

COMPREHENSIVE ZONING BY-LAW

By-law No. 21- 2012

**CORPORATION OF THE
TOWNSHIP OF FARADAY**



29860 A Highway 28, South

RR # 3

Bancroft, Ontario

K0L 1C0

www.faraday.ca

Approved by Council June 6, 2012

Approved by the Ontario Municipal Board as amended June 21, 2013



**THE CORPORATION OF
THE TOWNSHIP OF FARADAY
COMPREHENSIVE ZONING BY-LAW
(BY-LAW NO. 21-2012)**

Being a By-law to regulate the use of lands and the character, location, and use of buildings and structures within the Township of Faraday, pursuant to Section 34 of the Planning Act, R.S.O. 1990, as amended.

WHEREAS Section 34 of The Planning Act provides that the governing body of a municipal corporation may pass By-laws to regulate the use of lands and the character, location and use of buildings and structures;

AND WHEREAS the Council of the Corporation of the Township of Faraday has recommended that such a By-law be enacted to ensure proper and orderly development within the corporate limits of the Township of Faraday;

AND WHEREAS the Council for the Corporation of the Township of Faraday has deemed it to be in the public interest that such a By-law be enacted;

NOW THEREFORE the Council of the Township of Faraday ENACTS as follows:



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SECTION 1—ADMINISTRATION

SECTION 1

ADMINISTRATION



SECTION 1—ADMINISTRATION

1.0 **ADMINISTRATION**

1.1 **TITLE OF BY-LAW**

This By-law may be cited as the “CORPORATION OF THE TOWNSHIP OF FARADAY COMPREHENSIVE ZONING BY-LAW”.

1.2 **ZONING ADMINISTRATION**

This By-law shall be administered by a person appointed by the Council of the Township as the Chief Building Official.

1.2.1 **Lands Subject To By-law**

The provisions of this By-law shall apply to all those lands lying within the Corporate limits of the Township of Faraday.

1.2.2 **Conformity with By-law**

The requirements of this By-law respecting any use must be maintained at all times and failure to do so will constitute an ongoing offence under the By-law.

No building or structure shall hereafter be erected or altered, nor shall the use of any building, structure or lot hereafter be altered, in whole or in part, except in conformity with the provisions of this By-law.

1.2.3 **Existing Uses Continued**

Nothing in this By-law shall apply to prevent the use of any existing lot, building, or structure for any purpose prohibited by this By-law if such lot, building, or structure was lawfully used for such purpose or was lawfully in existence prior to the passing of this By-law, so long as it continues to be used for that purpose.

1.3 **PLANS APPROVED PRIOR TO BY-LAW**

Nothing in this By-law shall prevent the erection or use of any building or structure that does not comply with one or more of the provisions of this By-law, if the plan for such building or structure were approved by the Corporation and a building permit was issued prior to the date of passing of this By-law, and was not subsequently revoked, provided that:

when such a building or structure is erected, it shall be used and shall continue to be used only for the same purpose for which said building or structure was intended when such building permit was issued and shall not be altered in any way except in conformity with the provisions of this By-law; and,

1.3.1 **Compliance With Other Restrictions**

This By-law shall not be construed so as to reduce, permit, or mitigate any restrictions or regulations lawfully imposed by the Corporate or by any governmental authority having jurisdiction to make such restrictions or regulations.

1.4 **EXISTING BY-LAWS**

All By-laws in force within the Corporation regulating the use of lands and the character, location, bulk, height and use of buildings and structures are amended insofar only as it is necessary to give effect to the provisions of this By-law and the provisions of this By-law shall govern unless otherwise specified.



SECTION 1—ADMINISTRATION

1.5 REPEAL OF EXISTING ZONING BY-LAW

By-laws No. 3-93 and No. 8-95, as amended, of the Corporation of the Township of Faraday is hereby repealed in its entirety.

1.6 VALIDITY

If any section, clause or provision of this By-law, including anything contained on the schedules attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this 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 take effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

1.7 ISSUANCE OF BUILDING 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 licence required under any By-law of the Corporation for the use of the land or for the erection or the use of the building or structure shall be issued.

1.8 INSPECTION OF LAND OR BUILDINGS

- i) Where the Chief Building Official has reason to believe that any person has used land or used a building or structure contrary to this By-law, he/she, or an employee of the Corporation authorized by him/her may, at any reasonable hour, enter and inspect the land, building or structure.
- ii) Notwithstanding Clause (a) of this Subsection, no officer or employee of the Corporation shall enter any room or place actually being used as a dwelling unit or part thereof without the consent of the occupier, except under the authority of a search warrant issued under the Provincial Offences Act, R.S.O. 1990 c.P.33, S.158, or any successor thereto.

1.9 INTERPRETATION OF BY-LAW

1.9.1 Definitions

In this By-law, unless the context requires otherwise, the definitions and interpretations set out in Section 2 hereof shall apply. Where a term is not defined, its common usage shall apply.

1.9.2 Gender and Number

In this By-law, unless the context requires otherwise, words used in the singular number include the plural, and words used in the masculine gender include the feminine and vice versa.

1.9.3 “Shall” is Mandatory

In this By-law, the word “shall” denotes that a requirement is mandatory.



SECTION 1—ADMINISTRATION

1.9.4 **“Use” and “Occupy”**

In this By-law, unless the context requires otherwise:

- i) the verb “use” shall include “design to be used”, “arrange to be used”, “intend to be used”, and “permit to be used”; and,
- ii) the verb “occupy” shall include “design to be occupied”, “arrange to be occupied”, “intend to be occupied”, and “permit to be occupied”.

1.9.5 **Schedules and Tables**

All Schedules and Tables attached to this By-law form part of this By-law. Conversion Table can be found in Appendix B.

1.9.6 **Examples and Illustrations**

Examples and illustrations are for the purpose of clarification and convenience, and do not form part of this By-law. Illustrations can be found in Appendix A.

1.9.7 **Metric Values and Imperial Conversions**

This By-law has been prepared in metric with imperial conversion (rounded) provided for information only. The metric value shall be utilized for any specific provision or regulation contained in this By-law or as it may relate to another provision or regulation contained in this By-law.

1.9.8 **Interpretation of Zone Boundaries**

The extent and boundaries of all zones and restricted areas are set out on Map 1, Map 2, Map 3 and/or Map 4 comprising Schedule “A” hereto and shall be interpreted in accordance with the following:

- i) Boundaries of zones and restricted areas correspond to lot lines or boundaries of registered plans.
- ii) In the case of a lot adjoining a waterbody, the high water mark of the property shall be construed as a lot line for the purposes of determining the zone boundary.
- iii) Where the boundary of any zone is uncertain and notwithstanding the provisions of this subsection, the dimensions contained in any amending By-law shall apply.
- iv) The boundaries of the Environmental Zone are intended to delineate the limits of natural heritage features and areas consistent with mapping which was available at of the date of passing of this By-law. Upon submission of a development application, the precise location of such boundaries may be determined by the Township in consultation with the County of Hastings. Actual boundaries of the Environmental Zone that delineate the limits of Provincially Significant Wetlands must be determined through consultation with the Ministry of Natural Resources. Following consultation an adjustment to the location of any such boundary shall not require any further amendment to this by-law provided that the affected lands are to be utilized in accordance with the permitted uses and regulations of the abutting residential, rural or agricultural zone. Any other proposed use not permitted in the residential, rural or agricultural zone, shall require an amendment to the Zoning By-law.



SECTION 2—DEFINITIONS

SECTION 2

DEFINITIONS



SECTION 2—DEFINITIONS

2.0 DEFINITIONS

For the purposes of this By-law, the definitions and interpretations in this Section shall govern unless the context indicates otherwise.

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SECTION 2—DEFINITIONS

“A”

“ABANDONED” means the failure to proceed expeditiously with the construction of a work, specifically abeyance of construction for six months.

“ABATTOIR” means a building or portion of a building where live animals are slaughtered and butchered and may include facilities for the packaging, treating and storage of meats and meat products but shall not include any establishment or facilities for the disposal or rendering of dead livestock.

“ACCESSORY BUILDING OR STRUCTURE” means a detached building or structure that is not used for human habitation and the use of which is customarily incidental and subordinate to a principal use, building or structure and located on the same lot therewith.

“ACCESSORY USE” means 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.

“ADJACENT LANDS” means those lands contiguous to a specific natural heritage feature or area (i.e. significant wetlands) where it is likely that development or site alteration would have an impact on the feature or area.

“ADULT ENTERTAINMENT ESTABLISHMENT” means any premises or part thereof in which is provided, on a commercial basis, erotic services, goods or entertainment as defined in Section 154, Subsection 2 of the *Ontario Municipal Act, R.S.O. 2006 c.32 Schedule. A, s.82, as amended*.

“AGRICULTURAL PRODUCE SALES OUTLET” means a building, or part of a building, operated on a temporary and seasonal basis only in which locally grown farm produce, exclusive of meat or poultry, is offered for sale at retail where the majority of such produce offered or kept for sale is the product of the farm on which such retail outlet is located and shall not include the sale of farm produce which has been reprocessed nor shall it include a slaughter house.

“AGRICULTURAL USE” means the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

“AGRICULTURE-RELATED USE” means those farm-related commercial and farm-related industrial uses that are small scale and directly related to the farm operation and are required in close proximity to the farm operation.

“ALL-TERRAIN VEHICLE (A.T.V)” means a vehicle with three (3) or four (4) wheels, designed for use on all terrains that have steering handlebars and a seat that is designed to be straddled by the driver.

“ALTER” means, 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



SECTION 2—DEFINITIONS

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.

"ANIMAL SHELTER" means a facility, other than a private residential dwelling and its surrounding grounds, that is used to house or contain or provide medical care for animals that are homeless, lost or abandoned that is owned, operated, or maintained by a nongovernmental entity including, but not limited to, a humane society, animal welfare organization, society for the prevention of cruelty to animals, or any other organization operating for the purpose of finding permanent adoptive homes for animals.

"ARCADE" means any building or room or parts of a building or room containing four (4) or more arcade machines operated for gain, including where the operation of such game machines for gain is an accessory use or is not the primary use of the building or room

"ARCADE MACHINE" means any mechanical game machine or electronic game machine including a pinball machine operated for gain.

"ARENA" means a building, or part of a building, in which the principal facilities provided are for such recreational activities as curling, skating, hockey, lacrosse, broomball, or similar athletic activity, which facilities may include dressing rooms, concession booths for the provision of food and refreshments to the general public, bleachers, plant equipment for the making of artificial ice and such other facilities as are normally considered incidental and subordinate thereto.

"ASSEMBLY HALL" means a building, or part of a building, in which facilities are provided for such purposes as meetings for civic, educational, political, religious, cultural or social purposes, but does not include a school.

"ATTACHED" means 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.

"ATTIC" means the portion of a building situated wholly, or in part, within the roof and which is not a one-half storey.

"AUCTION BARN" means any premises used predominantly as a livestock auction facility and may include the auction of agriculturally related chattels on an incidental or accessory basis only.

"AUCTION ROOM" means any premises used for the auction of household chattels which may also include motor vehicles on an incidental basis only.

"AUDITORIUM" means a building, or part of a building, in which facilities are provided for athletic, civic, educational, political, religious, cultural or social purposes and shall include an arena, gymnasium, or other similar facility or use



SECTION 2—DEFINITIONS

“B”

"BAKERY" means a building for producing, mixing, compounding or baking bread, biscuits, cakes or other baked products.

"BAKE SHOP" means a retail store where bakery goods are offered for sale, some or all of which may be prepared on the premises.

"BASEMENT" means that portion of a building between two floor levels which has at least 50% of its height, from finished floor to the undersides of the floor joists of the above storey, below the adjacent average finished grade level.

"BASEMENT, WALK-OUT" means that portion of a building which is partly underground, but which has more than 50% of the finished floor area not greater than 0.6 m (1.9 ft.) below the adjacent finished grade level and which has a door, at or above the adjacent finished grade, for entrance and exit directly to the outside.

"BED AND BREAKFAST ESTABLISHMENT" means a single detached dwelling, used or maintained for the overnight accommodation of the travelling public, in which the proprietor supplies lodging, with or without meals, in return for monetary compensation. Such an establishment must be operated by one or more persons residing in the single detached dwelling. For the purposes of this Bylaw, a Bed and Breakfast Establishment shall not include a motel or hotel as defined herein.

"BOAT HOUSE" means a detached accessory building or structure, which is designed or used for the sheltering of a boat or other form of water transportation and may include storage of household equipment incidental to the residential use permitted on the lot but shall not include any areas intended for human habitation.

"BUILDING" means a structure consisting of a wall, roof and floor or any of them or a structural system serving the function thereof including all plumbing, works, fixtures and service systems appurtenant thereto.

"BUILDING PERMIT" means a building permit issued by the Chief Building Official of the Corporation of the Township of Faraday under the *Building Code Act, R.S.O 1992, c.23, as amended*.

"BUILDING SUPPLY OUTLET" means a building or structure in which building or construction and home improvement materials are offered or kept for sale at retail and may include the fabrication of certain materials related to home improvements but does not include any use or activity otherwise defined or classified herein.

"BULK STORAGE TANK" means 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.

"BULK STORAGE YARD" means an opaque-fenced place where land is used for the storage in the open of goods and materials, machinery, petroleum products and/or equipment, but does not include the storage of such items as would require approval under the Health Promotion and Protection Act, as amended, nor does it include a salvage yard as defined by this by-law.



SECTION 2—DEFINITIONS

"BUSINESS, PROFESSIONAL OR ADMINISTRATIVE OFFICE" means 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 a bank or financial institution, or the administrative offices of a non-profit or charitable organization.

"BY-LAW ENFORCEMENT OFFICER" means the officer or employee of the municipality appointed by the Corporation with the duty of administering and enforcing the provisions of all municipal by-laws.



SECTION 2—DEFINITIONS

“C”

“CAMP, CHARITABLE” means a seasonal camp operated by a charitable corporation approved under the Charitable Institutions Act.

“CAMPGROUND, PRIVATE” means a tourist establishment consisting of at least five (5) camping sites and comprising land used or maintained as grounds for the camping or temporary parking of recreational trailers, recreational vehicles or tents, but does not include parks or camping grounds maintained by:

- i) any department of the Government of Ontario or of Canada; or,
- ii) any Crown corporation, commission or board.

“CAMPING SITE, TENT OR RECREATIONAL TRAILER ” means that part of a private campground which is occupied on a temporary basis only, by a recreational trailer, recreational vehicle, or tent.

“CAR WASH” means a building or structure for the operation of automobile washing.

“CAR WASH, AUTOMATIC” means a car wash where the labour is not supplied by the patron.

“CAR WASH, COIN OPERATED” means a car wash where the patron supplies the labour.

“CARPORT” means an unenclosed, attached building or structure used for the parking or storage of private passenger automobiles or commercial vehicles of less than one tonne capacity.

“CARTAGE OR TRANSPORT DEPOT” means a building, structure or place where 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.

“CEMETERY” means land that is set apart or used as a place for the internment of the dead or in which human bodies have been buried, within the meaning of the *Cemeteries Act, R.S.O. 1990, c. C.4, as amended*, and includes related secondary structures such as, but not limited to, a mausoleum or columbarium as defined herein.

“CHIEF BUILDING OFFICIAL” means the officer or employee of the Township and appointed by the Corporation with the duty of administering the provisions of the *Building Code Act, R.S.O. 1992, c.23, as amended* and Zoning By-law.

“CLUB, COMMERCIAL” means 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.

“CLUB, PRIVATE” means 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.



SECTION 2—DEFINITIONS

“COIN OPERATED LAUNDRY” means 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.

“COLUMBARIUM” means a vault with niches for urns containing the ashes of the deceased.

“COMMERCIAL” means the use of land, building or structure for the purpose of buying and selling commodities, and supplying of services as distinguished from such uses as manufacturing or assembling of goods, warehousing, transport terminals, construction and other similar uses.

“COMMERCIAL COPY CENTRE” means a building or part of a building in which the business of reproducing techniques such as photocopying and large scale plotting occurs, but does not include a printing/publishing establishment as defined herein.

“COMMERCIAL VEHICLE” means any automobile having permanently attached thereto a truck or delivery body and includes ambulances, hearses, fire apparatus, police patrols, motor buses including school buses and tractor trailers used for hauling purposes on the highway.

“COMMON WALL” means a single wall separating two (2) dwelling units.

“COMMUNITY CENTRE” means any tract of land, building or structure or any part of any structure used for community activities whether used for commercial purposes or not, the control of which is vested in the Township, a local board or agent thereof.

“CONSERVATION” means 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.

“CONTRACTOR'S YARD” means a place where land is used for the storage in the open, of goods and materials, machinery and/or equipment normally utilized by the construction industry and may include the repair of machinery, but does not include the storage of such items as would require approval under *the Health Promotion and Protection Act, R.S.O. 1980, Chapter 400, as amended*, nor does it include a salvage yard as defined by this by-law nor equipment or materials used for blasting.

“CONVENIENCE STORE” means a retail sales establishment supplying groceries and other daily household conveniences to the immediate surrounding area, but shall not include a supermarket as defined herein.

“COTTAGE ESTABLISHMENT” means a tourist establishment comprising of two (2) or more tourist cottages owned or leased by the same person.

“COUNCIL” means the Municipal Council of the Corporation of the Township of Faraday.

“COUNTY” means the Corporation of the County of Hastings.



SECTION 2—DEFINITIONS

"CRAFT SHOP" means 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 but shall not include any other establishment otherwise defined or classified herein.

"CUSTOM WORKSHOP" means a building or part of a building used by a trade, craft or guild for the production 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, woodworking and furniture refinishing but does not include metal spinning, or furniture manufacture or any use or activity otherwise defined or classified herein.



SECTION 2—DEFINITIONS

“D”

"DAY NURSERY" means a premises that receives more than (5) five children who are not of common parentage, primarily for the purpose of providing temporary care, or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty-four hours, where the children are:

- i) under eighteen (18) years of age in the case of a day nursery for children with a developmental disability; and,
- ii) under ten (10) years of age in all other cases; but does not include part of a public school, separate school or private school under the Education Act, R.S.O 1990, c. E.2.

"DECK" means a horizontal surface supported on piers, free of any roof or other covering and which may be surrounded by a railing, the height of which is governed by the Ontario Building Code.

"DEER YARD" means any area where deer concentrate in the winter months.

"DERELICT VEHICLE" means an automobile, whether or not intact or operable, which:

- i) is not currently licensed or is not exempt from licensing for operation on a highway under the provisions of the Highway Traffic Act, as amended; and
- ii) has not been moved under its own power; and,
- iii) is not located in an enclosed building or other location so as not to be visible from any adjacent lands which are not occupied by the owner of the vehicle, but shall not include an motor vehicle which is kept for sale or repair upon premises which are lawfully used hereunder for an motor vehicle body shop, motor vehicle service centre or a motor vehicle dealership.

"DEVELOPMENT" means the creation of a new lot, change in land use, or the, erection, or placing of a building or structure of any kind or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof, and includes such related activities as site grading and the placing or dumping of fill and/or any other operations that disrupt the natural environment in, on, over or under land or water.

"DOCK" means a structure built at or anchored to the shore at which boats or other floating vessels are berthed or secured to and which may provide a foundation for a boathouse.

"DOCK, COMMUNAL" means any private dock which is intended to serve more than one property but shall not include a marina.

"DRIVE-THROUGH FACILITY" means premises used to provide or dispense products or services, through an attendant or a window or an automated machine, to persons remaining in vehicles that are in a designated stacking aisle. A drive-



SECTION 2—DEFINITIONS

through facility may be in combination with other uses, such as a financial institution, fast food restaurant, or take-out restaurant. A drive-through facility does not include a vehicle washing establishment or vehicle fuel station.

"DRIVEWAY" means a privately owned and maintained access way, but does not include a privately maintained road as defined herein.

"DRY INDUSTRY" means an industry which does not require the excessive use of water or other fluids in an industrial process.

"DWELLING" means a building or structure or part of a building or structure occupied and capable of being occupied for human habitation containing one (1) or more dwelling units.

"DWELLING UNIT" means one (1) room or a group of rooms in a building used or designed or intended to be used as a single, independent and separate housekeeping establishment:

- i) in which food preparation and sanitary facilities are provided for the exclusive use of such occupant(s); and,
- ii) which has a private entrance from outside the building or from a common hallway or stairway inside the building; but,
- iii) does not mean or include a tent, cabin, trailer, mobile home, or a room or suite of rooms in a boarding or rooming house, a hotel or motel or tourist establishment.

"DWELLING UNIT AREA" means the aggregate of the floor areas of all habitable rooms in a dwelling unit, but excluding the thickness of any exterior walls.

"DWELLING UNIT, ACCESSORY" means a dwelling unit which is part of, and accessory to, a permitted non-residential building other than an automobile service station or commercial garage. Such dwelling unit shall be occupied by the owner of the non-residential building or by a person employed on the lot where such dwelling unit is located.

"DWELLING UNIT, BACHELOR" means a dwelling unit consisting of one (1) bathroom and not more than two (2) habitable rooms providing therein living, dining, sleeping and kitchen accommodation in appropriate individual or combination room or rooms.

"DWELLING UNIT, SECONDARY" means a separate residential unit subsidiary to, and located in the same building as, its principal dwelling unit; and its creation does not result in a semi-detached, duplex, triplex, converted house or converted dwelling house, accessory dwelling unit, or multiple dwelling as otherwise may be defined.



SECTION 2—DEFINITIONS

"DWELLING, DUPLEX" means a separate building containing two (2) or more storeys that is divided horizontally into no more than two (2) dwelling units, each of which has an independent entrance either directly or through a common vestibule, each of which is completely on a separate storey.

"DWELLING, FOURPLEX" Shall mean a separate building divided vertically and horizontally into four (4) dwelling units, each of which has an independent entrance either directly or through a common vestibule.

"DWELLING, MULTIPLE" shall mean a separate building containing three or more dwelling units which are horizontally and/or vertically attached with masonry walls and which have separate private entrances from the exterior of the building or from a common hallway.

"DWELLING, SEASONAL" shall mean a detached building constructed and used as a secondary place of residence for seasonal vacations and recreational purposes and not as the principal residence of the owner or occupant thereof.

"DWELLING, SEMI-DETACHED" means a separate building containing two (2) single dwelling units separated vertically by a common wall, each unit having separate entrance and exit facilities.

"DWELLING, SENIOR CITIZEN MULTIPLE" means any multiple dwelling for senior citizens sponsored and administered by any public agency or any service club, church or non-profit organization, either of which obtains its financing from Federal, Provincial or Municipal governments, or by public subscription or donation, or by any combination thereof, and such multiple dwellings shall include auxiliary uses such as club and lounge facilities, usually associated with senior citizens' development.

"DWELLING, SINGLE DETACHED" means a separate building containing not more than one (1) dwelling unit.



SECTION 2—DEFINITIONS

“E”

“**EAVE**” means a roof overhang, free of enclosing walls, without supporting columns.

“**ELDERLY PERSONS’ CENTRE**” means any facility intended primarily for the use of elderly persons for purposes which include social, cultural, athletic or recreational activities, and shall include any centre established under the Elderly Persons Centres Act, as amended.

“**ENVIRONMENTAL IMPACT STUDY (EIS)**” means a study prepared in accordance with established procedures, as outlined in the relevant sections of the *County of Hastings Official Plan*.

“**EQUIPMENT SALES AND RENTAL**” means a building or part of a building or structure in which machinery and equipment such as air compressors and related tools and accessories are offered or kept for rent, lease or hire under agreement for compensation.

“**ERECT**” means 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 doing of which a building permit is required under the *Building Code Act, R.S.O. 1992, c.23* and Regulations passed thereunder as may be amended, replaced or re-enacted from time to time; and,
- iv) erect, erected and erection shall have a corresponding meaning.

“**ESTABLISHED BUILDING LINE**” means the average setback of all existing buildings from the street line on one side of a continuous 300 metre strip of land where five or more of the lots having street access upon the same side of the street have been built upon.

“**EXISTING**” means existing as of the date of the passing of this By-law unless otherwise described.



SECTION 2—DEFINITIONS

“F”

“FARM” means any farming or agricultural use of land. "Farm" shall include a single detached dwelling and buildings and structures, such as barns and silos, which are incidental to the operation of the farm.

"FARM IMPLEMENT AND EQUIPMENT SALES AND SERVICE ESTABLISHMENT" means 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 but shall not include any other establishment otherwise defined or classified herein.

“FEED LOT OPERATION” means the raising of livestock in a confined area and does not include the grazing thereof in open pasture.

“FENCE” means any fence, enclosing barrier or wall (other than the wall of a building), or gate which separates or divides any parcel of land or part thereof from any other parcel of land or part thereof, immediately adjacent thereto and shall not be constructed of wooden lattice work or snow fencing.

"FLEA MARKET" means a building or part of a building where second hand and/or inexpensive goods, articles and antiques are offered or kept for sale at retail to the general public but shall not include any other establishment otherwise defined or classified herein.

"FLOOD PLAIN" means, for river, stream and small inland lakes, the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards as defined by the Provincial Policy Statement, March 2005.

"FLOOR AREA, GROSS" means the total floor area, as hereinafter defined, exclusive of any portion of the building or structure below finished grade which is used for heating, the storage of goods or personal effects, laundry facilities, recreational areas, the storage or parking of motor vehicles or quarters used by the caretaker, watchman or other supervisor of the building or structures; and, in the case of a dwelling, exclusive of any private garage, carport, basement, walkout basement, porch, veranda or sunroom unless such sunroom is habitable during all seasons of the year.

"FLOOR, GROUND" means the lowest storey of a building, approximately at or first above the finished grade level.

"FLOOR AREA, GROUND" means the floor area of the lowest storey of a building, approximately at or first above the finished grade level, of which the area is measured between the exterior faces of the exterior walls at the floor level of such storey, but excludes car parking areas within the building and any finished or unfinished basement or cellar. For the purpose of this paragraph, the walls of an inner court are and shall be deemed to be exterior walls.

"FORESTRY" means the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, protection of water supplies, and preservation of the recreation resource and shall include reforestation areas owned or managed by the Ministry of Natural Resources.



SECTION 2—DEFINITIONS

"FUNERAL HOME" means a building, or a portion of a building, 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.



SECTION 2—DEFINITIONS

“G”

"GARAGE, PRIVATE" means a detached accessory building or portion of a dwelling 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 wherein neither servicing nor repairing is carried on for remuneration. For the purposes of this By-law a private garage excludes a carport or other open shelter.

"GARDEN CENTRE" means 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 also include the sale of such goods, products and equipment as are normally associated with gardening or landscaping.

"GARDEN SUITE" means a 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.

"GAZEBO" means a freestanding, roofed accessory structure which is not enclosed, except for screening or glass and which is utilized for the purposes of relaxation in conjunction with a residential dwelling but shall not include any other use or activity otherwise defined or classified in this By-law.

"GOLF COURSE" means a public or private area operated for the purpose of playing golf, inclusive of club house facilities, which may include restaurant facilities and/or a snack bar, and may include a driving range and/or miniature golf courses.

"GOVERNMENT MAINTENANCE DEPOT" means any land, building or structure owned by the Corporation of the Township of Faraday, the County of 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.

"GRADE, FINISHED" means the average elevation of the finished surface of the ground adjacent to the ground level of the building or structure.

"GROUP HOME" means a dwelling unit in which not less than three (3) and not more than six (6) people receive specialized or sheltered residential care and accommodation by virtue of their physical, mental, emotional, social or legal status and which is approved or licensed in accordance with any Act of the Parliament of Ontario, but does not include a facility maintained and operated primarily for persons:

- i) who have been placed on probation under the Probation Act, as amended (Canada), the Criminal Code, as amended (Canada) or the Juvenile Delinquent Act, as amended (Canada); or
- ii) who have been released on parole under the Ministry of Correctional Services Act, as amended, the Parole Act, as amended (Canada) or the Provincial Offences Act, as amended; or
- iii) who are admitted to the home for correctional purposes.



SECTION 2—DEFINITIONS

“H”

“HABITABLE ROOM” means a room designed for living, sleeping, eating or food preparation, including a den, library, sewing-room or enclosed sunrooms.

“HEIGHT OF BUILDING” means 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;
- iii) in the case of a gable, hip or gambrel roof, the average height between the eaves and ridge; and
- iv) 33 metres above grade, where grade means the average elevation of the finished surface of the ground adjacent to the ground level of the building or structure.

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

"HIGH WATER MARK" means 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.

“HIGHWAY” means a highway within the meaning of the *Ontario Municipal Act, R.S.O. 2006 c.32 Schedule. A, s.82, as amended* and the *Highway Traffic Act, R.S.O. 1990, c. H.8, as amended*.

"HOME INDUSTRY" means a service industry or a non-effluent producing industry which is carried on, in accordance with the provisions of this By-law relative thereto, which is clearly incidental or secondary to the residential use of a single detached dwelling and is conducted within an accessory building to a single dwelling, by an inhabitant thereof.

“HOME OCCUPATION” means any occupation which is carried on, in accordance with the provisions of this By-law relative thereto, which is clearly incidental or secondary to the residential use of a single detached dwelling and is conducted within a single detached dwelling, by an inhabitant thereof.

“HOSPITAL, PRIVATE” means a hospital which is owned by a company and is privately funded, through the payment for medical services by patients or their private insurer(s) and may include a retirement home.

"HOSPITAL, PUBLIC" means a hospital as defined by the *Public Hospitals Act, as amended*.



SECTION 2—DEFINITIONS

“HOTEL” means a building or part of a building, containing four (4) or more guest rooms for the purpose of catering to the travelling public, by furnishing sleeping accommodations where rooms face inward with doors opening to interior hallways and may include a restaurant that may or may not be licensed under the *Liquor Licence Act, R.S.O. 1990, c. L. 19, as amended*.

“HUNT CAMP” means premises, building or structure used for the purpose of accommodation for hunters. A hunt camp may consist of one or more rooms which is at least partially furnished and may include facilities for the preparation of food and overnight accommodation on a temporary basis for use during hunting season only. A hunt camp may include plumbing facilities where an approved sewage disposal system is provided. A hunt camp may not be occupied for more than ninety (90) days in any twelve (12) month period. A hunt camp does not include for-profit commercial facilities.



SECTION 2—DEFINITIONS

“I, J, K”

“INSTITUTIONAL” means the use of land, building or structures for religious, charitable, educational, health or welfare purposes, and includes churches, places of worship and nursery schools, and public and private schools as defined in the *Education Act, R.S.O 1990, c. E.2, as amended*.

“KENNEL, COMMERCIAL” means a building or structure where dogs, cats, or other domestic household pets are kept, and/or bred for profit or gain and in which enclosed outside runs shall be permitted, and may include a boarding facility, in accordance with By-Law No. 17-2008 (By-Law To Provide For The Regulating And Licensing Of Kennels And Boarding Facilities Within The Township Of Faraday), but shall not apply to the keeping of animals in an veterinary establishment for the purpose of observation and/or recovery necessary to veterinary treatment.

“KENNEL, HOBBY” means an area or facility where hunting dogs and/or sled dogs are kept outside accordance with By-law No. 17-2008 (By-Law To Provide For The Regulating And Licensing Of Kennels And Boarding Facilities Within The Township Of Faraday).



SECTION 2—DEFINITIONS

“L”

"LANDSCAPED OPEN SPACE" means 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, bushes 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.

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

"LIBRARY" means a public library within the meaning of the *Public Libraries Act, R.S.O., 1990, c. P.44, as amended*.

"LIQUOR LICENSE PREMISES" means any building, structure or premises licensed under the Liquor Licence Board of Ontario.

"LOADING SPACE" means 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.

"LOGGING" means the removal or cutting of merchantable timber either by strip or clear or total cutting operations but does not include the selective harvesting of mature timber nor does it include the clearing of land incidental to putting the land into a condition necessary for the bonafide exercise of a use specifically permitted herein and selective harvesting as used herein means the harvesting of mature timber while causing a minimum of damage to adjacent growth in accordance with good forestry practice.

"LOT" means a parcel of land, the boundaries of which are defined in the last registered instrument by which legal or equitable title to the said parcel was lawfully and effectively conveyed or which is a whole lot as shown on a Registered Plan of Subdivision subject to the provisions of the *Planning Act, R.S.O 1990, c. P.13, as amended*.

"LOT AREA" means the total horizontal area within the lot line of a lot, and in the case of a corner lot having street lines rounding at the corner with a radius of 6 meters (19.7 ft.) or less, the lot area of such lot is to be calculated as if the lot lines were projected to their point of intersection.

"LOT COVERAGE" means that percentage of the lot area covered by all buildings or structures but excluding any part of a building or structure constructed entirely below grade. For the purposes of calculating lot coverage, the lot coverage of each zone shall be deemed to apply only to that portion of such lot that is located within the said zone.

"LOT DEPTH" means the horizontal distance between the midpoints of the front and rear lot lines, and where there is no rear lot line the length of a line within the lot between the midpoint of the front lot line and the most distant point of the apex(s) of a triangle formed by the side lot lines.



SECTION 2—DEFINITIONS

"LOT FRONTAGE" means the horizontal distance between the side lot lines measured along the front lot line, but where the front lot line is not a straight line or where the side lot lines are not parallel, the lot frontage is to be measured nine (9) meters (29.5 ft.) back from the front lot line and parallel to the chord of the lot frontage. For the purpose of this paragraph the chord of the lot frontage is a straight line joining the two points where the side lot lines intersect the front lot line.

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

"LOT LINE, EXTERIOR" means any lot line that is not a front lot line, rear lot line but a side lot line being common to a lot and an abutting roadway.

"LOT LINE, FRONT" means, in the case of an interior lot, the line dividing the lot from the street or privately maintained road. In the case of a corner lot, the shorter lot line abutting a street or privately maintained road 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 waterfront lot or waterfront only lot, the shoreline shall be considered the front lot line.

"LOT LINE, REAR" means the lot line farthest from and opposite to the front lot line.

"LOT LINE, SIDE, EXTERIOR" means a side lot line that abuts a street.

"LOT LINE, SIDE, INTERIOR" means a side lot line other than an exterior side lot line.

"LOT, CORNER" means a lot situated at the intersection of two or more streets or privately maintained roads, having an angle of intersection of not more than 135 degrees.

"LOT, INTERIOR" means a lot other than a corner lot.

"LOT, THROUGH" means a lot bounded on two opposite sides by streets, or privately maintained roads.

"LOT, WATERFRONT" means a lot, which is not an island lot, but has water access and fronts upon an approved public road or privately maintained road.

"LOT, WATERFRONT ONLY" means a lot, which is not an island lot, has water access but does not front upon an approved public road or privately maintained road.

"LUMBER YARD" means an area where finished and unfinished lumber is stored but does not include an establishment or area otherwise defined in this by-law.



SECTION 2—DEFINITIONS

“M”

“MACHINE SHOP” means a building or part of a building where material-working processes that involve using power-driven machine tools, such as a lathe, milling machine or drill to shape metal occur.

“MANUFACTURING, PROCESSING, ASSEMBLING OR FABRICATING PLANT” means 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.

“MARINA” means a building, structure or place, including docking facilities located on a navigable waterway, where boats and boat accessories are stored, serviced, repaired or kept for sale and where facilities for the sale of marine fuels and lubricants may be provided.

“MARINE SALES AND SERVICING ESTABLISHMENT” means a building or part of a building and associated lands where new and used boats and boat accessories for sale at retail or for rental, and where marine equipment is serviced or repaired and may include boat storage facilities.

“MAUSOLEUM” means a large stately tomb or a building housing such a tomb or several tombs.

“MINIATURE GOLF COURSE” means an area designed for the purposes of a novelty golf game played with a putter on a miniature golf course having tunnels, bridges, sharp corners, or other similar obstacles.

“MOBILE HOME PARK” means the land on which one or more occupied mobile homes are located, and includes the rental units and the land, structures, services and facilities of which the landlord retains possession and that are intended for the common use and enjoyment of the tenants of the landlord.

“MOBILE HOME TRAILER” means a dwelling trailer that can be connected to utilities and can be parked in one place and used as permanent housing.

“MODULAR HOME” means a building or structure divided into multiple modules or sections which are manufactured in a remote facility and then delivered to their intended site of use whereby the modules are assembled into a single detached dwelling, as per the Ontario Building Code.

“MOTEL” means an establishment which consists of one (1) or more than one (1) building containing multiple rental units, accessed directly from the outside, for the purpose of catering to the travelling public, to whom the automobile is the principal means of transportation, by furnishing sleeping accommodations with or without meals and which may include permanent staff accommodation and may or may not be licensed under the *Liquor Licence Act, R.S.O. 1990, c. L.19, as amended*.

“MOTOR VEHICLE” means a motor vehicle within the meaning of the *Highway Traffic Act, R.S.O. 1990, c. H.8, as amended*.



SECTION 2—DEFINITIONS

“MOTOR VEHICLE BODY SHOP” means 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 and motor vehicle rentals for customers while the motor vehicle is under repair, but shall not include any other use or activity otherwise defined or classified in this By-law.

“MOTOR VEHICLE DEALERSHIP” means a building or structure where a dealer displays new motor vehicles for sale or rent or where used motor vehicles are kept for sale in conjunction with which there may be a motor vehicle repair garage, or a motor vehicle gasoline bar, but shall not include any other use or activity otherwise defined or classified in the By-law.

“MOTOR VEHICLE GASOLINE BAR” means 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 (96.9 sq. ft.), and may include facilities for the refilling of propane tanks and the changing of oil, greasing and lubricating of motor vehicles, including the sale of automotive accessories, antifreeze and additives, but shall not include any other use or activity otherwise defined or classified in this By-law.

“MOTOR VEHICLE REPAIR SHOP” means 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 and motor vehicle rentals for the convenience of the customer while the motor vehicle is being repaired, but shall not include any other use or activity otherwise defined or classified in this By-law.

“MOTOR VEHICLE SERVICE CENTRE” means a building or structure to accommodate the travelling public by providing an eating establishment and supplying gasoline, propane, grease and oil.

“MOTOR VEHICLE, OVERSIZED” means any motor vehicle having a greater weight than 2500 kilograms or an overall height greater than 2.3 metres (7.6 ft.), or both.

“MOTORIZED “ALL-TERRAIN VEHICLE (A.T.V)” means a vehicle with three (3) or four (4) wheels, designed for use on all terrains that have steering handlebars and a seat that is designed to be straddled by the driver.

“MOTORIZED SNOW VEHICLE (SNOWMOBILE)” means a motorized snow vehicle within the meaning of the *Motorized Snow Vehicle Act, R.S.O. 1990, c. M44, as amended*.

“MOTORIZED SNOW VEHICLE (SNOWMOBILE)/ALL-TERRAIN VEHICLE SALES AND SERVICE ESTABLISHMENT” means a building or part of a building and land adjacent thereto, where snowmobile equipment and/or A.T.V. equipment is displayed, for sale at retail, or rental and where mechanical repairs are completed.

“MUSEUM” means a depository open to the public, which acquires, conserves, researches, communicates and exhibits, for purposes of study, education, enjoyment, objects having scientific, cultural, historical or artistic value.



SECTION 2—DEFINITIONS

“N”

"NON-COMPLYING USE" means a permitted land use, building or structure existing at the date of the passing of this By-law which does not fulfil the requirements of the Zone Regulations (e.g. yard setbacks) for the zone within which it is located.

"NON-CONFORMING USE" means a lawful and specific use, building, structure or land existing at the date of the passing of this By-law which does not fulfil the requirements of the use provisions for the zone in which it is located.

"NOXIOUS" means, 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 of 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.

"NURSING HOME" means any premises maintained and operated for persons requiring nursing care or in which such care is provided to two or more unrelated persons, but does not include any premises falling under the jurisdiction of:

- a) the *Charitable Institutions Act*,
- b) the *Child and Family Services Act*,
- c) the *Homes for the Aged and Rest Homes Act*,
- d) the *Mental Hospitals Act*,
- e) the *Private Hospitals Act*, or
- f) the *Public Hospitals Act*.



SECTION 2—DEFINITIONS

“O”

"ONTARIO BUILDING CODE ACT AND/OR BUILDING CODE" means the *Building Code Act, R.S.O. 1992, c. 23, as amended*.

"OPEN SPACE/OPEN SPACE USES" means the open, unobstructed space on a lot, including the open, unobstructed space accessible to all occupants of any residential or commercial building or structure, which is suitable and used for the growth of grass, flowers, bushes and other vegetation and may include any surface pedestrian walk, patio, pool, or similar area, but does not include any driveway, ramp or parking spaces, parking aisles, loading spaces, vehicular manoeuvring areas or similar areas.

"OUTDOOR FURNACE" means a building or structure that is used to provide heat or heated water to the main building on a lot but is separate from the main building on the lot.

"OUTSIDE STORAGE" means an accessory storage area outside of the principal or main building on the lot.



SECTION 2—DEFINITIONS

“P”

"PARKING AISLE" means an area of land which abuts and provides direct vehicular access to one or more parking spaces.

"PARK, PRIVATE" means a park other than a public park.

"PARK, PUBLIC" means a recreational area owned or controlled by the Corporation or by any Board, Commission or other Authority established under any statute of the Province of Ontario or Government of Canada.

"PARKING ANGLE" means 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.

"PARKING AREA" means 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 road.

"PARKING LOT" means any parking area other than a parking area accessory to a permitted use.

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

"PERSON(S)" means any human being, association, firm, partnership, incorporated company, corporation, agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

"PIT" means land or land under water from which unconsolidated aggregate is being or has been excavated, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or structure on the excavation site.

"PLACE OF ENTERTAINMENT" means a motion picture or other theatre, an arcade, a billiard or pool room, a bowling alley, a miniature golf establishment, a rock climbing establishment, dance hall or music hall or any similar use intended for entertainment and social functions but shall not include an adult entertainment establishment as defined herein.

"PLACE OF WORSHIP" means a building set aside by any religious organization for public worship.

"PLANTING STRIP" means a continuous hedgerow of evergreen trees or shrubs, not less than 1.5 metres (4.9 ft.) in height, with vegetation planted so as to ensure a minimum depth of 3 metres (9.8 ft.), used for no other purpose than the planting of shrubs, flower beds, grass or a combination thereof, immediately adjacent to the lot line or portion of lands described in Section 3.30 of this By-law.

"PRINCIPAL OR MAIN BUILDING" means a building or structure in which the primary use is conducted.



SECTION 2—DEFINITIONS

"PRINTING/PUBLISHING ESTABLISHMENT" means a building or part of a building in which the business of producing books, newspapers or periodicals by mechanical means occurs.

"PRIVATE-HOME DAY CARE" means the temporary care for reward or compensation of five (5) children or less who are under ten (10) 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.

"PROVINCIAL HIGHWAY" means a public highway owned and operated under the jurisdiction of the Province of Ontario.

"PUBLIC AUTHORITY" means Federal, Provincial, County or Municipal agencies, and includes any commission, board, authority or department established by such agency.



SECTION 2—DEFINITIONS

“Q”

"QUARRY" means land or land under water from which consolidated aggregate is being or has been excavated, and that has not been rehabilitated by virtue of a permit issued under the Aggregate Resources Act, but does not mean land or land under water excavated for a building or structure on the excavation site.



SECTION 2—DEFINITIONS

“R”

"RECREATIONAL COMPLEX" means any land, building or structure used for parks, playgrounds, arena picnic areas, day camps, community centres, snow skiing, gymnasiums and all similar uses together with necessary and accessory uses, buildings and structures, including banquet facilities, but does not include a track for the racing of animals, motor vehicles, go-carts, snowmobiles, motorcycles, or miniature golf courses.

"RECREATIONAL TRAILER" means a vehicle designed to be towed by a motor vehicle for which either a permit or a license is issued under the *Highway Traffic Act, R.S.O. 1990, c. H.8, as amended*, which has a maximum overall width of 3.66 metres (12 ft.), which is capable of being used on an occasional or temporary basis only for the living, sleeping or eating accommodation of persons but for the purposes of this By-law shall not include a mobile home or any other use otherwise defined herein.

"RECREATIONAL TRAILER PARK" means a parcel of land which is developed and managed as a unit, where individual camp sites are made available on a rental or lease basis for the placing of recreational trailers and vehicles which are occupied only during the months of May through October, where the ownership and responsibility for the maintenance of private internal roads, services, communal areas and buildings, and garbage collection, together with general park management, etc., rests with the owner but which is not the subject of a Registered Plan of Subdivision defining individual lots legally capable of conveying title and shall not include a mobile home park or any use as may otherwise be defined herein.

"RECREATIONAL VEHICLE" means a self-propelled vehicle designed and intended and used for travel recreation or vacation and in addition, used for living and sleeping and eating on a temporary and occasional basis.

"RECREATIONAL VEHICLE AND RECREATIONAL TRAILER SALES AND SERVICE ESTABLISHMENT" means a building, structure or place, where recreational vehicles and recreational trailers as defined herein, equipment and supplies are offered for sale and may include a recreational vehicle and recreational trailer service and repair facility and storage facilities.

"RESEARCH FACILITY" means a building or part of a building or an area of open space in which investigation or inquiry for the purpose of producing new information or products is carried on.

"RESORT ESTABLISHMENT" means a TOURIST ESTABLISHMENT as defined herein.

"RESTAURANT" means a building or part of a building where food is prepared and/or cooked and offered for sale or sold to the public for consumption on the premises where dining tables and table service are provided.

"RESTAURANT, FAST FOOD" means a building or part of a building where food is prepared and/or cooked and offered for sale or sold to the public for consumption on or off the premises, where dining tables are provided but table service is not provided.



SECTION 2—DEFINITIONS

"RESTAURANT, TAKE-OUT" means a building or part of a building where food is prepared and/or cooked and offered for sale or sold to the public for consumption off the premises where neither dining tables or table service are provided.

"RETAIL" means the sale or rental of goods, wares, merchandise, substances and articles to the final consumer or end user, but does not include a supermarket as defined herein.

"RETAIL SALES ESTABLISHMENT" means 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, but does not include a supermarket as defined herein.

"ROAD, PRIVATELY MAINTAINED" means a privately maintained road which affords access to abutting lots and includes lanes and right-of-ways, but does not include municipally maintained roads as defined herein, or an unopened road allowance.



SECTION 2—DEFINITIONS

“S”

"SALVAGE YARD" means a fenced lot and/or land for the storage and/or handling of scrap material, which without limiting the generality of the foregoing may include vehicles, tires, metal, used bicycles, waste paper and/or other scrap material and salvage.

"SAUNA" means an enclosed structure which does not exceed 10 square metres (107.6 sq. ft.) in area with an approved heating device to produce steam.

"SAW AND/OR PLANING MILL" means 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.

"SCHOOL, COMMERCIAL" means a school conducted for hire or gain, other than a private, public, religious or philanthropic school, and shall include the studio of a dancing teacher or a music teacher, art school, golf school, school of calisthenics, a business or trade school and any other specialized school conducted for profit or gain.

"SCHOOL, PRIVATE" means a school other than a public school or a commercial school as otherwise defined or classified in this By-law.

"SCHOOL, PUBLIC" means a an elementary or secondary school under the jurisdiction of the Change to Hastings and Prince Edward District School Board, Algonquin Lakeshore Catholic District School Board, a technical school, a vocational school, a college, a university or other education institution, but not including a commercial school.

"SECONDARY UNIT" means a second self contained dwelling unit that is located within a primary dwelling unit where both dwelling units are registered under the same land title, but does not include a semi or duplex.

"SELF STORAGE FACILITY" means a building or part of building in which two (2) or more self-contained and fully enclosed spaces are offered for rent to individuals for the storage of non-hazardous, surplus goods and materials. Such goods and materials may include, but not be limited to, smaller scale recreational vehicles, home appliances, electronic equipment, furnishings, clothing and other fabrics as well as business or personal records.

"SERVICE SHOP" means 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, and includes such establishments as barber and beauty shops, shoe repair and shoeshine shops, small appliance repair shops, jewellery repair shops, bicycle repair shops and depots for collecting dry cleaning and laundry, but shall not include industrial or manufacturing uses or motor vehicle repair shops as may otherwise be defined or classified in this By-law.

"SEWAGE DISPOSAL SYSTEM, PRIVATE" means an onsite system, individually or communally owned, designed to treat and dispose of domestic sewage.



SECTION 2—DEFINITIONS

"SIGN" means 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.

"SLEEPING CABIN (BUNKIE)" means an accessory and subordinate detached building or structure with a maximum of 24 square metres (258.33 sq. ft.) designed as sleeping accommodation only, to permit the better or more convenient enjoyment of the principal seasonal residential dwelling and may contain plumbing or sanitary waste disposal systems, but shall not contain cooking facilities.

"STORAGE BUILDING" means a single story accessory structure greater than 10 square metres (107.6 sq. ft.) used for the shelter or storage of tools and or equipment incidental to the lots principal use, or for the housing and operation of pumps, generators, condensers, filters or air conditioners.

"STOREY" means 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.

"STOREY, FIRST" means the lowest storey of a building closest to finished grade having its ceiling 1.8 metre (5.9 ft.) or more above average finished grade.

"STOREY, ONE HALF" means that portion of a building situated wholly or in part within the roof and having its floor level not lower than 1.2 metres (3.9 ft.) 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 (6.9 ft.) over a floor area equal to at least 50% of the area of the floor next below.

"STORMWATER MANAGEMENT FACILITIES" means a designated area or structural device that would control the quantity or quality or velocity of stormwater runoff leaving a property to achieve specific objectives such as reduce flooding and erosion, remove pollutants and provide other amenities.

"STREET, IMPROVED PUBLIC" means a street or road under the jurisdiction of the Province of Ontario or the Corporation of the Township of Faraday which is maintained so as to allow normal vehicular access to adjacent properties throughout all seasons of the year.

"SUPERMARKET" means a self-service retail food store with grocery, meat, and produce departments and devoted to the sale of food and associated household items, and may include an in-house bakery and deli.



SECTION 2—DEFINITIONS

“T”

“**TEA ROOM**” means a public room accommodating no more than twenty (20) persons, where tea and light refreshments, but not complete meals, are served for immediate consumption within the building. A tea room does not include premises licensed under the Liquor Licence Board of Ontario or any other form of eating establishment as defined herein.

“**TEMPORARY ASPHALT PLANT**” means a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process and which is not permanent construction, but is designed to be dismantled and moved to another location as required.

“**TENT**” means every kind of temporary shelter to which the term is normally considered to apply for sleeping that is not permanently affixed to the site and that is capable of being easily moved and is not considered a structure.

“**TOP OF BANK**” (Slope) means a point or line which is the beginning of a significant change in the land surface, then from which the land surface slopes downward. When two (2) or more slopes are located together, the slope that is highest and farthest away from the top of the slope shall be the slope considered for the top of bank.

“**TOURIST ESTABLISHMENT**” means a building, area or facilities designed or used for the accommodation of the travelling public, and shall include the following:

- a) HOTEL, as defined herein;
- b) MOTEL, as defined herein;
- c) RENTAL CABIN OR RENTAL COTTAGE, defined as a tourist establishment designed to accommodate one family in a detached building or in one of two such buildings which have a common wall, in accordance with the regulations set out in this By-law.

“**TOWNSHIP**” means the Corporation of the Township of Faraday.

“**TRACTOR TRAILER TRUCK**” means a self-propelled motor vehicle designed for the haulage of goods in an attached trailer but not for the carriage of any load when operating independently, and is commonly known as the “cab” of a tractor-trailer.



SECTION 2—DEFINITIONS

“U, V”

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

"UTILITY SHED" means, a single story accessory structure up to 10 square metres used for the shelter or storage of tools and or equipment incidental to the lots principal use, or for the housing and operation of pumps, generators, condensers, filters or air conditioners.

"VETERINARY CLINIC" means a building and land where animals are brought for prevention, cure and treatment of disease and injury by a veterinarian and may include the following facilities: a reception area; an examination room/treatment area; a pharmacy; a laboratory; a library; radiology equipment; supplies for the administering of anaesthesia; surgical preparation area; operating room; and provisions for the for the sheltering of animals during the confinement and treatment period. A veterinary clinic may include facilities for the performance of an autopsy on an animal.



SECTION 2—DEFINITIONS

“W”

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

"WASTE DISPOSAL SITE" means any land or land covered by water (such as in the case of a sewage lagoon) upon, into, in or through waste, exclusive of liquid industrial waste, is deposited or processed and any machinery or equipment or operation required for the treatment or disposal of waste and shall include a transfer station and shall include a sewage treatment plant or sewage lagoon.

"WASTE PROCESSING FACILITY" means a facility where biodegradable and non-biodegradable waste is sorted, processed or temporarily stored prior to transfer off site.

"WASTE TRANSFER STATION" means a building or lot used for the temporary storage and collection of waste into bulk containers for further transport to a landfill site, recycling depot or other waste disposal facility as approved under the *Environmental Protection Act*.

"WATER FRONTAGE" means all property abutting a water body measured along the high water mark.

"WATERBODY" means any bay, lake, canal or watercourse but excludes a drainage or irrigation channel.

"WATERCOURSE" means any surface creek, stream or river and includes a natural channel for an intermittent stream and a municipal drain as defined by the *Drainage Act, R.S.O. 1990, c. D.17, as amended*.

"WELDING SHOP" means a building or part of a building where material working involves the joining of two or more pieces of metal by applying heat, through various means, to produce a localized union through fusion across the interface.

"WHOLESALE ESTABLISHMENT" means the use of land or the occupancy of a building or structure, for the purpose of selling or offering for sale goods, wares or merchandise on a wholesale basis and includes the storage or warehousing of those goods, wares or merchandise.

"WORKSHOP" means a building or structure where manufacturing is performed by tradespeople requiring manual or mechanical skills and may include a carpenter's shop, a woodworker's shop, a locksmith's shop, a gunsmith's shop, a tinsmith's shop, an upholsterer's shop, or similar uses.



SECTION 2—DEFINITIONS

“Y, Z”

“YARD” means 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.

“YARD, EXTERIOR SIDE” means a side yard immediately adjoining a municipally maintained road.

“YARD, FRONT” means 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.

“YARD, FRONT DEPTH” means 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.

“YARD, INTERIOR SIDE” means a side yard other than an exterior side yard.

“YARD, REAR” 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.

“YARD, REAR DEPTH” means 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 of rim of an excavation on the lot.

“YARD, REQUIRED” means the minimum yard required by the provisions of this By-law.

“YARD, SIDE” means a yard extending from the front yard to the 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.

“ZONE PROVISIONS” means 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 3—GENERAL PROVISIONS

3.0 GENERAL PROVISIONS

No building or structure shall hereafter be erected or altered, nor shall the use of any building, structure or lot hereafter be altered, in whole or in part, except in conformity with the applicable provisions of **Section 3 "General Provisions"**.

3.1 **ACCESSORY BUILDINGS, STRUCTURES AND USES**

3.1.1 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:

- a) 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,
- b) no human habitation, except as is specifically permitted in accordance with this By-law.

3.1.2 Relation to Street

- a) Residential Zones

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

- b) 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 (9.8 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 a required front or side yard or within the area between the street line and the required setback.

3.1.3 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 metres (6.6 ft.) to the principal or main building.

3.1.4 Lot Coverage And Height

The total lot coverage of all accessory buildings and structures, except swimming pools, shall not exceed 5% of the lot area, nor, shall the height of any accessory building or structure exceed 11 metres (36.1 ft.).



SECTION 3—GENERAL PROVISIONS

Notwithstanding the foregoing, within an Industrial Zone, the total lot coverage of all accessory buildings or structures shall not exceed 10% of the lot area, nor, shall the height of any accessory building or structure exceed the height restriction of the respective Industrial Zone.

3.1.5 Accessory Structure Encroachments

3.1.5.1 Boat Houses and Pump Houses

- i) Notwithstanding any other provision of this By-law to the contrary, a boat house or pump house may be erected and used to the high water mark except that such accessory building or structure may not be located closer than 3 metres (9.8 ft.) to the interior side lot line or its projection into the waterbody.
- ii) The maximum height of a boat house or pump house shall be 5 metres (16.4 ft.).
- iii) A maximum of one (1) boat house may be permitted on a lot.
- iv) A boat house or pump house shall not have any facilities for the preparation of meals on the premises, nor shall it have any sleeping or sanitary facilities.

3.1.5.2 Fire Escapes

Notwithstanding the yard and setback provisions of this By-law to the contrary, unenclosed fire escapes may project into any required setback a minimum of 0.6 metres (1.7 ft.) and a maximum distance of 1.2 metres (3.9 ft.).

3.1.5.3 Garages

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

- i) where such an accessory building is located in an interior side yard, it shall not be closer than 3 metres (9.8 ft.) to the interior side lot line for one-storied structures, and no closer than 3 metres (9.8 ft.) to the interior side lot line for structures over one storey; or,
- ii) where such an accessory building is located in a rear yard it shall not be closer than 3 metres (9.8 ft) to the interior side lot line or rear lot line, EXCEPT where a detached private garage is erected with a direct access from a lane, privately maintained road or right-of-way or municipally maintained road, in which case the structure shall not be located closer than 3 metres (9.8 ft) to the interior side lot line or 10 metres (32.8 ft.) to the rear lot line and shall comply with the minimum exterior side yard requirements of the respective zone; or,
- iii) where such an accessory building is located in a front or exterior side yard, whether attached to and forming part of the principal or main building or detached therefrom, such accessory building shall not be located closer to the lot line, than the required front or exterior side yard set forth under the respective zone.



SECTION 3—GENERAL PROVISIONS

3.1.5.4 **Utility Sheds and Storage Buildings**

Notwithstanding any other provision of this By-law to the contrary, a utility shed or storage building may be erected within a required interior side or rear yard provided that such accessory building is not closer than 3 metres (9.8 ft.) to the interior side or rear lot line.

3.1.5.5 **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 (1.7 ft.).

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 or shoreline and the required setback.

3.1.6 **Swimming Pools**

A swimming pool is permitted as an accessory use in any residential, rural, commercial, or community facility zone provided that it is in compliance with the municipal Swimming Pool By-law 9-82.

3.1.7 **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 (4.9 ft.) provided that in the case of porches, steps or patios such uses are not more than 1.8 metres (5.9 ft.) above grade, exclusive of hand railings or other similar appurtenances.

3.1.8 **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.

3.2 **AGRICULTURE - MINIMUM DISTANCE SEPARATION**

Notwithstanding any other yard or setback provisions of this By-law to the contrary, no sensitive land use development shall be located on a legal lot of record having an area of 1 hectare (2.47 acres) or more and permitted by a specific zone, unless it complies with the guidelines of Minimum Distance Separation (MDS I) or its calculations, as contained in the publication "Minimum Distance Separation (MDS) Formulae Implementation Guidelines," Publication 707, Ministry of Agriculture, Food and Rural Affairs, Queen's Printer, Toronto, 2006, as amended from time to time.

Notwithstanding any other yard or setback provisions of this By-law to the contrary, no livestock facility shall be erected or expanded within the Rural (RU) Zone unless it complies with the guidelines of the Minimum Distance Separation (MDS II) or its calculations. Prior to issuance of a building permit for a new livestock structure or the construction of an earthen manure storage facility, approved nutrient management strategy shall be required to the satisfaction of the Ontario Ministries of Agriculture, Food and Rural Affairs, and/or Environment.



SECTION 3—GENERAL PROVISIONS

3.2.1 Areas Of Influence

Land uses and activities impact adjacent lands. The degree to which one activity or land use influences another is determined by the relative similarities or differences between the two, and by the intensity or degree of that difference. The area over which a certain activity or land use exerts an influence over other activities or land uses is known as its area of influence.

- i) No person shall erect any residential structure in any zone within 500 metres (1640.42 ft.) of quarries or 300 metres (984.25 ft.) of pits zoned the Extractive Industrial (MX) Zone.
- ii) No person shall erect a residential structure in any zone within 500 metres (1640.42 ft.) of lands zoned the Waste Management Industrial (WM) Zone.

3.2.2 Bed and Breakfast Establishments

Notwithstanding any other provision of this By-law to the contrary, a bed and breakfast establishment shall be permitted as a home occupation use within a dwelling unit located in a Rural Residential (RR), Waterfront Residential (WR), Hamlet Residential (HR) and Rural (RU) zone. The following provisions shall apply to regulate and govern such use, namely:

- i) that, notwithstanding any provision of Section 3.27 hereof to the contrary, the off-street parking spaces associated with the bed and breakfast establishment may be stacked provided that the number of spaces so arranged does not exceed 3;
- ii) that such home occupation use does not include a liquor licensed premises or other facilities for the servicing of alcoholic beverages to the general public;
- iii) that such use complies with the *Building Code Act, R.S.O., 1992, c.23*, as amended and the Regulations passed thereunder, and such other By-laws and regulations as may be applicable of the Corporation of the Township of Faraday;
- iv) signage for the establishment is permitted provided that the sign is no larger than 1 square meter (10.76 sq. ft.);
- v) that no portion of a guest room contains facilities for the preparation of meals; and,
- vi) that all other provisions of this section shall apply and be complied with.

3.3 DAYLIGHT TRIANGLES

Unless otherwise specified in this By-law, on a corner lot, within the triangular space formed by the street lines and a line drawn from a point in one street line to a point in the other street line, each point being measured 9 metres (29.5 ft.) along the street lines from the point of intersection of the street lines, no building or structure which would obstruct the vision of drivers of motor vehicles shall be erected and no trees, shrubs, hedges, fences or walls shall be planted, erected or maintained of greater height than 1 m. (3.3 ft.) above the centre line of the adjacent road at the lowest point. Where the 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 tangents to the street lines.



SECTION 3—GENERAL PROVISIONS

3.4 DRIVE THROUGH USES

A drive through use shall comply with the following:

- i) a drive through use in a commercial zone shall have a minimum of 30 metres (98.4 ft.) of frontage;
- ii) electronic devices such as loudspeakers, automobile service order devices, car speakers, and similar structures may be permitted, provided they are not located within the side yard of a drive-through use, where that side yard or rear yard abuts a residential zone or use; and,
- iii) the exterior lights used for illumination of a drive-through shall be so arranged as to direct the light downward and away from adjacent residential zone or use.

3.5 ENVIRONMENTAL PROTECTION (EP) ZONE - WATERBODIES

On all lands adjacent to a waterbody including, lakes, rivers, creeks and streams within the Township, a 30 metre (98.4 ft.) Environmental Protection (EP) Zone has been established from the high-water mark. This Zone is intended to identify and protect sensitive shorelands and riparian zones to ensure that development does not occur in areas subject to flooding and/or erosion. No buildings, structures or septic systems will be permitted within this Zone.

Notwithstanding the above, a docking facility, boat house or pump house may be permitted in the Environmental Protection (EP) Zone located along the lakeshore on existing lots of record with existing residential development, in accordance with Section 3.1.5.1 of this By-law. Moreover, the Township will only permit a docking facility, boat house or pump house located within the Environmental Protection (EP) Zone provided that written authorization has been obtained by the landowner from all approval authorities including but not limited to the Crowe Valley Conservation Authority, Ministry of Natural Resources and/or the Department of Fisheries and Oceans.

3.6 ESTABLISHED BUILDING LINE

Notwithstanding the provisions of this By-law to the contrary, where a building, structure or accessory use thereto is to be erected in a built-up area where there is an established building line, such dwelling or accessory use is not to be erected closer to the street line or to the centre line of the road or street, as the case may be, than the established building line on the date of passing of this By-law.

3.7 FENCES

No fence exceeding a maximum height of 1.8 metre (5.9 ft.) shall be erected in a residential area, except that:

- i) a fence in excess of 1.8 metre (5.9 ft.) in height may be erected for a public use or where provincial/federal regulations require a fence to be erected in excess of 1.8 metre (5.9 ft.); and,
- ii) fences erected for the purposes of providing a buffer between sensitive land uses and industrial or commercial uses shall be a minimum of 2.4 metres (7.9 ft.) in height and constructed of a double thickness of fencing material to ensure maximum absorption of noise, vibration and dust.

3.8 FLOODING, LANDS PRONE TO

Development is not permitted within any lands prone to flooding adjacent to a river, stream or small lakes within the Township of Faraday.



SECTION 3—GENERAL PROVISIONS

3.9 FRONTAGE ON AN IMPROVED MUNICIPALLY MAINTAINED ROAD

No person shall erect any building or structure in any zone, except in the Limited Service Residential (LSR) Zone, unless the lot upon which such building or structure is to be erected fronts upon a municipally maintained road.

3.10 FRONTAGE ON AN UNASSUMED ROAD

Notwithstanding the provisions of Section 3.9 hereof 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 Municipal Corporation and registered against the lands whereunder the street or streets will not be assumed by the Township until such time as specified in the said agreement.

3.11 FRONTAGE ON A NAVIGABLE WATERWAY

On existing lots of record that are accessed only by a navigable waterway, development is permitted only in accordance with the policies of the Limited Service Residential (LSR) Zone.

3.12 GROUP HOMES

Notwithstanding any other provision of this By-law to the contrary, where a group home is a permitted use within a Rural (RU), Rural Residential (RR) or Hamlet Residential (HR) Zone as set forth under this By-law, no group home shall be located within 1,000 metres (0.62 miles) of another group home facility provided further that all other relevant provisions of this By-law are complied with. For the purposes of this by-law a Group Home shall be considered a dwelling unit.

3.13 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: a church spire, belfry, flag pole, light standard, clock tower, barn, silo, chimney, water tank, radio or television antenna, telecommunications tower, air conditioner duct, incidental equipment required for processing and external equipment associated with internal building equipment.

3.14 HIGH WATER MARK - SETBACK PROVISIONS

All new development and sewage disposal systems should be setback at least 30 metres from the ordinary high water marks of all waterbodies.

3.14.1 Permitted Exceptions

Notwithstanding anything in this Section to the contrary, structures such as pump houses, boat houses, docks, open decks and stairs shall be a permitted use and may encroach into the 30 metres (98.4 ft.).

Structures that legally existed as of the date of passing of this By-law that do not comply with the required setback provision that require replacement due to structural defects or destruction by fire or other natural causes will be permitted to be replaced on the same footprint and may only be enlarged in accordance with the provisions of this By-law and where the enlargement does not further encroach into the 30 metre (98.4 ft.) setback.



SECTION 3—GENERAL PROVISIONS

Sewage system leaching beds requiring replacement due to structural damage or malfunction should be setback a minimum of 30 m. (98.4 ft.) from the high water mark if possible or to the greatest setback that is achievable to the satisfaction of the agency having jurisdiction.

3.15 HOME INDUSTRY

Home Industries 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 provisions:

- i) There is no open storage of goods or materials.
- ii) There is no display, other than a sign of a maximum size of 1 square metre (10.76 sq. ft.) 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 set back a minimum of 0.5 metre (1.6 ft.) 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, emission of smoke, traffic or parking.
- iv) Where an interior side yard and/or rear yard abuts a Residential zone, then such interior side yard and/or rear yard shall be a minimum of 3 metres (9.8 ft.).
- v) The open storage of goods or materials shall not be permitted.
- vi) The home industry does not interfere with television or radio reception.
- vii) There are no goods, wares or merchandise, publicly offered or exposed for sale on the premises outside of any buildings.
- viii) Off-street parking is provided in accordance with Section 3.28.

3.15.1 Additional Provisions for Type 'A' Home Industries

Type 'A' Home Industries shall include craft shops, custom workshops, service shops and similar type uses and associated retail sales in accordance with the following provisions:

- i) Any accessory structure used for a Type 'A' Home Industry shall not exceed 74.3 square metres (800 sq. ft.).
- ii) Not more than two (2) non-residents shall be permitted to be employed on the lot.

3.15.2 Additional Provisions for Type 'B' Home Industries

Type 'B' Home Industries shall include craft shops, custom workshops, service shops, machine shops, welding shops, workshops and other similar type uses and associated retail sales in accordance with the following:

- i) Any accessory structure used for a Type 'B' home industry shall not exceed 74.3 square metres (800 sq. ft.).



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- ii) Not more than two (2) non-residents shall be permitted to be employed on the lot.
- iii) The minimum lot size for a Type 'B' home industry shall be 2 hectares (4.9 acres).
- iv) One commercial vehicle associated with the home industry is permitted.
- v) Where an interior side yard and/or rear yard abuts any residential zone, then such interior side yard and/or rear yard shall be a minimum of 10 metres (32.8 ft.). A planting strip in accordance with Section 3.34 of this By-law shall be maintained in an open space condition and the open storage of goods or materials shall not be permitted within this area.

3.16 HOME OCCUPATIONS

Home Occupations are categorized as Type 'A' and Type 'B' Home Occupations. Home Occupations are permitted in the zones as indicated in this By-law in accordance with the following provisions:

- i) There is no display, other than a sign of a maximum size of 1 square metre (10.76 sq. ft.) 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 0.5 metre (1.6 ft.) from any lot line.
- ii) Such home occupation 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, obnoxious odours, emission of smoke, traffic or parking.
- iii) Such home occupation does not interfere with television or radio reception.
- iv) Not more than 25% of the gross floor area of the dwelling is used for the purposes of home occupation uses except in the case of a bed and breakfast establishment in which situation the provisions of Subsection 3.4 shall apply.

3.16.1 Additional Provisions for Type 'A' Home Occupations

Type 'A' Home Occupations shall be conducted entirely within the principal residence and shall be limited to administrative office type uses only.

3.16.2 Additional Provisions for Type 'B' Home Occupations

Type 'B' Home Occupations 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 five (5) children or less, doctors and dentists offices and may employ two (2) persons in addition to persons residing in the residence.

3.17 INGRESS AND EGRESS REGULATIONS

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

- i) Ingress and egress to and from the required parking spaces and areas shall be provided by means of unobstructed driveways or passageways at least 5 metres (16.4 ft.) but not more than



SECTION 3—GENERAL PROVISIONS

9 metres (29.5 ft.) in perpendicular width.

- ii) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 9 metres (29.5 ft.).
- iii) The minimum distance between any two driveways on one lot, or, between a driveway and an intersection of street lines measured along the street line intersected by such driveway shall be 9 metres (29.5 ft.).
- iv) Every lot shall be limited to the following number of driveways, namely:
 - i. up to the first 15 metres (49.2 ft.) of lot frontage, not more than one driveway;
 - ii. greater than 15 metres (49.2 ft.) of lot frontage but less than 30 metres (98.4 ft.) of frontage, not more than two (2) driveways with a combined width not exceeding 30% of the lot frontage; and,
 - iii. for each additional 30 metres (98.4 ft.) of frontage, not more than one additional driveway.
- v) Ingress and egress to and from parking aisles shall be provided by a sufficient number of adequate, unobstructed driveways having a minimum width of 6 metres (19.7 ft.), except that in the case of a single detached dwelling, the width may be reduced to 5 metres (16.4 ft.).
- vi) In all cases where ingress and egress driveways or walks extend through a Planting Strip, it shall be permissible to interrupt the strip within 3 metres (9.8 ft.) of the edge of such driveway or within 1.5 metres (4.9 ft.) of the edge of such walk.

3.18 INGRESS AND EGRESS REGULATIONS - RETAIL GASOLINE ESTABLISHMENTS

Notwithstanding any other provision set forth in this By-law to the contrary, the following provisions shall apply to ingress and egress driveways established in conjunction with a motor vehicle dealership, a motor vehicle gasoline bar, a motor vehicle repair garage or motor vehicle service centre where gasoline is offered or kept for sale at retail, namely:

- i) the maximum width of a driveway measured along the street line shall be 9 metres (29.5 ft.);
- ii) the minimum distance between driveways, measured along the street line intersected by such driveway, shall be 9 metres (29.5 ft.);
- iii) the minimum distance between a driveway and in intersection of street lines, measured along the street line intersected by such driveway, shall be 9 metres (29.5 ft.);
- iv) the minimum distance between an interior side lot line and any driveway shall be 3 metres (9.8 ft.); and,
- v) the interior angle formed between the street line and the centreline of any driveway shall not be less than 45 degrees.

3.19 KENNELS

Kennels shall be permitted in accordance with By-law No. 17-2008 (By-Law To Provide For The Regulating and Licensing of Kennels and Boarding Facilities Within The Township of Faraday).



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3.20 LANDS SEVERED BY PUBLIC UTILITY LINES

Where lands are acquired for the purpose of a public utility line and such acquisition deprives a parcel of land of street frontage, the part of such parcel so deprived of street frontage shall be deemed for the purpose of this By-law to have frontage on such street providing the land has a permanent right of access to such street.

3.21 LOADING SPACE REQUIREMENTS

Loading or unloading spaces are required under this By-law and the owner of every building or structure, exclusive of agricultural buildings and structures, erected 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.

GROSS FLOOR AREA OF BUILDING	NO. OF LOADING SPACES
i) Up to 280 square metres (3,013.89 sq. ft.)	1
ii) 280 sq. m (3,013.89 sq. ft.) – 930 square metres (10,010.43 sq. ft.)	2
iii) Greater than 930 square metres (10,010.43 sq. ft.)	2 plus a minimum of 1 additional loading space for each 1400 square metres (15,069.47 sq. ft.) or fraction thereof in excess of 930 square metres (10,010.43 sq. ft.)
i) Each loading space shall be at least 9 metres (29.5 ft.) long, 3.5 metres (11.5 ft.) wide and have a vertical clearance of at least 4 metres (13.1 ft.).	
ii) The required loading spaces shall be provided on the 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.	
iii) For any commercial or industrial use, no loading space or part thereof shall be located and no land shall be used for loading purposes within 1.5 metres (4.9 ft.) of any lot line, or within 3 metres (9.8 ft.) of any street line or boundary of any residential zone, or within 3 metres (9.8 ft.) of the lot line of a residential use.	
iv) Access to loading spaces shall be by means of a driveway at least 6 metres (19.7 ft.) wide contained within the lot on which the spaces are located and leading to a street or lane located within or adjoining the zone in which the use is located.	
v) The driveways, loading spaces, and turning areas shall be maintained with a stable surface, which is treated so as to prevent the raising of dust or loose particles.	
vi) The loading requirements referred to herein shall not apply to any building in existence at the date of enactment of this By-law so long as the gross floor area as it existed at the date is not increased. If an addition is made, then additional loading spaces shall be provided up to the number required for such addition.	



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3.21.1 Access

Access to loading or unloading spaces shall be by means of a driveway at least 6 metres (19.7 ft.) in width contained on the lot on which the spaces are located and leading to a municipally maintained road as defined herein.

3.21.2 Additions To or Changes In Use of Existing Buildings

The loading space requirements referred to herein apply to any building in existence at the date of passing of this By-law so long as the gross floor area, as it shall not 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 Subsection 3.21 hereof and in accordance with the provisions of Section 3.26 for such addition.

3.21.3 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.

3.21.4 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 15 metres (49.2 ft.).

3.22 DOCKS (MARINAS AND COMMUNAL DOCKS) - INTERIOR SIDE YARD REQUIREMENTS

- i) Marine facilities shall not be permitted to locate closer than 1.5 metres (4.9 ft.) to any interior side lot line.
- ii) Communal docks shall not be permitted to locate closer than 30 metres (98.4 ft.) to any interior side lot line adjacent to a residential zone.

3.23 MODULAR HOMES

A modular home shall be permitted in any residential zone. A building permit is required to erect a modular home.

3.24 NON-COMPLYING BUILDINGS, STRUCTURES AND LOTS

3.24.1 Building(s) on Existing Lots

Where a building has been lawfully erected prior to the date of the passing of this By-law on a lot having less than the minimum frontage and/or area, or having less than the minimum front yard, side yard, rear yard or usable open space required by this By-law, the said building may be enlarged, reconstructed, repaired or renovated provided said enlargement, reconstruction, repair or renovation does not serve to further reduce a required yard or required usable open space and provided all other provisions of this By-law are complied with.



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3.24.2 Existing Undersized Lots

Where a lot having a lesser lot area and/or lot frontage than that required herein is held under distinct and separate ownership from abutting lots, as shown by a registered conveyance in the records of the Registry or Land Titles Office on the date of passing of this By-law, or where such a lot is created as a result of an expropriation, the smaller lot may be used and a building or structure may be erected, altered or used on the smaller lot, provided that the parcel has a minimum frontage of 50% or more of the minimum frontage required by the zone in which the parcel is situated, provided that an adequate supply of potable water is available to service the proposed use, provided such erection, alteration or use does not contravene any other provisions of this By-law and provided that all relevant requirements of the appropriate authority are complied with.

In such cases, the Interior Side Yard Width shall be 10% of the lot width, to a maximum of 7.6 metres (25 ft.).

3.24.3 Floor Area Less Than Required

Nothing in this By-law shall prevent an extension or an addition being made to a permitted dwelling, which existed at the time of passing of this By-law but which has a gross floor area or dwelling unit area less than required by this By-law, provided such extension or addition does not contravene any other provision of this By-law.

3.25 NON-CONFORMING USES

3.25.1 Building Permit Issued

The provisions of this By-law shall not apply to prevent the erection or use for a purpose prohibited by this By-law of any building or structure, the plans for which have prior to the passing of this By-law been approved and a permit issued by the municipality's Chief Building Official 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 that the erection of such a building or structure is commenced within one year after the day of the passing of this By-law and the building or structure is completed within a reasonable time after the erection thereof is commenced.

3.25.2 Continuation of Existing Uses

The provisions of this By-law shall not apply to prevent the use of any lot, building, or structure for any purpose prohibited by this By-law if such lot, building, or structure was lawfully used for such purpose on the day of passing of this By-law, so long as it continues to be used for that purpose. Livestock may be reintroduced to legal non-conforming livestock facilities in the Rural (RU) Zone that have not continuously housed livestock prior to the passing of this By-law.

3.25.3 Permitted Exterior Extension

The exterior of any building or structure, which building or structure at the date of passing of this By-law was lawfully used for a purpose not permissible within the zone in which it is located, shall not be enlarged, extended, reconstructed or otherwise structurally altered, unless such building or structure is thereafter to be used for the purpose permitted within such zone and complies with all requirements of this By-law for such zone.



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3.25.4 Permitted Interior Alteration

The interior of any building or structure, which building or structure at the date of passing of this By-law was lawfully used for a purpose not permitted within the zone in which such building or structure is located, may be reconstructed or structurally altered in order to render the same more convenient or commodious for the same purpose for which, at the date of passing of this By-law, such building or structure was lawfully used.

3.25.5 Restoration to a Safe Condition or Replacement

The provisions of this By-law shall not apply to prevent the strengthening to a safe condition of any non-conforming building or structure or part thereof provided such strengthening generally does not increase the height, size, or volume, of such building or structure, and provided that such improvements meet the requirements of the *Building Code Act, R.S.O. 1992, c.23* and its regulations.

Nothing in this By-law shall apply to prevent the reconstruction of any lawful non-conforming building or structure provided it continues to be used for the same purpose.

3.26 OFF-STREET PARKING REQUIREMENTS

Parking spaces and areas are required under this By-law, in accordance with these provisions, and the owner of every building or structure erected or used for any purpose 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 said premises, from time to time, parking spaces and areas accordingly.

Minimum Parking Space Requirement calculations for Non-Residential uses shall include parking spaces for use by staff:

a)	Residential	2 spaces for every dwelling unit
b)	Senior Citizen Multiple Dwelling	Up to 30 dwelling units, parking spaces shall equal 50% of the number of dwelling units
c)	Senior Citizen Multiple Dwelling	Between 30 and 60 units, parking spaces shall equal 40% of the number of dwelling units
d)	Private or Public Hospital or Nursing Home	1 space for every 2 beds
e)	Private Club	1 space for every 3 persons to be accommodated in the design capacity of the building
f)	Commercial Club	1 space for every 3 persons to be accommodated in the design capacity of the building
g)	Funeral Home	1 space for every 3 chapel seating spaces or fraction thereof with a minimum of 10 spaces
h)	Place of Worship, Community Hall, Arena	1 space for every 3 persons to be accommodated according to maximum permitted capacity
i)	Schools	1 space per classroom, and one space for each 10 people of maximum design capacity of the assembly hall or auditorium



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j)	Government or Public Utility Building	1 space for every 23 square metres (247.57 sq. ft.) of gross floor area
k)	Business, Professional or Administrative Office	1 space for every 23 square metres (247.57 sq. ft.) of gross floor area or where such use conflicts with the office of a doctor or dentist, there shall be a minimum of 3 parking spaces provided on the same lot
l)	Hotel/Motel/Resort or Tourist Establishment	1 space for every guest room and 1 space for every 10 square metres (107.64 sq. ft.) of area devoted to public use
m)	Marina	1 space for every 2 docking berths
n)	Boarding or Rooming House	1 space for per 4 beds
o)	Assembly Hall	1 space for every 3 persons of maximum design capacity
p)	Place of Entertainment	1 space for every 2 persons of design capacity. Design capacity means 6 persons per bowling lane and 2 persons per billiard table.
q)	Fast Food Restaurant or Take-Out Restaurant	1 space for every 9 square metres (96.87 sq. ft.) of gross floor area
r)	Restaurant or Liquor License Premises	1 space for every 9 square metres (96.87 sq. ft.) of public floor area or 1 space for every 4 persons of design capacity, whichever is the greater with a minimum of 10 spaces
s)	Retail, Wholesale Sales, Merchandise Service Shop, or Studio	1 space for every 28 square metres (301.39 sq. ft.) of gross floor area
t)	Retail Lumber and Building Supply Outlet	1 space for every 28 square metres (301.39 sq. ft.) of retail floor space with a minimum of 6 spaces
u)	Motor Vehicle Dealership	A minimum of 10 spaces plus 1 space for every employee working on the premises during the peak business period
v)	Industrial Establishment	1 space for every 37 square metres (398.26 sq. ft.) of gross floor area
w)	Warehouse or Bulk Storage Yard	1 space for every employee working on the premises during the peak business period
x)	Post Offices, Museums, and Libraries	1 space for every 46 square metres (495.14 sq. ft.) or fraction thereof of public floor area.
y)	Home Occupation or Home Industry	1 space for every 18 square metres (193.75 sq. ft.) of floor area devoted to the use
z)	Uses permitted by this By-law other than those listed Above but excluding Accessory Uses to Single Detached Dwellings	1 space for every 28 square metres (301.39 sq. ft.) of gross floor area

3.26.1 Provisions

- i) Each parking space must be readily accessible at all times and arranged in such a manner to



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provide access and maneuvering space for the parking and removal of a motor vehicle without the necessity of moving any other motor vehicle, except that this shall not apply in the case of a single detached dwelling.

- ii) Ingress and egress to and from the parking aisles shall be in accordance with Section 3.17 (f) of this By-law.
- iii) Where a ramp to parking aisles provides access from a street, such a ramp shall not be located closer than 7.5 metres (24.6 ft.) from the street line and a level stopping space shall be provided between the ramp and the street grade so as to provide adequate vision to the street in both directions.
- iv) Where a lot, building or structure accommodates more than one type of use, the parking requirement for the whole building shall be the sum of the requirements for the separate parts of the lot, building or structure occupied by the separate types of uses.
- v) Where the application of ratios results in a fraction of a parking space, the required number of spaces shall be increased to the next whole number.
- vi) The lights used for illumination of parking spaces, aisles and driveways shall be so arranged as to divert the light away from adjacent lots and streets.
- vii) In a residential zone not more than 50% of the aggregate area of the side yards and rear yard shall be occupied by parking spaces, aisles or driveways.
- viii) Where off-street parking abuts a Hamlet Residential (HR) Zone, a wooden fence at least 1.5 metres (4.9 ft.) in height shall be erected and maintained and the land within 3 metres (9.8 ft.) of the residential zone shall be maintained in an open space condition.

One off street parking space shall be provided for a secondary unit, in addition to any parking space required by this by-law for a single detached dwelling and notwithstanding any provision of Section 3.29 to the contrary, the off street parking spaces associated with the dwelling unit may be stacked provided that the number of spaces so arranged does not exceed two (2).

3.26.2 Special Needs Parking

Every owner and operator of a public parking area shall provide reserved parking spaces for the exclusive use of physically disabled person or persons conveying physically disabled persons, to park their motor vehicles, in at least the amount prescribed by the following table:

Capacity of Public Parking Area (Number of Parking Spaces)	Minimum Number of Spaces to be Reserved for Physically Disabled Persons
1-25	1
26-50	2
51-75	3
76-100	4



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Special needs parking spaces should be a minimum of 3.5 metres (11.5 ft.) wide and be located in close proximity to the entrance to the commercial establishment. Special needs parking spaces shall be defined and marked in accordance with the Ontario Highway Traffic Act, R.S.O 1990, c. H8, as amended.

3.26.3 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.

- i) 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 in this Section.
- ii) 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 in this Section.

3.26.4 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.

3.26.5 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 in accordance with the following provisions, namely:

- i) in all zones, except Residential, no driveway shall be permitted within 9 metres (29.5 ft.) of the boundary of a Residential Zone;
- ii) in all zones, except Residential, no parking space shall be permitted within 3 metres (9.8 ft.) of the boundary of a Residential Zone;
- iii) within all Residential Zones, one parking space shall be permitted in the front yard and exterior side yard with remaining parking spaces to be located in the side or rear yard provided that no part of any parking area, other than a driveway, is located closer than 2 metres (6.6 ft.) to any street line or within a daylight triangle;
- iv) within the Rural, Recreational Open Space, Development, Community Facility and all Commercial Zones, parking spaces and areas shall be permitted in all yards provided that no part of any parking area, other than a driveway is located closer than 2 metres (6.6 ft.) to any street line or 1.5 metres (4.9 ft.) of any lot line or within a daylight triangle;
- v) within all Industrial Zones, parking spaces and areas shall be located in an interior side or rear yard only, except for visitor parking areas which may be located within a front or exterior side



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yard, provided that no part of any parking area other than a driveway, is located closer than 2 metres (6.6 ft.) to any street line or within a daylight triangle; and,

- vi) entrances and exits to parking spaces shall not pass through zones other than the zones requiring the parking spaces.

3.26.6 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.

- i) Notwithstanding the foregoing within any Residential Zone, the owner or occupant of a dwelling unit may use a parking space for the purposes of the parking or storage of one commercial motor vehicle, provided such motor vehicle does not exceed a rated capacity of five (5) tonnes.
- ii) Notwithstanding the foregoing provisions, within the Agricultural (A) and Rural (RU) Zone, a maximum of 2 school buses which are operative and currently licensed may be parked or stored on any lot.

3.26.7 Parking of Oversized Motor Vehicle

No person shall, in any Residential Zone, park or store, or permit to be parked or stored on any property, an oversized motor vehicle, unless:

- i) the oversized motor vehicle is being used to make a delivery or provide a service on the property it is parked; or,
- ii) it is accessory to a permitted use, but not a home occupation, occurring on the property.
- iii) Storage and Parking of Recreational Vehicles, Recreational Trailers
- iv) Unless specifically permitted in this By-law, the accessory open storage of recreational vehicles and recreational trailers, or boats in any zone shall not be permitted except in accordance with the following provisions:
- v) A maximum of 2 (two) recreational vehicle or recreational trailer and/or boat shall be permitted to be parked and/or stored on a residential lot, provided there is an existing residential dwelling located on the lot.
- vi) The use of any of the above mentioned or similar vehicles shall not be used for human habitation, except in the Commercial (C) Zone.

3.26.8 Storage and Parking of Motor Vehicles and Tractor Trailer Trucks

No tractor-trailer trucks shall be parked overnight on a single occasion or continuous basis within any residential zone as established in this By-law. No land in the municipality shall be used for the parking of a motor vehicle, which is undergoing repairs unless:



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- i) such repairs are effected within an enclosed building; or,
- ii) such repairs are completely effected within a period of not more than 72 consecutive hours and while the vehicle is parked upon a driveway or rear yard as herein provided; or,
- iii) such repairs are undertaken while the vehicle is parked in a location such that it is not visible from any adjacent lands, which are not occupied by the owner of the vehicle.

3.27 OPEN STORAGE

Open storage of goods or materials shall be permitted only if the goods are accessory to a use permitted in the zones and in accordance with other provisions of this By-law.

3.28 OUTDOOR WOODBURNING FURNACES

An outdoor woodburning furnace shall not be permitted within any residential Zone. Outdoor woodburning furnaces shall comply with the following regulations:

Minimum setback from:

- i) a lot line abutting a residential zone 100 metres (328.1 ft.)
- ii) a lot line abutting any other zone 60 metres (196.8 ft.)
- iii) reduced setbacks will be considered where it is possible to erect a chimney of sufficient height (maximum of 7 metres [22.9 ft.]) to eliminate the impact of smoke on neighbouring properties.
- iv) no outdoor furnace shall be constructed or installed on a lot without the issuance of a building permit for construction from the municipality. For the purposes of this subsection, the term “construction” has the same meaning as set out in Section 1(1) of the Building Code Act, S.O.1992, c. 23 as amended.

3.29 PITS AND QUARRIES

The making or establishment of pits and 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 or crushing rock, sand or gravel except as expressly provided for in this By-law.

3.30 PLANTING STRIP REGULATIONS

Where the interior side or rear lot line in a Community Facility or Industrial Zone abuts a Residential Zone, or where a Industrial Zone abuts a Community Facility Zone, or where a Type B Home Industry abuts a Residential Zone, a planting strip adjoining such abutting lot line, or portion thereof, shall be provided on the lot within the Community Facility, Industrial Zone with a minimum width of 3 metres (9.8 ft.) and a minimum height of 1.6 metres (5.3 ft.).

Where a Commercial Zone abuts a Sensitive Land Use, such as a Residential Zone of Community Facility,

3.30.1 Landscaped Open Space Supplement

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



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3.30.2 Maintenance

A planting strip shall be planted, nurtured and maintained by the owner or owners of the lot on which the strip is located. Any die-back shall be replaced by new vegetation to ensure continuance of an unbroken hedgerow.

3.31 POTABLE WATER SUPPLY

On existing lots of record, in all residential zones, where plumbing has been installed, a potable water system should be constructed supplying a minimum of 16l/min, in accordance with the Ontario Water Resources Act and substantiated by a licensed well technician's report.

3.32 PROHIBITED USES

Notwithstanding anything contained herein, no land shall be used and no building or structure shall be erected, altered or used for any purpose which is noxious, and without limiting the generality of this subsection, for any purpose that creates or is likely to become a nuisance or offensive, or both:

- i) by the creation of noise or vibration in excess of the limits of the Environmental Protection Act, R.S.O. 1990, c. E.19, as amended;
- ii) by reason of the emission of gas, fumes, smoke, dust or objectionable odour in excess of the limits of the Environmental Protection Act, R.S.O. 1990, c. E.19, as amended, except in the case of agricultural uses operating in compliance with reasonable agricultural practices.
- iii) by any combination of those things described in Section 3.35 (a), 3.35 (b) and 3.35 (c) of this subsection.
- iv) Except as otherwise specifically permitted in this By-law, the following uses are prohibited in any zone:
 - a) Refining coal oil or petroleum products;
 - b) Tanning hides or skins;
 - c) A track for the racing of motor vehicles, motorcycles, go-carts or snowmobiles;
 - d) Manufacturing gas; and,
 - e) Manufacturing glue; locating or storing on any land for any purpose whatsoever, any disused railroad car, truck, bus or coach body, whether or not the same is situated on a foundation.

In addition to the uses prohibited in Section 3.35, any use is prohibited which by its nature or the materials used therein is declared under the Health Protection and Promotion Act, R.S.O. 1990, ch.7, as amended to be a health hazard.

3.33 PROHIBITIONS, OTHER

- i) Notwithstanding anything contained in this By-law, no basement or part of a basement of any building shall be used as a whole dwelling unit.
- ii) The use of a recreational vehicle as a permanent place of residence.



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- iii) Notwithstanding anything contained in the By-law, no person shall use any building, structure or land for any purpose that would have a negative impact on groundwater resources in the municipality. As part of the building permit, severance or rezoning process, the applicant may be required to obtain Ministry of Environment approval for any use.

3.33.1 Derelict Vehicles And Equipment

No land in the municipality shall be used for the storage or parking of a derelict vehicle, unused and/or discarded farm implements and similar abandoned equipment.

3.34 PUBLIC USES AND UTILITIES

3.34.1 General

Except as provided for in Subsection 3.34.2 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 Township of Faraday, 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 any Conservation Authority established by the Government of Ontario, and, for the purposes of this Section shall include Ontario Hydro; any telephone or telecommunication, cable television or telegraph company; and, any natural gas distribution system operated by a Company which possesses all the necessary powers, rights, licenses and franchises.

3.34.2 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 unless the following provisions are complied with, namely:

- | | | | |
|----|-----------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| a) | Minimum Yard Requirements | | |
| | i. | Front Yard | 10 metres (32.8 ft.) |
| | ii. | Exterior Side Yard | 10 metres (32.8 ft.) |
| | iii. | Interior Side Yard | 5 metres (16.4 ft.) |
| | iv. | Rear Yard | 10 metres (32.8 ft.) |
| b) | Maximum Lot Coverage - All Buildings And Structures | | 50% |
| c) | Minimum Setback From Street Centreline | | |
| | i. | Provincial Road | 38 metres (124.7 ft.) |
| | ii. | Municipally Maintained Road | 33 metres (108.3 ft.) |
| d) | Maximum Height of Buildings | | 10 metres (32.8 ft.) |
| e) | Minimum Landscaped Open Space | | 30% |
| f) | 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 | |



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3.34.3 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, gas main, pipeline or overhead or underground hydro or communication line, telecommunication facility or high voltage and extra high voltage electrical facilities owned, operated and maintained by Ontario Hydro, provided the location of such main line or facility, as the case may be, has been approved by the Council of the Corporation of the Township of Faraday. Notwithstanding the generality of the foregoing, this approval by the Council of the Corporation of the Township of Faraday shall not be required for any public use which has received prior approval pursuant to the provisions of the Environmental Assessment Act, R.S.O., 1990, c. E.18, as amended.

3.35 REDUCTION OF REQUIREMENTS

No person shall change the purpose for which any lot or building is used or erect any building, or 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, structure or lot to be in contravention of this By-law.

3.36 SECONDARY UNITS

Notwithstanding any other provision of this By-law to the contrary, a secondary unit shall be permitted within a single detached dwelling provided a building permit is obtained. The following provisions shall apply to regulate and govern such use, namely:

- i) That, secondary units may only be located within single detached dwellings that meet the minimum dwelling unit area regulations prescribed herein; and
- ii) That the sewage disposal system and potable water supply are suitable to service the secondary unit, to the satisfaction of the local health unit and the municipality; and
- iii) That, the secondary unit shall occupy no more than 40% of the gross floor area of the dwelling to a maximum floor area of 65 square metres (700 sq. ft.); and
- iv) That, not more than one secondary suite may be located within any one single detached dwelling; and
- v) That, a secondary unit shall contain no more than two (2) bedrooms; and
- vi) That, notwithstanding any other provision of this by-law to the contrary, a secondary unit may be located in a basement; and
- vii) That, the secondary unit shall be registered with the Township of Faraday in accordance with the normal requirements of the Township; and
- viii) That, either the principal or secondary unit must be occupied by the registered owner; and
- ix) That, one off street parking space shall be provided for a secondary unit, in addition to any parking space required by this By-law for a single detached dwelling and notwithstanding any provision of Section 3.27 to the contrary, the off street parking spaces associated with the dwelling unit may be stacked provided that the number of spaces so arranged does not exceed two (2).



SECTION 3—GENERAL PROVISIONS

3.37 SEPTIC SYSTEMS IN RESIDENTIAL ZONES

Unless otherwise specified, a maximum of one (1) septic system is permitted in the Rural Residential (RR) Zone, the Waterfront Residential (WR) Zone, the Limited Service Residential (LSR) Zone and the Hamlet Residential (HR) Zone.

3.38 SHIPPING CONTAINERS, TRUCK, BUS AND COACH BODIES, AND RECREATIONAL TRAILERS

No shipping containers, truck, bus, coach or streetcar body, recreational trailer, homemade trailers or structures of any kind other than a dwelling unit, except otherwise specifically permitted in this zoning by-law, shall be used for human habitation or storage of goods and materials within any area affected by this By-law whether or not the same is mounted on wheels. Human occupation is only permitted in a dwelling or mobile home trailer as defined herein.

3.39 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.

3.40 TEMPORARY USES

Nothing in this By-law shall prevent the use of any land, or the erection or use of any building or structure for a construction camp, work camp, tool shed, scaffold, or other building or structure including a temporary sales or rental office, which is incidental to and necessary for construction work of the premises, but only for so long as such use, building or structure is necessary for such construction work which has not been finished or abandoned. "Abandoned" in this Section means the failure to proceed expeditiously with the construction of work authorized by a building permit.

3.41 TEMPORARY ASPHALT BATCHING PLANTS AND PORTABLE CONCRETE PLANTS

Temporary asphalt batching plants and portable concrete plants used by a public road authority or their agent or contractor shall be permitted throughout the Township without amendment to the Zoning By-law provided that the temporary asphalt batching plant and/or portable concrete plant is not proposed to be located in an area of existing development or particular environmental sensitivity which has been determined to be incompatible with extraction associated activities.



SECTION 4—ZONES AND ZONE REGULATIONS

4.0 ZONES AND ZONE REGULATIONS

4.1 ESTABLISHMENT OF ZONES

For the purposes of this By-law, the following zones are established. Zones may be referred to by classification, symbol, or name.

ZONE CLASS	NAME	SYMBOL	SECTION
Rural	RURAL	RU	4.6
Residential	RURAL RESIDENTIAL	RR	4.7
	HAMLET RESIDENTIAL	HR	4.8
	LIMITED SERVICE RESIDENTIAL	LSR	4.9
	WATERFRONT RESIDENTIAL	WR	4.10
Commercial	GENERAL COMMERCIAL	C	4.11
Industrial	INDUSTRIAL	M	4.12
	EXTRACTIVE INDUSTRIAL	MX	4.13
	WASTE MANAGEMENT INDUSTRIAL	WM	4.14
Other	COMMUNITY FACILITY	CF	4.15
	ENVIRONMENTAL PROTECTION	EP	4.16

4.2 ZONE SYMBOLS AND REGULATIONS

The zone symbols may be used to refer to buildings or structures and to the uses of lots, buildings and structures permitted by this By-law in the said zones.

Wherever in this By-law the word “zone” is used, preceded by any of the said zone symbols, such reference means any part of the zoned area delineated on Schedule “A” - Maps 1, 2, 3 and 4 and designated thereon by the said symbol.

For each zone established by this By-law, a separate section of this By-law sets out the “PERMITTED USES” and “ZONE REGULATIONS” respectively.

Except as otherwise specifically provided hereon, the specific zone requirements set out for each zone shall apply to such zone in addition to the general provisions set out in Section 3.

4.3 HOLDING ZONES

Where any zone symbol as shown on the attached schedules is followed by the symbol ‘h’, this signifies that no person shall use any land, erect, alter, enlarge, use or maintain any building or structure until such time as the holding symbol has been removed by the municipality in accordance with the provisions of the Planning Act, as amended. Upon removal of the holding symbol the permitted use of the subject property and the erection of any buildings or structures thereon shall be undertaken in accordance with the provisions of the underlying zoning category.



SECTION 4—ZONES AND ZONE REGULATIONS

All special provisions of Section 4 "ZONES AND ZONE REGULATIONS" shall apply, where applicable to any land, lot, building, structure, or use within zones subject to the aforementioned "Holding" criteria.

4.4 TEMPORARY USE ZONES

In accordance with Section 39 of the Planning Act, as amended, Council may, in a By-law passed under Section 34, authorize for a specified period of time, the temporary use of land, buildings or structures for any purpose set-out therein that is otherwise prohibited by this By-law.

4.5 MULTIPLE USES, MULTIPLE ZONES AND COMPOUND ZONES

Except in a commercial or industrial zone, not more than one permitted use shall be allowed on a lot unless specifically permitted in this By-law. This section shall not prohibit the establishment of a home occupation or home industry in conjunction with a dwelling where such use is permitted. In the case of a farm located in the Rural (RU) Zone, a rural residential dwelling is permitted as an additional use on the property.

4.5.1 Multiple Uses

- i) Where a lot contains more than one permitted use defined separately herein, other than an accessory use, each such use shall conform to the provisions of the By-law, which are applicable to such use in the zone in which the said lot is located as if the use existed independently of any other use.
- ii) Where the zone requirements pertaining to two or more uses on one lot are in conflict, the highest or more restrictive requirements shall prevail.
- iii) Notwithstanding anything contained in this By-law, where any land or building is used for more than one purpose, all provisions of this By-law relating to each use shall be complied with, provided that no dwelling shall be located closer than three (3) metres (9.8 ft.) to any other building on the lot except a building accessory to such dwelling. A dwelling or dwelling unit as an accessory use will be allowed where permitted by this By-law in accordance with Section 3.1.

4.5.2 Multiple Zones

- i) Where a lot is divided into two or more zones, each such portion of the said lot shall be considered an area subject to the specific provisions of the applicable zone in which such portion of the said lot is located.
- ii) Where a portion of a lot is designated the Environmental Protection (EP) Zone, those lands may be used in calculating the minimum lot area and minimum lot frontage requirements to a maximum of 50%.
- iii) Notwithstanding anything to the contrary in Subsection 4.5.2(i), where a use or uses are permitted by the zones applying to two or more portions of the lot, those portions shall be considered to constitute a single lot as defined herein and the highest or restrictive zone requirements pertaining to such use or uses in all the applicable zones shall apply throughout.



RURAL (RU) ZONE

4.6 RURAL (RU) ZONE

4.6.1 Permitted Uses

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.

4.6.1.1 Residential Uses

- i) single detached dwelling;
- ii) secondary unit;
- iii) bed and breakfast;
- iv) group home;
- v) Type A or Type B home industry use;
- vi) Type A or Type B home occupation use.

4.6.1.2 Non-Residential Uses

- i) abattoir;
- ii) agricultural produce sales outlet;
- iii) agricultural uses;
- iv) agriculture-related uses;
- v) commercial kennel, and may include a boarding facility;
- vi) conservation, or other similar uses as provide for the preservation of the natural environment;
- vii) custom workshop;
- viii) farm implement and equipment sales and service establishment;
- ix) feed and seed dealers;
- x) feed lot operation;
- xi) hobby kennel;
- xii) hunt camp;
- xiii) open space uses;
- xiv) public use or utility in accordance with the provisions of Section 3.34 of this By-law;
- xv) riding or boarding stable;
- xvi) sawmill;

**RURAL (RU) ZONE**

- xvii) commercial vehicle.

4.6.1.3 Accessory Uses

Uses, buildings or structures accessory to any of the foregoing permitted uses specified under Subsections 4.6.1.1 and 4.6.1.2 hereof and in accordance with the provisions of Section 3.1 of this By-law.

4.6.2 Zone Regulations - Residential Uses

a)	Lot Area (Minimum)	6 hectares (14.83 ac.)
b)	Lot Frontage (Minimum)	123 metres (403.5 ft.)
c)	Building Height (Maximum)	11 metres (36.1 ft.)
d)	Front Yard (Minimum), abutting:	
	<i>a) Provincial Highway</i>	25 metres (82.0 ft.)
	<i>b) Municipally Maintained Road</i>	23 metres (75.5 ft.)
e)	Exterior Side Yard (Minimum), abutting:	
	<i>i) Provincial Highway</i>	23 metres (75.5 ft.)
	<i>ii) Municipally Maintained Road</i>	23 metres (75.5 ft.)
f)	Interior Side Yard (Minimum)	7.6 metres (25 ft.)
g)	Rear Yard (Minimum)	20 metres (65.6 ft.)
h)	Maximum Lot Coverage (all buildings and structures)	20%
i)	Dwelling Unit Gross Floor Area (min)	93 square metres (1001.04 sq.ft.)
j)	Dwellings Per Lot (Maximum)	One

4.6.3 Zone Regulations - Non-Residential Uses

a)	Lot Area (Minimum)	6 hectares (14.83 ac.)
b)	Lot Frontage (Minimum)	123 metres (403.5 ft.)
c)	Building Height (Maximum)	11 metres (36.1 ft.)
d)	Front Yard (Minimum), abutting:	
	<i>i) Provincial Highway</i>	25 metres (82.0 ft.)
	<i>ii) Municipally Maintained Road</i>	23 metres (75.5 ft.)

**RURAL (RU) ZONE**

e)	Exterior Side Yard (Minimum)	10 metres (32.8 ft.)
f)	Interior Side Yard (Minimum)	10 metres (32.8 ft.)
g)	Rear Yard (Minimum)	10 metres (32.8 ft.)
h)	Maximum Lot Coverage (all buildings and structures)	20%

4.6.3.1 Regulations For Logging and Sawmill Operations

Notwithstanding any other provisions of this By-law, no logging or sawmill operation shall be permitted within:

- i) 600 metres (1968.5 ft.) of a Hamlet area;
- ii) 300 metres (984.3 ft.) of an area zoned Environmental Protection;
- iii) 300 metres (984.3 ft.) from the high water mark of any lake, river or stream except an intermittent stream or sensitive land use;
- iv) 120 metres (393.7 ft.) from the boundary of a Township Road;
- v) 120 metres (393.7 ft.) from a residence on an adjacent property.

But nothing in this By-law shall prevent the selective cutting as defined in this By-law, of mature timber within such distances.

4.6.3.2 Special Provisions for Hunt Camp

- i) Minimum Lot Area 20 hectares (49.42 ac.)
- ii) Maximum Floor Area 37.2 sq. m. (400 sq. ft.)
- iii) Front Yard (Minimum), fronting on:
 - a) Municipally Maintained Road 120 metres (393.7 ft.)

4.6.4 General Zone Provisions

All provisions of Section 3, 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 and be complied with.

4.6.5 Exception Zones**4.6.5.1 RU-1 (Lot 16, Concession 10, Township of Faraday)**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RU-1 and shown on Schedule 'A' attached, the following special provisions shall apply:

The following shall be the only permitted uses:



RURAL (RU) ZONE

- i) no building or structure shall be permitted;
- ii) all other uses in the RU zone shall be permitted.

All other provisions of this by-law shall apply.

4.6.5.2 RU-2 (Lot 18, Concession 16, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RU-2 and shown on Schedule 'A' attached, the following special provisions shall apply:

Zone Provisions:

- | | | |
|-----|------------------------|----------------------------|
| i) | lot area (minimum) | 25.05 hectares (61.89 ac.) |
| ii) | lot frontage (minimum) | 20.6 metres (67.58 ft.) |

All other provisions of this by-law shall apply.

4.6.5.3 RU-3 (Lot 13, Concession A, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RU-3 and shown on Schedule 'A' attached, the following special provisions shall apply:

Zone Provisions:

- | | | |
|-----|------------------------|----------------------------|
| i) | lot area (minimum) | 16.18 hectares (39.98 ac.) |
| ii) | lot frontage (minimum) | 100.60 metres (330.0 ft.) |

All other provisions of this by-law shall apply.

4.6.5.4 RU-4 (Lot 20, Concession 16, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RU-4 and shown on Schedule 'A' attached, the following special provisions shall apply:

Zone Provisions:

- | | | |
|-----|------------------------|----------------------------|
| i) | lot area (minimum) | 49.7 hectares (122.81 ac.) |
| ii) | lot frontage (minimum) | 70.1 metres (229.9 ft.) |

All other provisions of this by-law shall apply.

4.6.5.5 RU-5 (Lot 9, Concession 16, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RU-5 and shown on Schedule 'A' attached, the following special provisions shall apply:

The following shall be the only permitted uses:

- i) one detached mobile home dwelling unit.



RURAL (RU) ZONE

All other provisions of this by-law shall apply.

4.6.5.6 RU-6 (Lot 24, Concession 10, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RU-6 and shown on Schedule 'A' attached, the following special provisions shall apply:

The following shall be the only permitted uses:

- i) one detached dwelling converted to a maximum of two (2) units.

Zone Provisions:

- i) lot area (minimum) 2.25 hectares (5.56 ac.)
- ii) lot frontage (minimum) 91.44 metres (300.0 ft.)

All other provisions of this by-law shall apply.

4.6.5.7 RU

4.6.5.8 RU-8 (Lot 30, Concession A, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RU-8 and shown on Schedule 'A' attached, the following special provisions shall apply:

- i) one warehouse with loading dock to a maximum 2500 square feet in area.

Zone Provisions

- i) subject warehouse structure will be permitted to be erected in the front yard, within the area subject the rezoning application
- ii) lot area (minimum) 0.33 hectares (0.82 ac.)

All other provisions of this by-law shall apply.

4.6.6 Holding Provisions

(reserved)



RURAL RESIDENTIAL (RR) ZONE

4.7 RURAL RESIDENTIAL (RR) ZONE

4.7.1 Permitted Uses

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.

Rural non-farm buildings and structures shall be constructed in accordance with MDS requirements, in accordance with Section 3.2.

4.7.1.1 Residential Uses

- i) single-detached dwelling;
- ii) secondary unit;
- iii) bed and breakfast;
- iv) group home;
- v) hobby kennel;
- vi) Type A home industry use;
- vii) Type A or Type B home occupation use.

4.7.1.2 Accessory Uses

Uses, buildings or structures accessory to any of the foregoing permitted uses specified under Subsections 4.7.1.1 and 4.7.1.2 hereof and in accordance with the provisions of Section 3.1 of this By-law.

4.7.2 Zone Regulations

- a) Lot Area (Minimum), fronting on:
 - i) *Provincial Highway* 8094 square metres (2 ac.)
 - ii) *Municipally Maintained Road* 4047 square meters (1 ac.)
- b) Lot Frontage (Minimum) 46 metres (150.92 ft.)
- c) Building Height (Maximum) 11 metres (36.1 ft.)
- d) Front Yard (Minimum), abutting:
 - i) *Provincial Highway* 25 metres (82.0 ft.)
 - ii) *Municipally Maintained Road* 23 metres (75.5 ft.)
- e) Exterior Side Yard (Minimum), abutting:



RURAL RESIDENTIAL (RR) ZONE

	i) Provincial Highway	25 metres (82.0 ft.)
	ii) Municipally Maintained Road	23 metres (75.5 ft.)
f)	Interior Side Yard (Minimum)	7.6 metres (25 ft.)
g)	Rear Yard (Minimum)	7.6 metres (25 ft.)
h)	Maximum Lot Coverage (all buildings and structures)	20%
i)	Dwelling Unit Gross Floor Area (Minimum)	93 square metres (1001.04 sq. ft.)
j)	Dwellings Per Lot (Maximum)	One

4.7.3 **General Zone Provisions**

All provisions of Section 3, 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 and be complied with.

4.7.4 **Exception Zones**

4.7.4.1 **RR-1 (Lot 20, Concession 10, Township of Faraday)**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-1 the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) one single detached dwelling;
- ii) accessory buildings or structures to each of the dwelling units;
- iii) a self-storage building.

Zone Provisions

- i) number of dwelling units (maximum): 4
- ii) side and rear yard widths and setbacks of the dwelling shall be as existed at the date of passage of this by-law except for the northerly side yard, where the minimum width shall be 7.5 metres (24.6 ft.);
- iii) required side and rear setback widths shall be as existed at the date of passage of this by-law except with respect to the south yard where the minimum width shall be 9.4 metres (30.8 ft.);
- iv) a planting strip or screening, in accordance with this By-law, shall be required at the southerly



RURAL RESIDENTIAL (RR) ZONE

limit of the RR-1 zone.

4.7.4.2 RR-2 (Lot 7, Concession A, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-2 the following special provisions shall apply:

Zone Provisions

- i) setback from centreline of street along a Township road (minimum) 18.75 metres (61.5 ft.)

All other provisions of this by-law shall apply.

4.7.4.3 RR-3 (Lot 23, Concession 8, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-3 the following special provisions shall apply:

Permitted Uses

The following use shall be permitted in addition to those uses permitted in the RR zone:

- i) A kitchen design workshop as an accessory use only.

Zone Provisions

- i) Gross Floor Area (maximum) 7.3 metres x 7.3 metres
(24.0 ft. x 24.0 ft.)

All other provisions of this by-law shall apply.

4.7.4.4 RR-4 (Lot 29, Concession 9, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-4 the following special provisions shall apply:

Zone Provisions

- i) Lot Area (minimum) 0.33 hectares (0.82 ac.)
- ii) Lot Frontage (minimum) 39.80 metres (130.6 ft.)

All other provisions of this by-law shall apply.

4.7.4.5 RR-5 (Lot 12, Concession B, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-5 the following special provisions shall apply:

Permitted Uses

The following use shall be permitted in addition to those uses permitted in the RR zone:



RURAL RESIDENTIAL (RR) ZONE

- i) A 73.5 square metre (791.15 sq. ft.) work shop to be used for the sole purpose of a home occupation.

Zone Provisions

- i) Lot Area (minimum) 0.16 hectare (0.39 ac.)

All other provisions of this by-law shall apply.

4.7.4.6 RR-6 (Lot 11, Concession 12, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-6 the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- ii) An existing mobile home park
iii) Accessory uses and facilities.

All other provisions of this by-law shall apply.

4.7.4.7 RR-7 (Lot 5, Concession 8, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-7 the following special provisions shall apply:

Zone Provisions

- i) Minimum Lot Area 2,600 square metres (0.64 ac.)

All other provisions of this by-law shall apply.

4.7.4.8 RR-8 (Lot 7, Concession A, Township of Faraday)

Notwithstanding any provisions of this By-law to the contrary, on lands zoned RR-8, a multiple dwelling use shall be permitted.

All other provisions of this by-law shall apply.

4.7.5 Holding Provisions

4.7.5.1 RR-h (Lot 25, Concession 8, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-h the following special provisions shall apply:

Removal of Holding ('h') Symbol



RURAL RESIDENTIAL (RR) ZONE

The Holding ('h') symbol may be removed by Council once Council is satisfied that the lot has been appropriately filled and graded and a basement and foundation have been properly designed by a professional engineer and that a sufficient on-site supply of potable water is available.

All other provisions of this by-law shall apply.

Date Removed:

4.7.5.2 RR-h (Lot 13, Concession A, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-h the following special provisions shall apply:

Removal of Holding ('h') Symbol

The Holding ('h') symbol may be removed by Council once Council is satisfied that there is an adequate on-site supply of potable water available.

All other provisions of this by-law shall apply.

Date Removed:

4.7.5.3 RR-h (Lot 8, Concession 16, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-h the following special provisions shall apply:

Removal of Holding ('h') Symbol

The Holding ('h') symbol may be removed by Council once Council is satisfied that there is an adequate on-site supply of potable water available.

All other provisions of this by-law shall apply.

Date Removed:

4.7.5.4 RR-h (Lot 28, Concession 8, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-h the following special provisions shall apply:

Removal of Holding ('h') Symbol

The Holding ('h') symbol may be removed by Council once Council is satisfied that there is an adequate on-site supply of potable water available.

All other provisions of this by-law shall apply.

Date Removed:



RURAL RESIDENTIAL (RR) ZONE

4.7.5.5 RR-h (Lot 1, Concession 12, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-h the following special provisions shall apply:

Removal of Holding ('h') Symbol

The Holding ('h') symbol may be removed by Council once Council is satisfied that there is an adequate on-site supply of potable water available.

All other provisions of this by-law shall apply.

Date Removed:

4.7.5.6 RR-h (Lot 18, Concession 16, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-h the following special provisions shall apply:

Removal of Holding ('h') Symbol

The Holding ('h') symbol may be removed by Council once Council is satisfied that there is an adequate on-site supply of potable water available.

All other provisions of this by-law shall apply.

Date Removed:



HAMLET RESIDENTIAL (HR) ZONE

4.8 HAMLET RESIDENTIAL (HR) ZONE

4.8.1 Permitted Uses

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

4.8.1.1 Residential Uses

- i) single-detached dwelling;
- ii) secondary unit within a single detached dwelling;
- iii) duplex or semi-detached dwellings;
- iv) existing multi-unit dwellings;
- v) bed and breakfast
- vi) Type A & B home occupation use;
- vii) group home.

4.8.1.2 Accessory Uses

Uses, buildings or structures accessory to any of the foregoing permitted uses specified under Subsections 4.8.1.1 and 4.8.1.2 hereof and in accordance with the provisions of Section 3.1 of this By-law.

4.8.2 Zone Regulations

- | | | |
|----|-----------------------------------------|----------------------------|
| a) | Lot Area (Minimum) | 4047 square metres (1 ac.) |
| b) | Lot Frontage (Minimum) | 46 metres (150.9 ft.) |
| c) | Building Height (Maximum) | 11 metres (36.1 ft.) |
| d) | Front Yard (Minimum), abutting: | |
| | <i>i) Provincial Highway</i> | 25 metres (82.0 ft.) |
| | <i>ii) Municipally Maintained Road</i> | 23 metres (75.5 ft.) |
| e) | Exterior Side Yard (Minimum), abutting: | |
| | <i>i) Provincial Highway</i> | 25 metres (82.0 ft.) |
| | <i>ii) Municipally Maintained Road</i> | 23 metres (75.5 ft.) |
| f) | Interior Side Yard (Minimum) | 7.6 metres (25 ft.) |



HAMLET RESIDENTIAL (HR) ZONE

g)	Rear Yard (Minimum)	7.6 metres (25 ft.)
h)	Maximum Lot Coverage (all buildings and structures)	20%
i)	Dwelling Unit Gross Floor Area (min)	93 square metres (1001.04 sq. ft.)
j)	Dwellings Per Lot (Maximum)	One

4.8.3 General Zone Provisions

All provisions of Section 3, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Hamlet Residential (HR) Zone shall apply and be complied with.

4.8.4 Exception Zones

(reserved)

4.8.5 Holding Provisions

(reserved)



LIMITED SERVICE RESIDENTIAL (LSR) ZONE

4.9 LIMITED SERVICE RESIDENTIAL (LSR) ZONE

4.9.1 Permitted Uses

No person shall, within 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 (LSR) Zone, there is no commitment or requirement by the municipality to assume responsibility for ownership or maintenance of any privately maintained road. Due to road conditions of privately maintained roads, there is no commitment or requirement by the municipality to ensure that emergency vehicles are able to access privately owned roads. The intent of the Limited Service Residential (LSR) Zone is to recognize residential development on privately maintained roads or with water access only.

4.9.1.1 Residential Uses

- i) single detached dwelling;
- ii) seasonal dwelling.

4.9.1.2 Accessory Uses

- i) sleeping cabin in accordance with Section 4.10.3

Uses, buildings or structures accessory to any of the foregoing permitted uses, specified under Subsections 4.9.1.1 and 4.9.1.2 hereof, and in accordance with the provisions of Section 3.1 of this By-law.

4.9.2 Zone Regulations for Lots other than those on Waterfront or Private Roads

a)	Lot Area (Minimum)	4047 square metres (1 ac.)
b)	Lot Frontage (Minimum)	46 metres (150.9 ft.)
c)	Building Height (Maximum)	11 metres (36.1 ft.)
d)	Front Yard (Minimum), abutting:	
	i) Provincial Highway	25 metres (82.0 ft.)
	ii) Municipally Maintained Road	23 metres (75.5 ft.)
e)	Exterior Side Yard (Minimum), abutting:	
	i) Provincial Highway	25 metres (82.0 ft.)
	ii) Municipally Maintained Road	23 metres (75.5 ft.)
f)	Interior Side Yard (Minimum)	7.6 metres (25 ft.)



LIMITED SERVICE RESIDENTIAL (LSR) ZONE

g)	Rear Yard (Minimum)	7.6 metres (25 ft.)
h)	Maximum Lot Coverage (all buildings and structures)	20%
i)	Dwelling Unit Gross Floor Area (min)	93 square metres (1001.04 sq. ft.)
j)	Dwellings Per Lot (Maximum)	One

4.9.3 Zone Regulations for Lots on Private Road

a)	Lot Area (Minimum)	4000 square metres (1 ac.)
b)	Lot Frontage (Minimum)	46 metres (150.9 ft.)
c)	Building Height (Maximum)	11 metres (36.1 ft.)
d)	Front Yard (Minimum)	10 metres (32.8 ft.)
f)	Side Yard (Minimum)	10% of the lot frontage to a maximum of 7.6 metres (25 ft.)
g)	Rear Yard (Minimum)	10 metres (32.8 ft.)
i)	Gross Floor Area (Minimum)	65 square metres (700 sq. ft.)
j)	Maximum Lot Coverage (all buildings and structures)	20%
k)	Dwellings Per Lot (Maximum)	One

4.9.4 Zone Regulations for Waterfront Lots and Waterfront Only Lots

a)	Lot Area (Minimum)	4000 square metres (1 ac.)
b)	Lot Frontage (Minimum)	46 metres (150.9 ft.)
c)	Building Height (Maximum)	11 metres (36.1 ft.)
d)	Front Yard Minimum	30 metres (98.4 ft.)
e)	Side Yard (Minimum)	10% of the lot frontage to a maximum of 7.6 metres (25 ft.)
f)	Rear Yard (Minimum)	10 metres (32.8 ft.)
g)	Gross Floor Area (Minimum)	65 square metres (700 sq. ft.)



LIMITED SERVICE RESIDENTIAL (LSR) ZONE

- | | | |
|----|-----------------------------------------------------|-----|
| h) | Maximum Lot Coverage (all buildings and structures) | 20% |
| i) | Dwellings Per Lot (Maximum) | One |

4.9.5 Zone Regulations for Sleeping Cabins (Bunkies)

A maximum of one (1) sleeping cabin will be permitted on a lot within the Limited Service Residential (LSR) Zone. A sleeping cabin shall not have facilities for the preparation of meals or sanitary facilities.

- | | | |
|----|-------------------------------|----------------------|
| a) | Rear Yard (Water Access Only) | 3 metres (9.8 ft.) |
| b) | Rear Yard (Private Road) | 30 metres (98.4 ft.) |
| c) | Building Height | 7 metres (22.9 ft.) |

4.9.6 Vegetative Buffer Adjacent To The Shoreline

A natural vegetative buffer strip 15 m. (49.2 ft.) in width should be maintained.

4.9.7 Provisions Regulating Conversion Of Seasonal Dwellings on Privately Maintained Roads

Notwithstanding Section 4.9.1.1 hereof, within the Limited Service Residential (LSR) Zone, a seasonal dwelling with frontage on a privately maintained road as of the date of passing of this By-law, may only be permitted to convert to a permanent single detached dwelling provided the following provisions are complied with, namely:

- i) the Township is satisfied, through information supplied by the applicant that road access, as provided for by the applicant, will provide the applicant and emergency vehicles with ready access to the property year-round, particularly in the winter months;
- ii) the Township is satisfied that the conversion will not require the extension of a public road to the site;
- iii) an Agreement must be registered on title by the Owner, acknowledging that the lot is in an area of limited municipal service. This shall ensure that the municipality does not maintain and will not be expected to maintain the privately maintained road leading to the property or perform any other services normally associated with public roads in the municipality; and,
- iv) the policies in Section 4.9.6 b) and c) are addressed.

4.9.8 General Zone Provisions

All provisions of Section 3, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Limited Services Residential (LSR) Zone shall apply and be complied with.



LIMITED SERVICE RESIDENTIAL (LSR) ZONE

4.9.9 Exception Zones

4.9.9.1 LSR-1 (Lot 11, Concession B, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned LSR-1 the following special provisions shall apply:

Zone Provisions

i)	lot area (minimum)	705 square metres (7588.56 sq. ft.)
ii)	setback from high water mark (minimum)	27 metres (88.6 ft.)
iii)	front yard depth (minimum)	1.52 metres (4.9 ft.)
iv)	rear yard depth (minimum)	7 metres (22.9 ft.)

All other provisions of this by-law shall apply.

4.9.9.2 LSR-2 (Lot 32, Concession 9, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned LSR-2 the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) a single detached dwelling and two car garage;
- ii) an existing cottage as a rental unit

All other provisions of this by-law shall apply.

4.9.9.3 LSR-3 (Lot 11, Concession 15, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned LSR-2 the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) a seasonal dwelling.

Zone Provisions

i)	interior side yards (minimum)	3.5 metres [11.5 ft.] (west) 7.5 metres [24.6 ft.] (east)
ii)	setback from high water mark (minimum)	0 metres

All other provisions of this by-law shall apply.



LIMITED SERVICE RESIDENTIAL (LSR) ZONE

4.9.9.4 LSR-4 (Lot 11, Concession 15, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned LSR-4 the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) a seasonal dwelling.

Zone Provisions

- | | | |
|-----|-----------------------------------|----------------------|
| i) | front yard depth (minimum) | 1.5 metres (4.9 ft.) |
| ii) | setback from high water (minimum) | |
| | Principal building | 30 metres (98.4 ft.) |
| | Deck | 28 metres (91.9 ft.) |

All other provisions of this by-law shall apply.

4.9.9.5 LSR-5 (Lot 19, Concession 9, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned LSR-5 the following special provisions shall apply:

Zone Provisions

- i) lot area (minimum) 1.58 hectares (3.9 ac.)

4.9.9.6 LSR-6 (Lot 20, Concession 10, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned LSR-6 the following special provisions shall apply:

Zone Provisions

- i) setback from high water mark (minimum) 15.24 metres (50.0 ft.)

4.9.10 Holding Provisions

(reserved)



WATERFRONT RESIDENTIAL (WR) ZONE

4.10 WATERFRONT RESIDENTIAL (WR) ZONE

4.10.1 Permitted Uses

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

4.10.1.1 Residential Uses

- i) single detached dwelling;
- ii) Type A or Type B home occupation use;
- iii) Secondary Unit;
- iv) Bed and Breakfast.

4.10.1.2 Accessory Uses

- i) Sleeping cabin in accordance with Section 4.11.3

Uses, buildings or structures accessory to any of the foregoing permitted uses, specified under Subsections 4.10.1.1 and 4.10.1.2 hereof, and in accordance with the provisions of Section 3.1 of this By-law.

4.10.2 Zone Regulations

a)	Lot Area (Minimum)	4047 square metres (1 ac.)
b)	Lot Frontage on a Waterbody (Minimum)	46 metres (150.9 ft.)
c)	Building Height (Maximum)	11 metres (36.1 ft.)
d)	Front Yard (Minimum), abutting:	
	i) Provincial Highway	25 metres (82.0 ft.)
	ii) Municipally Maintained Road	23 metres (75.5 ft.)
e)	Exterior Side Yard (Minimum), abutting:	
	i) Provincial Highway	25 metres (82.0 ft.)
	ii) Municipally Maintained Road	23 metres (75.5 ft.)
f)	Interior Side Yard (Minimum)	7.6 metres (25 ft.)
g)	Rear Yard (Minimum)	30 metres (98.4 ft.)
h)	Maximum Lot Coverage (all buildings and structures)	20%



WATERFRONT RESIDENTIAL (WR) ZONE

- | | | |
|----|--------------------------------------|--------------------------------------|
| i) | Dwelling Unit Gross Floor Area (min) | 93 square metres
(305.12 sq. ft.) |
| j) | Dwellings Per Lot (Maximum) | One |

4.10.3 Zone Regulations for Sleeping Cabins (Bunkies)

A maximum of one (1) sleeping cabin will be permitted on a lot within the Waterfront Residential (WR) Zone in accordance with the following provisions:

- | | | |
|----|----------------------------------------|--------------------------------------|
| a) | Rear Yard (Water Access Only) | 3 metres (9.8 ft.) |
| b) | Rear Yard (Private Road) | 30 metres (98.4 ft.) |
| c) | Building Height | 7 metres (22.9 ft.) |
| d) | Exterior Side Yard, abutting: | |
| | i) <i>Provincial Highway</i> | 25 metres (82.0 ft.) |
| | ii) <i>Municipally Maintained Road</i> | 23 metres (75.5 ft.) |
| e) | Gross Floor Area (Maximum) | 24 square metres
(258.33 sq. ft.) |

4.10.4 Naturalized Buffer Adjacent To The Shoreline

A naturalized shoreline buffer strip 15 metres (49.2 ft.) in width should be maintained to protect water quality by reducing erosion and to provide wildlife habitat.

4.10.5 General Zone Provisions

All provisions of Section 3, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Waterfront Residential (WR) Zone shall apply and be complied with.

4.10.6 Exception Zones

(reserved)

4.10.7 Holding Provisions

(reserved)



COMMERCIAL (C) ZONE

4.11 COMMERCIAL (C) ZONE

4.11.1 Permitted Uses

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

4.11.1.1 Permitted Uses - Residential

- i) Single detached dwelling may be permitted on commercial properties for use by either the owner, operator or caretaker to the permitted uses below.

4.11.1.2 Permitted Uses - Non Residential Uses

- i) Uses which are economically dependent on or associated with vehicular traffic;
- ii) Uses which cater to the rural and local economy;
- iii) Uses catering to the tourist industry;
- iv) Business office accessory to a permitted use;
- v) Commercial Greenhouse;
- vi) Commercial recreational establishment;
- vii) Convenience store accessory to a permitted use;
- viii) Drive-through facility, associated with a use permitted in Section 4.11.1.2
- ix) Garden and nursery sales establishment;
- x) Eating establishment accessory to a permitted use;
- xi) Gift shop as an accessory use;
- xii) Miniature golf course;
- xiii) Motor vehicle service garage, including a gasoline sales outlet;
- xiv) Public or private park;
- xv) Public or private recreational club;
- xvi) Public use or utility;
- xvii) Recreational complex;
- xviii) Recreational vehicles sales and service shop;
- xix) Restaurant
- xx) Restaurant, fast-food



COMMERCIAL (C) ZONE

- xxi) Restaurant, take-out
- xxii) Tourist establishment;
- xxiii) Type A and B Home Occupation;
- xxiv) Type A and B Home Industry;
- xxv) Veterinary clinic.

4.11.2 Zone Regulations for Residential Uses

a)	Minimum Lot Area	4000 square metres (0.98 ac.)
b)	Building Height (Maximum)	10 metres (32.8 ft.)
c)	Front Yard (Minimum)	15 metres (49.2 ft.)
d)	Exterior Side Yard (Minimum)	15 metres (49.2 ft.)
e)	Interior Side Yard (Minimum)	6 metres (19.7 ft.)
f)	Rear Yard (Minimum)	15 metres (49.2 ft.)
g)	Dwelling Unit Area (Minimum)	110 square metres (1184.03 sq. ft.)
h)	Maximum Lot Coverage (all buildings and structures)	30%
i)	Minimum Setback From Street Centreline	
	<i>i) Provincial Highway</i>	28 metres (91.9 ft.)
	<i>ii) Township Road</i>	25 metres (82.0 ft.)
k)	Dwellings Per Lot (Maximum)	One

4.11.2.1 Spatial Separation Requirements

Where a single detached dwelling is erected or any building or structure is altered or used for the purpose of a single detached dwelling on a lot in a Commercial (C) Zone in conjunction with a permitted non-residential use, such single detached dwelling shall not be erected, nor shall any building be altered or used for the purpose of a single detached dwelling within 10 metres (32.8 ft.) of the permitted non-residential use.

4.11.2.2 Dwelling Unit In Portion Of Non-Residential Building

An accessory dwelling unit may be located within a building occupied by any commercial use except an automotive use.

- | | | |
|----|--------------------------------|-----------------------------------|
| a) | One Bedroom Dwelling Unit Area | 56 square metres (602.78 sq. ft.) |
|----|--------------------------------|-----------------------------------|



COMMERCIAL (C) ZONE

- | | | |
|----|----------------------------------|-----------------------------------|
| b) | Two Bedroom Dwelling Unit Area | 70 square metres (753.47 sq. ft.) |
| c) | Three Bedroom Dwelling Unit Area | 84 square metres (904.17 sq. ft.) |

4.11.2.2.1 Interior Side Yard

Minimum interior side yard requirement shall be 6 metres (19.7 ft.) except where the interior side lot line abuts a Residential Zone, in which case the minimum interior side yard shall be 12 metres (39.4 ft.).

4.11.2.2.2 Maximum Number of Dwelling Units and Location

A maximum of one dwelling unit may be permitted in a portion of a non-residential building permitted within the Commercial (C) Zone in accordance with the requirements for the permitted non-residential building in which such dwelling unit is located.

4.11.3 Regulations For Non-Residential Uses Excluding Retail Gasoline Establishments

- | | | |
|----|-----------------------------------------------------------------------------------------------|-----------------------------|
| a) | Lot Area (Minimum) | 4,000 square metres (1 ac.) |
| b) | Lot Frontage (Minimum) | |
| | <i>i) Provincial Highway</i> | 76.2 metres (250.0 ft.) |
| | <i>ii) Municipally Maintained Road</i> | 45 metres (147.6 ft.) |
| c) | Building Height (Maximum) | 11 metres (36.1 ft.) |
| d) | Front Yard (Minimum) | |
| | <i>i) Provincial Highway</i> | 25 metres (82.0 ft.) |
| | <i>ii) Municipally Maintained Road</i> | 23 metres (75.5 ft.) |
| e) | Exterior Side Yard | |
| | <i>i) Provincial Highway</i> | 25 metres (82.0 ft.) |
| | <i>ii) Municipally Maintained Road</i> | 23 metres (75.5 ft.) |
| g) | Rear Yard (Minimum) | 7.5 metres (24.6 ft.) |
| | Abutting Residential Zone | 10 metres (32.8 ft.) |
| h) | Maximum Lot Coverage (all buildings and structures) | 40% |
| h) | Access to an accessory dwelling unit shall be separate from access to a rural commercial use. | |
| i) | Off-street parking and off-street loading facilities shall be | |



COMMERCIAL (C) ZONE

provided in accordance with sections 3.21 and 3.26.

- | | | |
|----|----------------------------------------------------------------------|-----------------------|
| k) | Interior Side Yard | 6.1 metres (20.0 ft.) |
| | <i>i) Except Where Interior Side Yard Abuts any Residential Zone</i> | 9.2 metres (30.2 ft.) |

4.11.4 **Zone Regulations - Accessory Buildings Not Attached to the Principal Building**

- | | | |
|----|------------------------------|-----------------------|
| a) | Rear Yard (Minimum) | 1.5 metres (4.9 ft.) |
| b) | Interior Side Yard | 1.5 metres (4.9 ft.) |
| c) | Exterior Side Yard (Minimum) | 8 metres (26.3 ft.) |
| d) | Building Height (Maximum) | 4.5 metres (14.8 ft.) |

4.11.5 **Zone Regulations - Recreational Trailer Parks and Campgrounds**

- | | | |
|----|---------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|
| a) | Recreational Trailer and Camp Site Area (Minimum) | 232 square metres (2497.23 sq. ft.) |
| b) | Recreational Trailer and Camping Site Frontage (Minimum) | 10 metres (32.8 ft.) |
| c) | Separation Distance Between Recreational Trailer and Camp Sites (Minimum) | 3 metres (9.8 ft.) |
| d) | Density Of Recreational Trailer and Camp Sites (Maximum) | 15 sites per 4,050 square metres (1.0 ac.) exclusive of lands used for privately maintained roads providing access to sites. |
| e) | Recreational Trailer and Camp Site Coverage (Maximum) | 35% |
| f) | Recreational Trailer Dwelling Unit Area (Minimum) | 44 sq. metres (473.6 sq. ft.) |

4.11.5.1 **Minimum Spatial Separation between Recreational Trailers**

No recreational trailer shall be erected on a site such that the minimum distance between sidewalls is less than 8 metres (26.3 ft.) and the minimum distance between end walls is less than 3 metres (9.8 ft.).

4.11.6 **Zone Regulations - Tourist Establishments**

- | | | |
|----|--------------------|-----------------------------|
| a) | Lot Area (Minimum) | 4,000 square metres (1 ac.) |
|----|--------------------|-----------------------------|



COMMERCIAL (C) ZONE

b)	Lot Frontage (Minimum)	60 metres (196.8 ft.)
c)	Building Height (Maximum)	11 metres (36.1 ft.)
d)	Front Yard (Minimum)	12.0 m (39.37 ft.)
e)	Exterior Side Yard	12.0 m (39.37 ft.)
f)	Rear Yard (Minimum)	12.0 m (39.37 ft.)
g)	Maximum Lot Coverage (all buildings and structures)	30%
h)	Interior Side Yard	6.0 m (19.69 ft.)
	<i>i) Where Interior Side Yard Abuts any Residential Zone</i>	12.0 m (39.37 ft.)
i)	Minimum Distance Between Tourist Establishment Buildings	6.0 m (19.69 ft.)

4.11.7 **Regulations For Retail Gasoline Establishments**

a)	Lot Area (Minimum)	
	<i>i) Municipally Maintained Road</i>	4047 square metres (1.0 ac.)
	<i>ii) Provincial Highway</i>	8094 square metres (2.0 ac.)
b)	Lot Frontage (Minimum)	
	<i>i) Municipally Maintained Road</i>	46 metres (150.9 ft.)
	<i>ii) Provincial Highway</i>	76.2 metres (250.0 ft.)
c)	Building Height (Maximum)	11 metres (36.1 ft.)
d)	Front Yard (Minimum)	15 metres (49.2 ft.)
e)	Exterior Side Yard (Minimum)	15 metres (49.2 ft.)
f)	Rear Yard (Minimum)	7.5 metres (24.6 ft.)
	Abutting Residential Zone	10 metres (32.8 ft.)
g)	Maximum Lot Coverage (all buildings and structures)	40%

4.11.7.1 **Interior Side Yard**

Minimum interior side yard width shall be 6 metres (19.7 ft.) except where the interior side lot line abuts any Residential Zone, in which case the minimum interior side yard width shall be 12 metres (39.4 ft.).



COMMERCIAL (C) ZONE

4.11.7.2 Minimum Lot Depth Requirement

Minimum lot depth requirement shall be 30 metres (98.4 ft.) except where the lot is a corner lot in which case the minimum lot depth requirement shall be 36 metres (118.1 ft.).

4.11.7.3 Gasoline Pump Location

Notwithstanding any other provision of this By-law to the contrary, a gasoline pump island or gasoline pumps, as part of or as accessory to a motor vehicle dealership, a motor vehicle gasoline bar, a motor vehicle repair garage, or motor vehicle service centre, may be located within any yard provided:

- i) 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 5 metres (16.4 ft.); and
- ii) that where a lot is a corner lot, no portion of any pump island or gasoline pumps shall be located closer than 3 metres (9.8 ft.) to a straight line between a point in the front lot line and a point in the exterior side lot line, such points being distant 15 metres (49.2 ft.) from the intersection of such lines.

4.11.7.4 Bulk Storage Tank Location

Bulk fuel and propane storage tanks shall not be installed except in accordance with the provisions of the *Gasoline Handling Act* or the *Propane Storage, Handling and Utilization Code* as may be applicable.

4.11.7.5 Entrance Regulations

Notwithstanding any other provision set forth in this By-law to the contrary, driveways associated with a motor vehicle dealership, a motor vehicle gasoline bar, a motor vehicle repair garage or motor vehicle service centre, where gasoline is offered or kept for sale at retail, shall be established in accordance with the provisions of Section 3.17 of this By-law.

4.11.8 Zone Regulations For Outside Display And Storage

No portion of any lands zoned within the Commercial (C) Zone shall be used for the outside display and sale of goods and materials except in accordance with the following provisions, namely:

- i) that such outside display and/or storage not be located closer than 8 metres (26.3 ft.) to the front lot line;
- ii) that such outside storage not be located closer than 2 metres (6.6 ft.) to an interior side or rear lot line where the lot line abuts a lot zoned for commercial purposes or 6 metres (19.7 ft.) of an interior side or rear lot line where the lot line abuts a lot zoned for other than commercial purposes;
- iii) that such outside display and/or storage does not cover in excess of 30% of the total lot area; and,
- iv) that any portion of a lot used for the outside display and/or storage of goods or materials is screened from adjacent residential uses adjoining the lot by buildings or is enclosed by shrub planting in conjunction with a planting strip as may be required under this By-law, or, is enclosed within a closed wooden fence extending at least 2.4 metres (7.9 ft.) in height from the finished grade.



COMMERCIAL (C) ZONE

4.11.9 Planting Strip Requirements

Where the interior side or rear lot line of a lot within a General Commercial (C) Zone abuts any Residential Zone, in the area adjoining such abutting lot line, a planting strip shall be required in accordance with Section 3.34 of this By-law.

4.11.10 Planting Strip Requirements - Site Plan Control

Notwithstanding Section 4.11.10 above, where a lot within the Commercial (C) Zone is subject to Site Plan Control, walls, fences, hedges, trees, shrubs or other groundcover or facilities for the landscaping of the lands or the protection of adjoining lands will be addressed through a Site Plan prepared to the satisfaction of the Township of Faraday.

4.11.11 General Zone Provisions

All provisions of Section 3, General Zone Provisions, where applicable to the use of any land, building or structure permitted within the General Commercial (C) Zone shall apply and be complied with.

4.11.12 Exception Zones

4.11.12.1 **C-1 (Lot 7, Concession A, Township of Faraday)**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned C-1 the following special provisions shall apply:

Zone Provisions

- | | | |
|------|-----------------------------------------------------------------------------------------------------------|-------------------------------------|
| i) | lot area (minimum) | 134 square metres (1442.36 sq. ft.) |
| ii) | front yard (minimum) | 0 metres |
| iii) | interior side yard (minimum) | 0 metres |
| iv) | rear yard (minimum) | 0 metres |
| v) | provisions of the commercial zone regarding planting strips shall not apply. | |
| vi) | provisions regarding setbacks from roads for a pump island shall not apply. | |
| vii) | provisions regarding maximum width of driveways and minimum separation between driveways shall not apply. | |

All other provisions of this by-law shall apply.

4.11.12.2 **C-2 (Lot 9, Concession 12, Township of Faraday)**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned C-2 the following special provisions shall apply:

Zone Provisions

- | | | |
|----|--------------------|-------------------------------|
| i) | lot area (minimum) | 4,047 square metres (1.0 ac.) |
|----|--------------------|-------------------------------|



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ii)	lot frontage (minimum)	46 metres (150.9 ft.)
iii)	front, rear and side yard setbacks (minimum)	15.24 metres (50.0 ft.)
iv)	planting strip (northerly lot line) (minimum)	6 metres (19.7 ft.)

All other provisions of this by-law shall apply.

4.11.12.3 C-3 (Lot 11, Concession 12, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned C-3 the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) an automobile repair garage.

Zone Provisions

- i) no portion of the subject lands shall be used to store vehicles which are undergoing repair unless such vehicles are within a building or unless such repairs are completed within 24 hours;
- ii) no portion of the subject lands shall be used for the purpose not specifically permitted herein, no portion of the subject lands shall be used for open storage, no portion of the subject lands shall be used as a salvage yard and in particular, vehicles which are inoperable or which are awaiting repairs or any parts of vehicles shall not be stored in the open on the subject lands for more than twenty-four (24) hours;
- iii) A planting strip utilizing the existing conifers on the site, with infilling of sufficient conifers to create a visual block to a minimum depth of 6 metres (19.7 ft.), and a minimum height of 1.83 metres (6 ft.) or a 3 metre (9.8 ft.) thick by 1.83 metre (6 ft.) high solid conifer hedge or a 1.83 metre (6 ft.) high solid fence of a 1.83 metre (6 ft.) high earth with slopes no greater than 3:1 horizontal to vertical ratio shall be maintained between the C-3 Zone and the adjacent Residential Zone.

All other provisions of this by-law shall apply.

4.11.12.4 C-4 (Lot 24, Concession 10, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned C-4 the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) a garden/nursery centre;



COMMERCIAL (C) ZONE

- ii) two (2) greenhouses;
- iii) an existing single detached dwelling as an accessory residential use.

All other provisions of this by-law shall apply.

4.11.12.5 C-5 (Lot 9, Concession A, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned C-5 the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) Craft shop;
- ii) Detached workshop.

Zone Provisions

- | | | |
|------|------------------------------------------------|-------------------------------------|
| i) | front yard depth (minimum) | 18.89 metres (61.9 ft.) |
| iii) | rear yard depth (minimum) | 3.65 metres (11.9 ft.) |
| iv) | interior side yard width (minimum): | |
| | west side of craft shop | 3.05 metres (10.0 ft.) |
| | west side of workshop | 0 metres |
| v) | gross floor area (retail outlet) (maximum) | 67 square metres (721.18 sq. ft.) |
| vi) | gross floor area (detached workshop) (maximum) | 17.8 square metres (191.59 sq. ft.) |

All other provisions of this by-law shall apply.

4.11.12.6 C-6 (Lot 29, Concession 9, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned C-2 the following special provisions shall apply:

Zone Provisions

- | | | |
|----|--------------------|--------------------------------|
| i) | lot area (minimum) | 4,018.04 square metres (1 ac.) |
|----|--------------------|--------------------------------|

All other provisions of this by-law shall apply.

4.11.12.7 C-7 (Lot 11, Concession 12, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned C-7 the following special provisions shall apply:



COMMERCIAL (C) ZONE

Permitted Uses

The following shall be the only permitted uses:

- i) a veterinary clinic;
- ii) commercial kennel;
- iii) greenhouse.

Zone Provisions

- i) the kennel shall be completely enclosed with no outside runs.

All other provisions of this by-law shall apply.

4.11.12.8 C-8 (Lot 26, Concession 10, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned C-8 the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) an auction hall in part of the existing building;
- ii) two dwelling units in part of the existing building;
- iii) heated inside mini-storage in part of the existing building.

Zone Provisions

- i) no outside storage shall be permitted.
- ii) no open storage of materials shall be permitted.
- iii) a planting strip or screen utilizing the existing conifers on the site shall be provided along all lot lines.

All other provisions of this by-law shall apply.

4.11.12.9 C-9 (Lot 7, Concession A, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned C-9 the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) One concrete block garage a maximum of 195.10 square metres (2100.04 sq. ft.) in area.



COMMERCIAL (C) ZONE

Zone Provisions

i)	Lot area (minimum)	0.15 hectare (0.37 ac.)
ii)	Lot frontage (minimum)	64.81 metres (212.6 ft.)
iii)	front yard depth (minimum)	0 metres
iv)	rear yard depth (minimum)	0 metres

4.11.12.10 C-10 (Lot 20, Concession 10, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned C-10 the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) Mini-storage building

Zone Provisions

- i) A planting strip or screening shall be required at the southerly limit of the C-10 Zone
- ii) Yard and setback widths shall be as existed on the date of passing except with respect to the south yard where the minimum width shall be 9.4 metres (30.8 ft.).

4.11.12.11 C-11 (Lot 46 and 47, Concession West Hastings Road, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned C-11 the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) a tourist establishment, including a meeting room, restaurant, bedrooms, staff room, patio, spa exercise studio, recreational facilities.

Zone Provisions

i)	meeting room (maximum)	20 persons
ii)	restaurant (maximum)	26 persons
iii)	bedrooms (maximum)	12
iv)	a staff room;	
v)	an outdoor seasonal patio (maximum)	40 seats
vi)	a spa and pedicure/manicure room;	



COMMERCIAL (C) ZONE

- vii) exercise studio consisting of a fitness equipment room, steam room;
- viii) in addition, recreational activities, including horseback riding, canoeing and paddle-boating, hiking and cross-country skiing shall be permitted;
- ix) accessory uses to the above uses, including the following:
- x) each of the 2 bedrooms shall have a maximum of one 4-piece private bath;
- xi) the staff room shall include a maximum of
 - a) one men's 2-piece bath, one ladies' 2-piece bath;
 - b) a staff washroom consisting of one 2-piece washroom
 - c) a ladies' handicap-accessible washroom consisting of a maximum of 2 water closets and 1 sink
 - d) a men's handicap-accessible washroom consisting of a maximum of one water closet, 1 sink and 1 urinal;
 - e) a public washroom consisting of one ladies' 2-piece washroom and one men's
 - f) 2-piece washroom and 1 urinal;
- v) the spa shall consist of lounge/waiting room, tea room with a maximum of 8 seats, a treatment room having a maximum of one Jacuzzi and one hand sink, three treatment rooms, each with a maximum of one shower and one hand sink, four treatment rooms, each with a maximum of one hand sink;
- vi) a men's locker room with a maximum of one 2-piece washroom plus one shower and a ladies' locker room with a one 2-piece washroom and shower;
- vii) an indoor fitness pool and outdoor hot tub, ladies' whirlpool and steam room

All other provisions of this by-law shall apply.

4.11.12.12 C-12 (Lot 14, Concession B, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned C-12 the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) a tourist establishment.

All other provisions of this by-law shall apply.



COMMERCIAL (C) ZONE

4.11.12.13 C-h (Lot 28, Concession 9, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned C-h the following special provisions shall apply:

Removal of Holding ('h') Symbol

The Holding ('h') provision may be removed by Council once Council is satisfied that a hydrogeological study and a storm water management plan are in place and the roads have been constructed to a satisfactory standard.

All other provisions of this by-law shall apply.

Date Removed:



INDUSTRIAL (M) ZONE

4.12 INDUSTRIAL (M) ZONE

4.12.1 Permitted Uses

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

4.12.1.1 Residential Uses

- i) single detached dwelling provided such dwelling is ancillary to a permitted non-residential use and occupied by the owner, caretaker, watchman or other similar person, as is employed on the lot on which such dwelling is located.
- ii) Type "A" or Type "B" Home Occupation

4.12.1.2 Non-Residential Uses

- i) building supply outlet;
- ii) bulk storage tank/refilling station;
- iii) business, professional or administrative office provided such use is accessory and incidental to a permitted non-residential use otherwise specified herein;
- iv) cartage or transport depot;
- v) custom workshop;
- vi) equipment sales and rentals
- vii) feed mill or seed cleaning plant;
- viii) general contractor's or tradesman's yard and related shop facilities;
- ix) government maintenance depot;
- x) machine shop;
- xi) dry industry (i.e. manufacturing, processing, assembling or fabrication, which does not require the excessive use of water) 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, R.S.O. 1990, c. H.7, as amended* and, the Regulations made thereunder;
- xii) motor vehicle body shop;
- xiii) motor vehicle gasoline bar;
- xiv) motor vehicle repair garage;
- xv) motor vehicle service centre;
- xvi) outside storage of goods and materials where such use is accessory and incidental to a permitted non-



INDUSTRIAL (M) ZONE

residential use otherwise specified hereunder;

- xvii) printing/publishing establishment;
- xviii) public use or utility in accordance with the provisions of Section 3.34 of this By-law;
- xix) retail sales establishment where such use is accessory and incidental to a permitted non-residential use otherwise specified hereunder;
- xx) saw and/or planing mill;
- xxi) self storage facility;
- xxii) veterinary clinic;
- xxiii) warehouse;
- xxiv) welding shop;
- xxv) wholesale establishment;
- xxvi) workshop.

4.12.1.3 Accessory Uses

Uses, buildings and structures accessory to any of the foregoing uses permitted under Subsections 4.12.1.1 and 4.12.1.2 hereof and in accordance with the provisions of Section 3.1 of this By-law.

4.12.2 Zone Regulations For Residential Uses

a)	Building Height (Maximum)	11 metres (36.1 ft.)
b)	Front Yard (Minimum), abutting:	
	<i>i) Provincial Highway</i>	25 metres (82.0 ft.)
	<i>ii) Municipally Maintained Road</i>	23 metres (75.5 ft.)
c)	Exterior Side Yard (Minimum)	15 metres (49.2 ft.)
d)	Interior Side Yard (Minimum)	7.6 metres (25 ft.)
e)	Rear Yard (Minimum)	7.6 metres (25 ft.)
f)	Dwelling Unit Area (Minimum)	93 square metres (305.1 ft.)
g)	Minimum Setback From Street Centreline, abutting:	
	<i>i) Provincial Highway</i>	38 metres (124.7 ft.)
	<i>ii) Municipally Maintained Road</i>	33 metres (108.3 ft.)



INDUSTRIAL (M) ZONE

- | | | |
|----|-----------------------------|-----|
| h) | Dwellings Per Lot (Maximum) | One |
|----|-----------------------------|-----|

4.12.2.1 Spatial Separation Requirements

Where a single detached dwelling is erected or any building or structure is altered or used for the purposes of a single detached dwelling on a lot in an Industrial (M) Zone in conjunction with a permitted non-residential use, such single detached dwelling shall not be erected nor shall any building be altered or used for the purpose of a single detached dwelling within 15 metres (49.2 ft.) of the permitted non-residential use.

4.12.3 Zone Regulations For Non-Residential Uses Excluding Retail Gasoline Establishments

- | | | |
|----|-----------------------------------------------------|----------------------------|
| a) | Lot Area (Minimum) | |
| | <i>i) Provincial Highway</i> | 8,094 sq. metres (2.0 ac.) |
| | <i>ii) Municipally Maintained Road</i> | 4,047 sq. metres (1.0 ac.) |
| b) | Lot Frontage (Minimum) | |
| | <i>i) Provincial Highway</i> | 76.2 metres (250.0 ft.) |
| | <i>ii) Municipally Maintained Road</i> | 46 metres (150.9 ft.) |
| c) | Building Height (Maximum) | 15 metres (49.2 ft.) |
| d) | Front Yard (Minimum) | |
| | <i>iii) Provincial Highway</i> | 25 metres (82.0 ft.) |
| | <i>iv) Municipally Maintained Road</i> | 23 metres (75.5 ft.) |
| e) | Exterior Side Yard (Minimum) | |
| | <i>i) Provincial Highway</i> | 25 metres (82.0 ft.) |
| | <i>ii) Municipally Maintained Road</i> | 23 metres (75.5 ft.) |
| f) | Rear Yard (Minimum) | 12.2 metres (40.0 ft.) |
| | Abutting any other Zone | 15.24 metres (50.0 ft.) |
| g) | Interior Side Yard (Minimum) | 3 metres (9.8 ft.) |
| h) | Maximum Lot Coverage (all buildings and structures) | 50% |

4.12.3.1 Special Yard Provisions

Notwithstanding the requirements set out under Section 4.13.3, where the interior side lot line or rear lot line abuts any Residential Zone the minimum yard requirement shall be 20 metres (65.6 ft.).



INDUSTRIAL (M) ZONE

4.12.3.2 Height Exemption

Notwithstanding the provisions of subsection iii) hereof to the contrary, a building or structure permitted within the Industrial (M) Zone may exceed 15 metres (49.2 ft.) in height provided that such building or structure or portion thereof is set back from the front, side or rear lot line, as the case may be, an additional one metre for each one metre, or fraction thereof, by which such building or structure or portion of such building or structure exceeds 15 metres (49.2 ft.) in height.

4.12.4 Regulations For Retail Gasoline Establishments

a)	Lot Area (Minimum)	
	<i>i) Provincial Highway</i>	8,094 sq. metres (2.0 ac.)
	<i>ii) Municipally Maintained Road</i>	4,047 sq. metres (1.0 ac.)
b)	Lot Frontage (Minimum)	50 metres (164.0 ft.)
	<i>i) Provincial Highway</i>	76.2 metres (250.0 ft.)
	<i>ii) Municipally Maintained Road</i>	46 metres (150.9 ft.)
c)	Building Height (Maximum)	11 metres (36.1 ft.)
d)	Front Yard (Minimum for Principal Building)	23 metres (75.5 ft.)
	<i>i) Provincial Highway</i>	25 metres (82.0 ft.)
	<i>ii) Municipally Maintained Road</i>	23 metres (75.5 ft.)
e)	Interior Side Yard (Minimum)	6.1 metres (20.0 ft.)
e)	Exterior Side Yard Pump Islands (Minimum)	
	<i>iii) Provincial Highway</i>	17.5 metres (57.4 ft.)
	<i>iv) Municipally Maintained Road</i>	15.5 metres (50.9 ft.)
f)	Rear Yard (Minimum)	12.2 metres (40.0 ft.)
	Abutting any other Zone	15.24 metres (50.0 ft.)
g)	Maximum Lot Coverage (all buildings and structures)	50%

4.12.4.1 Interior Side Yard

Where the interior side lot line abuts any Residential Zone the minimum interior side yard width shall be 20 metres (65.6 ft.).



INDUSTRIAL (M) ZONE

4.12.4.2 Minimum Lot Depth Requirement

Minimum lot depth requirement shall be 30 metres (98.4 ft.) except where the lot is a corner lot in which case the minimum lot depth requirement shall be 36 metres (118.1 ft.).

4.12.4.3 Gasoline Pump Location

Notwithstanding any other provision of this By-law to the contrary, a gasoline pump island or gasoline pumps, as part of or as accessory to a motor vehicle dealership, a motor vehicle gasoline bar, a motor vehicle repair garage, or motor vehicle service centre, may be located within any yard provided:

- i) 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 5 metres (16.4 ft.); and
- ii) that where a lot is a corner lot, no portion of any pump island or gasoline pumps shall be located closer than 3 metres (9.8 ft.) to a straight line between a point in the front lot line and a point in the exterior side lot line, such points being distant 15 metres (49.2 ft.) from the intersection of such lines.

4.12.4.4 Bulk Storage Tank Location

Bulk fuel and propane storage tanks shall not be installed except in accordance with the provisions of the *Gasoline Handling Act, as amended* or the *Propane Storage, Handling and Utilization Code* as may be applicable.

4.12.4.5 Entrance Regulations

Notwithstanding any other provision set forth in this By-law to the contrary, ingress and egress driveways associated with a motor vehicle dealership, a motor vehicle gasoline bar, a motor vehicle repair garage or motor vehicle service centre, where gasoline is offered or kept for sale at retail, shall be established in accordance with the provisions of Section 3.18 of this By-law.

4.12.5 Zone Regulations For Outside Display And Storage

Within the Industrial (M) Zone, no portion of any lot may be used for the outside display and/or storage of goods or materials except in accordance with the following provisions:

- i) that such outside display and/or storage be restricted to the area to the rear of the front of the principal structure and comply with the required front and exterior side yard and setback requirements provided that such outside storage is not located closer than 5 metres (16.4 ft.) to an interior side lot line where the lot line abuts a lot zoned within a Rural or an Industrial Zone or 10 metres (32.8 ft.) of a rear lot line or interior side lot line of a lot zoned other than Rural or Industrial;
- ii) that such outside display and/or storage does not cover in excess of 50% of the total lot area;
- iii) that any portion of a lot used for the outside display and/or storage of goods or materials is screened from adjacent residential uses and municipally maintained roads adjoining the lot by buildings, or is enclosed by shrub planting in conjunction with a planting strip as may be required under this By-law, or,



INDUSTRIAL (M) ZONE

is enclosed within a closed wooden, plastic and/or metal fence extending at least 1.83 metres (6.0 ft.) in height from the finished grade.

4.12.6 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 such yards may be used for the purpose of visitor parking in accordance with the provisions of Section 3.26 hereinafter set forth in this By-law.

4.12.7 Planting Strip

Where the interior side or rear lot line abuts a Residential or Community Facility Zone, in the area adjoining such abutting lot line, a planting strip shall be required in accordance with Section 3.30 of this By-law.

4.12.8 General Zone Provisions

All provisions of Section 3, General Zone Provisions, where applicable to the use of any land, building or structure permitted within the Industrial (M) Zone classification shall apply and be complied with.

4.12.9 Exceptions

4.12.9.1 M-1 (Lot 24, Concession 10, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned M-1 the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) a woodworking shop;
- ii) outside storage accessory to the above use.

Zone Provisions

- | | | |
|-----|------------------------|--------------------------|
| i) | lot area (minimum) | 2.65 hectares (6.55 ac.) |
| ii) | lot frontage (minimum) | 91.44 metres (300.0 ft.) |

All other provisions of this by-law shall apply.

4.12.9.2 M-2 (Lot 11, Concession 12, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned M-2 the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:



INDUSTRIAL (M) ZONE

- i) one warehouse - storage unit.

Zone Provisions

- i) no outside storage shall be permitted.
- ii) no open storage of materials shall be permitted.
- iii) A planting strip or screen utilizing the existing conifers on the site shall be provided along all lot lines.

All other provisions of this by-law shall apply.

4.12.9.3 M-3 (Lot 18, Concession 16, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned M-3 the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) communication tower, utility building and tower base.

All other provisions of this by-law shall apply.

4.12.9.4 M-4 (Lot 24, Concession 10, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned M-4 the following special provisions shall apply:

Permitted Uses

The following uses shall not be permitted:

- i) residential.

All other provisions of this by-law shall apply.



EXTRACTIVE INDUSTRIAL (MX) ZONE

4.13 EXTRACTIVE INDUSTRIAL (MX) ZONE

4.13.1 Permitted Uses

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

4.13.1.1 Residential Uses

- i) single detached dwelling accessory to an extractive use.

4.13.1.2 Non-Residential Uses

- i) a pit or quarry, including drilling and blasting;
- ii) conservation, forestry and agricultural uses;
- iii) processing of mineral aggregates, including aggregate crushing, screening and washing, asphalt plants, ready-mix concrete plants and aggregate transfer stations;
- iv) public use or utility in accordance with the provisions of Section 3.34 of this By-law.

4.13.1.3 Accessory Uses

Uses, buildings and structures accessory to any of the foregoing permitted uses specified under Subsection 4.13.1.1 and 4.13.1.2 hereof and in accordance with the provisions of Section 3.1 of this By-law.

4.13.2 Zone Regulations

4.13.2.1 For a Pit or Excavation Area and Storage Uses

a)	Front Yard (Minimum)	30 metres (98.4 ft.)
b)	Exterior Side Yard (Minimum)	30 metres (98.4 ft.)
c)	Interior Side Yard (Minimum)	15 metres (49.2 ft.)
d)	Rear Yard (Minimum)	15 metres (49.2 ft.)
e)	Minimum Setback From Any Road Right-of-Way	30 metres (98.4 ft.)
f)	Minimum Setback From Natural Watercourse	30 metres (98.4 ft.)
g)	Minimum Setback From Residential, Commercial, Community Facility, or Industrial Use	150 metres (492.1 ft.)



EXTRACTIVE INDUSTRIAL (MX) ZONE

4.13.2.2 For Open Quarry and Processing Operations

- | | | |
|----|----------------------------------------------------------------------------------------|------------------------|
| a) | Front Yard (Minimum) | 30 metres (98.4 ft.) |
| b) | Exterior Side Yard (Minimum) | 30 metres (98.4 ft.) |
| c) | Interior Side Yard (Minimum) | 30 metres (98.4 ft.) |
| d) | Rear Yard (Minimum) | 30 metres (98.4 ft.) |
| e) | Minimum Setback From Any Road Right-of-Way | 30 metres (98.4 ft.) |
| f) | Minimum Setback From Natural Watercourse | 30 metres (98.4 ft.) |
| g) | Minimum Setback From Residential, Commercial, Community Facility,
or Industrial Use | 300 metres (984.3 ft.) |

4.13.2.3 For Accessory Buildings to Pit or Quarry Operation

- | | | |
|----|----------------------------------------------------------------------------------------|-----------------------|
| a) | All Yards (Minimum) | 30 metres (98.4 ft.) |
| b) | Minimum Setback From Any Road Right-of-Way | 30 metres (98.4 ft.) |
| c) | Minimum Setback From Residential, Commercial, Community Facility,
or Industrial Use | 90 metres (295.3 ft.) |

4.13.2.4 For Conservation, Forestry and Agricultural Uses

The zone regulations contained in Rural Zone of this By-law shall apply.

4.13.2.5 Landscaping

A strip of land not less than 15 metres (49.2 ft.) in width shall be reserved for landscaping purposes between the MX zone and any adjacent commercial, community facility or industrial zone or use and along any adjacent street line or lot line. Where an MX zone abuts a residential zone, or a roadway is the only separation between two such areas, then no aggregate extraction use shall be made of any kind within 30 metres (98.4 ft.) of the abutting lot line and no parking use shall be made of any land within 7.5 metres (24.6 ft.) of the abutting lot line. The intervening land shall be kept in an open space condition with grass, trees and shrubs and retained as part of the normal operation of the extraction activity.

4.13.2.6 General Zone Provisions

All provisions of Section 3, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Extractive Industrial (MX) Zone shall apply and be complied with.



EXTRACTIVE INDUSTRIAL (MX) ZONE

4.13.3 Exception Zones

(reserved)



WASTE MANAGEMENT INDUSTRIAL (WM) ZONE

4.14 WASTE MANAGEMENT INDUSTRIAL (WM) ZONE

4.14.1 Permitted Uses

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

4.14.1.1 Residential Uses

- i) prohibited

4.14.1.2 Non-Residential Uses

- i) agricultural, conservation and forestry uses, excluding dwellings;
- ii) public use or utility in accordance with the provisions of Section 3.34 of this By-law;
- iii) salvage yard;
- iv) waste disposal site;
- v) waste processing facility including the recycling and reprocessing of waste materials into new products;
- vi) waste transfer station.

4.14.2 Accessory Uses

Uses, buildings and structures accessory to any of the foregoing uses permitted under Subsection 4.14.1.1 and 4.14.1.2 hereof and in accordance with the provisions of Section 3.1 hereinafter set forth in this By-law.

4.14.3 Zone Regulations

4.14.3.1 For Agricultural, Conservation and Forestry Uses

The zone regulations of the Rural Zone of this By-law shall apply.

4.14.3.2 For a Salvage Yard

- | | | |
|----|---------------------------------|------------------------|
| a) | Lot Area (Minimum) | 5 hectares (12.4 ft.) |
| b) | Lot Frontage (Minimum) | 200 metres (656.2 ft.) |
| c) | Front Yard (Minimum), abutting: | |
| | <i>i) Provincial Highway</i> | 61 metres (200.1 ft.) |



WASTE MANAGEMENT INDUSTRIAL (WM) ZONE

- | | | |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| | <i>ii) Municipally Maintained Road</i> | 61 metres (200.1 ft.) |
| d) | Setback from Street Centreline (Minimum), abutting: | |
| | <i>i) Provincial Highway</i> | 80 metres (262.5 ft.) |
| | <i>ii) Municipally Maintained Roads</i> | 70.5 metres (231.3 ft.) |
| e) | Exterior Side Yard (Minimum), abutting: | |
| | <i>i) Provincial Highway</i> | 61 metres (200.1 ft.) |
| | <i>ii) Municipally Maintained Road</i> | 61 metres (200.1 ft.) |
| f) | Interior Side Yard (Minimum) | 61 metres (200.1 ft.) |
| | Abutting all other Zones | 91.5 metres (300.2 ft.) |
| g) | Rear Yard (Minimum) | 91.5 meters (300.2 ft.) |
| | Abutting a Residential Zone | 150 metres (492.1 ft.) |
| h) | A strip of land not less than 15 metres (49.2 ft.) in width shall be reserved for landscaping purposes between any salvage yard site and any adjacent community facility, commercial or industrial zone or use, and along any adjacent street line or adjoining lot line. Where a salvage yard site abuts a residential zone or use or a roadway is the only separation between two such areas, then no salvage yard use of any kind shall be made within 30 metres (98.43 ft.) of the adjacent lot line. The land reserved for landscaping purposes shall be kept in an open space condition with grass, trees and shrubs and maintained as part of the normal operation of the salvage yard activity. | |
| i) | No land shall be used for the storage or mechanized processing of goods, wares, merchandise, articles or things within 300 metres (984.3 ft.) of any residential or commercial zone or use, nor closer than 100 metres (328.1 ft.) to a lot line or a street line. Without limiting the generality of this subsection, mechanized processing includes the use of machinery or equipment to crush, compact, separate, refine, incinerate or similarly treat goods, wares, merchandise, articles or things. | |
| j) | The salvage yard site shall be sufficiently screened by a fence, a berm or a combination of the two so that waste materials being stored or processed on the site are not visible from adjacent roads. The screening shall extend a minimum of 3 metres (9.8 ft.) above grade or to a height equal to that of the goods, wares, merchandise, articles or things being stored or processed | |



WASTE MANAGEMENT INDUSTRIAL (WM) ZONE

within the salvage yard site, whichever is the greater. All fences shall be constructed of an opaque material and shall be painted or otherwise preserved and kept painted from time to time, so as to maintain the fences in good condition.

- k) An accessory weighing scale and recording office shall be permitted no closer than 30 metres (98.4 ft.) to a street line.
- l) A salvage yard site shall not be located on land covered by water or subject to flooding and shall be so located that no direct drainage leads to a watercourse.
- m) No open burning shall be permitted.
- n) No storage of tires shall be permitted
- o) Prior to the storage or processing of any goods, wares, merchandise, articles or things all fluids shall be drained and disposed of in a manner approved by the Ministry of the Environment if they are not stored for the purposes of resale.

4.14.3.3 For All Other Waste Disposal Uses

- a) No landfill site, transfer station or waste processing facility shall be established, altered, enlarged or extended unless the Ministry of the Environment has issued a Provincial Certificate of Approval.
- b) All waste disposal sites shall be established and operated in accordance with the requirements of the Environmental Protection Act and the Environmental Assessment Act.
- c) A strip of land not less than 15 metres (49.2 ft.) in width shall be reserved for landscaping purposes between any sanitary landfill site, sewage treatment plant, sewage lagoon, transfer station or waste processing facility and any adjacent commercial, community facility or industrial zone or use and along any adjacent street line or adjoining lot line. Where such uses abut a residential zone or an existing residential use, or a roadway is the only separation between two such areas, then no waste disposal use shall be made of any kind within 30 metres (98.4 ft.) of the abutting lot line. The land reserved for landscaping purposes shall be kept in an open space condition with grass, trees, and shrubs and maintained as part of the normal operation of the waste disposal activity.

4.14.4 General Zone Provisions

All provisions of Section 3, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Waste Management Industrial (WM) Zone shall apply and be complied with.



WASTE MANAGEMENT INDUSTRIAL (WM) ZONE

4.14.5 Exception Zones

4.14.5.1 WM-1 (Lots 10 and 11, Concession A, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned WM-1 the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) municipal waste disposal
- ii) municipal leachate collection system

Zone Provisions

- a) lot area (maximum) 4 hectares (9.88 ac.)

All other provisions of this by-law shall apply.



COMMUNITY FACILITY (CF) ZONE

4.15 COMMUNITY FACILITY (CF) ZONE

4.15.1 Permitted Uses

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.

4.15.1.1 Residential Uses

- i) Prohibited.

4.15.1.2 Non-Residential Uses

- i) any undertaking established or maintained by a governmental board, authority, agency or commission;
- ii) arena;
- iii) assembly hall;
- iv) athletic field;
- v) auditorium;
- vi) cemetery;
- vii) commercial use accessory to a permitted use;
- viii) community centre;
- ix) conservation area including nature study and wildlife areas, or other similar use as provides for the preservation of the natural environment;
- x) day nursery;
- xi) fairgrounds;
- xii) hospital
- xiii) library;
- xiv) museum;
- xv) nursing home or extended care facility
- xvi) place of worship;
- xvii) post office
- xviii) private club;
- xix) private school;
- xx) public park;



COMMUNITY FACILITY (CF) ZONE

- xxi) public school;
- xxii) public use or utility in accordance with the provisions of Section 3.34 of this By-law;
- xxiii) recreational complex
- xxiv) any other institutional or community facility use.

4.15.1.3 Accessory Uses

Uses, buildings and structures accessory to any of the foregoing permitted uses specified under Subsections 4.15.1.1 and 4.15.1.2 hereof and in accordance with the provisions of Section 3.1 of this By-law.

4.15.2 Zone Regulations

- a) Lot Area (Minimum), fronting on:
 - i) *Provincial Highway* 8,094 sq. metres (2.0 ac.)
 - ii) *Municipally Maintained Road* 4,047 sq. meters (1.0 ac.)
- b) Setback from Street Centreline (Minimum), abutting:
 - i) *Provincial Highway* 38 metres (124.7 ft.)
 - ii) *Municipally Maintained Road* 33 metres (108.3 ft.)
- c) Lot Frontage (Minimum), abutting:
 - i) *Provincial Highway* 76.2 metres (250.0 ft.)
 - ii) *Municipally Maintained Road* 46 metres (150.9 ft.)
- d) Building Height (Maximum) 11 metres (36.1 ft.)
- e) Front Yard (Minimum), abutting:
 - i) *Provincial Highway* 25 metres (82.0 ft.)
 - ii) *Municipally Maintained Road* 23 metres (75.5 ft.)
- f) Exterior Side Yard (Minimum), abutting:
 - i) *Provincial Highway* 25 meters (82.0 ft.)
 - ii) *Municipally Maintained Road* 23 metres (75.5 ft.)
- g) Interior Side Yard (Minimum) 7.6 metres (25 ft.)



COMMUNITY FACILITY (CF) ZONE

	<i>Abutting a Residential Zone</i>	10 metres (32.8 ft.)
h)	Rear Yard (Minimum)	7.6 metres (25 ft.)
	<i>Abutting a Residential Zone</i>	10 metres (32.8 ft.)
i)	Maximum Lot Coverage (all buildings and structures)	50%

4.15.3 **Planting Strip Requirements**

Where the interior side or rear lot line abuts any Residential Zone, in the area adjoining such abutting lot line, a planting strip shall be required in accordance with Section 3.34 of this By-law.

4.15.4 **General Zone Provisions**

All provisions of Section 3, General Zone Provisions, where applicable to the use of any land, building or structure permitted within the Community Facility (CF) Zone shall apply and be complied with.

4.15.5 **Exceptions**

4.15.5.1 **CF-1 (Lot A, Concession 8, Township of Faraday)**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned CF-2 the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) private open space;
- ii) no buildings or structures shall be permitted.

All other provisions of this by-law shall apply.

4.15.5.2 **CF-2 (Lot 16, Concession 9, Township of Faraday)**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned CF-3 the following special provisions shall apply:

Permitted Uses:

The following shall be the only permitted uses:

- i) private open space;
- ii) no buildings or structures shall be permitted.

All other provisions of this by-law shall apply.



COMMUNITY FACILITY (CF) ZONE

4.15.5.3 CF-3 (Lot 20, Concession 8, Township of Faraday)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned CF-4 the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) a public or private park, conservation area, playground, roadside park, swimming or picnicking area, playing field, recreational trail, or other similar outdoor recreational uses excluding buildings.

Zone Provisions

- i) lot coverage (maximum) 50 percent

All other provisions of this by-law shall apply.



ENVIRONMENTAL PROTECTION (EP) ZONE

4.16 ENVIRONMENTAL PROTECTION (EP) ZONE

4.16.1 Permitted Uses

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.

4.16.1.1 Residential Uses

- i) Prohibited, save and except where a dwelling existed at the date of the passing of this By-law.

4.16.1.2 Non-Residential Uses

- i) conservation use excluding any buildings;
- ii) building or structure required by a public authority for flood or erosion control or for conservation or wildlife management purposes;
- iii) hunting, but not hunt camps;
- iv) fishing;
- v) marina existing on the date of passing of this By-law.

4.16.1.3 Permitted Exceptions – Lakeshore (Existing Lots of Record with an existing Residential use)

Notwithstanding anything in this Section to the contrary, structures such as pump houses, boat houses, docks, open decks and stairs shall be a permitted use and may encroach into the Environmental Protection (EP) Zone within 30 metres (98.4 ft.) of the high water mark provided that the property owner can demonstrate to the Township's satisfaction and, if appropriate, the authority having jurisdiction, that it does not negatively affect the waterfront environment.

Structures that legally existed as of the date of passing of this By-law that are within the Environmental Protection (EP) Zone that require replacement due to structural defects or destruction by fire or other natural causes will be permitted to be replaced on the same footprint and may only be enlarged in accordance with the provisions of this By-law and where the enlargement does not further encroach into the 30 metre (98.4 ft.) setback.

Sewage system leaching beds requiring replacement due to structural damage or malfunction should be located outside of the Environmental Protection (EP) Zone if possible or to the greatest setback from the lakeshore that is achievable to the satisfaction of the local Health Unit.

4.16.2 Vacant Lots of Record – Lakeshore

Vacant lots of record shall have a sufficient building envelope (which includes the septic system) outside the Environmental Protection (EP) Zone. Where it is not possible to achieve this, then new buildings and structures shall be setback as far as possible from the lakeshore. In this regard, an amendment to this By-law shall be required and it must be demonstrated to the satisfaction of the Township that removal of the Environmental Protection (EP) Zone to permit the development is appropriate.



ENVIRONMENTAL PROTECTION (EP) ZONE

4.16.3 Existing Structures

Minor Variances or Zoning amendments to accommodate proposed expansions of a structurally-permanent nature to existing structures and/or septic systems that further encroach into the 30 metre (98.4 ft.) setback from the high water mark shall not be permitted unless it is a matter of public health and/or safety.

4.16.4 Zone Regulations

- ii) Except as permitted in Section 4.16.1.2ii), development and site alteration shall not be permitted in significant wetlands.
- iii) Except as permitted in Section 4.16.1.2ii), development and site alteration shall not be permitted in significant wildlife habitat and areas of natural and scientific interest unless it has been demonstrated, through an Environmental Impact Statement prepared in accordance with Section 4.25.3 that there will be no negative impact on the natural features and their ecological functions.
- iv) Site alteration and development shall not be permitted in fish habitat except in accordance with provincial and federal requirements.
- v) Except as permitted in Section 4.16.1.2ii), development and site alteration shall not be permitted in areas that would be rendered inaccessible to people and vehicles during times of flooding hazards and/or erosion hazards unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard.
- vi) Except as permitted in Section 4.16.1.2ii), development and site alteration shall not be permitted in a floodway regardless of whether the area of inundation contains high points of land not subject to flooding.

4.16.5 Requirement for Environmental Impact Statement

No site alteration or development, which is subject to an application under the Planning Act, R.S.O 1990, c. P.13, shall be permitted within the EP zone, except in accordance with the policies of Section 2.1 (Natural Heritage), 2.2. (Water) and 3.1 (Natural Hazards) of the 2005 Provincial Policy Statement, and with Section 6.2.16.3 of the County of Hastings Official Plan.

Where an Environmental Impact Statement (EIS), prepared in accordance with these policies, assesses to the satisfaction of the Township that the proposed development will have no negative impact on the natural feature or its ecological function, the proposed development may be permitted only by amendment to this By-law.

4.16.6 Development of Adjacent Lands

Except as permitted in Section 4.16.1.2ii), site alteration and development which is subject to an application under the Planning Act, R.S.O 1990, c. P.13., shall not be permitted on adjacent lands to significant wetlands, significant habitat of endangered and threatened species, significant wildlife habitat, or significant areas of natural and scientific interest, unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated through an Environmental



ENVIRONMENTAL PROTECTION (EP) ZONE

Impact Statement prepared in accordance with Section 6.2.16.3 of the County of Hastings Official Plan, to the satisfaction of the Township, that there will be no negative impacts on the natural features or on their ecological functions.

4.16.7 Established Agricultural Activities

In accordance with the Provincial Policy Statement, nothing in Section 4.19 of this By-law is intended to limit the ability of existing agricultural uses to continue. New buildings, structures or uses or additions, alterations or replacement of existing buildings or structures associated with established agricultural activities shall be permitted without the need for an Environmental Impact Study on lands adjacent to a Provincially Significant Wetland.

4.16.8 Basements

Within 35 metres (114.8 ft.) of an EP Zone, the elevations of basement footings or residential buildings shall be a minimum of 2 metres (6.6 ft.) above the elevation of the EP Zone.



5.0 **PENALTIES AND ADOPTION**

5.1 **REMEDIES**

Where any building or structure is or is proposed to be erected, altered, reconstructed, extended or enlarged, or any building or structure or part thereof is or is proposed to be used, or any land is or is proposed to be used, in contravention of the provisions of this By-law, the same may be restrained by action at the insistence of any ratepayer, or of the Council of the Municipality pursuant to the provisions of the *Planning Act*.

5.2 **VIOLATION AND PENALTY**

Every person or corporation who uses any land or erects or uses any building or structure in a manner contrary to any requirements of this By-law, or who causes or permits such a use or violation, is guilty of an offence and upon conviction thereof shall be liable to penalties prescribed in Section 67 of the *Planning Act*, as amended, which shall be recoverable under the *Provincial Offences Act*.

5.3 **REPEALS**

All Zoning By-laws and amendments thereto, passed pursuant to Section 34 of the *Planning Act*, or a predecessor thereto, and in force on the date of adoption of this By-law, shall be repealed immediately subsequent to the By-law coming into full force and effect.

5.3.1 **Amendments To Other By-Laws Regulating Lands And Structures**

All By-laws in force within the Corporation of the Township of Faraday regulating the use of lands and the character, location, bulk, height and use of buildings and structures are hereby amended insofar as may be necessary to give effect to the provisions of this By-law and the provisions of this By-law shall govern.

5.4 **EFFECTIVE DATE**

If no objection is filed with the Clerk of the Township of Faraday within 20 days of the date of passing of this By-law, this By-law shall become effective on the date of passing.

If an appeal is filed with the Clerk within the 20 day period following the passing of the By-law, this By-law shall become effective on the date of passing hereof subject to receiving an Order from the Ontario Municipal Board, resolving any appeals so filed.

READ A FIRST, SECOND, AND THIRD TIME THIS _____ DAY OF _____ 2012 AND FINALLY

PASSED THIS _____ DAY OF _____, 2012.

Original Signed by:

Reeve

Original Signed by:

Clerk



SCHEDULE A

LAND USE

Map 1
Map 2
Map 3
Map 4



APPENDIX A

ILLUSTRATIONS



APPENDIX B

CONVERSION TABLE



metric conversions*							
Areal Measurements				Distance Measurements			
METRIC		IMPERIAL		METRIC		IMPERIAL	
Distance	Unit	Distance	Unit	Distance	Unit	Distance	Unit
56	Sq. Metres	602.78	sq. feet	1.50	metres	4.92	feet
70	Sq. Metres	753.47	sq. feet	1.83	metres	6.00	feet
84	Sq. Metres	904.17	sq. feet	2.00	metres	6.56	feet
93	Sq. Metres	1001.04	sq. feet	3.00	metres	9.84	feet
110	Sq. Metres	1184.03	sq. feet	4.50	metres	14.76	feet
232	Sq. Metres	2497.23	sq. feet	5.00	metres	16.40	feet
4000	Sq. Metres	0.99	acres	6.00	metres	19.69	feet
4047	Sq. Metres	1.00	acres	6.10	metres	20.00	feet
8094	Sq. Metres	2.00	acres	7.60	metres	24.93	feet
				8.00	metres	26.25	feet
1	hectare	2.47	acres	10.00	metres	32.81	feet
5	hectare	12.36	acres	11.00	metres	36.09	feet
10	hectare	24.71	acres	12.20	metres	40.00	feet
20	hectare	49.42	acres	15.00	metres	49.21	feet
50	hectare	123.55	acres	15.24	metres	50.00	feet
* For reference purposes only				17.50	metres	57.41	feet
				20.00	metres	65.62	feet
				23.00	metres	75.46	feet
				25.00	metres	82.02	feet
				30.00	metres	98.43	feet
				33.00	metres	108.27	feet
				38.00	metres	124.67	feet
				45.00	metres	147.64	feet
				46.00	metres	150.92	feet
				76.20	metres	250.00	feet
				90.00	metres	295.28	feet
				123.00	metres	403.54	feet
				150.00	metres	492.13	feet
				200.00	metres	656.17	feet
				300.00	metres	984.25	feet