial Zone abuts a Residential or Undeveloped Zone, either directly or separated by only a road allowance, then a strip of land within the Highway Commercial Zone, not less than 1.5 m in width, measured horizontally from the lot line that divides that lot in the Highway Commercial Zone from the land in the Undeveloped or Residential Zones, or from the intervening road allowance, and for the extent of such lot line, shall be used only for landscaping. The only exceptions shall be where entrances or exits for a permitted use in the Highway Commercial Zone lot are necessary.

### 13.3 EXCEPTION ZONES

#### 13.3.1 Highway Commercial-Exception One (HC-E1) Zone

Notwithstanding any other provision of this By-law to the contrary, for lands in the Highway Commercial-Exception One (HC-E1) zone, in addition to other uses permitted under this By-law, a clinic shall be a permitted use.

### 13.4 INTERIM USES AND STANDARDS (HOLDING)

#### 13.4.1 Highway Commercial-Exception Two-holding (HC-E2-h)

Notwithstanding anything in this By-law to the contrary, for those lands described as part of Lot 7, Range A, Township of Rolph, in the Town of Deep River delineated as Highway Commercial-Exception Two-holding (HC-E2-h), on Schedule “A” to this By-law, a shopping centre and supermarket shall be considered additional permitted uses.

These additional uses shall not be permitted until such time as the holding symbol is removed from any of the land zoned Highway Commercial-Exception Two-holding (HC-E2-h). The removal of the holding symbol requires that the following

conditions be met to the satisfaction of the Town:

- (1) The following technical studies/reports/plans be prepared by the owner and approved by the Town:
  - Traffic Impact Study
  - Stormwater Management Report
  - Scoped Environmental Impact Statement for Kennedy's Creek - Servicing Study related to the provision of access, water and sewer services, lighting, signage, upgrades to C.D. Howe Drive
  - Landscape plan prepared by a professional landscape architect
- (2) That the Ministry of Transportation requirements for access and design are met.
- (3) That a site plan and site plan agreement be approved by Council and registered on title.

## SECTION 14.0 - REQUIREMENTS FOR LIGHT INDUSTRIAL (M1) ZONE

**14.1 PERMITTED USES**

No person shall use any land or erect or use any building or structure in any M1 Zone except for:

**(a) Residential Uses**

- Prohibited

**(b) Non-Residential Uses**

- Automotive-Body Shop
- Bus Terminal
- Contractor's Yard
- High Technology Research Facility
- Industrial Facility - Class I
- Innovation Centre
- Mini Storage Establishment
- Scientific Research Establishment – Class I
- Truck Terminal
- Warehouse
- Welding Shop
- Industrial Mall
- Workshop

**(c) Ancillary Uses**

- Office for conducting the business of the principal use
- Retail or service store for products used and manufactured by the principal use

**14.2 ZONE PROVISIONS**

No person shall use any lot or erect, alter or use any building or structure in any M1 Zone except in accordance with the following provisions:

- |     |                                    |             |
|-----|------------------------------------|-------------|
| (a) | Front Yard Depth (minimum)         | 10.0 metres |
|     | (i) Abutting Highway 17            | 20.0 metres |
| (b) | Interior Side Yard Width (minimum) | 3.0 metres  |
|     | (i) Abutting any Residential Zone  | 10.0 metres |

- |     |  |  |
|-----|--|--|
| (c) | Exterior Side Yard Width (minimum)   | 10.0 metres  |
|     | (i) Abutting Highway 17  | 20.0 metres  |
| (d) | Rear Yard Depth (minimum)  | 10.0 metres  |
|     | (i) Abutting Highway 17  | 20.0 metres  |
| (e) | Lot Coverage (maximum)   | 40%  |
| (f) | Building Height (maximum)  | 12.0 metres  |
| (g) | Open Storage Area (maximum)  | 40 % of Lot Area or twice the ground floor area of the main building on the lot, whichever is less |
| (h) | Open Storage: In accordance with the provisions for Open Storage in Section 3 – General Provisions of this By-law.   |  |
| (i) | Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 – General Provisions of this By-law.   |  |
| (j) | Separation Distances: In accordance with the provisions for Separation Distances in Section 3 – General Provisions of this By-law.   |  |
| (k) | Water Setback: In accordance with the provisions for Water Setback in Section 3 – General Provisions of this By-law.   |  |
| (l) | Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provisions of this zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3 – General Provisions of this By-law. |  |
| (m) | Ottawa River Floodplain: In accordance with the provisions for the Ottawa River Floodplain in Section 3 – General Provisions of this By-law.   |  |
| (n) | Industrial Mall: An Industrial Mall is permitted provided that each of the component uses is a permitted use in this Zone.   |  |

**SECTION 15.0 - REQUIREMENTS FOR PUBLIC INDUSTRIAL (M2) ZONE****15.1 PERMITTED USES**

No person shall use any land or erect or use any building or structure in any M2 Zone except for:

**(a) Residential Uses**

- Prohibited

**(b) Non-Residential Uses**

- Animal Shelter
- Public Utility Building and Facilities
- Garage, Public

**(c) Ancillary Uses**

- Office for conducting the business of the principal use
- Retail or service store for products used and manufactured by the principal use

**15.2 ZONE PROVISIONS**

No person shall use any lot or erect, alter or use any building or structure in any M2 Zone except in accordance with the following provisions:

(a) Front Yard Depth (minimum)	10.0 metres
(i) Abutting Highway 17	20.0 metres
(b) Interior Side Yard Width (minimum)	3.0 metres
(i) Abutting any Residential Zone	10.0 metres
(c) Exterior Side Yard Width (minimum)	10.0 metres
(i) Abutting Highway 17	20.0 metres
(d) Rear Yard Depth (minimum)	10.0 metres
(i) Abutting Highway 17	20.0 metres
(e) Lot Coverage (maximum)	40%

- (f) Building Height (maximum) 12.0 metres
- (g) Open Storage Area (maximum) 40 % of Lot Area or twice the ground floor area of the main building on the lot, whichever is less
- (h) Open Storage: In accordance with the provisions for Open Storage in Section 3 – General Provisions of this By-law.
- (i) Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 – General Provisions of this By-law.
- (j) Separation Distances: In accordance with the provisions for Separation Distances in Section 3 – General Provisions of this By-law.
- (k) Water Setback: In accordance with the provisions for Water Setback in Section 3 – General Provisions of this By-law.
- (l) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provisions of this zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3 – General Provisions of this By-law.
- (m) Ottawa River Floodplain: In accordance with the provisions for the Ottawa River Floodplain in Section 3 – General Provisions of this By-law.

<b>SECTION 16.0 - REQUIREMENTS FOR GENERAL INDUSTRIAL (M3) ZONE</b>
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**16.1 PERMITTED USES**

No person shall use land or erect or use a building or structure in an M3 Zone except for:

- (a) Residential Uses
  - Prohibited
- (b) Industrial Uses
  - Asphalt Manufacturing Plant
  - Cannabis Production Facility
  - Concrete Manufacturing Plant
  - Contractor's Shop or Yard
  - Fuel Depot
  - Industrial Facility-Class II
  - Industrial Facility-Class III
  - Scientific Research Establishment – Class II
  - Transfer Station
- (c) Ancillary Uses
  - Office for conducting the business of the principal use
  - Retail or service store for products used and manufactured by the principal use

**16.2 ZONE PROVISIONS**

No person shall use any lot or erect, alter or use any building or structure in any M3 Zone except in accordance with the following provisions:

- |     |                                    |             |
|-----|------------------------------------|-------------|
| (a) | Front Yard Depth (minimum)         | 10.0 metres |
|     | (i) Abutting Highway 17            | 20.0 metres |
| (b) | Interior Side Yard Width (minimum) | 3.0 metres  |
|     | (i) Abutting any Residential Zone  | 10.0 metres |
| (c) | Exterior Side Yard Width (minimum) | 10.0 metres |
|     | (i) Abutting Highway 17            | 20.0 metres |
| (d) | Rear Yard Depth (minimum)          | 10.0 metres |

- |     |  |  |
|-----|--|--|
| (i) | Abutting Highway 17  | 20.0 metres  |
| (e) | Lot Coverage (maximum)   | 40%  |
| (f) | Building Height (maximum)  | 12.0 metres  |
| (g) | Open Storage Area (maximum)  | 40 % of Lot Area or twice the ground floor area of the main building on the lot, whichever is less |
| (h) | Open Storage: In accordance with the provisions for Open Storage in Section 3 – General Provisions of this By-law.   |  |
| (i) | Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 – General Provisions of this By-law.   |  |
| (j) | Separation Distances: In accordance with the provisions for Separation Distances in Section 3 – General Provisions of this By-law.   |  |
| (k) | Water Setback: In accordance with the provisions for Water Setback in Section 3 – General Provisions of this By-law.   |  |
| (l) | Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provisions of this zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3 – General Provisions of this By-law. |  |
| (m) | Ottawa River Floodplain: In accordance with the provisions for the Ottawa River Floodplain in Section 3 – General Provisions of this By-law.   |  |



**SECTION 17.0 - REQUIREMENTS FOR EXTRACTIVE INDUSTRIAL (ME) ZONE****17.1 PERMITTED USES**

No person shall use any land or erect or use any building or structure in any ME Zone except for:

- (a) Residential Uses
  - Prohibited
- (b) Non-Residential Uses
  - Extractive Industrial Facility
  - Gravel pit
  - Quarry

**17.2 ZONE PROVISIONS**

No person shall use any lot or erect, alter or use any building or structure in any ME Zone except in accordance with the following provisions:

- (a) Front Yard Depth (minimum)
  - (i) to a General Industrial Zone 20.0 metres
  - (ii) to Other Zones 30.0 metres
- (b) Rear Yard Depth (minimum)
  - (i) to a General Industrial Zone 15.0 metres
  - (ii) to Other Zones 30.0 metres
- (c) Side Yard Width (minimum)
  - (i) to a General Industrial Zone 15.0 metres
  - (ii) to Other Zones 30.0 metres
- (d) Open Storage: In accordance with the provisions for Open Storage in Section 3 – General Provisions of this By-law.
- (e) Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 – General Provisions of this By-law.

- (f) **Separation Distances:** In accordance with the provisions for Separation Distances in Section 3 – General Provisions of this By-law.
- (g) **Water Setback:** In accordance with the provisions for Water Setback in Section 3 – General Provisions of this By-law.
- (h) **Accessory Uses, Buildings and Structures:** Notwithstanding any Zone Provisions of this zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3 – General Provisions of this By-law.
- (i) **Ottawa River Floodplain:** In accordance with the provisions for the Ottawa River Floodplain in Section 3 – General Provisions of this By-law.
- (j) **Buffering:** In an Extractive Industrial Zone, all land within 30 m of any other zone or within 20 m of any street line shall be used only for landscaping with vegetation, except where entrances or exits for a permitted use are necessary.

**SECTION 18.0 - REQUIREMENTS FOR DISPOSAL INDUSTRIAL (MD) ZONE****18.1 PERMITTED USES**

No person shall use land or erect or use a building or structure in a MD Zone except for:

- (a) Residential Uses
  - Prohibited
- (b) Non-Residential Uses
  - Waste Disposal Site
  - Transfer Station

**18.2 ZONE PROVISIONS**

No person shall use any lot or erect, alter or use any building or structure in any MD Zone except in accordance with the following provisions:

- (a) Yards (minimum):
  - i) Front Yard Depth 15.0 metres
  - ii) Side Yard Width 15.0 metres
  - iii) Rear Yard Depth 15.0 metres
- (b) Separation Distances: In accordance with the provisions for Separation Distances in Section 3 – General Provisions of this By-law.
- (c) Water Setback: In accordance with the provisions for Water Setback in Section 3 – General Provisions of this By-law.
- (d) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provisions of this zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3 – General Provisions of this By-law.

**SECTION 19.0 - REQUIREMENT FOR INSTITUTIONAL (IN) ZONE****19.1 PERMITTED USES**

No person shall use land or erect or use a building or structure in any IN Zone except for:

(a) Residential Uses

- Nursing Home
- Retirement Home
- Senior Citizens Home
- Long Term Care Facility

(b) Non-Residential Uses

- Arena
- Assembly Hall
- Cemetery
- Clinic
- Community Centre
- Community Institution, Non-profit
- Day Care Centre
- Funeral Home
- Government Offices
- Hospital
- Indoor Sports Facilities
- Innovation Centre
- Library
- Place of Worship
- Private Club
- Public building
- School
- Special Event
- Uses permitted in the OS1 Zone

(c) Ancillary Uses

- Dwelling Units

**19.2 ZONE PROVISIONS**

No person shall use any lot or erect, alter or use any building or structure in any IN Zone except in accordance with the following provisions:

- (a) Front Yard Depth (minimum) 8.0 metres

- |     |  |  |
|-----|--|--|
| (i) | Abutting Highway 17  | 15.0 metres                                      |
| (b) | Side Yard Width (minimum)  | 8.0 metres                                       |
| (i) | Abutting Highway 17  | 15.0 metres                                      |
| (c) | Rear Yard Depth (minimum)  | 8.0 metres                                       |
| (i) | Abutting Highway 17  | 15.0 metres                                      |
| (d) | Dwelling Unit Area (minimum)   | As required for same dwelling type in an R3 zone |
| (e) | Lot Coverage (maximum)   | 35 %   |
| (f) | Building Height (maximum)  | 12.0 metres                                      |
| (g) | Open Storage Area (maximum)  | 3 %  |
| (h) | Open Storage: In accordance with the provisions for Open Storage in Section 3 – General Provisions of this By-law.   |  |
| (i) | Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 – General Provisions of this By-law.   |  |
| (j) | Separation Distances: In accordance with the provisions for Separation Distances in Section 3 – General Provisions of this By-law.   |  |
| (k) | Water Setback: In accordance with the provisions for Water Setback in Section 3 – General Provisions of this By-law.   |  |
| (l) | Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provisions of this zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3 – General Provisions of this By-law.   |  |
| (m) | Ottawa River Floodplain: In accordance with the provisions for the Ottawa River Floodplain in Section 3 – General Provisions of this By-law.   |  |
| (n) | Ancillary Uses: In any Institutional Zone, dwelling units and accessory buildings shall be permitted provided that such dwellings are for a caretaker or other workers whose residence on the lot is necessary for the main use, only one dwelling unit is associated with any one main use, and such dwelling unit is on the same lot as the main use with which the dwelling unit is associated. |  |

### 19.3 EXCEPTION ZONES

#### 19.3.1 Institutional-Exception One (IN-E1) Zone

Notwithstanding any other provision of this By-law to the contrary, for lands in the Institutional-Exception One (IN-E1) Zone the site performance standards shall be as set out in the provisions listed in Subsection 19.2 except as set out in Table 19.3.1.

Table 19.3.1 Standards for Permitted Uses in an Institutional-Exception One (IN-E1) Zone

	Required Minimum Value
Front Yard Depth	2.4 metres
Rear Yard Depth	2.6 metres
Side Yard Depth	2.8 metres

**SECTION 20.0 - REQUIREMENT FOR WATERFRONT DEVELOPMENT (WD) ZONE****20.1 PERMITTED USES**

No person shall use land or erect or use a building or structure in any WD Zone except for:

(a) Residential Uses

- Apartment Dwellings
- Multiple Attached Dwellings

(b) Non-Residential Uses

- Assembly Hall
- Conference Centre
- Hotel
- Innovation Centre
- Marina
- Motel
- Nursing Home
- Park
- Recreation, Active
- Recreation Facility
- Resort
- Retirement Home
- Special Event

(c) Ancillary Uses

- Business, Professional and Administrative Office
- Convenience Store
- Eating Establishment
- Retail Store
- Service Shop, Personal

**20.2 ZONE PROVISIONS**

No person shall use any lot or erect, alter or use any building or structure in any WD Zone except in accordance with the following provisions:

- |     |                            |                   |
|-----|----------------------------|-------------------|
| (a) | Lot Area (minimum)         | 600 square metres |
| (b) | Lot Frontage (minimum)     | 20.0 metres       |
| (c) | Front Yard Depth (minimum) | No minimum (N.M.) |

- |     |  |  |
|-----|--|--|
| (d) | Side Yard Width (minimum)  | N.M. except abutting a Residential Zone where 6.0 metres shall be required |
| (e) | Rear Yard Depth (minimum)  | N.M. except abutting a Residential Zone where 6.0 metres shall be required |
| (f) | Lot Coverage (maximum)   | 100% less the area required for parking spaces                             |
| (g) | Building Height (maximum)  | 15.0 metres  |
| (h) | Open Storage Area (maximum)  | 3 % of Lot Area  |
| (i) | Open Storage: In accordance with the provisions for Open Storage in Section 3 – General Provisions of this By-law.   |  |
| (j) | Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 – General Provisions of this By-law.   |  |
| (k) | Separation Distances: In accordance with the provisions for Separation Distances in Section 3 – General Provisions of this By-law.   |  |
| (l) | Water Setback: In accordance with the provisions for Water Setback in Section 3 – General Provisions of this By-law.   |  |
| (m) | Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provisions of this zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3 – General Provisions of this By-law. |  |
| (n) | Ottawa River Floodplain: In accordance with the provisions for the Ottawa River Floodplain in Section 3 – General Provisions of this By-law.   |  |

### 20.3 INTERIM USES AND STANDARDS (HOLDING)

#### 20.3.1 Waterfront Development-holding (WD-h)

- (a) Until such time that the holding symbol is removed from any lands zoned WD-h, in accordance with the criteria prescribed by Council when the lands are zoned to the holding category, no person shall subdivide land and no person shall use land or erect or use a building or structure except for these permitted uses:



- existing uses in existing locations;
  - Single detached dwelling and Business, Professional or Administration Offices uses in existing buildings;
  - park;
  - parking area for an existing use
- (b) The criteria for the removal of the holding symbol shall be,
- (i) Council's acceptance of the site plans and drawings required under the Town's Site Plan Control By-law;
  - (ii) the finalization of a site plan agreement; and
  - (iii) the fulfilment of any financial requirements by the developer as required by the site plan agreement.

**SECTION 21.0-REQUIREMENTS FOR ENVIRONMENTAL PROTECTION (EP) ZONE****21.1 PERMITTED USES**

No person shall use land or erect or use a building or structure in any EP Zone except for:

- (a) Residential Uses
  - Prohibited
- (b) Non-Residential Uses
  - Conservation Practices
  - Natural Area
  - Recreation, Passive
- (c) Ancillary Uses
  - Engineering Works
  - Fill

**21.2 ZONE PROVISIONS**

No person shall use any lot or erect, alter or use any building or structure in any EP Zone except in accordance with the following provisions:

- (a) **Engineering Works:** Engineering work on any Environmental Protection Zone land shall be permitted provided that such work is for flood or erosion control; such work meets environmental standards and complies with accepted engineering practice; and written permission is obtained from the Town.
- (b) **Fill:** Placing or removing of fill on or from any lot in the Environmental Protection Zone for any other purpose than the aforementioned shall be prohibited.

**SECTION 22.0 - REQUIREMENTS FOR OPEN SPACE ONE (OS1) ZONE****22.1 PERMITTED USES**

No person shall use land or erect or use a building or structure in any OS1 Zone except for:

(a) Non-Residential Uses

- Conservation Practices
- Golf Course
- Marina
- Park
- Pedestrian Walkways
- Recreation, Active
- Recreation, Passive
- Recreation Facility
- Silviculture
- Ski Area
- Special Event
- Tot Lot

**22.2 EXCEPTION ZONES****22.2.1 Open Space One-Exception One (OS1-E1)**

- (a) Notwithstanding any other provision of this By-law to the contrary, for lands in the Open Space One - Exception One (OS1-E1) Zone only the following uses shall be permitted:
- Conservation Practices
  - Park
  - Recreation, Active
  - Recreation, Passive
  - Recreation Facility
  - Special Event
  - Accessory Uses and Buildings in accordance with Section 3.4 of this By-law.
- (b) Notwithstanding any other provision of this By-law to the contrary, the site performance standards for lots and buildings in the Open Space One-Exception One (OS1-E1) zone shall be the same as those provided in Section 26.2 for the Undeveloped (UD) zone, except that the required minimum front yard depth shall be 12.0 m. for all uses.

- (c) Section 3.22.1 of this By-law does not apply to lands in the Open Space One - Exception One (OS1-E1) zone, so that there is no requirement for off-street parking on lands so zoned.
- (d) Recreation, Limited Active: for the purposes of the OS1-E1 zone, the active recreation shall be limited to snowmobile trails existing as of the date of passing of this by-law.
- (e) Notwithstanding any other provision of this by-law, special events may be permitted more than seven (7) days per calendar year.

**SECTION 23.0 - REQUIREMENTS FOR OPEN SPACE TWO (OS2) ZONE****23.1 PERMITTED USES**

No person shall use land or erect or use a building or structure in any OS2 Zone except for:

(a) Non-Residential Uses

- Conservation Practices
- Open Space buffers and linkages
- Landscaped Open Space
- Natural Area
- Tot Lots
- Vacant Land
- Pedestrian Walkways
- Recreation, Active
- Recreation, Passive
- Silviculture
- Special Event

**23.2 EXCEPTION ZONES****23.2.1 Open Space Two-Exception One (OS2-E1)**

Notwithstanding any other provision of this by-law to the contrary, for lands in the Open Space Two – Exception One (OS2-E1) Zone, the following provisions apply:

(a) Permitted uses:

- Conservation Practices
- Natural Area
- Landscaped Open Space
- Fencing
- Public Utility

(b) Prohibited uses:

- All Building and Structures

**SECTION 24.0 - REQUIREMENTS FOR OPEN SPACE THREE (OS3) ZONE**

The Open Space Three (OS3) Zone identifies the municipally owned shoreline reserve.

**24.1 PERMITTED USES**

No person shall use land or erect or use a building or structure in any OS3 Zone except for:

(a) Non-Residential Uses

- Conservation Practices
- Pedestrian Walkways

**SECTION 25.0 - REQUIREMENTS FOR RURAL (RU) ZONE****25.1 PERMITTED USES**

No person shall use land or erect, alter or use a building or structure in any RU Zone except for:

**(a) Residential Uses**

- Single Detached Dwelling
- Semi-Detached Dwelling
- Boarding House

**(b) Non-Residential Uses**

- Animal Hospital
- Artisan Shop or Studio
- Bed and Breakfast
- Camping Establishment
- Catering Establishment
- Convenience Store
- Contractor's Yard or Shop
- Cottage Industry
- Dry Cleaning Outlet
- Garage, Public
- Heritage Stopping Place
- Motel
- Place of Worship
- Recreational Vehicle Campground
- Riding Stables
- Service Shop, General
- Tourist Establishment
- Warehouse

**(c) Ancillary Uses**

- Any use from subsection 25.1(b) if a dwelling is located on the same lot

**25.2 ZONE PROVISIONS**

No person shall use any lot or erect, alter or use any building or structure in any RU Zone except in accordance with the following provisions:

**25.2.1 Zone Provisions for Motel, Camping Establishment, Recreational Vehicle Campground, and Tourist Establishment**

- |     |  |  |
|-----|--|--|
| (a) | Lot Area (minimum)   | 2750 square metres plus 200 square metres per guest accommodation, or campsite, in excess of 4 |
| (b) | Lot Frontage (minimum)   | 45 metres  |
| (c) | Front Yard Depth (minimum)   | 12.0 metres  |
| (d) | Interior Side Yard Width (minimum)   | 3.0 metres   |
| (e) | Exterior Side Yard Width (minimum)   | 6.0 metres   |
| (f) | Rear Yard Depth (minimum)  | 8.0 metres   |
| (g) | Gross Floor Area (minimum)   | As required for same type of dwelling in R3 Zone   |
| (h) | Lot Coverage (maximum)   | 35%  |
| (i) | Building Height (maximum)  | 8.5 metres   |
| (j) | Open Storage Area (maximum)  | 3 %  |
| (k) | Open Storage: In accordance with the provisions for Open Storage in Section 3 – General Provisions of this By-law.   |  |
| (l) | Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 – General Provisions of this By-law.   |  |
| (m) | Separation Distances: In accordance with the provisions for Separation Distances in Section 3 – General Provisions of this By-law.   |  |
| (n) | Water Setback: In accordance with the provisions for Water Setback in Section 3 – General Provisions of this By-law.   |  |
| (o) | Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provisions of this zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3 – General Provisions of this By-law. |  |
| (p) | Ottawa River Floodplain: In accordance with the provisions for the Ottawa River Floodplain in Section 3 – General Provisions of this By-law.   |  |

#### 25.2.2 Zone Provisions for Riding Stables and Heritage Stopping Place

- |     |                    |              |
|-----|--------------------|--------------|
| (a) | Lot Area (minimum) | 2.0 hectares |
|-----|--------------------|--------------|



- |     |   |  |
|-----|---|--|
| (b) | Lot Frontage (minimum)  | 45 metres  |
| (c) | Front Yard Depth (minimum)  | 12.0 metres                                      |
| (d) | Interior Side Yard Width (minimum)  | 3.0 metres                                       |
| (e) | Exterior Side Yard Width (minimum)  | 6.0 metres                                       |
| (f) | Rear Yard Depth (minimum)   | 8.0 metres                                       |
| (g) | Gross Floor Area (minimum)  | As required for same type of dwelling in R3 Zone |
| (h) | Lot Coverage (maximum)  | 35%  |
| (i) | Building Height (maximum)   | 8.5 metres                                       |
| (j) | Open Storage Area (maximum)   | 3 %  |
| (k) | Heritage Stopping Place: A Heritage Stopping Place shall not be permitted to make available more than five rooms for rent by the general public as short-term accommodation. Only existing buildings may be used for the provision of such accommodation. |  |
| (l) | All other provisions of Section 25.2.1 (k) to (p) apply.  |  |

**25.2.3 Zone Provisions for Contractors yard, Cottage Industry, Public Garage, Truck Terminal, Bus Terminal and Warehouse**

- |     |                                    |  |
|-----|------------------------------------|--|
| (a) | Lot Area (minimum)                 | 4047 square metres                               |
| (b) | Lot Frontage (minimum)             | 45 metres  |
| (c) | Front Yard Depth (minimum)         | 12.0 metres                                      |
| (d) | Interior Side Yard Width (minimum) | 3.0 metres                                       |
| (e) | Exterior Side Yard Width (minimum) | 6.0 metres                                       |
| (f) | Rear Yard Depth (minimum)          | 8.0 metres                                       |
| (g) | Gross Floor Area (minimum)         | As required for same type of dwelling in R3 Zone |
| (h) | Lot Coverage (maximum)             | 35%  |

- (i) Building Height (maximum) 8.5 metres
- (j) Open Storage area (maximum) 3 %
- (k) All other provisions of Section 25.2.1 (k) to (p) apply.

#### 25.2.4 Zone Provisions for Dwelling and Boarding House

- (a) Lot Area (minimum)
  - (ii) municipal water and private septic system 2025 square metres
  - (iii) private well and private septic system 4047 square metres
- (b) Lot Frontage (minimum) 30 metres
- (c) Front Yard Depth (minimum) 12.0 metres
- (d) Interior Side Yard Width (minimum) 3.0 metres
- (e) Exterior Side Yard Width (minimum) 6.0 metres
- (f) Rear Yard Depth (minimum) 8.0 metres
- (g) Gross Floor Area (minimum) As required for same type of dwelling in R3 Zone
- (h) Lot Coverage (maximum) 35%
- (i) Building Height (maximum) 8.5 metres
- (j) Open Storage Area (maximum) 3 %
- (k) All other provisions of Section 25.2.1 (k) to (p) apply.

#### 25.2.5 Zone Provisions for Animal Hospital, Artisan Shop or Studio, Catering Establishment, Convenience Store, Dry Cleaning Outlet, Place of Worship and Service Shop, General

- (a) Lot Area (minimum) 2025 square metres
- (b) Lot Frontage (minimum) 45 metres
- (c) Front Yard Depth (minimum) 12.0 metres
- (d) Interior Side Yard Width (minimum) 3.0 metres

- |     |  |  |
|-----|--|--|
| (e) | Exterior Side Yard Width (minimum)                       | 6.0 metres                                       |
| (f) | Rear Yard Depth (minimum)                                | 8.0 metres                                       |
| (g) | Gross Floor Area (minimum)                               | As required for same type of dwelling in R3 Zone |
| (h) | Lot Coverage (maximum)                                   | 35%  |
| (i) | Building Height (maximum)                                | 8.5 metres                                       |
| (j) | Open Storage Area (maximum)                              | 3 %  |
| (k) | All other provisions of Section 25.2.1 (k) to (p) apply. |  |

### 25.3 EXCEPTION ZONES

#### 25.3.1 Rural-Exception One (RU-E1)

Notwithstanding any other provision of this By-law to the contrary, for lands in the Rural-Exception One (RU-E1) Zone, a building or part of a building may be used:

- a) for the servicing and repairing of articles, goods, or materials, including electronic devices and appliances but excluding automobiles, provided that no products are manufactured on the site; and
- b) for the retail sale of electronic devices and appliances, provided that such retail use is ancillary to a use as described in the preceding paragraph.

The site performance standards for property in the Rural-Exception One (RU-E1) Zone shall be as set out in Subsection 25.2, except as provided below. Site performance standards for a building which exists on the day this By-law comes into force which are less than the minimum or greater than the maximums provided in the table shall be permitted.

#### Standards for Permitted Uses in a Rural-Exception One (RU-E1) Zone:

Maximum Gross Floor Area	200 square metres
--------------------------	-------------------

#### 25.3.2 Rural-Exception Two (RU-E2) Zone

Notwithstanding any provisions of this By-law to the contrary, for those lands located in Part of Lot 5, Concession 1, in the geographic Township of Rolph, and delineated as Rural-Exception Two (RU-E2), a kennel shall be an additional permitted use.

<b>SECTION 26.0-REQUIREMENTS FOR DEVELOPED (D) ZONE</b>
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**26.1 PERMITTED USES**

No person shall use land or erect, alter or use a building or structure in any D Zone except for:

(a) Residential Uses

- Detached dwelling on a lot that existed on March 2, 1993

(b) Non-Residential Uses

- Animal Husbandry
- Agricultural Use
- Boarding Stable
- Conservation Practices
- Cottage Industry
- Kennel
- Transmitter Tower
- Uses permitted in the OS2 Zone

**26.2 ZONE PROVISIONS**

No person shall use any lot or erect, alter or use any building or structure in any D Zone except in accordance with the following provisions:

**26.2.1 Zone Provisions for Detached Dwelling and Accessory Building**

(a)	Lot Area (minimum)	4.0 hectares
(b)	Lot Frontage (minimum)	100 metres
(c)	Front Yard Depth (minimum)	12.0 metres
	(i) Abutting Highway 17	15.0 metres
(d)	Side Yard Width (minimum)	12.0 metres
	(i) Abutting Highway 17	15.0 metres
(e)	Rear Yard Depth (minimum)	12.0 metres
	(i) Abutting Highway 17	15.0 metres

- |     |  |                   |
|-----|--|-------------------|
| (f) | Gross Floor Area (minimum)   |                   |
|     | (i) One Storey Unit  | 75 square metres  |
|     | (ii) Two Storey Unit   | 100 square metres |
| (g) | Lot Coverage (maximum)   | 10%               |
| (h) | Building Height (maximum)  | 15.0 metres       |
| (i) | Open Storage Area (maximum)  | 3 %               |
| (j) | Open Storage: In accordance with the provisions for Open Storage in Section 3 – General Provisions of this By-law.   |                   |
| (k) | Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 – General Provisions of this By-law.   |                   |
| (l) | Separation Distances: In accordance with the provisions for Separation Distances in Section 3 – General Provisions of this By-law.   |                   |
| (m) | Water Setback: In accordance with the provisions for Water Setback in Section 3 – General Provisions of this By-law.   |                   |
| (n) | Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provisions of this zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3 – General Provisions of this By-law. |                   |
| (o) | Ottawa River Floodplain: In accordance with the provisions for the Ottawa River Floodplain in Section 3 – General Provisions of this By-law.   |                   |


#### 26.2.2 Zone Provisions for All Other Uses

- |     |                            |              |
|-----|----------------------------|--------------|
| (a) | Lot Area (minimum)         | 4.0 hectares |
| (b) | Lot Frontage (minimum)     | 100 metres   |
| (c) | Front Yard Depth (minimum) | 30.0 metres  |
| (c) | Side Yard Width (minimum)  | 30.0 metres  |
| (d) | Rear Yard Depth (minimum)  | 30.0 metres  |
| (e) | Lot Coverage (maximum)     | 10%          |

- (f) Building Height (maximum) 15.0 metres
- (g) Open Storage Area (maximum) 3 %
- (h) All other provisions of Section 26.2.1 (j) to (o) apply.


This by-law comes into force and effect on the date of passing by the Council of the Corporation of the Town of Deep River.

READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED THIS 22<sup>ND</sup> DAY OF APRIL, 2020.



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MAYOR



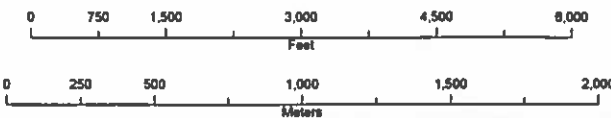
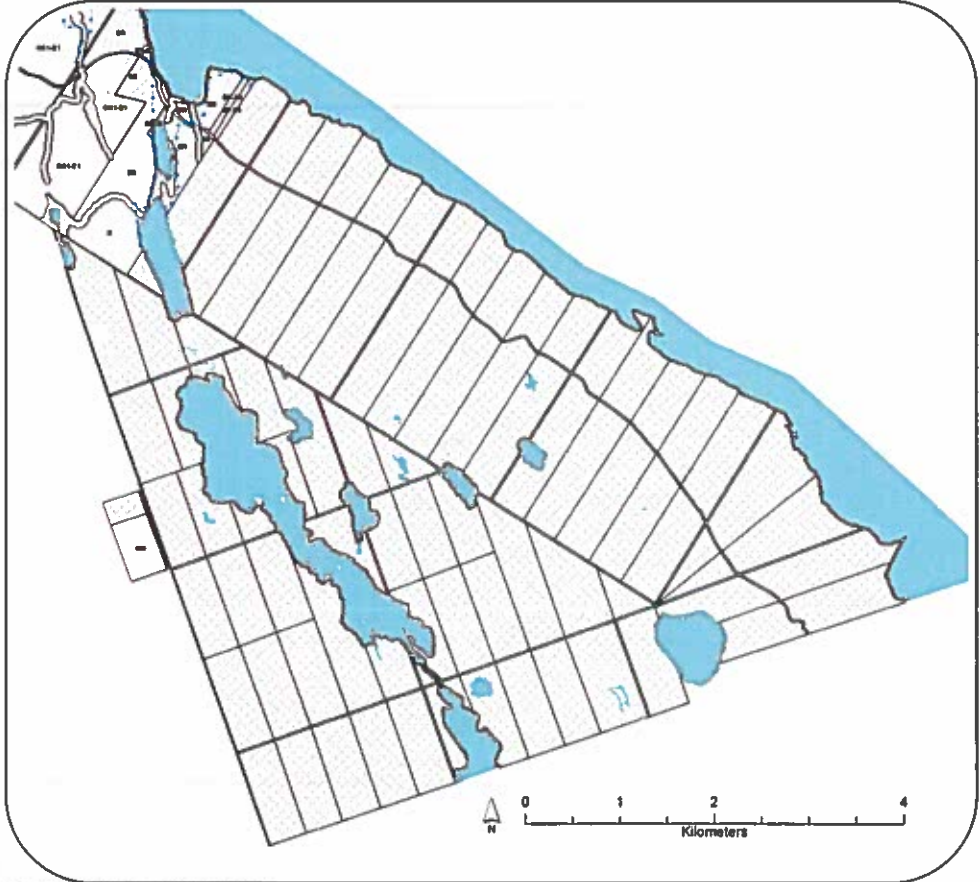
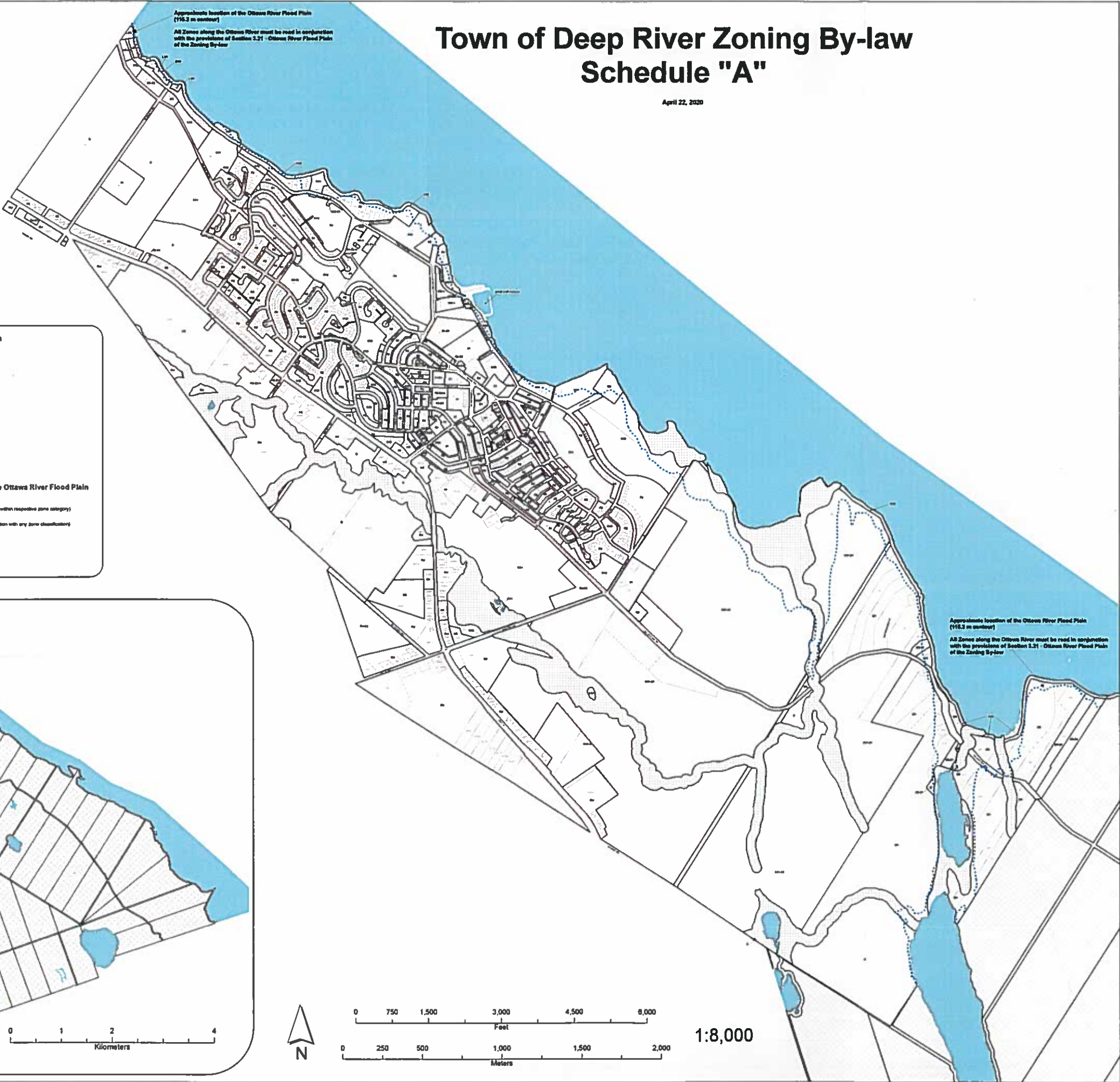
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CLERK

# Town of Deep River Zoning By-law Schedule "A"

April 22, 2020

<b>R1</b> Residential One	<b>EP</b> Environmental Protection
<b>R2</b> Residential Two	<b>OS1</b> Open Space One
<b>R3</b> Residential Three	<b>OS2</b> Open Space Two
<b>R4</b> Residential Four	<b>OS3</b> Open Space Three
<b>ER</b> Estate Residential	<b>RU</b> Rural
<b>LSR</b> Limited Service Residential	<b>D</b> Development
<b>C1</b> Town Centre - General	<b>WB</b> Waterbody
<b>C2</b> Town Centre - Restricted	<b>WC</b> Watercourse
<b>HC</b> Highway Commercial	<b>CR</b> Collector Road
<b>M1</b> Light Industrial	<b>OPA</b> Outside Planning Area
<b>M2</b> Public Industrial	<b>AF</b> Approximate location of the Ottawa River Flood Plain (115.2m contour)
<b>M3</b> General Industrial	<b>-E1</b> Exception (Numbered consecutively within respective zone category)
<b>ME</b> Extractive Industrial	<b>-h</b> Holding Symbol (Used in conjunction with any zone classification)
<b>MD</b> Disposal Industrial	
<b>I</b> Institutional	
<b>WD</b> Waterfront Development	



1:8,000

Note 1: Data layers obtained from the County of Renfrew