

**ZONING BY-LAW
NO. 2002-10**

**MUNICIPALITY
OF
CENTRE HASTINGS**

May 13, 2002

Municipality of Centre Hastings
Zoning By-law No. 2002-10
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**THE CORPORATION OF THE TOWNSHIP OF
THE MUNICIPALITY OF CENTRE HASTINGS**

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Updated May 3rd, 2023

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OF THE

MUNICIPALITY OF CENTRE HASTINGS

BEING A ZONING BY-LAW PASSED PURSUANT TO THE PROVISIONS OF
SECTION 34 OF THE *PLANNING ACT*, R.S.O., 1990, AS AMENDED

WHEREAS the Council of the Corporation of the Township of the Municipality of Centre Hastings considers it desirable to enact a Zoning By-law in accordance with the provisions of Section 34 of The *Planning Act*, R.S.O., 1990, as amended, to regulate the use of lands and the character, location and use of buildings and structures in various areas of the Corporation of the Township of the Municipality of Centre Hastings;

AND WHEREAS the Council of the Corporation of the Township of the Municipality of Centre Hastings further considers it advisable to implement the approved policies and designations set forth under the Official Plan of the County of Hastings insofar as is necessary to restrict, prohibit and regulate the use of land situated within various defined areas of the Corporation of the Township of the Municipality of Centre Hastings so as the ensure proper and orderly development within the whole of the Municipality;

NOW THEREFORE the Council of the Corporation of the Township of the Municipality of Centre Hastings enacts as follows:

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SECTION 1 INTERPRETATION

1.1 TITLE

This By-law may be cited as the “MUNICIPALITY OF CENTRE HASTINGS COMPREHENSIVE ZONING BY-LAW”.

1.2 DECLARATION

The Schedules A1, A2 and A3 contained herein are declared to form part of this By-law.

1.3 APPLICATION

This By-law shall apply and be enforceable with respect to the whole of the Corporation of the Municipality of Centre Hastings. For the purposes of this By-law, the definitions and interpretations given herein shall govern unless the context requires otherwise.

1.4 INTERPRETATION

For the purposes of this By-law, words used in the present tense include the future; words in singular number include the plural and words in the plural include the singular number; the word “shall” is mandatory; the word “may” is permissive; the words “used” and “occupied” shall include the words “arranged” and designed to be used or “occupied”.

1.5 ZONE SYMBOLS

The Zone symbols used on Schedules A1, A2 and A3 refer to the use of land, buildings and structures and excavations permitted by this By-law in the zone categories. Whenever in this By-law the word “Zone” is used, preceded by any of the symbols, such Zone shall mean any area within the Corporation of the Municipality of Centre Hastings delineated on Schedules A1, A2 and A3 and designated thereon by the symbol.

1.6 SPECIAL ZONE SYMBOLS

1.6.1 Where the Zone Symbol designating certain lands, as shown on Schedules A1, A2 and A3 is followed by a dash and a number, for example M1-1, Exception Zone Provisions apply to such lands. Such exception provisions are found by reference to the Subsection of the Zone Provisions of each Zone classification entitled “EXCEPTION ZONE PROVISIONS”. Lands designated in this manner shall be subject to all the restrictions of the Zone, except as may otherwise be provided by the Exception Zone Provisions.

1.6.2 Where the Zone Symbol designating certain lands, as shown on Schedules A1, A2 and A3, is followed by a dash and the letter “h”, Holding Zone provisions apply to such lands. Such Holding Zone provisions are specified in 4.14 of this By-law.

1.6.3 Where a Zone Symbol or Special Zone Symbol designating certain lands, as shown on Schedules A1, A2 and A3, is followed by a dash and the symbol “f()” with the brackets containing a numerical value, for example “R1-f(92.6)”, the lands delineated are an area susceptible to flooding and the provisions of Section 4.3 shall apply.

1.7 INTERPRETATION OF ZONE BOUNDARIES

Where possible, the extent and boundary of all zones, as delineated on Schedules A1, A2 and A3 shall be construed to be lot lines, street lines, centerlines, centerlines of streets, railway rights-of-way or boundaries of registered plans.

Where the extent and boundary of any zone, as delineated on Schedules A1, A2 and A3 is uncertain the following provisions shall apply:

- 1.7.1** that where a zone boundary is indicated as passing through undeveloped land, then the location of such boundary shall be determined in accordance with the scale of Schedules A1, A2 and A3, at their original scale;
- 1.7.2** that where a zone boundary is indicated as following the corporate limits of the Corporation of the Municipality of Centre Hastings, then such limits shall be the zone boundary.

1.8 RESIDENTIAL AND NON-RESIDENTIAL USES

For the purposes of reference, all buildings, structures and excavations, and all uses and activities of, or in relation to, buildings, structures, excavations and lots named as uses or activities permitted and classified under the headings of “Residential” and “Non-Residential” may be referred to as Residential and Non-Residential buildings, structures, excavations or uses and activities respectively.

1.9 LOCATION OF ZONE PROVISIONS

All the Zone Provisions of this By-law which are applicable to a use or activity, or building, structure or excavation shall be provided within the Zone in which such use or activity, or building, structure or excavation is located, unless a specific provision of this By-law provides otherwise.

1.10 ROAD CLOSINGS

In the event that a street or road, as delineated on Schedules A1, A2 and A3 hereof, is closed, the property formerly within such street or road shall be included within the Zone of the adjoining property on either side of such closed street or road. Where a closed street or lane is the boundary between two or more different zones, the new zone boundary shall be the former centerline of the closed street or lane.

1.11 HEADINGS

The headings of the Parts, Sections, Subsections and Clauses of this By-law or on Schedules A1, A2 and A3 hereof, together with the illustrations, examples and explanatory notes appearing at various places throughout this By-law or on Schedules A1, A2 and A3 hereof, have been inserted as a matter of convenience and for reference only and in no way define, limit or enlarge the scope or meaning of this By-law or any of its provisions.

1.12 ROAD NAMES – ZONE SCHEDULES

Road names and information contained in the Road and Trail Legend as included on Schedules A1, A2 and A3 have been included as a matter of convenience only. In no case shall the provisions of this By-law be interpreted as to require an amendment to this By-law to permit the changing of the name of a road or trail or to permit the changing of the status of a road or road allowance.

1.13 APPENDICES – MINIMUM DISTANCE SEPARATION FORMULAE

Appendix I and Appendix II to this By-law contain the Minimum Distance Separation, MDS I And MDS II, formulae required by the Ministry of Agriculture, Food and Rural Affairs and are considered to form part of this By-law. These formulae form the basis for the calculation of the separation requirements. The applicable General Provisions are set out in Section 4.17 of this By-

law. Any future revisions or updates to these formulae shall be included and used to calculate the minimum separation requirements without need of an amendment to this By-law.

1.14 METRIC PROVISIONS

The provisions contained in this By-law are in metric units. For convenience purposes only, imperial units in brackets have been included following the metric units. In no instance should the imperial units be used to determine any requirement of this By-law.

1.15 STATUTE REFERENCES

Where any Statute or portion of a Statute is referred to in this By-law, such reference shall be interpreted to refer to such Statute or portion thereof as amended from time to time.

SECTION 2 COMPLIANCE WITH THE BY-LAW

2.1 COMPLIANCE

No land, building, structure, excavation, lot or premises shall be used or occupied, and no building, structure or excavation shall be erected, altered or made, in whole or in part, for any purpose EXCEPT in conformity with the provisions of this By-law.

2.2 REQUIREMENTS

The provisions of this By-law shall be held to be the maximum requirement EXCEPT where the word maximum is used, in which case the maximum requirement shall apply.

2.3 CHANGE IN LOT SIZE

No lot shall be changed in area, depth or width, either by the conveyance of land or otherwise, so that the lot coverage exceeds the maximum permitted by this By-law; or so that the existing or resulting lot area, lot width or yards will be less than the minimum permitted by the provisions of this By-law.

2.4 CHANGE IN USE

A use or occupation of land, buildings, structure, excavation, lot or premises, or any activity in connection therewith which, under the provisions of this By-law, is not permissible within the Zone in which such land, building, structure or excavation, lot or premises is located, shall not be changed except to a use or activity connected therewith which is permissible within such zone.

2.5 PUBLIC ACQUISITION

No person shall be deemed to have contravened any provision of this By-law by reason of the fact that any part or parts of any lots has or have been conveyed to or acquired by any Public Authority.

SECTION 3 DEFINITIONS

For the purpose of this By-law, the definitions and interpretations given in this section shall govern.

3.1 ABATTOIR

Shall mean a slaughterhouse designed for the purpose of killing animals, skinning, Dressing and cutting up of carcasses, wrapping for sale for human consumption with cooler and freezer storage and may include indoor confinement of animals while awaiting slaughter but shall not include the manufacturing of meat by-products or any process related to rendering plants such as the manufacture of tallow, grease, glue, fertilizer, or any other inedible product.

3.2 ACCESSORY BUILDING OR STRUCTURE

Shall mean a detached building or structure that is not used for human habitation and the use of which is customarily incidental and subordinate to principal use, building or structure and located on the same lot therewith.

3.3 ACCESSORY USE

Shall mean a use customarily incidental and subordinate to, and exclusively devoted to the main use of the lot, building or structure and located on the same lot as such main use.

3.4 ADJACENT LANDS, PROVINCIALY SIGNIFICANT WETLAND

Shall mean those lands within 120 metres of a Provincially Significant Wetland.

3.5 AGRICULTURE

Shall mean the use of land, buildings or structures for the purposes of the growing of field crops, flower gardening, market gardening, berry crops, tree crops, nurseries, aviaries, apiaries, or farms for the grazing, breeding, raising, boarding of livestock and poultry, the use of land for woodlands and syrup production or any other similar uses carried on in the field of general agriculture, including the sale of such produce, crops or livestock on the same lot. Agricultural use does not include Cannabis Production and Processing.

3.5a AIR TREATMENT CONTROL

Shall mean the functional use of industrial grade 2.5 multi-stage carbon filtration system, or similar technology, to reduce and/or treat the emission of pollen, dust, and odours expelled from a facility and sized accordingly in comparison to the facility it serves as designed by a qualified person.

3.6 ALTER

Shall mean, when used in reference to a building or part thereof, to change any one or more of the internal or external dimensions of such building, or to change the type of construction of the exterior walls or roof thereof. When used in reference to a lot, the word “alter” means to decrease the width, depth or area thereof or to decrease the width, depth or area of any required yard, setback, landscaped open space or parking area, or to change the location of any boundary of such lot with respect to a public highway or laneway, whether such alteration is made by conveyance of any portion of said lot, or otherwise. The words “altered” and “alteration” shall have a corresponding meaning.

3.7 ASSEMBLY HALL

Shall mean a building, or part of a building, in which facilities are provided for such purposes as meetings for civic, educational, political, religious or social purposes and may include a banquet hall, private club or fraternal organization.

3.8 ATTACHED

Shall mean a building otherwise complete in itself, which depends for structural support or complete enclosure, upon a division wall or walls shared in common with an adjacent building or buildings.

3.9 ATTIC

Shall mean the portion of a building situated between the roof and the ceiling of the top storey, which is not a one-half storey.

3.10 AUDITORIUM

Shall mean a building, or part of a building, in which facilities are provided for athletic, civic, educational, political, religious or social purposes and shall include an area, gymnasium, or other similar facility or use.

3.11 BASEMENT

Shall mean 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 the undersides of the floor joists of the next above storey, above the adjacent average finished grade level adjacent to the exterior walls of the building.

3.12 BASEMENT, WALKOUT

Shall mean that portion of a building which is partly underground, but which has more than fifty per cent of the finished floor area not greater than 0.6 metres (1.97 feet) below the adjacent finished grade level adjacent to the exterior walls of the building and which has a door, at or above the adjacent finished grade, for entrance and exit directly to the outside.

3.13 BED AND BREAKFAST ESTABLISHMENT

Shall mean a dwelling house used or maintained for the overnight accommodation of the traveling public, in which the proprietor supplies lodging, with or without meals in return for monetary compensation.

3.14 BLOCK

Shall mean the smallest unit of land, the boundaries of which consist entirely of public street, rivers, railway lines, public parks or any combination thereof.

3.15 BOARDING, LODGING OR ROOMING HOUSE

Shall mean a dwelling house, containing not more than four guest rooms, in which the proprietor supplies lodging, with or without meals, in return for monetary compensation. For the purposes of this By-law a boarding or rooming house shall not include a motel, motor hotel, hotel, bed and breakfast establishment, group home, hospital or any other similar use defined or classified herein.

3.15a BREWERY

Shall mean a building or structure or part thereof, where beer is produced and may include storage, display, processing, beer tasting and retail, administrative facilities and outdoor patio area, but shall not include a restaurant, banquet facility, or on-site commercial kitchen.

3.16 BUFFER STRIP

Shall mean a planting screen, fence, earth berm or any combination of these features which is a minimum of 1.6 metres (5.25 ft.) in height above the average ground elevation of the surrounding area, and which serves to provide a continuous visual screen between adjoining land uses.

3.17 BUILDING (when used as a noun) See Section 4.3.4.2. – shipping containers are not allowed for storage

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

3.18 BUILDING BY-LAW

Shall mean a By-law passed by the Corporation pursuant to the *Ontario Building Code Act*, and Regulations passed thereunder as amended.

3.19 BUILDING PERMIT

Shall mean a building permit issued by the Chief Building Official of the Corporation of the Municipality of Centre Hastings under the Building By-law.

3.20 BUILDING SUPPLY OUTLET

Shall mean a building or structure in which building or construction and home improvement materials are offered or kept for sale at retail or wholesale and may include the fabrication of certain materials related to home improvements.

3.21 BULK STORAGE TANK

Shall mean a tank for the bulk storage of petroleum, gasoline, diesel or other fuels, oil, gas, propane 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.

3.22 BUSINESS, PROFESSIONAL OR ADMINISTRATIVE OFFICE

Shall mean a building or part of a building in which one or more persons are employed in the management, direction or conducting of a business or where professionally qualified persons and their staff serve clients or patients who seek advice, consultation or treatment and for the purposes of this By-law may include the administrative offices of a non-profit or charitable organization.

3.23 BY-LAW

Shall mean the Corporation of the Municipality of Centre Hastings Comprehensive Zoning By-law.

3.24 BY-LAW ENFORCEMENT OFFICER

Shall mean an officer or employee of the Corporation of the Municipality of Centre Hastings for the time being charged with the duty of enforcing the provisions of this By-law of the Corporation.

3.25 REPEALED 2023

3.26 CAMPING SITE

Shall mean that part of a camping establishment which is occupied on a temporary basis only, by a trailer, motorized home, truck camper, camper or tent.

3.26a CANNABIS

Shall mean a genus of flowering plants in the family Cannabaceae. Synonyms include but are not limited to marijuana and marihuana. This definition does not include the industrial or agricultural production of hemp (a source of foodstuffs, fiber, and biofuel).

3.26b CANNABIS PRODUCTION AND PROCESSING

Shall mean lands, buildings or structures used for producing, processing, testing, destroying, packaging, and/or shipping of cannabis authorized by an issued license or registration by the federal Minister of Health pursuant to the Access to Cannabis for Medical Purposes Regulations, the Controlled Drugs and Substances Act, or any applicable legislation or successors thereto.

3.27 CARPORT

Shall mean a portion of a dwelling house which is roofed enclosure designed for the storage or parking of a motor vehicle at least 40 per cent of the total perimeter, which shall include the main wall of the dwelling house to which such carport is attached, open and unobstructed.

3.28 CARTAGE OR TRANSPORT DEPOT

Shall mean a building, structure or place where buses, trucks or tractor trailers are rented, leased, kept for hire, or stored or parked for remuneration, or from which trucks or transports, stored or parked on the property, are dispatched for hire as common carriers, and which may include a bonded or sufferance warehouse.

3.29 CELLAR

Shall mean that portion of a building between two floor levels which is partly or wholly underground and which has more than one-half of its height, from finished floor to the underside of the floor joists of the storey next above, below the average finished grade level adjacent the exterior walls of the building.

3.30 CEMETERY

Shall mean land that is set apart or used as a place for the interment of the dead or in which human bodies have been buried, within the meaning of the *Cemeteries Act*, as amended.

3.31 CERTIFICATE OF OCCUPANCY

Shall mean a certificate issued by the Chief Building Official for the occupancy of any land building, excavation or structure to the effect that the proposed use or activity complies with this By-law.

3.32 CHIEF BUILDING OFFICIAL

Shall mean the officer employed by the Corporation of the Municipality of Centre Hastings as is appointed under the Building By-law and shall include any inspector likewise appointed.

3.33 COMMERCIAL CLUB

Shall mean a building or part of a building where a club is operated for gain or profit and may include facilities for physical fitness and recreation.

3.34 COMMUNITY CENTRE

Shall mean any tract of land, or building or buildings or any part of any building used for community recreational and/or social activities whether used for commercial purposes or not, the control of which is vested in the Municipality, a local board or agent thereof, including any building, structure or facility established as a Community Recreation Centre within the meaning of the *Community Centres Act*.

3.35 CONSERVATION

Shall mean the preservation, protection and improvement of the components of the natural environment through a comprehensive management and maintenance program administered by the local Conservation Authority, or other public authority, for individual or public use and may include bird sanctuaries and wildlife reserves.

3.36 CONSERVATION AUTHORITY

Shall mean the Conservation Authority having jurisdiction within the corporate boundaries of the Municipality.

3.37 CONTRACTOR'S YARD

Shall mean a yard of any contractor where equipment and materials are stored or where a contractor performs shop or assembly work but does not include any other use or activity otherwise defined or classified herein.

3.38 CONVENIENCE STORE

Shall mean a retail commercial establishment supplying groceries and other daily household conveniences to the immediate surrounding area.

3.39 CORPORATION

Shall mean the Corporation of the Municipality of Centre Hastings.

3.40 COUNCIL

Shall mean the Municipal Council of the Corporation of the Township of Municipality of Centre Hastings.

3.41 COUNTY

Shall mean the Corporation of the County of Hastings.

3.42 COURT

Shall mean an open and unoccupied space from ground to sky appurtenant to a building and bounded on two or more sides by the walls of the building.

3.43 CRAFT SHOP

Shall mean a building or part of a building where crafts, souvenirs and other similar items are offered or kept for sale at retail to the general public.

3.44 CUSTOM WORKSHOP

Shall mean a building or part of a building used by a trade, craft or guild for the manufacture in small quantities of made to measure clothing or articles including the sale of such products at retail, and, for the purpose of this By-law shall include upholstering but does not include metal spinning, woodworking or furniture manufacture.

3.45 DAY NURSERY

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

3.46 DRY CLEANERS ESTABLISHMENT

Shall mean a building or part of a building used for the purpose of collection, distribution, processing and storage of articles or goods of fabric to be subjected to the process of dry cleaning, dry dyeing, cleaning, and spotting and stain removing.

3.47 DWELLING HOUSE

Shall mean a permanently affixed building containing one or more dwelling units, but does not include a group home, a mobile home or trailer.

3.45.1 SEMI-DETACHED DWELLING HOUSE

Shall mean one of a pair of two attached dwelling houses with a common fire separation wall dividing the pair of dwelling houses vertically, each of which has an independent entrance from the outside.

3.45.2 SINGLE DETACHED DWELLING HOUSE

Shall mean a detached dwelling house containing one dwelling unit and, for the purpose of this By-law, may include a modular home dwelling house as defined herein, but does not include any other dwelling house or unit otherwise defined or classified in this By-law.

3.45.3 DUPLEX DWELLING HOUSE

Shall mean the whole of a dwelling house that is divided horizontally into two separate dwelling units each of which has an independent entrance either directly from the outside or through a public corridor.

3.45.4 TRIPLEX DWELLING HOUSE

Shall mean the whole of a dwelling house that is divided into three separate dwelling units each of which has an independent entrance either directly from the outside or through a public corridor.

3.45.5 FOURPLEX DWELLING HOUSE

Shall mean the whole of a dwelling house that is divided into four separate dwelling units and each dwelling unit has an independent entrance either from the outside or through a public corridor.

3.45.6 CONVERTED DWELLING HOUSE

Shall mean a dwelling house originally constructed as a single detached dwelling house which has been subsequently altered, covered or enlarged so as to provide therein not more than four dwelling units.

3.45.7 ROW DWELLING HOUSE

Shall mean the whole group of three or more attached dwelling houses having independent entrances directly from the outside.

3.45.8 APARTMENT DWELLING HOUSE

Shall mean the whole of a dwelling house that contains four or more dwelling units and each dwelling unit has an independent entrance either from the outside or through a public corridor.

3.48 DWELLING UNIT

Shall mean a suite of two or more rooms, designed or intended for use by one or more individuals as an independent and separate housekeeping establishment, in which sanitary conveniences are provided, in which facilities are provided for cooking or for the installation of cooking equipment, in which a heating system is provided, and, which has a private entrance from outside the building or from a common hallway or stairway inside. For the purposes of this By-law, a dwelling unit does not include a tent, trailer, mobile home, or a room or suite of rooms in a boarding or rooming house, a hotel, motel, motor hotel or bed and breakfast establishment.

3.49 DWELLING UNIT AREA

Shall mean the habitable area contained within the inside walls, excluding the thickness of the outside walls, of a dwelling unit, excluding any private garage, carport, porch, veranda, cellar, attic or basement; and, excluding public or common hall areas or stairways in dwelling houses containing more than one dwelling unit.

3.50 DWELLING UNIT, BACHELOR

Shall mean a dwelling unit consisting of one bathroom and not more than two habitable rooms providing therein living, dining, sleeping and kitchen accommodation in appropriate individual or combination room or rooms.

3.50a ADDITIONAL DWELLING UNIT

shall mean a dwelling unit which is ancillary to the principal dwelling unit and is located on the same lot therewith.

3.51 EATING ESTABLISHMENT

Shall mean a building or part of a building where food is offered for sale or sold to the public for immediate consumption and included a restaurant, dining room, café, cafeteria, ice cream parlour, tea or lunch room, dairy bar, coffee shop, snack bar or refreshment room or stand; but does not include a boarding or lodging home.

3.52 EATING, ESTABLISHMENT, DRIVE-IN

Shall mean an eating establishment where facilities are available to serve meals to the customer for consumption in the customer's motor vehicle, parked in an area designed for that purpose.

3.53 EATING ESTABLISHMENT, TAKE-OUT

Shall mean a building or part of a building designed, intended or used for the sale of food and refreshments to the general public but which does not include any provision for consumption of the food by the customer while in his vehicle, within the building or elsewhere on the site.

3.54 EAVE

Shall mean a roof overhang, free of enclosing walls, without supporting columns.

3.55 ELDERLY PERSONS CENTRE

Shall mean any facility primarily for the use of elderly persons for purposes which include social, cultural, athletic or recreational activities, and shall include any center established under the *Elderly Persons Centres Act*.

3.56 ENVIRONMENTAL IMPACT STUDY (EIS)

Shall mean a study prepared in accordance with established procedures, to identify and assess the impacts of development on provincially significant wetlands or other environmental features or systems.

3.57 EQUIPMENT SALES RENTAL AND REPAIR ESTABLISHMENT

Shall mean a building or part of a building, structure or yard in which articles, machinery and equipment, including heavy machinery and equipment, are services or repaired, and may be offered or kept for rent, lease or hire under agreement for compensation.

3.58 ERECT

Shall mean setting up, building, constructing, reconstructing and relocating and, without limiting the generality of the work, also includes:

- i. any preliminary physical operation, such as excavating, filling or drainage;
- ii. altering any existing building or structure by an addition, enlargement, extension, relocation or other structural change;
- iii. any work for the undertaking of which a building permit is required under the Building By-law or the *Building Code Act* and Regulations, as amended; and
- iv. erect, erected and erection shall have a corresponding meaning.

3.59 ESTABLISHED BUILDING LINE, RURAL

Shall mean the average setback from the street line of existing buildings where at least five buildings have been erected on any one side of a continuous 280 metres (920 feet) of land with street frontage.

3.60 ESTABLISHED BUILDING LINE, URBAN

Shall mean the average setback from the street line of existing buildings on one side of one block where more than one-half of the frontage of the said block has been built.

3.61 ESTABLISHED BUILDING LINE, WATERFRONT

Shall mean the average setback from the high water mark of existing buildings where at least five buildings have been erected in a continuous 280 metres (920 feet) of land along a shoreline.

3.62 EXISTING

Shall mean in existence on the date of passing of this By-law.

3.63 FARM

Shall mean land used for the tillage of soil and the growing of vegetables, fruits, grains or other staple crops and includes livestock raising, dairying or woodlots. "Farm" shall include a single-family dwelling house and buildings and structures, such as barns and silos, which are incidental to the operation of the farm.

3.64 FARM IMPLEMENT AND EQUIPMENT SALES AND SERVICE ESTABLISHMENT

Shall mean a building, structure or area where farm implements, equipment and farm supplies are kept for sale at retail and may include facilities for the servicing of such implements or equipment.

3.65 FARMERS' OPEN AIR MARKET

Shall mean an establishment, premises or area where the farm products of the local farming community are sold at retail from uncovered or open air areas designated for individual retailers.

3.66 FARM PRODUCE RETAIL OUTLET

Shall mean a building or structure, or part of a building or structure, in which farm produce, the majority of which is from the farm on which the outlet is located, exclusive of meat or poultry, is offered for sale at retail, but shall not include the sale of farm produce which has been reprocessed nor shall it include a slaughter house.

3.67 FILL LINE

Shall mean a line depicted on the Conservation Authority flood risk mapping and described in a written schedule which indicates the area over which the Conservation Authority has jurisdiction for the placement of fill for the purposes of the Fill, Construction and Alteration to Waterways Regulation.

3.68 FLEA MARKET

Shall mean a building or part of a building where second hand goods, articles and antiques are offered or kept for sale at retail to the general public.

3.69 FLOOD PLAIN

Shall mean the area adjoining a lake, river, stream, wetland or watercourse which is susceptible to flooding during the regulatory flood.

3.70 FLOOD, ONE IN ONE HUNDRED YEAR

Shall mean the flood, based on an analysis of precipitation, snow melt, ice jams or combinations thereof, having a return period of 100 years on average, or having a 1 per cent chance of occurring or being exceeded on any given year.

3.71 FLOOD, REGULATORY

Shall mean the approved standard used in a particular watershed to define the limit of the floodplain for regulatory purposes. In the Moira River Conservation Authority watershed, the regulatory flood is defined as the one in one hundred year flood. In the Lower Trent Region Conservation Authority watershed, the regulatory flood is defined as Regional Storm.

3.72 FLOOD RISK MAPPING

Shall indicate the flood plain and fill line and thus the areas regulated by the Conservation Authority.

3.73 FLOOR AREA, GROSS

Shall mean the total floor area designated for specific use, including individual basement, mezzanines and upper floors, if any, from the center lines of partitions and exterior of outside walls.

3.74 FLOOR AREA, TOTAL

Shall mean the aggregate of the horizontal areas of each floor, whether any such floor is above or below grade, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor.

3.75 FOOD SUPERMARKET

Shall mean a building or part of a building wherein food and other household items are kept for sale at retail to the general public and which operates on a self-service, cash and carry basis.

3.76 FORESTRY BIOECONOMY

shall mean a renewable and sustainably sourced biomass resources such as trees, agricultural crops and organic residuals from harvesting and timber processing are used to provide a greater range of consumer and industrial products to society.

3.77 FRATERNAL LODGE

Shall mean a building or part of a building used for the purposes of a club, society or association organized and operated on a non-profit basis exclusively for social welfare, civic improvement, pleasure or recreation or for any other similar purposes.

3.78 FUNERAL HOME

Shall mean a building or structure designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for interment or cremation.

3.79 GARAGE, PRIVATE

Shall mean a detached accessory building or portion of a dwelling house which is designed or used for the sheltering of a private motor vehicle and storage of household equipment incidental to the residential occupancy and which is fully enclosed and roofed. For the purposes of this By-law a private garage excludes a carport or other open shelter.

3.80 GARDEN AND NURSERY SALES AND SUPPLY ESTABLISHMENT

Shall mean a building or part of a building and land adjacent thereto for growing or displaying of flowers, fruits, vegetables, plants, shrubs, trees or similar vegetation which is sold to the public at retail and shall include the sale of such goods, products and equipment as are normally associated with gardening or landscaping.

3.81 GARDEN SUITE

shall mean an accessory one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable. Under no circumstances shall a garden suite be defined to include a single or double wide mobile home, a motorized mobile home, a travel trailer, a tent trailer or trailer otherwise designed.

3.82 GOLF COURSE

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

3.83 GRADE, FINISHED

Shall mean the average elevation of the finished surface of the ground adjacent to the ground level of the building or structure.

3.84 GROUP HOME

Shall mean a premises used to provide supervised living accommodation as per the requirements of its residents, licensed or funded under the Province of Ontario or Government of Canada legislation, for a maximum of 10 persons, exclusive of staff, living together in a single housekeeping unit, but excludes correctional facilities and shelters.

3.85 GUEST

Shall mean a person, other than a boarder, who contracts for accommodation and includes all the members of the person's party.

3.86 GUEST ROOM

Shall mean a room or suite of rooms used or maintained for all accommodation of an individual or individuals to whom hospitality is extended for compensation.

3.87 HABITABLE ROOM

Shall mean a room designed for living, sleeping, eating or food preparation, including a den, library, sewing-room or enclosed sunrooms but not including any space in a dwelling used as a lobby, hallway, closet, or bathroom or any room having floor space of less than 4.65 square metres (50.05 sq. ft.)

3.88 HEIGHT AND HEIGHT OF BUILDING

Shall mean the vertical distance, measured between the finished grade at the front of the building, and:

- i. in the case of a flat roof, the highest point of the roof surface;
- ii. in the case of a mansard roof, the deck roof line; and

- iii. in the case of a gable, hip or gambrel roof, the average height between the eaves and ridge.

Accessory roof fixtures and facilities, such as chimneys, towers, steeples or television antennas, shall be disregarded in calculating the height of a building.

3.89 HIGH WATER MARK

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

3.90 HIGHWAY

Shall mean a highway within the meaning of the *Municipal Act*, as amended, and the *Highway Traffic Act*, as amended.

3.91 HOME BUSINESS ~~OR HOME BUSINESS, RURAL~~

Shall mean a use which is clearly incidental or secondary to the residential use of a dwelling and is conducted entirely within such a dwelling by an inhabitant thereof and shall not use more than 25% of the gross floor area of the dwelling, or in an accessory building to a single detached dwelling.

3.91a HOME INDUSTRY

shall mean an industry that is clearly incidental or secondary to the residential use of a single detached dwelling and is conducted either entirely within a single detached dwelling or in an accessory building to a single detached dwelling, by an inhabitant thereof.

3.92 HOME FOR THE AGED

Shall mean a home for the aged within the meaning of the *Homes For The Aged Act*, as amended.

3.93 HOSPITAL

Shall mean any institution, building or other premises established for the treatment of persons afflicted with or suffering from sickness, disease or injury, for the treatment of convalescent or chronically ill persons that is approved under the *Public Hospitals Act*, as amended, as a public hospital.

3.94 HOTEL

Shall mean an establishment that consists of one building or two or more connected or adjacent buildings which throughout all or part of a year cater to the needs of the traveling public by furnishing sleeping accommodation, may or may not supply food, and may include permanent staff accommodation and may or may not be licensed under the *Liquor Licence Act*.

3.95 HUNT CAMP

shall mean a base camp for recreational activities such as hunting which provides seasonal or temporary accommodations only, in a remote location where municipal or community services are usually not available and shall not mean a dwelling unit or a commercial facility and shall not be used for habitation on a permanent basis.

3.96 LANDSCAPED OPEN SPACE

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

3.97 LANE “Lanes” ie Blakely, Shoreline are in name only. These are actually Right-of-ways.

Shall mean a public thoroughfare which affords only a secondary means of access to abutting lots which is not intended for general traffic circulation.

3.98 LAUNDRY, COIN-OPERATED

Shall mean a building or structure where the services of coin-operated laundry machines, using only water, detergents and additives, are made available to the public for the purpose of laundry cleaning.

3.99 LAUNDRY ESTABLISHMENT

Shall mean a building or structure used for the purpose of collection, distribution and cleaning of articles or goods of fabric in which only water and detergents can be used.

3.100 LIBRARY

Shall mean a public library within the meaning of the *Public Libraries Act*, as amended.

3.101 LIQUOR LICENSED PREMISES

Shall mean any building, structure or premises licensed under the Liquor Licence Board of Ontario.

3.102 LOADING SPACE

Shall mean an off-street space on the same lot as the building or contiguous to a group of buildings for the temporary parking of a commercial vehicle, while loading or unloading merchandise or materials, which space abuts a street, lane, road, highway or other appropriate means of access.

3.103 LOT

Shall mean a parcel of land described in a deed or other legal document which is legally capable of conveying title and:

- i. which is a whole lot within a Registered Plan of Subdivision, other than a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under a By-law passed pursuant to Section 50(4) of The *Planning Act*, R.S.O., 1990, as amended; or
- ii. which is a legally separated parcel of land in existence on the date of passing of this By-law without the owner holding the fee or the equity of redemption in, or power or right to grant, assign or exercise a power of appointment with respect to any abutting land; or
- iii. the description of which is the same as in a deed which has received final consent to a conveyance pursuant to Section 53 of the *Planning Act*, R.S.O., 1990, as amended; or

- iv. is the whole remnant remaining to an owner or owners after a conveyance has been made with final consent pursuant to Section 53 of The *Planning Act*, R.S.O., 1990, as amended, but for the purpose of this paragraph no parcel or tract of land ceases to be a lot by reason only of the fact that a part or parts of it has or have been conveyed to or acquired by the Municipality of Centre Hastings, the County of Hastings, Her Majesty in the Right of Ontario, or Her Majesty in the Right of Canada; or
- v. which is the subject of an order of The Minister of Municipal Affairs pursuant to the provisions of Section 57 of the *Planning Act*, R.S.O., 1990, as amended.

3.104 LOT AREA

Shall mean the total horizontal area bounded by the lot lines of a lot, excluding the horizontal area of such lot covered by water or marsh.

3.105 LOT, CORNER

Shall mean a lot situated at the intersection of two streets, of which two adjacent sides, that abut the intersecting streets, contain an angle of not more than one hundred and thirty-five (135) degrees; where such adjacent sides are curved, the angle of intersection of the adjacent sides shall be deemed to be the angle formed by the intersection of the tangents to the street lines, drawn through the extremities of the interior lot lines, provided that in the latter case, the corner of the lot shall be deemed to be that point on the street line nearest to the point of intersection of the said tangents.

3.106 LOT COVERAGE

Shall mean that percentage of lot area covered by the perpendicular vertical projection of the area of all buildings onto a horizontal plane, except the area of eaves projecting horizontally 635 mm (25") or less from a building shall not be calculated as an area of lot coverage.

3.107 LOT DEPTH

Shall mean the horizontal distance between the front and rear lot lines. If the front and rear lot lines are not parallel, "lot depth" shall mean the length of a straight line joining the middle of the front lot line with the middle of a rear lot line. When there is no rear lot line, "lot depth" shall mean the length of a straight line joining the middle of the front lot line with the apex of the triangle formed by the side lot lines.

3.108 LOT FRONTAGE

Shall mean the horizontal distance between the side lot lines measured along the front lot lines, but where the front lot line is not straight line or where the side lot lines are not parallel, the lot frontage is to be measured by a line parallel to the chord of the lot frontage drawn through a point therein distant from the front lot line equal to the required depth of the front yard. For the purposes of this By-law the chord of the lot frontage is a straight line joining the two points where the side lot line intersects the front lot line.

3.109 LOT, INTERIOR

Shall mean a lot other than a corner lot.

3.110 LOT LINE

Shall mean any boundary of a lot or the vertical projection thereof.

3.111 LOT LINE, EXTERIOR SIDE

Shall mean the side lot line on a corner lot which abuts a street or a 0.3 metre (one foot) reserve adjacent to a street.

3.112 LOT LINE, FRONT

Shall mean, in the case of an interior lot, the line dividing the lot from the street. In the case of a corner lot, the shorter lot line abutting a street or private right-of-way shall be deemed the front lot line and the longer lot line abutting a street shall be deemed an exterior side lot line. In the case of a through lot, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line. In the case of a lot fronting on a navigable waterway, the shorter lot line directly adjacent to the navigable waterway, shall be deemed to be the front lot line. In the case of a lot abutting a public street and a navigable waterway, the lot line abutting the street shall be deemed to be the front lot line.

3.113 LOT LINE, REAR

Shall mean the lot line farthest from and opposite to the front lot line.

3.114 LOT LINE, SIDE

Shall mean a lot line other than a front or rear lot line.

3.115 LOT, THROUGH

Shall mean a lot bounded on two opposite sides by streets.

3.116 MANUFACTURING, PROCESSING, ASSEMBLING OR FABRICATING PLANT

Shall mean a plant in which the process of producing any product, by hand or mechanical power and machinery, is carried on systematically with division of labour.

3.117 MARINE DEALER

Shall mean any building, lot or structure where boats and marine equipment is kept for sale at retail and may include the servicing of boats and marine equipment.

3.117a MARINE FACILITY

Shall mean an accessory building or structure located within the regulatory flood plain and within 15 metres of the regulatory floodplain that is used for the purpose of taking a boat into or out of a waterbody, or to moor, berth or store a boat and which abuts a shoreline. This definition includes vertical storage for non-motorized boats, pump house, a boat slip, boat launch ramp, boat lift, boat port, dock or marine railway and areas with enclosed walls and a roof such as a boathouse. Marine facility excludes any building used as a residential use, a general living area or sleeping accommodation.

3.118 MEDICAL OR DENTAL CLINIC

Shall mean a building or part of a building where members of the medical profession, dentists, chiropractors, osteopaths, optometrists, physicians or occupational therapists, either singularly or in union, provide diagnosis and treatment to the general public without overnight accommodation and shall include such uses as reception areas, office for consultation, x-ray and minor operating rooms, a pharmaceutical dispensary and a coffee shop, provided that all such uses have access only from the interior of the building.

3.119 MOBILE HOME

Shall mean a transportable, factory-built dwelling designed to be used as a year-round residential dwelling, built in compliance with the Canadian Standards Association (CSA) Standard No. Z240M.H., as amended or replaced from time to time, but does not include a modular home dwelling house, a park model trailer or a travel trailer, mobile camper trailer, tent trailer or trailer otherwise defined in this By-law. For the purposes of this By-law a single section manufactured home shall be deemed to be a “mobile home dwelling house”.

3.120 MODULAR HOME DWELLING HOUSE

Shall mean a single detached dwelling that is constructed by assembling at least two factory manufactured modular units each of which comprises at least one room or living area, and has been manufactured to a Canadian Standards Association (CSA) A277 certified factory, in accordance with the *Building Code Act*, R.S.O., 1990, C. B.13, and amendments thereto, and any and all regulations passed pursuant thereto. For the purposes of this By-law a modular home dwelling house shall be considered as a “single detached dwelling house”.

3.121 MOTEL

Shall mean an establishment which consists of one or more than one building containing more than one rental unit for the purpose of catering to the traveling public, to whom the motor vehicle is the principal means of transportation, by furnishing sleeping accommodation with or without meals, may include permanent staff accommodation and may or may not be licensed under the *Liquor Licence Act*, as amended.

3.122 MOTOR VEHICLE

Shall mean a motor vehicle within the meaning of the *Highway Traffic Act*, as amended.

3.123 MOTOR VEHICLE, COMMERCIAL

Shall mean a commercial motor vehicle within the meaning of the *Highway Traffic Act*, as amended.

3.124 MOTOR VEHICLE, DERELICT

Shall mean a motor vehicle within the meaning of the *Highway Traffic Act*, as amended, whether or not same is intended for use as a private passenger motor vehicle or not, which is inoperable and has not market value as a means of transportation or has a market value that is less than the cost of repairs required to render the said motor vehicle operable.

3.125 MOTOR VEHICLE BODY SHOP

Shall mean a building or structure used for the painting or repairing of motor vehicle bodies, exterior and undercarriage, and in conjunction with which there may be a towing service, motor vehicle sales and motor vehicle rentals for customers while the motor vehicle is under repair.

3.126 MOTOR VEHICLE DEALERSHIP

Shall mean a building or structure where a licensed dealer displays new or used motor vehicles for sale or rent in conjunction with which there may be a motor vehicle repair garage, a motor vehicle service station, a motor vehicle gasoline bar or a motor vehicle body shop.

3.127 MOTOR VEHICLE GASOLINE BAR

Shall mean one or more pump islands, each consisting of one or more gasoline pumps, and a shelter having a floor area of not more than 9 square metres (107.64 square feet), and may include facilities for the refilling of propane tanks, including the sale of automotive accessories, antifreeze and additives.

3.128 MOTOR VEHICLE RENTAL

Shall mean a building or structure where motor vehicles are kept for rent, lease or hire under agreement for compensation.

3.129 MOTOR VEHICLE REPAIR GARAGE

Shall mean a building or structure where the services performed or executed on motor vehicles for compensation shall include the installation of exhaust systems, repair of the electrical systems' transmission repair, brake repair, radiator repair, tire repair and installation, rust proofing, motor vehicle diagnostic centre, major and minor mechanical repairs or similar use and in conjunction with which there may be a towing service, a motor vehicle service station, motor vehicles sales, and motor vehicle rentals for the convenience of the customer while the motor vehicle is being repaired.

3.130 MOTOR VEHICLE SALES ESTABLISHMENT

Shall mean an establishment where a licensed dealer displays new or used motor vehicles for sale.

3.131 MOTOR VEHICLE SERVICE STATION

Shall mean a building or structure where gasoline, propane, oil, grease, antifreeze, tires, tubes, tire accessories, electric light bulbs, spark plugs, batteries and automotive accessories for motor vehicles, or similar automotive products are stored or kept for sale to the general public, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries charged, or where only minor mechanical or running repairs essential to the actual operation of motor vehicles are executed or performed.

3.132 MOTOR VEHICLE WASH

Shall mean a building or structure containing facilities for washing motor vehicles for profit or gain either using production line methods and mechanical devices or by a self-service operation, and for the purpose of this By-law may include a motor vehicle gasoline bar.

3.133 MUNICIPAL OR PROVINCIAL MAINTENANCE DEPOT

Shall mean any land, building or structure owned by the Corporation of the Municipality of Centre Hastings or the Province of Ontario used for the storage, maintenance or repair of equipment, machinery or motor vehicles used in connection with civic works and shall include a public works yard.

3.134 MUNICIPAL ROAD

Shall mean a street or road under the jurisdiction of the Corporation of the Municipality of Centre Hastings and shall include Provincial Highways under the jurisdiction of the Municipality through a Connecting Link Agreement.

3.135 NON-COMPLYING

Shall mean a permitted land use, building or structure existing at the date of the passing of this By-law which does not comply with a provision or provisions of the zone within which it is located.

3.136 NON-CONFORMING

Shall mean the use or activity in respect of any land, building or structure which does not comply with the permitted uses or activities, provisions or requirements of this By-law for the zone in which such land, building or structure is located.

3.137 NOXIOUS

Shall mean, when used with reference to any use or activity in respect of any land, building or structure or a use or activity which, from its nature or from the manner or carrying on same, creates or is liable to create, by reason of destructive gas or fumes, dust, objectionable odour, noise or vibration or unsightly storage of goods, wares, merchandise, salvage, machinery parts, junk, waste or other material, a condition which may become hazardous or injurious as regards to health or safety or which prejudices the character of the surrounding area or interferes with or may interfere with the normal enjoyment of any use or activity in respect of any land, building or structure.

3.138 NURSING HOME

Shall mean any premises maintained and operated for persons requiring nursing care, which is licensed under the *Nursing Homes Act*, as amended.

3.139 OUTDOOR WOODBURNING FURNACE

Shall mean an accessory building or structure which operates as a heat source for domestic heat and/or hot water for associated main buildings.

3.140 OUTSIDE STORAGE

Shall mean an accessory storage area outside of the principal or main building on the lot.

3.140a PARCEL OF URBAN RESIDENTIAL LAND

shall mean a parcel of land that is within an area of settlement on which residential use, other than ancillary residential use, is permitted by by-law and that is served by,

- a) sewage works within the meaning of the *Ontario Water Resources Act* that are owned by,
 - i. a municipality,
 - ii. a municipal service board established under the *Municipal Act, 2001*, or
 - iii. a corporation established under sections 9, 10 and 11 of the *Municipal Act, 2001* in accordance with section 203 of that Act.
- b) a municipal drinking water system within the meaning of the *Safe Drinking Water Act, 2002*; (“parcelle de terrain urbain d’habitation”)

3.141 PARK MODEL TRAILER

Shall mean a recreational unit mounted on a single chassis mounted on wheels designed to facilitate relocation from time to time, and designed as living quarters for seasonal camping and may be connected to those utilities necessary to supply those installed facilities, with a gross floor

area including lofts not exceeding 50 m² (538 sq. ft.) in set up mode, and having a width greater than 2.6 m (8.5 ft.) in the transit mode. Further all Park Model Trailers shall comply with Canadian Standards Association Standard No. Z241.

3.142 PARK, PRIVATE

Shall mean any open space area other than a public park which is owned operated and maintained on a commercial or private member basis and which may include therein one or more of the following facilities and activities: swimming, wading, boating facilities, picnic areas, cross country and downhill ski areas, facilities for the serving of meals and the retail sale of sports equipment or provision of accessory health and fitness facilities, but for the purpose of this By-law shall not include a Tent and Trailer Park.

3.143 PARK, PUBLIC

Shall mean any open space area, owned or controlled by the Corporation or by any Board, Commission or other Authority established under any statute of the Province of Ontario and may include therein neighbourhood, community, regional and special parks or area and may include one or more athletic fields, field houses, bleachers, swimming pools, greenhouses, botanical gardens, zoological gardens, bandstands, skating rinks, tennis courts, bowling greens, refreshment rooms, fair grounds, golf courses, or similar uses including accessory buildings, but for the purpose of this By-law shall not include a Tent and Trailer Park.

3.144 PARKING ANGLE

Shall mean the angle which is equal to or less than a right angle, formed by the intersection of the side of the parking space and line parallel to the aisle.

3.145 PARKING AREA

Shall mean an area provided for the parking of motor vehicles and may include aisles, parking spaces, pedestrian walkways, and related ingress and egress lanes, but shall not include any part of a public street.

3.146 PARKING LOT

Shall mean any parking area other than a parking area accessory to a permitted use.

3.147 PARKING SPACE

Shall mean an area, exclusive of any aisles, ingress or egress lanes, for the parking or storage of motor vehicles and may include a private garage.

3.148 PERSON

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

3.149 PIT

Shall mean a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an excavation to supply materials for construction, industrial or manufacturing purposes, but does not include a wayside pit as defined in this By-law.

3.150 PLACE OF ENTERTAINMENT

Shall mean a motion picture or other theatre, arcade, public hall, billiard or pool room, a bowling alley, ice or roller skating rink, dance hall or music hall.

3.151 PLACE OF WORSHIP

Shall mean a building dedicated to religious worship and includes a church, synagogue or assembly hall and may include such accessory uses as nursery school, a school of religious education, convent, monastery or parish hall.

3.152 PLANTING SCREEN

Shall mean a continuous hedgerow of evergreen trees or shrubs, not less than 1.6 metres (5.25 ft.) in height, immediately adjacent to the lot line or portion thereof along which such planting screen is required herein.

3.153 PRINCIPAL OR MAIN BUILDING

Shall mean the building in which is carried on the principal purpose for which the building lot is used.

3.154 PRINTING OR PUBLISHING ESTABLISHMENT

Shall mean a building or part of a building in which the business of producing books, newspapers or periodicals, by mechanical means, and reproducing techniques, such as photocopying, is carried on, and may include the sale of newspapers, books, magazines, periodicals, or like, to the general public.

3.155 PRIVATE CLUB

Shall mean a building or part of a building used for the purposes of a non-profit, non-commercial organization which includes social, cultural, athletic or recreational activities.

3.156 PRIVATE HOME DAY CARE

Shall mean the temporary care for reward or compensation of five children or less who are under ten years of age where such care is provided in a private residence, other than the home of a parent or guardian of any such child, for a continuous period not exceeding twenty-four hours. Such use to be licensed and regulated under the *Day Nurseries Act*, R.S.O., 1990.

3.157 PROVINCIAL HIGHWAY

Shall mean a street or road under the jurisdiction of the Ministry of Transportation of Ontario.

3.158 PUBLIC AUTHORITY

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

3.159 QUARRY

Shall mean a place where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside quarry or open pit metal mine as defined in this By-law.

3.160 RECREATIONAL TRAVEL TRAILER

Shall mean any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, and is capable of being used for the temporary living, sleeping or eating accommodation of persons for recreational purposes, notwithstanding that such vehicle is jacked-up or that its running gear is removed and for the purposes of this By-law does not include a mobile home, park model trailer or trailer as otherwise defined in this By-law.

3.161 RECREATIONAL VEHICLE DEALERSHIP

Shall mean a building or structure where a licensed dealer displays new recreational vehicles, including motorcycles, all terrain vehicles and snowmobiles, for sale or rent in conjunction with which there may be a recreational vehicle repair garage and gasoline bar.

3.162 RENTAL AGENCY

Shall mean a building or part of a building or structure in which articles are offered or kept for rent, lease or hire under an agreement for compensation.

3.163 REPAIR

Shall mean the provision of such facilities and the making of additions or alterations or the taking of such actions as may be required so that the property shall be in good condition. "Repair" shall be synonymous with the terms "reconstruct" and "renovate".

3.164 RETAIL COMMERCIAL ESTABLISHMENT

Shall mean a building, or part of a building, in which goods, wares, merchandise, substances, articles or services are offered or kept for sale at retail or on a rental basis.

3.165 RIGHT-OF-WAY, PRIVATE (By-law 2005-32)

Shall mean a legally deeded private road or one established under the Road Access Act, which affords access to abutting lots and does not include a lane, road or highway as herein defined.

3.166 SALVAGE YARD

Shall mean a place where goods, wares, merchandise, articles or things are processed for further use and where such goods, wares, merchandise, articles or things are stored wholly or partly in the open and may include a junk yard, a scrap metal yard and a motor vehicle wrecking yard or premises.

3.167 SANITARY SEWER

Shall mean an adequate system of underground conduits, operated either by the Corporation or by the Ministry of the Environment and Energy, which carries sewage to an adequate place of treatment which meets with the approval of the Ministry of the Environment and Energy.

3.168 SAW AND/OR PLANING MILL

Shall mean a building, structure or area where timber is cut, sawed or planed, either to finished lumber, or as an intermediary step and may include facilities for the kiln drying of lumber and may or may not include the distribution of such products on a wholesale or retail basis.

3.169 SCHOOL, PUBLIC

Shall mean a school under the jurisdiction of a Board as defined by the Ministry of Education.

3.170 SERVICE SHOP

Shall mean a building or part of a building, not otherwise defined or classified herein, and whether conducted in conjunction with a retail store or not, for the servicing or repairing of articles, goods or materials other than heavy machinery or equipment, or motor vehicles.

3.171 SERVICE SHOP, PERSONAL

Shall mean a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, such as a barber's shop, a hairdressing establishment or other similar services.

3.172 SETBACK

Shall mean the horizontal distance from the centre line of the street allowance, measured at right angles to such centre line, to the nearest part of any building or structure or excavation on the adjacent lot.

3.172a SHIPPING CONTAINERS

Shall mean any container that was used for the transport of goods by means of rail, truck or sea that is strong enough to be suitable for repeated use and includes, but is not limited to, inter-modal Shipping Containers, the body of a transport trailer or a straight truck box.

3.173 SHOPPING CENTRE

Shall mean a group of commercial uses, which has been designed, developed and managed as a unit by a single owner or tenant, or a group of owners or tenants, as distinguished from a business area comprising unrelated individual uses.

3.174 SIGHT TRIANGLE

Shall mean the triangular space formed on a corner lot by the street lines and drawn from a point in one street line to point in the other street line, each such point being 9.0 metres (29.53 feet) measured along the street line from the point of intersection of the street lines. Where two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

3.175 SIGN

Shall mean a structure or advertising device having illustrations affixed thereto or displayed thereon in any manner, which is used to identify, advertise or attract attention to any object, product, place, activity, person, institution, organization, firm, group, profession, enterprise, industry or business, or which display or include any letter, work, model number, banner, flag, pennant, insignia, device or representation used as an announcement, direction or advertisement.

3.175a STEEP AND UNSTABLE SLOPES

Shall mean any change in elevation resulting in a slope equal to or greater than 3:1 (horizontal: vertical) or approximately 18 degrees.

3.176 STOREY

Shall mean the portion of a building, other than an attic, basement or cellar, included between any floor level and the floor, ceiling or roof next above it.

3.177 STOREY, FIRST

Shall mean the lowest storey of a building closest to finished grade having its ceiling 1.8 metres (5.91 feet) or more above average finished grade.

3.178 STOREY, ONE-HALF

Shall mean that portion of a building situated wholly or in part within the roof and having its floor level not lower than 1.2 metres (3.94 feet) below the line where roof and outer wall meet and in which there is sufficient space to provide a distance between finished floor and finished ceiling of at least 2.1 metres (6.89 feet) over a floor area equal to at least 50 percent of the area of the floor next below.

3.179 STORM SEWER

Shall mean a sewer which carries storm sewage or surface runoff but excludes any sanitary sewer or any combination of sanitary sewers and storm sewers.

3.180 STREET OR ROAD

Shall mean a highway as defined by the *Municipal Act*, as amended, and the *Highway Traffic Act*, as amended, which affords the principal means of access to abutting lots and does not include a lane or private right-of-way as defined in this By-law.

3.181 STREET, IMPROVED PUBLIC

Shall mean a street or road under the jurisdiction of the Province of Ontario or Corporation of the Municipality of Centre Hastings which is maintained so as to allow normal vehicular access to adjacent properties throughout all seasons of the year.

3.182 STREET LINE

Shall mean the limit of the street or road allowance and is the dividing line between a lot or block and street or road.

3.183 STRUCTURE

Shall mean anything constructed or erected, the use of which requires location on the ground, or attached to something having location on the ground and, without limiting the generality of the foregoing, includes a motor vehicle.

3.184 TEA ROOM

Shall mean an establishment accommodating a maximum of 20 persons, where tea and other beverages and light lunches are offered for consumption within the building. A tea room may be licensed under the *Liquor Licensing Act*, as amended.

3.184a TENT AND TRAILER PARK

shall mean a tourist establishment use comprising of land used or maintained as grounds for the temporary parking of travel trailers, motorized mobile homes, recreational vehicles, truck

campers, camper trailers, tents and any other similar temporary shelter, but does not include park model trailers, modular homes, and mobile homes.

3.185 TOURIST ESTABLISHMENT

Shall mean any premises operated to provide sleeping accommodation for the traveling public or sleeping accommodation for the use of the public engaging in recreational activities, and includes the services and facilities in connection with which sleeping accommodation is provided, but does not include:

- i. a camp operated by a charitable corporation approved under the *Charitable Institutions Act*, as amended;
- ii. a summer camp within the meaning of the regulations made under the *Public Health Act*, as amended; or
- iii. a club owned by its own members and operated without profit or gain.

3.186 TRAILER

Shall mean a vehicle that is at any time drawn upon a highway by a motor vehicle, except an implement of husbandry, another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway, and except a side car attached to a motorcycle; which shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn, and, for the purposes of this By-law does not include a mobile home dwelling as defined herein.

3.187 USE

Shall mean, when used as a noun, the purpose for which a lot or building or structure, or any combination thereof, as designed, arranged, occupied or maintained and when used as a verb, "USED" shall have a corresponding meaning.

3.188 VEHICLE

Shall mean an automobile, all terrain vehicle, snowmobile, motorcycle, motor assisted bicycle, traction engine, farm tractor, road-building machine, self-propelled implement of husbandry, and or any other vehicle propelled or driven other than by muscular power, but not including a railroad car or other motor vehicle running only upon rails.

3.189 VETERINARIAN

Shall mean a person registered under the provisions of the *Veterinarians Act*, as amended, replaced or e-enacted from time to time.

3.190 VETERINARIAN CLINIC

Shall mean a building or part of a building 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 facilities provided for the sheltering of animals during the treatment period.

3.191 WAREHOUSE

Shall mean a building or part of a building used for the storage and distribution of goods, wares, merchandise, substance, articles or things, and may include facilities for a wholesale or retail commercial outlet, but shall not include a cartage or transport depot.

3.192 WASTE DISPOSAL AREA

Shall mean a place where garbage, refuse or domestic or industrial waste, exclusive of liquid industrial waste, is disposed of or dumped, and, for the purposes of this By-law, may include a sanitary landfill site.

3.193 WATERCOURSE

Shall mean a body of water or natural channel for a perennial or intermittent stream of water.

3.193a WATER FEATURE

shall mean water-related features on the earth's surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

3.194 WATER SUPPLY, MUNICIPAL

Shall mean an adequate distribution system of underground piping and related storage, including pumping and purification appurtenances operated by or on behalf of a municipal corporation and/or the Ministry of the Environment and Energy and /or any public utilities commission for public use.

3.195 WATER SUPPLY PLANT

Shall mean a building or structure, approved by the Ministry of the Environment and Energy where water is treated for human consumption.

3.196 WAYSIDE PIT OR QUARRY

Shall mean a temporary pit or quarry opened and used by a public authority, or their agents, as provided for in the *Aggregates Resources Act*, R.S.O., 1990, c. A.8, and amendments thereto, for a project of road construction or road maintenance and the aggregate is to be obtained from outside limits of the road right-of-way of the road or highway.

3.197 WELL

Shall mean an underground source of water which has been rendered accessible by the drilling or digging of a hole from ground level to the water table and may include a private piped system from a surface water source.

3.198 WETLANDS

Shall mean lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Periodically soaked or wetlands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

3.199 WETLAND, PROVINCIALY SIGNIFICANT WETLAND

Shall mean a wetland identified as provincially significant by the Ministry of Natural Resources using evaluation procedures established by the province, as amended from time to time.

3.200 WORKSHOP

Shall mean a building or part of a building where fabrication or manufacturing is performed by tradesmen requiring manual or mechanical skills and may include a carpenter's shop, a locksmith's shop, a gunsmith's shop, a tinsmith's shop, a commercial welder's shop, or similar uses.

3.201 YARD

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

3.202 YARD, FRONT

Shall mean a yard extending across the full width of the lot between the front lot line of the lot and the nearest part of any building or structure on the lot, the nearest outside storage use on the lot, or edge or rim of an excavation on the lot.

3.203 YARD, FRONT, DEPTH

Shall mean the least horizontal dimension between the front lot line of the lot and the nearest part of any building or structure on the lot, or the nearest outside storage use on the lot, or the edge or rim of an excavation on the lot.

3.204 YARD, REAR

Shall mean a yard extending across the full width of the lot between the rear lot line of the lot and the nearest part of any building or structure on the lot, or the nearest outside storage use on the lot, or the edge or rim of an excavation on the lot.

3.205 YARD, REAR, DEPTH

Shall mean the least horizontal dimension between the rear lot line of the lot and the nearest part of any building or structure on the lot, or the nearest outside storage use on the lot, or the edge or rim of an excavation on the lot.

3.206 YARD, REQUIRED

Shall mean the minimum yard required by the provision of this By-law.

3.207 YARD, SIDE

Shall mean a yard extending from the required front yard to the required rear yard and from the side lot line of the lot to the nearest part of any building or structure on the lot, or the nearest outside storage use on the lot, or the edge or rim of an excavation on the lot.

3.208 YARD, EXTERIOR SIDE

Shall mean a side yard immediately adjoining a public street or adjoining a 0.3 metre (1 foot) reserve abutting a public street.

3.209 YARD, INTERIOR SIDE

Shall mean a side yard other than an exterior side yard.

3.210 YARD, SIDE, WIDTH

Shall mean the least horizontal dimensions between the side lot of the lot and the nearest part of any building or structure on the lot, or the nearest outside storage use on the lot, or edge or rim of an excavation on the lot.

3.211 ZONE PROVISIONS

Shall mean the permissible uses or activities, the minimum area and dimensions of lots, the minimum dimensions of yards, the maximum lot coverage, the minimum setback, the minimum gross floor area, the minimum landscaped open space, the maximum height of buildings, minimum parking area requirements, and all other standards and regulations of the respective Zones as are set out within the By-law.

SECTION 4 GENERAL ZONE PROVISIONS

4.1 ACCESSORY BUILDINGS, STRUCTURES AND USES

4.1.1 Permitted Uses

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

4.1.1.1 any occupation for gain or profit conducted within or accessory to a dwelling unit or on such lot associated therewith, except as is specifically permitted in accordance with this By-law; or

4.1.1.2 any building used for human habitation except in accordance with this By-law, as is specifically permitted.

4.1.2 Relation to Street

4.1.2.1 Residential Zones

An accessory building or structure, which is not part of the principal or main building on the lot, shall not be erected closer to the street line than the yard and setback requirements of the respective Residential Zone permit, except as may otherwise be provided for herein.

4.1.2.2 Non-Residential Zones

No accessory building or structure shall be erected closer to the street line than the minimum required yard and setback requirements of the respective non-residential Zone, and further, shall not be erected closer than 3 metres (9.84 ft.) to an interior side or rear lot line except as may otherwise be provided for herein. Notwithstanding the foregoing, a gatehouse or information kiosk or other similar accessory structure shall be permitted within the required front or side yard or within the area between the street line and the required setback.

4.1.3 Relation to Principal or Main Building

Except as may otherwise be provided herein, any accessory building or structure, which is not part of the principal or main building, shall not be erected closer than 2.0 metres (6.56 ft.) to the principal or main building.

4.1.4 Lot Coverage and Height

- i. The maximum lot coverage of all accessory buildings and structures, except swimming pools shall not exceed:
 - a) Five per cent (5%) within the Rural Residential (RR) and the Limited Service Residential (LSR) Zone.
 - b) Ten per cent (10%) within all other zones.
- ii. The maximum height of any accessory building or structure shall not exceed 5.0 metres (16.40 ft.).
- iii. Notwithstanding the foregoing, within any Industrial Zone the height of any accessory building or structure shall be subject to the height provisions of the applicable Industrial Zone.

4.1.5 Accessory Structure Encroachments

Notwithstanding the yard and setback provisions of this By-law to the contrary, drop awnings, clothes poles, flag poles, garden trellises, retaining walls, fences, signs or similar uses which comply with the licensing and/or regulatory By-laws of the Corporation, shall be permitted in any required yard or in the area between the street line and the required setback.

4.1.6 Fire Escapes

Notwithstanding the yard and setback provisions of this By-law to the contrary, unenclosed fire escapes may project into any required yard a maximum distance of 1.2 metres (3.94 ft.).

4.1.7 Location and Minimum Yard Requirements for Accessory Buildings

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

4.1.7.1 Interior Side Yard

When such accessory building is located in an interior side yard, it shall not be closer than 1.2 metres (3.94 ft.) to the interior side lot line, EXCEPT where a common semi-detached garage is being erected simultaneously on both sides of the lot line, as one building, in which case no interior side yard to the accessory building is required.

4.1.7.2 Rear Yard

When such accessory building is located in a rear yard, it shall not be closer than 1.2 metres (3.94 ft.) to the interior side lot line or rear lot line, EXCEPT, where a common semi-detached garage is being erected simultaneously on both sides of the interior lot line as one building in which case no interior side yard to the accessory building is required.

4.1.7.2 Rear Yard with Lane Access

When such accessory building is located in a rear yard it shall not be closer than 1.2 metres (3.94 ft.) to the interior side lot line or rear lot line, EXCEPT where a single detached private garage is being erected, with direct access from the lane, in which case the structure shall not be located closer than 1.2 metres (3.94 ft.) to the interior side lot line and 2.4 metres (7.87 ft.) to the rear lot line, or EXCEPT, where a common semi-detached garage is being erected simultaneously on both sides of the interior lot line, as one building, with direct access from the lane, in which case no interior side yard is required, but the structure shall not be located closer than 2.4 metres (7.87 ft.) to the rear lot line.

4.1.7.4 Relation to Street

All accessory buildings shall comply with the setback provisions applicable to the principal or main building on the lot.

4.1.8 Ornamental Structures

Notwithstanding the yard and setback provisions of this By-law to the contrary, sills, chimneys, cornices, eaves, gutters, parapets, pilasters, or other ornamental structures may project into any required yard or the area between the street line and the required setback a maximum distance of 0.6 metres (1.97 ft.)

4.1.9 Swimming Pools

Notwithstanding the yard and setback provisions of this By-law to the contrary, an outdoor swimming pool shall only be permitted within the rear yard of a lot and shall be within a swimming pool enclosure. Such outdoor swimming pool shall not be located within 1.2 metres (3.94 ft.) of the rear or interior side lot lines. In the case of a corner lot, such outdoor swimming pool, or pool enclosure, shall conform to the minimum exterior side yard requirement of the main or principal building on the lot. The maximum area covered by an outdoor swimming pool shall not exceed fifteen (15) percent of the total lot area. For the purposes of this Subsection, "pool enclosure" shall mean a fence, wall or other structure, including doors or gates, surrounding an outdoor swimming pool designed to restrict access thereto.

4.1.10 Unenclosed Porches, Balconies, Steps or Patios

Notwithstanding the yard and setback provisions of this By-law to the contrary, unenclosed porches, balconies, steps and patios, covered or uncovered, may project into any required yard a maximum distance of 1.5 metres (4.92 ft.), but not closer than 1.2 metres (3.94 ft.) to any lot line, provided that in the case of porches, steps or patios such uses are not more than 1.8 metres (5.91 ft.) above grade.

4.1.11 Barrier-Free Access Ramps

Notwithstanding the yard and setback provisions of this By-law to the contrary, unenclosed barrier-free access ramps shall be permitted within any yard or in the area between the street line and the required setback.

4.1.12 Satellite Communications Dish or Antenna

- i. A satellite communications dish or antenna is a permitted accessory structure in association with a permitted residential use provided that such structure shall only be located in the rear yard behind the principal residential building and shall not exceed height of 5 metres (16.5 feet) or the height of the main residential building, whichever is less. No part of a satellite communications dish shall be located closer than 1.5 metres (5 feet) to any rear or side lot line.
- ii. Notwithstanding the provisions of this By-law to the contrary, a satellite communications dish or antenna with a diameter of less than 0.6 metres (2 feet) may be located in any yard, provided it is attached to the principal residential building. The satellite communications dish or antenna may project into any required yard or setback no more than 0.6 metres (2 feet) provided that in no case shall the satellite communications dish or antenna be closer to any lot line than 0.3 metres (1 foot).

4.1.13 MARINE FACILITIES

Notwithstanding any other provisions of this By-Law to the contrary, where ownership of a lot extends to the regulatory floodplain a marine facility may be erected and used in the yard abutting the regulatory floodplain. No private communal dock will be located within 60 metres of a residential dwelling. Structures located within the regulatory floodplain shall be constructed to an engineered floodproof design. These structures may be subject to the Conservation Authority's permit process.

4.1.14 Sleeping Cabins

Where a residentially zoned lot has frontage onto a water body, one sleeping cabin is a permitted use as an accessory structure, provided the cabin is located in the side or rear yards only and provided that the cabin complies with the following:

- i. Minimum Rear Yard: 3.0 m. (9.8 ft.)
- ii. Minimum Interior Side Yard: 3.0 m. (9.8 ft.)
- iii. Minimum Exterior Side Yard: 3.0 m. (9.8 ft.)
- iv. Maximum Building Height: 4.5 m. (14.8 ft.)
- v. Maximum Storeys: One (1) Storey
- vi. Minimum Setback from High Water Mark: as per principal structure
- vii. Distance to Principal Residence: Maximum 6.0 m. (19.68 ft.)

4.1.15 Shipping Containers

Notwithstanding general prohibitions, shipping containers may be used as an accessory structure for storage purposes in the following Zone Categories: the Rural (RU) zone; the Agriculture (A) Zone; Commercial zones and, Industrial zones provided the following provisions are met;

- a) Shipping Containers shall only be used to store materials or non-operative machinery, exclusive of the following:
 - i. Waste, including recyclable materials, for longer than 7 days;
 - ii. Obnoxious or odorous materials, such as manure or compost;
 - iii. Organic materials that attract vermin;
 - iv. Unlicensed keeping of flammable or explosive materials;
 - v. Any material that may cause adverse impacts on the natural environment or to the enjoyment of adjoining properties.
 - vi. Any material that is prohibited under Provincial or Federal statute or regulation.
- b) Shipping containers shall not be used for human habitation or as shelter for animals;
- c) Shipping Containers are required to meet the Zone Provisions for a permitted main building;
- d) Shipping Containers shall not be placed in a Residential Zone except for a temporary period of 7 days for moving purposes and located on the driveway or where a building permit has been issued, during the construction period of a residential property for storing materials according to the following:
 - i. The Shipping Container shall not exceed a maximum height of 3 meters and maximum length of 6 meters;
- e) The use of the Shipping Container shall be accessory to the main permitted use of the property;
- f) The exterior of any Shipping Container shall be maintained in a condition free from rust, glare or advertising materials;
- g) Shipping Containers shall only be permitted in a rear yard and not in a required parking area;
- h) The Shipping Container shall be screened from road frontage and buildings on adjacent lots in accordance with Section 4.5.2 of Comprehensive Zoning By-law 2002-10;
- i) Shipping Containers shall not be placed within 10 metres adjacent to a Residential Zone, a Recreation and Conservation (RE) Zone or a Community Facility (CF) Zone, or to a building used for human habitation;
- j) Shipping Containers may be placed in any Industrial or any Commercial Zone as an accessory storage structure subject to the following provisions:
 - i. Lot Area (minimum) 0.4 ha

- ii. A maximum of one (1) Shipping Container is permitted per 0.4 ha lot area to a maximum of four (4) containers
 - iii. Shipping Container Area (maximum): 51 sq. m. (549 sq. ft.)
- k) Shipping Containers may be placed in the Rural (RU) Zone or Agriculture (A) Zone as an accessory storage structure subject to the following provisions:
- i. Lot Area (minimum): 2.0 ha
 - ii. A maximum of one (1) Shipping Container is permitted per 0.4 ha over 2.0 ha lot area to a maximum of four (4) containers;
 - iii. Shipping Container Area (maximum): 51 sq. m. (549 sq. ft.)
- l) The use of Shipping Containers in the Rural (RU) zone, the Agriculture (A) Zone, Commercial zones and Industrial zones shall be subject to Site Plan approval and the issuance of a building permit prior to installation.

4.2 AREAS REGULATED BY CONSERVATION AUTHORITY

Notwithstanding any other provisions set forth in this By-law to the contrary, where lands are located within an Environmental Protection (EP) Zone, Environmentally Sensitive (ES) Zone or other hazardous or environmentally significant area regulated by the Conservation Authority, no persons shall construct any type of building or structure which would require the issuance of a Building Permit other than a building or structure required for flood, erosion or siltation control purposes.

4.3 AREAS SUSCEPTIBLE TO FLOODING

4.3.1 Areas of Application

Where a zone symbol on Schedules A1, A2 and A3 is followed by the symbol “f()” with the brackets containing a numerical value, for example “R1-f(92.6)”, then the following regulations for floodproofing shall apply. The numerical value within the aforementioned brackets shall be the minimum evaluation for floodproofing in metres G.S.C. (Geodetic Survey of Canada).

4.3.2 Application of Other Zone Provisions

All provisions which are applicable within a zone category for the use of land, building per structure permitted within the zone category shall also apply where regulations for floodproofing are in effect, except as specifically altered by the requirements for floodproofing.

4.3.3 Floodproofing Requirements

- 4.3.3.1** All structures and buildings shall be designed to withstand any anticipated hydrostatic forces resulting from flooding.
- 4.3.3.2** The composition and strength of all structural materials used in construction are to be adequate to avoid deterioration from flooding.
- 4.3.3.3** The minimum elevation of the ground or first floor level of any building, other than a non-residential accessory building, and of any exterior building opening, shall not be less than the minimum elevation for floodproofing.
- 4.3.3.4** All measures for floodproofing shall be constructed in accordance with the standards of the Building By-law of the Municipality of Centre Hastings and all other requirements of the *Building Code Act*, as amended, as well as the applicable regulations of the Conservation Authority, Ministry of Natural Resources and any other agencies having jurisdiction.

4.4 BED AND BREAKFAST ESTABLISHMENTS

The following provisions shall apply to the establishment of a bed and breakfast establishment.

- 4.4.1** A bed and breakfast establishment shall only be permitted in a single detached dwelling house and shall be limited to a maximum of three (3) guest rooms per establishment.
- 4.4.2** A bed and breakfast establishment shall not be established or operated in an accessory building.
- 4.4.3** One parking space shall be provided per guest room in addition to the required spaces for the dwelling. Such parking spaces shall be on the same lot as the use and shall comply with the requirements of Section 5.2 of this By-law.
- 4.4.4** Bed and breakfast establishments shall be deemed an accessory use to a residential use and shall be permitted only in zones where specifically provided for as a permitted use.
- 4.4.5** Bed and breakfast establishments shall conform to all regulations and requirements of the zone where permitted.
- 4.4.6** A bed and breakfast establishment shall not detract from the general character of the neighbourhood not be a nuisance in terms of noise, traffic, parking and visual character.
- 4.4.7** A bed and breakfast establishment may have one sign, subject to the following:
- i. Within a Rural, Agriculture or any Commercial zone the maximum size of the sign shall be 3 square metres (32 square feet).
 - ii. Within a Rural Residential or an Estate Residential zone the maximum size of the sign shall be 1 square metre (10 square feet).
 - iii. Within any other zone the maximum size of the sign shall be 0.38 square metres (4 square feet).
 - iv. The highest point of the sign or supporting post shall not be higher than 1.2 metres (4 feet) above the average surrounding grade.
 - v. Such sign may be illuminated by the following means:
 - a. traditional hooded spotlights;
 - b. ground mounted spotlights, focused on the sign; or
 - c. lighting recessed in an architectural feature.
 - vi. Such sign shall not be backlit.

4.5 BUFFER STRIP REGULATIONS

4.5.1 Location

Where the interior side or rear lot line in a Community Facility, Commercial or Industrial Zone abuts a Residential Zone, a buffer strip adjoining such abutting lot line, or portion thereof, shall be provided on the lot within the Community Facility, Commercial or Industrial Zone.

4.5.2. Contents

A “buffer strip” as defined in this By-law shall consist of a visual screen having a minimum height of 1.6 metres (5.25 ft.) above the surrounding ground level and which is uninterrupted for the length of the buffer strip except as described in 4.15.3 hereinafter. A buffer strip shall include a planting screen as defined in this By-law, a fence which provides a visual screen, an earth berm or any combination of these features. The minimum width of a buffer strip shall be 3.0 metres (9.84 ft.). However, where an earth berm is to be constructed, the minimum width of the buffer strip shall be the width required to construct a stable earth berm having slopes no greater than a 3:1 horizontal to vertical ratio. The portion of the buffer strip not required for placement of the visual screen shall be used for no other purpose than the planting of shrubs, flower beds, grass or a combination thereof.

4.5.3 Interruption for Driveways or Pedestrian Walks

In all cases where ingress and egress driveways or walks extend through a buffer strip, it shall be permissible to interrupt the strip within 3.0 metres (9.84 ft.) of the edge of such driveway or within 1.5 metres (4.92 ft.) of the edge of such walk.

4.5.4 Maintenance

Where a buffer strip is required, it shall be constructed and maintained by the owner or owners of the lot on which the strip is located.

4.5.5 Landscaped Open Space Supplement

A buffer strip referred to in this Subsection may form part of any landscaped open space required by this By-law.

4.6 COMPLIANCE WITH OTHER LAWS

This By-law shall not be effective to reduce or mitigate any restrictions lawfully imposed by a Federal, Provincial or County Government Authority having jurisdiction to impose such restrictions.

4.7 ESTABLISHED BUILDING LINE IN BUILT-UP AREA

Notwithstanding the yard and setback provisions of the By-law to the contrary, where a permitted building or structure is to be erected on a lot in a built-up area, where there is an established building line extending on both sides of the lot, such permitted building or structure may be erected closer to the street line or the centerline of the street or the high water mark, as the case may be, than required by this By-law provided such permitted building or structure is not erected closer to the street line or the centerline of the street or the high water mark, as the case may be, than the established building line existing on the date of passing of the By-law.

4.8 EXTERNAL DESIGN

The following building materials shall not be used for more than 5 percent of the exterior vertical facing on any wall of any residential building or structure within the area affected by this By-law:

- i. building paper;
- ii. asphalt shingle;
- iii. asphalt roll-type siding; or
- iv. asphalt insulating siding.

4.9 EXISTING UNDERSIZED LOTS

Notwithstanding any other provision of this By-law to the contrary, where a lot having a lesser lot area and/or frontage than required herein is held under distinct and separate ownership from an abutting lot or lots as shown by a conveyance of title properly registered prior to the date of passing of this By-law, or, where such lot is created as a result of an expropriation or acquisition by a public authority, such smaller lot may be used and a building or structure may be erected, altered or used on such smaller lot, provided that all other applicable zone provisions of this By-law are complied with.

4.9.1 FLOODPLAIN

All new development and site alteration there shall be a minimum setback of 30 metres from the regulatory floodplain, intermittent watercourse or outside the regulatory flood elevation of lakes, rivers, streams or creeks, whichever is greater. If the regulatory flood elevation is known and exceeds the minimum 30 metres prescribed herein, then the greater setback shall be applied.

4.9.2 FORESTRY BIO-ECONOMY, TREE HARVESTING

Notwithstanding any provision to the contrary active commercial and industrial tree harvesting adjacent to watercourses and waterbodies shall maintain a minimum 30 metre vegetated, naturalized setback from the shoreline for a waterbody and stable top of bank for a watercourse.

4.10 FRONTAGE REQUIREMENTS

4.10.1 Public Street

Except as may otherwise be provided herein, no person shall erect any building or structure after the date of passing of this By-law, unless the lot upon which such building or structure is to be erected fronts upon and is directly accessible from an improved public street or road, maintained year round, provided all other relevant provisions of this By-law are complied with.

4.10.2 Unassumed Road

Notwithstanding the provisions of Section 4.10.1 of this By-law, to the contrary, the provisions of this By-law shall not apply to prevent the erection of a permitted building or structure on a lot in a Registered Plan of Subdivision where a subdivision agreement has been entered into with the Corporation and registered against the lands for dedication as street(s), the street or streets will not be assumed by the Corporation until such time as specified in the said agreement and provided all other relevant provisions of this By-law are complied with.

4.10.3 Private Road or Right-of-Way

- i. Notwithstanding the provisions of Section 4.10.1 of this By-law, to the contrary, within the Limited Service Residential (LSR) Zone where a lot is accessible by means of a private road or right-of-way providing ingress and egress to a street, the provisions of this By-law shall not apply to prevent the erection, alteration or use of a building as a single detached dwelling house provided that all other relevant provisions of the By-law are complied with.
- viii. Notwithstanding the provisions of Section 4.10.1 of this By-law, to the contrary, where a building or structure was used as of the date of passing of this By-law, for a purpose permitted within the Zone in which it is located, and such building or structure is only accessible by means of a private road or right-of-way providing ingress and egress to a street or road allowance, the provisions of this By-law shall not apply to prohibit the

extension, enlargement, renovation or reconstruction of such structure provided all other relevant provisions of this by-law are complied with.

4.11 GARDEN SUITES

- i) Must be located on the same lot as the principal residents;
- ii) Is permitted only in conjunction with a single detached dwelling, duplex dwelling and semi-detached dwelling uses and is identified as a permitted use within the zone;
- iii) the dwelling unit shall be a detached residential and shall have a private entrance, kitchen facility, sanitary, living and sleeping area;
- iv) the sanitary sewage disposal, water supply and electrical services for the dwelling unit shall be derived from and connected to the services of the principal dwelling subject to the approval of the authorities responsible for the various services;
- v) all of the provisions of the respective zones in which the garden suite is situated shall be complied with in addition to the following special criteria:
 - a) Rear Yard (Minimum) 4.5 metres (14.8 ft.)
 - b) Building Height (Maximum) 4.5 metres (14.8 ft.)
 - c) Distance from the Principal Dwelling (Maximum) 4.5 metres (14.8 ft.)
- vi) the owner/occupant of the principle dwelling and occupant of the garden suite upon which lot the garden suite is situated enter into an agreement with the municipality pursuant to the Municipal Act acknowledging the temporary nature of the garden suite use and that the garden suite will be removed when it is no longer needed;
- vii) access from a public road to a garden suite shall be obtained by the driveway serving the principal dwelling on the lot;
- viii) a garden suite shall be located behind the principal dwelling house on the property;
- ix) the placement of a garden suite on a lot shall be subject to site plan control pursuant to the Planning Act to ensure all servicing, buffering, parking and other issues are addressed;
- x) a temporary use zoning by-law is passed by Council in accordance with the provisions of the Planning Act. The by-law shall be in place for a period not exceeding ten (10) years.

4.12 GROUP HOMES

Notwithstanding any provision to the contrary a group home is permitted in all zones that permit a single detached dwelling accessed and serviced by a year-round publicly maintained road.

4.13 HEIGHT EXCEPTIONS

Notwithstanding the height provisions herein contained, nothing in this By-law shall apply to prevent the erection, alteration, or use of the following accessory buildings or structures provided the principal use is a use permitted within the Zone in which it is located, namely: a church spire, a belfry, a flag pole, a clock tower, a chimney, a water tank, a windmill, a communications tower or antenna less than 30.0 metres (98.43 ft.) in height above average ground level, air conditioner duct, grain elevator, a barn or silo, incidental equipment required for processing, and, external equipment associated with internal building equipment.

4.14 HOLDING ZONE PROVISIONS

4.14.1 General

Where a zone symbol on Schedules A1, A2 and A3 is followed by the holding zone symbol “h” the permitted uses and relevant zone provisions applicable to that zone do not apply until such time as the holding zone symbol “h” is removed in accordance with the requirements of the *Planning Act*, R.S.O., 1990 c.P.13, as amended.

4.14.2 Permitted Uses

Only uses, buildings and structures which existed as of the date of the By-law that establishes the holding zone provisions are permitted, except as may be provided for in an exception provision. The strengthening or restoration to a safe condition of any building or part thereof, existing at the date the holding zone is established shall be permitted, provided that the strengthening or restoration does not increase the building height, size or volume or change the use of such building or structure.

4.14.3 Removal of the Holding Provisions

The holding zone provisions shall only be removed by amendment to this By-law, in accordance with Sections 34 and 36 of the *Planning Act*, R.S.O., 1990, c.P.13, as amended, and only when Council is satisfied that the appropriate criteria have been met in a manner and form acceptable to Council.

The criteria to be satisfied prior to removal of the holding zone symbol “h” from an area shown on Schedules A1, A2 and A3 may include:

- i. A development proposal for the subject lands which has been approved by the Municipality.
- ii. That all conditions of draft plan approval or conditions of a provisional consent have been complied with or dealt with in an agreement.
- iii. The completion of studies as may be appropriate, including the following studies:
 1. Hydrogeological study
 2. Storm water management study
 3. Flood elevation and flood plain study
- ii. That appropriate securities have been provided to the Municipality as required in any agreement.
- iii. That all necessary agreements have been executed and registered on the title of the subject lands.

4.15 HOME BUSINESS

Home businesses are categorized as Type ‘A’ and Type ‘B’ home businesses. Home businesses Type ‘A’ and Type ‘B’ are permitted in the zones that permit a residential use as indicated in this by-law and in accordance with the following:

- i) There is no display, other than a sign of a maximum of 0.55 square metres (6.0 square feet) to indicate to persons outside that any part of the dwelling is being used for a purpose other than residential. Furthermore, such a sign shall be setback a minimum of 3.0 metres (9.8 feet) from the lot line;
- ii) Such home business is clearly secondary to the main residential use and does not change the residential character of the dwelling nor create or become a public nuisance; in particular, regarding noise, obnoxious odours, emissions of smoke, traffic, or parking.
- iii) Such a home business does not interfere with telecommunications, radio and broadband reception or broadcasting.
- iv) Not more than 25% percent of the gross floor area of the dwelling unit is used for the purpose of a home business except for the creation of bed and breakfast establishment use.

4.15.1 ADDITIONAL PROVISIONS FOR TYPE 'A' HOME BUSINESSES

The following regulations shall apply to regulate Type 'A' Home Businesses. Type A home occupations shall be limited to administrative office type uses only:

- i) Type 'A' home businesses may employ one (1) employee other than those residing in the dwelling.
- ii) Type 'A' home businesses may be permitted in an accessory structure with a maximum area of 50 square metres (540 square feet).
- iii) The goods, materials or matters sold shall be produced on the same property as the Type 'A' home business.

4.15.2 ADDITIONAL PROVISIONS FOR TYPE 'B' HOME BUSINESSES

following regulations shall apply to regulate Type 'B' Home Businesses:

- i) Type 'B' home businesses shall be conducted entirely within the principal residence and shall be limited to personal service and medical occupations such as hairdressers, day nurseries limited to 5 children or less, doctor's and dentists' offices and may employ (1) person in addition to persons residing in the residence.

4.16 HOME INDUSTRY

Home Industries are permitted in the Rural (RU) Zone and Agriculture (A) Zone classifications and are categorized as Type 'A' and Type 'B' home industries. Home industries Type 'A' and Type 'B' are permitted in the zones as indicated in this By-Law in accordance with the following:

- i) There is no external storage of goods or materials.
- ii) There is no display, other than a sign of a maximum size of 0.55 square metres (6.0 square feet) to indicate to persons outside, that any part of the dwelling or accessory building is being used for a purpose other than residential. Furthermore, such a sign shall be setback a minimum of 3.0 metres (9.8 feet) from any lot line.
- iii) The home industry is clearly secondary to the main residential use and does not change the residential character of the dwelling nor create or become a public nuisance; in particular in regard to noise, noxious odours, emissions of smoke, traffic or parking.
- iv) Such a home industry does not interfere with telecommunications, radio and broadband reception or broadcasting.
- v) There are no goods, wares or merchandise, publicly offered or exposed for sale on the premises outside of any buildings.
- vi) On-site parking is provided in accordance with Section 5.
- vii) Not more than 25% of the gross floor area of the dwelling in addition to the accessory structure is used for the purpose of home industries.
- viii) Notwithstanding any provision to the contrary a home industry is prohibited on waterfront lots.

4.16.1 ADDITIONAL PROVISIONS FOR TYPE 'A' HOME INDUSTRY

Type 'A' Home Industries shall include craft shops, woodworking, repair and service shops and similar type uses and associated retail sales. The following regulations shall apply to regulate Type 'A' Home Industries:

- i) Any accessory structure used for a Type 'A' home industry shall not exceed 112 square metres (1200 square feet);

- ii) Not more than one (1) employee not residing in the residence on the lot shall be permitted

4.16.2 ADDITIONAL PROVISIONS FOR A TYPE 'B' HOME INDUSTRY

Type 'B' Home Industries shall include craft shops, woodworking, light manufacturing, repair and service shops and other similar type uses and associated retail sales. The following regulations shall apply to regulate Type 'B' Home Industries:

- i) Any accessory structure used for a Type 'B' home industry shall not exceed 112 square metres (1200 square feet).
- ii) Not more than two (2) employees not residing in the residence on the lot shall be permitted.
- iii) The minimum lot size for a Type 'B' home industry shall be 2 hectares (4.94 acres)
- iv) One commercial vehicle associated with the home industry is permitted.

4.16A HUNT CAMPS

Notwithstanding the minimum lot area provisions to the contrary the minimum lot area provision in zones that permit fish and hunt camps shall be 20 hectares.

4.17 ILLUMINATION

Lighting fixtures designed for exterior illumination shall be installed with the light directed downward and deflected away from adjacent lots.

4.18 MINIMUM DISTANCE SEPARATION

Notwithstanding any other provision of this By-law:

- i) Unless otherwise specified no residential, institutional, commercial, industrial, or recreation use located on a separate lot and otherwise permitted by this By-law, shall be established and no building or structure for such use shall be erected or altered unless it complies with the Minimum Distance Separation (MDS I) requirements applied in accordance with the MDS I Implementation Guidelines;
- ii) No livestock facility or manure storage facility shall be erected or expanded unless it complies with the Minimum Distance Separation (MDS II) requirements applied in accordance with the MDS II Implementation Guidelines;
- iii) Where an existing use that complied with the MDS provisions is changed, the new use shall also be subject to MDS I or MDS II provisions, whichever is applicable. For the purposes of this subsection, a change in the type of livestock housed is a change of use; and
- iv) Where an existing building is destroyed in full or in part by a catastrophe and is being reconstructed in the same location and same dimensions, then the building or structure is exempt from MDS I or MDS II, whichever would be applicable.
- v) Existing Lots of record with a lot area less than 1 hectare in area are exempt from MDS 1.
- vi) Lands within the Urban and Hamlet land use designations of the Hastings County Official Plan are exempt from the MDS 1 formula from existing facilities.
- vii) Empty livestock facilities are exempt from MDS II calculations provided a building permit is obtained to alter the facility so that they are no longer capable of housing livestock or manure.

4.19 MULTIPLE ZONES ON ONE LOT

Where a lot is divided into more than one zone under the provisions of this By-law, each such portion of the said lot shall be used in accordance with the Zone Provisions of this By-law for the applicable Zones established hereunder.

4.20 NON-COMPLYING USES, BUILDINGS AND STRUCTURES

4.20.1 Existing Uses, Buildings and Structures

Where a use, building or structure was legally established prior to the date of the passing of this By-law, and is permitted by the regulations of the zone in which such use, building or structure is located, but does not meet the By-law regulations with respect to yards, lot area, frontage, parking, loading spaces, setback or other regulations of this By-law, nothing in this By-law shall prevent the continued use or occupancy and the enlargement, extension, repair or renovation of such building or structure provided that any regulations which are not met on the date of passing of this By-law, are not further contravened and that all regulations which are complied with, are not contravened by any works undertaken.

4.20.2 Expropriation of Lands

Where a non-compliance with respect to yards, lot area, frontage, parking, loading spaces, setback or other regulations of this By-law, is created as a result of an expropriation or a conveyance to an authority with the power to expropriate, nothing in this By-law shall prevent the continued use or occupancy and the enlargement, extension, reconstruction, repair or renovation of such building or structure provided that any regulations which are contravened as a result of the expropriation or conveyance, are not further contravened and that all regulations which are complied with, are not contravened by any works undertaken.

4.20.3 Livestock Facilities

Notwithstanding the provisions of Sections 4.20.1 and 4.20.2 above, the enlargement, extension or expansion of any livestock facility shall be subject to the Minimum Distance Separation II requirements as set out in this By-law.

4.21 NON-CONFORMING USES

4.21.1 Continuation of Legal Non-Conforming Uses

The regulations of this By-law shall not prevent the use of any land, building or structure for any purpose prohibited by the By-law, if such land, building or structure was lawfully used for such purpose on the day of the passing of the By-law, so long as it continues to be used for that purpose and the use is not discontinued for a period of twelve consecutive months or longer.

4.21.2 Modifications

Where a building or structure which was erected prior to the date of the passing of the By-law is used for a purpose not permitted in the zone in which it is situated, the said building or structure may be reconstructed, repaired or renovated provided that the reconstruction, repair or renovation does not involve any alteration of use or expansion of the building or structure and the building or structure continues to be used for the same purpose.

4.21.3 Prior Approval of Plans

The regulations of this By-law shall not apply to prevent the erection or use of any land, building or structure, for a purpose prohibited by this By-law, where the building permit has been issued prior to the date of the passing of the By-law, so long as the building or structure when erected is

used and continues to be used for the purpose for which it was erected, and provided the erection of such building or structure is commenced within six months after the date of the passing of this By-law and such building is substantially completed within one year after the erection thereof is commenced.

4.21.4 Restoration of Non-Conforming Uses

Where a building or structure is used for a legal non-conforming use and said building or structure is destroyed or damaged by fire or natural disaster, nothing in this By-law shall prevent the reconstruction or repair of said building or structure for the continuation of the legal non-conforming use, provided that such reconstruction or repair is proceeded with within twelve (12) months of the date of the fire or natural disaster and provided that such reconstruction or repair shall take place in the same location as the original building or structure and that there shall be no increase in the ground floor area or gross floor area.

4.22 NOXIOUS USES

Except as may otherwise be specifically permitted under this By-law, no use shall be permitted which, from its nature or the materials used therein, is declared by the Local Board of Health or the Council of the Corporation to be a noxious trade, business or manufacture under the *Health Protection and Promotion Act*, as amended, and the Regulations promulgated thereunder.

4.23 PITS AND QUARRIES

4.23.1 Establishing Pits and Quarries

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

4.23.2 Wayside Pits and Quarries

Wayside pits and quarries may be established in the Rural (RU) Zone and Agriculture (A) Zone provided that:

- i. the wayside pit or quarry is opened and operated by the Ministry of Transportation or the Municipality or their agents for the purposes of a specific public road project;
- ii. any portable crusher or asphalt plant is approved and governed by any regulations of the Ministry of Environment, the Ministry of Natural Resources and a certificate of approval for a portable not mix asphalt plant has been obtained; and
- ix. an agreement is signed with the Municipality that the wayside pit or quarry shall be rehabilitated upon completion of the public project.

4.23.3 Regulations for Pits and Quarries

i. LOCATION OF GRAVEL PITS

Notwithstanding any other provisions of this By-law to the contrary, no gravel pit shall be made or established within 300 metres (984 feet) of any rear or interior side lot line or portion thereof which abuts a Residential or Institutional Zone.

ii. LOCATION OF STONE QUARRIES:

Notwithstanding any other provisions of this By-law to the contrary, no stone quarry shall be made or established within 500 metres (1640 feet) of any rear or interior side lot line or portion thereof which abuts a Residential or Institutional Zone.

iii. **LOCATION OF WAYSIDE PITS AND QUARRIES, PORTABLE ASPHALT PLANTS AND PORTABLE CONCRETE PLANTS**

Notwithstanding any other provisions of this By-law to the contrary, wayside pits and quarries, portable asphalt plants and portable concrete plants used on public authority contracts shall be permitted, without the need for an official plan amendment, rezoning, or development permit under the *Planning Act* in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

4.24 PROHIBITED USES

The following uses are prohibited in any Zone, except where specifically listed as a permitted use:

- 4.24.1 The making or establishing of pits and quarries.
- 4.24.2 Blood boiling, bone boiling, extracting oil from fish or animal matter, manufacture or storage of fertilizers from dead animals or animal waste.
- 4.24.3 A track for the racing of go karts, motorcycles, snowmobiles or any other motor vehicles.
- 4.24.4 An oil refinery, iron and steel mills, smelting and refining or any facility which processes radioactive materials.
- 4.24.5 The use of tents and trailers for human habitation, or for business or other purposes, is prohibited except for temporary uses, or for the occasional accommodation of guests in any Zone.
- 4.24.6 No use or erection of any building or structures shall be permitted within the Municipality of Centre Hastings on land that is subject to flooding or on land where, by reason of its rocky, low lying, marshy, or unstable character, the cost of construction of satisfactory work, sewage or drainage waterworks facilities is prohibitive, except where specific provisions have been instituted to alleviate the said restrictive land conditions.
- 4.24.7 Waste disposal areas or incinerators used for the disposal of waste materials.
- 4.24.8 Salvage yards.

4.25 PUBLIC USES

4.25.1 Public Services

Except as provided for in 4.25.2 hereof, the provisions of this By-law shall not apply to prohibit the use of any lot or the erection or use of any building or structure for the purposes of public services provided by the Corporation of the Municipality of Centre Hastings, or any Public Authority including any department of the County of Hastings or any Department or Ministry of the Government of Canada or Ontario, or the Moira River Conservation Authority and, for the purposes of this Section shall include Hydro One and Ontario Hydro Services Company; any natural gas distribution system operated by a Company distributing gas to the residents of the Municipality and distribution systems for any telephone, cable television or telegraph company, excluding communications towers.

4.25.2 Location Restrictions

Notwithstanding the provisions of 4.25.1 hereof to the contrary, where any zone classification or classifications specifically authorize a particular use of land within such zone classification or classifications, then such use of land shall not be carried on in any other Zone classification or classifications, regardless of whether such use is carried on by a public authority.

4.25.3 Provisions

Notwithstanding any other provisions to this By-law to the contrary where a public use is not restricted to a specific Zone, no land, building or structure is to be used for the purposes of a public use except in compliance with the following provisions:

4.25.3.1 Minimum Yard Requirements for all yards	7.5 m (24.61 ft.)
4.25.3.2 Maximum Lot Coverage, All Buildings	30 percent
4.25.3.3 Minimum Setback From Street Centreline	
i. Provincial Highway	25.5 m (83.66 ft.)
ii. Municipal Road	17.5 m (57.5 ft.)
4.25.3.4 Maximum Height of Buildings	11 m (36.09 ft.)

4.25.3.6 Outside Storage

No goods, materials or equipment shall be stored outside the building or structure located on the lot except as may otherwise be permitted under this By-law.

4.25.3.7 Other Provisions

Any building erected under the authority of 4.25 of this By-law shall not be used for the purpose of an office and shall be designed and maintained in general harmony with residential buildings of the type permitted in such area.

4.25.4 Streets and Installations

Nothing in this By-law shall prevent land to be used as a street or prevent the installation of a watermain, sanitary sewer, storm sewer, municipal pumping station, gas main, pipeline or overhead or underground hydro or communication line or high voltage and extra high voltage electrical facilities owned, operated and maintained by Hydro One or Ontario Hydro Services Company, provided the location of such main or line has been approved by the Council of the Corporation of the Municipality of Centre Hastings. Notwithstanding the generality of the foregoing, this approval by the Council of the Corporation of the Municipality of Centre Hastings shall not be required for any public use which has received prior approval pursuant to the provisions of the *Environmental Assessment Act*, as amended.

4.26 REDUCTION OF REQUIREMENTS

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

Notwithstanding any other provisions of this By-law to the contrary, in areas designated other than Urban or Hamlet in the Official Plan, any lot that meets minimum area requirements of the zone and containing a dwelling unit may be used for the keeping of two horses, provided;

- i. That such horse provides the primary means of transportation for the occupants of the dwelling unit,
- ii. That all manure shall be contained in an enclosed building (manure storage building),
- iii. That the minimum distance separation (MDS 11) requirements shall apply, except as herein:
 - (a) The requirements for “nearest neighbour” separations under MDS 11 shall apply to the Rural Residential Zone;
 - (b) A manure storage building having a concrete floor shall be located a minimum of 20 metres from a drilled well that has a depth of at least 6 metres and a watertight casing to a depth of at least 6 metres below ground level;
 - (c) Manure storage building having a concrete floor shall be located a minimum of 30 metres of any well other than (b) above.

4.26A ADDITIONAL DWELLING UNIT

Notwithstanding any provisions to the contrary the following provisions for all additional dwelling units applies:

- i. two residential units in a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if all buildings and structures ancillary to the detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
- ii. three residential units in a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units;
- iii. one residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if the detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units;
- iv. An additional residential unit shall only be permitted on a lot with frontage and direct access to a year-round municipally maintained public road;
- v. An additional residential unit shall only be permitted if it is connected to municipal services; and
- vi. one parking space shall be provided for an additional dwelling unit.

4.26A.1 DETACHED ADDITIONAL DWELLING UNIT

In addition to the above provisions the following provisions shall apply and govern the use of a detached additional dwelling unit:

- i. An additional residential unit in a detached building is not subject to the accessory building regulations in the applicable by-law unless otherwise indicated below and will be permitted subject to the additional residential unit provisions above and the following additional provisions:
 - a) A detached additional residential unit shall comply with the minimum yard setbacks and maximum height applicable to the principal dwelling unit in the Zone in which such use is located;
 - b) A detached additional residential unit may be located within a rear or interior side yard, to a minimum setback of 1.2 metres from the rear or interior side yard lot line, provided the unit does not exceed the maximum accessory structure height in the applicable by-law and further provided that within the ‘Urban’ and ‘Hamlet’ land use designations of the Official Plan a solid privacy fence with a minimum height of 1.8 metres is established in accordance with the following provisions:
- ii. When the detached additional residential unit is situated within a rear yard only, the privacy fence shall be established around the entire perimeter of the rear yard (i.e., along the side and rear lot lines as applicable);

- iii. When the detached additional residential unit is situated within a side yard only, the privacy fence shall be established along the side yard lot line closest to the detached additional residential unit extending from the intersection of the side lot line with the rear lot line and shall extend to the nearest part of the primary dwelling unit measured to the front lot line; or
- iv. When the detached additional residential unit is situated within a rear yard and a side yard, fencing shall be established in accordance with the provisions set out in both subsections (i) and (ii) above.
 - a) It is prohibited to have more than one additional residential unit in an accessory building or structure on a lot.
 - b) The detached additional residential unit shall comply with the maximum lot coverage requirements for accessory structures in the applicable zoning by-law.
 - c) The detached additional residential unit shall not be located in the front yard or exterior side yard; and
 - d) The detached additional residential unit shall comply with the minimum distance separation formulae.

4.27 SIGHT TRIANGLES

Notwithstanding any other provision of this By-law to the contrary, no person shall, within a sight triangle park a motor vehicle, as defined in the *Highway Traffic Act*, or erect any building or structure which would obstruct the vision of drivers of motor vehicles or use any land for the purposes of growing shrubs or trees in excess of 0.6 metres (1.97 ft.) in height.

4.28 SIGNS

The provisions of this By-law shall not apply to prevent the erection, alteration or use of any sign provided such sign complies with the By-laws of the Corporation regulating signs.

4.29 SEPCIAL RESIDENTIAL SETBACK PROVISIONS TO NON-RESIDENTIAL USES

4.29.1 Waste Disposal Industrial Area

No new residential lot or new dwelling house shall be permitted within 500 metres (1,650 feet) of an existing or closed waste disposal site without the approval of the Ministry of Environment and Energy.

4.29.2 Residential Industrial Zone

- i. No new residential use or RR, LSR or CF Zone shall be located within 150 metres (500 feet) of an area zoned Restricted Industrial (M3) Zone or Restricted Industrial-deposit (M3-d) Zone in which only removal of unconsolidated aggregates is involved.
- ii. No new residential use or RR, LSR or CF Zone shall be located within 300 metres (985 feet) of an area zoned Restricted Industrial (M3) Zone or Restricted Industrial-deposit (M3-d) Zone in which there are blasting, crushing or screening activities.

4.30 SPECIAL SETBACK PROVISIONS

4.30.1 Setback from High Water Mark

Subject to the exceptions contained in Section 4.1.13 of this By-law, where a lot abuts a watercourse, no new buildings or structures including private sewage disposal systems shall be located within 30 metres (100 feet) of the existing high water mark or within the regulatory floodplain as may be determined by the Conservation Authority.

4.31 SPECIAL USES PERMITTED

A tool shed, construction trailer, scaffold or other building or structure incidental to construction is permitted in all Zones within the Corporation on the lot where construction is being undertaken and only for so long as it is necessary for the work in progress and until the work is completed or abandoned. For the purpose of this Section, "abandoned" shall mean the failure to proceed expeditiously with the construction work.

4.32 THROUGH LOTS

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

4.33 TRAILER OR MOBILE HOME PARKS

The establishment of trailer parks or mobile home parks shall be prohibited within the area covered by this By-law, save and except where such parks are specifically permitted. All coverall type buildings are to be excluded use in all zones except Agriculture, Rural and for Public Use.

4.34 TRUCK, BUS AND COACH BODIES

4.34.1 No truck, bus, coach or streetcar body, or structure of any kind, other than a dwelling unit erected and used in accordance with this By-law, the *Building Code Act*, as amended, and the Regulations passed thereunder; and, all other By-laws of the Corporation, shall be used for human habitation within any area affected by this By-law whether or not the same is mounted on wheels or other form or mounting or foundation.

4.34.2 No truck, bus, coach, streetcar body, transport (highway) trailer or shipping container, shall be used for the storage of goods or materials within any area affected by this By-law whether or not the same is mounted on wheels or other form or mounting or foundation.

4.35 OUTDOOR WOODBURNING FURNACE

Notwithstanding any other provisions of this By-law to the contrary, and outdoor woodburning furnace shall only be permitted to be located within an Agricultural (A) Zone or a Rural (RU) Zone and shall comply with the following regulations:

- i. Minimum setback from:
 - a) A lot line abutting any Residential Zone 50 m (164.0 ft.)
 - b) Any other lot line 30 m (100.0 ft.)
- ii. The installation of such unit shall require a building permit.

4.36 ENVIRONMENTALLY SENSITIVE LANDS

- i) Excluding lands within 120 metres of Habitat of Endangered and Threatened Species and Provincially Significant Wetland and Conservation Authority regulated setback, the construction of a single detached dwelling and associated accessory structures on an existing lot of record shall be permitted, where the use is permitted within the zone category applied to a property, without requiring an Environmental Impact Statement. For all other development the following provision applies:
- ii) Development that is proposed on lands adjacent to environmentally sensitive lands as identified in Natural Heritage Features and Areas Schedule OP-B of the Hastings County Official Plan, shall be permitted provided that a satisfactorily completed Environmental Impact Statement, prepared in accordance with Section 7.8.6 of the Official Plan is submitted and approved by the municipality in consultation with the Ministry of Environment, Conservation and Parks (MECP), The Ministry of Natural Resources and Forestry or other appropriate authority. The following measures of adjacency shall be used:
 - i) Habitat of Endangered and Threatened Species 120 metres
 - ii) Provincially Significant Wetlands 120 metres

iii) Significant Wetlands	120 metres
iv) Significant Woodlands	120 metres
v) Significant Valleylands	120 metres
vi) Significant Wildlife Habitat	120 metres
vii) Significant Areas of Natural and Scientific Interest	120 metres
viii) Fish Habitat	120 metres

4.37 CANNABIS PRODUCTION AND PROCESSING

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

No lands, building, structure, or portion thereof used for Cannabis Production and Processing purposes that is equipped with air treatment control situated in the General Industrial (M1) Zone or the Rural Industrial (M2) Zone may be located closer to any Residential Zone, Institutional Zone, or Open Space Zone than 70 metres.

No lands, building, structure, or portion thereof used for Cannabis Production and Processing purposes that is equipped with air treatment control situated in the General Industrial (M1) Zone or the Rural Industrial (M2) Zone may be located closer to any dwelling, public school, private school, place of worship, or day care nursery than 150 metres.

No lands, building or structure or portion thereof used for Cannabis Production and Processing purposes that is not equipped with air treatment control situated in any permitted zone may be located closer to any dwelling, public school, private school, place of worship, or day care nursery than 300 metres.

A building or structure used for security purposes for Cannabis Production and Processing may be located in the required front yard and does not have to comply with the required minimum front yard, side yard, and rear yard setbacks.

Outdoor storage is prohibited on the property in which the Cannabis Production and Processing is located.

Cannabis Production and Processing shall only be permitted within the zones as explicitly indicated in a site specific zoning by-law amendment.

All development in relation to the establishment of or expansion of Cannabis Production and Processing shall be subject to Site Plan Control.

4.38 STEEP AND UNSTABLE SLOPES

Any new construction shall have a minimum setback of 30 metres from the toe or stable top of shoreline or non-shoreline cliff, bluff or bank (steep and/or unstable slope).

4.39 TENT AND TRAILER PARK

The following regulations shall apply to regulate a Tent and Trailer Park use:

- i) the maximum density shall be 12.5 campsites per hectare;
- ii) the minimum lot area for a tent and trailer park use shall be 4 hectares;
- iii) the minimum area of a campsite shall be 200 square metres;
- iv) No campsite, building or structure, except a marine facility for launching and/or servicing of boats, shall be permitted within 30 metres of the regulatory floodplain of any water feature. All docking and boat launching

- structures/facilities shall require the approval of the appropriate federal, provincial or public agencies; and
- v) A tent and trailer park located in the Waterfront area shall provide a waterfront amenity area of not less than the greater of 30 metres or 2 metres of waterfront for each site but shall not exceed 35% of the shoreline frontage. The remaining 65% of the shoreline shall be maintained in an undisturbed natural state.
 - vi) Buildings and structures on a campsite accessory to a tent or trailer are prohibited.

4.40 TOURIST ESTABLISHMENT USE

The following regulations shall apply to regulate a Tourist Establishment use:

- i) The minimum lot area shall be 2 hectares;
- ii) The maximum density shall be 2.5 units per hectare;
- iii) No building, structure, septic tank or tile field, except a pump house or marine facility for the launching and/or servicing of boats shall be located closer than 30 metres to the regulatory floodplain of any watercourse.

4.41 WATERFRONT USE

The following shoreline uses will be permitted within 30 metres of the regulatory floodplain subject to all applicable provisions of the Zoning By-Law:

- i. A marine facility.

It is prohibited to alter or remove the natural vegetation 30 metres adjacent to any shoreline of a water feature except:

- a) 25% of the shoreline frontage or up to 23 metres (75 feet), whichever is the lesser, for linear shoreline residential development;
- b) 35% of the shoreline frontage for tourist commercial and institutional accommodation, waterfront contracting operations, and waterfront landings;
- c) 50% of the shoreline frontage for marinas; and
- d) Where both b) and c) are present on a lot adjacent to a water feature the aggregate percentage of the shoreline devoted to those uses shall be a maximum of 75% of the shoreline frontage.

SECTION 5 LOADING AND PARKING PROVISIONS

5.1 LOADING SPACE REGULATIONS

5.1.1 Loading Space

Loading or unloading spaces are required under this By-law, in accordance with the Loading Space Requirement Table and the owner of every building or structure erected or used for any purpose involving the receiving, shipping, loading or unloading of persons, animals, goods, wares, merchandise or raw materials shall provide and maintain on the lot loading and unloading spaces accordingly. Each loading or unloading space shall be 9.0 metres (29.53 feet) long, 4.0 metres (13.12 feet) wide and have a vertical clearance of at least 5.0 metres (16.40 feet). In addition, adequate space shall be provided for the parking of vehicles awaiting access to the loading or unloading spaces.

LOADING SPACE REQUIREMENT TABLE

Area of Building	Loading Space
280 m ² (3,013 sq. ft.) or less	1 space
Exceeding 280 m ² but not 2,300 m ² (24,757.80 sq. ft.)	2 spaces
Exceeding 2,300 m ² but not 7,500 m ² (80,731.97 sq. ft.)	3 spaces
Exceeding 7,500 m ²	3 spaces plus 1 additional space for each additional 9300 m ² (100,107.64 sq. ft.) or fractional part thereof in excess of 7,500 m ²

5.1.2 Access

Access to loading or unloading spaces shall be by means of a driveway at least 6.0 metres (19.69 ft.) in width contained on the lot on which the spaces are located and leading to an improved public street as defined herein.

5.1.3 Loading Space Surface

Driveways, loading and unloading spaces, and, related aisles and turning areas shall be maintained with a stable surface which is treated so as to prevent the raising of dust. Such loading and unloading facilities shall, before being used, be constructed of crushed stone, gravel, asphalt, concrete or similar material and shall include provisions for drainage facilities.

5.1.4 Location

The loading space or spaces required herein shall be located in the interior side or rear yard unless such space or spaces are removed from the street line a minimum distance of 9.0 metres (29.53 ft.) as measured from the street line to the nearest part of the loading space.

5.1.5 Additions to or Changes in Use of Existing Buildings

The loading space requirements referred to herein shall not apply to any buildings in existence at the date of passing of this By-law so long as the gross floor area, as it existed at such date, is not increased. If an addition is made to the building or structure which increases the gross floor area, then additional loading spaces shall be provided in accordance with 4.11.1 hereof and in accordance with the provisions of the Loading Space Requirement Table for such addition.

5.2 PARKING AREA REGULATIONS

5.2.1 Parking Space Requirements

Parking spaces and areas are required under this By-law, in accordance with the Parking Space Requirement Table, and the owner of every building or structure erected or used for any of the purposes hereinafter set forth shall provide and maintain for the sole use of the owner, occupant or other persons entering upon or making use of the premises, from time to time, parking spaces and areas accordingly.

PARKING SPACE REQUIREMENT TABLE

Type of Nature of Use	Minimum Offstreet Parking Requirements
Assembly Hall, Auditorium, Arena, Community Centre, Place of Entertainment, Place of Worship, Private Club or other similar places of assembly not otherwise specified herein.	The greater of: a) one parking space per six fixed seats b) one parking space per 9.0 m ² (96.88 sq. ft.) of gross floor area; or, c) one parking space for each four persons that may be legally accommodated at any one time.
Bank, Business and/or Professional Office, Retail Commercial Establishment, Service Shop, Personal Service Shop including a Home Business	One parking space for each 19 m ² (204.52 sq. ft.) of gross floor area of building directly related to the specified permitted use.
Bowling Alley	Three parking spaces for each bowling lane.
Eating Establishment	One parking space for each 9.0 m ² (204.52 sq. ft.) or fraction thereof of gross floor area.
Hospital, Home for the Aged, Nursing Home	One parking space for each four dwelling units, or four beds, or fraction thereof.
Motel, Hotel	One parking space for each guest room, cottage or cabin plus such parking facilities as are required for an eating establishment or entertainment lounge licensed in accordance with the <i>Liquor Licence Act</i> , as amended.
Liquor Licensed Premises exclusive of an eating establishment but including an entertainment lounge, public house or lounge licensed in accordance with the <i>Liquor Licence Act</i> , as amended.	One parking space for each four persons that may be legally accommodated at any one time.
Manufacturing, Processing, Assembly Fabricating Plant, Wholesale Establishment or Warehouse.	One parking space per 38 m ² (409.04 sq. ft.) of gross floor area or portion thereof.
Medical or Dental Clinic	Five parking spaces per doctor, plus one parking space for each examination room exceeding five rooms per office.
Post Office, Museum, or Public Library	One parking space for each 38 m ² (409.04 sq. ft.) of gross floor area.
Single Detached, Semi-Detached, Duplex, Triplex, Fourplex, or Converted Dwelling Houses	One parking space per dwelling unit
Boarding and/or Lodging House	One parking space per dwelling unit, plus one parking space per guest room.
Row or Apartment Dwelling Houses	1.25 parking spaces per dwelling unit
Elementary and Secondary Schools	The greater of: a) one and one-half parking spaces per classroom; or b) one parking space per 9.0 m ² (96.88 sq. ft.) of floor area in the gymnasium; or c) one parking space per 9.0 m ² (96.88 sq. ft.) of floor area in the auditorium.

Type of Nature of Use	Minimum Offstreet Parking Requirements
Workshop	One parking space per 38 m ² (409.04 sq. ft.) of gross floor area.
Uses Permitted by this By-law other than those listed in this Table.	One parking space per 38 m ² (409.04 sq. ft.) of gross floor area.

5.2.2 Parking Area Surface

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

5.2.3 Ingress and Egress Regulations

Except as may otherwise be provided for herein, the following provisions shall apply to ingress and egress driveways, namely:

- 5.2.3.1 Ingress and egress to and from the required parking spaces and areas shall be provided by means of unobstructed driveways or passageways at least 3 metres (9.84 ft.) but not more than 9 metres (29.53 ft.) in perpendicular width.
- 5.2.3.2 The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 9 metres (29.53 ft.).
- 5.2.3.3 The minimum distance between any two driveways on one lot, or, between a driveway and an intersection of street line measured along the street line intersected by such driveway shall be 7.5 metres (24.61 ft.).
- 5.2.3.4 The minimum angle of intersection between a driveway and a street line shall be 60 degrees.
- 5.2.3.5 Every lot shall be limited to the following number of driveways:
 - i. Up to the first 30.0 metres (98.43 ft.) of lot frontage, not more than one additional driveway.
 - ii. For each additional 30.0 metres (98.43 ft.) of frontage, not more than one additional driveway.

5.2.4 Parking Area Design Requirements

The following parking area design requirements shall apply to all required parking areas in all zones, except for single detached, semi-detached, duplex, triplex, fourplex, converted and row dwelling houses:

- 5.2.4.1 The minimum width of parking space shall be 2.7 metres (8.86 ft.) and the minimum length shall be 5.7 metres (18.70 ft.);
- 5.2.4.2 That where a parking space has a parking angle of 30 degrees or less, such parking space shall be at least 7 metres (22.97 ft.) in length where the aisle width is at least 4 metres (13.12 ft.);
- 5.2.4.3 That where the parking angle is less than 50 degrees, the minimum aisle width shall be at least 4 metres (13.12 ft.)
- 5.2.4.4 That where the parking angle is equal to or greater than 50 degrees, but less than 70 degrees, the minimum aisle width shall be at least 5.5 metres (18.04 ft.); and,

5.2.4.5 That where the parking aisle is equal to or greater than 70 degrees but less than or equal to 90 degrees, the minimum aisle width shall be at least 7.0 metres (22.97 ft.).

5.2.5 ACCESSIBLE PARKING

- a) In any zone, the required number of parking spaces shall include the provision of accessible parking spaces in the minimum quantity specified below:
 - i) Residential: Accessible parking spaces are provided at a rate of 4% of the required parking spaces;
 - ii) Residential Exception: Accessible parking is not required for single detached, semi-detached, duplexes, triplexes and row houses (townhouses) that do not have a shared parking arrangement;
 - iii) Commercial and residential: Accessible parking spaces are provided at a rate of 4% of the required parking spaces;
 - iv) Industrial: Accessible parking spaces are provided at a rate of 4% for the first 200 required parking spaces and 3% for the additional required parking spaces, including a minimum of one Type A (Van accessible) required accessible space, rounded up to the nearest whole number. Equal numbers of Type A (Van accessible) and Type B are required. If an odd number is required, the additional space may be either type;
 - v) Institutional: Accessible parking spaces are provided at a rate of 10% of the required parking spaces;
 - vi) All other uses: Accessible parking spaces are provided at a rate of 4% of the required parking spaces;
 - vii) When determining the required number of parking spaces in accordance with the above provisions, any fraction derived from the calculation shall be rounded up to the nearest whole number;
 - viii) Where an even number of parking spaces for the use of persons with disabilities are provided in accordance with the requirements of the zoning by-law, an equal number of parking spaces that meet the requirements of Type A Parking space and Type B parking space must be provided; and
 - ix) Where an odd number of parking spaces for the use of persons with disabilities are provided in accordance with the zoning by-law the number of parking spaces must be divided equally between parking spaces that meet the requirements of a Type A parking space and a Type B parking space, but the additional parking space, the odd numbered space, may be a Type B parking space.

- b) The following regulations shall apply to accessible parking spaces:
 - i) Type A (Van accessible) spaces shall have minimum rectangular dimensions of 3.4 metres width by 6.0 metres length and must have signage specifying that they are van-accessible;
 - ii) Type B spaces shall have minimum rectangular dimensions of 2.4 metres width by 6.0 metres length;
 - iii) An access aisle with a minimum rectangular dimension of 1.5 in width and 6.0 metres in length and marked with a high tonal contrast diagonal lines is required adjacent to Type A and Type B accessible parking spaces. The access aisle may be shared between spaces;
 - iv) All accessible parking spaces shall be marked by an identifying marker on the pavement consisting of the international symbol of access as a 1.5 metre by 1.5 metre white border and a symbol with a blue background field colour centred on the parking stall;
 - v) All accessible parking spaces shall be appropriately signed in accordance with provincial regulation;
 - vi) A minimum vertical clearance of 2.1 metres shall be provided at accessible parking spaces, passenger loading zones and along routes to accessible parking spaces;

- vii) Maximum gradient for a barrier free vehicle parking space shall be five (8) percent;
- viii) Accessible parking spaces shall be located and distributed in a manner that provides substantially equivalent or greater accessibility in terms of distance from an entrance or user convenience; and
- ix) Curb ramps, where required shall be provided to permit access from the parking area to a sidewalk.

5.2.6 More Than One Use on a Lot

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

5.2.7 Parking Area Location on Lot

Notwithstanding the yard and setback provisions of this By-law to the contrary, uncovered surface parking areas shall be permitted in the required yards or in the area between the street line and the required setback as set out below. Further, in all Zones, except Residential, no driveway or parking area is permitted within 7.5 metres (24.60 ft.) of the boundary of a Residential Zone.

Zone or Type of Use	Yard in which Required Parking Area Permitted
All Zones except Residential and Industrial Zones	All yards provided that no part of any parking area, other than a driveway, is located closer than 1.0 metre (3.28 ft.) to any side lot line or street line.
Residential Zones save and except an Apartment Dwelling House.	Interior side and rear yard and one space may be provided in the driveway, provided, that no part of any parking area, other than a driveway, is located closer than 1.0 metre (3.28 ft.) to any street line and provided further that a parking area, other than a driveway, for a Residential use containing four or more dwelling units is located in no other yard than the rear yard.
Apartment Dwelling House	All yards, provided that no part of any parking area, other than a driveway, is located closer than 7.5 metres (24.61 ft.) to any street line and no closer than 3.0 metres (9.84 ft.) to any side lot line.
Industrial (M) Zone	Interior side and rear yards only, except for visitor parking provided that no part of any parking area, other than a driveway is located closer than 1.0 metre (3.28 ft.) to any street line.

5.2.8 Additions to or Change in Use of Buildings

The parking space requirements referred to herein shall not apply to any building or structure in existence at the date of passing of this By-law so long as the floor area, as it existed at such date, is not increased. If an addition is made to the building or structure which increases the floor area, then parking spaces for the addition shall be provided as required by the Parking Space Requirement Table. Where a change in use of the building or structure occurs, parking spaces shall be provided in accordance with the requirements of the Parking Space Requirement Table.

5.2.9 Use of Parking Spaces and Areas

Parking spaces and areas required in accordance with this By-law shall be used for the parking of operative, currently licensed vehicles only, and for vehicles used in operations incidental to the permitted uses in respect of which such parking spaces and areas are required or permitted. Provided, however, no person shall use any lot, in any Residential Zone, for the parking or storage of more than one of any commercial motor vehicle in excess of 0.5 tonne capacity.

5.2.10 Parking Space Located on Other Lot

Where the owner of a building or structure proposes to provide the required parking spaces and areas in a location other than on the same lot as the use that requires such spaces and areas, then such shall be located not more than 150.0 metres (492.13 ft.) from the said lot and shall be located within the same Zone as the said lot.

5.2.11 Abandoned Equipment

Unused and discarded motor vehicles, farm implements and similar abandoned equipment shall not be located or stored in any Zone in a location where they will be visible from a street or road or from adjacent lots.

SECTION 6 ZONES AND ZONING MAPS

6.1 ESTABLISHMENT OF ZONES, SYMBOLS AND SECTION NUMBERS

6.1.1 The provisions of this By-law shall apply to all lands within the limits of the Corporation which lands for the purpose of this By-law are divided into various zones as follows:

ZONE	SYMBOL	SECTION
Agriculture Zone	A	7
Rural Zone	RU	8
Residential Type 1 Zone	R1	9
Residential Type 2 Zone	R2	10
Medium Density Residential Type 3 Zone	R3	11
High Density Residential Zone	R4	12
Rural Residential Zone	RR	13
Limited Service Residential Zone	LSR	14
General Commercial Zone	C1	15
Highway Commercial Zone	C2	16
Local Commercial Zone	C3	17
Resort Commercial Zone	C4	18
General Industrial Zone	M1	19
Rural Industrial Zone	M2	20
Restrictive Industrial Zone	M3	21
Community Facility Zone	CF	22
Recreation and Conservation Zone	RE	23
Development Zone	D	24
Environmental Protection Zone	EP	25
Environmentally Sensitive Area Zone	ES	26
Source Water Protection Overlay Zone	SWP	26a

6.1.2 The permissible uses, the minimum size and dimensions of lots, the minimum size of yards, the maximum lot coverage, gross floor area, the minimum landscaped open space, the maximum height of buildings and all other zone provisions are set out herein for the respective zones.

6.2 ZONING MAPS

The extent and boundaries of all the said zones are shown on Schedules A1, A2 and A3, which Schedules form a part of this By-law and is attached hereto.

6.3 USE OF ZONE SYMBOLS

The symbols listed in Subsection 6.1 may be used to refer to land, buildings and structures and the uses thereof permitted by this By-law in said Zones; and whenever in this By-law the word "Zone" is used, preceded by any of the said symbols, such zones shall mean any area within the boundaries delineated on the Zoning Maps, Schedules A1, A2 and A3 designated thereon by the said symbol.

6.4 APPLICATION OF REGULATIONS

No person shall within any of the Zones defined in this By-law and delineated on the Zoning Maps, Schedules A1, A2 and A3 attached hereto, use any land or erect, build, construct, reconstruct, relocate, excavate for, alter, add to, enlarge, extend or use any building or structure, except in conformity with the regulations of this By-law for the zone in which such land, building, structure or use is located.

SECTION 7 AGRICULTURE (A) ZONE

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

7.1 PERMITTED USES

7.1.1 Residential Uses

- a) one single detached dwelling house
- b) converted dwelling house
- c) home business
- d) rural home business
- e) private home day care
- f) bed and breakfast establishment
- g) group home

7.1.2 Non-Residential Uses

- a) agriculture
- b) farm produce retail outlet
- c) conservation
- d) forestry
- e) horse boarding and training facility
- f) hunt camp
- g) kennel
- h) public uses or municipal utilities in accordance with the provisions of Section 4.24 of this By-law
- i) wayside pit or wayside quarry

7.1.3 Accessory Uses

Uses, buildings or structures accessory to any of the permitted uses specified under 7.1.1 and 7.1.2 hereof and in accordance with the provisions of Section 4.1 of this By-law.

7.2 PROHIBITED USES

7.2.1 Topsoil stripping and screening

7.3 REGULATIONS FOR PERMITTED RESIDENTIAL AND NON-RESIDENTIAL USES

7.3.1	Minimum Lot Area	30 ha (74 ac.)
7.3.2	Minimum Lot Frontage	220 m (721 ft.)
7.3.3	Minimum Front Yard	15 m (50 ft.)
7.3.4	Minimum Exterior Side Yard	15 m (50 ft.)
7.3.5	Minimum Interior Side Yard	7.5 m (25 ft.)
7.3.6	Minimum Rear Yard	7.5 m (25 ft.)
7.3.7	Maximum Lot Coverage (all buildings and structures)	15 percent
7.3.8	Maximum Landscaped Open Space	10 percent

- | | | |
|---------------|---|---------------------------------|
| 7.3.9 | Maximum Height of Buildings | 15 m (50 ft.) |
| 7.3.10 | Minimum Dwelling Unit Gross Floor Area | 84 m ² (900 sq. ft.) |
| 7.3.11 | Minimum Ground Floor Area for a Single Detached Dwelling House (where more than 1 storey) | 70 m ² (750 sq. ft.) |

7.4 MINIMUM SERVICES FOR RESIDENTIAL USES

- 7.4.1** A private well with a 16 litre per minute (3.5 gallons per minute) supply of potable water.
- 7.4.2** A private sewage disposal facility approved by the appropriate approval authority.

7.5 MINIMUM SETBACK FROM CENTRELINE OF STREET

- | | | |
|--------------|--------------------------------|-----------------|
| 7.5.1 | Municipal Road/Connecting Link | 25 m (82 ft.) |
| 7.5.2 | Provincial Highway | 30 m (98.5 ft.) |

7.6 MINIMUM DISTANCE SEPARATION REQUIREMENTS

No building, structure or use shall be permitted except in conformity with Section 4.18 herein and Formulas MDS I and MDS II found in Appendices I and II to this By-law.

7.7 KENNELS

Within the Agricultural (A) Zone a kennel shall not be erected closer than 45 metres (150 feet) from any lot line.

7.8 HUNT CAMP

Notwithstanding any other provision of this By-law to the contrary, the establishment of a hunt camp shall be subject to the following special provisions in addition to all other applicable provisions of this By-law.

- | | | |
|------|---|-----------------------------------|
| i. | Maximum gross floor area | 28 m ² (301.3 sq. ft.) |
| ii. | Minimum lot area | 40 ha (100 ac.) |
| iii. | Minimum setback from any lot line | 100 m (328.0 ft.) |
| iv. | Minimum setback from a residential zone | 200 m (656.1 ft.) |

7.9 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Agriculture (A) Zone shall apply.

7.10 LOADING AND PARKING PROVISIONS

All provisions of Section 5, Loading and Parking Provisions, of this By-law, where applicable to the use of any land, building or structure permitted within the Agriculture (A) Zone shall apply.

7.11 EXCEPTION ZONE PROVISIONS – AGRICULTURAL (A) ZONE

7.11.1 Agriculture Exception No. 1 (A-1) Zone, Part of Lot 2, Concession 2 (2017-28)

Notwithstanding any provisions of this By-law to the contrary, within the Agriculture Exception No. 1 (A-1) Zone, the following shall apply:

- i. The only permitted use shall be veterinary clinic.
- ii. Minimum lot area 0.4 ha (0.98 ac.)
- iii. Minimum lot frontage 50 m (164 ft.)

All other requirements of this By-law shall apply to land zones A-1.

7.11.2 Agriculture Exception No. 2 (A-2) Zone, Part of lot 5, Concession 2

Notwithstanding any provisions of this By-law to the contrary, within the Agriculture Exception No. 2 (A-2) Zone, the following shall apply:

- i. Permitted uses shall be limited to the following
 - 1. a single detached dwelling house
 - 2. existing warehouse and workshop structure with limited related wholesale and retail uses
- ii. Minimum lot area 11.0 ha (27 ac.)

All other requirements of this By-law shall apply to land zoned A-2.

7.11.3 Agriculture Exception No. 3 (A-3) Zone, Part of Lot 18, Concession 3

Notwithstanding any provisions of this By-law to the contrary, within the Agriculture Exception No. 3 (A-3) Zone, the following shall apply:

A single detached dwelling shall be permitted, notwithstanding its proximity to an existing Extractive Industrial Use, and subject to the Minimum Distance Separation Requirements as set out in Section 4.16 of this By-law. In addition, the following shall apply:

- i. Minimum lot area 6.4 ha (15.8 ac.)
- ii. Minimum lot frontage 110 m (360 ft.)

All other requirements of this By-law shall apply to land zoned A-3.

7.11.4 Agriculture Exception No. 4 (A-4) Zone, Part Lots 2 and 3, Concession 2 (2003-16)

Notwithstanding any provisions of this By-law to the contrary, within the Agriculture Exception No. 4 (A-4) Zone, the following shall apply:

- i. Minimum lot frontage 110.68 m (350 ft.)

All other requirements of this By-law shall apply to land zoned A-4.

7.11.5 Agriculture Exception No. 5 (A-5) Zone, Lot 12, Concession 2 (2004-04) (2022-18)

Notwithstanding any provisions of this By-law to the contrary, within the Agriculture Exception No. 4 (A-5) Zone, the following shall apply:

- i. To recognize the resultant lot area of 15.18 Hectares (Approx. 37.51 ac.)
- ii. Minimum Lot Frontage of 210 m (688.97 ft.)

7.11.6 Agriculture Exception No. 6 (A-6) Zone, Part Lot 8, Concession 1 (2004-21)

Notwithstanding any provisions of this By-law to the contrary, within the Agriculture Exception No. 6 (A-6) Zone, the following shall apply:

- i. Minimum lot frontage 139m (455 ft.)

All other requirements of this By-law shall apply to land zoned A-6.

7.11.7 Agriculture Exception No. 7 (A-7) Zone, Part Lot 5, Concession 2 (2004-15)

Notwithstanding any provisions of this By-law to the contrary, within the Agriculture Exception No. 7 (A-7) Zone, the following shall apply:

- i. Minimum lot area 9.83 Hectares (Approx. 24.3 ac.)

All other requirements of this By-law shall apply to land zoned A-7.

7.11.8 Agriculture Exception No. 8 (A-8) Zone, Part Lot 19, Concession 3 (2004-35) (2013-52) (2014-12)

Notwithstanding any provisions of this By-law to the contrary, within the Agriculture Exception No. 8 (A-8) Zone, the following shall apply:

- i. Minimum lot frontage 166.9m (547.71 ft.)

All other requirements of this By-law shall apply to land zoned A-8.

7.11.9 Agriculture Exception No. 9 (A-9) Zone, Part Lot 1, Concession 4 (2005-02 Repealed) Now A-19 (Agriculture Exception 19) Bylaw 2022-36

Notwithstanding any provisions of this By-law to the contrary, within the Agriculture Exception No. 9 (A-9) Zone, the following shall apply:

- i. Minimum lot area 15.0 Hectares (Approx. 38.0 acres).

All other requirements of this By-law shall apply to land zoned A-9.

7.11.10 Agriculture Exception No. 10 (A-10) Zone, Part Lots 2 and 3, Conc 2 (2005-01) (2017-28)

Notwithstanding any provisions of this By-law to the contrary, within the Agriculture Exception No. 10 (A-10) Zone, the following shall apply:

- i. Minimum lot frontage 106.68 m. (approx 350 ft.)

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- ii. Minimum lot area-parcel A 19.0 ha. (approx 47 ac.)
- iii. Minimum lot area-parcel B 58.0 ha. (approx 143 ac.)

All other requirements of this By-law shall apply to land zoned A-10.
Replaced with by-law 2017-28 now A-1

7.11.12 Agriculture Exception No. 12 (A-12) Zone, Part Lot 2, Concession 2 (2006-08)

Notwithstanding any provisions of this By-law to the contrary, within the Agriculture Exception No. 12 (A-12) Zone, the following shall apply:

- i. Minimum lot area 12 ha. (30 ac.) Lot size is now 26 ac.

All other requirements of this By-law shall apply to land zoned A-12.

7.11.13 Agriculture Exception No. 13 (A-13) Zone, Part Lot 6, Concession 6 (2009-13)

Notwithstanding any provisions of this By-law to the contrary, within the Agriculture Exception No. 13 (A-13) Zone, the following shall apply:

- i. Minimum lot area 17.8 ha. (43.9 ac.)
- ii. Minimum Lot Frontage 51.81m (170.0ft)

All other requirements of this By-law shall apply to land zoned A-13.

7.11.14 Agriculture Exception No. 14 (A-14) Zone, Lot 2, Concession 3 (2009-26)

Notwithstanding any provisions of this By-law to the contrary, within the Agriculture Exception No. 14 (A-14) Zone, the following shall apply:

- i. Minimum lot area 4.45 ha. (11 ac.)

All other requirements of this By-law shall apply to land zoned A-14.

7.11.15 Agriculture Exception No. 15 (A-15) Zone, Lot 9, Concession 1 (2010-23 & HK2014-12)

Notwithstanding any provisions of this By-law to the contrary, within the Agriculture Exception No. 15 (A-15) Zone, the following shall apply:

- i. To allow for two single family dwellings

All other requirements of this By-law shall apply to land zoned A-15.

7.11.16 Agriculture Exception No. 16 (A-16) Zone, Lot 2, Concession 2 (2012-05)

Notwithstanding any provisions of this By-law to the contrary, within the Agriculture Exception No. 16 (A-16) Zone, the following shall apply:

7.11. Exception Zone Provisions: for a portion of this parcel further described as an area of approx. 220m x 190.6m and being approx. 4.3ha

- i. Only non-livestock structures shall be permitted.

All other requirements of this By-law shall apply to land zoned A-16.

7.11.17 Agriculture Exception No. 17 (A-17) Zone, Lot 9, Concession 1 (2012-06)

Notwithstanding any provisions of this By-law to the contrary, within the Agriculture Exception No. 17 (A-17) Zone, the following shall apply:

7.11. Exception Zone Provisions: for a portion of this parcel further described as an area of approx. 220m x 190.6m and being approx. 4.3ha

- i. That the minimum lot area shall be 11.53 ha.

All other requirements of this By-law shall apply to land zoned A-17.

7.11.18 Agriculture Exception No. 18 (A-18) Zone, Lot 1, Concession 4 (2013-52)

Notwithstanding any provisions of this By-law to the contrary, within the Agriculture Exception No. 18 (A-18) Zone, the following shall apply:

- i. Minimum Lot Area 14.6 ha.
- ii. Minimum Lot Frontage 60 m.

All other requirements of this By-law shall apply to land zoned A-18.

7.11.19 Agriculture Exception No. 19 (A-19) Zone, Lot 1, Concession 4 (2013-52)

Notwithstanding any provisions of this By-law to the contrary, within the Agriculture Exception No. 19 (A-19) Zone, the following shall apply:

- i. Minimum Lot Area 21.54 ha. (53.23 acres.)

All other requirements of this By-law shall apply to land zoned A-19.

7.11.20 Agriculture Exception No. 20 (A-20) Zone – Not Assigned

7.11.21 Agriculture Exception No. 21 (A-21) Zone (pt. Lot 13, Con 1) (2018-18)

Notwithstanding any other provisions of this By-law to the contrary, within the Agriculture Exception No. 21 (A-21) Zone the following shall apply:

- i) Residential uses shall not be permitted

All other requirements of the A Zone and this By-law shall apply to lands zoned A-21.

7.11.22 Agriculture Exception No. 22 (A-22) Zone, (Pt. of Lt. 2, Con. 4) (2018-80)

Notwithstanding any provision of By-law No. 2002-10, as amended, to the contrary, on the lands zoned the Agriculture Exception No. 22 (A-22) Zone, the following special provisions shall apply:

- i. In addition to the existing permitted uses in the agriculture (A) Zone the following use shall be permitted:
 - a) Workshop
- ii. Maximum Gross floor area for a “Workshop” 1,115 m² (12,000 ft²)
- iii. A “Workshop” shall be subject to the provisions of Sections 19.2 to 19.8 of By-law 2002-10.

All other provisions of the Agriculture (A) Zone and By-law No. 2002-10, as amended, shall apply to the lands zoned the A-22 Zone.

7.11.23 Agriculture Exception No. 23 (A-23) Zone, (Part of Lot 5, Concession 4) (2018-92)

Notwithstanding any other provisions of this By-law to the contrary, within the Agriculture Exception No. 23 (A-23) Zone the following shall apply:

- i. The permitted uses shall be limited to non-residential uses permitted in the Agriculture (A) Zone

All other requirements of the A Zone and this By-law shall apply to lands zoned A-23.

7.11.24 Agricultural Exception No. 24 (A-24) Zone, (Part of Lot 4 & 5, Concession 7) (2019-40)

Notwithstanding any other provisions of this By-law to the contrary, within the Agricultural Exception No. 24 (A-24) Zone the following shall apply:

- i. The minimum lot frontage shall be 116 metres (380.6 ft.)
- ii. The minimum lot area shall be 5.0 hectares (12.4 acres)

All other requirements of the Agricultural (A) Zone and this By-law shall apply to lands zoned A-24.

7.11.25 Agricultural Exception No. 25 (A-25) Zone, (Lot 7, Concession 5) (2020-47)

Notwithstanding any other provisions of this By-law to the contrary, within the Agricultural Exception No. 25 (A-25) Zone the following shall apply:

- i. The minimum lot area shall be 13.8 hectares (34.1 acres)

All other requirements of the Agricultural (A) Zone and this By-law shall apply to lands zoned A-25.

7.11.26 Agricultural Exception No. 26 (A-26) Zone, 2020-63, 2022-19

Notwithstanding any other provisions of this By-law to the contrary, within the Agricultural Exception No. 26 (A-26) Zone the following shall apply:

- i. Residential uses shall not be permitted
- ii. The minimum lot frontage shall be 195 metres (639.8 ft.)

All other requirements of the Agricultural (A) Zone and this By-law shall apply to lands zoned A-26.

7.11.27 Agricultural Exception No. 27 (A-27) Zone, (Part of Lot 3, Concession 5) (2021-33)

Notwithstanding any other provisions of this By-law to the contrary, within the Agricultural Exception No. 27 (A-27) Zone the following shall apply:

- iii. The minimum area for a lot that permits a rural home business shall be 3.4 hectares (8.5 acres).
- iv. The maximum permitted size of an accessory building used for a rural home business shall be 146 square metres (1575 square feet);
- v. No outside/open storage shall be permitted.

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All other requirements of the Agricultural (A) Zone and this By-law shall apply to lands zoned A-27.

7.11.28 Agricultural Exception No. 28 (A-28) Zone, (Part of Lot 12, Concession 3) (2021-52)

Notwithstanding any other provisions of this By-law to the contrary, within the Agricultural Exception No. 28 (A-28) Zone the following shall apply:

- i. Residential uses shall be prohibited
- ii. The minimum area shall be 38.5 ha (95.1 ac)
- iii. The minimum frontage shall be 512 m (1679.8 ft.)

All other requirements of the Agricultural (A) Zone and this By-law shall apply to lands zoned A-28.”

7.11.29 Agricultural Exception No. 29 (A-29) Zone, (Part of Lot 3, Concession 5) (2021-33)

Notwithstanding any other provisions of this By-law to the contrary, within the Agricultural Exception No. 29 (A-29) Zone the following shall apply:

- i. The minimum area for a lot that permits a rural home business shall be 3.4 hectares (8.5 acres);
- ii. The maximum permitted size of an accessory building used for a rural home business shall be 146 square metres (1575 square feet);
- iii. No outside/open storage shall be permitted.

All other requirements of the Agricultural (A) Zone and this By-law shall apply to lands zoned A-29.”

7.11.30 Agricultural Exception No. 30 (A-30) Zone, (Part Lot 2 and 3, Concession 3, Part 5-7) (2021-44)

Notwithstanding any other provisions of this By-law to the contrary, within the Agricultural Exception No. 30 (A-30) Zone the following shall apply:

- i. to prohibit new residential uses

All other requirements of the Agricultural (A) Zone and this By-law shall apply to lands zoned A-30.”

7.11.31 Agricultural Exception No. 31 (A-31) Zone, (Part Lot 1, Concession 3) (2022-11)

Notwithstanding any other provisions of this By-law to the contrary, within the Agricultural Exception No. 31 (A-31) Zone the following shall apply:

- i. to prohibit new residential uses

All other requirements of the Agricultural (A) Zone and this By-law shall apply to lands zoned A-31.”

SECTION 8 RURAL (RU) ZONE

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

8.1 PERMITTED USES

8.1.1 Residential Uses

- a) one single detached dwelling house
- b) converted dwelling house
- c) home business
- d) rural home business
- e) private home day care
- f) bed and breakfast establishment
- g) group home

8.1.2 Non-Residential Uses

- a) agriculture
- b) farm produce retail outlet
- c) conservation
- d) forestry
- e) horse boarding and training facility
- f) kennel
- g) hunt camp
- h) public uses or municipal utilities in accordance with the provisions of Section 4.25 of this By-law
- i) sawmill, associated with and secondary to a permitted residential use
- j) wayside pit or wayside quarry

8.1.3 Accessory Uses

Uses, buildings or structures accessory to any of the permitted uses specified under 8.1.1 and 8.1.2 hereof and in accordance with the provisions of Section 4.1 of this By-law.

8.2 REGULATIONS FOR PERMITTED RESIDENTIAL AND NON-RESIDENTIAL USES

8.2.1	Minimum Lot Area	6 ha (14.8 ac.)
8.2.2	Minimum Lot Frontage	135 m (443 ft.)
8.2.3	Minimum Exterior Side Yard	15 m (50 ft.)
8.2.4	Minimum Exterior Side Yard	15 m (50 ft.)
8.2.5	Minimum Interior Side Yard	8.5 m (25 ft.)
8.2.6	Minimum Rear Yard	8.5 m (25 ft.)
8.2.7	Maximum Lot Coverage (all buildings and structures)	15 percent
8.2.8	Minimum Landscaped Open Space	10 percent
8.2.9	Maximum Height of Buildings	15 m (50 ft.)

8.2.10 Minimum Dwelling Unit Gross Floor Area 84 m² (900 sq. ft.)

8.2.11 Minimum Ground Floor Area for a Single Detached Dwelling House (where more than 1 storey) 70 m² (750 sq. ft.)

8.3 MINIMUM SERVICES FOR RESIDENTIAL USES

8.3.1 A private well with a 16 litre per minute (3.5 gallons per minute) supply of potable water.

8.3.2 A private sewage disposal facility approved by the appropriate approval authority.

8.4 MINIMUM SETBACK FROM CENTRELINE OF STREET

8.4.1 Municipal Road/Connecting Link 25 m (82 ft.)

8.4.2 Provincial Highway 30 m (98.5 ft.)

8.5 MINIMUM DISTANCE SEPARATION REQUIREMENTS

No building, structure or use shall be permitted except in conformity with Section 4.17 herein and Formulas MDS I and MDS II found in Appendices I and II to this By-law.

8.6 KENNELS

Within the Rural (RU) Zone a kennel shall not be erected closer than 45 metres (150 feet) from any lot line and a kennel shall not be erected or established on a lot of less than 12 hectares (30 acres).

8.7 SAWMILLS

A sawmill shall only be permitted if it is located a minimum of 120 metres from a residential use or residential zone on another property.

8.8 HUNT CAMP

Notwithstanding any other provision of this By-law to the contrary, the establishment of a hunt camp shall be subject to the following special provisions in addition to all other applicable provisions of this By-law.

- | | | |
|------|---|-----------------------------------|
| i. | Maximum gross floor area | 28 m ² (301.3 sq. ft.) |
| ii. | Minimum lot area | 40 ha (100 ac.) |
| iii. | Minimum setback from any lot line | 100 m (328.0 ft.) |
| iv. | Minimum setback from a residential zone | 200 m (656.1 ft.) |

8.9 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Rural (RU) Zone shall apply.

8.10 LOADING AND PARKING PROVISIONS

All provisions of Section 5, Loading and Parking Provisions, of this By-law, where applicable to the use of any land, building or structure permitted within the Rural (RU) Zone shall apply.

8.11 EXCEPTION ZONE PROVISIONS – RURAL (RU) ZONE

8.11.1 Rural Exception No. 1 (RU-1) Zone, Parts of Lot 1, Concession 6

Notwithstanding the uses permitted in the Rural (RU) Zone, within the Rural Exception No. 1 (RU-1) Zone, located in Part of Lot 1, Concession 6, in the former Township of Huntingdon, the only permitted uses shall be recreational and conservation uses in which no buildings or structures shall be permitted.

All other requirements of this By-law shall apply to land zoned RU-1.

8.11.2 Rural Exception No. 2 (RU-2) Zone, Part of Lot 14, Concession 5

Notwithstanding any provisions of this By-law to the contrary, within the Rural Exception No. 2 (RU-2) Zone the following shall apply:

- a) minimum lot area 3.2 ha (7.9 ac.)
- b) minimum lot frontage 46 metres (150 ft.)
- c) minimum setback from the proposed dwelling unit and lands within the Restrictive Industrial (M3) Zone shall be 28 metres (1.8 ft.)
- d) all provisions of the Rural (RU), Restrictive Industrial-Exception (M3-d) allowing for extraction notwithstanding setbacks otherwise established and Hazard (H) Zones on the subject property shall apply.

All other requirements of this By-law shall apply to land zoned RU-2.

8.11.3 Rural Exception No. 3 (RU-3) Zone, Part of Lot 14, Concession 1

In addition to the uses permitted in the Rural (RU) Zone, within the Rural Exception No. 3 (RU-3) Zone, a furniture manufacturing and wholesale business shall be permitted in an accessory structure, subject to the provisions of Section 4.14 of this By-law.

All other requirements of this By-law shall apply to land zoned RU-3.

8.11.4 Rural Exception No. 4 (RU-4) Zone, Part of the East Half of Lot 17, Concession 1

Notwithstanding the uses permitted in the Rural (RU) Zone, within the Rural Exception No. 4 (RU-4) Zone the only permitted use shall be one single detached dwelling, with a minimum setback of 117.3 m (385 ft.) from the nearest corner of the barn located on the east half of Lot 17, Concession 1.

All other requirements of this By-law shall apply to land zoned RU-4.

8.11.5 Rural Exception No. 5 (RU-5) Zone, Part of Lots 10 & 11, Concession 7, being part of Part 9, Plan 21R-9893

Notwithstanding the minimum lot area requirement of the Rural (RU) Zone to the contrary, within the Rural Exception No. 5 (RU-5) Zone the minimum lot area requirement shall be 6.25 ha (15.4 ac.).

All other requirements of this By-law shall apply to land zoned RU-5.

8.11.6 Rural Exception No. 6 (RU-6) Zone, Part of Lot 18, Concession 4, Part 3, Plan 21R-2566

In addition to the uses permitted in the Rural (RU) Zone, with the Rural Exception No. 6 (RU-6) Zone, the existing dwelling may be used as a duplex and a commercial woodworking shop shall also be permitted.

All other requirements of this By-law shall apply to land zoned RU-6.

8.11.7 Rural Exception No. 7 (RU-7) Zone, Part of Lot 10, Concession 3

Within the Rural Exception No. 7 (RU-7) Zone, a single detached dwelling shall be permitted notwithstanding the provisions of this By-law for minimum setback from an Extractive Industrial Zone.

All other requirements of this By-law shall apply to land zoned RU-7.

8.11.8 Rural Exception No. 8 (RU-8) Zone, Part of Lot 11, Concession 6, being Part 1, Plan 21R-2301

Within the Rural Exception No. 8 (RU-8) Zone, a single detached dwelling shall be permitted on a lot with 7.62 metres (25 ft.) of the lot fronting on an improved public road, constructed by the owners within the road allowance between Concessions 5 and 6, adjacent thereto and provided further that such road shall be improved to the standards of this Township for travel by the public to its intersection with Douglas Road to the east.

All other requirements of this By-law shall apply to land zoned RU-8.

8.11.9 Rural Exception No. 9 (RU-9) Zone, Part of Lot 11, Concession 5 (Rivendell)

Notwithstanding any provisions of this By-law to the contrary, within the Rural Exception No. 9 (RU-9) Zone, the following provisions shall apply:

- i. A tearoom shall also be a permitted use.
- ii. Minimum lot area 17.8 ha (44 ac.)

All other requirements of this By-law shall apply to land zoned RU-9.

8.11.10 Rural Exception No. 10 (RU-10) Zone, (Part of Lot 3, Concession 1)

Notwithstanding any provisions of this By-law to the contrary, within the Rural Exception No. 10 (RU-10) Zone, the following provisions shall apply:

- 1. Additional Permitted Uses
 - i. Shelter for tree harvesting and hunting.
- 2. Regulations
 - i. Maximum floor area of shelter 65.40 m² (704.0 sq. ft.)
 - ii. Minimum lot area 6.76 ha (16.7 ac.)
 - iii. The shelter may be constructed on this lot without having direct access to a public street.

All other requirements of this By-law shall apply to land zoned RU-10.

8.11.11 Rural Exception No. 11 (RU-11) Zone (Part of Lot 18, Concession 11)

Notwithstanding any provisions of this By-law to the contrary, within the Rural Exception No. 11 (RU-11) Zone, the following provisions shall apply:

- i. The permitted uses shall be limited to:
 - a) an existing single detached dwelling house.
 - b) a warehouse/distribution center consisting of one existing building not exceeding 157.9 m² (1,700 square feet) in area; and
 - c) a bed and breakfast establishment to accommodate a maximum of one guest room within an existing building not exceeding 120.7 m² (1,300 square feet) in area.
- ii. A buffer strip in accordance with Section 4.5 of this By-law shall be provided where the side or rear lot line abuts a residential zone.

All other requirements of this By-law shall apply to land zoned RU-11.

8.11.12 Rural Exception No. 12 (RU-12) Zone (Part of Lot 11, Concession 5)

Notwithstanding any provisions of this By-law to the contrary, within the Rural Exception No. 12 (RU-12) Zone, the following provisions shall apply:

- i. Minimum lot area 7.67 ha (18.94 ac.)
- ii. Minimum lot frontage 67.1 m (220.0 ft.)

All other requirements of this By-law shall apply to land zoned RU-12.

8.11.13 Rural Exception No. 13 (RU-13) Zone (Part of Lot 9, Concession 2)

Notwithstanding any provisions of this By-law to the contrary, within the Rural Exception No. 13 (RU-13) Zone, the following provisions shall apply:

- i. Minimum lot area 2.5 ha (6.17 ac.)
- ii. Minimum ground floor area for a single detached dwelling house with more than one storey 60.0 m² (645.8 sq. ft.)

All other requirements of this By-law shall apply to land zoned RU-13.

8.11.14 Rural Exception No. 14 (RU-14) Zone (Part of Lot 7, Concession 13) 2002-18

Notwithstanding any provisions of this By-law to the contrary, within the Rural Exception No. 14 (RU-14) Zone, the following provisions shall apply:

- i. Minimum lot area 11.91 ha (29.44 ac.)

All other requirements of this By-law shall apply to land zoned RU-14.

8.11.15 Rural Exception No. 15 (RU-15) Zone (Part of Lot 4, Concession 2) 2003-13

Notwithstanding any provisions of this By-law to the contrary, within the Rural Exception No. 15 (RU-15) Zone, the following provisions shall apply:

- i. Minimum lot area 7.08 ha (17.49 ac.)

All other requirements of this By-law shall apply to land zoned RU-15.

8.11.16 Rural Exception No. 16 (RU-16) Zone (Part of Lot 9, Concession 12) 2003-20

Notwithstanding any provisions of this By-law to the contrary, within the Rural Exception No. 16 (RU-16) Zone, the following provisions shall apply:

- i. Minimum lot frontage 25.60 m. (84 ft.)
- ii. That the existing barn is to be used for storage only and the use excludes livestock.

All other requirements of this By-law shall apply to land zoned RU-16.

8.11.17 Rural Exception No. 17 (RU-17) Zone (Part of Lot 3, Concession 14) 2004-08

Notwithstanding any provisions of this By-law to the contrary, within the Rural Exception No. 17 (RU-17) Zone, the following provisions shall apply:

- i. The permitted use shall include:
 - a) Sawmill and/or planing mill without residential use.

All other requirements of this By-law shall apply to land zoned RU-17.

8.11.18 – Unassigned

8.11.19 Rural Exception No. 19 (RU-19) Zone (Part of Lot 14, Concession 2) 2004-26

Notwithstanding any provisions of this By-law to the contrary, within the Rural Exception No. 19 (RU-19) Zone, the following provisions shall apply:

- i. Minimum lot area 10.48 ha (25.91 ac.)

All other requirements of this By-law shall apply to land zoned RU-19.

8.11.20 Rural Exception No. 20 (RU-20) Zone (Part of Lot s 6 & 7, Concession 7) 2004-31

Notwithstanding any provisions of this By-law to the contrary, within the Rural Exception No. 20 (RU-20) Zone, the following provisions shall apply:

- i. Minimum lot area 9.31 ha (23 ac.)
- ii. That the use of the existing barn is to exclude livestock.

All other requirements of this By-law shall apply to land zoned RU-20.

8.11.21 Rural Exception No. 21 (RU-21) Zone (Part of Lot 3, Concession 14) 2005-24

Notwithstanding any provisions of this By-law to the contrary, within the Rural Exception No. 21 (RU-21) Zone, the following provisions shall apply:

- i. Minimum lot area 8.5 ha (21 ac.)

All other requirements of this By-law shall apply to land zoned RU-21.

8.11.22 Rural Exception No. 22 (RU-22) Zone (Part Lot 9, Concession 6) 2005-29

Notwithstanding any provisions of this By-law to the contrary, within the Rural Exception No. 22 (RU-22) Zone, the following provisions shall apply:

- i. Minimum lot frontage 120.0 m (394 ft.)

All other requirements of this By-law shall apply to land zoned RU-22.

8.11.23 Rural Exception No. 23 (RU-23) Zone (Part Lot 3, Concession 14) 2006-28

Notwithstanding any provisions of this By-law to the contrary, within the Rural Exception No. 23 (RU-23) Zone, the following provisions shall apply:

- i. Minimum lot frontage 104.14 m (341.68 ft.)

All other requirements of this By-law shall apply to land zoned RU-23.

8.11.24 Rural Exception No. 24 (RU-24) Zone (Part Lot 8, Concession 3) 2007-19

Notwithstanding the permitted uses and regulations for the Rural (RU) Zone to the contrary, within the Rural Exception No. 24 (RU-24) Zone, the following shall apply:

1. Permitted Uses

- i. A permitted residential use as defined by Subsection 8.1.1 may be located no closer than 150m to an M3 or M3-d Zone.

All other requirements of this By-law shall apply to land zoned RU-24.

8.11.25 Rural Exception No. 25 (RU-25) Zone (Part Lot 14, Concession 1) 2008-15

Notwithstanding the permitted uses and regulations for the Rural (RU) Zone to the contrary, within the Rural Exception No. 25 (RU-25) Zone, the following shall apply:

- i. Minimum Lot Area 11.7 ha (28.94 acres)

All other requirements of this By-law shall apply to land zoned RU-25.

8.11.26 Rural Exception No. 26 (RU-26) Zone (Part Lot 6, Concession 7) 2008-23

Notwithstanding the permitted uses and regulations for the Rural (RU) Zone to the contrary, within the Rural Exception No. 26 (RU-26) Zone, the following shall apply:

- i. Minimum Lot Area 6.4 ha (15.92 acres)

All other requirements of this By-law shall apply to land zoned RU-26.

8.11.27 Rural Exception No. 27 (RU-27) Zone (Part Lot 4, Concession 7) 2008-28

Notwithstanding the permitted uses and regulations for the Rural (RU) Zone to the contrary, within the Rural Exception No. 27 (RU-27) Zone, the following shall apply:

1. Permitted Uses

- i. Minimum Lot Area 8.094 ha (20 acres)
ii. Minimum Lot Frontage 60.96m (200 ft.)

All other requirements of this By-law shall apply to land zoned RU-27.

8.11.28 Rural Exception No. 28 (RU-28) Zone (Part Lot 11, Concession 7) 2008-32

Notwithstanding the permitted uses and regulations for the Rural (RU) Zone to the contrary, within the Rural Exception No. 28 (RU-28) Zone, the following shall apply:

- i. Minimum Lot Frontage 87.78m (288 ft.)

All other requirements of this By-law shall apply to land zoned RU-28.

8.11.29 Rural Exception No. 29 (RU-29) Zone (Part of Lot 4, Concession 14) 2009-10

Notwithstanding the permitted uses and regulations for the Rural (RU) Zone to the contrary, within the Rural Exception No. 29 (RU-29) Zone, the following shall apply:

- i. Minimum Lot Area 12.13ha (29.97 acres)

All other requirements of this By-law shall apply to land zoned RU-29.

8.11.30 Rural Exception No. 30 (RU-30) (Con 7 Pt Lot 7 RP;21R15221 Part 7) 2009-34, 2022-36

Notwithstanding the permitted uses and regulations for the Rural (RU) Zone to the contrary, within the Rural Exception No. 30 (RU-30) Zone, the following shall apply:

- i. Minimum lot area 4.16 ha (10.3 ac.)
- ii. Minimum lot frontage 84.1 m (276.0 ft.)

8.11.31 Rural Exception No. 31 (RU-31) Zone (Lot 20, Concession 1) 2010-08

Notwithstanding the permitted uses and regulations for the Rural (RU) Zone to the contrary, within the Rural Exception No. 31 (RU-31) Zone, the following shall apply:

1. Permitted Uses

- i. Principal structures shall be located a minimum setback of 400 feet from the nearest street line defining the right-of-way of Gray Road.
- ii. Accessory structures shall be located a distance equal to or more than 400 feet from the nearest street line defining the right-of-way of Gray Road.

All other requirements of this By-law shall apply to land zoned RU-31.

8.11.32 Rural Exception No. 32 (RU-32) Zone (Pt. Lot 9, Con. 9) 2010-26, 2022-36

Notwithstanding the permitted uses and regulations for the Rural (RU) Zone to the contrary, within the Rural Exception No. 32 (RU-32) Zone, the following shall apply:

- i. Minimum Lot Frontage 101 m (331.6 ft.)

All other requirements of this By-law shall apply to land zoned RU-32.

8.11.33 Rural Exception No. 33 (RU-33) Zone (Pt. Lot 3, Con. 2) 2012-05

Notwithstanding the permitted uses and regulations for the Rural (RU) Zone to the contrary, within the Rural Exception No. 32 (RU-32) Zone, the following shall apply:

- i. Only non-livestock structure shall be permitted.

All other requirements of the By-law shall apply to land zoned RU-33.

8.11.34 Rural Exception No. 34 (RU-34) Zone (Pt. Lot 3, Con. 2) 2012-05

Notwithstanding the permitted uses and regulations for the Rural (RU) Zone to the contrary, within the Rural Exception No. 34 (RU-34) Zone the following shall apply:

For a portion of this parcel further described as an area of approx. 224.2m x 190.6m and being approx. 4.4 ha

- i. Only non-livestock structures shall be permitted.
- ii. That a maximum of one dwelling unit shall be permitted for the parcel subject to the Rural Exception No. 34 (RU-34) Zone and the Agriculture Zone Exception No. 16 (A-16) as established above.
- iii. That a rural-based business shall be permitted in the accessory structure subject to;
 - a. That the maximum floor area of an accessory building as per Section 14.16.2 of Zone By-law 2002-10 shall be 298 square meters.
 - b. That the minimum lot area shall be 9.42 ha.

All other requirements of the By-law shall apply to land zoned RU-34.

8.11.35 Rural Exception No. 35 (RU-35) Zone (Pt. Lot 7, Con 10.) 2011-16, 2012-29, 2022-36

Notwithstanding the permitted uses and regulations for the Rural (RU) Zone to the contrary, within the Rural Exception No. 35 (RU-35) Zone the following shall apply:

- i. Minimum Lot Area 9.51 ha (23.52 ac).

All other requirements of the By-law shall apply to land zoned RU-37.

8.11.36 Rural Exception No. 36 (RU-36) Zone (not used)

8.11.37 Rural Exception No. 37 (RU-37) Zone (Pt. Lot 19, Con. 2) 2013-18

Notwithstanding the permitted uses and regulations for the Rural (RU) Zone to the contrary, within the Rural Exception No. 37 (RU-37) Zone the following shall apply:

- ii. Minimum Lot Area 9.8 ha (24.2 ac).

All other requirements of the By-law shall apply to land zoned RU-37.

8.11.38 Rural Exception No. 38 (RU-38) Zone, rezoned under By-law 2017-58 from RU-38 to RR

8.11.39 Rural Exception No. 39 (RU-39) Zone (Pt. Lot 16, Con,1) 2013-41

Notwithstanding the permitted uses and regulations for the Rural (RU) Zone to the contrary, within the Rural Exception No. 39 (RU-39) Zone the following shall apply:

- i. Minimum Lot Frontage 91m (300 ft.)

All other requirements of the By-law shall apply to land zoned RU-39.

8.11.40 Rural Exception No. 40 (RU-40) Zone (Pt. Lot 16, Con.1) 2013-41

Notwithstanding the permitted uses and regulations for the Rural (RU) Zone to the contrary, within the Rural Exception No. 40 (RU-40) Zone the following shall apply:

- i. Minimum Lot Frontage 61m (210 ft.)

All other requirements of the By-law shall apply to land zoned RU-40.

8.11.41 Rural Exception No. 41 (RU-41) Zone (Pt. Lot 11, Con. 5) 2014-10

Notwithstanding the permitted uses and regulations for the Rural (RU) Zone to the contrary, within the Rural Exception No. 41 (RU-41) Zone the following shall apply:

- i. Minimum Lot Area 11.79 ha (29 ac.)

All other requirements of the By-law shall apply to land zoned RU-41.

8.11.42 Rural Exception No. 42 (RU-42) Zone (Pt. Lot 10, Con. 1) 2014-41

Notwithstanding the permitted uses and regulations for the Rural (RU) Zone to the contrary, within the Rural Exception No. 42 (RU-42) Zone the following shall apply:

- i. Minimum Lot Area 15.4 ha (38 ac.)
- ii. Minimum Lot Frontage *existing*

All other requirements of the By-law shall apply to land zoned RU-42.

8.11.43 Rural Exception No. 43 (RU-43) Zone (Pt. Lot 10, Con. 1) 2014-41

Notwithstanding the permitted uses and regulations for the Rural (RU) Zone to the contrary, within the Rural Exception No. 43 (RU-43) Zone the following shall apply:

- i. Minimum Lot Area 15.4 ha (38 ac.)
- ii. Minimum Lot Frontage *existing*

All other requirements of the By-law shall apply to land zoned RU-43.

8.11.44 Rural Exception No. 44 (RU-44) Pt. Lot 7, Con. 4 (2015-23)

Notwithstanding any provisions of this bylaw to the contrary, within the Rural Exception No. 44 (RU-44) Zone the following provisions shall apply:

- a) The permitted uses shall be uses permitted under the Rural (RU) Zone;
- b) Notwithstanding Section 4.29.2 ii.) of the Comprehensive Zoning By-law 200-10, a residential use is permitted within 300 metres of lands zoned the M3 zone or the M3-d zone.
- c) Notwithstanding 8.11.44 a), uses are prohibited within 120 metres of the Environmentally Sensitive (ES) Zone until such time that an Environmental Impact Statement has been accepted by Council in consultation with Lower Trent Conservation Authority; and
- d) All other requirements of the RU Zone of this By-law shall apply to land zoned RU-44.

8.11.45 Rural Exception No. 45 (RU-45) Pt. Lot 7, Con. 4 (2015-23)

Notwithstanding any provisions of this bylaw to the contrary, within the Rural Exception No. 44 (RU-44) Zone the following provisions shall apply:

- a) The permitted uses shall be uses permitted under the Rural (RU) Zone;
- b) Notwithstanding Section 4.29.2 ii) of the Comprehensive Zoning By-law 2002-10, a residential use is permitted within 300 metres of lands zoned the M3 Zone or the M3-d Zone.
- c) All other requirements of the RU Zone of this By-law shall apply to land zoned RU-45.

8.11.46 Rural Exception No. 46 (RU-46) Pt. Lot 17, Con. 5 (2015-47)

Notwithstanding the permitted uses and regulations for the Rural (RU) Zone to the contrary, within the Rural Exception No. 46 (RU-46) Zone the following shall apply:

- i. Minimum Lot Frontage 300 m

All other requirements of the By-law shall apply to land zoned RU-46.

8.11.47 Rural Exception No. 47 (RU-47) (by-law did not pass)

8.11.48 Rural Exception No. 48 (RU-48) Pt. Lots. 3 & 4, Con. 7, Huntingdon (2016-64)

Notwithstanding any provision of By-law No. 2002-10 as amended to the contrary, on the lands zoned RU-48, the following provisions shall apply:

- i. Minimum Lot Area 8 ha (20 ac)
- ii. Minimum Rear Yard for an existing accessory building 1.8 m (6 ft.)

All other provisions of the RU Zone and By-law No. 2002-10, as amended, shall apply to the lands zoned RU-48.

8.11.49 Rural Exception No. 49 (RU-49) Santos OMB (2010-28)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Exception No. 49 (RU-49) Zone the following shall apply:

- i. A single detached dwelling shall be a permitted residential use PROVIDED THAT an updated Environmental Impact Study addressing the location and impact, if any, of any proposed building or structure must be submitted to and approved by the Lower Trent Conservation prior to the issuance of a building permit for any building or structure;
- ii. The permitted non-residential uses shall be limited to the following:
 - a. Conservation; and
 - b. Forestry.
- iii. Minimum Lot Frontage: the minimum lot frontage shall be the lot frontage as it existed on October 27, 2010.
- iv. Access to the RU-49-h zone shall be from an improved, maintained year-round road(s) in accordance with the Road Development and Maintenance Agreement executed and registered on title of the lands.
- v. Vehicular and pedestrian access through the RU-49 zone to the RE-1 Zone shall be permitted subject to the written prior approval of the Lower Trent Conservation.
- vi. With respect to the lands shown on Schedule "1" hereto being rezoned to RU-49-h (Rural Exception No. 49 Holding), a bylaw shall not be enacted to remove the "Holding" (-h) symbol until such time as:
 - a. A Road Development and Maintenance Agreement has been executed and registered on title of the Subject Lands. The Agreement shall address, among other things: the construction/improvement of the municipally owned road allowances including the northerly extension of Moreland Lake Lane and Slab Street from Moreland Lake Lane easterly to and across the frontage of the Subject Lands being a length of approximately 2,300 feet to a year-round standard to the satisfaction of both the Municipality of Centre Hastings and the Lower Trent Conservation (in accordance with applicable Ontario Provincial Standards Drawings and Lower Trent Conservation requirements); the provision of security satisfactory to Municipality of Centre Hastings to guarantee the satisfactory completion of the said road work and for 1 year after completion of such road work (the warranty period); timelines for commencing and completing of the aforesaid road work acceptable to the Municipality of Centre Hastings;

- b. Prior to the removal of the “Holding” (-h) symbol, no person shall erect any building or structure for any purpose within the lands zoned RU-49-h (Rural Exception No. 49 Holding) and the only permitted uses shall be Conservation and Forestry.
- vii. Upon removal of the “Holding” (-h) symbol by Council, the uses and zone provisions of the RU-49 Zone shall apply and all other requirements of this By-law shall apply to land zoned RU-49.

8.11.50 Rural Exception No. 50 (RU-50) Zone, Pt. Lot 18, Con. 10 (2018-34)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Exception No. 50 (RU-50) Zone the following shall apply:

- i. Development shall not be permitted within 120 metres of the Provincially Significant Wetland.

All other requirements of the RU Zone and this By-law shall apply to lands zoned RU-50

8.11.51 Rural Exception No. 51 (RU-51) Zone (Pt. of Lt. 19 and Lt 20, Con. 11) (2018-81)

Notwithstanding any provision of By-law No. 2002-10, as amended, to the contrary, on the lands zoned the Rural Exception No. 51 (RU-51) Zone, the following special provisions shall apply:

- i. Minimum Front Yard 50 m (164 ft.)

All other provisions of the Rural (RU) Zone and By-law No. 2002-10, as amended, shall apply to the lands zoned the RU-51 Zone.”

8.11.52 Rural Exception No. 52 (RU-52) Zone, (Pt. Lot 1, Con. 5) (2018-94)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Exception No. 52 (RU-52) Zone the following shall apply:

- i. The permitted uses shall be limited to:
 - a) an existing sawmill;
 - b) residential uses;
 - c) farm produce retail outlet;
 - d) conservation.
- ii. Lot area (minimum) 2.6 hectares (6.5 acres)
- iii. The minimum setback of a sawmill to a residential building or zone shall be as existing on the date of passing of this by-law.

All other provisions of the Rural (RU) Zone and By-law No. 2002-10, as amended, shall apply to the lands zoned the RU-52 Zone.”

8.11.53 Rural Exception No. 53 (RU-53) Zone, (Part of Lot 15, Concession 6) (2019-44)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Exception No. 53 (RU-53) Zone the following shall apply:

- i. The minimum lot size to permit a hunt camp shall be 39 hectares (96.3 acres)

All other requirements of the RU Zone and this By-law shall apply to lands zoned RU-53.

8.11.54 Rural Exception No. 54 (RU-54) Zone, (Part of Lot 4 & 5, Concession 7) (2019-33)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Exception No. 54 (RU-54) Zone the following shall apply:

- ii. The minimum lot size shall be 11.38 hectares (28.11 acres)

All other requirements of the RU Zone and this By-law shall apply to lands zoned RU-54.

8.11.55 Rural Exception No. 55 (RU-55) Zone, (Part of Lot 19, Concession 1) (2019-47)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Exception No. 55 (RU-55) Zone the following shall apply:

- i. The minimum lot frontage shall be 54.86 metres (180 feet)

All other requirements of the RU Zone and this By-law shall apply to lands zoned RU-55.

8.11.56 Rural Exception No. 56 (RU-56) Zone (application withdrawn)

8.11.57 Rural Exception No. 57 (RU-57) Zone, (Part of Lot 9, Concession 7) (2021-23)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Exception No. 57 (RU-57) Zone the following shall apply:

- i. The minimum setback to a lot zoned Restricted Industrial (M3) Zone shall be 23.6 metres

All other requirements of the Rural (RU) Zone and this By-law shall apply to lands zoned RU-57

8.11.58 Rural Exception No. 58 (RU-58) Zone, (Pt Lot 2 Concession 2) (2021-63)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Exception No. 58 (RU-58) Zone the following shall apply:

- i. The minimum lot size is 9.7 hectares (24.0 acres).

All other requirements of the Rural (RU) Zone and this By-law shall apply to lands zoned RU-58."

8.11.59 Rural Exception No. 59 (RU-59) Zone, (Pt Lot 5 Concession 7) (2022-30)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Exception No. 59 (RU-59) Zone the following shall apply:

- i. An accessory unit in an ancillary building shall be permitted.

All other requirements of the Rural (RU) Zone and this By-law shall apply to lands zoned RU-59."

8.11.60 Rural Exception No. 60 (RU-60) Zone, (Pt Lot 6 Concession 13) (2022-34)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Exception No. 60 (RU-60) Zone the following shall apply:

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Zoning By-law No. 2002-10
May 13, 2002

- i. An accessory unit in an ancillary building shall be permitted
- ii. The maximum height of an accessory building shall be 5.44 metres (17.83 feet).

All other requirements of the Rural (RU) Zone and this By-law shall apply to lands zoned RU-60.”

8.11.61 Rural Exception No. 61 (RU-61) Zone, (Pt Lot 13 Concession 11) (2022-52)

Notwithstanding any other provisions of this By-law to the contrary, within Rural Exception No. 61 (RU-61) Zone the following shall apply:

- i. An accessory building that exists at the time of the passing of this bylaw that is not related to a primary use shall be permitted

All other requirements of the Rural (RU) Zone and this By-law shall apply to lands zoned RU-61.”

SECTION 9 RESIDENTIAL TYPE 1 (R1) ZONE

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

9.1 PERMITTED USES

9.1.1 Residential Uses

- a) single detached dwelling house
- b) existing converted dwelling house
- c) group home
- d) home business
- e) bed and breakfast establishment
- f) private home daycare in a single detached dwelling only

9.1.2 Non-Residential Uses

- a) public uses or municipal utilities in accordance with the provisions of Section 4.24 of this By-law.
- b) existing place of worship.

9.1.3 Accessory Uses

Uses, buildings or structures accessory to any of the foregoing permitted uses specified under 5.1.1.1 or 5.1.1.2 hereof and in accordance with the provisions of 4.1 as set forth in this By-law.

9.2 REGULATIONS FOR RESIDENTIAL USES

9.2.1 Minimum Lot Area

- a) public water and sewage disposal 510 m² (5,500 sq. ft.)
- b) public water supply and private sewage disposal 1100 m²(12,000 sq. ft.)
- c) private water supply and sewage disposal 4000 m² (43,057.05 sq. ft.)

9.2.2 Minimum Lot Frontage

- a) public water and sewage disposal
 - 1. interior lot 15 m (50 ft.)
 - 2. corner lot 18.0 m (60 ft.)
- b) public water supply and private sewage disposal 36.0 m (120 ft.)
- c) private water supply and sewage disposal 46.0 m (150 ft.)

9.2.3 Minimum Yard Requirements

- a) front and rear yard depths 6.0 m (20 ft.)
- b) exterior side yard width 6.0 m (20 ft.)
- c) interior side yard width 2.0 m (6.56 ft.)

9.2.4 Minimum Dwelling Unit Area Requirement

- a) for dwellings with a full basement 62 m² (670 sq. ft.)
- b) for dwellings with no basement 91 m² (980 sq. ft.)

9.2.5 Maximum Lot Coverage of All Buildings 25 Percent

9.2.6 Minimum Setback from Street Centreline

a)	Provincial Highway	24 m (79 ft.)
b)	Municipal Road/Connecting Link	16 m (52.5 ft.)
9.2.7	Minimum Landscaped Open Space Requirement	30 percent
9.2.8	Maximum Number of Dwelling Houses Per Lot	One
9.2.9	Maximum Number of Dwelling Units per Lot	One
9.2.10	Maximum Height of Buildings	11 m (36 ft.)

9.3 REGULATIONS FOR NON-RESIDENTIAL USES

Regulations for single detached dwelling houses as set out in 9.2 shall apply to non-residential uses, excluding 9.2.1, 9.2.2 and 9.2.4

9.4 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Residential Type 1 (R1) Zone shall apply.

9.5 EXCEPTION ZONE PROVISIONS – RESIDENTIAL TYPE 1 (R1) ZONE

9.5.1 Residential Type 1 Exception No. 1 (R1-1) Zone

Lots 28, 29, 30 and 31 Plan 193 on the south side of Wishart Street, in the former Village of Madoc may be developed as one single detached dwelling lot with private water supply and sewage disposal facilities and a frontage of 6.1 m (20 feet) on a public road pending the extension of full municipal services. All other requirements of this By-law shall apply to land zoned R1-1.

9.5.2 Residential Type 1 Exception No. 2 (R1-2) Zone

Lots 8, 9, 10, 11 and 12, Plan 197 on the north side of Dufferin Street, in the former Village of Madoc may be developed as one single detached dwelling lot; notwithstanding the minimum lot area requirement for development on private water supply and sewage disposal, as set out in Subsection 9.2.1 c), within the Residential Type 1 Exception No. 2 (R1-2) Zone, the minimum lot area shall be 3920 m² (42,200 sq. ft.). All other requirements of this By-law shall apply to land zoned R1-2.

9.5.3 Residential Type 1 Exception No. 3 (R1-3) Zone, Plan 270, Lots 10 & 11 N of Mckenzie Plan 104 Lots 10 & 11 S of Elgin

Notwithstanding Section 4.4.1, of this By-law to the contrary, within the Residential Type 1 Exception No. 3 (R1-3) Zone, a bed and breakfast shall be permitted to have a maximum of six (6) guest rooms. All other requirements of this By-law shall apply to land zoned R1-3.

9.5.4 Residential Type 1 Exception No. 4 (R1-4) Zone – Dufferin Street, Plan 197 Lots 13 to 15

Notwithstanding the minimum lot area requirements of the Residential Type 1 (R1) Zone to the contrary, within the Residential Type 1 Exception No. 4 (R1-4) Zone, the following minimum lot area requirements shall apply.

Parcel 1	3,136 m ²
Parcel 2	3,943 m ²
Parcel 3	2,459 m ²

In addition, Lot 3, Plan 197, shall hereinafter remain as a vacant lot.

All other requirements of this By-law shall apply to land zoned R1-4.

9.5.5 Residential Type 1 Exception No. 5 (R1-5) Zone, 91 Concession Road

Notwithstanding any provisions of this By-law to the contrary, within the Residential Type 1 Exception No. 5 (R1-5) Zone, the following provisions shall apply:

- | | | |
|-----|--|------------------|
| i. | Minimum side yard | 1.98 m (6.5 ft.) |
| ii. | Minimum side yard for accessory building | 0.64 m (2.0 ft.) |

All other requirements of this By-law shall apply to land zoned R1-5.

9.5.6 Residential Type 1 Exception No. 6 (R1-6) Zone, 59 Durham Road N (2006-26)

Notwithstanding any provisions of this By-law to the contrary, within the Residential Type 1 Exception No. 6 (R1-6) Zone, the following provisions shall apply:

- | | | |
|------|--|--------------------|
| i. | Minimum Lot Area | 350m (3771 Sq. ft) |
| ii. | Minimum Lot Frontage | 12.3m (40.5 ft) |
| iii. | Minimum Front Yard | 1.46m (4.8 ft) |
| iv. | Minimum Interior (north) Side Yard | 0.57m (1.9 ft) |
| v. | Minimum Interior (south) Side Yard | 0.54m (1.8 ft) |
| vi. | Minimum Setback from Street Centerline | 11.52m (37.5 ft) |
| vii. | Maximum Lot Coverage | 45% |

All other requirements of this By-law shall apply to land zoned R1-6.

9.5.7 Residential Type 1 Exception No. 7 (R1-7) Zone, Bonter Subdivision (2015-35)

Notwithstanding any provisions of this By-law to the contrary, within the Residential Type 1 Exception No. 7 (R1-7) Zone, the following provisions shall apply:

- i. The permitted uses shall be uses permitted under Section 9.1.1 of the Comprehensive Zoning By-law No. 2002-10 of the Residential First Density (R1) Zone;
- ii. The permitted minimum frontages and areas shall be the lesser of those shown on the Ainley Draft approved plan of subdivision dated November 28, 2013 or the provisions of Section 9.1.1 and 9.1.2 of the Comprehensive Zoning By-law No. 2002-10, as amended;
- iii. Notwithstanding 9.5.7 a), uses of Sections 9.1.1 and 9.1.2 are permitted only upon the removal by by-law of the “h” Holding Symbol, eligible after the owner has satisfactorily addressed conditions of the draft approval to County Subdivision File No. 12T86012, AS MODIFIED and has entered into a Subdivision Agreement with the Municipality of Centre Hastings.

9.5.8 Residential Type 1 Exception No. 8 (R1-8) Zone, Bonter Subdivision (2015-35)

Notwithstanding any provisions of this By-law to the contrary, within the Residential Type 1 Exception No. 8 (R1-8) Zone, the following provisions shall apply:

- i. The permitted uses and regulatory provisions shall be those under Section 9.1 and 9.2 of the Comprehensive Zoning By-law No. 2002-10 of the Residential First Density (R1) Zone;
- ii. Notwithstanding 9.5.8 a) above, the established existing home shall be permitted and the established yards in relation to the lot lines of Lot 6 and the existing home shall be permitted.

SECTION 10 RESIDENTIAL TYPE 2 (R2) ZONE

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

10.1 PERMITTED USES

10.1.1 Residential Uses

- a) all uses permitted in the Residential Type 1 (R1) Zone
- b) semi-detached dwelling house
- c) duplex dwelling house
- d) a converted house with a maximum of two dwelling units

10.1.2 Non-Residential Uses

- a) public uses or municipal utilities in accordance with the provisions of Section 4.25 of this By-law.
- b) existing place of worship.

10.1.3 Accessory Uses

Uses, buildings or structures accessory to any of the foregoing permitted uses specified under 10.1.1 or 10.1.2 hereof and in accordance with the provisions of 4.1 as set forth in this By-law.

10.2 REGULATIONS FOR RESIDENTIAL USES PERMITTED IN THE RESIDENTIAL TYPE 1 (R1) ZONE

All regulations for residential uses permitted in the Residential Type 1 (R1) Zone as set out in Section 9 of this By-law shall also apply to these uses within the Residential Type 2 (R2) Zone.

10.3 REGULATIONS FOR SEMI-DETACHED DWELLING HOUSES

10.3.1 Minimum Lot Area 325 m² (3,500 sq. ft.) per dwelling unit subject to 10.7 of this By-law.

10.3.2 Minimum Lot Frontage 9.0 m (30 ft.) per dwelling unit

10.3.3 Minimum Yard Requirements

- a) front yard depth 6.0 m (20 ft.)
- b) exterior side yard width 6.0 m (20 ft.)
- c) interior side yard width
 - i. non-attached side 2.0 m (6.5 ft.)
 - ii. attached side 0 m
- d) rear yard depth 6.0 m (20 ft.)

10.4 REGULATIONS FOR DUPLEX DWELLING HOUSES

10.4.1 Minimum Lot Area 650 m² (7,000 sq. ft.) subject to Section 10.7 of this By-law.

10.4.2 Minimum Lot Frontage 18 m (60 ft.)

10.4.3 Minimum Yard Requirements

a)	front yard depth	6.0 m (20 ft.)
b)	exterior side yard width	6.0 m (20 ft.)
c)	interior side yard width	2.0 m (6.5 ft.)
d)	rear yard depth	6.0 m (20 ft.)

10.5 REGULATIONS FOR PERMITTED CONVERTED DWELLING HOUSES

Regulations for duplex dwelling houses shall apply to converted dwelling houses which are permitted in 10.1.1 (d) above.

10.6 REGULATIONS FOR SEMI-DETACHED, DUPLEX AND PERMITTED CONVERTED DWELLING HOUSES

10.6.1 Minimum Dwelling Unit Area Requirement 83 m² (900 sq. ft.)

10.6.2 Maximum Lot Coverage of All Buildings 30 percent

10.6.3 Minimum Setback from Street Centreline

a)	Provincial Highway	24 m (80 ft.)
b)	Municipal Road/Connecting Link	16 m (52.5 ft.)

10.6.4 Minimum Landscaped Open Space Requirement 30 percent

10.6.5 Maximum Number of Dwelling Houses Per Lot One

10.6.6 Maximum Number of Dwelling Units Per Lot

a)	semi-detached dwelling house	One
b)	duplex dwelling house	Two

10.6.7 Maximum Height of Building 11 m (36 ft.)

10.7 SPECIAL REGULATION ON MAXIMUM ALLOWABLE DENSITY FOR CERTAIN SEMI-DETACHED AND DUPLEX DWELLING HOUSES

In areas designated “Low Density” in the Official Plan not more than 25% of the number of dwelling units in any plan of subdivision shall be semi-detached or duplex dwelling units and in all other cases the number of dwelling units located in semi-detached and duplex dwelling houses shall not exceed a density of two per 4,000 m² (43,000 sq. ft.) of gross area to be developed and the maximum residential density shall be not more than 8.0 dwelling units per net of 4,000 m² of area.

10.8 SERVICE REQUIREMENT

All permitted residential uses, other than single detached dwelling houses and existing uses, shall be located on lots having public water and sanitary sewer facilities.

10.9 REGULATIONS FOR NON-RESIDENTIAL USES

Regulations for single detached dwelling houses as set out in 9.2 shall apply to non-residential uses, excluding 9.2.1, 9.2.2 and 9.2.4.

10.10 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Residential Type 2 (R2) Zone shall apply.

10.11 LOADING AND PARKING PROVISIONS

All provisions of Section 5, Loading and Parking Provisions, of this By-law, where applicable to the use of any land, building or structure permitted within the Residential Type 2 (R2) shall apply.

10.12 EXCEPTION ZONE PROVISIONS-RESIDENTIAL TYPE 2 (R2) ZONE

10.12.1 Residential Type 2 Exception No. 1 (R2-1) Zone, 293 St. Lawrence St E, Plan 105 Pt Blk 49

Notwithstanding any other provisions of this By-law to the contrary, within the Residential Type 2 Exception No. 1 (R2-1) Zone, the following shall apply

- | | | |
|----|----------------------------------|----------------|
| a) | minimum side yard width | 3.0 m (10 ft.) |
| b) | minimum setback from Park Street | 0 m |

All other requirements of this By-law shall apply to land zoned R2-1.

10.12.2 Residential Type 2 Exception No. 2 (R2-2) Zone, 15 Victoria St, Plan 104 N Pt Lot 9 RP;21R16228 PARTS 1,2 & 3

Notwithstanding any other provisions of this By-law to the contrary, within the Residential Type 2 Exception No. 2 (R2-2) the minimum yard setbacks and lot coverage requirements shall be as they exist on the date of the passing of this By-law. All other requirements of this By-law shall apply to land zoned R2-2.

All other requirements of this By-law shall apply to land zoned R2-2.

10.12.3 Residential Type 2 Exception No. 3 (R2-3) Zone, 44 Wellington Crt, Plan 105 Pt lot 4 & Pt lots 5 & 6 RP 21R15516, part 1

Notwithstanding any other provisions of this By-law to the contrary, within the Residential Type 2 Exception No. 3 (R2-3) the following shall apply:

- | | | |
|-----|--|------------------|
| i. | Minimum lot area | 2.2 ha (5.4 ac.) |
| ii. | Lands within the Environmental Protection (EP) Zone, on the same lot may be included in the calculation of lot area. | |

All other requirements of this By-law shall apply to land zoned R2-3.

10.12.4 Residential Type 2 Exception No. 4 (R2-4) 14118 Highway 62, Zone Replaced by ByLaw 2015-22(Now zoned C2-6)

Notwithstanding any other provisions of this By-law to the contrary, within the Residential Type 2 Exception No. 4 (R2-4) the following shall apply:

- | | | |
|-----|-----------------------------------|--------------------|
| i. | Minimum lot area | 0.67 ha (1.67 ac.) |
| ii. | Minimum exterior (west) side yard | 20.0 m (66 ft.) |

All other requirements of this By-law shall apply to land zoned R2-4.

10.12.5 Residential Type 2 Exception No. 5 (R2-5) Zone, 254 Elgin St, Plan 104 PT Reserve Lot 49; RP 21R15262 Part 3, 2005-09

Notwithstanding any other provisions of this By-law to the contrary, within the Residential Type 2 Exception No. 5 (R2-5) the following shall apply:

- i. Minimum rear yard depth 5.7 m (18.8 ft.)
- ii. Minimum dwelling unit area 81 m² (875 sq. ft.)

All other requirements of this By-law shall apply to land zoned R2-5.

10.12.6 Residential Type 2 Exception No. 6 (R2-6) Zone Part of Lot 27 & 28, Con. 13 R.P. 13

Notwithstanding any other provisions of this By-law to the contrary, within the Residential Type 2 Exception No. 6 (R2-6) the following shall apply:

- i. Minimum East Side Yard 1.31m (4.3 ft)

All other requirements of this By-law shall apply to land zoned R2-6.

10.12.7 Residential Type 2 Exception No. 7 (R2-7) Zone, Part of Lots 1 and 2 of RP 21R24012, Francis St, 2013-33

Notwithstanding any other provisions of this By-law to the contrary, within the Residential Type 2 Exception No. 7 (R2-7) the following shall apply:

- 1. Maximum Lot Coverage: 35%
- 2. Minimum Exterior Side Yard Width 1.25 m (4'11")

All other requirements of this By-law shall apply to land zoned R2-7.

10.12.8 Residential Type 2 Exception 8 (R2-8) Zone, 200 St. Lawrence St E, Plan 218, Pt Lot 36 RP 21R23579 Part 1. (2022-36)

Notwithstanding any other provisions of this By-law to the contrary, within the Residential Type 2 Exception 8 (R2-8) Zone the following shall apply:

- i. The required front yard and eastern side yard depths are as existing.

10.12.9 Residential Type 2 Exception 9 (R2-9) Zone, 200 St. Lawrence St E, Plan 218, Pt Lot 36 RP 21R23579 Part 2. (2022-36)

Notwithstanding any other provisions of this By-law to the contrary, within the Residential Type 2 Exception 8 (R2-8) Zone the following shall apply:

- i. The zone category is amended from R2-9 to R2, affecting lands legally described as Part of Lot 36, Plan 218, Part 2 on Registered Plan 21R-2357.

10.12.10 Residential Type 2 Exception No. 10 (R2-10) Zone (Lots 25 and 26, Plan 270) (2016-47)

Notwithstanding any provision of By-law No. 2002-10, as amended, to the contrary, on the lands zoned the Residential Type 2- Exception No. 10 (R2 - 10) Zone, the following provisions shall apply:

- i. Maximum Rate of Building Lot Coverage: 35%

All other provisions of the Residential Type 2 (R2) Zone and By-law No. 2002-10, as amended, shall apply to the lands zoned Residential Type 2- Exception No. 10 (R2 - 10) Zone

10.12.11 Residential Type 2 Exception No. 11 (R2-11) Zone (Part 1, Lot K of Plan 218, 100 Seymour St) (2017-07)

Notwithstanding any other provisions of this By-law to the contrary, within the Residential Type 2 Exception No. 11 (R2-11) Zone the following shall apply:

- i. Residential Type One (R1) Uses shall be permitted on private water supply and sewage disposal with:
 - a. minimum lot area 3500 sq. metres
 - b. minimum lot frontage 38 metres

All other requirements of the R2 Zone and this By-law shall apply to lands zoned R2-11.

10.12.12 Residential Type 2 Exception No. 12 (R2-12) Zone, (Lot 1 on Plan 21M-284) (2021-13)

Notwithstanding any other provisions of this By-law to the contrary, within the Residential Type 2 Exception No. 12 (R2-12) Zone the following shall apply:

- i. The maximum permitted lot coverage of a semi-detached dwelling house shall be 43%

All other requirements of the Residential Type 2 (R2) Zone and this By-law shall apply to lands zoned R2-12.

10.12.13 Residential Type 2 Exception No. 13 -Holding (R2-13-h) Zone (Part of Lot 1, Concession 7, Part 1 on Registered Plan 21R-14769) (2022-10)

Notwithstanding any other provisions of this By-law to the contrary, within Residential Type 2 Exception No. 13 -Holding (R2-13-h) Zone the following shall apply:

- ii. The minimum required lot area is 488.7 square metres (5260.3 square feet);
- iii. The minimum required frontage for a corner lot is 16.9 metres (55.5 feet);
- iv. The minimum required exterior side yard is 3.0 metres (9.8 feet); and,
- v. The maximum permitted lot coverage is 35%.

All other requirements of the Residential Type 2 (R2) Zone and this By-law shall apply to lands zoned R2-13.”

“10.12.14 Residential Type 2 Exception 14 -Holding (R2-14-h) Zone, Plan 218 Pt Blk B Plan 281 Part Blk C.

Notwithstanding any other provisions of this By-law to the contrary, within the Residential Type 2 Exception 14 -Holding (R2-14-h) Zone the following shall apply:

- i. An Elopement Ceremony shall be a permitted use;
- ii. An Elopement Ceremony shall be defined as “a small wedding ceremony for a maximum of 16 people who do not inhabit the property, including, but not limited to, the wedding party, photographers, and support staff;
- iii. An Elopement Ceremony shall be permitted to operated only between the hours of 9am to 9pm;
- iv. A Gallery Opening shall be a permitted use;
- v. A Gallery Opening shall be defined as “A small gathering of no more than 16 people including the host for the purposes of displaying and selling artwork.”;
- vi. A Gallery Opening shall be permitted to operated only between the hours of 9am to 9pm; and,
- vii. An event related to an Elopement Ceremony event shall not occur concurrently with a Gallery Opening event.

All other requirements of the Residential Type 2 (R2) Zone and this By-law shall apply to lands zoned R2-14-h.”

SECTION 11 MEDIUM DENSITY RESIDENTIAL (R3) ZONE

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

11.1 PERMITTED USES

11.1.1 Residential Uses

- a) all uses permitted in the Residential Type 2 (R2) Zone
- b) triplex dwelling house
- c) fourplex dwelling house
- d) converted dwelling house
- e) boarding, lodging or rooming house

11.1.2 Non-Residential Uses

Public uses or municipal utilities in accordance with the provisions of Section 4.24 of this By-law.

11.1.3 Accessory Uses

Uses, buildings or structures accessory to any of the foregoing permitted uses specified under 11.1.1 or 11.1.2 hereof and in accordance with the provisions of 4.1 as set forth in this By-law.

11.2 REGULATIONS FOR RESIDENTIAL USES PERMITTED IN THE RESIDENTIAL TYPE 2 (R2) ZONE

All regulations for residential uses permitted in the Residential Type 2 (R2) Zone as set out in 10 of this By-law shall also apply to these uses within the Medium Density Residential (R3) Zone.

11.3 REGULATIONS FOR TRIPLEX DWELLING HOUSES AND CONVERTED DWELLING HOUSES WITH THREE DWELLING UNITS

11.3.1	Minimum Lot Area	740 m ² (7,965.55 sq. ft.)
11.3.2	Minimum Lot Frontage	21 m (68.89 ft.)
11.3.3	Minimum Dwelling Unit Area Triples Dwelling House	83 m ² (893.43 sq. ft.)
11.3.4	Minimum Floor Area Per Dwelling Unit	
	a) Bachelor Unit	37 m ² (400 sq. ft.)

- b) One Bedroom Unit 55 m² (600 sq. ft.)
- c) Each Additional Bedroom 10 m² (107 sq. ft.)

11.4 REGULATIONS FOR FOURPLEX DWELLING HOUSES AND CONVERTED DWELLING HOUSES WITH FOUR DWELLING UNITS

11.4.1 Minimum Lot Area 925 m² (10,000 sq. ft.)

11.4.2 Minimum Lot Frontage 27 m (90 ft.)

11.4.3 Minimum Dwelling Unit Area for a Fourplex Dwelling House 83 m² (900 sq. ft.)

11.4.4 Minimum Dwelling Unit Area for a Converted Dwelling House with Four Dwelling Units as set out in Section 11.3.4 of this By-law.

11.5 REGULATIONS FOR BOARDING, LODGING OR ROOMING HOUSES

11.5.1 Minimum Lot Area 925 m² (10,000 sq. ft.)

11.5.2 Minimum Lot Frontage 30 m (100 ft.)

11.5.3 Minimum Building Area for a Boarding Lodging or Rooming House 110 m² (1,200 sq. ft.)

11.5.4 Minimum Area per Guest Room in a Boarding, Lodging or Rooming House 23 m² (250 sq. ft.)

11.6 REGULATIONS FOR TRIPLEX, FOURPLEX, AND CONVERTED DWELLING HOUSES AND FOR BOARDING, LODGING OR ROOMING HOUSES

11.6.1 Minimum Yard Requirements

- a) front yard depth 6.0 m (20 ft.)
- b) exterior side yard width 6.0 m (20 ft.)
- c) interior side yard width 2.0 m (6.5 ft.)
- d) rear yard depth 6.0 m (20 ft.)

11.6.2 Maximum Lot Coverage of all Buildings 30 percent

11.6.3 Minimum Setback from Street Centreline

- a) Provincial Highway 24 m (79 ft.)
- b) Municipal Road/Connecting Link 16 m (52.5 ft.)

11.6.4 Maximum Landscaped Open Space Requirement 30 percent

11.6.5 Maximum Number of Dwelling Houses per Lot One

11.6.6 Maximum Number of Dwelling Units or Guest Rooms per Lot

- a) triplex dwelling house three
- b) fourplex dwelling house four

- | | | |
|----|------------------------------------|------|
| c) | converted dwelling house | four |
| d) | boarding, lodging or rooming house | four |

11.6.7 Maximum Height of Building 11 m (36 ft.)

11.6.8 Special Yard Provisions

Any single detached dwelling house containing not less than 110 m² (1,200 sq. ft.) of dwelling unit area, erected prior to the date of passing of this By-law and having a setback or one or more yards that is or are less than required under the provisions of this By-law for converted dwelling houses and boarding, lodging or rooming houses, may be altered to a converted dwelling house or a boarding, lodging or rooming house, provided that the setback or yards that are less than required are not further reduced.

11.7 SERVICE REQUIREMENT

All permitted residential uses, other single family dwelling houses and existing uses, shall be located on lots having public water and sanitary sewer facilities.

11.8 REGULATIONS FOR NON-RESIDENTIAL USES

Regulations for single detached dwelling houses as set out in 9.2 shall apply to non-residential uses, excluding 9.2.1, 9.2.2 and 9.2.4.

11.9 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, of this By-law where applicable to the use of any land, building, structure permitted within the Medium Density Residential (R3) Zone shall apply.

11.10 LOADING AND PARKING PROVISIONS

All provisions of Section 5, Loading and Parking Provisions, of this By-law, where applicable to the use of any land, building or structure permitted within the Medium Density Residential (R3) shall apply.

11.11 EXCEPTION ZONE PROVISIONS – MEDIUM DENSITY RESIDENTIAL (R3) ZONE

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SECTION 12 HIGH DENSITY RESIDENTIAL (R4) ZONE

No person shall within any High Density Residential (R4) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions.

12.1 PERMITTED USES

12.1.1 Residential Uses

- a) triplex dwelling house
- b) fourplex dwelling house
- c) converted dwelling house
- d) boarding, lodging or rooming house
- e) row dwelling house
- f) apartment dwelling house

12.1.2 Non-Residential Uses

Public uses or municipal utilities in accordance with the provisions of Section 4.24 of this By-law.

12.1.3 Accessory Uses

Uses, buildings or structures accessory to any of the foregoing permitted uses specified under 12.1.1 or 12.1.2 hereof and in accordance with the provisions of 4.1 as set forth in this By-law.

12.2 REGULATIONS FOR RESIDENTIAL USES PERMITTED IN THE HIGH DENSITY RESIDENTIAL (R4) ZONE

All regulations for residential uses permitted in the Medium Density Residential (R3) Zone as set out in Section 11 of this By-law shall also apply to these uses which are permitted within the High Density Residential (R4) Zone.

12.3 REGULATIONS FOR ROW DWELLING HOUSES

12.3.1 Minimum lot area: the minimum lot area shall be the sum of the areas required for each dwelling unit on the lot as follows:

- a) for each dwelling unit in the case where the dwelling unit has two walls attached to adjoining units 232 m² (2,497 sq. ft.)
- b) for each dwelling unit in the case where the dwelling unit has only one wall attached to an adjoining unit 278 m² (3,000 sq. ft.)

12.3.2 Minimum lot frontage requirements

- a) two attached common walls 6 m (20 ft.)
- b) one attached common walls 10.5 m (35 ft.)

12.3.3 Minimum Dwelling Unit Area 83 m² (900 sq. ft.)

12.3.4 Minimum Yard Requirements

- a) front yard depth 7.5 m (25 ft.)
- b) exterior side yard width 7.5 m (25 ft.)
- c) interior side yard width 4.5 m (15 ft.)

d) rear yard depth 10.5 m (35 ft.)

12.3.5 Maximum Lot Coverage of all Buildings 30 percent

12.3.6 Minimum Setback from Street Centreline

- a) Provincial Highway 25.5 m (84 ft.)
- b) Municipal Road 17.5 m (57.5 ft.)

12.3.7 Minimum Distance Between Dwelling Houses on Same Lot

Where two or more dwelling houses are erected on the same lot, the minimum distance between buildings shall not be less than the minimum distance which would be required if each building was on a separate lot and subject to the minimum yard requirements stated in 12.3.3 of this By-law.

12.3.8 Minimum Landscaped Open Space Requirement 30 percent

12.3.9 Maximum Height of Buildings 11 m (36.09 ft.)

12.4 REGULATIONS FOR APARTMENT DWELLING HOUSES

12.4.1 Minimum Lot Area Not Applicable

12.4.2 Minimum Lot Frontage 30 m (100 ft.)

12.4.3 Minimum Dwelling Unit Areas

- a) Bachelor Unit 37 m² (400 sq. ft.)
- b) One Bedroom Unit 55 m² (600 sq. ft.)
- c) Each Additional Bedroom 10 m² (107 sq. ft.)

12.4.4 Minimum Yard Requirements

- a) front yard depth 7.5 m (25 ft.)
- b) exterior side yard width 7.5 m (25 ft.)
- c) interior side yard width 4.5 m (15 ft.)
- d) rear yard depth 10.5 m (35 ft.)

12.4.5 Maximum Lot Coverage of all Buildings 30 percent

12.4.6 Minimum Setback from Street Centreline

- a) Provincial Highway 25.5 m (84 ft.)
- b) Municipal Road/Connecting Link 17.5 m (57.5 ft.)

12.4.7 Minimum Distance Between Dwelling Houses on Same Lot

Where two or more apartment dwelling houses are erected on the same lot, the minimum distance between buildings shall not be less than the minimum distance which would be required if each building was on a separate lot and subject to the minimum yard requirements stated in 12.4.4 of this By-law.

12.4.8 Minimum Landscaped Open Space Requirement 30 percent

12.4.9 Maximum Height of Building 11 m (36.09 ft.)

12.5 REGULATIONS FOR NON-RESIDENTIAL USES

Regulations for single detached dwelling houses as set out in 9.2 shall apply to non-residential uses, excluding 9.2.1, 9.2.2 and 9.2.4.

12.6 BUFFER STRIP REQUIREMENTS

Where the interior or exterior side lot line or rear lot line of a High Density Residential (R4) Zone abuts another residential zone of lower density, a strip adjoining such abutting lot line shall be used for no other purpose than planting in accordance with the requirements for buffer strips as set forth in 4.5 of this By-law.

12.7 SERVICE REQUIREMENT

All permitted residential uses, other than single detached dwelling houses and existing uses, shall be located on lots having public water and sanitary sewer facilities.

12.8 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the High Density Residential (R4) Zone shall apply.

12.9 LOADING AND PARKING PROVISIONS

All provisions of Section 5, Loading and Parking Provisions, of this By-law, where applicable to the use of any land, building or structure permitted within the High Density Residential (R4) Zone shall apply.

12.10 EXCEPTION ZONE PROVISIONS – HIGH DENSITY RESIDENTIAL (R4) ZONE

12.10.1 High Density Residential Exception No. 1 (R4-1) Zone, 33 & 35 Baldwin Street, Madoc

Notwithstanding any provisions of this By-law to the contrary, within the R4-1 Zone, the following provisions shall apply:

i.	Minimum lot area	1,900 m ² (20,452 sq. ft.)
ii.	Minimum lot frontage	38.0 m (124.6 ft.)
iii.	Maximum lot coverage, all buildings and structures	55 percent
iv.	Minimum open space requirement	12 percent
v.	Maximum number of dwelling units	14

All other requirements of this By-law shall apply to land zoned R4-1.

12.10.2 High Density Residential Exception No. 2 (R4-2) Zone, Russell Street, Madoc

Notwithstanding any provisions of this By-law to the contrary, within the R4-2 Zone, the following provisions shall apply:

i.	Minimum rear yard	4.57 m (15 ft.)
ii.	Maximum lot coverage, all buildings	32 percent

All other requirements of this By-law shall apply to land zoned R4-2.

12.10.3 – Not Assigned

12.10.4 High Density Residential Exception No. 4 (R4-4) Zone, Furnace Street, Madoc, 2003-12

Notwithstanding any provisions of this By-law to the contrary, within the R4-4 Zone, the following provisions shall apply:

- i. Minimum lot frontage 24.0 m (80.03 ft.)

All other requirements of this By-law shall apply to land zoned R4-4.

12.10.5 High Density Residential Exception No. 5 (R4-5) Zone, (Blocks 26, 27 and part of Block 28, inclusive of draft approved plan of subdivision dated November 28, 2013) (2015-35)

Notwithstanding any provisions of this By-law to the contrary, within the High Density Residential – Special No. 5 – holding (R4-5-h) Zone, the following provisions shall apply:

- a) The permitted uses shall be uses permitted under Section 12.1.1, 12.1.2 and 12.1.3 of the Comprehensive Zoning By-law No. 2002-10, as amended;
- b) Notwithstanding Section 12.2.4 a) of the Comprehensive Zoning By-law No. 2002-10, as amended, the permitted minimum front yard depth shall be 6.0 metres;
- c) Notwithstanding Section 3.174 of the Comprehensive Zoning By-law No. 2002-10, where it requires “9.0 metres (29.53 feet)”, 4.5 metres (14.76 feet) is permitted minimum sight triangle.
- d) All other requirements of Comprehensive Zoning By-law No. 2002-10, as amended, shall apply to land zoned R4-5.
- e) Notwithstanding 12.10.5 a), uses of Sections 12.1.1, 12.1.2 and 12.1.3 are permitted only upon the removal by by-law of the “h” Holding Symbol, eligible after the owner has satisfactorily addressed conditions of the draft approval to County Subdivision File No. 12T86012, AS MODIFIED and has entered into a Subdivision Agreement with the Municipality of Centre Hastings.

12.10.6 High Density Residential Exception No. 6 –Holding (R4-6-h) Zone, (Lots 5 & 6, Plan 105, Parts 1 & 2 of Register Plan 21R-3022) (2021-31)

Notwithstanding any other provisions of this By-law to the contrary, within the High Density Residential Exception No. 6 –Holding (R4-6-h) Zone the following shall apply:

- i. The maximum permitted lot coverage shall be 31.5%.
- ii. The minimum interior yard setback shall be 0.0 m (0.0 ft);
- iii. The maximum number of apartment dwelling units shall be nine (9);
- iv. The minimum size of a bachelor dwelling unit shall be 33.2 m² (357 sq. ft.);
- v. The minimum size of a one-bedroom dwelling unit shall be to 39.4 m² (424.3 sq. ft.);
- vi. The minimum size of a two-bedroom dwelling unit shall be to 51.2 m² (551.5 sq. ft.);
- vii. One (1) parking space shall be provided per the exclusive use of each apartment dwelling unit;
- viii. The minimum to the setback distance of a parking lot from a streetline shall be 5.5 m (18.0 ft);
- ix. The minimum to the setback distance of a parking lot from a side lot line shall be 0.0 m (0.0 ft);
- x. The minimum driving aisle width shall be 2.0 m.
- xi. Off-site parking shall be permitted within 150 metres (492.1 feet) of the subject property subject to a parking agreement between the property owners

All other requirements of the High Density Residential (R4) Zone and this By-law shall apply to lands zoned R4-6-h.

(THAT a by-law to remove the “Holding” (-h) symbol shall be considered by Council only after the landowners have demonstrated that nine (9) parking spaces are available for the exclusive use of the property, all necessary flood proofing measures required by the Quinte Conservation

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Authority have been completed, and the landowners have completed a site plan control agreement to the satisfaction of the Municipality.)

SECTION 13 RURAL RESIDENTIAL (RR) ZONE

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

13.1 PERMITTED USES

13.1.1 Residential Uses

- a) single detached dwelling house
- b) converted dwelling house – allows up to 4 dwelling units
- c) home business
- d) private home day care
- e) bed and breakfast establishment

13.1.2 Non-Residential Uses

Public uses or municipal utilities in accordance with the provisions of Section 4.24 of this By-law.

13.1.3 Accessory Uses

Uses, buildings or structures accessory to any of the permitted uses, in accordance with the provisions of this By-law.

13.2 PROVISIONS FOR RESIDENTIAL USES

13.2.1	Minimum Lot Area	0.8 ha (2.0 ac.)
13.2.2	Minimum Lot Frontage	60 m (200 ft.)
13.2.3	Minimum Yard Requirements	
a)	Front Yard Depth	15 m (50 ft.)
b)	Rear Yard Depth	7.5 m (25 ft.)
c)	Interior Side Yard Width	7.5 m (25 ft.)
d)	Exterior Side Yard Width	15 m (50 ft.)
13.2.4	Minimum Dwelling Unit Gross Floor Area	84 m ² (900 sq. ft.)
13.2.5	Minimum Ground Floor Area (where more than 1 storey)	70 m ² (750 sq. ft.)
13.2.6	Maximum Lot Coverage (All Buildings)	10 percent
13.2.7	Maximum Height of Buildings	11 m (36 ft.)
13.2.8	Minimum Landscaped Open Space	35 percent
13.2.9	Maximum Number of Dwelling Houses on a Lot	1
13.2.10	Maximum Number of Dwelling Units per House	
a)	Single Unit Dwelling	1
b)	Converted Dwelling House	2

13.3 REGULATIONS FOR NON-RESIDENTIAL USE

Regulations for residential uses as set out in 13.2 shall apply, where applicable, to non-residential uses.

13.4 MINIMUM SERVICES

13.4.1 A private well with 16 litres per minute (3.5 gallons per minute) supply of potable water.

13.4.2 A private sewage disposal system approved by the appropriate regulatory authority.

13.5 MINIMUM SETBACK FROM CENTRELINE OF STREET

13.5.1 Township Road/Connecting Link 25 m (82 ft.)

13.5.2 Provincial Highway 30 m (100 ft.)

13.6 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Rural Residential (RR) Zone shall apply.

13.7 LOADING AND PARKING PROVISIONS

All provisions of Section 5, Loading and Parking Provisions, of this By-law, where applicable to the use of any land, building or structure permitted within the Rural Residential (RR) shall apply.

13.8 EXCEPTION ZONE PROVISIONS – RURAL RESIDENTIAL (RR) ZONE

13.8.1 Rural Residential Exception No. 1 (RR-1) Zone (Part of Lot 13, Concession 3)

Notwithstanding any provisions of this By-law to the contrary, within the Rural Residential Exception No. 1 (RR-1) Zone, the following provisions shall apply:

- i. The permitted uses shall include the retail antique sales as a home business.

All other requirements of this By-law shall apply to land zoned RR-1.

13.8.2 Rural Residential Exception No. 2 (RR-2) Zone (Part of Lot 1, Concession 3)

Notwithstanding any provisions of this By-law to the contrary, within the Rural Residential Exception No. 2 (RR-2) Zone, the following provisions shall apply:

- i. The permitted uses shall be limited to a single detached dwelling house, including a single office area for the owner's use. In addition, limited storage and retail sales from existing accessory structures which do not detract from the general residential character of the property shall be permitted.

All other requirements of this By-law shall apply to land zoned RR-2.

13.8.3 Rural Residential Exception No. 3 (RR-3) Zone (Part of Lot 8, Concession 8)

Notwithstanding any provisions of this By-law to the contrary, within the Rural Residential Exception No. 3 (RR-3) Zone, the following provisions shall apply:

- i. Pottery sales shall be permitted as a home business.

All other requirements of this By-law shall apply to land zoned RR-3.

13.8.4 Rural Residential Exception No. 4 (RR-4) Zone (Part of Lot 8, Concession 8)

Notwithstanding any provisions of this By-law to the contrary, within the Rural Residential Exception No. 4 (RR-4) Zone, the following provisions shall apply:

- i. The retail sale of fishing bait shall be permitted as a home business.

All other requirements of this By-law shall apply to land zoned RR-4.

13.8.5 Rural Residential Exception No. 5 (RR-5) Zone (Part of Lot, Concession 9)

Notwithstanding any provisions of this By-law to the contrary, within the Rural Residential Exception No. 5 (RR-5) Zone, the following provisions shall apply:

- i. A mobile home shall be permitted as a dwelling house.

All other requirements of this By-law shall apply to land zoned RR-5.

13.8.6 Rural Residential Exception No. 6 (RR-6) Zone (Part of Lot 12, Concession 13)

Notwithstanding any provisions of this By-law to the contrary, within the Rural Residential Exception No. 6 (RR-6) Zone, the following provisions shall apply:

- i. The retail sale of crafts and craft supplies shall be permitted as a home business.

All other requirements of this By-law shall apply to land zoned RR-6.

13.8.7 Rural Residential Exception No. 7 (RR-7) Zone (Part of Lot 8, Concession 14)

Notwithstanding any provisions of this By-law to the contrary, within the Rural Residential Exception No. 7 (RR-7) Zone, the following provisions shall apply:

- i. The retail sale of pottery is permitted as a home business.

All other requirements of this By-law shall apply to land zoned RR-7.

13.8.8 Rural Residential Exception No. 8 (RR-8) Zone (Part of Lot 20, Concession 3)

Notwithstanding any provisions of this By-law to the contrary, within the Rural Residential Exception No. 8 (RR-8) Zone, the following provisions shall apply:

- i. The retail sale of antiques is permitted as a home business.

All other requirements of this By-law shall apply to land zoned RR-8.

13.8.9 Rural Residential Exception No. 9 (RR-9) Zone (Parts of Lots 10 & 11, Concession 7, Parts 4 & 5, Plan 21R-14311 and Part of Part 9, Plan 21R-9893)

Notwithstanding any provisions of this By-law to the contrary, within the Rural Residential Exception No. 9 (RR-9) Zone, the following provisions shall apply:

- i. The minimum setback from Rawdon Creek shall be 30 m (98.4 ft.).

All other requirements of this By-law shall apply to land zoned RR-9.

13.8.10 Rural Residential Exception No. 10 (RR-10) Zone (Part of Lot 10, Concession 4)

Notwithstanding any provisions of this By-law to the contrary, within the Rural Residential Exception No. 10 (RR-10) Zone, the following provisions shall apply:

- i. A single detached dwelling is permitted on Part 2, Plan 21R-16603, notwithstanding the setback requirements from the restrictive industrial zone to the west.

All other requirements of this By-law shall apply to land zoned RR-10.

13.8.11 Rural Residential Exception No. 11 (RR-11) Zone (Part of Lot 11, Concession 9)

Notwithstanding any provisions of this By-law to the contrary, within the Rural Residential Exception No. 11 (RR-11) Zone, the following provisions shall apply:

- i. Residential buildings shall be setback a minimum of 198 m (650 ft.) from the boundary of the adjacent Restrictive Industrial Exception No. 4 (M3-4) Zone and a minimum of 60 m (200 ft.) from the centerline of the adjacent road.

All other requirements of this By-law shall apply to land zoned RR-11.

13.8.12 Rural Residential Exception No. 12 (RR-12) Zone (Part of Lot 20, Concession 5)

Notwithstanding any provisions of this By-law to the contrary, within the Rural Residential Exception No. 12 (RR-12) Zone, the following provisions shall apply:

- i. The dwelling, accessory buildings and structures existing on the lot described as Part 2 on Plan 21R-16069, on the 11th day of March, 1997, used for a purpose permitted in the Rural Residential (RR) Zone, shall be deemed to comply with all of the provisions of this by-law.

All other requirements of this By-law shall apply to land zoned RR-12.

13.8.13 Rural Residential Exception No. 13 (RR-13) Zone (Part of Lot 13, Concession 11)

Notwithstanding any provisions of this By-law to the contrary, with the Rural Residential Exception No. 13 (RR-13) Zone, the following provisions shall apply:

- i. That the existing house located as such to create an encroachment onto the road be recognized.
- ii. That should the house be rebuilt or renovated it must comply with all provisions of the Zone By-law as it exists at the time of said rebuilding or renovation.

All other requirements of this By-law shall apply to land zoned RR-13.

13.8.14 Rural Residential Exception 14 (RR-14) Zone (Part of Lot 3, Concession 10)

Notwithstanding any provisions of this By-law to the contrary, within the Rural Residential Exception No. 14 (RR-14) Zone the following shall apply:

- i. Minimum lot frontage 53 m (175 ft.)
- ii. The uses of the Rural Residential (RR) Zone shall be permitted notwithstanding the proximity to lands within the Restrictive Industrial (M3) Zone.

All other requirements of this By-law shall apply to land zoned RR-14

13.8.15 Rural Residential Exception No. 15 (RR-15) Zone (Part of Lot 10, Concession 2)

Notwithstanding any provisions of this By-law to the contrary, within the Rural Residential Exception No. 15 (RR-15) Zone, the following provisions shall apply:

- i. Minimum lot frontage 45 m (147.6 ft.)

All other requirements of this By-law shall apply to land zoned RR-15.

13.8.16 Rural Residential Exception No. 16 (RR-16) Zone (Part of Lot 9, Concession 9) old R1-3

Notwithstanding any provisions of this By-law to the contrary, with the Rural Residential Exception No. 16 (RR-16) Zone, the following provisions shall apply:

- i. A woodworking shop shall be permitted as a home business.

All other requirements of this By-law shall apply to land zoned RR-16.

13.8.17 Rural Residential Exception No. 17 (RR-17) Zone (Part of Lot 1, Concession 6) old RR-11

Notwithstanding any provisions of this By-law to the contrary, within the Rural Residential Exception No. 17 (RR-17) Zone, the following provisions shall apply:

- i. Minimum interior side yard, west side 7.31 m (24 ft.)
- ii. Maximum interior side yard, west side 7.92 m (26 ft.)

All other requirements of this By-law shall apply to land zoned RR-17.

13.8.18 Rural Residential Exception No. 18 (RR-18) Zone (Part of Lot 20, Concession 1)

Notwithstanding any provisions of this By-law to the contrary, within the Rural Residential Exception No. 18 (RR-18) Zone, the following provisions shall apply:

- i. A butcher shop including meat processing and retail sales shall be permitted as a home business.

All other requirements of this By-law shall apply to land zoned RR-18.

13.8.19 Rural Residential Exception No. 19 (RR-19) Zone (Part of Lot 4, Concession 9)

Notwithstanding any provisions of this By-law to the contrary, within the Rural Residential Exception No. 19 (RR-19) Zone, the following provisions shall apply:

- i. No residential dwelling unit shall be erected and no residential use shall be made of the subject property except at a minimum distance of 152 metres (500 ft.) from the Restrictive Industrial (M3) Zone situated to the north and on the boundary between Lots 4 and 5, Concession 10 and a minimum distance of 140 metres (459 ft.) from the existing barn on Lot 5, Concession 9 and 54 metres (177 ft.) from the existing barn on Lot 4, Concession 10.

All other requirements of this By-law shall apply to land zoned RR-19.

13.8.20 Rural Residential Exception No. 20 (RR-20) Zone (Part of Lot 7, Concession 8)

Notwithstanding any provisions of this By-law to the contrary, within the Rural Residential Exception No. 20 (RR-20) Zone, the following provisions shall apply:

- i. No residential buildings shall be erected, and no residential use shall be made of the subject property except at a minimum distance of 100 metres (328 ft.) from the existing barn situated on Lot 7, Concession 8.

All other requirements of this By-law shall apply to land zoned RR-20.

13.8.21 Rural Residential Exception No. 21 (RR-21) Zone (Part of Lot 3, Concession 4)

Notwithstanding any provisions of this By-law to the contrary, within the Rural Residential Exception No. 21 (RR-21) Zone, the following provisions shall apply:

- i. Permitted uses
 - 1. a single detached dwelling house
 - 2. an existing accessory structure for the retail sale of antiques and used furniture
- ii. Minimum lot area 0.36 ha (0.89 ac.)
- iii. Minimum lot frontage 46 m (151 ft.)

All other requirements of this By-law shall apply to land zoned RR-21.

13.8.22 Rural Residential Exception No. 22 (RR-22) Zone (Part of Lot 2, Concession 4)

Notwithstanding any provisions of this By-law to the contrary, within the Rural Residential Exception No. 22 (RR-22) Zone, following provisions shall apply:

- i. Minimum lot area 1.2 ha (2.96 ac.)
- ii. Minimum lot frontage 190 m (623 ft.)

All other requirements of this By-law shall apply to land zoned RR-22.

13.8.23 Rural Residential Exception No. 23 (RR-23) Zone, Part of Lot 1, Concession 6 (Plan 21R-8954)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No. 23 (RR-23) Zone, the following provisions shall apply:

- i. Land affected, Plan 21R-8954 within Part of Lot 1, Concession 6.
- ii. Combinations of Parts on Plan 21R-8954, as shown on the following table shall be considered as one (1) lot subject to the regulations as set out.

Combination	Minimum Lot Area Requirement	Minimum Lot Frontage Requirement	Maximum No. of Single Detached Dwelling Houses Permitted
1) Parts 1 and 2 Plan 21R-8954	0.8 ha (2.0 ac)	48.7 m (160 ft.)	1
2) Parts 3 and 4 Plan 21R-8954	0.8 ha (2.0 ac)	48.7 m (160 ft.)	1
3) Parts 5 and 6 Plan 21R-8954	0.8 ha. (2.0 ac.)	48.7 m (160 ft.)	1
4) Parts 7 and 8 Plan 21R-8954	0.8 ha. (2.0 ac.)	48.7 m (160 ft.)	1

- iii. The maximum number of single detached dwelling houses permitted on lands within the RR-23 Zone shall be four (4).

- iv. For the purposes of calculating lot area, lot frontage and yard dimensions, each of the above described respective combinations of parts of Plan 21R-9054 shall be considered to be one lot.
- v. Those lands within the Environmental Protection (EP) Zone on the same combination of Parts may be included in determining the minimum lot area and minimum lot frontage requirements.

All other requirements of this By-law shall apply to land zoned RR-23.

13.8.24 Rural Residential Exception No. 24 (RR-24) Zone, Part Lot 7, Concession 2 (2003-05)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No. 24 (RR-24) Zone, the following provisions shall apply:

1. Additional Permitted Use

- i. Warehouse, without retail sales, for a wholesale sales operation including office space

2. Regulations

- | | | |
|------|-------------------------------------|--------------------------------------|
| i. | Maximum floor area of warehouse | 371.6 m ² (4,000 sq. ft.) |
| ii. | Minimum lot frontage | 58.4 m (191.6 ft.) |
| iii. | Minimum lot area | 0.71 ha (1.76 ac.) |
| iv. | Maximum lot coverage, all buildings | 10% |
| v. | Loading spaces required | 1 |
| vi. | Parking spaces required | 2 |

All other requirements of this By-law shall apply to land zoned RR-24.

13.8.25 Rural Residential Exception No. 25 (RR-25) Zone, Part Lot 20, Concession 1 (2004-11)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No. 25 (RR-25) Zone, the following provisions shall apply:

- | | | |
|-----|----------------------|--------------------|
| i. | Minimum lot area | 0.40 ha (1.00 ac.) |
| ii. | Minimum lot frontage | 7.94 m (26.05 ft.) |

All other requirements of this By-law shall apply to land zoned RR-25.

13.8.26 Rural Residential Exception No. 26 (RR-26) Zone, Part Lot 2, Concession 9 (2004-14)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No. 26 (RR-26) Zone, the following provisions shall apply:

1. Permitted Uses

- i. The uses in the Rural Residential Zone shall be permitted notwithstanding the proximity to lands within the Restrictive Industrial (M3) Zone.

All other requirements of this By-law shall apply to land zoned RR-26.

13.8.27 Rural Residential Exception No. 27 (RR-27) Zone, Part Lot 8, Concession 1 (2004-21)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No. 27 (RR-27) Zone, the following provisions shall apply:

- i. Minimum lot area 0.64 ha (1.6 ac.)

All other requirements of this By-law shall apply to land zoned RR-27.

13.8.28 Rural Residential Exception No. 28 (RR-28) Zone, Part Lot 8, Concession 5 (2004-20)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No. 28 (RR-28) Zone, a duplex dwelling house shall be permitted.

All other requirements of this By-law shall apply to land zoned RR-28.

13.8.29 Rural Residential Exception No. 29 (RR-29) Zone, Part Lot 19, Concession 3 (2004-35)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No. 29 (RR-29) Zone, the following provisions shall apply:

- i. Minimum front yard 7.86 m (25.2 ft.)

All other requirements of this By-law shall apply to land zoned RR-29.

**13.8.30 Rural Residential Exception No. 30 (RR-30) Zone, Part Lots 8 & 9, Concession 8 (2005-11)
Replaced by RR-49 BL 2013-13 now Rural Residential (RR)**

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No. 30 (RR-30) Zone, the following provisions shall apply:

- i. Minimum south-easterly side yard depth 40.0 m (131.0 ft.)
- ii. That the Environmental Protection area currently on the site is to remain so designated.

All other requirements of this By-law shall apply to land zoned RR-30.

13.8.31 Rural Residential Exception No. 31 (RR-31) Zone, Part Lot 15, Concession 3 (2005-08)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No. 31 (RR-31) Zone, the following provisions shall apply:

- i. Maximum height of any accessory building or structure 6.1 m (20 ft.)

All other requirements of this By-law shall apply to land zoned RR-31.

13.8.32 Rural Residential Exception No. 32 (RR-32) Zone, Part Lot 12, Concession 13 (2005-17)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No. 32 (RR-32) Zone, the following provisions shall apply:

1. Regulations

- i. Minimum lot area 0.07 ha (0.17 ac.)
- ii. Minimum lot frontage 24.0 m (80.0 ft.)
- iii. Minimum front yard 11.0 m (37.0 ft.)
- iv. Minimum rear yard 1.5 m (5.0 ft.)
- v. Maximum lot coverage 25.0%
- vi. Minimum setback from centerline of street 17.0 m (57 ft.)

All other requirements of this By-law shall apply to land zoned RR-32.

13.8.33 Rural Residential Exception No. 33 (RR-33) – Not Assigned

13.8.34 Rural Residential Exception No. 34 (RR-34) Zone, Part Lot 11, Concession 5 (2006-31)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No. 34 (RR-34) Zone, the following provisions shall apply:

- i. Minimum Lot Frontage 21 metres (Approx. 68.0 ft.)

All other requirements of this By-law shall apply to land zoned RR-34.

13.8.35 Rural Residential Exception No. 35 (RR-35) Zone, Part Lot 11, Concession 5 (2007-09)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No. 35 (RR-35) Zone, the following provisions shall apply:

- i. The uses in the Rural Residential Zone shall be permitted notwithstanding the proximity to lands within the Restrictive Industrial (M3) Zone,
- ii. That the Environmental Protection area on site shall be maintained.

All other requirements of this By-law shall apply to land zoned RR-35.

13.8.36 Rural Residential Exception No. 36 (RR-36) Zone, Part Lot 5, Concession 2 (2007-21)

Notwithstanding the permitted uses and regulations for the Rural Residential (RR) Zone to the contrary, within the Rural Residential Exception No. 36 (RR-36) Zone the following shall apply:

1. Permitted Uses:

- i. The uses in the Rural Residential Zone shall be permitted notwithstanding the proximity to lands within the Restrictive Industrial (M3) Zone.

All other requirements of this By-law shall apply to land zoned RR-36.

13.8.37 Rural Residential Exception No. 37 (RR-37) Zone, Part Lot 15, Concession 1 (2007-28)

Notwithstanding the permitted uses and regulations for the Rural Residential (RR) Zone to the contrary, within the Rural Residential Exception No. 37 (RR-37) Zone the following shall apply:

i. Minimum Elevation of the Principal Building: The lowest point of the basement height shall be above the ground water table,

ii. Ground Water Table: That portion of the ground which is permanently or for significant durations is saturated with water as may be evidenced by one or more of the following conditions:

- a. Prevailing numbers of plant species that are tolerant or prefer water saturated soils,
- b. Dominant concentrations of organic soil (moss, peat, or muck); or,
- c. Water levels of adjacent water bodies.

All other requirements of this By-law shall apply to land zoned RR-37.

13.8.38 Rural Residential Exception No. 38 (RR-38) Zone, Part Lot 2, Concession 3 (2007-29)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No. 38 (RR-38) Zone, the following provisions shall apply:

1. Minimum Front Yard Depth:

- i. Front Yard Depth shall be 12 metres (40 ft.)

All other requirements of this By-law shall apply to land zoned RR-38.

13.8.39 Rural Residential Exception No. 39 (RR-39) Zone, Part Lot 1, Concession 15 (2008-09)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No. 39 (RR-39) Zone, will change the zone classification to the Rural Residential Zone while maintaining the Environmental Protection area on site.

All other requirements of this By-law shall apply to land zoned RR-39.

13.8.40 Rural Residential Exception No. 40 (RR-40) Zone, Part Lot 13, Concession 9 (2008-14)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No. 40 (RR-40) Zone, the following provisions shall apply:

- i. Minimum Lot Area shall be 0.4ha (1 acre)
- ii. Minimum Lot Frontage shall be 39.44m (129.42 ft.)

All other requirements of this By-law shall apply to land zoned RR-40.

13.8.41 Rural Residential Exception No. 41 (RR-41) Zone, Part Lot 12, Concession 4 (2008-18)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No. 41 (RR-41) Zone, will change the zone classification to the Rural Residential Zone.

All other requirements of this By-law shall apply to land zoned RR-41.

13.8.42 Rural Residential Exception No. 42 (RR-42) Zone, Part Lot 6, Concession 6 (2009-08)

Notwithstanding the permitted uses and regulations for the Rural Residential (RR) Zone to the contrary, within the Rural Residential Exception No. 42 (RR-42) Zone the following shall apply:

1. Minimum Lot Frontage: 38.65m (126.83ft)

All other requirements of this By-law shall apply to land zoned RR-42.

13.8.43 Rural Residential Exception No. 43 (RR-43) Zone, Part Lot 11, Concession 7 (2009-25)

Notwithstanding the permitted uses and regulations for the Rural Residential (RR) Zone to the contrary, within the Rural Residential Exception No. 43 (RR-43) Zone the following shall apply:

1. Minimum Lot Frontage: 54.8m (180 ft)

All other requirements of this By-law shall apply to land zoned RR-43.

13.8.44 Rural Residential Exception No. 44 (RR-44) Zone, Lot 20, Concession 1 (2010-08)

Notwithstanding the permitted uses and regulations for the Rural Residential (RR) Zone to the contrary, within the Rural Residential Exception No. 44 (RR-44) Zone the following shall apply:

1. Minimum Lot Frontage: 175.15 ft.

All other requirements of this By-law shall apply to land zoned RR-44.

13.8.45 Rural Residential Exception No. 45 (RR-45) Zone, Part Lot 9 & 10, Concession 10 (2010-07)

Notwithstanding the permitted uses and regulations for the Rural Residential (RR) Zone to the contrary, within the Rural Residential Exception No. 45 (RR-45) Zone the following shall apply:

- i. That a 30 metre setback of all buildings from the limits of the Environmentally Sensitive (ES) Zone and all streams or shorelines be established while retaining the Environmentally Sensitive (ES) and Environmentally Protected (EP) Zone.

All other requirements of this By-law shall apply to land zoned RR-45.

13.8.46 Rural Residential Exception No. 46 (RR-46) Zone, Part Lot 9, Concession 1 (2012-06)

Notwithstanding the permitted uses and regulations for the Rural Residential (RR) Zone to the contrary, within the Rural Residential Exception No. 46 (RR-46) Zone the following shall apply:

- i. That the minimum front yard depth shall be 30.48m (100 ft)

All other requirements of this By-law shall apply to land zoned RR-46.

13.8.47 Rural Residential Exception No. 47 (RR-47) Zone, Lot 3 Concession 12 (2012-20)

Notwithstanding the regulations for the Rural Residential (RR) Zone to the contrary, within the Rural Residential Exception No. 47 Zone the following shall apply:

- i. THAT the minimum setback of any development from the shoreline of the Moira River Shall be 60 metres,
- ii. THAT the Environmentally Sensitive (ES) Zone shall remain in place.

All other requirements of this By-law shall apply to land zoned RR-47.

13.8.48 Rural Residential Exception No. 48 (RR-48) Zone, Pt. Lot 10 Concession 4 (2013-12)

Notwithstanding the regulations for the Rural Residential (RR) Zone to the contrary, within the Rural Residential Exception No. 48 Zone the following shall apply:

- i. Recognize the resulting lot area of 5.5 ha (13.6 ac.)

All other requirements of this By-law shall apply to land zoned RR-48.

13.8.49 Rural Residential Exception No. 49 (RR-49) Zone, Pt. Lot 10 Concession 4 (2013-13)

Notwithstanding the regulations for the Rural Residential (RR) Zone to the contrary, within the Rural Residential Exception No. 49 Zone the following shall apply:

- i. Minimum 30 m setback from White-Snake Lake Provincially Significant Wetland

All other requirements of this By-law shall apply to land zoned RR-49.

13.8.50 Rural Residential Exception No. 50 (RR-50) Zone, Pt. Lot 3 Concession 2 (2013-14)

Notwithstanding the regulations for the Rural Residential (RR) Zone to the contrary, within the Rural Residential Exception No. 50 Zone to establish a minimum distance of 120 metres from the Provincially Significant Wetland for any new development, including a potentially amenity area (e.g. pool) and locations of accessory structures or facilities (e.g. well). This provision includes that the existing barn is prohibited for the use of livestock.

13.8.51 Rural Residential Exception No. 51 (RR-51) Zone, Pt. Lot 3 Concession 2 (2013-14)

Notwithstanding the permitted uses and regulations for the Rural Residential zone to the contrary, the subject retained parcel is designated within the Rural Residential Exception No. 51 (RR-51) Zone to limit development to existing structures while permitting accessory structures in the side yard only.

13.8.52 Not Assigned (Should be RR-53) By-Law 2013-43, 2022-36

13.8.53 Rural Residential Exception No. 53 (RR-53) Zone, Lot 12 Concession 1 (2013-34)

Notwithstanding the regulations for the Rural Residential (RR) Zone to the contrary, within the Rural Residential Exception No. 53 Zone the following shall apply:

- i. For the purposes of calculating Lot Area, the lands zone Environmental Protection (EP) Zone located on the same Lot as lands zoned Rural Residential Exception No. 53 (RR-53) Zone shall be included.

All other requirements of this By-law shall apply to land zoned RR-53.

13.8.54 Rural Residential Exception No. 54 (RR-54) Zone, Lot 12 Concession 1 (2013-34)

Notwithstanding the regulations for the Rural Residential (RR) Zone to the contrary, within the Rural Residential Exception No. 54 Zone the following shall apply:

- i. For the purposes of calculating Lot Area, the lands zone Environmental Protection (EP) Zone located on the same Lot as lands zoned Rural Residential Exception No. 54 (RR-54) Zone shall be included.

All other requirements of this By-law shall apply to land zoned RR-54.

13.8.55 Rural Residential Exception No. 55 (RR-55) Zone, Lot 6 Concession 8 (2015-07)

Notwithstanding the regulations for the Rural Residential (RR) Zone to the contrary, within the Rural Residential Exception No. 55 Zone the following shall apply:

- i. The permitted uses shall include a home having a maximum number of two dwelling units.
- ii. The minimum gross floor area of a dwelling unit shall be 500 square feet.

All other requirements of this By-law shall apply to land zoned RR-55.

13.8.56 Rural Residential – Exception No. 56 (RR-56) Zone, Part Lot 10, Concession 8 (2019-41)

Notwithstanding any provisions of this By-law to the contrary, within the Rural Residential Exception No. 56 (RR- 56) Zone, the following provisions shall apply:

- i. A Minimum Distance Separation Type I (MDS I) requirement between a home and the barn located at #209 Douglas Road shall be a minimum of 151 metres.

All other requirements of this By-law shall apply to land zoned RR-56.

13.8.57 Rural Residential Exception No. 57 (RR-57) Zone, Pt. Lot 20, Concession 2 (2017-21)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No. 57 (RR-57) Zone the following shall apply:

In addition to the existing residential uses, the following use shall be permitted:

- Group Home

All other requirements of the RR Zone and this By-law shall apply to lands zoned RR-57

13.8.58 Rural Residential Exception No. 58 (RR-58) Zone, Pt. Lot 3, Concession 5 (2017-40)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No. 58 (RR-58) Zone the following shall apply:

- i) Minimum Front Yard for the existing structure shall be as existed on the date of passing. 5 m (16.5 ft.)

All other requirements of the RR Zone and this By-law shall apply to lands zoned RR-58.

13.8.59 Rural Residential Exception No. 59 (RR-59) Zone, Pt. Lot 13, Con.1 (2018-18)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No. 59 (RR-59) Zone the following shall apply:

- i) Minimum Lot Area 0.4 ha (1.0 ac.)

All other requirements of the RR Zone and this By-law shall apply to lands zoned RR-59

13.8.60 Rural Residential Exception No. 60 (RR-60) Zone, Pt. Lot 10, Con. 7 (2018-22)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No. 60 (RR-60) Zone the following shall apply:

- i) Minimum Lot Area 8 ha (20 ac.)

All other requirements of the RR Zone and this By-law shall apply to lands zoned RR-60

13.8.61 Rural Residential Exception No. 61 (RR-61) Zone, Pt. Lot 10, Con. 7 (2018-22)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No. 61 (RR-61) Zone the following shall apply:

- ii) Minimum Lot Area 7 ha (17.2 ac.)

All other requirements of the RR Zone and this By-law shall apply to lands zoned RR-61.

13.8.62 Rural Residential Exception No. 62 (RR-62) Zone, (Part of Lot 10, Concession 8) (2018-91)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No. 62 (RR-62) Zone the following shall apply:

- i. For lands Zoned RR-62 where a Minimum Distance Separation I formula (MDS I) setback encroaches onto a lot, development may be permitted on such lot provided a suitable building envelope exists outside of the MDS I Setback, a minimum area of 0.8ha (2ac) in area.

All other requirements of the RR Zone and this By-law shall apply to lands zoned RR-62.

13.8.63 Rural Residential Exception No. 63 (RR-63) Zone, (Part of Lot 20, Concession 2) (2018-90)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No. 63 (RR-63) Zone the following shall apply:

- i. For lands Zoned RR-63 where a Minimum Distance Separation I formula (MDS I) setback encroaches onto a lot, development may be permitted on such lot provided a suitable building envelope exists outside of the MDS I Setback, a minimum area of 0.8ha (2ac) in area.

All other requirements of the RR Zone and this By-law shall apply to lands zoned RR-63.

13.8.64 Rural Residential Exception No. 64 (RR-64) Zone, (459 Lahey Rd.) (2018-93)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No. 64 (RR-64) Zone the following shall apply:

- i. All buildings and residential uses shall be setback the greater of:
- ii. 40 metres (131.23 ft.) from a Provincially Significant Wetland; or
- iii. the existing building line.

All other requirements of the RR Zone and this By-law shall apply to lands zoned RR-64.

13.8.65 Rural Residential Exception No. 65 (RR-65) Zone, (Part of Lot 4 & 5, Concession 7) (2019-40)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No. 65 (RR-65) Zone the following shall apply:

- i. The use of a second dwelling shall be permitted
- ii. The minimum lot area shall be 0.4 hectares (1 acres)

All other requirements of the Rural Residential (RR) Zone and this By-law shall apply to lands zoned RR-65.

13.8.66 Rural Residential Exception No. 66 (RR-66) Zone, (Part of Lot 19, Concession 1) (2019-47)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No. 66 (RR-66) Zone the following shall apply:

- i. The minimum lot frontage shall be 60.96 metres (200 feet)

All other requirements of the Rural Residential (RR) Zone and this By-law shall apply to lands zoned RR-66.

13.8.67 Rural Residential Exception No. 67 (RR-67) Zone, (Part of Lot 20, Concession 5) (2019-50)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Exception No. 67 (RR-67) Zone the following shall apply:

- i. The minimum front yard setback to a septic system shall be 7.62 metres

All other requirements of the RR Zone and this By-law shall apply to lands zoned RR-67.

13.8.68 Rural Residential Exception No. 68 (RR-68) Zone, (Part of Lot 7, Concession 10) (2020-12)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Exception No. 68 (RR-68) Zone the following shall apply:

- i. The minimum setback to an area zoned Environmental Protection (EP) is 30 metres
- ii. All necessary approvals from the Lower Trent Conservation Authority, or its successors, must be obtained before development is permitted on the subject lands.

All other requirements of the RR Zone and this By-law shall apply to lands zoned RR-68.

13.8.69 Rural Residential Exception No. 69 (RR-69) Zone, (Part of Lots 3 & 4, Concession 7) (2021-24)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No. 69 (RR-69) Zone the following shall apply:

- i. The minimum rear yard setback for an existing accessory building is 1.8 metres

All other requirements of the Rural Residential (RR) Zone and this By-law shall apply to lands zoned RR-69

13.8.70 Rural Residential Exception No. 70 (RR-70) Zone, (Lot 10, Concession 4, Part 1 on Registered Plan 21R-23995) (2021-44)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No. 70 RR-70) Zone the following shall apply:

- i. The minimum frontage shall be 45 metres (147.6 feet)

All other requirements of the Rural Residential (RR) Zone and this By-law shall apply to lands zoned RR-70.

13.8.71 Rural Residential Exception No. 71 (RR-71) Zone, (Lot 17, Concession 5, Part 1 on Registered Plan 21R-24001) (2021-45)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No. 71 (RR-71) Zone the following shall apply:

- i. An additional unit may be permitted within an accessory building or structure;
- ii. One off street parking space shall be provided for the additional unit, in addition to any parking space required by the Zoning By-law for the existing single detached dwelling;

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- iii. That the sewage disposal system and potable water supply for the primary unit are suitable for and used to service the additional unit to the satisfaction of the local health unit and the municipality.

All other requirements of the Rural Residential (RR) Zone and this By-law shall apply to lands zoned RR-71.

13.8.72 Rural Residential Exception No. 72 (RR-72) Zone, Part of Lot 10, Concession 5, Part 1, 2, 3, & 4 on Registered Plan 21R-14808. (2021-56)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No. 72 (RR-72) Zone the following shall apply:

- i. The minimum rear yard setback shall be 3 metres (9.8 feet)

All other requirements of the Rural Residential (RR) Zone and this By-law shall apply to lands zoned RR-72.”

13.8.73 Rural Residential Exception No. 73 (RR-73) Zone, Part of Lot 13, Concession 4. (2022-12)

Notwithstanding any other provisions of this By-law to the contrary, within Rural Residential Exception No. 73 (RR-73) Zone the following shall apply:

- i. Development is permitted within 100 metres of a Restricted Industrial-deposit (M3-d) Zone
- ii. The dwelling shall be setback 80 metres (262.5 feet) from the western property line to recognize the Minimum Distance Separation Formula setback to a neighbouring livestock facility

All other requirements of the Rural Residential (RR) Zone and this By-law shall apply to lands zoned RR-73.”

13.8.74 Rural Residential Exception No. 74 (RR-74) Zone, Part Lot 14, Concession 11, Parts 1 & 2 on Registered Plan 21R-19646. (2022-22)

Notwithstanding any other provisions of this By-law to the contrary, within Rural Residential Exception No. 74 (RR-74) Zone the following shall apply:

- i. A residential use shall be permitted within 300 metres of lands zoned Restrictive Industrial (M3-d) Zone.

All other requirements of the Rural Residential (RR) Zone and this By-law shall apply to lands zoned RR-74.”

13.8.75 Rural Residential Exception No. 75 (RR-75) Zone, Part of Lot 2, Concession 13. (2022-23)

Notwithstanding any other provisions of this By-law to the contrary, within Rural Residential Exception No. 75 (RR-75) Zone the following shall apply:

- i. Accessory buildings existing at the time of the passing of this by-law that are not associated with a principal use are permitted.

All other requirements of the Rural Residential (RR) Zone and this By-law shall apply to lands zoned RR-75.”

13.8.76 Rural Residential Exception No. 76 (RR-76) Zone, Part of Lots 2 & 3, Concession 2, Parts 5 & 6 on Registered Plan 21R-18397. (2022-24)

Notwithstanding any other provisions of this By-law to the contrary, within Rural Residential Exception No. 76 (RR-76) Zone the following shall apply:

- i. A rural home business use in an accessory building existing at the time of the passing of this by-law will have maximum size of 298 square meters (3207.6 square feet).

All other requirements of the Rural Residential (RR) Zone and this By-law shall apply to lands zoned RR-76.”

13.8.77 Rural Residential Exception No. 77 (RR-77) Zone

Notwithstanding any other provisions of this By-law to the contrary, within Rural Residential Exception No. 77 (RR-77) Zone the following shall apply:

- i. A rural home business use in an accessory building will have maximum size of 594 square metres (6400 square feet).

All other requirements of the Rural Residential (RR) Zone and this By-law shall apply to lands zoned RR-77.”

SECTION 14 LIMITED SERVICE RESIDENTIAL (LSR) ZONE

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

In a Limited-Service Residential Zone there is no commitment or requirement by the municipality to assume responsibility for ownership or maintenance of any private road. Emergency vehicle access may also be restricted in a Limited-Service Residential Zone.

14.1 PERMITTED USES

14.1.1 Residential Uses

- a) single detached dwelling house
- b) home business

14.1.2 Non-Residential Uses

Public uses or utilities in accordance with the provisions of Section 4.24 of this By-law.

14.1.3 Accessory Uses

Uses, buildings and structures accessory to the foregoing permitted uses, in accordance with the provisions of this By-law.

14.2 REGULATIONS FOR RESIDENTIAL USES

14.2.1	Minimum Lot Area	0.8 ha (2.0 ac.)
14.2.2	Minimum Lot Frontage	
a)	On water	60 m (200 ft.)
b)	On a private right-of-way	20 m (66 ft.)
14.2.3	Minimum Yard Requirements	
a)	Front Yard Depth	12 m (40 ft.)
b)	Rear Yard Depth	7.5 m (25 ft.)
c)	Interior Side Yard Width	5 m (16.5 ft.)
d)	Exterior Side Yard Width	12 m (40 ft.)
14.2.4	Minimum Dwelling Unit Gross Floor Area	65 m ² (700 sq. ft.)
14.2.5	Maximum Lot Coverage	15 percent
14.2.6	Minimum Landscaped Open Space	30 percent
14.2.7	Maximum Height of Buildings	10 m (33 ft.)
14.2.8	Maximum Number of Dwelling Houses Per Lot	1
14.2.9	Maximum Number of Dwelling Units Per Lot	1

14.2.10 Maximum Number of Dwelling Units Per Lot 1

14.3 REGULATIONS FOR NON-RESIDENTIAL USE

Regulations for residential uses set out in 14.2 shall apply, where applicable, to non-residential uses.

14.4 MINIMUM SERVICES

14.4.1 A private well with 16 litres per minute (3.5 gallons per minute) supply of potable water.

14.4.2 A private sewage disposal system approved by the appropriate regulatory authority. With minimal plumbing an outhouse can be permitted (Class 1 System) CBO to decide.

14.5 MINIMUM SETBACK FROM CENTRELINE OF STREET

14.5.1 Township Road/Connecting Link 25 m (82 ft.)

14.5.2 Provincial Highway 30 m (100 ft.)

14.6 MINIMUM SETBACK FROM PRIVATE RIGHT-OF-WAY (By-law 2005-32)

Notwithstanding any yard and setback provisions of the Limited Service Residential (LSR) Zone to the contrary, no buildings or structures shall be permitted within 10 metres (32 feet) of the centerline of the constructed private road.

14.7 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Limited Service Residential (LSR) Zone shall apply.

14.8 LOADING AND PARKING PROVISIONS

All provisions of Section 5, Loading and Parking Provisions, of this By-law, where applicable to the use of any land, building or structure permitted within the Limited Service Residential (LSR) shall apply.

14.9 EXCEPTION PROVISIONS – LIMITED SERVICE RESIDENTIAL (LSR) ZONE

14.9.1 Limited Service Residential Exception No. 1 (LSR-1) Zone, Part of the East Half of Lot 14, Concession 14

Notwithstanding any provisions of this By-law to the contrary, within the Limited Service Residential Exception No. 1 (LSR-1) Zone, the following provisions shall apply:

- i. One single detached dwelling and buildings and structures accessory thereto is permitted on each part.

All other requirements of this By-law shall apply to land zoned LSR-1.

14.9.2 Limited Service Residential Exception No. 2 (LSR-2) Zone, Part of Lot 13, Concession 3

Notwithstanding any provisions of this By-law to the contrary, within the Limited Service Residential Exception No. 2 (LSR-2) Zone, the following provisions shall apply:

- i. Minimum rear yard 3.66 m (12.0 ft.)

All other requirements of this By-law shall apply to land zoned LSR-2.

14.9.3 Limited Service Residential Exception No. 3 (LSR-3) Zone, Part of Lots 18, 19 & 20, Concession 14

Notwithstanding any provisions of this By-law to the contrary, within the Limited Service Residential Exception No. 3 (LSR-3) Zone, the following provisions shall apply:

- i. Where access is provided through a neighbouring municipality via a seasonal municipal road, there is no commitment or requirement by the municipality as the adequacy or the upgrading of such road. In addition, emergency vehicle access may be restricted.

All other requirements of this By-law shall apply to land zoned LSR-3.

14.9.4. Limited Service Residential Exception No. 4 (LSR-4) Zone, Lots 1 through 19 and Lots 21 and 22, Part of Lot 18 Conc 14. (2003-21)

Notwithstanding Section 25, Subsection 5 of the Zoning By-law Number 2002-10, within the Limited Service Residential Exception 4 (LSR-4) Zone, the following provisions shall apply:

- 1. Regulations
 - i. Minimum lot area 0.32 ha (0.79 ac.)
 - ii. Minimum lot frontage 16.7 m (54.9 ft.)
 - iii. Minimum yard setback from floodline 15.0 m (49 ft.)

All other requirements of this By-law shall apply to land zoned LSR-4.

Notwithstanding Section 25, Subsection 5 of the Zoning By-law Number 2002-10, within the Limited Service Residential Exception 4 (LSR-4) Zone, under By-law 2015-58 the following provisions shall apply:

Permitted Uses:

- i. single detached dwelling house
- ii. Minimum Lot Area 0.42 ha (1 ac)
- iii. Minimum Lot Frontage 44.5 m (146 ft)

- iv) A Vegetative Buffer, consisting of existing and/or native trees, shrubs, ground cover or other form of vegetation located within 20 m (65.6 ft.) of the high water mark shall be maintained across the entire length of the property except those areas permitted by Section 14.9.4 v).
- v) Existing vegetation within the vegetative buffer shall not be removed except those areas used for access to the water and uses permitted by Section 4.1.13.
- vi) The "h" shall be removed by by-law when the owner has entered into and registered on title of the subject lands:
 - 1) a Subdivision/Condominium Agreement with the Corporation of Municipality of Centre Hastings; and 2) a water quality Impact Assessment Agreement.

All other provisions of the LSR Zone and By-law No. 2002-10, as amended, shall apply to the lands zoned LSR-4-h."

14.9.5. Limited Service Residential Exception No. 5 (LSR-5) Zone, Part of Lot 12, Concession 13 (2009-18)

Notwithstanding Section 25, Subsection 5 of the Zoning By-law Number 2002-10, within the Limited Service Residential Exception 5 (LSR-5) Zone, the following provisions shall apply:

1. Maximum Number of Dwelling Units 3

All other requirements of this By-law shall apply to land zoned LSR-5.

14.9.6. Limited Service Residential Exception No. 6 (LSR-6) Zone, Part of Lot 12, Concession 12 (2012-25)

Notwithstanding the general provisions, permitted uses and regulations pertaining to the Limited Service Residential (LSR) Zone to the contrary, within the Limited Service Residential-Exception No. 6 (LSR-#6) Zone the following shall apply:

- i. For parcel having civic address of #82 Columbia Lane, existing development located 23 feet of the high water mark is recognized as a legal non-conforming use. Expansions or additions to the existing principal structure or the construction of new accessory structures may be permitted in conformity with the general and specific provisions of the Comprehensive Zoning By-Law No. 2002-10, as amended;
- ii. New development is prohibited between the engineered flood line as shown on Schedule "A" and the water body of Moira Lake;
- iii. Regulations as administered by the Quinte Conservation Authority shall prevail over the provisions of 1. and 2. above.

All other requirements of this By-law shall apply to land zoned LSR-6.

14.9.7. Limited Service Residential Exception No. 7 (LSR-7) Zone, Part of Lot 14, Concession 14 (2013-29)

Notwithstanding the general provisions, permitted uses and regulations pertaining to the Limited Service Residential (LSR) Zone to the contrary, within the Limited Service Residential-Exception No. 7 (LSR-#7) Zone the following shall apply:

- i. Minimum Lot Frontage 57.08 m (187.29 ft.)
- ii. Minimum Lot Area 0.28 ha (.70 ac.)

All other requirements of this By-law shall apply to land zoned LSR-7.

14.9.8. Limited Service Residential Exception No. 8 (LSR-8) Zone, Part of Lot 14, Concession 14 (2013-40)

Notwithstanding any provision of By-law No. 2002-10, as amended, to the contrary, on the lands zoned the Limited Service Residential Exception No. 8 (LSR-8) Zone, the following special provisions shall apply:

- i. Where access is provided through a neighboring municipality via a seasonal municipal road, there is no commitment or requirement by the municipality as to the adequacy or the upgrading of the road. In addition, emergency vehicle access may be restricted.
- ii. All lands zoned the Limited Service Residential Exception No. 8 (LSR-8) Zone shall be considered one lot for the purposes of zoning.
- iii. For the purposes of calculating lot area and lot frontage, lands zoned the Environmental Protection (EP) Zone located on the same lot as lands zoned the Limited Service Residential Exception No. 8 (LSR-8) Zone shall be included.

All other provisions of the Limited Service Residential (LSR) Zone and By-law No. 2002-10, as amended, shall apply to the lands zoned the LSR-8 Zone.

14.9.9. Limited Service Residential Exception No. 9 (LSR-9) Zone, Part of Lot 14, Concession 14 (2013-40)

Notwithstanding any provision of By-law No. 2002-10, as amended, to the contrary, on the lands zoned the Limited Service Residential Exception No. 9 (LSR-9) Zone, the following special provisions shall apply:

- i. Where access is provided through a neighbouring municipality via a seasonal municipal road, there is no commitment or requirement by the municipality as to the adequacy or the upgrading of the road. In addition, emergency vehicle access may be restricted.
- ii. All lands zoned the Limited Service Residential Exception No. 9 (LSR-9) Zone shall be considered one lot for the purposes of zoning.
- iii. For the purposes of calculating lot area and lot frontage, lands zoned the Environmental Protection (EP) Zone located on the same Lot as lands zoned the Limited Service Residential Exception No. 9 (LSR-9) Zone shall be included.

All other provisions of the Limited Service Residential (LSR) Zone and By-law No. 2002-10, as amended, shall apply to the lands zoned the LSR-9 Zone.

14.9.10. Limited Service Residential No. 10 (LSR-10) Zone, (Part of Lot 14, Concession 13) (2020-42)

Notwithstanding any other provisions of this By-law to the contrary, within the Limited Service Residential No. 10 (LSR-10) Zone the following shall apply:

- i. The minimum setback to any dwelling from the high watermark of Moira Lake shall be 28.6 metres (93.8 feet)
- ii. The minimum setback to any deck from the high watermark of Moira Lake shall be 26.4 metres (86.6 feet)

All other requirements of the LSR Zone and this By-law shall apply to lands zoned LSR-10.

14.9.11. Limited Service Residential Exception No. 11 (LSR-11) Zone, Concession 12, Part Lot 5, Part 2 on Registered Plan 21R-3557. (2021-64)

Notwithstanding any other provisions of this By-law to the contrary, within the Limited Service Residential Exception No. 11 (LSR-11) Zone the following shall apply:

- i. The minimum lot size is 0.65 hectares (1.42 acres);
- ii. A composting toilet shall be considered a private sewage disposal system;
- iii. A lake water retrieval system shall be permitted in place of a private well;
- iv. The maximum size of a dwelling unit shall be 70 square metres (753.5 square feet);
- v. One dwelling shall be permitted shall be permitted per lot;
- vi. An existing dock shall be permitted;
- vii. A 30 metre (98.4 foot) vegetated buffer surrounding the Bend Bay - Moira Lake Provincially Significant Wetland shall be maintained apart from an access trail from the waterfront to the dwelling; and,
- viii. A 30 metre (98.4 foot) vegetated buffer to the top of the steep slope shall be maintained.

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All other requirements of the Limited Service Residential (LSR) Zone and this By- law shall apply to lands zoned LSR-11."

SECTION 15 GENERAL COMMERCIAL (C1) ZONE

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

15.1 PERMITTED USES

15.1.1 Residential Uses (revised 2018-49)

- a) a single detached dwelling house shall only be permitted where such a dwelling is accessory to a permitted non-residential use, located in a separate structure sited principally on the lot on which such dwelling house is located;
- b) a dwelling unit in a portion of a non-residential building, provided it is located on the upper storeys of such building, or at the rear of such building if on the main floor, except where the building is used for a motor vehicle service station, a motor vehicle repair garage, a motor vehicle dealership, or a motor vehicle body shop.
- c) a home business.”

15.1.2 Non-Residential Uses

- a) assembly hall
- b) bank or financial establishment
- c) business, professional or administrative office
- d) commercial club or a private club
- e) convenience store
- f) craft shop
- g) day nursery
- h) eating, establishment, including a take out eating establishment and tea room & refreshment vehicle
- i) farmers’ open air market
- j) food supermarket
- k) funeral home
- l) hotel
- m) laundry or dry cleaners establishment, including a laundry, coin operated
- n) Liquor Control Board outlet or Brewers’ Retail outlet
- o) medical or dental clinic
- p) motor vehicle gasoline bar, a motor vehicle repair garage or a motor vehicle service station
- q) the outside display and storage of goods and materials where such use is accessory and incidental to a permitted use specified hereof
- r) a place of entertainment or recreation
- s) printing or publishing establishment
- t) public use or municipal utility in accordance with the provisions of 4.25 as set forth in this By-law
- u) retail commercial establishment
- v) service shop, including a service shop, personal
- w) taxi and/or bus depot
- x) parking lot
- y) any use permitted in the Community Facility (CF) Zone

15.1.3 Accessory Uses

Uses, buildings and structures accessory to any of the foregoing uses permitted under 15.1.1 and 15.1.2 hereof and in accordance with the provisions of 4.1 as set forth in this By-law.

15.2 REGULATIONS FOR RESIDENTIAL USES

All regulations for permitted residential uses as set out in Section 9.2 of this By-law shall apply within the General Commercial (C1) Zone, subject to the spatial separation requirements stated hereunder in 15.3 of this By-law.

15.3 SPATIAL SEPARATION REQUIREMENTS

Where a dwelling house is erected or any building or structure is altered or used for the purposes of a dwelling house, as permitted in accordance with the provisions of 15.1.1 hereof, such dwelling house shall not be erected nor shall any building be altered or used for such purposes within 3 m (10 ft.) of a permitted non-residential use, however, in no case shall a dwelling house be erected, altered or used within 7.5 m (25 ft.) of a motor vehicle service station, a motor vehicle repair garage or a motor vehicle dealership.

15.4 REGULATIONS FOR DWELLING UNITS IN NON-RESIDENTIAL BUILDINGS

15.4.1 A maximum of 74 units per net hectare is permitted within a portion of a non-residential building permitted within the General Commercial (C1) Zone, subject to 15.1.1 (b) of this By-law.

15.4.2 Minimum Dwelling Unit Area

a)	Bachelor unit	37 m ² (400 sq. ft.)
b)	One Bedroom Unit	55 m ² (600 sq. ft.)
c)	Each Additional Bedroom	10 m ² (107 sq. ft.)

15.5 REGULATIONS FOR NON-RESIDENTIAL USES EXCLUSIVE OF RETAIL GASOLINE ESTABLISHMENTS AND HOTELS

15.5.1 Minimum Yard Requirement

Where the interior side lot line abuts a Residential Zone, the minimum interior side yard width shall be 9 m (30 ft.).

15.5.2 Maximum Lot Coverage of All Buildings 80 percent

15.5.2 Minimum Setback from Street Centreline

Provincial Highway	32 m (105 ft.)
Municipal Road/Connecting Link	13 m (43 ft.)

15.5.4 Maximum Height of Buildings 11 m (36 ft.)

15.5 REGULATIONS FOR RETAIL GASOLINE ESTABLISHMENTS

Notwithstanding the provisions of 15.5 hereof to the contrary, a motor vehicle gasoline bar, a motor vehicle service station or a motor vehicle repair garage shall not be erected, altered or used on a lot within the General Commercial (C1) Zone except as specified hereunder:

15.6.1 Minimum Lot Area Requirements

a)	public water supply and sewage disposal	1,160 m ² (12,500 sq. ft.)
b)	public water supply and private sewage disposal	2,040 m ² (22,000 sq. ft.)
c)	private water supply and sewage disposal	2,780 m ² (30,000 sq. ft.)

15.6.2 Minimum Lot Frontage Requirements 38 m (125 ft.)

15.6.2 Minimum Yard Requirements

- | | | |
|----|-----------------------------------|----------------|
| a) | Front Yard | 12 m (40 ft.) |
| b) | Exterior Side Yard | 12 m (40 ft.) |
| c) | Interior Side Yard | |
| | i. Abutting a Residential Zone | 9 m (30 ft.) |
| | ii. Abutting any other Zone | 6 m (20 ft.) |
| d) | Rear Yard | 7.5 m (25 ft.) |

15.6.4 Minimum Lot Depth Requirement 30 m (100 ft.)

15.6.5 Maximum Lot Coverage of All Buildings 40 percent

15.6.6 Minimum Setback from Street Centreline

- | | | |
|----|--------------------|----------------|
| a) | Provincial Highway | 32 m (105 ft.) |
| b) | Municipal Road | 25 m (82 ft.) |

15.6.7 Maximum Landscaped Open Space Requirement 5 percent

15.6.8 Maximum Height of All Buildings 11 m (36 ft.)

15.6.9 Gasoline Pump Location

Notwithstanding any other provisions of this By-law to the contrary, a gasoline pump island or gasoline pumps, as part of or as accessory to a motor vehicle gasoline bar, motor vehicle service station or motor vehicle repair garage, may be located within any yard provided:

- a) that the minimum distance between any portion of the pump island or gasoline pumps and any street line or any rear or interior side lot line is not less than 4.5 m (15 ft.); and
- b) that where a lot is a corner lot, no portion of any pump island or gasoline pumps shall be located closer than 3 m (10 ft.) to a straight line between a point in the front lot line and point in the exterior lot line, such point being distant 15 m (50 ft.) from the intersection of such lines.

15.6.10 Driveways

Notwithstanding any other provisions of this By-law, the following provisions shall apply to driveways in the General Commercial (C1) Zone:

- a) the maximum width of a driveway measured along the sidewalk, where such exists, and along the street line shall be 9 m (30 ft.);
- b) the minimum distance between driveways, measured along the street line intersected by such driveways, shall be 7.5 m (25 ft.);
- c) the minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveway, shall be 9 m (30 ft.);
- d) the minimum distance between an interior side lot line and any driveway shall be 3 m (10 ft.); and
- e) the interior angle formed between the street line and the centerline of any driveway shall be not less than 45 degrees.

15.6.11 Bulk Fuel and Propane Storage Tank Location

Bulk fuel and propane storage tanks shall be installed in accordance with the provisions of the *Provincial Gasoline Handling Act* or the Ontario Propane Storage Handling and Utilization Code as may be applicable.

15.7 REGULATIONS FOR HOTELS

15.7.1 Minimum Lot Area Requirements

a)	public water supply and sewage disposal	930 m ² (10,000 sq. ft.)
b)	public water supply and private sewage disposal	2780 m ² (30,000 sq. ft.)
c)	private water supply and sewage disposal	3700 m ² (40,000 sq. ft.)

15.7.2 Minimum Lot Frontage Requirements

a)	public water supply and sewage disposal	38 m (125 ft.)
b)	public water supply and private sewage disposal	45 m (150 ft.)
c)	private water supply and sewage disposal	53 m (175 ft.)

15.7.3 Minimum Yard Requirement

a)	front yard depth	7.5 m (25 ft.)
b)	exterior side yard width	7.5 m (25 ft.)
c)	interior side yard width	
	i. Abutting a Residential Zone	9 m (30 ft.)
	ii. Abutting any other Zone	6 m (20 ft.)
d)	rear yard depth	7.5 m (25 ft.)

15.7.4 Maximum Lot Coverage of All Buildings 80 percent

15.7.4 Minimum Setback from Street Centreline

a)	Provincial Highway	32 m (105 ft.)
b)	Municipal Road	17.5 m (57.5 ft.)

15.7.6 Minimum Gross Guest Room Area Requirement 23 m² (250 sq. ft.)

15.7.7 Maximum Height of Buildings 11 m (37 ft.)

15.7 BUFFER STRIP REQUIREMENTS

Where the interior side or rear lot line of a lot within the General Commercial (C1) Zone abuts a Residential Zone, an area adjoining such abutting lot line shall be used for no other purpose than for a buffer strip in accordance with the requirements of 4.5 as set forth in this By-law.

15.8 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, of this By-law, where applicable to the use of any land, building or structure permitted within the General Commercial (C1) Zone shall apply.

15.9 LOADING AND PARKING PROVISIONS

All provisions of Section 5, Loading and Parking Provisions, of this By-law, where applicable to the use of any land, building or structure permitted within the General Commercial (C1) Zone shall apply.

15.10 EXCEPTION ZONE PROVISIONS – GENERAL COMMERCIAL (C1) ZONE

15.11.1 General Commercial Exception No. 1 (C1-1) Zone (Madoc Hotel)

Notwithstanding any provisions of this By-law to the contrary, within the General Commercial Exception No. 1 (C1-1) Zone, being Part of Lots B, C and 18, Registered Plan No. 218, commonly referred to as 33 Durham Street, the following provisions shall apply:

- i. A maximum of 14 apartment units are permitted on the second and third floors of the commercial buildings generally referred to as the Madoc Hotel.
- ii. A minimum of 30 parking spaces shall be provided on the property commonly referred to as 33 Durham Street of which a minimum of 14 shall be reserved exclusively for the tenants of 33 Durham Street, parking lot width from 9.84' to 8.5' and remove setback on north side.
- iii. The minimum parking space width shall be 2.6 m (8.5').

All other requirements of this By-law shall apply to land zoned C1-1.

15.11.2 General Commercial Exception No. 2 (C1-2) Zone, Part of Lot 6, Concession 7 (Rollins)

Notwithstanding any provisions of this By-law to the contrary, within the General Commercial Exception No. 2 (C1-2) Zone, the following provisions shall apply:

- i. Permitted Uses
 1. Motor vehicle repair garage, not including a motor vehicle service station
 2. Motor vehicle storage compound, which for the purposes of this section shall mean a building, structure or place where motor vehicles are held in storage.
 3. Motor vehicle wrecking yard, which for the purposes of this section shall mean a building, structure or place where motor vehicles are disassembled, dismantled or junked or where vehicles not in operable condition, or parts of motor vehicles are stored.
- ii. Regulations
 1. Maximum floor area of motor vehicle repair garage and other buildings and structures 465 m² (5,000 sq. ft.)
 2. Maximum total area of motor vehicle storage compound and motor vehicle wrecking yard compound 1.25 ha (3.0 ac.)
 3. Minimum yards for all buildings and the Motor vehicle storage compound and Motor vehicle wrecking yard compound
 - a) Front yard depth 30 m (100 ft.)
 - b) Rear yard depth 30 m (100 ft.)
 - c) Side yard width, to either a

- | | | |
|----|---|----------------|
| | property line or zone boundary | 90 m (300 ft.) |
| 4. | Provisions for fencing of motor vehicle
Storage compound and motor wrecking
Yard compound | |
| | a) Minimum height | 2.4 m (8 ft.) |
| | b) Opaque material along the south and
west sides of the compound | |
| 5. | Motor vehicles shall not be stored in a tiered or stacked fashion. | |
| 6. | The removal and storage of waste fluids from motor vehicles shall take place
only within a contained, impervious area. | |
| 7. | Motor vehicles that are non-road worthy or inoperable shall not be stored
outside of the fenced compound. | |
| 8. | A maximum of one hundred (100) discarded tires may be stored in the motor
vehicle storage compound and the motor vehicle wrecking yard compound. | |
| 9. | The Holding Provisions will only be removed when an appropriate Site Plan
Agreement has been executed. | |

All other requirements of this By-law shall apply to land zoned C1-2.

15.11.3 General Commercial Exception No. 3 (C1-3) Zone, Lot 10, Concession 9 (2003-27)

Notwithstanding any provisions of this By-law to the contrary, within the General Commercial Exception No. 3 (C1-3) Zone, the following provisions shall apply:

1. Permitted Uses
 - i. One single detached dwelling unit
 - ii. One detached building for an office and private garage
 - iii. Kennel

All other requirements of this By-law shall apply to land zoned C1-3.

15.11.4 General Commercial Exception No. 4 (C1-4-f) Zone, 41 Prince Albert Street (2005-46)

Notwithstanding any provisions of this By-law to the contrary, within the General Commercial Exception No. 4 (C1-4) Zone, the following provisions shall apply:

1. Regulations
 - i. Minimum buffer strip width
installation of a 1.6 m (5.25') high wooden fence being constructed along the
western boundary of the property
 - ii. Parking area location (west)
 - iii. Minimum interior (west) side yard
 - iv. Minimum setback from centerline of street
 - v. Residential uses
- | | |
|--|----------------------|
| | 0.0 m subject to the |
| | 1.0 m (3 ft.) |
| | 6.1 m (20 ft.) |
| | 10.06 m (33 ft.) |
| | 2 dwelling units are |

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allowed on the subject property and the provisions for occupancy do not apply

All other requirements of this By-law shall apply to land zoned C1-4.

15.11.5 General Commercial Exception No. 5 (C1-5) Zone, Baptist Church (2009-31)

Notwithstanding any provisions of this By-law to the contrary, within the General Commercial Exception No. 5 (C1-5) Zone, the following provisions shall apply:

- a. The General Commercial Special - #5 (C1-5) Zone shall permit the uses of a personal physical fitness and wellness facility.

All other requirements of this By-law shall apply to land zoned C1-4.

SECTION 16 HIGHWAY COMMERCIAL (C2) ZONE

No person shall within any Highway Commercial (C2) Zone use any land or erect, alter or use any buildings or structure except in accordance with the following provisions.

16.1 PERMITTED USES

16.1.1 Residential Uses (revised 2018-49)

- a) a single detached dwelling house shall only be permitted where such a dwelling is accessory to a permitted non-residential use, located in a separate structure sited principally on the lot on which such dwelling house is located;
- b) a dwelling unit in a portion of a non-residential building, provided it is located on the upper storeys of such building, or at the rear of such building if on the main floor, except where the building is used for a motor vehicle service station, a motor vehicle repair garage, a motor vehicle dealership, or a motor vehicle body shop.
- c) a home business.”

16.1.2 Non-Residential

- a) auction barn or flea market
- b) builder’s supply outlet, hardware, paint and wallpaper store, home furnishings store, appliance store
- c) business, professional or administrative office
- d) convenience store
- e) eating establishment, including a drive thru or take-out eating establishment and tea room, includes refreshment vehicle
- f) equipment sales, rental and repair establishment
- g) farm implement and equipment sales and service establishment
- h) food supermarket
- i) funeral home
- j) garden and nursery sales and supply establishment; greenhouse, commercial
- k) Liquor Control Board outlet, Brewers’ Retail outlet
- l) motel or hotel
- m) motor vehicle dealership, motor vehicle gasoline bar, motor vehicle repair garage, motor vehicle service station, or a motor vehicle wash, automatic
- n) outside display and storage of goods and materials where such use is accessory and incidental to a permitted non-residential use specified hereunder;
- o) place of entertainment or recreation, including a commercial club
- p) propane refill station
- q) public transportation depot
- r) public use or municipal utility in accordance with the provisions of 4.25 set forth in this By-law.
- s) recreational vehicle, snowmobile, marine or travel trailer sales and service establishment
- t) taxi or bus depot
- u) veterinarian clinic
- v) workshop, custom workshop
- w) parking lot
- x) any use permitted in the Community Facility (CF) Zone
- y) Bank or financial institution
- z) Dry cleaning establishment
- aa) Retail commercial establishment

16.1.3 Accessory Uses

Uses, buildings and structures accessory to any of the foregoing uses permitted under 16.1.1 and 16.1.2 hereof and in accordance with the provisions of 4.1 as set forth in this By-law.

16.2 REGULATIONS FOR RESIDENTIAL USES

All regulations for permitted residential uses as set out in Section 9.2 of this By-law shall apply within the Highway Commercial (C2) Zone, subject to the spatial separation requirements stated hereunder in 16.3 of this By-law.

16.3 SPATIAL SEPARATION REQUIREMENTS

Where a dwelling house is erected or any building or structure is altered or used for the purposes of a dwelling house, as permitted in accordance with the provisions of 16.1.1 hereof, such dwelling house shall not be erected nor shall any building be altered or used for such purposes within 3 m (10 ft.) of a permitted non-residential use, however, in no case shall a dwelling house be erected, altered or used within 7.5 m (25 ft.) of a motor vehicle service station, a motor vehicle repair garage or a motor vehicle dealership.

16.4 REGULATIONS FOR NON-RESIDENTIAL USES EXCLUSIVE OF RETAIL GASOLINE ESTABLISHMENTS AND MOTELS

16.4.1 Minimum Lot Area Requirement

- | | | |
|----|---|--|
| a) | public water and sewage disposal | 696 m ² (7,500 sq. ft.) |
| b) | public water supply and private sewage disposal | 1110 m ² (12,000 sq. ft.) plus 185 m ² (2,000 sq. ft.) where a dwelling unit located in a portion of a Non-Residential building. |
| c) | private water supply and sewage disposal | 2040 m ² (22,000 sq. ft.) plus 370 m ² (4,000 sq. ft.) where a dwelling unit located in a portion of a Non-Residential building. |

16.4.2 Minimum Lot Frontage Requirement 38 m (125 ft.)

16.4.3 Minimum Yard Requirements

- | | | |
|----|-----------------------------------|----------------|
| a) | front yard depth | 7.5 m (25 ft.) |
| b) | exterior side yard width | 7.5 m (25 ft.) |
| c) | interior side yard width | |
| | i. Abutting a Residential Zone | 9 m (30 ft.) |
| | ii. Abutting any other Zone | 6 m (20 ft.) |
| d) | rear yard depth | 7.5 m (25 ft.) |

16.4.4 Maximum Lot Coverage of All Buildings 25 percent

16.4.5 Minimum Setback from Street Centreline

- | | | |
|----|--------------------------------|-------------------|
| a) | Provincial Highway | 40.5 m (133 ft.) |
| b) | Municipal Road/Connecting Link | 17.5 m (57.5 ft.) |

16.4.6 Minimum Landscaped Open Space Requirement 10 percent

16.4.7 Maximum Height of Buildings 11 m (36 ft.)

16.4 REGULATIONS FOR RETAIL GASOLINE ESTABLISHMENTS

As set out in 15.6 of this By-law.

16.5 REGULATIONS FOR HOTELS

As set out in 15.7 of this By-law.

16.6 REGULATIONS FOR MOTELS

16.7.1 Minimum Lot Area Requirement

- | | | |
|----|---|--|
| a) | public water supply and sewage disposal | 950 m ² (10,255 sq. ft.) |
| b) | public water supply and private sewage disposal | 2780 m ² (30,000 sq. ft.) plus 185 m ² (2,000 sq. ft.) where a dwelling unit is located in a portion of a Non-Residential building |
| c) | private water supply and sewage disposal | 4000 m ² (43,000 sq. ft.) plus 370 m ² (4,000 sq. ft.) where a dwelling unit is located in a portion of a Non-Residential building |

16.7.2 Minimum Lot Frontage Requirements

- | | | |
|----|---|----------------|
| a) | public water supply and sewage disposal | 38 m (125 ft.) |
| b) | public water supply and private sewage disposal | 45 m (150 ft.) |
| c) | private water supply and sewage disposal | 53 m (175 ft.) |

16.7.3 Minimum Yard Requirements

- | | | |
|----|--------------------------------|----------------|
| a) | front yard depth | 12 m (40 ft.) |
| b) | exterior side yard width | 12 m (40 ft.) |
| c) | interior side yard width | |
| | i. Abutting a Residential Zone | 9 m (30 ft.) |
| | ii. Abutting any other Zone | 6 m (20 ft.) |
| d) | rear yard depth | 7.5 m (25 ft.) |

16.7.4 Maximum Lot Coverage of All Buildings 25 percent

16.7.5 Minimum Setback from Street Centreline

- | | | |
|----|--------------------|----------------|
| a) | Provincial Highway | 32 m (105 ft.) |
| b) | Municipal Road | 25 m (82 ft.) |

16.7.6 Minimum Landscaped Open Space Requirement 10 percent

16.7.7 Maximum Height of Buildings 11 m (36 ft.)

16.6.8 Distance Between Buildings

Where two or more buildings are erected on the same lot, the minimum distance between buildings shall not be less than the minimum distance which would be required if each building was on a separate lot and subject to the minimum yard requirements stated in 16.7.3 of this By-law.

16.6.9 Exterior Wall

Where the exterior wall of a guest room contains a habitable room window such wall shall be located not closer than 7.5 m (25 ft.) to any exterior side or rear lot line

16.7 BUFFER STRIP REQUIREMENTS

Where the interior side or rear lot line of a lot within a Highway Commercial (C2) Zone abuts a Residential Zone, an area adjoining such abutting lot line shall be used for no other purpose than for a buffer strip in accordance with the requirements of 4.5 set forth in this By-law.

16.8 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, of this By-law, where applicable to the use of any land, building or structure permitted within the Highway Commercial (C2) Zone shall apply.

16.9 LOADING AND PARKING PROVISIONS

All provisions of Section 5, Loading and Parking Provisions, of this By-law, where applicable to the use of any land, building or structure permitted within the Highway Commercial (C2) Zone shall apply.

16.10 EXCEPTION ZONE PROVISIONS – HIGHWAY COMMERCIAL (C2) ZONE

16.11.1 Highway Commercial Exception No. 1 (C2-1) Zone, Part of Lot 11, Concession 13

Notwithstanding any provisions of this By-law to the contrary, within the Highway Commercial Exception No. 1 (C2-1) Zone, the following provisions shall apply:

- i. The only permitted uses shall be:
 1. Marine and/or snowmobile dealer
 2. Take-out eating establishment
 3. One single detached dwelling
- ii. A commercial boat launching facility is a prohibited use.
- iii. Marina facilities shall be limited to the existing wall and pier.
- iv. No building or structure shall be located or used within 8 metres (26.2 feet) of the high water mark of Moira Lake.
- v. No building or structure shall be located or used with 8 metres (26.2 feet) of the old County Road.

- iv. No buildings or structures shall be located or used except in compliance with Schedule 'A' to By-law No. 2164-87 of the former Township of Huntingdon.

All other requirements of this By-law shall apply to land zoned C2-1.

16.11.2 Highway Commercial Exception No. 2 (C2-2) Zone, Part of Lot 7, Concession 8

Notwithstanding any provisions of this By-law to the contrary, within the Highway Commercial Exception No. 2 (C2-2) Zone, the following provisions shall apply:

- i. The only permitted uses shall be:
 - 1. One single detached dwelling
 - 2. Retail sale of light construction equipment and machinery

All other requirements of this By-law shall apply to land zoned C2-2.

16.11.3 Highway Commercial Exception No. 3 (C2-3) Zone, Part of Lot 12, Concession 14

Notwithstanding any provisions of this By-law to the contrary, within the Highway Commercial Exception No. 3 (C2-3) Zone, the following provisions shall apply:

- i. Minimum lot frontage 28 m (91.8 ft.)

All other requirements of this By-law shall apply to land zoned C2-3.

16.11.4 Highway Commercial Exception No. 4 (C2-4) Zone, (Deleted 2018-79)

16.11.5 Highway Commercial Exception No. 5 (C2-5) Zone, Lots 9, 10, 11 and 12, Plan 105 (2004-23)

Notwithstanding the permitted uses and regulations for non-residential uses of the Highway Commercial (C2) Zone to the contrary, within the Highway Commercial Exception No. 5 (C2-5) Zone the following shall apply:

- i. Minimum lot frontage 20.1 m (66 ft.)
- ii. Minimum exterior side yard 4.5 m (15 ft.)
- iii. Minimum interior side yard 0.0 m (0 ft.)
- iv. Maximum lot coverage 32.0%

v. That the area between the Quonset hut and the car wash building, being some 13.7 feet wide by 165 feet long all in accordance with Schedule "B" attached hereto and by this reference forming part of this By-law, shall be kept free from any encumbrances to allow access by the Municipality to an existing storm water drainage system buried therein as may be required from time to time.

All other requirements of this By-law shall apply to land zoned C2-5.

16.11.6 Highway Commercial Exception No. 6 (C2-6) Zone, 14118 Highway #62 (2015-22)

Notwithstanding the permitted uses and regulations for non-residential uses of the Highway Commercial (C2) Zone to the contrary, within the Highway Commercial Exception No. 6 (C2-6) Zone the following shall apply:

- i. For the purposes of this by-law. A "lot" shall be defined as the whole of the lands covered by the C2-6 Zone.

Notwithstanding the boundaries of the EP Zone, structures and uses may be permitted to locate having regard for the boundaries of the C2-6 Zone;

- ii. The permitted uses shall be limited to:
 - a. One existing 5,250 square foot eating establishment and associated drive-through facility;
 - b. Accessory and ancillary uses, except prohibiting the storage or sale of paints, pesticides, salts, solvents or fuels.

All other requirements of the C2 Zone of this By-law shall apply to land zoned C2-6.

16.11.7 Highway Commercial Exception No. 7 Holding (C2-7-h) Zone, 106075 Highway #62 (2015-22) (REVISED 2021-43)

Notwithstanding any other provisions of this By-law to the contrary, within the Highway Commercial Exception No. 7 –Holding (C2-7-h) Zone the following shall apply:

- i. Permitted uses shall be limited to:
 - a. A single detached dwelling and associated accessory garage;
 - b. Uses permitted in the Highway Commercial (C2) Zone; and,
 - c. Storage and sale of paints and solvents.

All other requirements of the Highway Commercial (C2) Zone and this By-law shall apply to lands zoned C2-7-h.

(THAT a by-law to remove the “Holding” (-h) symbol shall be considered by Council only after the landowners have entered into a site plan control agreement with the municipality, including submitting the studies prescribed by the Municipality to process the application for site plan control.)

16.11.8 Highway Commercial Exception No. 8 (C2-8) Zone, (Plan 197 Lot 9, Part Lot 10 & 11) (2018-53)

Notwithstanding any other provisions of this By-law to the contrary, within the Highway Commercial Exception No. 5 (C2-8) Zone the following shall apply:

- i. Permitted Uses:
 - a. A craft brewery

All other requirements of the C2 Zone and this By-law shall apply to lands zoned C2-8.

16.11.9 Highway Commercial Exception No. 9 -Holding (C2-9-h) Zone, Lot 20, Concession 1, Parts 1 & 3 on Registered Plan 21R-850 (2022-29) (2022-36)

Notwithstanding any other provisions of this By-law to the contrary, within Highway Commercial Exception No. 9 -Holding (C2-9-h) Zone the following shall apply:

- i. The only permitted uses shall be:
 - a. business, professional, or administrative office
 - b. workshop, custom workshop
 - c. parking lot

All other requirements of the Highway Commercial (C2) Zone and this By-law shall apply to lands zoned C2-9-h.”

SECTION 17 LOCAL COMMERCIAL (C3) ZONE

No person shall within any Local Commercial (C3) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

17.1 PERMITTED USES

17.1.1 Residential Uses (revised 2018-49)

- a) a single detached dwelling house shall only be permitted where such a dwelling is accessory to a permitted non-residential use, located in a separate structure sited principally on the lot on which such dwelling house is located;
- b) a dwelling unit in a portion of a non-residential building, provided it is located on the upper storeys of such building, or at the rear of such building if on the main floor, except where the building is used for a motor vehicle service station, a motor vehicle repair garage, a motor vehicle dealership, or a motor vehicle body shop;
- c) a home business.

17.1.2 Non-Residential Uses

- a) convenience store
- b) craft shop or custom workshop
- c) public use or municipal utility in accordance with the provisions of 4.25 as set forth in this By-law
- d) a service shop, including a service shop, personal

17.1.3 Accessory Uses

Uses, buildings and structures accessory to any foregoing uses permitted under 17.1.1 and 17.1.2 hereof and in accordance with the provisions of 4.1 as set forth in this By-law.

17.2 REGULATIONS FOR RESIDENTIAL USES

- a) Accessory Single Detached Dwelling House

All regulations as set out in Section 9.2 of this By-law shall apply with the Local Commercial (C3) Zone, subject to the spatial separation requirements set out in Section 16.3 of this By-law to the establishment of an accessory single detached dwelling house.

- b) Dwelling Unit in a Portion of a Non-Residential Building

All regulations as set out in Section 15.4 of this By-law shall apply within the Local Commercial (C3) Zone, to the establishment of residential uses in a portion of a non-residential building.

17.3 REGULATIONS FOR NON-RESIDENTIAL USES

17.3.1 Minimum Lot Area Requirement

- a) public water supply and sewage disposal 696 m² (7,500 sq. ft.)
- b) public water supply and private sewage disposal 1110 m² (12,000 sq. ft.) plus 185 m² (2,000 sq. ft.) where a dwelling unit located in a portion of a Non-Residential

		building.
	c) private water supply and sewage disposal	2040 m ² (22,000 sq. ft.) plus 370 m ² (4,000 sq. ft.) where a dwelling unit located in a portion of a Non-Residential building.
17.3.2	Minimum Lot Frontage Requirement	38 m (125 ft.)
17.3.3	Minimum Yard Requirements	
	a) front yard depth	7.5 m (25 ft.)
	b) exterior side yard width	7.5 m (25 ft.)
	c) interior side yard width	
	i. Abutting a Residential Zone	9 m (30 ft.)
	ii. Abutting any other Zone	6 m (20 ft.)
	d) rear yard depth	7.5 m (25 ft.)
17.3.4	Maximum Lot Coverage of All Buildings	25 percent
17.3.5	Minimum Setback from Street Centreline	
	a) Provincial Highway	40.5 m (133 ft.)
	b) Municipal Road/Connecting Link	17.5 m (57.5 ft.)
17.3.6	Maximum Landscaped Open Space Requirement	10 percent
17.3.7	Maximum Height of Buildings	11 m (36 ft.)

17.3 BUFFER STRIP REQUIREMENTS

Where the interior side or rear lot line of a lot within the Local Commercial (C3) Zone abuts a Residential Zone, an area adjoining such abutting lot line shall be used for no other purpose than for a buffer strip in accordance with the requirements of 4.5 as set forth in this By-law.

17.4 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, where applicable to the use of any land, building or structure permitted within the Local Commercial (C3) Zone shall apply.

17.5 LOADING AND PARKING PROVISIONS

All provisions of Section 5, Loading and Parking Provisions, of this By-law, where applicable to the use of any land, building or structure permitted with the Local Commercial (C3) Zone shall apply.

17.6 EXCEPTION ZONE PROVISIONS – LOCAL COMMERCIAL (C3) ZONE

17.7.1 Local Commercial Exception No. 1 (C3-1) Zone

Notwithstanding any provisions of this By-law to the contrary, within the Local Commercial Exception No. 1 (C3-1) Zone, the following provisions shall apply:

- i. Permitted Uses
 1. public use or municipal utility in accordance with the provisions of 4.16 as set

SECTION 18 RESORT COMMERCIAL (C4) ZONE

No person shall within any Resort Commercial (C4) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions.

18.1 PERMITTED USES

18.1.1 Residential Uses (revised 2018-49)

- a) a single detached dwelling house shall only be permitted where such a dwelling is accessory to a permitted non-residential use, located in a separate structure sited principally on the lot on which such dwelling house is located;
- b) a dwelling unit in a portion of a non-residential building, provided it is located on the upper storeys of such building, or at the rear of such building if on the main floor;
- c) a home business.

18.1.2 Non-Residential Uses

- a) tourist establishment uses including motels, motor hotels, hotels, lodges, cabins or resorts;
- b) Tent and Trailer Park;
- c) marina and accessory uses including storage, fuelling facilities and marine sales and service;
- d) any use, building or structure accessory to a permitted use including recreational facilities, convenience retail outlet and restaurant;
- e) public uses or utilities in accordance with the provisions of Section 4.24 of this By-law.

18.2 REGULATIONS FOR PERMITTED USES

18.2.1 Minimum Lot Area

- | | | |
|------|-----------------------|-----------------|
| i. | Tent and Trailer park | 4 ha (9.88 ac.) |
| ii. | Tourist establishment | 2 ha (4.94 ac.) |
| iii. | Marina | 2 ha (4.94 ac.) |
| iv. | All other uses | 2 ha (4.94 ac.) |

18.2.2 Minimum Lot Frontage

- | | | |
|------|-----------------------|-----------------|
| i. | Tent and Trailer Park | 100 m (328 ft.) |
| ii. | Tourist establishment | 60 m (200 ft.) |
| iii. | Marina | 60 m (200 ft.) |
| iv. | All other uses | 60 m (200 ft.) |

18.2.3 Minimum Front Yard 12 m (40 ft.)

18.2.4 Minimum Exterior Side Yard 12 m (40 ft.)

18.2.5 Minimum Interior Side Yard

- | | | |
|----|-----------------------------|----------------|
| i. | Abutting a residential zone | 7.5 m (25 ft.) |
|----|-----------------------------|----------------|

- ii. Abutting any other zone 3 m (10 ft.)
- 18.2.6 Maximum Lot Coverage**
 - i. All uses except a travel trailer park 30 percent
 - ii. Tent and Trailer Park 10 percent
- 18.2.8 Minimum Landscaped Open Space** 30 percent
- 18.2.9 Maximum Height of Buildings** 11 m (36 ft.)
- 18.2.10 Minimum Distance Between Buildings** 3 m (10 ft.)
- 18.2.11 Special provisions for travel trailer parks**
 - i. Minimum area for individual trailer sites 280 m² (3,000 sq. ft.)
 - ii. Minimum frontage for individual tent and trailer sites 15 m (50 ft.)
- 18.2.12 Regulations for Permitted Residential Uses**

The zone regulations of Section 13 Rural Residential (RR) Zone shall apply to an accessory single detached dwelling.

18.3 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Resort Commercial (CR) Zone shall apply and be complied with.

18.4 PARKING AND LOADING PROVISIONS

All provisions of Section 5, Loading and Parking Provisions, of this By-law, where applicable to the use of any land, building or structure permitted with the Resort Commercial (C4) Zone shall apply.

18.5 EXCEPTION ZONE PROVISIONS – RESORT COMMERCIAL (C4) ZONE

18.5.1 Resort Commercial Exception No. 1 (C4-1) Zone, Part of Lot 8, Concession 8 (Standard Church Camp)

Notwithstanding the uses permitted in the Resort Commercial (C4) Zone, within the Resort Commercial Exception No. 1 (C4-1) Zone, the only permitted use shall be a church camp with access by private right-of-way. All other requirements of this By-law shall apply to land zoned C4-1.

18.5.2 Resort Commercial Exception No. 2 (C4-2) Zone, Part of Lot 13, Concession 13 (Shoreline Motel)

Notwithstanding any provisions of this By-law to the contrary, within the Resort Commercial Exception No. 2 (C4-2) Zone, the only permitted uses shall be a seasonal recreational resort with access by a private right-of-way, comprising:

- i. one six-unit motel

- ii. two single detached dwelling houses
- iii. a Tent and Trailer Park with a maximum of 15 trailer sites
- iv. an accessory office

All other requirements of this By-law shall apply to land zoned C4-2.

18.5.3 Resort Commercial Exception No. 3 (C4-3) Zone, Parts of Lots 16 and 17, Concession 14 (Crystal Beach Resort)

Notwithstanding any provisions of this By-law to the contrary, within the Resort Commercial Exception No. 3 (C4-3) Zone, the following provisions shall apply:

- i. the maximum number of trailer sites shall be 419;
- ii. the maximum number of park model trailer sites shall be 56;
- iii. the maximum number of tent sites shall be 50; and
- iv. a dwelling unit in a portion of non-residential building shall be a permitted use.

All other requirements of this By-law shall apply to land zoned C4-3.

18.5.4 Resort Commercial Exception No. 4 (C4-4) Zone (REVISED), Part of Lot 12 & 13, Concession 11 (Loon Lake Resort) (2015-53) (REVISED By 2021-34)

Notwithstanding any provisions of this By-law to the contrary, within the Resort Commercial Exception No. 4 (C4-4) Zone, the following provisions shall apply:

- i. The maximum number of trailer sites shall be 200.
- ii. The maximum size of the park model trailer shall be 89.2 square metres (960 square feet).

All other requirements of the Resort Commercial (C4) Zone and this By-law shall apply to land zoned C4-4.

18.5.5 Resort Commercial Exception No. 5 (C4-5) Zone, Part of Lot 8, Concession 14 (Bailey's Cottages)

Notwithstanding any provisions of this By-law to the contrary, within the Resort Commercial Exception No. 5 (C4-5) Zone, the following provisions shall apply:

- i. the maximum number of trailer sites shall be 25;
- ii. the maximum number of tourist cabins shall be 6.

All other requirements of this By-law shall apply to land zoned C4-5.

18.5.6 Resort Commercial Exception No. 6 (C4-6) Zone, Part of Lots 15 and 16, Concession 14 (Pitt's Landing)

Notwithstanding any provisions of this By-law to the contrary, within the Resort Commercial Exception No. 6 (C4-6) Zone, the following provisions shall apply with the total area of the land that is so zoned:

- i. the maximum number of trailer sites shall be 65;
- ii. the maximum number of tourist cabins shall be 12.

All other requirements of this By-law shall apply to land zoned C4-6.

18.5.7 Resort Commercial Exception No. 7 (C4-7) Zone, Part of Lots 16 & 17, Concession 13 (Quin Mo Lac Camp)

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Notwithstanding any provisions of this By-law to the contrary, within the Resort Commercial Exception No. 7 (C4-7) Zone, the following provisions shall apply:

- i. The only permitted use shall be a church camp offering camping to families and groups of children in a supervised environment.
- ii. Permitted buildings and structures shall be limited to cabins, dining halls, recreation halls, administrative buildings and places of worship accessory to the camp operation and other buildings and structures accessory to the camp operation.

All other requirements of this By-law shall apply to land zoned C4-7.

SECTION 19 GENERAL INDUSTRIAL (M1) ZONE

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

19.1 PERMITTED USES

19.1.1 Residential Uses

Prohibited

19.1.2 Non-Residential Uses

- a) builder's supply outlet or lumber yard
- b) bulk storage tanks and related facilities
- c) business or professional office provided such use is accessory and incidental to a permitted non-residential use as otherwise specified herein
- d) cartage or transport depot and yard facilities
- e) equipment sales and/or rental
- f) farm implement and related equipment sales and service establishment
- g) feed mill or seed cleaning plant
- h) general contractor's or tradesman's yard and related shop and office facilities
- i) manufacturing, processing, assembly or fabricating plant except any such use which, from its nature or the materials used therein, is declared to be an offensive or noxious trade, business or manufacture under the *Health Protection and Promotion Act*, as amended, and, the Regulations made thereunder
- j) machine or welding shop
- k) motor vehicle body shop or repair garage
- l) municipal, county, provincial or other public works yard, maintenance depot or firehall
- m) outside display and storage of goods and materials where such use is accessory and incidental to a permitted non-residential use otherwise specified hereunder
- n) printing or publishing establishment
- o) public use or utility in accordance with the provisions of 4.25 as set forth in this By-law
- p) retail commercial outlet where such use is accessory and incidental to a permitted non-residential use otherwise specified hereunder
- q) saw mill and/or planing mill
- r) truck repair and maintenance depot
- s) warehouse or wholesale establishment
- t) workshop
- u) parking lot

19.1.3 Accessory Uses

Uses, buildings and structures accessory to any of the foregoing uses permitted under 19.1.2 hereof and in accordance with the provisions of 4.1 as set forth in this By-law.

19.2 REGULATIONS FOR NON-RESIDENTIAL USES

19.2.1 Minimum Lot Area Requirements

- | | | |
|----|---|---|
| a) | public water supply and sewage disposal | 900 m ² (10,000 sq. ft.) |
| b) | public water supply and private sewage disposal | 2320 m ² (24,973.10 sq. ft.) |
| c) | private water and sewage disposal | 4000 m ² (43,057 sq. ft.) |

19.2.2 Minimum Lot Frontage Requirement

- | | | |
|----|---|-------------------|
| a) | public water supply and sewage disposal | 30 m (100 ft.) |
| b) | public water supply and private sewage disposal | 38 m (124.67 ft.) |

c)	private water supply and sewage disposal	45 m (147.6 ft.)
19.2.3	Minimum Front Yard	15 m (50 ft.)
19.2.4	Minimum Exterior Side Yard	15 m (50 ft.)
19.2.5	Minimum Interior Side Yard	
a)	abutting an Industrial Zone	3 m (10 ft.)
b)	abutting any other Zone	15 m (50 ft.)
19.2.6	Minimum Rear Yard	
a)	abutting an Industrial Zone	12 m (40 ft.)
b)	abutting any other Zone	20 m (65 ft.)
19.2.7	Maximum Lot Coverage of All Buildings	50 percent
19.2.8	Minimum Setback from Street Centreline	
a)	Provincial Highway	33 m (108.27 ft.)
b)	Local municipal road/Connecting Link	25 m (82 ft.)
19.2.9	Minimum Landscaped Open Space Requirement	5 percent

19.2 REGULATIONS FOR OUTSIDE STORAGE

Where outside storage is a permitted use, it shall be subject to the following provisions.

- 19.3.1** Outside storage shall only be permitted as an accessory use of the main building on the lot;
- 19.3.2** Such outside storage shall comply with the yard and setback regulations for the General Industrial (M1) Zone, as set out in Section 19.2 of this By-law and in addition, no outside storage shall be located closer than 18 m (60 ft.) to any street line;
- 19.3.3** Such outside storage shall not cover more than 30 percent of the lot area, or cover an area which is in excess of twice the ground floor area of the main building on the lot;
- 19.3.4** Any portion of a lot used for such outside storage shall be screened from adjacent uses and streets adjoining the lot, by buildings or enclosed by shrub planting, a planting strip or within a opaque fence, at least 1.8 m (6 feet) in height from the ground. All fences, except those constructed of aluminum, shall be painted and kept painted, from time to time, so as to maintain the wood or metal in good condition.

19.4 RESTRICTIONS ON USE OF FRONT AND EXTERIOR SIDE YARDS

Required front and exterior side yards shall be open and unobstructed by any structure or parking or loading area for motor vehicles except that any such yard may be used for the purposes of visitor parking in accordance with the provisions of Section 5.2 of this By-law.

19.5 BUFFER STRIP REQUIREMENTS

Where the interior side or rear lot line abuts a Residential or Community Facility Zone, an area adjoining such abutting lot line shall be used for no other purpose than for a buffer strip in accordance with the requirements of Section 4.5 of this By-law.

19.6 YARD AND HEIGHT REQUIREMENTS FOR INDUSTRIAL BUILDINGS

If any portion of a building is erected above a height of 12.2 m (40 ft.), such portion must be set back from the centerline of the abutting street or from the front, side or rear lot line, as the case may be, in addition to the minimum setback, front side or rear yard requirements of this By-law, a further distance of one metre for each metre by which such portion of the building is erected above a building height of 12.2 m (40 ft.)

19.7 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, of this By-law, where applicable to the use of any land, building or structure permitted within the General Industrial (M1) Zone shall apply.

19.8 LOADING AND PARKING PROVISIONS

All provisions of Section 5, Loading and Parking Provisions, of this By-law, where applicable to the use of any land, building or structure permitted within the General Industrial (M1) Zone shall apply.

19.9 EXCEPTION ZONE PROVISIONS – GENERAL INDUSTRIAL (M1) ZONE

19.9.1 General Industrial Exception No. 1 (M1-1) Zone

In addition to the uses permitted in the General Industrial (M1) Zone, within the General Industrial Exception No. 1 (M1-1) Zone, a single detached dwelling house shall be permitted.

19.9.2 General Industrial Exception No. 2 (M1-2) Zone, Pt. Lot 12, Conc. 14 (2012-13)

Notwithstanding the Regulations for Non-Residential uses and regulations for the General Industrial (M1) Zone to the contrary, within the General Industrial Exceptions No. 2 (M1-2) Zone the following shall apply:

- i. That the minimum lot area shall be 0.50 ha (1.25 ac.)
- ii. That the minimum lot frontage shall be 73.1 m (240.0 ft.)
- iii. That the minimum side yards shall be 0.82 m (2.7 ft.)

All other requirements of this By-law shall apply to land zoned M1-2.

19.9.3 General Industrial Exception No. 3 (M1-3) Zone, Pt. Lot 12, Conc. 14 (2012-13)

Notwithstanding the Regulations for Non-Residential uses and regulations for the General Industrial (M1) Zone to the contrary, within the General Industrial Exceptions No. 3 (M1-3) Zone the following shall apply:

- i. That the minimum lot frontage shall be 15 m (50.0 ft.) and that the minimum lot area shall be 0.16 ha (0.41 ac.).
- ii. That the Environmental Protected Zone shall remain in place and that the minimum lot area shall be 4.25 ha (10.5 ac.)

All other requirements of this By-law shall apply to land zoned M1-3.

19.9.4 General Industrial Exception No. 4 (M1-4) Zone, (14 Hill Ave.) (2014-53)

Notwithstanding the permitted uses and regulations for the General Industrial (M1) Zone to the contrary, within the General Industrial – Exception No. 4 – Holding (M1-4) Zone the following shall apply:

- i. Permitted Uses: uses of the General Industrial (M1) Zone

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- ii. Applicable Special Provisions:
 - a. Notwithstanding Subsection 19.9.4 i., lands zoned M1-4 – H shall only be used for dry uses which shall require no water as part of the assembly, manufacture, cooling, fabrication, repair, packaging and storage activities and be used for servicing on-site employees;
 - b. Permitted uses of 19.9.4 i and ii. a. are available only after removal by by-law of the “H” (Holding Symbol);
 - c. The “H” (Holding symbol) shall be removed only after a satisfactory site plan and site plan agreement has been accepted by Council.

All other requirements of this By-law shall apply to land zoned M1-4.

SECTION 20 RURAL INDUSTRIAL (M2) ZONE

No person shall within any Restrictive Industrial (M2) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions.

20.1 PERMITTED USES

20.1.1 Residential Uses

- a) a single detached dwelling house
- b) a dwelling unit in a portion of a non-residential building;

20.1.2 Non-Residential Uses

- a) abattoir
- b) assembly, fabricating, manufacturing or processing plants
- c) buildings supply and lumber yard
- d) bulk storage
- e) business office, in conjunction with and accessory to a permitted non-residential use
- f) communications tower
- g) contractor's yard
- h) farm equipment, rental, sales and service
- i) fire department station
- j) motor vehicle body shop
- k) motor vehicle repair garage
- l) open storage, in conjunction with and accessory to a permitted non-residential use
- m) parking lot
- n) printing or publishing establishment
- o) public use or utility in accordance with the provisions of 4.25 of this By-law
- p) public works depot
- q) retail sales, in conjunction with and accessory to a permitted non-residential use
- r) sawmill
- s) truck terminal
- t) warehouse
- u) wholesale establishment
- v) workshop

20.1.3 Accessory Uses

Uses, buildings and structures accessory to any of the permitted uses in accordance with Section 4.1 of this By-law.

20.2 REGULATIONS FOR RESIDENTIAL USES

20.2.1 Minimum Separation

Where a dwelling house is erected or any building or structure is altered or used as a dwelling house, such dwelling house shall not be located closer than:

- a) 3 m (10 ft.) from a permitted non-residential use other than a motor vehicle repair garage or body shop
- b) 7.5 m (24.6 ft.) from a motor vehicle repair garage or body shop.

20.2.2 Minimum Gross Floor Area for a Single Detached Dwelling House 84 m² (904 sq. ft.)

20.2.3 Minimum Ground Floor Area for a Single Detached Dwelling House that has more than One Storey 60 m² (645.8 sq. ft.)

- 20.2.4** Minimum Dwelling Unit Area for a Dwelling Unit in a Portion of a Non-Residential Building
- | | |
|-------------------------------------|---------------------------------|
| a) Bachelor Unit | 42 m ² (452 sq. ft.) |
| b) One bedroom Unit | 55 m ² (600 sq. ft.) |
| c) For Each Additional Bedroom, Add | 10 m ² (107 sq. ft.) |
- 20.2.5** Maximum Number of Dwelling Units 1
- 20.2.6** Residential Uses shall comply with the minimum yard requirements for Non-Residential Uses.
- 20.2.7** Residential uses permitted under Subsections 20.1.1 a) and b) shall be incidental and accessory to the non-residential use of the lot and shall be for the use of the owner, caretaker, watchman or other similar persons as are employed on the lot.
- 20.3 REGULATIONS FOR NON-RESIDENTIAL USES**
- 20.3.1** Minimum Lot Area 0.4 ha (1 ac.)
- 20.3.2** Minimum Lot Frontage 45 m (150 ft.)
- 20.3.3** Minimum Front Yard 23 m (75 ft.)
- 20.3.4** Minimum Exterior Side Yard 23 m (75 ft.)
- 20.3.5** Minimum Interior Side Yard
- | | |
|--------------------------------|----------------|
| a) Abutting an Industrial Zone | 3.0 m (10 ft.) |
| b) Abutting any other Zone | 14 m (46 ft.) |
- 20.3.6** Maximum Rear Yard
- | | |
|--------------------------------|-----------------|
| a) Abutting an Industrial Zone | 12.0 m (40 ft.) |
| b) Abutting any other Zone | 14 m (46 ft.) |
- 20.3.7** Maximum Lot Coverage of All Buildings 20 percent
- 20.3.8** Minimum Setback from Street Centreline
- | | |
|---|----------------|
| a) Provincial Highway | 38 m (125 ft.) |
| b) Local Municipal Road/Connecting Link | 33 m (100 ft.) |
- 20.3.9** Minimum Landscaped Open Space Requirement 10 percent
- 20.3.10** Maximum Height of Buildings 11 m (36 ft.)
- 20.4 MINIMUM SERVICES**
- 20.4.1** A private well with 16 litres per minute (3.5 gallons per minute) supply of potable water.
- 20.4.2** A private sewage disposal system approved by the appropriate regulatory authority.
- 20.4.3** Permitted industrial and accessory uses shall be restricted to “dry” uses which shall mean those in which water is not necessary in the manufacturing, processing and/or fabrication of goods and materials or in which water is not necessary to provide a service or goods to the client group. These uses will not result in the need for water supply or sewage disposal systems beyond those requirements normally considered necessary for the personal use of employees. Furthermore, the

number of employees shall not exceed the capacity of individual, on-site water supply and sewage disposal services.

20.5 REGULATIONS FOR OUTSIDE STORAGE

Where outside storage is a permitted use, it shall be subject to the following provisions.

- 20.5.1** Outside storage shall only be permitted as an accessory use of the main building on the lot;
- 20.5.2** Such outside storage shall comply with the yard and setback regulations for the General Industrial (M2) Zone, as set out in Section 20.3 of this By-law and in addition, no outside storage shall be located closer than 18 m (60 ft.) to any street line;
- 20.5.3** Such outside storage shall not cover more than 30 percent of the lot area, or cover an area which is in excess of twice the ground floor area of the main building on the lot;
- 20.5.4** Any portion of a lot used for such outside storage shall be screened from adjacent uses and streets adjoining the lot, by buildings or enclosed by shrub planting, a planting strip or within a opaque fence, at least 1.8 m (6 feet) in height from the ground. All fences, except those constructed of aluminum, shall be painted and kept painted, from time to time, so as to maintain the wood or metal in good condition.
- 20.5.5** Motor vehicles that are in an operable condition and are for sale may be stored in the front yard provided they do not obstruct site lines or any site triangle.

20.6 BUFFER STRIP REQUIREMENTS

Where the interior side or rear lot line abuts a Residential or Community Facility Zone, an area adjoining such abutting lot line shall be used for no other purpose than for a buffer strip in accordance with the requirements of Section 4.5 of this By-law.

20.7 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, of this By-law, where applicable to the use of any land, building or structure permitted within the Restrictive industrial (M2) Zone shall apply.

20.8 LOADING AND PARKING PROVISIONS

All provisions of Section 5, Loading and Parking Provisions, of this By-law, where applicable to the use of any land, building or structure permitted within the Rural Industrial (M2) Zone shall apply.

20.9 EXCEPTION ZONE PROVISIONS – RURAL INDUSTRIAL (M2) ZONE

20.9.1 Rural Industrial Exception No. 1 (M2-1) Zone, Part of Lot 10, Concession 9

Notwithstanding any provisions of this By-law to the contrary, within the Rural Industrial Exception No. 1 (M2-1) Zone, the following provisions shall apply:

- i. Permitted Non-Residential Uses
 - 1. motor vehicle sales establishment
 - 2. motor vehicle repair garage
 - 3. wholesale establishment
 - 4. workshop

5. retail establishment
 6. personal service shop
 7. service shop
 8. veterinary clinic
-
- ii. Minimum lot area 0.15 ha (0.37 ac.)
 - iii. Minimum lot frontage 44 m (144.3 ft.)
 - iv. Minimum Setback from Centreline of Municipal Road 22 m (72.17 ft.)
 - v. Minimum Front Yard Depth 10 m (32.8 ft.)
 - vi. Minimum Interior Side Yard Width
 1. Abutting any Industrial Zone 3 m (9.8 ft.)
 2. Abutting any other zone 7 m (22.96 ft.)
 - v. Minimum Interior Side Yard Width For Accessory Structures
 1. Abutting a residential use or zone 7 m (22.96 ft.)
 2. Abutting any other zone 3 m (9.8 ft.)

All other requirements of this By-law shall apply to land zoned M2-1.

20.9.2 Rural Industrial Exception No. 2 (M2-2) Zone, Part of Lot 20, Concession 1

Notwithstanding the uses permitted in the Rural Industrial (M2) Zone, within the Rural Industrial Exception No. 2 (M2-2) Zone, the only permitted use shall be a model cottage display.

20.9.3 Rural Industrial Exception No. 3 (M2-3) Zone, Lot 4, Concession 12 (Orica Canada)

Notwithstanding any provisions of this By-law to the contrary, within the Rural Industrial Exception No. 3 (M2-3) Zone, the following provisions shall apply:

- i. Permitted use shall be limited to the following:
 1. Storage of explosives and related products
 2. Workshop and business office, accessory and incidental to the storage of explosives and related products.

All other requirements of this By-law shall apply to land zoned M2-3.

20.9.4 Rural Industrial Exception No. 4 (M2-4) Zone, Part of Lot 10, Concession 12

Notwithstanding any provisions of this By-law to the contrary, within the Rural Industrial Exception No. 4 (M2-4) Zone, the following provisions shall apply:

- i. Permitted Residential Uses
 1. Single detached dwelling, accessory to a permitted non-residential use
- ii. Permitted Non-Residential Uses
 1. Sawmill
- iii. Special Provisions

1. Within the rural Exception No. 4 (M2-4) Zone the Agreement delineated on Schedule "B" to By-law No. 2001-04 shall apply and be complied with.

All other requirements of this By-law shall apply to land zoned M2-4.

20.9.5 Rural Industrial Exception No. 5 (M2-5) Zone, Part of Lot 8, Concession 10

Notwithstanding any provisions of this By-law to the contrary, within the Rural Industrial Exception No. 5 (M2-5) Zone, the following provisions shall apply:

- i. Permitted Residential Uses
 1. Single detached dwelling, accessory to a permitted non-residential use
- ii. Permitted Non-Residential Uses
 1. Sawmill
 2. Accessory building for the repair and maintenance of trucks and equipment
- iii. Regulations
 1. Minimum front yard 19.82 m (65.0 ft.)
 2. The stockpiling of logs and lumber shall be permitted in the front yard.

All other requirements of this By-law shall apply to land zoned M2-5.

20.9.6 Rural Industrial Exception No. 6 (M2-6) Zone, Part of Lot 20, Concession 1

Notwithstanding the permitted uses and regulations for the Rural Industrial (M2) Zone to the contrary, within the Rural Industrial Exception No. 6 (M2-6) Zone the following shall apply:

1. Permitted Non-Residential Uses
 - w. Motor Vehicle Dealership
2. Minimum north side yard 8m (26 ft)

All other requirements of this By-law shall apply to land zoned M2-6.

20.9.7 Rural Industrial Exception No. 7 (M2-7-h) Zone, (Part of Lots 19 and 20, Concession 11) (2019-39) (2022-14)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Industrial Exception No. 7 (M2-7-h) Zone the following uses shall be permitted:

20.9.7 Rural Industrial Exception No. 7 -Holding (M2-7-h) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Industrial Exception No. 7 Holding (M2-7-h) Zone the following uses shall be permitted:

- i. A greenhouse, warehouse, and steel incinerator used for the purpose of producing medical cannabis;
- ii. A dwelling located no closer than 150 metres to a greenhouse/warehouse used for the purpose of producing medical cannabis;
- iii. A commercial greenhouse.

Notwithstanding any other provisions of this By-law to the contrary, within the Rural

Industrial Exception No. 7 -Holding (M2-7-h) Zone the following apply to the use of a greenhouse/warehouse for the purposes of medical cannabis production:

- i. The facility shall be located within a wholly enclosed building;
- ii. No building or structure or portion thereof used for medical cannabis production and processing purposes may be located closer to any Residential Zone, Institutional Zone, or Open Space Zone than 70 metres;
- iii. Open storage shall not be permitted on the site;
- iv. Loading spaces shall be located within the wholly enclosed building.
- v. The maximum size of a greenhouse used for the purpose of producing medical cannabis for 743.2 square metres (8000 square feet);
- vi. The maximum size of a warehouse used for the purpose of producing medical cannabis is 167.2 square metres (1800 square feet);
- i. A covered access tunnel between the greenhouse and the warehouse shall be permitted, but shall not be used for the production or storage of medical cannabis; and,
- ii. The maximum size of a steel incinerator used for the purpose of disposing medical cannabis waste product is 4.4 square metres (47.4 square feet).

All other requirements of the M2 Zone and this By-law shall apply to lands zoned M2-7-h. (THAT a by-law to remove the “Holding” (-h) symbol shall be considered by Council only after the landowners have provided proof that they have obtained a license from Health Canada to produce medical marijuana.)

20.9.8 Rural Industrial Exception No. 8 Holding (M2-8-h) Zone, (Part of Lot 3, Concession 7, Part 1 on Registered Plan 21R-17120) (2019-77)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Industrial Exception No. 8 Holding (M2-8-h) Zone only the following uses shall be permitted:

- i. One building for the purposes of producing and processing cannabis;
- ii. Accessory buildings that cannot be used to produce or store cannabis; and
- iii. Accessory uses in accordance with Section 4.1 of the By-law.

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Industrial Exception No. 8 Holding (M2-8-h) Zone the following apply to the use of a building for the purposes of producing and processing cannabis:

- i. The production and processing of cannabis shall be located within a wholly enclosed building;
- ii. The minimum front yard, rear, and side yard setback for a building/structure or portion thereof used for cannabis production and processing purposes is 70 metres
- iii. metre landscape buffer along lot lines abutting a public road;
- iv. Parking in accordance with Section 5.2 of the By-law;
- v. Maximum Building Height:
 - a) Main building 7.25 metres;
 - b) Accessory building 7.25 metres.
- vi. Minimum width of entrance shall be 6.0 metres
- vii. Accessory open storage:
 - a) Maximum 10% of the lot area;
 - b) Perimeter of open storage must be fully screened from adjacent uses;
 - c) The open storage goods, materials and matters shall not exceed the height of the screening; and
 - d) The open storage of cannabis is prohibited.
- viii. Loading spaces shall be located within the wholly enclosed building.

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- ix. The maximum size of a building used for the purposes of producing and processing cannabis is 743.2 square metres (8000 square feet)
- x. The maximum permitted cultivation area of a building used for the purposes of producing and processing cannabis is 200 square metres (2152.8 square feet)

Except for subsection 20.1.2 all other requirements of the M2 Zone and this By-law shall apply to lands zoned M2-8-h

20.9.9 Rural Industrial Special Exception 9 (M2-9) Zone, Part of Lot 6, Concession 2, Part 2 on Registered Plan 21R-1888. (2022-13)

Notwithstanding any other provisions of this By-law to the contrary, within Rural Industrial Special Exception 9 (M2-9) Zone the following shall apply:

- i. The minimum interior yard setback shall be 10 metres; and,
- ii. The minimum numbering parking spaces shall be 10, including one space dedicated to accessible parking.

All other requirements of the Restricted Industrial (M2) Zone and this By-law shall apply to lands zoned M2-9.”

SECTION 21 RESTRICTIVE INDUSTRIAL (M3) ZONE

No person shall within any Restrictive Industrial (M3) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions.

21.1 PERMITTED USES

21.1.1 Residential Uses

- a) a single detached dwelling house shall only be permitted where such dwelling is accessory to a permitted non-residential use and is occupied by the owner, caretaker, watchman or other similar persons as are employed on the lot on which such dwelling house is located, except that such use is prohibited in association with a Waste Management Site.

21.1.2 Non-Residential Uses

- a) aggregate processing plant
- b) agriculture
- c) asphalt and batching plant
- d) forestry
- e) pit
- f) quarry
- g) open space
- h) open storage accessory to a permitted use
- i) parking lot
- j) waste management site licensed by the appropriate authority (Salvage Yard, Sanitary Land Fill, Sewage Treatment Plant)
- k) salvage yard licensed under the *Municipal Act*, R.S.O., 1990, as amended
- l) sanitary landfill or sewage treatment plant licensed under the *Environmental Protection Act*, R.S.O., 1990, as amended
- m) repair garage as an accessory use to a salvage yard
- n) business and sales office incidental to aggregate processing plant or salvage yard
- o) public use or utility in accordance with the provisions of 4.25 of this By-law

21.1.3 Accessory Uses

Uses, buildings and structures accessory to any of the permitted uses in accordance with 4.1 of this By-law.

21.2 REGULATIONS FOR RESIDENTIAL USES

21.2.1 Minimum Separation

Where a dwelling house is erected or any building or structure is altered or used as a dwelling house, such dwelling house shall not be located closer than:

- a) 3 m (10 ft.) from a permitted non-residential use other than a motor vehicle repair garage or body shop.
- b) 7.5 m (24.6 ft.) from a motor vehicle repair garage or body shop.

21.2.2 Maximum Number of Dwelling Units 1

21.2.3 Residential Uses shall comply with the minimum yard requirements for Non-Residential Uses.

21.3 REGULATIONS FOR NON-RESIDENTIAL USES

21.3.1 Minimum Lot Area

a)	Waste Management Site	3 ha (7.5 ac.)
b)	Pit or Quarry	not applicable
c)	Other permitted uses	0.9 ha (2 ac.)
21.3.2	Minimum Lot Frontage	
a)	Waste Management Site	200 m (656 ft.)
b)	Pit or Quarry	not applicable
c)	Other permitted uses	45 m (150 ft.)
21.3.3	Minimum Front Yard	
a)	Waste Management Site	60 m (200 ft.)
b)	Other permitted uses	30 m (100 ft.)
21.3.4	Minimum Exterior Side Yard	
a)	Waste Management Site	60 m (200 ft.)
b)	Other permitted uses	30 m (100 ft.)
21.3.5	Minimum Interior Side Yard	
a)	Waste Management Site	60 m (200 ft.)
b)	Other permitted uses	15 m (50 ft.)
21.3.6	Minimum Rear Yard	
a)	Waste Management Site	60 m (200 ft.)
b)	Other permitted uses	15 m (50 ft.)
21.3.7	Maximum Lot Coverage of All Buildings	20 percent
21.3.8	Minimum Setback from Street Centreline	
a)	Provincial Highway	
i.	Waste Management Site	70 m (200 ft.)
ii.	Other permitted uses	40 m (100 ft.)
b)	Local Municipal Road/Connecting Link	
i.	Waste Management Site	70 m (200 ft.)
ii.	Other permitted uses	40 m (100 ft.)
21.3.9	Minimum Landscaped Open Space Requirement	10 percent
21.3.10	Maximum Height of Buildings	11 m (36 ft.)
21.4	RESTRICTIONS ON USE OF FRONT AND EXTERIOR SIDE YARDS	

Required front and exterior side yards shall be open and unobstructed by any structure or parking or loading area for motor vehicles except that any such yard may be used for the purposes of visitor parking in accordance with the provisions of Section 5.2 of this By-law.

21.5 BUFFER STRIP REQUIREMENTS

Where the interior side or rear lot line abuts a Residential or Community Facility Zone, an area adjoining such abutting lot line shall be used for no other purpose than for a buffer strip in accordance with the requirements of Section 4.5 of this By-law.

A pit or quarry, waste management site, salvage yard, aggregate processing plant, asphalt or concrete batching plant and open storage accessory to these permitted uses shall be screened from adjacent uses and streets adjoining the lot, by buildings or enclosed by shrub planting, a planting strip or within a opaque fence, at least 1.8 m (6 feet) in height from the ground. All fences, except those constructed of aluminum, shall be painted and kept painted, from time to time, so as to maintain the wood or metal in good condition.

21.6 RESTRICTIVE INDUSTRIAL – DEPOSIT (M3-d) Zone

Development in the Restrictive Industrial – Deposit (M3-d) Zone shall only be permitted when “d” (deposit) symbol has been deleted by amendment to the zone schedule.

21.7 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, of this By-law, where applicable to the use of any land, building or structure permitted within the Restrictive Industrial (M3) Zone shall apply.

21.8 LOADING AND PARKING PROVISIONS

All provisions of Section 5, Loading and Parking Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Restrictive Industrial (M3) Zone shall apply.

21.9 EXCEPTION ZONE PROVISIONS – RESTRICTIVE INDUSTRIAL (M3) ZONE

21.9.1 Restrictive Industrial Exception No. 1 (M3-1) Zone, Part of Lot 3, Concession 3

Notwithstanding any provisions of this By-law to the contrary, within the Restrictive Industrial Exception No. 1 (M3-1) Zone, the following provisions shall apply:

- i. Permitted uses shall be limited to the following:
 1. Single detached dwelling
 2. A limited amount of outside storage of invert salvage materials
 3. A fishing bait and tackle shop
- ii. Regulations
 1. Outside storage shall occur to the rear of the front yard.
 2. Outside storage shall be set back a minimum of 5 metres (16.4 ft.) from any side lot line.

All other requirements of this By-law shall apply to land zoned M3-1.

M3-2 In the “M3-2 (Restrictive Industrial-Exception 2)” zone in part of Lot 8, Concession 7, shown on Schedule “A2”, the permitted uses shall be limited to a single detached dwelling house and limited open storage of salvage vehicles and inert materials.

M3-3 # Not Assigned.

M3-4 The zone shown as a “Restrictive Industrial-Exception 4 (M3-4)” zone on part Lot 10, Concession 9 of Schedule “A2” shall be limited to the uses of a “Restrictive Industrial (M3)” zone except that

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a residential use shall maintain a minimum 150 metre setback from the “Restrictive Industrial – Exception 4 (M3-4)” zone (notwithstanding 6.8.7.4)

M3-5 In the “M3-5 (Restrictive Industrial – Exception 5)” zone in part of Lot 4, Concession 12, shown on Schedule “A3”, the permitted use shall be magazines for the storage of explosive materials. Notwithstanding the provisions of the “M3 (Restrictive Industrial)” zone, the minimum setback from the boundary of the “M3-5 (Restrictive Industrial – Exception 5)” zone to a residential or commercial use shall be 300 metres.

SECTION 22 COMMUNITY FACILITY (CF) ZONE

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

22.1 PERMITTED USES

22.1.1 Residential Uses

- a) single detached dwelling house accessory to a place of worship or private school

22.1.2 Non-Residential Uses

- a) arena
- b) assembly hall or auditorium
- c) cemetery
- d) community centre
- e) day nursery
- f) elderly persons centre
- g) farmer's open air market
- h) firehall
- i) fraternal lodge
- j) home for the aged
- k) hospital
- l) land based ambulance station
- m) medical or dental clinic
- n) municipal administration complex
- o) museum
- p) nursing home
- q) place of worship
- r) police station
- s) post office
- t) private club
- u) public library
- v) public park
- w) public or private school
- x) public use or utility in accordance with the provisions of 4.25 of this By-law

22.1.3 Accessory Uses

Uses, buildings and structures accessory to any of the foregoing permitted uses specified under 22.1.1 or 22.1.2 hereof and in accordance with the provisions of 4.1 as set forth in this By-law.

22.2 REGULATIONS FOR RESIDENTIAL USES

All regulations for residential uses as set out in 9.2 of this By-law shall apply within the Community Facility (CF) Zone, subject to the spatial separation requirements stated hereunder in 22.3 of this By-law.

22.3 SPATIAL SEPARATION REQUIREMENTS

Where a dwelling house is erected or any building or structure is altered or used for the purposes of a dwelling house, as permitted in accordance with the provisions of 22.1.1 hereof, such dwelling house shall not be erected nor shall any building be altered or used for such purposes within 3 m (9.84 ft.) of a permitted non-residential use.

22.4 REGULATIONS FOR NON-RESIDENTIAL USES

22.4.1 Minimum Lot Area Requirements

- | | | |
|----|---|---|
| a) | public water supply and sewage disposal | 900 m ² (10,000 sq. ft.) |
| b) | public water supply and private sewage disposal | 8000 m ² (86,114 sq. ft.) |
| c) | private water supply and sewage disposal | 8000 m ² (86,114 sq. ft.) 1.98 Acres |

22.4.2 Minimum Lot Frontage Requirement

- | | | |
|----|---|----------------|
| a) | public water supply and sewage disposal | 15 m (50 ft.) |
| b) | public water supply and private sewage disposal | 45 m (150 ft.) |
| c) | private water supply and sewage disposal | 45 m (150 ft.) |

22.4.3 Minimum Front Yard 15 m (50 ft.)

22.4.4 Minimum Exterior Side Yard 15 m (50 ft.)

22.4.5 Minimum Interior Side Yard

- | | | |
|----|--|---------------|
| a) | abutting any commercial or community facility zone | 3 m (10 ft.) |
| b) | abutting any other zone | 15 m (50 ft.) |

22.4.6 Minimum Rear Yard

- | | | |
|----|-----------------------------|---------------|
| a) | abutting an industrial zone | 12 m (40 ft.) |
| b) | abutting any other zone | 20 m (65 ft.) |

22.4.7 Maximum Lot Coverage of All Buildings 50 percent

22.4.8 Minimum Setback from Street Centreline

- | | | |
|----|--------------------------------|--------------------|
| a) | Provincial Highway | 32 m (105 ft.) |
| b) | Municipal Road/Connecting Link | 20.5 m (67.26 ft.) |

22.4.9 Minimum Landscaped Open Space Requirement 30 percent

22.4.10 Maximum Height of Buildings 17 m (55 ft.)

22.5 BUFFER STRIP REQUIREMENTS

Where the interior side or rear lot line abuts a Residential Zone, an area adjoining such abutting lot line or portion thereof shall be used for no other purpose than for a buffer strip in accordance with the requirements of 4.5 as set forth in this By-law.

22.6 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, of this by-law, where applicable to the use of any land, building or structure permitted within the Community Facility (CF) Zone shall apply.

22.7 LOADING AND PARKING PROVISIONS

All provisions of Section 5, Loading and Parking Provisions, of this By-law, where applicable to the use of any land, building or structure permitted within the Community Facility (CF) Zone shall apply.

22.8 EXCEPTION ZONE PROVISIONS – COMMUNITY FACILITY (CF) ZONE

22.8.1 Community Facility Exception No. 1 (CF-1) Zone (Ambulance Depot, Elgin Street, Madoc)

Notwithstanding any provisions of this By-law to the contrary, within the Community Facility Exception No. 1 (CF-1) Zone the following provisions shall apply:

- | | | |
|------|-------------------------------------|--------------------|
| i. | Minimum north yard | 5.71 m (18.75 ft.) |
| ii. | Minimum east yard | 3.35 m (11.0 ft.) |
| iii. | Minimum yard in all other instances | 7.5 m (24.61 ft.) |

22.8.2 Community Facility Exception No. 2 (CF-2) Zone

Notwithstanding the permitted uses of the Community Facility (CF) Zone, within the Community Facility Exception No. 2 (CF-2) Zone, the only permitted uses are those within the scope of the Madoc C.O.P.E. operation and residential facilities.

22.8.3 Community Facility Exception No. 3 (CF-3) Zone (Madoc Library)

Notwithstanding any provisions of this By-law to the contrary, within the Community Facility Exception No. 3 (CF-3) Zone, the following provisions shall apply:

- | | | |
|-------|---|------------------------------------|
| i. | Minimum lot area | 485 m ² (5,230 sq. ft.) |
| ii. | Minimum lot frontage | 4.1 m (13.45 ft.) |
| iii. | Minimum front yard | 0 m (0 ft.) |
| iv. | Minimum interior side yard, south | 0 m (0 ft.) |
| v. | Minimum interior side yard, north | 0.3 m (1.0 ft.) |
| vi. | Minimum rear yard | 3.0 (10 ft.) |
| vii. | Maximum lot coverage | 85 percent |
| viii. | Minimum landscaped open space requirement | 10 percent |
| ix. | Minimum number of parking spaces | 0 (zero) |
| x. | Minimum number of loading spaces | 0 (zero) |

All other requirements of this By-law shall apply to land zoned CF-3.

22.8.4 Not Assigned

22.8.5 Community Facility Exception No. 5 (CF-5) Zone (2009-31)

22.8.6 Community Facility Exception No. 6 (CF-6) Zone Part of Lot 3, Concession 2 (2012-05)

Notwithstanding the permitted uses and regulations for the **Community Facility (CF) Zone** to the contrary, within the **Community Facility Exception No. 6 (CF-6) Zone** the following shall apply:

1. Development within 120 m of the boundaries of the Provincially Significant Wetland –“Ross Lake” (a 0.24-acre area located in the south east corner of said parcel) shall be prohibited.
All other requirements of this By-law shall apply to land zoned CF-6.

22.8.7 Community Facility Exception No. 7 (CF-7) Zone, (234 St. Lawrence St. West (Madoc)) (2019-49)

Notwithstanding any other provisions of this By-law to the contrary, within the Community Facility Exception No. 7 (CF-7) Zone the following shall apply:

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- i. All regulations for residential uses permitted in the Medium Density Residential (R3) Zone and the High Density Residential (R4) Zone as set out in Sections 11 and 12 of Zoning By-law No. 2002-10 shall also apply to these uses that are permitted within the Community Facility Exception No. 7 (CF-7) Zone

All other requirements of the Community Facility (CF) Zone and this By-law shall apply to lands zoned CF-7

SECTION 23 RECREATION AND CONSERVATION (RE) ZONE

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

23.1 PERMITTED USES

23.1.1 Residential Uses

- a) one single detached dwelling house or one dwelling unit in a portion of a non-residential building shall be permitted where such dwelling is ancillary to a permitted non-residential use and occupied by the owner, caretaker, watchman or other similar person, and his family, as is or are employed on the lot on which such dwelling is located;
- b) home business.

23.1.2 Non-Residential Uses

- a) athletic field
- b) conservation area including outdoor recreation activities, nature study and wildlife areas, or other similar use as provides for the preservation of the natural environment
- c) fairgrounds
- d) golf course
- e) private park
- f) public park
- g) public use or utility in accordance with the provisions of 4.25 of this By-law

23.1.3 Accessory Uses

Uses, buildings and structures accessory to any of the foregoing permitted uses, specified under 23.1.1 or 23.1.2 hereof and in accordance with the provisions of 4.1 as set forth in this By-law.

23.2 REGULATIONS FOR RESIDENTIAL USES

As set out in 9.2 of this By-law

23.3 REGULATIONS FOR DWELLING UNITS IN NON-RESIDENTIAL BUILDINGS

As set out in 15.4.2 of this By-law

23.4 REGULATIONS FOR NON-RESIDENTIAL USES

23.4.1 Minimum Yard Dimensions for all yards 7.5 m (24.61 ft.)

23.4.2 Maximum Lot Coverage of All Buildings 25 percent

23.4.3 Minimum Setback from Street Centreline

- a) Provincial Highway 25.5 m (84 ft.)
- b) Municipal Road/Connecting Link 17.5 m (57.5 ft.)

23.4.4 Minimum Landscaped Open Space Requirement 10 percent

23.4.5 Maximum Height of Buildings 11 m (36 ft.)

23.5 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, of this By-law, where applicable to the use of any land, building or structure permitted within the Recreation and Conservation (RE) Zone shall apply.

23.6 LOADING AND PARKING PROVISIONS

All provisions of Section 5, Loading and Parking Provisions, of this By-law, where applicable to the use of any land, building or structure permitted within the Recreation and Conservation (RE) Zone shall apply.

23.7 EXCEPTION ZONE PROVISIONS – RECREATION AND CONSERVATION (RE) ZONE

23.7.1 Recreation and Conservation – No. 1 Holding (RE-1-h) Zone (Part of Lot 14, Concession 7), Santos OMB (2010-28)

Notwithstanding any provisions of this By-law to the contrary, within the Recreation and Conservation Exception No. 1 (RE-1) Zone, the following provisions shall apply:

- i. Residential uses shall be prohibited.
- ii. Additional permitted non-residential uses shall include the following:
 - a. Tent and Trailer Park for a maximum of six (6) camping sites.
- iii. Permitted accessory uses shall be limited to the following:
 - i. Uses, buildings and structures accessory to the private tent and trailer park, limited to one (1) storage garage with a maximum of 55.7 m² (600 ft²) floor area, utilities and site services, patio, covered summer kitchen and one (1) floating dock.”Seasonal Limitation: No Recreational Travel Trailer, building, structure, accessory building or structure, water supply system or sewage system shall be used or occupied in whole or in part between November 1 in any year and March 31 in the following year.
 - ii. Minimum Lot Frontage Nil.

Lands zoned RE-1 are contiguous to and shall gain vehicular access through the EP Zones and RU-49 Zone abutting to the south to Moreland Lake Lane.

- vi. Minimum Setback from the ES and EP Zones - 30.0 m (98.4 ft)
- vii. Maximum Lot Coverage 1.0 %
- viii. Maximum Height of Buildings 6.0 m (19.7 ft)
- ix. Maximum Gross Floor Area of Recreational Travel Trailer 46.5m² (500.0 ft²)
- x. The requirements of Section 41 of the Planning Act, R.S.O. 1990, c.P.13, as amended, relating to Site Plan Control shall apply to the lands zoned RE-1.
- xi. With respect to the lands shown on Schedule “1” hereto being rezoned to RE-1-h (Recreation and Conservation Exception No. 1Holding), a bylaw shall not be enacted to remove the “Holding” (-h) symbol until such time as:
 - a. A Road Development and Maintenance Agreement has been executed and registered on title of the Subject Lands. The Agreement shall address, among other things: the construction/improvement of the municipally owned road allowances including the northerly extension of Moreland Lake Lane and Slab Street from Moreland Lake Lane easterly to and across the frontage of the Subject Lands being a length of approximately 2,300 feet to a year-round standard to the satisfaction of both the Municipality of Centre Hastings and Lower Trent Conservation (in accordance with applicable Ontario Provincial Standards Drawings and Lower Trent Conservation requirements); the provision of security satisfactory to Municipality of Centre Hastings to guarantee the satisfactory completion of the said road work and for 1 year after completion of such road work (the warranty period); timelines for commencing and completing of the aforesaid road work acceptable to the Municipality of Centre Hastings; and
 - b. Final approval of a site plan and site plan agreement pursuant to Section 41 of the Planning Act for the proposed development on the Subject Lands has been

- entered into to the satisfaction of the Municipality of Centre Hastings and the Lower Trent Conservation;
- c. Prior to the removal of the “Holding” (-h) symbol, no person shall erect any building or structure for any purpose within the lands zoned RE-1-h (Recreation and Conservation Exception No. 1 Holding) and the only permitted use shall be Conservation.
 - xii. Upon removal of the “Holding” (-h) symbol by Council, the uses and zone provisions of the RE-1 Zone shall apply and all other requirements of this By-law shall apply to land zoned RE-1.

23.7.2 Recreation and Conservation – No. 2 (RE-2) Zone, Parts of Blocks 28, 29 and 30, and Part of Lot 18 of draft approved plan of subdivision dated November 28, 2013)

Notwithstanding any provisions of this By-law to the contrary, within the Recreation and Conservation – Special No. 2 (RE-2) Zone, the following provisions shall apply:

- a) The permitted uses shall be those of Section 23.1.2 f) and 23.1.2 g) of the Comprehensive Zoning By-law No. 2002-10, as amended, which shall be construed to mean including public walkways.

23.7.3 Recreation and Conservation – No. 3 (RE-3-h) (Pt. Lts. 13 to 15, Con. 13, Huntingdon) (2015-58)

Notwithstanding any provision of By-law No. 2002-10 as amended to the contrary, on the lands zoned RE-3-h, the following provisions shall apply:

- i. Permitted Uses:
 - a) Private road
- ii. The “h” shall be removed by by-law when the owner has entered into and registered on title of the subject lands a Subdivision/Condominium Agreement with the Corporation of Municipality of Centre Hastings.

All other provisions of the RE Zone and By-law No. 2002-10, as amended, shall apply to the lands zoned RE-3-h.

23.7.4 Recreation and Conservation – No. 4 (RE-4-h) (Pt. Lots. 13 to 15, Con. 13, Huntingdon) (2015-58)

Notwithstanding any provision of By-law No. 2002-10 as amended to the contrary, on the lands zoned RE-4, the following provisions shall apply:

- i. Permitted Uses:
 - a) Landscaped Open Space (which shall include a private driveway to a single detached dwelling)
- ii. Minimum Lot Frontage 33 m (108 ft.)

All other provisions of the RE Zone and By-law No. 2002-10, as amended, shall apply to the lands zoned RE-4.

23.7.5 Recreation and Conservation – No. 5 (RE-5-h) (Pt. Lots. 13 to 15, Con. 13, Huntingdon) (2015-58)

Notwithstanding any provision of By-law No. 2002-10 as amended to the contrary, on the lands zoned RE-5, the following provisions shall apply:

- i. Permitted Uses:
 - a) Conservation uses (excluding buildings and structures)
 - b) Forestry

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All other provisions of the RE Zone and By-law No. 2002-10, as amended, shall apply to the lands zoned RE-5.

SECTION 24 DEVELOPMENT (D) ZONE

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

24.1 PERMITTED USES

24.1.1 Residential Uses

- a) Residential uses are prohibited except where such use existed as of the date of passing of this By-law;
- b) home business, accessory to an existing residential use.

24.1.2 Non-Residential Uses

- a) agriculture together with such buildings and structures as existed at the date of passing of this By-law
- b) conservation
- c) forestry
- d) public use or utility in accordance with the provisions of Section 4.24 of this By-law

24.1.3 Accessory Uses

Uses, buildings and structures accessory to any of the foregoing uses permitted under 24.1.1 or 24.1.2 hereof and in accordance with the provisions of 4.1 as set forth in this By-law.

24.2 REGULATIONS FOR RESIDENTIAL USES

As set out in Section 9.2, excluding 9.2.1, 9.2.2 and 9.2.4 of this By-law.

24.3 REGULATIONS FOR AGRICULTURE USES

As set out in Section 8.2, excluding 8.2.1 and 8.2.2 of this By-law.

24.4 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Development (D) Zone shall apply.

24.5 LOADING AND PARKING PROVISIONS

All provisions of Section 5, Loading and Parking Provisions, of this By-law, where applicable to the use of any land, building or structure permitted with the Development (D) Zone shall apply.

24.6 EXCEPTION ZONE PROVISIONS – DEVELOPMENT (D) ZONE

SECTION 25 ENVIRONMENTAL PROTECTION (EP) ZONE

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

25.1 PERMITTED USES

25.1.1 Residential Uses

Residential uses are prohibited save and except a single detached dwelling house which existed as of the date of passing of this By-law.

25.1.2 Non-Residential Uses

- a) agriculture, conservation and reforestation, or other similar use as provides fro the preservation of the natural environment
- b) structures required for flood, erosion and siltation control works
- c) public or private park
- d) public use or utility in accordance with the provisions of 4.25 of this By-law
- e) uses, buildings and structures existing as of the date of passing of this By-law

25.1.3 Accessory Uses

- a) uses, buildings, or structures existing as of the date of passing of this By-law which are accessory to any of the foregoing permitted uses specified under 25.1.1 or 25.1.2 hereof and in accordance with the provisions of 4.1 as set forth in this By-law, provided that no such building or structure is intended for human habitation.
- b) notwithstanding any other provisions of this By-law, any accessory buildings or structures required for flood, erosion and siltation control works shall be permitted within the Environmental Protection (EP) Zone.

25.2 EXTENSIONS TO PERMITTED EXISTING USES

The extension or enlargement of any permitted existing use, building or structure shall only be permitted where the extension or enlargement does not require the issuing of a Building Permit.

25.3 REGULATIONS FOR RESIDENTIAL USES

As set out in Section 9.2, but subject to Section 25.2 of this By-law.

25.4 REGULATIONS FOR NON-RESIDENTIAL USES

As set out in Section 23.4 but subject to Section 25.2 of this By-law.

25.4 CALCULATION OF ZONE PROVISIONS

25.5 No part of any Environmental Protection (EP) Zone shall be used to calculate any of the Zone Provisions as may be required by this By-law for uses in adjacent Zone, except as may be specifically provided for.

25.6 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Environmental Protection (EP) Zone shall apply.

25.7 LOADING AND PARKING PROVISIONS

All provisions of Section 5, Loading and Parking Provisions, of this By-law, where applicable to the use of any land, building or structure permitted within the Environmental Protection (EP) Zone shall apply.

25.8 EXCEPTION ZONE PROVISIONS – ENVIRONMENTAL PROTECTION (EP) ZONE

25.8.1 Environmental Protection Exception No. 1 (EP-1) Zone (Moirra Lake Lodge/Two Loons)

Notwithstanding any other provisions of this By-law to the contrary, within the Environmental Protection Exception No. 1 (EP-1) Zone, the following shall apply:

- i. A maximum of four tourist cabins shall be permitted.

All other requirements of this By-law shall apply to land zoned EP-1.

SECTION 26 ENVIRONMENTALLY SENSITIVE AREA (ES) ZONE

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

26.1 PERMITTED USES

26.1.1 Residential Uses Prohibited

26.1.2 Non-Residential Uses

- a) a conservation use excluding any buildings
- b) a building or structure required by a public authority for flood or erosion control or for conservation or wildlife management purposes
- c) preservation
- d) hunting
- e) fishing

26.1.3 Accessory Uses

A use accessory to the uses set out in subsections 26.1.2 a) and b) is permitted, excluding any buildings.

26.2 ZONE REGULATIONS

26.2.1 All applications for development on lands within the Environmentally Sensitive Area (ES) Zone shall be dealt with on a site-by-site basis, at the time of application.

26.2.2 Additional zone regulations shall be developed by Council at the time of application in consultation with the Conservation Authority, the Ministry of Natural Resources and the County.

26.2.3 The appropriate setbacks from the high water mark or any lake, river, stream, creek or wetland shall be established by Council at the time of application in consultation with the Conservation Authority, the Ministry of Natural Resources and the County.

26.3 ZONE CALCULATIONS

No part of any Environmentally Sensitive Area (ES) Zone or a Provincially Significant Wetland shall be used to calculate any of the Zone Provisions as may be required by this By-law for uses in adjacent zones. (Only for yard setbacks to position house – Rixen Aug 26/03)

26.4 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Environmentally Sensitive Area (ES) Zone shall apply.

26.5 LOADING AND PARKING PROVISIONS

All provisions of Section 5, Loading and Parking Provisions, of this By-law, where applicable to the use of any land, building or structure permitted within the Environmentally Sensitive Area (ES) Zone shall apply.

26.6 EXCEPTION ZONE PROVISIONS – ENVIRONMENTALLY SENSITIVE AREA (ES) ZONE

SECTION 26a SOURCE WATER PROTECTION (SWP) OVERLAY ZONE

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

26a.1 PURPOSE AND EFFECT

The purpose of the SWP Overlay Zone is to prevent the inadvertent approval of Planning Act applications and/or issuance of building permits that may result in the establishment of uses that are significant drinking water threats.

The effect of the SWP Overlay Zone is to ensure that the Municipality of Centre Hasting's Risk Management Official (RMO) and/or Quinte Conservation Authority staff are consulted with, and any necessary approvals pursuant to the Clean Water Act and requirements in the Quinte Region Source Protection Plan are obtained by the landowner/applicant as part of the consideration by the Municipality of a complete Planning Act application and/or prior to the issuance of a building permit.

26a.2 APPLICABILITY

The Source Water Protection (SWP) Overlay Zone applies to all lands identified within the Quinte Region Assessment Report and Source Protection Plan as being within a Wellhead Protection Area (WHPAs A-E) and/or Issues Contributing Area (ICA) for the two municipal water wells that service the former Village of Madoc.

The Source Water Protection (SWP) Overlay Zone applies to all lands and all underlying zones (Sections 7-26) and special exception zones partly or wholly contained within it.

26a.3 DRINKING WATER THREATS

Notwithstanding the permitted uses and zone provisions of any underlying zones, the following drinking water threats shall be prohibited except in accordance with Section 26a.4:

- a) The establishment, operation or maintenance of a waste disposal site within the meaning of Part V of the Environmental Protection Act;
- b) The establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of sewage;
- c) The storage and management of agricultural source material;
- d) The handling and storage of non-agricultural source material;
- e) The handling and storage of commercial fertilizer;
- f) The handling and storage of pesticide;
- g) The handling and storage of road salt;
- h) The storage of snow;
- i) The handling and storage of fuel;
- j) The handling and storage of a dense non-aqueous phase liquid;
- k) The handling and storage of an organic solvent;
- l) An airport and specifically the management of runoff that contains chemicals used in the de-icing of aircraft; and,
- m) The use of land as livestock grazing or pasturing land, an outdoor confinement area or a farm-animal yard.

26a.4 REQUIRED APPROVALS

Upon the Province issuing any related Provincial Instrument and/or the Risk Management Official (RMO) issuing a Notice pursuant to Section 59 of the Clean Water Act, a land use prohibited in Section 26a.3 is permitted in accordance with the provisions of the underlying Zone(s) and all other applicable provisions of Zoning By-law No. 2002-10, as amended.

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SECTION 27 BY-LAW ADMINISTRATION, ENFORCEMENT AND ENACTMENT

27.1 ZONING ADMINISTRATION

This By-law shall be administered and enforced by the Chief Building Official or such other person or persons as may be appointed for such purpose by the Council of the Corporation of the Municipality of Centre Hastings from time to time.

27.2 ISSUANCE OF PERMITS

Where land is proposed to be used or a building or structure is proposed to be erected or used in violation of this By-law, no permit or license required under any by-law of the Corporation for the use of land for the erection or the use of the building or structure shall be issued.

27.3 APPLICATION AND PLANS

In addition to the requirements of the Building By-law and the Ontario Building Code, every application for a building permit shall be accompanied by plans, in duplicate, drawn to an appropriate scale based upon an actual survey showing the true shape and dimensions of the lot to be used, or upon which it is proposed to erect any building or structure, and showing the proposed location, height and dimensions of the building or structure or work in respect of which the permit is applied for and the location of every building or structure already erected on or partly on such lot, together with a plan and a statement signed by the owner or his agent duly authorized thereunto in writing, filed with the Zoning Administrator. Such statement shall set forth in detail the intended use of each building and structure or part thereof and all information necessary to determine whether or not every such building or structure conforms with the aforesaid regulations of this By-law. Every application which involves the installation, enlargement or reconstruction of a sewage disposal system shall be accompanied by approval in writing from the appropriate responsible authority for the proposed method of sewage disposal.

27.4 INSPECTION OF LAND OR BUILDINGS

Where the Zoning Administrator has reason to believe that any person has used land or used a building or structure contrary to this By-law, he, or an employee of the Municipality, authorized by him, may at any reasonable hour, enter and inspect the land, building or structure.

27.5 CERTIFICATE OF OCCUPANCY REQUIRED FOR CONFORMITY

No change in the use of any land, building or structure in the Municipality of Centre Hastings now or hereafter erected shall be permitted without first obtaining a Certificate of Occupancy from the Municipality that the proposed use is in conformity with this By-law.

27.6 REMEDIES

In the case that any building or structure is to be erected, altered, reconstructed, extended or part thereof is to be used, or any lot is to be used, in contravention of any requirements of this By-law, such contravention may be restrained by action of any ratepayer or of the Corporation pursuant to the provisions of the *Planning Act* or the *Municipal Act*.

27.7 VIOLATION AND PENALTIES

- 27.7.1** Any person convicted by a Court of competent jurisdiction of a breach of this By-law shall forfeit and pay at the discretion of the convicting Judge, a penalty not exceeding the sum of Twenty-five Thousand (\$25,000.00) Dollars (exclusive of costs) for the first offence; and for a subsequent offence, a penalty not exceeding the sum of Ten Thousand (\$10,000.00) Dollars (exclusive of costs) for each day or part thereof upon which the contravention has continued after the date of the first conviction.

27.7.2 Any Corporation convicted by a Court of competent jurisdiction of a breach of this By-law shall forfeit and pay at the discretion of the convicting Judge, a penalty not exceeding the sum of Fifty Thousand (\$50,000.00) Dollars (exclusive of costs) for the first offence; and for a subsequent offence, a penalty not exceeding the sum of Twenty-Five Thousand (\$25,000.00) Dollars (exclusive of costs) for each day or part thereof upon which the contravention has continued after the date of the first conviction.

27.7.3 Upon a conviction being entered under the provisions of Section 27.6.1 or 27.6.2, the Court in which the conviction was entered and any Court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty imposed in this By-law make an Order prohibiting the continuation or repetition of the offence by the person or Corporation convicted.

27.8 VALIDITY

If any section, clause or provision of this By-law, including anything contained in Schedules A1, A2, and A3 and Appendices I and II, attached hereto is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof other than the section, clause or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions, of this By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

27.9 REPEAL OF OTHER ZONING BY-LAWS

27.9.1 All Zoning By-laws which serve to regulate the use of land and the character, location and use of buildings and structures within the Corporation of the Municipality of Centre Hastings are hereby repealed in their entirety so as to give effect to the provisions of this By-law and the provisions of this By-law shall hereafter govern.

27.9.2 Without limiting the generality of the Subsection 27.8.1, By-law No. 2368-94, of the former Township of Huntingdon, and all amendments thereto, are hereby repealed in their entirety.

27.9.3 Without limiting the generality of the Subsection 27.8.1, By-law No. 1987-7, of the former Village of Madoc, and all amendments thereto, are hereby repealed in their entirety.

27.10 EFFECTIVE DATE

This By-law shall become effective on the date of adoption hereof subject to the provisions of Section 34 of the *Planning Act*, R.S.O., 1990, as amended.

READ A FIRST TIME ON THE 13TH DAY OF MAY, 2002.

READ A SECOND TIME ON THE 13TH DAY OF MAY, 2002.

READ A THIRD TIME AND FINALLY PASSED ON THE 13TH DAY OF MAY, 2002.

“Thomas C.H. Deline”

Reeve

“Doug Parks”

Clerk