

**THE CORPORATION OF THE
MUNICIPALITY OF BROCKTON
BY-LAW NUMBER NO. 2013-26**

A BY-LAW TO REGULATE THE USE OF LAND AND THE ERECTION, USE, BULK, HEIGHT, SPACING OF AND OTHER MATTERS RELATING TO BUILDINGS AND STRUCTURES AND TO RESTRICT CERTAIN USES OF LAND AND THE ERECTION AND USE OF CERTAIN BUILDINGS AND STRUCTURES IN THE MUNICIPALITY OF BROCKTON.

*The Corporation of the Municipality of Brockton
P. O. Box 68
100 Scott Street
Walkerton, ON N0G 2V0
Tel: 519-881-2223*

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A BY-LAW TO REGULATE THE USE OF LAND AND THE ERECTION, USE, BULK, HEIGHT, SPACING OF AND OTHER MATTERS RELATING TO BUILDINGS AND STRUCTURES AND TO RESTRICT CERTAIN USES OF LAND AND THE ERECTION AND USE OF CERTAIN BUILDINGS AND STRUCTURES FOR ALL LANDS WITHIN THE BOUNDARY OF THE CORPORATION OF THE MUNICIPALITY OF BROCKTON.

WHEREAS the Council of the Corporation of the Municipality of Brockton consider it advisable to restrict the use of land and the erection of buildings and structures on land situated within the Municipality of Brockton.

AND WHEREAS The Council of the Corporation of the Municipality of Brockton further considers it advisable to restrict and regulate the use of land situated within the defined areas, as hereinafter designated, for the purpose of regulating and prohibiting development of particular lands that would create an adverse effect on the Corporation, or would jeopardize future orderly development and expansion, to produce areas of compatible characteristics, and to provide protection for the residents against undesirable uses.

AND WHEREAS authority is granted under Section 34 of The Planning Act, 1990, to the Council of the Municipality of Brockton to exercise such powers.

NOW THEREFORE the Council of the Corporation of the Municipality of Brockton amends as follows:

SECTION 1 – ADMINISTRATION

1.1 TITLE

This By-Law may be cited as the Comprehensive Zoning By-Law of the Municipality of Brockton.

1.2 ADMINISTRATION OF BY-LAW

This By-law shall be administered by the “Zoning Administrator”.

1.3 AREA TO WHICH BY-LAW APPLIES

The provisions of this By-law shall apply throughout the former Township of Brant, former Township of Greenock and former Town of Walkerton, Municipality of Brockton to the extent of all lands contained within the limits of the zone boundaries as shown on the Zoning Maps forming Schedule ‘A’ to this By-law.

1.4 APPLICATION OF BY-LAW

No building or structure shall hereafter be erected or altered, and the use of any building, structure or lot shall hereafter not be changed in whole or in part except in conformity with the provisions of this By-Law.

1.5 CONTINUATION OF EXISTING MINOR VARIANCES

- .1 Notwithstanding [Section 26.2](#) (Repeal of Former By-laws), all minor variances granting relief from the provisions of the Township of Brant Comprehensive Zoning By-law #2007-60, the Township of Greenock Comprehensive Zoning By-law #98-22 and the Town of Walkerton Comprehensive Zoning By-law #92-35 since March 25, 2011 shall remain in force and effect but shall expire in two (2) years from the date of passage of this By-law. A building permit may be issued by the CBO provided that the terms and conditions of any decision of the Committee of Adjustment or the Ontario Municipal Board have been complied with.
- .2 Any appeal(s) to the Ontario Municipal Board to a minor variance that granted relief from the provisions of the Township of Brant Comprehensive Zoning By-law #2007-60, or the Township of Greenock Comprehensive Zoning By-law #98-22 or the Town of Walkerton Comprehensive Zoning By-law #92-35 that is not in force and effect as of the date of passage of this By-law shall be litigated/reviewed/dealt with in reference to the By-law under which the minor variance was approved.
- .3 All minor variances applied for prior to the enactment of this By-law and finally approved pursuant to Section 45 of the Planning Act or its predecessor continue to apply and remain in force and effect from March 25, 2011 up to the date of passage of this By-law and for an additional two (2) years from the date of passage of this By-law as if they are variances to this By-law for lawfully existing lots, buildings or structures. The continuation of existing minor variances applies to the Township of Brant Comprehensive Zoning By-law #2007-60, the Township of Greenock Comprehensive Zoning By-law #98-22 and the Town of Walkerton Comprehensive Zoning By-law #92-35.

1.6 INTERPRETATION (TEXT)

1.6.1 Use of Words

- .1 The particular shall control the general;
- .2 The word "shall" is mandatory and not discretionary; and the word "may" is permissive;
- .3 Words used in the present tense shall include the future; and words used in the singular number shall include the plural and the plural shall include the singular, unless the context clearly indicates the contrary;
- .4 A "Building" or "Structure" includes any part thereof.

1.6.2 Typographical and Section Reference Corrections

- .1 No amendment to this By-law shall be required in order for the Corporation to make typographical changes or changes to section references where, in the opinion of the Corporation, such corrections do not affect the intent of the By-law.

1.6.3 References to Other Legislation and Agencies

- .1 Where this By-law makes reference to legislation of the Government of Ontario or the Government of Canada, such reference shall be deemed to include any and all amendments or successors or changes in the titles, numbering, or regulations there under. Where this By-law makes reference to the jurisdiction of a public agency and where the name or responsibilities of said public agency are changed, the said reference shall be deemed to include any and all successors to such public agency or legislation. Reference to MDS I or MDS II formulae shall be deemed to include the most current standards.

1.7 APPLICATIONS, PLANS AND PERMITS

- .1 In addition to all the requirements of the Corporation's Building By-Law or any other By-Law of the Corporation, every application for a building permit shall be made in compliance with the Ontario Building Code Act.

1.8 ENTRY AND INSPECTION

Upon reasonable grounds, an officer duly appointed by the Corporation may enter and inspect any property on, or in respect of which, he or she believes a contravention of this By-law is occurring subject to the requirements and prescriptions of the Planning Act

Explanatory Note:

An officer duly appointed by the Corporation shall not enter any room or place used as a dwelling unit without the consent of the owner or without a warrant issued pursuant to The Provincial Offences Act.

1.9 VIOLATIONS AND PENALTIES

Every person who contravenes or who causes or permits any contravention of any of the provisions of this By-law is guilty of an offence and on conviction is liable to the penalties prescribed by Section 67 of the Planning Act, R.S.O. 1990 Chapter P.13, as amended.

Explanatory Note:

The following is an excerpt from Section 67 of The Planning Act, R.S.O. 1990:

67. (1) Every person who contravenes section 41, section 46, subsection 49 (4) or section 52 or who contravenes a by-law passed under section 34 or 38 or an order made under section 47 and, if the person is a corporation, every director or officer of the corporation who knowingly concurs in the contravention, is guilty of an offence and on conviction is liable,

- a) on a first conviction to a fine of not more than \$25,000; and
- b) on a subsequent conviction to a fine of not more than \$10,000 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted. 1994, c. 2, s. 48.

Corporation

(2) Where a corporation is convicted under subsection (1), the maximum penalty that may be imposed is,

- a) on a first conviction a fine of not more than \$50,000; and
- b) on a subsequent conviction a fine of not more than \$25,000 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted, and not as provided in subsection (1).

Order of prohibition

(3) Where a conviction is entered under subsection (1), in addition to any other remedy or any penalty provided by law, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted. R.S.O. 1990, c. P.13, s. 67 (2, 3).

1.10 VALIDITY/SEVERABILITY PROVISION

Should any section, subsection, sentence, clause, phrase or provision of this By-Law be held by a court of competent jurisdiction to be invalid, the validity of the remainder of the By-Law shall not be affected.

1.11 LICENSES, PERMITS AND OTHER BY-LAWS

Nothing in this By-Law shall exempt any person from complying with the requirements of the Building By-Law and the Ontario Building Code or any other By-Law, Regulation, or Act in force with the Corporation, County, Provincial or Federal government or from obtaining any licence, permission, permit, authority or approval required by this or any other By-Law of the Corporation, County, Provincial or Federal government unless hereinafter specifically stated.

1.12 GREATER RESTRICTIONS OF OTHERS TO GOVERN

Nothing in this By-Law shall reduce the severity of restrictions lawfully imposed by a government authority having jurisdiction to make such restrictions.

1.13 PLAN OF SUBDIVISION

Notwithstanding any of the provisions of this By-law, no building permits are to be issued for any lands for which a plan of subdivision has been submitted to the County of Bruce, pursuant to Section 51 of the Planning Act, 1990, R.S.O. Chapter P.13 until such time as the plan of subdivision has been registered.

1.14 EXAMPLES, ILLUSTRATIONS AND EXPLANATORY NOTES

Examples, Illustrations, Notes, and Explanatory Notes are for the purpose of clarification and convenience and do not form part of this By-law.

1.15 METRIC AND IMPERIAL MEASUREMENT

All measurement figures used in the By-Law shall be metric measurement. The approximate imperial equivalents to the metric measurements used in this By-Law are shown in brackets following each such metric measurement and are provided as an 'Explanatory Note'.

SECTION 2 – DEFINITIONS

Definition Index (for convenience only, does not form part of this By-Law)

A

Abattoir
 Accessory
 Adventure Game
 Agricultural Produce Warehouse
 Agriculturally Related
 Commercial/Industrial Use
 Agriculture General
 Agritainment
 Aircraft Hangar
 Airport
 Alter
 Assembly Hall
 Attached
 Automobile Car Wash
 Automobile Gas Bar
 Automobile Repair Establishment
 Automobile Sales Establishment
 Automobile Service Station
 Automobile Wrecking Yard

B

Basement
 Bed & Breakfast Establishment
 Boat House
 Boat Launching & Docking
 Building
 Building By-Law
 Building Setback
 Bulk Fuel Depot
 Bulk Sales Establishment – Agricultural
 Bus Depot
 Business or Professional Office

C

Campground
 Campsite
 Carport
 Catastrophe
 Cellar

Cemetery
 Centre Line
 Chief Building Official
 Child Care
 Child Care Centre
 Clinic
 Commercial College
 Commercial Motor Vehicle
 Commercial Motor Vehicle Repair
 Establishment
 Commercial Use
 Commercial Use
 Composting Facility
 Computer/Data Processing Centre
 Conservation Area
 Construction Trailer
 Convenience Store
 Corporation
 Council
 County
 Cross Country Ski Facility

D

~~Day Nursery~~
~~Day Care Nursery (Licensed)~~
 Daylight Triangle
 Driveway
 Dwelling
 Dwelling, Converted
 Dwelling, Duplex
 Dwelling, Garden Suite
 Dwelling, Multiple
 Dwelling, Non-Farm
 Dwelling, Seasonal
 Dwelling, Secondary Suite
 Dwelling, Semi-Detached
 Dwelling, Single Detached
 Dwelling, Townhouse
 Dwelling, Townhouse Street
 Dwelling, Townhouse Cluster

Dwelling, Accessory Apartment
 Dwelling, Accessory Detached
 Dwelling, Apartment Building

E

Educational Facility
 Erect
 Erected and Erection
 Existing
 Existing, Lot

F

Factory Sales Outlet
 Farm Implement Establishment
 Farm Implement Repair
 Fitness Centre
 Flood fringe
 Floodplain
 Floodway
 Floor Area, Ground
 Floor Area, Gross
 First Livestock Facility
 Food Processing, Primary
 Food Processing, Secondary
 Forestry/Silvaculture
 Funeral Home

G

Garden Centre
 Golf Course
 Golf Course, Miniature or Miniature Golf
 Course
 Golf Driving Range
 Grade
 Greenhouse
 Greenhouse, Commercial
 Gross Floor Area
 Ground Floor Area
 Group Home – Type One
 Group Home – Type Two
 Gun Club

H

Hazardous Substances
 Height
 Home Child Care
 Home Industry
 Home Occupation
 Horse–Drawn Carriage Community
 Hotel/Motel

I

Industrial Use
 Industrial Use, Dry or Dry Industrial Use
 Industry, Light
 Institution
 Institutional Use

K

Kennel

L

Landscaped Open Space
 Lane
 Livestock
 Livestock Assembly Yard
 Livestock Auction Barn
 Livestock Facility
 Loading Space
 Lot
 Lot Area
 Lot Corner or Corner Lot
 Lot Coverage
 Lot Frontage
 Lot, Interior or Interior Lot
 Lot Line
 Lot Line, Exterior or Exterior Lot Line
 Lot Line, Front or Front Lot Line
 Lot Line, Rear or Rear Lot Line
 Lot Line, Side or Side Lot Line
 Lot, Through or Through Lot

M

Main Building
 Marine, Recreation and Small Engine Establishments
 Manufacturing
 Manure or Material Storage
 Minimum Distance Separation Formulae
 Mobile Home
 Mobile Home Site
 Mobile Home Park
 Mobile Home Park Open Space
 Mobile Home Park Road
 Motor Home
 Motor Vehicle
 Municipal Complex
 Municipal Drain
 Municipal Drain, Open
 Municipal Drain, Enclosed

N

Non-Conforming
 Non-Complying
 Non-Farm Lot
 Non-Residential
 Nuisance
 Nursery
 Nutrient Unit (NU)

O

Open Storage
 Outdoor Display Area

P

Park Model Trailer
 Parking Area
 Parking Lot
 Parking Space
 Parking Space, Angle
 Parking Space, Parallel
 Person
 Personal Service Establishment
 Pit
 Planting Area
 Portable Asphalt Plant

Portable Concrete Plant
 Principal
 Principal Building or Structure
 Private Garage
 Private Street
 Public Garage
 Public Park
 Public Building
 Public Utility
 Public Utility Building

Q

Quarry

R

Recreation Centre
 Recycling Centre
 Recycling Depot
 Rental Establishment
 Research Establishment/Laboratory
 Residential Care Facility
 Residential Use
 Restaurant
 Restaurant, Take-Out
 Restaurant, Portable Food Outlet
 Retail Floor Area
 Retail, Large Format
 Retail Store
 Riding Stable/Equestrian Centre
 Rural Residential Cluster

S

Salvage Yard
 Saw or Planing Mill
 School Bus
 School Bus Storage
 Septic Tank Service
 Service Establishment
 Setback
 Sewage Disposal System, Communal
 Sewage Disposal System
 Sewage Disposal System - Tertiary Sewage Treatment Unit
 Sewage Treatment Plant

Site Plan
 Sight Visibility Triangle
 Snowmobile Club
 Solid Waste Disposal Site
 Storey
 Storey, Half
 Street
 Structure
 Swimming Pool

T
 Tavern
 Tent
 Tillable Hectares
 Trades Person
 Trades Person's Shop
 Transport Depot
 Transport Trailer
 Travel Trailer
 Travel Trailer Sales Establishment
 Truck-Trailer

U
 Unlicensed Child Care
 Use

V
 Veterinary Clinic
 Veterinary Clinic – Small Animal
 Video Outlet/Rental Establishment

W
 Warehouse
 Warehouse, Mini Storage
 Watercourse
 Water Lot
 Water System, Municipal
 Wayside Pit or Wayside Quarry

Y
 Yard
 Yard, Exterior Side or Exterior Side Yard
 Yard, Front or Front Yard
 Yard, Rear or Rear Yard
 Yard, Side or Side Yard

Z
 Zone
 Zoning Administrator

DEFINITIONS

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

“ABATTOIR” means a building or structure specifically designed or intended to accommodate the temporary penning/or slaughtering of live animals and the preliminary processing of animal carcasses and may include the packing, treating, storing and sale of the product on the premises.

“ACCESSORY” means a use, building or structure subordinate, incidental and exclusively devoted to the principal use, building or structure located on the same lot therewith and not designed or intended for human habitation unless specifically permitted elsewhere in this By-Law.

“ADVENTURE GAME” means lands, buildings or structures used for sport or recreation whereby the participants engage in mock battles to capture a flag, paintball games or similar activities.

“AGRICULTURAL PRODUCE WAREHOUSE” means a building or part of a building used for the storage of agricultural produce and may include facilities for wholesale distribution or an accessory retail commercial outlet for the sale of such agricultural produce to the general public.

“AGRICULTURALLY RELATED COMMERCIAL/INDUSTRIAL USE” means farm related commercial and farm related industrial uses that are small scale and directly related to a farm operation and are required to be in close proximity to a farm operation.

“AGRICULTURE GENERAL” 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.

“AGRITAINMENT” means the use of land, buildings or structures for the purpose of a ‘u-pick’ fruit and/or vegetable operation, food preparation and service that is associated with the primary agricultural use on the land only, livestock shows/demonstrations, plowing matches, maze(s), sleigh/wagon rides, and other entertainment all of a temporary or seasonal nature, but shall not include any other use herein defined.

“AIRCRAFT HANGAR” means a building or structure designed and used for the storage and maintenance of aircraft.

“AIRPORT” means the use of land, including water, runway or other facility designed, used or intended to be used for the landing and taking off of aircraft including all necessary taxiways, aircraft storage, tie-down areas, hangar and other buildings and structures.

“ALTER” when used in reference to a building or part thereof, means to change any one or more of the internal or external dimensions of such building or to change the type of construction of the exterior walls or roof thereof. When used in reference to a lot, the word "alter" means to change the width, depth, or area of any required yards setback, landscaped open space or parking area, to change the location of any boundary of such lot with respect to a street, private

street, lane, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise. The word "altered" and "alteration" shall have a corresponding meaning.

"ASSEMBLY HALL" means a building or part of a building in which facilities are provided for such purposes as meetings for civic, educational, political or social purposes and may include functions involving the consumption of food and drink.

"ATTACHED" when used in reference to a building, means a building otherwise complete in itself that depends for structural support or complete enclosure upon a division wall or division walls shared in common with adjacent building or buildings.

"AUTOMOBILE CAR WASH" means a lot, building or structure used solely for the washing and cleaning of motor vehicles and shall not include any other automobile use defined in this By-law.

"AUTOMOBILE GAS BAR" means a lot containing not more than eight fuel/propane pumps and may include a structure of not greater than 18.5 m² (199 ft²) used for the sale of fuel but shall not include any other automobile use defined in this By-Law.

"AUTOMOBILE REPAIR ESTABLISHMENT" means a building and/or lot used for the servicing, repair, cleaning, polishing and greasing of 'motor vehicles' and may include motor vehicle body repair and painting, but shall not include any other automobile use defined in this By-Law.

"AUTOMOBILE SALES ESTABLISHMENT" means a building and/or lot used for the display and sale of new or used 'motor vehicles' and may include the servicing, repair, cleaning, polishing, oiling and greasing of motor vehicles, the sale of automotive accessories and related products and the leasing or renting of 'motor vehicles', but shall not include any other automobile use defined in this By-Law.

"AUTOMOBILE SERVICE STATION" means a building and/or lot used for the servicing, repair, cleaning, polishing, oiling and greasing of 'motor vehicles' and may include motor vehicle body repair, painting, the sale of sundry items incidental to the operation of a motor vehicle and a 'Automobile Gas Bar' but shall not include any other automobile use defined in this By-Law.

"AUTOMOBILE WRECKING YARD" means a building and/or lot used for the wrecking or dismantling of 'motor vehicles' and 'commercial motor vehicles' and for the storage and sale of scrap material, salvage and parts obtained therefrom but does not include any other automobile use defined in this By-Law or a 'Salvage Yard'.

"BASEMENT" means that portion of a building or structure partially below ground level and having at least 50% of its height above average finished grade.

"BED & BREAKFAST ESTABLISHMENT" means a Home Occupation operated in accordance with the provisions of [Section 3.10](#).

"BOAT HOUSE" means a building or structure or part thereof, used for the storage of private boats and equipment accessory to their use, as an accessory use to a residential use, no part of which shall be used as a dwelling or commercial purposes.

“BOAT LAUNCHING & DOCKING” means a structure that is used to take a boat into or out of a navigable waterway, or to moor a boat. The definition includes a launching ramp, boat lift, or dock but does not include any building or fuel pumps or any boat servicing, repair or sales facility.

“BUILDING” means any structure other than a fence being a permanent edifice fixed to, or supported by the soil, and used or intended to be used for the shelter, accommodation or enclosure of persons, animals or chattels.

“BUILDING BY-LAW” means any "Building By-Law" within the meaning of the Ontario Planning Act and the Ontario Building Code Act.

“BUILDING SETBACK” means the minimum horizontal distance between a lot line and the nearest part of any building or structure on the lot.

“BULK FUEL DEPOT” means the use of land, buildings or structures for the storage and distribution of fuels, gases, oils, and wood and may include as an accessory use a commercial card/key lock facility but shall not include any other use defined in this By-Law.

“BULK SALES ESTABLISHMENT – AGRICULTURAL” means the use of land, buildings or structures for the purposes of buying, selling, storing, grading and handling of seed, feed, fertilizer and other agricultural products in bulk quantities and may include a cleaning and drying facility, scales, and an administration building.

“BUS DEPOT” means a lot, building or structure where commercial motor vehicles pick up and discharge fare paying passengers, and may include as an accessory use a ticket office, a restaurant, luggage checking and/or parcel shipping.

“BUSINESS OR PROFESSIONAL OFFICE” means any building or part thereof in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, or labour organization and includes a bank or trust company, post office, and a government office but shall not include a ‘retail store’, ‘manufacturing’, repair or display or any other use herein defined.

“CAMPGROUND” means a lot used year-round for the parking and use of recreational travel trailers, park model trailers or similar transportable accommodations, but not including a ‘mobile home’. All sites will be used for seasonal or intermittent accommodations and will not be used as a principle residence or permanent place of residence. A Campground may include a swimming pool, convenience store, Laundromat, miniature golf course, playground, athletic play fields, tennis or badminton courts, and an administrative building for the campground. Off-season storage of travel trailers, tent trailers, or similar transportable accommodation shall be permitted.

“CAMPSITE” means a parcel of land within a campground intended for occupancy by motor homes, travel trailers, tents or similar transportable accommodation together with all yards and open space defined in this By-Law, but shall not include a mobile home or park model trailer.

“CARPORT” means a covered structure attached to the wall of the principal building and used for the storage of ‘motor vehicles’.

“CATASTROPHE” for the purposes of Minimum Distance Separation guideline calculations means an unanticipated, disastrous loss of part, or all, of a *livestock facility* due to fire, collapse, flood, wind, or other such event.

“CELLAR” means the portion of a building or structure partially below ground level and having 51% or more of its height below average grade level.

“CEMETERY” means a cemetery, crematorium or columbarium within the meaning of The Cemetery Act of Ontario.

“CENTRE LINE” means the centre line of any ‘street’, railway, roadway, ‘lane’, railway right-of-way or ‘private street’.

“CHIEF BUILDING OFFICIAL” means the officer or employee appointed by By-Law of the Corporation of the Municipality of Brockton charged with the duty of enforcing the provisions of the Building By-Law of the Corporation, Building Code Act and its applicable regulations.

New Definition(s) added by By-law 2016-028 (Child Care and Early Years Act)

“CHILD CARE” means the temporary care for, or supervision of, a child including providing for a child’s safety, well-being or development, in the absence of the child’s parent and for a continuous period that does not exceed 24 hours, in accordance with the Child Care and Early Years Act, 2014, including any amendments, or its successor.

“CHILD CARE CENTRE” means a business that has obtained the proper licensing from the Province to operate a licensed child care centre for the provision of temporary care for or supervision of a child including providing for a child’s safety, well-being or development, in the absence of the child’s parent and for a continuous period that does not exceed 24 hours, in accordance with the Child Care and Early Years Act, 2014 including any amendments, or its successor.

“CLINIC” means a lot, building, or structure that is used by physicians, dentists or all other licensed practitioners and their staff for the purpose of consultation, diagnosis and treatment of outpatients and may include administrative offices, waiting areas, treatment rooms, laboratories, pharmacies, and dispensaries directly associated with the facility.

“COMMERCIAL COLLEGE” means a lot, building, or structure used for a private career college operating under the Private Career Colleges Act S.O. 2005.

“COMMERCIAL MOTOR VEHICLE” means a vehicle having a gross weight or registered gross weight of more than 4500 kilograms, or a bus capable of carrying more than 10 passengers but shall not include an ambulance, a fire apparatus, a hearse, a motor home, travel trailers or a vehicle commonly known as a tow truck.

“COMMERCIAL MOTOR VEHICLE REPAIR ESTABLISHMENT” means a building and/or lot used for the servicing, repair, cleaning, washing, polishing and greasing of ‘commercial motor vehicles’ and ‘truck-trailers’ and may include body repair, welding and painting but shall not include any other automobile use defined in this By-Law.

“COMMERCIAL USE” means the use of land, building or structure for the purpose of buying and/or

selling commodities and supplying services, such as automotive service stations, car washes, convenience retailers shops, Hotel/Motel, shopping centers and supermarkets.

“COMPOSTING FACILITY” means an industrial facility whose primary purpose is the composting of food, and/or organic materials, and/or sewage sludge but shall not include the composting of animal or livestock remains.

“COMPUTER/DATA PROCESSING CENTRE” means a building or part of a building used for the input, processing and printing of computerized data or engaged primarily in service transactions electronically or through a communication medium and without limiting the generality of the foregoing, may include such establishments as credit card information centres, virtual banking services, on-line services and telephone solicitation services, but shall not include any walk-in or off-the-street traffic or any retail or manufacturing of goods for sales.

“CONSERVATION AREA” means an area of land owned by a public authority and managed for the purposes of preserving and improving the natural features of the environment and without limiting the foregoing may include such uses as a picnic area, historic site, athletic fields, camping, interpretive centre, maintenance buildings and other such similar uses.

“CONSTRUCTION TRAILER” means a building or structure that is designed to be made mobile and drawn by a separate vehicle, and is used for the purpose of storage or administration on a site while building construction is taking place.

“CONVENIENCE STORE” means an establishment not exceeding 140 m² (1500 ft²) of gross floor area in which articles for sale are restricted to a limited range of primarily food items such as milk, bread, soft drinks, ice cream, canned and bottled goods, snacks and candy, frozen meat and to complement such items may include the sale of magazines, toiletries, tobacco products. A convenience store may also include a catalogue outlet, pharmacy, post office outlet or similar type uses.

“CORPORATION” means the Corporation of the Municipality of Brockton.

“COUNCIL” means the Municipal Council of the Corporation.

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

“CROSS COUNTRY SKI FACILITY” means the use of land, buildings or structures for the purpose of providing facilities for the sport of cross country skiing and which may include a ‘restaurant’, maintenance buildings, and administration building(s) if located on the same property and are considered accessory uses.

Definitions deleted by By-law 2016-028

~~“DAY NURSERY” means a premises that receives no more than 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:~~

~~a) Under eighteen years of age in the case of a day nursery for children with a developmental~~

disability, and

~~b) Under ten years of age in all other cases, but does not include~~

~~c) Part of a public school, separate school or private school under the *Education Act*.~~

~~“DAY CARE NURSERY (LICENSED)” means a day nursery as defined in the Day Nurseries Act, R.S.O., as amended.~~

“DAYLIGHT TRIANGLE” means a triangular area formed by measuring from the curb lines or projection thereof at a street intersection, four (4.0m) metres along one curb line; twenty (20.0m) metres along the opposite curb line, and joining such points with a straight line.

“DRIVEWAY” means a vehicular passageway having at least one end thereof connected to a Class 1 or Class 2 Street and providing ingress to and/or egress from a lot.

“DWELLING” means one or more rooms used or intended for the domestic use of one or more individuals living as a single house-keeping unit that is provided with cooking, living, sleeping and sanitary facilities. A dwelling shall not include any mobile home, park model trailer, construction trailer, travel trailer, hotels/motels, and a home for the aged, nursing home, or hospital.

- a) “DWELLING, CONVERTED” means an existing dwelling constructed as a ‘dwelling, single detached’ or ‘dwelling, semi-detached’ on an existing lot in which the number of dwelling units has been increased without significant alteration to the exterior of the building except for the required fire escapes, extra windows and entrances to a maximum of 10 percent (10%) of the dwelling or 30 m² (320 ft²), whichever is the lesser, and provided that the building, when converted, complies with the provisions of this By-law.
- b) “DWELLING, DUPLEX” means the whole of a building that is divided horizontally into two separate dwellings each of which has an independent entrance either directly from the outside or through a common vestibule.
- c) “DWELLING, GARDEN SUITE” means a ‘dwelling, single detached’ accessory to a principal ‘dwelling unit’ that provides temporary accommodation to meet the housing needs of elderly parents, family members with special needs, or other similar individuals, on the same lot as the caregivers and is portable.
- d) “DWELLING, MULTIPLE” means a residential dwelling that is divided into three but not more than five dwelling units wherein each unit is accessed by way of a common entrance and an internal staircase or hallway from inside.
- e) “DWELLING, NON-FARM” means a dwelling not located on the same lot as an agricultural use.
- f) “DWELLING, SEASONAL” means a dwelling not located on a Class 1 Street notwithstanding that it may be designed and/or constructed for year round or permanent human habitation.
- g) “DWELLING, SECONDARY SUITE” means a dwelling unit subsidiary to and located in the

same building as its principal 'dwelling unit' and its creation does not result in a 'dwelling, semi-detached', 'dwelling, duplex', 'dwelling, multiple', 'dwelling, converted', 'dwelling, accessory detached' or 'dwelling, accessory apartment' as otherwise may be defined.

- h) "DWELLING, SEMI-DETACHED" means two attached dwellings divided vertically by a common wall, each of which has an independent entrance directly from the outside.
- i) "DWELLING, SINGLE DETACHED" means a dwelling constructed and used as a principle residence of the owner or occupant thereof and is intended for permanent occupancy and is designed and/or constructed for year round or permanent human habitation.
- j) "DWELLING, TOWNHOUSE" means a residential dwelling divided vertically into three or more residential dwelling units, each dwelling unit having an independent front and rear entrance immediately abutting the front and rear walls of each dwelling unit:
 - 1) "DWELLING, TOWNHOUSE STREET" means a 'Dwelling, Townhouse' on a separate lot where each dwelling unit has frontage onto a Class 1 or Class 2 Street.
 - 2) "DWELLING, TOWNHOUSE CLUSTER" means a 'Dwelling, Townhouse' on one lot where each dwelling unit does not have frontage onto a Class 1 or Class 2 Street.
- k) "DWELLING, ACCESSORY APARTMENT" means a dwelling subordinate and incidental to the principal building or structure located on the same lot therewith, and which is constructed as part of the permitted Non-Residential Use principal building or structure.
- l) "DWELLING, ACCESSORY DETACHED" means a dwelling detached from and subordinate and incidental to the principal use, building or structure located on the same lot therewith.
- m) "DWELLING, APARTMENT BUILDING" means a residential dwelling that contains five or more residential dwelling units that have a common entrance front street level and are served by a common corridor or hallway from inside.

"EDUCATIONAL FACILITY" means a public school, separate school, commercial or vocational school, university or college, or a private school operating under the Education Act RSO 1990.

"ERECT" when used in this By-Law includes building, construction, reconstruction and relocation and, without limiting the generality of the word, also includes:

- a) any preliminary physical operation, such as excavating, filling or draining;
- b) altering any existing building or structure by an addition, enlargement, extension or other structural change; and
- c) any work for the doing of which a building permit is required under The Ontario Building Code.

"ERECTED" AND "ERECTION" shall have a corresponding meaning.

"EXISTING" unless otherwise indicated, means legally existing on the date of passing of this By-Law.

"EXISTING, LOT" unless otherwise indicated, means existing on the date of passing of this By-

Law. For the purposes of this By-Law, any existing lot which is of a lesser size than that required by this By-Law or which has been increased in size through consent of the Bruce County Land Division Committee, shall be deemed to be an 'existing lot'. Further, any lot which is reduced in size through acquisition via a conveyance pursuant to Section 50 (3) (c) or 50 (5) (d) of the Planning Act or consent of the Bruce County Land Division Committee to a size which is less than that required by this By-Law, shall also be deemed to be an 'existing lot'.

"FACTORY SALES OUTLET" means an accessory use to an 'Industrial Use' in which the goods, wares, or merchandise manufactured on the premises is offered for sale.

"FARM IMPLEMENT ESTABLISHMENT" means the use of land buildings or structures for the sale of, storage or repair of new or used agricultural equipment and machinery directly associated with the operation of a farm and may include as an accessory use the display, sale, storage, servicing, and repair of snowmobiles, ATV's, small engines, and lawn care equipment and related products but does not include any other use(s) defined herein.

"FARM IMPLEMENT REPAIR" means the use of land buildings or structures for the sale of, storage or repair of new or used agricultural equipment and machinery directly associated with the operation of a farm but do not include any other use(s) defined herein.

"FITNESS CENTRE" means a building in which facilities are provided for recreational athletic activities including but not limited to body-building and exercise classes, and may include associated facilities such as a sauna, swimming pool and solarium.

"FLOOD FRINGE" means the outer portion of the 'floodplain' between the 'floodway' and the flooding hazard limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the floodway.

"FLOODPLAIN" means the area, usually low lands adjoining a 'watercourse', which has been or may be subject to flooding hazards.

"FLOODWAY" means the portion of the 'flood plain' where development and site alteration would cause a danger to public health and safety or property damage.

"FLOOR AREA, GROUND" means the maximum area of a building measured to the outside walls at grade excluding in the case of a residential dwelling, areas such as a parking garage/structure, carport, porch and/or veranda, sun room (unless such sun room is habitable at all seasons of the year), and any other non-habitable areas.

"FLOOR AREA, GROSS" means the aggregate of the area of all floors measured from the inside face of exterior walls but excludes any detached accessory buildings, a breezeway, unenclosed sunroom, porch and/or veranda, attic, cellar, basement, mezzanine areas, mechanical rooms, common walls, stair wells, garbage and electrical rooms, parking garage/structures and similar service areas accessory to the main use.

"FOOD PROCESSING, PRIMARY" means the use of lands, buildings or structures for a 'Industrial Use, Dry' where orchard, berry, row or field crops are washed, cleaned, screened, sifted graded, waxed, or crushed but excludes any further processing.

“FOOD PROCESSING, SECONDARY” means the use of lands, buildings or structures for a ‘Industrial Use, Dry’ where agricultural produce including orchard, berry, row, field crops, meat and poultry products, are washed, cleaned, dusted, waxed, cooked, steamed, fermented or otherwise prepared and packaged and may include the storage and sale of the finished product on the premises but shall not include an abattoir or any other use defined herein.

“FORESTRY/SILVACULTURE” means the management and care of trees and the harvesting of them or parts thereof for commercial purposes, and without limiting the generality of the foregoing includes the use of a saw mill provided the timber being milled originates on the same parcel of land the saw mill is operating.

“FUNERAL HOME” means a commercial use for the purpose of furnishing funeral supplies and services to the public and includes facilities for the preparation of deceased human bodies for interment or cremation.

“GARDEN CENTRE” means the use of land, buildings or structures where trees, shrubs, and plants are grown or stored for the purpose of transplanting or for the purpose of retail sale or wholesale, and include the sale of soil, planting materials, fertilizers or similar materials, lawn and garden equipment or lawn furnishings.

“GOLF COURSE” means a public or private area operated for the purpose of playing golf and may include a ‘miniature golf course’, ‘restaurant’, ‘golf driving range’, maintenance buildings and administration buildings.

“GOLF COURSE, MINIATURE” or “MINIATURE GOLF COURSE” means an area of land or a building, structure or premises or part thereof operated for profit or gain as a commercial place of amusement in which facilities are provided to simulate the game of golf or any aspect of the game on a small scale, but does not include a golf driving range or golf course.

“GOLF DRIVING RANGE” means an open air recreation facility where the sport of golf is practised from individual tees and which may include accessory structures to house the tees, a kiosk for golf balls and golf club rentals and a structure from which the golfers tee-off.

“GRADE”

- a) When used with reference to a building or structure, means the average finished ground elevation immediately adjoining the wall or walls in question or the base of the structure exclusive of any artificial embankment.
- b) When used with reference to a ‘street’, means the finished elevation of such ‘street’, road or highway as established by the Corporation or other authority having jurisdiction.

“GREENHOUSE” means a building wherein the temperature and humidity can be regulated for the cultivation of vegetables, fruit, flowers, plants, shrubs, trees and similar vegetation.

“GREENHOUSE, COMMERCIAL” means a building for the growing of vegetables, fruit, flowers, plants, shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same lot containing such greenhouse, but are sold directly from such building at wholesale or retail.

“GROUP HOME – TYPE ONE” means a building or structure in which not more than five (5) residents with special care needs such as: seniors, individuals who are developmentally and/or physically challenged or mentally ill, individuals requiring respite or convalescent care; live under responsible supervision consistent with the requirements of its residents. Residents do not include supervisory staff or a receiving family.

“GROUP HOME – TYPE TWO” means a building or structure in which not more than five (5) residents who have been placed on probation under the statutes of Ontario or Canada, who have been released on parole under the statutes of Ontario or Canada, individuals recovering from substance abuse, or who are admitted to the Group Home for correctional purposes reside. Residents do not include supervisory staff. A Group Home – Type Two is licensed and/or funded under Federal or Provincial Statute and in compliance with applicable Municipal By-Laws.

“GUN CLUB” means lands, buildings or structures used for target practice by use of a firearm. A gun club shall not include provisions for overnight accommodations or for the preparation and serving of full course meals.

“HAZARDOUS SUBSTANCES” means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive, or pathological.

“HEIGHT” when used with reference to a building or structure means the vertical distance between the average grade at the front of such building or structure to the highest point therein exclusive of any ornamental dome, chimney, tower, cupola, steeple, Place of Worship spire, water storage tank, electrical apparatus, television or radio antenna, or structure for the mechanical equipment required for the operation of such building or structure. Without limiting the generality of the foregoing, the highest point shall be taken as:

- a) In the case of a flat roof, the highest point of the roof surface or parapet, whichever is the greater;
- b) In the case of a mansard roof, the deck roof line;
- c) In the case of a gable, hip or gambrel roof, the mean height between the eaves and the ridge.
- d) Where the height is designated in terms of storeys, it means the designated number of storeys above and including the first storey.

New definition added by By-law 2016-028 (Child Care and Early Years Act, 2014)

“HOME CHILD CARE” means ‘Child Care’ provided in a single detached dwelling, semi-detached dwelling or duplex dwelling by one or more child care provider(s) that is regulated by a home child care agency.

“HOME INDUSTRY” means an occupation or business conducted for gain or profit as a secondary use to the main permitted use within a dwelling and/or accessory building and operated in

accordance with [Section 3.11](#).

“HOME OCCUPATION” means an occupation or business conducted for gain or profit as a secondary use to the main permitted use within a dwelling and operated in accordance with [Section\(s\) 3.9](#) or [3.10](#).

“HORSE-DRAWN CARRIAGE COMMUNITY” means a group of people whose primary mode of transportation is by the use of horse or horses and a carriage.

“HOTEL/MOTEL” means a building or structure used primarily for the purposes of catering to the needs of the traveling public by furnishing temporary or transient sleeping accommodation. A Hotel/Motel shall not have less than 6 guest rooms and may include permanent staff quarters, meeting rooms, recreational facilities, ‘restaurant’, and housekeeping units, but does not include any other establishments otherwise defined or classified in this By-Law.

“INDUSTRIAL USE” means the use of any land, building or structure for the purpose of manufacturing, assembling, making, packaging, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, warehousing, storing or adapting for sale any goods, substance, article or thing, or any part thereof, and the storage of building or construction equipment and materials, as distinguished from the buying and selling of commodities and the supplying of on-site personal services.

“INDUSTRIAL USE, DRY” or “DRY INDUSTRIAL USE” means an ‘Industrial Use’ which does not utilize process waters and which does not produce waste waters from the industrial process or utilizes a closed loop/recycled water system which does not produce waste waters from the industrial process and includes such uses as welding shops, blacksmith shops, wood fabricating, warehousing or similar uses.

“INDUSTRIAL USE, LIGHT” means the use of land, buildings or structures for the purpose of an ‘Industrial Use’ which is wholly enclosed within a building or structure, except for parking and loading facilities and outside storage accessory to the permitted uses, and which in its operation does not result in emission from the building of odours, smoke, dust, gas, fumes, noise, cinder, vibrations, heat, glare or electrical interference.

“INSTITUTIONAL USE” means the use of land, buildings, structures or portions thereof, for public or social purposes and, without limiting the generality of the foregoing, may include governmental, religious, educational, charitable, philanthropic, hospitals, nursing homes, public or private schools and nursery schools, or other similar uses.

“KENNEL” means a place where dogs are bred and raised and are sold or kept for sale or boarded.

“LANDSCAPED OPEN SPACE” means an open unobstructed space at grade on a lot which is suitable for the growth and maintenance of grass, flowers, bushes and other landscaping and includes any patio or similar area but does not include any driveway, curb, or parking area.

“LANE” means a ‘street’ or ‘private street’ that affords only a secondary means of access to the lots abutting thereon.

“LIVESTOCK” means dairy, beef, swine, poultry, horses, goats, sheep, ratites, fur-bearing animals, deer & elk, game animals, birds, and other animals identified in Table 1 of the Minimum Distance Separation formulae.

“LIVESTOCK ASSEMBLY YARD” means a lot, building, structure or confined land area for temporarily holding livestock for shipping.

“LIVESTOCK AUCTION BARN” means a lot, building, structure or confined land area used as a livestock auction facility and may include the auction of agriculturally related chattels on an incidental or accessory basis only.

“LIVESTOCK FACILITY” means barn(s), building(s) or structure(s) where livestock are housed; including the associated ‘manure or material storage’ structure(s).

“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.

“LOT” means a parcel of land that can be conveyed without further approval.

“LOT AREA” means the total horizontal area within the lot lines of a lot, excluding the horizontal area of such lot permanently covered by water. In the case of corner lots having a ‘street’ line rounding of a radius 6.0 metres (20 ft.) or less, the lot area of such lot shall be calculated as if the lot lines were produced to their point of intersection.

“LOT CORNER” or “CORNER LOT” means a Lot situated at the intersection of and abutting two or more streets, or parts of the same street, including any reserve area where the inside angle of intersection or projected angle at intersection of the tangents of the street lines is less than 135 degrees except for a Lot located at the commencement of a cul-de-sac where the angle exceeds 135 degrees.

“LOT COVERAGE” means that percentage of the lot area covered by buildings or structures, including accessory buildings or structures above finished grade level and permanent above or below ground swimming pools but shall not include sewage disposal systems.

“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 by a line set at the ‘front yard setback’ requirement of the applicable zone back from and parallel to the chord of the lot frontage and for the purpose of this definition the chord of the lot frontage is a straight line joining the two point where the side lot lines intersect the front lot line.

Refer to the end of Section 2 for Lot Frontage illustrations.

“LOT, INTERIOR” or “INTERIOR LOT” means a lot other than a corner lot and having frontage on one ‘street’ only.

“LOT LINE” means any boundary of a lot.

“LOT LINE, EXTERIOR” or “EXTERIOR LOT LINE” means any lot line other than a front lot line or rear lot line abutting a ‘street’, or ‘lane’.

“LOT LINE, FRONT” or “FRONT LOT LINE” in the case of an interior lot, means the line dividing the lot from a ‘street’, or ‘lane’. In the case of a corner lot, the shorter lot line abutting a ‘street’ shall be deemed the front lot line and the longer lot line abutting a ‘street’ shall be deemed an exterior lot line. In the case of a ‘through lot’, each lot line dividing the lot from a ‘street’, ‘private street’, or ‘lane’ shall be deemed to be a ‘front lot line’.

“LOT LINE, REAR” or “REAR LOT LINE” means the lot line farthest from and opposite to the front lot line or where the lot is triangular, the point of intersection of the side lot lines.

“LOT LINE, SIDE” or “SIDE LOT LINE” means any lot line other than a front lot line or rear lot line.

“LOT, THROUGH” or “THROUGH LOT” means a lot bounded on opposite sides by a ‘street’, ‘private street’, or ‘lane’ but does not include a corner lot.

“MAIN BUILDING” means the building designed or used for the principal use on the lot.

“MARINE, RECREATION AND SMALL ENGINE ESTABLISHMENTS” means a building, structure and/or lot used for the display, sale, storage, servicing, repair, cleaning, polishing and lubricating of boats, motorcycles, snowmobiles, ATV’s, lawn care equipment, marine engines and related products, or the leasing or renting of any of the above.

“MANUFACTURING” means compounding, processing, packing, crating, bottling, packing, assembling, making, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, or adapting for sale any good, substance, or article, or any part thereof.

“MANURE OR MATERIAL STORAGE” means a permanent storage(s), which may or may not be associated with a ‘livestock facility’ containing liquid manure (<18% dry matter), solid manure (≥ 18% dry matter), or digestate. Permanent storages may come in a variety of:

- locations (under, within, nearby, or remote from barn);
- materials (concrete, earthen, steel, wood);
- coverings (open top, roof, tarp, or other materials);
- configurations and shapes; and
- elevations (above, below or partially above grade).

“MINIMUM DISTANCE SEPARATION FORMULAE” means a formulae developed by the Province of Ontario to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

“MOBILE HOME” means a unit constructed or manufactured to provide for year round occupancy and is designed to be transported from one site to another. A mobile home does not include a ‘park model home’, ‘motor home’, ‘travel trailer’ or other similar accommodation. A mobile home shall be distinguished from other forms of prefabricated transportable housing by reason of a design which permits and features ready transfer from place to place whereas the latter are intended to be moved once only to a final location.

“MOBILE HOME SITE” means land within a mobile home park intended for occupancy by one mobile home together with all yards and open space required by this By-Law.

“MOBILE HOME PARK” means land containing two or more mobile home sites and which is under single management and ownership and which is designed and intended for residential or seasonal use where such residential occupancy is in mobile homes exclusively. A mobile home park may include an administrative and sales office for the mobile home park and a recreation building for the exclusive use of residents of the mobile home park.

“MOBILE HOME PARK OPEN SPACE” means a space within a mobile home park designed and intended as a place of recreation for the common use by the residents of such mobile home park, and which may or may not be open to the general public on an equal basis.

“MOBILE HOME PARK ROAD” means a space within a mobile home park designed and intended as a means of vehicular access to abutting mobile home site(s); such mobile home park road may or may not be open to the general public on an equal basis.

“MOTOR HOME” means a self-propelled motor vehicle used exclusively for travel, recreation and vacation and which is capable of being used for the temporary sleeping, eating and accommodation of persons.

“MOTOR VEHICLE” means a vehicle for which a permit has been issued under vehicle permit legislation that is: an automobile, a motor home, a bus or truck having a gross weight or registered gross weight of less than 4500 kilograms, a bus capable of carrying less than 10 passengers, or a trailer other than a ‘truck-trailer’.

“MUNICIPAL COMPLEX” means the use of buildings and lands comprised of municipal offices, multi-purpose community centre, sports fields, arena and accessory uses.

“MUNICIPAL DRAIN” means a drainage work as defined by The Drainage Act, R.S.O 1990, as amended from time to time.

“MUNICIPAL DRAIN, ENCLOSED” means a ‘municipal drain’, which is enclosed as a pipe, culvert or similar means of conveyance.

“MUNICIPAL DRAIN, OPEN” means a ‘municipal drain’ that is not enclosed in a pipe, culvert or similar means of conveyance but shall not include a covered drainage work.

“NON-CONFORMING” means a building or structure legally existing as of the date of the passing of this By-law, which is used for purposes not permitted by this By-Law.

“NON-COMPLYING” means a permitted use, building or structure legally existing as of the date of the passing of this By-law, which does not comply with a provision or provisions of their respective zone.

“NON-FARM LOT” means a lot that is less than 4.0 hectares (9.9 ac.) in size.

“NON-RESIDENTIAL” means designed, intended or used for a purpose other than a dwelling or a mobile home.

“NUISANCE” means any condition existing that is or may become injurious or dangerous to health or that prevents or hinders or may prevent or hinder in any manner the suppression of disease.

“NURSERY” means land used for the growing of sod, flowers, bushes, trees, vegetables, berry fruit crops, mushrooms, plants, shrubs, or other gardening, landscaping or orchard stock together with gardening tools and implements which are sold at wholesale or retail.

“NUTRIENT UNIT (NU)” means an amount of nutrients that give a fertilizer replacement value of the lower of 43 kilograms of nitrogen, or 55 kilograms of phosphate as nutrient (as defined in Ontario Regulation 267/03 made under the *Nutrient Management Act, 2002*).

“OPEN STORAGE” means the storage of goods, merchandise or equipment, in the open air and in unenclosed portions of buildings, which are open to the air on the sides. Open Storage does not include motor vehicles, commercial motor vehicles, travel trailers, boats, recreational vehicles, tractors and other similar on or off road vehicles provided all are in working order and are displayed for retail/wholesale purposes.

“OUTDOOR DISPLAY AREAS” means a portion of a lot used for the display or exhibition in an orderly manner, completely assembled or finished products sold by the principle use located on the same lot.

“PARK MODEL TRAILER” means a recreational unit, constructed to a seasonal occupancy standard.

“PARKING AREA” means that part of a lot required to satisfy the Off Street Parking Regulations of this By-Law but shall not include any other parking use defined herein.

“PARKING LOT” means an area provided for the parking of motor vehicles and/or commercial motor vehicles and includes aisles, parking spaces and related ingress and egress lanes but shall not include any part of a ‘street’ ‘private street’, or ‘lane’.

“PARKING SPACE” means a space enclosed in a principal or accessory building or unenclosed, that is available for the parking of a ‘motor vehicle’ and which is accessible from a ‘street’ ‘private street’, or ‘lane’.

“PARKING SPACE, ANGLE” means a parking space which is accessed from an aisle or driveway and which permits the entry or exit from said parking space without the need to travel over any other parking space.

“PARKING SPACE, PARALLEL” means a parking space that is accessed from an aisle, street or driveway that is beside and runs the same direction as the aisle, street or driveway.

“PERSON” means any human being, association, firm or 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.

“PERSONAL SERVICE ESTABLISHMENT” means a business that is associated with the grooming or health or persons or the maintenance or repair of personal wardrobe articles and accessories and may include a barber shop, beauty parlour, aestheticians, health care clinic, shoe repair, self-service laundry, depots for collecting dry cleaning and laundry and similar uses and where the

retail sale of goods, wares, merchandise or articles is only accessory to the provisions of such services.

“PIT” means lands licensed under the Aggregate Resources Act where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a ‘Wayside Pit’.

“PLANTING AREA” means the space on a lot upon which shrubs, trees, flowers, or grass are grown in accordance with the provisions of this By-Law.

“PORTABLE 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 of permanent construction but which is to be dismantled at the completion of the construction project.

“PORTABLE CONCRETE PLANT” means a building or structure with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

“PRINCIPAL” when used to describe a use, building or structure, means a use, building or structure, one to which any other is subordinate and constitutes the main use of a lot therewith.

“PRINCIPAL BUILDING or STRUCTURE” means the building or structure in which is conducted the principal use of the lot on which it is situated.

“PRIVATE GARAGE” means a detached accessory building or portion of a dwelling designed and used for the sheltering of private motor vehicles, travel trailers, boats, and the storage of household equipment incidental to the residential occupancy and in which no business, occupation or service is conducted.

“PRIVATE STREET” means a right-of-way over private property that affords access to abutting lots that is not under the jurisdiction of the Corporation, County or Province.

“PUBLIC GARAGE” means a lot, building or structure used by a county, municipal, provincial government or ‘public utility’ for the storage and servicing of ‘public utility’ equipment; vehicles; road construction and maintenance equipment; outdoor storage of utility poles, wire, road construction materials and other assorted materials and may include an administration office and fuel pumps.

“PUBLIC PARK” means an area of land, playground or play fields which is operated by or for a public agency, and which may include therein one or more athletic fields, field houses, bleachers, swimming pools, wading pools, bandstands, outdoor ice skating rinks, tennis or badminton courts, bowling greens, fairgrounds, picnic area, historic site, interpretive centre, maintenance buildings or other such similar uses.

“PUBLIC BUILDING” means any building or structure owned or leased by the Corporation, County, any local board or commission of either the Corporation or the County, any Conservation Authority, any Ministry or Commission of the Province of Ontario or the Government of Canada, and in which office or general administration activities are conducted and may include a public library.

“PUBLIC UTILITY” means any water works, sewerage works, gas works, electric heat, light or power works, telegraph and telephone lines, cable television lines, and works for the transmission of gas, oil, water or electrical power or energy, or any similar works supplying the general public with necessary services or conveniences.

“PUBLIC UTILITY BUILDING” means a lot, building or structure used in conjunction with the supply of a ‘public utility’ including a municipal water supply well, a water or sewage pumping station, a water treatment facility, a water storage reservoir, a gas regulator building, a hydro substation, a telephone building for exchange, long distance or repeater uses.

“QUARRY” means lands licensed under the Aggregate Resources Act where consolidated rock has been or is being removed by means of an open excavation to supply materials for construction, industrial or manufacturing purposes, but does not include a ‘Wayside Quarry’.

“RECREATION CENTRE” means the use of land, buildings or structures for the purpose of active leisure activities and shall include an arena, swimming pool, community centre, curling rink, outdoor ice rink, and other such similar uses.

“RECYCLING CENTRE” means a facility that is not a ‘salvage yard’ and in which recoverable resources such as electronics, newspapers, glassware, plastics, metal cans etc., are collected, stored, flattened, crushed or bundled to be taken to another site for further processing.

“RECYCLING DEPOT” means a building, structure or lot used for the temporary collection of recyclable materials prior to transshipment but does not include a ‘recycling centre’.

“RENTAL ESTABLISHMENT” means a lot, building or structure where equipment generally used for residential, commercial and industrial construction and maintenance are offered for rent or lease.

“RESEARCH ESTABLISHMENT/LABORATORY” means a building or structure that includes facilities for scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

“RESIDENTIAL CARE FACILITY” means a building or structure wherein lodging, meals, personal care, nursing services, and medical care and treatment may be provided for gain or profit or as a charitable public service and includes a rest home or a convalescent home, but does not include a hotel, motel or hospital as defined herein.

“RESIDENTIAL USE” means the use or intended use of land, buildings or structures for human habitation.

“RESTAURANT”

- a) “Restaurant” means a building or structure or part thereof used to prepare food and offer

for sale for immediate consumption within the building or structure, or adjacent patio and may include an accessory take-out service.

- b) “Restaurant, Take-Out” means a building or structure or part thereof where food is prepared and offered for sale to the public to be taken out and/or delivered, for consumption off the premises or consumed on an adjacent patio.
- c) “Restaurant, Portable Food Outlet” means a trailer, tent or vehicle that is designed to be made mobile, from which food is prepared and offered for sale to the public for consumption outside. A Portable Food Outlet may only be permitted in accordance with the Corporation’s Licensing By-Law if applicable.

“RETAIL FLOOR AREA” means the aggregate of the areas of all rooms where goods and services are made available for sale but shall not include storage areas or other commercial uses.

“RETAIL, LARGE FORMAT” means a structure, building or part thereof in which goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail provided the building or structure in which the use is contained exceeds the ‘Floor Area, Gross’ of 278.7 m² (3,000 ft²) and does not include any establishment otherwise defined or classified in this By-law.

“RETAIL STORE” means a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail but does not include any establishment otherwise defined or classified in this By-Law.

“RIDING STABLE/EQUESTRIAN CENTRE” means the use of buildings or structures for the boarding of horses, exercising of horses, the training of horses and riders, a tack shop, and the staging of equestrian events, but shall not include the racing of horses.

“RURAL RESIDENTIAL CLUSTER” for the purposes of Minimum Distance Separation guideline calculations means four, or more, adjacent rural lots, generally one hectare or less in size, sharing a common contiguous boundary. Lots located directly across a road from one another shall be considered as having a common boundary. Rural residential clusters are not considered Settlement Areas, unless designated as such in a municipal official plan.

“SALVAGE YARD” means an establishment where goods, wares, merchandise, articles or things are processed for further use, and where such goods, wares, merchandise, articles or things are stored wholly or partly in the open and includes an ‘Automobile Wrecking Yard’.

“SAW OR PLANING MILL” means a building, structure or area where timber is cut, sawed or milled, either to finished lumber or as an intermediary step and may include facilities for the kiln drying of lumber, an administrative office and the temporary storage of timber and the finished product.

“SCHOOL BUS” means a vehicle for transporting persons to or from school as defined in the Highway Traffic Act, R.S.O., Chapter 202, as amended.

“SCHOOL BUS STORAGE” includes a lot and/or premises for the storage of school buses.

“SEPTIC TANK SERVICE” means a lot, building or structure used for the temporary storage of septage, the storage/rental of portable toilets/privy’s and the sale of holding tanks and related

materials, the parking/servicing of sewage collection vehicles and an administration office. The term septage includes septic tank solids, holding tank and portable toilet wastes from Residential, Commercial, Institutional and Industrial Uses.

“SEWAGE” means the waste water, septage and matter from residential, commercial, institutional, and industrial uses.

- a) “Sewage Disposal System, Communal” means a system of underground conduits operated privately which takes sewage to a place of treatment which meets with the approval of the Chief Building Official and/or the Grey-Bruce Health Unit or the Ministry of the Environment whichever has jurisdiction.
- b) “Sewage Disposal System” means a Class 4 or Class 6 system or any other system deemed acceptable as defined by regulations under the Ontario Building Code Act by the Chief Building Official or the Ministry of the Environment, whichever has jurisdiction.
- c) “Sewage Disposal System – Tertiary Sewage Treatment Unit” means a treatment unit that is designed so that the effluent does not exceed the following criteria:

<u>Parameter</u>	<u>Tertiary Effluent⁽¹⁾</u>
BOD5	15
CBOD5	10
Suspended Solids	10

⁽¹⁾ Maximum concentration based on 30 day averages in milligrams per Litre (mg/L)

- d) “Sewage Treatment Plant” means a facility that meets the approval of the Ministry of the Environment used for treatment of residential, commercial, institutional, or industrial sewage.

“SERVICE ESTABLISHMENT” shall mean a building or part of a building for the servicing or repairing of articles, goods or materials, and in which no product is manufactured, and sales are accessory to the main use; but does not include automotive or marine service establishments.

“SETBACK” means the shortest horizontal distance from a specified line to the nearest part of any building or structure on a lot.

“SITE PLAN” means a scale drawing prepared to illustrate the relation between the lot lines and the uses, buildings or structures existing or proposed on a lot, including but not limited to such details as parking areas, walkways, landscaped areas, lighting, building areas, minimum yards, floor areas, easements, drainage contours, and areas for special uses.

“SIGHT VISIBILITY TRIANGLE” means an area free of motor vehicles, commercial motor vehicles, buildings, planting areas or structures and which does not contain a fence, hedge or trees over 0.5 metres (20 inches) in height and which area is to be determined by measuring from the point of intersection of property lines on a corner lot, the distance required by this By-Law along such ‘street’ line and joining such points with a straight line and the triangular-shaped land between the intersecting ‘street’ lines and the straight line joining the points the required distance along

the 'street' lines.

"SNOWMOBILE CLUB" means lands, buildings or structures used exclusively by the members and guests of a club for recreational activities. A snowmobile club is intended for recreational purposes on a seasonal basis and shall not include provisions for overnight accommodations or for the preparation and serving of full course meals.

"SOLID WASTE DISPOSAL SITE" means any land for which a valid Ministry of Environment Certificate of Approval has been issued, upon, into or through which solid waste is deposited or processed and any machinery or equipment or operation for the treatment or disposal of waste, but does not include the treatment or disposal of liquid commercial/industrial waste or hazardous waste.

"STOREY" means that portion of a building which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it that portion between the top of such floor and the ceiling above it.

"STOREY, HALF" means a portion of the building situated wholly or in part within a sloping roof and in which there is sufficient space to provide a height between finished floor and finished ceiling of at least seven feet, seven inches for at least one-half (1/2) but less than two-thirds (2/3) of the area of the floor below.

"STREET" means a roadway or highway that is under the jurisdiction of the Corporation, County or Province, that is constructed and maintained so as to allow normal vehicular access to adjacent properties.

"STRUCTURE" means anything constructed or erected, the use of which requires location on the ground, or on water, or attachment to something having a fixed location on the ground or on water, and without limiting the generality of the foregoing, includes walls, floors, roofs, signs and billboards, private outdoor swimming pools, and an object designed and intended to float, but does not include hedges and fences or sewage disposal systems.

"SWIMMING POOL" means a constructed reservoir of water having a depth of greater than 0.76 metres (2.5 ft.) at any point, and used and maintained for the purpose of swimming, wading, diving or bathing.

"TAVERN" means an establishment operating under the Liquor License Act R.S.O. 1990, c. L. 19, where alcoholic beverages are sold to be consumed on the premises.

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"TECHNOLOGY INDUSTRY" means a use that makes or creates technology products or services but is not an industrial use. Technology industry does not include wholesale or retail trade except as an activity that is accessory to the primary creative use.

"TENT" means a temporary structure used for temporary human shelter that is not permanently fixed to the ground and is capable of being moved.

"TILLABLE HECTARES" for the purposes of Minimum Distance Separation guideline calculations

means land, including pasture that can be worked or cultivated to grow crops.

“TRADES PERSON” means an individual employed in the building trades/construction industry including bricklayers, stonemasons, carpenters, electricians, lathers, painters, decorators and paper-hangers, plasterers, sheet metal workers, heating, plumbing, air-conditioning, general contractor’s, flooring, home decorator, or other similar trade, the like which provides an installation service.

“TRADES PERSON’S SHOP” means a lot, building or structure where a ‘Trades Person’ conducts business and may include office space and the outdoor storage of heavy equipment and building materials and the retail sale of supplies used in their trade but does not include a ‘Personal Service Establishment’ or ‘Retail Store’.

“TRANSPORT DEPOT” means a lot, 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 may include as an accessory use a commercial card/key lock facility.

“TRANSPORT TRAILER” means any vehicle so constructed that it is suitable for being attached to a motor vehicle and capable of being used for transporting goods, materials, equipment or livestock notwithstanding that such vehicle is jacked up or that its running gear is removed.

“TRAVEL TRAILER” means a structure designed, intended and used exclusively for seasonal travel, recreation and vacation and which is capable of being drawn by a motor vehicle and includes tent trailers or similar transportable accommodation excepting a ‘mobile home’.

“TRAVEL TRAILER SALES ESTABLISHMENT” means a building, structure or lot used for the display and sale of ‘mobile homes’, ‘park model trailers’, ‘motor homes’, and ‘travel trailers’ and includes the sale of accessory items and the servicing or repair of units.

“TRUCK-TRAILER” means any type of trailer vehicle that is hauled by a commercial motor vehicle and is used primarily for the transportation of equipment and goods and for which a permit has been issued under vehicle permit legislation including, a single or multi-axle semi-trailer where part of the load is carried on the heavy truck by means of the upper and lower coupler assembly and a full load bearing trailer

New Definition added by By-Law 2016-028 (Child Care and Early Years Act, 2014)

“UNLICENSED CHILD CARE” means ‘Child Care’ provided in a single detached dwelling, semi-detached dwelling or duplex dwelling that is not ‘Home Child Care’ or a ‘Child Care Centre’, or a private school within the meaning of the Education Act.

“USE” as a verb, means anything permitted by the owner or occupant of any land, building or structure, directly or indirectly, or by or through any trustee, tenant, servant or agent acting for or with the knowledge and assent of such owner or occupant, for the purpose of making use of the said land, building or structure. The phrase ‘used for’ includes ‘arranged for’, ‘designed for’ ‘maintained for’ or ‘occupied for’.

“USE” as a noun, means any of the following depending on the context:

- a) any purpose for which land, buildings or other structures may be arranged, designated, designed, intended, maintained, or occupied, or
- b) any occupation, business, activity, or operation carried on, or intended to be carried on, in a building or other structure or on land, or
- c) the name of a tract of land or a building or other structure, which indicates the purpose for which it is arranged, designated, intended, maintained or occupied.

“VETERINARY CLINIC” means a building in which two (2) or more rooms are used by a veterinary surgeon for the treatment of diseases and injuries of domestic and other animals. Without limiting the generality of the foregoing, a veterinary clinic may include administrative offices, waiting rooms, treatment rooms, laboratories, pharmacies, and dispensaries directly associated with the clinic.

“VETERINARY CLINIC – SMALL ANIMAL” means a building in which two (2) or more rooms are used by a veterinary surgeon for the treatment of diseases and injuries of domestic pets only. Without limiting the generality of the foregoing, a veterinary clinic may include administrative offices, waiting rooms, treatment rooms, laboratories, pharmacies, and dispensaries directly associated with the clinic.

“VIDEO OUTLET/RENTAL ESTABLISHMENT” means the use of the lands, buildings or structures for the purpose of renting videocassette recorders and/or video disc players and/or the rental of video tapes and/or discs.

“WATERCOURSE” means a natural or man-made channel that carries water and includes streams, rivers and lakes and for the purpose of this By-Law, includes a channel with intermittent flow.

“WATER LOT” means a lot that abuts the shore of Lake Rosalind, Marl Lake, Pearl Lake, or Dankert Lake along one or more ‘lot lines’ or portions of a ‘lot line’.

“WATER SYSTEM, MUNICIPAL” means a water treatment and distribution system of underground piping and related storage, including pumping and purification appurtenances operated by a municipal corporation and/or the Ministry of the Environment and/or any public utilities commission for public use and which has been approved by the Ministry of the Environment.

“WAYSIDE PIT OR WAYSIDE QUARRY” means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of street/road construction and not located on the street/road right-of-way.

“YARD” means a space appurtenant to a building or structure located on the same lot therewith and which space is open, uncovered and unoccupied from the ground upward except for such accessory buildings, structures, or uses as are specifically permitted elsewhere in this By-Law.

“YARD, EXTERIOR SIDE” or “EXTERIOR SIDE YARD” means a side yard immediately adjoining a ‘street’.

“YARD, FRONT” or “FRONT YARD” means a yard extending across the full width of a lot, measured

perpendicularly from the front lot line to the closest wall of any main buildings or structures on the said lot. Where a lot does not have a 'front lot line', the front yard shall be measured from edge of the 'street' from which principle access to the lot is gained.

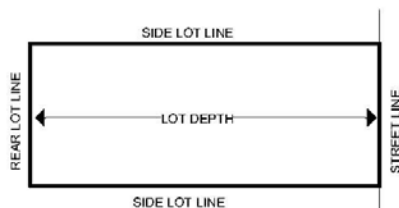
"YARD, REAR or "REAR YARD" means a yard extending across the full width of a lot, measured perpendicularly from the rear lot line to the closest wall of any main building or structure on the said lot.

"YARD, SIDE" or "SIDE YARD" means the minimum required setback from an area extending from the front yard, or front lot line where no front yard is provided, to the rear yard, or rear lot line where no rear yard is provided, measured perpendicularly from the side lot line to the closest wall of any permitted building or structure on the said lot.

"ZONE" means an area delineated on a Zoning Map Schedule and established and designated by this By-Law for a specific use.

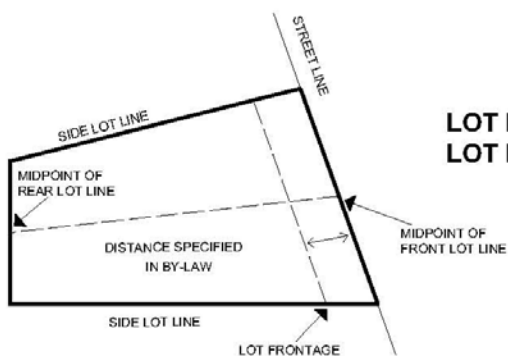
"ZONING ADMINISTRATOR" means the officer or employee of the Corporation for the time being charged with the duty of administering and enforcing the provisions of the Zoning By-Law of the Corporation.

ILLUSTRATIONS OF LOT DEFINITIONS

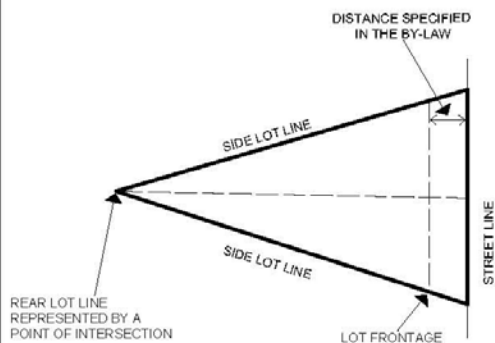


LOT FRONTAGE AND LOT DEPTH PARALLEL FRONT AND REAR LOT LINES

- LOT FRONTAGE IS MEASURED ALONG THE STREET
LINE BETWEEN THE SIDE LOT LINES

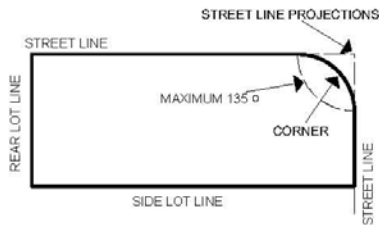


LOT FRONTAGE AND LOT DEPTH LOT LINES NOT PARALLEL

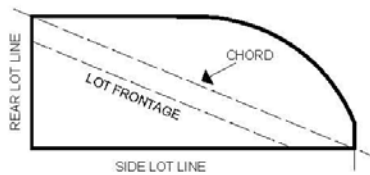


REAR LOT LINE SIDE LOT LINES INTERSECT

ILLUSTRATIONS OF LOT DEFINITIONS

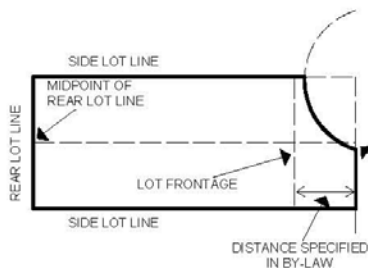


**CORNER LOT
CURVED SIDES**



**LOT FRONTAGE
CONVEX CURVED FRONT LOT LINES**

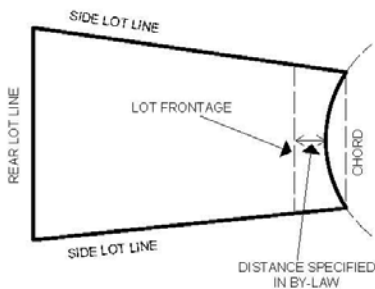
- LOT FRONTAGE IS MEASURED ALONG A LINE BACK FROM AND PARALLEL TO THE CHORD OF THE FRONT LOT LINE



**LOT FRONTAGE
LOT ON A CORNER EYEBROW**

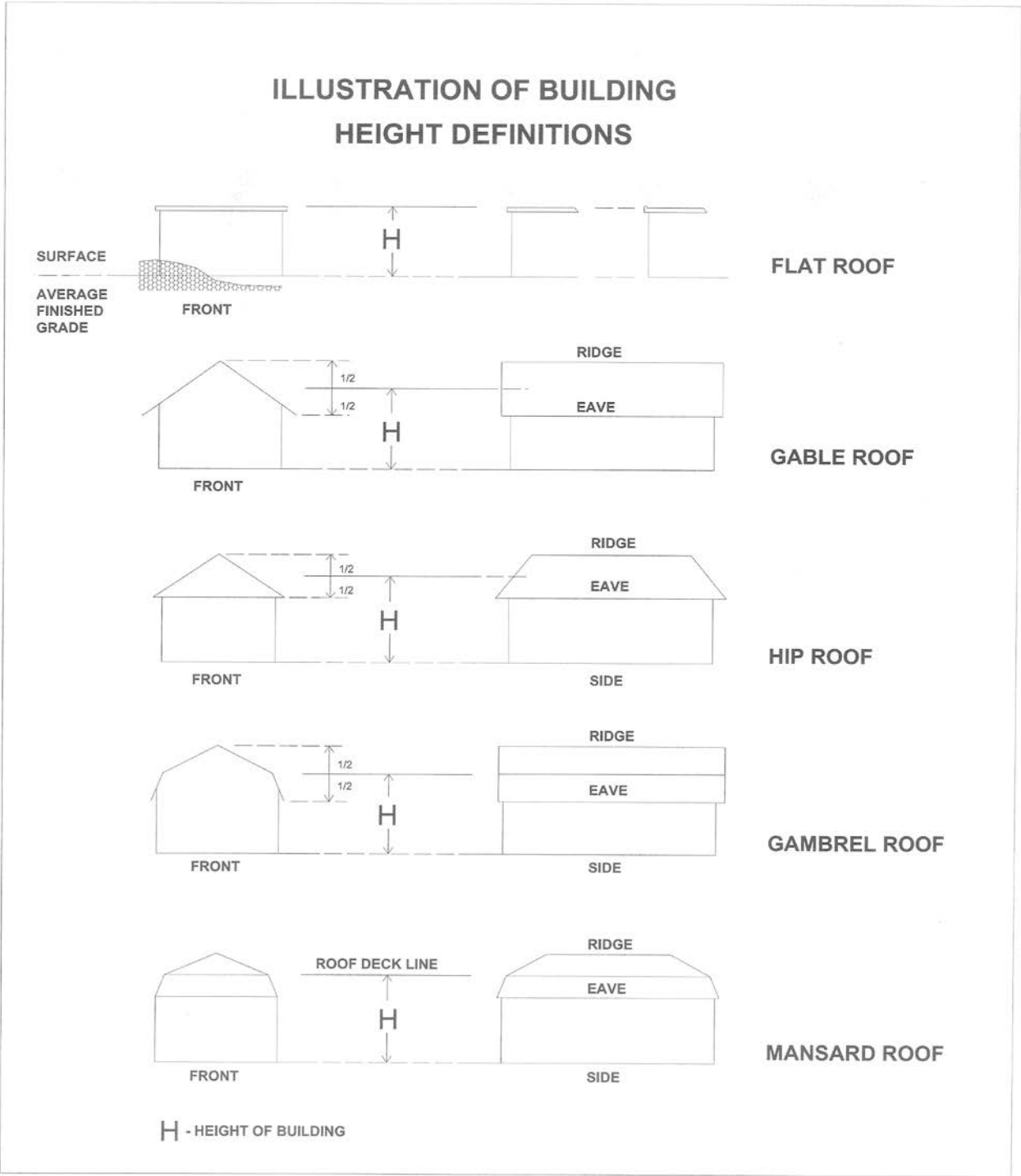
- LOT FRONTAGE IS MEASURED ALONG A LINE DRAWN PERPENDICULAR TO LINE JOINING THE MIDPOINTS OF REAR LOT LINE AND THE LINE PROJECTING THE FRONT LOT LINE TO THE PROJECTION OF THE SIDE LOT LINE AT DISTANCE SPECIFIED IN BY-LAW

MIDPOINT OF FRONT LOT LINE PROJECTED TO PROJECTION OF SIDE LOT LINE



**LOT FRONTAGE
CONCAVE CURVED FRONT LOT LINE**

- LOT FRONTAGE MEASURED BY LINE BACK FROM AND PARALLEL TO THE CHORD OF THE FRONT LOT LINE



SECTION 3 – GENERAL PROVISIONS FOR ALL ZONES

3.1 PERMITTED USES IN ALL ZONES

3.1.1 Services and Utilities

- .1 Nothing contained in this By-Law shall prevent the Corporation; any telephone, cable or communications utility company; any agency or department of the Federal, Provincial or County Government; any company holding a Provincial license to transport or distribute natural gas; an electric service provider; a railway company and any local or County Board or Commission from: installing a watermain; sanitary sewer main; sewage or water pumping station; storm sewer main; gas main; electric power transformer/distribution station; transmission tower; communications tower; pipeline; overhead or underground electric line, cable service, or telephone line; road or street; any required accessory service buildings; or other use for the purposes of the public service subject to compliance with the provisions prescribed for the zone in which it is to be located and subject to there being no outdoor storage of goods, materials or equipment in any yard and provided that the location of any accessory building conforms to all yard, lot coverage and height provisions of the Zone in which it is located.
- .2 A sewage and/or water pumping station or ‘water well’ owned and operated by, or for, the Corporation, may be erected no closer than 3 metres (9.8 ft) to the lot lines and shall be exempt from all other zone provisions of the zone in which it is located.
- .3 Any electric power facilities and any receiving or transmitting tower and facilities of any radio or television station existing on the date of passing of this By-Law are permitted.

3.1.2 Temporary Buildings & Construction Facilities

- .1 Nothing contained in this By-Law shall prevent the erection or location of any sheds, scaffolds, construction trailers or other structures incidental to building construction on the lot for so long as the same is necessary for work in progress which has neither been finished, nor abandoned provided any necessary permits are obtained. All temporary buildings and/or construction facilities shall be noted on the Building Permit at time of issuance.
- .2 In any zone, such temporary buildings and construction facilities shall be permitted for a period lasting no longer than twelve (12) months commencing on the date on which the Building Permit is issued unless approved by the Chief Building Official.
- .3 For the purpose of [Section 3.1.2](#) only, an existing dwelling, mobile home, park model trailer, travel trailer or similar transportable accommodation, shall be considered to be a temporary building or construction facility when approved by the Chief Building Official.
 - i. In no instance shall an existing dwelling, mobile home, park model trailer, travel trailer or similar transportable accommodation, be used for a temporary building or construction facility for a period lasting no longer than twelve (12) months commencing on the date in which the Building Permit is issued.

- ii. An existing dwelling, mobile home, park model trailer, travel trailer or similar transportable accommodation, may only be used for a temporary building or construction facility during the construction of the principal or main use on a property.
- iii. A Building Permit issued for such construction shall note the requirement to remove and/or demolish such temporary buildings, mobile home, park model trailer, travel trailer or similar transportable accommodation as required.

3.1.3 Ornamental Structures

- .1 A statue, monument, fountain, cenotaph or other such memorial or ornamental structure shall be permitted in any zone.
- .2 Statues, monuments, cenotaphs or other such memorial or ornamental structures, greater than 1.0 metre (3.3 feet) in height, shall not be permitted in the front yard setback of a Residential zone.

3.1.4 Signs and Signals

All signs and signals shall be permitted in all zones in conformity with the Municipal Sign By-Law and the requirements of the appropriate regulatory authority.

3.1.5 Sewage Disposal Systems

- .1 A 'sewage disposal system' shall be permitted only in 'A1', 'ACI', 'HC', 'RCI', 'HR', 'HI', 'INR', 'OSR', 'AP' and 'M3' zones.
- .2 A 'sewage disposal system - tertiary sewage treatment unit' shall be permitted in all zones.
- .3 A 'communal sewage disposal system' or a 'sewage treatment plant' must be zoned accordingly.

3.1.6 Multi-Purpose Use Recreational Trails

- .1 Multi-purpose recreational trails (paths) are routes owned, constructed or under reserve to the Corporation, County or other public body, and may be open to the public.
- .2 Multi-purpose recreational trails shall be permitted in all zones. Permitted uses may include hiking, horseback riding, bicycling, cross country skiing, snowmobiling, all-terrain vehicles (ATVs) in accordance with all applicable By-Laws and Regulations of the Corporation, County or other public body.
- .3 Motorized vehicles, except snowmobiles, shall be prohibited from Provincially Significant Wetlands (EP-1 zone), Areas of Natural and Scientific Interest (ANSI), and other environmentally sensitive lands as determined by a public body on multi-purpose recreational trails (paths) routes owned, constructed or under reserve to the Corporation, County or other public body.

3.2 PUBLIC USES, BUILDINGS AND/OR STRUCTURES

Despite [Section 3.1.1](#), the erection of any building or structure designed for use as an office, storage or other uses, and the use of land for outside storage, by the Corporation; any telephone, cable or communications utility company; any agency or department of the Federal, Provincial or County Government; any company holding a Provincial license to transport or distribute natural gas; an electric service provider; a railway company and any local or County Board or Commission must conform to the provisions of this By-Law.

3.3 BUFFER ON LANDS ADJOINING INDUSTRIAL OR RESIDENTIAL USES/ZONES

The following buffers shall apply:

- i. No part of any Industrial principle use building listed in ‘Table 1: Uses Classified as Class 1 Industrial’ shall be located closer than 20 metres (65.6 feet) to a Residential Zone, Institutional Zone, residential use or institutional use; and
- ii. No part of any Industrial principle use building listed in ‘Table 2: Uses Classified as Class 2 Industrial’ shall be located closer than 70 metres (229.7 feet) to a Residential Zone, Institutional Zone, residential use or institutional use; and
- iii. No part of any residential use or institutional use shall be located closer than 20 metres (65.6 feet) to any part of any Industrial principle use building listed in ‘Table 1: Uses Classified as Class 1 Industrial’; and
- iv. No part of any residential use or institutional use shall be located closer than 70 metres (229.7 feet) to any part of any Industrial principle use building listed in Table 2: Uses Classified as Class 2 Industrial’.

Table 1: Uses Classified as Class 1 Industrial		
Computer/Data Processing Centre	Research Establishment / Laboratory	Warehouse
Factory Sales Outlet	Industry, Light	Warehouse, Mini Storage
Public Utility Building	Rental Establishment	Veterinary Clinic
Technology Industry	Trades Persons’ Shop	Recycling Depot
School Bus Storage	Agricultural Produce Warehouse	Greenhouse, Commercial
Septic Tank Service		

Table 2: Uses Classified as Class 2 Industrial		
Bulk Fuel Depot	Bulk Sales Establishment – Agriculture	Contractor’s Yard
Industrial Use	Public Garage	Automobile Wrecking Yard
Recycling Centre	Transport Depot	Industry, Dry
Food Processing, Primary and Secondary	Abattoir	Feed Mill & Elevator
Livestock Assembly Yard	Livestock Auction Barn	Salvage Yard
Saw or Planing Mill		

3.4 NON-CONFORMING USES

.1 Nothing in this By-Law shall:

- i. apply to prevent the use of any land, building or structure for any purpose prohibited by this By-Law if such land, building or structure was lawfully established and used for such purpose on the day of the passing of this By-Law, so long as it continues to be used for that purpose.
- ii. prevent the erection or use for a purpose prohibited by this By-Law of any building or structure for which a permit has been issued under The Building Code Act, prior to the day of the passing of this By-Law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided that the permit has not been revoked under The Building Code Act.
- iii. prevent the strengthening to a safe condition, or the restoration of any non-conforming building or structure or part of any such building or structure which does not conform with the provisions of this By-Law, or which has been damaged by causes beyond the control of the owner, provided such alteration, repair or restoration does not increase the height, size or volume or change the use of such building or structure and provided such building or structure was lawfully established.

.2 The use of a lot, building or structure which is not permitted within the zone in which it is located shall not be changed except to a use which is permitted within such Zone, or such other similar uses as may be approved under Section 45 of The Planning Act.

3.5 NON-COMPLYING USES

3.5.1 Strengthening to a Safe Condition

Nothing in this By-law shall prevent the strengthening to a safe condition of any building or structure or part of any such building or structure which does not comply with the provisions of this By-law, provided such alteration or repair does not increase the height, habitable space, size, or change the use of such building or structure.

3.5.2 Permitted Extensions of Non-Complying Buildings

Nothing in this By-law shall prevent an accessory use, extension or an addition being made to a building or structure, which is used for a purpose specifically permitted within the zone in which such building or structure is located and which building or structure legally existed at the date of passing of this By-law, but which buildings or structures does not comply with one or more of the Zone Provisions of this By-law, provided such accessory use, extension or addition does not contravene any of the provisions of this By-law.

3.5.3 Permitted Replacement of Non-Complying Buildings

Nothing in this By-law shall prevent the replacement of any building or structure which is destroyed by fire or an act of nature, which does not conform with one or more of the

provisions of this By-law, provided that:

- i. Such replacement does not increase the amount of habitable space, the height, and size or change the use of such building or structure; and such replacement shall comply, with all applicable yard provisions of the applicable zone, if possible, and does not reduce the original non-complying yard dimensions.

3.5.4 Existing Lots

Where an existing lot has a lesser area and/or frontage than required in the applicable zone, such lot may be used and buildings may be erected, enlarged, repaired or renovated on the lot provided that the use, and the buildings and structures, comply with all of the other provisions of the applicable zone and all other requirements of this By-Law.

3.6 ACCESSORY BUILDINGS AND STRUCTURES

[Section 3.6](#) shall apply to all Zones with the exception of the 'A1- General Agriculture' (Agriculture Lot) Zone.

3.6.1 Prohibited Structures

For the purposes of [Section 3.6](#) only, mobile homes, travel trailers, construction trailers, transport trailers, railway cars and buses, with or without wheels or a similar undercarriage shall not be used as accessory buildings or structures except in the Extractive Industrial (M3) or Waste Disposal (WD) zones.

3.6.2 Use of Accessory Buildings and Structures

Where this By-Law provides that a lot may be used or a building or structure may be erected, altered or used for a permitted use, that permitted use shall include an accessory building or structure. The accessory building or structure shall not: (1) be used for any occupation for gain or profit except as may be permitted in this By-Law; or (2) be used for human habitation/dwelling except where a dwelling is a permitted accessory use.

3.6.3 Location

(Amended by By-law 2015-039 - Housekeeping #1)

Unless otherwise provided in this By-Law, the yard requirements for each zone shall apply to both main and accessory buildings. Attached buildings accessory to dwellings shall be considered as part of the main building and all yards shall be provided in accordance with the relevant yard regulations.

3.6.3.1 Location - Residential Zones

(Amended by By-law 2015-039 - Housekeeping #1)

Subject to the provisions of this By-Law, any accessory building or structure, in any Residential Zone, may be erected in any yard subject to the following restrictions:

- i. When located in a rear yard, such accessory building or structure shall be located no

closer than 1.2 metres (4 feet) to the rear lot line. Further, any part of such accessory building or structure shall be setback 3 metres (9.8 feet) from any part of a dwelling on an adjoining lot.

- ii. When located in an interior side yard, an accessory building or structure may be positioned no closer than 1.2 metres (4 feet) to an interior side lot line. Where a mutual private garage is erected on the lot line between two lots, no interior side yard setback is required.
- iii. Where erected in an exterior side yard no accessory building or structure shall be located closer than 4.3 metres (14 feet) to any street line.
- iv. Detached garages or any part thereof, may be located in front of the principle structure provided it complies with the minimum front yard setback requirements and minimum side yard requirements.
- v. On lots which adjoin a navigable body of water, detached garages and accessory buildings may be located in the front yard provided that such garage or accessory building is not located closer than six metres from the front lot line and 1 metre from any side lot line. This also includes any lot that is separated from a body of water only by an unopened Municipal road allowance.
- vi. In the case of a Through Lot, the rear yard setback requirement of such lot for an accessory building or structure shall be equal to the front yard setback requirement of the principal building.

3.6.4 Height

The maximum height for all accessory buildings and structures shall be as follows:

- i. In 'AP', 'WD', 'OS', all commercial (excluding 'HC') and industrial zones, no greater than 8 metres (26 ft);
- ii. In all Residential and Institutional zones, 'MHP', 'HC', 'TTP', 'EP', and 'PD' zone, no greater than 5 metres (16 ft).

3.6.5 Number & Lot Coverage of Accessory Buildings & Structures

- .1 In no case shall the number of accessory buildings or structures exceed three (3).
- .2 The total lot coverage of all accessory buildings or structures on a lot shall not exceed 5% of the lot.
- .3 Accessory buildings or structures under 1.5 m² (16 ft²) shall not be considered to be an accessory building or structure.

3.6.6 Establishment of an Accessory Building/Structure or Use

Notwithstanding any of the provisions of this By-Law, no accessory building, structure or use shall be erected, or used until the principal building, structure or use is erected to the satisfaction of the Chief Building Official and in compliance with the provisions of this By-

Law. This shall not apply to those uses covered under [Section 3.1.2](#) 'Temporary Buildings and Construction Facilities'.

3.7 NUMBER OF MAIN BUILDINGS PER LOT

No person shall erect more than 1 'main building' on a lot except those lots 4.0 hectares (9.9 ac.) in size or larger in a General Agriculture (A1) zone.

3.8 ACCESSORY DWELLINGS

3.8.1 Dwelling, Accessory Apartment

Where permitted by this By-Law, no person shall use any part of a building or structure as a 'Dwelling, Accessory Apartment' except in accordance with the following provisions:

- .1 Minimum setbacks and yards shall be provided in accordance with the minimum setback and yard provisions for the building or structure in which the 'Dwelling, Accessory Apartment' is to be located.
- .2 The minimum 'Dwelling' 'floor area, gross' shall be as follows:

Dwelling consisting of single room	40 m ² (430.5 ft ²)
Dwelling containing one bedroom	60 m ² (646 ft ²)
Dwelling containing two bedrooms	70 m ² (753 ft ²)
Dwelling containing three bedrooms	90 m ² s (969 ft ²)
Dwelling containing more than three bedrooms	90 m ² (969 ft ²) plus 10 m ² (107.6 ft ²) for each bedroom in excess of three.

- .3 The 'Dwelling, Accessory Apartment' shall have a separate access/entrance distinct from the principal use.
- .4 The 'Dwelling, Accessory Apartment' shall be located at the rear of the ground floor at grade level and/or above the ground floor.
- .5 One parking space per 'Dwelling, Accessory Apartment' shall be provided, reserved and maintained for exclusive use by the 'Dwelling, Accessory Apartment'.
- .6 Accessory residential dwelling units shall not occupy more than fifty percent (50%) of the ground floor area of a building within a Commercial Zone.

3.8.2 Dwelling, Accessory Detached

Where permitted by this By-Law, no person shall use, erect, construct or use any part of a building as a 'Dwelling, Accessory Detached' except in accordance with the following provisions:

- .1 Minimum setbacks and yards shall be provided in accordance with the minimum setback and yard provisions for the zone in which the detached dwelling is located.

- .2 The Dwelling, Accessory Detached shall be reserved for the exclusive use of the owner or caretaker of the principal use.
- .3 A 'Dwelling, Accessory Detached' shall have a minimum 'floor area, ground' of 70 m² (753 ft²) [greater than 1 storey] or 90 m² (969 ft²) [1 storey] and a maximum building height of 10 metres (33 ft).

3.8.3 Dwelling, Secondary Suite

Where listed as a permitted use (refer to "Uses Permitted" sections of this By-law), a 'dwelling, secondary suite' shall be permitted, subject to the following provisions:

- .1 One 'Dwelling, Secondary Suite' per lot of record shall be permitted;
- .2 Applicable permits under the Ontario Building Code have been provided by the Chief Building Official;
- .3 Minimum 'floor area, gross' for a 'Dwelling, Secondary Suite' shall be 40 m² (430.6 ft²);
- .4 The lot the 'Dwelling, Secondary Suite' is situated on has frontage on a Class 1 Street;
- .5 It only exists along with, and within the same building as, its principal dwelling unit;
- .6 It is not a stand-alone, principal unit, capable of severance;
- .7 Able to connect to water and septic or sewer services;
- .8 If 'Dwelling, Secondary Suite' is connected to private septic system, septic re-inspection shall be completed and if any upgrades are required or maintenance necessary, shall be completed to the satisfaction of the Chief Building Official;
- .9 In the case of a 'Dwelling, Semi-Detached' or 'Dwelling, Townhouse Street', each principal dwelling unit must be located on a separate lot of record;
- .10 The 'Dwelling, Secondary Suite' must share the parking and yards provided for the principal dwelling unit, and no new driveway may be created;
- .11 'Home Occupation' is not permitted in a 'Dwelling, Secondary Suite'; and,
- .12 Where a 'Dwelling, Secondary Suite' is located on an existing lot of record, a 'Dwelling, Garden Suite' is not permitted on that lot.

3.9 HOME OCCUPATION – DOMESTIC & PROFESSIONAL USES

Where listed as a permitted use (refer to the "Uses Permitted" sections of this By-Law), Home Occupation – Domestic and Professional Uses may be conducted within a dwelling by accountants; architects; auditors; dentists; optometrists; engineers; insurance agents; land surveyors; lawyers; medical practitioners; chiropractors; notaries; planners; realtors; editors; photographers; computer consultants; hair dressers; dressmaking; ~~day care for not more than five children under ten years of age for a continuous period not exceeding twenty-four hours;~~ instruction in music, dancing, arts and crafts to not more than six

pupils or students at any one lesson; tailoring; weaving; painting; sculpting; moulding; or otherwise making or repairing of garden or household ornaments, articles of clothing, and personal effects or toys, and other such similar uses provided that: (Text deleted by *By-law 2016-028 - Child Care and Early Years Act, 2014*)

- .1 The Home Occupation – Domestic & Professional Uses shall be clearly secondary to the dwelling, or part thereof, and shall not change the character of the lot and/or dwelling or part thereof;
- .2 The said dwelling is occupied as a place of residence by the individual operating the Home Occupation – Domestic & Professional Uses;
- .3 Home Occupation – Domestic & Professional Uses shall be conducted only by those residing in the dwelling except for the employment of one assistant;
- .4 All articles sold shall be produced by the individual operating the Home Occupation – Domestic & Professional Uses or their assistant;
- .5 Total gross floor area utilized shall not exceed 30% of the dwelling or a maximum of 28 m² (301 ft²), whichever is lesser;
- .6 All signs shall be erected according to the Sign By-Law of the Corporation or County;
- .7 There is no external storage of goods or materials;
- .8 One off-street parking space is provided for every 14 m² (151 ft²) of floor space occupied by the Home Occupation – Domestic and Professional Uses;
- .9 No mechanical equipment is used except that reasonably consistent with the use of a dwelling;
- .10 No noise, vibration, fumes, odour, dust or glare shall be emitted to the environment outside of the building shall be permitted, beyond which is normally associated with a dwelling;
- .11 Home Occupation – Domestic and Professional Uses shall not include the retail sales of building or construction supplies nor any ‘Automobile’, ‘Motor Vehicle’ or ‘Commercial Motor Vehicle’ related use as defined in this By-Law;
- .12 A ‘Certificate of Occupancy’ as per [Section 3.32](#) shall be obtained.

3.10 HOME OCCUPATION – BED & BREAKFAST ESTABLISHMENT

Where listed as a permitted use (refer to the “Uses Permitted” sections of this By-Law), a Home Occupation – Bed & Breakfast Establishment may carry out business subject to the following provisions:

- .1 The Home Occupation – Bed & Breakfast shall be clearly secondary to the main use of the lot and/or building, or part thereof, and shall not change the character of the lot and/or building or part thereof;

- .2 The said building, or part thereof shall be occupied as a place of residence by the individual operating the Home Occupation;
- .3 The Home Occupation – Bed & Breakfast shall be conducted only by those residing on the lot except for the employment of one (1) assistant;
- .4 A Home Occupation – Bed & Breakfast shall provide no more than three (3) guest rooms for overnight accommodation;
- .5 No food or drink shall be offered or kept for sale for persons who are not guests of the establishment. A Home Occupation – Bed & Breakfast shall not include a ‘restaurant’;
- .6 A Home Occupation – Bed & Breakfast shall provide one (1) additional parking space for each guest room;
- .7 All signs shall be erected according to the Sign By–Law of the Corporation or County;
- .8 A ‘Certificate of Occupancy’ as per [Section 3.32](#) shall be obtained.

3.11 HOME INDUSTRY

A home industry is a limited–scale activity undertaken for financial gain, which occurs in a dwelling or an accessory building and is subordinate to the primary use of the property as a residence or farm. The activity is limited in scale. It is a sideline, and the use is secondary to the primary use of the property (e.g., an agricultural use). This means that the use is not the primary or original use for which the property was intended and by which it is zoned. The home industry provisions are intended to support the ‘incubation’ period for new businesses until such time as the business requires accommodations larger than permitted in this By–Law. Home industries requiring larger buildings may be required to relocate to suitable ‘commercial’ or ‘industrial’ properties.

Where listed as a permitted use a Home Industry (refer to the “Use Permitted” sections of this By–Law) may be conducted within a dwelling, or an accessory building and shall be limited to the sale of farm products produced/grown or raised on the property; ‘Nursery’; ‘Food Processing, Primary’; ‘Food Processing, Secondary’; ‘Dry Industrial Use’; ‘Bulk Sales Establishment – Agricultural’; ‘Farm Implement Repair; the sale and service of equestrian equipment; and a ‘Trades Person’s Shop’ provided that:

- .1 The Home Industry shall only be located on lands designated as ‘Agriculture Areas’ or ‘Rural Areas’ in the County of Bruce Official Plan.
- .2 The Home Industry shall be clearly secondary to the main use of the lot and/or building, or part thereof and shall not change the character of the lot and/or building or part thereof;
- .3 The lot and/or dwelling is a primary place of residence by the individual operating the Home Industry;
- .4 The Home Industry shall be conducted only by those residing on the lot except for the

employment of one assistant;

- .5 Total gross floor area utilized shall not exceed 30% of the dwelling or a maximum of 28 m² (301 ft²), whichever is lesser. Where the Home Industry is located within an accessory building, not more than 100 m² (1076.4 ft²) shall be devoted to such use. The accessory building utilized for a Home Industry must be located within 30 metres (100 ft.) of the existing dwelling;
- .6 All signs shall be erected according to the Sign By-Law of the Corporation or County;
- .7 There shall be no external storage of equipment, vehicles, waste materials, raw materials, finished products/goods, or supplies unless fully enclosed by a 'Planting Area/Visual Screening' as per [Section 3.15](#);
- .8 One off-street parking space shall be provided for every 19 m² (205 ft²) of floor space occupied by the Home Industry in a dwelling or accessory building;
- .9 Home Industry shall not include the retail sales of building or construction supplies nor any 'Motor Vehicle' or 'Commercial Motor Vehicle' related use as defined in this By-Law;
- .10 A 'Certificate of Occupancy' as per [Section 3.32](#) shall be obtained and,
- .11 Home Industry shall not create nor become a 'nuisance' in regard to noise, odours, vibrations, glare, smoke, dust, fumes, heat, traffic generated or parking.

3.12 HEIGHT RESTRICTIONS AROUND MUNICIPAL AIRPORT

- .1 Notwithstanding [Section 3.13](#) 'Exceptions to Maximum Height Regulations' or any other provisions of this By-Law to the contrary, within those areas identified on Schedule 'B' as Area 1, Area 2, Area 3 and Area 4, no person shall erect or construct any building or structure, or any addition to any existing building or structure, the highest point of which will exceed the following heights:
 - i. In Area 1, no building or structure may be higher than a height calculated based on the ratio of 1:30 from the end of the airport runway strip, or the height restriction of the zone in which the land lies, whichever is the lesser. (That is, for every 30 metres calculated at a right angle to the end of the runway strip, building or structure height may be increased by 1 metre, until the prescribed maximum height restriction is reached);
 - ii. In Area 2, no building or structure may be higher than a height calculated based on the ratio of 1:20 from the end of the airport runway strip, or the height restriction of the zone in which the land lies, whichever is the lesser. (That is, for every 20 metres calculated at a right angle to the end of the runway strip, building or structure height may be increased by 1 metre, until the prescribed maximum height restriction is reached;
 - iii. In Area 3, no building or structure may be higher than a height calculated based on the ratio of 1:5 from the side perimeter of the airport runway strip, or the height

restriction of the zone in which the land lies, whichever is the lesser. (That is, for every 5 metres calculated at a right angle to the side plane of the runway strip, building or structure height may be increased by 1 metre, until the prescribed maximum height restriction is reached);

iv. In Area 4, no building or structure may be higher than a height calculated based on the ratio of 1:7 from the side perimeter of the airport runway strip, or the height restriction of the zone in which the land lies, whichever is the lesser. (That is, for every 7 metres calculated at a right angle to the end of the runway strip, building or structure height may be increased by 1 metre, until the prescribed maximum height restriction is reached.

.2 Notwithstanding [Section 3.13](#) 'Exceptions to Maximum Height Regulations' or any other provisions of this By-Law to the contrary, within the area identified on Schedule 'B' as 'Outer Surface' no person shall erect or construct any building or structure, the highest point of which will exceed 331 metres (1086 ft.) Above Sea Level.

3.13 EXCEPTIONS TO MAXIMUM HEIGHT REGULATIONS

The regulations prescribing the maximum height of any building or structure in any zone do apply to antennas and radio or television receiving or transmitting equipment, telecommunications towers, grain elevators, farm silos, barns, assembly hall spires, belfries, cupolas, chimneys, ventilators, skylights, water tanks, scenery lofts, bulk heads, firewalls, and similar features and necessary mechanical appurtenances accessory to the building on which they are erected; provided however, that such features are erected only to such heights as is necessary to accomplish their purposes except for the following:

- i. The height restrictions as calculated in [Section 3.12](#) Height Restrictions Around Municipal Airport shall apply.
- ii. In no event shall any structure exceed 20 metres (65.6 feet) in a Residential Zone, or 45 metres (147.6 feet) in all other zones.

3.14 PERMITTED YARD ENCROACHMENTS

Except as otherwise provided, no obstruction or occupation of the space in any yard required by this By-Law shall be permitted except the following:

- .1 A fireplace and chimney, sills, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters, bay windows and other ornamental architectural features may be permitted in the required setback or yard area provided such feature does not project more than 60 centimetres (2 ft.) into the setback or yard area and in no event shall such feature be closer than 1 metre (3 ft.) to any property line.

Deleted and replaced by By-Law 2015-039 (Housekeeping #1)

~~.2 Unenclosed porches, covered or uncovered steps, open steel fire escapes, sundeck patios and awnings, or balconies are permitted to encroach into a required yard, but not more~~

~~than 1.5 metres (5 ft.), provided that:~~

- ~~i. they are located no closer than 3 metres from the front lot line;~~
- ~~ii. they are set back a minimum of 1 metre from the interior side lot line or rear lot line;~~
~~and~~
- ~~iii. they are located not closer to the exterior side lot line than the main building on the lot.~~

- .2 On a main building, unenclosed porches, covered and uncovered steps, open steel fire escapes, sundeck patios and awning, or balconies are permitted to encroach into a required yard, but not more than 1.5 metres (5 feet) provided that the building face on which such feature is located complies with the required yard setback.
- .3 Flag poles, garden trellises, fences, and retaining walls, shall be permitted in a required yard.
- .4 Clothes line poles shall only be permitted in an interior side or rear yard.

3.15 PLANTING AREA/VISUAL SCREENING

- .1 A required Planting Area/Visual Screening shall consist of a dense screen of shrubs and/or evergreen trees planted or designed in such a manner as to provide a year round visual barrier.
- .2 A Planting Area/Visual Screening shall be in addition to the requirements of [Section 3.16](#) Landscaped Open Space.

3.15.1 Required Locations

Except as otherwise provided, a Planting Area/Visual Screening shall be provided as per [Section 3.15](#), where required by this By-law and:

- i. Where the interior side lot line or rear lot line of such lot abuts any lot zoned Residential, Open Space, or Institutional; or
- ii. Where the Exterior Side Yard and/or Front Yard abuts a street line and the opposite street line abuts a Residential, Open Space or Institutional Zone, a Planting Area/Visual Screening shall be required along either the Exterior Side Yard or the Front Yard but not both.

3.15.2 Height & Width of Planting Area/Visual Screening

- .1 Except as otherwise provided, a Planting Area/Visual Screening shall have a minimum width of 1.5 metres (5 ft.).
- .2 The required Planting Area/Visual Screening shall be a minimum height of 1 metre (3 ft.) when planted and of a type that will attain a minimum height of 2 metres (6.6 ft.) at maturity to the lot line and the remainder of the ground surface shall be planted with any combination of shrubs, flower beds or grass.

- .3 Notwithstanding the above and subject to Site Plan Approval if required, a solid opaque fence, wall or other landscaping feature of equivalent height and density may be considered in place of a Planting Area. When considering such an alternative, regard shall be given to the location, height, materials, finishing and porosity of the wall or fence.
- .4 The Planting Area/Visual Screening shall be located along the boundary of the lot.

3.15.3 Interruption for Driveway or Walkway

Where interrupted by walkways or driveways, a Planting Area/Visual Screening shall not be provided closer than 1.5 metres (5 ft) to a walkway or 3 metres (10 ft) to a driveway.

3.15.4 Maintaining Sight Visibility Triangle

Where required on a street corner of a corner lot, a Planting Area/Visual Screening shall be located in such a way as not to form an obstruction to traffic and as required by the sight visibility triangles required by this By-Law.

3.16 LANDSCAPED OPEN SPACE

(Deleted in its entirety and Replaced by By-law 2015-039 - Housekeeping #1)

- ~~.1 Except as otherwise provided, 'Landscaped Open Space' shall be provided as per Section 3.15, where required by this By-Law as follows:
 - ~~i. a minimum of 3 metres (9.8 ft) in width along all Front and Exterior yards; and~~
 - ~~ii. a minimum of 2 metres (6.6 ft) in width along all Interior and Rear yards.~~~~
- ~~.2 No parking shall be permitted within the 'Landscaped Open Space'.~~
- ~~.3 Landscaped Open Space shall be in addition to the requirements of Section 3.15 Planting Area/Visual Screening.~~
- ~~.4 The Landscaped Open Space shall be located along the boundary of the lot.~~
- .1 In Residential Zones
 - i. Unless otherwise specified, abutting property owners shall be responsible for the provision and maintenance of front yard landscaping to the travelled limit of the public road.
 - ii. In HR – Hamlet Residential, Residential R1 and R2 Zones, no less than fifty percent (50%) of the front yard must be landscaped and such landscaping shall not include driveways or parking areas.
 - iii. In the Residential R3 Zone, no less than thirty-five percent (35%) of the front yard must be landscaped and such landscaping shall not include driveways or parking areas.
- .2 In All Other Zones

Except as otherwise provided, 'Landscaped Open Space' shall be provided where required by this By-Law as follows:

- i. A minimum of 3 metres (9.8 feet) in width along all Front and Exterior yards;
- ii. A minimum of 2 metres (6.6 feet) in width along all Interior and Rear yards;
- iii. No parking shall be permitted within the 'Landscaped Open Space';
- iv. Landscaped Open Space shall be in addition to the requirements of Section 3.15 Planting Area/Visual Screening, where required; and,
- v. The Landscaped Open Space shall be located along the boundary of the lot.

3.17 OPEN STORAGE & OUTDOOR DISPLAY AREAS– INDUSTRIAL/COMMERCIAL ZONES

3.17.1 Open Storage Areas

- .1 'Open Storage' shall be permitted provided that:
 - i. the Open Storage Area is accessory to the principle use on the lot;
 - ii. no Open Storage Area shall be permitted in a front yard or exterior side yard;
 - iii. the Open Storage Area complies with the minimum yard requirements of the zone;
 - iv. the Open Storage Area is visually screened from the street by a 'Planting Area/Visual Screening' as per [Section 3.15](#).
- .2 In the Industrial or Commercial zones, where any side or rear lot line abuts a lot also zoned Industrial or Commercial, the minimum setback of any Open Storage may be reduced to no less than 3 metres (10 ft.) from the said side or rear lot line.

3.17.2 Outdoor Display Areas

'Outdoor Display Areas' shall be allowed in the Front Yard and/or Exterior Side Yard provided that:

- i. the items displayed in the Outdoor Display Areas are accessory to the principle use of the lot; and
- ii. the Outdoor Display Areas shall not inhibit sight triangles nor occupy space required for a Planting Area/Visual Screening as required by [Section 3.15](#) and/or Landscaped Open Space as required by [Section 3.16](#).

3.17.3 Lot Coverage

Open Storage Areas and Outdoor Display Areas shall not cover more than 35% of the lot area.

3.17.4 Surface Treatment

Any permitted Open Storage Area shall be constructed and maintained with a stable surface of concrete, asphalt, gravel or other hard surface adequately treated to prevent the raising of dust or loose particles and shall include provisions for adequate drainage facilities.

3.17.5 Parking and Loading Spaces to be Preserved

Any areas used for permitted Open Storage or Outdoor Display Areas shall be in addition to and separate from such areas as may be required by this By-Law for the provision of

off-street parking or loading spaces.

3.17.6 Lighting

Where lighting facilities are provided in conjunction with any permitted Open Storage or Outdoor Display Areas, such lighting shall be so arranged as to deflect light onto the open storage area and away from any adjoining properties.

3.18 REDUCTION OF REQUIREMENTS

- .1 No person shall:
 - i. change the purpose for which any lot, building or structure is used, or
 - ii. erect any new building or structure, or
 - iii. add to or take away from any existing building or structure, or
 - iv. reduce any lot in area by conveyance or alienation of any portion thereof or otherwise,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.
- .2 In the event that a contravention of this By-Law occurs as a result of any action described in [Section 3.18.1](#), no building or structure in contravention as set out in Section 3.18.1 shall thereafter be used until the requirements of this By-Law applicable thereto are complied with.
- .3 The provision of [Section 3.18.1](#) and [3.18.2](#) shall not apply to lands severed pursuant to the provisions of the Expropriations Act or to a street widening acquired by a governmental authority.

3.19 FENCING OF PRIVATELY OWNED OUTDOOR SWIMMING POOLS

The owner of every privately owned outdoor swimming pool shall erect and maintain a fence completely enclosing the pool, which fence shall conform to the specification of the applicable Municipal Swimming Pool By-Law.

3.20 WATERCOURSE SETBACKS

- .1 Notwithstanding any yard provisions of this By-Law, no person shall hereafter erect any building or structure in any zone which is closer than 15 metres (50 ft.) from the top of bank of a 'municipal drain, open' or 'municipal drain, enclosed'; or closer than 30 metres (98 ft.) to the top of bank of any 'watercourse' or within an 'EP – Environmental Protection' zone boundary, whichever setback is greater.
- .2 Notwithstanding any other provisions of this By-law, the geographic Town of Walkerton is exempt from top of bank setbacks from any 'watercourse'.

3.21 SETBACKS FROM DISPOSAL AREAS – WASTE & SEWAGE

- .1 No building or structure erected and used for human habitation shall be located closer than:

- i. 150 metres (492 ft) from any area zoned for and containing a ‘sewage treatment plant’ or
 - ii. 50 metres (164 ft) from any area zoned for and containing a ‘communal sewage disposal system’; either within or outside of the limits of the Corporation.
- .2 No building or structure erected and used for human habitation shall be located closer than 500 metres (1 640 ft) from the fill area as defined in a ‘Certificate of Approval’ for an open municipal or private ‘solid waste disposal site’ or a ‘composting facility’, either within or outside of the limits of the Corporation.
 - .3 Notwithstanding [Sections 3.22.1](#), and [3.22.2](#), additions, enlargements and alterations to existing buildings and structures within the required setback shall be permitted in accordance with the applicable zoning designation.

3.22 PROVINCIAL OR COUNTY STREET RIGHT-OF-WAY SETBACKS

- .1 Buildings or structures erected adjacent to a Provincial Street shall be required to comply with the setback requirements of the Province.

Note:

Ministry of Transportation

Any development located adjacent to a Provincial Highway will be subject to the setback and frontage requirements, along with the access and building permit controls, of the Ministry of Transportation. Any proposed access to a Provincial Highway will be subject to the prior approval of the Ministry of Transportation. Permits from the Ministry must be obtained prior to any construction and/or grading being undertaken on the site.

Modified by By-law 2015-035 (Housekeeping #1)

- .2 No building or structure shall be erected within a distance of 22.9 metres (75 feet) from the edge of the right-of-way of any County Street outside of the Urban Area and Hamlet boundaries as identified on County of Bruce Official Plan.
- .3 Notwithstanding the provisions of [Section 3.22.2](#), between two permanent dwellings on the same side of the street, separated by not more than 100 metres (328 ft), the minimum setback shall be the average of the setbacks of the two adjacent buildings plus 2 metres, or 33 metres from the centre line of any County Street, whichever is the lesser.
- .4 Notwithstanding the provisions of [Section 3.22.2](#), within 30 metres of an existing permanent dwelling where [Section 3.22.3](#) would not apply, the minimum setback shall be the average of: the setback of the existing dwelling plus 33 metres ($(\text{‘x’ metres} + 33)/2$), from the centre line of any County Street, whichever is the lesser.
- .5 The provisions of [Section 3.22.2](#) shall not apply where a County road is within an urban area shown on Schedule ‘A’ Land Use of the County of Bruce Official Plan as defined in the Highway Traffic Act, where building setbacks are regulated elsewhere in this By-law.

3.23 STREET

3.23.1 Streets – Class 1

- .1 Class 1 Streets are shown on Schedule 'A' and are constructed and maintained so as to permit year round access to adjacent properties. For the purpose of this By-Law, County and Provincial roads are considered to be Class 1 Streets.
- .2 The Corporation, within reasonable limits, will provide a level of municipal service on Class 1 Streets within its jurisdiction as is customarily practised by the Corporation.
- .3 For the purposes of this By-Law, a 'lane' or 'private street' shall not be considered to be a Class 1 Street regardless of the level of construction or maintenance.

3.23.2 Streets – Class 2

- .1 Class 2 Streets under the jurisdiction of the Corporation are shown on Schedule 'A' and regardless of the level of construction or maintenance shall for the purposes of this By-Law mean that the Corporation is not obligated to provide municipal services such as snow plowing, provision of garbage/recycling collection, or fire protection on a year round basis.
- .2 For the purposes of this By-Law, a 'lane' or 'private street' shall be considered to be a Class 2 Street.

3.24 FRONTAGE ON A STREET (BUILDING PERMITS)

- .1 No person shall erect any building or structure in any zone unless the lot upon which such building or structure is to be erected:
 - i. fronts, and has ingress and egress upon a Class 1 Street; or
 - ii. is a lot on a Registered Plan of Subdivision and a "Subdivision Agreement" is in effect with the "Subdivision Agreement" providing for the assumption of the street as a Class 1 Street upon completion of the subdivision; or
 - iii. is within a registered Plan of Condominium.
- .2 No person shall erect any building or structure, or increase the height, size or volume of existing structures, in any zone fronted by a Class 2 Street unless the owner of the lot upon which such building or structure is to be erected or increased in height, size or volume has entered into a 'Limited Service Agreement' with the Corporation.

3.25 SIGHT TRIANGLES

In all zones, on a corner lot, no buildings, structures or Planting Area/Visual Screening shall be erected in such a manner as to materially impede vision of the intersection above a height of 0.5 metres (20 inches) and below a height of 4 metres (13 ft) above the centre line grade of the intersecting street in the triangular area bounded by the street lines of the corner lot and a line from the points along said street lines distant 10 metres (33 ft) from the point of intersection of said street lines.

3.26 OFF-STREET PARKING REGULATIONS

Unless otherwise provided for in this By-Law, angle or parallel parking spaces shall be provided and maintained in accordance with the following regulations:

3.26.1 Required Number of Parking Spaces

Required Number of Spaces by Use	Minimum Number of Spaces
i) Dwelling, non-farm; dwelling, accessory detached; dwelling, single detached; dwelling, duplex; dwelling, semi-detached; dwelling, converted, dwelling, townhouse street or other dwelling not otherwise specified herein	2 parking spaces per dwelling unit
ii) Dwelling, secondary suite; dwelling, garden suite	1 parking space per dwelling unit
iii) dwelling, apartment building; dwelling, townhouse cluster	1 parking space per dwelling unit plus 0.25 parking spaces per dwelling unit intended and clearly identified for visitor parking
iv) group home type one and two	2 parking spaces plus 0.25 parking spaces per bedroom
v) assembly hall; livestock auction barn	1 parking space for each 5 fixed seats or fraction thereof, or 1 space for each 10 m ² (108 ft ²) of floor area, gross, whichever is greater
vi) commercial college; day-nursery child care centre; educational facility	Commercial College: 1 parking space per 20m ² (215 ft ²) of floor area, gross. Day-Nursery: 'Child Care Centre' 3 parking spaces per classroom assembly, whichever is greater. Education Facility – Elementary: the greater of either 1.5 parking spaces per classroom or 1 parking space per 3 m ² of any auditorium or any gymnasium floor area. Educational Facility – Secondary: the greatest of either 3 parking spaces per classroom or 1 parking space per 3 m ² of any auditorium or any gymnasium floor area.

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- | | |
|---|---|
| vii) public park | 2 parking spaces per 0.4 hectares (1 ac) |
| viii) travel trailer sales establishment;
farm implement establishment;
marine, recreation and small engine
establishments; school bus storage | 4 parking spaces per 0.4 hectares (1.0 ac)
plus 1 parking space per service bay |
| ix) agriculture produce warehouse; bulk
fuel depot; composting facility;
portable asphalt plant or concrete
plant; pit; quarry; wayside
pit/quarry; recycling depot; riding
stable/equestrian centre; salvage
yard; sewage treatment plant; solid
waste disposal site; transport depot;
livestock assembly yard | 4 parking spaces per use |
| j) conservation area; snowmobile club;
gun club; cross country ski facility;
adventure game | 1 parking space per 1.0 hectares (2.5 ac) |
| k) abattoir; industrial use, dry; industry,
light; industrial use; food processing,
primary; food processing, secondary;
research establishment/laboratory;
saw or planing mill; technology
industry | 1 parking space for each 100 m ² (1,076 ft ²) of
gross floor area plus 1 space for each 20m ²
(215 ft ²) or fraction thereof, devoted to office
use. |
| l) campground | 1 parking space for each campground site
plus 1 parking space for every 4 campground
sites, or fraction thereof, to be set aside for
and visually identified as visitor's parking |
| m) bulk sales establishment – agriculture;
feed mill & elevator | 1 parking space per 20 m ² (215 ft ²) gross
floor area for interior space plus 1 parking
space per 50 m ² (538 ft ²) gross floor area for
outdoor sales, display or warehouse area |
| n) trades person's shop; contractor's
yard | 1 parking space per 50 m ² (538 ft ²) of gross
floor area plus 1 parking space for each 20
m ² (215 ft ²) or fraction thereof, devoted to
office use |

General Provisions For All Zones

o) garden centre; greenhouse, commercial; rental establishments	1 parking space per 20 m ² (215 ft ²) of gross floor area for retail or administration and 1 parking space per 50 m ² (538 ft ²) of gross floor area for outdoor storage, sales and display or greenhouse
p) public garage	2 parking spaces per service bay
q) public utility building	1 parking space per building or structure
r) golf course	2 parking spaces per hole
s) miniature golf course; golf driving range	2 parking spaces per hole miniature golf; 1 parking space per tee plus 1 parking space per 10 m ² (108 ft ²) of building gross floor area or fraction thereof
t) hospital; residential care facility	1 parking space per patient room or resident room
u) funeral home	1 parking space per 18 m ² (194 ft ²) of gross floor area with a minimum of 10 parking spaces
v) business or professional office; clinic; fitness centre; public building; veterinary clinic; veterinary clinic – small animal	1 parking space per 20 m ² (215 ft ²) of gross floor area
w) recreation centre	The greater of 1 parking space per 10 fixed seats or 1 parking space per 10 m ² (108 ft ²) of gross floor area and 2 parking spaces per 0.4 hectares (1 ac.) of lot area
x) all automobile uses; all commercial uses	1 parking space per 20 m ² (215 ft ²) of gross floor area plus 1 parking space per service bay, wash bay and/or fuel pump
y) hotel/motel	1 parking space per guest room plus the greater of either 1 parking space per 4 seats or 1 parking space per 10 m ² (108 ft ²) of gross floor area per ‘Tavern’ and/or ‘Restaurant’
z) warehouse; warehouse, mini-storage	1 parking space per 200 m ² (2,153 ft ²) of gross floor area plus 1 parking space for each

General Provisions For All Zones

	20 m ² (215 ft ²) or fraction thereof, devoted to office use plus 1 parking space per 500 m ² of total lot area used for open storage
aa) artisan studio; convenience store; factory outlet; personal service shop; retail store; retail, large format	1 parking space plus 1 additional parking space per m ² (215 ft ²)
bb) restaurant; restaurant, take-out; tavern	the greater of either 1 parking space per 4 seats or 1 parking space per 10 m ² (108 ft ²) of gross floor area
cc) any 'commercial use' or 'other use' not otherwise specified herein	1 parking space per each 30 m ² (323 ft ²) of gross floor area or fraction thereof
dd) any 'industrial use' not otherwise specified herein	1 parking space per each 90 m ² (969 ft ²) of gross floor area or fraction thereof with a minimum of 5 parking spaces

3.26.2 Barrier Free Parking Spaces

Included in the number of parking spaces required in [Section 3.26.1](#) for all uses, save and except for Residential uses, shall be Barrier Free parking spaces in accordance with the following:

<u>Total Parking Spaces Required</u>	<u>No. of Barrier Free Spaces Required</u>
1-25	1
26-50	2
51-75	3
76-100	4
101 +	4 plus 2% of # over 100 spaces

3.26.3 Calculation of Spaces

- .1 When a building or lot accommodates more than one use or purpose the required parking spaces shall be the sum total of the required parking spaces for the separate uses or purposes. Parking facilities for one use shall not be considered as providing required parking for any other uses.
- .2 If calculation of the required parking spaces results in a fraction, the required parking spaces shall be the next higher whole number.

3.26.4 Size and Accessibility of Parking Spaces

Every parking space shall maintain a minimum area and width and shall be accessible from unobstructed manoeuvring aisles and shall be in accordance with the following

regulations:

.1 Angle Parking

Angle in Degrees	Parking Space in Length	Manoeuvring Aisle Width	Parking Space in Width
30	4.6 m (15 ft)	3.7 m (12.1 ft)	2.75 m (9.1 ft)
45	5.5 (18 ft)	4.0 m (13.1 ft)	2.75 m (9.1 ft)
60	5.8 (19 ft)	5.5 m (18 ft)	2.75 m (9.1 ft)
90	5.5 m (18 ft)	7.3 m (24 ft)	2.75 m (9.1 ft)

.2 Parallel Parking

Parking Space Length	Parking Space Width	Manoeuvring Aisle Width
6.7 m (22 ft)	3 m (9.9 ft)	3 m (9.9 ft)

3.26.5 Barrier Free Parking

Notwithstanding the parking space size requirements listed in [Sections 3.26.4\(1\)](#) and [3.26.4\(2\)](#), the minimum parking space width for Barrier Free Parking shall be 4 metres (13 ft). Where two or more angled Barrier Free Parking spaces are located together, the minimum parking space width shall be 3.2 metres (10.5 ft).

3.26.6 Provisions and Location of Spaces

- .1 Parking spaces shall be provided at the time of erection of any building or structure, or at the time any building or structure is enlarged.
- .2 Parking spaces shall be located on the same lot or within the same building as the use for which said parking is required.
- .3 However, where the owner of a building or structure proposes to provide the required parking spaces and areas in a location other than on the same lot as the use that requires such spaces and areas, then such parking shall be located not more than 150 metres (492 ft) from the said lot and shall be located within the same zone as the said lot. Such parking shall not be considered as required parking for the use of the lands upon which the parking spaces are situated.
- .4 Should it not be possible to accommodate the required number of parking spaces on site or within 150 metres (492 ft) of the site, Council may, if appropriate, require the owner to enter into an agreement under Section 40 of the Planning Act for the payment of cash in lieu of parking.

By-Law 2015-054 - HSKP #2 -Parking - added text to Section 3.26.6.5

- .5 Uncovered parking spaces may be located in the required yards. Parking in the front yard setback of a residential lot is restricted to parking on a driveway. Driveway provisions are established in [Section 3.26.9](#)

3.26.7 Application of Parking Requirements

The parking area requirements referred to herein shall not apply to any building 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 and the building or structure is used for a purpose which does not require more parking spaces according to this section, than were required by its use at the date of passing of the By-Law. However, if a use is changed or a building is enlarged in floor area or there is an increase in number of employees, number of dwellings or seating capacity or otherwise as would require an additional number of parking spaces, then such additional parking spaces shall be provided based on said change of use or expansion. In the case of a change in use, the number of parking spaces required will be determined by calculating the difference between that which would be required by the new and the existing uses.

3.26.8 Seating Accommodation by Benches or Outdoors

For the purposes of [Section 3.27.8](#), where seating accommodation is provided by benches, 0.5 metres (20 inches) of bench space shall be considered as equivalent to one (1) seat. Where outdoor seating is provided in conjunction with a permitted use, parking spaces shall be provided in accordance with [Section 3.27.1](#). For the purposes of [Section 3.27.1](#), an outdoor seating area shall be considered as part of the ‘gross floor area’ as the case may be, for the purposes of calculating required spaces.

3.26.9 Entrance [Driveways]

Note: Entrances and/or Entrance Permits may also be regulated by the Province of Ontario, County of Bruce or the Municipality of Brockton for their respective road systems.

- .1 A driveway shall have a minimum width of 3 metres (9.8 feet) and maximum width of 7.5 metres (24.6 feet).
- .2 The maximum width of any joint entrance and exit driveway measured along the street line shall be 7.5 metres (24.6 feet).
- .3 The minimum distance between a driveway and an intersection of street lines measured along the street line intersected by such driveway shall be 7.5 metres (24.6 feet).
- .4 The minimum angle of intersection between a driveway and a street line shall be 45 degrees.
- .5 Every lot shall be limited to the following number of driveways:
 - i. Up to the first 30 metres of frontage measured along the street line, no more than 1

- driveway; and,
- ii. For each additional 30 metres of frontage measured along the street line – no more than 1 additional to a maximum of three driveways.
- .6 An entrance serving a non-residential use shall not be located closer than 3 metres (10 feet) to a lot containing a dwelling as a principal use.
- .7 An entrance serving a residential use shall not be located closer than 1 metre (3 feet) to the side property line, save and except for a joint driveway servicing two lots in which case the entrance shall not require any setback.
- .8 All driveways shall require a permit from the appropriate approval authority and shall be constructed and maintained in accordance with applicable municipal by-laws.

3.26.10 Surfacing and Drainage of Parking Areas and Entrances

All entrance and parking areas, except agricultural, shall be constructed of asphalt, concrete, or gravel and shall be maintained or treated so as to prevent the raising of dust or loose particles. Drainage shall be provided so as to prevent the flow of surface water on to adjoining lots.

3.26.11 Illumination of Parking Areas or Entrances

When parking areas and/or entrances are illuminated, lighting fixtures shall be so arranged that no part of any fixture shall be more than 9 metres (30 ft) above the adjoining finished grade and light shall be directed downward and away from adjoining lots.

By-law 2015-054 - HSKP # 2 - Parking - added new Subsection 3.26.12

3.26.12 Parking /Storage of Recreational or Commercial Vehicles in a Residential Zone

Note: This section applies to the R1, R2 and R3 – Urban Residential zones, LR Lake Residential zone, and HR Hamlet Residential zone.

- .1 The parking or storage of any vehicle without current license plates within lands zoned for residential purposes shall be prohibited unless it is stored in an enclosed garage or other accessory building.
- .2 No part of any residential lot shall be used for the temporary parking or storage of any commercial motor vehicle.
- .3 No part of the required front or exterior side yard of any residential lot except for a driveway shall be used for the temporary parking or storage of any trailer, boat, bus, recreational vehicle, camper, or coach. Such vehicles parked in a driveway shall be located so no part of the vehicles on or above the ground is within 1.2 metres of the side lot line and shall be set back of a minimum of 2 metres (~ 6.5 feet) from the nearest edge of the sidewalk or paved boulevard, or 2 metres (~ 6.5 feet) from the nearest edge of the curb if there is no sidewalk, or 3 metres (~9.8 feet) from the nearest edge of the travelled portion of the road, if there is no sidewalk and no curb; and,

- .4 Not more than thirty percent (30%) of the aggregate area of the side yards and rear yard of any residential lot shall be occupied by parking spaces or storage spaces for unoccupied motor vehicles, trailers, boats and motorized snow vehicles; no part of any such vehicle, on or above the ground, shall be located within 1.2 metres (~ 4feet) of the side lot line.

3.27 LOADING REGULATIONS

The owner or occupant of any building or structure located in the Zones identified in Table 1 below, shall provide and maintain at the premises, on the lot occupied by the building or structure and not forming part of a street or lane, within the zone in which such use is located, loading and unloading spaces in accordance with the following regulations:

Table 1 – Loading Space Regulation

Industrial Zones	Minimum Spaces Required
0 to 464.5 m ² (5,000 ft ²)	0 spaces
464.6 m ² to 2,322.5 m ² (5,001 ft ² to 25,000 ft ²)	one (1) space
greater than >2,322.5 (25,000 ft ²)	two (2) spaces
Commercial Zones	Minimum Spaces Required
0 to 185.8 m ² (2,000 ft ²)	0 spaces
185.9 m ² to 929.0 m ² (2,001 ft ² to 10,000 ft ²)	one (1) space
greater than >929.0 (10,000 ft ²)	two (2) spaces

Note: All of the above are in reference to ‘Gross Floor Area’ of the main use.

3.27.1 Access

In addition to the number of loading spaces, adequate space shall be provided for the parking of vehicles awaiting access to loading, and any additional area as is necessary for the manoeuvring of a truck-trailer either into or out of the loading space. Access to loading spaces shall be by means of a driveway at least 6 metres (20 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.

3.27.2 Loading Space Dimensions

Each loading space shall be at least 15 metres (49.2 ft) long, at least 3.5 metres (11.5 ft) wide and shall have a vertical clearance of at least 4.5 metres (14.8 ft).

3.27.3 Location of Loading Space

No loading space shall be located in the required front yard nor shall any required off-street parking space be considered in calculating the required number of off-street loading spaces. On a corner lot loading spaces may be located between the main building and the flanking street but not within the required exterior side yard.

3.27.4 Surface and Drainage of Spaces and Driveways

Loading spaces and driveways thereto shall be constructed of asphalt, concrete or a stable surface of crushed stone or gravel and shall be maintained or treated so as to prevent the raising of dust or loose particles. Drainage shall be provided so as to prevent the flow of surface water on to adjoining lots.

3.27.5 Application of Loading Space Requirements

When a building or structure has insufficient loading spaces on the date of passing of this By-Law to conform to the provisions herein, this By-Law shall not apply to require that the deficiency be made up prior to the construction of any addition. In the case of an expansion or enlargement of an existing building or structure, the requirement for the provision of additional loading spaces shall be based on said expansion or enlargement. Notwithstanding [Section 3.27.1](#), where the building or structure is deficient in loading spaces, a loading space shall be required for an expansion of 25 m² or greater and less than 100 m².

3.27.6 Landscaping

Where a loading area/space abuts any street or residential use or zone, then a Planting Area/Visual Screen as per [Section 3.15](#) shall be provided within the lot requiring such loading area and along the lot line adjoining such street, use or zone.

3.28 PROVISIONS FOR AN EXISTING MOBILE HOME NOT IN A MOBILE HOME PARK

Existing mobile homes located on an existing lot of record shall conform to the residential provisions of the zone in which it is located. If no residential provisions exist for the zone in which it is located, the mobile home shall be subject to the ‘Non-Farm Lot provisions of [Section 6.2](#).

3.29 CONFLICTING REGULATIONS OR PROVISIONS

Where there are conflicting provisions in this By-law, the most restrictive shall apply.

3.30 LIGHTING

Lighting fixtures designed to provide exterior illumination on any lot shall be installed with the light directed or deflected away from adjacent lots and streets and shall not be similar to traffic lights.

3.31 DRAINAGE OF LOTS

In all zones, other than an Agricultural zone, all lands, buildings and structures shall provide adequate drainage so as to prevent the flow of surface water onto adjoining lots.

3.32 CERTIFICATE OF OCCUPANCY

.1 Where a ‘Certificate of Occupancy’ is listed as a requirement by this By-Law, no person shall make a change in the type of use of any land, building or structure covered by this

By-Law without first obtaining such Certificate as described in the Planning Act R.S.O. 1990 from the Corporation.

- .2 No 'Certificate of Occupancy' shall be refused if the proposed use is not prohibited by this By-Law.

3.33 SETBACKS FROM PRIVATE STREETS

A 'private street' shall be considered to be a 'street' for the purposes of determining setbacks for this By-Law.

3.34 MINIMUM DISTANCE SEPARATION GUIDELINES (MDS)

- .1 Notwithstanding any other provisions of this Bylaw to the contrary, lands to be rezoned to permit a residential, institutional, commercial, industrial, recreational or non-farm dwelling use, will not contravene the MDS I formula developed by the Ontario Ministry of Agriculture, Food and Rural Affairs as calculated using Appendix 'A' to this By-Law.
- .2 Notwithstanding any other provisions of this By-Law to the contrary, where a dwelling is destroyed in whole, or in part, by a catastrophe, MDS I will not be applied when the dwelling is rebuilt, provided it is built no closer to livestock facilities than before the catastrophe.
- .3 Notwithstanding any other provisions of this By-law to the contrary, where a habitable dwelling is removed/demolished purposefully in whole or in part, MDS I will not be applied to a new dwelling provided that:
 - i. The new dwelling is built no closer to livestock facilities than the distance before the dwelling was removed/demolished; and,
 - ii. A building permit is issued within one (1) year of the date the original habitable dwelling was removed/demolished.
- .4 Notwithstanding any other provisions of this Bylaw to the contrary, a first or expanding livestock facility permitted in any Agricultural Zone, will not contravene the MDS II formula developed by the Ontario Ministry of Agriculture, Food and Rural Affairs as calculated using Appendix 'A' to this By-Law.
- .5 Notwithstanding any other provisions of this By-Law to the contrary, where a livestock facility is destroyed in whole, or in part, by a catastrophe, MDS II will not be applied when the livestock facility is rebuilt, provided it is built no closer to surrounding land uses and lot lines than before the catastrophe, and the values of Factor A, B and/or D have not been increased for the livestock facility.

Modified by By-law 2015-039 (Housekeeping #1)

- .6 Notwithstanding any other provision of this By-Law to the contrary, for the purposes of calculating MDS II for a first or expanding livestock facility permitted in any Agricultural Zone, those lands zoned ~~4N-1~~ 'INR-1' shall be treated as a Type B land use.

- .7 All 'Livestock Facilities' and 'Manure or Material Storage' shall be constructed, altered and enlarged in compliance with all applicable provincial legislation, regulations and municipal By-laws, as amended from time to time.

3.35 ESTABLISHED BUILDING LINE

(Modified by By-law 2015-039 Housekeeping #1)

- .1 Notwithstanding any other section of this By-law to the contrary, in any Residential Zone between two existing Dwellings within 50 meters (164 feet) of each other on the same block, a new Dwelling may be built within a setback equal to the average setback of the adjacent dwellings only on an existing lot of record, but in no circumstance shall the setback be less than 4.5 meters (15 feet) from the front lot line.
- .2 Notwithstanding any other section of this By-law to the contrary, where an existing main building or structure encroaches into the required front yard or exterior yard setback as established in this By-law, additions to the existing main building or structure may be permitted ~~from the building line to the line of occupation~~ with an equal or greater setback, subject to all other applicable regulations of this By-law.

3.36 GROUP HOMES

Notwithstanding any other provisions of this By-law, a group home may be permitted only in a 'dwelling, single detached' provided that:

- .1 The group home shall occupy the whole of the 'dwelling, single detached';
- .2 The total number of individuals does not exceed as defined for Group Home - Type One or Group Home - Type Two;
- .3 The group home shall comply with the applicable zone regulations;
- .4 There is no other Group Home - Type One or Group Home - Type Two within 250 metres (820 ft) of the proposed facility in any one direction; and,
- .5 Off-street parking shall be in accordance with [Section 3.26](#).

3.37 THROUGH LOTS

Where a lot has frontage on and vehicle access from more than one street or lane, such lot shall provide 'yards' on each street or lane with minimum distances equal to the front yard required by the zone or zones in which each yard is located.

3.38 FLOOD FRINGE OVERLAY

The Flood Fringe Overlay applies to a portion of the lands within the former Town of Walkerton that have the potential to flood resulting from a major storm event. Floodplain for the purposes of the Flood Fringe Overlay shall mean the Hurricane Hazel Flood Event Standard ("floodplain"). The Flood Fringe represents the outer portion of the floodplain. In portions of the former Town of Walkerton, the two zone concept is applied. The

provisions of the Flood Fringe Overlay shall be applied in addition to the regulations of the underlying zone which are identified by a zone symbol on Zoning Map 18 of the By-law. The lands to which the Flood Fringe Overlay applies are identified by a stipple pattern on Zoning Map 18 of this By-law. The floodway is zoned Environmental Protection (EP).

3.38.1 Uses Permitted

Uses permitted, including additions to existing uses, buildings and structures in the Flood Fringe Overlay shall be in accordance with the applicable underlying zone provisions of the By-law except that the establishment of new uses for the following purposes will not be permitted:

- i. Institutional uses such as ‘hospital’, ‘residential care facility’, ‘~~day care nursery (licensed)~~’ ‘Child Care Centre’ *(deleted and replaced by By-law 2016-28)* and ‘educational facility’, where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities or the young during an emergency as a result of flooding and/or failure of flood proofing measures or protection works;
- ii. Essential municipal services such as police, fire and ambulance and electrical substations, which would be impaired during an emergency as a result of flooding, the failure of flood proofing measures, and/or protection works, and,
- iii. Uses associated with the disposal, manufacturing, treatment or storage of significant amounts of hazardous substances.

SECTION 4 – ESTABLISHMENT OF ZONES**4.1 GENERAL**

For the purposes of this By-Law, the land area of the Corporation is hereby divided into various generalized and specific 'Zones' to which the provisions and regulations herein shall respectively apply.

4.2 ZONE SYMBOLS

- .1 The following Zones are hereby established and are designated on Schedule 'A' by symbols consisting of letters and numbers, or letters only, as the case may be:

<u>Zone</u>	<u>Symbol</u>
<u>Agriculture Zones</u>	
General Agriculture	A1
<u>Residential Zones</u>	
Hamlet Residential	HR
Inland Lake Residential	LR
Mobile Home Park Residential	MHP
Residential Zone 1	R1
Residential Zone 2	R2
Residential Zone 3	R3
<u>Commercial Zones</u>	
Hamlet Commercial	HC
Travel Trailer Park and Campground	TTP
Central Business District	C1
Transition Commercial	C2
Highway Commercial	C3
<u>Industrial/Commercial Zones</u>	
Agriculture Commercial Industrial	ACI
Business Park 1	BP1
Business Park 2	BP2
Light Industrial	M1
Heavy Industrial	M2
Extractive Industrial	M3
Rural Commercial Industrial	RCI
Hamlet Industrial	HI
Waste Disposal	WD
Airport	AP

Other Zones

Institutional Rural	INR
Institutional Urban	IN
Open Space Rural	OSR
Open Space Urban	OS
Environmental Protection	EP
Planned Development	PD

- .2 Whenever in this By-Law the term 'Zone' is used, preceded or followed by any symbol, as the case requires, such combination shall refer to any area delineated on Schedule 'A' and designated therein by said symbol.

4.3 SPECIAL USE PROVISIONS

Where any of the Zone symbols described in [Section 4.2.1](#) are shown on Schedule 'A' followed by a dash and a number (e.g. A1-1) then special provisions and/or uses to the normal zone provisions apply to such lands. Such special provisions will be found by reference to that section of the By-Law that deals with that particular zone. Lands designated in this manner shall be subject to all the restrictions of the zone, except as otherwise provided by the special provisions.

4.4 SPECIAL HOLDING PROVISIONS

- .1 The symbol 'H' when used in conjunction with a zone designation (e.g. 'ACI-H') can denote areas in which the use of land and the erection of buildings or structures will not be permitted in accordance with provisions for such zone designation. The removal of the holding symbol 'H' by Council By-Law will permit the use of land and erection of buildings and structures in accordance with the zone designation and its provisions. Until such time as the 'H' symbol is removed, any lands so designated may be used for lawfully existing uses.
- .2 Notwithstanding the provisions of this section, alterations, additions or enlargements to existing residential building or structures and accessory structures will be permitted provided such buildings and structures were lawfully used for residential purposes on the date of the passing of this By-Law and provided such alterations, additions or enlargements conform to the relevant sections of this By-Law.
- .3 Notwithstanding their underlying zoning designation, on those lands identified as being subject to the **"H1" Holding zone**, lot grading; excavation; and/or construction shall not be permitted unless the Holding (H1) zone provision is removed. The area of the H1 zone that may be lifted shall be limited to the area included in the assessment and may only be removed by Council upon:
- i. Approval by the Zoning Administrator of an Archaeological Assessment which has been:
 - a) conducted by an archaeologist licensed in the Province of Ontario; and,

- b) confirmed by the appropriate Ministry to have been accepted into the Ontario Public Register of Archaeological Reports and,
- ii. Confirmation to the satisfaction of the Zoning Administrator that the recommendations of the archaeological report (if any) have been implemented. (Section 4.4.3 as per by By-law 2013-089, VanVuuren Z46/13)

(A1-1-H1)

By-law 2014-046 - Clancy c/o Biesenthal, Lot 6, Con 5, Greenock

By-law 2014-061 - Metzger, Lot 6, Con 7, Greenock

By-law 2014-079 - Ferris c/o Kirkpatrick, Lot 19, Con 19, W 1/s Lot 9, Con 19, Greenock

By-Law 2015-019 - Heipel, Pt Lots 13 and 14, Con 6, Greenock

By-Law 2016-021 - Ackert & Maus - Lot 10, Concession 17, Greenock (A1-1-H1)

By-Law 2016-024 - Lang - Part Lots 6, 7, 8 and 9, Con 1 NDR, Brant (A1-1-H1)

By-Law 2016-071 - Poechman c/o Davidson - Lots 54 & 55, Con 2 SDR, Brant (A1-1-H1 and A1-79-H1)

4.5 TEMPORARY USE BY-LAW

- .1 The symbol 'T' when used in conjunction with a zone designation (e.g. 'ACI-105-T') on Schedule A, indicates that a Temporary Use By-Law has been passed in accordance with the Planning Act, R.S.O. 1990, c.P.13, to permit the use of lands, buildings or structures in accordance with the zone represented by that zone symbol within the area indicated, with the term of the said temporary use set out specifically in the Temporary Use By-Law; and upon expiry of such term, the underlying zone indicated on Schedule A shall apply.
- .2 The specific temporary use provisions are denoted by the number immediately preceding the symbol "t/T" (i.e. 'A1-105-T') as shown on Schedule 'A'.

4.6 INCORPORATION OF ZONING MAP

The locations and boundaries of the zones established by this By-Law are shown on the maps appended hereto and which is referred to as Schedule 'A' and comprises the sectional parts of the zoning map and such maps together with everything shown therein and all succeeding amendments thereto are hereby incorporated into and are declared to form part of this By-Law.

4.7 ZONING MAPS

4.7.1 Boundaries of Zones

Where any uncertainty exists as to the boundary of any zone as shown on Schedule 'A', the following provisions shall apply:

- .1 Where a zone boundary is indicated as following and is within the boundary of a street,

- lane, railway right-of-way or watercourse, the boundary shall be deemed to be the centre line of such street, lane, railway right-of-way or watercourse.
- .2 Where a zone boundary is indicated as approximately following lot lines shown on a registered plan of subdivision or lot lines of the original Crown survey fabric, the boundary shall be deemed to follow such lot lines.
 - .3 Where a zone boundary is indicated as approximately parallel to any street line and the distance from the street line is not indicated, such boundary shall be deemed to be parallel to such street line, and the distance there from shall be according to the scale shown on Schedule 'A'.
 - .4 Where a zone boundary is indicated as generally following a shoreline, the boundary shall be deemed to follow such shoreline.
 - .5 Where any zone boundary is left uncertain after application of the provisions of clauses (1), (2), (3) and (4) above, then the boundary shall be determined by the scale shown on the Zoning Map Schedule measured from the centre of the zone line.
 - .6 Wherever it occurs, the municipal limit is the boundary of the zone adjacent to it.
 - .7 In any zone, where the zone boundary requires a more precise definition than that permitted by the scale or detail of the zoning map, the Chief Building Official shall determine the precise location of the zone boundary and, where appropriate, may consult with other agencies or individuals as may be relevant.
 - .8 Notwithstanding the provisions of [Section 4.7.1.7](#), the zone boundaries of the 'EP-1' Zone shall not be altered except by a By-Law passed under Section 34 of the Planning Act, R.S.O 1990 as amended.
 - .9 Notwithstanding the provisions of [Section 4.7.1.7](#) and [Section 4.7.1.8](#), in locations where the 'Environmental Protection (EP)' Zone boundary does not coincide with Saugeen Valley Conservation Authority (SVCA)'s hazard land mapping, minor adjustments may be permitted to the 'EP' Zone boundary without an amendment to this By-law when approved in writing by the SVCA and the Chief Building Official. In a re-interpretation of the limits of the 'EP' Zone boundary, all requirements of the By-law shall be applied relative to the revised boundary including any applicable setbacks.

4.7.2 Other Boundary Features – Streets, Watercourses etc

A street, lane, electrical transmission right-of-way, or watercourses shown on Schedule 'A', unless otherwise indicated, shall be included within the zone of adjoining property on either side thereof and where such street, lane, right-of-way or watercourse serves as a boundary between two or more different zones, the centre line of such street, lane, right-of-way, or watercourse, and extending in the general direction of the long dimension thereof, shall be considered the boundary between zones unless otherwise indicated.

4.7.3 More Than One Zone on a Lot

- .1 Where a lot has two or more of its parts classified in different zones, then the provisions for each zone shall apply to each part as if said part was a separate lot excepting the following:
- i. Where a portion of a lot is zoned 'EP' such portion may be used to satisfy the side yard, rear yard or front yard setback requirements of the principle portion.
 - ii. Where a portion of a lot is partially within the 'EP' zone, that portion of the lot within the 'EP' zone may be used if required in calculating the Minimum Lot Area provided that the 'EP' lands comprise no more than 90% of the required Minimum Lot Area.

4.7.4 Notes on Schedule 'A'

Additional 'Notes' have been included in Schedule 'A' for reference and convenience purposes only. This information is subject to change without an amendment to this By-law and is limited to the following:

- i. Municipal Road Classifications;
- ii. Propane Storage and Handling Facility Hazard Distances;
- iii. Wellhead and Wellhead Intake Protection Areas;
- iv. Delineation of Lands within 120 Metres of Provincially Significant Wetlands; and,
- v. Delineation of Saugeen Valley Conservation Authority Regulated Area (Ontario Regulation 169/06).

Please consult with the Municipality for information regarding Municipal Road Classifications and Propane Storage and Handling Facility Hazard Distances; the County of Bruce for Wellhead and Wellhead Intake Protection Areas, and Lands within 120 metres of Provincially Significant Wetlands; and Saugeen Valley Conservation Authority for information regarding the Regulated Area.

SECTION 5 – GENERAL PROVISIONS FOR ALL AGRICULTURAL ZONES – A

5.1 DWELLINGS

In any General Agriculture (A1) zone, a maximum of one ‘Dwelling, – Accessory Detached’ or ‘Non–Farm Dwelling’ may be erected on a lot. Two or more dwellings shall be permitted on one lot in cases where one lot, containing a dwelling(s), legally merges with an adjoining lot, containing a dwelling(s), to form one larger lot containing two or more dwellings.

5.2 MINIMUM LOT SIZE – LIVESTOCK

Notwithstanding their General Agriculture (A1) zoning, those lots 4.0 hectares (9.9 ac.) in size or less shall be limited to no more than 1.25 nutrient units per hectare (0.5 nutrient units per acre). Minimum Distance Separation Guidelines shall apply.

5.3 WATERCOURSE/ENVIRONMENTAL PROTECTION ZONE SETBACK

Notwithstanding the provisions of [Section 3.20](#) or any other yard provisions of this By–Law, no person shall hereafter erect any ‘Livestock Facility’ or ‘Manure or Material Storage’ unless in compliance with the setback calculated in Appendix ‘B’ or within an ‘EP – Environmental Protection’ zone, whichever setback is greater.

5.4 REQUIREMENTS FOR KENNELS

- .1 New kennel buildings and structures and/or additions to existing kennel buildings and/or structures must be located at a distance of not less than 100 metres (328 ft) from an existing residential, institutional or recreational use situated on adjacent lots.
- .2 New kennel buildings and structures and/or additions to existing kennel buildings and/or structures shall be considered an accessory use or building.

Explanatory Note:

All kennel establishments shall comply with the Municipality’s current Dog Control By–law.

5.5 ACCESSORY BUILDINGS AND STRUCTURES – NON–FARM LOT

Section 5.5 shall apply only to an accessory building or structure to be located on a ‘Non–Farm Lot’ as herein defined.

5.5.1 Prohibited Structures

For the purposes of this section, mobile homes, travel trailers, construction trailers, transport trailers, railway cars and buses, with or without wheels or a similar undercarriage shall not be used as accessory buildings or structures on a ‘Non–Farm Lot’.

5.5.2 Use of Accessory Buildings and Structures

No accessory building or structure, shall: (1) be used for any occupation for gain or profit except as may be permitted in this By-Law; or (2) be used for human habitation.

5.5.3 Location

(Modified by By-Law 2015-039 - Housekeeping #1)

~~Despite any other provisions of this By-Law, any~~ Accessory buildings or structures, in any 'Non-Farm Lot' in an Agricultural Zone, may be erected in any yard subject to the following restrictions:

- i. When located in a rear yard, such accessory building or structure shall be located no closer than ~~1 metre (3.3 feet)~~ 1.2 metres (4 feet) to the rear lot line. Further, any part of such accessory building or structure shall be setback 3 metres (9.8 feet) from any part of a dwelling on an adjoining lot.
- ii. When located in an interior side yard, an accessory building or structure may be positioned no closer than ~~1 metre (3.3 ft)~~ 1.2 metres (4 feet) to an interior side lot line. Where a mutual private garage is erected on the lot line between two lots, no interior side yard setback is required.
- iii. Where erected in an exterior side yard no accessory building or structure shall be located closer than 6 metres (19.7 ft) to any street line.
- iv. Detached garages or any part thereof, may be located in front of the ~~principle~~ principal structure provided it complies with the minimum front yard setback requirements and minimum side yard requirements.
- v. Notwithstanding any of the provisions of this By-law, no accessory building, structure or use shall be erected or used until the principal building, structure or use is erected to the satisfaction of the Chief Building Official and in compliance with the provisions of this By-law. This shall not apply to those uses covered under Section 3.1.2 'Temporary Buildings and Construction Facilities'.

5.5.4 Height

The maximum height for all accessory buildings and structures shall be 5 metres (16 ft).

5.5.5 Number & Lot Coverage of Accessory Buildings & Structures

- .1 In no case shall the number of accessory buildings or structures exceed three (3).
- .2 The total lot coverage of all accessory buildings or structures on a lot shall not exceed 5% of the lot.
- .3 Accessory buildings or structures under 1.5 m² (16 ft²) shall not be considered to be an accessory building or structure.

5.5.6 *Establishment of an Accessory Building/Structure or Use*

Notwithstanding any of the provisions of this By-Law, no accessory building, structure or use shall be erected, or used until the principal building, structure or use is erected to the satisfaction of the Chief Building Official and in compliance with the provisions of this By-Law. This shall not apply to those uses covered under [Section 3.1.2](#) 'Temporary Buildings and Construction Facilities'.

SECTION 6 – GENERAL AGRICULTURE (A1)**6.1 USES PERMITTED**

No person shall within the ‘General Agriculture (A1)’ zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

a) Non-Farm Lot

- Dwelling, Non-Farm on an existing lot of record
- Kennel as per [Section 5.4](#)
- Home Occupation – Domestic and Professional Uses as per [Section 3.9](#)
- Home Occupation – Bed & Breakfast Establishment as per [Section 3.10](#)
- Home Industry as per [Section 3.11](#)
- Accessory Buildings & Structures as per [Section 5.5](#)

b) Agriculture Lot

- Agritainment
- Agriculture General
- Livestock Facility
- Kennel as per [Section 5.4](#)
- Dwelling, Accessory Detached as per [Section 3.8.2](#)
- Forestry/Silvaculture
- Greenhouse
- Home Occupation – Domestic and Professional Use as per [Section 3.9](#)
- Home Occupation – Bed & Breakfast Establishment as per [Section 3.10](#)
- Home Industry as per [Section 3.11](#)
- Wayside Pit, Wayside Quarry
- Portable Asphalt Plant or Portable Concrete Plant
- Riding Stable/Equestrian Centre
- Home Child Care *(added by By-Law 2016-028)*
- Unlicensed Child Care *(added by By-Law 2016-028)*

6.2 ZONE PROVISIONS

No person shall within the ‘General Agriculture (A1)’ zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

Provisions	Agriculture Lot	Existing or New ‘Non-Farm Lot’ Between 0.5 ha and 4.0 ha
Minimum Lot Area	39 hectares (96 ac)	0.5 ha (1.24 ac)
Minimum Lot Frontage	100 metres (328 ft)	40 metres (131 ft)
Minimum Front Yard	20 metres (66 ft)	10 metres (33 ft)
Minimum Exterior Yard	20 metres (66 ft)	6 metres (20 ft)
Minimum Rear Yard	20 metres (66 ft)	10 metres (33 ft)
Minimum Interior Side Yard	20 metres (66 ft)	4.5 metres (15 ft)
Minimum Ground Floor Area Detached Dwelling	As per Section 3.8.2	70 m ² (753 ft ²) [greater than 1 storey], 90 m ² (969 ft ²) [1 storey]
Maximum Height	Not applicable	10 metres (33 ft)

Maximum Lot Coverage	15%	15%
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Modified by By-law 2015-039 (Housekeeping #1)

Provisions: Existing 'Non-Farm Lot' with a 'Minimum Lot Area' of 0.5 hectare or less	
Minimum Lot Area	Not applicable
Minimum Lot Frontage	Not applicable
Minimum Front or Exterior Yard	7.5 metres (25 ft)
Minimum Exterior Yard	6 metres (20 ft)
Minimum Rear Yard	10 metres (33 ft)
Minimum Side Yard	3 metres (10 ft) on one side & 1.5 metres (5 ft) on the other side
Minimum Ground Floor Area Detached Dwelling	70 m ² (753 ft ²) [greater than 1 storey] 90 m ² (969 ft ²) [1 storey only]
Maximum Height	10 metres (33 ft)
Maximum Lot Coverage	15%

“Explanatory Note:

Garden suites are permitted by the enactment of Temporary Use By-law as prescribed in Section 39 and 39.1 of the Planning Act, which will form an amendment to this By-law.”

6.3 SPECIAL PROVISIONS

Various Lots

- .1 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-1' on Schedule 'A' to this By-Law, shall be used in accordance with the 'A1' Zone provisions contained in this By-Law excepting however that:
 - i. A 'Dwelling, - Accessory Detached' shall be prohibited.

Township of Brant By-Law #86-1060 (Part of Lot 27, Concession 12)

- .2 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-2' on Schedule 'A' shall be used in accordance with the 'A1' Zone provisions contained in this By-Law, excepting however that:
 - i. The allowable non-farm dwelling allowed on the land shall be a 'mobile home';
 - ii. Only one 'mobile home' may be erected on the land;
 - iii. The 'mobile home' may only be occupied by persons of whom at least one is employed by the owner of the land and engaged full time in the operation of the farming business which carries on the agricultural use on the lands; and,
 - iv. No persons shall occupy the 'mobile home' until it is fully connected to an adequate and operational water and sewage disposal system and a certificate of compliance from the Bruce-Grey-Owen Sound Health Unit has been filed with the Clerk of the Township of Brant.

Township of Brant By-Law #86-1061 (Part of Lot 33, Concession 15)

- .3 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-3' on Schedule 'A' shall only be used for the purposes of a 'Group Home - Type One', as it existed on the date of passage of this By-Law, and in accordance with the 'A1' Zone provisions contained in this By-Law.

Township of Brant By-Law #99-84 (Part of Lot 65, Concession 2 NDR)

- .4 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-4' on Schedule 'A' shall be used in accordance with the 'A1' Zone provisions contained in this By-Law, excepting however that:

- i. The minimum side yard for buildings existing on the day of passage of this By-Law shall be 0.0 metres along the north property line;
- ii. The minimum rear yard for buildings existing on the day of passage of this By-Law shall be 0.0 metres along the west property line;

The raising, breeding, housing or grazing of livestock or poultry shall be prohibited; and

- iii. Where such building is reconstructed or rebuilt as a result of a force beyond the control of the owner, such reconstruction shall comply, as close as possible, with all applicable provisions of the By-Law provided that such compliance does not have the effect of reducing the original height, size of volume of the building or structure.

Township of Brant By-Law #86-1039, #86-1040, #88-1107 (Lot 6, Concession 4; Lot 6, Concession 6; and Lot 53 and Lot 54, Concession 1 SDR)

- .5 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-5' on Schedule 'A' shall only be used for a non-farm residential use, as it existed on the date of passage of this By-Law, and in accordance with the 'A1' Zone provisions contained in this By-Law, excepting however that:

- i. No permanent building or structure shall be erected closer than 15 metres (50 ft) to the edge of an Environmental Protection Zone.

Municipality of Brockton By-Law #2001-66 (Part Lot 36 & 37, Concession 1 NDR, former Brant)

- .6 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-6' on Schedule 'A' to this By-Law, shall be used in accordance with the 'A1' Zone provisions contained in this By-Law excepting however that:

- i. The minimum lot area shall be 36 hectares (88.9 acres); and,
- ii. A 'Dwelling, - Accessory Detached' shall be prohibited.

Municipality of Brockton By-Law #2002-16 (Part Lot 51, Concession 1 SDR, former Brant)

- .7 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-7' on Schedule 'A' to this By-Law, shall be used for non-farm residential purposes in accordance with the 'A1' Zone provisions, excepting however that [Section 3.20](#) Watercourse Setbacks shall not apply.

Municipality of Brockton By-Law #2002-34 (Lot 9, Concession 4, former Brant)

- .8 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-8' on Schedule 'A' to this By-Law, shall be used in accordance with the 'A1' Zone provisions contained in this By-Law excepting however that the minimum lot area shall be no less than 20 hectares.

Municipality of Brockton By-Law #2002-34 (Lot 9, Concession 4, former Brant)

- .9 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-9' on Schedule 'A' to this By-Law, shall be used in accordance with the 'A1' Zone provisions contained in this By-Law excepting however that:
- i. The minimum lot area shall be no less than 20 hectares (50 acres).
 - ii. The minimum lot frontage shall be no less than 30 feet.

Municipality of Brockton By-law #2012-63 (Part of Lots 16 and 17, Concession 1 SDR (being Parts 1, 2 and 3 on RP 3R-8066; Part 1 on RP 3R-8102 and Part 1 on RP 3R-1195, former Brant - Ernewein Farms Ltd.)

- .10 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-10' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' (Agriculture Lot) Zone provisions contained in this By-law, excepting however, that:
- i. A 'Dwelling, Accessory Detached' shall be prohibited; and,
 - ii. Minimum lot area shall be no less than 27.2 ha.

Municipality of Brockton By-law #2012-63 (Part of Lots 18 and 19, Concession 1 SDR (being Parts 1, 2, and 3 on RP 3R-8340, former Brant - Ernewein Farms Ltd.)

- .11 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-11' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' (Agriculture Lot) Zone provisions contained in this By-law, excepting however, that:
- i. A 'Dwelling, Accessory Detached' shall be prohibited; and,
 - ii. Minimum lot area shall be no less than 35.4 ha.

Municipality of Brockton By-Law #2000-55 (Lot 17, Concession 10, former Brant)

- .12 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-12' on Schedule 'A' shall be used in accordance with the 'A1' (Non-Farm Lot) Zone provisions contained in this By-Law, excepting however that the minimum lot frontage shall be no less than 3.0 metres.

Municipality of Brockton By-Law #2005-29 (Part Lot 1, Concession 3 SDR, former Brant)

- .13 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-13' on Schedule 'A' to this By-Law, shall be used in accordance with the 'A1' (Agriculture Lot) Zone provisions contained in this By-Law excepting however that:
- i. The construction of any new residential buildings and/or structures shall be prohibited; and
 - ii. The setbacks for all buildings and structures shall be no less than as they existed as

- of the date of passing of this By-Law. All further enlargements, expansions, construction etc, shall comply with the requirements of this By-Law; and
- iii. The minimum lot area shall be 19.19 hectares.

Municipality of Brockton By-Law #2007-20 (Part Lot 7, Concession 15, former Brant)

- .14 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-14' on Schedule 'A' shall be used in accordance with the 'A1' Zone provisions contained in this By-Law, excepting however that the minimum lot area shall be no less than 18 hectares.

Municipality of Brockton By-Law #2007-32 (N. Pt. Lots 62 & 63, Concession 2, NDR, former Brant)

- .15 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-15' on Schedule 'A' to this By-Law shall be used in accordance with the 'A1' Zone provisions contained in this By-Law, excepting however that the minimum lot area shall be no less than 3.42 hectares (8.5 acres).

Municipality of Brockton By-Law #2007-102 (Part Lot 36, Concession 1 SDR, former Brant - Ernewein c/o Davidson)

- .16 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-16' on Schedule 'A' to this By-Law shall be used in accordance with the 'A1' (Non-Farm Lot) Zone provisions contained in this By-Law, excepting however, that:

- i. The minimum lot area shall be no less than 0.37 hectares.

- .17 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-17' on Schedule 'A' to this By-Law shall be used in accordance with the 'A1' (Non-Farm Lot) zone provisions contained in this By-Law excepting however, that:

- i. The minimum lot area shall be no less than 0.37 hectares.

Municipality of Brockton By-law # 2007-103 (Lot 28, Concession 3 NDR, former Brant - Holm c/o Ernewein)

- .18 Notwithstanding their 'A1' zoning designation, those lands delineated as 'A1-18' on Schedule 'A' to this By-Law shall be used in accordance with the 'A1' (Non-Farm Lot) Zone provisions contained in this By-Law, excepting however, that:

- i. The minimum lot frontage shall be no less than 12.9 m; and,

- ii. The number of livestock units shall be limited to 1.25 units per hectare.

Municipality of Brockton By-law # 2008-35 (W Pt Lot 3, Concession 11, former Brant - White c/o Hudson)

- .19 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-19' on Schedule 'A' to this By-Law shall be used in accordance with the 'A1' (Non-Farm Lot) Zone provisions contained in this By-Law, excepting however, that:

- i. The minimum side yard setback shall be no less than 7.9 m;

- ii. The minimum rear yard setback shall be no less than 3.66 m; and,

- iii. The number of livestock units shall be limited to 1.25 units per hectare.

Municipality of Brockton By-law #2008-55 (Lot 4, Concession 8, former Brant – Thomson c/o Andruski)

- .20 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-20' on Schedule 'A' to this By-Law shall be used in accordance with the 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting however, that:
- i. The minimum side yard setback shall be no less than 0.12 m (shed); and,
 - ii. The number of livestock units shall be limited to 1.25 units per hectare.

Municipality of Brockton By-Law #2008-61 (Part Lot 28, Concession 'A', former Brant – Elphick)

- .21 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-21' on Schedule 'A' to this By-Law shall be used in accordance with the 'A1' (Agricultural lot) Zone provisions contained in this By-Law, excepting however, that:
- i. The minimum 'A1' zones area shall be no less than 18.7 ha.

Municipality of Brockton By-law # 2008-66 (Lot 36 and 37, Concession 3 NDR, former Brant – Jemstar Farms Ltd)

- .22 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-22' on Schedule 'A' to this By-Law shall be used in accordance with the 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting however, that:
- i. The number of livestock units shall be limited to 1.25 units per hectare.

Municipality of Brockton By-law #2009-24 (Lot 16, Concession 11, former Brant – Holm)

- .23 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-23' on Schedule 'A' to this By-Law shall be used in accordance with the 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting however, that:
- i. The minimum frontage shall be no less than 12 metres (driveway access); and,
 - ii. The number of livestock units shall be limited to 1.25 livestock units per hectare.

Municipality of Brockton By-Law # 2009-76 (Lots 3, 4 and Part Lot 5, Concession 1 NDR, former Brant – Tony Lang Farms Ltd)

- .24 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-24' on Schedule 'A' to this By-Law shall be used in accordance with the 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting however, that:
- i. The number of livestock units shall be limited to 1.25 livestock units per hectare.
- .25 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-25' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' (Non-Farm Lot) Zone provisions contained in this By-Law, excepting however, that:
- i. The number livestock units shall be limited to 1.25 livestock units per hectare.

Municipality of Brockton By-law #2010-19 (Lot 10, Concession 6 E, former Brant – Borgford / Holmdale)

.26 Notwithstanding their 'A1' Zoning designation those lands delineated as 'A1-26' on Schedule 'A' to this by-law shall be used in accordance with the 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting however, that:

- i. The minimum MDS 1 setback from the front lot line to a neighbouring livestock facility shall be no less than 214 m.

Municipality of Brockton By-law #2011-72 (Lot 21, Concession 4, former Brant – BJ&S Enterprises Inc. and J&K Agroservices)

.27 Notwithstanding their 'A1' Zoning designation those lands delineated as 'A1-27' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting however, that:

- i. The number of livestock units shall be limited to 1.25 livestock units per hectare.

Municipality of Brockton By-law #2011-79 (Lot 7, Concession 6, former Brant – Puhm/Eyre)

.28 Notwithstanding their 'A1' Zoning designation those lands delineated as 'A1-28' on Schedule 'A' shall be used in accordance with the 'A1' (Agriculture Lot) Zone provisions contained in this By-law, excepting however, that:

- i. The minimum lot area shall be no less than 20.2 hectares.

Municipality of Brockton By-law #2011-85 (Lot 33 and Part of Lot 34, Concession 2 NDR, former Brant – Geogedale Farms c/o Larry Frieburger)

.29 Notwithstanding their 'A1' Zoning designation those lands delineated as 'A1-29' on Schedule 'A' shall be used in accordance with the 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting however, that:

- i. Minimum Distance Separation I Formula shall be no less than 183 metres to nearest livestock facility; and,
- ii. The number of livestock units shall be limited to 1.25 livestock units per hectare.

Municipality of Brockton By-law #2005-33 (Part of Lot 66, Concession 2 NDR, former Brant – Tanner)

.30 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-30' on Schedule 'A' shall be used in accordance with the 'A1' Zone provisions contained in this By-law, excepting however, that:

- i. [Section 3.20](#) shall not apply to any development provided that the Saugeen Valley Conservation Authority reviews and approves all site plans prior to a building permit(s) being issued.

Municipality of Brockton By-law #2004-17 (Lot 51, 55 58 Plan 150 & Plan 258, Elmwood)

.31 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-31' on Schedule 'A' shall be used in accordance with the 'A1' Zone provisions contained in this By-law, excepting however, that:

- i. The minimum 'A1-31' zoned area shall be 17 ha (42 acres).

Municipality of Brockton By-law #2007-50 (Part of Lots 72 & 73, Concession 2 NDR, former Brant)

.32 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-32' on Schedule 'A' shall be used in accordance with the 'A1' Zone provisions contained in this By-law, excepting however, that:

- i. The minimum lot area shall be no less than 30.35 ha (75 acres).

Municipality of Brockton By-law #2007-50 (Part of Lot 74, Concession 2 NDR, former Brant)

.33 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-33' on Schedule 'A' shall be used in accordance with the 'A1' Zone provisions contained in this By-law, excepting however, that:

- i. The minimum lot area shall be no greater than 4.39 ha (10.8 acres).

Municipality of Brockton By-law #2008-61 (Part of Lot 28, Concession A, Eden Grove - Elphick)

.34 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-34' on Schedule 'A' shall be used in accordance with the 'A1' (Non-Farm Lot) Zoning provisions contained in this By-law, excepting however, that:

- i. Residential uses shall be the primary uses.

.35 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-35' on Schedule 'A' to this by-law, shall be used in accordance with the 'A1' (Agricultural Lot) Zone provisions contained in this By-Law, excepting however, that:

- ii. The minimum 'A1' zoned area shall be no less than 13.8 ha.

Municipality of Brockton By-law # 2009-29 (Part of Lot 22 and Part of Lot 23, Concession A, former Brant - Thomson)

.36 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-36' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting however, that:

- i. The number of livestock units shall be limited to 1.25 livestock units per hectare.

.37 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-37' on Schedule 'A' to this By-Law shall be used in accordance with the 'A1' (Agricultural Lot) Zone provisions contained in this By-law, excepting however, that:

- i. The minimum lot area shall be no less than 36.5 ha.

.38 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-38' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' (Agricultural Lot) Zone provisions contained in this By-Law, excepting however, that;

- i. The minimum lot area shall be no less than 36.5 ha.

Municipality of Brockton By-law #2011-55 (Part of Lots 19 and 20 Concession B and East Part of Lot 20, Concession 'A', former Brant - Stuempfle)

.39 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-39' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting however, that:

- i. The number of livestock units shall be limited to 1.25 livestock units per hectare.

Township of Greenock #83-35 (Part of Lot 51, Concession A - Christian Horizons Camp)

.40 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-40' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' Zone provisions contained in this By-law, excepting however, that:

- i. A "religious retreat" and "accessory uses" may be permitted in accordance with the zone provisions of the 'ACI' Zone;
- ii. For the purposes of this amendment, a 'religious retreat' shall mean a use designed primarily to serve the physical, mental and spiritual needs of individuals;
- iii. For the purposes of this amendment, 'accessory uses' of a 'religious retreat' may include sleeping accommodation, eating facilities, recreational facilities, an office for the administration of a religious retreat, accommodation for the owners/managers of the premises, a "private school" and a "nursing home".
- iv. For the purposes of this amendment, a 'nursing home' shall mean a nursing home as defined by *The Nursing Homes Act* and licensed, established and maintained in accordance with this Act; and,
- v. For the purposes of this amendment, a 'private school' shall mean a private school as defined by *The Education Act* and established and operated in accordance with this Act.

Township of Greenock By-law #94-16 (Part of Lot 9, Concession 4)

.41 Notwithstanding their 'A1' Zoning designation, lands delineated as 'A1-41' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting however, that:

- i. Minimum lot area shall be 0.9 hectares;
- ii. Minimum lot frontage shall be 0 metres; and,
- iii. Minimum side yard for accessory structures existing at the date of passing of this By-law shall be 0 metres.

Municipality of Brockton By-law #2002-33 (Lot 10 and West Part of Lot 9, Concession 4, former Greenock)

- .42 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-42' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting however, that:
- i. Notwithstanding [Section 5.5.5.2](#), maximum lot coverage for all accessory buildings shall not exceed 5.5% of the total lot area; and,
 - ii. The number of livestock units shall be limited to 1.25 livestock units per hectare.

Municipality of Brockton By-law #2003-61 (Part of Lots 61, 62 and 63, Concession 1 NDR, former Greenock)

- .43 Notwithstanding their 'A1' Zoning designation, those lands as delineated as 'A1-43' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' Zone provisions contained in this By-law, excepting however, that:
- i. Minimum side yard setback from the existing detached dwelling shall be 10.6 metres; and,
 - ii. Minimum side yard setback from the existing accessory building (shed) shall be 4.5 metres.

Municipality of Brockton By-law #2003-74 (Part of Lot 8, Concession 6, former Greenock)

- .44 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-44' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' (Agriculture Lot) Zone provisions contained in this By-law, excepting however, that:
- i. Minimum lot area shall be 4.6 hectares.

Municipality of Brockton By-law #2005-43 (Lot 17, Concession 3, former Greenock)

- .45 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-45' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting however, that:
- i. Notwithstanding [Section 5.5.5.2](#), maximum lot coverage for all accessory buildings shall not exceed 5.6% of the total lot area.

Municipality of Brockton By-law #2006-50 (Lot 11 and Part Lot 12 Concession 9 and Part Lot 12, Concession 10, former Greenock - Saugeen Valley Conservation Authority)

- .46 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-46' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting however, that:
- i. The number of livestock units shall be limited to 1.25 livestock units per hectare.

Municipality of Brockton By-law #2008-34 (Lot 2 and East Part of Lot 3, Concession 14, former Greenock - Lang Farms Ltd)

.47 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-47' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting however, that:

- i. Minimum side yard setback shall be no less than 6.0 metres; and,
- ii. The number of livestock units shall be limited to 1.25 livestock units per hectare.

Municipality of Brockton By-law #2007-70 (Lot 4, Concession 17, former Greenock - Donnelly)

.48 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-48' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting however, that:

- i. The number of livestock units shall be limited to 1.25 livestock units per hectare.

Municipality of Brockton By-law #2009-18 (Lots, G, H, I and J, Concession 25, former Greenock - 1775163 Ontario Inc.)

.49 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-49' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting however, that:

- i. The number of livestock units shall be limited to 1.25 livestock units per hectare.

.50 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-50' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' (Agriculture Lot) Zone provisions contained in this By-law, excepting however, that:

- i. The construction of any new residential buildings and/or structures, new agricultural buildings and/or structures and accessory buildings and/or structures shall be prohibited.

Municipality of Brockton By-law #2009-30 (Part of Lot 8, Concession 16, former Greenock - Young)

.51 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-51' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting however, that:

- i. Minimum lot frontage shall be no less than 11.5 metres; and,
- ii. The number of livestock units shall be limited to 1.25 livestock units per hectare.

Municipality of Brockton By-law #2011-28 (Lots 4 & 5, Concession 14, former Greenock - Margerison/Lang Farms)

.52 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-52' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting however, that:

- i. Notwithstanding Section 3.36.1, the Minimum Distance Separation I setback from the front lot line to a neighbouring livestock facility shall be no less than 176 metres; and,
- ii. The number of livestock units shall be limited to 1.25 livestock units per hectare.

Municipality of Brockton By-law #2011-26 (Part of Lot 5, Concession 17, former Greenock – Wagg)

.53 Notwithstanding their 'A1' zoning designation, those lands delineated as 'A1-53' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' (Non-Farm Lot) zone provisions contained in this By-law, excepting however, that:

- i. Minimum lot frontage shall be no less than 14.0 metres; and,
- ii. The number of livestock units shall be limited to 1.25 livestock units per hectare.

Municipality of Brockton By-law #2011-40 (Part of Lot 7, Concession 8, former Greenock – Murray)

.54 Notwithstanding their 'A1' zoning designation, those lands delineated as 'A1-54' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' (Non-Farm Lot) zone provisions contained in this By-law, excepting however, that:

- i. Minimum lot frontage shall be no less than 12.2 metres; and,
- ii. The number of livestock units shall be limited to 1.25 livestock units per hectare.

Municipality of Brockton By-law #2012-63 (Part of Lots 16 and 17, Concession 1 SDR (being Parts 1, 2 and 3 on RP 3R-8066; Part 1 on RP 3R-8102 and Part 1 on RP 3R-1195, former Brant – Ernewein Farms Ltd.)

.55 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-55' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting however, that:

- i. Minimum side yard for existing dwelling shall be no less than 3.9 metres;
- ii. Minimum side yard for existing former livestock facility shall be no less than 4 metres; and,
- iii. The number of livestock units shall be limited to 1.25 livestock units per hectare.

Municipality of Brockton By-law #2012-63 (Part of Lots 18 and 19, Concession 1 SDR (being Parts 1, 2, and 3 RP 3R-8340, former Brant – Ernewein Farms Ltd.)

.56 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-56' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting however, that:

- i. Minimum side yard for existing dwelling shall be no less than 7.2 metres; and,
- ii. The number of livestock units shall be limited to 1.25 livestock units per hectare.

Municipality of Brockton By-law #2006-72 (Part of Lots 1, 2, 3 and Part of Lot 4, Concession 2 SDR, former Brant - Lang Farms)

- .57 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-57' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' Zone provisions contained in this By-law, excepting however that:
- i. The minimum side yard setback shall be no less than 3 metres; and,
 - ii. The number of livestock units shall be limited to 1.25 livestock units per hectare.
- .58 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-58' on Schedule 'A' shall be used in accordance with the 'A1' Zone provisions contained in this By-law, excepting however that:
- i. The construction of any new residential buildings and/or residential structures shall be prohibited on Part of Lot 3 and Part of Lot 4.

Municipality of Brockton By-law #2012-70 (Lot 18, Concession 8, former Brant - Osterndorff)

- .59 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-59' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting however, that:
- i. A reduced MDS setback from 250 m (820 ft) to 242 m (793 ft) from the barn on the adjacent lot to the west shall be permitted.

Municipality of Brockton By-law #2012-69 (Part of Lot 30, Concession 10, former Greenock - Kuepfer)

- .60 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-60' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' (Agriculture Lot) Zone provisions contained in this By-law, excepting however, that:
- i. A 'quilt/fabric store' shall be permitted in accordance with [Section 3.9](#) and located within an accessory building, in accordance with [Section 5.5](#) and subject to the following:
 - a. Notwithstanding [Section 3.9.1](#), the accessory building shall be located within the building cluster of the 'principle' 'dwelling unit';
 - b. Notwithstanding [Section 3.9.5](#), the total gross floor area utilized shall not exceed a maximum of 93 m²; and,
 - c. Notwithstanding [Section 3.9.6](#), there shall be no advertising other than a plate or sign, non-flashing and no larger than 1 m² in area.
 - ii. A second 'dwelling unit' shall be permitted subject to the following:
 - a. The second 'dwelling unit' shall be constructed in accordance with the 'A1' (Agriculture Lot) Zone provisions; and,
 - b. The second 'dwelling unit' shall be located within the building cluster of the 'principle' 'dwelling unit'.

By-law #2013-050 (Part of Lot 5, Concession 18 (Greenock – Wagg Z18/13)

.61 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-61' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' (Agriculture Lot) Zone provisions contained in this By-law, excepting however, that:

- i. Minimum lot frontage shall be 10.2 metres (33.5 feet)
- ii. Minimum yard setback from the north property boundary for the northerly shed existing on January 1, 2013 shall be 7.8 metres (26.6 feet)
- iii. Minimum yard setback from the south property boundary for the southerly shed existing on January 1, 2013 shall be 3 metres (10 feet)

.62 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-62' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' (Agriculture Lot) Zone provisions contained in this By-law, excepting however, that:

- i. A 'Dwelling – Accessory Detached' shall be prohibited
- ii. Minimum lot area shall be 35.4 ha (87.4ac)

By-law #2013-060 (Part of Lot 5, Concession 1 NDR Brant (O'Rourke Z22/13) as amended by By-law 2013-103 (O'Rourke Z5/13)

Notwithstanding their 'A1' Zoning designation, lands shall be used in accordance with the 'A1' (Agriculture Lot) Zone provisions contained in this By-law, excepting however, that:

.63 On those lands delineated as 'A1-63' on Schedule 'A' to this By-law Minimum lot area shall be 4.55 ha (11.26 ac)

.64 On those lands delineated as 'A1-64' on Schedule 'A' to this By-law Minimum lot area shall be 6.19 ha (13.53 ac)

.65 On those lands delineated as 'A1-65' on Schedule 'A' to this By-law Minimum lot area shall be 4.05ha (10 ac)

By-law #2013-089 (Part of Lot 5, Concession 18 Brant) Van Vuuren Z46/13

.66 Notwithstanding their 'A1' zoning designation, those lands delineated as 'A1-66' on Schedule 'A' to this By-law shall be used in compliance with the 'A1' (Non-Farm Lot) zone provisions contained in this By-law, excepting however, that:

- i. Minimum lot area shall be 0.46 hectares (1.14 acres);
- ii. Minimum lot frontage shall be 14.2 metres (47.0 ft);
- iii. The number of livestock units shall be limited to 1.25 livestock units per hectare; and,
- iv. Minimum Distance Separation I setback shall be 121 metres (397.0 ft) to a livestock facility located at 740 Concession 12, geographic Township of Brant.

By-law #2014-061 (Concession 17 Lot 6 Greenock, Metzger Z20/14)

.67 Notwithstanding their 'A1' zoning designation, those lands delineated as 'A1-67' on Schedule 'A' to this By-law shall be used in compliance with the 'A1' (Non-Farm Lot) zone provisions contained in this By-law, excepting however, that:

- i. Minimum lot frontage shall be 16 metres (52.4 ft).

By-law #2014-079 (Concession 19 Lot 10 and West ½ Lot 9 Greenock, Ferris c/o Kirkpatrick Z33/14)

.68 Notwithstanding their 'A1' zoning designation, those lands delineated as 'A1-68' on Schedule 'A' to this By-law shall be used in compliance with the 'A1' (Non-Farm Lot) zone provisions contained in this By-law, excepting however, that:

- i. The barn existing on the date of this by-law is permitted; however, no enlargement or extension to the barn shall be permitted;
- ii. The number of livestock units shall be limited to 1.25 units per hectare;
- iii. Maximum lot coverage for all structures is 22%.

By-Law # 2015-015 (Part Lot 35, Concession A, Brant - Hall)

.69 Notwithstanding their 'A1' zoning designation, those lands delineated as 'A1-69' on Schedule "A" to this By-law shall be used in compliance with the 'A1' (Non-Farm Lot) provisions contained in this By-law, excepting however, that:

- i) the subject lands are designated as a Site Plan Control Area under Section 41 of the Planning Act, R.S.O. 1990.

By-law #2015-026 (Lot 14, Concession 15, Greenock - Alexander)

.70 Notwithstanding their 'A1' zoning designation, those lands delineated as 'A1-70' on schedule "A" to this By-law, shall be used in compliance with the 'A1' (Non-Farm Lot) provisions contained in this By-Law, excepting however, that:

- i) The number of nutrient units shall be limited to 1.25 units per hectare;
- ii) Minimum Distance Separation I (MDS I) requires shall not apply; and,
- iii) Buildings and structures existing as of March 23, 2015 which do not comply with the provisions of this By-law are hereby recognized. All future buildings and structures, or additions to existing buildings and structures, shall comply with the provisions of this By-law.

By-Law # 2015-037 (Lots 2 and 3, Concession 'A', geographic Township of Greenock - Adams / Ikendale Farms)

.71 Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-71' on Schedule "A" to this By-law, shall be used in compliance with the 'A1' (Non-Farm Lot) provisions contained in this By-law, excepting, however that:

- i) The number of nutrient units shall be limited to 1.25 units per hectare; and,
- ii) Buildings and structures existing as of April 27, 2015 which do not comply with

the provisions of this By-law are hereby recognized. All future buildings and structures, or additions to existing buildings and structures, shall comply with the provisions of this By-Law.

By-law # 2015-019 (Part of Lots 33 and 34, Concession 6, Greenock – Heipel) – *Amended from 'A1-69' to 'A1-72' as per administrative changes permitted by Section 1.6 of this By-law.*

.72 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-72**' on Schedule "A" to this by-Law, shall be used in compliance with the 'A1' (Non-Farm Lot) provisions contained in this By-law, excepting however, that:

- i) The number of nutrient units shall be limited to 1.25 units per hectare;
- ii) Buildings and structure existing as of February 17, 2015 which do not comply with the provisions of the by-law are hereby recognized. All future buildings and structures, or additions to existing buildings and structures, shall comply with the provisions of this By-law.

A1-73 (By-Law #2015-048 – Dunbar – Part Lot 74, Concession 2 NDR, Brant)

.73 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-73**' on Schedule "A" to this by-law, shall be used in compliance with the 'A1' (Non-Farm Lot) provisions contained in this by-law, excepting however that:

- i) The minimum lot area shall be +/- 0.36 ha; and,
- ii) Buildings and structures existing as of May 25, 2015 which do not comply with the provisions of this by-Law are hereby recognized. All future buildings or structures, or additions to existing buildings and structures, shall comply with the provisions of this By-Law.

A1-74 (By-Law # 2016-021 – Ackert/ Maus, Lot 10, Concession 17, Greenock)

.74 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-74**' on Schedule 'A' to this By-law, shall be used in compliance with the 'A1' (Non-Farm Lot) provisions contained in this By-law, excepting, however that:

- i) The number of nutrient units shall be limited to 1.25 units per hectare;
- ii) That the minimum lot frontage shall be no less than 10 m; and,
- iii) Buildings and structures existing as of March 29, 2016 which do not comply with the provisions of this By-law are hereby recognized. All future buildings and structures, or additions to existing buildings and structures, shall comply with the provisions of this By-law.

A1-75 (By-Law # 2016-024_Lang, Part Lots 6, 7, 8 and 9, Concession 1 NDR, Brant)

.75 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-75**' on Schedule 'A' to this By-law, shall be used in compliance with the 'A1' (Non-Farm Lot) provisions contained in this By-law, excepting, however that:

- i) The number of nutrient units shall be limited to 1.25 units per hectare;
- ii) That the minimum lot frontage shall be no less than 39.5 m (129.5 ft); and,
- iii) Buildings and structures existing as of April 11, 2016 which do not comply with the provisions of the By-law are hereby recognized. All future buildings and structures, or additions to existing buildings and structures, shall comply with the provisions of this By-law.

A1-76 (By-Law #2016-046- PKW Farms Lots 46 to 49, Concession 3, Brant)

.76 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-76**' on Schedule 'A' to this by-law, shall be used in compliance with the 'A1' (Non-Farm Lot) zone provisions contained in this By-law, excepting, however that:

- i) The number of nutrient units shall be limited to 1.25 units per hectare;
- ii) The Minimum Distance Separation between the subject lands to the barn located at Lot 50, Concession 3, geographic Township of Brant, shall be no less than 140 m; and,
- iii) Buildings and structures existing as of June 20, 2016 which do not comply with the provisions of this By-Law are hereby recognized. All future buildings and structures, or additions to existing buildings and structures, shall comply with the provisions of this By-Law.

A1-77 (By-Law #2016-052- Lang Farms Ltd - Lots 1-3 and Part Lot 4, Con 2 SDR, Brant)

.77 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-77**' on Schedule 'A' to this By-law, shall be used in compliance with the 'A1' (Non-Farm Lot) zone provisions contained in this By-law, excepting, however that:

- i) The number of nutrient units shall be limited to 1.25 units per hectare; and,
- ii) Buildings and structures existing as of July 18, 2016 which do not comply with the provisions of this By-law are hereby recognized. All future buildings and structures, or additions to existing buildings and structures, shall comply with the provisions of this By-law.

A1-78 (By-Law #2016-066 - Kanters Part Lot 16, Con 10, Brant)

.78 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-78**' on Schedule 'A' to this By-law, shall be used in compliance with the 'A1' (Non-Farm Lot) zone provisions contained in this By-law, excepting, however that:

- i) The number of nutrient units shall be limited to 1.25 units per hectare; and,
- ii) Buildings and structures existing as of September 12, 2016 which do not comply with the provisions of this By-law are hereby recognized. All future buildings and structures, or additions to existing buildings and structures, shall comply

with the provisions of this By-law.

A1-79 (By-Law #2016-071 –Poechman Lots 54 and 55, Con 2 SDR, Brant)

.79 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-79**' on Schedule 'A' to this By-law, shall be used in compliance with the 'A1' (Non-Farm Lot) zone provisions contained in this By-law, excepting however that:

- i) The number of nutrient units shall be limited to 1.25 units per hectare;
- ii) The Minimum Distance Separation between the subject lands to the barn located at Lot 53, Concession 3 SDR, geographic Township of Brant, shall be no less than 316 metres; and,
- iii) Buildings and structures existing as of October 1, 2016 which do not comply with the provisions of this By-law are hereby recognized. All future buildings and structures, or additions to existing buildings and structures shall comply with the provisions of this By-law.

A1-80 (By-Law #2016-079Lippert_Sprucedale Agromart c-o Sam Head, Part Lot 56, Conc1 NDR [Part 1, 3R-8040 and Parts 1 and 2, 3R-4222], Brant)

.80 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-80**' on Schedule 'A' to this By-law, shall be used in compliance with the 'A1' (Non-Farm Lot) zone provisions contained in this By-law, excepting however that:

- i) The 'Minimum Lot Area' shall be 11.7 ha (28.9 ac).

A1-81 (By-Law #2017-005 Fritz – Part Lot 10, Concession 6 (Part 1, 3R-3240, Part 1, 3R-4188 and Part 1, 3R-5060), Greenock) Z-88-16.31]

.81 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-81**' on Schedule 'A' to this by-law, shall be used in compliance with the 'A1' (Non-Farm Lot) zone provisions contained in this By-law, excepting however that:

- i) The number of nutrient units shall be limited to 1.25 units per hectare;
- ii) The Minimum Distance Separation between the subject lands to the barn located at Lot 9 and Part Lot 10, Concession 7, geographic Township of Greenock, be no less than 239 metres; and,
- iii) Buildings and structures existing as of January 9, 2017, which do not comply with the provisions of this By-law, are hereby recognized. All future buildings and structures, or additions to existing buildings and structures, shall comply with the provisions of this By-law.

SECTION 7 – URBAN RESIDENTIAL ZONES (R1, R2 & R3)

7.1 SCOPE

The provisions of the ‘Residential Zone 1 (R1)’ zone or ‘Residential Zone 2 (R2)’ zone or ‘Residential Zone 3 (R3)’ zone shall generally apply to lands designated ‘Residential’ on Schedule A – Land Use Plan for the Walkerton Community Official Plan.

7.2 USES PERMITTED

No person shall within a ‘Residential Zone 1 (R1)’ zone or ‘Residential Zone 2 (R2)’ zone or ‘Residential Zone 3 (R3)’ zone use any lot or erect, alter or use any building or structure for any purpose except the following:

PERMITTED USES	RESIDENTIAL: LOW DENSITY SINGLE (R1)	RESIDENTIAL: LOW DENSITY MULTIPLE (R2)	RESIDENTIAL: MEDIUM DENSITY (R3)
‘Dwelling, Single Detached’	√	√	Not Permitted
‘Dwelling, Semi-Detached’	√	√	Not Permitted
‘Dwelling, Converted’ (a)	√	√	Not Permitted
‘Dwelling, Duplex’	√	√	Not Permitted
‘Dwelling, Multiple’	Not Permitted	Not Permitted	√
‘Dwelling, Secondary Suite’ (b)	√	√	√
‘Townhouse, Cluster’ or ‘Townhouse Street’	Not Permitted	√	√
‘Apartment Building’	Not Permitted	Not Permitted	√
‘Day Nursery’ (deleted by By-law 2016-028)	√	√	Not Permitted
Home Child Care (added by By-law 2016-028)	√	√	Not Permitted
Unlicensed Child Care (added by By-law 2016-028)	√	√	Not Permitted
‘Home Occupation- Domestic and Professional’ as per Section 3.9 (a)	√	√	Not Permitted
‘Home Occupation – Bed & Breakfast Establishment’ as per Section 3.10 (c)	√	√	Not Permitted
‘Public Park’	√	√	√
‘Group Home - Type 1’	√	√	√
‘Residential Care Facility’	√	√	√
Accessory Buildings & Structures as per Section 3.6	√	√	√

Footnotes

- (a) A ‘Dwelling, Converted’ shall be permitted in a ‘Dwelling, Single Detached’ and ‘Dwelling, Semi-Detached’ only, to a maximum of two (2) dwelling units on existing lot of record.
- (b) A ‘Dwelling, Secondary Suite’ shall only be permitted in a ‘dwelling, single detached’,

‘dwelling, semi-detached’ and ‘townhouse, street’ in accordance with [Section 3.8.3](#).

- (c) A ‘Home Occupation – Domestic & Profession’, ‘Home Occupation – Bed & Breakfast Establishment’, and ‘Group Home – Type 1’ shall be permitted in a ‘Dwelling, Single Detached’ only.

7.3 ZONE PROVISIONS – ‘R1 & R2’

No person shall within the ‘R1’ and ‘R2’ zones use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

Modified by By-law 2015-039 (Housekeeping #1)

Provisions: Municipal Water & Municipal Sewer				
	Dwelling, Single Detached	Dwelling, Duplex & Semi Detached	Dwelling, Townhouse	
			Cluster (c)	Street
Minimum Lot Area	465 m ² (5,005 ft ²)	465 m ² (5,005 ft ²) or 232.5 m ² (2,502.7 ft ²) for each Semi-Detached Unit to be erected on a separate lot of record	155 m ² (1,668 ft ²) per dwelling unit	155 m ² (1,668 ft ²) per dwelling unit
Minimum Lot Frontage	15 metres (50 ft)	15 metres (50 ft) or 7.5 metres (24.6 ft) for each Semi-Detached Unit to be erected on a separate lot of record	15.0 metres (50 ft)	7.5 metres (25 ft) per dwelling unit
Minimum Front Yard	6.0 metres (20 ft)	6.0 metres (20 ft)	(c)	6.0 metres (20 ft)
Minimum Rear Yard	7.5 metres (25 ft)	7.5 metres (25 ft)	(c)	7.5 metres (25 ft)
Minimum Exterior Side Yard	4.3 metres (14 ft)	4.3 metres (14 ft)	(c)	6.0 metres (20 ft) [End unit]
Minimum Interior Side Yard	1.2 metres (4 ft)(a)	1.2 metres (4 ft)(b)	(c)	3.0 metres (10 ft) [End unit]
Minimum Floor Area, Gross	Not applicable	130 m ² (1,400 ft ²) or 65 m ² (700 ft ²) for each Semi-Detached Unit to be erected on a separate lot of record	60m ² (646 ft ²) per dwelling unit	60m ² (646 ft ²) per dwelling unit
Minimum Floor Area, Ground	70 m ² (753 ft ²) [greater than 1 storey] 90 m ² (969 ft ²) [1 storey]	Not applicable	Not applicable	Not applicable
Maximum Building Height – ‘Main Building’	10 metres (33 ft)	10 metres (33 ft)	10 metres (33 ft)	10.0 metres (33 ft)

Maximum Lot Coverage	30%	30%	35%	35%
Landscaped Open Space	Per Section 3.16.1			

Footnotes

- (a) With attached garage or carport. Without an attached garage or carport, the interior side yard shall be a minimum of 2.5 metres (8 ft) on one side and 1.2 metres (4 ft) on the other side.
- (b) Where a ‘Dwelling, Semi-Detached’ has been equally divided to provide individual ownership to each dwelling unit, the common side yard may be reduced to zero (0) metres.
- (c) A ‘Dwelling, Townhouse, Cluster’ shall be subject to the following Yard provisions:
 - i. The setback between the front wall of a ‘Townhouse, Cluster’ and an interior roadway or parking area shall be no less than 4 metres (13 ft);
 - ii. The setback between the end side walls of each ‘Townhouse, Cluster’ (building ends) shall be no less than 3 metres (10 ft);
 - iii. The setback between the rear walls of a ‘Townhouse, Cluster’ shall be no less than 3 metres (10 ft); and,
 - iv. The setback between the end side walls and/or rear walls of a ‘Townhouse, Cluster’ and an abutting lot and/or exterior roadway shall be no less than 7.5 metres (25 ft).

Modified by By-law 2015-039 (Housekeeping #1)

Provisions: Connected to Municipal Sewer		
	Dwelling, Semi-Detached & Duplex	Dwelling, Single Detached
Minimum Lot Area	0.4 hectares (1 ac) or 0.2 hectares (0.5 ac) per each Semi-Detached Unit to be erected on a separate lot of record	0.4 hectares (1 ac)
Minimum Lot Frontage	40 metres (131 ft) or 20 metres (66 ft) for each Semi-Detached Unit to be erected on a separate lot of record	40 metres (131 ft)
Minimum Front Yard	7.5 metres (25 ft)	
Minimum Exterior Side Yard	4.3 metres (14 ft)	
Minimum Rear Yard	10 metres (33 ft)	
Minimum Interior Side Yard	3 metres (10 ft) (a) and (b)	
Minimum Floor Area, Gross	130 m ² (1,400 ft ²) or 65 m ² (700 ft ²) for each Semi-Detached Unit to be erected on a separate lot of record	Not applicable
Minimum Floor Area, Ground	Not applicable	70 m ² (754 ft ²)

Minimum Building Height, 'Main Building'	10 metres (33 ft)
Maximum Lot Coverage	20%
Landscaped Open Space	Per Section 3.16.1

Footnotes

- (a) With attached garage or carport. Without an attached garage or carport, the interior side yard shall be a minimum of 6 metres (20 ft) on one side and 3 metres (10 ft) on the other side.
- (b) Where a 'Dwelling, Semi-Detached' has been equally divided to provide individual ownership to each dwelling unit, the common side yard may be reduced to zero (0) metres.

Modified by By-law 2015-039 (Housekeeping #1)

Provisions: EXISTING LOT OF RECORD – No Connection to Municipal Services		
	Dwelling, Semi-Detached & Duplex	Dwelling, Single Detached
Minimum Lot Area	Not applicable	
Minimum Lot Frontage	Not applicable	
Minimum Front Yard	10 metres (33 ft)	
Minimum Rear Yard	10 metres (33 ft)	
Minimum Exterior Side Yard	4.3 metres (14 ft)	
Minimum Interior Side Yard	3 metres (10 ft) (a) and (b)	
Minimum Floor Area, Gross	130 m ² (1,400 ft ²) or 65 m ² (70 ft ²) for each Semi-Detached Unit to be erected on a separate lot of record	Not applicable
Minimum Floor Area, Ground	No applicable	70 m ² (754 ft ²)
Minimum Building Height, 'Main Building'	10 metres (33 ft)	
Maximum Lot Coverage	15%	
Landscaped Open Space	Per Section 3.16.1	

Explanatory Note:

Uses in the R2 zone may be subject to site plan control. You will be required to receive site plan approval prior to the issuance of a building permit. You are advised to check with the Municipality.

Footnotes

- (a) With attached garage or carport. Without an attached garage or carport, the interior side yard

shall be a minimum of 6 metres (20 ft) on one side and 3 metres (10 ft) on the other side.

(b) Where a 'Dwelling, Semi-Detached' has been equally divided to provide individual ownership to each dwelling unit, the common side yard may be reduced to zero (0) metres.

7.4 ZONE PROVISIONS – 'R3'

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

Modified by By-law 2015-039 (Housekeeping #1)

Provisions: Connected to Municipal Water and Sewer Service					
	Dwelling, Townhouse		Dwelling, Multiple	Apartment Building	
	Cluster (a)	Street			
Minimum Lot Area	155 m ² (1,668 ft ²) per dwelling unit	155 m ² (1,668 ft ²) per dwelling unit	155 m ² (1,668 ft ²) per dwelling unit	650 m ² (6,997 ft ²) per building	
Minimum Lot Frontage	15 metres (50 ft)	7.5 metres (25 ft) per dwelling unit	15 metres (50 ft)	15 metres (50 ft)	
Minimum Front Yard	(a)	6 metres (20 ft)	6 metres (20 ft)	8 metres (26 ft)	
Minimum Exterior Side Yard		6 metres (20 ft) [End unit]	6 metres (20 ft)	8 metres (26 ft)	
Minimum Interior Side Yard	(a)	3.0 metres (10 ft) [End unit] (b)	3.0 metres (10 ft)	5.0 metres (16 ft)	
Minimum Rear Yard	(a)	7.5 metres (25 ft)	7.5 metres (25 ft)	10.0 metres (33 ft)	
Maximum Lot Coverage	40%	40%	40%	45%	
Minimum Landscaped Area/Open Space	30%	30%	30%	30%	
Minimum Floor Area, Gross	60 m ² (646 ft ²) per dwelling unit	60 m ² (646 ft ²) per dwelling unit	60 m ² (646 ft ²) per dwelling unit	i) Bachelor Dwelling Unit	35 m ² (377 ft ²)
				ii) One Bedroom Unit	50 m ² (538 ft ²)
				iii) For each additional bedroom	10 m ² (108 ft ²)
Minimum Floor Area, Ground	Not applicable	Not applicable	Not applicable	Not applicable	

Maximum Height – ‘Main Building’	10 metres (33 ft)	10 metres (33 ft)	10 metres (33 ft)	20 metres (66 ft)
Landscaped Open Space	Per Section 3.16.1			

Explanatory Note:

All uses in the R3 zone are subject to site plan control. You will be required to receive site plan approval prior to the issuance of a building permit. You are advised to consult with the Municipality.

- parking area shall be no less than 4 metres (13 ft);
- ii. The setback between the end side walls of each ‘Townhouse, Cluster’ (building ends) shall be no less than 3 metres (10 ft);
- iii. The setback between the rear walls of a ‘Townhouse, Cluster’ shall be no less than 3 metres (10 ft);
- iv. The setback between the end side walls and/or rear walls of a ‘Townhouse, Cluster’ and an abutting lot and/or exterior roadway shall be no less than 7.5 metres (25 ft).
- (b) Where a ‘Townhouse, Street’ has been divided to provide individual ownership to each dwelling unit, the common side yard may be reduced to zero (0) metres.

7.5 SPECIAL PROVISIONS – R1

Town of Walkerton By-law #92-35 (Walkerton – various locations)

- .1 Notwithstanding their 'R1' zoning designation those lands delineated as 'R1-1' on Schedule 'A' to this By-law shall be used in accordance with the 'R1' Zone provisions contained in this By-Law, excepting however that:
 - i. For the purposes of this amendment, 'lot coverage' shall be defined as the percentage of the lot area covered by all buildings above ground level, but does not include that portion thereof which is completely below ground level.

Town of Walkerton By-law #92-35 (Walkerton)

- .2 Notwithstanding their 'R1' zoning designation those lands delineated as 'R1-2' on Schedule 'A' to this By-law shall be used in accordance with the 'R1' Zone provisions contained in this By-law, excepting however that:
 - i. For the purposes of this amendment, ‘lot coverage’ shall be defined as the percentage of the lot area covered by all buildings above ground level, but does not include that portion thereof which is completely below ground level; and,
 - ii. The minimum front yard setback shall be no less than 4.5 m (14.8 ft).

Municipality of Brockton By-Law #2001-60 (Brockton – various locations)

- .3 Notwithstanding their ‘R1’ Zoning designation, those lands delineated as ‘R1-3’ on Schedule ‘A’ to this By-Law shall be used in accordance with the ‘R1’ Zone provisions contained in this By-law, excepting however, that:
 - i. The permitted uses shall include a ‘hotel/motel’.

Municipality of Brockton By-law #2001-60 (Brockton - various locations)

.4 Notwithstanding their 'R1' Zoning designation, those lands delineated as 'R1-4' on Schedule 'A' to this By-law shall be used in accordance with the 'R1' Zone provisions contained in this By-law, excepting however, that:

- i. The permitted uses shall include 'trades person's shop'.

Municipality of Brockton By-law #2006-60 (Eidt, Plan 7 Lots 63, 74 and 65 and Part of Lot 48, geographic Town of Walkerton)

.5 Notwithstanding their 'R1' Zoning designation, those lands delineated as 'R1-5' on Schedule 'A' to this By-law shall be used in accordance with the 'R1' Zone provisions contained in this By-law, excepting however, that:

- i. The interior side yard and rear yard setbacks on the south east side of the property shall be as it existed on the date of passing of this By-law.

Municipality of Brockton By-law #2005-67 (Sepp, Plan 162 Part of Park Lot 44 Yonge Street North, geographic Town of Walkerton)

.6 Notwithstanding their 'R1' Zoning designation, those lands delineated as 'R1-6' on Schedule 'A' to this By-law shall be used in accordance with the 'R1' Zone provisions contained in this By-law, excepting however, that:

- i. The minimum exterior side yard setback shall be no less than 1.5 metres for the dwelling unit as it exists on the day of the passing of this By-law.

.7 Notwithstanding their 'R1' Zoning designation, those lands delineated as 'R1-7' on Schedule 'A' to this By-law shall be used in accordance with the 'R1' Zone provisions contained in this By-law, excepting however, that:

- i. The minimum side yard setback on the west side of the property shall be no less than 4.0 metres.

Municipality of Brockton By-law #2009-58 (Binkley c/o Popp, Plan 7 Part of Lot 35, geographic Town of Walkerton)

.8 Notwithstanding their 'R1' Zoning designation, those lands delineated as 'R1-8' on Schedule 'A' to this By-law shall be used in accordance with the 'R1' Zone provisions contained in this By-law, excepting however, that:

- i. The minimum lot area shall be no less than 556 sq. metres;
- ii. The maximum lot coverage shall be no greater than 36%; and,
- iii. The exterior side yard setback shall be 0 metres.

Town of Walkerton By-law #92-35 (Various locations, geographic Town of Walkerton)

.9 Notwithstanding their 'R1' Zoning designation, those lands delineated as 'R1-9' on Schedule 'A' to this By-law shall be used in accordance with the 'R1' Zone provisions contained in this By-law, excepting however, that:

- i. The minimum lot frontage for a corner lot shall be 17.5 metres (57.4 ft);

- ii. The minimum frontage for an interior lot shall be 12.2 metres (40 ft);
- iii. The maximum floor area of a dwelling unit shall be 102 m² (1,098 ft²); and,
- iv. For the purposes of this amendment, "floor area" shall mean the total floor area contained within the inside walls of a dwelling unit, excluding any private garage, carport, porch, veranda, unfinished attic, cellar or sun room (unless such sun room is habitable during all seasons of the year).

Municipality of Brockton By-law #2010-04 (Turner and Williams c/o IBI Group, Plan 84 Part of Park Lots 7 and 8 and Plan 162 Lot 26 (being Part 2 on RP 3R-3464)

.10 Notwithstanding their 'R1' Zoning designation, those lands delineated as 'R1-10' on Schedule 'A' to this By-law shall be used in accordance with the 'R1' Zone provisions contained in this By-law, excepting however, that:

- i. Minimum lot frontage shall be no less than 12.0 metres; and,
- ii. Minimum interior side yard for both sides shall be no less than 1.2 metres.

.11 Notwithstanding their 'R1' Zoning designation, those lands delineated as 'R1-11' on Schedule 'A' to this By-law shall be used in accordance with the 'R1' Zone provisions contained in this By-law, excepting however, that:

- i. Minimum lot frontage shall be no less than 12.0 metres;
- ii. Minimum exterior side yard shall be no less than 3.0 metres; and,
- iii. Minimum interior side yard for both sides shall be no less than 1.2 metres.

Municipality of Brockton By-law #95-10 (Judar, Plan 162 Part of Park Lot L and Plan 7 Part of Lots 2 and 3, geographic Town of Walkerton)

.12 Notwithstanding their 'R1' Zoning designation, those lands delineated as 'R1-12' on Schedule 'A' to this By-law shall be used in accordance with the 'R1' Zone provisions contained in this By-law, excepting however, that:

- i. Prior to the issuing of a building permit, the owner of the property shall provide a site plan and enter into an agreement with the Town in accordance with by-law No. 85-52 (Site Plan Control), detailing lot grading and drainage, a building envelope and driveway location.

Municipality of Brockton By-law #2008-56 (Edinburgh Holdings Corp., Plan 185 Part of Lots 2 and 3 and Lots 4 and 5, geographic Town of Walkerton)

.13 Notwithstanding their 'R1' Zoning designation, those lands delineated as 'R1-13' on Schedule 'A' to this By-law shall be used in accordance with the 'R1' Zone provisions contained in this By-law, excepting however, that:

- i. Minimum exterior side yard shall be no less than 5.1 metres;
- ii. Notwithstanding [Section 3.9.3](#), the maximum number of assistants employed in the Home Occupation who do not reside in the "dwelling" shall not exceed three (3); and,
- iii. Notwithstanding [Section 3.9.5](#), the maximum total gross floor area utilized for the Home Occupation shall not exceed 139 m².

Municipality of Brockton By-law #2011-98 (1221058 Ontario Inc. [Spitzig], Part of Lot 22, Concession 1 NDR; Plan 162 Part of Lots 1 and 2 and Part of Park Lots 41 and 42; Part of Unnamed Road Lying South of Plan 3R-883 and North of Durham Road, geographic Town of Walkerton)

.14 Notwithstanding their 'R1' Zoning designation, those lands delineated as 'R1-14' on Schedule 'A' to this By-law shall be used in accordance with the 'R1' Zone provisions contained in this By-law, excepting however, that:

- i. Minimum lot frontage shall be no less than 12.0 metres.

Municipality of Brockton By-law #2012-27 (Walker, Part of Lot 33, Concession 1 NDR being Part 4 on RP 3R-1888, geographic Township of Brant)

.15 Notwithstanding their 'R1' Zoning designation, those lands delineated as 'R1-15' on Schedule 'A' to this By-law shall be used in accordance with the 'R1' Zone provisions contained in this By-law, excepting however, that:

- i. Should a new 'dwelling' replace the existing 'dwelling' at the time of adoption of the zoning by-law, the minimum rear yard shall be no less than 70.0 metres.

Municipality of Brockton By-law #2010-58 (Price Schonstrom Inc., Part of Lot 1, Plan 7 Exp Plan 722 Part 2 and Lot 1 and Lot 2 Plan 7 William E/S, Municipality of Brockton (geographic Town of Walkerton)

.16 Notwithstanding their 'R1' Zoning designation, those lands delineated as 'R1-16' on Schedule 'A' to this By-law shall be used in accordance with the 'R1' Zone provisions contained in this By-law, excepting however, that:

- i. The permitted uses shall be limited to a 'parking area', for the exclusive use of employees of the adjacent general industrial use (Price Schonstrom Inc.);
- ii. The parking of trucks and other machinery associated with the adjacent general industrial use (Price Schonstrom Inc.) shall be prohibited;
- iii. Outdoor storage, and all buildings and/or structures shall be prohibited; and,
- iv. A Site Plan Control Agreement shall be registered on title with the subject lands.

7.6 SPECIAL PROVISIONS – R2

Town of Walkerton By-law #92–35 (Plan 84 Part of Park Lot 12, geographic Town of Walkerton)

- .1 Notwithstanding their ‘R2’ Zoning designation, those lands delineated as ‘R2–1’ on Schedule ‘A’ to this By-law shall be used in accordance with the ‘R2’ Zone provisions contained in this By-law, excepting however, that:
- i. Permitted uses shall be limited to a ‘funeral home’ in accordance with the ‘C2’ zone provisions contained in this By-law.

Municipality of Brockton By-law #99–57 (Campbell, Plan 162 Part of Lot 9, geographic Town of Walkerton)

- .2 Notwithstanding their ‘R2’ Zoning designation, those lands delineated as ‘R2–2’ on Schedule ‘A’ to this By-law shall be used for residential and Home Occupation – Bed and Breakfast Establishment uses in accordance with the ‘R2’ Zone provisions and [Section 3.10](#) contained in this By-law, excepting however, that:
- i. The maximum number of guest rooms shall be six (6);
 - ii. No guest bedrooms shall be located above the second storey except in conformance with the Ontario Building Code and/or other related legislation and regulation and approved by the Chief Building Official of the Municipality;
 - iii. One guest room measuring approximately 10.2 square metres (110 square feet) shall be allowed;
 - iv. The maximum number of guests shall be limited to ten (10);
 - v. A planting strip consisting of a green hedge shall be established along the north property line extending the length of the parking area; and,
 - vi. One driveway of approximately 7.9 metres (26 feet) in width shall be allowed.

(Amended from 7.6.4 to 7.6.3 as per administrative changes permitted by Section 1.6 of this By-Law)

Municipality of Brockton By-law 2014–004 (Ernewein Z58/13, Plan 162 Part Park Lot 1, Park Lot 2 Lots A and B W Victoria St, Walkerton)

- .3 Notwithstanding their ‘R2’ zoning, the lands zoned ‘R2–3’ shall be used in accordance with the following:

Permitted Uses:

- i. Up to 35 Semi-detached and/or townhouse dwellings, fronting onto municipal streets or a private street;
- ii. accessory buildings and structures;

Provisions:

- Minimum lot area: 1.7 ha
- Minimum lot frontage: 100.7 m
- Minimum front and exterior side yard setback: 6m
- Minimum setback from paved private street: 5.1 m
- Minimum setback from rear or interior side lot line: 3.6 m

- Minimum separation between buildings: 2.4 m
- Minimum floor area, gross: 65 m² per unit
- Maximum building height: 10 m
- Maximum lot coverage: 43%
- All other relevant provisions of the Zoning By-law shall apply.

The lands are subject to Site Plan Control under Section 41 of The Planning Act.

(Amended from 7.6.3 to 7.6.4 as per administrative changes permitted by Section 1.6 of this By-Law)

Municipality of Brockton By-law #2008-67 (Weber, Plan 162 Part of Lots F, K and A being Part 3 on 3R-4455)

- .4 Notwithstanding their 'R2' Zoning designation, those lands delineated as 'R2-4' on Schedule 'A' to this By-law shall be used in accordance with the 'R2' Zone provisions contained in this By-law, excepting however, that:
- i. A Site Plan Control Agreement shall be registered on title.

7.7 SPECIAL PROVISIONS – R3

Municipality of Brockton By-Law #2005-70 (Foreman Apartments, Plan 836 Part of Lot 1, Yonge Street E/S)

- .1 Notwithstanding their 'R3' Zoning designation, those lands delineated as 'R3-1' on Schedule 'A' to this By-law shall be used in accordance with the 'R3' Zone provisions contained in this By-law, excepting however that:
- i. Minimum lot frontage shall be no less than 20.5 metres (67.27 feet);
 - ii. [Section 3.27.1](#) (a) (ii) shall not apply;
 - iii. Parking shall be permitted in the front yard but no part of any parking space shall be located closer than 9.1 metres (30 feet) from the front property line and no closer than 3.0 metres (10 feet) to the south interior lot line and 2.74 metres (9 feet) to the north interior lot line; and,
 - iv. A 2.44 metre (8 feet) high permanent, maintenance free board fence shall be erected and maintained along the full length of the south interior lot.

Municipality of Brockton By-Law #2010-04 (Turner and Williams c/o IBI Group, Plan 84, Part Park Lots 7 and 8, and Plan 162 Lot 26 being Part 2 on RP 3R-3464)

- .2 Notwithstanding their 'R3' Zoning designation, those lands delineated as 'R3-2' on Schedule 'A' to this By-law shall be used in accordance with the 'R3' Zone provisions contained in this By-law, excepting however, that:
- i. Minimum rear yard shall be no less than 6 metres.

Town of Walkerton By-law #92-35

- .3 Notwithstanding their 'R3' Zoning designation, those lands delineated as 'R3-3' on Schedule 'A' to this By-law shall be used in accordance with the 'R3' Zone provisions contained in this By-law, excepting however, that:
- i. Permitted use shall be limited to an 'apartment building';
 - ii. Maximum number of 'dwelling units' within 'apartment building' shall not exceed twenty-four (24);
 - iii. Minimum front yard shall be no less than 9.0 metres;
 - iv. Minimum exterior side yard shall be no less than 9.0 metres;
 - v. Minimum interior side yard shall be no less than 6.4 metres; and,
 - vi. Minimum rear yard shall be no less than 11.5 metres.

Town of Walkerton By-law #92-35

- .4 Notwithstanding their 'R3' Zoning designation, those lands delineated as 'R3-4' on Schedule 'A' to this By-law shall be used in accordance with the 'R3' Zone provisions contained in this By-law, excepting however, that:
- i. Permitted use shall be limited to an 'apartment building'; Minimum lot frontage shall be no less than 28 metres;
 - ii. Minimum interior side yard to an abutting lot shall be no less than 8.2 metres;

- iii. A balcony attached to a 'dwelling unit' may project into the required side yard by no greater than 1.7 metres; and,
- iv. Minimum separation distance between 'apartment buildings' shall be no less than 4.5 metres.

Town of Walkerton By-law #92-35

- .5 Notwithstanding their 'R3' Zoning designation, those lands delineated as '**R3-5**' on Schedule 'A' to this By-law shall be used in accordance with the 'R3' Zone provisions contained in this By-law, excepting however, that:
- i. Permitted use shall be limited to an 'apartment building';
 - ii. Minimum lot area shall be no less than 1,740 m²;
 - iii. Minimum lot frontage shall be no less than 34.7 metres;
 - iv. Minimum front yard shall be 0 metres;
 - v. Minimum exterior side yard shall be 0 metres;
 - vi. Minimum rear yard shall be no less than 4.6 metres;
 - vii. Maximum lot coverage shall not exceed 42%; and,
 - viii. Only those buildings or structures existing on the date of passing of this By-law shall be permitted.

Town of Walkerton By-law #92-35

- .6 Notwithstanding their 'R3' Zoning designation, those lands delineated as '**R3-6**' on Schedule 'A' to this By-law shall be used in accordance with the 'R3' Zone provisions contained in this By-law, excepting however, that:
- i. Permitted use shall be limited to a 'residential care facility';
 - ii. Maximum number of beds shall be no greater than sixty (60);
 - iii. Minimum front yard shall be no less than 7.6 metres and no parking shall be permitted in the front yard;
 - iv. Minimum westerly interior side yard shall be no less than 3.0 metres;
 - v. Maximum lot coverage shall not exceed 23%;
 - vi. Minimum landscaped area/open space shall be no less than 50%;
 - vii. Maximum Height - 'Main Building' shall not exceed three (3) stories; and,
 - viii. Notwithstanding [Section 3.27.1](#) (xviii), the number of off-street parking spaces shall be one (1) space per three (3) beds.

Town of Walkerton By-law #92-35

- .7 Notwithstanding their 'R3' Zoning designation, those lands delineated as '**R3-7**' on Schedule 'A' to this By-law shall be used in accordance with the 'R3' Zone provisions contained in this By-law, excepting, however that:
- i. Minimum lot area shall be no less than 828 sq. metres;
 - ii. Minimum lot frontage shall be no less than 31 metres;
 - iii. Minimum front yard for an existing structure on the date passing of this By-law shall be no less than 3.0 metres;

- iv. Minimum interior side yard for an existing structure on the date of passing of this By-law shall be no less than 0.4 metres;
- v. Minimum rear yard for an existing structure on the date of passing of this By-law shall be no less than 2.5 metres; and,
- vi. Maximum lot coverage shall not exceed 36%.

Town of Walkerton By-law #92-35

- .8 Notwithstanding their 'R3' Zoning designation, those lands delineated as '**R3-8**' on Schedule 'A' to this By-law shall be used in accordance with the 'R3' Zone provisions contained in this By-law, excepting however, that:
- i. Permitted uses shall be a 'residential care facility' and/or an 'apartment building';
 - ii. Minimum northerly interior side yard shall be no less than 7.62 metres;
 - iii. Minimum rear yard shall be no less than 7.62 metres;
 - iv. Maximum height - 'Main Building' shall not exceed three (3) storeys or 11.4 metres, whichever is the lesser; and,
 - v. Notwithstanding [Section 3.27.1](#) (xviii), the number of off-street parking spaces for a 'residential care facility' shall be one (1) space per patient room or resident room.

Town of Walkerton By-law #92-35

- .9 Notwithstanding their 'R3' Zoning designation, those lands delineated as '**R3-9**' on Schedule 'A' to this By-law shall be used in accordance with the 'R3' Zone provisions contained in this By-law, excepting however that:
- i. Permitted use shall be an 'apartment building'; and,
 - ii. Minimum side yard shall be no less than 6.1 metres.

Town of Walkerton By-law #92-35

- .10 Notwithstanding their 'R3' Zoning designation, those lands delineated as '**R3-10**' on Schedule 'A' to this By-law shall be used in accordance with the 'R3' Zone provisions contained in this By-law, excepting however that:
- i. [Section 3.26.9](#) of this By-law shall not apply in order to prevent the location of a parking lot in the front yard, not closer than 1.25 metres (4.1 ft) to the front lot line.

Municipality of Brockton By-law #2004-37 (Hinsperger Condominiums - old 'Spool & Bobbin' site)

- .11 Notwithstanding their 'R3' Zoning designation, those lands delineated as '**R3-11**' on Schedule 'A' to this By-law shall be used in accordance with the 'R3' Zone, excepting however, that:
- i. The minimum exterior side yard shall be no less than 9.3 metres;
 - ii. The minimum rear yard setback shall be no less than 12.6 metres;
 - iii. That no formal Play Space for Apartments need be identified, provided that a similar amount of open space is provided on the property; and,
 - iv. Habitable rooms are not permitted below the Regional Storm Flood elevation for the Saugeen River.

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SECTION 8 – HAMLET RESIDENTIAL (HR)

8.1 SCOPE

Modified by By-law 2015-039 (Housekeeping #1)

The provisions of Section 8 apply only on lands designated ‘Hamlet’ or ‘Secondary Urban Area’ on Schedule ‘A’: Land Use of the County of Bruce Official Plan.

8.2 USES PERMITTED

Modified by By-law 2015-039 (Housekeeping #1)

No person shall within any ‘Hamlet Residential (HR)’ zone use any lot or erect, alter or use any building or structure for any purpose except for one or more of the following uses:

(a) Residential Uses

- Dwelling, Single Detached
- Dwelling, Semi-Detached
- Dwelling, Duplex
- Dwelling, Secondary Suite as per [Section 3.8.3](#)
- Group Home – Type One [in a Dwelling, Single Detached only]
- Home Occupation – Domestic and Professional Uses [in a Dwelling, Single Detached only]
- Home Occupation – Bed & Breakfast Establishment [in a Dwelling, Single Detached only]
- Public park
- Uses, buildings and structures accessory to a permitted use as per [Section 3.6](#)
- Home Child Care (*added by By-law 2016-028*)
- Unlicensed Child Care (*added by By-law 2016-028*)

8.3 ZONE PROVISIONS

No person shall within any ‘Hamlet Residential (HR)’ zone use any lot or erect or use any building or structure except in accordance with the following provisions:

Provisions: NEW LOT OF RECORD – No Municipal Water Service Connected		
	Semi-Detached & Duplex	Single Detached Dwelling
Minimum Lot Area	0.625 hectares (1.55 ac) or 0.313 hectares (0.77 ac) for each Semi-Detached Dwelling Unit to be erected on a separate lot of record	0.5 hectares (1.24 ac)
Minimum Lot Frontage	50 metres (164 ft) or 25 metres (82 ft) for each Semi-Detached Dwelling Unit to be erected on a separate lot of record	50 metres (164 ft)

Minimum Front Yard and Exterior Side Yard	16 metres (52.5 ft)	
Minimum Rear Yard	50 metres (164 ft)	
Minimum Side Yard	11.5 metres (38 ft) ^(a)	
Minimum Floor Area, Gross	90 m ² (969 ft ²) per Semi-Detached Unit or Duplex Dwelling Unit	Not applicable
Minimum Floor Area, Ground	Not applicable	70 m ² (753 ft ²) [greater than 1 storey] 90 m ² (969 ft ²) [1 storey only]
Maximum Building Height Main Building	10 metres (33 ft)	
Maximum Lot Coverage	15%	

Footnotes

- (a) The abutting side yard requirement for one unit of a Semi-Detached Dwelling on a separately titled lot shall be zero metres (0 ft).

Provisions: NEW LOT OF RECORD – Connected to Municipal Water Service		
	Semi-Detached & Duplex	Single Detached Dwelling
Minimum Lot Area	0.41 hectares (1.01 ac) or 0.205 hectares (0.51 ac) for each Semi-Detached Unit to be erected on a separate lot of record	0.325 hectares (0.81 ac)
Minimum Lot Frontage	40 metres (131 ft) or 20 metres (66 ft) for each Semi-Detached Unit to be erected on a separate lot of record	40 metres (131 ft)
Minimum Front Yard and Exterior Side Yard	16 metres (52.5 ft)	
Minimum Rear Yard	30 metres (98 ft)	
Minimum Side Yard	10 metres (33 ft) ^(a)	
Minimum Floor Area, Gross	90 m ² (969 ft ²) per Semi-Detached Unit or Duplex Dwelling Unit	Not applicable
Minimum Floor Area, Ground	Not applicable	70 m ² (753 ft ²) [greater than 1 storey] 90 m ² (969 ft ²) [1 storey only]
Maximum Building Height Main Building	10 metres (33 ft)	
Maximum Lot Coverage	20%	

Footnotes

- (a) The abutting side yard requirement for one unit of a Semi-Detached Dwelling on a separately titled lot shall be zero metres (0 ft).

Provisions: EXISTING LOT OF RECORD		
	Semi-Detached & Duplex	Single Detached Dwelling
Minimum Lot Area	Not applicable	
Minimum Lot Frontage	Not applicable	
Minimum Front Yard and Exterior Side Yard	7.5 metres (25 ft)	
Minimum Rear Yard	10 metres (33 ft)	
Minimum Side Yard	3 metres (10 ft) on one side & 1.5 metres (5 ft) on the other side ^(a)	
Minimum Floor Area, Gross	90 m ² (969 ft ²) per Semi-Detached Unit or Duplex Dwelling Unit	Not applicable
Minimum Floor Area, Ground	Not applicable	70 m ² (753 ft ²) [greater than 1 storey], 90 m ² (969 ft ²) [1 storey only]
Maximum Building Height Main Building	10 metres (33 ft)	
Maximum Lot Coverage	15%	

Footnotes

- (a) The abutting side yard requirement for one unit of a Semi-Detached Dwelling on a separately titled lot shall be zero metres (0 ft).

8.4 SPECIAL PROVISIONS

Township of Brant By-Law #96-1239 (Part Lot 19, Concession B)

- .1 Notwithstanding their 'HR' Zoning designation, those lands delineated as 'HR-1' on Schedule 'A' shall be used in accordance with the 'HR' Zone provisions contained in this By-Law excepting however that:

A maximum of two (2) semi-detached dwellings may be permitted on the lands;

No basements or cellars shall be permitted.

Township of Brant By-Law #86-1063 (Lot 23, Concession 'A')

- .2 Notwithstanding their 'HR' Zoning designation, those lands delineated as 'HR-2' on Schedule 'A' shall only be used for the purposes of an 'Apartment' as it existed on the date of passage of this By-Law, excepting however that:

i. 'Apartment' means a building or structure consisting of five (5) or more dwelling units,

which units have a common entrance from the street level and the occupants of which obtain access to their dwelling units through common halls; and,

- ii. The maximum number of dwelling units shall be six (6) – two bedroom units.

Municipality of Brockton By-Law #2004-17 (Lots 51, 55 & 78, Plan 150 & Plan 258) Elmwood

.3 Notwithstanding their 'HR' Zoning designation, those lands delineated as 'HR-3' on Schedule 'A' to this By-law shall only be used in accordance with the 'HR' Zone Permitted Uses and Zone Provisions contained in this By-Law excepting however that:

- i. [Section 3.20](#) 'Watercourse Setbacks' shall not apply to buildings and structures existing as of the date of passage of this By-law.

Municipality of Brockton By-Law # 2010-21 (Luce, Part of Lot 71, Plan 258 (Part 1 on RP 3R 5622))

.4 Notwithstanding their 'HR' Zoning designation, those lands delineated as 'HR-4' on Schedule "A" to this by-law shall be used in compliance with the 'HR' Zone provisions contained in this by-Law, excepting however, that:

- i. The permitted uses shall be limited to an 'Apartment', as existing on the date of passage of this By-Law;
- ii. For the purposes of this by-law, 'apartment' shall be defined as a building or structure consisting of five (5) or more dwelling units, which units have independent entrances to a front and rear yard; and
- iii. Minimum lot frontage shall be no less than 26 metres.

.5 Notwithstanding their 'HR' zoning designation those lands delineated as 'HR-5' on Schedule "A" to this By-Law shall be used in compliance with the 'HR' Zone provisions contained in this By-law, excepting however, that:

- i. Minimum lot frontage shall be no less than 26 metres;
- ii. Minimum front yard shall be no less than 7.5 metres;
- iii. Minimum rear yard shall be no less than 10 metres; and,
- iv. Minimum side yard shall be no less than 5 metres.

Township of Greenock By-law #93-4 (Part of Lots 27 & 28, Concession 1 SDR, geographic Township of Greenock)

.6 Notwithstanding their 'HR' Zoning designation, those lands delineated as 'HR-6' on Schedule 'A' to this By-law shall be used in accordance with the 'HR' Zone provisions contained in this By-law, excepting however, that:

- i. Minimum front yard shall be no less than 4.5 metres;
- ii. Minimum westerly side yard shall be no less than 3.4 metres; and,
- iii. Minimum rear yard shall be no less than 0.9 metres.

Municipality of Brockton By-law #2000-4 (Part of Lot 22, Concession A, being Parts 1 & 2 on 3R-7193 Cargill, geographic Township of Greenock)

.7 Notwithstanding their 'HR' Zoning designation, those lands delineated as 'HR-7' on Schedule 'A' to this By-law shall be used in accordance with the 'HR' Zone provisions

contained in this By-law, excepting however, that:

- i. Minimum lot frontage shall be no less than 9.8 metres.

Municipality of Brockton By-law #2005-76 (Hehn/Kelly, Part of Lot 60, Concession 1 SDR, being Part 1 on 3R-562, geographic Township of Greenock)

.8 Notwithstanding their 'HR' Zoning designation, those lands delineated as 'HR-8' on Schedule 'A' to this By-law shall be used in accordance with the 'HR' Zone provisions contained in this By-law, excepting however, that:

- i. Minimum exterior side yard shall be no less than 6.0 metres for the 'dwelling unit' as it exists on the date of passing of this By-law;
- ii. Minimum side yard shall be no less than 1.7 metres for the accessory building as it exists on the date of passing of this By-law;
- iii. Minimum rear yard setback shall be no less than 5.1 metres for the accessory building as it exists on the date of passing of this By-law; and,
- iv. Maximum lot coverage shall not exceed 12%.

.9 Notwithstanding their 'HR' Zoning designation, those lands delineated as 'HR-9' on Schedule 'A' to this By-law shall be used in accordance with the 'HR' Zone provisions contained in this By-law, excepting however, that:

- i. The following residential buildings shall be permitted: 'dwelling, single detached'; 'dwelling, duplex'; and, 'dwelling, multiple'; and,
- ii. Minimum rear yard setback shall be no less than 8.1 metres for the 'dwelling, multiple' as it exists on the date of passing of this By-law.

Municipality of Brockton By-law #2012-52 (Brunner/Becker, Part of Lot 34, Concession 10 being Part of Park Lot 1 RP 3R-1095, Part 11 3R-1856 and Part 5 3R-6863, Municipality of Brockton (geographic Township of Brant)

.10 Notwithstanding their 'HR' Zoning designation, those lands delineated as 'HR-10' on Schedule 'A' to this By-law shall be used in accordance with the 'HR' Zone provisions contained in this By-law, excepting however, that:

- i. Minimum lot area shall be 1.0 hectare; and,
- ii. Site Plan Control Agreement shall be registered on title.

.11 Notwithstanding their 'HR' Zoning designation, those lands delineated as 'HR-11' on Schedule 'A' to this By-law shall be in accordance with the 'HR' Zone provisions contained in this By-law, excepting however, that:

- i. Minimum lot area shall be 1.0 hectare; and,
- ii. Site Plan Control Agreement shall be registered on title.

SECTION 9 – INLAND LAKE RESIDENTIAL (LR)

9.1 SCOPE

The provisions of Section 9 apply only on lands designated ‘Inland Lake Development Area’ on Schedule ‘A’: Land Use of the County of Bruce Official Plan.

9.2 USES PERMITTED

Modified by By-law 2015-039 (Housekeeping #1)

No person shall within the ‘Inland Lake Residential (LR)’ zone use any lot or erect, alter or use any building or structure for any purpose except for one or more of the following uses:

(a) Residential Uses

- Dwelling, Single Detached
- Group Home – Type One
- Home Occupation – Domestic & Professional Uses in accordance with [Section 3.9](#)
- Home Occupation – Bed and Breakfast Establishment in accordance with [Section 3.10](#)
- Public Park
- Uses, buildings and structures accessory to a permitted use as per Section 3.6
- Home Child Care (*added by By-Law 2016-028*)
- Unlicensed Child Care (*added by By-law 2016-028*)

9.3 ZONE PROVISIONS

No person shall within any ‘Inland Lake Residential (LR)’ zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

Provisions	Requirement
Minimum Lot Area	1 hectare (2.47 acres) 0.4 hectares (0.99 ac) ^(b)
Minimum Lot Frontage	30 metres (98 ft)
Minimum Front Yard or Exterior Side Yard	6 metres (20 ft)
Minimum Rear Yard	7.5 metres (25 ft)
Minimum Side Yard	1.5 metres (5 ft) ^(c)
Minimum Floor Area, Ground	70 m ² (753 ft ²) [greater than 1 storey] ^(d) 90 m ² (969 ft ²) [1 storey only] ^(d)
Maximum Building Height – Main Building	10 metres (33 ft) ^(e)
Maximum Lot Coverage	15%

Provisions	Requirement
<p>Setback to Water's Edge^(a) – Existing Lot of Record^(b)</p>	<p>.1 No closer than 15 metres from closest point of water's edge; or</p> <p>.2 If an Existing Dwelling is located on the Lot and any part of the Existing Dwelling is located within 10 metres of the closest point of waters edge:</p> <p>(i) If the Existing Dwelling is demolished, a new Dwelling shall be located no closer than 15 metres from the closest point of water's edge and all other Requirements shall be fulfilled.</p> <p>(ii) An Existing Dwelling may be strengthened to a safe condition or renovated provided there is no increase in building footprint, total floor area, storeys or height. The setback to the closest point of water's edge shall be maximized.</p> <p>(iii) If there is 10% or less of the Existing Dwelling building footprint within 10 metres of the closest point of waters edge, the Existing Dwelling may be expanded/enlarged provided that no portion of the expansion/enlargement is closer to the water's edge than 10 metres and all other Requirements are fulfilled. The setback to the water's edge shall be maximized.</p> <p>(iv) If there is 11% or more of the Existing Dwelling footprint within 10 metres of the water's edge no further enlargement or expansion to the Existing Dwelling shall be permitted.</p> <p>(v) The policies of Section 3.5.1 Enlargements, Repairs and Renovations – Legal Non-Complying shall not apply; or</p> <p>.3 If an Existing Dwelling is located on the Lot and any part of the Existing Dwelling is located within 15 metres but no closer than 10 metres of the water's edge:</p> <p>(i) If the Existing Dwelling is demolished, a new Dwelling shall be located no closer than 15 metres from the water's edge and all other Requirements shall be fulfilled.</p> <p>(ii) The Existing Dwelling may be expanded/enlarged/renovated provided that no portion of the expansion/enlargement/renovation is closer to the water's edge than the Existing Dwelling and all other Requirements are fulfilled. The setback to the water's edge shall be maximized.</p> <p>(iii) The policies of Section 3.5.1 Enlargements, Repairs and Renovations – Legal Non-Complying shall not apply.</p>
<p>Setback to Waters Edge^(a) – New Lot of Record^(b)</p>	<p>30 metres</p>
<p>Watercourse Setbacks</p>	<p>Section 3.20 'Watercourse Setbacks' shall not apply.</p>

Footnotes

- (a) The Water’s Edge shall apply to Lake Rosalind, Marl Lake, Pearl Lake and Dankert Lake.
- (b) Applies to a ‘Water Lot’ only.
- (c) Provided the sewage disposal system is located in the front yard and a garage, carport or similar parking structure is provided. Where the sewage disposal system is located in the rear yard and/or no garage, carport or similar parking structure is provided there shall be one side yard of at least 3 metres (10 ft.). *Modified by By-Law 2015-039 Housekeeping #1*
- (d) In no circumstance shall the ‘Maximum Lot Coverage’ provision exceed 15%. The ‘Minimum Ground Floor Area’ may be reduced without an amendment to this By-law to allow for a ‘Maximum Lot Coverage’ of no more than 15%.
- (e) The ‘Maximum Building Height – Main Building’ for buildings and structures on a ‘Water Lot’ shall not exceed 10 metres and shall be solely measured and based on the height of the facade of the building or structure that fronts onto the water.

9.4 PROVISIONS FOR ISLAND DEVELOPMENT

Notwithstanding the provisions of the ‘LR’ zone, no person shall erect and/or use any building or structure on an island except in accordance with the following provisions:

Minimum Lot Area Above High Water Mark	2 hectares (5 acres)
Minimum Sewage Disposal System Setback from High Water Mark	30 metres (100 ft)
Minimum Building Setback From High Water Mark	15 metres (49.2 ft)

9.5 SPECIAL PROVISIONS

Township of Brant By-Law #96-1231 (Part Lot 66, 67, Concession 2 NDR)

- .1 Notwithstanding their ‘LR’ Zoning designation, those lands delineated as ‘LR-1’ on Schedule ‘A’ shall be used in accordance with the ‘LR’ Zone provisions contained in this By-Law excepting however that:
 - i. The normal water level of the lake shall mean an elevation of 272 metres above sea level.
 - ii. The finished floor level of the basement of a single detached dwelling shall be no lower than 1.5 metres above the normal water level of the lake;

Township of Brant By-Law #84-990, #86-1061, #89-1052 (Pt. Lot 32, 33, Con. 6 & Con. 7)

- .2 Notwithstanding their ‘LR’ Zoning designation, those lands delineated as ‘LR-2’ on Schedule ‘A’ shall only be used only for a ‘seasonal dwelling’ in accordance with the ‘LR’ Zone provisions contained in this By-Law excepting however that:
 - i. No frontage on a Class 1 or Class 2 road shall be required;
 - ii. Home Occupations and a Group Home – Type One are not permitted uses.

Township of Brant By-Law #97-1248 (Part of Lot 31 & 32, Concession 4 - Lake Rosalind)

- .3 Notwithstanding their 'LR' Zoning designation, those lands delineated as 'LR-3' on Schedule 'A' may be in accordance with the 'LR' Zone provisions contained in this By-Law excepting however that:
- i. A 30 metre buffer, in its natural state, shall be maintained from the high water mark of Lake Rosalind.

Township of Brant By-Law #2004-31 (Part Lot 66, Concession 2 NDR)

- .4 Notwithstanding their 'LR' Zoning designation, those lands delineated as 'LR-4' on Schedule 'A' shall be used in accordance with the 'LR' Zone provisions contained in this By-Law excepting however that:
- i. The minimum lot area shall be 1.82 ha (4.5 acres);
 - ii. The minimum setback from the high water mark of the lake for all buildings or structures shall be no less than 30 metres (98.41 ft).

Township of Brant By-Law #2004-31 (Part Lot 66, Concession 2 NDR)

- .5 Notwithstanding their 'LR' Zoning designation, those lands delineated as 'LR-5' on Schedule 'A' shall be used in accordance with the 'LR' Zone provisions contained in this By-Law excepting however that:
- i. The minimum lot area shall be 1.82 ha (4.5 acres)
 - ii. The minimum setback from the high water mark of the lake for all buildings or structures shall be no less than 30 metres (98.41 ft).

Township of Brant By-Law #2001-45 (Lot 71 and Part Lot 71, Concession 3 NDR)

- .6 Notwithstanding their 'LR' Zoning designation, those lands delineated as 'LR-6' on Schedule 'A' shall be used in accordance with the 'LR' Zone provisions contained in this By-Law, excepting however that:
- i. The minimum lot area shall be 875.0 square metres;
 - ii. The minimum lot frontage shall be 25.0 metres.

Township of Brant By-Law #2001-45 (Lot 71 and Part Lot 71, Concession 3 NDR)

- .7 Notwithstanding their 'LR' Zoning designation, those lands delineated as 'LR-7' on Schedule 'A' shall be used in accordance with the 'LR' Zone provisions contained in this By-Law, excepting however that:
- i. The minimum lot frontage shall be 15.24 metres.

Township of Brant By-Law #97-1248 (Part Lot 31 and Part Lot 32, Concession 4)

- .8 Notwithstanding their 'LR' Zoning designation, those lands delineated as 'LR-8' on Schedule 'A' shall be used in accordance with the 'LR' Zone provisions contained in this By-Law, excepting however that:
- i. The minimum lot area shall be 8.9 ha (22 acres).

By-law #2014-029 (Part Lot 32 Concession 4 Brant, Parts 1, 2 and 3 RP 3R7920 and Part 1 RP 3R9501) Allen Z-5-14.34

- .9 Notwithstanding their 'LR' Zoning designation, those lands delineated as 'LR-9' on Schedule 'A' shall be used in accordance with the 'LR' Zone provisions contained in this By-Law, excepting however that:
- i. Minimum front yard setback shall be 4.5 metres (14.8 feet).

SECTION 10 – MOBILE HOME PARK RESIDENTIAL (MHP)

10.1 SCOPE

The provisions of Section 10 apply only on lands designated ‘Hamlet’ on Schedule ‘A’: Land Use of the County of Bruce Official Plan.

10.2 USES PERMITTED

No person shall within any ‘Mobile Home Park Residential (MHP)’ zone use any lot or erect, alter or use any building or structure for any purpose except for one or more of the following uses:

- (a) Residential Uses
 - One ‘Dwelling, Accessory Detached’ in accordance with [Section 3.8.2](#) exclusively for the use of the owner, manager or a caretaker of the mobile home park.
 - Mobile Home Park
 - Mobile Home Park Lot
 - Mobile Home
 - Park Model Trailer
 - Buildings, structures and uses accessory to a permitted use in accordance with [Section 10.4](#) – Additional Provisions: Mobile Home Parks

10.3 ZONE PROVISIONS

No person shall use within a ‘Mobile Home Park Residential (MHP)’ zone any lot or erect, alter or use any building or structure except in accordance with the following zone provisions:

Provisions	Mobile Home Park
Minimum Lot Area	4 hectares (10 ac)
Minimum Lot Frontage	30 m (98 ft)
Minimum Front, Side & Rear Yards	7.5 m (25 ft)
Maximum Building Height	10 m (33 ft)
Maximum Density	25 mobile homes per gross hectare
Mobile Home Park Open Space	Not less than 5% of gross Park area

Provisions	Mobile Home Site
Minimum Lot Area	325 m ² (1938 ft ²)
Minimum Lot Frontage	13 m (43 ft)
Minimum Setback – Front	3 m (10 ft)
Minimum Setback – Side	2 m (7 ft)
Minimum Setback– Rear	3 m (10 ft)
Minimum Mobile Home Unit Floor Area	55 m ²
Maximum Lot Coverage	35%

10.4 ADDITIONAL PROVISIONS – MOBILE HOME PARKS

.1 Access & Roads

Each mobile home site within a mobile home park shall be located on an internal mobile home park road which shall have a dust free surface and shall be a minimum traveled width of 4 metres (13 ft) for one-way traffic and 6 metres (20 ft) for two-way traffic flow.

.2 Services

Each mobile home site/mobile home located within a mobile home park shall be provided with a communal or municipal water system, appropriate sewage disposal facilities, solid waste disposal, storm drainage, electrical service, street lighting, telephone and road maintenance.

.3 Parking

Each mobile home site shall be provided with one car parking space and visitor parking shall be provided on the basis of one space for every three (3) mobile home sites.

.4 Additions and Accessory Structures – Mobile Home Site

Additions to mobile homes and buildings and structures accessory to mobile homes shall be permitted provided that the yard setback and lot coverage provisions for the lot are maintained. No more than two (2) accessory buildings or structures shall be permitted on a mobile home site.

.5 Accessory Structures – Mobile Home Park

Buildings and structures accessory to mobile homes shall be permitted provided that the yard and setback provisions for the mobile home park are maintained. The minimum separation between a permitted accessory use and a mobile home site shall be no less than 10 metres (33 ft).

.6 Mobile Home Site Planting Area

A planting area having a minimum width of 1 metre (3 ft) and consisting of a dense screen of shrubs and evergreen trees, minimum 1 metre (3 ft) high when planted, providing a year round visual barrier, shall be planted and maintained along the side and rear lot lines of all mobile home sites.

.7 Mobile Home Park Planting Area/Visual Screening

A Planting Area/Visual Screening shall be provided around a mobile home park as per [Section 3.15](#).

.8 Site Plan Control

A mobile home park may be subject to Site Plan Control as per the Planning Act RSO 1990

10.5 SPECIAL PROVISIONS

SECTION 11 – HAMLET COMMERCIAL (HC)

11.1 SCOPE

Modified by By-law 2015-039 (Housekeeping #1)

The provisions of Section 11 apply only on lands designated ‘Hamlet’ or ‘Secondary Urban Area’ on Schedule ‘A’: Land Use of the County of Bruce Official Plan.

11.2 USES PERMITTED

No person shall within the ‘Hamlet Commercial (HC)’ zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

(a) Residential Uses

- Dwelling, Accessory Apartment in accordance with [Section 3.8.1](#) exclusively for the use of the owner or a manager of a ‘Hotel/Motel’.
- Dwelling, single detached existing at the date of passage of this By-Law in accordance with [Section 8](#) – Hamlet Residential (HR) Zone provisions.
- Home Occupation – Domestic and Professional Uses in accordance with [Section 3.9](#) [in a Dwelling, Single detached only].
- Home Occupation – Bed & Breakfast Establishment in accordance with [Section 3.10](#) [in a Dwelling, single detached only].

(b) Non-Residential Uses

- | | |
|--|--|
| • Assembly Hall | • Personal Service Establishment |
| • Automobile Gas Bar | • Public Park |
| • Automobile Repair Establishment | • Parking Lot |
| • Automobile Sales Establishment | • Public Park |
| • Automobile Service Station | • Restaurant |
| • Business or Professional Office | • Restaurant, Take-Out |
| • Child Care Centre’ (<i>added by By-law 2016-028</i>) | • Restaurant, Portable Food Outlet |
| • Fitness Centre | • Retail Store under 139 m ² (1500 ft ²) in ‘Retail Floor Area’ |
| • Hotel/Motel | • Travel Trailer Sales Establishment |
| • Laundromat | • Veterinary Clinic – Small Animal |
| • Marine, Recreation and Small Engine Establishments | • Video Outlet/Rental Establishment |
| | • Buildings, structures and uses accessory to a permitted use in accordance with Section 3.6 |

11.3 ZONE PROVISIONS

No person shall within any 'Hamlet Commercial (HC)' zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

Provisions	Lots with Municipal Water	Lots with No Municipal Water
Minimum Lot Area	0.328 hectares (0.81 ac)	0.5 hectares (1.24 ac)
Minimum Lot Frontage	30 metres (100 ft)	
Minimum Front Yard or Exterior Side Yard	7.5 metres (25 ft)	
Minimum Side Yard	5 metres (16.5 ft)	
Minimum Rear Yard	10 metres (33 ft)	
Maximum Building Height Main Building	10 metres (33 ft)	
Maximum Lot Coverage	25%	15%

11.4 ADDITIONAL PROVISIONS –GASOLINE PUMPS, NATURAL GAS AND PROPANE FACILITIES

- .1 Minimum setbacks for gasoline pumps, natural gas and/ or propane facilities
All gasoline pumps, natural gas and/ or propane facilities shall be setback a minimum of 7.5 metres (25 ft) from the curbing of the pump island to the street line.
- .2 Entry Ramps
Notwithstanding the provisions of [Section 3.26](#), there shall be no more than one entry ramp for each 15 metres (50 ft) of street frontage and the width of any entry ramp shall not exceed 9 metres (30 ft) at the street line.
- .3 Minimum Front or Exterior Side Yard
Notwithstanding the provisions of [Section 11.3](#), the minimum front or exterior side yard shall be 15 metres (50 ft).
- .4 Surfacing
Notwithstanding the provisions of [Section 3.26](#) the surfaces of all ramps, driveways, service areas and off-street loading areas shall be surfaced with a capped, hard top substance such as asphalt, or other stable surface treated to prevent the raising of dust and/or loose particles.

11.5 OFF-STREET PARKING REGULATIONS

Notwithstanding the minimum number of off-street parking spaces required by [Section 3.26.1](#), where a dwelling is located in a non-residential building, a minimum of one parking space shall be provided for each dwelling contained therein on site.

11.6 SPECIAL PROVISIONS

Township of Brant By-Law #92-1142 (Part Lot 1 & 2, Plan 237, Cargill)

- .1 Notwithstanding their 'HC' Zoning designation, those lands delineated as 'HC-1' on Schedule 'A' shall only be used for the purposes of 'Automobile Sales Establishment' as it existed on the date of passage of this By-Law, and in accordance with the 'HC' Zone provisions contained in this By-Law excepting however that:
- i. No outside storage or display of 'Motor Vehicles' shall be permitted.

Township of Brant By-Law #87-1090 (Lang's - Part Lot 56, Plan 150, Elmwood)

- .2 Notwithstanding their 'HC' Zoning designation, those lands delineated as 'HC-2' on Schedule 'A' shall only be used for the purposes of a 'Trades Person's Shop' as it existed on the date of passage of this By-Law, and in accordance with the 'HC' Zone provisions contained in this By-Law.

Township of Brant By-Law #81-855 (Lot 34, Concession 10, Elmwood)

- .3 Notwithstanding their 'HC' Zoning designation, those lands delineated as 'HC-3' on Schedule 'A' shall only be used for the purposes of a 'Farm Implement Establishment' as it existed on the date of passage of this By-Law, and in accordance with the 'HC' Zone provisions contained in this By-Law.

Municipality of Brockton By-Law #2001-37 (Bard - Part of Lot 68, Part Lot 69, Plan 258, Elmwood)

- .4 Notwithstanding their 'HC' Zoning designation, those lands delineated as 'HC-4-H' on Schedule 'A' shall be used in accordance with the 'HC' Zone provisions contained in this By-Law, excepting however that:
- i. The 'Non-Residential Uses' shall be limited to a 'Convenience Store', 'Retail Store', 'Personal Service Establishment', and a 'Business or Professional Office'.
- ii. The 'maximum retail floor area per non-residential use' shall be limited to no more than 37.16 m² (400 ft²);
- iii. [Section 3.15](#) Planting Area/Visual Screening' shall not apply;
- iv. The 'minimum side yard' along the north side lot line shall be no less than 4.4 metres;
- v. The 'minimum front yard' shall be no less than 7.6 metres;
- vi. The 'minimum lot frontage' shall be no less than 23.7 metres (78 ft);
- vii. The 'minimum lot area' shall be no less than 724.62 m² (7800 ft²).
- viii. The 'H - Holding' provision may be removed once the following condition has been met:
- a. A statement from the Municipality indicating that a satisfactory 'cash-in-lieu' of parking arrangement has been made with the owner(s) of the subject lands.

Municipality of Brockton By-law #2011-54 (Scott - Part of Lot 19, Concession B, Eden Grove)

.5 Notwithstanding their 'HC' Zoning designation, those lands delineated as 'HC-5' on Schedule 'A' to this By-law shall be used in accordance with the 'HC' Zone provisions contained in this By-law, excepting however, that:

- i. Uses permitted shall be limited to an 'automobile wrecking yard'.

Municipality of Brockton By-law #2011-86 (Scott - Part of Lot 19, Concession B, Eden Grove)

.6 Notwithstanding their 'HC' Zoning designation, those lands delineated as 'HC-6' on Schedule 'A' to this By-law shall be used in accordance with the 'HC' Zone provisions contained in this By-law, excepting however, that:

- i. Uses permitted shall be limited to 'landscaped open space'.

SECTION 12 – TRAVEL TRAILER PARK AND CAMPGROUND (TTP)**12.1 SCOPE**

The provisions of Section 12 shall generally apply to lands designated as ‘Recreation & Open Space’ on Schedule ‘A’ – Land Use of the Walkerton Community Official Plan or designated as ‘Travel Trailer Park and Commercial Campground Area’ on Schedule ‘A’: Land Use of the County of Bruce Official Plan.

12.2 USES PERMITTED

No person shall within a ‘Travel Trailer Park and Campground (TTP)’ zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses.

a) Residential Uses

- ‘Dwelling, Accessory Detached’ in accordance with [Section 3.8.2](#) exclusively for the use of the owner or a caretaker.

b) Non-Residential Uses

- Campground

12.3 ZONE PROVISIONS

No person shall within any ‘Travel Trailer Park and Campground (TTP)’ zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

Provisions	Non-Residential Uses
Minimum Lot Area Campground	2 hectares (5 ac)
Maximum Lot Area Campground	12 hectares (30 ac)
Minimum Lot Frontage Campground	60 metres (197 ft)
Minimum Set Back All Uses – All Lot Lines	7.5 metres (25 ft)
Minimum Area of Campsite	235 m ² (2530 ft ²)
Minimum Width of Campsite	15 metres (49 ft)
Maximum Density of Campsites per Campground	30 campsites per hectare (12 campsites per acre)
Maximum Number of Campsites per Campground	300
Minimum Open Space per Campground	17%

12.4 ADDITIONAL PROVISIONS – TRAVEL TRAILER PARK AND CAMPGROUND

.1 Access & Roads

Each campsite within a Travel Trailer Park and Campground shall be located on an internal access road which shall have a dust free surface and shall be a minimum travelled width of 4 metres (13 ft) for one-way traffic and 6 metres (20 ft) for two-way traffic flow.

.2 Services

The Travel Trailer Park and Campground shall provide a communal or municipal water system, appropriate sewage disposal facilities, solid waste disposal, storm drainage, telephone and road maintenance.

.3 Parking

Each campsite shall be provided with one car parking space and visitor parking shall be provided on the basis of one space for every three (3) campsites.

.4 Campsite Planting Area

A planting area having a minimum width of 1 metre (3 ft) and consisting of a dense screen of shrubs and evergreen trees, minimum 1 metre (3 ft) high when planted shall be planted and maintained along the side and rear of all campsites.

.5 Travel Trailer Park and Campground Planting Area/Visual Screening

A Planting Area/Visual Screening shall be provided around a mobile home park as per [Section 3.15](#).

.6 Site Plan Control

A Travel Trailer Park and Campground may be subject to Site Plan Control as per the Planning Act RSO 1990.

12.5 SPECIAL PROVISIONS

SECTION 13 – COMMERCIAL ZONES (C1, C2 & C3)**13.1 SCOPE**

The provisions of the 'Central Business District (C1)' zone shall generally apply to lands designated 'Historic Walkerton', the provisions of the 'Transition Commercial (C2)' zone shall generally apply to lands designated 'Community Core' and the provisions of the 'Highway Commercial (C3)' zone shall generally apply to lands designated 'Highway Commercial' on Schedule 'A' – Land Use Plan for the Walkerton Community Official Plan.

13.2 USES PERMITTED

No person shall within a 'Central Business District (C1)' zone, 'Transition Commercial (C2)' zone or 'Highway Commercial (C3)' zone use any lot or erect, alter or use any building or structure for any purpose except the following:

RESIDENTIAL PERMITTED USES			
	Central Business District (C1)	Transition Commercial (C2)	Highway Commercial (C3)
'Dwelling, Single Detached' existing at the date of passing of this By-Law as per Section 7.3 Provisions of the 'R1' & 'R2' Zones	✓	✓	✓
'Home Occupation– Domestic and Professional Use' in a Dwelling, Single Detached existing at the date of passing of this By-Law and as per Section 3.9	✓	✓	✓
'Home Occupation – Bed & Breakfast Establishment' in a 'Dwelling, Single Detached' existing at the date of passing of this By-Law and as per Section 3.10	✓	✓	✓
'Dwelling, Accessory Apartment' as per Section 3.8.1	✓	✓	✓
Accessory Buildings & Structures as per Section 3.6	✓	✓	✓
'Home Child Care' in a 'Dwelling, Single Detached' existing at the date of passing of this by-law as	✓	✓	✓

per Section 7.3 Provisions of the 'R1' and 'R2' Zones <i>(added by By-law 2016-028)</i>			
'Unlicensed Child Care' in a 'Dwelling, Single Detached' existing at the date of passing of this By-Law as per Section 7.3 Provisions of the 'R1' and 'R2' Zones <i>(added by By-law 2016-028)</i>	✓	✓	✓

NON-RESIDENTIAL PERMITTED USES			
	Central Business District (C1)	Transition Commercial (C2)	Highway Commercial (C3)
Accessory Buildings & Structures as per Section 3.6	✓	✓	✓
Artisan Studio	✓	✓	Not Permitted
Assembly Hall	✓	✓	Not Permitted
Automobile Car Wash	Not Permitted	✓	✓
Automobile Gas Bar	Not Permitted	✓	✓
Automobile Sales Establishment	Not Permitted	✓	✓
Automobile Service Station	Not Permitted	✓	✓
Bus Depot	Not Permitted	Not Permitted	✓
Business or Professional Office	✓	✓	Not Permitted
Clinic	✓	✓	Not Permitted
Commercial Motor Vehicle Repair Establishment	Not Permitted	Not Permitted	✓
Commercial Motor Vehicle Sales Establishment	Not Permitted	Not Permitted	✓
Convenience Store	✓	✓	Not Permitted
Day Nursery (deleted by By-law 2016-028)	✓	✓	Not Permitted
Child Care Centre <i>(added by By-law 2016-028)</i>	✓	✓	Not Permitted
Fitness Centre	✓	✓	Not Permitted
Funeral Home	✓	✓	✓
Garden Centre	Not Permitted	✓	✓
Hotel/Motel	✓	✓	✓
Parking Lot	✓	✓	✓
Personal Service Establishment	✓	✓	Not Permitted

Commercial Zones (C1, C2, C3)

Public Building	✓	✓	Not Permitted
Public Utility Building	Not Permitted	✓	✓
Public Park	✓	✓	✓
Recreation Centre	✓	✓	✓
Recycling Depot	Not Permitted	✓	✓
Rental Establishment	Not Permitted	Not Permitted	✓
Restaurant	✓	✓	✓
Restaurant, Take-Out	✓	✓	✓
Retail Store	✓	✓	Not Permitted
Retail, Large Format	Not Permitted	Not Permitted	✓
Service Establishment	✓	✓	✓
Tavern	✓	✓	Not Permitted
Veterinary Clinic – Small Animal	✓	✓	✓

13.3 ZONE PROVISIONS

No person shall within the ‘C1’, ‘C2’ or ‘C3’ zones use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

Zone Provisions: Connected to Municipal Water and Municipal Sewer Service			
	Central Business District (C1)	Transition Commercial (C2)	Highway Commercial (C3)
Minimum Lot Area	465 m ² (5,005 ft ²)	465 m ² (5,005 ft ²)	2,000 m ² (21,529 ft ²)
Minimum Lot Frontage	15 metres (50 ft)	15 metres (50 ft)	30 metres (98 ft)
Minimum Front Yard	0 metres (0 ft)	6 metres (20 ft)	7.5 metres (25 ft)
Minimum Exterior Side Yard	0 metres (0 ft)	6 metres (20 ft)	7.5 metres (25 ft)
Minimum Interior Side Yard	0 metres (0 ft)	1.2 metres (4 ft)	3 metres (10 ft) (c)
Minimum Rear Yard	6 metres (20 ft) (a)	7.5 metres (25 ft)	7.5 metres (25 ft)
Maximum Building Height – ‘Main Building’	10 metres (33 ft)	10 metres (33 ft)	10 metres (33 ft)
Maximum Lot Coverage	Not Applicable	35%	50%
Landscaped Open Space	Not Applicable	As per Section 3.16 Landscaped Open Space	
Open Storage & Outdoor Display	As per Section 3.17 Open Storage & Outdoor Display Areas		
Planting Area/Visual Screening	Not Applicable	As per Section 3.15 Planting Area/Visual Screening	

Explanatory Note:

All uses in the C1, C2 and C3 zones may be subject to Site Plan Control. You are required to consult with the Municipality for site plan control requirements prior to requesting a building permit.

Footnotes

- (a) Where the Rear Yard of a 'C1' zone abuts a lane or parking lot, the minimum rear yard may be reduced to 1.5 metres (5 ft).
- (b) Where the Interior Side Yard of a 'C1' zone abuts a Residential, Open Space or Institutional Zone, the following restrictions shall apply:
 - (i) the minimum side yard requirement for the abutting side yard within the Commercial Zone shall be 3 metres (10 ft);
 - (ii) no open storage or outdoor display shall be permitted in the abutting side yard within the Commercial Zone.
- (c) Where the Interior Side Yard of a 'C3' zone abuts a residential use or residential zone, the minimum Interior Side Yard requirement shall be 7.5 metres (25 ft).

13.4 ADDITIONAL PROVISIONS – AUTOMOBILE GAS BARS & AUTOMOBILE SERVICE STATIONS

- .1 Minimum setbacks for gasoline pumps, natural gas and/ or propane facilities
All gasoline pumps, natural gas and/ or propane facilities shall be setback a minimum of 7.5 metres (25 ft) from the curbing of the pump island to the street line.
- .2 Entry Ramps
Notwithstanding the provisions of [Section 3.26](#), there shall be no more than one entry ramp for each 15 metres (50 ft) of street frontage and the width of any entry ramp shall not exceed 9 metres (30 ft) at the street line.
- .3 Minimum Front or Exterior Side Yard
Notwithstanding the provisions of [Section 13.3](#), the minimum front or exterior side yard shall be 15 metres (50 ft).
- .4 Surfacing
Notwithstanding the provisions of [Section 3.26](#) the surfaces of all ramps, driveways, service areas and off-street loading areas shall be surfaced with a capped, hard top substance such as asphalt, or other stable surface treated to prevent the raising of dust and/or loose particles.

13.5 SPECIAL PROVISIONS – C1

Town of Walkerton By-law #92-35

- .1 Notwithstanding their 'C1' Zoning designation, those lands delineated as 'C1-1' on Schedule 'A' to this By-law shall be used in accordance with the 'C1' Zone provisions contained in this By-law, excepting however, that:
 - i. Permitted uses shall be 'accessory apartments' in part of a 'hotel/motel', in addition

- to all other permitted uses in the 'C1' zone; and,
- ii. Minimum floor area, gross per dwelling unit shall be no less than 35 sq. metres.

Town of Walkerton By-law #92-35

- .2 Notwithstanding their 'C1' Zoning designation, those lands delineated as 'C1-2' on Schedule 'A' to this By-law shall be used in accordance with the 'C1' Zone provisions contained in this By-law, excepting however, that:
 - i. Permitted uses shall be a 'group home - type one'; and, 'dwelling, single detached' existing at the date of passing of this By-law in addition to all other permitted uses in the 'C1' zone; and,
 - ii. Minimum side yard for an accessory building shall be no less than 0.15 metres.

Municipality of Brockton By-law #99-33 (Young, Part of Lot 73 North Side of Cayley Plan 7, Walkerton)

- .3 Notwithstanding their 'C1' Zoning designation, those lands delineated as 'C1-3' on Schedule 'A' to this By-law shall be used in accordance with the 'C1' Zone provisions contained in this By-law, excepting however, that:
 - i. Permitted uses shall be limited to a 'business or professional office' and one (1) 'dwelling, accessory apartment';
 - ii. Minimum lot area shall be no less than 510 m²;
 - iii. Minimum front yard shall be no less than 4.6 metres;
 - iv. Minimum exterior side yard shall be no less than 5.2 metres; and,
 - v. Minimum rear yard shall be no less than 4.3 metres.

- .4 By-law # 2015-085 - Jim McArthur Windows & Doors (28 Durham St. West)
Notwithstanding their 'C1' Zoning designation, those lands delineated as 'C1-4' on Schedule 'A' to this By-law shall be used in accordance with the 'C1' Zone provisions contained in this By-law, excepting however that:

- i. Retail, Large Format;
- ii. An Automobile repair establishment;
- iii. For the purposes of this by-law, an automobile repair establishment shall be defined as follows:

"An automobile repair establishment means a building and/or lot used for the servicing, repair, cleaning, polishing and general maintenance of motor vehicles, including light trucks, and may include motor vehicle repair, the interior and/or exterior display and sale of up to five (5) new or used motor vehicles as well as a motor vehicle inspection station, but shall not include any other automobile use defined in By-Law 2013-26;
- iv. Any products used in the maintenance and repair of motorized vehicles shall be stored in accordance with the applicable provisions of the Ministry of Environment and Climate Change's (MOECC) 'Environmental Protection Measures at Chemical Waste Storage Facilities;
- v. In addition to the MOECC requirements, all products used in the maintenance of

motor vehicles shall be stored indoors in sealed containers, a minimum of 1.25 metres above the ground floor level of the principal building, and disposed of in accordance with provincial and municipal by-law requirements;

- vi. Prior to receiving an occupancy certificate under Section 34(6) of the Planning Act, for the use of any portion of the land or building for an automotive repair establishment, the following provisions must be met, notwithstanding Section 3.32(2) of Zoning By-Law 2013-26:
- a) All floor drains have been sealed or connected to a retention/separator tank or similar engineered system;
 - b) Notification to the Municipality of Brockton that a Ministry of Environment and Climate change approved carrier, licensed to dispose of materials from the separator noted in (vi)a) has been retained for the site; and,
 - c) All products used in the maintenance of motor vehicles shall be stored indoors in sealed containers, a minimum of 1.25 metres above the ground floor level of the principal building, and disposed of in accordance with provincial and municipal by-law requirements.

13.6 SPECIAL PROVISIONS – C2

Municipality of Brockton By-law #2001-23 (Children's Aid Society, Lots 24 and 25 and Part of Lots 23, 26 and 27 Plan 176 and Part of Lot 27 Plan 473, Walkerton)

- .1 Notwithstanding their 'C2' Zoning designation, those lands delineated as 'C2-1' on Schedule 'A' to this By-law shall be used in accordance with the 'C2' Zone provisions contained in this By-law, excepting however, that:
- i. Residential uses shall be prohibited;
 - ii. Minimum interior side yard shall be no less than 4.4 metres;
 - iii. Minimum exterior side yard shall be no less than 7.6 metres;
 - iv. Minimum of 10% of the total lot area shall be Landscaped Open Space as per [Section 3.16](#), in addition to [Section 3.15](#); and,
 - v. All entrances to the property from Yonge Street shall be removed no later than September 2004 and the lot frontage along Yonge Street shall be landscaped; and,
 - vi. All parking located along McGivern Street between the street line and 'Main Building' shall be removed no later than September 2004 and the area shall be landscaped.

Municipality of Brockton By-law #2008-54 (Spitzig, Lot 23 Plan 373, Walkerton) *(Amended from C2-1 to C2-2 as per administrative changes permitted by Section 1.6 of this By-Law)*

- .2 Notwithstanding their 'C2' Zoning designation, those lands delineated as 'C2-2' on Schedule 'A' to this By-law shall be used in accordance with the 'C2' Zone provisions contained in this By-law, excepting however, that:
- i. Permitted uses shall be limited to a 'business or professional office' and a 'dwelling, accessory apartment'; and,
 - ii. Accessory buildings and structures shall be subject to [Section 3.6.3.1](#).

13.7 SPECIAL PROVISIONS – C3

Municipality of Brockton By-law #2011-80 and #95-06 (Frook, Part of Lot 45 Plan 162, Walkerton)

- .1 Notwithstanding their 'C3' Zoning designation, those lands delineated as 'C3-1' on Schedule 'A' to this By-law shall be used in accordance with the 'C3' Zone provisions contained in this By-law, excepting however, that:
- i. Permitted uses shall be a 'business or professional office'; an 'industrial bakery' in addition to all other uses permitted in the 'C3' zone; and,
 - ii. A 'business or professional office' unrelated to a 'C3' use on the subject lands shall not represent more than 35% of the 'floor area, gross' of a commercial building, up to a maximum of 464.5 m².

Municipality of Brockton (Superior Propane Inc., Lots 5 to 11 Plan 113, Walkerton)

- .2 Notwithstanding their 'C3' Zoning designation, those lands delineated as 'C3-2' on Schedule 'A' to this By-law shall be used in accordance with the 'C3' Zone provisions contained in this By-law, excepting however, that:
- i. Permitted uses shall be limited to a 'bulk fuel depot';
 - ii. [Section 14](#) General Provisions for Industrial Zones shall apply; and,
 - iii. 'BP1' zone provisions shall apply.

Municipality of Brockton (Trillcourt Investments Inc., Lots 14, 15, & 2 and Part of Lot 13 Plan 105 and Part of Robert Street, RP 3R-4386 Parts 1 & 2, RP 3R-5174 Part 1, Walkerton)

- .3 Notwithstanding their 'C3' Zoning designation, those lands delineated as 'C3-3' on Schedule 'A' to this By-law shall be used in accordance with the 'C3' Zone provisions contained in this By-law, excepting however, that:
- i. Permitted uses shall be a 'business or professional office' in addition to all other 'C3' permitted uses.

Municipality of Brockton (Part of Park Lot V Plan 88 being Parts 1 & 2 on RP 3R-7722, Walkerton)

- .4 Notwithstanding their 'C3' Zoning designation, those lands delineated as 'C3-4' on Schedule 'A' to this By-law shall be used in accordance with the 'C3' Zone provisions contained in this By-law, excepting however, that:
- i. Permitted uses shall be a 'public building' in addition to all other 'C3' permitted uses.

Municipality of Brockton (various properties, Walkerton)

- .5 Notwithstanding their 'C3' Zoning designation, those lands delineated as 'C3-5' on Schedule 'A' to this By-law shall be used in accordance with the 'C3' Zone provisions contained in this By-law, excepting however, that:
- i. Permitted uses shall be a 'trades person's shop' in addition to all other 'C3' permitted uses.

Town of Walkerton By-law #92-35 (Part Lot 25, Concession 3 SDR, former Brant - Petro Canada)

- .6 Notwithstanding their 'C3' Zoning designation, those lands delineated as 'C3-6' on Schedule 'A' to this By-law shall be used in accordance with the 'C3' Zone provisions contained in this By-law, excepting however, that:
- i. Permitted uses shall be limited to a 'bulk fuel depot';
 - ii. [Section 14](#) General Provisions for Industrial Zones shall apply; and,
 - iii. 'BP1' zone provisions shall apply.

Municipality of Brockton By-law #2013-059 (Part Lot 25, Concession 3 SDR (Walkerton - Morrow Z17/13)

- .7 Notwithstanding their 'C3' zoning designation, on those lands delineated as 'C3-7' on Schedule 'A' to this By-law, permitted uses shall include, in addition to the uses permitted in the by-law:
- i. Building Supply and Sales, defined as:
"the use of land, building or structure for the sale, storage and/or display of goods, merchandise or equipment used in building and construction but does not include the sale of appliances, audio-visual equipment, home furnishings or furniture."
 - ii. Trades Persons Shop

SECTION 14 – GENERAL PROVISIONS FOR INDUSTRIAL ZONES (BP1, BP2, HI, M2, ACI, RCI)

Explanatory Note:

Developments in an Industrial zone may be subject to site plan control, which requires submission and approval of a site plan prior to issuance of a building permit. You are required to consult with the Municipality prior to submission of a building permit application.

14.1 ACCESSORY BUILDINGS & STRUCTURES

Accessory Buildings & Structures shall be located as per [Section 3.6](#).

14.2 PARKING REQUIREMENTS

Parking requirements shall be determined as per [Section 3.26](#).

14.3 LOADING REQUIREMENTS

Loading requirements shall be determined as per [Section 3.27](#).

14.4 WATER AND SEWER SERVICES

All Business Park 1 (BP1), Business Park 2 (BP2), Light Industrial (M1) and Heavy Industrial (M2) uses shall be connected to a municipal water and municipal sewer system where available.

14.5 PLANTING AREA/VISUAL SCREENING

Planting Area/Visual Screening shall be provided as per the requirements of [Section 3.15](#).

14.6 LANDSCAPED OPEN SPACE

Landscaped Open Space shall be provided as per the requirements of [Section 3.16](#).

14.7 OPEN STORAGE & OUTDOOR DISPLAY

Open Storage & Outdoor Display shall be provided as per the requirements of [Section 3.17](#).

14.8 PROVINCIAL OR COUNTY STREET RIGHT-OF-WAY SETBACKS

Provincial or County Street Right-of-Way Setbacks shall be provided as per the requirements of [Section 3.23](#).

14.9 MULTIPLE BUILDINGS ON ONE LOT

In an Industrial Zone more than one ‘Main Building’ or structure shall be permitted on a lot provided that all other provisions of this By-law are adhered to.

14.10 OFFICES ACCESSORY TO A PERMITTED USE

A business office(s) serving the principle use(s) on a lot shall be permitted.

14.11 BUFFER ON LANDS ADJOINING INDUSTRIAL OR RESIDENTIAL USES/ ZONES

Buffers shall be provided as per the requirements of [Section 3.3](#).

14.12 ALL OUTSIDE FUEL STORAGE & RE-FUELLING

The surfaces of all ramps, service areas, off-street loading areas used for fuel storage and/or re-fuelling shall be surfaced with a capped, hard top substance such as asphalt, or other stable surface treated to prevent the seepage of any spilled fuel and/or other potential hazardous materials.

14.13 MINIMUM SETBACKS FOR GASOLINE PUMPS, NATURAL GAS AND/ OR PROPANE FACILITIES

All gasoline pumps, natural gas and/ or propane facilities shall be setback a minimum of 7.5 metres (25 ft) from the curbing of the pump island to the street line.

SECTION 15 – URBAN INDUSTRIAL ZONES (BP1, BP2, M1, M2)

15.1 SCOPE

The provisions of the ‘Business Park (BP1)’ and ‘Light Industrial (M1)’ Zones shall generally apply to lands designated ‘Business Park 1’ and the provisions of ‘Business Park 2 (BP2)’ and ‘Heavy Industrial (M2)’ Zones shall generally apply to lands designated ‘Business Park 2’ on Schedule ‘A’ – Land Use Plan for the Walkerton Community Official Plan.

15.2 USES PERMITTED

Modified by by-law 2015-039 (Housekeeping #1)

No person shall within a ‘Business Park 1 (BP1)’ Zone, ‘Business Park 2 (BP2)’ Zone, ‘Light Industrial (M1)’ Zone or ‘Heavy Industrial (M2)’ Zone use any lot or erect, alter or use any building or structure for any purpose except the following:

	Light Industrial (M1)	Business Park 1 (BP1)	Heavy Industrial (M2)	Business Park 2 (BP2)
Residential Uses	Not Permitted			
Non-Residential Uses (deleted)	✓	✓	✓	✓
Assembly Hall	Not Permitted	✓	Not Permitted	Not Permitted
Bulk Fuel Depot	Not Permitted	Not Permitted	Not Permitted	✓
Bulk Sales Establishment – Agriculture	✓	✓	✓	✓
Commercial Motor Vehicle Repair Establishment	✓	✓	✓	✓
Commercial Motor Vehicle Sales Establishment	✓	✓	✓	✓
Commercial College	Not Permitted	✓	Not Permitted	Not Permitted
Computer/Data Processing Centre	Not Permitted	✓	Not Permitted	Not Permitted

Urban Industrial Zones (BP1, BP2, M1, M2)

Contractor's Yard	✓	✓	✓	✓
Factory Sales Outlet	✓	✓	✓	✓
Farm Implement Establishment	✓	✓	Not Permitted	✓
Hotel/Motel	Not Permitted	✓	Not Permitted	Not Permitted
Industrial Use	Not Permitted	Not Permitted	✓	✓
Industry, Light	✓	✓	✓	✓
Marine, Recreation and Small Engine Establishment	✓	✓	✓	✓
Public Building	Not Permitted	✓	Not Permitted	Not Permitted
Public Garage	✓	✓	✓	✓
Public Park	✓	✓	Not Permitted	Not Permitted
Public Utility Building	✓	✓	✓	✓
Recycling Centre	Not Permitted	✓	Not Permitted	✓
Recycling Depot	Not Permitted	✓	Not Permitted	✓
Rental Establishment	Not Permitted	✓	Not Permitted	✓
Retail, Large Format	Not Permitted	✓ (added)	Not Permitted	Not Permitted
Technology Industry	✓	✓	Not Permitted	Not Permitted
Trades Persons' Shop	✓	✓	✓	✓
Transport Depot	Not Permitted	✓	Not Permitted	✓
Travel Trailer Sales Establishment	Not Permitted	✓	Not Permitted	Not Permitted
Warehouse	✓	✓	✓	✓
Warehouse, Mini Storage	✓	✓	✓	✓
Veterinary Clinic	Not Permitted	✓	Not Permitted	✓
Veterinary Clinic – Small Animal	Not Permitted	✓	Not Permitted	Not Permitted
Funeral Home	Not Permitted	✓	Not Permitted	Not Permitted

Automobile Car Wash	Not Permitted	✓	Not Permitted	Not Permitted
Automobile Gas Bar	Not Permitted	✓	Not Permitted	Not Permitted
Automobile Repair Establishment	Not Permitted	✓	Not Permitted	Not Permitted
Automobile Sales Establishment	Not Permitted	✓	Not Permitted	Not Permitted
Automobile Service Station	Not Permitted	✓	Not Permitted	Not Permitted
Restaurant	Not Permitted	✓	Not Permitted	Not Permitted
Research Establishment / Laboratory	Not Permitted	✓	Not Permitted	✓
Fitness Centre	Not Permitted	✓	Not Permitted	Not Permitted
Business or Professional Office (see Footnote 15.3 (c))	Not Permitted	✓	Not Permitted	✓

15.3 ZONE PROVISIONS

No person shall within a ‘Business Park 1 (BP1)’ zone, ‘Business Park 2 (BP2)’ zone, ‘Light Industrial (M1)’ zone or ‘Heavy Industrial (M2)’ zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

Modified by By-law 2015-039 (Housekeeping #1)

Provisions: Connected to Municipal Water and Municipal Sewer Service					
		Light Industrial (M1)	Business Park 1 (BP1)	Heavy Industrial (M2)	Business Park 2 (BP2)
Minimum Lot Area		750 m ² (807.3 ft ²) 8,073 ft ²		1,100 m ² (11,841 ft ²)	
Minimum Lot Frontage		30 metres (98 ft)		30 metres (98 ft)	
Minimum Front Yard and Exterior Side Yard	(i) Abutting A Planned Development, Residential or Institutional zone or a residential or institutional use	6 metres (20 ft)		18 metres (59 ft)	
	(ii) All other cases			9 metres (29.5 ft)	

Minimum Interior Side Yard (see Footnote (a) and (b))	(i) Abutting a Planned Development, Residential or Institutional zone or a residential or institutional use	7.5 metres (25 ft)	10 metres (33 ft)
	(ii) All other uses	4 metres (13 feet) one side and 1.2 metres (4 feet) other side	4 metres (13 feet) one side and 1.2 metres (4 feet) other side
Minimum Rear Yard	(i) Abutting a Planned Development, Residential or Institutional zone or a residential or institutional use	7.5 metres (25 ft)	15 metres (49 ft)
	(ii) All other cases		7.5 metres (25 ft)
Maximum Lot Coverage		75%	65%
Maximum Building Height	(i) Within 20 metres (66ft) of a Residential or Institutional zone or use	11 metres (36 ft)	
	(ii) All other cases	22 metres (72 ft)	

Footnotes (Added by By-law 2015-039- Housekeeping #1)

- (a) For a 'Bulk Fuel Depot', the Minimum Interior Side Yard for all fuel storage areas and/or pumps shall be no less than 7.5 metres (25 ft).
- (b) When any portion of a main building is greater than 12 metres (40 ft) in height, the Minimum Interior Side yard and Minimum Rear Yard setbacks shall be increased by 0.5 metres (1.6 feet) for every metre over 12 metres (40 ft).
- (c) Business or Professional Offices minimum size 371.6 m² (4,000 ft²)

15.4 SPECIAL PROVISIONS – M1

15.5 SPECIAL PROVISIONS – BP1

Municipality of Brockton By-law #2012-90 (Brockton Municipal Complex – Part of Lots 32 to 35, Concession 1 NDR being Part of Part 2 on RP 3R-1885, Part of Parts 2 and 3 on RP 3R-2778 and Part 4 on RP 3R-2758, Brant and Part of Park Lots 47 and 48 Plan 162, Walkerton)

By-Law Number 2015-080 – removal of ‘H-Holding’ provisions

.1 Notwithstanding their ‘BP1’ Zoning designation, those lands delineated as ‘**BP1-1-H**’ on Schedule ‘A’ to this By-law shall be used in accordance with the ‘BP1’ Zone provisions contained in this By-law, excepting however, that:

- i) Uses permitted shall include a ‘municipal complex’ in addition to uses permitted in the BP1 Zone; and,
- ii) Lands shall remain in a natural and undisturbed state where site alteration through filling, excavating or re-grading shall be prohibited, until the ‘H – holding’ symbol has been lifted.
- ~~iii) The ‘H – holding’ symbol shall be lifted once the following conditions have been met:~~
 - ~~a) Completion of an Archaeological Assessment and submission to the Ministry of Tourism, Culture and Sport; and,~~
 - ~~b) Registration of a Site Plan Control Agreement, if deemed necessary by the Municipality. The Agreement may address approval of site servicing plans, storm water management plan, transportation plans, and open space connectivity, and any other site development details deemed necessary by Council, to the satisfaction of the Municipality.~~

.2 Notwithstanding their ‘BP1’ Zoning designation, those lands delineated as ‘**BP1-2-H**’ on Schedule ‘A’ to this By-law shall be used in accordance with the ‘BP1’ Zone provisions contained in this By-law, excepting however, that:

- i) Uses permitted shall be limited to: ‘automobile sales establishment’; ‘business or professional office’; ‘commercial college’; ‘computer/data processing centre’; ‘convenience store’; ‘fitness centre’; ‘funeral home’; ‘garden centre’; ‘hotel/motel’; ‘restaurant’; ‘restaurant, take-out’; ‘research establishment/ laboratory’; ‘retail, large format’; ‘service establishment’; ‘warehouse’; ‘warehouse, mini storage’; ‘rental establishment’; and, ‘veterinary clinic’; and,
- ii) Lands shall remain in a natural and undisturbed state where site alteration through filling, excavating or re-grading shall be prohibited, until the ‘H – holding’ symbol has been lifted.
- ~~iii) The ‘H – holding’ symbol shall be lifted once the following conditions have been met:~~
 - ~~a) Completion of an Archaeological Assessment, and submission to the Ministry of Tourism, Culture and Sport;~~

- ~~b) Registration of a Site Plan Control Agreement, if deemed necessary by the Municipality. The Agreement may address approval of site servicing plans, storm water management plans, transportation plans and open space connectivity and, any other site development details deemed necessary by Council, to the satisfaction of the Municipality.~~

15.6 SPECIAL PROVISIONS – M2

15.7 SPECIAL PROVISIONS – BP2

SECTION 16 – HAMLET INDUSTRIAL (HI)**16.1 SCOPE**

Modified By By-law 2015-039 (Housekeeping #1)

The provisions of Section 16 shall apply only on lands designated ‘Hamlet’ or ‘Secondary Urban Area’ on Schedule ‘A’: Land Use of the County of Bruce Official Plan.

16.2 USES PERMITTED

No person shall within the ‘Hamlet Industrial (HI)’ zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

(a) Residential Uses

- ‘Dwelling, Accessory Apartment’ in accordance with [Section 3.8.1](#), exclusively for the use of the owner or a caretaker. A ‘Dwelling, Accessory Apartment’ shall not be permitted in association with a ‘Bulk Fuel Depot’, or ‘Public Garage’.

(b) Non-Residential Uses

- | | |
|--|---|
| <ul style="list-style-type: none"> • Agricultural Produce Warehouse • Bulk Fuel Depot • Bulk Sales Establishment –
Agricultural • Commercial Motor Vehicle Repair
Establishment • Industry, Dry • Farm Implement Establishment • Food Processing,
Primary and Secondary | <ul style="list-style-type: none"> • Greenhouse, Commercial • Nursery • Public Garage • School Bus Storage • Trades Person’s Shop • Veterinary Clinic |
|--|---|

16.3 ZONE PROVISIONS

No person shall within any ‘Hamlet Industrial (HI)’ zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

Provisions	Non-Residential Uses
Minimum Lot Area	0.8 hectares (2.0 ac)
Minimum Lot Frontage	30 metres (98 ft)
Minimum Front Yard or Exterior Side Yard	15 metres (49.2 ft)
Minimum Side & Rear Yard	10 metres (33 ft)
Maximum Height – Main Building	10 metres (33 ft)
Maximum Lot Coverage	15%

Minimum Separation Distance from Accessory Detached Dwelling	30 metres (98 ft)
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16.4 SPECIAL PROVISIONS

Township of Greenock By-law #86-09 (Part of Lot 5, Concession 7, Greenock)

- .1 Notwithstanding their 'HI' Zoning designation, those lands delineated as 'HI-1' on Schedule 'A' to this By-law shall be used in accordance with the 'HI' zone provisions contained in this By-law, excepting however, that:
- i. Residential uses shall be prohibited

SECTION 17– AGRICULTURE COMMERCIAL INDUSTRIAL (ACI)**17.1 SCOPE**

The provisions of Section 17 shall apply only on lands designated ‘A – Agriculture’ or ‘R – Rural’ on Schedule ‘A’: Land Use of the County of Bruce Official Plan.

17.2 USES PERMITTED

No person shall within the ‘Agriculture Commercial Industrial (ACI)’ zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

(a) Residential Uses

- ‘Dwelling, Accessory Apartment’ in accordance with [Section 3.8.1](#) or a ‘Dwelling, Accessory Detached’ in accordance with [Section 3.8.2](#), exclusively for the use of the owner or a caretaker. A ‘Dwelling, Accessory Apartment’ or a ‘Dwelling, Accessory Detached’ shall not be permitted in association with an ‘Abattoir’ or ‘Livestock Assembly Yard’.

(b) Non-Residential Uses

- Abattoir
- Bulk Sales Establishment – Agricultural
- Farm Implement Establishment
- Feed Mill & Elevator
- Food Processing, Primary
- Livestock Assembly Yard
- Nursery
- Portable Asphalt Plant or Portable Concrete Plant
- Veterinary Clinic
- Wayside Pit or Wayside Quarry

17.3 ZONE PROVISIONS

No person shall within any ‘Agriculture Commercial Industrial (ACI)’ zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

Provisions	Non-Residential Uses
Minimum Lot Area	0.8 hectares (2.0 ac)
Minimum Lot Frontage	30 metres (100 ft)
Minimum Front Yard	15 metres (49.2 ft)
Minimum Side Yard	10 metres (33 ft)
Minimum Rear Yard	10 metres (33 ft)
Maximum Height – main building	10 metres (33 ft)
Maximum Lot Coverage	15%
Minimum Separation Distance From Accessory Detached Dwelling	30 metres (100 ft)

17.4 SPECIAL PROVISIONS

Township of Brant By-Law #81-855 (Lot 64, Concession 1 SDR, former Brant – Saugeen Great Escape)

- .1 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-1' on Schedule 'A' shall only be used for the purposes of a 'Motel' and 'Restaurant' as they existed on the date of passage of this By-Law and in accordance with the 'ACI' Zone provisions contained in this By-Law.

Township of Brant By-Law #84-1001, #87-1078 (Lot 5, Concession 2 SDR, former Brant)

- .2 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-2' on Schedule 'A' shall only be used for an 'Automobile Service Station'; an 'Automobile Sales Establishment' and a 'Nursery' as they existed on the date of passage of this By-Law, and in accordance with the 'ACI' Zone provisions contained in this By-Law.

Township of Brant By-Law #87-1095, #89-1042, #2001-13, #2003-12 (Part of Lot 15, Concession 1 SDR, former Brant – Schaus Transport Limited)

- .3 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-3' on Schedule 'A' shall only be used for the purposes of a 'Commercial Motor Vehicle Repair Establishment' and in accordance with the 'ACI' Zone provisions contained in this By-Law, excepting however that:
- i. an 'Accessory Dwelling Detached' may be used by a tenant only until October 1, 2002 at which time the 'Accessory Dwelling Detached' shall be used only as the principle residence for an owner, manager or caretaker of the permitted non-residential use.
 - ii. the 'minimum lot size' shall be no less than 2.4 hectares (5.8 acres); and
 - iii. the 'maximum lot coverage (private services)' shall not exceed 5.4%; and
 - iv. the washing of 'commercial motor vehicles' shall be limited to those 'commercial motor vehicles' which are being serviced on-site or are owned and operated by 'Schaus Transport Limited' or its successors.

Township of Brant By-Law #86-1061 (Part Lot 6, Concession 2, former Brant – JC Welding)

- .4 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-4' on Schedule 'A' shall only be used for the following purposes:
- 'Farm Implement Establishment'
 - 'Industrial Use, Dry'
 - 'Bulk Sales Establishment – Agricultural'
- as they existed on the date of passage of this By-Law, and in accordance with the 'ACI' Zone provisions contained in this By-Law.

Township of Brant By-Law #95-1216 (Part Lot 2, Concession 'A', former Brant – L. Bester)

- .5 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-5' on Schedule 'A' shall only be used for the purposes of a 'Saw or Planing Mill' and uses accessory thereto, as they existed on the date of passage of this By-Law, and in accordance with the 'ACI' Zone provisions contained in this By-Law.

Township of Brant By-Law #84-991 (Part Lot 35, Concession 1 SDR, former Brant – Freiburger Welding and Machine Shop)

- .6 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-6' on Schedule 'A' shall only be used for the purposes of a 'Industrial Use, Dry' and/or 'Saw or Planing Mill' as they existed on the date of passage of this By-Law, and in accordance with the 'ACI' Zone provisions contained in this By-Law.

Township of Brant By-Law #86-1061 (Part Lot 6, Concession 3 NDR, former Brant)

- .7 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-7' on Schedule 'A' shall only be used for the purposes of a Upholstery Repair Shop as it existed on the date of passage of this By-Law, and in accordance with the 'ACI' Zone provisions contained in this By-Law, excepting however that the minimum lot area shall be no less than 2183.5 sq. metres (23,504 sq. ft.).

Township of Brant By-Law #96-1233, #93-1160 (Part Lot 16, Concession 1 SDR, former Brant – Freiburger Transport)

- .8 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-8' on Schedule 'A' shall only be used for the purposes of a 'Commercial Motor Vehicle Repair Establishment' and an 'Automotive Repair Establishment', as they existed on the date of passage of this By-Law, and in accordance with the 'ACI' Zone provisions contained in this By-Law.

Township of Brant By-Law #81-855 (Part Lot 4, Concession B, former Brant – Dunkeld Tavern)

- .9 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-9' on Schedule 'A' shall only be used for the purposes of a 'Restaurant' and 'Golf Course, Miniature', as they existed on the date of passage of this By-Law, and in accordance with the 'ACI' Zone provisions contained in this By-Law.

Township of Brant By-Law #81-855 (Lot 5-11, Plan 113, Walkerton – Superior Propane)

- .10 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-10' on Schedule 'A' shall only be used for the purposes of a 'Bulk Fuel Depot' and 'Trades Person's Shop' as they existed on the date of passage of this By-Law, and in accordance with the 'ACI' Zone provisions contained in this By-Law.

Township of Brant By-Law #81-155 (North Part Lot 35, Concession 1 SDR, former Brant – Brant Drive-In)

- .11 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-11' on Schedule 'A' shall only be used for the purposes of a 'Take-Out Restaurant', as it existed on the date of passage of this By-Law, and in accordance with the 'ACI' Zone provisions contained in this By-Law.

Municipality of Brockton By-Law #2006-35 (Lot 9, Con 1 SDR, former Brant – Andy's Country Repairs)

- .12 Notwithstanding their 'ACI' zoning designation, those lands delineated as 'ACI-12-H' on Schedule 'A' to this By-Law shall be used in compliance with the 'ACI' zone provisions contained in this By-Law, excepting however that:

- i) Permitted uses shall be limited to an 'Automobile Wrecking Yard', 'Automobile Repair Establishment' and 'Commercial Motor Vehicle Repair Establishment.
- ii) The 'H – holding' symbol may be removed once the following conditions have been met:
 - 1) A statement from a certified engineer stating that all floor drains which may become contaminated with materials from the repair/servicing shops, and are not directly connected to a new/existing domestic waste treatment system on the property is provided; and
 - 2) A statement from a certified engineer stating that all floor drains which may become contaminated with materials from the repair/servicing shops, and have been connected to a 'total retention/separator tank' or similar engineered system is provided; and
 - 3) A statement from a certified engineer stating that a 'total retention/separator tank' or a similar engineered system which separates oils, fuels, lubricants, cleaners & solvents etc. and stores all separated contaminants has been installed and is functioning according to its design specifications is provided; and
 - 4) A current contract with a MOE – certified carrier engaged for the disposal of materials from the 'total retention/separator tank' or a similar engineered system is provided; and
 - 5) A statement from the Fire Chief, Municipality of Brockton, stating that fire access to the property is satisfactory; and
 - 6) A statement from the Chief Building Official, Municipality of Brockton, stating that a Planting area has been created as outlined in the Site Plan Control Agreement; and
 - 7) A Site Plan Control Agreement has been registered on title.

Township of Brant By-Law #81-855 (Part Lot 13, Concession 1 SDR, former Brant – Pitts Produce)

- .13 Notwithstanding their 'ACI' Zoning designation, those lands delineated as '**ACI-13**' on Schedule 'A' shall only be used for the purposes of a 'Agricultural Produce Warehouse' and 'Nursery' as they existed on the date of passage of this By-Law, and in accordance with the 'ACI' Zone provisions contained in this By-Law.

Township of Brant By-Law #81-855 (Lot 16, Concession 3 NDR, Brant)

- .14 Notwithstanding their 'ACI' Zoning designation, those lands delineated as '**ACI-14**' on Schedule 'A' shall only be used for the purposes of a 'Salvage Yard', as it existed on the date of passage of this By-Law, and in accordance with the 'ACI' Zone provisions contained in this By-Law.

Township of Brant By-Law #86-1061 (Part of Lot 74, Concession 2, former Brant – Hanover Greenhouse & Patio Shoppe)

- .15 Notwithstanding their 'ACI' Zoning designation, those lands delineated as '**ACI-15**' on Schedule 'A' shall only be used for the purposes of a 'Commercial Greenhouse' and 'Garden Centre' as they existed on the date of passage of this By-Law, and in accordance with the 'ACI' Zone provisions contained in this By-Law.

Township of Brant By-Law #86-1061 (Part of Lot 55, Concession 1 NDR, former Brant – Morry's)

.16 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-16' on Schedule 'A' shall only be used for the purposes of a 'Travel Trailer Sales Establishment' as it existed on the date of passage of this By-Law, and in accordance with the 'ACI' Zone provisions contained in this By-Law.

Township of Brant By-Law #95-1207 (Part Lot 74, Concession 3 NDR, former Brant – Powerline Marine)

.17 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-17' on Schedule 'A' shall only be used for the purposes of a 'Marine, Recreation and Small Engine Establishment' and a 'Automobile Sales Establishment', as they existed on the date of passage of this By-Law, and in accordance with the 'ACI' Zone provisions contained in this By-Law, excepting however that:

- i. There shall be erected and maintained along the northerly limit of the land commencing at the easterly limit and proceeding 241 feet westerly, a chain link fence having a minimum height of 4 feet. Said fence to have a continuous pipe installed along the top edge for its full length, in such a manner so as to cover the exposed top of the chain link. Said fence to provide an unlocked gate access of a minimum width of 14 feet at the approximate mid-point of the fence to allow access to the adjoining land.

Township of Brant By-Law #89-1045 (Part Lot 74, Concession 2 NDR, former Brant – Heinz Autobody)

.18 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-18' on Schedule 'A' shall only be used for an 'Automobile Repair Establishment' as it existed on the date of passage of this By-Law, and in accordance with the 'ACI' Zone provisions contained in this By-Law.

Township of Brant By-Law #87-1098 (Lot 36, Concession 1 SDR, Brant – VW Dealership)

.19 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-19' on Schedule 'A' shall only be used for the purposes of an 'Automobile Sales Establishment', as it existed on the date of passage of this By-Law, and in accordance with the 'ACI' Zone provisions contained in this By-Law, excepting however that the maximum total building floor area may be 557.4 m² (6000 ft²).

Township of Brant By-Law #86-1061 (Part Lot 36, Concession 1 SDR, former Brant – Reid & Schaab Heating)

.20 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-20' on Schedule 'A' shall only be used for the purposes of a 'Trades Person's Shop' as it existed on the date of passage of this By-Law, and in accordance with the 'ACI' Zone provisions contained in this By-Law.

Township of Brant By-Law #84-984 (Part Lot 36, Concession 1 SDR, former Brant – Alf Ernewein Contracting)

.21 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-21' on

Schedule 'A' shall only be used for the purposes of a 'Trades Person's Shop', as it existed on the date of passage of this By-Law, and in accordance with the 'ACI' Zone provisions contained in this By-Law.

Township of Brant By-Law #81-855 (Lot 34, Concession 4, former Brant - JG Propane and Brant Seeds)

.22 Notwithstanding their 'ACI' Zoning designation, those lands delineated as '**ACI-22**' on Schedule 'A' shall only be used for the purposes of a 'Bulk Fuel Depot' and 'Bulk Sales Establishment - Agricultural' as they existed on the date of passage of this By-Law, and in accordance with the 'ACI' Zone provisions contained in this By-Law.

Township of Brant By-Law #81-855 (Lot 74, Concession 3 NDR, former Brant - Stuff for Sale)

.23 Notwithstanding their 'ACI' Zoning designation, those lands delineated as '**ACI-23**' on Schedule 'A' shall only be used for the purposes of a 'Retail Shop', as it existed on the date of passage of this By-Law, and in accordance with the 'ACI' Zone provisions contained in this By-Law.

Township of Brant By-Law #81-855 (Lot 74, Concession 3 NDR, former Brant - George Francis Garage)

.24 Notwithstanding their 'ACI' Zoning designation, those lands delineated as '**ACI-24**' on Schedule 'A' shall only be used for the purposes of a 'Automobile Repair Establishment' as it existed on the date of passage of this By-Law, and in accordance with the 'ACI' Zone provisions contained in this By-Law.

Township of Brant By-Law #81-855 (Lot 74, Concession 2 NDR, former Brant - North End Autobody)

.25 Notwithstanding their 'ACI' Zoning designation, those lands delineated as '**ACI-25**' on Schedule 'A' shall only be used for the purposes of an 'Automobile Repair Establishment' as it existed on the date of passage of this By-Law, and in accordance with the 'ACI' Zone provisions contained in this By-Law.

Township of Brant By-Law #86-1061 (Part 74, Concession 2 NDR, former Brant - JD's Flooring)

.26 Notwithstanding their 'ACI' Zoning designation, those lands delineated as '**ACI-26**' on Schedule 'A' shall only be used for the purposes of a 'Trades Person's Shop' as it existed on the date of passage of this By-Law, and in accordance with the 'ACI' Zone provisions contained in this By-Law.

Municipality of Brockton By-Law #2010-18 (Part Lot 74, Concession 2 NDR, former Brant - Price Bros. Welding)

.27 Notwithstanding their 'ACI' zoning designation, those lands delineated as '**ACI-27**' on Schedule 'A' to this By-law shall be used in compliance with the 'ACI' Zone provisions contained in this By-Law, excepting however, that:

- i. Permitted uses shall be limited to a 'Retail Store', 'Trades Person's Shop', and 'Dwelling, Accessory Apartment';
- ii. Minimum lot area shall be no less than 0.2 hectares;

- iii. Minimum front yard shall be no less than 8.2 metres; and
- iv. Minimum side yard shall be no less than 4.5 metres.

Township of Brant By-Law #2014-085 (Part Lot 36, Concession 1 NDR, former Brant – Ace N JJ)

- .28 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-28' on Schedule 'A' shall only be used for the purposes of a 'Retail Store' and accessory uses in accordance with the 'ACI' Zone provisions contained in this By-Law, excepting however:
- i. An accessory building located at the northeast corner of the property shall have:
 - a. A minimum side yard setback of 1.83m (6ft)
 - b. A minimum rear yard setback of 1.83m (6ft)
 - ii. Maximum Lot coverage shall not exceed 16%
 - iii. A home industry is permitted and shall be in accordance with Section 3.11 except that:
 - a. Maximum size is 82 sq. metres
 - b. No parking devoted to the home industry is required
 - c. External display area shall be permitted in accordance with Section 3.17 for commercial zones.

Municipality of Brockton By-Law # 2008-60 (Part Lot 37, Concession 1 NDR [being Part 1 on 3R-4011, Part 1 on 3R-6804 and Part 1 on 3R-7542], former Brant – Snyder)

- .29 Notwithstanding their 'ACI' zoning designation, those lands delineated as 'ACI-29' on Schedule "A" to this by-law shall be used in compliance with the 'ACI' Zone provisions contained in this By-Law, excepting however, that:
- i. Permitted uses shall be limited to a 'Drywall Business' and 'Construction Business';
 - ii. A 2.4 m (8 ft) solid maintenance free fence shall be provided / constructed along the eastern lot line for the full length / depth of the adjacent residential lot.
 - iii. The setbacks for all buildings and structures shall be no less than as they existed on the date of the passing of this by-law; and,
 - iv. The maximum lot coverage shall be no greater than 18.8%.

Township of Brant By-Law #86-1061 (Part of Lot 36, Concession 1 SDR, former Brant – Esso Fuels)

- .30 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-30' on Schedule 'A' shall only be used for the purposes of a 'Bulk Fuel Establishment' as it existed on the date of passage of this By-Law, and in accordance with the 'ACI' Zone provisions contained in this By-Law.

Township of Brant By-Law #84-972 (Part Lot 36, Concession 1 SDR, former Brant – Owen King)

- .31 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-31' on Schedule 'A' shall only be used for the purposes of a 'Trades Person's Shop' as it existed on the date of passage of this By-Law, and in accordance with the 'ACI' Zone provisions contained in this By-Law.

Township of Brant By-Law #81-855 (Lot 36, Concession 1 SDR, former Brant – Weber Collision Repair)

- .32 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-32' on

Schedule 'A' shall only be used for a 'Automobile Repair Establishment' as it existed on the date of passage of this By-Law, and in accordance with the 'ACI' Zone provisions contained in this By-Law.

Township of Brant By-Law #81-855 (Part Lot 64, Concession 1, former Brant - Country Village)

.33 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-33' on Schedule 'A' that in addition to the uses permitted in the 'ACI' zone may also be used for a 'Automobile Service Station' or 'Convenience Store' in accordance with the 'ACI' Zone provisions contained in this By-Law.

Township of Brant By-Law #81-855 (Part Lot 74, Concession 2 NDR, former Brant - Lunch Stop)

.34 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-34' on Schedule 'A' shall only be used for the purposes of a 'Restaurant' as it existed on the date of passage of this By-Law, and in accordance with the 'ACI' Zone provisions contained in this By-Law.

Township of Brant By-Law #81-855 (Part Lot 74, Concession 2 NDR, former Brant - Praxair)

.35 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-35' on Schedule 'A' shall only be used for 'Light Industrial' purposed as it existed on the date of passage of this By-Law, and in accordance with the 'ACI' Zone provisions contained in this By-Law.

Township of Brant By-Law #81-868 (Part Lot 59, Concession 1 SDR, former Brant)

.36 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-36' on Schedule 'A' shall only be used for the purposes of a 'riding stable/equestrian centre' in accordance with the 'ACI' Zone provisions contained in this By-Law.

Township of Brant By-Law #86-1045, #87-1091 (Bruce County Highways, Ontario Hydro, Brant Township Garage etc.)

.37 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-37' on Schedule 'A' shall only be used for the purposes of a 'public garage', as it existed on the date of passage of this By-Law, & in accordance with the 'ACI' Zone provisions contained in this By-Law.

Township of Brant By-Law #88-1118 (Part Lot 19, Concession B, former Brant)

.38 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-38' on Schedule 'A' shall only be used for the purposes of a 'greenhouse, commercial', and in accordance with the 'ACI' Zone provisions contained in this By-Law.

Municipality of Brockton By-Law #2007-32 (N. Pt. Lots 62 & 63, Concession 2, NDR Brant)

.39 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-39' on Schedule 'A' shall be used in accordance with the 'ACI' Zone provisions contained in this By-Law, excepting however that:

- i. The permitted uses shall be limited to 'farm implement repair'; and,
- ii. The lands shall be subject to Site Plan Control.

Municipality of Brockton By-Law #2007-48 (Pt. Lot 59, Concession 2 SDR Brant - Walkerton Equine Clinic)

- .40 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-40' on Schedule 'A' shall be used in accordance with the 'ACI' Zone provisions contained in this By-Law, excepting however:
- i. Permitted uses shall be limited to 'Veterinary Clinic';
 - ii. 'Minimum lot size' shall be no less than 2,319 square metres;
 - iii. 'Minimum lot frontage' shall be no less than 30 metres;
 - iv. Setbacks shall be as they existed on the date of passage of this By-law.

Municipality of Brockton By-Law #2007-50 (Pt. Lot 74, Concession 2, NDR, former Brant - Heinz Autobody)

- .41 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-41' on Schedule 'A' shall be used in accordance with the 'ACI' Zone provisions contained in this By-Law, excepting however:
- i. Permitted uses shall be limited to 'Automotive Repair Establishment' and 'Automotive Sales Establishment'; and,
 - ii. Lands shall be subject to Site Plan Control.

By-law #2014-080 (Concession 1 NDR Part Lot 5, Brant - Huron Bay Z31/14)

- .42 Notwithstanding their ACI zoning, those lands delineated as 'ACI-42' and 'ACI-42-H' shall be used in compliance with the ACI zone provisions contained in this by-law, excepting however that:
- i. An Agricultural General use shall also be permitted.
 - ii. The 'H-holding' symbol may be removed once the following conditions have been met:
 - a. A Site Plan Control Agreement has been registered on title. The Agreement may address setbacks, open space, landscaping and any other site development details deemed necessary by Council, to the satisfaction of the Municipality.

Municipality of Brockton By-law #2012-01 (Part of Lot 34, Concession 12, former Brant - Olds)

- .43 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-43' on Schedule 'A' to this By-law shall be used in compliance with the 'ACI' Zone provisions contained in this By-law, excepting however, that:
- i. Permitted uses shall be limited to 'automobile repair establishment', 'automobile sales establishment', and 'dwelling, accessory detached'.

Modified by By-Law 2017-005 Municipality of Brockton By-law #2008-20 (Part of Lot 10, Concession 6, former Greenock - Fritz Concrete Inc.)

- .44 Notwithstanding their 'ACI' Zoning designation, those lands delineated as 'ACI-44' on Schedule 'A' to this By-law shall be used in accordance with the 'ACI' Zone provisions contained in this By-law, excepting however, that:
- i. Residential uses shall be prohibited.

- ii. *In addition to the permitted uses in the 'ACI' Zone, the manufacturing of precast concrete, construction services and solar installation shall be permitted; and,*
- iii. *Buildings and structures existing as of January 9, 2017, which do not comply with the provisions of this By-law, are hereby recognized. All future buildings and structures, or additions to existing buildings and structures, shall comply with the provisions of this By-law.*

Township of Greenock By-law #98-22 (Part of Lot 17, Concession 13, Greenock)

.45 **ACI-45** is deleted by By-law 2014-062, Lemont

Municipality of Brockton By-law #2005-30 (Part of Lot 1 and Lot 2, Concession 5, former Greenock - Graf Animal Foods Ltd.)

.46 Notwithstanding their 'ACI' Zoning designation, those lands delineated as '**ACI-46**' on Schedule 'A' to this By-law shall be used in accordance with the 'ACI' Zone provisions contained in this By-law, excepting however, that:

- i. Residential uses shall be prohibited;
- ii. Non-Residential uses shall be limited to: cold storage facility; 'farm implement establishment'; turnip waxing facility; open storage and accessory uses, buildings and structures to a primary use;
- iii. The following zone provisions apply:
 - a) Minimum lot area shall be no less than 4,000 sq. metres;
 - b) Minimum lot frontage shall be no less than 45 metres;
 - c) Minimum front yard shall be no less than 15 metres;
 - d) Minimum interior side yard shall be no less than 5 metres;
 - e) Minimum rear yard shall be no less than 10 metres;
 - f) Maximum lot coverage shall not exceed 10%; and,
 - g) Maximum height shall be no greater than 15 metres;
 - h) The number of buildings and structures including accessory buildings and structures shall be limited to four (4); and,
 - i) No part of any 'main building' shall be located closer than 20 metres to a lot used for residential use.

Township of Greenock By-law #90-16 (Part of Lot 6, Concession 10, Greenock)

.47 Notwithstanding their 'ACI' Zoning designation, those lands delineated as '**ACI-47**' on Schedule 'A' to this By-law shall be used in accordance with the 'ACI' Zone provisions contained in this By-law, excepting however, that:

- i. Permitted uses shall be a 'farm implement establishment' in addition to all other 'ACI' permitted uses; and,
- ii. Accessory uses to 'farm implement establishment' shall include 'automobile sales establishment'.

By-Law 2016-079 (Part Lot 56 Con 1 NDR, including Part 1, 3R-8040 and Part 1 and 2, 3R-4222), Brant - Lippert /Sprucedale Agromart

- .48 Notwithstanding their 'ACI' zoning, those lands delineated as '**ACI-48**' on Schedule 'A' to this By-law shall be used in compliance with the 'ACI' zone provisions contained in this By-law, excepting however that:
- i. Minor Variance A-13-15.34 remains in force and effect with the exception of Clauses 5 and 6 which are replaced by Clause (ii) below);
 - ii. 'Maximum Lot Coverage' shall be 15% for all buildings (Main and Accessory); and,
 - iii. Buildings and structures existing as of November 14, 2016 which do not comply with the provisions of this By-law are hereby recognized. All future buildings and structures, or additions to existing buildings and structures, shall comply with the provisions of this By-law.

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SECTION 18– RURAL COMMERCIAL INDUSTRIAL (RCI)**18.1 SCOPE**

The provisions of Section 18 shall apply only on lands designated ‘R – Rural’ on Schedule ‘A’: Land Use of the County of Bruce Official Plan.

18.2 USES PERMITTED

No person shall within the ‘Rural Commercial Industrial (RCI)’ zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

(a) Residential Uses

- ‘Dwelling, Accessory Apartment’ in accordance with [Section 3.8.1](#) or a ‘Dwelling, Accessory Detached’ in accordance with [Section 3.8.2](#), exclusively for the use of the owner or a caretaker. A ‘Dwelling, Accessory Apartment’ or a ‘Dwelling, Accessory Detached’ shall not be permitted in association with an ‘Abattoir’, ‘Livestock Assembly Yard’, ‘Public Garage’ or ‘Bulk Fuel Depot’.

(b) Non-Residential Uses

In addition to all Non-Residential Uses permitted in the ‘ACI’ zone the following shall also be permitted:

- Agricultural Produce Warehouse
- Bulk Fuel Depot
- Greenhouse, Commercial
- Industrial, Dry limited to welding shops, blacksmith shops, and wood fabricating
- Livestock Auction Barn
- Marine, Recreation and Small Engine Establishments
- Public Garage
- Riding Stable/Equestrian Centre
- Salvage Yard
- Saw or Planing Mill
- School Bus Storage
- Septic Tank Service
- Trades Person’s Shop
- Travel Trailer Sales Establishments

18.3 ZONE PROVISIONS

No person shall within any 'Rural Commercial Industrial (RCI)' zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

Provisions	Non-Residential Uses
Minimum Lot Area	0.8 hectares (2.0 ac)
Minimum Lot Frontage	30 metres (98 ft)
Minimum Front or Exterior Yard	15 metres (49.2 ft)
Minimum Side & Rear Yard	10 metres (33 ft)
Maximum Height B Main Building	10 metres (33 ft)
Maximum Lot Coverage	15%
Minimum Separation Distance from Accessory Detached Dwelling	30 metres (98 ft)

18.4 SPECIAL PROVISIONS

Township of Brant By-Law #2003-79 (Part Lot 50, Concession 1 NDR, former Brant)

.1 Notwithstanding their 'RCI' Zoning designation, those lands delineated as '**RCI-1**' on Schedule 'A' to this By-Law, shall be used in accordance with the 'RCI' Zone provisions contained in this By-Law excepting however that:

- i. The permitted use(s) shall be limited to a 'Small Engine Repair Business';
- ii. A "Small Engine Service Shop" shall be defined as an establishment wherein small engines, such as lawnmowers, chainsaws, tillers, snow blowers, or other similar items may be repaired or serviced but may not include the repair and servicing or recreational vehicles, automobiles, and trucks,
- iii. The following will not be permitted:
 - Automobile Car Wash;
 - Automobile Service Station;
 - Automobile Repair Establishment;
 - Automobile Sales Establishment;
 - Automobile Wrecking Yard;
- iv. The minimum side yard setback shall be 3.8 meters (12.5 feet);
- v. The minimum ground floor area shall be 63.2 m² (680 ft²); and
- vi. [Section 3.20](#) Watercourse Setbacks (b) and (c) shall not apply.

Municipality of Brockton By-law #2001-36 (McNall, Lot 15, Concession 3, former Greenock)

.2 Notwithstanding their 'RCI' Zoning designation, those lands delineated as '**RCI-2**' on Schedule 'A' to this By-law shall be used in accordance with the 'RCI' Zone provisions contained in this By-law, excepting however, that:

- i. Residential Uses shall be limited to a 'dwelling, accessory detached' in accordance with [Section 3.8.2](#);

- ii. Non-Residential Uses shall be limited to a commercial/wholesale use solely dedicated to the sale, installation, distribution, storage and design of after-market automotive accessories; and accessory buildings and structures for the permitted use;
- iii. No further additions to existing structures or construction/erection of new structures shall be permitted;
- iv. The maximum 'floor area, total' for the non-residential uses shall be no greater than 486 m²; and,
- v. Minimum separation distance form accessory detached dwelling shall be as it existed on the date of passing of this By-law.

SECTION 19 – EXTRACTIVE INDUSTRIAL (M3)

19.1 SCOPE

The provisions of Section 19 apply only on lands designated ‘License Aggregate/Quarry Operation’ on Schedule ‘A’: Land Use of the County of Bruce Official Plan.

19.2 USES PERMITTED

No person shall within the ‘Extractive Industrial (M3)’ zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- a) Residential Uses
 - Prohibited
- b) Non-Residential Uses
 - General Agriculture
 - Pit
 - Portable Asphalt Plant
 - Portable Concrete Plant
 - Quarry
 - Buildings, structures and uses accessory to a permitted use [i.e., open storage, scales, pump buildings, administration, equipment storage, and fuel pumps]
 - Processing of natural materials extracted from the site including screening, sorting, washing, crushing, storing, and other similar operations allied to a ‘Pit’ or ‘Quarry’ operation.

19.3 ZONE PROVISIONS

No person shall within any ‘Extractive Industrial (M3)’ Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

Provisions	Non-Residential Uses
Minimum Lot Area	1 hectare (2.5 ac)
Minimum Lot Frontage	30 metres (98 ft)

19.4 ADDITIONAL PROVISIONS – EXTRACTIVE INDUSTRIAL

- .1 No excavation shall occur within:
 - i. 15 metres (50 ft) to the boundary of the licensed area.
 - ii. 30 metres (98 ft) to any part of the boundary of the licensed area that abuts:
 - a) a Class 1 or 2 Street; or
 - b) land in use for residential purposes at the time the license was issued, or land zoned Residential or Institutional when an aggregate license is issued.
 - iii. 30 metres (98 ft) of a watercourse.

- .2 All excavation faces are to be stabilized in so far as to prevent erosion into the excavation setback area and every excavation face shall be sloped to no greater than 45 degrees off horizontal.
- .3 No mineral aggregate resource, aggregate pile, topsoil pile, overburden pile, or any building or structure shall be located closer than:
 - i. 30 metres (98 ft) of the boundary of the licensed area; and
 - ii. 90 metres (295 ft) of the boundary of the licensed area abutting a Class 1 or 2 Street; or a residential dwelling existing at the time an aggregate license is issued, or land zoned Residential or Institutional when an aggregate license is issued

Where an interior lot line in an M3 zone abuts land held in separate ownership but is also zoned M3, no setback may be required.
- .4 All machinery employed in the processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete or the production of secondary related products shall be located no closer than:
 - i. 30 metres (98 ft) of the boundary of the licensed area; and
 - ii. 90 metres (295 ft) of the boundary of the licensed area abutting a Class 1 or 2 Street; or a residential dwelling existing at the time an aggregate license is issued, or land zoned Residential or Institutional when an aggregate license is issued
- .5 Berms that are intended to screen the adjoining lands from the operation on the site are exempt from Section 19.4.3.
- .6 All berms shall be located at least three metres inside of the boundary of the licensed area.
- .7 Adequate vegetation shall be established and maintained to control erosion of any topsoil or overburden on the site.
- .8 Visual Buffering shall be provided in accordance with the following requirements:
 - i. Visual Buffering shall be planted and maintained along the boundary of the licensed area that abuts a street/road and along any boundary line within 60 metres (197 ft) of a 'Institutional Use' or a dwelling or Residential zone, except for entrances and exits; and
 - ii. Visual Buffering shall provide a year round visual barrier and shall be a minimum of 15 metres (50 ft.) in width and consist of a dense screen of shrubs and/or evergreen trees, a minimum of one metre (3 ft.) in height when planted and of a type that will attain a minimum height of 6 metres (20 ft.) at maturity; and
 - iii. Where required on a street corner of a corner lot, Visual Buffering shall be located in such a way as not to form an obstruction to traffic and as required by the sight visibility triangles required by this By-Law.

19.5 SPECIAL PROVISIONS

Township of Greenock By-law #96-17 (Lot 9, Concession 9)

- .1 Notwithstanding their 'M3' Zoning designation, those lands delineated as 'M3-1' on Schedule 'A' to this By-law shall be used in accordance with the 'M3' Zone provisions contained in this By-law, excepting however, that:

Minimum lot frontage shall be 0.0 metres (0.0 ft.); and,

Minimum driveway setback from any property line shall be 0.0 metres (0.0 ft.).

Township of Greenock By-law #98-06 (Part of Lots 69 and 70 and Lots 71 and 72, Concession 1 SDR - Formosa Environmental Aggregate)

- .2 Notwithstanding their 'M3' Zoning designation, those lands delineated as 'M3-2-H' on Schedule 'A' to this By-law shall be used in accordance with the 'M3' Zone provisions contained in this By-law, excepting however, that:

- i. A 'quarry' licensed under the Aggregate Resources Act may be permitted;
- ii. All 'quarry' operations shall comply with the plans approved through the Class A Quarry License issued under the Aggregate Resources Act;
- iii. Permitted accessory uses shall include, but not be restricted to, a truck scale; a scale house with and office and locker room; a pump house; and a bagging/processing plant;
- iv. [Section 3.6.5](#) shall not apply;
- v. The 'H - holding' symbol may be removed once the following conditions have been met:
 - 1) The conditions of BCOPA #128 Bruce County Official Plan Amendment South are in force and effect; and,
 - 2) Class A Quarry License and Site Plan issued under the Aggregate Resources Act are in effect.

SECTION 20 – RURAL AND URBAN INSTITUTIONAL (INR & IN)**20.1 SCOPE**

The provisions of the Rural Institutional (INR) and Urban Institutional (IN) zones shall generally apply to institutional development located in rural and urban areas of the Municipality.

20.2 USES PERMITTED

No person shall within a 'Rural Institutional (INR) zone or 'Urban Institutional (IN)' zone use any lot or erect, alter or use any building or structure for any purpose except the following:

PERMITTED USES	INSTITUTIONAL- RURAL (INR)	INSTIUTIONAL - URBAN (IN)
'Dwelling, Accessory Apartment' as per Section 3.8.1	✓	✓
'Dwelling, Accessory Detached' as per Section 3.8.2 , used only in association with 'Assembly Hall'	✓	✓
Assembly Hall	✓	✓
Cemetery	✓	✓
Clinic	Not Permitted	✓
Day Care Nursery (Licensed) deleted by By-law 2016-028	Not Permitted	✓
Child Care Centre (<i>added by By-law 2016-028</i>)	Not Permitted	✓
Educational Facility	Not Permitted	✓
Group Home - Type Two	Not Permitted	✓
Hospital	Not Permitted	✓
Public Building	Not Permitted	✓
Public Park	✓	✓
Recreation Centre	Not Permitted	✓
Residential Care Facility	Not Permitted	✓
Accessory Buildings & Structures as per Section 3.6	✓	✓

20.3 ZONE PROVISIONS

No person shall within any 'Institutional – Rural (INR)' or 'Institutional – Urban (IN)' zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

Provisions	Municipal and Municipal Sewer	Municipal Water	No Municipal Services
Minimum Lot Area	550 m ² (5,920 ft ²)	0.4 hectares (1 ac)	0.8 hectares (2 ac)
Minimum Lot Frontage	15 metres (49 ft)	40 metres (131 ft)	40 metres (131 ft)
Minimum Front Yard	6.0 metres (20 ft)	10 metres (33 ft)	10 metres (33 ft)
Minimum Exterior Side Yard	6.0 metres (20 ft)	10 metres (33 ft)	10 metres (33 ft)
Minimum Interior Side Yard	5 metres (16 ft)		
Minimum Rear Yard	10 metres (33 ft)		
Maximum Building Height – 'Main Building'	10 metres (33 ft)		
Maximum Lot Coverage	40%	25%	20%

20.4 SPECIAL PROVISIONS – INR

Township of Brant By-Law #81-855 (Part Lot 17 and Part Lot 18, Concession B, Brant)

Township of Brant By-Law #81-855 (Part Lot 1, Concession 8, Brant)

Township of Brant By-Law #81-855 (Part Lot 25, Concession 10, Brant)

Township of Brant By-Law #81-855 (Part Lot 26, Concession 10, Brant)

Township of Brant By-Law #81-855 (Part Lot 74, Concession 2 SDR, Brant)

Township of Brant By-Law #81-855 (Part Lot 12 & 13, Concession 1 NDR, Brant)

Township of Brant By-Law #81-855 (Part Lot 31, Concession 9, Brant)

Township of Brant By-Law #81-855 (Part Lot 34, Concession 9, Brant)

Township of Brant By-Law #81-855 (Part Lot 19, Concession 14, Brant)

Township of Brant By-Law #81-855 (North Lot 25, Concession 5, Brant)

Township of Brant By-Law #81-855 (South Part Lot 25, Concession 5, Brant)

Township of Brant By-Law #81-855 (Part Lot 28, Concession 4, Brant)

Township of Brant By-Law #81-855 (Part Lot 6, Concession 3 SDR, Brant)

- .1 Notwithstanding their 'IN' Zoning designation, those lands delineated as 'INR-1' on Schedule 'A' shall only be used for the purposes of a 'Cemetery', as it existed on the date of passage of this By-Law, and in accordance with the 'INR' Zone provisions contained in this By-Law.

Township of Brant By-Law #81-855 (Part Lot 74, Concession 2 NDR, Brant)

Township of Brant By-Law #81-855 (Part Lot 30, Concession 14, Brant)

Township of Brant By-law #81-855 (Part Lot 34, Concession 9, Brant)

- .2 Notwithstanding their 'INR' Zoning designation, those lands delineated as 'INR-2' on Schedule 'A' shall only be used for the purposes of a 'assembly hall', as it existed on the date of passage of this By-Law, and in accordance with the 'INR' Zone provisions contained in this By-Law.

Township of Brant By-Law #2007-49/81-855 (Part Lot 31, Concession 5, former Brant)

- .3 Notwithstanding their 'INR' Zoning designation, those lands delineated as 'INR-3' on Schedule 'A' shall only be used for a 'Place of Worship' and 'Cemetery', in accordance with the 'INR' Zone provisions contained in this By-Law excepting however that the rear lot line shall be no closer than 262 metres from neighbouring livestock facilities (MDS I).

Township of Brant By-Law #81-855 (Part Lot 66, Concession 1 SDR, Brant - Hanover Knights of Columbus Hall)

- .4 Notwithstanding their 'INR' Zoning designation, those lands delineated as 'INR-4' on Schedule 'A' shall only be used for a 'Assembly Hall', as it existed on the date of passage of this By-Law, and in accordance with the 'INR' Zone provisions contained in this By-Law.

20.5 SPECIAL PROVISIONS – IN

Town of Walkerton By-law #92-35 (Walkerton, Walkerton Church of Latter Day Saints)

- .1 Notwithstanding their 'IN' Zoning designation, those lands delineated as 'IN-1' on Schedule 'A' to this By-law shall be used in accordance with the 'IN' Zone provisions contained in this By-law, excepting however, that:
- i. Permitted uses shall be limited to an 'assembly hall' and accessory uses; and,
 - ii. No off-street parking shall be permitted in the required front yard.

Town of Walkerton By-law #92-35 (Walkerton)

- .2 Notwithstanding their 'IN' Zoning designation, those lands delineated as 'IN-2' on Schedule 'A' to this By-law shall be used in accordance with the 'IN' Zone provisions contained in this By-law, excepting however, that:
- i. Permitted uses shall be limited to a 'parking lot' for an 'assembly hall'.

Town of Walkerton By-law #92-35 (Walkerton Community Centre)

- .3 Notwithstanding their 'IN' Zoning designation, those lands delineated as 'IN-3' on Schedule 'A' to this By-law shall be used in accordance with the 'IN' Zone provisions contained in this By-law, excepting however, that:
- i. Permitted uses shall be the following: weekly farmer's market; community trade shows; exhibitions; auctions; agricultural society activities; 'public park'; recreational use – high intensity'; and an amusement midway in addition to all other 'IN' permitted uses.

Town of Walkerton By-law #2002-47 (Walkerton Firehall, Plan 7 Part of Lots 47, 48, 49, 50 and 54; Plan 7 Lots 51, 52 and 53; Plan 7 Lots 79, 80, 81 and 82; Plan 7 Part of Lot 83; closed portion of Robinson Street; and Plan 162 Part of Park Lot P, former Walkerton)

- .4 Notwithstanding their 'IN' Zoning designation, those lands delineated as 'IN-4' on Schedule 'A' to this By-law shall be used in accordance with the 'IN' Zone provisions contained in this By-law, excepting however, that:
- i. Permitted uses shall be limited to a municipal firehall.

SECTION 21 – RURAL AND URBAN OPEN SPACE (OSR & OS)**21.1 SCOPE**

The provisions of Section 21 apply only on lands designated 'Major Open Space' on Schedule 'A': Land Use of the County of Bruce Official Plan and lands designated 'Recreation and Open Space' on Schedule 'A' – Land Use for the Walkerton Community Official Plan.

21.2 USES PERMITTED

No person shall within any 'Rural Open Space (OSR)' or 'Urban Open Space' zone use any lot or erect, alter or use any building or structure for any purpose except for one or more of the following uses:

PERMITTED USES	RURAL OPEN SPACE (OSR)	URBAN OPEN SPACE (OS)
'Dwelling, Accessory Apartment' in accordance with Section 3.8.1 or a 'Dwelling, Accessory Detached' in accordance with a 'golf course' by an owner or caretaker of the principal use	✓	✓
Adventure Game	✓	Not Permitted
Agriculture General	✓	Not Permitted
Boat Launching & Docking	✓	✓
Conservation Area	✓	✓
Cross Country Ski Facility	✓	✓
Golf Course	✓	✓
Golf Course, Miniature	Not Permitted	✓
Golf Driving Range	✓	✓
Gun Club	✓	Not Permitted
Public Park	✓	✓
Snowmobile Club	✓	Not Permitted

21.3 ZONE PROVISIONS

No person shall within any 'Rural Open Space (OSR)' or 'Urban Open Space (OS)' zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

Provisions	For All Services (Municipal or Private)
Minimum Lot Area	0.5 hectares (1.2 ac)
Minimum Front or Exterior Yard	15 metres (49.2 ft)
Minimum Side/Rear Yard	10 metres (33 ft)
Maximum Height – Main Building	10 metres (33 ft)
Maximum Lot Coverage	5%

21.4 ADDITIONAL SETBACKS- GUN CLUB

No 'Gun Club' shall be permitted within 250 metres (820 ft.) of any dwelling or Residential Zone or Institutional Use.

21.5 SPECIAL PROVISIONS – OSR

Township of Brant By-Law #81-855 (Lot 17, Concession 1 NDR, Brant)

.1 Notwithstanding their 'OSR' Zoning designation, those lands delineated as 'OSR-1' on Schedule 'A' to this By-Law shall be used in accordance with the 'OSR' Zone provisions contained in this By-Law excepting however that:

- i. Uses permitted shall be limited to a 'Golf Course' and 'Curling Club'.

Municipality of Brockton By-Law No. 2009-52 (Part Lots 68 – 70, Concession 1 NDR and Part Lots 70 and 71, Concession 2 NDR [being Parts 23 and 24 on Plan 171], former Brant – Hanover Walkerton Landfill)

.2 Notwithstanding their 'OSR' Zoning designation, those lands delineated as 'OSR-2' on Schedule 'A' to this By-Law shall be used in accordance with the permitted uses and the regulations of the 'OSR' Zone contained in this By-Law, excepting however, that:

- i. Uses accessory to and/or appurtenant to a 'solid waste disposal site' shall be permitted; and,
- ii. [Section 3.6.1](#) Prohibited Structures (Accessory Buildings) shall not apply except (1) one construction trailer shall be permitted as an accessory building.

21.6 SPECIAL PROVISIONS – OS

Municipality of Brockton By-law #2003-45 (Cunningham/Zettler/Brockton, Plan 195 Lots 17-27, 30-35, Part of Lots 15, 16, 28 and 36 and Part of Frank Street (Part 1 on RP 3R-5614) and Plan 162 Part of Park Lot 47 (Part 1 on RP 3R-7721, Cunningham Road, Walkerton)

- .1 Notwithstanding their 'OS' Zoning designation, those lands delineated as 'OS-1' on Schedule 'A' to this By-law shall be used in accordance with the 'OS' Zone provisions contained in this By-law, excepting however that:
 - i. Uses permitted shall be a 'public park' limited to passive recreation and shall not include any community centres, bleachers, swimming pools, bandstands, skating rinks, camping area, arenas, golf courses, bowling green, tennis courts or lacrosse box.

SECTION 22 – WASTE DISPOSAL (WD)**22.1 SCOPE**

The provisions of the Waste Disposal (WD) Zone shall generally apply on lands designated for such uses on Schedule 'A': Land Use of the County of Bruce Official Plan or on Schedule 'A' – Land Use Plan for the Walkerton Community Official Plan.

22.2 USES PERMITTED

No person shall within any 'Waste Disposal (WD)' zone use any lot or erect or use any building or structure for any purpose except one or more of the following uses:

- (a) Residential Uses
- Prohibited
- (b) Non-Residential Uses
- Communal Sewage Disposal System
 - Composting Facility
 - Portable Asphalt Plant or Portable Concrete Plant
 - Recycling Centre
 - Sewage Treatment Plant
 - Solid Waste Disposal Site
 - Uses accessory to the permitted use [open storage, scales, pump buildings, administration, equipment storage, and fuel pumps]
 - Wayside Pit, Wayside Quarry

22.3 ZONE PROVISIONS

No person shall within any 'Waste Disposal (WD)' zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

Provisions	Non-Residential Uses
Minimum Lot Area	2 hectares (5 ac)
Minimum Lot Frontage	20 metres (66 ft)
Minimum Setback from all Lot Lines (Buildings/Structures)	15 metres (50 ft)
Minimum Setback from Lot Line (All other activities)	30 metres (100 ft)
Maximum Building Height	10 metres (33 ft)
Maximum Lot Coverage (Buildings/Structures)	1%

22.4 PLANTING AREAS

Except for entrances and exits, planting areas having a minimum width of 15 metres (49.2 ft) and consisting of a dense screen of shrubs and evergreen trees, minimum 1 metre (3 ft) high when planted and of a type that will attain a minimum height of 6 metres (20 ft) at maturity and as well provide a year round visual barrier, shall be planted and maintained along any street lot line and along any lot line abutting any Residential or Institutional zone.

22.5 SPECIAL PROVISIONS

SECTION 23 – AIRPORT ZONE (AP)

23.1 USES PERMITTED

No person shall within the ‘Airport (AP)’ zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

a) Residential Uses

- ‘Dwelling, Accessory Apartment’ in accordance with [Section 3.8.1](#) used only by an airport manager/owner or caretaker.

b) Non-Residential Uses

- Airport
- Aircraft Hangar
- Industrial, Dry limited to the assembly/manufacture of complete aircraft
- Restaurant
- Buildings, structures and uses accessory to a Non-Residential Use limited to bulk fuel storage, airport service equipment maintenance garage, open storage area, parking lot, warehouse, terminal/business office and flight school.

23.2 ZONE PROVISIONS

No person shall within any ‘Airport (AP)’ zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

Provisions	Non-Residential Uses
Minimum Lot Area	Not applicable
Minimum Lot Frontage	30 metres (100 ft)
Minimum Building Setbacks – All lot lines	30 metres (100 ft)

23.3 ADDITIONAL PROVISIONS – AIRPORT ZONE

23.3.1 No part of any parking space shall be located closer than 3 metres (10 ft) to any street lot line; or 9 metres (30 ft.) to any lot line.

23.3.2 No part of any bulk fuel storage, fuel pump or open storage area for combustible materials shall be located closer than 30 metres (100 ft.) to any lot line.

23.3.3 ‘Open Storage Areas’ shall be in accordance with [‘Section 3.17.1 Open Storage Areas’](#).

23.4 SPECIAL PROVISIONS

Township of Brant By-Law #90-1077 (Part Lot 64 and 65, Concession 2 NDR – Airport)

.1 Notwithstanding their ‘AP’ Zoning designation, those lands delineated as ‘AP-1’ on Schedule ‘A’ shall only be used in accordance with the following provisions:

i. Uses Permitted

No person shall within the ‘AP-1’ zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- Industrial, Dry limited to the assembly/manufacture of complete aircraft
- Bulk fuel storage
- Maintenance garage and storage for airport service equipment
- Aircraft Hangar
- Open storage area
- Parking lot
- Flight school
- Accessory Business Office
- Dwelling, Accessory Apartment’ in accordance with [Section 3.8.1](#), to be used exclusively and solely in support of a Permitted Use. A ‘Dwelling, Accessory Apartment’ shall not be permitted in association with Bulk fuel storage, Parking lot or Open storage area.

ii. Provisions

Minimum Lot Area	0.8 hectares (2.0 ac)
Minimum Lot Frontage	30 metres (100 ft)
Minimum Front Or Exterior Yard	15.24 metres (50 ft)
Minimum Side Yard	7.62 metres (25 ft)
Minimum Rear Yard	7.62 metres (25 ft)
Maximum Building Height	As per ‘ Section 3.12 Height Restrictions Around Municipal Airport’ but no greater than 10 metres (33 ft)
Maximum Lot Coverage	15%
Parking Space Requirements	3 parking spaces

iii. Additional Provisions ‘AP-1’ Zone

- a) No part of any Parking Space shall be located closer than 3 metres (10 ft) to any street lot line; or 9 metres (30 ft) to any lot line.
- b) No part of any bulk fuel storage, fuel pump or storage area for combustible materials shall be located closer than 7.62 metres (25 ft) to any lot line.
- c) ‘Open Storage Areas’ shall be in accordance with ‘[Section 3.17.1](#) Open Storage Areas’.

SECTION 24 – ENVIRONMENTAL PROTECTION (EP)**24.1 SCOPE**

The provisions of the Environmental Protection (EP) Zone shall generally apply to lands designated ‘Hazard’ on Schedule ‘A’: Land Use of the County of Bruce Official Plan or designated ‘Environmental Protection’ on Schedule ‘A’ – Land Use Plan for the Walkerton Community Official Plan.

24.2 USES PERMITTED

No person shall within the ‘Environmental Protection (EP)’ zone use any lot for any purpose except for one or more of the following uses:

(a) Non-Residential Uses

- Agriculture, General uses existing as of the date of passage of the zoning by-law
- Cross Country Ski Facility
- Conservation Area
- Public park
- Boat Launching and Docking

24.3 STRUCTURES PROHIBITED

Notwithstanding any other provisions and definitions of this By-law, all buildings and structures shall be prohibited in an ‘Environmental Protection (EP)’ zone except for the following:

- i. Those necessary for flood and/or erosion control purposes in accordance with Section 24.3;
- ii. Unenclosed picnic shelters;
- iii. Washroom facilities associated with a Public Park or Conservation Area;
- iv. Buildings for essential public services;
- v. Boat Launching and Docking.

24.4 ZONE PROVISIONS

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:

Provisions	Flood Control Buildings
Minimum Building Setback from Any Lot Line	10 metres (33 ft)
Maximum Building Size	20 m ² (215ft ²)
Maximum Building Height	3 metres (10 ft)

Explanatory Note

**Ontario Regulation 169/06
Development, Interference with Wetlands and
Alterations to Shorelines and Watercourses.**

Some of the lands within and adjacent to the Environmental Protection zone as shown on the By-Law schedules may be subject to Saugeen Valley Conservation Authority's Ontario Regulation 169/06 - Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. Where development or site works are proposed within a Regulated Area, as shown on schedules filed with the Conservation Authority where such mapping exists a permit from the SVCA may be required. The SVCA should be contacted to determine the extent of the Regulated Area. The SVCA should be consulted before development including construction, reconstruction, conversion, grading, filling or excavating occurs to determine whether the Authority Regulations apply.

24.5 SPECIAL PROVISIONS

Provincially Significant Wetlands

- .1 Notwithstanding their 'EP' Zoning designation, those lands delineated as 'EP-1' on Schedule 'A' to this By-Law, shall only be used for existing agricultural uses and 'forestry/silvaculture' and outdoor recreational activities which are non-intensive in nature and are compatible with the surrounding natural environment including uses such as nature interpretation, hiking and walking trails, cross-country skiing, fishing and hunting in accordance with the 'EP' Zone provisions contained in this By-Law, excepting however that notwithstanding the provisions of [Section 4.7.1.7](#), the boundaries and uses of the 'EP-1' Zone shall not be altered except by a By-Law passed under Section 34 of the Planning Act, R.S.O 1990 as amended.

All buildings and structures shall be prohibited in a 'EP-1' zone except those necessary for flood and/or erosion control purposes in accordance with [Section 24.3](#). Site alteration, such as filling or excavation is not permitted within the 'EP-1' zone except to allow existing agricultural uses to continue.

Township of Brant By-Law #96-1231 (Part Lot 66/67, Con 2 NDR - Lake Rosalind)

- .2 Notwithstanding their 'EP' zoning designation, lands designated 'EP-2' on Schedule 'A' to this By-Law, may be used for environmental protection uses in accordance with the 'EP' Zone provisions, excepting, however, that:
- i. The maximum ground floor area shall be no more than 29.75 square metres;
 - ii. The lowest floor elevation shall not be at a level that is lower than 1.5 metres above the water's edge;
 - iii. The minimum setback from the water's edge shall be 10.7 metres.

Township of Brant By-Law #81-855 [Part Lot 66, Concession 1 SDR, former Brant – Saugeen Great Escape]

- .3 Notwithstanding their 'EP' Zoning designation, those lands delineated as 'EP-3' on Schedule 'A' shall only be used for the purposes of a 'Hotel/Motel' and 'Restaurant' as they existed on the date of passage of this By-Law. No further changes, additions, and alterations to the buildings or structures shall be permitted.

Township of Brant By-Law #86-1045 (Part Lot 13, Concession 10, former Brant)

- .4 Notwithstanding their 'EP' Zoning designation, those lands delineated as 'EP-4' on Schedule 'A' shall only be used for the purposes of a non-habitable agricultural equipment and machinery storage building in accordance with the 'A1' Zone provisions excepting however than the maximum ground floor area shall be no more than 195.1 square metres. No further changes, additions, and alterations to the buildings or structures shall be permitted.

Township of Brant By-Law #97-1248 (Part Lot 31 & 32, Concession 4 – Lake Rosalind, former Brant)

- .5 Notwithstanding their 'EP' Zoning designation, those lands delineated as 'EP-5' on Schedule 'A' shall be maintained in its natural state.

Township of Brant By-Law #81-855 (Part Lot 66, Concession 1 SDR, former Brant – Hanover Knights of Columbus Hall)

- .6 Notwithstanding their 'EP' Zoning designation, those lands delineated as 'EP-6' on Schedule 'A' shall only be used for an 'Assembly Hall', as it existed on the date of passage of this By-Law. No further changes, additions, and alterations to the buildings or structures shall be permitted.

Township of Brant By-Law #83-929 (Part Lots 6 & 7, Concession 1 NDR, former Brant – Walkerton Wells)

- .7 Notwithstanding their 'EP' Zoning designation, those lands delineated as 'EP-7' on Schedule 'A' shall only be used for the purposes of a 'public utility building' as it existed on the date of passage of this By-Law, and in accordance with the 'EP' Zone provisions contained in this By-Law, excepting however that:
- i. The maximum height of any buildings or structures shall not exceed 3.5 metres;
 - ii. The maximum number of buildings or structures shall not exceed three (3).

Municipality of Brockton By-Law #2006-35 (Part Lot 9, Concession 1 SDR, former Brant – Andy's Country Repair)

- .8 Notwithstanding their 'EP' Zoning designation, those lands delineated as 'EP-8-H' on Schedule 'A' shall be used in accordance with the 'EP' Zone provisions contained in this By-Law, excepting however that:
- i. Uses permitted shall be limited to an 'Automobile Wrecking Yard'.
 - ii. No buildings or structures shall be permitted.

- iii. The setbacks for the outdoor storage of scrap automobiles, or commercial motor vehicles, salvage or parts shall be no less than as they existed as of the date of the passing of this By-Law;
- iv. The lands shall be subject to Site Plan Control; and
- v. The 'H' provision may be removed once the following conditions have been met:
 - 1. A statement from the Chief Building Official, Municipality of Brockton, stating that a Planting area has been created as outlined in the Site Plan Control Agreement; and
 - 2. A Site Plan Control Agreement has been registered on title.

Township of Brant By-Law #97-1248 (Part Lot 31 and Part Lot 32, Concession 4, former Brant)

.9 Notwithstanding their 'EP' Zoning designation, those lands delineated as 'EP-9' on Schedule 'A' shall be used in accordance with the 'EP' Zone provisions contained in this By-Law, excepting however that the minimum lot area shall be 16.2 ha. (40 acres).

Pearl, Dankert, Rosalind and Marl Lakes

.10 Notwithstanding their 'EP' Zoning designation, those lands delineated as 'EP-10' on Schedule 'A' shall be used in accordance with the 'EP' Zone provisions contained in this By-Law, excepting however that 'Agriculture, General', 'Cross Country Ski Facility' and 'Snowmobile Club' and 'Gun Club' shall not be permitted.

Township of Brant By-Law #86-1046 (Lot 74, Concession 2 SDR, former Brant - Hanover Recreational)

.11 Notwithstanding their 'EP' Zoning designation, those lands delineated as 'EP-11' on Schedule 'A' shall be used in accordance with the 'EP' Zone provisions contained in this By-Law excepting however that:

- i. The permitted use(s) shall be limited to a 'Recreation Centre';
- ii. A "Recreation Centre" means the use of land for such uses as public or private parks, playgrounds, playfields, racquetball club, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, curling facilities, hockey arenas, athletic fields, field houses, recreational trails and similar uses together with necessary and accessory buildings and structures, but does not include a track for the racing of animals, motor vehicles, snowmobiles, all-terrain vehicles or motor cycles.

Township of Greenock By-law #91-07 (Part of Lot 51, Concession A and Part of Lot 33 Plan 7, former Greenock - former Stark Mill)

.12 Notwithstanding their 'EP' Zoning designation, those lands delineated as 'EP-12' on Schedule 'A' shall be used in accordance with the 'EP' Zone provisions contained in this By-law, excepting however that:

- i. The following uses are permitted within the existing building: 'Restaurant' with a maximum 'Floor Area, Total' of 111.5 sq. metres; 'Hotel/Motel'; 'Tavern'; generation of electricity via the rehabilitation of hydraulic wheels; and 'Dwelling, Accessory Apartment' for the exclusive use of the owner, manager or caretaker of the primary use; and,

- ii. The surrounding lands may be utilized for parking facilities, lighting facilities and walkways intended to provide public viewing of the subject lands.

Township of Greenock By-law #99-85 (Part of Lot 5, Concession 7, Chepstow – Mullin's Farm Supply)

- .13 Notwithstanding their 'EP' Zoning designation, those lands delineated as 'EP-13' on Schedule 'A' shall be used in accordance with the 'EP' Zone provisions contained in this By-law, excepting however that:
 - i. Permitted uses shall be limited to a 'Farm Implement Establishment' and a 'Dwelling, Accessory Detached';
 - ii. Maximum number of buildings on the subject lands shall be three (3);
 - iii. Maximum 'Ground Floor Area, Total' for the 'Farm Implement Establishment' shall be 475.7 sq. metres; and,
 - iv. Maximum 'Ground Floor Area, Total' for storage of farm implement machinery shall be 557.4 sq. metres.

Municipality of Brockton By-law #2001-36 (Lot 15, Concession 3, Greenock – McNall)

- .14 Notwithstanding their 'EP' Zoning designation, those lands delineated as 'EP-14' on Schedule 'A' to this By-law shall be used in accordance with the 'EP' Zone provisions contained in this By-law, excepting however, that:
 - i. Permitted uses shall be limited to a pump house for a private water well; and,
 - ii. Any filling, grading and/or excavation that would change the landform and/or natural vegetation characteristics of the zone are prohibited.

Municipality of Brockton By-law #2007-68 (Lot 11 and Part of Lot 12, Concession 9 and Part of Lot 12, Concession 10, former Greenock – Tony Lang Farms Ltd.)

- .15 Notwithstanding their 'EP' Zoning designation, those lands delineated as 'EP-15' on Schedule 'A' to this By-law shall be used in accordance with the 'EP' Zone provisions contained in this By-law, excepting however, that:
 - i. Permitted uses shall be limited to an existing 'dwelling' and an existing accessory building.

Municipality of Brockton By-law #2009-18 (Lots G, H, I and J, Concession 25, former Greenock – 1775163 Ontario Inc.)

- .16 Notwithstanding their 'EP' Zoning designation, those lands delineated as 'EP-16' on Schedule 'A' to this By-law shall be used in accordance with the 'EP' Zone provisions contained in this By-law, excepting however, that:
 - i. The construction of any new non-habitable buildings and/or structures for the purposes of flood and/erosion control, parks, conservation and sporting activities shall be prohibited; and,
 - ii. No filling, grading, excavating or site alteration shall be permitted except for the widening of the driveway upon approval from Saugeen Valley Conservation Authority.

Town of Walkerton By-law #92-35 (various properties)

.17 Notwithstanding their 'EP' Zoning designation, those lands delineated as 'EP-17' on Schedule 'A' to this By-law shall be used in accordance with the 'EP' Zone provisions contained in this By-law, excepting however, that:

- i. Private indoor/outdoor swimming pool uses shall be prohibited.

Municipality of Brockton By-law#2010-04 (Part Park Lots 7 and 8 Plan 84 and Lot 26 Plan 162 (being Part 2 on RP 3R-3464), former Walkerton)

.18 Notwithstanding their 'EP' Zoning designation, those lands delineated as 'EP-18' on Schedule 'A' to this By-law shall be used in accordance with the 'EP' Zone provisions contained in this By-law, excepting however, that:

- ii. Private indoor/outdoor swimming pool uses and unenclosed decks shall be prohibited.

SECTION 25- PLANNED DEVELOPMENT (PD)

25.1 USES PERMITTED

No person shall within a 'Planned Development (PD)' zone use any lot or erect, alter or use any building or structure, for any purpose except the following:

- i) Uses, buildings and structures existing at the date of passing of this By-Law.
- ii) Alteration and/or enlargement of an existing 'dwelling' and/or accessory structures shall be as follows:
 - a) On lands designated 'Hamlet' on Schedule 'A': Land Use of the County of Bruce Official Plan in accordance with the provisions of the 'HR' zone.
 - b) On lands designated 'Inland Lake Development Area' on Schedule 'A': Land Use of the County of Bruce Official Plan in accordance with the provisions of the 'LR' zone.
- iii) New 'Dwellings, single detached' and accessory structures on an existing lot not located in a Hamlet in accordance with the provisions of the 'A1' zone.
- iv) Expansions to 'Livestock Facilities', 'Manure or Material Storage' or other agricultural buildings designed for housing livestock shall be prohibited.
- v) On lands in Walkerton in accordance with the provisions of the 'R1' zone.

25.2 SPECIAL PROVISIONS

SECTION 26 – ENACTMENT

26.1 CONFLICT WITH OTHER BY-LAWS

In the event of any conflict or inconsistency between this By-Law and any other general or special By-Law of the Corporation, the provisions of this By-Law shall prevail.

26.2 REPEAL OF EXISTING BY-LAWS

From the coming into force of this By-law, all previous By-laws passed under Section 34 of the Planning Act, R.S.O. 1990 as amended, or a predecessor thereof, pertaining only to the lands identified on Schedule 'A' to this By-law, shall be deemed to have been repealed except to the extent that any of the said By-laws prohibits the use of any land, building or structure for a purpose that is also prohibited by this By-law.

26.3 EFFECTIVE DATE

This By-Law shall come into effect on the date it is passed by Council subject to compliance with the provisions of The Planning Act, R.S.O. 1990 as amended.

READ A FIRST & SECOND TIME THIS 25TH DAY OF MARCH, 2013.

READ A THIRD TIME & FINALLY PASSED THIS 25TH DAY OF MARCH, 2013.

Original Signed by Mayor Inglis

David Inglis

MAYOR

Original Signed by Clerk Roth

Debra Roth

CLERK

Appendix 'B' MANURE STORAGE AND LIVESTOCK FACILITY CALCULATIONS

Table 1: Calculation of Manure or Material Storage Setback from Watercourses + Open Municipal Drains

- Step #1: Determine the distance from the proposed manure storage to the watercourse/open municipal drain in metres.
- Step #2: Calculate a 'Final Score' using Table 1, by adding the 'Potential for Surface Water Contamination' rating to the 'Distance Rating' and divide by 2. If the answer is a fraction, round up to the next whole number to get the final rating (for example, 2.5 becomes 3).
- Step #3: If the 'Final Score' is less than 3 **or** the proposed manure storage is less than 50 metres from the nearest watercourse/open municipal drain, then the distance from the proposed manure storage to the nearest watercourse/open municipal drain must be increased and Step 2 re-calculated.

Table 1: Manure or Material Storage – Setback from Watercourses + Open Municipal Drains								
Potential for Surface Water Contamination (from Table 5)		Distance from proposed manure storage to nearest watercourse/open municipal drain ¹ is _____ metres.						Final Score
		If above is 150 m. + add 4	If above is 76–150 m. add 3	If above is 50–75 m. add 2				
	+				=		÷2	=

Note #1: Watercourse & Open Municipal Drain is defined in the definitions section of the Comprehensive Zoning By-Law.

Table 2: Calculation of Manure or Material Storage Setback from Water Wells

- Step #1: Determine the distance from the proposed Manure or Material Storage to the nearest water well in metres.
- Step #2: Calculate a 'Final Score' using Table 2, by adding the 'Potential for Ground Water Contamination' rating to the 'Distance Rating' and divide by 2. If the answer is a fraction, round up to the next whole number to get the final rating (for example, 2.5 becomes 3).
- Step #3: If the 'Final Score' is less than 3 or the proposed storage is less than 15 metres from a drilled well or less than 30 metres from a bored/dug well, or less than 100 metres from a municipal well then the distance from the proposed manure storage to the water well must be increased.

Table 2: Manure or Material Storage – Setback from Water Wells							
Potential for Ground Water Contamination (from Table 6)		Distance from proposed Manure or Material Storage to nearest water well ¹ is _____ metres.					Final Score
		If above is 90 m. + from any private well or greater than 300 m from any municipal well	If above is 24–90 m. (drilled well) or 47–90 m. (bored/dug well) or 151–300 m. (municipal well)	If above is 15–23 m. (drilled well) or 30–46m. (bored/dug well) or 100–150 m. (municipal well)			
		add 4	add 3	add 2			
	+				=	÷2	=

Note #1: Water Well is defined in the definitions section of the Comprehensive Zoning By-Law.

Table 3: Calculation of Livestock Facility Setbacks from Watercourses + Open Municipal Drains

- Step #1: Determine the distance from the proposed Livestock or Poultry Facility to the nearest watercourse/open municipal drain in metres.
- Step #2: Calculate a 'Final Score' using Table 3, by adding the 'Potential for Ground Water Contamination' rating to the 'Distance Rating' and divide by 2. If the answer is a fraction, round up to the next whole number to get the final rating (for example, 2.5 becomes 3).
- Step #3: If the Final Score is less than 3 or the proposed Livestock or Poultry Facility is less than 50 metres from the nearest watercourse/open municipal drain, then the distance from the proposed Livestock or Poultry Facility to the nearest watercourse/open municipal drain must be increased.

Table 3: Livestock or Poultry Facility– Setback from Watercourses/Open Municipal Drains								
Potential for Surface Water Contamination (from Table 5)		Distance from proposed Livestock or Poultry Facility to nearest watercourse/open municipal drain ¹ is _____ metres.						Final Score
		If above is 150+ add 4	If above is 76–150 m. add 3	If above is 50–75. add 2				
	+				=		÷2	=

Note #1: Watercourse & Open Municipal Drain is defined in the definitions section of the Comprehensive Zoning By-Law.

Table 4: Calculation of Livestock Facility Setbacks from Water Wells

- Step #1: Determine the distance from the proposed Livestock or Poultry Facility to the nearest water well in metres.
- Step #2: Calculate a 'Final Score' using Table 4, by adding the 'Potential for Ground Water Contamination' rating to the 'Distance Rating' and divide by 2. If the answer is a fraction, round up to the next whole number to get the final rating (for example, 2.5 becomes 3).
- Step #3: If the 'Final Score' is less than 3 or the proposed Livestock or Poultry Facility is less than 15 metres from a drilled well or less than 30 metres from a bored/dug well, or less than 100 metres from a municipal well then the distance from the proposed Livestock or Poultry Facility to the well must be increased.

Table 4: Livestock or Poultry Facility – Setback from Water Wells							
Potential for Ground Water Contamination (from Table 6)		Distance from proposed Livestock or Poultry Facility to nearest water well ¹ is _____ metres.					Final Score
		If above is 90 m. + from any private well or greater than 300 m from any municipal well	If above is 24-90 m. (drilled well) or 47-90 m. (bored/dug well) or 151-300 m. (municipal well)	If above is 15-23 m. (drilled well) or 30-46m. (bored/dug well) or 100-150 m. (municipal well)			
		add 4	add 3	add 2			
	+				=	÷2	=

Note #1: Water Well is defined in the definitions section of the Comprehensive Zoning By-Law

Table 5: Potential for Surface Water Contamination

Hydrologic Soil Group	Topography (slope class)			Potential for Surface Water Contamination
	Level (less than 2%)	Sloping (2-5%)	Hilly (greater than 5%)	
Fast (Sand)	4 – Very Low	4 – Very Low	3 – Low	
Moderate (Loam)	3 – Low	3 – Low	2 – Mod	
Slow (Clay Loam)	2 – Mod	2 – Mod	1 – High	
Very Slow (Clay)	1 – High	1 – High	1 – High	

Table 6: Potential for Ground Water Contamination

Hydrologic Soil Group	Depth to Water Table				Potential for Ground Water Contamination
	Less than 0.9 m.	0.9–4.6 m.	4.7–13.7 m.	More than 13.7 m.	
Bedrock (within 0.9 m.)	1 – High	1 – High	1 – High	1 – High	
Muck/Organic	1 – High	--	--	--	
Fast (Sand)	1 – High	1 – High	1 – High	2 – Mod	
Moderate (Loam)	1 – High	1 – High	2 – Mod	3 – Low	
Slow (Clay Loam)	1 – High	2 – Mod	3 – Low	4 – Very Low	
Very Slow (Clay)	1 – High	3 – Low	4 – Very Low	4 – Very Low	

Guidelines for Table 6:

1. If bedrock or ground water is within 0.9 metres of the soil surface or the soil type is muck/organic, the potential for ground water contamination will always be high.
2. To determine the 'hydrologic soil group' (soil texture) for the soil at the site either obtain the soil texture from soil maps or conduct a field evaluation and select one of the four types listed.
3. The following methods may be used to determine ground water depth (water table):
 - + digging a post hole in early spring often reveals the depth to the water table where a high water table exists. The depth to the water level in a dug well is a good indicator but do not use the static level in drilled wells.
 - + if the water table cannot be found, use the 0.9–4.6 metre 'depth to ground water'.

Reference: Adapted from the "Environmental Farm Plan, Second Edition, 1996" Ontario Farm Environmental Coalition, Toronto, ON.