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**TOWN OF DEEP RIVER**

**ZONING BY-LAW**

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**\*(By-law 22-2001)\***

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# TOWN OF DEEP RIVER

## BY-LAW 24-96

being a by-law to regulate the use  
of land, and the character, location  
and use of buildings and structures  
in the town of Deep River

WHEREAS it is deemed expedient to implement the Official Plan of the Deep River  
Planning Area, and

WHEREAS authority is granted under Section 34 of the Planning Act R.S.O. 1990,  
c.P.13 as amended, to pass this By-Law.

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### 1.5 By-Laws Repealed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 of the Town of Deep River heretofore enacted under the authority of The Planning Act shall be deemed to have been repealed except to the extent that any of the said by-laws prohibits the use of any land, building or structure for a purpose that is also prohibited by this By-law. Without limiting the generality of the foregoing this shall include By-laws: 21-78, 7-80, 19-80, 6-81, 4-82, 3-83, 31-83, 2-84, 16-87, 32-87, 9-88, 18-88, 19-89, 20-89, 21-89, 37-89, 18-90, 42-90, 64-90, 26-91, 27-91, 54-91, 13-93, 32-94, 29-95, 30-95.

### 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 Zones Established

- a) For the purpose of this By-law the defined area is divided into the following zones:

Residential: R1, R2, R3, R4  
 Estate Residential (R5)  
 Central Area: C1, C2  
 Highway Commercial (CH)  
 Waterfront Development (WD)  
 Extractive Industrial (ME)  
 Industrial: M1, M2, M3  
 Institutional (IN)  
 Open Space: OS1, OS2, OS3  
 Environmental Protection (EP)  
 Rural (RU)  
 Undeveloped Zone (U)

**\*(By-law 22-2001)\***

\*Waste Disposal (WTD)\*

### 1.7.3 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 (eg. Residential Four- Exception One (R4-E1), Residential Four-Exception Two (R4-E2)).

Exception zone provisions are listed separately under the applicable zone classification section in the text of this By-law. All provisions of this By-law which apply to a zone classification shall be interpreted to apply equally to the respective Exception Zone classification, except as otherwise specified by the Exception Zone provisions.

For the purposes of this By-law, Exception Zones are established as shown on Schedule 'A' to this By-law.

#### 1.7.4 Holding Provision

The holding provision "-h" may be applied as a suffix to any zone classification, as set out under Section 36 of the Planning Act. Where the holding symbol has been applied, the main zone classification specifies the use to which lands, buildings or structures may be put when the holding symbol is removed by amendment to this by-law.

Interim uses or standards to be permitted on lands zoned with the holding symbol are listed separately under the provisions for the corresponding zone classification.

For purposes of this By-law, zones further classified with the holding symbol are established as shown on the Schedules (Zoning Maps).

#### 1.7.5 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.

#### 1.7.6 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.

#### 1.7.7 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.

#### 1.7.8 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.

1.7.9 Temporary Construction Uses

Nothing in this By-law shall prevent uses incident to construction, provided that these uses continue only for so long as they are necessary for work in progress.



**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.

**\*(By-law 17-2007)\***

- \*2.4 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.\*
- 2.5 AGGREGATE means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite and rock other than metallic ores.
- 2.6 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.
- 2.7 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.
- 2.8 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.

- 2.9 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.
- 2.10 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.
- 2.11 ANIMAL HUSBANDRY means the use of land, building or structure for the keeping or raising of livestock.
- 2.12 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.
- 2.13 ANIMAL SHELTER means a lot and/or building or part thereof used for the care of lost, abandoned or neglected animals.
- 2.14 ANIMAL UNIT means a measure of livestock that equates to one adult sheep, cow, horse, or swine and which includes any off spring of each unit until weaned, or ten fowl or ten adult rabbits which includes offspring to market size.
- 2.15 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.

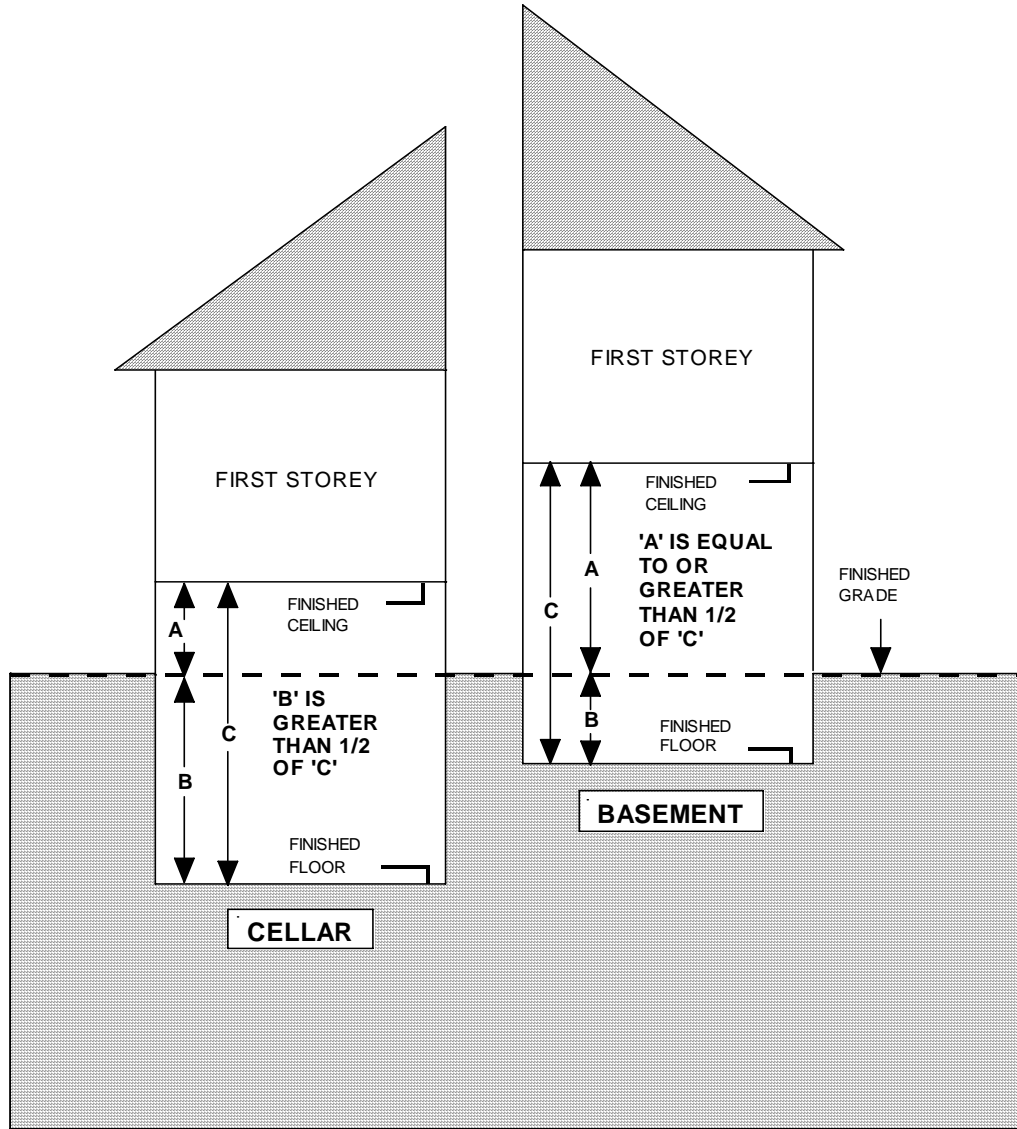
- 2.16 ASPHALT MANUFACTURING PLANT means an industrial facility used for the production of asphalt for immediate use in the paving of roads and driveways and the damp-proofing of buildings or structures.
- 2.17 ASSEMBLY HALL means a building or part of a building in which facilities are provided for such purposes as meetings of civic, education, political, religious or social purposes, and shall include a banquet hall.
- 2.18 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.
- 2.19 ATTIC means that portion of a building immediately below the roof and wholly or partly within the roof framing.
- 2.20 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.
- 2.21 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.
- 2.22 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.
- 2.23 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.
- 2.24 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.
- 2.25 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.

- 2.26 **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.
- 2.27 **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.
- 2.28 **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.
- 2.29 **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.
- 2.30 **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.
- 2.31 **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.
- 2.32 **BERM** means a landscaped mound of earth.
- 2.33 **BOARDING HOUSE** means a dwelling in which the proprietor resides and supplies for gain, more than three bedrooms for boarders and may include the provision of meals. **ROOMING HOUSE** shall have a corresponding meaning.
- 2.34 **BOARDING STABLE** means a building, structure or premises used for the feeding, housing and exercising of horses for gain or profit.
- 2.35 **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.
- 2.36 **BOATSLIP** means a single parking space in water for a watercraft forming part of a dock, boathouse or other mooring facilities.
- 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 **CAMPGROUND** means a parcel of land under single ownership which is designed, developed, maintained or operated to provide accommodation, on a temporary or seasonal basis, for recreational vehicles and/or tents plus accompanying towing or carrying vehicles. Accessory uses would include an administration office, clubhouse, snack bar, laundry, convenience and souvenir shop, swimming pool, washrooms, showers, managers dwelling and recreational facilities. **RECREATIONAL VEHICLE PARK** or **RECREATIONAL VEHICLE CAMPGROUND** shall have a corresponding meaning.
- 2.45 **CAMPING FACILITIES, NON-COMMERCIAL** means a recreational establishment operated by a private or public organization where persons are temporarily accommodated in tents, cabins, cottages and/or lodge houses and shall include a church camp, a day camp or a scout camp..
- 2.46 **CAMP SITE** means a plot of ground within a campground under the temporary control of a camper intended for the exclusive occupancy by a camping unit or units.
- 2.47 **CATALOGUE STORE** means a retail commercial establishment in which orders are accepted for the purpose of goods listed in a catalogue provided by the establishment and in which some or all of the goods so listed may also be available within the establishment for sale at retail.

- 2.48 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.
- 2.49 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.
- 2.50 CEMETERY means a cemetery, columbarium or mausoleum within the meaning of the Cemetery Act of Ontario.
- 2.51 CHURCH means a building commonly used by any religious organization as defined in the Religious Organizations Land Act, R.S.O. 1980 as amended, for public worship, and may include a rectory or manse, church hall, auditorium, or associated day nursery or religious school.
- 2.52 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.
- 2.53 COLLECTOR STREET see STREET, COLLECTOR
- 2.54 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.
- 2.55 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.
- 2.56 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.

### ILLUSTRATION OF CELLAR AND BASEMENT DEFINITIONS



- 2.57 **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.
- 2.58 **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.
- 2.59 **CONSERVATION PRACTICES** means the proper implementation of techniques to manage, sustain or improve the components of the natural environment.
- 2.60 **CONTIGUOUS** means next to, abutting, touching or having a common boundary.,
- 2.61 **CONTRACTOR'S YARD OR SHOP** means an area of land used by a contractor of any trade or service where equipment and materials are stored, or where a contractor performs shop or assembly work but does not include any other yard or establishment otherwise defined or classified herein.
- 2.62 **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.
- 2.63 **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.
- 2.64 **COTTAGE ESTABLISHMENT** means a commercial establishment comprising two or more cottages owned or leased by the same person. **CABIN ESTABLISHMENT** shall have a corresponding meaning.
- 2.65 **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.
- 2.66 **DAIRY** means a factory for the processing of raw milk into any of its various derivatives.
- 2.67 **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.



- 2.68 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.
- 2.69 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.
- 2.70 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.
- 2.71 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.
- 2.72 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.
- 2.73 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.
- 2.74 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.
- 2.75 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.
- 2.76 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.
- 2.77 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.

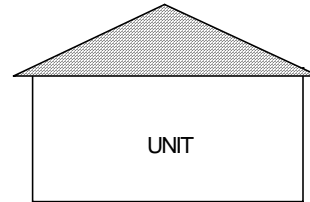
**\*(By-law 17-2007)\***

- \*2.78 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.\*
- 2.79 **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.
- 2.80 **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.
- 2.81 **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.
- 2.82 **DWELLING, LIMITED SERVICE VACATION** means a detached dwelling unit that:
- a) is not occupied continuously, not used as a year-round permanent dwelling, and
  - b) has no frontage on a municipally maintained street, and
  - c) does not receive municipal street services, such as snow clearing and road maintenance, and
  - d) has a means of access to the lot that is not part of the municipal street network.
- 2.83 **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;

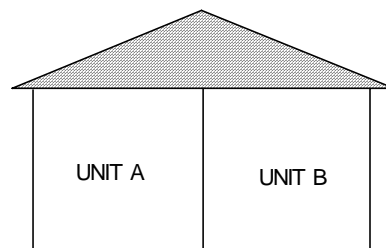
- c) contains food preparation and sanitary facilities provided for the exclusive common use of the occupants thereof; and
  - d) has a private entrance directly from outside the building or from a common hallway or stairway inside the building.
- 2.84 DWELLING UNIT, ACCESSORY means a dwelling unit ancillary to a permitted non-residential use.
- 2.85 DWELLING UNIT AREA means the gross floor area for one dwelling unit.
- 2.86 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.
- 2.87 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.
- 2.88 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.
- 2.89 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.
- 2.90 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.

### ILLUSTRATIONS OF DWELLING TYPES

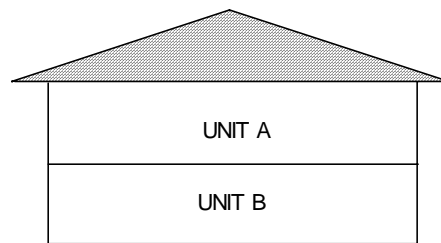
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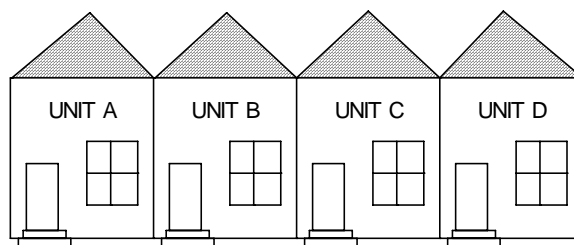
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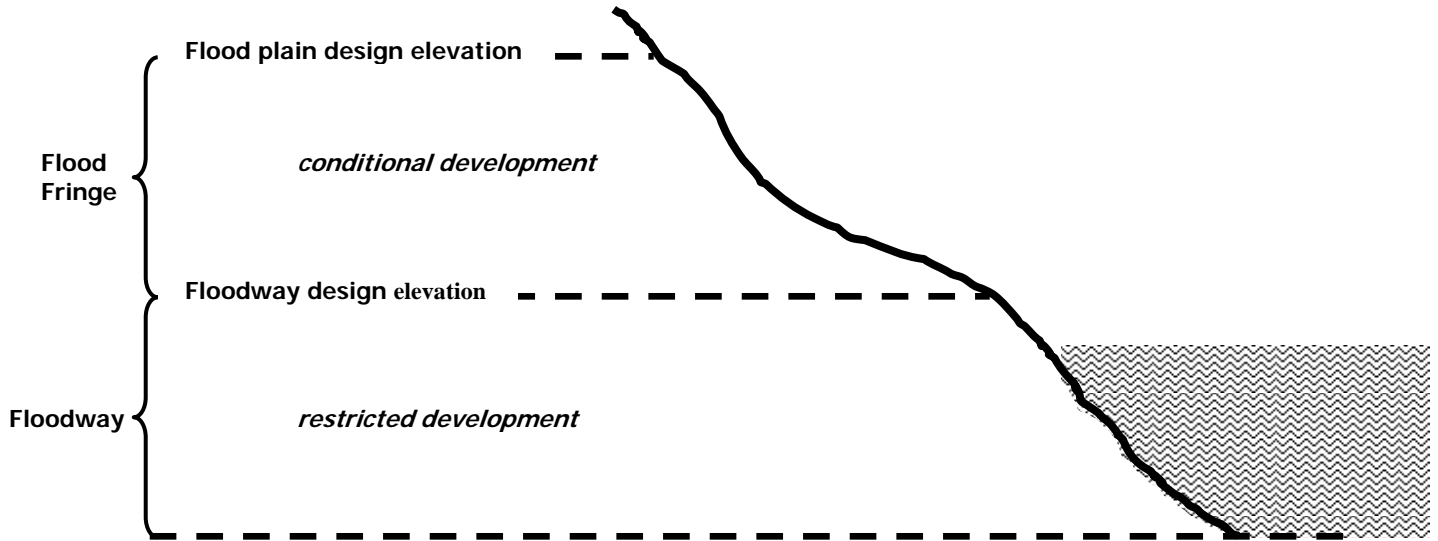


Note: The above illustrations are for clarification purposes only.

- 2.91 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.
- 2.92 EXISTING means existing as of the date of final passing of this By-law.
- 2.93 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.
- 2.94 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.
- 2.95 FINANCIAL OFFICE means the premises of a bank, trust company, finance company, mortgage company, or investment company.
- 2.96 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.
- 2.97 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.
- 2.98 FLOOD FRINGE means those lands that are part of the flood plain between the floodway elevation and the flood plain design elevation.
- 2.99 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.
- 2.100 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.
- 2.101 FLOOD PLAIN, ONE-ZONE CONCEPT means a flood plain that is treated as one unit, and all development is prohibited or restricted.
- 2.102 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.
- 2.103 FLOOD PROOFING means the measures taken to ensure that a structure or building is safe from the effects of flooding.

- 2.104 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.
- 2.105 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.
- 2.106 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.
- 2.107 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.
- 2.108 FRONTAGE see LOT FRONTAGE.
- 2.109 FUEL DEPOT means the use of land, structures or buildings for the purpose of distributing fuels from a fuel storage tank on the premises.
- 2.110 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.
- 2.111 FUNERAL HOME means any premises where preparation of a human body for interment or cremation is undertaken.
- 2.112 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.
- 2.113 GARAGE, PUBLIC means a government facility used for the storage and servicing of road construction and maintenance equipment and materials.

### ILLUSTRATION OF TWO-ZONE CONCEPT FLOOD PLAIN



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

- 2.114 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.
- 2.115 GARDEN SUITE means a one-unit detached residential structure containing bathroom and kitchen facilities, that is ancillary to an existing residential structure and is designed and constructed to be portable.
- 2.116 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.
- 2.117 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.
- 2.118 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.
- 2.119 GROUP HOME means a single housekeeping unit in a residential dwelling in which residents live together under responsible supervision consistent with their requirements and the home is licensed or approved for such purpose under provincial statute.
- \*(By-law 17-2007)\***
- \*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, with reference to a building or structure, means the vertical distance from the average grade at the front main wall of a building or structure to the highest point of the building or structure.
- 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.
- \*(By-law 17-2007)\***
- \*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 FOR THE AGED** means a "home for the aged" as defined under the Homes for the Aged and Rest Homes Act, as amended from time to time.
- 2.126 **HOME OCCUPATION** means any occupation for gain or support which is carried on as an ancillary use within a dwelling or dwelling unit and operated by a person who resides in the dwelling or dwelling unit.
- 2.127 **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.
- 2.128 **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.
- 2.129 **INDOOR SPORTS FACILITY** means a building in which game courts, exercise equipment, locker rooms, jacuzzis, saunas and similar facilities are provided for recreational athletic activities, and in which accessory uses would include a pro shop and a lounge.
- 2.130 **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.
- 2.131 **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.

- 2.132 KENNEL means land, buildings or structures in which the commercial business of breeding, buying, selling or boarding of dogs or cats is carried on.
- 2.133 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.
- 2.134 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.
- 2.135 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.
- 2.136 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.
- 2.137 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.
- 2.138 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.
- 2.139 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.
- 2.140 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.
- 2.141 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 i) or ii) and which is capable of being conveyed legally.

2.142 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.

2.143 LOT, CORNER means a lot which has two adjacent sides abutting a street or streets, and containing an angle of not more than 135 degrees.

2.144 LOT COVERAGE means the percentage of the lot area covered by all buildings on the lot.

2.145 LOT DEPTH means the shortest horizontal distance from the centre of the rear lot line to the nearest point on the front lot line.

2.146 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.

2.147 LOT INTERIOR means a lot other than a corner lot.

2.148 LOT LINE means any boundary of a lot or a vertical projection thereof.

2.149 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.

- 2.150 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.
- 2.151 LOT LINE, SIDE means a lot line other than a front or rear lot line.
- 2.152 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.
- 2.153 LOT WIDTH means the average horizontal distance between the side lot lines.
- 2.154 MAIN BUILDING means the building designed or used for the principal use on the lot.
- 2.155 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.
- 2.156 MANEUVERING AISLE means a maneuvering space which serves two or more parking spaces, such as the area between two rows of parking spaces.
- 2.157 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.
- 2.158 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.
- 2.159 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.

- 2.160 **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.
- 2.161 **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.
- 2.162 **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.
- 2.163 **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.
- 2.164 **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.
- 2.165 **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.
- 2.166 **MUNICIPAL PIPED SERVICES** means storm sewers, sanitary sewers or water distribution systems.
- 2.167 **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.
- 2.168 **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.
- 2.169 **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.

2.170 NON-COMPLYING means, when applied to a lot, building or structure, that it does not fulfill the standards for the zone in which it is located.<sup>1</sup>

2.171 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>

2.172 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.

2.173 NURSERY see GARDEN CENTRE.

2.174 NURSING HOME means a nursing home as defined under the Nursing Home Act, as amended from time to time.

2.175 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.

2.176 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.

2.177 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.

2.178 PARKING LOT means a commercial parking area forming the principal use of a lot.

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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.

- 2.179 **PARKING SPACE** mean an area of not less than fifteen (15) square metres measuring (2.7) metres by (5.5) metres, exclusive of driveways or aisles, for the temporary parking or storage of motor vehicles.
- 2.180 **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.
- 2.181 **PEDESTRIAN WALKWAY** means an allowance other than a sidewalk designed exclusively for pedestrians and shall include nature trails and paths.
- 2.182 **PERMITTED** means permitted by this By-law.
- 2.183 **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.
- 2.184 **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.
- 2.185 **POLICE DETACHMENT OFFICE** means any building or part of a building used by a police force to carry out administrative work remote from the headquarters
- 2.186 **PORCH** means a structure used as an outdoor living area abutting a dwelling and having a roof but with walls that are open and unenclosed to the extent of at least 50% thereof, except for removable screens and storm sashes or awnings.
- 2.187 **PRINTING PRESS** means an industrial facility in which offset presses and related equipment are used for the printing and assembly of publications such as newspapers, magazines and books.
- 2.188 **PRINTING SHOP** means a retail establishment that provides duplicating or printing services to produce materials such as stationery, signs, placards, flyers and booklets, but such service does not utilize an offset press.
- 2.189 **PRIVATE CLUB** means a building or part of a building used as a meeting and social place exclusively for members of a chartered organization and their guests, and shall include a fraternal lodge (e.g. Free Masons), a fraternity or sorority house, hostel, and a labour union hall.
- 2.190 **PRIVATE ROAD** means a right-of-way or legal access over private property which affords access to abutting lots and is not maintained by a public body.

**\*(By-law 17-2007)\***

- \*2.191 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.\*
- 2.192 PUBLIC AUTHORITY means the Council 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.
- 2.193 PUBLIC BUILDING means any building or structured 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.
- 2.194 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.
- 2.195 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.
- 2.196 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.
- 2.197 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.
- 2.198 RECREATION FACILITY means a place designed and equipped for the conduct of sports, leisure time activities and other customary and usual recreational activities.
- 2.199 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.



- 2.200 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.
- 2.201 RENOVATION means the repair and restoration of a building to good condition but shall not include its replacement.
- 2.202 REQUIRED means required by this By-law.
- 2.203 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.
- 2.204 RESTAURANT see EATING ESTABLISHMENT.
- 2.205 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.
- 2.206 RIDING STABLES means an establishment where horses are kept and where, for a fee, horses are hired out to the general public for riding.
- 2.207 RIGHT-OF-WAY means an area of land that is legally described in a registered deed for the provision of private access.
- 2.208 ROAD see street.
- 2.209 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.
  - c) can be used at all times throughout the year; and
  - d) is not located within a cellar.
- 2.210 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 verandah, 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.

2.211 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.

2.212 SAWMILL means a building, structure or area where timber is stored and cut to rough or finished lumber.

**\*(By-law 17-2007)\***

\*2.213 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.\*

2.214 SCHOOL means a place of primary, elementary or secondary education or a place where an employer provides job-related class room training or instruction to its employees.

**\*(By-law 10-98)\***

\*2.215 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.\*

2.216 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.

2.217 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.

2.218 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.

- 2.219 **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.
- 2.220 **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.
- 2.221 **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.
- 2.222 **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.
- 2.223 **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.
- 2.224 **SHORELINE RESERVE** means an allowance for road along the bank or on the shore of the Ottawa River reserved in the original survey.
- 2.225 **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.
- 2.226 **SKI AREA** means land used for snow skiing or snow boarding and may include lifts, tows, maintenance shops, snow equipment sales shops, dining rooms, beverage rooms and other accessory uses.
- 2.227 **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."

- 2.228 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.
- 2.229 STREET ALLOWANCE means land held under public ownership for the purpose of providing a street.
- 2.230 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.
- 2.231 STREET CORRIDOR WIDTH / HEIGHT RATIO means the ratio of the horizontal distance between opposing building fronts and the height of such buildings measured from the sidewalk.
- 2.232 STREET LINE means the limit of the road or street allowance and is the dividing line between a lot and a street.
- 2.233 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.
- 2.234 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.

**\*By-law 32-97\***

- \*2.235 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.\*
- 2.236 TOWN means the Corporation of the Town of Deep River, or land included within the Town of Deep River as appropriate.
- 2.237 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.

- 2.238 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.
- 2.239 TRAILER PARK see CAMPGROUND.
- 2.240 TRANSFER STATION means a waste disposal site used for the purpose of transferring waste from one vehicle to another for transportation of another waste disposal site.
- 2.241 TRANSMITTER TOWER means a structure for the broadcasting, repeating or relaying of radio waves, microwaves and other electromagnetic waves or transmissions over long distances.
- 2.242 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.
- 2.243 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.
- 2.244 USE means the purpose or activity for which any land, building, structure or premises, or part thereof, is arranged, designed, intended, occupied or maintained.
- 2.245 VEHICLE 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.
- 2.246 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.
- 2.247 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.
- 2.248 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.
- 2.249 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

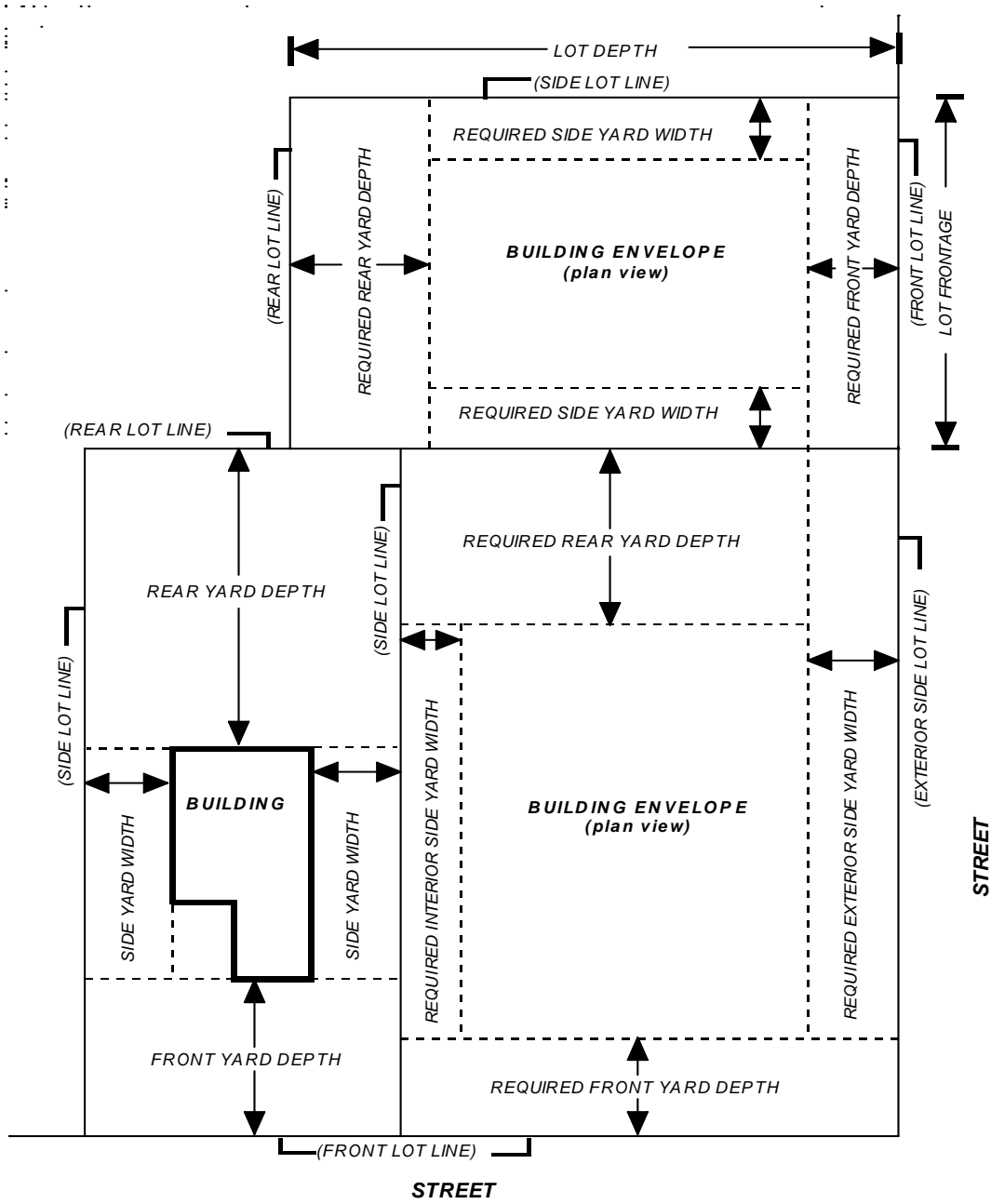
of resale or further disposal, and scrap or use materials shall include waste paper, rags, wood, bottles, metal, bicycles, vehicles and tires.

- 2.250 WASTE HAZARDOUS means hazardous waste as defined by Regulation 309, R.R.O. as amended, under the Environmental Protection Act.
- 2.251 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.
- 2.252 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.
- 2.253 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.
- 2.254 WATER SYSTEM, COMMUNAL means a private water distribution supply system in which water is piped to more than one dwelling or business operation.
- 2.255 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.
- 2.256 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 water logged soil, or water tolerant plants. The four major categories of wetland are swamps, marshes, bogs and fens.
- 2.257 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.
- 2.258 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.
- 2.259 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.
- 2.260 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.

- 2.261 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.
- 2.262 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.
- 2.263 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.
- 2.264 YARD, INTERIOR SIDE means a side yard other than an exterior side yard.
- 2.265 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.
- 2.266 ZONE means an area delineated on a Zoning Map Schedule and established by this By-law for a specific use or group of uses.
- 2.267 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 when specified otherwise.

**3.2 Continuation of Existing Uses****3.2.1 Strengthening, Renovation**

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.

**3.2.2 Extensions, Enlargements**

A legal non-conforming use may continue in existence provided that it is neither enlarged nor extended so as to occupy additional land area on the same or any other lot or parcel.

**3.2.3 Abandonment**

A non-conforming use of any building, structure or land which has been abandoned shall not thereafter be returned to such non-conforming use. A non-conforming use shall be considered abandoned,

- a) When the intention of the owner to discontinue the use is apparent; or,
- b) When the characteristic equipment and furnishings of the non-conforming use have been removed from the premises and have not been replaced by similar equipment within one year; or
- c) When it has been replaced by a conforming use.

**3.3 Lots and Yards****3.3.1 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 (R5) 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.

3.3.2 Encroachment on Minimum Yards

a) Accessory Structures and Architectural Features

Every part of any required minimum yard shall be open and unobstructed above the ground by any structure other than an accessory building, as permitted elsewhere in this By-law, and other than those structures and features that are listed in Table 3.3.2 which shall be permitted to encroach on the required minimum yards for the distances specified.

b) 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.

TABLE 3.3.2 Permitted Encroachments into Required Minimum Yards

Structure or Feature	Required Minimum yard on which encroachment is permitted	Maximum encroachment permitted into the required minimum yard
Cornices, eaves or gutters	All	0.5 m
Sills, belt courses, chimneys or pilasters	Front and Rear Only	0.5 m
Fire escapes or exterior staircases	Rear Only	1.5 m
Window Bays	Front and Rear Only	1 m (including eaves and cornices) for a maximum total width of 6 m
Balconies on detached, semi-detached and duplex buildings	All	1.5 m
Balconies on apartment buildings	All	1.5 m
Open veranda or porch not exceeding 3 m in height above the average grade at the wall to	Front and Rear Only	2.5 m (including eaves and cornices) for a maximum total width of 6 m

which such structure is attached, or deck*		
Parking Area -- Any Residential or Rural Zone	All	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)
Parking Area -- All other zones	All	No closer than 3.0 m to the property line where the abutting property is zoned in a residential category, or 1.0 m where the abutting property is zoned in any other category except that a driveway is permitted to lead from the street to the parking spaces and manoeuvring aisles

\* 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.

3.3.3 Visibility on corner lots

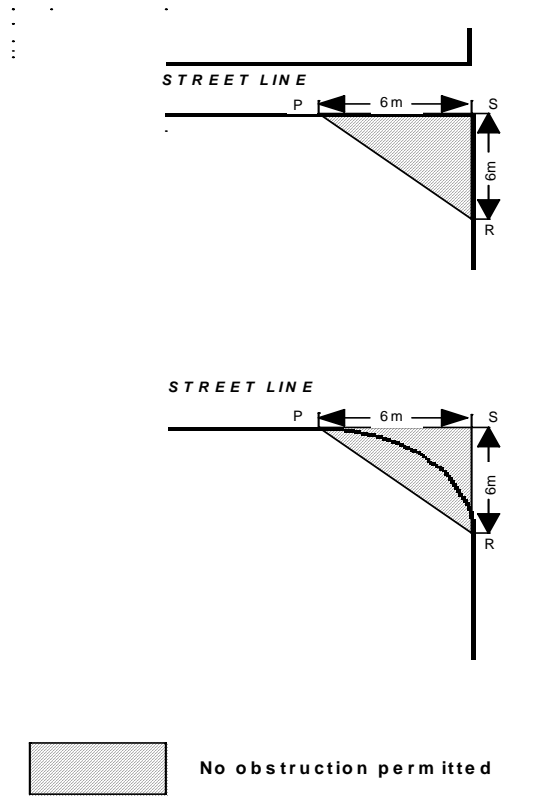
On any corner lot, no obstruction to motor vehicle driver views shall be placed within the triangular area bounded by the street lines and a line joining points on the street lines a distance of 6.0 metres from the point of intersection. Any opaque structure, object or vegetation between the elevations 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 3.3.3; 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.

3.3.4 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;

### VISIBILITY ON CORNER LOTS



Note: The above illustrations are for clarification purposes only.

- a) such change neither reduces any depth, width or area that is already non-complying, nor increases the gross floor area of the building within a non-complying 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.

### 3.3.5 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.

### 3.3.6 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.

### 3.3.7 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 by-law.

### 3.3.8 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.

### 3.3.9 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.

### 3.3.10 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.

### 3.3.11 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.

## 3.4 Parking

### 3.4.1 Off Street Parking Requirements In Any Zone

The owner of any building shall provide at least the number of off-street parking spaces as shown in Table 3.4.1 except as otherwise provided in this By-law. When any building is extended after the date of final passing of this By-law, the additional parking spaces required shall be as specified in Table 3.4.1 for that type of use, applied to the area of extension only.

If the calculation of the required parking spaces results in a fraction, the required parking spaces shall be the next higher whole number.

TABLE 3.4.1 PARKING SPACE REQUIREMENTS

\*(By-law 17-2007)\*

<u>TYPE OF USE</u>	<u>MINIMUM PARKING REQUIRED</u>
Detached Dwelling, Duplex Dwelling Unit Semi Detached House, Row House	2.0 parking spaces for each dwelling unit
Apartment Dwelling	1.5 parking spaces per dwelling unit
Group Home	1.0 parking space per each 3 persons licensed or approved capacity
Boarding House	1.0 parking space plus 1 parking space per every 3 beds
Financial Office	5.9 spaces per 100 square metres gross leasable area
Bed and Breakfast Establishment	2.0 parking spaces per dwelling unit and 1 parking space for each room rented
Licensed Establishment	1.0 parking space per 4 persons design capacity
Church, 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
Place of Entertainment, Recreation Facility, Indoor Sports Facility	The greater of 1.0 parking space per 6 seat capacity or 1.0 space per 6.0 m <sup>2</sup> of floor space
Hospital, Nursing Home, Home for the Aged, Long Term Care Facility	1.0 parking space for every 2 beds
Hotel	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
Industrial Establishment	1.0 parking space per each 100 m <sup>2</sup> of gross floor area
Clinic	6.0 spaces per practitioner for the first 5 practitioners, 4.0 spaces for every practitioner after 5
Motel	1.0 space per bedroom
Office (Business/Professional)	3.5 spaces for 100 m <sup>2</sup> of gross leasable area
Eating Establishment, Drive-In	29.0 space per 100 m <sup>2</sup> of gross leasable floor

	area
Eating Establishment, Full Service	*7.0 spaces per 100 m <sup>2</sup> of gross leasable floor area*
Eating Establishment, Take Out	7.0 spaces per 100 m <sup>2</sup> of gross leasable area
*Retail Store, Convenience Store, Service Shop General, Service Shop Personal, Shopping Centre and Supermarket*	*5.0* spaces per 100 m <sup>2</sup> of gross leasable area
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
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
Shopping Centre	4.9 spaces per 100 m <sup>2</sup> of gross leasable area
Supermarket	5.9 spaces per 100 m <sup>2</sup> of gross leasable area
Marina	1.0 space per boat slip
Other Non-Residential Uses	1.0 parking space per 30 m <sup>2</sup> of gross floor area

### 3.4.2 Parking Space and Parking Area Standards

- a) Every parking space required by Sub-section 3.4.1 shall be at least 2.7 m by 5.5 m and 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.
- b) 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.
- c) Lighting of parking spaces shall be arranged to deflect light away from residential property on other lots.
- d) Any parking space can serve only one building or facility for the purpose of interpreting Table 3.4.1., except as provided for in mixed use developments.



3.5 Loading

3.5.1 Requirement for Loading Spaces

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 shall be provided with spaces for loading and unloading on land that is not part of a public street, The number of spaces shall be related to the area of the building as shown in Table 3.5.1

TABLE 3.5.1 MINIMUM OF LOADING SPACES REQUIRED

Building Floor Area	Number of Loading Spaces Required
300 m <sup>2</sup> or less	None
More than 300 m <sup>2</sup>	One for every 2000 m <sup>2</sup> or part thereof

3.5.2 Loading Space Standards

- a) Every loading space shall be at least 4.5 m by 12 m, with a vertical clearance of at least 4.6 m.
- b) 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.
- c) The required loading space shall be located in the interior side yard or rear yard unless setback a minimum distance of 16 metres from the street line.

3.6 Buildings and Structures

3.6.1 Accessory Uses and Buildings

- a) Uses and buildings accessory to a permitted use or to an existing legal non-conforming use are permitted within any zone but, unless exempted by paragraph b) below or by a specific provision of this By-law, shall not,
  - i. be used for human habitation except where a dwelling is a permitted accessory use;
  - ii. be located in the front yard of a lot in a Residential zone or in the required front yard of a lot in any other zone;
  - iii. be located in the required side yard (interior or exterior) of a lot;

- iv. be located in the required rear yard of a lot;
  - v. be more than 4.5 metres in height;
  - vi. contain more than one storey;
  - vii. be erected, or be considered accessory, if located closer than 1.8 metres to the main building;
  - viii. exceed 8% lot coverage, in total;
  - ix. be constructed within a floodplain except as may be permitted by the General Provisions of this By-law for Ottawa River Floodplain;
- b) Exceptions to paragraph a) are permitted as follows:
- i. common semi-detached garages may be centred on the mutual side lot line.
  - ii. On a lot in a Residential zone, an accessory building with no windows or perforations on the side of the building which faces an interior side or rear lot line may be located a minimum of .75 metres from the said lot line.
  - iii. On a lot in a Residential Zone, an accessory building that is erected in a rear yard may be located a minimum of .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.
  - iv. Where a lot in a Residential Zone abuts a public lane, an accessory building may be located a minimum of .5 metres from that lot line.
  - v. 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.

### 3.6.2 Height Limit Exceptions

The height limitations in this By-law shall not apply to church spires, chimneys, public buildings, municipal water tanks, elevator enclosures, flag poles, antennae, ventilators, skylights and lighting standards.

### 3.6.3 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.

#### 3.6.4 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.

### 3.7 Municipal Piped Services

#### 3.7.1 Minimum lot area

In any zone in the Defined Area, buildings and structures shall be neither erected nor used on lots with area less than 4 hectares unless municipal piped water and sewerage are available and connected at the lot line except as provided in subsections 3.7.2 to 3.7.5 inclusive.

#### 3.7.2 Riverside and the Undeveloped Zone

Nothing in subsection 3.7.1 or Section 15 shall prevent the erection and use of a detached dwelling and accessory building on any lot abutting the 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 By-law as shown by the Registry Division of the County of Renfrew;
- b) such lot conforms to the requirements given in Table 3.7.2; and
- c) any such dwelling and accessory building conforms to the standards for such structures in the Second Density Residential Zone as given in subsection 4.4.

#### 3.7.3 Lots fronting on Highway 17

Nothing in subsection 3.7.1 shall prevent the erection and use for a single family dwelling and accessory building on any of those 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;
- b) such lot conforms to the relevant requirements given in Table 3.7.2; and

- c) any such dwelling conforms to the standards for single family dwellings in the Second Density Residential Zone as given in subsection 4.4.

3.7.4 Structures without services

Nothing in subsection 3.7.1 shall prevent the erection or use in any General Industrial, Extractive Industrial or Environmental Protection Zone of any building or structure that does not according to the Ministry of the Environment require any municipal piped water or municipal piped sewerage system.

Table 3.7.2 Required Minimum Standards for Lots Designated by Subsection 3.7

	Municipal Piped water and sewerage not available	Municipal sewerage not available and Municipal piped water available
Required Minimum Lot Area	1400 m <sup>2</sup>	700 m <sup>2</sup>
Required Minimum Lot Frontage	30 m	15 m

**\*(By-law 12-98)**

**\*3.7.5 Estate Residential, Rural and Light Manufacturing Zones**

Nothing in subsection 3.7.1 shall prohibit any of the uses otherwise permitted by the provisions of the Estate Residential, Rural and Light Manufacturing Zones on a lot in one of the aforementioned zones.\*

3.8 Undesirable Uses

3.8.1 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.

3.8.2 Pits and Quarries

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

3.8.3 Noxious Uses

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

3.8.4 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.

### 3.9 Home Occupations

3.9.1 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) 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;
- f) sufficient off-street parking shall be available for visitors to the premises;
- g) not more than one vehicle associated with the home occupation is parked on the premises in the open; and
- h) no vehicle associated with the home occupation of gross vehicle weight exceeding 1 tonne shall be parked on the premises in the open.

3.9.2 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 m<sup>2</sup> in area may be erected; or
- b) in all other cases, 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 dwelling.

3.9.3 The following uses shall not be permitted as home occupation:

- all defined classes of Automotive Uses;
- day care centre.

### 3.10 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 15.4.1 which apply to dwelling and accessory buildings for front yard depth, side yard depth and rear yard depth.

### 3.11 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 Section 3.9.2.
- e) not more than two rooms are available for rent by the general public.

### 3.12 Separation Distances

#### 3.12.1 Agricultural Code of Practice

Inasmuch as some non-commercial agricultural uses are permitted in accordance with the provisions of the Estate Residential (R5) Zone, the Rural (RU) Zone and the Undeveloped (U) 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.

#### 3.12.2 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, home for the aged, 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, home for the aged, 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.

#### 3.12.3 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, home for the aged, 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	60 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.

### 3.13 Open Storage

3.13.1 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.

3.13.2 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.

### 3.14 Ottawa River Flood Plain

#### 3.14.1 Floodway

For those lands located within the floodway of the Ottawa River flood plain defined by the elevation 114.2 m Geodetic Survey of Canada (GSC), no buildings, alterations or structures shall be permitted with the exception of boat docking or launching facilities, and with the exception of alterations to existing buildings that do not increase the size or usability or lot coverage thereof.



### 3.14.2 Flood Fringe

For those lands located within the flood fringe of the Ottawa River flood plain, between the elevations 114.2 m and 115.2 m GSC, no building permits shall be issued for new development including additions or enlargements, unless such development is flood proofed to the elevation 115.2 m GSC in accordance with Section 3.14.4.

### 3.14.3 Survey

The Chief Building Official shall require an elevation survey prepared by an Ontario Land Surveyor to accompany any building permit application for lands that the Official determines to be potentially within the flood plain.

### 3.14.4 Flood Proofing

All flood proofing methods shall be consistent with accepted engineering techniques and resource management practices. This shall include the following:

- no building openings of any kind including windows, doors, and vents below the flood plain design elevation;
- no incoming power service metering equipment, electrical appliances, etc. below the flood plain design elevation, but this does not apply to electrical wall outlets equipped with ground fault plugs;
- design of heating, air conditioning, ventilation, plumbing, sanitary and water systems to consider flood vulnerability;
- automatic backflow preventers installed on sanitary sewer and storm drainage systems with openings below the flood plain;
- water supply systems designed to prevent possible contamination from flood water;
- float operated automatic control valves installed on gas or oil fired furnaces to shut off fuel in the event of flooding;
- sanitary sewer or septic systems designed to prevent sewage discharge;
- where necessary, basements reinforced in accordance with CMHC guidelines to prevent cracking or caving in from outside water pressure;
- access roads, driveways and parking areas raised to within 0.6 metres of the flood plain design elevation.

**SECTION 4.0 - RESIDENTIAL ZONE PROVISIONS****4.1 General**

Four residential zone categories are established for the fully serviced area. The intent is to regulate and manage the development of neighbourhoods according to density and dwelling types.

Land shall not be used, and buildings and structures shall be neither erected nor used in any Residential zone except according to the provisions of this Section and Section 3.

**4.2 Permitted Residential Uses****4.2.1 First Density (R1)**

In the First Density Residential zone only detached dwellings and the ancillary uses provided for in Section 4.3 herein shall be permitted.

**4.2.2 Second Density (R2)**

In the Second Density Residential zone only those uses permitted in the R1 zone and semi-detached dwellings shall be permitted. In addition, limited service dwellings are permitted on existing lots accessed by private roads.

**4.2.3 Third Density (R3)**

In the Third Density Residential zone only those uses permitted in the R2 zone, apartment dwellings, rooming houses, boarding houses, duplex dwellings, row dwellings and group housing projects shall be permitted.

**4.2.4 Fourth Density (R4)**

In the Fourth Density Residential zone only apartment dwellings shall be permitted.

**4.2.5 Number of Dwellings**

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.

**4.3 Permitted Ancillary Uses****4.3.1 Accessory buildings**

In any Residential zone accessory buildings shall be permitted in accordance with Section 3.6.1 of the General Provisions of this By-law.

#### 4.3.2 Commercial uses

In any Residential zone, neither land nor structures nor buildings shall be used for commercial, business or professional purposes except as provided for in Sections 3.9 and 3.11, or as specifically provided for elsewhere in this By-law.

#### 4.4 Standards

##### 4.4.1 Application

Every permitted lot, building and structure in the Residential zones shall conform to the standards given in Section 3 and in Table 4.4.1, subject to additional provisions given in Sub-sections 4.4.2 to 4.4.5 inclusive.

##### 4.4.2 Group Housing Projects and Row Dwellings

- a) In a group housing project the standards for each dwelling unit shall be as shown in Table 4.4.1 for that type of dwelling unit.
- b) In a group housing project the side yards required shall be cumulative for abutting buildings as shown in Table 4.4.1.
- c) A group housing cluster shall not include more than 30 dwelling units.
- d) The maximum number of row houses in a row dwelling shall be eight (8).

TABLE 4.4.1 Standards for Permitted Uses in Residential Zones (Values Minimum unless specified otherwise)

Zone		R1	R2 and R3		R3 and R4		
Type of Dwelling		Detached	Detached	Semi-detached	Duplex	Multiple Unit (Note 1)	Apartment
Lot area per dwelling unit		600 m <sup>2</sup>	500 m <sup>2</sup>	350 m <sup>2</sup>	300 m <sup>2</sup>	275 m <sup>2</sup> for each of first 3 units plus 150 m <sup>2</sup> for each additional unit	250 m <sup>2</sup> for each of first 4 units plus 100 m <sup>2</sup> for each additional unit
Lot Frontage		19.5 m	15 m	11.5 m	20 m	27m	
Front Yard Depth		6 m, except 15 m abutting Highway 17					
Rear Yard Depth		10 m, except 15 m abutting Highway 17					10 m or height, whichever is greater
Exterior Side Yard Width		4.5 m, except 15 m abutting Highway 17					
Interior Side Yard Width	One Side/ Side With Garage	Distance `A' = 1.8 m (Note 2)	Distance `A' = 1.2 m (Note 2)		Distance A = 1.8 m (Note 2)	3 m plus 1.3 m for each abutting unit over 3	Half the building height
	Other side	3 m	2.5 m		3 m		
Gross Floor Area	Single storey unit	100 m <sup>2</sup>	75 m <sup>2</sup>				Bachelor: 40 m <sup>2</sup> 1 bedroom: 45 m <sup>2</sup> 2 bedroom: 55 m <sup>2</sup> 3 bedroom: 65 m <sup>2</sup>
	Double Storey Unit	120 m <sup>2</sup>	100 m <sup>2</sup>	--	75 m <sup>2</sup>		
Height (maximum) (Note 3)		8.5 m					
Storeys (maximum)		2					3
Coverage (maximum)		35 %					
Open Storage Area		maximum 3% of Lot Area					

Note 1: See also subsection 4.4.2    Note 2: See also subsection 4.4.3    Note 3: See also subsection 4.4.5

#### 4.4.3 Interior Side Yard Width

Except for encroachments permitted by Section 3.3.2, in any Residential Zone the minimum interior side yard width for a detached or semi-detached dwelling shall be distance “A” as given in Table 4.4.1, provided that where a dwelling is more than four (4.0) metres in height this minimum increases progressively at the ratio of .3 units additional yard width for every unit of height above four (4.0) metres. This requirement is illustrated below.

#### 4.4.4 Fences in front yards

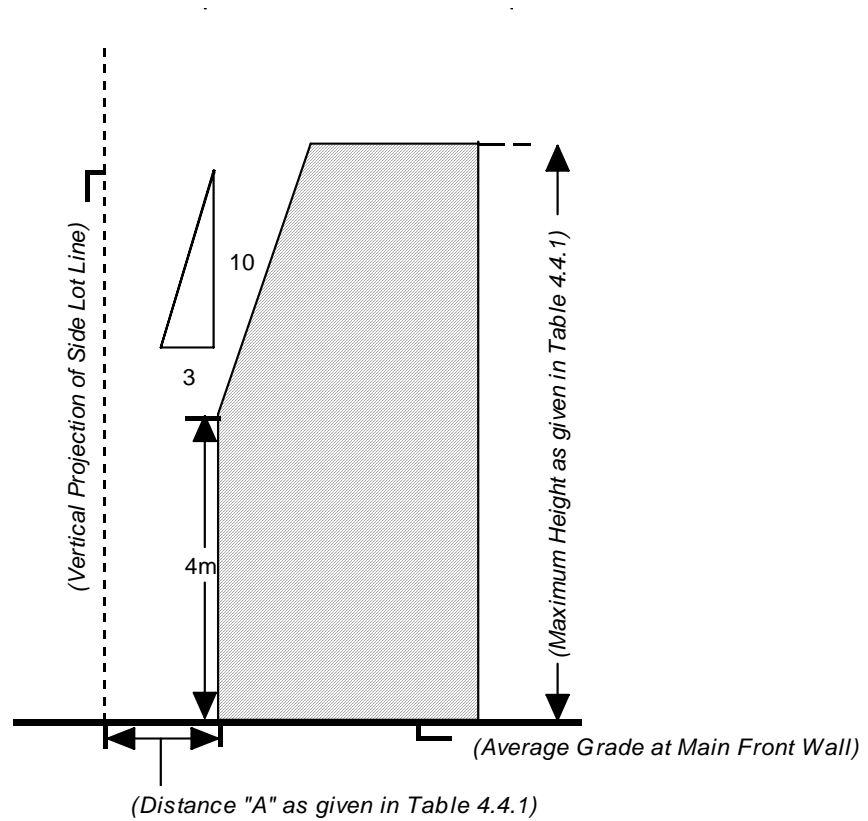
In any Residential zone neither a fence nor wall other than a retaining wall shall be permitted in the front yard of any lot other than a lot that has a direct access over the front lot line to Highway 17.

#### 4.4.5 Fence height

**\*(By-law 19-99)\***

- \*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.\*

Illustration of Interior Side Yard Width  
FRONT VIEW OF BUILDING ENVELOPE



Determining the Minimum Interior Side Yard Required by Section 4.4.3

The building envelope decreases in width between the height 4.0 m and the permitted maximum height. No part of any detached or semi-detached dwelling, except for permitted encroachments, shall be closer to the vertical projection of the side lot line, at any height, than is shown by the shaded area.

#### 4.5 Exception Zones

##### 4.5.1 Fourth Density Residential - Exception One Zone (R4-E1)

Notwithstanding any other provision of this By-law to the contrary, for lands in the Fourth Density Residential - 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.

##### 4.5.2 Second Density Residential - Exception One Zone (R2-E1)

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 Second Density Residential - 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.

##### 4.5.3 Fourth Density Residential- Exception Two (R4-E2)

Notwithstanding any other provision of this By-law to the contrary, for lands in the Fourth Density Residential 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.

**\*(By-law 28-98)\***

##### \*4.5.4 Second Density Residential-Exception Two (R2-E2)

- a) The provisions of paragraphs 3.9.1 c) and 3.9.1 e) regarding home occupations do not apply to lands in the Second Density Residential-Exception Two (R2-E2) zone.

- b) A home occupation use in the Second Density Residential-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 Second Density Residential-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 Second Density Residential-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.\*

**\*(By-law 31-2004)\***

**\*4.5.5. Second Density Residential-Exception Three (R2-E3)**

Notwithstanding Section 4.2.2 to the contrary, for those lands described as Lot 73, Plan 281 and delineated as Second Density Residential-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.\*



4.6 Interim Uses and Standards

4.6.1 Second Density Residential - holding for 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.

**SECTION 5.0 - ESTATE RESIDENTIAL ZONE PROVISIONS**

5.1 General

The Estate Residential Zone is intended to recognize lands where development on individual on-site systems for water supply and sewage disposal may be permitted.

**\*(By-law 17-2007)\***

In any Estate Residential \*(ER)\* Zone, land shall not be used and buildings and structures shall be neither erected nor used except according to the provisions of this Section and Section 3.

5.2 Permitted Residential Uses

In any Estate Residential Zone, only detached dwellings, and the ancillary uses provided for in Section 5.3 herein shall be permitted. In addition, limited service dwellings and limited service vacation dwellings are permitted on existing lots, or on lots legally created by the Committee of Adjustment, accessed in either case by private roads.

5.3 Permitted Ancillary Uses

5.3.1 In any Estate Residential Zone, accessory buildings shall be permitted in accordance with Section 3.6.1 of the General Provisions of this By-law.

5.3.2 In any Estate Residential Zone, the following uses are permitted provided a main residential use exists on the lot:

- non-commercial animal husbandry
- non-commercial agricultural uses
- silviculture

5.4 Permitted Non-residential Uses

In any Estate Residential Zone, only non-commercial camping facilities shall be permitted without a dwelling on the same lot.

5.5 Standards

5.5.1 Application

Every permitted lot, building and structure in the Estate Residential Zone shall conform to the standards given in Section 3 and in Table 5.4.1.

Table 5.4.1 Standards For Permitted Uses in any Estate Residential Zone.

	Required Value (minimum unless specified)	
	Residential Uses	Other Permitted Uses
Lot Area	*0.6* hectare minimum	
Lot Frontage	50 metres minimum	
Front Yard Depth	7.5 metres minimum	20 metres minimum
Rear Yard Depth	7.5 metres minimum	10 metres minimum
Interior Side Yard Width	3 metres minimum	
Exterior Side Yard Width	7.5 metres minimum	
Gross Floor Area	100m <sup>2</sup> minimum single storey 120m <sup>2</sup> minimum double storey	100m <sup>2</sup> maximum
Height	10.5 metres maximum	11 metres maximum
Lot Coverage	20% maximum	15% maximum
Open Storage Area (maximum)	3% of Lot Area	3% of Lot Area

5.6 Estate Residential-Exception One (\*ER\*-E1)

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>.

**\*By-law 32-97\***

- \*c) a team 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 house as the principal use;
- and paragraph 3.6.1 a) does not apply to such accessory use.\*

**\*(By-law 17-2007)\***

**\*SECTION 6.0 - RECREATIONAL RESIDENTIAL ZONE PROVISIONS**

6.1 General

The Recreational Residential Zone is intended to encourage alternative development standards in the development of medium and/or high-density residential development with a mix of recreational facilities.

In any Recreational Residential (RR) zone, land shall not be used and buildings and structures shall be neither erected nor used except according to the provisions of this Section and Section 3.

6.2 Permitted Residential Uses

Apartment Dwellings  
Row Dwellings

6.3 Permitted Non-Residential Uses

Open Space  
Park  
Recreation Facility

6.4 Standards

6.4.1 Application

Every permitted lot, building and structure in the Recreational Residential Zone shall conform to the standards given in Section 3 and in Table 6.4.1.

Table 6.4.1 Standards for Permitted Uses in any Recreational Residential Zone

	Required Value (minimum unless specified)		
	Row Dwelling	Apartment	Other Permitted Uses
Lot Area	275 m <sup>2</sup> for each of the first 3 units plus 150 m <sup>2</sup> for each additional unit.	250 m <sup>2</sup> for each of the first 4 units plus 100 m <sup>2</sup> for each additional unit.	1275 m <sup>2</sup>
Lot Frontage	27 m	27 m	27 m
Front Yard	6 m	6 m	6 m
Rear Yard	10 m	10 m	10 m
Exterior Side Yard	4.5 m	4.5 m	4.5 m
Interior Side Yard	3 m plus 1.3 m for each abutting unit over 3	Half the building height	Half the building height
Gross Floor Area	75 m <sup>2</sup>	Bachelor: 40 m <sup>2</sup> 1 Bedroom: 45 m <sup>2</sup> 2 Bedroom: 55 m <sup>2</sup> 3 Bedroom: 65 m <sup>2</sup>	No minimum
Height (maximum)	10.5 m	13 m	13 m
Stories (maximum)	2	3	3
Coverage (maximum)	35%	35%	35%*

**SECTION 7.0 - CENTRAL AREA ZONE PROVISIONS****7.1 General**

Two distinct zone classifications are set out within this category. The Central Area - General Zone (C1) is intended to allow a wide range of commercial, social service and office development in Deep River's Town Centre. Some forms of residential uses may also be permitted and mixed use developments are encouraged. In the C2 Zone, the scale and form of development will be controlled to create a character that is more compatible with residential neighbourhoods.

Land shall not be used, and buildings and structures shall be neither erected nor used in any Central Area zone except according to the provisions of this Section and Section 3 herein.

**7.2 Permitted Commercial Uses****7.2.1 Central Area - General (C1)**

In the Central Area - General Zone, only the following uses and the ancillary uses provided for in subsection 6.5 shall be permitted.

- Amusement Arcade
- Artisan Shop or Studio
- Assembly Hall
- Bake Shop
- Business, Professional or Administrative Office
- Catalogue Store
- 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
- Laundromat
- Licensed Establishment
- Parking Lot
- Place of Entertainment
- Printing Shop
- Retail Store
- Service Shop, General
- Service Shop, Personal
- Supermarket

### 7.2.2 Central Area - Restricted (C2)

In the Central Area - Restricted Zone, only the following uses and the ancillary uses provided for in subsection 7.5 shall be permitted.

- Artisan Shop or Studio
- Bake Shop
- Business, Professional or Administrative Office
- Catalogue Store
- 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
- Printing Shop
- Retail Store
- Service Shop, General
- Service Shop, Personal

### 7.3 Permitted Residential Uses

#### 7.3.1 Central Area - General (C1)

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

#### 7.3.2 Central Area - Restricted (C2)

- Apartment Dwellings

### 7.4 Permitted Mixed or Grouped Uses

#### 7.4.1 Central Area - General (C1)

In the C1 zone, the following forms of development are permitted provided that each of the component uses is a permitted use in this Zone:

- Shopping Centre
- Mixed Commercial-Residential Development



## 7.5 Permitted Ancillary Uses

7.5.1 In any Central Area Zone, accessory buildings shall be permitted in accordance with Section 3.6.1 of the General Provisions of this By-law.

### 7.5.2 Workshops

In the Central Area Zones, 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.

## 7.6 Standards

### 7.6.1 Application

Every permitted building and structure in the Central Area Zones shall conform to the standards given in Table 7.6.1, subject to the additional provisions in subsection 7.6.2 and 7.6.3.

### 7.6.2 Canopies

In the Central Area Zones, 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. The said canopy shall conform in character to any canopy already established in the same row of adjoining buildings. Vertical changes in the canopy level shall be permitted, where appropriate to changes in the grade of the pedestrian walkway.

### 7.6.3 Buffering from other Zones

Where land in a Central Area Zone abuts a Residential or Undeveloped Zone, either directly or separated by only a road allowance, then a strip of land within the Central Area Zone, not less than 1.5 m in width, measured horizontally from the lot line that divides that lot in the Central Area 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 Central Area Zone lot are necessary.

TABLE 7.6.1 Standards for Permitted Uses in the Central Area Zones

	Required Value (minimum unless specified)	
Zone	C1	C2
Lot Area	100 m <sup>2</sup>	maximum: 1200 m <sup>2</sup>
		minimum: 600 m <sup>2</sup>
Lot Frontage	6 m	maximum: 40 m
		minimum: 15 m
Front Yard Depth	For storeys one and two: No Minimum (N.M.). For higher storeys: $X = (Z - 7.5 \text{ m}) \times .3$ ; X being the required minimum yard and Z being the elevation in metres 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.	3 m
		maximum: 7.5 m
Rear Yard Depth	N.M.	10 m
Interior Side Yard Width	N.M. except abutting a Residential Zone where 6 m shall be required	3 m on one side, but 6 m where abutting a Residential Zone; N.M. on other side
Exterior Side Yard Width	Same as required for Front Yard	3 m
		Maximum: 7.5 m
Height	N.M. maximum: the lesser of 15 m and the maximum Height permitted by the Street Corridor Width/Height Ratio	N.M.
		Maximum: 8.5 m
Street Corridor Width / Height Ratio	Maximum: 2:1	
Lot Coverage	Maximum: 100% less the area for required parking spaces	Maximum: 35%
Open Storage: Area	Not Permitted	Maximum: 3%

**\*(By-law 17-2007)\***

**\*7.7 Exception Zones \***

**7.7.1 Central Area Restricted - Exception One (C2-E1)**

Notwithstanding any other provision of this By-law to the contrary, for lands in the Central Area 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 6.5.2

**\*(By-law 10-98)\***

**\*7.7.2 Central Area Restricted–Exception Two (C2-E2)**

Notwithstanding any other provision of this By-law to the contrary, for lands in the Central Area 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 Shop
- Scientific Research Establishment – Class 1
- Telephone Switching Office
- Workshop in accordance with clause 7.5.2

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

**\*(By-law 37-99)\***

**\*7.7.3 Central Area Restricted-Exception Three (C2-E3)**

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

- Clinic\*

**\*(By-law 17-2007)\***

**\*7.7.4 Central Area -Exception Three (C1-E1)**

Notwithstanding Section 7.2, 7.3 and 7.7, 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;  
 Home for the aged;  
 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: $X = (Z - 7.5 \text{ m}) H .3$ ; 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	3m, except 0m if sharing a common wall	N.M. Except abutting a residential zone where 6 m shall be required
Gross Floor Area	75 m <sup>2</sup>	N/A
Height (maximum)	13 m	13 m
Stories (maximum)	3	3
Coverage (maximum)	50%	100% less the area required for parking spaces*

7.7.5 Central Area -Exception Two (C1-E2)

Notwithstanding Section 7.2, 7.3 and 7.4, only the following uses are permitted:

Apartment Dwelling  
Conference Centre  
Hotel  
Mixed Commercial-Residential Development  
Open Space  
Park  
Recreation Facilities  
Row Dwelling

7.8 Interim Uses and Standards

7.8.1. Central Area- Exception Two-holding (C1-E2-h)

- a) Permitted Uses:
  - Existing uses in existing locations
  - Park
  - Open Space
  
- b) Conditions for removal of Holding Symbol (h):
  - Final approval of a site plan application whereupon a site plan agreement under Section 41 of the Planning Act is executed and registered on title.\*

**\*(By-law 17-2007)\***

**\*SECTION 8.0 BUSINESS PARK ZONE PROVISIONS\***

8.1 General

The intent of the Business Park Zone is to provide an area for commercial development that is generally dependent on the traffic flows along Highway 17 or that has large space requirements or that is of an automotive character.

In any Business Park Zone (BP), land shall not be used and buildings and structures shall be neither erected nor used except according to the provisions of this Section and Section 3.

8.2 Permitted Commercial Uses

In any Business Park Zone, only the following uses and the ancillary uses provided for in Section 8.3 shall be permitted:

- Animal Hospital
- Artisan's 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
- Catalogue Store
- Caterer's Establishment
- Convenience Store
- Drug Store
- Eating Establishment
- Factory Outlet
- Flea Market
- Funeral Home
- Garden Centre
- Hotel

**\*(By-law 29-98)\***

- \*Laundromat\***
- Licensed Establishment
- Miniature Golf Course
- Motel
- Museum or Interpretive Centre
- Place of Entertainment
- Police Detachment Office
- Retail store
- Service Shop, General

Service Shop, Personal  
Travel Centre

**\*(By-law 17-2007)\***

\*Grocery Store  
High Technology Research Facility  
Industrial Facility – Class I\*

8.3 Permitted Ancillary Uses

8.3.1 In any Business Park Zone, accessory buildings shall be permitted in accordance with Section 3.6.1 of the General Provisions of this By-law.

8.3.2 Non-residential uses

In any Business Park Zone, only the following non-residential uses shall be permitted in addition to those uses provided for in Subsection 8.2:

Campground, but only in conjunction with a hotel, motel, museum or interpretive centre, or travel centre

8.3.3 Residential uses

Dwellings and accessory buildings shall be permitted in any Business Park Zone provided that:

- a) such dwellings are for resident owners, caretakers or maintenance staff only,
- b) there is only one dwelling unit associated with any one business or institution,
- c) the dwelling unit is on the same lot as the business or institution with which it is associated,
- d) the dwelling unit is provided with a pedestrian access independent of the business or institution.

**\*(By-law 17-2007)\***

\*\*

8.4 Standards

8.4.1 Application

Every permitted building and structure in any Business Park Zone shall conform to the standards given in Table 8.4.1 subject to the additional provisions in Subsection 8.4.2 to 8.4.4 inclusive.

TABLE 8.4.1 Standards for Permitted Uses in any Business Park Zone

	Required Minimum Value
Lot Area	2000 m <sup>2</sup>
Lot Frontage	31.5 m
Front Yard Depth	6 m, except 15 m abutting Highway 17
Rear Yard Depth	3 m
Interior Side Yard Width	3 m
Exterior Side Yard Width	6 m, except 15 m abutting Highway 17
	Required Maximum Value
Height	15 m
Lot Coverage	40%
Open Storage: Area	35% of Lot Area or twice the ground floor area of the main building, whichever is less
<b>*(By-law 17-2007)*</b> *Floor Area	Required Minimum value – 139.34 m <sup>2</sup> *

8.4.2 Buffering from other Zones

Where land in a Business Park Zone abuts a Residential, Rural or Undeveloped Zone, either directly or separated by only a road allowance, then a strip of land within the Commercial Zone, not less than 1.5 m in width, measured horizontally from the lot line that divides that lot in the Commercial Zone from land in the Undeveloped, Rural or Residential Zones or from the intervening road allowance, and for the extent of such lot line, shall be used only for landscaped open space, except where entrances or exits for a permitted use in the Commercial Zone lot are necessary.

8.4.3 Automotive Uses

Where a lot in the Business Park 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,
- f) the distance between driveways shall be not less than 7 m,

#### 8.4.4 Entrances

The maximum number of private entrances permitted from a public road to any one property shall be two (2).

#### **\*(By-law 17-2007)\***

##### \*8.4.5 Grocery Stores

Notwithstanding Table 8.4.1, the minimum floor area shall be 2787 square metres.\*

#### **\*(By-law 27-98)\***

##### \*8.5 Business Park -Exception One (BP-E1)

- 8.5.1 Notwithstanding any other provision of this By-law to the contrary, for lands in the Business Park -Exception One (BP-E1) zone, in addition to other uses permitted under this By-law, a clinic shall be a permitted use.\*

#### **\*(By-law 14-2006)\***

##### \*8.5 Exception Zones

##### 8.5.1 Business Park-Exception One-holding (BP-E1-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 Business Park-Exception One-holding (BP-E1-h), on Schedule “A” (Map 17) 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 Business Park-Exception One-holding (BP -E1-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 9.0 - WATERFRONT DEVELOPMENT ZONE PROVISIONS****9.1 General**

The Waterfront Development (WD) Zone applies to the area described in the *Waterfront Master Plan* as the "Marina Node." The WD Zone identifies the affected land for development that is compatible with the waterfront location and which would use the location to advantage.

In any Waterfront Development (WD) Zone, land shall not be used and buildings and structures shall be neither erected nor used except according to the provisions of this Section and Section 3.

**9.2 Permitted Uses**

In any Waterfront Development Zone only the following main uses and the ancillary uses provided for in subsection 9.3 shall be permitted:

- Conference Centre
- Hotel
- Marina
- Motel
- Park
- Recreation Facility
- Resort

**9.3 Permitted Ancillary Uses**

9.3.1 In any Waterfront Development Zone, accessory buildings shall be permitted in accordance with Section 3.6.1 of the General Provisions of this By-law.

9.3.2 In any Waterfront Development Zone, the following ancillary uses shall be permitted in conjunction with a permitted main use on the same lot:

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

**9.4 Permitted Mixed or Grouped Uses**

In any Waterfront Development Zone, developments that combine any of the permitted main uses and the permitted ancillary uses are permitted. In addition, apartment dwellings are permitted as a component of a mixed use development provided that a hotel, motel or conference centre is one of the other components of such development.

9.5 Standards

9.5.1 Application

Every permitted lot, building and structure in any Waterfront Development Zone shall conform to the standards given in Table 9.5.1.

TABLE 9.5.1 Standards for Permitted Uses in a Waterfront Development Zone

	Required Value (minimum unless specified)
Lot Area	600 m <sup>2</sup>
Lot Frontage	20 m
Front Yard Depth	No Minimum (N.M.)
Rear Yard Depth	N.M. except abutting a Residential Zone where 6 m shall be required
Interior Side Yard Width	N.M. except abutting a Residential Zone where 6 m shall be required
Exterior Side Yard Width	N.M.
Height	Maximum: 8.5 m
Lot Coverage	Maximum: 100% less the area required for parking spaces
Open Storage: Area	Maximum: 3% of Lot Area

9.6 Interim Uses and Standards

9.6.1 Waterfront Development - holding

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
- 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 10.0 □ EXTRACTIVE INDUSTRIAL ZONE PROVISIONS**

10.1 General

In any Extractive Industrial Zone (ME), land shall not be used and buildings and structures shall be neither erected nor used except according to the provisions of this Section and Section 3.

10.2 Permitted Uses

In any Extractive Industrial Zone, only the following uses shall be permitted:

- Extractive Industrial Facility
- Gravel pit
- Quarry

10.3 Standards

10.3.1 Application

Every permitted lot, building and structure in the Extractive Industrial Zone shall conform to the standards given in Table 10.3.1, subject to the additional provisions in Subsections 10.3.2.

10.3.2 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.

Table 10.3.1 Standards for permitted uses in an Extractive Industrial zone

	Minimum Required Value	
	To a General Industrial Zone	Other Than to a General Industrial Zone
Front Yard Depth	20m	30m, except as specified in Section 3.12 Separation Distances
Rear Yard Depth	15m	
Side Yard Depth		

## **SECTION 11.0 □ INDUSTRIAL ZONE PROVISIONS**

### 11.1 General

Three industrial zone categories are established here. The Light Industrial Zone is intended to set out the uses that are appropriate to the rear of the Highway Commercial Zone. The Public Industrial (M2) Zone is applied to the public facilities and installations that are least compatible with residential and similar uses. The General Industrial (M3) Zone is intended to permit the privately-owned industrial uses that are heavier in terms of potential incompatibility with adjacent uses but which are considered acceptable, in principle, in the Town.

Land shall not be used and buildings and structures shall be neither erected nor used in any Industrial Zone except according to the provisions of this Section and Section 3 herein.

### 11.2 Permitted Industrial Uses

**\*\* (By-law 10-98) \*\***

#### **\*\* 11.2.1 Light Industrial**

In the Light Industrial (M1) Zone, only the uses permitted in the Highway Commercial (CH) Zone and the following uses, plus the ancillary uses provided for in Section 10.3 shall be permitted:

Automotive-Body Shop  
Bakery  
Bus Terminal

**\* (By-law 34-97) \***

\*Contractor's Yard\*  
Dairy  
Industrial Facility - Class I  
Mini Storage Establishment  
Printing Press  
Scientific Research Establishment – Class I  
Truck Terminal  
Warehouse  
Welding Shop\*\*

#### 11.2.2 Public Industrial

In any Public Industrial (M2) Zone, only the following uses and the ancillary uses provided for in Section 10.3 shall be permitted:

Animal Shelter  
Public Utility Building and Facilities  
Garage, Public

**\*(By-law 10-98)\***

**\*11.2.3 General Industrial**

In any General Industrial (M3) Zone, only the following uses and the ancillary uses provided for in Section 10.3 shall be permitted:

- 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\*

**11.3 Permitted Ancillary Uses**

11.3.1 In any Industrial Zone, accessory buildings shall be permitted in accordance with Section 3.6.1 of the General Provisions of this By-law.

11.3.2 Non-residential uses

In any Industrial Zone, in addition to those uses provided for in Subsection 11.2, the following ancillary non-residential uses shall be permitted, provided that such ancillary uses are directly associated with an industrial use permitted in this Zone:

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

**11.4 Permitted Grouped Uses**

11.4.1 Light Industrial (M1) Zone

In the M1 zone, an Industrial Mall is permitted provided that each of the component uses is a permitted use in this Zone

**11.5 Standards**

11.5.1 Application

Every permitted lot, building and structure in a Industrial Zone shall conform to the standards given in Table 11.5.1.



TABLE 11.5.1 Standards for Permitted Uses in any Industrial Zone

	Required Value (minimum unless specified)
Front Yard Depth	10 m, except 20 m abutting Highway 17
Rear Yard	
Exterior Side Yard	10 m, except 20 m abutting Highway 17
Interior Side Yard	3 m, except 10 m abutting any Residential Zone
Height (maximum)	12m
Lot Coverage (maximum)	40%
Open Storage: Area (maximum)	40 % of Lot Area or twice the ground floor area of the main building on the lot, whichever is less

**SECTION 12.0 INSTITUTIONAL ZONE PROVISIONS**

12.1 General

The intent of the Institutional Zone is to identify the major institutional uses that stand on their own in the Town.

In any Institutional Zone (IN), land shall not be used and structures shall be neither erected nor used, except as allowed by the provisions of this Section and Section 3.

12.2 Permitted Main Uses

In any Institutional Zone (IN), only the following uses and the ancillary uses provided for in Subsection 12.3 shall be permitted:

- Assembly Hall
- Cemetery
- Church
- Clinic
- Community Centre
- Community Institution, Non-profit
- Funeral Home
- Government Offices
- Home for the Aged
- Hospital
- Indoor sports facilities
- Long Term Care Facility
- Nursing Home
- Private Club
- Public building
- School
- Special Event

12.3 Permitted Ancillary Uses

12.3.1 In any Institutional (IN) Zone, accessory buildings shall be permitted in accordance with Section 3.6.1 of the General Provisions of this By-law.

12.3.2 In any Institutional Zone, dwelling units and accessory buildings shall be permitted provided that:

- a) such dwellings are for a caretaker or other workers whose residence on the lot is necessary for the main use,
- b) only one dwelling unit is associated with any one main use,
- c) such dwelling unit is on the same lot as the main use with which the dwelling unit is associated.

12.4 Standards

12.4.1 Application

Every permitted building and structure in any Institutional Zone shall conform to the standards given in Table 12.4.1.

TABLE 12.4.1 Standards for Permitted Uses in an Institutional Zone

	Required Value (Minimum unless specified)
Front Yard Depth Rear Yard Depth Side Yard Width	8m, except 15m abutting Hwy 17
Gross floor area per dwelling unit	As for apartment in an R3 Zone
Height	Maximum: 12m
Lot Coverage	Maximum: 35%
Open Storage	Maximum: 3% of Lot Area

12.5 Exception Zones

12.5.1 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 Table 12.4.1 except as set out in Table 12.5.1.

Table 12.5.1 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

**\*(By-law 3-2007)\***

\*12.5.2 Institutional-Exception Two (IN-E2)

Notwithstanding anything in this By-law to the contrary, for those lands described as Block U6, Plan 321, in the Town of Deep River delineated as Institutional-Exception Two (IN-E2), on Schedule “A” (Map 23) to this By-law, business, professional or administrative office shall be considered an additional permitted use.\*

**SECTION 13.0 - OPEN SPACE ZONE PROVISIONS**

13.1 General

Three Open Space Zone classifications are set out in this By-law. The Open Space One (OS1) Zone applies to major areas of parkland, recreational land, recreational facilities and open space. The Open Space Two (OS2) Zone is intended to identify minor areas of open space, which are mainly passive in use. The Open Space Three (OS3) Zone identifies the municipally owned shoreline reserve.

In any Open Space Zone, land shall not be used and structures shall be neither erected nor used, except as allowed by the provisions of this Section and Section 3.

13.2 Permitted Uses

13.2.1 Open Space One

In any Open Space One (OS1) Zone, only the following uses and the ancillary uses provided for in subsection 13.3 shall be permitted:

- Conservation Practices
- Golf Course
- Marina
- Park
- Recreation, Active
- Recreation Facility
- Ski Area
- Special Event

13.2.2 Open Space Two

In any Open Space Two (OS2) Zone, only the following uses and the ancillary uses provided for in subsection 13.3 shall be permitted:

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

13.2.3 Open Space Three

In any Open Space Three (OS3) Zone, only the following uses and the ancillary uses provided for in subsection 13.3 shall be permitted:

- Conservation Practices
- Pedestrian Walkways

13.3 Permitted Ancillary Uses

13.3.1 Open Space One

Structures accessory to any permitted use in the Open Space One (OS1) Zone shall be permitted.

13.3.2 Open Space Two

Structures accessory to any permitted use in the Open Space Two (OS2) Zone shall be permitted.

13.3.3 Open Space Three

Structures accessory to any permitted use in the Open Space Three (OS3) Zone shall be permitted only on land owned by the Town.

**\*(By-law 24-99)\***

**\*13.4 Open Space One - Exception One (OS1-E1)**

13.4.1 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 3.6.1 of this By-law.

13.4.2 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 (OS2-E1) zone shall be the same as those provided in Section 15.4 for the Undeveloped (UD) zone, except that the required minimum front yard depth shall be 12.0 m. for all uses.

13.4.3 Section 3.4.1 of this By-law does not apply to lands in the Open Space One - Exception One (OS2-E1) zone, so that there is no requirement for off-street parking on lands so zoned.\*

**SECTION 14.0 - ENVIRONMENTAL PROTECTION ZONE PROVISIONS**

14.1 General

The Environmental Protection (EP) Zone is intended to identify hazardous lands and significant natural heritage features and areas, where no development is permitted.

In any Environmental Protection Zone land shall not be used except as allowed by the provisions of this Section and Section 3, and structures and buildings shall not be erected.

14.2 Permitted Uses

In any Environmental Protection Zone only the following uses shall be permitted:

Conservation Practices  
Natural Area  
Recreation, Passive

14.3 Permitted Ancillary Uses

14.3.1 Engineering Works

Engineering work on any Environmental Protection Zone land shall be permitted provided that:

- a) such work is for flood or erosion control;
- b) such work meets environmental standards and complies with accepted engineering practice; and
- c) written permission is obtained from the Town.

14.3.2 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 15.0 – RURAL ZONE PROVISIONS**

### 15.1 General

In any Rural (RU) Zone, land shall not be used and buildings and structures shall be neither erected nor used except according to the provisions of this Section and Section 3.

### 15.2 Permitted Uses

In any Rural Zone only the following uses and the ancillary uses provided for in subsection 15.3 shall be permitted,

detached dwelling  
semi-detached dwelling  
animal hospital  
artisan shop or studio  
boarding house  
bus terminal  
campground  
catering establishment  
convenience store  
contractor's yard or shop  
cottage establishment  
cottage industry  
dry cleaning outlet  
garage, public  
heritage stopping place  
motel  
recreational vehicle campground  
riding stables  
service shop, general  
truck terminal  
warehouse

### 15.3 Permitted Ancillary Uses

15.3.1 In any Rural (RU) Zone accessory buildings shall be permitted in accordance with Sections 3.6.1 of the General Provisions of this By-law.

15.3.2 In any Rural (RU) Zone, if a dwelling is located on the same lot as any other permitted use, such other use shall be considered ancillary.

15.4 Standards

15.4.1 Application

Every permitted lot, building and structure in any Rural Zone shall conform to the standards given in Table 15.4.1, subject to additional provisions given in subsection 15.4.2.

15.4.2 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.

15.5 Exception Zones

15.5.1 Rural - Exception One (RU-E1) Zone

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 Table 15.4.1, 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 m <sup>2</sup>
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Table 15.4.1 Standards for Permitted Uses in a Rural Zone

	Required Value (minimum unless specified)				
	Motel, Campground, Recreational Vehicle Campground Cottage Establishment	Riding Stables, Heritage Stopping Place	Contractors yard, Cottage Industry, Public Garage, Truck Terminal, Bus Terminal, Warehouse	Dwelling, Boarding House	Animal Hospital Artisan Shop or Studio, Catering Establishment, Convenience Store Dry Cleaning Outlet, Service Shop, General
Lot Area	2750m <sup>2</sup> plus 200m <sup>2</sup> per guestroom (campsite) in excess of 4	2 hectares	4047m <sup>2</sup>	2025m <sup>2</sup> per dwelling unit	2025 m <sup>2</sup>
Lot Frontage	45m	45m	45m	30 m	45 m
Front Yard Depth	12 metres				
Rear Yard Depth	8 metres				
Interior Side Yard Width	3 metres				
Exterior Side Yard Width	6 metres				
Gross Floor Area per Dwelling Unit	As required for same type of dwelling in R3 Zone				
Height	Maximum: 8.5 metres				
Lot Coverage	Maximum: 35%				
Open Storage	Maximum: 3%				

**SECTION 16.0 □ UNDEVELOPED ZONE PROVISIONS**

16.1 General

In any Undeveloped Zone (UD), land shall not be used and structures and buildings shall be neither erected nor used, except according to the provisions of this Section and Section 3.

16.2 Permitted Main Uses

In any Undeveloped Zone only the following uses and the ancillary uses provided for in Subsection 16.3 shall be permitted:

- Animal husbandry
- Agricultural use
- Boarding Stable
- Camping facilities, Non Commercial
- Conservation Practices
- Cottage Industry
- Detached dwelling on a lot that existed on March 2, 1993
- Kennel
- Transmitter Tower
- Uses permitted in the OS2 Zone
- Wayside Pit

16.3 Permitted Ancillary Uses

16.3.1 In any Undeveloped (U) Zone, accessory buildings shall be permitted in accordance with Section 3.6.1 of the General Provisions of this By-law.

16.4 Standards

16.4.1 Application

Every permitted lot, building and structure in any Undeveloped Zone shall conform to the standards given in Table 16.4.1.

Table 16.4.1 Standards for Permitted Uses in an Undeveloped Zone

	Required Value (Minimum unless specified)	
	Dwelling and Accessory Building	Other than a dwelling or accessory building
Lot Area	4 ha.	
Lot Frontage	100 m	
Front Yard Depth Side Yard Depth Rear Yard Depth	12 m, except 15m abutting Hwy 17	30 m
Gross floor area per dwelling unit	As for detached dwelling in R2 zone	--
Height	Maximum: 15 m	
Lot Coverage	Maximum: 10%	
Open Storage: Area	Maximum: 3% of Lot Area	

\*(By-law 22-2001)\*

**\*SECTION 17.0 – WASTE DISPOSAL ZONE PROVISIONS**

17.1 General

The Waste Disposal Zone is intended to set out the uses and zone provisions appropriate for the operation of a municipal non-hazardous, solid waste landfill site.

Land shall not be used and structures shall neither be erected nor used in the Waste Disposal Zone except according to the provisions of this Section and Section 3 herein.

17.2 Permitted Uses

Waste Disposal Site  
Transfer Station

17.3 Permitted Ancillary Uses

17.3.1 In any Waste Disposal (WTD) Zone, accessory buildings shall be permitted in accordance with Section 3.6.1 of the General Provisions of this By-law.

17.4 Standards

17.4.1 Application

Every Permitted use, building and structure in the Waste Disposal Zone shall conform to the standards given in Table 17.4.1

Table 17.4.1 Standards for Permitted Uses in a Waste Disposal Zone

	Required Minimum Value
Front Yard Depth	15 metres
Rear Yard Depth	15 metres
Side Yard Width	15 metres*

## ENACTMENT

This By-law shall come into force pursuant to Section 34  
of the Planning Act, R.S.O., 1990, c.P. 13.

READ A FIRST AND SECOND TIME THIS 7th DAY OF AUGUST, A.D. 1996.

READ A THIRD TIME and FINALLY PASSED THIS 20th DAY OF NOVEMBER, A.D. 1996.

CORPORATE SEAL



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John P. Murphy, Mayor



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Laurence H. Simons, Clerk

