

- b) where zone boundaries are indicated as approximately parallel to the line of any road and the distance from such road is not indicated, such zone boundaries shall be construed as being parallel to such road and the distance there from shall be determined by the use of the scale shown on the zone maps;
- c) unless otherwise indicated, a road, lane, railway or electrical transmission line right-of-way, or watercourse included on the zone maps, is included within the zone of the adjoining lands on either side thereof; and where such road, lane, right-of-way, or watercourse serves as a boundary between two (2) or more different zones, a line midway in such road, lane, railway or electrical transmission line right-of-way, or watercourse and extending in the general direction of the long division thereof is considered the boundary between zones unless specifically indicated otherwise;
- d) in the event a road or street shown on a zone map is closed, the lands formerly on the said road or street shall be included within the zone of the adjoining property on either side of the said closed road or street, and the zone boundary shall be the former centre line of the said closed road or street;
- e) where zone boundaries appear to follow a lot line, they shall be deemed to follow the lot line.

4.0 GENERAL REGULATIONS

The regulations of this section apply in all zones except as may be indicated otherwise herein.

4.1 ACCESSORY USES, BUILDINGS AND STRUCTURES

Wherever a use is listed as a permitted use in a particular zone, uses, buildings or structures accessory, incidental or subordinate to that use are also permitted in accordance with the standards applying in the zone in which the said use, building or structure is located.

4.2 BED AND BREAKFAST ESTABLISHMENTS

The following regulations shall apply:

- a) guest bedrooms shall be restricted to a maximum of five (5);
- b) guest parking spaces in a front yard shall be restricted to a maximum of three (3).

4.3 BUFFER STRIPS AND FENCES

The following regulations shall apply:

- a) a buffer strip shall be located within the zone for which it is required; it shall be planted, nurtured and maintained by the owner of the lot on which the buffer strip is located, and replacement of trees and plants be made by the owner, as necessary from time to time.

- b) in all cases where access driveways extend through a buffer strip, it shall be permissible to interrupt the strip within 3.0 metres of the edge of such driveway.
- c) a buffer strip may form part of any required landscaped open space, including the required front, side and rear yards.
- d) where a commercial or industrial zone abuts a residential, institutional, or open space zone, a strip of land not less than 4.5 metres in width adjacent to and inside the commercial or industrial zone boundary shall not be used for any other purpose than a buffer strip.
- e) where an institutional zone abuts a residential zone, a strip of land not less than 3.0 metres in width adjacent to and inside the institutional zone boundary shall not be used for any other purpose than a buffer strip.
- f) unless specifically permitted otherwise, no fence within the Municipality shall be greater than 2.4 metres in height.

4.4 BUILDING AND STRUCTURE PROJECTIONS

No part of any building or structure on any lot shall project beyond the lot line or street line of such lot.

4.5 COMMUNITY GARDENS

The following regulations shall apply:

- a) community gardens shall be permitted in the Village Residential One (VR1) Zone, the Village Residential Two (VR2) Zone and the Hamlet Residential (HR) Zone as an accessory use.
- b) a building or structure shall comply with the requirements for an accessory building or structure of the zone in which it is located.
- c) community gardens shall be located in a rear yard or in an interior side yard.
- d) a minimum of two (2) parking spaces shall be required in addition to any other parking requirements of the zone in which it is situated.

4.6 CONSTRUCTION USES

Uses, buildings and structures incidental to construction are permitted in any zone provided they:

- a) are used only for as long as they are necessary for, or as a result of, construction work in progress which has neither been finished nor abandoned, or a period of 1 year whichever is the lesser;
- b) are removed when the construction work for which they are required is terminated.

4.7 ELECTRICITY GENERATION FACILITIES AND TRANSMISSION AND DISTRIBUTION

SYSTEMS

Electricity generation facilities and transmission and distribution systems are permitted in any zone and shall not be subject to lot coverage, lot line setbacks or any other yard requirements in the zone in which they are located, but shall be subject to any regulatory requirements for the utility involved.

4.8 ENTRANCE REGULATIONS

No person shall erect any building or structure or otherwise use any lot in any zone unless such lot abuts a road, or a reserve on the opposite side of which is located a road, or unless such lot has access to a road by means of a legally registered right-of-way or easement over an abutting lot, and unless the Ministry of Transportation, the County or the Township, as the case may be, has issued an entrance permit or otherwise granted permission to provide access for vehicular traffic from such lot or from such abutting lot, as the case may be, to the said road. Notwithstanding the foregoing, a building or structure may, however, be erected on a lot within a registered plan of subdivision in accordance with a subdivision agreement in respect of such plan of subdivision, or on a lot created by consent and in accordance with an agreement with the Township, despite the fact that the road on which the lot has access to has not been assumed and is not being maintained by the Township.

4.9 ESTABLISHED BUILDING LINE ON STREETS OR ROADS

Notwithstanding any other subsequent provisions of this By-law, where a single-detached dwelling or accessory use thereto is to be erected within a built-up area where there is an established building line, such dwelling or accessory use may be erected closer to the street line or to the centre line of the street or road, as the case may be, than required by this By-law provided such dwelling or accessory use is not erected closer to the street line or to the centre line of the street or road, as the case may be, than the established building line on the date of passing of this By-law.

4.10 EXISTING LOTS

Existing lots with less than the minimum lot area, and/or minimum lot frontage requirements of this By-law may be used and buildings and structures erected or altered thereon for the purposes specified in the zone in which they are situated, provided:

- a) such lots are serviced or capable of being serviced by approved sanitary sewage facilities where such facilities are required for the said use, building or structure;
- b) all other requirements of this By-law are satisfied.

4.11 EXPROPRIATIONS AND DEDICATIONS

Where the area of a lot is reduced by means of an acquisition of part of the lot by any authority having power of expropriation, and where such acquisition causes the lot as reduced, or any building or structure existing lawfully on the lot on the date of such acquisition, to have a lot area, lot frontage, lot coverage, parking, area of landscaped open space, setback, front yard depth, side yard depth or rear yard depth that does not conform to the requirements hereof for the zone in which such lot is located, then nothing in this By-law shall apply to prevent the continued use of the lot as reduced as if no such acquisition had taken place, provided that:

- a) No further change is made in the dimensions, area or any other characteristics of the lot as reduced, subsequent to the date of such acquisition, that would increase the extent of the said non-conformity; and
- b) No building or structure or addition thereto is erected on the lot as reduced, subsequent to the date of such acquisition, except in accordance with all the provisions hereof for the zone in which such lot is located.

In the case of a road widening dedication, the land that has been or will be dedicated shall be included in any calculation for the purpose of determining lot area, coverage, height, parking, landscaped open space, floor area, floor area ratio, and the location of any permitted building or structure relative to the required side or rear yards, provided any building or structure is located wholly within the boundary of the land remaining after the dedication.

4.12 GRADING

4.12.1 Excavations

No person shall make any excavations or remove any topsoil, earth, sand or gravel from any lot, alone or in conjunction with any construction work, unless the written permission of the Township or a building permit with respect to such construction work has first been obtained, and except in accordance with any requirements of the Township with respect to retention of topsoil, grading and finished elevations.

4.12.2 Removal or Levelling of Hills

This By-law shall not apply to prevent the removal or leveling of hills for the purposes of increasing or improving land for agricultural uses so long as no excavation takes place below the average grade of the land surrounding the said hill and so long as a permit has been obtained with respect to such removal or leveling under the Aggregate Resources Act, as amended or revised from time to time.

4.13 GROUP HOMES

Within a settlement area, no group home shall be established within 250 m of another group home while outside a settlement area, no group home shall be established within 1000 m of another group home and, in all cases, no group home shall be established within 500 m of a halfway house.

4.14 HALFWAY HOUSES

Within a settlement area, no halfway house shall be established within 500 m of another halfway house while outside a settlement area, no halfway house shall be established within 5000 m of another halfway house and, in all cases, no halfway house shall be established within 500 m of a group home or a school.

4.15 HAZARD LANDS

No buildings or structures, with the exception of bridges and those designed, used, or intended for flood or erosion control purposes under a permit issued by the conservation authority having

jurisdiction, shall be erected or used on lands which exhibit a hazardous condition as a result of their instability, susceptibility to flooding, erosion, subsidence, inundation or the presence of organic soils or steep slopes.

4.16 HEIGHT EXCEPTIONS

The height regulations of this By-law shall not apply to any farm building or structure, ornamental dome, skylight, chimney, tower, elevator, enclosure, flag pole, antennae, radio or television receiving or transmitting equipment, cupola, steeple, place of worship spire, wind tower or any accessory mechanical fixtures unless specifically stated otherwise.

4.17 LOADING SPACE REGULATIONS

4.17.1 Required Loading Spaces

The owner or occupant of any lot, building or structure used or erected for any purpose involving the receiving, shipping loading or unloading of animals, goods, wares, merchandise or raw materials, shall provide and maintain, on the same lot, facilities comprising one or more loading spaces in accordance with the provision of this subsection.

The number of loading spaces required on a lot shall be based on the total net floor area of all the uses on the said lot for which loading spaces are required, in accordance with the following:

- a) less than 250 square metres of total net floor area – 0 loading spaces;
- b) over 250 square metres up to and including 500 square metres of net floor area -1 loading space;
- c) over 500 square metres up to and including 2,500 square metres of net–floor area - 2 loading spaces;
- d) over 2 500 square metres up to and including 7,500 square metres of net–floor area - 3 loading spaces;
- e) over 7,500 square metres of net–floor area - 3 loading spaces plus 1 additional loading space for each 10,000 square metres or part thereof of total net floor area in excess of 7,500 square metres.

4.17.2 Dimensions of Loading Spaces

A loading space required hereby shall have minimum dimensions of 3.5 metres by 10 metres and a minimum vertical clearance of 4 metres.

4.17.3 Location of Loading Spaces

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

4.17.4 Yards Where Permitted

Loading spaces shall be permitted in any yard, except that:

- a) no part of any loading space shall be located in the front yard or closer than 3 metres to any lot line; and
- b) in the case of a through lot, no loading spaces shall be permitted in any part of the front yard.

4.17.5 Access To Loading Spaces

Access to loading spaces shall be provided by means of one or more unobstructed driveways which:

- a) have a minimum unobstructed width of at least 3.5 metres, regardless of the direction of traffic flow thereupon, and provide sufficient space to permit the maneuvering of vehicles on the lot so as not to obstruct or otherwise cause a hazard on adjacent streets;
- b) are contained within the lot on which such loading spaces are located and lead either to an improved street or to a lane; and
- c) comply in all other respects with the requirements for driveways providing access to parking areas and spaces set out in this By-law.

4.17.6 Surface And Drainage Of Loading Spaces And Driveways

- a) All loading spaces and driveways providing access thereto shall be provided and maintained with a stable surface, treated so as to prevent the raising of dust or loose particles. Loading spaces and driveways required for all commercial zones shall be either asphalt, concrete or other hard surfaced material. All other required loading spaces and driveways may be crushed stone or gravel.
- b) The access point to the loading area shall be well defined.

4.17.7 Addition To Existing Use

When a building or structure has insufficient loading spaces on the date of passing of this By-Law to comply with the requirements herein, (this By-Law shall not be interpreted to require that the deficiency be made up) prior to the construction of any addition, any loading spaces required by this By-Law for such addition shall be provided in accordance with all provisions hereof respecting loading spaces.

4.17.8 Exemption For GC Zones

Notwithstanding any other provision hereof to the contrary, no loading spaces shall be required for any building, structure or use located within a GC Zone.

4.18 MODEL HOMES

The following regulations shall apply:

- a) the lands on which the model homes are situated have received draft plan approval under the Planning Act and a subdivision agreement has been executed;

- b) the model homes shall comply with the provisions and regulations of this By-law upon registration of the plan of subdivision; and
- c) the number of model homes for any draft approved plan of subdivision shall not exceed the lesser of ten (10) dwelling units or ten percent (10%) of the total number of lots.

4.19 MUNICIPAL DRAINS AND NATURAL WATERCOURSES

Notwithstanding any other provisions of this By-law, no permanent buildings or structures shall be erected or used:

- a) closer than 7.5 metres from the top-of-bank of a municipal drain having a width of less than 4.5 metres from top-of-bank to top-of-bank or from the centre line of a municipal tile drain;
- b) closer than 18.5 metres from the top-of-bank of a municipal drain having a width of between 4.5 metres and 7.5 metres from top-of-bank to top-of-bank;
- c) closer than 30.5 metres from the top-of-bank of a municipal drain which is 7.5 metres or more from top-of-bank to top-of-bank;
- d) closer than 15.0 metres from the top-of-bank of a natural watercourse or within an area that is equal to 15.0 metres plus one-half the width of the stream from the centerline of the watercourse;
- e) closer from the top-of-bank of the Lake Erie shoreline except for lands shown on Schedule "O" than:

$D=3h + 100R$ (or) 30 metres (whichever is greater)

Where D = setback (in metres), h = elevation above Lake Erie (metres), 100 = constant representing 100 years of protection and R = rate of erosion in metres per year at the point under consideration.

- f) on lands which exhibit, or potentially exhibit, a hazardous condition as a result of their susceptibility to flooding, erosion, subsidence, inundation or the presence of organic soils or steep slopes.

4.20 NON-COMPLYING BUILDINGS AND STRUCTURES

Where a building or structure has been erected on an existing lot having less than the minimum lot frontage and/or area, minimum setback, front yard depth, side yard width or rear yard depth or where such building or structure has more than the maximum height or more than the maximum lot coverage or more than the maximum floor area permitted herein, the said building or structure may be used, altered, repaired or renovated provided such standards are not further reduced or extended and all other standards herein are complied with.

4.21 NON-CONFORMING USES

Nothing in this By-law shall apply:

- a) to prevent the use of any land, building or structure for any purpose prohibited in this By-law if such land, building or structure was lawfully used for such purpose on the day of the passing of this By-law, so long as it continues to be used for that purpose;
- b) to prevent the erection or use for a purpose prohibited in this By-law of any building or structure for which a permit has been issued under the Building Code Act, prior to the day of passing of this By-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and so long as the permit has not been revoked under Building Code Act;
- c) to prevent the alteration or repair of any building or structure or part of any such building or structure which does not comply with this By-law, so long as such alteration or repair does not increase the height, size or volume or change the use of such building or structure.

4.22 OIL AND GAS WELLS

This By-law shall not apply to the use of any land for the exploration and/or production of natural gas or crude oil, or to the erection, alteration, or use of any building or structure accessory thereto.

4.23 OUTDOOR FURNACES

Where permitted by this By-law, no outdoor furnace shall:

- a) be erected within ten (10) metres of a lot line;
- b) be erected within one hundred and fifty (150) metres of a dwelling situated on a separate lot.

4.24 PARKING REGULATIONS

4.24.1 Required Parking Spaces

The parking space requirements provided in the following table shall apply to all uses, buildings and structures in all zones with the exception of the General Commercial (GC) Zone. The number of required spaces shall be calculated per square metre (m²) of the floor area of the main building except where expressed otherwise. Parking spaces shall be provided at the time a use is established or changed or a building or structure is erected or enlarged.

	USE	REQUIREMENT
1	abattoir	1 per 25 m ² of retail floor space plus 1 per each employee employed on the largest shift
2	animal clinic	1 per 30 m ²
3	animal hospital	1 per 45 m ²
4	apartment dwelling	1.25 per dwelling unit
5	art gallery	1 per 50 m ²
6	auction sales establishment	1 per 30 m ²
7	bake shop	1 per 25 m ²
8	banquet hall	1 per 7 seats or 1 per 35 m ² , whichever is the greater
9	bed & breakfast establishment	2 plus 1 per guest room
10	boarding house or rooming house	0.5 per guest room

	USE	REQUIREMENT
11	clinic	1 per 15 m ²
12	club	1 per 7 seats or 1 per 35 m ² whichever is the greater
13	converted dwelling	1.5 per dwelling unit
14	day care centre	1 per 40 m ²
15	dog kennel	1 per 30 m ²
16	double duplex dwelling	1.25 per dwelling unit
17	drive-in restaurant	1 per 10 m ²
18	dry cleaning establishment	1 per 35 m ²
19	duplex dwelling	1.5 per dwelling unit
22	dwelling unit	1 per unit
21	fitness centre	1 per 30 m ²
22	flea market	1 per 30 m ²
23	food processing plant	1 per each employee employed on the largest shift
24	funeral home	1 per 20 m ²
25	garden centre	1 per 30 m ² plus 1 per 100 m ² outside display space
26	gas bar	1
27	general retail store	1 per 25 m ²
28	golf course	4 per hole
29	group home	1 plus 0.5 per bed
30	half-way house	1 plus 0.5 per bed
31	hotel	1.5 per guest room
32	industrial use	1 per each employee employed on the largest shift
33	laundry establishment	1 per 35 m ²
34	machine shop	1 per 25 m ²
35	market garden	1 per 30 m ² plus 1 per 100 m ² of outside display space
36	micro brewery	1 per 40 m ² of processing area
37	mini-storage warehouse	5
38	motel	1.5 per guest room
39	museum	1 per 50 m ²
40	retirement home	1 per 2.5 beds
41	office	1 per 30 m ²
42	paintball park	1 per 50 m ² of playfield
43	personal care establishment	1 per 20 m ²
44	personal service establishment	1 per 15 m ²
45	place of entertainment or amusement	1 per 35 m ²
46	place of worship	1 per 5 seats or the equivalent bench space or 1 per 10 m ² where there is no fixed seating, whichever is the greater
47	school, elementary	3 plus 1 per classroom
48	school, secondary or private	3 per classroom
49	restaurant	1 per 10 m ²
50	retail store	1 per 25 m ²
51	semi-detached dwelling	2 per dwelling unit
52	service shop	1 per 50 m ²
53	shopping centre	1 per 25 m ²
54	single unit dwelling	2
55	take-out restaurant	1 per 10 m ²
56	tavern	1 per 10 m ²
57	townhouse dwelling	1.5 per dwelling unit
58	triplex dwelling	1.5 per dwelling unit
59	warehouse	1 per each employee employed on the largest shift

4.24.2 Accessible Parking Spaces

Accessible parking spaces shall, in the case of a Type A parking space as defined, have a minimum width of 3.4 m and, in the case of a Type B parking space as defined, have a minimum width of 2.4 m and shall be provided adjacent to the primary entrance of the building they are intended to serve and clearly signed or marked as “Accessible Parking Spaces”.

To facilitate access to the motor vehicle, every accessible parking space shall be provided with an abutting access aisle, 1.5 m in width, extending the full length of the accessible parking space and be clearly identifiable by high tonal contrast diagonal lines, concrete or other hard distinguishing surface treatment to discourage parking on or within them which access aisle may be shared by two accessible parking spaces

All designated accessible parking spaces shall be signed or marked in accordance with the Integrated Accessibility Standards Regulation and the Highway Traffic Act and, in the case of Type A parking spaces as defined, signed or marked as “Van Accessible”.

The number of accessible parking spaces required shall be part of the total parking requirement in accordance with the following:

Required Spaces	Required No. of Spaces for Accessible Parking	
	Type A	Type B
1 - 50	1	1
51 - 75	1	2
76 - 100	2	2

4.24.3 Location

The location of a parking space required herein shall be located on the same lot or within the same building or structure as the use building or structure for which the said parking is required.

4.24.4 Dimensions of Parking Spaces

A parking space required herein shall have a minimum width of 2.7 m and a minimum length of 5.5 m except in the case of accessible parking spaces which shall have a minimum width as specified in subsection 4.21.2 to this By-law.

4.24.5 Additions to Existing Uses

The parking space requirements of this By-law shall apply to any existing building or structure so long as the floor area of the said building or structure is not increased and the building or structure is used for a purpose which does not require additional parking spaces as required by this By-law than were required by virtue of its size or use on the effective date. Where a use is changed or the floor area of a building or structure is enlarged or there is an increase in the number of divisible units (e.g. seating capacity), then such additional parking spaces shall be provided to the number required for such change.

4.24.6 Calculation of Required Parking Spaces

When calculating the number of required parking spaces, the following shall apply:

- a) where a building, structure or lot accommodates more than one use, the required parking spaces shall be the sum of the required parking spaces for the individual uses. Parking spaces for one use shall not be considered as providing the required parking spaces for any other use.
- b) where seating accommodation is provided by benches, 0.6 m of bench space shall be equivalent to one (1) seat.
- c) calculation of the required parking spaces results in a fraction, the required parking spaces shall be the next highest whole number notwithstanding Section 1.5 of this By-law to the contrary.

4.24.7 Parking Regulations In Residential Zones

The following regulations shall apply:

- a) no motor vehicle shall be parked or stored in any residential zone other than a private passenger automobile, a motor home, travel trailer, or truck camper, or in the case of a commercial motor vehicle as provided for in this By-law;
- b) no commercial motor vehicle, having a capacity of greater than 6000 kilograms, shall be parked or stored outdoors in the Village Residential One (VR1) Zone, Village Residential Two (VR2) Zone, Hamlet Residential (HR) Zone or Mobile Home (MH) Zone;
- c) all parking spaces in any residential zone shall be located in an attached or detached private garage, or in a driveway, or in a side or rear yard provided that the lot coverage of the spaces shall not exceed 15% of the total lot area;
- d) no commercial motor vehicle, having a capacity of greater than 6000 kilograms, shall idle for an extended period of time in any residential zone.

4.25 PROHIBITED USES

The following shall be prohibited in any zone except where specifically permitted otherwise:

- a) the use of a truck, bus, coach, railway car, shipping container or streetcar body or any portions thereof for the purposes of conducting or operating a business or trade;
- b) the use of any travel trailer, truck camper or motor home for the living, sleeping, or eating or accommodation of persons;
- c) the making or establishment of pits and quarries;
- d) the tanning or storage of uncured hides or skins;
- e) the boiling of blood, tripe, bones or soaps for commercial purposes;
- f) the manufacturing of glues or fertilizers from dead animals or from human or animal waste;
- g) an abattoir, livestock yard, livestock exchange, or dead stock depot;

- h) the keeping of exotic animals;
- i) the extracting of oil from fish;
- j) a track for the driving, racing or testing of automobiles, motorcycles, snowmobiles or any other motorized vehicles;
- k) a salvage or scrap yard, or the collection, storage or sale of:
 - i) automobiles which are not in running condition;
 - ii) partially or completely dismantled automobiles or other vehicles; or
 - iii) parts of automobiles or other vehicles;

except where the automobiles or other vehicles are accessory to a permitted automotive use;
- l) a disposal site for solid waste;
- m) the refining, storage or use in manufacturing of coal, rock, fuel, oil, natural gas, propane, burning fluids, naphtha, bensole, benzene, gasoline, dynamite, dualim, nitro-glycerin, gun powder, petroleum or any other combustible, inflammable, volatile or otherwise dangerous liquids, gases or solid materials except where specifically permitted hereby or in conjunction with a permitted industrial use. This provision shall not apply to prevent the aboveground storage of such substances where such storage is incidental and accessory to an agricultural use associated with a normal farm practice, or the use of natural gas, propane or fuel oil for domestic purposes, such as heating and cooking, in conjunction with a residential, commercial or industrial use;
- n) an airport or landing strip;
- o) any use which causes the emission of corrosive gases, toxic gases, or radioactive gases or into any zone other than an M1 Zone, of electromagnetic fields, heat, glare, dust, dirt, fly ash, or smoke, or which does not comply with emission regulations as may be established from time to time by the Province of Ontario, the Government of Canada, or any agencies thereof;
- p) the location or storage on any land for any purpose whatsoever any railroad car or part thereof, street car or part thereof, truck body or part thereof, bus body or part thereof, whether or not the same is situated on a foundation;
- q) use of any land or building, except those lands appropriately zoned for the repair or servicing of motor vehicles unless such motor vehicle is owned by and registered in the name of an owner or occupant of such land or building;
- r) undertaking anything but minor repairs and servicing such as the changing of tires or oil, outside of a garage or other suitable building, on any motor vehicle within the Municipality, except on lands lawfully occupied and used for an motor vehicle use;

- s) any establishment used as an adult entertainment establishment as defined by this By-law;
- t) any outdoor furnace used, or intended to be used, to supply heat or hot water to any dwelling;
- u) any form of the following:
 - i) Underground transmission of oil, gasoline, or other petroleum liquid products;
 - ii) Wood preserving and treating;
 - iii) Outdoor storage of road salt, or other de-icing materials and dumping of salt laden snow;
 - iv) Petroleum production, refining and manufacturing;
 - v) Furniture and wood stripping and refining;
 - vi) Electroplaters and metal fabricators;
 - vii) Peat extraction;
 - viii) Landfills
 - ix) Chemical / biological laboratories;
 - x) Chemical manufacturing/industrial uses;
 - xi) Facilities generating, treating or disposing hazardous waste;
 - xii) Asphalt / concrete / tar plants;
 - xiii) Automotive junk yards;
 - xiv) Bulk fuel oil storage yards;
 - xv) Car washes;
 - xvi) Cemeteries;
 - xvii) Dry cleaning facilities;
 - xviii) Gasoline service stations;
 - xix) Underground storage tanks.

4.26 PUBLIC USES

With the exception of any facility used for the transmission or distribution of electricity, this By-law shall not apply to the use of any land or to the erection, alteration or use of any building or structure for the purpose of public service by a public authority or public utility as long as:

- a) the lot coverage, setback and yard requirements of the zone in which such land, building, or structure is located are complied with;
- b) no outside storage is located in a residential zone; in a yard on a lot adjacent to a residential zone; or in a yard on a lot lying opposite a residential zone.

4.27 RESIDENTIAL DRIVEWAYS

The following regulations shall apply:

- a) The maximum width of a driveway, measured along the sidewalk where such exists, and along the street line shall otherwise be nine (9.0) metres.
- b) The minimum distance between a driveway and an intersection of street lines measured along the street line intersected by such driveway shall be nine (9.0) metres.
- c) The minimum distance between a lot line and any driveway, with the exception of a mutual or common driveway, shall be one (1.0) metre. A driveway shall, however, be allowed to intersect a lot line in accordance with the provisions of subsection d).
- d) The interior angle formed between the street line and the centre line of any driveway shall not be less than forty-five (45) degrees.

4.28 SATELLITE DISHES

A satellite dish, other than a satellite dish having a diameter of one (1.0) metre or less and mounted on a building, structure, fence or boundary wall, may be erected and used in any zone, provided it:

- a) is not erected in an elevated position which exceeds the maximum height requirement for an accessory building or structure, regardless of the method of elevation used;
- b) complies with the requirements for an accessory building or structure of the zone in which it is located;
- c) is located, in the case of lands zoned Village Residential One (VR1), Village Residential Two (VR2) or Hamlet Residential (HR), in a rear yard or in an interior side yard.

4.29 SCHOOL BUS HUTS OR SHELTERS

Where permitted by this By-law, a school bus hut or shelter shall:

- a) not exceed five (5.0) m² in floor area;
- b) not exceed three (3.0) m in height;
- c) not be situated closer than one (1.0) m from a lot line.

4.30 SECOND DWELLING UNITS

Where in this By-law a single unit dwelling or a semi-detached dwelling is listed as a permitted use in a settlement area, a second dwelling unit shall also be permitted either within that dwelling or within a building accessory to the said dwelling subject to the following:

- a) Where the second dwelling unit is located within a single unit dwelling or semi-detached dwelling:
 - i) a maximum of one second dwelling unit shall be permitted;
 - ii) an independent entrance to the second dwelling unit from outside the dwelling shall be provided;
 - iii) a minimum ceiling height of 2.0 m shall be maintained where located in a basement or cellar;
 - iv) the dwelling unit will be situated in a basement or cellar, the finished floor level of such basement or cellar shall not be below the level of any municipal sanitary sewer or storm sewer servicing the dwelling in which such dwelling unit would be located;
 - v) the floor area of the second dwelling unit shall not exceed 40% of the floor area of the dwelling to a maximum of 75m²;
 - vi) the second dwelling unit shall not contain more than one bedroom;

vii) a minimum of one parking space dedicated to the second dwelling unit shall be provided;

viii) the requirements of the Ontario Building Code shall be complied with.

b) Where the second dwelling unit is located within an accessory building:

i) a maximum of one second dwelling unit shall be permitted

ii) the requirements herein with respect to an accessory building shall be complied with;

iii) the second dwelling unit shall not exceed a floor area of 75 m²;

iv) the second dwelling unit shall not contain more than one bedroom;

v) the second dwelling unit shall be connected to the municipal water supply system and the municipal sanitary sewage system where such services are available;

vi) the second dwelling unit shall, where a municipal water supply system is unavailable, be connected to a private on-site water well capable of producing a minimum of 18.9 litres/minute;

vii) the second dwelling unit shall, where connection to the municipal sanitary sewage system is not available, be connected to an approved private on-site sewage system;

viii) a minimum of one parking space dedicated to the second dwelling unit shall be provided;

ix) the requirements of the Ontario Building Code shall be complied with.

4.31 SECONDARY DWELLING UNITS – AGRICULTURAL ZONES

Where in this By-law a single unit dwelling or a semi-detached dwelling is listed as a permitted use outside of a settlement area, a secondary dwelling unit shall also be permitted either within that dwelling or within a building accessory to the said dwelling subject to the following:

a) Where the secondary dwelling unit is located within a single unit dwelling:

i. a maximum of one secondary dwelling unit shall be permitted. If a garden suite, supplementary farm housing, or seasonal farm dwelling already exists on a lot, a secondary dwelling unit is not permitted;

ii. an independent entrance to the second dwelling unit from outside the dwelling shall be provided;

iii. the floor area of the secondary dwelling unit shall not exceed 40% of the floor area of the single detached dwelling to a maximum of 75m².

iv. a minimum of one parking space dedicated to the secondary dwelling unit shall be provided in addition to any other required parking;

b) Where the secondary dwelling unit is located within an accessory building:

- i. a maximum of one secondary dwelling unit shall be permitted. If a garden suite, supplementary farm housing, or seasonal farm dwelling already exists on a lot, a second dwelling unit is not permitted;
- ii. the requirements herein with respect to an accessory building shall be complied with;
- iii. the floor area of the secondary dwelling unit shall not exceed 60% of the floor area of the main dwelling to a maximum of 125 m².
- iv. the secondary dwelling unit shall be serviced by the existing on-site water supply and existing sanitary waste disposal system serving the main dwelling;
- v. the maximum setback between a secondary dwelling unit in an accessory building and the main dwelling located on the same lot shall be 30 metres;
- vi. be subject to the Minimum Distance Separation (MDS I) requirements such that the secondary dwelling unit shall not further contravene a noncomplying MDS I setback that already exists in the case of the main dwelling.
- vii. a minimum of one parking space dedicated to the secondary dwelling unit shall be provided in addition to any other required parking;

4.31 SETBACKS FROM COUNTY ROADS

Notwithstanding any other provisions of this By-law, where a building or structure is erected or proposed to be erected adjacent to a county road, and in the absence of an established building line, the following minimum setbacks shall be provided or maintained from the centerline of such road:

Name	No.	between	and	Classification	Minimum Setback*
Avon Drive	37	Pigram Road	Belmont Road	Collector	24 m
Lyons Line	48	Pigram Road	Belmont Road	Collector	24 m
Ron McNeil Line	52	Pigram Road	Springfield Road	Collector	24 m
Glencolin Line	32	Springfield Road	Springwater Road	Collector	24 m
Nova Scotia Line	42	Imperial Road	Richmond Road	Collector	24 m
Richmond Road	43	Nova Scotia Line	John Wise Line	Collector	24 m
Springfield Road	40	Nova Scotia Line	Calton Line	Collector	24 m
Hacienda Road	32	John Wise Line	Dingle Street	Collector	24 m
Imperial Road	73	Avon Drive	Port Bruce	Minor Arterial	26 m
John Wise Line	45	Springwater Road	Springfield Road	Minor Arterial	26 m
Calton Line	45	Springfield Road	Richmond Road	Minor Arterial	26 m

*not applicable within settlement areas of Springfield and Port Bruce

4.32 SETBACKS FROM RAILWAYS

The following regulations shall apply:

- a) No buildings or structures shall be erected or used within seventy five (75) metres of a railway right-of-way.
- b) Evaluation of ground-borne vibration from rail traffic shall be required within seventy five (75) metres of a railway right-of-way and evaluation of noise from rail traffic through a Noise Impact Study shall be required within one hundred and twenty (120) metres of a railway right-of-way in accordance with Ministry of the Environment, Conservation and Parks guidelines.
- c) Variations to the noise and vibration standards can be made if an Environmental Noise & Vibration Study is submitted and accepted by the Township. These reports can be used as a basis for varying the standards where site specific barriers or topographical features are present which warrant changes. Specific standards can be applied through the development, consent or subdivision agreement.

4.33 SEWAGE TREATMENT PLANTS AND WASTE DISPOSAL SITES

No building or structure used or intended for residential occupancy shall be erected within three hundred (300) metres of a sewage treatment plant or a waste disposal site.

4.34 SHIPPING CONTAINERS

Where permitted by this By-law as an accessory use, no shipping container shall:

- a) be erected within ten (10) metres of a lot line;
- b) be erected within one hundred (100) metres of a dwelling on a separate lot;
- c) exceed the maximum floor area and/or the maximum coverage requirement for an accessory building or structure of the zone in which it is situated;
- d) be erected in a front yard or an exterior side yard.

4.35 SIGHT VISIBILITY TRIANGLES

Except in the General Commercial (GC) Zone, no building or structure shall be erected and no shrubs or foliage planted in such manner as to impede the vision of a motorist approaching the intersection, between a height of one (1.0) metres and three (3.0) metres above the centre line grade of intersecting roads in the triangular area bounded by the front lot line, the exterior side lot line and a line joining the points along said lines nine (9.0) metres distant from the point of intersection of the said lines.

4.36 SWIMMING POOLS AND TENNIS COURTS

The following regulations shall apply with respect to the erection or use of a swimming pool or a tennis court, which is not enclosed or otherwise located within a building:

- a) no swimming pool or tennis court shall, except in the case of lands zoned General Agricultural (A1), be located in any yard other than in an interior side yard or a rear yard;
- b) no swimming pool or tennis court shall be located closer than 1.5 metres to any rear lot line or side lot line;

- c) no part of a swimming pool shall exceed a height of 2.0 metres above grade, exclusive of appurtenances or facilities such as diving boards or slides;
- d) every swimming pool shall be enclosed by a fence of at least 1.2 metres in height equipped with a gate capable of being locked and located at a distance of not less than 1.0 metre and not more than 10 metres from the pool;
- e) no water circulating or treatment equipment such as pumps or filters or any accessory building or structure containing such equipment, shall be located closer than 2.0 metres to any lot line.

4.37 WAYSIDE PITS AND QUARRIES, PORTABLE ASPHALT PLANTS, PORTABLE CONCRETE PLANTS

Wayside pits, wayside quarries, portable asphalt plants and portable concrete plants used in conjunction with a road construction project by a public authority or its agents shall be permitted in all zones provided that any portable asphalt plant is not erected any closer than 300 metres to an institutional use or a residential use.

4.38 YARD ENCROACHMENTS AND OBSTRUCTIONS

No part of any required yard shall be obstructed by any building or structure except for one or more of the following:

- a) accessory buildings or structures specifically permitted in a required yard;
- b) architectural adornments including, but not necessarily limited to, sills, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters and roof trusses projecting not more than one-half (0.5) metre into any required yard except that no eaves of any building located within a residential zone shall be located closer than one-third (0.3) metre to any lot line;
- c) functional and ornamental structures including, but not necessarily limited to drop awnings, clothes poles, ornamental fountains, statues, monuments, cenotaphs, memorials, planters, garden trellis, fences, hedgerows, satellite dishes having a diameter of one (1.0) metre or less, and legal signs;
- d) unenclosed fire escapes or outside staircases in which the stair steps and floors are latticed in such a manner that the proportion of voids to solids is not less than two to one and in which guards consist only of hand rails and the structural members necessary to their support, and which do not project more than one and one-half (1.5) metres into any required yard;
- e) awnings, atriums and bay windows projecting not more than one (1.0) metre into any required yard, other than any required interior side yard, in the Village Residential One (VR1) Zone or the Village Residential Two (VR2) Zone and which do not project into any required sight visibility triangle;

- f) open roofed porches, uncovered decks and balconies projecting not more than three and one-half (3.5) metres into any required front yard, rear yard, exterior side yard or setback and which do not project into any required sight visibility triangle. Enclosures to any porch projecting into a required yard or setback shall be limited to one (1.0) metre in height exclusive of roof supports, but this shall not prohibit the enclosure of a porch or terrace by latticing, screening or similar method provided at least fifty percent (50%) of the surface area is open and unobstructed to the air;
- g) central air conditioning or heat pump units, provided that such unit is located within three (3.0) metres of the main building in a front yard or an exterior side yard, or a minimum of 1.2 metres from any other side or rear lot line;
- h) un-enclosed ramps for the physically challenged.

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