The Corporation of the Township of Selwyn

Comprehensive Zoning By-Law

(By-Law No. 2009-021)

Office Consolidation up to and including By-law No. 2026-005 (February 2026)

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

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

And Whereas the Council of the Corporation of the Township of Selwyn has recommended that such a By-law be enacted which reflects the amalgamation of the former Townships of Smith and Ennismore and the former Village of Lakefield, to ensure proper and orderly development within the corporate limits of the Township of Selwyn;

And Whereas the Council for the Corporation of the Township of Selwyn has deemed it to be in the public interest that such a By-law be enacted;

Now Therefore the Council of the Township of Selwyn **enacts** as follows:

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Part I

Administration, Definitions, and General Provisions

1.0 Administration

1.1 Title of By-law

This By-law may be cited as the "Corporation of the Township of Selwyn Comprehensive Zoning By-law".

1.2 Zoning Administration

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

a) In the development of this by-law, every effort is made to ensure clarity and accuracy. This By-law is a complex and detailed document, and inadvertent inconsistencies and errors may have occurred in its development. Notwithstanding any other provisions of this By-law, corrections of technical errors (as defined in Section 2 of this by-law) may be made to this By-law without formal amendment under the Planning Act and will not require public notification.

1.2.1 Lands Subject to By-law

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

1.2.2 Conformity with By-law

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

1.2.3 Existing Uses Continued

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

1.2.4 Plans Approved Prior to By-law

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

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

b) the erection of such building is commenced within 6 months of the issuance of any such building permit and is completed within 24 months of the erection thereof is commenced.

1.2.5 Compliance with Other Restrictions

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

1.3 Existing By-laws

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

1.4 Repeal of Existing Zoning By-laws

By-law No. 1971-17 as amended of the Corporation of the Township of Smith is hereby repealed.

By-law No. 37-1988 as amended of the Corporation of the Township of Ennismore is hereby repealed.

By-law No. 96-62 as amended of the Corporation of the Village of Lakefield is hereby repealed.

1.5 Validity

If any section, clause or provision of this By-law, including anything contained on the schedules attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof other than the section, clause, or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of this By-law shall remain in full force and take effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

1.6 Issuance of Building Permits

Where land is proposed to be used or a building or structure is proposed to be erected or used in violation of this By-law, no permit or licence required under any By-law of the Corporation for the use of the land or for the erection or the use of the building or structure shall be issued.

1.7 Applications for Building Permits

In addition to the requirements of the Building Code Act, the Corporation's Building By-law or any other By-law of the Corporation, every application for a building permit shall be accompanied by certified plans (which depending upon the nature and location of the work to be undertaken may be required, by the Corporation, to be based upon an actual survey prepared by an Ontario Land Surveyor, drawn to an appropriate scale and showing the following:

a) the true shape and dimensions of the lot to be used or upon which it is proposed to erect any building or structure;

b) the proposed location, height and dimensions of the building, structure or work in respect of which the permit is being applied for;

c) the location of every building or structure already erected or partly erected on such lot;

d) the proposed locations and dimensions of yards, landscaped open spaces, parking areas, and loading spaces required by this By-law;

e) the proposed grading or change in elevation or contour of the land and the proposed method for the disposal of storm and surface water from the land and from any building or structures thereon; and,

f) a written statement signed by the owner or his agent duly authorized, filed with the Chief Building Official, which statement shall set forth in detail the intended use of each building and structure or part thereof and giving all information necessary to determine whether or not every such building or structure conforms with the regulations of this By-law.

g) In addition to the above requirements, every application which involves the installation, enlargement, or reconstruction of a well or a sewage disposal system shall be accompanied by approval in writing from the appropriate responsible authority for the proposed well or method of sewage disposal.

1.8 Inspection of Land or Buildings

a) Where the Chief Building Official has reason to believe that any person has used land or used a building or structure contrary to this By-law, he/she, or an employee of the Corporation authorized by him/her may, at any reasonable hour, enter and inspect the land, building or structure.

b) Notwithstanding Clause (a) of this Subsection, no officer or employee of the Corporation shall enter any room or place actually being used as a dwelling unit or part thereof without the consent of the occupier, except under the authority of a search warrant issued under the Provincial Offences Act, R.S.O. 1990 c.P.33, S.158, or any successor thereto.

1.9 Occupation of Buildings

Occupation of all new buildings and converted dwellings shall require a Certificate of Occupancy from the municipal Building Department in accordance with the Building Code Act and any other municipal By-laws.

1.10 Interpretation of By-law

1.10.1 Definitions

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

1.10.2 Gender and Number

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

1.10.3 "Shall" is Mandatory

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

1.10.4 "Use" and "Occupy"

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

a) the verb "use" shall include "design to be used", "arrange to be used", "intend to be used", and "permit to be used"; and,

b) the verb "occupy" shall include "design to be occupied", "arrange to be occupied", "intend to be occupied", and "permit to be occupied".

1.10.5 Measurements

All measurements of length or area used in this By-law shall be subject to the normal rules of rounding numbers, within a degree of precision specified by the number of digits following the decimal point (if any), so that:

a) for a *whole number*, measurements of *less than 0.5* shall be rounded *downward* to the next whole unit;

b) for a *whole number*, measurements of 0.5 *and greater* shall be rounded *upward* to the next whole unit;

c) for a number having *one decimal place,* measurements of l*ess than 0.05* shall be rounded *downward* to the next one-tenth unit; and,

d) for a number having *one decimal place*, measurements of *0.05 and greater* shall be rounded *upward* to the next one-tenth unit.

Ratios and percentage figures shall not be subject to rounding.

1.10.6 Schedules and Tables

All Schedules and Tables attached to this By-law form part of this By-law.

1.10.7 Examples and Illustrations

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

1.10.8 Interpretation of Zone Boundaries

Please see Section 4.6.

1.10.9 Compliance with Other Laws

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

Part I - Section 2

Definitions

2.0 Definitions

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

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

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

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

"Adjacent Lands" Shall mean, with respect to Section 4.25.4 herein, those lands contiguous to a specific natural heritage feature or area where it is likely that development or site alteration would have a negative impact on the feature or area.

"Adult Entertainment Establishment" Shall mean any premises or part thereof in which is provided, on a commercial basis, erotic services, goods or entertainment as defined in Section 154, Subsection 2 of the Ontario Municipal Act, R.S.O. 2006 c.32 Schedule. A, s.82.

"**Adverse Effect"** means as defined in the Environmental Protection Act, shall mean one or more of:

a) impairment of the quality of the natural environment for any use that can be made of it;
b) injury or damage to property or plant or animal life;
c) harm or material discomfort to any person;
d) an adverse effect on the health of any person;
e) impairment of the safety of any person;
f) rendering any property or plant or animal life unfit for human use;
g) loss of enjoyment of normal use of property; and
h) interference with normal conduct of business."

*"***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 but shall not include any other use or establishment as may otherwise be defined herein.

"Aggregate Processing Plant" Shall mean equipment for the crushing, screening or washing of aggregate, but does not include a concrete batching plant or an asphalt plant.

"Agricultural Service Trailer" Shall mean a temporary trailer to accommodate seasonal farm labourers who are involved in the day to day operation of the farm during the growing and harvesting season.

"**Agricultural use"** means a use of land, building or structure for the purpose of animal husbandry, bee-keeping, dairying, fallow, field crops, forestry, fruit farming, horticulture, market gardening, pasturage, poultry-keeping or any other farming use, and includes the growing, raising, packing, treating, storing and sale of produce produced on the premises and other similar uses customarily carried on in the field of general agriculture and which are not noxious but shall not include any other use or establishment as may otherwise be defined herein.

"Air Treatment Control" means a mechanical system designed, approved and implemented in accordance with a license issued by Health Canada for the purposes of controlling emissions and mitigating *adverse effects*. This includes but is not limited to treatment of particulate matter, odour, and noise emissions discharged as a by-product of a cannabis cultivation, production, processing, research or testing use

"All-Terrain Vehicle (A.T.V)" Shall mean a vehicle with three (3) or four (4) wheels, designed for use on all terrains that have steering handlebars and a seat that is designed to be straddled by the driver.

"All-Terrain Vehicle (A.T.V.) Sales and Service Establishment" Shall mean a building or part of a building and land adjacent thereto, where A.T.V. equipment is displayed, for sale at retail, or rental and where mechanical repairs are completed.

"Alter" Shall mean, when used in reference to a building or part thereof, to change any one or more of the internal or external dimensions of such building, or to change the type of construction of the exterior walls or roof thereof. When used in reference to a lot, the word

"alter" means to decrease the width, depth or area thereof or to decrease the width, depth or area of any required yard, setback, landscaped open space or parking area, or to change the location of any boundary of such lot with respect to a public highway or laneway, whether such alteration is made by conveyance of any portion of said lot, or otherwise. The words "altered" and "alteration" shall have a corresponding meaning.

“Amenity Area” shall mean an area exterior to the residential building, or an interior area common to all dwelling units within a residential building, which is designed and intended primarily for the leisure and recreation of the occupants of the building and may include a landscaped open space area.

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

“Arcade” Shall mean any building or room or parts of a building or room containing four (4) or more arcade machines operated for gain, including where the operation of such game machines for gain is an accessory use or is not the primary use of the building or room

“Arcade Machine” Shall mean any mechanical game machine or electronic game machine including a pinball machine operated for gain.

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

"Assembly Hall" Shall mean a building, or part of a building, in which facilities are provided for such purposes as meetings for civic, educational, political, religious or social purposes.

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

“Attic” Shall mean the portion of a building situated wholly, or in part, within the roof.

"Auction Barn" Shall mean any premises used predominantly as a livestock auction facility and may include the auction of agriculturally related chattels on an incidental or accessory basis only.

"Auction Room" Shall mean any premises used for the auction of household chattels which may also include motor vehicles on an incidental basis only.

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

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

“Basement, Walk-Out” Shall mean that portion of a building which is partly underground, but which has more than 50% of the finished floor area not greater than 0.6 m below the adjacent finished grade level adjacent to the exterior walls of the building and which has a door, at or above the adjacent finished grade, for entrance and exit directly to the outside.

"Bed & Breakfast Establishment" Shall mean a single detached dwelling or portion thereof containing guest rooms used or maintained incidentally for the overnight accommodation of the travelling public and in which the proprietor supplies lodging and breakfast only in return for monetary compensation but shall not include a boarding house, motel, hotel, group home, resort establishment or other similar facility, a restaurant, a liquor license premises or any other use defined or classified herein.

“Boarding, Lodging or Rooming house” shall mean a building in which lodging is provided for four (4) or more persons in return for remuneration or for the provision of services or for both, and in which the lodging rooms do not have both bathrooms and kitchen facilities for the exclusive use of individual occupants, but does not include: a motel, hotel, bed and breakfast establishment, tourist establishment, private hospital, group home, second unit or apartment dwelling.

“Boat House” Shall mean a detached accessory building or structure, which is exclusively designed and intended to only be used for the sheltering of a boat or other form of water transportation and may include storage of equipment strictly accessory and incidental to the use, repair and maintenance of such transportation and for the storage of household equipment incidental to the residential use permitted on the lot, but shall not include any areas for sleeping, cooking, plumbing, sanitary facilities nor human habitation.

“Boat Shed” shall mean a detached accessory building or structure, which is exclusively designed and intended to only be used for the sheltering of non-motorized watercraft, and may include the storage of equipment strictly accessory and incidental to the use, repair and maintenance of such transportation, and may include the storage of household equipment incidental to the residential use permitted on the lot, but shall not include any areas for sleeping, cooking, plumbing, sanitary facilities or human habitation.

“Building” Shall mean a structure consisting of a wall, roof and floor or any of them or a structural system serving the function thereof including all plumbing, works, fixtures and service systems appurtenant thereto.

"Building Permit" Shall mean a building permit issued by the Chief Building Official of the Corporation of the Township of Selwyn under the Building Code Act, R.S.O 1992, c.23.

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

"Bulk Storage Tank" Shall mean a tank for the bulk storage of petroleum, gasoline, diesel or other fuels, oil, gas, propane or flammable liquid or fluid but does not include a container for flammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use of the premises where such tank is located.

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

"Cabin" Shall mean a cabin for sleeping which is not a cottage, which does not contain facilities for the cooking or preparation of food, and, which forms part of a tourist establishment as hereinafter defined in this By-law.

"Cabin, Sleeping" Shall mean a detached accessory building or structure, located on the same lot as the principal dwelling, for sleeping accommodation only or for the occasional accommodation of guests, from which there shall be no monetary gain and in which sanitary and cooking facilities are prohibited."

"Campground, Private" Shall mean a tourist establishment consisting of at least five (5) camp sites and comprising land used or maintained as grounds for the camping or temporary parking of recreational trailers, recreational vehicles or tents, but does not include parks or camping grounds maintained by:

a) any department of the Government of Ontario or of Canada; or,

b) any Crown corporation, commission or board.

"Cannabis Analytical Testing Facility" means a facility where the alteration of the chemical or physical properties of cannabis by any means is carried out, subject to regulations under the Cannabis Act, as amended.

"Cannabis cultivation - indoor" means the growing of cannabis within a wholly enclosed building or structure, for medical or recreational purposes in accordance with the requirements of a cultivation licence as issued by Health Canada in accordance with the Cannabis Regulations SOR/2018-144, to the Cannabis Act, SC 2018, c 16, the Controlled Drugs and Substances Act, SC 1996, c 19 and the Food and Drugs Act, RSC 1985, c F-27, as amended from time to time, or any successors thereto.

"Cannabis cultivation - outdoor" means the growing of cannabis in an open air setting, for medical or recreational purposes in accordance with the requirements of a cultivation licence as issued by Health Canada in accordance with the Cannabis Regulations SOR/2018-144, to the Cannabis Act, SC 2018, c 16, the Controlled Drugs and Substances Act, SC 1996, c 19 and the Food and Drugs Act, RSC 1985, c F-27, as amended from time to time, or any successors thereto.

"Cannabis Drug Production Facility" means a facility where the production or manufacturing of a drug containing cannabis is carried out, subject to regulations made under the Cannabis Act, as amended; and the food and drugs act, as amended.

"Cannabis Processing Facility" means a facility where the extraction of cannabis oil for the purpose of producing or manufacturing cannabis oils, gels or other edibles is carried out, subject to regulations under the Cannabis Act, as amended.

"Cannabis Research Facility" means a facility used for activities in accordance with a licence for research, subject to regulations under the Cannabis Act, as amended.

"Carport" shall mean an unenclosed building, attached or detached structure used for the parking or storage of private passenger vehicles or commercial vehicles of less than one tonne capacity.

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

"Cemetery" Shall mean land that is set apart or used as a place for the internment of the dead or in which human bodies have been buried, within the meaning of the Cemeteries Act, R.S.O. l990, c. C.4.

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

"Chief Building Official" Shall mean the officer or employee of the Township and appointed by the Corporation with the duty of administering the provisions of the Building Code Act, R.S.O. 1992, c.23, and Zoning By-law.

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

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

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

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

"Commercial Copy Centre" Shall mean a building or part of a building in which the business of reproducing techniques such as photocopying and large scale plotting occurs, but does not include a printing/publishing establishment as defined herein.

“Common Wall” Shall mean a single wall separating two (2) dwelling units.

“Community Centre” Shall mean any tract of land, or building or buildings or any part of any building used for community activities whether used for commercial purposes or not, the control of which is vested in the Township, a local board or agent thereof.

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

“Convenience Store” Shall mean a retail commercial establishment supplying groceries and other daily household conveniences to the immediate surrounding area, but shall not include a supermarket as defined herein.

"Cottage" Shall mean a building forming part of a cottage establishment to accommodate one (1) or more guests which contains at least two (2) rooms; which is at least partially furnished; and, which provides facilities to permit the guest to prepare and cook food.

"Cottage Establishment” Shall mean a tourist establishment comprising of two (2) or more cottages owned or leased by the same person.

"Council" Shall mean the Municipal Council of the Corporation of the Township of Selwyn.

“County” Shall mean the Corporation of the County of Peterborough.

“County Road” Shall mean a street or road under the jurisdiction of the Corporation of the County of Peterborough.

“Court” Shall mean an open and unoccupied space from ground to sky appurtenant to a building and bounded on two (2) or more sides by the walls of the building.

"Craft Shop" Shall mean a building or part of a building where crafts, souvenirs and other similar items are offered or kept for sale at retail to the general public but shall not include any other establishment otherwise defined or classified herein.

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

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

a) under eighteen years of age in the case of a day nursery for children with a developmental disability;

b) under ten years of age in all other cases; but does not include; and,

c) part of a public school, separate school or private school under the Education Act, R.S.O 1990, c. E.2.

“Deck, Open Deck and Stair” Shall mean a standalone structure, situated near the water’s edge; which is intended to provide a level surface upon which to place chairs and other similar items.

“Deck, Non-structurally Permanent” shall mean an open platform structure, without walls or a roof system, which may or may not be attached to a building. A deck, non-structurally permanent shall not be enclosed by a wall or enclosure if it is located in the required water setback.

“Design Capacity” Shall mean the number of persons for which building or part thereof is designed.

"Development" Shall mean the creation of a new lot, change in land use, or the, erection, or placing of a building or structure of any kind or the making of an addition or alteration to a

building or structure that has the effect of increasing the size or usability thereof, and includes such related activities as site grading and the placing or dumping of fill and/or any other operations that disrupt the natural environment in, on, over or under land or water.

"Drive-Through Facility" Shall mean premises used to provide or dispense products or services, through an attendant or a window or an automated machine, to persons remaining in vehicles that are in a designated stacking aisle. A drive-through facility may be in combination with other uses, such as a financial institution, fast food restaurant, or take-out restaurant. A drive-through facility does not include a vehicle washing establishment or vehicle fuel station.

“Driveway” Shall mean a privately owned and maintained access way.

"Dry Cleaners Distribution Station" Shall mean a building or part of a building used only for the purpose of collection and distribution of articles or goods of fabric to be subjected to the process of dry cleaning, dry dyeing, cleaning, and spotting and stain removing, for the pressing of any such articles or goods which have been subjected to any such process elsewhere at a dry cleaner's plant.

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

"Dwelling Unit" Shall mean one (1) room or a group of rooms in a building used or designed or intended to be used as a single, independent and separate housekeeping establishment:

a) in which food preparation and sanitary facilities are provided for the exclusive use of such occupant(s); and,

b) which has a private entrance from outside the building or from a common hallway or stairway inside the building; but,

c) does not mean or include a tent, cabin, trailer, mobile home, or a room or suite of rooms in a boarding or rooming house, a hotel or motel or tourist establishment.

“Dwelling Unit Area” Shall mean the aggregate of the floor areas of all habitable rooms in a dwelling unit, but excluding the thickness of any exterior walls.

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

"Dwelling Unit, Bachelor" Shall mean a dwelling unit consisting of one (1) bathroom and not more than two (2) habitable rooms providing therein living, dining, sleeping and kitchen accommodation in appropriate individual or combination room or rooms.

"Dwelling Unit, Principal" Shall mean a dwelling unit as a permitted use in a residential zone.

"Dwelling Unit, Second" Shall mean a dwelling unit which is self-contained, accessory to, and situated within a Principal Dwelling Unit or within a residential accessory building.

"Dwelling, Apartment" Shall mean a separate building that contains more than four (4) dwelling units which have a common entrance from street level and which are served by a common corridor but shall not include any other dwelling type otherwise defined or classified herein.

"Dwelling, Converted" Shall mean a single detached dwelling altered to contain a greater number of dwelling units.

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

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

"Dwelling, Seasonal" Shall mean a single detached dwelling constructed and used as a secondary place of residence for seasonal vacations and recreational purposes and not as the principal residence of the owner or occupant thereof.

"Dwelling, Semi-Detached" Shall mean a separate building containing two (2) single dwelling units separated vertically by a common wall, each unit having separate entrance and exit facilities.

"Dwelling, Single Detached" Shall mean a separate building containing not more than one (1) dwelling unit.

"Dwelling, Street Front Townhouse" Shall mean a separate building containing three (3) or more attached dwelling units which are separated vertically, which have independent entrances at ground level directly from the outside, a yard abutting at least the front and rear walls of each dwelling unit and separate and distinct frontage on a public street or road.

"Dwelling, Townhouse" Shall mean a separate building containing three (3) or more attached dwelling units, separated vertically, which have independent entrances at ground level directly from the outside and a yard abutting at least the front and rear walls of each dwelling unit, developed on a block of land in a manner which provides for condominium ownership or rental housing.

"Dwelling, Triplex" Shall mean the whole of a three-storey building divided horizontally into three (3) separate dwelling units, each of which has an independent entrance either directly or through a common vestibule.

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

"Environmental Impact Study (EIS)" Shall mean a study prepared in accordance with the relevant sections *of the Township of Selwyn Official Plan and the County of Peterborough Official Plan.*

"Equipment Sales and Rental, Heavy" Shall mean a building or part of a building or structure in which heavy machinery and equipment are offered or kept for rent, lease or hire under agreement for compensation, but shall not include any other establishment defined or classified in this By-law.

"Equipment Sales and Rental, Light" Shall mean a building or part of a building or structure in which light machinery and equipment such as air compressors and related tools and accessories; augers; automotive tools; cleaning equipment; light compaction equipment; concrete and masonry equipment; electric tools and accessories; fastening devices such as staplers and tackers; floor and carpet tools; gasoline generators; jacks and

hydraulic equipment; lawn and garden tools; ladders; moving equipment; painting and decorating equipment; pipe tools and accessories; plumbing tools and accessories; pumps; hoses, scaffolding, welding equipment; and, other similar tools and appurtenances are offered or kept for rent, lease or hire under agreement for compensation, but shall not include any other establishment defined or classified in this By-law.

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

a) any preliminary physical operation, such a excavating, filling or drainage;

b) altering any existing building or structure by an addition, enlargement, extension, relocation or other structural change;

c) any work for the doing of which a building permit is required under the Building Code Act, R.S.O 1992, c.23 and Regulations passed thereunder as may be amended, replaced or re-enacted from time to time; and,

d) erect, erected and erection shall have a corresponding meaning.

"Established Building Line" Shall mean the average setback from the street line of existing buildings when at least five (5) buildings have been erected on any one side of a continuous 200 m of land with frontage on an improved public street.

"Existing" Shall mean existing as of the date of the passing of this By-law unless otherwise described.

“Farm ” Shall mean any farming or agricultural use and includes apiaries; aviaries, berry or bush crops, breeding, raising or training of horses or cattle; commercial greenhouses; lands devoted to the hatching, raising and marketing of chickens, turkeys or other fowl or game birds, animals, fish or frogs; lands used for grazing, flower gardening, field crops; growing, raising, picking, treating and storing of vegetable or fruit produce grown on the lands; mushroom farms, nurseries; sod farms; orchards, riding stables, the raising of sheep, goats or swine; tree crops; market gardening; bee keeping; wood lots inclusive of a maple sugar bush; and such other uses or enterprises as are customarily carried on in the field of general agriculture. "Farm" shall include a single detached dwelling and buildings and structures, such as barns and silos, which are incidental to the operation of the farm

"Farm Implement and Equipment Sales and Service Establishment " Shall mean a building, structure or area where farm implements, equipment and farm supplies are kept for

sale at retail and may include facilities for the servicing of such implements or equipment but shall not include any other establishment otherwise defined or classified herein.

“Farm Produce Retail Outlet ” Shall mean a building, or part of a building, in which farm produce, exclusive of meat or poultry, is offered for sale at retail, but shall not include the sale of farm produce which has been reprocessed nor shall it include a slaughter house.

“Feed Lot Operation” Shall mean the raising of livestock in a confined area and does not include the grazing thereof in open pasture.

“Feed Mill” Shall mean a building, or part of a building, structure or area used for the development and production of animal feeds.

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

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

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

"Floor Area, Total” Shall mean the total ground floor area of a building measured to the outside walls, exclusive of any parking areas within the building and in the case of a dwelling, any basement or cellar or any private garage, carport, porch veranda or sunroom, unless such sunroom is habitable at all seasons of the year.

"Forestry" Shall mean the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, protection of water supplies, and preservation of the recreation resource and shall include reforestation

areas owned or managed by the Ministry of Natural Resources or local Conservation Authority.

"Fruit and Vegetable Stand" Shall mean a building or structure where fruits and vegetables are offered for retail sale.

"Garage, Private" Shall mean a detached accessory building or portion of a dwelling which is designed or used for the sheltering of a private motor vehicle and storage of household equipment incidental to the residential occupancy and which is fully enclosed and roofed wherein neither servicing or repairing is carried on for remuneration. For the purposes of this By-law a private garage excludes a carport or other open shelter.

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

"Garden Suite" Shall mean a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.

"Golf Course" Shall mean a public or private area operated for the purpose of playing golf, inclusive of club house facilities, but does not include driving ranges, miniature golf courses and similar uses.

"Government Maintenance Depot" Shall mean any land, building or structure owned by the Corporation of the Township of Selwyn, the County of Peterborough or the Province of Ontario used for the storage, maintenance or repair of equipment, machinery or motor vehicles used in connection with civic works and shall include a public works yard.

"Grade, Finished" Shall mean the average elevation of the finished surface of the ground adjacent the ground level of the building or structure.

"Greenhouse, Commercial" Shall mean a building or structure for the growing of flowers, fruits, vegetables, plants, shrubs, trees and similar vegetation, which are not necessarily planted outdoors on the same lot containing such greenhouse, and, which are sold directly from such lot at wholesale or retail.

“Greenhouse, Farm” Shall mean a building for the growing of plants, shrubs trees and similar vegetation which are primarily transplanted outdoors on the same lot containing such greenhouse.

"Group Home" Shall mean a dwelling unit in which not less than three (3) and not more than six (6) people receive specialized or sheltered residential care and accommodation by virtue of their physical, mental, emotional, social or legal status and which is approved or licensed in accordance with any Act of the Parliament of Ontario. Without limiting the generality of the foregoing, group homes include a home for foster children, a home for elderly persons, a home for developmentally delayed or physically disabled persons and a home for people who are convalescing after hospital treatment and are under medical supervision but does not include a facility maintained and operated primarily for persons:

a) who have been placed on probation under the Probation Act (Canada), the Criminal Code (Canada) or the Juvenile Delinquent Act (Canada); or

b) who have been released on parole under the Ministry of Correctional Services Act, the Parole Act (Canada) or the Provincial Offences Act; or

c) who are admitted to the institution for correctional purposes.

“Habitable Room” Shall mean a room designed for living, sleeping, eating or food preparation, including a den, library, sewing-room or enclosed sunrooms.

“Height of Building” shall mean the vertical distance between the highest finished grade level at the perimeter of the building and the uppermost point of the building. Antennae, chimneys, decorative cupolas or other similar features shall be disregarded in calculating building height.

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

“Highway” Shall mean a highway within the meaning of the Ontario Municipal Act, R.S.O. 2006 c.32 Sched. A, s.82 and the Highway Traffic Act, R.S.O. 1990, c. H.8.

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

"Home Occupation" Shall mean any occupation which is carried on, in accordance with the provisions of this By-law relative thereto, which is clearly incidental or secondary to the residential use of a single detached dwelling and is conducted within a single detached dwelling by an inhabitant thereof.

"Hospital, Private" Shall mean a hospital which is owned by a company and is privately funded, through the payment for medical services by patients or their private insurer(s) and may include a retirement home.

"Hotel" Shall mean a building or part of a building, with three (3) or more storeys, containing multiple rental units, for the purpose of catering to the travelling public, by furnishing sleeping accommodations where rooms face inward with doors opening to interior hallways and may include a restaurant that may or may not be licensed under the Liquor Licence Act, R.S.O. 1990, c. L.19.

"Institutional" Shall mean the use of land, building or structures for religious, charitable, educational, health or welfare purposes, and includes churches, places of worship and nursery schools, and public and private schools as defined in the Education Act, R.S.O 1990, c. E.2.

"Intake Protection Zone" Shall mean the vulnerable area delineated around surface water intakes for municipal drinking water systems and is comprised of subzone. The IPZ-1 (subzone) is the area immediately adjacent to the intake and that is considered the most vulnerable area due to its proximity to the intake.

"Kennel" Shall mean a building or structure where more than three (3) dogs are kept or bred on a commercial basis, but shall exclude the boarding of dogs.

"Landscaped Open Space" Shall mean the open unobstructed space from ground to sky at finished grade on a lot accessible by walking from the street on which the lot is located and which is suitable for the growth and maintenance of grass, flowers, bushes and other landscaping and includes any surfaced walk, patio or similar area but does not include any

driveway or ramp, whether surfaced or not, any curb, retaining wall, parking area or any open space beneath or within any building or structure.

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

"Large Format Retail/Big Box Retail Format Facilities" Shall mean retail facilities located in large industrial style buildings or stores with footprints that generally range from 927 square metres (10,000 square feet) to 13,935 square metres (150,000 square feet), including discount department stores (i.e. Wal-Mart), category stores (i.e. Home Depot), and warehouse clubs (i.e. Costco).

"Library" Shall mean a public library within the meaning of the Public Libraries Act, R.S.O., l990, c. P.44.

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

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

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

"Lot Area" Shall mean the total horizontal area within the lot line of a lot, and in the case of a corner lot having street lines rounding at the corner with a radius of 6 m or less, the lot area of such lot is to be calculated as if the lot lines were projected to their point of intersection.

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

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

"Lot Frontage" Shall mean in the case of a corner lot, an interior lot or a through lot, the horizontal distance between the 2 lot lines which intersect the front lot line of a lot, such distance being measured along a line which is parallel to the front lot line and distant from the front lot line a distance equal to the minimum front building setback required herein for the specific use in the zone where such lot is located.

"Lot Frontage, Water Frontage" Shall mean the horizontal straight-line distance measured along the shortest line joining the point where one side lot line or a projection thereof intersects the shoreline and the opposite side lot line or projection thereof. Where there are no side or rear lot lines, such as in the case of an island, the greatest horizontal straight-lined distance measured between any two points on the shoreline.

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

"Lot Line, Front" Shall mean, in the case of an interior lot, the line dividing the lot from the street or private right of way. In the case of a corner lot, the shorter lot line abutting a street or private right-of-way shall be deemed the front lot line and the longer lot line abutting a street shall be deemed an exterior side lot line. In the case of a through lot, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line.

"Lot Line, Rear" Shall mean the lot line farthest from and opposite to the front lot line.

"Lot Line, Side" Shall mean a lot line other than a front or rear lot line.

"Lot, Corner" Shall mean a lot situated at the intersection of two or more streets or private roads, having an angle of intersection of not more than 135 degrees. The front lot line is deemed to be the shorter line abutting the street.

"Lot, Interior" Shall mean a lot other than a corner lot.

"Lot, Island" Shall mean a lot located on a land mass completely surrounded by water which is only accessible by water.

"Lot, Through" shall mean a lot bounded on two opposite sides by streets, or water.

"Lot, Waterfront" Shall mean a lot, which is not an island lot, but has water access and does not front upon an approved public road. The lot may or may not be accessible via a private right-of-way.

"Machine Shop" Shall mean a building or part of a building where material-working processes that involve using power-driven machine tools, such as a lathe, milling machine or drill to shape metal occur.

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

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

"Marine Sales and Servicing Establishment" Shall mean a building or part of a building and associated lands where new and used boats and boat accessories for sale at retail or for rental, and where marine equipment is serviced or repaired and may include boat storage facilities.

"Medical Occupations" Shall mean health related professional occupations such as a physician, dentist, physiotherapist, drugless practitioner or chiropractor.

"Miniature Golf Course" Shall mean an area designed for the purposes of a novelty golf game played with a putter on a miniature golf course having tunnels, bridges, sharp corners, or other similar obstacles.

"Mobile Home Park" Shall mean the land on which one or more occupied mobile homes are located, and includes the rental units and the land, structures, services and facilities of which the landlord retains possession and that are intended for the common use and enjoyment of the tenants of the landlord.

"Modular Home" Shall mean a building or structure divided into multiple modules or sections which are manufactured in a remote facility and then delivered to their intended site of use whereby the modules are assembled into a single detached dwelling.

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

"Motor Vehicle" Shall mean a motor vehicle within the meaning of the Highway Traffic Act, R.S.O. l990, c. H.8.

"Motor Vehicle Body Shop" Shall mean a building or structure used for the painting or repairing of motor vehicle bodies, exterior and undercarriage, and in conjunction with which there may be a towing service and motor vehicle rentals for customers while the motor vehicle is under repair, but shall not include any other use or activity otherwise defined or classified in this By-law.

"Motor Vehicle Dealership" Shall mean a building or structure where a dealer displays new motor vehicles for sale or rent or where used motor vehicles are kept for sale in conjunction with which there may be a motor vehicle repair garage, or a motor vehicle gasoline bar, but shall not include any other use or activity otherwise defined or classified in the By-law.

"Motor Vehicle Gasoline Bar" Shall mean one or more pump islands, each consisting of one or more gasoline pumps, and a shelter having a floor area of not more than 9 sq. m, and may include facilities for the refilling of propane tanks and the changing of oil, greasing and lubricating of motor vehicles, including the sale of automotive accessories, antifreeze and additives, but shall not include any other use or activity otherwise defined or classified in this By-law.

"Motor Vehicle Repair Shop" Shall mean a building or structure where the services performed or executed on motor vehicles for compensation shall include the installation of exhaust systems, repair of the electrical systems, transmission repair, brake repair, radiator repair, tire repair and installation, rustproofing, motor vehicle diagnostic centre, major and minor mechanical repairs or similar use and in conjunction with which there may be a towing service, a motor vehicle service station and motor vehicle rentals for the convenience of the customer while the motor vehicle is being repaired, but shall not include any other use or activity otherwise defined or classified in this By-law.

“Motor Vehicle Service Centre” Shall mean a building or structure to accommodate the travelling public by providing an eating establishment and supplying gasoline, propane, grease and oil.

“Motor Vehicle, Oversized” Shall mean any motor vehicle having a greater weight than 2500 kilograms or an overall height greater than 2.3 m, or both.

"Motorized Snow Vehicle (Snowmobile) " Shall mean a motorized snow vehicle within the meaning of the Motorized Snow Vehicle Act, R.S.O 1990, c. M44.

"Motorized Snow Vehicle (Snowmobile) Sales and Service Establishment” Shall mean a building or part of a building and land adjacent thereto, where snowmobile equipment is displayed, for sale at retail, or rental and where mechanical repairs are completed.

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

"Non-Complying Use" Shall mean a permitted land use, building or structure existing at the date of the passing of this By-law which does not fulfil the requirements of the Zone Regulations (e.g. yard setbacks) for the zone within which it is located, but which may continue to be used or exist, provided there is no change in that use (e.g. enlargement of the structure).

"Non-Conforming Use" Shall mean a lawful and specific use, building, structure or land existing at the date of the passing of this By-law which does not fulfil the requirements of the use provisions for the zone in which it is located, but which may continue to be used for such purposes or activities, provided there is no change in that use.

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

"Nursery Farm" Shall mean an agricultural area where plants, trees or shrubs are grown for transplanting or for use as stocks for budding and grafting for sale on a wholesale basis and, further, may include greenhouses or similar facilities or uses directly incidental to the growing of such plants trees and shrubs but shall not include a garden centre or any other use or establishment as may otherwise be defined herein.

"Ontario Building Code Act and/or Building Code" Shall mean the Building Code Act, R.S.O. l992, c. 23, and Regulations passed thereunder as may be amended, replaced or re-enacted from time to time.

"Outdoor Solid Fuel Combustion Appliance" Shall mean an outdoor wood-burning furnace or other solid fuel burning appliance, which is used for the space heating of buildings, the heating of water or other such purpose, and which is otherwise physically separated from the building to which it serves.

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

"Park, Passive" Shall mean a park containing walking, hiking or biking trails, picnic areas and scenic look-out areas, but shall not include motorized vehicular access, athletic fields, overnight camping or community buildings.

"Park, Private" Shall mean a park other than a public park.

"Park, Public" Shall mean a recreational area owned or controlled by the Corporation or by any Board, Commission or other Authority established under any statute of the Province of Ontario or Government of Canada.

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

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

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

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

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

"Personal Service Occupation" Shall mean an occupation where a person is employed in furnishing services and otherwise administering to the individual and personal needs of person(s). Personal service occupations may include such services as barber shops, hairdressing salons, shoe repair shops, seamstress/tailors, caterer/bakers, etc.

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

"Pit, Wayside" Shall mean a temporary pit opened and used by a public road authority, or their agents, solely for the purpose of road construction or an associated road project or contract and which is not located on the road right-of-way.

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

"Place of Worship" Shall mean a building set aside by any religious organization for public worship.

"Planting Strip" Shall mean a continuous hedgerow of evergreen trees or shrubs, not less than 1.5 m in height, immediately adjacent to the lot line or portion thereof along which such planting screen is required herein.

"Porch" shall mean a roofed structure projecting from the exterior wall of a building for the purpose of providing a covered shelter for an entrance to a building and does not have an exterior wall.

"Portable Processing Plant" Shall mean equipment for the crushing, screening or washing of sand and gravel aggregate materials, but not including a concrete batching plant or an asphalt plant, which equipment is capable of being readily drawn or readily propelled by a motor vehicle and which equipment is not considered permanently affixed to the site.

"Principal or Main Building" Shall mean a building or structure in which the primary use is conducted.

"Printing/Publishing Establishment" Shall mean a building or part of a building in which the business of producing books, newspapers or periodicals by mechanical means occurs and may include the sale of newspapers, books, magazines, periodicals or the like, to the general public.

"Private-Home Day Care" Means the temporary care for reward or compensation of five (5) children or less who are under ten years of age where such care is provided in a private residence, other than the home of a parent or guardian of any such child, for a continuous period not exceeding twenty-four hours.

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

"Quarry " Shall mean an area where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside quarry or open pit metal mine.

"Quonset Hut" shall mean an accessory structure that is of a semi-cylindrical design made of corrugated steel sheet and end walls; and in intended to be utilized for storage.

"Recreational Complex" Shall mean any land, building or structure used for parks, playgrounds, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, athletic fields, golf courses, picnic areas, swimming pools, day camps, community centres, snow skiing, gymnasiums and all similar uses together with necessary and accessory uses, buildings and structures, including banquet facilities, restaurants and fast food and take-out restaurants, but does not include a track for the racing of animals, motor vehicles, go-carts, snowmobiles, motorcycles, or miniature golf courses.

"Recreational Trailer" Shall mean a vehicle designed to be towed by a motor vehicle for which either a permit or a license is issued under the Highway Traffic Act, R.S.O 1990, c.

H.8, which has a maximum overall width of 3.66 m, which is capable of being used on an occasional or temporary basis only for the living, sleeping or eating accommodation of persons but for the purposes of this By-law shall not include a mobile home or any other use otherwise defined herein.

“Recreational Trailer or Camp Site” Shall mean that part of a private campground which is occupied on a temporary basis only, by a recreational trailer, recreational vehicle, or tent.

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

"Recreational Vehicle” Shall mean a self-propelled vehicle designed and intended and used for travel recreation or vacation and in addition, used for living and sleeping and eating on a temporary and occasional basis.

"Recreational Vehicle and Recreational Trailer Sales and Service Establishment" Shall mean a building, structure or place, where recreational vehicles and recreational trailers as defined herein, equipment and supplies are offered for sale and may include a recreational vehicle and recreational trailer service and repair facility and storage facilities.

“Refreshment Vehicle” shall mean a vehicle or other itinerant food premises from which food prepared therein is offered for sale to the public and includes refreshments such as, but not limited to, french fries, hot dogs, hamburgers, sausage, fish, ice cream, beverages and similar items are sold or offered for sale, or a chip wagon, hot dog cart, ice cream cart or any other food trailer, including a mobile barbeque facility.

"Resort Establishment" Shall mean a tourist establishment that operates throughout all or part of the year, that has facilities for serving meals and furnishes equipment, supplies or services to persons in connection with angling, hunting, camping or other similar recreational activity.

"Restaurant" Shall mean a building or part of a building where food is prepared and/or cooked and offered for sale or sold to the public for consumption on the premises where dining tables and table service are provided that may or may not be licensed under the Liquor License Act.

"Restaurant, Fast Food" Shall mean a building or part of a building where food is prepared and/or cooked and offered for sale or sold to the public for consumption on or off the premises, where dining tables are provided but table service is not provided.

"Restaurant, Take-Out" Shall mean a building or part of a building where food is prepared and/or cooked and offered for sale or sold to the public for consumption off the premises where neither dining tables or table service are provided.

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

"Retail Commercial Establishment" Shall mean a building, or part of a building, in which goods, wares, merchandise, substances, articles or services are offered or kept for sale at retail, or on a rental basis, but does not include a supermarket or large format retail/big box format facility as defined herein.

"Road, Improved Public" Shall mean a street or road under the jurisdiction of the Province of Ontario, the County of Peterborough or the Corporation of the Township of Selwyn which is maintained so as to allow normal vehicular access to adjacent properties throughout all seasons of the year.

“Road, Private” Shall mean a private road which affords access to abutting lots and includes lanes and right-of-ways, but does not include improved public roads as defined herein.

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

"School, Private" Shall mean a school other than a public school or a commercial school as otherwise defined or classified in this By-law.

"School, Public" Shall mean a school under the jurisdiction of the Kawartha Pine Ridge District School Board or the Peterborough Victoria Northumberland Clarington Catholic Separate School Board.

"Seed Cleaning Plant" Shall mean a building or part of a building designed, intended or used for cleaning grain or seeds to be sold to the public and used for seeding.

"Seed Testing Laboratory and Bank" Shall mean a building or part of a building designed, intended or used for the grading and storing of seeds.

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

"Sensitive Land Use" means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities."

"Service Shop" Shall mean a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, and includes such establishments as barber and beauty shops, shoe repair and shoeshine shops, small appliance repair shops, jewellery repair shops, bicycle repair shops and depots for collecting dry cleaning and laundry, but shall not include industrial or manufacturing uses or motor vehicle repair shops as may otherwise be defined or classified in this By-law.

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

"Sewage Disposal System, Private" Shall mean an onsite system, individually or communally owned, designed to treat and dispose of domestic sewage.

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

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

"Significant Drinking Water Threat" Shall mean an activity which poses or has the potential to pose a significant risk to the source of a municipal drinking water system.

"Significant Drinking Water Threat, Existing"

a) an activity that has been engaged in prior to the date that the Trent Source Protection Plan took effect (January 1, 2015) and continues to occur;

b) an agricultural activity as defined by the Trent Source Protection Plan that has been engaged in at sometime within the 10-year period prior to the date that the Trent Source Protection Plan takes effect (January 1, 2015);

c) an activity that is related to a development proposal where an application was made under the Planning Act, Condominium Act, or Building Code Act prior the Trent Source Protection Plan taking effect (January 1, 2015);

d) an activity that is related to an application made for the issuance or amendment of a prescribed instrument (as defined in the Clean Water Act) prior the Trent Source Protection Plan took effect (January 1, 2015).

"Significant Drinking Water Threat, Expansion" Shall mean an increase in scale of an activity already taking place on a property. The increase in scale may include, but is not limited to:

a) Increasing the area of land where an activity is taking place;

b) Increasing the amount of effluent or discharge from an activity;

c) Increasing the quantity of chemical or pathogen containing material applied.

"Significant Drinking Water Threat, Future" Shall mean an activity that is proposed to commence after the date the Trent Source Water Protection Plan takes effect (January 1, 2015) and is not an existing activity.

"Solar Collector" Shall mean any structure designed specifically for the collection of solar energy for the purposed of converting such energy for heating, lighting, water production or any other domestic or commercial use that may be obtained from such source. For the purposes of this By-law, a solar collector shall be considered an accessory structure.

"Solar Energy Farm" Shall mean an energy production installation, consisting of arrays of free-standing solar panels, which produce electricity when exposed to sunlight. The electricity generated by the solar panels is fed directly into the electrical distribution network (grid).

"Stacked Parking" shall mean a parking space that is only accessed by passing through one or more other parking spaces in a parking area from a street, lane, drive aisle or driveway.

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

"Storey, First" Shall mean the lowest storey of a building closest to finished grade having its ceiling 1.8 m or more above average finished grade.

"Storm Sewer" Shall mean a sewer which carries storm or surface run-off but excludes any sanitary sewer or any combination of sanitary and storm sewers.

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

"Structure" Shall mean a building as defined herein.

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

"Swimming Pool" Shall mean any privately owned body of water located outdoors above or below finished grade on privately owned property, contained in part or in whole by

artificial means, which has a possible maximum depth greater than 0.6 metres, and is used or is capable of being used for swimming, wading, bathing or diving and includes a hot tub, whirlpool or Jacuzzi. Not included in this definition is any swimming pool owned by a public or government body, agency or authority.

"Technical Errors shall mean typographical, grammatical, spelling, section numbering, section headings, metric conversions, transposition errors and minor mapping irregularities.

"Temporary Asphalt Plant" Shall mean a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process and which is not permanent construction, but is designed to be dismantled and moved to another location as required.

"Temporary Car Shelter" shall mean a prefabricated temporary structure usually constructed with a metal, wood or plastic frame and covered with a tarpaulin or other similar type of fabric or plastic cover used primarily for the storage of a motor vehicle or other equipment and is designed to be dismantled or removed.

"Tent" Shall mean every kind of temporary shelter to which the term is normally considered to apply for sleeping that is not permanently affixed to the site and that is capable of being easily moved and is not considered a structure.

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

a) a camp operated by a charitable corporation approved under the Charitable Institutions Act, R.S.O., l990, c. C.9;

b) a summer camp within the meaning of the regulations made under the Health Protection and Promotion Act, R.S.O. l990, Chapter H.7c. 409, as amended from time to time; or,

c) a club owned by its own members and operated without profit or gain.

"Township" Shall mean the Corporation of the Township of Selwyn.

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

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

"Vocational Training Facility" Shall mean a facility within which training is provided that emphasizes skills and knowledge required for a particular job function (such as typing or data entry) or a trade (such as carpentry or welding).

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

"Waste Disposal Site" Shall mean any land or land covered by water (such as in the case of a sewage lagoon) upon, into, in or through waste, exclusive of liquid industrial waste, is deposited or processed and any machinery or equipment or operation required for the treatment or disposal of waste and shall include a sewage treatment plant or sewage lagoon.

"Water Frontage" See “Lot Frontage, Water Frontage”.

"Waterbody" Shall mean any bay, lake, canal or natural watercourse but excludes a drainage or irrigation channel and privately owned man-made harbours, whose shorelines have been wholly denaturalized.

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

“Welding Shop” Shall mean a building or part of a building where material working involves the joining of two or more pieces of metal by applying heat, through various means, to produce a localized union through fusion across the interface.

"Well, Private” Shall mean an individually or communally owned, onsite, bored, drilled, driven or dug excavation utilized for the purpose of extracting groundwater from an aquifer.

“Wholesale Establishment” Shall mean the use of land or the occupancy of a building or structure, for the purpose of selling or offering for sale goods, wares or merchandise on a wholesale basis and includes the storage or warehousing of those goods, wares or merchandise.

“Wind Turbine” Shall mean a tower like structure affixed to a propeller or turbine designed to harness wind power for the purpose of generating electricity for domestic use.

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

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

“Yard, Exterior Side” Shall mean a side yard immediately adjoining a public street.

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

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

“Yard, Interior Side” Shall mean a side yard other than an exterior side yard.

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

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

"Yard, Required" Shall mean the minimum yard required by the provisions of this By-law.

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

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

Part I - Section 3

General Provisions

3.0 General Provisions

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

3.1 Accessory Buildings, Structures and Uses

3.1.1 Permitted Uses

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

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

b) any building used for human habitation except in accordance with this By-law, as is specifically permitted; or,

c) No more than 3 accessory buildings or structures are permitted in any Residential Zone unless otherwise permitted by this By-law.

3.1.2 Relation to Street

a) Residential Zones

An accessory building or structure, which is not part of the principal or main building on the lot, shall be erected in conformity with the yard setback requirements of the respective Residential Zone, except as may otherwise be provided for herein.

b) Non-Residential Zones

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

3.1.3 Relation to Principal or Main Building

Except as may otherwise be provided herein, any accessory building or structure, which is not part of the principal or main building, shall not be erected closer than 2 m to the principal or main building.

3.1.4 Lot Coverage and Height

The total lot coverage of all accessory buildings and structures, except swimming pools, shall not exceed 5% of the lot area nor shall the height of any accessory building or structure exceed 6 metres.

Notwithstanding the foregoing the total lot coverage of all accessory buildings or structures on a lot with municipal water and wastewater services shall not exceed 7.5% of the lot area.

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

3.1.5 Projection into Required Yards

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

a) accessory buildings or structures specifically permitted in a required yard elsewhere in this By-Law;

b) awnings, canopies, cornices, coves, belt courses, eaves, gutters, parapets, pilasters, sills, or weather-shielding structures are permitted to encroach into any required yard by no more than 0.6 metres;

c) non-walk in bay, box out and bow windows, without foundations, with a maximum width of 3.0 metres and a maximum height of one storey are permitted to encroach into any required yard by no more than 0.6 metres;

d) chimneys and gas fireplace projections and chases with a maximum width of 1.8 metres are permitted to encroach into any required yard by no more than 0.6 metres;

e) roofless functional and ornamental structures including, but not necessarily restricted to, drop awnings, clothes poles, ornamental fountains, statues,

monuments, picnic tables, benches, cenotaphs, memorials, planters, garden trellises, fences, boundary and retaining walls, hedgerows and legal signs;

f) stoops, decks, porches, patios, verandahs, balconies on top of porches or verandahs, uncovered terraces and exterior steps providing access between finished grade and either the basement or the first storey of a building, where such structures project no more than 1.5 metres into a required front yard, a required rear yard or a required exterior side yard provided that no part of the structure be closer than 1.2 metres to any lot line;

g) fire escapes are permitted to encroach into any required yard by no more than 1.5 metres;

h) balconies projecting not more than 1.5 metres into any required yard and which do not project into any sight triangle;

i) air conditioners and heat pumps are permitted in the required interior side, exterior side and rear yards, provided they are no closer than 0.6 metres from the interior side and rear lot lines and no closer than 1.5 metres from the exterior side lot line; and,

j) underground service structures such as sewage systems and firefighting tank reservoirs which do not project more than 2.0 metres into a required interior side yard or rear yard, and which do not project more than 3.0 m into a required front yard or exterior side yard.

3.1.6 Garages and Carports

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

a) where such accessory building is located in an interior side yard, it shall not be closer than 1.2 m to the interior side lot line; or,

b) where such accessory building is located in a rear yard it shall not be closer than 1.2 m to the interior side lot line or rear lot line; or,

c) where such an accessory building is located in a rear yard it shall not be closer than 1.2 m to the interior side lot line or rear lot line, EXCEPT where a detached private garage is erected with a direct access from a lane, private road or right-of-way or public street, in which case the structure shall not be

located closer than 1.2 m to the interior side lot line or 2.4 m to the rear lot line and shall comply with the minimum exterior side yard requirements of the respective zone; or,

d) where such an accessory building is located in a front or exterior side yard, whether attached to and forming part of the principal or main building or detached therefrom, such accessory building shall not be located closer to the lot line, than the required front or exterior side yard set forth under the respective zone.

3.1.7 Boat Houses, Boat Sheds and Pump Houses

a) A maximum of one (1) boathouse and one (1) boat shed or pump house may be permitted on a lot.

b) A boat house, boat shed or pump house shall not have any facilities for the preparation of meals on the premises, nor shall it have any sleeping or sanitary facilities.

c) A boat house or boat shed shall only feature a pitched roof design. No portion of the roof shall be of a flat roof design.

d) There shall be no decks, patios, balconies or similar components attached to the structure.

3.1.7.1 Boat Houses

a) Notwithstanding any other provision of this By-law to the contrary, a boathouse may be erected and used to the high watermark, except that such boat house may not be located closer than 5 metres to the exterior or interior side lot line.

b) The maximum height of a boathouse shall be 5.0 metres (one storey) which shall be measured from the grade adjacent to the building elevation which is facing the water to the average point between the eaves and the peak.

c) The total building area of a boat house shall not exceed 85 square metres; nor shall the width of the structure parallel to the shore exceed 10 metres or 25% of the shoreline frontage, whichever is less.

3.1.7.2 Boat Sheds and Pump Houses

a) Notwithstanding any other provision of this By-law to the contrary, such accessory structure may be erected and used to the high watermark, except that such boat house may not be located closer than 1.2 metres to the interior side lot line. Where such accessory structure is located within the exterior side yard, such accessory structure shall not be located any closer to the lot line, than the required exterior side yard setback set forth under the respective zone.

b) The maximum height of a boat shed or pump house shall be 4 metres (one storey) which shall be measured from the grade adjacent to the building elevation which is facing the water to the average point between the eaves and the peak.

c) The total building area of a boat shed or pump house shall not exceed 11.5 square metres."

3.1.8 Utility Sheds

Notwithstanding any other provision of this By-law to the contrary, a utility shed may be erected within a required interior side or rear yard provided that such accessory building is not closer than 1.2 m to the interior side or rear lot line.

Furthermore, within the Lakeshore Residential (LR) Zone, a utility shed may be located within any yard provided that such accessory building is not closer than 1.2 m to an interior side or rear lot line and complies with the required front or exterior side yard setback of the (LR) Zone.

For the purposes of this By-law such a utility shed shall be maintained and used for the purposes of storing lawn and garden equipment or similar household related appurtenances and shall not have a total floor area in excess of 15 sq. m. and shall not exceed one storey.

3.1.9 Swimming Pools, Spas, Hot Tubs

A swimming pool, spa or hot tub is permitted as an accessory use in any residential, agricultural, commercial, community facility or open space zone, in accordance with the following provisions:

a) No part of such pool, spa or hot tub shall be located closer to any lot line than 1.2 metres;

b) No part of such pool, spa or hot tub shall be located in any front or exterior side yard;

c) Except in the case of an above ground pool, the maximum height of such pool shall be 2.5 metres above the established grade;

d) Any building or structure required for changing clothing or for pumping or filtering facilities, or other similar accessory uses shall not be located closer to any lot line than 1.2 metres, is limited in height to 4.0 metres, and shall not exceed the maximum lot coverage of accessory structures;

e) Except in the case of an above ground pool, every swimming pool shall be enclosed by a fence in accordance with the Township's Swimming Pool By-law; and,

f) The maximum lot coverage of an outdoor swimming pool shall not exceed 15% of the total lot area.

3.1.10 Shipping Containers

3.1.10.1 Residential Zones

Shipping containers may be used as an accessory structure for storage purposes in Residential Zones subject to the following regulations:

a) Shipping containers are permitted in a Residential Zone as a utility shed in the rear yard with the exception of waterfront properties in the Lakeshore Residential (LR) Zone where a shipping container shall be located in the front yard.

b) A shipping container is permitted on a temporary basis for moving purposes for a period not to exceed 30 days in which case the shipping container must be located on the driveway;

c) A shipping container is also permitted in a Residential Zone for the storage of materials during construction, for a period not to exceed 6 months and must be removed from the property upon the completion of construction which will be deemed to be the date of the issuance of an occupancy permit;

d) A shipping container used for storage in a Residential Zone shall not exceed a maximum height of 3 metres, a maximum length of 6.1 metres and a maximum area of than 15 m².

e) A maximum of one shipping container is permitted on a lot zoned (LR), (RR), (R1), (R2) or (R3);

f) Shipping containers shall be maintained in good condition; free from rust; markings and/or labels; painted one solid colour and in keeping with the principal use of the property;

g) Shipping containers shall not be used for human habitation, unless specifically permitted by an amendment to this By-law.

3.1.10.2 Agricultural, Rural, Commercial and Industrial Zones

Shipping containers may be used as an accessory structure for storage purposes, unless otherwise legally existing on the date of the passing of By-law 2023-012, in the Agricultural (A), Rural (RU), Highway Commercial (C1), Local Commercial (C2), and Recreational Commercial (RC) and Rural Industrial (M1), and General Industrial (M2) subject to the following regulations.

a) Shipping containers shall only be permitted in a rear yard and shall not be permitted in a required parking area.

b) Shipping containers are only permitted in a Commercial or Industrial Zone where outdoor storage is also permitted.

c) Shipping containers in a Commercial or Industrial Zone shall be screened from the road frontage and buildings on abutting lots.

d) Shipping containers are not permitted any closer than 12 metres to properties containing residential uses or zoned for residential use.

e) The minimum lot area shall be 0.4 hectares.

f) A maximum of one shipping container is permitted per 0.4 hectares of lot area to a maximum of four containers on any one lot.

g) Shipping containers shall be maintained in good condition; free from rust; painted to remove markings and/or labels; and in keeping with the principal use of the property;

h) The maximum shipping container area shall be 31 m².

i) Shipping containers shall not be used for human habitation, unless specifically permitted by an amendment to this By-law.

3.2 Agriculture - Minimum Distance Separation

All development shall comply with the Minimum Distance Separation Formulae contained in the publication *Minimum Distance Separation (MDS) Formulae, Implementation Guidelines*, Publication 707, Ministry of Agriculture, Food and Rural Affairs, Queen's Printer, Toronto, 2006, as amended from time to time.

Notwithstanding the above, the Minimum Distance Separation I (MDS I) shall not apply to vacant lots existing at the date of passing of this By-law which are less than 1.0 hectare in area.

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

3.3 Areas of Influence

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

No person shall erect any residential structure in any zone within 150 m of pits above the groundwater table, 300 m of pits below the groundwater table or 500 m of quarries zoned the Extractive Industrial (M3) Zone without the approval of the Ministry of Natural Resources upon successful application for a minor variance and provided the residential use is a permitted use on the adjacent lands within the area of influence.

No pit operating above the groundwater table shall be established within 150 m of the license boundary and any lands zoned Residential, Community Facility, Commercial, Environmental Protection or Recreational Open Space; or an existing residential dwelling located in the Rural Zone. For those pits that operate below the groundwater table, the minimum separation distance shall be 300 m.

No quarry operation shall be established within 500 m of the license boundary and any lands zoned Residential, Community Facility, Commercial, Environmental Protection or

Recreational Open Space; or an existing residential dwelling located in the Rural Zone.

No person shall erect a residential structure in any zone within 500 m of lands zoned the Waste Management Industrial (M4) Zone.

3.4 Bed and Breakfast Establishments

Notwithstanding any other provision of this By-law to the contrary, a bed and breakfast establishment shall be permitted as a home occupation use within a dwelling unit located in a Residential Type One (R1), Rural Residential (RR), Agricultural (A) and Rural (RU) zone. The following provisions shall apply to regulate and govern such use, namely:

a) that, notwithstanding any provision of Section 3.29 hereof to the contrary, the off-street parking spaces associated with the bed and breakfast establishment may be stacked provided that the number of spaces so arranged does not exceed 3;

b) that such home occupation use does not include a liquor licensed premises or other facilities for the servicing of alcoholic beverages to the general public;

c) that such use complies with the Building Code Act, R.S.O., 1992, c.23, as amended and the Regulations passed thereunder, and such other By-laws and regulations as may be applicable of the Corporation of the Township of Smith-Ennismore-Lakefield;

d) that no portion of a guest room is located within a basement;

e) that no portion of a guest room contains facilities for the preparation of meals;

f) that a license has been obtained from the Corporation of the Township of Smith-Ennismore-Lakefield in accordance with the normal requirements of the Township; and,

g) that all other provisions of this By-law shall apply and be complied with.

3.5 Daylight Triangles

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

the adjacent road at the lowest point. Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the tangents to the street lines.

3.6 Drive Through Uses

A drive through use shall comply with the following:

a) a drive through use in a commercial zone shall have a minimum of 30 m of frontage;

b) electronic devices such as loudspeakers, automobile service order devices, car speakers, and similar instruments shall not be located in the side yard of a drive-through use, where that side yard or rear yard abuts a residential zone or use; and,

c) the exterior lights used for illumination of a drive-through shall be so arranged as to divert the light away from adjacent residential zone or use lots and streets.

3.7 Established Building Line

Notwithstanding the provisions of the By-law to the contrary, Section 3.15 excepted, where a building, structure, or accessory use thereto is to be erected in a built-up area where there is an established building line, such dwelling or accessory use is not to be erected closer to the street line or to the centre line of the road or street, as the case may be, than the average setback from the street line or centre line of the existing buildings on one side of the block where more than one-half of the frontage of the said side of the block has been built upon.

3.8 Fences

No fence exceeding a maximum height of 1.8 m shall be erected in an urban area, except that:

a) a fence in excess of 1.8 m in height may be erected for a public use or where provincial/federal regulations require a fence to be erected in excess of 1.8 m; and,

b) fences erected for the purposes of providing a buffer between sensitive land uses and industrial or commercial uses shall be a minimum of 2.4 m in height and constructed of a double thickness of fencing material to ensure maximum

absorption of noise, vibration and dust.

3.9 Flooding Hazard, Lands Prone To

Development, as defined by the Provincial Policy Statement, is not generally permitted within any lands prone to flooding adjacent to any river, stream or lake within the Township of Selwyn.

3.10 Frontage on a Public Street

No person shall erect any building or structure in any zone, except in the Lakeshore Residential (LR) Zone and in the Rural Residential (RR) Zone, unless the lot upon which such building or structure is to be erected fronts upon a public street. For the purposes of this By-law a street does not include an unopened road allowance, a lane, or an unassumed road on a Registered Plan, which has been deemed not to be a Registered Plan under the Planning Act, R.S.O 1990, c. P.13.

3.11 Frontage on an Unassumed Road

Notwithstanding the provisions of Section 3.10 hereof to the contrary, the provisions of this By-law shall not apply to prevent the erection of a permitted building or structure on a lot in a Registered Plan of Subdivision where a subdivision agreement has been entered into with the Municipal Corporation and registered against the lands where under the street or streets will not be assumed by the Township until such time as specified in the said agreement.

3.12 Garden Suites

A garden suite is only permitted by means of a site-specific Temporary Use Zoning By-law, approved in accordance with Section 39.1 of the Planning Act. Where a garden suite is permitted by temporary zoning, the following provisions apply:

a) only one garden suite is permitted per lot;

b) the garden suite must be on the same lot as a principal residential use building;

c) the principal residential use building must be either a single detached dwelling, or a semi-detached dwelling;

d) the garden suite must comply with the Additional Provisions for Garden Suites set out in Section 3.12.1;

e) despite subsection 3.12.1, these provisions may be varied on a site–specific

basis through the Temporary Zoning By-law;

f) Subsection 3.12.1 does not preclude both units of a semi-detached dwelling from having a garden suite.

g) The development of a garden suite on a residential lot shall not result in the creation of a planned unit development;

h) Council may require the owners of the suite or any other person to enter into an agreement with the municipality to address such matters as:

i) the installation, maintenance and removal of the suite;

ii) the period of occupancy of the garden suite by any person named in the agreement; and,

iii) monetary or other security required by the Council for monetary or other costs to the municipality related to the garden suite.

3.12.1 Additional Provisions for Garden Suites

a)	Number of garden suites per lot (Maximum)	one
b)	Building Height (Maximum)	4.5 m
c)	Permitted Location	rear yard
d)	Side Yard Setback (Minimum)	same as principal building
e)	Rear Yard Setback (Minimum)	2.3 m
f)	Lot Coverage (Maximum)	35% of the area of the rear yard
g)	Separation Of Buildings (Minimum)	1.2 m
h)	Floor Area (Maximum)	65% of the gross floor area of the principal building on the lot
g)	Additional Driveway	not permitted
h)	Additional Parking	none required

For the purposes of this Section, the rear yard area shall be measured from the exterior wall of the principal dwelling closest to the rear lot line, to the rear lot line. A garden suite is not included in the calculation of any other maximum lot overage requirements.

3.13 Group Homes

Notwithstanding any other provision of this By-law to the contrary, where a group home is a permitted use within a Rural (RU), Rural Residential (RR) or Residential Type One (R1) Zone as set forth under this By-law, no group home shall be located within 1,000 m of another group home facility provided further that all other relevant provisions of this By-law are complied with.

3.14 Height Exceptions

Notwithstanding the height provisions herein contained, nothing in this By-law shall apply to prevent the erection, alteration or use of the following accessory buildings or structures provided the principal use is a use permitted within the zone in which it is located: a church spire, belfry, flag pole, light standard, clock tower, barn, silo, chimney, water tank, windmill, radio or television antenna, air conditioner duct, incidental equipment required for processing and external equipment associated with internal building equipment.

3.15 High Water Mark - Setback Provisions

All new development and sewage system leaching beds shall be setback at least 30 metres from the ordinary high-water marks of all waterbodies.

3.15.1 Permitted Exceptions

Notwithstanding anything in this Section to the contrary, structures such as pump houses, boat houses, docks, open decks and stairs shall be a permitted use and may encroach into the 30 m setback without a Minor Variance provided that the property owner can demonstrate to the Township's satisfaction and, if appropriate, the authority having jurisdiction over the waterway, that it does not negatively affect the waterfront environment.

Structures that legally existed as of the date Official Plan Amendment No. 3 came into effect (October 22, 2008) that do not comply with the required setback provision that require replacement due to structural defects or destruction by fire or other natural causes or by permitted demolition will be permitted to be replaced on the same footprint, without a minor variance and may only be enlarged in accordance with the provisions of this By-law and where the enlargement does not further encroach into the 30 m setback.

Sewage system leaching beds, septic system pumping chambers, and holding tanks requiring replacement due to structural damage or malfunction should be setback a minimum of 30 m from the high-water mark if possible or to the greatest setback that is achievable to the satisfaction of the Peterborough County-City Health Unit. Due to their importance to ensuring public health and/or safety, a Minor Variance will not be required in the case where the replacing leaching beds must be located within the 30 m setback.

3.15.2 Vacant Lots of Record

Vacant lots of record shall attempt to have structures and septic systems setback a minimum of 30 m from the high-water mark. Where it is not possible to achieve the 30 m setback, then new buildings and structures shall be setback as far as possible from the high-water mark. In this regard, a Minor Variance for a reduced setback for the existing vacant lots may be permitted provided that the variance maintains the intent of the Zoning By-law, is minor in nature, maintains the intent of the Official Plan regarding environmental objectives and is desirable and appropriate for the area.

3.15.3 Existing Structures

Minor Variances or Zoning changes to accommodate proposed expansions of a structurally-permanent nature to existing structures and/or septic systems that further reduce the 30 m high water setback shall not be permitted unless it is a matter of public health and/or safety.

3.16 Home Industry

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

a) There is no open storage of goods or materials.

b) There is no display, other than a sign of a maximum size of 0.5 sq. m to indicate to persons outside, that any part of the dwelling or accessory building is being used for a purpose other than residential. Furthermore, such a sign shall be set back a minimum of 3 m from any lot line.

c) The home industry is clearly secondary to the main residential use and does not change the residential character of the dwelling nor create or become a public nuisance; in particular in regard to noise, noxious odours, emission of smoke, traffic or parking.

d) Where an interior side yard and/or rear yard abuts a residential zone, then such interior side yard and/or rear yard shall be a minimum of 15 m. This 15 m area shall be maintained in an open space condition and the open storage of goods or materials shall not be permitted within this 15 m area.

e) The home industry does not interfere with television or radio reception.

f) There are no goods, wares or merchandise, publicly offered or exposed for sale on the premises outside of any buildings.

g) Off-street parking is provided in accordance with Section 3.29.

3.16.1 Additional Provisions for Type 'A' Home Industries

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

a) Any accessory structure used for a Type 'A' Home Industry shall not exceed 39 sq. m

b) Not more than 1 non-resident shall be permitted to be employed on the lot.

3.16.2 Additional Provisions for Type 'B' Home Industries

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

a) Any accessory structure used for a Type 'B' home industry shall not exceed 50 sq. m.

b) Not more than 1 non-resident shall be permitted to be employed on the lot.

c) The minimum lot size for a Type 'B' home industry shall be 2 ha.

d) One commercial vehicle associated with the home industry is permitted.

e) Where an interior side yard and/or rear yard abuts any residential zone, then such interior side yard and/or rear yard shall be a minimum of 30 m a planting strip in accordance with Section 3.35 of this By-law shall be maintained in an open space condition and the open storage of goods or materials shall not be permitted within this area.

3.17 Home Occupations

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

a) There is no display, other than a sign of a maximum size of 0.5 sq. m to indicate to persons outside that any part of the dwelling is being used for a purpose other than residential. Furthermore, such a sign shall be setback a minimum of 3 m from any lot line.

b) Such home occupation is clearly secondary to the main residential use and does not change the residential character of the dwelling nor create or become a public nuisance; in particular, in regard to noise, obnoxious odours, emission of smoke, traffic or parking.

c) Such home occupation does not interfere with television or radio reception.

d) Not more than 25% of the gross floor area of the dwelling is used for the purposes of home occupation uses except in the case of a bed and breakfast establishment in which situation the provisions of subsection 3.4 shall apply.

3.17.1 Additional Provisions for Type 'A' Home Occupations

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

3.17.2 Additional Provisions for Type 'B' Home Occupations

Type 'B' Home Occupations shall be conducted entirely within the principal residence and shall be limited to: personal service occupations; medical occupations; instructional activities such as teaching of arts, crafts, music, fitness and/or academic subjects, and is limited to five (5) students at any one time; day nurseries limited to five (5) children; doctors and dentists offices. Type 'B' Home Occupations shall not include a kennel, or a veterinarian office.

Type 'B' Home Occupations may employ one (1) person in addition to persons residing in the residence.

Further is must be demonstrated that parking for five (5) vehicles over and above those required by the respective zone can be accommodated on site (i.e. surfaced driveway) and that no parking shall be permitted on any public road in relation to the home occupation.

3.18 Ingress and Egress Regulations

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

a) Ingress and egress to and from the required parking spaces and areas shall be provided by means of unobstructed driveways or passageways at least 3 m but not more than 9 m in perpendicular width.

b) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 9 m.

c) The minimum distance between any two driveways on one lot, or, between a driveway and an intersection of street lines measured along the street line intersected by such driveway shall be 9 m.

d) The minimum angle of intersection between a driveway and a street line shall be 60 degrees.

e) Every lot shall be limited to the following number of driveways, namely:
   i) up to the first 15 m of lot frontage, not more than one driveway;
   ii) greater than 15 m of lot frontage but less than 30 m of frontage, not more than two driveways with a combined width not exceeding 30% of the lot frontage; and,
   iii) for each additional 30 m of frontage, not more than one additional driveway.

f) Ingress and egress to and from parking aisles shall be provided by a sufficient number of adequate, unobstructed driveways having a minimum width of 6 m, except that in the case of a single detached dwelling, the width may be reduced to 3.5 m.

g) In all cases where ingress and egress driveways or walks extend through a Planting Strip, it shall be permissible to interrupt the strip within 3 m of the edge of such driveway or within 1.5 m of the edge of such walk.

3.19 Ingress and Egress Regulations - Retail Gasoline Establishments

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

a) the maximum width of a driveway measured along the street line shall be 9 m;

b) the minimum distance between driveways, measured along the street line intersected by such driveway, shall be 9 m;

c) the minimum distance between a driveway and in intersection of street lines, measured along the street line intersected by such driveway, shall be 9 m;

d) the minimum distance between an interior side lot line and any driveway shall be 3 m; and,

e) the interior angle formed between the street line and the centreline of any driveway shall not be less than 45 degrees.

3.20 Kennels

Kennels shall be separated from a residential zone or use by a minimum of 100 m and shall only be permitted in accordance with the following provisions:

a) No more than 12 dogs over the age of 4 months shall be kept in the kennels.

b) No kennel shall be erected within 45 m of the lot line of adjacent lands held in separate and distinct ownership.

c) Enclosed exercise areas or runs shall be provided.

d) A minimum of 9.3 sq. m of space outside of the dwelling unit shall be provided for each animal.

e) Where a kennel existed as of the date of passing of this By-law which does not comply with the foregoing setback or yard requirements, such kennel shall not be extended, enlarged, reconstructed or altered if the effect of such extension, enlargement, reconstruction or alteration thereof is to further reduce or encroach on the setback, yard or yards that is or are less than required.

3.21 Lakeshore Constraint Area

In all shoreline areas adjacent to lakes within the Municipality, a lakeshore constraint area has been identified. This area is intended to identify and protect sensitive shorelands and to ensure that development does not occur in areas subject to flooding and/or erosion and to ensure maintenance of water quality and the protection of fish and wildlife habitats.

Prior to the issuance of a building permit on all lands located within the Lakeshore Constraint Area, the landowner must provide confirmation by way of a letter or permit from the Otonabee Region Conservation Authority that all potential impacts to natural hazard features including flooding, erosion and the hydrological function of wetlands have been addressed.

3.22 Lands Severed By Public Utility Lines

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

3.23 Limitations for Residential Development

3.23.1 Limited Service Residential Development – Access

Lot creation of lands located on private roads or with water access only shall not be permitted. Seasonal residential development that is proposed on an existing lot of record located on a private road or with water access only shall only be permitted where legal access to the lot has been proven, to the satisfaction of the Township.

3.23.2 Limited Services Residential Development – Water and Wastewater

Multi-unit residential development including duplex dwellings, semi-detached dwellings, townhouse dwellings, street front townhouse dwellings and apartment dwellings shall only be permitted within areas where municipal water and wastewater services are available, unless it has been demonstrated to the satisfaction of the Township that adequate on-site services are available.

Where it has been demonstrated to the satisfaction of the Township that adequate on-site services are available, a site-specific amendment to this By-law shall be required to permit the development.

3.24 Loading Space Requirements

Loading or unloading spaces are required under this By-law and the owner of every building or structure, exclusive of agricultural buildings and structures, erected for any purpose involving the receiving, shipping, loading or unloading of animals, goods, wares,

merchandise or raw materials shall provide and maintain on the lot loading and unloading spaces accordingly.

Gross Floor Area of Building	No. of Loading Spaces
a) Up to 280 sq. m	1
b) 280 sq. m – 930 sq. m	2
c) Greater than 930 sq. m	2 plus a minimum of 1 additional loading space for each 1400 sq. m or fraction thereof in excess of 930 sq. m

i) Each loading space shall be at least 9 m long, 3.5 m wide and have a vertical clearance of at least 4 m.

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

iii) For any commercial or industrial use, no loading space or part thereof shall be located and no land shall be used for loading purposes within 1.5 m of any lot line, or within 3 m of any street line or boundary of any residential zone, or within 3 m of the lot line of a residential use.

iv) Access to loading spaces shall be by means of a driveway at least 6 m wide contained within the lot on which the spaces are located and leading to a street or lane located within or adjoining the zone in which the use is located.

v) The driveways, loading spaces, and turning areas shall be maintained with a stable surface, which is treated so as to prevent the raising of dust or loose particles.

vi) The loading requirements referred to herein shall not apply to any building in existence at the date of enactment of this By-law so long as the gross floor area as it existed at the date is not increased. If an addition is made, then additional loading spaces shall be provided up to the number required for such addition.

vii) Loading spaces for cannabis analytical testing facilities, cannabis

cultivation – indoor, cannabis drug production facilities, cannabis processing facilities and cannabis research facilities shall be located entirely within the main building on the lot.

3.24.1 Access

Access to loading or unloading spaces shall be by means of a driveway at least 6 m in width contained on the lot on which the spaces are located and leading to an improved public street as defined herein.

3.24.2 Additions to or Changes in Use of Existing Buildings

The loading space 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 gross floor area, as it existed at such date, is not increased. If an addition is made to the building or structure which increases the gross floor area, then additional loading spaces shall be provided in accordance with Subsection 3.24 hereof and in accordance with the provisions of Section 3.29 for such addition.

3.24.3 Loading Space Surface

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

3.24.4 Location

The loading space or spaces required herein shall be located in the interior side or rear yard unless such space or spaces are removed from the street line a minimum distance of 15 m.

3.25 Mobile Home Parks Prohibited

The establishment of mobile home parks shall be prohibited within the area covered by this By-law, save and except where such parks are specifically permitted.

3.26 Modular Homes

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

3.27 Non-Complying Buildings, Structures and Lots

3.27.1 Building on Existing Lots

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

3.27.2 Existing Undersized Lots

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

3.27.3 Floor Area Less Than Required

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

3.28 Non-Conforming Uses

3.28.1 Building Permit Issued

The provisions of this By-law shall not apply to prevent the erection or use for a purpose prohibited by this By-law of any building or structure, the plans for which have prior to the passing of this By-law been approved and a permit issued by the municipality's Chief Building Official so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided that the erection of such a

building or structure is commenced within one year after the day of the passing of this By-law and the building or structure is completed within a reasonable time after the erection thereof is commenced.

3.28.2 Continuation of Existing Uses

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

3.28.3 Permitted Exterior Extension

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

3.28.4 Permitted Interior Alteration

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

3.28.5 Restoration to a Safe Condition

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

3.29 Off-Street Parking Requirements

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

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

a)	Residential	2 spaces for every dwelling unit
b)	Senior Citizen Multiple Dwelling	Up to 30 dwelling units, parking spaces shall equal 50% of the number of dwelling units
c)	Senior Citizen Multiple Dwelling	Between 30 and 60 units, parking spaces shall equal 40% of the number of dwelling units
d)	Long Term Care Facility/Retirement Facility	3/4 space per dwelling unit
e)	Private Club	1 space for every 3 persons to be accommodated in the design capacity of the building
f)	Commercial Club	1 space for every 3 persons to be accommodated in the design capacity of the building
g)	Funeral Home	1 space for every 3 chapel seating spaces or fraction thereof with a minimum of 10 spaces
h)	Church, Community Hall, Arena	1 space for every 3 persons to be accommodated according to maximum permitted capacity
i)	Public and Private Schools	1 space per classroom, and one space for each 10 people of maximum design

		capacity of the assembly hall or auditorium
j)	Government or Public Utility Building	1 space for every 23 sq. m of gross floor area
k)	Business, Professional or Administrative Office	1 space for every 23 sq. m of gross floor area or where such use is in combination with the office of a doctor or dentist, there shall be a minimum of 3 parking spaces provided on the same lot
l)	Hotel/Motel/Resort or Tourist Establishment	1 space for every guest room and 1 space for every 10 sq. m of area devoted to public use
m)	Boarding, Lodging and Rooming Houses	1 space per bedroom. Off-street parking for boarding, lodging and rooming houses may be arranged as stacked parking spaces provided that the number of parking spaces arranged as stacked parking spaces does not exceed two (2)
o)	Assembly Hall	1 space for every 3 persons of maximum design capacity
p)	Place of Entertainment	1 space for every 2 persons of design capacity. Design capacity shall mean 6 persons per bowling lane and 2 persons per billiard table
q)	Fast Food Restaurant or Take-Out Restaurant	1 space for every 8 sq. m of gross floor area
r)	Restaurant or Liquor License Premises	1 space for every 6 sq. m of public floor area or 1 space for every 4 persons of design capacity, whichever is the greater with a minimum of 10 spaces
s)	Retail, Wholesale Sales,	1 space for every 28 sq. m of gross floor

	Merchandise Service Shop, or Studio	area
t)	Retail Lumber and Building Supply Outlet	1 space for every 28 sq. m of retail floor space with a minimum of 6 spaces
u)	Automotive Sales Establishment	A minimum of 10 spaces plus 1 space for every employee working on the premises during the peak business period
v)	Industrial Establishment	1 space for every 37 sq. m of gross floor area
w)	Warehouse or Bulk Storage Yard	1 space for every employee working on the premises during the peak business period
x)	Post Offices, Museums, and Libraries	1 space for every 46 sq. m or fraction thereof of public floor area.
y)	Home Occupation or Home Industry	1 space for every 18 sq. m of floor area devoted to the use
z)	Cannabis Analytical Testing Facility, Cannabis Cultivation – Indoor, Cannabis Drug Production Facility, Cannabis Processing Facility and Cannabis Research Facility	1 space for every 100 sq. m of gross floor area.
aa)	Uses permitted by this By-law other than those listed Above but excluding Accessory Uses to Single Detached Dwellings	1 space for every 28 sq. m of gross floor area
bb)	Self-storage Facility	1 space for every 750 sq. m of gross floor area to a maximum of 8 spaces

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

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

ii) Ingress and egress to and from the parking aisles shall be in accordance with Section 3.18(f) of this By-law.

iii) Where a ramp to parking aisles provides access from a street, such a ramp shall not be located closer than 7.5 m from the street line and a level stopping space shall be provided between the ramp and the street grade so as to provide adequate vision to the street in both directions.

iv) Where a lot, building or structure accommodates more than one type of use, the parking requirement for the whole building shall be the sum of the requirements for the separate parts of the lot, building or structure occupied by the separate types of uses.

v) Where the application of ratios results in a fraction of a parking space, the required number of spaces shall be increased to the next whole number.

vi) The lights used for illumination of parking spaces, aisles and driveways shall be so arranged as to divert the light away from adjacent lots and streets.

vii) In a Residential Type 1 (R1), Residential Type 2 (R2) and Multiple Residential (R3) Zone, not more that 50% of the aggregate area of the side yards and rear yard shall be occupied by parking spaces, aisles or driveways; and not more than 50% to a maximum of 6 metres of the front yard shall be occupied by driveways.

viii) Where off-street parking abuts a Residential Type One (R1) Zone, a Residential Type Two (R2) Zone or Multiple Residential (R3) Zone, a wooden fence at least 1.5 m in height shall be erected and maintained and the land within 3 m of the residential zone shall be maintained in an open space condition.

ix) The parking requirements referred to herein shall not apply to any building in existence at the date of enactment of this By-law so

long as the gross floor area as it existed at that date is not increased. If an addition is made then additional parking spaces shall be provided up to the number required for such addition in accordance with sub-section 3.29.3 of this By-law.

3.29.1 Parking Area Design Requirements

The following parking area design requirements shall apply to all required parking areas in all zones, except for a permanent single detached dwelling, semi-detached dwelling, duplex dwelling and street front townhouses, namely:

a) the minimum width of a parking space shall be 3 metres and the minimum length shall be 6 metres except where the aisle width is at least 7 metres in which case the minimum width shall be 2.75 metres and the minimum length shall be 5.5 metres;

b) that where a parking space has a parking angle of less than 30 degrees, such parking space shall be at least 7 metres in length where the aisle width is at least 4 metres;

c) that where the parking angle is equal to or greater than 30 degrees but less than 50 degrees, the minimum aisle width shall be at least 4 metres;

d) that where the parking angle is equal to or greater than 50 degrees but less than 70 degrees, the minimum aisle width shall be at least 5.5 metres; and

e) that where the parking angle is equal to or greater than 70 degrees but less than or equal to 90 degrees, the minimum aisle width shall be at least 7.0 metres.

3.29.2 Accessible Parking

Accessible parking will be provided at the rate and design requirements prescribed by Ontario Regulation 191/11, as amended, made pursuant to the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11, as amended. Unless otherwise stipulated by Ontario Regulation 191/11, as amended, the length of special needs parking spaces shall be in accordance with Section 3.29.1 – Parking Area Design Area Requirements of the Township's Zoning By-law 2009-021, as amended.

3.29.3 Additions to or Change in Use of Buildings

The parking space requirements referred to herein shall not apply to any building or structure in existence at the date of passing of this By-law so long as the floor area, as it existed at such date, is not increased.

a) If an addition is made to the building or structure which increases the floor area, then parking spaces for the addition shall be provided as required by the Parking Space Requirement Table.

b) Where a change in use of the building or structure occurs, parking spaces shall be provided in accordance with the requirements of the Parking Space Requirement Table.

c) Where any building, structure, use or activity is permitted or is legally in existence at the date of passing of this By-law and is subsequently changed in use or enlarged or extended in floor area, number of employees, number of dwelling units, seating capacity or otherwise which results in the reduction of the minimum required parking facilities and/or number of parking spaces and such number of parking spaces or part thereof cannot be provided in accordance with the minimum requirements, then such required parking spaces or part thereof shall be subject to a cash-in-lieu contribution towards municipal parking facilities, the cost of which shall be established by the Council of the municipality from time to time for the determined deficiency.

3.29.4 Parking Area Surface

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

3.29.5 Parking Area Location on Lot

Notwithstanding the yard and setback provisions of this By-law to the contrary, uncovered surface parking areas shall be permitted in the required yards or in the area between the street line and the required setback in accordance with the following provisions, namely:

a) in all zones, except Residential, no driveway shall be permitted within

9 m of the boundary of a Residential Zone;

b) in all zones, except Residential, no parking space shall be permitted within 3 m of the boundary of a Residential Zone;

c) within all Residential Zones, parking spaces and areas shall be permitted within a required front, interior side or rear yard provided that no part of any parking area, other than a driveway, is located closer than 2 m to any street line or within a daylight triangle;

d) within the Rural, Recreational Open Space, Development, Community Facility and all Commercial Zones, parking spaces and areas shall be permitted in all yards provided that no part of any parking area, other than a driveway is located closer than 2 m to any street line or 1.5 m of any lot line or within a daylight triangle;

e) within all Industrial Zones, parking spaces and areas shall be located in an interior side or rear yard only, except for visitor parking areas which may be located within a front or exterior side yard, provided that no part of any parking area other than a driveway, is located closer than 2 m to any street line or within a daylight triangle; and,

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

3.29.6 Use of Parking Spaces and Areas

Parking spaces and areas required in accordance with this By-law shall be used for the parking of operative, currently licensed vehicles only, and for vehicles used in operations incidental to the permitted uses in respect of which such parking spaces and areas are required or permitted.

a) Notwithstanding the foregoing within any Residential Zone, the owner or occupant of a dwelling unit may use a parking space for the purposes of the parking or storage of one commercial motor vehicle, provided such motor vehicle does not exceed a rated capacity of one tonne.

b) Notwithstanding the foregoing provisions, within the Agricultural (A) and Rural (RU) Zone, a maximum of 2 school buses which are operative and currently licensed may be parked or stored on any lot.

3.30 Open Storage

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

3.31 Outdoor Solid Fuel Burning Appliances

Outdoor solid fuel burning appliances shall comply with the Township's By-law to regulate outdoor solid fuel burning appliances.

3.32 Parking of Oversized Motor Vehicle

No person shall, in any Residential Zone, park or store, or permit to be parked or stored on any property, an oversized motor vehicle with a rated capacity greater than one tonne, unless:

a) the oversized motor vehicle is being used to make a delivery or provide a service on the property it is parked; or,

b) it is accessory to a permitted use, but not a home occupation, occurring on the property.

3.32.1 Storage and Parking of Recreational Vehicles, Recreational Trailers

Unless specifically permitted in this By-law, the accessory open storage of recreational vehicles and recreational trailers, or boats in any zone shall not be permitted except in accordance with the following provisions:

a) A maximum of 1 recreational vehicle or recreational trailer or boat shall be permitted to be parked or stored on a residential lot, provided there is an existing residential dwelling located on the lot.

b) The use of any of the above mentioned or similar vehicles shall not be used for human habitation, except in the Recreational Commercial (RC) Zone.

3.32.2 Storage and Parking Of Motor Vehicles And Tractor Trailer Trucks

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

a) such repairs are affected within an enclosed building; or,

b) such repairs are completely affected within a period of not more than 72

consecutive hours and while the vehicle is parked upon a driveway or rear yard as herein provided; or,

c) such repairs are undertaken while the vehicle is parked in a location such that it is not visible from any adjacent lands, which are not occupied by the owner of the vehicle.

3.33 Pits and Quarries

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

3.34 Planned Width of Road

Notwithstanding any other provision contained in this By-law, no building or structure shall be hereafter erected in any zone closer than the sum of the front yard or exterior side yard requirement for such zone and the following where applicable.

a) 15.5 m from the right of way centreline of Provincial Highways; and,

b) 10 m from the right of way centre line of all other public roads in the municipality.

3.35 Planting Strip Regulations

Where the interior side or rear lot line in a Community Facility, Commercial or Industrial Zone abuts a Residential Zone, or where a Commercial or Industrial Zone abuts a Community Facility Zone, or where a Type B Home Industry abuts a Residential Zone, or where a Multiple Residential Zone abuts another Residential Zone of lower density, a planting strip adjoining such abutting lot line, or portion thereof, shall be provided on the lot within the Community Facility, Commercial or Industrial Zone with a minimum width of 3 m.

3.35.1 Contents

Where in this By-law a planting strip is required to be provided and maintained, such planting strip shall consist of a row of trees or a continuous unpierced hedgerow of evergreens or shrubs, not less than 1.5 m high at planting, immediately adjacent to the lot line or portion thereof along which such planting strip is required hereunder. The vegetation

shall be planted so as to ensure a minimum depth of 3 m for the planting strip. The remainder of the strip shall be used for no other purpose than the planting of shrubs, flower beds, grass or a combination thereof.

3.35.2 Landscaped Open Space Supplement

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

3.35.3 Maintenance

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

3.36 Private Roads and Rights-of-Way

Nothing in this By-law shall apply to prevent the use of land for the purposes of a private road or private right-of-way.

3.37 Prohibited Uses

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

a) by the creation of noise or vibration in excess of the limits of the Environmental Protection Act, R.S.O. 1990, c. E.19;

b) by reason of the emission of gas, fumes, smoke, dust or objectionable odour in excess of the limits of the Environmental Protection Act, R.S.O. 1990, c. E.19, except in the case of agricultural uses operating in compliance with reasonable agricultural practices;

c) by reason of the storage of goods, wares, merchandise, salvage, refuse matter, motor vehicles, trailers, or parts of vehicles or trailers, tires, machinery or other such material; or,

d) by any combination of those things described in Clauses 3.37 (a), 3.37 (b) and 3.37 (c) of this subsection.

e) Except as otherwise specifically permitted in this By-law, the following uses

are prohibited in any zone:

i) A track for the racing of motor vehicles, motorcycles, go-carts or motorized snow vehicles;
ii) Refining coal oil or petroleum products;
iii) Tanning hides or skins;
iv) Manufacturing gas; and,
v) Manufacturing glue; locating or storing on any land for any purpose whatsoever, any disused railroad car, truck, bus or coach body, whether or not the same is situated on a foundation.

In addition to the uses prohibited in Clause 3.37, any use is prohibited which by its nature or the materials used therein is declared under the Health Protection and Promotion Act, R.S.O. 1990, ch.7 to be a health hazard.

3.38 Prohibitions, Other

a) Except as otherwise provided in this By-law, no building or structure shall be erected, altered, extended or enlarged except upon a lot nor shall any land be used for any permitted use unless it comprises a lot as defined herein; but this provision shall not prevent the use of any parcel or tract of land for agricultural purposes excluding the erection or enlargement of any building or structure except a fence.

b) No person shall erect or use any building as a dwelling upon any lot on which a building already exists, or which is in the course of construction or for which a building permit has been issued.

c) Notwithstanding anything contained in this By-law, no person shall use or occupy any building for residential purposes:

i) unless such building has been substantially completed and finished in all respects in accordance with the plans and specifications filed upon application for the building permit; or,
ii) unless such building is serviced with electricity, a pressure water supply system, and an appropriate sanitary sewage disposal system.

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

Ministry of Environment approval for any use.

e) No building permit shall be issued for any building or structure which requires a septic tank unless the building permit application is accompanied by approval in writing from the appropriate responsible authority for the proposed method of sewage disposal.

3.38.1 Derelict Vehicles and Equipment

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

3.39 Public Uses and Utilities

3.39.1 General

Except as provided for in Subsection 3.39.2 hereof, the provisions of this By-law shall not apply to prohibit the use of any lot or the erection or use of any building or structure for the purposes of public services provided by the Corporation of the Township of Selwyn, or any Public Authority including any department of the County of Peterborough or any Department or Ministry of the Government of Canada or Ontario, or any Conservation Authority established by the Government of Ontario, and, for the purposes of this Section shall include Hydro One or private utility; any telephone or telecommunication, cable television or telegraph company; and, any natural gas distribution system operated by a Company which possesses all the necessary powers, rights, licenses and franchises.

3.39.2 Location Restrictions

Notwithstanding the provisions of Subsection 3.39.3 hereof to the contrary, where any zone classification or classifications specifically authorize a particular use of land within such zone classification or classifications, then such use of land shall not be carried on in any other zone classification or classifications, regardless of whether such use is carried on by a public authority.

3.39.3 Provisions

Notwithstanding any other provisions to this By-law to the contrary where a public use is not restricted to a specific zone, no land, building or structure is to be used for the purposes of a public use unless the following provisions are complied with, namely:

a)	Minimum Yard Requirements		
		i) Front Yard	10 m
		ii) Exterior Side Yard	10 m
		iii) Interior Side Yard	5 m
		iv) Rear Yard	10 m
b)	Maximum Lot Coverage - All Buildings and Structures		50%
c)	Minimum Setback from Street Centreline		
		i) County Road	23 m
		ii) Township Road	20 m
d)	Maximum Height of Buildings		10 m
e)	Minimum Landscaped Open Space		30%
f)	Outside Storage	No goods, materials or equipment shall be stored outside the building or structure located on the lot except as may otherwise be permitted under this By-law.	
g)	Maximum Height Exceptions	Section 3.39.3 d) of this By-law shall not restrict the development of structures that are required to be tall such as antennas, water towers and stand pipes.	
h)	Other Provisions	No building or structure erected in accordance with the provisions of this Section shall be used for the purpose of an office or maintenance or works depot.	

3.39.4 Streets and Installations

Nothing in this By-law shall prevent land to be used as a street or prevent the installation of a watermain, sanitary sewer, storm sewer, gas main, pipeline or overhead or underground hydro or communication line, telecommunication facility or high voltage and extra high voltage electrical facilities owned, operated and maintained by Hydro One or private utility, provided the location of such main line or facility, as the case may be, has been approved by the Council of the Corporation of the Township of Selwyn. Notwithstanding the generality of the foregoing, this approval by the Council of the Corporation of the Township of Selwyn shall not be required for any public use which has received prior approval pursuant to the provisions of the Environmental Assessment Act, R.S.O., 1990, c. E.18.

3.40 Renewable Energy Systems

Renewable energy systems include facilities which are designed to produce electrical power from an energy source that is renewed by natural processes including, but not limited to wind, water, biomass resource or product, or solar and geothermal energy. These facilities may be used for domestic or commercial purposes.

Notwithstanding any other provision of this By-law, no building permit shall be issued for any renewable energy system or facility unless the building permit application is accompanied by approval in writing from the appropriate responsible authority for the proposed renewable energy facility, and provided that the application meets all requirements and provisions of the zone within which the facility is proposed.

a) Domestic Solar Collectors and Ground Source Heat Pumps

Solar collectors subordinate to a residential dwelling and designed specifically for the collection of solar energy for the purposes of converting such energy for heating, lighting, water production for domestic purposes, shall be permitted *as an accessory structure* within the Rural Residential (RR), Agricultural (A) or Rural (RU) zone, provided such facilities have been designed in accordance with all applicable federal and provincial legislation, regulations and licensing requirements.

Within Residential Type 1 (R1) and Residential Type 2 (R2) Zones only small systems, such as roof mounted solar collection panels compatible within urban environment shall be permitted.

Any solar panels attached to a building shall not exceed a height of 1.0 m above the highest point of the roof upon which it is located and all freestanding structures shall not exceed a height of 5 m.

Ground source heat pumps are permitted to be located within any zone in accordance with CSA Standard C448, as amended from time to time, governing the design and installation of earth energy systems, in accordance with the provisions and regulations applicable to that zone.

b) Domestic Wind Turbines

Wind Turbines which are accessory to a permitted use may only be permitted in the Rural (RU) or Agricultural (A) Zone and are subject to the following:

i) Maximum height – 16.6 m

ii) Minimum setback from any lot line – 20 m
iii) Shall be located in the rear yard.

c) Commercial Wind Turbines

Establishment of commercial wind turbines is regulated by the Province of Ontario, through the Environmental Assessment Act for Air Emissions (Noise and Vibration). Commercial wind turbines may be permitted to locate within the Agricultural (A), Rural (RU), Rural Industrial (M1) and General Industrial (M2) zones provided that the turbines have been designed in accordance with all applicable federal and provincial legislation, regulations, marketing and licensing requirements.

Notwithstanding the foregoing, all commercial wind turbine developments shall be subject to Site Plan Control.

d) Commercial Solar Energy Farm

Establishment of commercial solar energy farms may be permitted to locate within the Rural (RU), Rural Industrial (M1) and General Industrial (M2) zones, provided that the solar panels installation has been designed in accordance with all applicable federal and provincial legislation, regulations, marketing and licensing requirements.

Notwithstanding the foregoing, all commercial solar energy farm developments shall be subject to Site Plan Control.

e) Commercial Biomass Production Facility

A commercial processing facility operated for the purposes of converting biomass, such as wood, wood chips, corn stalks, paper, tree trimmings or other similar products into electrical energy may be permitted within any General Industrial (M2) zone, provided that the facility meets or exceeds all relevant provincial regulations, marketing, and licensing requirements.

Notwithstanding the foregoing, all commercial biomass production facility developments shall be subject to Site Plan Control.

f) Waterpower Projects

Establishment of a water power project may be permitted within the Environmental Protection (EP) Zone, provided such facilities has been

designed in accordance with all applicable federal and provincial legislation, regulations and licensing requirements. Approval requirements for proposed projects will depend on the location, features and operations of the waterpower facility. Waterpower development generally involves Crown land under the administration and control of the Ministry of Natural Resources. The disposition and development of potential waterpower sites is governed by the Lakes and Rivers Improvement Act and the Public Lands Act. Various other statutes and regulations administered by provincial and federal agencies also govern waterpower development such as the Environmental Assessment Act, the federal Navigable Waters Act, the federal Dominion Water Power Act and the federal Fisheries Act.

3.41 Second Units

Notwithstanding any other provision of this By-law to the contrary, a second unit shall be permitted within a single detached dwelling, a semi-detached dwelling, a townhouse dwelling or within an accessory structure to these housing types in the permitted zones. The following provisions shall apply to regulate and govern such use:

a) Only one second unit per single detached, semi-detached, or townhome dwelling is permitted.

b) Where a second unit is permitted on a lot, neither a garden suite, any rooming units such as a bed and breakfast nor a group home are permitted on that lot.

c) The second unit may be contained within the principal residential dwelling or in a building accessory to the residential dwelling, but not in both.

d) The second unit is clearly subordinate to the principal residential dwelling unit; and shall not be greater in area than the principal dwelling unit.

e) If the second unit is located within the principal dwelling, the exterior appearance of the dwelling is unaltered to accommodate the second unit.

f) One (1) off-street parking space shall be provided for a second unit, in addition to any parking space required by this by-law for the other residential unit(s). The off-street parking associated with the dwelling unit(s) may be stacked provided that the number of spaces so arranged does not exceed two (2).

g) That second units which are located in accessory buildings which are detached from the principal dwelling shall comply with the following:

i) be located no further than 30 metres from the principal dwelling;
ii) shall not be situated in the front or exterior side yard;
iii) if the second unit is situated in an accessory structure, the second unit shall not exceed the height of the principal structure;
iv) if the second unit is situated in an accessory structure within the Residential Type One (R1) Zone or the Residential Type Two (R2) Zone, the second unit shall be limited to one (1) storey;
v) if the second unit is situated above a detached garage within the Agricultural (A), Rural (RU) or Rural Residential (RR) Zones, the entire structure shall be limited to 2 storeys or 8 metres in height;
vi) if the second unit is located within the Residential Type One (R1), Residential Type Two (R2) or Rural Residential (RR) Zone category, the second unit shall not be greater than 40% of the footprint area of the principal dwelling unit;
vii) if the second unit is located within the Agricultural (A), or Rural (RU) Zone category, the second unit shall not be greater than 60% of the footprint area of the principal dwelling unit.
viii) shall comply with the residential zone regulations of the respective zone;
ix) shall not be in the form of a mobile home;
x) shall not have a basement;
xi) if located in a serviced area is to be connected to the municipal water and sewer services through the existing dwelling; and
xii) shall not be permitted in the Lakeshore Residential (LR) Zone.

h) That private amenity space to be situated outdoors, which is a minimum of 7.5 square metres with a dimension being no less than 1.5 metres be provided. Such space may be provided in the form of a balcony, deck or patio.

i) That the second unit complies with the requirements of the Ontario Building Code and Fire Code.

j) That the second unit shall be registered with the Township of Selwyn in accordance with the normal requirements of the Township;

k) Notwithstanding the above, second units shall not be permitted:
i) Within a dwelling that is located in an Environmental Protection (EP) Zone or in a floodplain;

ii) Within a dwelling that is permitted accessory to a permitted non-residential use;
iii) On a lot containing a garden suite or a sleeping cabin;
iv) On properties without frontage on a municipally maintained road; or
v) Within a building that is accessory to i) or ii) above.

3.42 Truck, Bus and Coach Bodies

No truck, bus, coach or streetcar body, or structure of any kind, other than a dwelling unit erected and used in accordance with this By-law, the Building Code Act, R.S.O. 1992, c.23, as amended, and the Regulations passed thereunder; and, all other By-laws of the Corporation, shall be used for human habitation or storage of goods and materials within any area affected by this By-law whether or not the same is mounted on wheels.

3.43 Signs

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

3.44 Source Water Protection Overlay Zone

Source water protection planning is the first line of defense in a multi-barrier approach that seeks to prevent the contamination or overuse of surface water and groundwater sources of municipal drinking water. This is achieved by evaluating threats to municipal drinking water sources and establishing policies and regulations to prevent, manage, or eliminate threats. The Township of Selwyn is located within the Trent Coalition Source Protection Region and is subject to the policies of the Trent Source Protection Plan.

The purpose of the Source Water Protection Overlay Zone is to prevent the inadvertent approval of Planning Act Applications and/or the issuance of building permits that may result in the establishment of uses that are significant drinking water threats.

Development applications (i.e. Planning Act applications, building permit applications) for development within the Source Water Protection Overlay Zone shall be accompanied by a Notice under Section 59(2) of the Clean Water Act, 2006, as amended.

Existing land uses and/or an expansion of existing land uses which pose a significant drinking water threat activity should be managed pursuant to the Trent Source Protection Plan. Persons undertaking those land use activities that are, or may be, significant drinking water threats may be required to develop Risk Management Plan(s).

Notwithstanding the permitted uses and zone provisions of any underlying zones, the following land use activities shall be prohibited in the Source Water Protection Overlay Zone where they would constitute a future significant drinking water threat unless otherwise stated in the Trent Source Protection Plan:

a) The application, storage or management of agricultural source material;

b) The application, handling or storage of non-agricultural source material;

c) The application, handling or storage of commercial fertilizer;

d) The application, handling or storage of pesticide;

e) The handling or storage of road salt;

f) The storage of snow;

g) The handling or storage of fuel;

h) The handling or storage of a dense non aqueous phase liquid;

i) The handling or storage of an organic solvent; or

j) The use of land as livestock grazing or pasturing lands, an outdoor confinement area of a farm-animal yard.

3.45 Temporary Uses

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

3.46 Through Lots

Where a lot, which is not a corner lot, has lot frontage on more than one street or is bounded on more than one side by a street, private right-of-way or watercourse or waterbody, the setback and front yard requirements contained herein shall apply on each street or adjacent the private right-of-way or watercourse or waterbody, as the case may be, in accordance with the provisions of the zone or zones in which such lot is located.

3.47 Wayside Pits and Quarries

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

3.48 Cannabis Cultivation

3.48.1 Regulations Applying to All Cannabis Uses

The following provisions apply to all *cannabis cultivation – indoor* uses, *cannabis cultivation -outdoor* uses, cannabis analytical testing facilities, cannabis drug production facilities, cannabis processing facilities, and cannabis research facilities where permitted by this Zoning By-law:

a) Only the cannabis cultivation, production, processing, research or testing uses of a singular cannabis licence holder may occur on a single lot.

b) Where private lighting facilities, whether internal or external to any building or structure associated with a cannabis cultivation, production, processing, research or testing use are provided, such lighting facilities shall be designed to be energy efficient, be directed downwards, and located or arranged to deflect glare away from any adjacent uses, streets and the night sky.

c) Where a building, structure or land is used for a cannabis cultivation, production, processing, research or testing use and is located adjacent to a Residential Zone, Community Facility Zone, or Recreational Open Space Zone, a 3 metre wide planting strip shall be provided along the lot line adjacent to the Residential Zone, Community Facility Zone, or Recreational Open Space Zone in accordance with the requirements of Sections 3.35.1, 3.35.2 and 3.35.3 of this Zoning By-law.

d) Outdoor storage on a lot containing a cannabis cultivation, production, processing, research or testing use is prohibited.

e) Notwithstanding Section 3.1 of this Zoning By-law, an accessory structure on a lot containing a cannabis cultivation, production, processing, research or testing use shall be setback a minimum of 50 metres from any lot line.

f) Notwithstanding Section 3.48.1 (e), an accessory building or structure located on the same lot as a cannabis cultivation, production, processing, research or testing use that is used for security purposes, may be located in any required yard and does not have to comply with the minimum front, side or rear yard setbacks of this Zoning By-law.

g) Other than cultivation, all other cannabis-related uses are only permitted within a wholly enclosed building.

h) The sale of cannabis or cannabis products is not permitted as an accessory use to any cannabis cultivation, production, processing, research or testing use.

i) The establishment of or expansion to an indoor cannabis cultivation, production, processing, research or testing use shall be subject to Site Plan Control.

j) No minor variance to the zoning requirements for a cannabis cultivation, production, processing, research or testing use shall be permitted by the Committee of Adjustment and shall only be considered by way of a Zoning Bylaw Amendment.

k) Where a minimum separation distance is required between a cannabis cultivation, production, processing, research or testing use and a *sensitive land use*, such minimum separation distance shall be measured from the edge of the nearest building or crop line on the lot with the cannabis cultivation, production, processing, research or testing use to:
    i) Any residential use in the Agricultural Zone or Rural Zone – to the nearest exterior wall of the dwelling;

ii) Any residential use in a Residential Zone – to the nearest lot line of the residential use;
iii) Uses permitted in the Community Facility (CF) Zone – to the nearest exterior wall of the primary building on the lot or in the case of a public park to the nearest lot line; or
iv) Uses permitted in the Recreational Open Space (RE) Zone - to the nearest lot line.

3.48.2 Regulations Applying to Indoor Cannabis Uses

Notwithstanding any other provisions of this By-law to the contrary, the following additional requirements shall apply to *cannabis cultivation – indoor* uses, cannabis analytical testing facilities, cannabis drug production facilities, cannabis processing facilities, and cannabis research facilities where permitted:

a) Cannabis cultivation, production, processing, research or testing uses shall only be permitted in new, purpose-built buildings equipped with an *air treatment control* system. Existing buildings or structures may not be converted or retrofitted for cannabis cultivation, production, processing, research or testing uses.

b) Any expansion of an existing cannabis cultivation, production, processing, research or testing use or an addition to any buildings or structures thereto must comply with the requirements of this Zoning By-law.

c) Where permitted, the following provisions apply to indoor cannabis cultivation, production, processing, research or testing uses:

	Micro-Cultivation and Micro-Processing as defined by Federal Regulation SOR-2018-144	Standard-Cultivation and Standard-Processing as defined by Federal Regulation SOR-2018-144

Min Lot Area	3 ha	10 ha
Min Lot Frontage	100 m	200 m
Min Front Yard	20 m	80 m
Min Interior Side Yard	15 m (*1)	40 m (*2)
Min Exterior Side Yard	20 m	80 m
Min Rear Yard	15 m (*1)	40 m (*2)
Max Lot Coverage	30%	30%

(*1) Except where ventilating fans in a wall exhaust into the respective side or rear yard, in which case the minimum side or rear yard setback shall be 25 metres.

(*2) Except where ventilating fans in a wall exhaust into the respective side or rear yard, in which case the minimum side or rear yard setback shall be 60 metres.

d) Indoor cannabis cultivation, production, processing, research or testing uses shall only be permitted by amendment to this Zoning By-law. Any site specific permissions for such uses must include a minimum distance separation from sensitive land uses in accordance with Section 3.48.1 (k) of this Zoning By-law.

3.48.3 Regulations Applying to Outdoor Cannabis Cultivation

Notwithstanding any other provisions of this By-law to the contrary, the following additional requirements shall apply to *cannabis cultivation – outdoor* uses where permitted:

a) A *cannabis cultivation - outdoor* use with no *air treatment control* system shall be setback a minimum distance separation distance of 300 metres from a *sensitive land use* in accordance with the requirements of Section 3.48.1(k) of this Zoning By-law.

b) *Cannabis cultivation – outdoor* shall be setback a minimum of 50 metres from the lot lines of the lot on which the cannabis operation is located.

3.49 Boarding, Lodging and Rooming Houses

Notwithstanding any other provision of this By-law to the contrary, a boarding, lodging or rooming house shall be permitted within a single detached dwelling, a semi-detached dwelling, or a townhouse dwelling in the permitted zones. The following provisions shall apply to regulate and govern such use:

a) The maximum number of bedrooms in a boarding, lodging or rooming house shall be six (6).

b) The maximum number of people accommodated within any boarding, lodging or rooming house shall not exceed six (6).

c) No cooking facilities shall be permitted in any bedroom or room other than a kitchen of a boarding, lodging or rooming house.

d) A minimum amenity area shall be located exterior to the building in the rear yard and shall not be less than a total of 100 square metres for each boarding, lodging or rooming house.

e) That the boarding, lodging or rooming house complies with the requirements of the Ontario Building Code, Fire Code, and the Residential Tenancies Act.

f) That the boarding, lodging or rooming house shall be registered with the Township of Selwyn in accordance with the normal requirements of the Township.

g) That the sole use of the building shall be as a boarding, lodging or rooming house.

h) A second unit is not permitted on a lot that is used for a boarding, lodging or rooming house.

3.50 Lot Additions

Where additional land is added to an existing lot (such as through the closure of a shore road allowance or lot addition consent):

a) unless otherwise stipulated through amendment to this By-law, the zone of the existing benefitting lot shall apply to the additional land;

b) the new lot configuration may be deemed to comply with this By-law in accordance with Section 3.27.2 (Existing undersized lots), if necessary;

c) unless otherwise stipulated through amendment to this By-law, any existing buildings or structures on the new lot configuration of the benefitting lands for the lot addition shall be deemed to be existing non-complying in accordance with Section 3.27.1; and

d) clause b) and c) may be applied, with modifications, to the retained parcel from a lot addition consent.

e) Notwithstanding clause a) to d) above, Council may require a zoning by-law amendment be obtained by the landowner for a lot addition consent.

3.51 Refreshment Vehicles

Refreshment Vehicles shall be located and operated in accordance the Township's Refreshment Vehicle Licencing By-law.

Part II - Section 4

Zones and Zone Regulations

4 Zones and Zone Regulations

4.1 Establishment of Zones

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

Zone Class	Name	Symbol	Section
Agricultural	Agricultural	A	4.7
Rural	Rural	RU	4.8
Residential	Residential Type One	R1	4.9
	Residential Type Two	R2	4.10
	Multiple Residential	R3	4.11
	Rural Residential	RR	4.12
	Lakeshore Residential	LR	4.13
Commercial	Recreational Commercial	RC	4.14
	Highway Commercial	C1	4.15
	Local Commercial	C2	4.16
Industrial	Rural Industrial	M1	4.17
	General Industrial	M2	4.18
	Extractive Industrial	M3	4.19
	Waste Management Industrial	M4	4.20
Other	Community Facility	CF	4.21
	Recreational Open Space	RE	4.22
	Urban Fringe Control	UF	4.23
	Development	D	4.24
	Environmental Protection	EP	4.25

4.2 Zone Symbols and Regulations

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

Wherever in this By-law the word “zone” is used, preceded by any of the said zone symbols, such reference shall mean any part of the zoned area delineated on Schedule “A”- Maps 1, 2, 3, 4 and 5 and designated thereon by the said symbol.

For each zone established by this By-law, a separate section of this By-law sets out the “Permitted Uses” and “Zone Regulations” respectively.

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

4.3 Holding Zones

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

All special provisions of Section 4 "Zones and Zone Regulations" shall apply, where applicable to any land, lot, building, structure, or use within zones subject to the aforementioned "Holding" criteria.

4.4 Temporary Use Zones

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

4.5 Multiple Uses, Multiple Zones and Compound Zones

Except in a commercial or industrial zone, not more than one permitted use shall be allowed on a lot unless specifically permitted in this By-law. This section shall not prohibit the establishment of a home occupation or home industry in conjunction with a dwelling where such use is permitted.

4.5.1 Multiple Uses

a) Where a lot contains more than one permitted use defined separately herein, other than an accessory use, each such use shall conform to the provisions of the By-law, which are applicable to such use in the zone in which the said lot is located as if the use existed independently of any other use.

b) Where the zone requirements pertaining to two or more uses on one lot are in conflict, the highest or more restrictive requirements shall prevail.

c) Notwithstanding anything contained in this By-law, where any land or building is used for more than one purpose, all provisions of this By-law relating to

each use shall be complied with, provided that no dwelling shall be located closer than 3 m to any other building on the lot except a building accessory to such dwelling. A dwelling or dwelling unit as an accessory use will be allowed where permitted by this By-law in accordance with Section 3.1.

4.5.2 Multiple Zones

a) Where a lot is divided into two or more zones, each such portion of the said lot shall be considered a separate lot as defined herein and shall be used in accordance with the provisions of this By-law, which are applicable to the zone in which such portion of the said lot is located.

b) Where a portion of a lot is designated the Environmental Protection (EP) Zone, those lands may be used in calculating minimum lot area and minimum lot frontage requirements.

c) Notwithstanding anything to the contrary in Subsection 4.5.2(a), where a use or uses are permitted by the zones applying to two or more portions of the lot, those portions shall be considered to constitute a single lot as defined herein and the highest or restrictive zone requirements pertaining to such use or uses in all the applicable zones shall apply throughout.

4.6 Zone Boundaries

4.6.1 Zone Boundary Uncertain

The extent and boundaries of all zones and restricted areas are set out on Map 1, Map 2, Map 3, Map 4 and/or Map 5 comprising Schedule “A” hereto and shall be interpreted in accordance with the following.

a) Boundaries of zones and restricted areas shall be construed, wherever possible, to be concurrent with the centreline of a street, right-of-way, railway right-of-way, transmission line, pipeline corridor, or watercourse, or with lot lines (other than street lines), or boundaries of registered plans.

b) In the event that an unopened road allowance forms the boundary between two or more different zones, the boundary of such zones shall be construed as being the centreline of the road allowance.

c) Where the boundary line of a zone does not correspond to a property line, to the centreline of a street, highway line, right-of-way or watercourse, the location of said boundary line shall be scaled from the scale shown on the

attached schedules.

d) Where the boundary of any zone is uncertain and notwithstanding the provisions of this subsection, the dimensions contained in any amending By-law shall apply.

4.6.2 Minimum Lot Area

The minimum lot area shall be as contained in the appropriate section of this By-law for the zone in which the lot is located or such larger area as may be required by the appropriate authority pursuant to the provisions of the Health Promotion and Protection Act, and except as may be specifically permitted under Section 3.27.2 of this By-law.

4.7 Agriculture (A) Zone

4.7.1 Permitted Uses

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

4.7.1.1 Residential Uses

a) single detached dwelling;

b) dwelling existing at the date of the passing of this By-law;

c) one agricultural service trailer;

d) Type A or Type B home industry use;

e) Type A or Type B home occupation use within the principal dwelling, inclusive of a bed and breakfast establishment;

f) group home;

g) second unit in accordance with the provisions of Section 3.41 of this By-law.

4.7.1.2 Non-Residential Uses

a) agricultural uses;

b) conservation, or other similar uses as provide for the preservation of the natural environment;

c) cannabis cultivation – outdoor;

d) custom workshop;

e) farm greenhouse but shall not include a *cannabis cultivation – indoor* use or accessory uses thereto;

f) farm produce retail outlet operated on a temporary and seasonal basis only provided that the majority of such produce offered or kept for sale is the produce of the farm on which such retail outlet is located;

g) forestry and reforestation;

h) kennel;

i) nursery farm;

j) public use or utility in accordance with the provisions of Section 3.39 of this By-law;

k) riding or boarding stable;

l) small scale commercial and industrial uses provided they directly relate to the agricultural operation but shall not include a cannabis drug production facility, cannabis processing facility, cannabis research facility or cannabis analytical testing facility;

m) wayside pit in accordance with the provisions of the Aggregate Resources Act, R.S.O. l990, c. A.8. as amended, the Regulations made thereunder, and the provisions of Section 3 of this By-law.

4.7.1.3 Accessory Uses

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

4.7.2 Exceptions

Any exceptions referred to in Schedule “B” applicable to the land building or structure.

4.7.3Zone Regulations for Residential Uses

i)	Lot Area (Minimum)	20 ha
ii)	Lot Frontage (Minimum)	200 m
iii)	Building Height (Maximum)	11 m
iv)	Front Yard (Minimum)	15 m
v)	Exterior Side Yard (Minimum)	15 m
vi)	Interior Side Yard (Minimum)	6 m
vii)	Rear Yard (Minimum)	15 m
viii)	Dwelling Unit Area (Minimum)	110 sq. m
ix)	Maximum Lot Coverage (all buildings and structures)	10%

x)	Minimum Setback From Street Centreline (County Road)	28 m
xi)	Minimum Setback From Street Centreline (Township Road)	25 m
xii)	Dwellings Per Lot (Maximum)	one

4.7.4 Regulations for Non-Residential Uses

i)	Lot Area (Minimum)	20 ha
ii)	Lot Frontage (Minimum)	200 m
iii)	Building Height (Maximum)	13 m
iv)	Front Yard (Minimum)	30 m
v)	Exterior Side Yard (Minimum)	30 m
vi)	Interior Side Yard (Minimum)	30 m
vii)	Rear Yard (Minimum)	30 m
viii)	Maximum Lot Coverage (all buildings and structures)	10%
ix)	Minimum Setback From Street Centreline (County Road)	43 m
x)	Minimum Setback From Street Centreline (Township Road)	40 m

4.7.4.1 Regulations for Agricultural Service Trailer

i)	Minimum Yard Dimensions (from any building or structure)	6 m
ii)	Minimum floor space per sleeping room	
	2 workers per room	6 sq. m per worker
	3 or 4 workers per room	5 sq. m per worker
	5 or more workers per room	4 sq. m per worker
iii)	Minimum Setback From Street Centreline (County Road)	28 m
iv)	Minimum Setback From Street Centreline (Township Road)	25 m

4.7.5 Special Provisions - Lot Creation

4.7.5.1 Farm Consolidation

Notwithstanding the minimum lot area and frontage requirement on a lot within the Agriculture (A) Zone, as set forth under Section 4.7.3 hereof to the contrary, where a severance is granted for farm consolidation purposes the minimum lot area and frontage requirements for the surplus dwelling and/or farm structures in existence as of the date of the consolidation shall be 4050 sq. m and 45 m respectively. For the purposes of this By-law, the new lot which is created as a result of the consolidation of lands shall be deemed to comply with the minimum lot area and frontage requirements where the consolidated lot has a lesser lot area and/or frontage than required hereunder.

4.7.5.2 New Farm Operations

New parcels of land for agricultural purposes may be created provided that both the proposed retained and severed parcels are of a size suitable for the agricultural purpose proposed and both shall be 40 ha in size or greater.

4.7.5.3 Zoning for Lot Creation

Where a consent has been granted by the approval authority:

a) to create a residential lot outside of a settlement area, such lot shall be deemed to be zoned Rural Residential (RR) Zone on Schedule ‘A’ provided such lot complies with the requirements of Section 4.12; or

b) to create a waterfront residential lot outside of a settlement area, such lot shall be deemed to be zoned Lakeshore Residential (LR) Zone on Schedule ‘A’ provided such lot complies with the requirements of Section 4.13.

4.7.6 High Water Mark – Setback Provisions

Notwithstanding the minimum yard setback provisions as set forth under Section 4.7.3 herein to the contrary, all provisions of Section 3.15, High Water Mark – Setback Provisions, of this By-law to the use of any land, building or structure permitted within the Agricultural (A) Zone shall apply and be complied with.

4.7.7 Source Water Protection Overlay Zone

Notwithstanding the permitted uses as set forth under Section 4.7.1 herein to the contrary, all the provisions of Section 3.44, Source Water Protection Overlay Zone, of this By-law where applicable to the use of any land, building, or structure within the Agricultural (A) Zone shall apply and be complied with."

4.7.8 General Zone Provisions

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

4.8 Rural (RU) Zone

4.8.1 Permitted Uses

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

4.8.1.1 Residential Uses

a) single detached dwelling;

b) Type A or Type B home industry use;

c) Type A or Type B home occupation use within the principal dwelling, inclusive of a bed and breakfast establishment;

d) one agricultural service trailer;

e) group home;

f) second unit in accordance with the provisions of Section 3.41 of this By-law.

4.8.1.2 Non-Residential Uses

a) abattoir;

b) agricultural produce warehouse;

c) agricultural uses;

d) auction barn;

e) cannabis cultivation – outdoor

f) conservation, or other similar uses as provide for the preservation of the natural environment;

g) custom workshop;

h) farm greenhouse but shall not include a *cannabis cultivation – indoor* use or accessory uses theret

i) farm implement and equipment sales and service establishment;

j) farm produce retail outlet operated on a temporary and seasonal basis only provided that the majority of such produce offered or kept for sale is the

produce of the farm on which such retail outlet is located;

k) feed and seed dealers;

l) feed lot operation;

m) fertilizer plant;

n) forestry and reforestation;

o) kennel;

p) nursery farm;

q) riding or boarding stable;

r) sawmill;

s) small scale commercial and industrial uses provided they directly relate to the agricultural operation but shall not include a cannabis drug production facility, cannabis processing facility, cannabis research facility or cannabis analytical testing facility;

t) tile drainage operations;

u) public use or utility in accordance with the provisions of Section 3.39 of this By-law.

4.8.1.3 Accessory Uses

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

4.8.2 Exceptions

Any exceptions referred to in Schedule “B” applicable to the land building or structure.

4.8.3 Zone Regulations for Residential Uses

i)	Lot Area (Minimum)	20 ha
ii)	Lot Frontage (Minimum)	200 m
iii)	Building Height (Maximum)	11 m

iv)	Front Yard (Minimum)	15 m
v)	Exterior Side Yard (Minimum)	15 m
vi)	Interior Side Yard (Minimum)	6 m
vii)	Rear Yard (Minimum)	15 m
viii)	Dwelling Unit Area (Minimum)	110 sq. m
ix)	Maximum Lot Coverage (all buildings and structures)	10%
x)	Minimum Setback From Street Centreline (County Road)	28 m
xi)	Minimum Setback From Street Centreline (Township Road)	25 m
xii)	Dwellings Per Lot (Maximum)	one

4.8.4 Regulations for Non-Residential Uses

i)	Lot Area (Minimum)	20 ha
ii)	Lot Frontage (Minimum)	200 m
iii)	Building Height (Maximum)	13 m
iv)	Front Yard (Minimum)	30 m
v)	Exterior Side Yard (Minimum)	30 m
vi)	Interior Side Yard (Minimum)	30 m
vii)	Rear Yard (Minimum)	30 m
viii)	Maximum Lot Coverage (all buildings and structures)	10%
ix)	Minimum Setback From Street Centreline (County Road)	43 m
x)	Minimum Setback From Street Centreline (Township Road)	40 m

4.8.4.1 Regulations for Agricultural Service Trailer

i)	Minimum Yard Dimensions (from any building or structure)	6 m
ii)	Minimum floor space per sleeping room	
	2 workers per room	6 sq. m per worker

	3 or 4 workers per room	5 sq. m per worker
	5 or more workers per room	4 sq. m per worker
iii)	Minimum Setback From Street Centreline (County Road)	28 m
iv)	Minimum Setback From Street Centreline (Township Road)	25 m

4.8.5 Special Provisions - Lot Creation

4.8.5.1 Farm Consolidation

Notwithstanding the minimum lot area and frontage requirement for a lot within the Rural (RU) Zone, as set forth under Section 4.8.3 hereof to the contrary, where a severance is granted for farm consolidation purposes the minimum lot area and frontage requirements for the surplus dwelling and/or farm structures in existence as of the date of the consolidation shall be 4050 sq. m and 45 m respectively. For the purposes of this By-law, the new lot which is created as a result of the consolidation of lands shall be deemed to comply with the minimum lot area and frontage requirements where the consolidated lot has a lesser lot area and/or frontage than required hereunder.

4.8.5.2 New Farm Operations

New parcels of land for agricultural purposes may be created provided that both the proposed retained and severed parcels are of a size suitable for the agricultural purpose proposed and both shall be 40 ha in size or greater.

4.8.5.3 Zoning for Lot Creation

Where a consent has been granted by the approval authority:

a) to create a residential lot outside of a settlement area, such lot shall be deemed to be zoned Rural Residential (RR) Zone on Schedule ‘A’ provided such lot complies with the requirements of Section 4.12; or

b) to create a waterfront residential lot outside of a settlement area, such lot shall be deemed to be zoned Lakeshore Residential (LR) Zone on Schedule ‘A’ provided such lot complies with the requirements of Section 4.13.

4.8.6 High Water Mark – Setback Provisions

Notwithstanding the minimum yard setback provisions as set forth under Sections 4.8.3 and 48.4 herein to the contrary, all provisions of Section 3.15, High Water Mark – Setback Provisions, of this By-law to the use of any land, building or structure permitted within the Rural (RU) Zone shall apply and be complied with.

4.8.7 Source Water Protection Overlay Zone

Notwithstanding the permitted uses as set forth under Section 4.7.1 herein to the contrary, all the provisions of Section 3.44, Source Water Protection Overlay Zone, of this By-law where applicable to the use of any land, building, or structure within the Rural (RU) Zone shall apply and be complied with."

4.8.8 General Zone Provisions

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

4.9 Residential Type One (R1) Zone

No person shall, within any Residential Type One (R1) Zone, use any land, or erect, alter, or use any building or structure, except in accordance with the following provisions.

4.9.1 Permitted Uses

4.9.1.1 Residential Uses

a) single-detached dwelling;

b) second unit in accordance with the provisions of Section 3.41 of this By-law;

c) existing semi-detached, duplex or multi-unit dwellings;

d) Type A home occupation use within the principal dwelling;

e) group home;

f) boarding, lodging or rooming house within a dwelling serviced by municipal water supply and sanitary sewers in accordance with the provisions of Section 3.49 of this By-law.

4.9.1.2 Non-Residential Uses

a) public use or utility in accordance with the provisions of Section 3.39 of this By-law.

4.9.1.3 Accessory Uses

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

4.9.2 Exceptions

Any exceptions referred to in Schedule “B” applicable to the land building or structure.

4.9.3 Zone Regulations - Single Detached Dwelling Serviced By Municipal Water Supply & Sanitary Sewers

i)	Lot Area (Minimum)	510 sq. m
ii)	Lot Frontage (Minimum)	
	Interior Lot	15 m
	Exterior/Corner Lot	18 m
iii)	Building Height (Maximum)	11 m
iv)	Front Yard (Minimum)	7.5 m
v)	Exterior Side Yard (Minimum)	5 m
vi)	Rear Yard (Minimum)	7.5 m
vii)	Dwelling Unit Area (Minimum)	92 sq. m
viii)	Maximum Lot Coverage (all buildings and structures)	30%
ix)	Dwellings Per Lot (Maximum)	one
x)	Landscaped Open Space (Minimum)	30%

4.9.3.1 Interior Side Yard

The minimum interior setback shall be 4.8 m on one side and 1.2 m on the other side unless a garage or carport is attached to or is within the main dwelling in which case the minimum interior side yard setback shall be 1.2 m for both interior side yards.

4.9.3.2 Minimum Setback from Street Centreline

Minimum setback shall be 17.6 m except where the exterior side yard is adjacent a public street or road in which case the minimum setback requirement from street centreline shall be 15 m.

4.9.4 Zone Regulations - Single Detached Dwelling Serviced By Municipal Water Supply Or Private Wells & Private Sewage Treatment Facilities

i)	Lot Area (Minimum)	4050 sq. m
ii)	Lot Frontage (Minimum)	45 m

iii)	Lot Depth (Minimum)	60 m
iv)	Building Height (Maximum)	11 m
v)	Front Yard (Minimum)	7.5 m
vi)	Exterior Side Yard (Minimum)	5 m
vii)	Rear Yard (Minimum)	10 m
viii)	Dwelling Unit Area (Minimum)	92 sq. m
ix)	Maximum Lot Coverage (all buildings and structures)	20%
x)	Dwellings Per Lot (Maximum)	one
xi)	Landscaped Open Space (Minimum)	30%

4.9.4.1 Interior Side Yard

Minimum width shall be 4.8 m on one side, 1.2 m on the other side, plus 0.6 m on the narrow side for each additional or partial storey above the first, provided that where a garage or carport is attached to or is within the main residential building on the lot or the lot is a corner lot, the minimum width of the interior side yard shall be 1.2 m plus 0.6 m for each additional or partial storey above the first.

4.9.4.2 Minimum Setback from Street Centreline

Minimum setback shall be 17.6 m except where the exterior side yard is adjacent a public street or road in which case the minimum setback from street centreline shall be 15 m.

4.9.5 High Water Mark – Setback Provisions

Notwithstanding the minimum yard setback provisions as set forth under Sections 4.9.3 and 4.9.4 herein to the contrary, all provisions of Section 3.15, High Water Mark – Setback Provisions, of this By-law to the use of any land, building or structure permitted within the Residential Type One (R1) Zone shall apply and be complied with.

4.9.6 Source Water Protection Overlay Zone

Notwithstanding the permitted uses as set forth under Section 4.9.1 herein to the contrary, all the provisions of Section 3.44, Source Water Protection Overlay Zone, of this By-law where applicable to the use of any land, building, or structure within the Residential Type One (R1) Zone shall apply and be complied with."

4.9.7 General Zone Provisions

All provisions of Section 3, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Residential Type One (R1) Zone shall apply and be complied with.

4.10 Residential Type Two (R2) Zone

4.10.1 Permitted Uses

No person shall, within any Residential Type Two (R2) Zone, use any land, or erect, alter, or use any building or structure, except in accordance with the following provisions.

4.10.1.1 Residential Uses

a) semi-detached dwelling;

b) duplex dwelling;

c) Type A home occupation use within the principal dwelling

d) second unit in accordance with the provisions of Section 3.41 of this By-law.

e) boarding, lodging or rooming house within a dwelling serviced by municipal water supply and sanitary sewers in accordance with the provisions of Section 3.49 of this By-law.

4.10.1.2 Non-Residential Uses

a) public use or utility in accordance with the provisions of Section 3.39 of this By-law.

4.10.1.3 Accessory Uses

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

4.10.2 Exceptions

Any exceptions referred to in Schedule “B” applicable to the land building or structure.

4.10.3 Zone Regulations

4.10.3.1 Semi-Detached Dwelling

i)	Lot Area (Minimum)	335 sq. m
ii)	Lot Frontage (Minimum)	
	Interior Lot	10 m
	Exterior/Corner Lot	12 m
iii)	Building Height (Maximum)	11 m
iv)	Front Yard (Minimum)	7.5 m
v)	Exterior Side Yard (Minimum)	5 m
vi)	Rear Yard (Minimum)	7.5 m
vii)	Dwelling Unit Area (Minimum)	84 sq. m
viii)	Maximum Lot Coverage (all buildings and structures)	40%
ix)	Dwellings Per Lot (Maximum)	one
x)	Dwelling Units Per Lot (Maximum)	two
xi)	Landscaped Open Space (Minimum)	30%

4.10.3.1.1 Interior Side Yard

Minimum width shall be 3 m for the side that is not attached to the other dwelling house, provided that where a garage or carport is attached to or is within the main building the minimum width of the interior side yard shall be 1.2 m plus 0.6 m for each additional or partial storey above the first.

4.10.3.1.2 Minimum Setback from Street Centreline

Minimum setback shall be 17.6 m except where the exterior side yard abuts a public street or road in which case the minimum setback from street centreline shall be 15 m.

4.10.3.2 Duplex Dwelling

i)	Lot Area (Minimum)	650 sq. m
ii)	Lot Frontage (Minimum)	20 m

iii)	Building Height (Maximum)	11 m
iv)	Front Yard (Minimum)	7.5 m
v)	Exterior Side Yard (Minimum)	7.5 m
vi)	Rear Yard (Minimum)	7.5 m
vii)	Dwelling Unit Area (Minimum)	70 sq. m
viii)	Maximum Lot Coverage (all buildings and structures)	40%
ix)	Dwellings Per Lot (Maximum)	one
x)	Dwelling Units Per Lot (Maximum)	two
xi)	Landscaped Open Space (Minimum)	30%

4.10.3.2.1 Interior Side Yard

Minimum width shall be 5 m on one side, 1.8 m on the other side, plus 0.6 m on the narrow side for each additional or partial storey above the second, provided that where the lot is a corner lot, the minimum width of the interior side yard shall be 1.8 m plus 0.6 m for each additional or partial storey above the second.

4.10.3.2.2 Minimum Setback from Street Centreline

Minimum setback shall be 17.6 m except where the exterior side yard abuts a public street or road in which case the minimum setback from street centreline shall be 15 m.

4.10.4 High Water Mark – Setback Provisions

Notwithstanding the minimum yard setback provisions as set forth under Section 4.10.3 herein to the contrary, all provisions of Section 3.15, High Water Mark – Setback Provisions, of this By-law to the use of any land, building or structure permitted within the Residential Type Two (R2) Zone shall apply and be complied with.

4.10.5 Source Water Protection Overlay Zone

Notwithstanding the permitted uses as set forth under Section 4.10.1 herein to the contrary, all the provisions of Section 3.44, Source Water Protection Overlay Zone, of this By-law where applicable to the use of any land, building, or structure within the Residential Type Two (R2) Zone shall apply and be complied with."

4.10.6 General Zone Provisions

All provisions of Section 3, General Zone Provisions of this By-law, where applicable to the use of any land, building or structure permitted within the Residential Type Two (R2) Zone shall apply and be complied with.

4.11 Multiple Residential (R3) Zone

4.11.1 Permitted Uses

No person shall, within any Multiple Residential (R3) Zone, use any land, or erect, alter, or use any building or structure, except in accordance with the following provisions.

4.11.1.1 Residential Use

a) triplex dwelling

b) fourplex dwelling;

c) townhouse dwelling;

d) streetfront townhouse dwelling;

e) apartment dwelling;

f) boarding, lodging or rooming house within a dwelling serviced by municipal water supply and sanitary sewers in accordance with the provisions of Section 3.49 of this By-law.

4.11.1.2 Non-Residential Uses

a) public use or utility in accordance with the provisions of Section 3.39 of this By-law.

4.11.1.3 Accessory Uses

Uses, buildings or structures accessory to any of the foregoing permitted uses specified under Subsection 4.11.1.1 and 4.11.1.2 hereof and in accordance with the provisions of Section 3.1 of this By-law.

4.11.2 Exceptions

Any exceptions referred to in Schedule “B” applicable to the land building or structure.

4.11.3 Zone Regulations

4.11.3.1 Triplex and Fourplex Dwellings

i)	Lot Area (Minimum)	1000 sq. m
ii)	Lot Frontage (Minimum)	25 m
iii)	Building Height (Maximum)	11 m
iv)	Front Yard (Minimum)	7.5 m
v)	Exterior Side Yard (Minimum)	5 m
vi)	Interior Side Yard (Minimum)	5 m
vii)	Rear Yard (Minimum)	10 m
viii)	Dwelling Unit Area (Minimum)	70 sq. m
ix)	Maximum Lot Coverage (all buildings and structures)	40%
x)	Dwellings Per Lot (Maximum)	one
xi)	Dwelling Units Per Lot (Maximum)	four

4.11.3.2 Townhouse Dwellings

i)	Lot Area (Minimum)	5,000 sq. m or 270 sq. m per dwelling unit, whichever is greater
ii)	Building Height (Maximum)	11 m
iii)	Front Yard (Minimum)	7.5 m
iv)	Exterior Side Yard (Minimum)	7.5 m
v)	Interior Side Yard (Minimum)	6 m
vi)	Rear Yard (Minimum)	7.5 m
vii)	Dwelling Unit Area (Minimum)	84 sq. m
viii)	Maximum Lot Coverage (all buildings and structures)	40%
ix)	Minimum Setback from Street Centreline	17.5 m

4.11.3.2.1 Minimum Spatial Separation Requirements

Where more than one building is erected on the same lot, the following separation requirements shall apply, namely:

i)	between two exterior walls which contain no windows to habitable room	6 m
ii)	between two exterior walls, one of which contains windows to habitable rooms	9 m
iii)	between two exterior walls, both of which contain windows to habitable rooms	15 m

Notwithstanding the foregoing provisions, the minimum distance between two exterior walls shall be increased by the width of any driveway or walk located between such walls.

4.11.3.3 Streetfront Townhouse Dwelling

i)	Lot Area (Minimum)	
	Where a streetfront townhouse dwelling unit has two walls attached to adjoining units	270 sq. m
	Where a streetfront townhouse dwelling unit has only one wall attached to an adjoining unit and the lot is not a corner lot	300 sq. m
	Where a streetfront townhouse dwelling unit has only one wall attached to an adjoining unit and the lot is a corner lot	380 sq. m
ii)	Lot Frontage (Minimum)	
	Where a streetfront townhouse dwelling unit has two walls attached to adjoining units	9 m
	Where a streetfront townhouse dwelling unit has only one wall attached to an adjoining unit and the lot is not a corner lot	10 m
	Where the streetfront townhouse dwelling unit has only one wall attached to an adjoining unit and the lot is a corner lot	12.5 m

iii)	Building Height (Maximum)		11 m
iv)	Front Yard (Minimum)		7.5 m
v)	Exterior Side Yard (Minimum)		5 m
vi)	Interior Side Yard (Minimum)	Minimum interior side yard requirement adjacent a wall which is not a common wall shall be 1.8 m	
vii)	Rear Yard (Minimum)		10 m
viii)	Dwelling Unit Area (Minimum)		84 sq. m
ix)	Maximum Lot Coverage (all buildings and structures)		40%
x)	Streetfront Townhouse Dwellings Per Lot (Maximum)		one

4.11.3.3.1 Maximum Number of Streetfront Townhouse Dwelling Units Having Common Walls

Notwithstanding any other provision of this By-law to the contrary, three or more dwelling units but not exceeding six dwelling units may be erected having common walls.

4.11.3.3.2 Minimum Setback from Street Centreline

Minimum setback shall be 17.6 m except where the exterior side yard abuts a public street or road in which case the minimum exterior side yard width shall be 15 m.

4.11.3.4 Regulations for Apartment Dwellings

i)	Lot Area (Minimum)	1,000 sq. m or 185 sq. m per dwelling unit, whichever is greater
ii)	Lot Frontage (Minimum)	30 m
iii)	Building Height (Maximum)	11 m
iv)	Front Yard (Minimum)	12 m
v)	Exterior Side Yard (Minimum)	8 m
vi)	Interior Side Yard (Minimum)	8 m

vii)	Rear Yard (Minimum)	12 m
viii)	Dwelling Unit Area (Minimum)	
	Bachelor Dwelling Unit	40 sq. m
	One Bedroom Dwelling Unit	56 sq. m
	Two Bedroom Dwelling Unit	70 sq. m
	Dwelling Unit containing three or more bedrooms	84 sq. m plus 9 sq. m for each bedroom in excess of 3
ix)	Maximum Lot Coverage (All buildings and structures)	40%
x)	Apartment Dwellings Per Lot (Maximum)	one

4.11.3.4.1 Minimum Setback from Street Centreline

Minimum setback shall be 22 m except where the exterior side yard abuts a public street or road in which case the minimum setback from street centreline shall be 18 m.

4.11.4 Planting Strip Requirements

Where the interior or rear lot line of a Multiple Residential (R3) Zone abuts another residential zone of lower density, an area adjoining such abutting lot line shall be used for no other purpose than a planting strip in accordance with the requirements of Section 3.35 of this By-law.

4.11.5 High Water Mark – Setback Provisions

Notwithstanding the minimum yard setback provisions as set forth under Section 4.11.3 herein to the contrary, all provisions of Section 3.15, High Water Mark – Setback Provisions, of this By-law to the use of any land, building or structure permitted within the Multiple Residential (R3) Zone shall apply and be complied with.

4.11.6 Source Water Protection Overlay Zone

Notwithstanding the permitted uses as set forth under Section 4.11.1 herein to the contrary, all the provisions of Section 3.44, Source Water Protection Overlay Zone, of this By-law where applicable to the use of any land, building, or structure within the Multiple Residential (R3) Zone shall apply and be complied with."

4.11.7 General Zone Provisions

All provisions of Section 3, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Multiple Residential (R3) Zone shall apply and be complied with.

4.12 Rural Residential (RR) Zone

4.12.1 Permitted Uses

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

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

In a Rural Residential (RR) Zone, there is no commitment or requirement by the municipality to assume responsibility for ownership or maintenance of any private road. Due to road conditions of privately maintained roads, there is no commitment or requirement by the municipality to ensure that emergency vehicles are able to access privately own roads.

4.12.1.1 Residential Uses

a) single-detached dwelling;

b) Type A home industry use;

c) Type A or Type B home occupation use within the principal dwelling, inclusive of a bed and breakfast establishment;

d) group home

e) second unit in accordance with the provisions of Section 3.41 of this By-law.

4.12.1.2 Non-Residential Uses

a) public use or utility in accordance with the provisions of Section 3.39 of this By-law.

4.12.1.3 Accessory Uses

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

4.12.2 Exceptions

Any exceptions referred to in Schedule "B" applicable to the land building or structure.

4.12.3 Zone Regulations

i)	Lot Area (Minimum)	4050 sq. m
ii)	Lot Frontage (Minimum)	45 m
iii)	Building Height (Maximum)	11 m
iv)	Front Yard (Minimum)	15 m
v)	Exterior Side Yard (Minimum)	10 m
vi)	Interior Side Yard (Minimum)	4.5 m
vii)	Rear Yard (Minimum)	10 m
viii)	Dwelling Unit Area (Minimum)	110 sq. m
ix)	Maximum Lot Coverage (all buildings and structures)	20%
x)	Minimum Setback From Street Centreline (County Road)	28 m
xi)	Minimum Setback From Street Centreline (Township Road)	20 m
xii)	Dwellings Per Lot (Maximum)	one

4.12.4 High Water Mark – Setback Provisions

Notwithstanding the minimum yard setback provisions as set forth under Section 4.12.3 herein to the contrary, all provisions of Section 3.15, High Water Mark – Setback Provisions, of this By-law to the use of any land, building or structure permitted within the Rural Residential (RR) Zone shall apply and be complied with.

4.12.5 Source Water Protection Overlay Zone

Notwithstanding the permitted uses as set forth under Section 4.12.1 herein to the contrary, all the provisions of Section 3.44, Source Water Protection Overlay Zone, of this By-law where applicable to the use of any land, building, or structure within the Rural Residential (RR) Zone shall apply and be complied with."

4.12.6 General Zone Provisions

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

4.13 Lakeshore Residential (LR) Zone

4.13.1 Permitted Uses

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

In a Lakeshore Residential (LR) Zone, there is no commitment or requirement by the municipality to assume responsibility for ownership or maintenance of any private road. Due to road conditions of privately maintained roads, there is no commitment or requirement by the municipality to ensure that emergency vehicles are able to access privately owned roads.

4.13.1.1 Residential Uses

a) single detached dwelling;

b) seasonal dwelling;

c) Type A home occupation use within the principal dwelling;

d) second unit in accordance with the provisions of Section 3.41 of this By-law.

4.13.1.2 Non-Residential Uses

a) public use or utility in accordance with the provisions of Section 3.38 of this By-law.

4.13.1.3 Accessory Uses

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

4.13.2 Exceptions

Any exceptions referred to in Schedule “B” applicable to the land building or structure.

4.13.3 Zone Regulations

i)	Lot Area (Minimum)	4050 sq. m
ii)	Lot Frontage (Minimum)	45 m

iii)	Water Frontage (Minimum)	45 m
iv)	Building Height (Maximum)	11 m
v)	Front Yard (Minimum)	7.5 m
vi)	Exterior Side Yard (Minimum)	7.5 m
vii)	Side Yard (Minimum)	3 m
viii)	Rear Yard (Minimum)	15 m
ix)	Floor Area (Minimum)	100 sq. m
x)	First Storey Floor Area (Minimum)	60 sq. m
xi)	Maximum Lot Coverage (all buildings and structures)	20%
xii)	Dwellings Per Lot (Maximum)	one

4.13.4 Zone Regulations for Island Lots

i)	Lot Area (Minimum)	6000 sq. m
ii)	Water Frontage (Minimum)	45 m
iii)	Building Height (Maximum)	11 m
iv)	Front Yard (Minimum)	15 m
v)	Side Yard (Minimum)	15 m
vi)	Rear Yard (Minimum)	15 m
vii)	Floor Area (Minimum)	100 sq. m
viii)	First Storey Floor Area (Minimum)	60 sq. m
ix)	Maximum Lot Coverage (all buildings and structures)	20%
x)	Dwellings Per Lot (Maximum)	one

4.13.5 Zone Regulations for Sleeping Cabins (Bunkies)

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

i)	Front Yard (Minimum)	21.5 m
ii)	Rear Yard (Minimum)	7.5 m

iii)	Side Yard (Minimum)	6 m
iv)	Building Height (Maximum)	6 m
v)	Floor Area (Maximum)	47 sq. m

A sleeping cabin shall not have any facilities for the preparation of meals on the premises, nor shall it have any sanitary facilities.

4.13.6 High Water Mark – Setback Provisions

Notwithstanding the minimum yard setback provisions as set forth under Sections 4.13.3, 4.13.4 and 4.13.5 herein to the contrary, all provisions of Section 3.15, High Water Mark – Setback Provisions, of this By-law to the use of any land, building or structure permitted within the Lakeshore Residential (LR) Zone shall apply and be complied with.

4.13.7 Source Water Protection Overlay Zone

Notwithstanding the permitted uses as set forth under Section 4.13.1 herein to the contrary, all the provisions of Section 3.44, Source Water Protection Overlay Zone, of this By-law where applicable to the use of any land, building, or structure within the Lakeshore Residential (LR) Zone shall apply and be complied with."

4.13.8 General Zone Provisions

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

Specifically, Sections 3.21, Lakeshore Constraint Area and 3.23, Limitations for Residential Development of this By-law where applicable to the use of any land, building or structure permitted within the Lakeshore Residential (LR) Zone shall apply and be complied with.

4.14 Recreational Commercial (RC) Zone

4.14.1 Permitted Uses

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

4.14.1.1 Residential Uses

a) single detached dwelling or a dwelling unit in a portion of a non-residential building shall only be permitted where such dwelling is ancillary to a permitted non-residential use and occupied by the owner, caretaker, watchman or other similar person, as is employed on the lot on which such dwelling is located.

4.14.1.2 Non-Residential Uses – Primary, "Group A"

a) commercial club;

b) cottage establishment;

c) marina;

d) motel;

e) private club;

f) public use or utility in accordance with the provisions of Section 3.39 of this By-law.

4.14.1.3 Non-Residential Uses – Primary, "Group B"

a) campground, private;

b) golf course and golf driving range;

c) recreational complex;

d) an existing recreational trailer park;

e) resort establishment;

f) ski resort;

g) tourist establishment.

4.14.1.4 Non-Residential Uses – Ancillary to a Primary Permitted Use

a) coin operated laundry facility;

b) convenience store;

c) liquor licensed premises;

d) marina sales and servicing establishment;

e) miniature golf course;

f) motorized snow vehicle sales and service establishment;

g) place of entertainment excluding arcades;

h) recreational vehicle and recreational trailer sales and service establishment;

i) restaurant, fast food restaurant and/or take-out restaurant;

j) retail commercial establishment;

k) other recreational facilities and related common areas and buildings where such uses are ancillary to the principal permitted non- residential use on the same lot within the Recreational Commercial (RC) Zone.

4.14.1.5 Accessory Uses

Uses, buildings or structures accessory to any of the foregoing permitted uses, specified under Subsections 4.14.1.1, 4.14.1.2, 4.14.1.3 and 4.14.1.4 hereof, and in accordance with the provisions of Section 3.1 of this By-law.

4.14.2 Exceptions

Any exceptions referred to in Schedule “B” applicable to the land building or structure.

4.14.3 Zone Regulations for Residential Uses

4.14.3.1 Single Detached Dwelling

i)	Building Height (Maximum)	11 m
ii)	Front Yard (Minimum)	15 m
iii)	Exterior Side Yard (Minimum)	15 m
iv)	Interior Side Yard (Minimum)	6 m

v)	Rear Yard (Minimum)	15 m
vi)	Dwelling Unit Area (Minimum)	110 sq. m
vii)	Maximum Lot Coverage (all buildings and structures)	30%
viii)	Minimum Setback From Street Centreline (County Road)	28 m
ix)	Minimum Setback From Street Centreline (Township Road)	25 m
x)	Dwellings Per Lot (Maximum)	one

4.14.3.1.1 Spatial Separation Requirements

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

4.14.3.2 Dwelling Unit in Portion Of Non-Residential Building

i) Dwelling Unit Area (Minimum)

One Bedroom Dwelling Unit	56 sq. m
Two Bedroom Dwelling Unit	70 sq. m
Three Bedroom Dwelling Unit	84 sq. m

4.14.3.2.1 Interior Side Yard

Minimum interior side yard requirement shall be 6 m except where the interior side lot line abuts a Residential Zone, in which case the minimum interior side yard shall be 12 m.

4.14.3.2.2 Maximum Number of Dwelling Units and Location

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

4.14.4 Zone Regulations – Primary Use "Group A"

i)	Lot Area (Minimum)	4,050 sq. m
ii)	Lot Frontage (Minimum)	30 m
iii)	Building Height (Maximum)	11 m
iv)	Front Yard (Minimum)	7.5 m
v)	Exterior Side Yard (Minimum)	7.5 m
vi)	Rear Yard (Minimum)	7.5 m
vii)	Floor Area (Minimum)	37 sq. m
viii)	Maximum Lot Coverage (all buildings and structures)	40%
ix)	Distance Between Cottages On Same Lot (Minimum)	4 m
x)	Landscaped Open Space (Minimum)	30%

4.14.4.1 Interior Side Yard

Minimum interior side yard requirements shall be 6 m except where the interior side lot line abuts any Residential Zone, in which case the minimum interior side yard requirement shall be 12 m.

4.14.5 Zone Regulations – Primary Use "Group B"

i)	Lot Area (Minimum)	4 ha
ii)	Lot Frontage (Minimum)	100 m
iii)	Building Height (Maximum)	11 m
iv)	Front Yard (Minimum)	15 m
v)	Exterior Side Yard (Minimum)	15 m
vi)	Interior Side Yard (Minimum)	15 m
vii)	Rear Yard (Minimum)	15 m
viii)	Maximum Lot Coverage (all buildings and structures)	30%
ix)	Minimum Setback From Street Centreline (County Road)	28 m
x)	Minimum Setback From Street Centreline (Township Road)	25 m
xi)	Landscaped Open Space (Minimum)	30%

4.14.6 Zone Regulations For Non-Residential Uses – Ancillary to a Permitted Use

i)	Building Height (Maximum)	11 m
ii)	Front Yard (Minimum)	15 m
iii)	Exterior Side Yard (Minimum)	15 m
iv)	Interior Side Yard (Minimum)	6 m
v)	Rear Yard (Minimum)	15 m
vi)	Maximum Lot Coverage (all buildings and structures)	30%
vii)	Minimum Setback From Street Centreline (County Road)	28 m
viii)	Minimum Setback From Street Centreline (Township Road)	25 m

4.14.6.1 Specific Regulations for Recreational Trailer Parks and Campgrounds

i)	Recreational Trailer and Camp Site Area (Minimum)	232 sq. m
ii)	Recreational Trailer and Camp Site Frontage (Minimum)	10 m
iii)	Separation Distance Between Recreational Trailer and Camp Sites (Minimum)	3 m
iv)	Density Of Recreational Trailer and Camp Sites (Maximum)	15 sites per 4,050 sq. m exclusive of lands used for private roads providing access to sites.
v)	Recreational Trailer and Camp Site Coverage (Maximum)	35%

4.14.6.1.1 Minimum Spatial Separation between Recreational Trailers

No recreational trailer shall be erected on a site such that the minimum distance between sidewalls is less than 8 m and the minimum distance between end walls is less than 3 m.

4.14.7 Planting Strip Requirements

Where the lot line abuts a Zone other than the Recreational Commercial (RC) Zone, an area adjoining such abutting lot line or portion thereof shall be used for no other purpose than for a planting strip in accordance with the requirements of Section 3.35 hereinafter set forth in this By-law.

4.14.8 High Water Mark – Setback Provisions

Notwithstanding the minimum yard setback provisions as set forth under Sections 4.14.3, 4.14.4, 4.14.5 and 4.14.6 herein to the contrary, all provisions of Section 3.15, High Water Mark – Setback Provisions, of this By-law to the use of any land, building or structure permitted within the Recreational Commercial (RC) Zone shall apply and be complied with.

4.14.9 Source Water Protection Overlay Zone

Notwithstanding the permitted uses as set forth under Section 4.14.1 herein to the contrary, all the provisions of Section 3.44, Source Water Protection Overlay Zone, of this By-law where applicable to the use of any land, building, or structure within the Recreational Commercial (RC) Zone shall apply and be complied with."

4.14.10 General Zone Provisions

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

Specifically, Sections 3.21, Lakeshore Constraint Area and 3.23, Limitations for Residential Development of this By-law where applicable to the use of any land, building or structure permitted within the Recreational Commercial (RC) Zone shall apply and be complied with.

4.15 Highway Commercial (C1) Zone

4.15.1 Permitted Uses

No person shall, within any Highway Commercial (C1) Zone, use any land, or erect, alter, or use any building or structure, except in accordance with the following provisions.

4.15.1.1 Residential Uses

a) a single detached dwelling or a dwelling unit in a portion of a non-residential building shall only be permitted where such dwelling is ancillary to a permitted non-residential use and is occupied by the owner, caretaker, watchman or other similar persons, as are employed on the lot on which such dwelling unit is located.

4.15.1.2 Non-Residential Uses

a) all-terrain vehicle service and sales establishment;

b) animal shelter;

c) assembly hall;

d) auction barn;

e) auction room;

f) building supply outlet including the outside storage and display of goods and materials;

g) business, professional or administrative offices, provided such use is accessory and incidental to a permitted non- residential use on the same lot;

h) commercial club;

i) craft shop;

j) custom copy centre;

k) custom workshop;

l) drive-through facility;

m) dry-cleaners distribution station;

n) equipment sales and rental, light;

o) existing car wash;

p) farm produce retail outlet;

q) farm implement and equipment sales and service establishment;

r) flea market;

s) garden center;

t) greenhouse, commercial;

u) hotel;

v) liquor licensed premises;

w) marine sales and service establishment;

x) miniature golf course;

y) motel;

z) motor vehicle body shop, motor vehicle dealership, a motor vehicle gasoline bar, a motor vehicle repair garage, or a motor vehicle service centre in accordance with the provisions of Section 4.15.5 hereof;

aa) motorized snow vehicle sales and service establishment;

bb) outside display and storage of goods and materials where such use is accessory and incidental to a permitted non-residential use, on the same lot, specified hereunder and in accordance with the provisions of Section 4.15.6 hereof;

cc) place of entertainment;

dd) private club;

ee) public use or utility in accordance with the provisions of Section 3.39, of this By-law;

ff) recreational vehicle and recreational trailer sales and service establishment;

gg) restaurant, including fast food and/or take-out restaurants;

hh) retail commercial establishment, provided such use is accessory and incidental to a permitted non-residential use, on the same lot, as specified herein;

ii) existing self-storage facility;

jj) service shop;

kk) shopping centre;

ll) supermarket;

mm) veterinary clinic;

nn) vocational training facility.

4.15.1.3 Accessory Uses

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

4.15.2 Exceptions

Any exceptions referred to in Schedule “B” applicable to the land building or structure.

4.15.3 Zone Regulations for Residential Uses

4.15.3.1 Single Detached Dwelling

i)	Building Height (Maximum)	11 m
ii)	Front Yard (Minimum)	15 m
iii)	Exterior Side Yard (Minimum)	15 m
iv)	Interior Side Yard (Minimum)	6 m
v)	Rear Yard (Minimum)	15 m
vi)	Dwelling Unit Area (Minimum)	110 sq. m
vii)	Minimum Setback From Street Centreline (County Road)	28 m
viii)	Minimum Setback From Street Centreline (Township Road)	25 m
ix)	Dwellings Per Lot (Maximum)	one

4.15.3.1.1 Spatial Separation Requirements

Where a single detached dwelling is erected or any building or structure is altered or used for the purpose of a single detached dwelling on a lot in a Highway Commercial (C1) Zone in conjunction with a permitted non-residential use, such single detached dwelling shall not be erected, nor shall any building be altered or used for the purpose of a single detached dwelling, within 10 m of the permitted non-residential use.

4.15.3.2 Dwelling Unit in Portion of Non-Residential Building

A maximum of one dwelling unit is permitted in a portion of a non-residential building permitted within the Highway Commercial (C1) Zone in accordance with the requirements of the non-residential building or structure, except that in no case shall a dwelling unit be permitted within a motor vehicle body shop, a motor vehicle repair garage or a motor vehicle service centre.

i)	Dwelling Unit Area (Minimum)	
	One Bedroom Dwelling Unit	56 sq. m
	Two Bedroom Dwelling Unit	70 sq. m
	Three Bedroom Dwelling Unit	84 sq. m

4.15.4 Regulations for Non-Residential Uses Excluding Retail Gasoline Establishments

i)	Lot Area (Minimum)	3,000 sq. m
ii)	Lot Frontage (Minimum)	45 m
iii)	Building Height (Maximum)	11 m
iv)	Front Yard (Minimum)	15 m
v)	Exterior Side Yard (Minimum)	15 m
vi)	Rear Yard (Minimum)	12 m
vii)	Maximum Lot Coverage (all buildings and structures)	50%
viii)	Minimum Setback From Street Centreline (County Road)	28 m
ix)	Minimum Setback From Street Centreline (Township Road)	25 m
x)	Landscaped Open Space (Minimum)	10%

4.15.4.1 Interior Side Yard

Minimum interior side yard requirement shall be 6 m except where the interior side lot line abuts any Residential Zone, in which case the minimum interior side yard width shall be 12 m.

4.15.5 Regulations for Retail Gasoline Establishments

i)	Lot Area (Minimum)	3,700 sq. m
ii)	Lot Frontage (Minimum)	50 m
iii)	Building Height (Maximum)	11 m
iv)	Front Yard (Minimum)	15 m
v)	Exterior Side Yard (Minimum)	15 m
vi)	Rear Yard (Minimum)	15 m
vii)	Maximum Lot Coverage (all buildings and structures)	50%
viii)	Minimum Setback From Street Centreline (County Road)	28 m
ix)	Minimum Setback From Street Centreline (Township Road)	25 m
x)	Landscaped Open Space (Minimum)	10%

4.15.5.1 Interior Side Yard

Minimum interior side yard width shall be 6 m except where the interior side lot line abuts any Residential Zone, in which case the minimum interior side yard width shall be 12 m.

4.15.5.2 Minimum Lot Depth Requirement

Minimum lot depth requirement shall be 30 m except where the lot is a corner lot in which case the minimum lot depth requirement shall be 36 m.

4.15.5.3 Gasoline Pump Location

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

a) that the minimum distance between any portion of the pump island or gasoline pumps and any street line or any rear or interior side lot line is not

less than 5 m; and

b) that where a lot is a corner lot, no portion of any pump island or gasoline pumps shall be located closer than 3 m to a straight line between a point in the front lot line and a point in the exterior side lot line, such points being distant 15 m from the intersection of such lines.

4.15.5.4 Entrance Regulations

Notwithstanding any other provision set forth in this By-law to the contrary, ingress and egress driveways associated with a motor vehicle dealership, a motor vehicle gasoline bar, a motor vehicle repair garage or motor vehicle service centre, where gasoline is offered or kept for sale at retail, shall be established in accordance with the provisions of Section 3.19 of this By-law.

4.15.6 Zone Regulations for Outside Display and Storage

No portion of any lands zoned within the Highway Commercial (C1) Zone shall be used for the outside display and sale of goods and materials except in accordance with the following provisions, namely:

a) that such outside display and/or storage not be located closer than 8 m to the front lot line;

b) that such outside storage not be located closer than 2 m to an interior side or rear lot line where the lot line abuts a lot zoned for commercial purposes or 6 m of an interior side or rear lot line where the lot line abuts a lot zoned for other than commercial purposes;

c) that such outside display and/or storage does not cover in excess of 30% of the total lot area; and,

d) that any portion of a lot used for the outside display and/or storage of goods or materials is screened from adjacent residential uses adjoining the lot by buildings or is enclosed by shrub planting in conjunction with a planting strip as may be required under this By-law, or, is enclosed within a closed wooden fence extending at least 1.8 m in height from the finished grade.

4.15.7 Planting Strip Requirements

Where the interior side or rear lot line of a lot within a Highway Commercial (C1) Zone abuts any Residential Zone, an area adjoining such abutting lot line shall be used for no other purpose than for a planting strip in accordance with the requirements of Section 3.35 hereinafter set forth in this By-law.

4.15.8 High Water Mark – Setback Provisions

Notwithstanding the minimum yard setback provisions as set forth under Sections 4.15.3, 4.15.4 and 4.15.5 herein to the contrary, all provisions of Section 3.15, High Water Mark – Setback Provisions, of this By-law to the use of any land, building or structure permitted within the Highway Commercial (C1) Zone shall apply and be complied with.

4.15.9 Source Water Protection Overlay Zone

Notwithstanding the permitted uses as set forth under Section 4.15.1 herein to the contrary, all the provisions of Section 3.44, Source Water Protection Overlay Zone, of this By-law where applicable to the use of any land, building, or structure within the Highway Commercial (C1) Zone shall apply and be complied with."

4.15.10 General Zone Provisions

All provisions of Section 3, General Zone Provisions, where applicable to the use of any land, building or structure permitted within the Highway Commercial (C1) Zone shall apply and be complied with.

4.16 Local Commercial (C2) Zone

4.16.1 Permitted Uses

No person shall, within any Local Commercial (C2) Zone, use any land, or erect, alter, or use any building or structure, except in accordance with the following provisions.

4.16.1.1 Residential Uses

Residential uses are prohibited, except where a dwelling unit is located within a portion of a non-residential building permitted within the Local Commercial (C2) Zone.

4.16.1.2 Non-Residential Uses

a) auction room;

b) bakery shop;

c) bank or financial establishment;

d) brewer's retail outlet;

e) business, professional or administrative office;

f) club, commercial;

g) club, private;

h) coin operated laundry facility;

i) commercial copy centre;

j) convenience store;

k) craft shop;

l) custom workshop;

m) day nursery;

n) drive-through facility;

o) dry cleaners distribution station;

p) garden centre;

q) hotel;

r) liquor control board outlet;

s) liquor licensed premises;

t) motor vehicle gasoline bar;

u) motor vehicle service centre;

v) outdoor café where such use is ancillary and incidental to a restaurant or liquor licensed premises;

w) the outside display of goods and materials where such use is accessory and incidental to a permitted use specified hereunder;

x) parking lot;

y) place of entertainment including arcades;

z) post office;

aa) public use or municipal utility in accordance with the provisions of Section 3.39 of this By-law;

bb) restaurant including a fast food and/or take-out restaurant;

cc) retail commercial establishment;

dd) service shop;

ee) supermarket;

ff) veterinary clinic.

4.16.1.3 Accessory Buildings

Uses, buildings and structures accessory to any of the foregoing permitted uses specified under Subsections 4.16.1.1 and 4.16.1.2, in accordance with the provisions of Section 3.1 of this By-law.

4.16.2 Exceptions

Any exceptions referred to in Schedule “B” applicable to the land building or structure.

4.16.3 Zone Regulations for Residential Uses

4.16.3.1 Dwelling Unit in Portion of Non-Residential Building

Dwelling units may be permitted in a portion of a non-residential building permitted within the Local Commercial (C2) Zone provided that the dwelling units are not located below the second storey and that all other applicable provisions of the By-law are complied with.

i)	Dwelling Unit Area (Minimum)	
	Bachelor Dwelling Unit	40 sq. m
	One Bedroom Dwelling Unit	56 sq. m
	Two Bedroom Dwelling Unit	70 sq. m
	Three Bedroom Dwelling Unit	84 sq. m 9 sq. m for each bedroom in excess of three

4.16.4 Zone Regulations for Non-Residential Uses Excluding Retail Gasoline Establishments

i)	Lot Area (Minimum)	1,400 sq. m
ii)	Lot Frontage (Minimum)	15 m
iii)	Building Height (Maximum)	11 m
iv)	Front Yard (Minimum)	6 m
v)	Exterior Side Yard (Minimum)	6 m
vi)	Rear Yard (Minimum)	12 m
vii)	Maximum Lot Coverage (all buildings and structures)	80%
viii)	Minimum Setback From Street Centreline (County Road)	28 m
ix)	Minimum Setback From Street Centreline (Township Road)	25 m
x)	Landscaped Open Space (Minimum)	10%

4.16.4.1 Additional Regulations for the former Village of Lakefield

The minimum setback from street centre line in the former Village of Lakefield shall be 13 m.

4.16.4.2 Additional Regulations for Queen Street to Bridge Street between Reid Street and the Otonabee River in the former Village of Lakefield

Notwithstanding any provision set forth in Section 4.16.4.1 above, where a lot abuts either side of Queen Street or Bridge Street between Reid Street and the Otonabee River in the former Village of Lakefield, there shall be no minimum lot area, lot frontage, exterior side yard or interior side yard required. The maximum front yard setback shall be 2 m and the minimum front yard setback shall be the average of the existing front yards setbacks of the abutting buildings of the said section of Queen Street.

4.16.4.3 Interior Side Yard

Minimum interior side yard width shall be 2 m except where the interior side lot line abuts a Residential Zone, in which case the minimum interior side yard width shall be 6 m.

4.16.5 Regulations for Retail Gasoline Establishments

i)	Lot Area (Minimum)	3,700 sq. m
ii)	Lot Frontage (Minimum)	50 m
iii)	Building Height (Maximum)	11 m
iv)	Front Yard (Minimum)	15 m
v)	Exterior Side Yard (Minimum)	15 m
vi)	Rear Yard (Minimum)	15 m
vii)	Maximum Lot Coverage (all buildings and structures)	50%
viii)	Minimum Setback From Street Centreline (County Road)	28 m
ix)	Minimum Setback From Street Centreline (Township Road)	25 m
x)	Landscaped Open Space (Minimum)	10%

4.16.5.1 Interior Side Yard

Minimum interior side yard width shall be 6 m except where the interior side lot line abuts any Residential Zone, in which case the minimum interior side yard width shall be 12 m.

4.16.5.2 Minimum Lot Depth Requirement

Minimum lot depth requirement shall be 30 m except where the lot is a corner lot in which case the minimum lot depth requirement shall be 36 m.

4.16.5.3 Gasoline Pump Location

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

a) that the minimum distance between any portion of the pump island or gasoline pumps and any street line or any rear or interior side lot line is not less than 5 m; and

b) that where a lot is a corner lot, no portion of any pump island or gasoline pumps shall be located closer than 3 m to a straight line between a point in the front lot line and a point in the exterior side lot line, such points being distant 15 m from the intersection of such lines.

4.16.5.4 Entrance Regulations

Notwithstanding any other provision set forth in this By-law to the contrary, ingress and egress driveways associated with a motor vehicle dealership, a motor vehicle gasoline bar, a motor vehicle repair garage or motor vehicle service centre, where gasoline is offered or kept for sale at retail, shall be established in accordance with the provisions of Section 3.19 of this By-law.

4.16.6 Planting Strip Requirements

Where the interior side or rear lot line of a lot within a Local Commercial (C2) Zone abuts a Residential Zone, an area adjoining such abutting lot line shall be used for no other purpose than for a planting strip in accordance with the provisions of Section 3.35 hereinafter set forth in this By-law.

4.16.7 High Water Mark – Setback Provisions

Notwithstanding the minimum yard setback provisions as set forth under Sections 4.16.3, 4.16.4 and 4.16.5 herein to the contrary, all provisions of Section 3.15, High Water Mark – Setback Provisions, of this By-law to the use of any land, building or structure permitted within the Local Commercial (C2) Zone shall apply and be complied with.

4.16.8 Source Water Protection Overlay Zone

Notwithstanding the permitted uses as set forth under Section 4.16.1 herein to the contrary, all the provisions of Section 3.44, Source Water Protection Overlay Zone, of this By-law

where applicable to the use of any land, building, or structure within the Local Commercial (C2) Zone shall apply and be complied with."

4.16.9 General Zone Provisions

All provisions of Section 3, General Zone Provisions, where applicable to the use of any land, building or structure permitted within the Local Commercial (C2) Zone shall apply and be complied with.

4.17 Rural Industrial (M1) Zone

4.17.1 Permitted Uses

No person shall, within any Rural Industrial (M1) Zone, use any land, or erect, alter, or use any building or structure, except in accordance with the following provisions.

4.17.1.1 Residential Uses

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

4.17.1.2 Non-Residential Uses

a) abattoir;

b) agricultural produce warehouse;

c) auction barn;

d) building supply outlet;

e) bulk storage tank/refilling station;

f) business, professional or administrative office provided such use is accessory and incidental to a permitted non-residential use otherwise specified herein;

g) cartage or transport depot;

h) custom workshop;

i) equipment sales and rentals, heavy;

j) equipment sales and rentals, light;

k) farm implement and equipment sales and service establishment;

l) feed mill or seed cleaning plant;

m) machine shop;

n) manufacturing, processing, assembling or fabrication plant except any such use which, from its nature or the materials used therein, is declared to be an offensive or noxious trade, business or manufacture under the Health

Protection and Promotion Act, R.S.O. 1990, c. H.7 and, the Regulations made thereunder;

o) motor vehicle body shop;

p) motor vehicle gasoline bar;

q) motor vehicle repair garage;

r) motor vehicle service centre;

s) outside storage of goods and materials where such use is accessory and incidental to a permitted non-residential use otherwise specified hereunder;

t) printing/publishing establishment;

u) public use or utility in accordance with the provisions of Section 3.39 of this By-law;

v) retail commercial establishment where such use is accessory and incidental to a permitted non-residential use otherwise specified hereunder;

w) saw and/or planing mill;

x) seed testing laboratory and bank;

y) self-storage facility;

z) veterinary clinic;

aa) warehouse;

bb) welding shop;

cc) workshop.

4.17.1.3 Accessory Uses

Uses, buildings and structures accessory to any of the foregoing uses permitted under Subsections 4.17.1.1 and 4.17.1.2 hereof and in accordance with the provisions of Section 3.1 of this By-law.

4.17.2 Exceptions

Any exceptions referred to in Schedule “B” applicable to the land building or structure.

4.17.3 Zone Regulations for Residential Uses

i)	Building Height (Maximum)	11 m
ii)	Front Yard (Minimum)	15 m
iii)	Exterior Side Yard (Minimum)	15 m
iv)	Interior Side Yard (Minimum)	6 m
v)	Rear Yard (Minimum)	15 m
vi)	Dwelling Unit Area (Minimum)	84 sq. m
vii)	Minimum Setback From Street Centreline (County Road)	28 m
viii)	Minimum Setback From Street Centreline (Township Road)	25 m
ix)	Dwellings Per Lot (Maximum)	one

4.17.3.1 Spatial Separation Requirements

Where a single detached dwelling is erected or any building or structure is altered or used for the purposes of a single detached dwelling on a lot in a Rural Industrial (M1) Zone in conjunction with a permitted non-residential use, such single detached dwelling shall not be erected nor shall any building be altered or used for the purpose of a single detached dwelling within 15 m of the permitted non-residential use.

4.17.4 Zone Regulations for Non-Residential Uses Excluding Retail Gasoline Establishments

i)	Lot Area (Minimum)	3,000 sq. m
ii)	Lot Frontage (Minimum)	45 m
iii)	Building Height (Maximum)	12 m
iv)	Front Yard (Minimum)	20 m
v)	Interior Side Yard (Minimum)	6 m
vi)	Exterior Side Yard (Minimum)	20 m
vii)	Rear Yard (Minimum)	15 m
viii)	Maximum Lot Coverage (all buildings and structures)	50%

ix)	Minimum Setback From Street Centreline (County Road)	33 m
x)	Minimum Setback From Street Centreline (Township Road)	30 m
xi)	Landscaped Open Space (Minimum)	10%

4.17.4.1 Special Yard Provisions

Notwithstanding the yard requirements set forth under Section 4.17.4 hereof to the contrary, where the interior side lot line or rear lot line abuts any Residential Zone the minimum yard requirement shall be 20 m.

4.17.4.2 Height Exemption

Notwithstanding the provisions of subsection iii) hereof to the contrary, a building or structure permitted within the Rural Industrial (M1) Zone may exceed 12 m in height provided that such building or structure or portion thereof is set back from the front, side or rear lot line, as the case may be, an additional one metre for each one metre, or fraction thereof, by which such building or structure or portion of such building or structure exceeds 12 m in height.

4.17.5 Regulations for Retail Gasoline Establishments

i)	Lot Area (Minimum)	3,700 sq. m
ii)	Lot Frontage (Minimum)	50 m
iii)	Building Height (Maximum)	11 m
iv)	Front Yard (Minimum)	15 m
v)	Exterior Side Yard (Minimum)	15 m
vi)	Rear Yard (Minimum)	15 m
vii)	Maximum Lot Coverage (all buildings and structures)	50%
viii)	Minimum Setback From Street Centreline (County Road)	28 m
ix)	Minimum Setback From Street Centreline (Township Road)	25 m
x)	Landscaped Open Space (Minimum)	10%

4.17.5.1 Interior Side Yard

Minimum interior side yard width shall be 6 m except where the interior side lot line abuts any Residential Zone, in which case the minimum interior side yard width shall be 12 m.

4.17.5.2 Minimum Lot Depth Requirement

Minimum lot depth requirement shall be 30 m except where the lot is a corner lot in which case the minimum lot depth requirement shall be 36 m.

4.17.5.3 Gasoline Pump Location

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

a) that the minimum distance between any portion of the pump island or gasoline pumps and any street line or any rear or interior side lot line is not less than 5 m; and

b) that where a lot is a corner lot, no portion of any pump island or gasoline pumps shall be located closer than 3 m to a straight line between a point in the front lot line and a point in the exterior side lot line, such points being distant 15 m from the intersection of such lines.

4.17.5.4 Bulk Storage Tank Location

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

4.17.5.5 Entrance Regulations

Notwithstanding any other provision set forth in this By-law to the contrary, ingress and egress driveways associated with a motor vehicle dealership, a motor vehicle gasoline bar, a motor vehicle repair garage or motor vehicle service centre, where gasoline is offered or kept for sale at retail, shall be established in accordance with the provisions of Section 3.19 of this By-law.

4.17.6 Zone Regulations for Outside Display and Storage

Within the Rural Industrial (M1) Zone, no portion of any lot may be used for the outside display and/or storage of goods or materials except in accordance with the following provisions:

a) that such outside display and/or storage be restricted to the area to the rear of the front of the principal structure and comply with the required front and exterior side yard and setback requirements provided that such outside storage is not located closer than 5 m to an interior side lot line where the lot line abuts a lot zoned within a Rural or an Industrial Zone or 10 m of a rear lot line or interior side lot line of a lot zoned other than Rural or Industrial;

b) that such outside display and/or storage does not cover in excess of 50% of the total lot area;

c) that any portion of a lot used for the outside display and/or storage of goods or materials is screened from adjacent residential uses and public streets adjoining the lot by buildings, or is enclosed by shrub planting in conjunction with a planting strip as may be required under this By-law, or, is enclosed within a closed wooden, plastic and/or metal fence extending at least 1.8 m in height from the finished grade.

4.17.7 Restrictions on Use of Front and Exterior Side Yards

Required front and exterior side yards shall be open and unobstructed by any structure or parking or loading area for motor vehicles, except that such yards may be used for the purpose of visitor parking in accordance with the provisions of Section 3.29 hereinafter set forth in this By-law.

4.17.8 Planting Strip Requirements

Where the interior side or rear lot line abuts a Residential or Recreational-Open Space Zone, an area adjoining such abutting lot line shall be used for no other purpose than for a planting strip in accordance with the requirements of Section 3.35 hereinafter set forth in this By-law.

4.17.9 High Water Mark – Setback Provisions

Notwithstanding the minimum yard setback provisions as set forth under Sections 4.17.3, 4.17.4 and 4.17.5 herein to the contrary, all provisions of Section 3.15, High Water Mark – Setback Provisions, of this By-law to the use of any land, building or structure permitted within the Rural Industrial (M1) Zone shall apply and be complied with.

4.17.10 Source Water Protection Overlay Zone

Notwithstanding the permitted uses as set forth under Section 4.17.1 herein to the contrary, all the provisions of Section 3.44, Source Water Protection Overlay Zone, of this By-law where applicable to the use of any land, building, or structure within the Rural Industrial (M1) Zone shall apply and be complied with."

4.17.11 General Zone Provisions

All provisions of Section 3, General Zone Provisions, where applicable to the use of any land, building or structure permitted within the Rural Industrial (M1) zone classification shall apply and be complied with.

4.18 General Industrial (M2) Zone

4.18.1 Permitted Uses

No person shall, within any General Industrial (M2) Zone, use any land, or erect, alter, or use any building or structure, except in accordance with the following provisions.

4.18.1.1 Residential Uses

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

4.18.1.2 Non-Residential Uses

a) abattoir;

b) builder's supply outlet;

c) bulk storage tank/refilling station;

d) business, professional or administrative office provided such use is accessory and incidental to a permitted non-residential use otherwise specified herein;

e) cartage or transport depot and yard facilities;

f) a Class I Industry as defined by Ministry of the Environment Guideline D-6, being a place of business for a small scale, self-contained plant or building which produces/stores a product which is contained in a package and has low probability of fugitive emissions. Outputs are infrequent, and could be point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration. There are daytime operations only, with infrequent movement of products and/or heavy trucks;

g) equipment sales and rental, heavy;

h) equipment sales and rental, light;

i) general contractor's or tradesman's yard and related shop facilities;

j) government maintenance depot;

k) laboratory or research facility;

l) machine shop;

m) motor vehicle body shop;

n) motor vehicle repair garage;

o) outside display and storage of goods and materials where such use is accessory and incidental to a permitted non-residential use otherwise specified hereunder;

p) printing/publishing establishment;

q) public use or utility in accordance with the provisions of Section 3.39 of this By-law;

r) retail commercial establishment where such use is accessory and incidental to a permitted non-residential use otherwise specified hereunder;

s) self-storage facility;

t) warehouse;

u) wholesale establishment;

v) welding shop;

w) workshop.

4.18.1.3 Accessory Uses

Uses, buildings and structures accessory to any of the foregoing uses permitted under Subsections 4.18.1.1 and 4.18.1.2 hereof and in accordance with the provisions of Section 3.1 hereinafter set forth in this By-law.

4.18.2 Exceptions

Any exceptions referred to in Schedule “B” applicable to the land building or structure.

4.18.3 Zone Regulations for Residential Uses

i)	Building Height (Maximum)	11 m
ii)	Front Yard (Minimum)	15 m
iii)	Exterior Side Yard (Minimum)	15 m
iv)	Interior Side Yard (Minimum)	6 m
v)	Rear Yard (Minimum)	15 m

vi)	Dwelling Unit Area (Minimum)	84 sq. m
vii)	Minimum Setback From Street Centreline (County Road)	28 m
viii)	Minimum Setback From Street Centreline (Township Road)	25 m
ix)	Dwellings Per Lot (Maximum)	one

4.18.3.1 Spatial Separation Requirements

Where a single detached dwelling is erected or any building or structure is altered or used for the purposes of a single detached dwelling on a lot in a General Industrial (M2) Zone in conjunction with a permitted non-residential use, such single detached dwelling shall not be erected nor shall any building be altered or used for the purpose of a single detached dwelling within 15 m of the permitted non-residential use.

4.18.4 Zone Regulations for Non-Residential Uses Excluding Retail Gasoline Establishment

i)	Lot Area (Minimum)	3,000 sq. m
ii)	Lot Frontage (Minimum)	45 m
iii)	Building Height (Maximum)	12 m
iv)	Front Yard (Minimum)	20 m
v)	Exterior Side Yard (Minimum)	20 m
vi)	Interior Side Yard (Minimum)	10 m
vii)	Rear Yard (Minimum)	20 m
vii)	Maximum Lot Coverage (all buildings and structures)	50%
ix)	Minimum Setback From Street Centreline (County Road)	33 m
x)	Minimum Setback From Street Centreline (Township Road)	30 m
xi)	Landscaped Open Space (Minimum)	10%

4.18.4.1 Minimum Lot Area Requirement

Where sanitary sewers not available, provided that where they are more than 20 persons occupancy load employed on the lot the minimum lot area shall be increased by 45 sq. m for each person in excess of 20 persons.

4.18.4.2 Special Yard Provisions

Notwithstanding the yard requirements set forth, where the interior side lot line of a lot within the General Industrial (M2) Zone abuts a Residential Zone the minimum interior side yard requirement shall be 20 m.

4.18.5 Regulations for Retail Gasoline Establishments

i)	Lot Area (Minimum)	3,700 sq. m
ii)	Lot Frontage (Minimum)	50 m
iii)	Building Height (Maximum)	11 m
iv)	Front Yard (Minimum)	15 m
v)	Exterior Side Yard (Minimum)	15 m
vi)	Rear Yard (Minimum)	15 m
vii)	Maximum Lot Coverage (all buildings and structures)	50%
viii)	Minimum Setback From Street Centreline (County Road)	28 m
ix)	Minimum Setback From Street Centreline (Township Road)	25 m
x)	Landscaped Open Space (Minimum)	10%

4.18.5.1 Interior Side Yard

Minimum interior side yard width shall be 6 m except where the interior side lot line abuts any Residential Zone, in which case the minimum interior side yard width shall be 12 m.

4.18.5.2 Minimum Lot Depth Requirement

Minimum lot depth requirement shall be 30 m except where the lot is a corner lot in which case the minimum lot depth requirement shall be 36 m.

4.18.5.3 Gasoline Pump Location

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

a) that the minimum distance between any portion of the pump island or

gasoline pumps and any street line or any rear or interior side lot line is not less than 5 m; and

b) that where a lot is a corner lot, no portion of any pump island or gasoline pumps shall be located closer than 3 m to a straight line between a point in the front lot line and a point in the exterior side lot line, such points being distant 15 m from the intersection of such lines.

4.18.5.4 Bulk Storage Tank Location

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

4.18.5.5 Entrance Regulations

Notwithstanding any other provision set forth in this By-law to the contrary, ingress and egress driveways associated with a motor vehicle dealership, a motor vehicle gasoline bar, a motor vehicle repair garage or motor vehicle service centre, where gasoline is offered or kept for sale at retail, shall be established in accordance with the provisions of Section 3.19 of this By-law.

4.18.6 Regulations for Outside Display And Storage

Within the General Industrial (M2) Zone, no portion of any lot shall be used for the outside display and/or storage of goods or materials except in accordance with the following provisions:

a) that such outside display and/or storage be restricted to the area to the rear of the front of the principal structure and comply with the required front and exterior side yard and set-back requirements provided that such outside storage is not located closer than 1.2 m to an interior side lot line where the lot line abuts a lot zoned for industrial purposes or 5 m of a rear lot line or interior lot line abutting a lot zoned other than Industrial;

b) that such outside display and/or storage does not cover in excess of 50% of the total lot area;

c) that any portion of a lot used for the outside display and/or storage of goods or materials is screened from adjacent residential uses and public streets adjoining the lot by buildings, or, is enclosed by shrub planting in conjunction

with a planting strip as may be required under this By-law, or, is enclosed within a closed wooden, plastic and/or metal fence extending at least 1.8 m in height from the finished grade.

4.18.7 Restrictions on Use of Front and Exterior Side Yards

Required front and exterior side yards shall be open and unobstructed by any structure or parking or loading area for motor vehicles except that any such yards may be used for the purpose of visitor parking in accordance with the provisions of Section 3.29 of this By-law.

4.18.8 Planting Strip Requirements

Where the interior side or rear lot line abuts a Residential or Recreational-Open Space Zone, an area adjoining such abutting lot line shall be used for no other purpose than for a planting strip in accordance with the requirements of Section 3.35 of this By-law.

4.18.9 High Water Mark – Setback Provisions

Notwithstanding the minimum yard setback provisions as set forth under Sections 4.18.3, 4.18.4 and 4.18.5 herein to the contrary, all provisions of Section 3.15, High Water Mark – Setback Provisions, of this By-law to the use of any land, building or structure permitted within the General Industrial (M2) Zone shall apply and be complied with.

4.18.10 Source Water Protection Overlay Zone

Notwithstanding the permitted uses as set forth under Section 4.18.1 herein to the contrary, all the provisions of Section 3.44, Source Water Protection Overlay Zone, of this By-law where applicable to the use of any land, building, or structure within the General Industrial (M2) Zone shall apply and be complied with.

4.18.11 General Zone Provisions

All provisions of Section 3, General Zone Provisions, where applicable to the use of any land, building or structure permitted within the General Industrial (M2) Zone shall be complied with.

4.19 Extractive Industrial (M3) Zone

4.19.1 Permitted Uses

No person shall, within any Extractive Industrial (M3) Zone, use any land, or erect, alter, or use any building or structure, except in accordance with the following provisions.

4.19.1.1 Residential Uses

a) Prohibited.

4.19.1.2 Non-Residential Uses

a) agricultural uses;

b) aggregate processing plant;

c) aggregate stockpiling;

d) conservation, forestry and reforestation;

e) outside storage;

f) pit;

g) portable processing plant;

h) public use or utility in accordance with the provisions of Section 3.39 of this By-law;

i) quarry.

4.19.1.3 Accessory Uses

Uses, buildings and structures accessory to any of the foregoing permitted uses specified under Subsection 4.19.1.1 and 4.19.1.2 hereof and in accordance with the provisions of Section 3.1 of this By-law.

4.19.2 Exceptions

Any exceptions referred to in Schedule “B” applicable to the land building or structure.

4.19.3 Regulatory Provisions

i)	Front Yard (Minimum)	30 m
ii)	Exterior Side Yard (Minimum)	30 m
iii)	Interior Side Yard (Minimum)	15 m
iv)	Rear Yard (Minimum)	15 m
v)	Minimum Setback From Street Centreline (County Road)	43 m
vi)	Minimum Setback From Street Centreline (Township Road)	40 m

4.19.4 Planting Strip and Fencing Requirements

Planting strips, berms and fences shall be provided in accordance with the provisions of the Aggregate Resources Act, R.S.O. l990, c. A.8., and the Regulations made thereunder.

4.19.5 Source Water Protection Overlay Zone

Notwithstanding the permitted uses as set forth under Section 4.19.1 herein to the contrary, all the provisions of Section 3.44, Source Water Protection Overlay Zone, of this By-law where applicable to the use of any land, building, or structure within the Extractive Industrial (M3) Zone shall apply and be complied with."

4.19.6 General Zone Provisions

All provisions of Section 3, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Extractive Industrial (M3) Zone shall apply and be complied with.

4.20 Waste Management Industrial (M4) One

4.20.1 Permitted Uses

No person shall, within any Waste Management Industrial (M4) Zone, use any land, or erect, alter, or use any building or structure, except in accordance with the following provisions.

4.20.1.1 Residential Uses

a) Prohibited.

4.20.1.2 Non-Residential Uses

a) public use or utility in accordance with the provisions of Section 3.39 of this By-law;

b) waste disposal site.

4.20.1.3 Accessory Uses

Uses, buildings and structures accessory to any of the foregoing uses permitted under Subsection 4.20.1.1 and 4.20.1.2 hereof and in accordance with the provisions of Section 3.1 hereinafter set forth in this By-law.

4.20.2 Exceptions

Any exceptions referred to in Schedule “B” applicable to the land building or structure.

4.20.3 Zone Regulations for Permitted Uses

i)	All Yards (Minimum)	100 m
ii)	Minimum Setback From Street Centreline (County Road)	113 m
iii)	Minimum Setback From Street Centreline (Township Road)	110 m

4.20.4 Source Water Protection Overlay Zone

Notwithstanding the permitted uses as set forth under Section 4.20.1 herein to the contrary, all the provisions of Section 3.44, Source Water Protection Overlay Zone, of this By-law where applicable to the use of any land, building, or structure within the Waste Management Industrial (M4) Zone shall apply and be complied with.”

4.20.5 General Zone Provisions

All provisions of Section 3, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Waste Management Industrial (M4) Zone shall apply and be complied with.

4.21 Community Facility (CF) Zone

4.21.1 Permitted Uses

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

4.21.1.1 Residential Uses

a) Prohibited.

4.21.1.2 Non-Residential Uses

a) arena;

b) assembly hall;

c) auditorium;

d) cemetery;

e) community centre;

f) day nursery;

g) hospital, private;

h) library;

i) museum;

j) place of worship;

k) post office;

l) private club;

m) private school;

n) public park;

o) public school;

p) public use or utility in accordance with the provisions of Section 3.39 of this By-law;

q) recreational complex.

4.21.1.3 Accessory Uses

Uses, buildings and structures accessory to any of the foregoing permitted uses specified under Subsections 4.21.1.1 and 4.21.1.2 hereof and in accordance with the provisions of Section 3.1 of this By-law.

4.21.2 Exceptions

Any exceptions referred to in Schedule "B" applicable to the land building or structure.

4.21.3 Zone Regulations

i)	Lot Area (Minimum)	3,000 sq. m
ii)	Lot Frontage (Minimum)	30 m
iii)	Building Height (Maximum)	12 m
iv)	Front Yard (Minimum)	15 m
v)	Exterior Side Yard (Minimum)	15 m
vi)	Interior Side Yard (Minimum)	10 m
vii)	Rear Yard (Minimum)	15 m
viii)	Maximum Lot Coverage (all buildings and structures)	30%
ix)	Minimum Setback From Street Centreline (County Road)	28 m
x)	Minimum Setback From Street Centreline (Township Road)	25 m
xi)	Landscaped Open Space (Minimum)	30%

4.21.4 Planting Strip Requirements

Where the interior side or rear lot line abuts any Residential Zone, an area adjoining such abutting lot line or portion thereof shall be used for no other purpose than for a planting strip in accordance with the requirements of Section 3.35 hereinafter set forth in this By-law.

4.21.5 High Water Mark – Setback Provisions

Notwithstanding the minimum yard setback provisions as set forth under Section 4.21.3 herein to the contrary, all provisions of Section 3.15, High Water Mark – Setback Provisions, of this By-law to the use of any land, building or structure permitted within the Community Facility (CF) Zone shall apply and be complied with.

4.21.6 Source Water Protection Overlay Zone

Notwithstanding the permitted uses as set forth under Section 4.21.1 herein to the contrary, all the provisions of Section 3.44, Source Water Protection Overlay Zone, of this By-law where applicable to the use of any land, building, or structure within the Community Facility (CF) Zone shall apply and be complied with."

4.21.7 General Zone Provisions

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

4.22 Recreational Open Space (RE) Zone

4.22.1 Permitted Uses

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

4.22.1.1 Residential Uses

a) detached single dwelling or a dwelling unit in a portion of a non-residential building shall be permitted where such dwelling is ancillary to a permitted non-residential use and occupied by the owner, caretaker, watchman or other similar person, and his family, as is or are employed on the lot on which such dwelling is located.

4.22.1.2 Non-Residential Uses

a) athletic field;

b) conservation area including nature study and wildlife areas, or other similar use as provides for the preservation of the natural environment;

c) fairgrounds;

d) golf course and driving range;

e) marina;

f) passive park;

g) private park;

h) public or provincial park;

i) private club;

j) public use or utility in accordance with the provisions of Section 3.38 of this By-law.

4.22.1.3 Accessory Uses

Uses, buildings and structures accessory to any of the foregoing permitted uses, specified under Subsection 4.22.1.1 and 4.22.1.2 hereof and in accordance with the provisions of Section 3.1 of this By-law.

4.22.2 Exceptions

Any exceptions referred to in Schedule "B" applicable to the land building or structure.

4.22.3 Zone Regulations for Residential Uses

4.22.3.1 Single-Family Dwelling House

i)	Building Height (Maximum)	11 m
ii)	Front Yard (Minimum)	15 m
iii)	Exterior Side Yard (Minimum)	15 m
iv)	Interior Side Yard (Minimum)	6 m
v)	Rear Yard (Minimum)	15 m
vi)	Dwelling Unit Area (Minimum)	82 sq. m
vii)	Minimum Setback From Street Centreline (County Road)	28 m
vii)	Minimum Setback From Street Centreline (Township Road)	25 m
ix)	Dwellings Per Lot (Maximum)	one

4.22.3.1.1 Spatial Separation Requirements

Where a single-detached dwelling is erected or any building or structure is altered or used for the purposes of a single detached dwelling on a lot in a Recreational Open Space (RE) Zone in conjunction with a permitted non-residential use, such single detached dwelling shall not be erected nor shall any building be altered or used for the purposes of a single detached dwelling within 10 m of the permitted non-residential use.

4.22.3.2 Dwelling Unit in Portion of Non-Residential Building

i)	Dwelling Unit Area (Minimum)	
	One Bedroom Dwelling Unit	56 sq. m
	Two Bedroom Dwelling Unit	70 sq. m
	Three Bedroom Dwelling Unit	84 sq. m

4.22.3.2.1 Maximum Number of Dwelling Units

One dwelling unit may be permitted in a portion of a non- residential building permitted within the Recreational Open Space (RE) Zone in accordance with the requirements for the non-residential building in which such dwelling unit is located.

4.22.4 Zone Regulations for Non-Residential Uses

i)	Building Height (Maximum)	11 m
ii)	Front Yard (Minimum)	15 m
iii)	Exterior Side Yard (Minimum)	15 m
iv)	Interior Side Yard (Minimum)	15 m
v)	Rear Yard (Minimum)	15 m
vi)	Minimum Setback From Street Centreline (County Road)	28 m
vii)	Minimum Setback From Street Centreline (Township Road)	18 m
vii)	Maximum Lot Coverage (all buildings and structures)	30%
ix)	Landscaped Open Space (Minimum)	40%

4.22.5 High Water Mark – Setback Provisions

Notwithstanding the minimum yard setback provisions as set forth under Sections 4.22.3 and 4.22.4 herein to the contrary, all provisions of Section 3.15, High Water Mark – Setback Provisions, of this By-law to the use of any land, building or structure permitted within the Recreational Open Space (RE) Zone shall apply and be complied with.

4.22.6 Source Water Protection Overlay Zone

Notwithstanding the permitted uses as set forth under Section 4.22.1 herein to the contrary, all the provisions of Section 3.44, Source Water Protection Overlay Zone, of this By-law where applicable to the use of any land, building, or structure within the Recreational Open Space (RE) Zone shall apply and be complied with."

4.22.7 General Zone Provisions

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

4.23 Urban Fringe Control (UF) Zone

4.23.1 Permitted Uses

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

4.23.1.1 Residential Uses

a) prohibited save and except where a dwelling existed at the date of the passing of this By-law;

b) Type “A” home occupation use;

c) the expansion of existing residential buildings and those uses incidental and accessory thereto.

4.23.1.2 Non-Residential Uses

a) prohibited save and except where a non-residential use existed at the date of the passing of this By-law;

b) public use or utility in accordance with the provisions of Section 3.39 of this By-law.

4.23.2 Accessory Uses

Uses, buildings or structures accessory to any of the foregoing permitted uses specified under Subsections 4.23.1.1 and 4.23.1.2 hereof and in accordance with the provisions of Section 3.1 hereinafter set forth in this By-law.

4.23.3 Source Water Protection Overlay Zone

Notwithstanding the permitted uses as set forth under Section 4.23.1 herein to the contrary, all the provisions of Section 3.44, Source Water Protection Overlay Zone, of this By-law where applicable to the use of any land, building, or structure within the Urban Fringe (UF) Zone shall apply and be complied with.”

4.23.4 Exceptions

Any exceptions referred to in Schedule “B” applicable to the land building or structure.

4.23.5 General Zone Provisions

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

4.24 Development (D) Zone

4.24.1 Permitted Uses

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

4.24.1.1 Residential Uses

a) prohibited save and except where a dwelling existed at the date of the passing of this By-law;

b) Type A home occupation use.

4.24.1.2 Non-Residential Uses

a) prohibited save and except where a non-residential use existed at the date of the passing of this By-law;

b) public use or utility in accordance with the provisions of Section 3.39 of this By-law.

4.24.1.3 Accessory Uses

Uses, buildings or structures accessory to any of the foregoing permitted uses specified under Subsections 4.24.1.1 and 4.24.1.2 hereof and in accordance with the provisions of Section 3.1 hereinafter set forth in this By-law.

4.24.2 Source Water Protection Overlay Zone

Notwithstanding the permitted uses as set forth under Section 4.24.1 herein to the contrary, all the provisions of Section 3.44, Source Water Protection Overlay Zone, of this By-law where applicable to the use of any land, building, or structure within the Environmental Protection (EP) Zone shall apply and be complied with."

4.24.3 Exceptions

Any exceptions referred to in Schedule "B" applicable to the land building or structure.

4.24.4 General Zone Provisions

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

4.25 Environmental Protection (EP) Zone

4.25.1 Permitted Uses

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

4.25.1.1 Residential Uses

a) prohibited save and except a dwelling as it existed at the date of the passing of this By-law.

4.25.1.2 Non-Residential Uses

a) uses as they existed at the date of the passing of this By-law including any buildings and structures as they existed at the date of the passing of this By-law.

b) conservation use excluding any buildings;

c) building or structure required by a public authority for flood or erosion control or for conservation or wildlife management purposes;

d) hunting, but not hunt camps;

e) fishing;

f) marina existing on the date of passing of this By-law.

4.25.1.3 Accessory Uses

a) prohibited save and except an accessory use as it existed at the date of the passing of this By-law.

4.25.2 Zone Regulations

a) Except as permitted in Section 4.25.1.2b), development and site alteration shall not be permitted in significant habitat of endangered and threatened species.

b) Except as permitted in Section 4.25.1.2b), development and site alteration shall not be permitted in significant wetlands.

c) Except as permitted in Section 4.25.1.2b), development and site alteration shall not be permitted in significant wildlife habitat and areas of natural and scientific

interest unless it has been demonstrated, through an Environmental Impact Statement prepared in accordance with Section 4.25.3 that there will be no negative impact on the natural features and their ecological functions.

d) Site alteration and development shall not be permitted in fish habitat except in accordance with provincial and federal requirements.

e) Except as permitted in Section 4.25.1.2b), development and site alteration shall not be permitted in areas that would be rendered inaccessible to people and vehicles during times of flooding hazards and/or erosion hazards unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard.

f) Except as permitted in Section 4.25.1.2b), development and site alteration shall not be permitted in a floodway regardless of whether the area of inundation contains high points of land not subject to flooding.

4.25.3 Requirement for Environmental Impact Study

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

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

4.25.4 Development of Adjacent Lands

Except as permitted in Section 4.25.1.2b), site alteration and development which is subject to an application under the Planning Act, R.S.O 1990, c. P.13., shall not be permitted on adjacent lands to significant wetlands, significant habitat of endangered and threatened species, significant wildlife habitat, or significant areas of natural and scientific interest, unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated through an Environmental Impact Study prepared in accordance with the relevant sections of the Township of Selwyn Official Plan and the County of Peterborough

Official Plan, to the satisfaction of the Otonabee Region Conservation Authority, that there will be no negative impacts on the natural features or on their ecological functions.

4.25.5 Environmental Protection (EP) Zone Boundaries

Notwithstanding the foregoing, the Environmental Protection Zone boundaries as delineated on Schedule A of this By-law are approximate. Where it has been demonstrated to the satisfaction of the Township and the Otonabee Region Conservation Authority that the proposed development is not located within an environmental protection area, the development may be permitted without an amendment to this By-law.

4.25.6 Established Agricultural Activities

In accordance with the Provincial Policy Statement, nothing in Section 4.25 of this By-law is intended to limit the ability of existing agricultural uses to continue. New buildings, structures or uses or additions, alterations or replacement of existing buildings or structures associated with established agricultural activities shall be permitted without the need for an Environmental Impact Study on lands adjacent to a Provincially Significant Wetland.

4.25.7 Source Water Protection Overlay Zone

Notwithstanding the permitted uses as set forth under Section 4.25.1 herein to the contrary, all the provisions of Section 3.44, Source Water Protection Overlay Zone, of this By-law where applicable to the use of any land, building, or structure within the Environmental Protection (EP) Zone shall apply and be complied with."

4.25.8 Established Uses within the Floodplain

Notwithstanding the foregoing, nothing in Section 4.25 of this By-law is intended to limit the ability of existing uses to continue. Continuation of such uses includes repair, renovation, and /or enlargement of structures provided all other provisions of this By-law are complied with. Replacement of an existing structure that is required due to destruction by natural catastrophe is permitted.

Part III - Section 5

Penalties and Adoption

5 Penalties and Adoption

5.1 Remedies

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

5.2 Violation and Penalty

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

5.3 Repeals

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

5.3.1 Amendments to Other By-Laws Regulating Lands and Structures

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

5.4 Effective Date

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

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

Read a First, Second, and Third time this 14th day of April, 2009 and finally passed this 14th day of April, 2009.

Original Signed by:

"Ron Millen"

Ron Millen, Reeve

Original Signed by:

"Angela Chittick"

Angela Chittick, Clerk

Contact the Township of Selwyn Planning Department for property zoning information.

Schedule A

Land Use

Map 1 – Ennismore
Map 2 – Smith – South
Map 3 – Smith – Central
Map 4 – Smith – North
Map 5 – Lakefield

April 14, 2009
Office Consolidation – February 2026

Schedule B

Exception Zones

April 14, 2009
Office Consolidation – February 2026

Schedule B
Site Specific Exception Zones

The following provisions shall have effect notwithstanding anything else in this By-law, and the applicable provisions of this By-law shall be deemed insofar as is necessary to give effect thereto.

1 **Residential Type One Exception 1 (R1-1) Zone**
15 &17 Regent Street (Lakefield Ward) (030.003.13300 & 030.003.13200)

Notwithstanding the residential uses permitted within the Residential Type One (R1) Zone, as set forth under Section 4.9.1 (a) hereof to the contrary, the uses permitted shall include a bed and breakfast establishment in accordance with the provisions of Section 3.4 hereof. In all other respects the provisions of the Residential Type One (R1) Zone shall apply and be complied with.

2 **Residential Type One Exception 2 (R1-2) Zone**
253 Queen Street (Lakefield Ward) (030.004.24200)

Notwithstanding the provisions of the Residential Type One (R1) Zone of this By-law to the contrary, within the R1-2 Zone, the minimum lot area and frontage requirements for a single detached dwelling shall be 1050 sq. m. and 22 m. respectively, where the lot is developed on the basis of municipal water supply and private sewage treatment facilities subject to the approval of the Peterborough City/County Health Unit. In all other respects, the provisions of the R1 Zone shall apply and be complied with.

3 **Residential Type One Exception 3 (R1-3) Zone**

Notwithstanding any other provision of the Residential Type One (R1) Zone to the contrary, within the R1-3 Zone the following provisions shall apply:

a) Regulations

i) Lot Area (Minimum) 550 sq. m
ii) Lot Frontage (Minimum) 16 m
iii) Interior Side Yard (Minimum) -
4.8 m. on one side, plus 0.6 m on the narrow side for each additional or partial storey above the first. Where a garage or carport is attached to or is within the main building or the lot is a corner lot, the minimum width of the

interior side yard shall be 1.2 m plus 0.6 m for each additional or partial storey above the first.

iv) Rear Yard (Minimum) 7.6 m
v) Dwelling Unit Area (Minimum) - Two Storey Dwelling 120 sq. m
vi) Minimum Setback from Street Centreline - 17.6 m
except where the exterior side yard is adjacent to a public street, in which case the minimum setback shall be 15 m

4 Repealed per By-law By-law 2022-062

5 **Residential Type One Exception 5 (R1-5) Zone**

Notwithstanding any other zone previsions to the contrary, within the Residential Type One Exception Five (R1-5) Zone, no person shall use any land or erect, alter or use any building or structure except as specified herein, namely:

a) Minimum lot area 550 m²
b) Minimum Frontage 16 m
c) Minimum Yards
i) Front yard 7.6 m
ii) Exterior Side Yard 5 m
iii) Interior Side Yard
Minimum width shall be 4.8 metres on one side plus 0.6 m on the narrow side for each additional or partial story above the first, provided that where a garage or carport is attached to or is within the main building or the lot is a corner lot, the minimum width of the interior side yard shall be 1.2 m plus 0.6 m for each additional or partial storey above the first
iv) Rear yard 7.6 m
d) Minimum dwelling unit area
i) One storey or split level dwelling 92 m²
ii) One and a half level dwelling 110 m²
iii) Two storey dwelling 130 m²
e) Maximum lot coverage 30 %
f) Minimum Setback from Street Centreline

The minimum setback from the street centreline shall be 17.6 m, except where the exterior side yard is adjacent to a public street or road, in which case the minimum setback requirement from the street centreline shall be 15 m.

g) Minimum landscaped open space 30 %
h) Maximum number of dwelling units per lot 1
i) Maximum height of buildings 10 m
j) Other zone provisions:
In all other respects, the provisions of the Residential Type One (R1) Zone shall apply and be complied with.

6 **Residential Type One Exception 6 (R1-6) Zone**
8 Regent Street (Lakefield Ward) (030.003.16200)

Notwithstanding any other provision of the Residential Type One (R1) Zone to the contrary, within the R1-6 the following provisions shall apply:

a) Permitted Uses

i) the uses permitted in accordance with Section 4.9.1 of this By-law;
ii) a bed and breakfast establishment limited to two guest rooms and in accordance with the provisions of Section 3.4 of this By-law which such use is ancillary and incidental to a single detached dwelling.

b) Regulatory Provisions

i) Parking Space Requirements
Notwithstanding Section 3.29, the parking requirements for a single detached dwelling shall be one parking space for each dwelling unit.
ii) Parking Space Location
No portion of any off-street area shall be located in the front yard except parking space associated with the driveway.

c) In all other respects, the provisions of the R1 Zone shall apply and be complied with.

Schedule B
Site Specific Exception Zones

7 **Residential Type One Exception 7 (R1-7)**
Lots 1 to 27, Registered Plan No. 30 & Parts 1 & 2 of Plan 45R-10929 (Lakefield Ward)

Notwithstanding any other provision of this By-law to the contrary, within the Residential Type One (R1) Zone, within the R1-7 Zone no person shall use any lands or erect, alter or use any building or structure except as specified in Tables 1 and 2 of Schedule “B” and forming part of this By-law.

"Exception 7 (R1-7) - Table 1"
Zone Provisions

Regulations		**Lot Numbers as Indicated on Registered Plan No. 30 and Parts 1 & 2 of Plan 45R-10929**														
		Part 1	Part 2	Lot 1	Lot 2	Lot 3	Lot 4	Lot 5	Lot 6	Lot 7	Lot 8	Lot 9	Lot 10	Lot 11	Lot 12	Lot 13
Permitted Uses	Res. Uses	1. a single detached dwelling 2. a group home in accordance with the provisions of Section 3.14 3. a home occupation use in accordance with the provisions of Section 3.18														
	Non-Res. Uses	1. a public use or utility in accordance with the provisions of Section 3.37														
	Accessory Uses	1. Uses buildings and structures accessory to any of the foregoing permitted uses in accordance with the provisions set forth below														
Front Lot Line		Notwithstanding any other provision in this By-Law, the Front Line shall be the line dividing the lot from Part 4 – Plan 45R-10929														
Minimum Lot Frontage (ft)		65.0	120	50												
Minimum Lot Area (sq.ft)		10,600	11,500	5,750												
Miin.Yard Req'mnts for Dwellings (ft)	Front	34.6	20.34	25												
	Exterior Side	16.5		N/A												
	Interior Side (South)	N/A	15.75	4	4	4	15.75	4	4	11.43	13.56	4	0	1.82	4	4
	Interior Side (North)	15.7	4	7.47	9.46	13.73	4	15.53	12.09	7.77	3.33	15.75	6.1	3.73	8.12	15.75
	Rear	28.11	34.8	35.34	35.44	37.43	30.63	28.34	28.8	2.87	6.32	6.37	10.16	14.23	11.61	24.55
Maximum Lot Coverage (all buildings & structures)		31%							32%	31%			35%	31%		
Minimum Landscaped Open Space		30%														
Maximum Number of Dwellings per Lot		One														
Max. Height of Buildings (ft)		33														
Min. Yard Req'mnts for Garages & Acc. Structures (ft)	Front	25	0	25	25	0.39	25	25	3.39	25	22.1	25	0	25	5.64	25
	Exterior Side	16.5	N/A													
	Interior Side	4	4	4	2.2	0.44	4	4	1.45	4	4	4	0	4	4	4
	Rear	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
All other provisions of this By-law shall apply and be complied with																

“Exception 1 (R1-7) - Table 2”
Zone Provisions

Regulations		**Lot Numbers as Indicated on Registered Plan No. 30 and Parts 1 & 2 of Plan 45R-10929**													
		Lot 14	Lot 15	Lot 16	Lot 17	Lot 18	Lot 19	Lot 20	Lot 21	Lot 22	Lot 23	Lot 24	Lot 25	Lot 26	Lot 27
Permitted Uses	Res. Uses	1. a single detached dwelling 2. a group home in accordance with the provisions of Section 3.14 3. a home occupation use in accordance with the provisions of Section 3.18													
	Non-Res. Uses	1. a public use or utility in accordance with the provisions of Section 3.37													
	Access. Uses	1. Uses buildings and structures accessory to any of the foregoing permitted uses in accordance with the provisions set forth below													
Front Lot Line (ft)		Notwithstanding any other provision in this By-Law, the Front Line shall be the line dividing the lot from Part 4 – Plan 45R-10929													
Minimum Lot Frontage (ft)		50				44					50				
Minimum Lot Area (sq. ft)		5,750				5060					5760				
Min. Yard Req’mnts for Dwellings (ft)	Front	25													
	Ext. Side	N/A													
	Int. Side (South)	0	0	0	2.9	4	4	4	0	11.24	4	12.54	17.63	4	4
	Int. Side (North)	15.75	15.75	15.75	15.75	9.18	15.75	15.75	15.71	4	11.34	4	4	6.8	9.38
	Rear	19.11	26.07	40	36	23.44	22.89	35.9	40	40	35.57	40	38.14	40	40
Max. Lot Coverage (all buildings & structures)		31%													
Min. Landscaped Open Space		30%													
Max. Number of Dwellings per Lot		One													
Maximum Height of Buildings (ft)		33													
Min. Yard Req’mnts for Garages & Acc. Structures (ft)	Front	25	25	25	25	0	25	13.23	25	25	25	25	25	25	6.5
	Ext. Side	N/A													
	Int. Side	4	4	4	2.47	2.8	4	4	4	4	4	4	4	4	2
	Rear	4	4	4	4	4	4	4	4	4	4	4	4	4	4
All other provisions of this By-law shall apply and be complied with															

Schedule B
Site Specific Exception Zones

8 **Residential Type One Exception 8 (R1-8) Zone**
71 Rabbit Street (Part 2, Lot 4W, Plan 2, RP 45R4510)

Notwithstanding the regulations for garage uses within the Residential Type One (R1) Zone, to the contrary, no person shall use any land or erect, alter or use any garage except as specified hereunder, namely:

a) Regulatory Provisions

i) Minimum Interior Side Yard (South Side) 0 m

In all other respects the provisions of Section 3.1 Accessory Buildings, Structures and Uses, shall apply and complied with.

9 **Residential Type Two Exception 9 (R2-9) Zone**

Notwithstanding any other provision of the Residential Type Two (R2) Zone to the contrary, within the R2-9 Zone the following provisions shall apply:

a) Regulatory Provisions

i)	Lot Area (Minimum)	750 sq. m
ii)	Lot Frontage (Minimum)	20 m
iii)	Interior Side Yard (Minimum)	3 m
iv)	Rear Yard (Minimum)	12 m
v)	Dwelling Unit Area (Minimum)	70 sq. m
vi)	Maximum Lot Coverage (all structures)	40%
vii)	Dwelling Units Per Lot (Maximum)	3
viii)	Landscaped Open Space (Minimum)	30%

In all other respects the provisions of the Residential Type Two (R2) Zone shall apply and be complied with.

10 **Residential Type Two Exception 10 (R2-10) Zone**
D'Eyncourt Street (Lakefield Ward)

Notwithstanding the provisions of the Residential Type Two (R2) Zone to the contrary, within the R2-10 Zone the minimum front yard requirement shall be 37 m and the minimum setback from street centreline shall be 47 m. In all other respects the provisions of the (R2) Zone shall apply and be complied with.

11 **Residential Type Two Exception 11 (R2-11) Zone**
Clementi Street (Lakefield Ward)

Notwithstanding the provisions of the Residential Type Two (R2) Zone to the contrary, within the R2-11 Zone the residential uses permitted shall include a single detached dwelling, inclusive of a bed and breakfast establishment in accordance with the provisions of this By-law, or, a triplex dwelling together with such other accessory uses, building and structures as are normally considered incidental and subordinate thereto. In all other respects the provisions of the R2 Zone shall apply and be complied with.

12 **Residential Type Two Exception 12 (R2-12) Zone**
Katherine Street (Lakefield Ward)

Notwithstanding the provisions of the Residential Type Two (R2) Zone to the contrary, within the R2-12 Zone the residential uses permitted shall include a single detached dwelling, inclusive of a bed and breakfast establishment or a triplex dwelling together with such other accessory uses, buildings and structures as are normally considered incidental and subordinate thereto. In all other respects the provisions of the R2 Zone shall apply and be complied with.

13 **Residential Type Two Exception 13 (R2-13) Zone**
53 Clementi Street (Lakefield Ward) (030.001.04100)

Notwithstanding the provisions of the Residential Type Two (R2) Zone to the contrary, within the R2-13 Zone the residential uses permitted shall include a single detached dwelling, inclusive of a bed and breakfast establishment or a duplex dwelling together with such other accessory uses, buildings and structures as are normally considered incidental and subordinate thereto. In all other respects the provisions of the R2 Zone shall apply and be complied with.

14 **Multiple Residential Exception 14 (R3-14) Zone**
Regent Street (Lakefield Ward)

Notwithstanding the provisions of the Multiple Residential (R3) Zone to the contrary, no person shall use any land or erect, alter or use any building or structure except for the purposes of a fourplex dwelling together with such other accessory uses, building and structures as are normally considered incidental and subordinate thereto and in accordance with the following provisions, namely:

a) Regulations

i)	Lot Area (Minimum)	665 sq. m
ii)	Lot Frontage (Minimum)	14 m
iii)	Interior Side Yard	
	The minimum side yard requirement shall be 1.8 m. on one side and 3.5 m. on the other side.	
iv)	Front Yard (Minimum)	6 m
v)	Rear Yard (Minimum)	12 m
vi)	Dwelling Unit Area (Minimum)	70 sq. m
vii)	Minimum Setback from Street Centreline	16 m

In all other respects the provisions of the Multiple Residential (R3) Zone shall apply and be complied with.

15 **Multiple Residential Exception 15 (R3-15) Zone**
Concession Street (Lakefield Ward)

Notwithstanding any other provision of the Multiple Residential (R3) Zone to the contrary, the uses permitted shall be restricted to that of only townhouses together with such other accessory uses, buildings or structures as are normally considered incidental and subordinate thereto provided further that the following provisions are complied with.

a) Regulations

i)	Lot Area (Minimum)	6000 sq. m
ii)	Lot Frontage (Minimum)	114 m
iii)	Interior Side Yard (Minimum)	7.6 m
iv)	Front Yard (Minimum)	9 m
iv)	Rear Yard (Minimum)	7.6 m
v)	Number of Dwelling Units (Maximum)	Eighteen
vi)	Minimum Setback from Street Centreline	19 m

b) In all other respects the provisions of the Multiple Residential (R3) Zone shall apply and be complied with.

16 **Multiple Residential Exception 16 (R3-16) Zone**
Part Block "L" Registered Plan No. 15 Reid, Albert, and Concession Streets (Lakefield Ward)

Notwithstanding any provisions of the Multiple Residential (R3) Zone to the contrary, no person shall use any land or erect, alter or use any building or structure except in accordance with the following provisions:

a) Permitted Uses

All uses permitted in the R3 Zone

b) Regulatory Provisions

i)	Lot Area (Minimum) – inclusive of EP Zoned lands	1.0 ha
ii)	Lot Setbacks (Minimum)	
	- Reid Street	7.5 m
	- Rabbit Street	4.0 m
	- Albert Street	7.5 m
iii)	Maximum Number of Dwelling Units	24
iv)	Minimum Dwelling Unit Area	60 sq. m
v)	Street Centreline Setback	nil

c) The area subject to the R3-16 Zone shall continue to be treated as one lot for the purposes of zoning regulations despite future land division including without limitation, registration by way of a standard condominium plan, vacant land condominium plan or common elements condominium plan with parcels of land tied thereto, or part lot control exemption.

d) Notwithstanding Section 4.11.3.2.1, the minimum spatial separation requirements between side walls and rear walls shall be 3.5 m and 13 m respectively.

e) Notwithstanding Section 3.29, tandem parking spaces shall be permitted as required parking for Townhouse Dwellings.

f) Notwithstanding Section 3.29.1(a), the minimum width of a parking space shall be 2.75 m

17 **Multiple Residential Exception 17 (R3-17) Zone**
Queen Street (Lakefield Ward)

Notwithstanding any provisions of the Multiple Residential (R3) Zone to the contrary, within the R3-17 Zone residential uses shall be restricted to that of a single detached dwelling, inclusive of a bed and breakfast establishment, or, a fourplex dwelling. In all other respects the provisions of the R3 Zone, as apply to regulate a fourplex dwelling, shall apply and be complied with.

18 **Residential Type Three Exception 18 (R3-18) Zone**
Strickland Street (Lakefield Ward)

Notwithstanding the residential uses permitted within the Residential Type Three (R3) Zone as set forth hereof to the contrary, within the Residential Type Three Exception Eighteen (R3-18) Zone, the residential uses permitted shall be restricted to that of a fourplex dwelling house together with such other accessory uses, buildings and structures as are normally considered incidental and subordinate thereto.

19 **Multiple Residential Exception 19 (R3-19) Zone**
Albert and Concession Streets (Lakefield Ward)

Notwithstanding any other provisions of the Multiple Residential (R3) Zone to the contrary, within the R3-19 the following provisions shall apply:

a) Permitted Uses

i)	Residential	A townhouse, condominium or rental
ii)	Non-Residential	In accordance with Section 4.11.1.2 (a) and 4.11.1.3.

b) Regulations for Residential Uses

i) Lot Area (Minimum)
The minimum lot area requirement shall be 2000 sq. m or 260 sq. m per dwelling unit, whichever is greater.

ii) Lot Frontage (Minimum)

- Adjacent to Albert Street	90 m
- Adjacent to Concession Street	50 m
- Adjacent to Oxford Street	33 m

Where the lands about a 0.3 m. reserve conveyed to the Municipality, which reserve is adjacent to any of the aforementioned streets, such

reserve, or portion thereof, shall be deemed to be lot frontage for the purpose of calculating the minimum lot frontage requirements set forth herein.

iii) Minimum Yard Requirements

- Adjacent to Concession Street	9 m
- Adjacent to Albert or Oxford Streets	8 m
- Adjacent lands zoned Recreational	
- Open Space (RE) Zone	9 m
- All Other Yards	6 m

vi) Minimum Setback from Street Centreline

- Adjacent to Albert	18 m
- Adjacent to Concession Street	19 m
- Adjacent to Oxford Street	18 m

vii) Where more than one building is erected on a lot within the (R3-19) Zone, the following spatial separation requirements apply:

- between exterior walls which contain no windows to habitable rooms 6 m
- between two exterior walls, one or both of which contain windows to habitable rooms 9 m

viii) Maximum Number of Townhouse Units 42

c) Planting Strip Requirements

Notwithstanding any other provisions of this By-law to the contrary, where a front rear yard is adjacent to lands zoned within the Rural Industrial (M1) Zone, a planting strip adjoining such front, exterior side or rear lot line shall be provided and maintained on the lot within the Multiple Residential (R3-19) Zone having a minimum width of 3 m. Such planting strip shall consist of a row of trees and associated ground cover planting and/or continuous non-pierced hedgerow of evergreens or shrubs, having a height of not less than 1.5 m. at planting adjacent to the lot line of the Multiple Residential (R3-19) Zone. The remainder of the planting strip adjacent the front exterior side or rear lot line shall be used for no other purpose than ornamental fencing, having a height of not greater than 1.5 m. above finished grade, and the planting of the

shrubs, flower beds, grass, or a combination thereof.

d) Special Provisions Concerning Ingress and Egress

Notwithstanding the provisions of this By-law to the contrary, where the lands are developed by means of a Plan of Condominium pursuant to the provision of Section 51 of the Planning Act, R.S.O. 1990, c.P.13, as amended, access shall be provided by means of a private right-of-way maintained year round provided that such right-of-way is registered against the title of the lands to which the right-of-way is registered against the title of the lands to which the right-of-way provides access.

e) Other Zone Provisions

In all other respects, the relevant provisions of the Multiple Residential (R3) Zone shall apply and be complied with.

20 **Multiple Residential Exception 20 (R3-20) Zone**
Strickland Street (Lakefield Ward)

Notwithstanding any other provision of the Multiple Residential (R3) Zone, to the contrary, within the R3-20 Zone the following provisions shall apply:

a) Permitted Uses

i) An apartment dwelling containing a maximum of fifteen, two-bedroom dwelling units
ii) Accessory use buildings or structures as are considered incidental and subordinate thereto, inclusive of an attached parking structure.

b) Regulations

i)	Lot Area (Minimum)	700 sq. m
ii)	Lot Frontage (Minimum)	42 m
iii)	Interior Side Yard (Minimum)	18.7 m
iv)	Exterior Side Yard (Minimum)	7.0 m
v)	Front Yard (Minimum)	9.2 m
vi)	Rear Yard (Minimum)	7.6 m
vii)	Minimum Setback from Street Centreline	17 m
	- Strickland Street	19.2 m
	- Chippewa Avenue	17.6 m

viii) Maximum Height of Accessory Structure 4 m

ix) Parking Area Requirements and Location

A minimum of 23 parking spaces shall be required. Uncovered surface parking areas shall only be permitted in the interior side yard provided that no part of any parking area, other than a driveway, is located closer than 7.6 m. to any street line and no closer than 3 m. to any side lot line.

c) In all other respects the provisions of the Multiple Residential (R3) Zone shall apply and be complied with.

21 **Multiple Residential Exception 21 (R3-21) Zone**
Albert and Concession Streets (Lakefield Ward)

Notwithstanding any other provisions of the Multiple Residential (R3) Zone to the contrary, within the R3-21 Zone, the following provisions shall apply:

a) Permitted Uses

i) Residential
An apartment dwelling, condominium or rental

ii) Non-Residential
In accordance with Sections 4.11.1.2 and 4.11.1.3

b) Regulations for Residential Uses

i) Lot Area (Minimum) 3,700 sq. m

ii) Lot Frontage (Minimum) 70 m
Where the lands about a 0.3 metre reserve conveyed to the Municipality, which reserve is adjacent to any of the aforementioned streets, such reserve, or portion thereof, shall be deemed to be lot frontage for the purpose of calculating the minimum lot frontage requirements set forth herein.

iii) Interior Side Yard adjacent Albert Street
The minimum interior side yard requirement shall be 10 m. on one side, 6 m. on the other side provided that the minimum spatial separation between the apartment dwelling and a townhouse dwelling on the adjacent lands also zoned within the Multiple Residential (R3) Zone is not less than 16 m.

iv) Exterior Side Yard (Minimum) 7 m

v)	Front Yard Adjacent Albert Street (Minimum)	12 m
vi)	Rear Yard (Minimum)	9 m
vii)	Maximum Height of Building	14 m
viii)	Minimum Setback from Street Centreline	22 m
ix)	Maximum Number of Apartment Houses	1
x)	Maximum Number of Dwelling Units	34

c) Parking Area Requirements

- bachelor apartments	1 space per dwelling unit
- one and two bedroom apartment units	1.5 spaces per dwelling unit

In all other respects the provisions of Section 3.29 of the By-law shall apply and be complied with.

d) Special Provisions Concerning Ingress and Egress

Notwithstanding the provisions of Section 3.10, entitled frontage requirements, of this By-law to the contrary, within the (R3-21) Zone, where the lands are developed by means of a Plan of Condominium pursuant to the provision of Section 51 of the Planning Act, R.S.O. 1990, c. P.13, as amended, access shall be provided by means of a private right-of-way maintained year round provided that such right-of-way is registered against the title of the lands to which the right-of-way provides access.

e) In all other respects, the relevant provisions of the Residential Type 3 (R3) Zone shall apply and be complied with.

22 **Lakeshore Residential Exception 22 (LR-22) and Rural Residential Exception 22 (RR-22) Zone**

Young's Cove (Ennismore Ward)

Notwithstanding any provisions of the Lakeshore Residential (LR) Zone and Rural Residential (RR) Zone to the contrary, within the LR-22 Zone and the RR-22 Zone the minimum lot area and frontage requirements for a dwelling unit shall be 1,400 sq. m. and 27 m. respectively.

23 **Lakeshore Residential Exception 23 (LR-23) Zone**

Harrington Drive (Ennismore Ward)

Notwithstanding any provisions of the Lakeshore Residential (LR) Zone to the

contrary, within the LR-23 Zone, the minimum lot area and frontage requirements for a dwelling unit shall be 1,640 sq. m and 30 m respectively.

24 **Lakeshore Residential Exception 24 (RR-24) Zone**
322, 326, 332 Gifford Drive (Ennismore Ward)

Notwithstanding any provisions of the Lakeshore Residential (RR) Zone to the contrary, within the RR-24 Zone the minimum lot area and frontage requirements for a dwelling unit shall be 1,820 sq. m. and 34 m. respectively.

25 **Local Commercial Exception 25 (C2-25) Zone**
1 Strickland Street (Lakefield Ward) (030.004.03300)

Notwithstanding any other zone provisions of the By-law to the contrary, within the Local Commercial Exception 25 (C2-25) Zone, the following shall apply:

a) Permitted Uses

In addition to the permitted uses in the Local Commercial (C2) Zone, a large format retail pharmacy shall be permitted.

b) Zone Regulations

Minimum interior side yard abutting a residential zone shall be 9 metres.

In all other respects, the provisions of the Local Commercial (C2) Zone shall apply and be complied with.

26 **Lakeshore Residential Exception 26 (LR-26) Zone**
Part Lot 5, Concession 11, Fothergill Isle, (Ennismore Ward)

Notwithstanding the of the Lakeshore Residential (LR) Zone to the contrary, within the LR-26 Zone the minimum lot area and lot frontage requirements for a dwelling unit shall be 3490 sq. m. and 19 m. respectively. In all other respects the provisions of the Lakeshore Residential (LR) Zone shall apply and be complied with.

27 **Lakeshore Residential Exception 27 (LR-27) Zone**
1279 Gail Park Drive (Ennismore Ward) (010.101.35000)

Notwithstanding provisions of the Lakeshore Residential (LR) Zone to the contrary, within the LR-27 Zone, the minimum lot area and frontage requirements for a dwelling unit shall be 1,200 sq. m. and 30 m. respectively. In all other respects the provisions of the Lakeshore Residential (LR) Zone shall apply and be complied with.

28 **Lakeshore Residential Exception 28 (LR-28) Zone**
173, 177, 189 Arnott Drive (Ennismore Ward)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, within the LR-28 Zone the minimum lot frontage requirement shall be 33 m. In all other respects the provisions of the Lakeshore Residential (LR) Zone shall apply and be complied with.

29 **Lakeshore Residential Exception 29 (LR-29) Zone**
Part Lot 1, Con. 8 Flood's Drive & 50 Edenderry Line (Ennismore Ward)

Notwithstanding a,ny other provisions of the Lakeshore Residential (LR) Zone to the contrary, within the LR-29 Zone, the following provisions shall apply:

a) Permitted Uses

i) Residential uses in accordance with Section 4.13.1 of this By-law.

b) Regulatory Provisions for Residential Uses

i)	Lot Area (Minimum)	4800 sq. m
ii)	Lot Frontage (Minimum)	30 m
iii)	Minimum Setback from High Water Mark No building or structure shall be located closer than 15 m to the 246.89 m contour g.s.c.	
iv)	Minimum Elevation of Openings to Habitable Structures The minimum elevation of any opening to a habitable structure shall not be less than 247.09 m g.s.c.	

c) In all other respects the provisions of the Lakeshore Residential (LR) Zone shall apply and be complied with.

30 **Rural Residential Exception 30 (RR-30) Zone**
336 Gifford Drive (Ennismore Ward) (010.002.12618)

Notwithstanding any other provision of this By-law to the contrary, within the Rural Residential Exception 30 (RR-30) Zone, no person shall use any lands or erect, alter, or use any building or structure except as specified herein:

a) Permitted Uses

i) The uses permitted in accordance with Section 4.12 of this By-law.

ii) Bed and Breakfast Establishment, which shall be limited to two (2) bedrooms.

For the purposes of this by-law a 'Bed and Breakfast Establishment" shall mean a single detached dwelling or portion thereof containing guest rooms used or maintained incidentally for the overnight accommodation of the travelling public and in which the proprietor supplies lodging and breakfast only in return for monetary compensation but shall not include a boarding house, motel, hotel, group home, resort establishment or other similar facility, a restaurant, a liquor license premises or any other use defined or classified herein.

b) Regulations for Residential Uses

i)	Minimum Lot Area	1 619 m²
ii)	Minimum Lot Frontage	32 m

c) Regulations for Accessory Uses

i)	Minimum Setback from Principal Building	0.4 m
ii)	Maximum Lot Coverage	7 %
iii)	Minimum Rear Yard	0.15 m

d) Regulatory Provisions

Notwithstanding any other provision of this By-law to the contrary, within the RR-30 Zone, where a bed and breakfast establishment is specifically, the following provisions shall apply to regulate and govern such use, namely:

i) that, notwithstanding any provision of Section 5.15 hereof to the contrary, the off-street parking spaces associated with the bed and breakfast establishment may be stacked provided that the number of spaces so arranged does not exceed 3;

ii) that such home occupation use does not include a liquor licensed premises or other facilities for the servicing of alcoholic beverages to the general public;

iii) that such use complies with the Building Code Act, R.S.O., 1992, c.23, as amended and the Regulations passed thereunder, and such other By-laws and regulations as may be applicable of the Corporation of the Township of Selwyn;

iv) that no portion of a guest room is located within a basement;
v) that no portion of a guest room contains facilities for the preparation of meals; and
vi) that a license has been obtained from the Corporation of the Township of Selwyn in accordance with the normal requirements of the Township.

e) Other Zone Provisions

In all other respects, the provisions of the Rural Residential (RR) Zone shall apply and be complied with.

31 **Local Commercial Exception 31 (C2-31) Zone**
1 Water Street (Lakefield Ward) (030.003.08200)

Notwithstanding the provisions of the Local Commercial (C2) Zone hereof to the contrary, within the C2-31 the minimum rear yard requirement shall be 1.3 m. In all other respects the provisions of the Local Commercial (C2) Zone shall apply and be complied with.

32 **Local Commercial Exception 32 (C2-32) Zone**
16 Albert Street (Lakefield Ward) (030.003.11900)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, within the Local Commercial Exception 32 (C2-32) Zone, no person shall use any land or erect, alter, or use any building except as specified herein, namely:

a) Notwithstanding Section 4.16.1 a), one single detached dwelling shall be permitted.

b) In addition to the Non-residential uses permitted within Section 4.8.4 b), a bed and breakfast establishment shall be permitted.

c) In all other respects the provisions of the Local Commercial (C2) Zone, shall apply and be complied with.

33 **Local Commercial Exception 33 (C2-33) Zone**
68 & 70 Bridge Street (Lakefield Ward) (030.001.01400 & 030.001.01300)

Notwithstanding the provisions of the Local Commercial (C2) Zone hereof to the contrary, within the C2-33 Zone, the non-residential uses permitted shall be restricted to that of a motor vehicle repair shop and a motor vehicle body shop together with such other accessory uses as are normally considered incidental and subordinate

thereto. In all other respects the provisions of the Local Commercial (C2) Zone shall apply and be complied with.

34 **Local Commercial Exception 34 (C2-34) Zone**
Bridge Street (Lakefield Ward)

Notwithstanding any other provision of the Local Commercial (C2) Zone, within the C2-34 Zone, the following provisions shall apply:

a) Permitted Uses

i) Antique sales and furniture exchange establishment, business, professional or administrative offices, a public use or utility in accordance with the provisions of this By-law, and a retail commercial establishment as herein defined inclusive of boutiques and other specialty shops.

b) Regulatory Provisions

i)	Lot Area (Minimum)	520 sq. m
ii)	Lot Frontage (Minimum)	21 m
iii)	Front Yard (Minimum)	5.7 m
iv)	Interior Side Yard (Minimum)	1.0 m
v)	Exterior Side Yard (Minimum)	7.0 m
vi)	Front Yard Adjacent Albert Street (Minimum)	12 m
vii)	Rear Yard (Minimum)	4.8 m
viii)	Setback from Street Centreline of Bridge Street (Minimum)	41 m
ix)	Lot Coverage (Maximum)	40%
x)	Gross Floor Area (Maximum)	450 sq. m
xi)	Landscaped Open Space (Minimum)	25%
xii)	Height of Building (Maximum)	2 storeys
xiii)	One and two bedroom apartment units	1.5 spaces per dwelling
xiv)	Parking and Loading Space Requirement (Minimum)	- 20 parking spaces and one loading space shall be required

c) All parking and loading requirements shall be satisfied within C2-34 Zone provided further that such parking and loading spaces are provided and maintained by the owner of the building in accordance with the terms and conditions as may be established from time to time by the County or the Municipality

d) In all other respects the provisions of the Local Commercial (C2) Zone shall apply and be complied with.

35 **Local Commercial Exception 35 (C2-35) Zone**
Hill Street (Lakefield Ward)

Notwithstanding any provisions of the Local Commercial (C2) Zone to the contrary, within the C2-35 Zone non-residential uses permitted shall be restricted to that of business, professional and administrative offices, a chiropractic and natural health care clinic and a shop for the fabrication and assembly of chiropractic equipment and related mechanical devices, where such shop is ancillary and subordinate to the principal permitted non-residential uses on the lot, together with such other accessory uses as are normally considered incidental and subordinate thereto. In all other respects the provisions of the Local Commercial (C2) Zone shall apply and be complied with.

36 **Local Commercial Exception 36 (C2-36) Zone**
74 Bridge Street (Lakefield Ward) (030.001.01100)

Notwithstanding any provisions of the Local Commercial (C2) Zone to the contrary, within the C2-36 Zone non-residential uses permitted shall include business, professional and administrative offices together with such other accessory uses as are normally considered incidental and subordinate thereto. In all other respects the provisions of the Local Commercial (C2) Zone shall apply and be complied with.

37 **Local Commercial Exception 37 (C2-37) Zone**
2 Hague Street (Lakefield Ward) (030.001.08400)

Notwithstanding any provisions of the Local Commercial (C2) Zone to the contrary, within the C2-37 Zone, non-residential uses permitted shall be restricted to that of cottage and/or cabin establishment inclusive of an ancillary single detached dwelling together with such other accessory uses, buildings and structures as are normally considered incidental and subordinate thereto provided that the maximum lot coverage of all buildings and structures does not exceed 30%. In all other respects the provisions of the Local Commercial (C2) Zone shall apply and be complied with.

38 **Local Commercial Exception 38 (C2-38) Zone**
127 Queen Street (Lakefield Ward) (030.004.03200)

Notwithstanding any provisions of the Local Commercial (C2) Zone to the contrary, within the C2-38 Zone non-residential uses permitted shall include a veterinary clinic, provided that the confinement areas for animals requiring veterinary care are fully enclosed, together with such other accessory uses, buildings and structures as are normally considered incidental and subordinate thereto. In all other respects the provisions of the Local Commercial (C2) Zone shall apply and be complied with.

39 **General Industrial Exception 39 (M2-39) Zone**
34 D'Eyncourt Street (Lakefield Ward) (030.001.09100)

Notwithstanding any provisions of the General Industrial (M2) Zone to the contrary, within the M2-39 Zone, non-residential uses permitted shall be restricted to that of a builder's supply outlet inclusive of the outside storage of goods that of a builder's supply outlet inclusive of the outside storage of goods and materials together with such other accessory uses, buildings and structures as are normally considered incidental and subordinate thereto.

In all other respects the provisions of the General Industrial (M2) Zone shall apply and be complied with.

40 **General Industrial Exception 40 (M2-40) Zone**
15 Clementi Street (Lakefield Ward) (030.001.05800)

Notwithstanding any provisions of the General Industrial (M2) Zone to the contrary, within the M2-40 Zone, the following provisions shall apply:

a) Permitted Uses

i) General contractor's yard and related shop facilities
ii) Accessory uses, building and structures as are normally considered incidental and subordinate thereto

b) Regulations

i)	Lot Area (Minimum)	2100 sq. m
ii)	Lot Frontage (Minimum)	28 m
iii)	Interior Side Yard (Minimum)	6.1 m

iv)	Front Yard (Minimum)	9.2 m
iv)	Rear Yard (Minimum)	7.6 m
v)	Landscaped Open Space Requirement (Minimum)	30%
vi)	Lot Coverage (Maximum)	30%

c) In all other respects the provisions of the General Industrial (M2) Zone shall apply and be complied with.

41 **Residential Type Two Exception 41 (R2-41) Zone**
5 Grant Avenue (Lakefield Ward) (030.002.04100)

Notwithstanding any provisions of the Residential Type Two (R2) Zone to the contrary, within the R2-41 Zone the following provisions shall apply:

a) Regulations

i)	Lot Frontage (Minimum)	19.4 m
ii)	Minimum Interior Side Yard (East Side)	1.7 m
iii)	Minimum Interior Side Yard (West Side)	3.24 m

b) In all other respects the provisions of the Residential Type Two (R2) Zone shall apply and be complied with.

42 **Residential Type Two Exception 42 (R2-42) Zone**
69 Oxford Street (Lakefield Ward) (030.003.25902

Notwithstanding any other provisions of the Residential Type Two (R2) Zone, to the contrary, within the R2-42 zone the following provisions shall apply:

a) Regulations

i)	Lot Frontage (Minimum)	16 m
ii)	Minimum Interior Side Yard (East Side)	1.92 m

b) In all other respects the provisions of the Residential Type Two (R2) Zone shall apply and be complied with.

43 **Community Facility Exception 43 (CF-43) Zone**
19 Fraser Street (Lakefield Ward) (030.001.05400)

Notwithstanding any other provisions of the Community Facility (CF) Zone to the

contrary, within the CF-43 Zone the following provisions shall apply:

a) Lot Frontage (Minimum) 20 m

b) In all other respects the provisions of the Community Facility (CF) Zone shall apply and be complied with.

44 **General Industrial Exception 44 (M2-44) Zone**
156 Concession Street (Lakefield Ward) (030.003.11900)

Notwithstanding any provisions of the General Industrial (M2) Zone to the contrary, within the M2-44(h) the following provisions shall apply:

a) Permitted Uses

i) A laboratory and/or research facility
ii) A business professional or administrative office provided such use is ancillary and incidental to a permitted non-residential use otherwise specified herein.

b) In all other respects the provisions of the Rural Industrial (M1) Zone shall apply and be complied with.

45 **Local Commercial Exception 45 (C2-45) Zone**
57 Queen Street (Lakefield Ward) (030.003.10400)

Notwithstanding any provisions of the Local Commercial (C2) Zone to the contrary, within the C2-45 the following provisions shall apply:

a) Two single detached dwellings are permitted.

b) The minimum front and interior side yard requirements shall be 0 m.

c) In all other respects the provisions of the Local Commercial (C2) Zone shall apply and be complied with.

46 **Residential Type Two Exception 46 (R2-46) Zone**
45 Oxford Street (Lakefield Ward) (030.003.25605)

Notwithstanding any provisions of the Residential Type Two (R2) Zone to the contrary, within the R2-46 the following provisions shall apply:

a) A single detached dwelling and a duplex dwelling are permitted uses.

b) The minimum interior side yard requirements shall be 5 m on one side and 2 m. on the other and the minimum lot frontage requirement shall be 17 m.

c) In all other respects the provisions of the Residential Type Two (R2) Zone shall apply and be complied with.

47 **Lakeshore Residential Exception 47 (LR-47) Zone**
1522 Hawkswood Drive (Ennismore Ward) (010.102.04500)

Notwithstanding any provisions of the Lakeshore Residential (LR) Zone to the contrary, within the LR-47 the following provisions shall apply:

The minimum lot frontage requirement for a dwelling unit shall be 9 m.

In all other respects the provisions of the Lakeshore Residential (LR) Zone shall apply and be complied with.

48 **Lakeshore Residential Exception 48 (LR-48) Zone**
1530 Hawkswood Drive (Ennismore Ward) (010.102.04703)

Notwithstanding any provisions of the Lakeshore Residential (LR) Zone to the contrary, within the LR-48, the following provisions shall apply:

The minimum lot area and frontage requirement for a dwelling unit shall be 1,730 sq. m and 33 m respectively.

In all other respects the provisions of the Lakeshore Residential (LR) Zone shall apply and be complied with.

49 **Rural Residential Exception 49 (RR-49) Zone**

878 & 888 Crough Crescent (Ennismore Ward) (010.100.09839 & 010.100.09845)

Notwithstanding any provisions of the Rural Residential (RR) Zone to the contrary, within the LR-49 the following provisions shall apply:

a) Minimum lot frontage shall be 185 m
b) Minimum lot area shall be 1.8 ha

In all other respects, the provisions of the Rural Residential (RR) Zone shall apply and be complied with.

50 **Recreational Open Space Exception 50 (RE-50) Zone**
447 Tara Road (Ennismore Ward) (010.002.28700)

Notwithstanding any provisions of the Recreational Open Space (RE) Zone to the contrary, within RE-50 the following provisions shall apply:

a) All lands located between the Tara Road road allowance and the 20 metre MDS arc as identified as 'Part 1' on the Schedule 'A' to By-law No. 2006-100, shall not be used for any golf course use, building or structure and shall remain as private open space and free of any buildings or structures.

b) All lands located between the 206 metre MDS arc and the 300 metre MDS arc as identified as 'Part 2' on Schedule 'A' to By-law No. 2006-100, shall not be used for any golf course tee and green locations or contain buildings or structures, but golf course fairway and rough areas shall be permitted within 'Part 2' notwithstanding MDS 1.

c) The 'Front Lot Line' shall be deemed to be that portion of the subject property situated adjacent to Tara Road.

In all other respects, the provisions of the RE Zone shall apply and be complied with.

51 **Rural Exception 51 (RR-51) Zone**

Notwithstanding any provisions of the Rural (RU) Zone to the contrary, within the RU 51 the minimum lot frontage shall be 93 m. In all other respects, the provisions of the Rural (RU) Zone shall apply and be complied with.

52 **Rural Residential Exception 52 (RR-52) Zone**
Part Lot 4, Con.7, RP 45R1224, Yankee Line (Ennismore Ward)

Notwithstanding any provisions of the Rural Residential (RR) Zone to the contrary, within the RR-52 (h) the minimum lot frontage shall be 30 m and the minimum lot area shall be 2,279 sq. m. In all other respects, the provisions of the Rural Residential (RR) Zone shall apply and be complied with.

That the Holding symbol "(h)" be applied to this Exception and shall be removed at one time or in two parts, each being removable independent of the other part, under the following circumstance(s):

Part A) When Parts 24, 34 and 35 of Plan 45R-12241 are deeded to the Township free and clear of all encumbrances, a road is constructed thereon to Township standards and said road is incorporated into the Township Road system as a Public Highway, the Holding symbol will be removed from Parts 1, 2, 3, 21, 22 and 23 on Plan 45R-12241.

Part B) When Parts 11, 25, 26, 36, 37 and 38 of Plan 45R-12241 are deeded to the Township free and clear of all encumbrances, a road is constructed thereon to Township standards and said road is incorporated into the Township Road system as a Public Highway, the Holding symbol will be removed from Parts 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 27, 28, 29, 30, 31, 32, 33 and 39 on Plan 45R-12241.

53 **Lakeshore Residential Exception 53 (LR-53) Zone**
Part Lot 9, Con. 4, 511 Causeway View Drive (Ennismore Ward) (010.002.42200)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, within the LR-53 Zone, the following provisions shall apply:

a) Provisions

i)	Minimum lot area	2000 sq. m
ii)	Minimum lot frontage	22 m

b) In all other respects the provisions of the Lakeshore Residential (LR) Zone shall apply and be complied with.

54 **Environmental Protection Exception 54 (EP-54) Zone**
34 Fraser Street (Smith Ward) (030.001.05303)

Notwithstanding the provisions of the Environmental Protection (EP) Zone to the contrary, within the EP-54 Zone, the following provisions shall apply:

a) A single detached dwelling together with such other accessory uses, buildings or structures as are normally considered incidental and subordinate thereto, shall be permitted. The applicable provisions, the Residential Type One (R1) Zone shall apply to regulate the development and use of the lands for single

detached residential purposes provided further that all relevant provisions and regulations of the Otonabee Region Conservation Authority are complied with.

55 **Environmental Protection Exception 55 (EP-55) Zone**
28 Fraser Street (Smith Ward) (030.001.05310)

Notwithstanding any other provision of the Environmental Protection (EP) Zone to the contrary, within the EP-55 Zone, the following provisions shall apply:

a) Permitted Uses

i) One single detached dwelling inclusive of such accessory uses as are normally considered incidental and subordinate thereto

b) Regulations for Residential Uses

i)	Lot Area (Minimum)	500 sq. m
ii)	Lot Frontage (Minimum)	60 m
iii)	Interior Side Yard (Minimum) The minimum required interior side yard requirement shall be 48 m. from the more northerly property line formed by the northerly limit of Ray's Creek, and, 1.2 m. adjacent the more southerly property line.	
iv)	Minimum Front Yard (adjacent to Hunter Street)	20 m
iv)	Rear Yard (Minimum)	20 m
v)	Minimum Setback Requirement from Street Centreline	30 m

c) In all other respects the provisions of the Environmental Protection (EP) Zone shall apply and be complied with.

56 **Recreational Open Space Exception 56 (RE-56) Zone**
15 Victoria Avenue (Lakefield Ward) (030.004.21941)

Notwithstanding the non-residential uses permitted within the Recreational Open Space (RE) Zone to the contrary, within the RE-56 Zone, the following provisions shall apply:

a) Permitted Uses

i) Private open space, a private canal and related docking facilities for marine craft that are owned by such persons who are members of the

association that own the lands

ii) Structures necessary for flood and erosion control

iii) A public use or utility.

b) Accessory buildings and structures, inclusive of boat houses shall not be permitted

c) In all other respects the provisions of the Recreational Open Space (RE) Zone shall apply and be complied with.

57 **Recreational Open Space Exception 57 (RE-57) Zone**
65 Hague Boulevard (Lakefield Ward) (030.001.12300)

Notwithstanding the non-residential uses permitted within the Recreational Open Space (RE) Zone, in the RE-57 Zone, the following provisions shall apply:

a) Permitted Uses

i) A campground, owned, operated and maintained by the Municipality

ii) Accessory uses, buildings and structures as are normally considered incidental and subordinate thereto.

b) In all other respects the provisions of the Recreational Open Space (RE) Zone shall apply and be complied with.

58 **Recreational Open Space Exception 58 (RE-58)**
Lot 9, Part Lots 5 & 8, RP 45R11833 (Lakefield Ward) (030.001.07220)

Notwithstanding the non-residential uses permitted within Recreational Open Space (RE), in the RE-58 Zone, the following provisions shall apply:

a) Permitted Uses

i) A government maintenance depot operated by Parks Canada in association with the Trent Waterway System

ii) Accessory uses, buildings and structures as are normally considered incidental and subordinate thereto

b) In all other respects the provisions of the Recreational Open Space (RE) Zone shall apply and be complied with.

59 **Recreational Open Space Exception 59 (RE-59) Zone**
22 D'Eyncourt Street (Lakefield Ward) (030.001.09300)

Notwithstanding the provisions of the Recreational Open Space (RE) Zone to the contrary, in the RE-59 Zone, the following provisions shall apply:

a) Permitted Uses

i) A passive park;
ii) Conservation, open space or similar uses as provided for the preservation of the natural environment;
iii) An accessory not for profit retail operation, which is run for the sole purpose of generating operating funds for the park. Such operation shall not exceed 56 sq.m. in gross floor area
iv) Uses, buildings and structures accessory to any of the permitted uses specified.

b) In all other respects, the provisions of the Recreational Opens Space (RE) Zone shall apply and be complied with.

60 **Community Facility Exception 60 (CF-60) Zone**
Nelson Street (Lakefield Ward)

Notwithstanding any other provision of the Community Facility (CF) Zone to the contrary, within the CF-60 Zone, the following provisions shall apply:

a) Permitted Uses

i) A single detached dwelling
ii) A day nursery
iii) Uses, buildings and structures accessory to the foregoing principal permitted uses, in accordance with the provisions of Section 3 of this By-law.

b) Regulations

i)	Front Yard (Minimum)	7 m
ii)	Minimum Exterior Side Yard	3.5 m
iii)	Minimum Setback Requirement from Street Centreline - Caroline Street	17 m

- Nelson Street 13.5 m

iv) Planting Strip
Where the rear lot line or portion thereof abuts lands zoned within a Residential Zone, an area adjoining the rear lot line shall be used for no other purposes than a strip, having a minimum width of 1.2 m.

c) In all other respects the provisions of the CF Zone shall apply and be complied with.

61 **Community Facility Exception 61 (CF-61) Zone**
275 Queen Street (Lakefield Ward) (030.004.24300)

Notwithstanding the provisions of the Community Facility (CF) Zone to the contrary, within the CF-61 Zone, the following provisions shall apply:

a) Permitted Uses

i) A government maintenance depot
ii) Accessory uses, buildings and structures as are normally considered incidental and subordinate thereto.

b) In all other respects the provisions of the CF Zone shall apply and be complied with.

62 **Community Facility Exception 62 (CF-62) Zone**
Regent Street (Lakefield Ward)

Notwithstanding any other provision of the Community Facility (CF) Zone to the contrary, within the CF-62 Zone, the following provisions shall apply:

a) Regulations

i)	Front Yard to Main Building (Minimum)	5.81 m
ii)	Minimum Interior Side Yard (South)	2.07 m
iii)	Minimum Interior Side Yard (North)	8 m
iv)	Minimum Rear Yard	1.39 m
v)	Minimum Setback from Street Centreline to Main Building	15.87 m
vi)	Minimum Setback from Street Centreline to Stairs	10.15 m

vii) Where the interior side lot line abuts lands zoned within any Residential Zone, an area adjoining the interior side lot line may be used for a

driveway, having a minimum width of 1.52 m. Where all other side and rear lot lines abut lands zoned within any Residential Zone, an area adjoining such abutting lot line or portion thereof shall be used for no other purpose than for a planting strip in accordance with the provisions of this By-law.

b) Steps, covered or uncovered and associated with the principle use on the lot may project into the front yard a maximum distance of 5.72 m., but not closer than 0.08 m. to the front lot line.

c) In all other respects the provisions of the Community Facility (CF) Zone shall apply and be complied with.

63 **Lakeshore Residential Exception 63 (LR-63) Zone**
Causeway View Road, Shannon Drive, O'Connor Drive, Telford Drive, Scollard Line, Theona Drive, Duffus Drive, Dunmanus Drive, & Gallivan Drive (Ennismore Ward)

Notwithstanding the residential uses permitted within the Lakeshore Residential (LR) Zone, in the LR-63 Zone, the following provisions shall apply:

a) A single detached dwelling is permitted provided that:
   i) The lot is serviced by a private water supply system and private waste disposal system which complies with the standards of the Ministry of Environment, as amended from time to time, and, as administered by the Peterborough City/County Health Unit
   ii) Such structure complies with all other Building By-laws of the Corporation of the Township of Smith-Ennismore-Lakefield; and
   iii) A Certificate of Compliance is obtained from the Corporation of the Township of Smith-Ennismore-Lakefield.

b) In all other respects the provisions of the Lakeshore Residential (LR) Zone shall apply and be complied with.

64 **Lakeshore Residential Exception 64 (LR-64) Zone**
511 Causeway Drive (Ennismore Ward) (010.002.42200)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone, within the LR-64 Zone, the minimum lot area and frontage requirements for a seasonal dwelling unit shall be 2000 square metres and 22 metres respectively.

In all other respects the provisions of the Lakeshore Residential (LR) Zone shall apply and be complied with.

65 **Recreational Open Space Exception 65 (RE-65) Zone**
Part Lot 2, Conc. 9 & Part Lot 4, Conc. 10, Emerald Isle (Ennismore Ward)

Notwithstanding the uses permitted within the Recreational Open Space (RE) Zone, within the RE-65 Zone the uses permitted shall be restricted to that of private open space.

In all other respects, the provisions of the Recreational Open Space (RE) Zone shall apply and be complied with.

66 **Recreational Open Space Exception 66 (RE-66) Zone**
155 Ennis Road & (Ennismore Ward) (010.100.00200)

Notwithstanding the non-residential uses permitted within the Recreational Open Space (RE) Zone, in the RE-66 Zone, non-residential uses shall be limited to:

a) Permitted Uses

i) A golf course.
ii) Accessory uses, buildings and structures as are normally considered incidental and subordinate thereto.

b) In all other respects the provisions of the Recreational Open Space (RE) Zone shall apply and be complied with.

67 **Recreational Open Space Exception 67 (RE-67) Zone**
Part Lots 7 and 8, Concession 10 (Ennismore Ward)

Notwithstanding the uses permitted within the Recreational Open Space (RE) Zone, in the RE-67 Zone the following provisions will apply:

a) Permitted Uses

i) Private open space, private canal and related docking facilities
ii) Structures necessary for flood and erosion control

b) Accessory buildings and structures, inclusive of boat houses shall not be permitted.

c) In all other respects the provisions of the Recreational Open Space (RE) Zone shall apply and be complied with.

68 **Recreational Open Space Exception 68 (RE-68) Zone**
1485 Murphy Road (Ennismore Ward) (010.102.10400)

Notwithstanding the uses permitted within the Recreational Open Space (RE) Zone, within the RE-68 Zone, the uses permitted within shall be restricted to:

a) Permitted Uses

i) a private park, operated and maintained by a private organization and may include facilities for swimming, and boating, picnic areas and other similar uses

ii) Structures necessary for flood and erosion control

b) Accessory buildings and structures, inclusive of boat houses shall not be permitted.

c) In all other respects the provisions of the Recreational Open Space (RE) Zone shall apply and be complied with.

69 **Rural Residential Exception 69 (RR-69) Zone**
Part Lot 2, Concession 1 (Ennismore Ward)

Notwithstanding any other provision of the Rural Residential (RR) Zone, within the RR-69 Zone, the following provisions shall apply:

a) Provisions

i)	Minimum lot area	4,200 sq. m
ii)	Minimum lot frontage	40 m

b) Type A Home Industry uses shall not be permitted within the RR-69 Zone.

c) In all other respects the provisions of the Rural Residential (RR) Zone shall apply and be complied with.

70 **Community Facility Exception 70 (CF-70) Zone**
801 Tara Road (Ennismore Ward) (010.100.01400)

Notwithstanding the provisions of the Community Facility (CF) Zone to the contrary, within the CF-70 Zone the following provisions shall apply:

a) Permitted Uses

i) A government maintenance depot
ii) Accessory uses, buildings and structures as are normally considered incidental and subordinate thereto.

b) In all other respects the provisions of the Community Facility (CF) Zone shall apply and be complied with.

71 **Highway Commercial Exception 71 (C1-71) Zone**
Part Lot 6, Concession 5 (Ennismore Ward)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, in the C1-71 Zone the following provisions shall apply.

a) Permitted Uses

i) A retail commercial establishment, inclusive of a general store
ii) Accessory uses, buildings and structures as are normally considered incidental and subordinate thereto.

b) In all other respects the provisions of the Highway Commercial (C1) Zone shall apply and be complied with.

72 **Highway Commercial Exception 72 (C1-72) Zone**
476 Robinson Road (Ennismore Ward) (010.002.32201)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, within the C1-72 Zone the following provisions shall apply:

a) Permitted Uses

i) A veterinary clinic wholly contained within the principal building or structure.

b) In all other respects the provisions of the Highway Commercial (C1) Zone shall apply and be complied with.

73 **Recreation Commercial Exception 73 (RC-73) Zone**
776 Ennis Road, 837 & 843 Tara Road (Ennismore Ward)

Notwithstanding the provisions of the Recreation Commercial (RC) Zone to the contrary, within the RC-73 Zone the following provisions shall apply:

a) Permitted Uses

i) A miniature golf course.
ii) Uses, buildings and structures as are normally considered incidental and subordinate thereto.

b) In all other respects the provisions of the RC Zone shall apply and be complied with.

74 **General Industrial Exception 74 (M2-74) Zone**
551 Ennis Road (Ennismore Road) (010.100.02002)

Notwithstanding the provisions of the General Industrial (M2) Zone to the contrary, in the M2-74 Zone the following provisions shall apply:

a) Permitted Uses

i) A government maintenance depot inclusive of the outside storage of goods and materials.
ii) Uses, buildings and structures as are normally considered incidental and subordinate thereto.

b) In all other respects the provisions of the General Industrial (M2) Zone shall apply and be complied with.

75 **Local Commercial Exception 75 (C2-75) Zone**
36 Bridge Street (Lakefield Ward) (030.001.06100)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, in the C2-75 Zone, the number of parking spaces required to accommodate a 28-seat restaurant, associated retail uses and 1 residential apartment within the commercial structure shall be 5.

76 **Residential Type 2 Exception 76 (R2-76) Zone**
14 Aldrich Court (Lakefield Ward) (030.004.19200)

Notwithstanding the residential uses within the Residential Type 2 Zone as set forth under Section 4.4.2 hereof to the contrary, within the Residential Type Two Exception Seventy-Six (R2-76) Zone, a Single Detached Dwelling and a 2-unit Dwelling House are permitted uses.

These uses can take place on lands which are serviced with municipal water and a private sanitary sewage system. In all other respects the provisions of the Residential Type Two (R2) Zone shall apply and be complied with.

77 **Residential Type One Exception 71 (R1-77) Zone**
6 Hague Street (Lakefield Ward) (030.001.08600)

Notwithstanding the regulations for residential uses as defined in Section 4.3.2 and 4.3.3 respectively hereof to the contrary, within the Residential Type One Exception Seventy-Seven (R1-77) Zone, the minimum lot area and frontage and the minimum front, rear and side yard setback requirements shall be as they are depicted on the survey date February 17, 2006 produced by J.B. Fleguel, or as required by Sections 4.3.2 and 4.3.3, whichever is lesser. In all other respects the provisions of the Residential Type One (R1) Zone shall apply and be complied with.

78 **District Commercial Exception 78 (C2-78) Zone**
36 Bridge Street (Lakefield Ward) (030.001.06100)

Notwithstanding the parking regulations of Section 5.16 set forth in this By-law to the contrary, within the District Commercial exception seventy-eight (C2-78), the number of parking spaces required to accommodate a 28-seat restaurant, associated retail uses and 1 residential apartment within the commercial structure shall be 5.

79 **Multiple Residential Exception 79 (R3-79) Zone**
40, 46, & 50 Rabbit Street (Lakefield Ward)

Notwithstanding any other provisions of this By-law to the contrary, within the Multiple Residential (R3) Exception 79 (R3-79) Zone, the following shall apply:

a) Permitted Uses

The uses permitted shall be restricted to that of an apartment dwelling, and a maximum of three (3) fourplex dwellings to a maximum density of 54 dwelling units. Uses, buildings or structures accessory to any of the foregoing permitted uses shall also be permitted.

b) Zone Regulations

The minimum setback from the street centre line shall be 17 metres except where the exterior side yard abuts a public street, in which case the minimum setback from the street centre line shall be 14 metres.
In all other respects, the provisions of the Multiple Residential (R3) shall apply and be complied with.

80 Reserved

81 **Local Commercial Exception 81 (C2-81) Zone**
821 Tara Road (Ennismore Ward) (010.100.01800)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, within the C2-81 Zone, the following shall apply:

a) Permitted Uses:

i) Residential uses are prohibited, except where a dwelling unit is located within a portion of a permitted non-residential building.
ii) A retail commercial establishment, in addition to the non-residential uses permitted within the C2 Zone.

b) Regulations for Non-Residential Uses:

i)	Minimum Lot Area Requirement 2	450 sq. m
ii)	Minimum Yard Requirements	
	- Front Yard (adjacent Tara Road)	3 m
	- Exterior Side Yard (County Road 16)	11 m
iii)	Minimum Setback from Street Centreline	
	- County Road 16	20 m
	- Township Road (Tara Road)	10 m
iv)	Maximum Gross Retail Floor Area	200 sq. m

82 **Residential Type One Exception 82 (R1-82) Zone**
777 Tara Road (Ennismore Ward) (010.100.01310)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary, within the R1-82 Zone, the following shall apply:

a) Permitted Uses:

i) Residential Use - a single-family detached dwelling house

b) Regulations for Residential Uses:

i)	Minimum Lot Area Requirement	1350 square m
ii)	Minimum Lot Frontage Requirement	38 m

For the purposes of the R1-82 Zone, the front lot line shall be defined as the line dividing the lot from the adjacent right-of-way referred to as Part 66 of Plan 45R-275.

c) Notwithstanding the provisions of 3.10 of this By-law to the contrary, within the R1-82 Zone, where lands are accessible by means of a private right-of-way registered against the title of the lands over which the right-of-way has been granted, the provisions of this By-law shall not apply to prevent the erection, alteration or use of a single-family detached residential dwelling provided that all other relevant provisions of this By-law are complied with.

d) In all other respects the provisions of the Residential Type One (R1) Zone shall apply and be complied with.

83 **Rural Exception 83 (RU-83) Zone**
846 Brick Road (Ennismore Ward) (010.100.08700)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-83 Zone, the minimum lot area shall be 9700 square metres and exempt the parcel from minimum frontage requirements. Lot access for the parcel is deemed acceptable by right-of-way.

84 **Rural Exception 84 (RU-84) Zone**
1136 Listowel Line (Ennismore Ward) (010.100.23500)

Notwithstanding the provisions of the Rural (RU) Zone, within the RU-84 Zone to the

contrary, a minimum lot area of 60 hectares and not more than a total of two single detached dwellings shall be required.

85 **Rural Residential Exception 85 (RR-85) Zone**
Lot 6, Concession 10 (Ennismore Ward) (010.102.22160)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, within the RR-85 Zone, a minimum lot area of 3885 square metres shall be required.

86 **Recreational Commercial Exception (RC-86) Zone**
1449 Shannon Drive (Ennismore Ward) (010.102.11800)

Notwithstanding the provisions of the Recreational Commercial (RC) Zone to the contrary, within the RC-86 Zone, the following shall be required:

a)	Minimum Lot Area		1,420 square m
b)	Minimum Lot Frontage		30 m
c)	Minimum Yard Requirements		
	i) Front Yard		15 m
	ii) Minimum Interior Side Yard (South Side)	6 m	
	iii) Minimum Interior Side Yard (North Side)		5.3 m
	iv) Minimum Rear Yard		15 m
	v) Minimum Setback from Street Centreline		25 m
d)	Maximum Lot Coverage – all buildings and structures		50%
e)	Minimum Landscaped Open Space Requirement		10%
f)	Maximum Height of Buildings		10 m

87 **Rural Residential Exception 87 (RR-87) Zone**
506 & 512 Thomas Avenue (Ennismore Ward (010.002.22400 & 010.002.22305)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary within the RR-87 Zone, the minimum lot area and frontage requirements for a single-family detached dwelling shall be 1420 square metres and 30.5 metres respectively. In all other respects the provisions of the Rural Residential Zone shall apply and be complied with.

88 **Lakeshore Residential Exception 88 (LR-88) Zone**
1532 & 1538 Hawkswood Drive (Ennismore Ward) (010.102.04704 & 010.102.04700)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, within the LR-88 Zone, the minimum lot area and frontage requirements for a single-family detached dwelling shall be 1840 square metres and 7.6 metres respectively. In all other respects the provisions of the LR Zone shall apply and be complied with.

89a **Highway Commercial Exception 89a (C1-89a)**
994 County Rd. 19, Part of Lot 5, Concession ECR (Smith Ward) (020.001.49400)

Notwithstanding any other provisions of this By-law to the contrary, within the Highway Commercial Exception 89 (C1-89) Zone, the following provisions shall apply:

a) Permitted Uses

i) An outdoor reception venue
ii) Residential uses accessory to the permitted commercial use

b) Regulations

i)	minimum dwelling unit area	78 m²
ii)	minimum setback from street centerline (County Road)	26 m

c) An outdoor reception venue shall mean an area set aside out of doors, covered or uncovered, for the use of patrons as an area to host a formal party for guests, such as a wedding.

In all other respects, the provisions of the Highway Commercial (C1) Zone shall apply and be complied with.

89b **Residential Type One Exception 89b (R1-89b) Zone**
1221 Fairbairn St., Part Lot 11, Con.2 (Smith Ward) (020.001.25101)

Notwithstanding any other provisions of this By-law to the contrary, within the Residential Type One Exception 89b (R1-89b) Zone, the minimum lot areas shall be 0.3 hectares.

In all other respects the the provisions of the Residential Type One (R1) Zone shall apply.

90 **Residential Type One Exception 90 (R1-90) Zone**
56 Regent Street (Lakefield Ward) (030.003.14100)

Notwithstanding the provision of the Residential Type One (R1) Zone on the contrary, within the R1-90 Zone, the following provisions shall apply:

a) Permitted Uses

i) A Single Family Dwelling; or,
ii) A Two Unit Dwelling House

b) Requirements:

i)	Minimum exterior side yard	0 m
ii)	Minimum front yard setback	0.15 m
iii)	Minimum lot frontage	16.45 m

In all other respects the provisions of the Residential Type One (R1) Zone shall apply and be complied with.

91 **Recreational Open Space Exception 91 (RE-91) Zone**
Part Lot 3, Con. 1, RP45M226 (Ennismore Ward) (010.002.53543)

Notwithstanding the uses permitted within the Recreational Open Space (RE) Zone as set forth under Section 4.22.1 hereof to the contrary, within the Recreational Open Space Exception Ninety-One (RE-91) Zone, the uses permitted shall be restricted to that of private open space.

92 **Recreational Open Space Exception 92 (RE-92) Zone**
Part Lot 2, Con. 8, Parts 1 & 8, RP 45R13569 (Ennismore Ward) (010.101.34202)

Notwithstanding the provisions of the Recreational Open Space (RE) Zone to the contrary, within the RE-92 Zone, the permitted uses shall be limited to the following:

a) Agriculture;

b) Passive recreational uses; and,

c) A public use or utility in accordance with the provisions of Section 3.38

hereafter set forth in this By-law

In all other respects the provisions of the Recreational Open Space (RE) Zone shall apply and be complied with.

93 **Rural Exception 93 (RU-93) Zone**
Lot 9, Concession 4 (Smith Ward)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-93 zone, the minimum lot area shall be 6.25 hectares.

94 **Agricultural Exception 94 (A-94)**
Part of Lot 25, Concession 12 (Smith Ward) (020.004.20100)

Notwithstanding any other provisions of this By-law to the contrary, within the Agricultural Exception 94 (A-94) Zone, the following shall apply:

a) Permitted Uses

i) in addition to the uses permitted in Section 4.7.1, a garden suite shall be permitted

b) Regulations

i) a garden suite shall be permitted to be located in the front yard

c) In all other respects, the provisions of Sections 3.12 and 4.7 of this shall apply and be complied with.

d) This By-law shall expire ten (10) years from the passage of By-law Number 2011-067 (July 19, 2011), unless the Council of the Corporation of the Township of Selwyn has provided an extension by amendment to this By-law Number 2011-067 prior to its expiry.

95 **Rural Exception 95 (RU-95) Zone**
Lot 6, Concession 4 (Ennismore Ward)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-95 zone, the MDS II requirement from the fairway area of the golf course situated on the east side of Tara Road in Part Lot 7, Concession 4 shall not be applied to the

existing livestock facilities situated in Part Lot 6, Concession 4 of the former Township of Ennismore. In all other respects, the provisions of the RU Zone shall apply and be complied with.

96 **Rural Residential Exception (RR-96) Zone**
Lot 9, Concession 4 (Ennismore Ward)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, within the RR-96 zone, the minimum lot area shall be 2150 square metres. In all other respects the provisions of the Rural Residential (RR) Zone shall apply and be complied with.

97 **Rural Residential Exception 97 (RR-97) Zone**
Lot 7, Concession 4 (Ennismore Ward)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, within the RR-97 zone, no person shall use any land or erect, alter or use any building or structure except as specified hereunder, namely:

a) Permitted Uses

i) Residential - a single family detached dwelling;
ii) Non-Residential - a saw and/or planning mill inclusive of the outside storage of goods and materials where such storage is accessory and incidental to the permitted non-residential use;
iii) Accessory Uses - Uses, buildings or structures accessory to any of the foregoing permitted uses specified under paragraphs (i) and (ii) hereof and in accordance with the provisions of Section 5.1 of By-law No. 37-1988.

b) Regulatory Provisions

i)	Minimum Lot Area Requirement	4200 square m
ii)	Minimum Lot Frontage Requirement	30 m
iii)	Minimum Yard Requirements – Residential Use	
	- front yard	15 m
	- side yard	6 m
	- rear yard	90 m
iv)	Minimum Yard Requirements – Non-Residential Use	

-	front yard	90 m
-	side yard	8 m
-	rear yard	8 m

v) Maximum Lot Coverage

-	Residential structure	10 %
-	all non-residential structures	10 %

vi) Maximum Height of Structures 10 m

vii) Minimum Landscaped Open Space Requirement 50 %

c) Regulatory Provisions for Outside Storage:

Within the RR-97 Zone, no portion of any lot shall be used for the outside storage of goods or materials except in accordance with the following provisions, namely:

i) That such outside storage shall not be located closer than 90 metres to the front lot line or 8 metres of a side or rear lot line;

ii) That such outside storage shall not cover in excess of 5 per cent of the total lot area;

iii) That any portion of a lot used for the outside display ad/or storage of goods or materials is screened from adjacent residential uses and public streets adjoining the lot by buildings, or, is enclosed by shrub planting, or, is enclosed within a closed wooden, plastic and/or metal fence extending at least 1.8 metres in height from the finished grade.

d) Other Zone Provisions:

In all other respects the provisions of the Rural Residential (RR) Zone shall apply and be complied with.

98 **Lakeshore Residential Exception 98 (LR-98) Zone**
Part Lot 8, Concession 3 (Ennismore Ward)

Notwithstanding the provisions as set forth under Section 3.10 hereof to the contrary, within the LR-98 Zone, lands which front upon and are directly accessible from a private road may be developed in accordance with the provisions of the LR-98 Zone.

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, within the LR-98 Zone, the minimum lot area and frontage requirements for a dwelling unit shall be 2650 square metres and 30 metres respectively. In all other

respects the provisions of the Lakeshore Residential (LR) Zone shall apply and be complied with.

99 **Lakeshore Residential Exception 99 (LR-99)**
Part of Lots 18 & 19, Concession 11 (Smith Ward) (020.004.01800)

Notwithstanding any other provisions of this By-law to the contrary, within the Lakeshore Residential Exception 99 (LR-99) Zone, uses accessory and incidental to the permitted uses in section 4.13.1.1 of this By-law shall be permitted, excluding a swimming pool, hot tub or spa.

100 **Lakeshore Residential Exception 100 (LR-100) Zone**
2952 Eagles Cliff Lane (Smith Ward) (020.502.20810)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, in the LR-100 Zone, the minimum lot area shall be 0.34 hectares. All other provisions of the LR Zone shall apply.

101 **Highway Commercial Exception 101 (C1-101) Zone**
2977, 2983, 2995 Buckhorn Road & 2075 Deer Bay Road (Smith Ward)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, within the C1-101 Zone, the following shall apply:

a) Permitted Uses

   i) Marine sales and repairs
   ii) Uses, buildings and structures as are normally considered incidental and subordinate thereto.
   iii) Those uses permitted in Section 4.15.1 of this By-law.

b) In all other respects the provisions of the C1 Zone shall apply and be complied with.

102 **Environmental Protection Exception 102 (EP-102) Zone**
77 Rabbit Street & Wingett Way (Lakefield Ward)
(030.004.26000 & 030.004.20015 & 030.004.20125)

Notwithstanding the provisions of the Environmental Protection (EP) Zone to the contrary, within the EP-102 Zone, the uses shall be permitted to parking lots and driveways.

103 **Rural Industrial Exception 103 (M1-103) Zone**
7949 Highway 7 (Smith Ward) (020.001.17300)

Notwithstanding the provisions of the Rural Industrial (M1) Zone to the contrary, within the M1-103 Zone the following provisions shall apply:

a) Permitted Uses

i) Meat packing and sales
ii) Uses, buildings and structures as are normally considered incidental and subordinate thereto.

b) In all other respects the provisions of the M1 Zone shall apply and be complied with.

104 **Highway Commercial Exception 104 (C1-104) Zone**
18 Lindsay Road (Smith Ward) (020.200.00100)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, within the C1-104 Zone the following provisions shall apply:

a) Permitted Uses

i) A retail commercial establishment
ii) Uses, buildings and structures as are normally considered incidental and subordinate thereto.
iii) Those uses permitted in Section 4.15.1 of this By-law.

b) In all other respects the provisions of the C1 Zone shall apply and be complied with.

105 **Residential Type Three Exception 105 (R3-105) Zone**
944, 945, 949, 950 Sharon Court (Smith Ward)
(020.202.09400, 020.202.09700, 020.202.09600, 020.202.09500)

Notwithstanding the provisions of the Residential Type Three (R3) Zone to the contrary, in the R1-105 Zone, the following provisions shall apply:

a) Permitted Uses

i) One six-unit apartment dwelling on one lot

ii) Uses, buildings and structures as are normally considered incidental and subordinate thereto.

b) In all other respects the provisions of the R3 Zone shall apply and be complied with.

106 **Rural Exception 106 (RU-106) Zone**
Part Lot 12, Concession 7 (Ennismore Ward) (010.100.22700)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-106 Zone, the minimum lot frontage shall be 20 metres.

107 **Highway Commercial Exception 107 (C1-107) Zone**
1881 Young's Point Road (Smith Ward) (020.500.03801)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, within the C1-107 Zone the following provisions shall apply:

a) Permitted Uses

i) A general store

ii) Uses, buildings and structures as are normally considered incidental and subordinate thereto.

iii) Those uses permitted in Section 4.15.1 of this By-law.

b) In all other respects the provisions of the C1 Zone shall apply and be complied with.

108a **Rural Residential Exception 108a (RR-108a) Zone**
312 Viner Line (Ennismore Ward) (010.100.15415)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-108a Zone, the following provisions shall apply:

a) Permitted Uses

i) Those uses permitted in Section 4.12.1 of this By-law.

ii) A garage intended for the storage and maintenance of a tractor trailer operated by the resident.

b) Regulations

i) The maximum height requirement for the permitted use in Section 108a) ii) shall be 5.5 metres.

108b **Rural Residential Exception 108 (RR-108b)**
944 Sharon Court (Smith Ward) (020.202.40600)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception 108 (RR-108) Zone, accessory structures incidental to the permitted uses in section 4.12.1.1 of this By-law which existed prior to the passage of this amendment are permitted in the absence of a principal structure.

109 **Rural Industrial Exception 109 (M1-109) Zone**
1840 Eighth Line (Smith Ward) (020.003.26900)

Notwithstanding the provisions of the Rural Industrial (M1) Zone, to the contrary, within the M1-109 Zone the following provisions shall apply:

a) Permitted Uses

i) Manufacture of concrete products
ii) Uses, buildings and structures as are normally considered incidental and subordinate thereto.

b) In all other respects the provisions of the M1 Zone, shall apply and be complied with.

110 **Rural Industrial Exception 110 (M1-110) Zone**

Notwithstanding the provisions of the Rural Industrial (M1) Zone, to the contrary, within the M1-110 Zone the following provisions shall apply:

a) Permitted Uses

i) Manufacture of overhead doors.
ii) Uses, buildings and structures as are normally considered incidental and subordinate thereto.

b) In all other respects the provisions of the M1 Zone, shall apply and be complied with.

111 **Highway Commercial Exception 111 (C1-111) Zone**
3165 & 3171 Lakefield Road (Smith Ward) (020.003.15600 & 020.003.15500)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, within the C1-111 Zone the following provisions shall apply:

a) Permitted Uses

i) Used car sales
ii) Uses, buildings and structures as are normally considered incidental and subordinate thereto.
iii) Those uses permitted in Section 4.15.1 of this By-law.

b) In all other respects the provisions of the C1 Zone, shall apply and be complied with.

112 **Lakeshore Residential Exception 112 (LR-112) Zone**
1415 Fire Route 5, Part of Lot 13, Con. 8 (Smith Ward) (020.202.31105)

Notwithstanding any other provisions of this By-law to the contrary, within the Lakeshore Residential Exception 112 (LR-112) zone, the minimum lot frontage shall be 25 m and the minimum lot area shall be 925 sq. m.

In all other respects, the provisions of the LR Zone shall apply and be complies with.

113 **Highway Commercial Exception 113 (C1-113) Zone**
2881 & 2883 Lakefield Road (Smith Ward) (020.003.01405 & 020.003.01401)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, within the C1-113 Zone the following provisions shall apply:

a) Permitted Uses

i) Mobile home and trailer sales.
ii) Uses, buildings and structures as are normally considered incidental and subordinate thereto.
iii) Those uses permitted in Section 4.15.1 of this By-law.

b) In all other respects the provisions of the C1 Zone, shall apply and be complied with.

114 **Highway Commercial Exception 114 (C1-114) Zone**
2710 Lakefield Road (Smith Ward) (020.007.44500)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, within the C1-114 Zone the following provisions shall apply:

a) Permitted Uses

i) Sporting goods and antique sales.
ii) Uses, buildings and structures as are normally considered incidental and subordinate thereto.
iii) Those uses permitted in Section 4.15.1 of this By-law.

b) In all other respects the provisions of the C1 Zone, shall apply and be complied with.

115 **Highway Commercial Exception 115 (C1-115) Zone**
2657 Lakefield Road (Smith Ward) (020.007.42500)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, within the C1-115 Zone the following provisions shall apply:

a) Permitted Uses

i) A drive-in theatre
ii) Uses, buildings and structures as are normally considered incidental and subordinate thereto.
iii) Those uses permitted in Section 4.15.1 of this By-law.

b) In all other respects the provisions of the C1 Zone, shall apply and be complied with.

116 **Highway Commercial Exception 116 (C1-116) Zone**
2621, 2643, 2657 Lakefield Road (Smith Ward)
(020.007.41700, 020.007.42300, 020.007.42500)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, within the C1-116 Zone the following provisions shall apply:

a) Permitted Uses

i) A restaurant and general store.

ii) Uses, buildings and structures as are normally considered incidental and subordinate thereto.

iii) Those uses permitted in Section 4.15.1 of this By-law.

b) In all other respects the provisions of the C1 Zone, shall apply and be complied with.

117 **Residential Type One Exception 117 (R1-117) Zone**
151 & 155 Woodland Drive (Smith Ward) (020.007.34800 & 020.007.34900)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary, in the R1-117 Zone, the permitted uses are limited to two triplex dwellings, and uses, buildings and structures accessory thereto.

118 **Lakeshore Residential Exception 118 (LR-118) Zone**
3162 Spring Lane E (Smith Ward) (020.502.24101)

Notwithstanding any other provision of this By-law to the contrary, within the Lakeshore Residential Exception 118 (LR-118) Zone, the minimum lot frontage shall be 41 metres.

In all other respects, the provisions of the Lakeshore Residential (LR) Zone shall apply and be complied with.

119 **Rural Industrial Exception 119 (M1-119) Zone**
1449 Hilliard Street (Smith Ward) (020.001.48600)

Notwithstanding the provisions of the Rural Industrial (M1) Zone to the contrary, in the M1-119 Zone, the following provisions shall apply:

a) Permitted Uses

i) A construction work yard and storage of construction materials

ii) Uses, buildings and structures as are normally considered incidental and subordinate thereto.

b) In all other respects the provisions of the M1 Zone, shall apply and be complied with.

120 **Highway Commercial Exception 120 (C1-120) Zone**
1042 County Road 19 (Smith Ward) (020.001.49011)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, within the C1-120 Zone the following provisions shall apply:

a) Permitted Uses

i) Motor vehicle repair shop
ii) Uses, buildings and structures as are normally considered incidental and subordinate thereto.
iii) Those uses permitted in Section 4.15.1 of this By-law.

b) In all other respects the provisions of the C1 Zone, shall apply and be complied with.

121 **Rural Industrial Exception 121 (M1-121) Zone**

Notwithstanding the provisions of the Rural Industrial (M1) Zone to the contrary, in the M1-121 Zone, the following provisions shall apply:

a) Permitted Uses

i) Sheet metal fabrication
ii) Uses, buildings and structures as are normally considered incidental and subordinate thereto.

b) In all other respects the provisions of the M1 Zone, shall apply and be complied with.

122 Reserved

123 **Rural Industrial Exception 123 (M1-123) Zone**
954 Third Line (Smith Ward) (020.001.46800)

Notwithstanding the provisions of the Rural Industrial (M1) Zone to the contrary, in the M1-123 Zone, the permitted uses are limited to fuel sales and storage, and uses, buildings, and structures accessory thereto.

124 **Lakeshore Residential Exception 124 (LR-124) Zone**
1413 Fire Route 5, Part of Lot 13, Con.8 (Smith Ward) (020.202.31000)

Notwithstanding any other provision of this By-law to the contrary, within the Lakeshore Residential Exception 124 (LR-124) Zone, the following shall apply:

i)	minimum lot frontage	20 metres
ii)	minimum lot area	2859 square metres
iii)	minimum front yard	6.9 metres
iv)	minimum setback from highwater	23.5 metres

In all other respects, the provisions of the Lakeshore Residential (LR) Zone shall apply and be complied with.

125 **Rural Industrial Exception 125 (M1-125) Zone**
1555 Chemong Road (Smith Ward) (020.001.47500)

Notwithstanding the provisions of the Rural Industrial (M1) Zone to the contrary, in the M1-125 Zone, the permitted uses are limited to concrete product sales and storage, and uses, buildings and structures accessory thereto.

126 **Highway Commercial Exception 126 (C1-126) Zone**
1996 & 2000 Chemong Road (Smith Ward) (020.201.17800 & 020.201.17900)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, in the M1-126 Zone, a motor vehicle body repair shop and uses, buildings and structures accessory thereto is permitted.

127 **Highway Commercial Exception 127 (C1-127) Zone**
2158 Parkhill Road W. (Smith Ward) (020.001.00401)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, in the C1-127 Zone, the permitted uses are limited to a farm implement dealership, and uses, buildings and structures accessory thereto.

128 **Rural Residential Exception 128 (RR-128) Zone**
1842 6th Line, Part of Lot 24, Con. 6 (Smith Ward) (020.003.03601)

Notwithstanding any other provision of this By-law to the contrary, within the Rural Residential Exception 128 (RR-128) Zone, the minimum lot frontage shall be 40 metres.

In all other respects, the provisions of the Rural Residential (RR) Zone shall apply and be complied with.

129 **Rural Industrial Exception 129 (M1-129) Zone**

1568 Young's Point Road (Smith Ward) (020.003.34000)

Notwithstanding the provisions of the Rural Industrial (M1) Zone to the contrary, in the M1-129 Zone, this land may only be used for the landing and servicing of helicopters, and uses, buildings, and structures accessory thereto.

130 **Highway Commercial Exception 130 (C1-130) Zone**
3001 Buckhorn Road (Smith Ward) (020.006.16300)

Notwithstanding the provisions of the Highway Commercial (C1) Zone, to the contrary within the C1-130 zone the following provisions shall apply:

Permitted uses:

a) business, professional or administrative office,
b) structures and uses accessory to the principal permitted use, and a dwelling unit.

131 **Extractive Industrial Exception 131 (M3-131) Zone**
9th Line, Part of Lots 20 & 21, Concession 8 (Smith Ward) (020.003.24600)

Notwithstanding any other provision of this By-law to the contrary, within the Extractive Industrial Exception 131 (M3-131) Zone, the minimum easterly and southerly side yard shall be 0 metres.

In all other respects, the provisions of the Extractive Industrial (M3) Zone shall apply and be complied with.

132 **Rural Residential Exception 132 (RR-132) Zone**
2753 Beaver Lane, Part of Lot 46, Con. 15 (Smith Ward) (020.502.18400)

Notwithstanding any other provision of this By-law to the contrary, within the Rural Residential Exception 132 (RR-132) Zone, the minimum lot area shall be 0.25 hectares.

Notwithstanding Section 3.10 of the By-law to the contrary as it related to requiring frontage on a public street, these lands are to be treated in the same manner as those which are zoned Lakeshore Residential (LR).

In all other respects, the provisions of the Rural Residential (RR) Zone shall apply and be complied with.

133 **Rural Exception 133 (RU-133) Zone**
2162 Parkhill Road W**.** (Smith Ward) (020.001.00410)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Exception 133 (RU-133) Zone, the maximum height of the modified garage shall 6.50 metres (1 storey), with the height being measured from the average finished grade at the front elevation of the said garage to a point mid-way between the eaves and the peak of the said garage roof.

Human habitation is prohibited.

All other provisions of this by-law shall apply.

134 **Rural Exception 134 (RU-134) Zone**
Part Lot 24, Concession 10 (Smith Ward) (020.004.01600)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Exception 134 (RU-134) Zone, the minimum lot area shall be 17.6 hectares; and the minimum lot frontage shall be 110 metres.

135 **Highway Commercial Exception 135 (C1-135) Zone**
1747 Hilliard Street (Smith Ward) (020.001.53700)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, in the C1-135 Zone, the permitted uses are limited to storage of sandblasting equipment and to permit limited sandblasting on site.

136 **Local Commercial Exception 136 (C2-136) Zone**
857 Ward Street (Smith Ward) (020.201.21400)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, in the C2-136 Zone, the following provisions shall apply:

a) Permitted Uses

i) Offices, banks, retail stores, medical centres, personal service shops, restaurants, Liquor Control Board of Ontario outlets, post offices, bakery shops, dry cleaning outlets and studios; and no residential uses accessory to the permitted uses are permitted

ii) Uses, buildings, and structures accessory to the above permitted uses, excluding open storage.

iii) A fruit and vegetable stand, operated from the month of May to the month of October.

b) Regulations

i) The permitted use in subsection 136 a) iii) shall be setback 45 metres from the front lot line, 45 metres from the exterior side lot line and 3 metres from the side and rear lot lines.

ii) The maximum total floor area of the structure (s) required to support the use permitted in subsection 136 a) iii) shall be 14 square metres

c) In all other respects the provisions of the C2 Zone, shall apply and be complied with.

This land may only be used for, and no residential uses accessory to the permitted uses is permitted.

137 **Local Commercial Exception 137 (C2-137) Zone**
893 Garthorne Avenue (Smith Ward) (020.201.35100)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, in the C2-137 Zone, the following provisions shall apply:

a) Permitted Uses

i) Animal hospital in wholly enclosed building, cleaning and pressing shop, cold storage locker establishment, custom workshop, garden centre, medical centre, office, printing establishment, private or commercial club, restaurant, recreational vehicle and recreational trailer sales and

service establishment retail commercial establishment, service shop, studio, liquor licensed premise, taxi establishment.

ii) Uses, buildings, and structures accessory to the above permitted uses in clause i) excluding open storage for all uses except retail sales of travel trailers, motor homes, trailers, truck campers, tent trailers, and tents, shall be permitted.

138 **Local Commercial Exception 138 (C2-138) Zone**
2673 Lakefield Road (Smith Ward) (020.007.42700

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, within the C2-138 Zone residential uses accessory to any permitted use shall be prohibited.

139 **Rural Industrial Exception 139 (M1-139) Zone**
802 5th Line (Smith Ward) (020.201.01700)

Notwithstanding the provisions of the Rural Industrial (M1) Zone to the contrary, within the M1-139 Zone warehousing and distribution of bulk petroleum products shall be permitted.

140 **Rural Industrial Exception 140 (M1-140) Zone**
1460 Chemong Road (Smith Ward) (020.001.49900)

Notwithstanding the provisions of the Rural Industrial (M1) Zone to the contrary, within the M1-140 Zone the retail sale of petroleum products is permitted.

141 **Local Commercial Exception 141 (C2-141) Zone**
858 Ward Street (Smith Ward) (020.201.36500)

Notwithstanding any other provisions of this By-law to the contrary, within the Local Commercial Exception 141 (C2-141) Zone, the following shall apply:

a) Permitted uses:

i) Office, bank, retail store, medical centre, personal service shop, restaurant, Liquor Control Board of Ontario outlet, post office, bakery shop, dry cleaning outlet, studio;

ii) Residential uses shall be permitted in the upper story of a commercial

building.

b) Zone regulations:

i) Minimum front yard 5 m
ii) Minimum rear yard 10 m

In all other respects, the provisions of the Local Commercial (C2) Zone shall apply and be complied with.

142 **Residential Type One Exception 142 (R1-142) Zone**
780 Ward Street, Part Lot 12, Concession ECR (Smith Ward) (020.201.28700)

Notwithstanding any other provisions of this By-law to the contrary, within the Residential Type One Exception 142 (R1-142) Zone, a computer repair shop may be permitted to operate in the dwelling subject to the following regulations:

Minimum lot area	1 295 m^2
Minimum lot frontage	25.5 m
Minimum front yard	5.2 m
Maximum floor area of the computer repair shop	20 m^2
Minimum number of parking spaces	3

143 **Recreational Open Space 143 (RE-143) Zone**
1000 Communication Road (Smith Ward) (020.201.03800)

Notwithstanding the provisions of the Recreational Open Space (RE) Zone to the contrary, within the RE-143 Zone, the following provisions shall apply:

a) Permitted Uses

i) Recreational uses together with uses, buildings, and structures accessory thereto, save and except for human habitation.

b) The maximum lot coverage shall be 25%

144 **Lakeshore Residential Exception 144 (LR-144) Zone**
496, 498, 500 McConnell Drive (Smith Ward) (020.200.38000 & 020.200.35700)

Notwithstanding any other provisions of this By-law to the contrary, within the Lakeshore Residential Exception 144 (LR-144) Zone the following provisions shall

apply:

a)	minimum lot area	2 300 m²
b)	minimum lot frontage (road)	34 m
c)	minimum lot frontage (water)	33 m

In all other respects, the provisions of the of the Lakeshore Residential (LR) Zone shall apply and be complied with.

145 **Residential Type One Exception 145 (R1-145) Zone**
109 Clementi Street (Lakefield Ward) (030.002.09400)

Notwithstanding any other provisions of this By-law to the contrary, within the Residential Type One Exception 145 (R1-145) Zone the minimum lot area shall be 472 square metres.

In all other respects, the provisions of the of the Residential Type One (R1) Zone shall apply and be complied with.

146 **Residential Type One Exception 146 (R1-146) Zone**
1069 Maria Street (Smith Ward) (020.202.10200)

Notwithstanding any other provisions of this By-law to the contrary, within the Residential Type One Exception 146 (R1-146) Zone the minimum frontage shall be 40 metres; and the minimum front yard setback shall be 85 m.

In all other respects, the provisions of the of the Residential Type One (R1) Zone shall apply and be complied with.

147 **Rural Industrial Exception 147 (M1-147) Zone**
Part Lots 41 & 42, Concession 14 (Smith Ward) (020.501.13500)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Industrial Exception 147 (M1-147) Zone the following provisions shall apply:

a) Permitted Uses

i) self-storage units
ii) outside storage of boats, trailer, RV's and ATV's
iii) a business administration office

iv) an accessory dwelling unit located within the office building.

In all other respects, the provisions of the of the Rural Industrial (M1) Zone shall apply and be complied with.

148 **Rural Residential Exception 148 (RR-148) Zone**
166 Lily Lake Road (Smith Ward) (020.001.18200)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, within the RR-148 Zone, the minimum front yard, the minimum rear yard, and the minimum floor area shall be as existing on the date of passing of this By-law or as required in Section 4.12 of this By-law, whichever is lesser.

149 **Residential Type One Exception 149 (R1-149) Zone**
982 Ward Street (Smith Ward) (020.202.13500)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary, in the R1-149 Zone, the sale of antiques shall be a permitted use.

150 **Residential Type One Exception 150 (R1-150) Zone**
109 Clementi Street (Lakefield Ward) (030.002.09400)

Notwithstanding any other provisions of this By-law to the contrary, within the Residential Type One Exception 150 (R1-150) Zone the following zone provisions shall apply:

a)	minimum lot area	453 m²
b)	minimum front yard	2.7 m
c)	minimum rear yard	3.2 m
d)	minimum exterior side yard	1.67 m

In all other respects, the provisions of the of the Residential Type One (R1) Zone shall apply and be complied with.

Schedule B
Site Specific Exception Zones

151 **Rural Residential Exception 151 (RR-151) Zone**
1778 7th Line (Smith Ward) (020.003.14004)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, within the RR-151 Zone, the minimum lot frontage shall be 30 m. and the minimum lot area shall be 1,625 sq. m.

152 **Multiple Residential Exception 152 (R3-152)**
Summer Lane (Smith Ward)

Notwithstanding the provisions of the Multiple Residential Type 3 (R3) Zone to the contrary, the following provisions shall apply to lands being situated in Parts 1 and 2, Plan 45R1863

a) Permitted Uses

In addition to the uses permitted by Section 4.11.1.1, the uses permitted in the Residential Type 1 (R1) Zone and Residential Type 2 (R2) Zone shall also be permitted.

i) Notwithstanding uses permitted on the site, the lands within 30.5 metres of the lot line abutting Lots 219 to 227 on Registered Plan 89 shall only be used for Single Detached Units and uses accessory thereto and the following regulations shall apply:

- Minimum lot frontage 12 m
- Minimum lot area 360 sq m
- Minimum interior side yard setback 1.2 m

All other provisions related to Single Detached Dwellings shall apply.

b) Notwithstanding the provisions of 4.9.3, 4.10.3.1, 4.11.3.2 and 4.11.3.3, the following regulations shall apply:

i) Regulations within a Plan of Subdivision:

Lot Area (Minimum)	
• Street front Townhouse & Semi-Detached Dwelling	175 sq m
• Single Detached Dwelling	260 sq m
Lot Frontage (Minimum)	
• Street front Townhouse & Semi-Detached Dwelling	6 m

• Single Detached Dwelling		9m
Front Yard Setback (Minimum) • To a Dwelling: • To a Garage or Carport:		 4.5 m 6.0 m
Side Yard Setback (Minimum) • Street front Townhouse & Semi-Detached Dwelling • Internal: • External: • From a street line:	3 m, except at corner rounding's which may be 1.75 m	 0.0 m 1.2 m
Side Yard Setback (Minimum) • Single Detached Dwelling • Interior: • From a street line:	0.6 m on one side and 1.2 m on other side 3 m, except at corner rounding's which may be 1.75 m	
Encroachments for Decks • Rear Yard:	3.0 m into the minimum setback	
Setback from an R1-117 Zone (Minimum)		1.5 m
Rear Yard (Minimum)		6.0 m
Maximum projection for a bay window		1.5 m, but no closer than 1.2m to a lot line
Maximum Lot Coverage • Single Storey, Single Detached Dwellings • Two Storey, Single Detached Dwellings • Streetfront Townhouse and Semi-Detached		 50% 45% 55%

Dwellings		
Maximum number of Dwelling Units	104 two bedroom street front townhouse dwellings; or 71 three or more bedroom attached, semi-attached or detached dwellings; or 75 two bedroom street front townhouse units plus 21 three or more bedroom attached, semi-attached or detached dwellings; or equivalent combinations thereof subject to the maximum design population not exceeding 251 persons, calculated as follows: two bedroom street front townhouse dwellings counted as 2.4 persons, three or more bedroom street front townhouse, semi-attached or detached single family dwellings counted as 3.5 persons; and apartment buildings counted as 2.0 persons per dwelling unit.	
Maximum Building Height		10 m
Maximum Number of Townhouses in a Townhouse Block		7
Dwelling Unit Area (Minimum) • Street front Townhouse & Semi-Detached Dwelling • Single Detached Dwelling		 70 sq m 95 sq m

c) General Regulations Applying to a Plan of Subdivision:

i) Notwithstanding Section 3.29, tandem parking spaces shall be permitted as required parking for any dwelling type.

That all other provisions of the Township of Selwyn Comprehensive Zoning By-law 2009-021 shall apply.

153 **Lakeshore Residential Exception 153 (LR-153) Zone**
3122 Spring Lane N. (Smith Ward) (020.50.224001)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, within the LR-153 Zone, no lot frontage shall be required.

154 **Lakeshore Residential Exception 154 (LR-154) Zone**

3126 & 3130 Spring Lane N. (Smith Ward) (020.502.24000 & 020.502.24002)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, within the LR-154 Zone, no cottage or chalet shall be permitted on this lot.

155 Reserved

156 **Local Commercial Exception 156 (C2-156) Zone**
821 Ward Street (Smith Street) (020.201.30800)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, within the C2-156 Zone, this land may only be used for the following:

a) Office, personal service shop, printing establishment, retail store.

b) Residential uses accessory to any of the permitted uses shall be prohibited.

157 Reserved

158 **Rural Exception 158 (RU-158) Zone**
1425 Selwyn Road (Smith Ward) (020.202.31500)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-158 Zone the lands may also be used for a communications tower and utility shed accessory thereto.

159 **Local Commercial Exception 159 (C2-159) Zone**
1488 Chemong Road (Smith Ward) (020.001.50200)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, within the C2-159 Zone the following provisions shall apply:

a) Permitted Uses

i) Bank, business, professional or administrative office, service shop, retail store, restaurant, retail sales and storage of petroleum and motor vehicle

repair garage and construction equipment, and uses, buildings, and structures accessory thereto.

b) Residential uses accessory to any of the permitted uses shall be prohibited.

160 **Rural Exception 160 (RU-160) Zone**
4176 Highway 28 (Smith Ward) (020.501.04200)

The minimum lot area shall be as existing on the date of the passing of this By-law.

161 **Local Commercial Exception 161 (C2-161) Zone**
3026 Lakefield Road (Smith Ward) (020.003.07200)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, within the C2-161 Zone the permitted uses are limited to the operation of a commercial greenhouse and residential uses, buildings and structures accessory thereto. The minimum front yard and side yard regulations shall be as existing on the date of this By-law.

162 **Lakeshore Residential Exception 162 (LR-162) Zone**
641 Fire Route 1 (Smith Ward) (020.200.01900)

Notwithstanding any other provisions of this By-law to the contrary, within the Lakeshore Residential Exception 162 (LR-162) Zone, a Bed and Breakfast Establishment shall be a permitted use within the LR-162 Zone, and shall be subject to the provisions of Section 3.4 of this By-law.

In all other respects, the provisions of the Lakeshore Residential (LR) Zone shall apply and be complied with.

163 **Local Commercial Exception 163 (C2-163) Zone**
832 Ward Street (Smith Ward) (020.201.27500)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, within the C2-163 Zone the following provisions shall apply:

a) Permitted Uses

i) Small animal out-patient veterinary office, flower shop, business, professional or administrative offices, service shops, post office, printing

establishment, retail store, bakery production and retail outlet and coffee shop, studio, and residential uses, and uses, buildings, and structures accessory thereto.

b) The minimum lot frontage, the minimum lot area, the minimum front yard and the minimum side yard shall be as existing on the date of passing of this By-law.

164 Reserved

165 **Highway Commercial Exception 165 (C1-165) Zone**
1648 8th Line (Smith Ward) (020.003.24901)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, within the C1-165 Zone the following provisions shall apply:

a) Permitted Uses

i) storage and repair of construction equipment, and uses, buildings, and structures accessory thereto

166 **Rural Residential Exception 166 (RR-166) Zone**
717 Fairview Lane & 820 Fire Route 4a (Smith Ward) (020.007.40800 & 020.201.19900)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, within the RR-166 Zone no lot frontage shall be required.

167 Reserved

168 **Highway Commercial Exception 168 (C1-168) Zone**
1400 Buckhorn Road (Smith Ward) (020.003.27300)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, within the C1-168 Zone, the following provisions shall apply:

a) Permitted Uses

i) Salvage yard, automobile wrecking yard, government maintenance depot, motor vehicle service centre and residential uses, and uses, buildings and structures accessory thereto.

169 **Rural Residential Exception 169 (RR-169) Zone**
835 Centre Line (Smith Ward) (020.007.49200)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, within the RR-169 Zone the minimum lot area shall be as existing on the date of passing of this By-law.

170 **Local Commercial Exception 170 (C2-170) Zone**
827 Ward Street (Smith Ward) (020.201.30900)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, within the C2-170 Zone the following provisions shall apply:

a) Permitted Uses

i) Bank, business, professional or administrative office, post office, retail store, taxi establishment, and uses, buildings, and structures accessory thereto.

171 **Local Commercial Exception 171 (C2-171) Zone**
1870 12th Line (Smith Ward) (020.004.19900)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, within the C2-171 Zone the following provisions shall apply:

a) Permitted Uses

i) Recording studio/store, private club and residence in conjunction with a recording studio/store, and uses, buildings, and structures accessory to the permitted uses.

172 **Lakeshore Residential Exception 172 (LR-172) Zone**
2784 Shepherd Lane (Smith Ward) (020.502.18900)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, within the LR-172 Zone, the minimum lot area shall be 2.25 ha more or less.

173 **Highway Commercial Exception 173 (C1-173) Zone**

2887 Lakefield Road (Smith Ward) (020.003.01500)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, within the C1-173 Zone the following provisions shall apply:

a) Permitted Uses

i) Animal Welfare Facility, Farm Implement Sales and Service Establishment, Motor Vehicle Dealership, Motorcycle Sales and Service, business, professional or administrative offices, government maintenance depot, Recreational Vehicle Sales and Service, Retail Shops, One Single Detached Dwelling

ii) Uses, Buildings and Structures accessory to the above permitted uses

b) Regulations

i)	Minimum Lot Area	9,700 sq. m
ii)	Minimum Lot Frontage	78 m
iii)	Maximum Gross Floor Area	20% of lot area

c) Provisions for Animal Welfare Facility

i)	Maximum Number of Animals in Boarding	75
ii)	Maximum Number of Dogs in Boarding	15

iii) An outdoor fenced area for use by animals may be provided. Such area shall be used only during daylight hours and shall be located in the rear yard, however, such area shall not be within 5 m. of any lot line.

174 **Rural Exception 174 (RU-174) Zone**

1738 Chemong Road (Smith Ward) (020.001.53300)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-174 Zone the following provisions shall apply:

The operation of a commercial dog kennel is permitted. The lot coverage shall be as existing on the date of passing of this By-law. The number of adult dogs permitted shall be limited to 1 adult dog per 1,250 sq. m. of lot area.

175 Reserved

176 **Local Commercial Exception 176 (C2-176) Zone**
889 Ward Street (Smith Ward) (020.201.21602)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, within the C2-176 Zone the following provisions shall apply:

a) Permitted Uses

i) On the ground floor:
Bakery shop, bank, Brewers' Retail outlet, building supply sales in wholly enclosed building, cleaning or pressing shop, cold storage locker establishment, commercial school, custom workshop, garden centre, Liquor Control Board of Ontario outlet, business, professional or administrative office, service shop excluding automatic laundry, place of entertainment or recreation, post office, printing establishment, private or commercial club, restaurant, retail store, studio, liquor license premise, taxi establishment.

ii) Business, professional or administrative offices on the second floor

iii) Uses, buildings and structures accessory to any permitted uses in paragraph i) or paragraph ii) hereof, but excluding residential uses and open storage as accessory uses.

b) Regulations

i)	Maximum Ground Floor Area	2,325 sq. m
ii)	Maximum Height	2 storeys

c) There shall be permitted at each approved entrance, an illuminated sign not exceeding 4 sq. m. in area, identifying the plaza and subject to the approval of the appropriate road authority.

177 **Lakeshore Residential Exception 177 (LR-177) Zone**
2276 Fire Route 25 (Smith Ward) (020.006.40200)

Notwithstanding any other provisions of this By-law to the contrary, within the Lakeshore Residential Exception 257 (LR-257) Zone the following shall apply:

i)	minimum lot area	0.1960 ha
ii)	minimum lot frontage (road)	30 m

iii) minimum lot frontage (water) 30 m

In all other respects, the provisions of the of the Lakeshore Residential (LR) Zone shall apply and be complied with.

178 **Lakeshore Residential Exception 178 (LR-178) Zone**
2272 Fire Route 25 (Smith Ward) (020.006.39915)

Notwithstanding any other provisions of this By-law to the contrary, within the Lakeshore Residential Exception 178 (LR-178) Zone the following shall apply:

i)	minimum lot area	0.2080 ha
ii)	minimum lot frontage (road)	32 m
iii)	minimum lot frontage (water)	33.5 m
iv)	minimum setback from the highwater mark	17.8 m

In all other respects, the provisions of the of the Lakeshore Residential (LR) Zone shall apply and be complied with.

179 **Local Commercial Exception 179 (C2-179) Zone**
861 & 871 Ward Street (Smith Ward) (02020121502 & 02020121500)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, within the C2-179 Zone the following provisions shall apply:

a) Permitted Uses

i) Bakery shop, bank, Brewers' Retail outlet, Liquor Control Board of Ontario outlet, retail store, business, professional or administrative office, post office.

b) Regulations:

i)	Minimum interior side yard setback (southerly)	
	- Commercial plaza	4.09 m
	- Metal shed	1.62 m
ii)	Minimum rear yard setback	3.27 m

180 **Lakeshore Residential Exception 180 (LR-180) Zone**
3069 Beachwood Drive (Smith Ward) (020.006.28606)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, within the LR-180 Zone, the following provisions shall apply:

a) The minimum lot frontage shall be 27.87 m. where neither municipal water or sanitary sewers are available.

b) No buildings shall be constructed below 243.53 m. g.s.c. or any lots or blocks designated for public access to the Lake.

181 **Rural Residential Exception 181 (RR-181) Zone**

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, within the RR-181 Zone, the lands shall be exempt from the lot frontage and front yard requirements of this By-law.

182 Reserved

183 **Local Commercial Exception 183 (C2-183) Zone**
3305 Lakefield Road (Smith Ward) (020.003.20400)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, within the C2-183 Zone for the display of a restored railway caboose is permitted, provided that the caboose shall not be used for anything but a tourist attraction of a non-commercial nature.

184 Reserved

185 **Local Commercial Exception 185 (C2-185) Zone**
2043 Young's Point Road (Smith Ward) (020.500.11300)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, within the C2-185 Zone the following provisions shall apply:

a) No travel trailers or equipment related to the trailer camp shall be parked, stored or inhabited in this area.

b) Visual screening shall be provided and shall consist of board fencing and/or evergreen hedging of the minimum height noted and as located on Schedule "A" of By-law No. 1981-85.

186 **Recreation Commercial Exception 186 (RC-186) Zone**
2043 Young's Point Road (Smith Ward) (020.500.11300)

Notwithstanding the provisions of the Recreation Commercial (RC) Zone to the contrary, within the RC-186 Zone the following provisions shall apply:

a) The minimum trailer site standards shall be the lesser of the requirements of the Recreational Commercial (RC) Zone or as existing on the date of passage of this By-law.

b) Visual screening shall be provided and shall consist of board fencing and/or evergreen hedging of the minimum height.

c) No travel trailer or trailer site shall be used as a permanent residence.

187 No Buildings, structures or hard surface paving shall be permitted on these lands.

188 Reserved

189 **Rural Residential Exception 189 (RR-189) Zone**
162 Lily Lake Road (Smith Ward) (020.001.18100)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, within the RR-189 Zone the minimum lot frontage, the minimum lot area, the minimum front yard, the minimum side yard, the minimum rear yard and the minimum floor area shall be as existing on the date of passing of this By-law, or as required in Section 4.12 of this By-law, whichever is lesser.

190 Reserved

191 **Highway Commercial Exception 191 (C1-191) Zone**
2704 Lakefield Road (Smith Ward) (020.007.44400)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, within the C1-191 Zone the following provisions shall apply:

a) Permitted Uses

i) Motor vehicle service centre, building supply sales in wholly enclosed building, custom workshop, farm implement sales and service establishment, garden centre, motel, motor vehicle dealership, place of worship, post office, private club, government maintenance depot, restaurant, retail store, taxi establishment.

ii) Accessory residential uses in accordance with the provisions of this By-law shall also be permitted.

192 Reserved

193 **Local Commercial Exception 193 (C2-193) Zone**
3361 Buckhorn Road (Smith Ward) (020.006.37000)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, within the C2-193 Zone a real estate office and a post office are permitted.

194 **Highway Commercial Exception 194 (C1-194) Zone**
124 Lindsay Road (Smith Ward) (020.200.03300)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, within the C1-194 Zone the following provisions shall apply:

a) Permitted Uses

i) A dance hall, bingo hall, market place for sale of vendors wares, auction room and accessory residential uses.

b) Outside storage on this land shall be strictly prohibited.

c) One Chip Wagon shall be permitted to operate on the property

195 **Local Commercial Exception 195 (C2-195) Zone**

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, within the C2-195 Zone the following provisions shall apply:

a) Permitted Uses

i) Art gallery, bank, custom workshop, garden centre, business, professional or administrative office, service shop, private club, health club, day nursery, restaurant excluding drive-in or curb service and live entertainment, retail shop excluding a convenience store, studio.

ii) Accessory residential uses within the principal structure

b) Provisions

i)	Open storage is prohibited	
ii)	Maximum height	One storey
iii)	Maximum Ground Floor Area	460 sq. m

c) In all other respects the provisions of the Local Commercial (C2) Zone shall apply and be complied with.

196 **General Industrial Exception 196 (M1-196) Zone**
1405, 1411, 1417 8th Line (Smith Ward)
(020.007.58825 & 020.007.58800 & 020.007.58820)

Notwithstanding any other provisions of this By-law to the contrary, within the General Industrial Exception 196 (M1-196) Zone, the following provisions shall apply:

i) Front yard setback shall be 10.5 metres;
ii) Rear yard setback shall be 0 metres;
iii) Vehicular parking may be permitted in the required front yard; and,
iv) A single ingress/egress driveway will service lots zoned M1-196.

197 **Environmental Protection Exception 197 (EP-197) Zone**
1411, 1417 8th Line (Smith Ward) (020.007.58800 & 020.007.58820)

Notwithstanding any other provisions of this By-law to the contrary, septic systems and loading spaces may be permitted within the Environmental Protection Exception

197 (EP-197) Zone.

198 **Highway Commercial Exception 198 (C1-198) Zone**
1328 Buckhorn Road (Smith Ward) (020.003.27101)

This land may only be used for the sale of fishing tackle and bait and uses accessory thereto. Accessory residential uses in accordance with this By-law shall also be permitted.

199 **Recreational Commercial Exception 199 (RC-199) Zone**
2360 Armstrong Lane E. (Smith Ward) (020.006.41200)

This land may only be used for the erection of a boat storage building and one rental cottage and uses accessory thereto.

200 **Lakeshore Residential Exception 200 (LR-200) Zone**
2360 Armstrong Lane E. (Smith Ward) (020.006.41200)

In addition, this land may be used for storage of houseboats and parking of vehicles accessory to the marina operation located on the same lot therewith.

201 **Residential Type One Exception 201 (R1-201) Zone**
701 & 720 Red Pine Lane & Burnside Road (Smith Ward) (0202010396 & 02020103950)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary, in the R1-201 Zone, the following provisions shall apply:

a) Minimum floor area

i)	1 Storey Dwelling	110 sq. m
ii)	1-½ Storey or Split Level Dwelling	110 sq. m
iii)	2 or 2½ Storey Dwelling	130 sq. m
iv)	Where no basement is provided the applicable minimum floor area shall be increased by 19 sq. m.	

202 **Highway Commercial Exception 202 (C1-202) Zone**

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, in the C1-202 Zone, uses on the property are restricted to the following:

a) Garden centre, restaurant, retail store, business, professional or administrative office, custom workshop

b) Uses, buildings and structures accessory thereto.

203 **Recreational Commercial Exception 203 (RC-203) Zone**
3121 Cottage Lane (Smith Ward) (020.501.05000)

Notwithstanding the provisions of the Recreational Commercial (RC) Zone to the contrary, in the RC-203 Zone, the following provisions shall apply:

This land may only be used for the operation of a sailing club. Human habitation shall be strictly prohibited.

204 **Residential Type One Exception 204 (R1-204) Zone**
Red Pine Lane (Smith Ward)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary, in the R1-204 Zone, the following provisions shall apply:

a) Lot area (Minimum) 0.4 ha

b) The minimum floor area shall be

i)	1 Storey Dwelling	110 sq. m
ii)	1-½ Storey or Split Level Dwelling	110 sq. m
iii)	2 or 2½ Storey Dwelling	130 sq. m

c) Where no basement is provided the applicable minimum floor area shall be increased by 19 sq. m

205 **Local Commercial 205 (C2-205) Zone**
2108 Nathaway Drive (Smith Ward) (020.500.15600)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, in the C2-205 Zone, a bible school shall be permitted.

206 **Highway Commercial Exception 206 (C1-206) Zone**

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, in the C1-206 Zone, this land may only be used for a take-out restaurant.

The lot size shall be as existed the date of passage of this By-law.

All other provisions of the Highway Commercial (C1) Zone shall apply.

207 **Rural Industrial Exception 207 (M1-207) Zone**
1221 Holden Road (Smith Ward) (020.007.57510)

Notwithstanding the provisions of the Rural Industrial (M1) Zone to the contrary, in the M1-207 Zone, this land may only be used for the operation of a metal fabrication and farm equipment repair shop.

208 **Local Commercial Exception 208 (C2-208) Zone**

2805 River Avenue (Smith Ward) (020.500.07000)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, in the C2-208 Zone, the following provisions shall apply:

a) Permitted Uses

   i) Gift shop, antique sales and tea room and uses accessory thereto.
   ii) Accessory residential uses

b) Provisions

   i) Open storage is prohibited

c) In all other respects the provisions of the Local Commercial (C2) Zone shall apply and be complied with.

209 **Highway Commercial Exception 209 (C1-209) Zone**
Part Lot 5, Con. ECR, RP 45R16562 (Smith Ward) (020.001.50903)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, in the C1-209 Zone, the following provisions shall apply:

a) Permitted Uses

i) Motor vehicle service centre, bakery shop, building supply sale, car lot (new and used), cold storage locker, custom workshop, farm implement sales and service establishment, garden centre, motor vehicle gasoline bar, motor vehicle dealership, service shop, printing establishment, government maintenance depot, recreational vehicle sales and service, retail store

b) Provisions

i) Maximum floor area shall be limited to 25% of the lot area

c) In all other respects the provisions of the Local Commercial (C2) Zone shall apply and be complied with.

210 **Rural Industrial Exception 210 (M1-210) Zone**
1293 Centre Line, 1600 & 1609 8th Line (020.007.58806 & 020.007.59550 & 020.003.24700)

Notwithstanding the provisions of the Rural Industrial (M1) Zone to the contrary, within the M1-210 Zone the following provisions shall apply:

a) Permitted Uses

i) Motor vehicle service centre, building supply outlet in wholly-enclosed building, cold storage locker, business, professional and administrative office and cafeteria, printing establishment, government maintenance depot, transportation depot

211 **Highway Commercial Exception 211 (C1-211) Zone**
Part Lot 12, Con. ECR (Smith Ward) (020.201.36700 & 020.201.360888 & 020.201.13630)

Notwithstanding any other provisions of this By-law to the contrary, within the Highway Commercial Exception 211 (C1-211) Zone the following shall apply:

a) Permitted Uses:

i) uses permitted in Section 4.15.1.1;
ii) a motor vehicle gasoline bar;
iii) convenience store
iv) two (2) dwelling units located within a portion of a non-residential

building permitted within the C1-211 zone.

b) Regulations:

i) minimum front yard setback from canopy shall be 4.5 m
ii) minimum front yard setback from a building shall be 9 m
iii) minimum setback from the County road to a canopy shall be 14 m
iv) minimum setback from the County Road to a building shall be 18 m
v) minimum side yard (southerly) setback shall be 3 m

In all other respects, the provisions of the of the Highway Commercial (C1) Zone shall apply and be complied with.

212 Reserved

213 **Residential Type One Exception 213 (R1-213) Zone**
932 Ward Street (Smith Ward) (020.201.38000)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary, in the R1-213 Zone, a 84 sq. m. chiropractic office is permitted.

214 Reserved

215 **Lakeshore Residential Exception 215 (LR-215) Zone**
3314 Buckhorn Road (Smith Ward) (020.006.35602)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, in the LR-215 Zone a 45 sq. m. Chiropractic Office is permitted.

216 **Rural Residential Exception 216 (RR-216) Zone**
Young's Point Road, R45R6648 (Smith Ward)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-216 Zone, no buildings shall be constructed below 233 m. above sea level.

217 **Rural Industrial Exception 217 (M1-217) Zone**
8th Line (Smith Ward)

Notwithstanding the provisions of the Rural Industrial (M1) Zone to the contrary, in the M1-217 Zone, the following provisions shall apply:

a) Permitted Uses

i) Motor vehicle service centre, building supply outlet, car sales lots (new or used), cold storage locker, farm implement sales and service establishment, printing establishment, government maintenance depot, recreation vehicle sales and service, transportation depot.

ii) Offices ancillary or incidental to the above uses.

b) The use of these lands shall be limited to those uses with low water volume and low water quality requirements as the available ground water supply may be limited in volume and may not meet drinking water quality standards.

218 **Rural Residential Exception 218 (RR-218) Zone**
1135 Centre Line (Smith Ward) (020.007.59100)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-218 Zone, a bookkeeping office is permitted as a home occupation.

219 **Recreational Commercial Exception 219 (RC-219) Zone**
1676 Chemong Road (Smith Ward) (020.001.52900)

Notwithstanding the provisions of the Recreational Commercial (RC) Zone to the contrary, in the RC-219 Zone, the following provisions shall apply:

a) Permitted Uses

i) Amusement Park facilities which may include, but is not necessarily limited to: a water slide, a commercial outdoor swimming pool, a wave pool, a paddleboat pool, a water raft ride, amusement rides, arcades, fast food concession stands, restaurants, licensed premises, gift and souvenir shops, parking lots and buildings or structures accessory to the foregoing permitted uses

b) Provisions

i) The minimum side yard and rear yard and setback from abutting properties shall be 12 m. and the maximum height of structures shall be 12 m.

ii) A minimum number of 370 parking spaces with access to a publicly maintained road shall be provided.

220 **Rural Exception 220 (RU-220) Zone**
55 Lily Lake Road (Smith Ward) (020.001.00300)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, in the RU-220 Zone, the minimum frontage for this parcel of land shall be 116 m.

221 Reserved

222 **Agriculture Exception 222 (A-222) Zone**
2875 Lakefield Road (Smith Ward) (020.003.01402)

Notwithstanding the provisions of the Agriculture (A) Zone to the contrary, in the A-222 Zone, the minimum area for this parcel of land shall be 4.23 ha. The keeping of more than 3 horses on this property is prohibited.

223 **Rural Exception 223 (RU-223) Zone**
2190 Fire Route 25 (Smith Ward) (020.006.40300)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, in the RU-223 Zone, the minimum lot frontage shall be nil provided that one point on the perimeter of the lot touches upon a public street maintained on a year-round basis.

224 **Residential Type One Exception 224 (R1-224) Zone**
3343 Buckhorn Road (Smith Ward) (020.006.37600)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary, in the R1-224 Zone, the following provisions shall apply:

a) Permitted Uses

i) A single detached dwelling and retail establishment for the sale of art supplies, paintings, gifts, crafts, souvenir and books together with a picture framing service; bakery production and retail outlet, hairdressing shop
ii) Residential uses accessory to any permitted use.

225 **Highway Commercial Exception 225 (C1-225) Zone**
1833 8th Line (Smith Ward) (020.003.14033)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, in the C1-225 Zone, the following provisions shall apply:

a) Permitted Uses

i) Animal hospital in wholly enclosed building, cleaning and pressing shop, medical centre, garden centre, farm produce outlet, service shop, retail store.
ii) Residential uses accessory to any permitted use.

b) Provisions

i) Outside storage is strictly prohibited

226 Reserved

227 **Rural Industrial Exception 227 (M1-227) Zone**
2639 Lakefield Road (Smith Ward) (020.007.42100)

Notwithstanding the provisions of the Rural Industrial (M1) Zone to the contrary, in the M1-227 Zone, the following provisions shall apply:

a) Permitted Uses

i) storage and sales, wholesale and retail, of propane and propane related appliances, the sale of propane as an automobile fuel and uses,
ii) buildings and structures accessory thereto.

b) Provisions

i) The maximum size of the fixed propane storage facility shall be 113,600 water litres

228 **Recreational Open Space Exception 228 (RE-228) Zone**
494 McConnell Drive (Smith Ward) (020.200.35400)

Notwithstanding the provisions of the Recreational Open Space (RE) Zone to the contrary, in the RE-228 Zone, the following provisions shall apply:

a) Prohibited Uses

i) boat launching and storage, erection of tents
ii) parking of any trailer, travel trailer or vehicle
iii) playing of baseball, football, soccer or golf
iv) open fires of any kind
v) the keeping of any animal, livestock or fowl.

229 **Local Commercial Exception 229 (C2-229) Zone**
815 Ward Street (Smith Ward) (020.201.30400)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, in the C2-229 Zone, the following provisions shall apply:

a) Permitted Uses

i) a sheet metal fabrication and sales workshop in a wholly-enclosed building
ii) an accessory single detached dwelling.

b) Open storage is not permitted

c) The minimum side-yard requirement shall be 0.76 m

d) The minimum off-street parking requirement shall be 2 spaces.

230 **Rural Residential Exception 230 (RR-230) Zone**
788 Fife's Bay Road (Smith Ward) (788 Fife's Bay Road)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-230 Zone, a day care centre for a maximum of 15 children is permitted.

231 **Community Facility Exception 231 (CF-231) Zone**
2882 Lakefield Road (Smith Ward) (020.003.01400)

Notwithstanding the provisions of the Community Facility (CF) Zone to the contrary, in the CF-231 Zone, the following provisions shall apply:

a) Permitted Uses
   i) Day camp for no more than 200 campers
   ii) Recreation (youth) centre with maximum ground floor area of 510 m2
   iii) Accommodation for councillors and staff to a maximum of 48 beds
   iv) Accessory structures to the main use including but not limited to picnic shelters and pumping stations

b) Recreational uses
   i) Land for parks, playgrounds, tennis courts, lawn bowling greens, athletic fields, picnic areas, swimming pools, and snow skiing together with the necessary and accessory buildings and structures.
   ii) The Day Camp and Youth Centre are to be owned and operated by a non-profit organization.
   iii) No lot frontage shall be required

c) All other regulations of the “Community Facility Zone” shall apply.

d) In addition, a Missionary Rest and Counselling Centre shall be permitted.

Accessory residential uses for not more than 2 staff members and their families shall also be permitted within the Missionary Rest and Counselling Centre. Such accessory residential uses shall not exceed 35% of the floor area of the centre.

232 Reserved

233 Reserved

234 **Highway Commercial Exception 234 (C1-234) Zone**
3001 & 2989 Lakefield Road (Smith Ward) (020.003.04000 & 020.003.03900)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, in the C1-234 Zone, the following provisions shall apply:

a) Permitted Uses

i) Animal hospital in wholly-enclosed buildings, auction room, motor vehicle service centre, bakery shop, billiard hall, bowling alley, brewers retail outlet, building supply outlet, car lots (new and used), cold storage locker, custom workshop, farm implement sales and service establishment, garden centre, motor vehicle gasoline bar, marina, motor vehicle dealership, business, professional and administrative office, service shop, printing establishment, government maintenance depot, recreational vehicles sales and service, restaurant, retail store, taxi establishment.

235 **Rural Exception 235 (RU-235) Zone**
3953 Highway 28 (Smith Ward) (020.500.15700)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, in the RU-235 Zone, the following provisions shall apply to dwellings with neither municipal water nor sanitary sewer:

In addition to the uses permitted in this zone, a sign-making business with a maximum commercial floor area of 140 sq. m. shall also be permitted.

236 **Residential Type One Exception 236 (R1-236) Zone**
1267 Mann Road (Smith Ward) (020.202.21220)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary, in the R1-236 Zone following provisions shall apply to dwellings with neither municipal water nor sanitary sewer:

a) Regulations

i)	Minimum lot frontage	25 m
ii)	Minimum northerly side yard:	5.5 m
iii)	Minimum rear yard	30 m
iv)	Minimum floor area:	130 m

b) All other provisions shall apply.

237 **Residential Type One Exception 237 (R1-237) Zone**
1265 Mann Road (Smith Ward) (020.202.21200)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary, in the R1-237 Zone following provisions shall apply to dwellings with neither municipal water nor sanitary sewer:

a) Minimum lot frontage: 26 m

b) All other provisions of the R1 Zone shall apply.

238 **Highway Commercial Exception 238 (C1-238) Zone**
990 Communication Road (Smith Ward) (020.201.03928)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, in the C1-238 Zone, the following provisions shall apply:

a) Permitted Uses

i) a model home, garden centre, post office, retail store, taxi establishment and restaurant.

b) All other regulations applicable to the C1 Zone shall apply and be complied with.

239 Reserved

240 **Recreational Open Space Exception 240 (RE-240) Zone**
Blocks 22 & 23, Plan M136 (Smith Ward) (020.006.23209)

Notwithstanding the provisions of the Recreational Open Space (RE) Zone to the contrary in the RE-240 Zone, the following provisions shall apply:

a) Permitted Uses

i) Docks, boathouses and uses, buildings and structures accessory thereto shall be permitted to locate on the excavated channel.

b) All yard provisions shall apply to Buckhorn Lake shoreline in order that no buildings may encroach on the Buckhorn Lake shoreline.

241 **Rural Exception 241 (RU-241) Zone**
1575 Centre Line (Smith Ward) (020.003.31800)

Notwithstanding the permitted uses of the Rural (RU) Zone to the contrary, in the RU-241 Zone, a commercial dog kennel shall be a permitted use.

242-246 Reserved

247 **Rural Residential Exception 247 (RR-247) Zone**

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-247 Zone, the minimum lot frontage shall be 29 m.

248 **Local Commercial Exception 248 (C2-248) Zone**
3349 Buckhorn Road (Smith Ward) (020.006.37300)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, in the C2-248 Zone, the following provisions shall apply:

a) Permitted Uses

i) Personal service shop, business, professional or administrative office, bank, retail store, service shop.
ii) Residential uses accessory to any of the permitted uses.

249 **Rural Exception 249 (RU-249) Zone**
2025 Tenth Line (Smith Ward) (020.003.34310)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, in the RU-249 Zone, the minimum frontage shall be 228 m. and the minimum area shall be 5 ha.

250 **Rural Residential Exception 250 (RR-250) Zone**
951 and 956 Pine Valley Court (Smith Ward) (020.201.02600 & 020.201.02612)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-250 Zone, the front lot line shall be deemed to be along the line that divides the lot from the internal road (Pine Valley Court).

251 **Environmental Protection Exception 251 (EP-251) Zone**
1008 and 1010 Centre Line (Smith Ward) (020.007.55302 & 020.007.55304)

Notwithstanding the provisions of the Environmental Protection (EP) Zone to the contrary in the EP-251 Zone, permitted uses are limited to a storm water detention pond and uses and structures accessory thereto.

252 **Highway Commercial Exception 252 (C1-252) Zone**

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, in the C1-252 Zone, the following provisions shall apply:

a) Permitted Uses

i) Auction room, motor vehicle service centres, bank, building supply outlets in wholly enclosed buildings, business, professional or administrative offices, car lot (new and used vehicles), convenience store, custom workshop, farm implement sales and service establishment, motor vehicle gasoline bar, service shop, place of entertainment excluding arcades, post office, printing establishment, recreational vehicles sales and service, retail store up to a limit of 743.2 sq. m., small engine repair shop, studio, taxi establishments

ii) Residential uses accessory to any permitted use

iii) Uses, buildings and structures accessory to any permitted use but excluding open storage as an accessory use.

253 **Highway Commercial Exception 253 (C1-253) Zone**
2980 Lakefield Road (Smith Ward) (020.003.06900)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, within the C1-253 Zone, the following provisions shall apply:

a) Permitted Uses

i) Public garages, service shops, and recreational vehicle sales, service and storage.

ii) Parking as an accessory use.

b) All other provisions of the C1 Zone shall apply.

254 **Rural Exception 254 (RU-254) Zone**
1880 8th Line (Smith Ward) (020.003.28800)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Exception 254 (RU-254) Zone, the minimum lot area shall be 2.75 hectares; and the minimum lot frontage shall be 20.41 metres.

In all other respects, the provisions of the Rural (RU) Zone shall apply and be complied with.

255 **Rural Residential Exception 255 (RR-255) Zone**
3975 Highway 28 (Smith Ward) (020.500.15710)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-255 Zone, the minimum frontage shall be 38 m. and the minimum area shall be 0.4 ha.

256 **Highway Commercial Exception 256 (C1-256) Zone**

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, in the C1-256 Zone, the following provisions shall apply:

a) Permitted Uses

i) Service shop, printing establishment, private club, restaurant, retail store, cleaning and pressing shop, custom workshop, liquor licensed premises, business, professional or administrative office, animal hospital in a wholly enclosed building, bakery shop, bank, building supply outlet.

257 "Reserved"

258 "Reserved"

259 **Rural Residential Exception 259 (RR-259) Zone**
2254 12th Line (Smith Ward) (020.004.21020)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-259 Zone, the minimum frontage for this parcel of land shall be 20 m.

260 **Highway Commercial Exception 260 (C1-260) Zone**

1720 and 1728 Chemong Road (Smith Ward) (020.001.53100 & 020.001.53200)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, in the C1-260 Zone, the following provisions shall apply:

a) Permitted Uses

i) Building supply outlet, cleaning and pressing shop, cold storage locker, custom workshop, farm implement sales and service establishment, service shop, printing establishment, retail store.

ii) An accessory single detached dwelling

261 **Rural Residential Exception 261 (RR-261) Zone**

2918 Old Burleigh Road (Smith Ward) (020.502.30600)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-261 Zone, the minimum lot area shall be 1,348 sq. m.

262 **Highway Commercial Exception 262 (C1-262) Zone**

786 Ward Street (Smith Ward) (020.201.29300)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, in the C1-262 Zone, the following provisions shall apply:

a) Permitted Uses

i) Animal hospital in a wholly enclosed building, bakery shop, cleaning and pressing shop, cold storage lockers, commercial club, custom workshop, garden centre, marina, business, professional or administrative office, service shop, place of entertainment excluding arcades, printing establishment, private club, recreation vehicle sales and service, retail store, tea room.

b) The minimum front yard setback shall be 2 m.

c) All other provisions of the C1 Zone shall apply

263 **Local Commercial Exception 263 (C2-263) Zone**
782 Ward Street (Smith Ward) (020.201.29000)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, in the C2-263 Zone, the following provisions shall apply:

a) Permitted Uses

i) A business, professional or administrative offices, service shop, retail store, cleaning and pressing shop and residential uses accessory thereto.

b) The minimum lot area shall be 840 sq. m.

c) All other provisions of the C2 Zone shall apply

264 **Local Commercial Exception 264 (C2-264) Zone**
817 and 919 Ward Street (Smith Ward) (020.201.30500 & 020.201.30700)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, in the C2-264 Zone, the following provisions shall apply:

a) Permitted Uses

i) A business, professional or administrative office, service shop, retail store, and residential uses accessory thereto.

b) The minimum area shall be 645 sq.m.

c) All other provisions of the C2 Zone shall apply

265 “Reserved”

266 **Lakeshore Residential Exception 266 (LR-266) Zone**

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, in the LR-266 Zone, the minimum lot frontage shall be 25 m.

267 **Rural Residential Exception 267 (RR-267) Zone**
2103 Breezy Point Road (Smith Ward) (020.004.14415)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-267 Zone, the minimum lot frontage shall be 40 m., and the minimum lot area shall be 0.5 ha.

268 **Rural Residential Exception 268 (RR-268) Zone**
2115 Truman Drive (Smith Ward) (020.004.14420)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-268 Zone, the minimum lot area shall be 0.65 ha.

269 **Local Commercial Exception 269 (C2-269) Zone**
802 Ward Street (Smith Ward) (020.201.29700)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, in the C2-269 Zone, the permitted use of this land shall only be a Private Club.

The minimum side yard abutting the County Road shall be 1 m. plus any applicable distance as specified in the zone standards. All other provisions shall apply.

270 **Lakeshore Residential Exception 270 (LR-270) Zone**
2559 & 2565 Hiawatha Lane (Smith Ward) (020.501.16300 & 020.501.16600)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary within the LR-270 zone the minimum lot area and frontage and the minimum front yard, rear yard, side yard and highwater mark setback requirements shall be as they existed on the date of passing of By-law No. 2013-063 as exhibited on the survey produced by J.B. Fleguel Surveyors dated February 19, 2013 or as required by Section 4.13 of this by-law, whichever is lesser.

Additions to the detached frame garage situated on Plan No. 41, Lot 18 are not permitted and the setbacks existing by the frame garage are only in place for the natural life of the building. Reconstruction of the frame garage will have to comply with the setback requirements in place at the time of reconstruction.

271 **Rural Residential Exception 271 (RR-271) Zone**
1725 & 1735 5th Line (Smith Ward) (020.007.46900 & 020.007.46902)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-271 Zone, the minimum frontage shall be 75 m. and the minimum area shall be 3 ha.

272 **Rural Residential Exception 272 (RR-272) Zone**
1721 Fifth Line (Smith Ward) (020.007.46903)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-272 Zone, the minimum frontage shall be 42 m. and the minimum area shall be 6.5 ha.

273 **Residential Type One Exception 273 (R1-273) Zone**
1043 East Communication Road (Smith Ward) (020.202.08900)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary, in the R1-273 Zone, the permitted uses of this property shall also include a cake decoration business to take place within the residence. The area used for this business shall not exceed 20 sq. m. in size.

274 **Residential Type One Exception 274 (R1-274) Zone**

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary, in the R1-274 Zone the minimum rear yard shall be 25 m.

275 **Rural Residential Exception 275 (RR-275) Zone**
2717 and 2725 Westview Road (Smith Ward) (02000603704 & 02000603702)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-275 Zone the minimum frontage shall be 52 m. and the minimum area shall be 5,180 sq. m.

276 **Rural Residential Exception 276 (RR-276) Zone**
2731 Westview Road (Smith Ward) (020.006.03706)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-276 Zone the minimum frontage shall be 57 m. and the minimum area shall be 4,250 sq. m.

277 **Local Commercial Exception 277 (C2-277) Zone**
2047 Buckhorn Road (Smith Ward) (020.004.12700)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, in the C2-277 Zone, the following provisions shall apply:

a) Permitted Uses

Animal hospital in wholly-enclosed buildings and associated boarding facilities, to be utilized solely in conjunction with animals receiving medical care from the hospital, garden centres, model home display and offices, service shops, private club (bible study classes only), business, professional or administrative offices, retail stores, motor vehicle service centre, motor vehicle gasoline bar (excluding car wash), restaurant (but excluding fast food, take out and restaurants that provide counter service).

278 **Rural Residential Exception 278 (RR-278) Zone**
1695 Killoran Road (Smith Ward) (020.007.44700)

Notwithstanding the provisions of the Rural Residential RR) Zone to the contrary, in the RR-278 Zone, the permitted uses of this property shall also include professional obedience training for not more than six (6) dogs together with the maintenance of associated boarding facilities to be utilized solely in conjunction with the delivery of obedience training services and for no other purpose.

279 **Rural Residential Exception 279 (RR-279) Zone**
2678 Lakefield Road (Smith Ward) (020.007.44305)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-279 Zone the permitted uses shall include a home occupation of a sales office

for pre-engineered and modular homes and cottages to take place within the residence. The area used for this business shall not exceed 20 sq.m.

280 **Residential Type One Exception 280 (R1-280) Zone**
1671 Killoran Road (Smith Ward) (020.007.46301)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary, in the R1-280 Zone, the permitted uses of this property shall include a home occupation as an architectural business to take place within an accessory building. The area used for this business shall not exceed 42 sq. m.

281 **Rural Residential Exception 281 (RR-281) Zone**
2032 Pratt's Marina Road (Smith Ward) (020.004.08200)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-281 Zone, the minimum lot frontage shall be 15 m. and the minimum lot area shall be 1,253 sq. m.

282 **Rural Residential & Rec. Open Space Exception 282 (RR-282 & RE-282) Zone**
2038 and 2042 Pratt's Marina Road (Smith Ward) (020.004.08300 & 020.004.08400)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-282 Zone, the minimum lot area shall be 1,658 sq. m.

283 **Lakeshore Residential Exception 283 (LR-283) Zone**
708, 710, and 712 Maryland Boulevard (Smith Ward)
(020.200.11200 & 020.200.11300 & 020.200.11400)

The minimum front yard setback shall be 6.4 m.

284 **Rural Residential Exception 284 (RR-284) Zone**
3063 Lakefield Road (Smith Ward) (020.003.05800)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-284 Zone, the minimum lot frontage shall be 32 m. and the minimum lot area shall be 1,863 sq. m.

285 **Rural Exception 285 (RU) Zone**
2882 Lakefield Road (Smith Ward) (020.003.01400)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, in the RU-285 Zone, no lot frontage shall be required and the minimum area shall be 11 ha.

286 **Community Facility Exception (CF-286) Zone**
1964 Curve Lake Road (Smith Ward) (020.006.15001)

Notwithstanding the provisions of Section 25.2(b) the minimum setback from the eastern lot line shall be 5.4 metres.

287 **Rural Residential Exception 287 (RR-287) Zone**
414 Fife Avenue (Smith Ward) (020.200.30802)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-287 Zone, the only permitted use on this land shall be storage buildings. A cottage shall be strictly prohibited.

The minimum lot frontage shall be 23 m.

288 **Rural Residential Exception 288 (RR-288) Zone**
1338 7th Line (Smith Ward) (020.007.58110)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-288 Zone, the minimum front yard setback shall be 50 m. plus any applicable distance as specified in the zone standards.

289 **Rural Residential Exception 289 (RR-289) Zone**
2765 Westview Road (Smith Ward) (020.006.07401)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-289 Zone, the front lot line is deemed to be that property line to the north along Westview Road as it existed on July 1, 1993. The minimum front yard requirement for the building as it existed on July 1, 1993 shall be 0.76 m. (2.5 feet).

290 **Highway Commercial Exception 290 (C1-290) Zone**
2330 Parkhill Road W. (Smith Ward) (020.001.00210)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, in the C1-290 Zone, a motor vehicle gasoline bar and convenience store and uses, buildings and structures accessory thereto shall be permitted.

291 **Rural Exception 291 (RU-291) Zone**
2062 Miller Road (Smith Ward) (020.004.13400)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, in the RU-291 Zone, the permitted uses of this property shall include professional obedience training for not more than six (6) dogs together with the maintenance of associated boarding facilities to be utilized solely in conjunction with the delivery of obedience training services and for no other purpose.

292 **Rural Residential Exception 292 (RR-292) Zone**
826 and 830 Cedarhurst Drive (Smith Ward) (020.200.32828 & 020.200.32826)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-292 Zone, the minimum lot frontage shall be 55 m.

293 **Rural Residential Exception 293 (RR-293) Zone**
772, 782, and 890 Cedarhurst Drive (Smith Ward)
(020.200.32842 & 020.200.32840 & 020.200.32838)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-293 Zone, the area zoned as Hazard on the lot may be included in calculating lot area requirements.

294 **Lakeshore Residential Exception 294 (LR-294) Zone**
2635 Mary Nichol's Road (Smith Ward) (020.006.10400)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, in the LR-294 Zone, the minimum lot frontage shall be 15 m. and the minimum lot area shall be 1,230 sq. m.

295 **Rural Residential Exception 295 (RR-295) Zone**
2379 Chemong Road (Smith Ward) (020.201.01800)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-295 Zone, the minimum lot frontage shall be 50 m.

There shall be a minimum of 5 metre yard setback from the boundary of any EP Zone wherein no buildings, structures, or lot grading shall be permitted.

296 **Rural Residential Exception 296 (RR-296) Zone**
2379 Chemong Road (Smith Ward) (020.201.01800)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-296 Zone, the minimum lot frontage shall be 55 m. and the minimum lot area shall be 7300 sq. m.

297 **Rural Residential Exception 297 (RR-297) Zone**
2379 Chemong Road (Smith Ward) (020.201.01800)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-297 Zone, the area zoned EP on a lot may be included in calculating lot area.

There shall be a minimum of 5 metre yard setback from the boundary of any EP Zone wherein no buildings, structures, or lot grading shall be permitted.

298 **Rural Residential Exception 298 (RR-298) Zone**
2379 Chemong Road (Smith Ward) (020.201.01800)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-298 Zone, the area zoned EP on a lot may be included in calculating lot area and the minimum lot frontage requirement shall be 55 m.

There shall be a minimum of 5 metre yard setback from the boundary of any EP Zone wherein no buildings, structures, or lot grading shall be permitted.

299 **Highway Commercial Exception 299 (C1-299) Zone**
2379 Chemong Road (Smith Ward) (020.201.01800)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, in the C1-299 Zone, the following provisions shall apply:

a) Permitted Uses

i) Auction room, bakery, bank, building supply outlet in wholly enclosed building, business, professional or administrative offices, car lot (new or used), custom workshop, dry cleaning depot, garden centre, light equipment sales and rental, miniature golf course, service shop, post office within another permitted use, printing establishment, recreational vehicle sales and service establishment, retail establishment, recreational vehicle sales and service establishment, retail shop, taxi establishment.

b) Residential uses are prohibited.

c) Outside storage of goods and materials shall be strictly prohibited.

d) The minimum rear yard requirement shall be 15 m

e) The minimum interior side yard requirement shall be 12 m.

f) The minimum side yard abutting Chemong Road shall be 20 m.

g) Minimum landscaping requirements:

i) A planting strip 3 m. in width or a wood privacy fence of 2.4 m. in height shall be provided along the interior side lot line.

300 **Highway Commercial Exception 300 (C1-300) Zone**
2379 Chemong Road (Smith Ward) (020.201.01800)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, in the C1-300 Zone, the following provisions shall apply:

a) Permitted Uses

i) Auction room, bakery, bank, building supply outlet in wholly enclosed building, business, professional or administrative offices, car lot (new or used), custom workshop, dry cleaning depot, garden centre, light

equipment sales and rental, miniature golf course, service shop, post office within another permitted use, printing establishment, retail establishment, recreational vehicle sales and service establishment.

b) Residential uses are prohibited.

c) Outside storage of goods and materials shall be strictly prohibited.

d) The minimum rear yard requirement shall be 30 metres.

e) The minimum interior side yard requirement shall be 12 metres.

f) The minimum side yard abutting Chemong Road shall be 20 metres

g) Minimum landscaping requirements:

i) A planting strip of 3 metres in width or a wood privacy fence of 2.4 metres in height shall be provided along the interior side lot line.

h) The northern lot line shall be deemed to be the front lot line.

301 **Rural Exception 301 (RU-301) Zone**
2166 Parkhill Road W. (Smith Ward) (020.001.00400)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, in the RU-301 Zone, the minimum lot frontage shall be 121 metres.

302 **Rural Residential Exception 302 (RR-302) Zone**
2379 Chemong Road (Smith Ward) (020.201.01800)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-302 Zone, the minimum rear yard shall be 30 metres.

303 “Reserved”

304 “Reserved”.

305 “Reserved”

306 **Highway Commercial Exception 306 (C1-306) Zone**
78 Lindsay Road (Smith Ward) (020.200.03301)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, in the C1-306 Zone, this land may only be used for Recreational Vehicle Sales and Service and buildings and structures accessory thereto.

307 **Highway Commercial Exception 307 (C1-307) Zone**
1016 County Road 19 (Smith Ward) (020.001.49100)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, in the C1-307 Zone, the only permitted uses for these lands shall be:

a) Animal Hospitals in wholly enclosed buildings, Automobile Service Stations, Building Supply Sales, Car Lots (new and used), Cleaning and Pressing Shops, Cold Storage Lockers, Custom Workshops, Farm Equipment Sales and Service, Garden Centres, Gas Bars, Motor Vehicle Sales Rooms, Printing Establishments, Public Garages, Recreational Vehicle Sales and Service, Rental Storage Units, Service Shops, Taxi Establishments, Transport Depots, Construction Vehicle Repair and Storage.

b) Residential uses and buildings accessory to the above permitted uses.

308 **Highway Commercial Exception 308 (C1-308) Zone**
475 Lindsay Road (Smith Ward) (020.001.31700)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary within the C1-308 zone, the only permitted uses for these lands shall be:

a) A tea room with a maximum 30 seat capacity, where teas, desserts and small prepared foods may be served;

b) A gift shop;

c) A day spa, which for the purposes of this by-law is defined as a business which provides a variety of services for the purpose of improving health, beauty and relaxation through personal care treatments such as hair, massages and facials;

d) Assembly area limited to 71 metres square for the purposes of small social gatherings (i.e. bridal or baby showers; birthday parties); and,

e) Business, professional or administrative offices.

Notwithstanding, Section 3.1.2 b) of this By-law, the minimum required rear yard setback shall be 0 metres, until such time as the building is demolished or removed, and the minimum rear setback as per this Zoning By-law will be required.

In all other respects, the provisions of the C1 Zone shall apply and be complied with.

Uses legally existing as of the date of passage of this by-law may continue until such time as the Holding (h) Symbol is removed.

The Holding (h) Symbol attached to the lands subject to this by-law shall be removed only when the following action had been secured:

a) The property owner(s) has entered into a Site Plan Agreement to the satisfaction of the Township of Selwyn, the County of Peterborough, and Peterborough Public Health.

309 **Highway Commercial Exception 309 (C1-309) Zone**
1665 Chemong Road (Smith Ward) (020.001.47703)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, in the C1-309 Zone, these lands may also be used for a Paint Pellet Survival Game.

310 **Recreational Open Space Exception 310 (RE-310) Zone**

Notwithstanding the provisions of this Recreational Open Space (RE) Zone to the contrary, in the RE-310 Zone, the minimum lot area shall be 2,020 sq. meters.

311 **Recreational Commercial Exception 311 (RC-311) Zone**
2770 Millage Road (Smith Ward) (020.502.19100)

Notwithstanding the provisions of this Recreational Commercial (RC) Zone to the contrary, in the RC-311 Zone the subject lands shall have zero frontage on a publicly maintained road. The subject lands shall also be exempt from the provisions of Section 3.10.

312 **Local Commercial Exception 312 (C2-312) Zone**
874 Ward Street (Smith Ward) (020.201.36400)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, in the C2-312 Zone, the following provisions shall apply.

a) Permitted Uses

i) An auction room, banks, billiard halls, bowling alleys, Brewers Retail outlets, building supply outlets in wholly enclosed buildings, cleaning and pressing shops, custom workshops, motor vehicle gasoline bars, L.C.B.O. premises, business, professional or administrative offices, parking lots, places of entertainment excluding arcades, post offices, printing/publishing establishments, private clubs, self storage units, restaurants, retail stores, service shops, taxi establishments, undertakers and uses, buildings and structures accessory thereto.

b) A business sign shall be permitted within 3 m. of the street line.

c) A 2 m. privacy fence shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts any "Residential" Zone.

313 **Rural Residential Exception 313 (RR-313) Zone**
1805 and 1807 8th Line (Smith Ward) (020.003.14055 & 020.003.14054)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-313 Zone, the minimum lot frontage shall be 35 m.

314 **Local Commercial Exception 314 (C2-314) Zone**
1022 Maitland Street (Smith Ward) (020.201.32000)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, in the C2-314 Zone, the following provisions shall apply

a) Permitted Uses

i) Animal hospital in a wholly enclosed building, bakery shops, building supply outlets in wholly enclosed buildings, cleaning and pressing shops, cold storage lockers, custom workshops, garden centres, business, professional or administrative offices, printing/publishing establishments, private clubs, retail stores, service shops.

315 **Rural Exception 315 (RU-315) Zone**
Part 1, Part Lot 20, Concession 4, RP45R10583 (020.007.40400)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, in the RU-315 Zone, the minimum lot area shall be 17 ha.

316 **Rural Residential Exception 316 (RR-316) Zone**
180 Woodland Drive (Smith Ward) (020.007.40405)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-316 Zone, the minimum side yard shall be 1.5 m. on one side and 33 m. on the opposite side.

317 **Rural Residential Exception 317 (RR-317) Zone**
272 Woodland Drive (Smith Ward) (020.007.39910)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-317 Zone, the minimum lot frontage shall be 24 m.

318 **Agricultural Exception 318 (A-318) Zone**
Part Lot 19, Concession 4 (Smith Ward) (020.007.39900)

Notwithstanding the provisions of the Agricultural (A) Zone to the contrary, in the A-318 Zone, the minimum front yard setback shall be 168 m. from the North side of the road allowance, on the south side of the property.

319 **Lakeshore Residential Exception 319 (LR-319) Zone**
800 Fife's Bay Marina Lane (Smith Ward) (020.200.22000)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, in the LR-319 Zone, the minimum setback from the high-water mark of the lake shall be 10.5 m. and the minimum setback from the edge of the access laneway shall be 7.8 m.

320 **Local Commercial Exception 320 (C2-320) Zone**
4015 Highway 28 (Smith Ward) (020.500.15900)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, in the C2-320 Zone an upholstery repair shop shall be permitted as a home occupation and not more than two boats shall be stored outside in a designated area.

321 "Reserved"

322 **Rural Exception 322 (RU-322) Zone**
788 and 810 Edmison Road (Smith Ward) (020.001.33600 & 020.001.33500)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, in the RU-322 Zone, the minimum lot area shall be 17 ha.

323 **Local Commercial Exception 323 (C2-323) Zone**
1676 Chemong Road (Smith Ward) (020.001.52900)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, in the C2-323 Zone, a Communications Tower and accessory buildings shall be permitted. No lot frontage shall be required and the minimum front yard, side yard and rear yard setbacks shall be 3 m

Consolidation Note: Refers to lands in Part of Lot 6, Concession ECR, Zoned C4-323. Reference By-Law 1996-36.

324 **Rural Residential Exception 324 (RR-324) Zone**
2011 7th Line (Smith Ward) (020.003.09800)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-324 Zone, the operation of a computerized design sign business shall be permitted as a home occupation, where open storage and work conducted outside of the dwelling unit is prohibited.

325 **Highway Commercial Exception 325 (C1-325) Zone**
4157 Highway 28 (Smith Ward) (020.501.03400)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, in the C1-325 Zone, one Chip Wagon shall be permitted to operate on the property.

326 **Agricultural Exception 326 (A-326) Zone**
2843 Lakefield Road (Smith Ward) (020.003.01101)

Notwithstanding the provisions of the Agricultural (A) Zone to the contrary, in the A-326 Zone the minimum lot area shall be 13.8 ha

327 **Recreational Commercial Exception 327 (RC-327) Zone**
3310 Fire Route 23 (Smith Ward) (020.006.35400)

Notwithstanding the provisions of the Recreational Commercial (RC) Zone to the contrary, in the RC-327 Zone, no lot frontage will be required. This land may only be used for rental of cabins and cottages.

328 **Recreational Commercial Exception 328 (RC-328) Zone**
3348 Buckhorn Road (Smith Ward) (020.006.35300)

Notwithstanding the provisions of the Recreational Commercial (RC) Zone to the contrary, in the RC-328 Zone, the minimum lot frontage shall be 14.7 metres. This land may only be used for rental of cabins and cottages.

329 **Rural Exception 329 (RU-329) Zone**
1894 Young's Point Road (Smith Ward) (020.500.03800)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, in the RU-329 Zone, the following provisions shall apply:

a) Permitted Uses

i) One single detached dwelling and uses, buildings and structures accessory thereto.

ii) A pet boarding facility restricted to providing accommodation for domestic pets which includes the keeping of a maximum of 10 dogs at any one time. Uses, buildings and structures accessory thereto shall

also be permitted including an outdoor supervised play area for a "family" of dogs not exceeding three in number.

c) Outdoor dog pens and/or outdoor dogs runs shall not be permitted.

d) For the purposes of this by-law a "pet boarding facility" shall mean a structure or building or any part thereof, in which domesticated animals are provided with personal care and lodging for remuneration.

e) Regulations

i)	Minimum Lot Frontage	200 m
ii)	Minimum Lot Area	3.8 ha

f) All other provisions of the Rural (RU) Zone shall apply

330 **Rural Exception 330 (RU-330) Zone**
1894 Young's Point Road (Smith Ward) (020.500.03800)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, in the RU-330 Zone, the following provisions shall apply:

a) Permitted Uses

i) Agricultural uses and uses, buildings and structures accessory thereto

b) Regulations

i)	Minimum Lot Frontage	130 m

331 **Rural Residential Exception 331 (RR-331) Zone**
1450 Buckhorn Road (Smith Ward) (020.003.27402)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-331 Zone, a Commercial Dog Kennel, with a maximum number of 16 adult dogs and a maximum total number of 24 dogs shall be permitted. An adult dog shall be defined as any dog over the age of nine month's old.

332 “Reserved”

333 “Reserved”

334 “Reserved”

335 “Reserved”

336 **Residential Type One and Lakeshore Residential Exception 336 (R1-336 & LR-336) Zone**
Highland Road (Smith Ward)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary, in the LR-336 Zone, the minimum front yard, the minimum rear yard and the minimum side yard shall be as existing on the date of passing of By-Law No. 1998-8, or as required in Section 4.13 hereto, whichever is lesser.

337 **Rural Residential Exception 337 (RR-337) Zone**
1669 and 1681 Killoran Road & 2707, 2711, and 2717 Lakefield Road (Smith Ward) (020.007.46000, 020.007.46300, 020.007.45000, 020.007.44900, 020.007.44800)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-337 Zone, the lands may also be used for the operation of a Computer Sales and Consultation Business as a Home Occupation, located within the dwelling unit.

338 “Reserved”

339 **Highway Commercial Exception Zone (C1-339) Zone**
2717 Lakefield Road (Smith Ward) (020.007.44800)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, in the C1-339 Zone, the permitted uses shall be limited to an outside boat storage area and a recreational vehicle repair shop.

340 **Lakeshore Residential Exception 340 (LR-340) Zone**
806 Fife's Bay Marina Lane (Smith Ward) (020.200.22100)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, in the LR-340 Zone, the minimum rear yard setback from the high water mark of the lake shall be 14.5 m. and the total minimum front yard setback from the centre of the adjacent right-of-way shall be 7.6 m.

341 **Highway Commercial Exception 341 (C1-341) Zone**
3156 Lakefield Road (Lakefield Ward) (030.003.31700)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, in the C1-341 Zone, the permitted uses shall be limited to a self storage unit operation to locate within the 24,000 sq. ft. barn structure. A gravel surface shall be permitted within the parking area.

342 **Highway Commercial Exception 342 (C1-342) Zone**
2940 and 2948 Lakefield Road (Smith Ward) (020.003.03605 & 020.003.03600)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, in the C1-342 Zone, the following provisions shall apply:

a) Permitted Uses

i) Non-Residential Uses:
Animal hospitals (in enclosed buildings), auctions, motor vehicle service centre, bakery shop, billiard hall, bowling alley, brewer's retail outlet, building supply outlet, car lot (new and used), cold storage lockers, custom workshop, farm implement sales and service establishment, motor vehicle gasoline bar, marina, medical centre, motor vehicle sales establishment, business, professional or administrative office, service shop, printing/publishing establishment, private club, government maintenance depot, recreational vehicle sales and service establishment, rental storage unit, retail store, service shop, studio, taxi establishment.

ii) Residential Uses:
Residential uses accessory to any permitted use in Clause (a) above, subject to the provisions of Section 4.16.6 of this By-law.

iii) Accessory Uses

b) Uses, Buildings and Structures accessory to any permitted use in Clauses (a)

and (b) above, but excluding open storage as an accessory use.

c) High water users will not be permitted on this land

343 **Lakeshore Residential Exception 343 (LR-343) Zone**
142 Maryland Drive (Smith Ward) (020.200.09300)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, in the LR-343 Zone, the minimum lot frontage shall be 7.0 metres.

344 **Lakeshore Residential Exception 344 (LR-344) Zone**
1973 Young's Point Road (Smith Ward) (020.500.05200)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, in the LR-344 Zone, an Alternative Medicine Clinic will be permitted as a Home Occupation located within the dwelling unit.

345 **Rural Exception 345 (RU-345) Zone**
2487 12th Line (Smith Ward) (020.500.03900)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, in the RU-345 Zone, the minimum lot area shall be 18.0 Hectares.

346 "Reserved"

347 **Rural Exception 347 (RU-347) Zone**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, in the RU-347 Zone, the Minimum Lot Area shall be 6.0 ha.

348 **Rural Exception 348 (RU-348) Zone**
1916 17th Line (Smith Line) (020.006.26500)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, in the RU-348 Zone, the minimum lot area shall be 4.8 ha. and the minimum lot frontage shall be 126 m.

349 **Rural Industrial Exception 349 (M1-349) Zone**
1488 Chemong Road (Smith Ward) (020.001.50200)

Notwithstanding the provisions of the Rural Industrial (M1) Zone to the contrary, in the M1-349 Zone, the following provisions shall apply.

a) Permitted Uses

i) Agricultural uses, excluding a dwelling that did not exist at the date of approval of this by-law, and excluding poultry farms, mushroom farms, fur farms, hatcheries, greenhouses, commercial dog kennels, piggeries or the raising of hogs, automobile service centre, building supply or home improvement supply outlet, business, professional or administrative office provided such use is accessory and incidental to a permitted use, but excluding a dental office, medical office or veterinary office, a cartage or transport depot and related yard facilities, cold storage locker plant, equipment sales, rental and service establishment, factory retail sales outlet where such use is accessory and incidental to a permitted use, farm implement and related equipment sales and service establishment, general contractor's or tradesman's yard and related shop and maintenance facilities, machine or welding shop, manufacturing, processing, assembly or fabricating establishment of a dry nature, except any such use which, from its nature or the materials used therein, is considered to be an offensive or noxious trade, business or manufacture under the Health Protection and Promotion Act as amended, and the Regulations made thereunder, motor vehicle body and paint shop, motor vehicle repair shop, municipal, government maintenance depot, outside display and storage of goods and materials where such use is accessory and incidental to a permitted use, printing/publishing establishment, public use or utility, rental storage units, truck repair or maintenance depot, warehouse or wholesale establishment, workshop.

b) Accessory Uses

i) Uses, buildings or structures accessory to any of the foregoing permitted uses

c) "Factory retail sales outlet" shall mean a portion of the floor area of a permitted principal building of a permitted use which is devoted to the sale of goods to the general public which are either manufactured or warehoused at this site

d) "Dry nature" shall mean one in which water is not used or required in the normal manufacturing, processing, assembly or fabricating operations of the Industrial use, and which requires water and sewer disposal facilities only for use by employees and visitors of the establishment.

e) For the purpose of this Section only a "workshop" is to be defined as "a building or part of a building where fabrication or manufacturing is performed by tradesmen requiring manual or mechanical skills and may include a carpenter's shop, a locksmith's shop, a gunsmith's shop, a tinsmith's shop, a commercial welder's shop, or similar uses."

f) Regulations

i) Maximum floor area of a factory retail sales outlet 10% of the floor areas of all the storeys of all permitted principle buildings on a lot, including the floor area of any basement but not of a cellar or sub-cellar, which floor areas are measured between exterior faces of the exterior walls of the building at each floor level.

ii) Minimum landscaped open space 15%

iii) Minimum side or rear yard along the south boundary of the lands of Exception 349, where such lands abut the rear yard of lands zoned Rural (RU), Highway Commercial (C1) or C1-307 shall be 15 m.
Within this yard, parking, outside storage and hard surface paving are prohibited.

g) Outside display and storage of goods or materials is prohibited in any front yard or any side yard abutting a public street.

h) Holding provisions shall not be removed until the following conditions are met:

i) A Traffic Impact Study completed to the satisfaction of the Township and the County of Peterborough;
ii) A Storm Water Management Report completed to the satisfaction of the Township and the County of Peterborough;
iii) A site plan prepared to the satisfaction of the Township and the County;
iv) A Site Plan Agreement registered on title acknowledging that any amendments to the site plan may require the submission of additional

Storm Water Management Reports and/or Traffic Impact Studies to the satisfaction of the Township and the County of Peterborough;

Notwithstanding conditions 1 to 4, if the lands zoned M1- 349 are developed by a registered plan of subdivision, removal of the Holding symbol may occur as a condition of draft plan approval.

350 **Highway Commercial Exception 350 (C1-350) Zone**
2849 Lakefield Road (Smith Ward) (020.003.01110)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, in the C1-350 Zone, the following provisions shall apply:

a) Permitted Uses

i) Service shop, custom work shop, rental storage units, auction barn, auction room, sale of vendors wares including a flea market, bed and breakfast establishment, one single detached dwelling.

ii) Uses buildings and structures accessory to any permitted use listed in clause a) and b) of this subsection, but excluding open storage as an accessory use.

b) Regulations

i) A service shop and/or custom work shop shall be limited to a maximum number of 8 employees each.

ii) The maximum lot coverage shall be 10% which pertains to permanent buildings or structures. An additional 5% may be utilized for outdoor sales and storage areas.

iii) The minimum lot area shall be 2.0 hectares

c) All other provisions of the Highway Commercial (C1) Zone shall apply and be complied with.

351 **Rural Exception 351 (RU-351) Zone**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, in the RU-351 Zone a sawmill shall also be permitted. The minimum lot area shall be 5.8 ha.

352 **Local Commercial Exception 352 (C2-352) Zone**
2105 and 2113 Nathaway Drive (Smith Ward) (02050015400 & 02050015500)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, in the C2-352 Zone, the permitted uses shall be limited to model homes, bait and tackle shops, offices, and retail stores, and residential uses, and uses, buildings and structures accessory thereto.

353 **Highway Commercial Exception 353 (C1-353) Zone**

Notwithstanding the provisions of the Highway Commercial (C1) Zone on the contrary, within the C1-353 Zone, the permitted uses shall be limited to Building Supply Sales.

354 "Reserved"

355 **Rural Residential Exception 355 (RR-355) Zone**
2496 Buckhorn Road (Smith Ward) (020.004.35600)

Notwithstanding the provisions of the Rural Residential (RR) Zone, to the contrary, within the RR-355 Zone, the following provisions shall apply:

a) Regulations

i)	Minimum lot frontage	15.6 m
ii)	Minimum lot area	1440 sq. m
iii)	Minimum side yard	1.2 m
iv)	Maximum lot coverage	15%

356 **Extractive Industrial Exception 356 (M3-356) Zone**
1670 Young's Point Road (Smith Ward) (020.003.37200)

Notwithstanding the provisions of the Extractive Industrial (M3) Zone to the contrary, within the M3-356 Zone, the following provisions shall apply:

a) Permitted Uses

i) A municipally operated pit for the processing of natural materials including screening, sorting, washing, crushing, storing and other similar operations allied to an extractive industrial operation permitted in Subsection 23.1 and uses buildings and structures accessory thereto.
ii) One single detached dwelling and uses buildings and structures accessory thereto.
iii) Agricultural uses, and uses, buildings and structures accessory thereto.

357 **Rural Exception 357 (RU-357) Zone**
1670 Young's Point Road (Smith Ward) (020.003.37200)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-357 Zone, the minimum lot area shall be 4 ha.

358 "Reserved"

359 "Reserved"

360 "Reserved"

361 **Residential Type One Exception 361 (R1-361) Zone**
Woodland Acres (Smith Ward)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary, the following provisions shall apply:

a)	Minimum Lot Frontage	15 m
b)	Minimum Lot Area	470 square metres
c)	Maximum Lot Coverage	35 %
d)	Minimum Front Yard	6 metres plus any applicable distance as specified in Section 4.9.3.2
e)	Minimum Side Yard	1.2 metres except as provided in paragraphs 1), ii), and ii) of this clause

i) An attached garage or attached carport with no rooms above may be erected at a distance of not less than 1.2 metres from a side lot line which does not abut a public street
ii) On an interior lot where no attached garage or attached carport is provided the minimum side yard on one side shall be 4.5 metres.
iii) On a corner lot, the minimum side yard abutting a public street shall be 6 metres plus any applicable distance as specified in Section 4.9.3.2.

f) Minimum Rear Yard 7.5 metres except as provided in paragraph i)

i) On a corner lot, the minimum rear yard shall be 4.5 metres.

g) Minimum Floor Area

i)	1 storey	82 square metres
ii)	1 ½ storey or split level	110 square metres
iii)	2 or 2 ½ storey	130 square metres

Where no basement or cellar is provided the applicable floor area shall be increased by 19 square metres.

h) Maximum Height 2 ½ storey

362 **Residential Type One Exception 362 (R1-362) Zone**
Woodland Acres (Smith Ward)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary, the following provisions shall apply:

a)	Minimum Lot Frontage	15 m
b)	Minimum Lot Area	470 square metres. The area zoned EP on the lot may be included in calculating the lot area.
c)	Maximum Lot Coverage	35 %
d)	Minimum Front Yard	6 metres plus any applicable distance as specified in Section 4.9.3.2
e)	Minimum Side Yard	1.2 metres except as provided in paragraphs i), ii), and ii) of this clause

i) An attached garage or attached carport with no rooms above may be

erected at a distance of not less than 1.2 metres from a side lot line which does not abut a public street

ii) On an interior lot where no attached garage or attached carport is provided the minimum side yard on one side shall be 4.5 metres.

iii) On a corner lot, the minimum side yard abutting a public street shall be 6 metres plus any applicable distance as specified in Section 4.9.3.2.

f) Minimum Rear Yard — 7.5 metres from the rear lot line inclusive of the area zoned EP

g) Minimum Floor Area

i)	1 storey	82 square metres
ii)	1 ½ storey or split level	110 square metres
iii)	2 or 2 ½ storey	130 square metres

Where no basement or cellar is provided the applicable floor area shall be increased by 19 square metres.

h) Maximum Height — 2 ½ storey

363 **Residential Type One Exception 363 (R1-363) Zone**
790 Ward Street (Smith Ward) (020.201.29400)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary, in the R1-363 Zone, a Massage Therapy Clinic shall be permitted as Home Occupation within the dwelling unit.

364 **Highway Commercial Exception 364 (C1-364) Zone**
1453 and 1467 Chemong Road (Smith Ward) (020.001.46700 & 020.001.46500)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, in the C1-364 Zone, the permitted uses shall be limited to the operation of Recreational Vehicle Sales and Service Establishment and a Car Sales Lot (new and used).

365 **Rural Exception 365 (RU-365) Zone**
3139 Fire Route 19 (Smith Ward) (020.006.26505)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-365 Zone, the Minimum Lot Frontage shall be 30 m. and the Minimum Lot Area shall

be 12 ha.

366 “Reserved”

367 **Local Commercial Exception 367 (C2-367) Zone**
826 Ward Street (Smith Ward) (020.201.26001)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, in the C2-367 Zone, a Municipal Library shall also be permitted.

368 **Residential Type One Exception 368 (R1-368) Zone**
1049 Willcox Street (Smith Ward) (020.201.26000)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary, in the R1-368 Zone, the Minimum Lot Area shall be 1450 square metres.

369 “Reserved”

370 **Lakeshore Residential Exception 370 (LR-370) Zone**

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, in the LR-370 Zone, the Minimum Lot Area shall be 1.5 ha

371 “Reserved”

372 **Rural Exception 372 (RU-372) Zone**
1838 Young's Point Road (Smith Ward) (020.500.02210)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-372 Zone, a Hair Salon shall be permitted as a Home Occupation located within the dwelling unit.

373 **Highway Commercial Exception 373 (C1-373) Zone**
1738 8th Line (Smith Ward) (020.003.26001)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, within the C1-373 Zone, the following provisions shall apply:

a) Permitted uses

i) Non-Residential

Construction Yard, Government Maintenance Depot, Rental Storage Units, Building Supply Outlet, Car Lot.

ii) Residential

Residential uses and buildings accessory to the above permitted uses

374 "Reserved"

375 **Rural Residential Exception 375 (RR-375) Zone**
2790, 2794, 2798 Lakefield Road (Smith Ward)
(020.007.53200 & 020.007.53202 & 020.007.53203)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, within the RR-375 Zone, the Minimum Lot Frontage shall be 30 metres.

376 **Rural Exception 376 (RU-376) Zone**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-376 Zone, the Minimum Lot Area shall be 2.2. ha

377 **Lakeshore Residential Exception 377 (LR-377) Zone**
1714 Westview Point Road (Smith Ward) (020.202.44900)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, within the LR-377 Zone, the minimum lot frontage shall be 21 m. and the minimum lot area shall be 1291 sq. m.

378 **Lakeshore Residential Exception 378 (LR-378) Zone**
3089 Fire Route 33 (Smith Ward) (020.006.28500)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, within the LR-378 Zone, the minimum lot frontage shall be 20 m.

379 **Lakeshore Residential Exception (LR-379) Zone**
794 Fife's Bay Marina Lane (Smith Ward) (020.200.21900)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, within the LR-379 Zone the minimum set back to high water mark shall be 10.9 metres

380 **Lakeshore Residential Exception 380 (LR-380) Zone**
138 and 140 Maryland Drive (Smith Ward) (020.200.09100 & 020.200.09200)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, within the LR-380 Zone the minimum lot frontage shall be 29 m.

381 **Rural Exception 381 (RU-381) Zone**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-381 Zone, the minimum lot area shall be 9.76 ha.

382 **Agricultural Exception 382 (A-382) Zone**
1230 6th Line (Smith Ward) (020.007.54400)

Notwithstanding the provisions of the Agricultural (A) Zone to the contrary, within the A-382 Zone, the minimum lot frontage shall be 38 m.

383 **Community Facility Exception 383 (CF-383) Zone**
Part Lots 24 to 27, Con. 5, Trent Severn Waterway (Smith Ward) (020.003.01301)

Notwithstanding the provisions of the Community Facility (CF) Zone to the contrary, within the CF-383 Zone, the following provisions shall apply:

a) Permitted uses

i) Privately-owned and operated hydro-electric generating and transmission facilities, under licence from the Federal government, including powerhouse buildings, tailrace and headrace channels, transformers and transmission facilities

ii) Accessory buildings, structures and uses; and a public use or utility

b) Regulations

i) The maximum building height shall be 2.0 metres, measured from the top of the existing dam at Lock 24 and 3.0 metres measured from the top of the existing dam at Lock 25 as the case may be, to the point on the roof of the powerhouse building as specified by Subsection 3.45.

c) All other applicable provisions and regulations of this By-law shall apply and be complied with.

384 **Lakeshore Residential Exception 384 (LR-384) Zone**
1728 Westview Point Road (Smith Ward) (020.202.45400)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, in the LR-384 Zone, the minimum lot area shall be 1525 square metres. The minimum front yard setback shall be 4.8 metres and the maximum lot coverage shall be 16%.

385 **Industrial Extraction Exception 385 (M1-385) Zone**
1577 8th Line (Smith Ward) (020.007.59544)

Notwithstanding the provisions of the Industrial Extraction (M1) Zone to the contrary, within the M3-385 Zone, the lands may also be used for the following uses:

a) Permitted uses

i) Motor vehicle service centre, building supply sales, cold storage lockers, printing/publishing establishment, car sales lot (new and used), farm implement sales and service establishment, recreational vehicle sales and service establishment, government maintenance depot, transportation depot, offices ancillary or incidental to the above uses,

rental storage units

b) The use of these lands shall be limited to those uses with low water volume and low water quality requirements as the available ground water supply may be limited in volume and may not meet drinking water quality standards.

386 **Highway Commercial Exception 386 (C1-386) Zone**
1326 Young's Point Road (Smith Ward) (020.003.28002)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, within the C1-386 Zone, the permitted uses shall be limited to:

a) Retail Stores

b) Building Supply Sales

c) Uses, Building and Structures Accessory Thereto

387 **Rural Exception 387 (RU-387) Zone**
2930 Millage Road (Smith Ward) (020.502.20700)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-387 Zone, the minimum lot frontage shall be 0 m. The minimum lot area shall be 14.5 ha.

388 **Rural Residential Exception 388 (RR-388) Zone**
286 Lindsay Road (Smith Ward) (020.200.15700)

Notwithstanding the provisions of the Rural Residential (RR) Zone, to the contrary, within the RR-388 Zone, a small engine repair in a facility of not more than 780 square feet in building area shall also be permitted. The outside display of goods is not permitted. The minimum lot frontage shall be 28.9 m.

389 **Highway Commercial Exception 389 (C1-389) Zone**
1041 Gore Street (Smith Ward) (020.201.21510)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, within the C1-389 Zone, the permitted uses are limited to a Car Wash with a water reclaim system. The minimum side yard abutting a right of way shall be 0 m.

390 **Rural Exception 390 (RU-390) Zone**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-390 Zone, the minimum lot frontage shall be 0 m. The minimum lot area shall be 6.88 ha.

391 "Reserved"

392 "Reserved"

393 **Rural Exception 393 (RU-393) Zone**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-393 Zone, the minimum lot frontage shall be 56.5 metres.

394 "Reserved"

395 **Residential Type One Exception 395 (R1-395) Zone**
2156, 2164, 2172, 2189 Katchewanooka Court (Smith Ward)
(020.500.06134 & 020.500.06138 & 020.500.06134 & 020.500.06140)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary, in the R1-395 Zone, where the lands abut a 0.3 metre reserve conveyed to the Corporation of the Township of Smith-Ennismore-Lakefield they shall be deemed to be abutting a Street for the purposes of establishing building setbacks.

396 "Reserved"

397 **Lakeshore Residential Exception 397 (LR-397) Zone**
2780 Tedford Drive (Smith Ward) (020.502.38810)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary,

within the LR-397 Zone, the minimum lot frontage shall be 9 m.

398 **Rural Residential Exception 398 (RR-398) Zone**
Part Block L, Plan 94 (Smith Ward) (020.502.38800)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, within the RR-398 Zone, the minimum lot area shall be 12.95 ha. These lands may not be developable due to the existence of a Provincially Significant (Class 1) Wetland on and around the site.

399 **Residential Type One Exception 399 (R1-399) Zone**
2745, 2746, 2751, 2756 Fitzpatrick Drive (Smith Ward)
(020.500.13523 & 020.500.13533 & 020.500.13525 & 020.500.13530)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary, in the R1-399 Zone, the minimum lot frontage shall be 67 m. and the minimum lot area shall be 0.43 ha.

400 **Local Commercial Exception 400 (C2-400) Zone**
764 Hunter Street (Smith Ward) (020.201.24900)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, in the C2-400 Zone, one single detached dwelling shall be permitted accessory to any commercial establishment.: The minimum rear yard setback for accessory buildings existing at the date of passage of this By-law shall be 1’ 10”

401 **Rural Residential Exception 401 (RR-401) Zone**
1516 11th Line (Smith Ward) (020.004.10500)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, within the RR-401 Zone, the following provisions shall apply.

a) Regulations

i)	Minimum lot frontage	90 m
ii)	Minimum lot area	10,500 sq. m

b) The keeping of livestock shall be strictly prohibited

402 **Local Commercial Exception 402 (C2-402) Zone**
2095 Nathaway Drive (Smith Ward) (020.500.07300)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, in the C2-402 Zone, one single detached dwelling shall be permitted accessory to any commercial establishment.: The minimum rear yard setback from the neighbouring commercial zone shall be 1.5'

403 **Highway Commercial Exception 403 (C1-403) Zone**
1393 and 1399 8th Line (Smith Ward) (020.007.58804 & 020.007.58803)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, in the C1-403 Zone, the following provisions shall apply

a) Permitted Uses

i) Service shop, motor vehicle repair shop, construction equipment repair shop, custom workshop, cold storage lockers, printing/publishing establishments, small scale metal fabrication, small scale woodworking, small scale manufacturing, recreational vehicles sales and service establishment, retail sale of agricultural products.
ii) Uses and buildings or structures accessory thereto.
iii) A refreshment vehicle.

b) Regulations

i) Minimum lot area 10,500 sq.m

c) The use of these lands shall be restricted to those uses with low water volumes as the available ground water supply may be limited.

d) In addition to the above, outside storage will not be permitted.

e) The parking and loading areas may be finished with a gravel surface with effective dust control

404 **Lakeshore Residential Exception 404 (LR-404) Zone**

1474 Pebble Beach Road (Smith Ward) (020.202.31600)

Notwithstanding Section 11.2 a) the minimum lot frontage shall be 20 metres.

The Holding (h) symbol attached to the lands being the subject of this By-law shall be removed only when the following action has been secured:

a) The developer has entered into a Development Agreement to the satisfaction of the Township.

405 "Reserved"

406 **Recreational Commercial Exception 406 (RC-406) Zone**
3330 Buckhorn Road (Smith Ward) (020.006.36000)

Notwithstanding the provisions of the Recreational Commercial (RC) Zone to the contrary, in the RC-406 Zone, a Real Estate Office shall also be a permitted use.

407 "Reserved"

408 **Local Commercial Exception 408 (C2-408) Zone**
2055 Buckhorn Road (Smith Ward) (020.004.12900)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, in the C2-408 Zone, the following provisions shall apply.

a) Permitted Uses

i) Animal hospital in wholly enclosed buildings and associated boarding facilities, to be utilized solely in conjunction with animals receiving medical care from the hospital, garden centre, medical centre, model home display and office, service shop, private club (bible study classes only), bank, office, retail stores, service station/gas bar (excluding car wash), restaurant (but excluding fast food, take out or drive in restaurants and restaurants that provide counter service), recreational vehicle service, welding shop.

409 "Reserved"

410 "Reserved"

411 "Reserved"

412 **Local Commercial Exception 412 (C2-412) Zone**
1528 Chemong Road (Smith Ward) (020.001.50500)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, in the C2-412 Zone.

a) Permitted Uses

i) New and Used Car Sales and Service, Motor Vehicle Body Shop, Garden Centre, Uses and buildings accessory thereto

b) All other provisions of this By-law shall apply and be complied with.

413 **Rural Residential Exception 413 (RR-413) Zone**
1824 8th Line (Lakefield Ward) (030.004.21000)

Notwithstanding any other provisions of the Rural Residential (RR) Zone to the contrary, within the following provisions shall apply:

a) Permitted Uses:

i) Auto / boat detailing shop;
ii) Those uses permitted in Section 4.12.1 of this By-law.

b) Regulations

i) Lot Frontage (Minimum) 30 m

c) All other provisions of the Rural Residential (RR) Zone shall apply.

d) The Holding (H) symbol attached to the lands being the subject of this By-law shall be removed only the property owner has entered into a site plan agreement to the satisfaction of the Township, and/or the County of Peterborough, and/ or Conservation Authority."

414 **Local Commercial Exception 414 (C2-414) Zone**
903 Kelly Boulevard (Smith Ward) (020.201.37100)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, in the C2-414 Zone, the following provisions shall apply

a) Permitted Uses

i) Real Estate Office, Traditional Offices, Banks, Service Shops (Daily design sewage flows/water consumption rate not to exceed the daily figures assigned to office space in the Building Code.)

b) All other provisions of this By-law shall apply and be complied with.

415 **Rural Exception 415 (RU-415) Zone**
2253 16th Line (Smith Ward) (020.006.12400)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-415 Zone, the minimum lot area shall be 19.4 hectares.

416 **Rural Exception 416 (RU-416) Zone**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-416 Zone, the minimum lot frontage shall be 180 m. and the minimum lot area shall be 5.4 ha.

417 **Highway Commercial Exception 417 (C1-417) Zone**
1046 County Road 19 (Smith Ward) (020.001.49010)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, in the C1-417 Zone, the following provisions shall apply:

a) Permitted Uses

i) General studio and classroom uses
(e.g. dance, gymnastics, fitness and yoga);
ii) Short term daycare uses
iii) Retail / office space accessory to the studio uses
iv) Business, professional or administrative office uses

b) Regulations

i) Maximum building height 12.5 m.
ii) Minimum side yard setback for accessory structure 2.45 m.
iii) Minimum setback between accessory structure and the main building 0.3 m.
iv) Number of loading spaces 1
v) Barrier free parking space design requirements:

- Type A – 3.4 m. with 1.5 m. wide centre isle
- Type B – 2.4 m wide with a 1.5 m. wide centre isle

418 **Rural Exception 418 (RU-418) Zone**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-418 Zone, the minimum lot area shall be 13.75 ha.

419 **Rural Residential Exception 419 (RR-419) Zone**
Parts 1, 2 & 4, Part Lot 34, Con. 15, RP 45R13229 (Smith Ward) (020.502.03600)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, within the RR-419 Zone, the minimum lot frontage shall be 213 m. and the minimum lot area shall be 2.4 ha.

420 **Lakeshore Residential Exception 420 (LR-420) Zone**
2562 Fire Route 37 (Smith Ward) (020.502.03605)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, within the LR-420 Zone, the e minimum lot frontage shall be 27 m. and the minimum lot area shall be 17,200 sq. m.

421 **Residential Type One Exception 421 (R1-421) Zone**
635 Westlake Road and 962 & 972 Pinehill Road (Smith Ward)
(020.200.38605 & 020.200.38601, 020.200.38600)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary, in the R1-421 Zone, the following provisions shall apply.

a) Regulations

i) Minimum floor area

1 storey	120 sq. m.
1.5 storey	140 sq. m.
2 or 2.5 storey	165 sq. m.

422 **Local Commercial Exception 422 (C2-422) Zone**
1856 8th Line (Smith Line) (020.003.29101)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, in the C2-422 Zone, the following provisions shall apply.

a) Permitted Uses

i) Bakery production and retail outlet, coffee shop, craft shop, hairdressing shop, offices, bookstore, antique store, drug store, clothing store, miniature golf course, retail shops, seed testing laboratory and bank, restaurant, licensed premises.

ii) Residential uses accessory to any permitted use in accordance with Section 16.3.

423 **Highway Commercial Exception 423-holding (C1-423(h)) Zone**
1575 Chemong Road (Smith Ward) (02000147600)

a) Permitted Uses:

No person shall within an C1-423 Zone use any land or erect, alter or use any building or part thereof for any reason other than:

i) Commercial club;
ii) Private club;
iii) Indoor athletic fields;
iv) Indoor playing courts;
v) Indoor athletic training facility

b) Regulations for Non-Residential Use

i)	Front Yard (Minimum)	31 m
ii)	Building Height (Maximum)	19.8 m
iii)	Required Loading Spaces	1

c) The Holding (H) symbol attached to the lands being the subject of this By-law shall be removed only when the following actions have been secured and to the satisfaction or the Township and the County of Peterborough, or Conservation Authority as required:

i) Updated Planning Justification Report;
ii) Updated Hydrogeological Assessment and Servicing Options Report;

iii) Updated Traffic Impact Study;
iv) Archaeological Assessment;
v) Environmental Impact Study;
vi) Storm Water Management Report;
vii) Amended Site Plan
viii) Amendment to the existing Site Plan Agreement registered on title.

d) All other provisions of the Highway Commercial (C1) Zone shall apply.

424 **Rural Exception 424 (RU-424) Zone**
1958 17th Line (Smith Ward) (020.006.26600)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-424 Zone, the minimum lot frontage shall be 162 m.

425 **Rural Exception 425 (RU-425) Zone**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-425 Zone, a Home Occupation consisting of the office of a qualified medical practitioner located within the single detached dwelling shall also be permitted.

426 **Highway Commercial Exception 426 (C1-426) Zone**
1699 Chemong Road (Smith Ward) (020.001.47700)

Notwithstanding the provisions of the Highway Commercial (C1) zone to the contrary, in the C1-426 Zone, the following provisions shall apply:

a) Permitted Uses

i) Building and Hardware Supply Sales
ii) Truss Manufacturing Plant
iii) Uses and buildings accessory thereto.

b) All other provisions of the highway Commercial (C1) Zone shall apply and by complied with.

Uses legally existing as of the date of passage of this by-law may continue until such time as the Holding (h) Symbol is removed.

The Holding (h) Symbol attached to the lands subject to this by-law shall be removed only when the following action had been secured:

The property owner(s) has entered into a Site Plan Agreement, to the satisfaction of the Township of Selwyn.

427 **Rural Exception 427 (RU-427) Zone**
2325 Miller Road (Smith Ward) (020.003.38302)

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 4.8 hereof, and subject to the following special provisions:

a) Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the (RU-427) Zone, the minimum lot area shall be 12.5 ha.

428 **Rural Exception 428 (RU-428) Zone**
1468 17th Line (Smith Ward) (020.007.59200)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-428 Zone, the minimum lot frontage shall be 110 m.

429 **Rural Exception 429 (RU-429) Zone**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-429 Zone, the minimum lot area shall be 5.5 ha.

430 **Rural Exception 430 (RU-430) Zone**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-430 Zone, the minimum lot area shall be 9.5 ha.

431 **Rural Exception 431 (RU-431) Zone**
2110 Deer Bay Road (Smith Ward) (020.006.27500)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-

431 Zone, the minimum lot area shall be 14 ha. In addition, this land may be used for the construction of one building or structure accessory to the permitted uses as defined in Section 4.8 prior to the construction of the principal structure or initiation of the principal use.

432 "Reserved"

433 **Rural Residential Exception 433 (RR-433) Zone**
3182 and 3186 Buckhorn Road (Smith Ward) (020.006.27400 & 020.006.27300)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, within the RR-433 Zone, the minimum lot area shall be 1850 sq. m. and the minimum lot frontage shall be 30 m.

434 **Community Facility Exception 434 (CF-434) Zone**

Notwithstanding the provisions of the Community Facility (CF) Zone to the contrary, within the CF-434 Zone, the following provisions shall apply:

a) Permitted uses shall include commercial business offices, private for profit Day Care/Nursery School with a maximum capacity of 70 students/children, interior storage units and a dwelling unit contained within the principal building in accordance with Section 4.16.3 of this By-law.

b) The minimum front and side yard setback requirements shall be as they existed on the date of passage of By-law No. 2009-021.

c) All other provisions of the Community Facility (CF) Zone shall apply and be complied with.

435 **Rural Residential Exception 435 (RR-435) Zone**
1486 6th Line (Smith Ward) (020.007.56802)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, within the RR-435 Zone, the minimum lot area shall be 1800 square metres.

436 **Lakeshore Residential Exception 436 (LR-436) Zone**

19 and 20 Fairy Lake Island - Stony Lake (Smith Ward)
(020.502.17500 & 020.502.17700)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, within the LR-436 Zone, new development on these lands within 120 metres of the Fairy Lake Wetland boundary will require the submission of an Environmental Impact Study to the satisfaction of the Conservation Authority.

437 "Reserved"

438 **Local Commercial Exception 438 (C2-438) Zone**
2988 Lakefield Road (Smith Ward) (020.502.17700)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, within the C2-438 Zone, the permitted uses shall be restricted to the following:

a) A parking lot;

b) The erection of structures us prohibited.

439 **Local Commercial Exception 439 (C2-439) Zone**
2102 Nathaway Drive (Smith Ward) (020.500.07600)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, within the C2-438 Zone, the permitted uses shall be restricted to the following:

a) Retail stores;

b) Residential uses and buildings accessory to the above permitted use in accordance Section 4.16.

440 **Rural Exception 440 (RU-440) Zone**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-440 Zone, the minimum lot frontage shall be 105 metres.

441 **Rural Residential Exception 441 (RR-441) Zone**
290 Lindsay Road (Smith Ward) (020.200.15600)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, within the RR-441 Zone, this land may be used for the operation of a Group Home in a single detached dwelling, which shall occupy the entirety of the dwelling. For the purposes of this By-law, a "Group Home" shall mean a Group Home with the exception of a Group Home licensed under the Ministry of Correctional Services Act, or a secure custody children's residence, within the dwelling unit.

442 **Lakeshore Residential Exception 442 (LR-442) Zone**
2490 Buckhorn Road (Smith Ward) (020.004.35200)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, within the LR-442 Zone, this land may be used for a Home Occupation consisting of a Custom Home Sales Office in accordance with Section 3.17.

The minimum lot frontage shall be 30 metres.

443 **Rural Industrial Exception 443 (M1-443) Zone**
739 Lindsay Road (Smith Ward) (020.001.32900)

Notwithstanding the provisions of the Rural Industrial (M1) Zone to the contrary, within the M1-443 Zone, the minimum front, rear and side yard setback requirements shall be as they existed on the date of passage of By-law 2005-84, or as required by Section 21, of By-law No. 1971-17, whichever is lesser.

The minimum rear yard setback for any addition or expansion of the existing building shall be 3.0 metres.

The maximum height of a building shall be 13.4 metres.

Notwithstanding the loading space provisions of Section 3.24 of this By-law, the required number of loading spaces shall be a minimum of 4.

Notwithstanding the parking space provisions of Section 3.29 of this By-law, the required number of parking spaces for buildings with a ground floor area of up to 2 800 square metres shall be 42 with a minimum of 2 accessible spaces

The uses permitted shall be limited to the current use being the Central Smith Creamery together with related accessory uses and activities.

444 **Rural Residential Exception 444 (RR-444) Zone**
1816 Eighth Line (Smith Ward) (020.003.26501)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, within the RR-444 Zone, the minimum lot frontage shall be 15.5 metres.

445 **Lakeshore Residential Exception 445 (LR-445) Zone**
84A and 85 Collins Island – Stony Lake (Smith Ward) (020.502.41550 & 020.502.41500)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, within the LR-445 Zone, the minimum lot frontage shall be 45 metres and the minimum lot area shall be 2050 square metres. The minimum front, rear and side yard setback requirements shall be as they existed on the date of passage of By-law 2005-106, or as required by Section 14, of By-law No. 1971-17, whichever is lesser.

446 **Highway Commercial Exception 446 (C1-446) Zone**
3315 Buckhorn Road (Smith Ward) (020.006.37601)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, within the C1-446 Zone, the uses on this land will be limited to the following:

a) A cash and carry lumber store

b) A non-franchise coffee shop

c) An 18-hole mini golf course

d) 20 self storage units

e) Office space which is ancillary to the permitted uses

f) Other uses which are alternative to the above noted list subject to the removal of one or several of the uses and further subject to the various limitations described in (Table 3):

Highway Commercial C3 Zone Permitted Uses	ITE Land Use Number	Options for Development		Summer Sat Pk
		Replace Non-Cof Shop Uses	Replace Non-Fran Cof Shop	
Animal Hospital in fully enclosed building	NA	This Use is Not Requested for the study site		

Schedule B
Site Specific Exception Zones

Auction Room	Non-ITE		Yes	130 vph max (~ 100 cust/hr) with occasional peaks
Automobile Service Station	944		Yes	8 fueling positions
Bakery Shop	Non-ITE	Yes		30 vph max – about 15 customers/hr
Billiard Hall	Non-ITE	Yes		30 vph max – about 15 customers/hr
Bowling Alley	NA	This Use is Not Requested for the study site		
Brewers Retail Outlet	Non-ITE		Yes	130 vph max or about 65 customers/hr
Building Supply Sales	812	Yes		3,100 ft2 plus outside storage
Car Lot (New & Used)	841	Yes		10,000 ft2
Cleaning & Pressing Shops	Non-ITE	Yes		30 vph max – about 15 customers/hr
Cold Storage Lockers	NA	This Use is Not Requested for the study site		
Commercial Clubs	Non-ITE	Yes		30 vph max – about 20 members/hr
Curling Club	Non-ITE	Yes		30 vph summer – Winter Vols 60 vph
Custom Workshops	Non-ITE	Yes		4 to 5 businesses @ 3,000 to 5,000 ft2 (25 emps)
Dairy Non-Retail	Non-ITE	Yes		30 vph max – about 15 emp/service calls
Farm Equipment Sales & Service	Non-ITE	Yes		30 vph max – about 15 customers/hr
Garden Centre	817	Yes		2,700 ft2
Gas Bar	944		Yes	8 fueling positions
Licensed Premises	936		Yes	8,400 ft2
Marina	420	Yes		110 berths
Medical Centre	630	Yes		Facility to house 4 to 6 doctors
Motel	320	Yes		35 to 40 rooms/units
Motor Hotel	311	Yes		65 to 70 rooms/units (All Suite)
Motor Vehicle Sales Room	841	Yes		10,000 ft2
Offices	710	Yes		50,000 ft2 or 75 emps – constraint is weekday PM peak hour
Personal Service Shops	Non-ITE	Yes		30 vph max – about 15 customers/hr
Places of Entertainment or Recreation	435	Yes		2,450 ft2

Printing Establishment	Non-ITE	Yes		30vph max – about 15 customers/hr
Private Club	Non-ITE	Yes		30 vph max – with occasional peaks
Public Garage	NA	This Use is Not Requested for the study site		
Recreational Vehicles Sales & Service	Non-ITE	Yes		30vph max – about 15 customers/hr
Rental Storage Units	151	Yes		75 additional units
Restaurant (Assume Fast Food)	934		Yes	2,200 ft2
Retail Store(s)	820	Yes		5,000 to 6,000 ft2 specialty store, NOT a convenience store
Service Shop	Non-ITE	Yes		30 vph max – about 15 customers/hr
Studio	Non-ITE	Yes		30 vph max – about 15 customers/hr
Taxi Establishment	NA	This Use is Not Requested for the study site		
Transport Depot	30	Yes		12 acre truck terminal – entrance designed for trucks

447 **Highway Commercial Exception 447 (C1-447)**
1446 Chemong Road (Smith Ward) (020.001.49800)

Notwithstanding the provisions of the Highway Commercial (C1) to the contrary, within the C1-447 Zone, the permitted uses shall be restricted to a Retail Store specializing in pool and spa goods.

448 **General Commercial Exception 448 (C2-448) Zone**
818 Hunter Street (Smith Ward) (020.201.27300)

Notwithstanding the provisions of the General Commercial (C2) Zone to the contrary, within the C2-448 Zone, the permitted uses shall be restricted to the following:

a) A retail bake shop

b) Residential uses in accordance with Section 4.16.3

c) The minimum lot area shall be 900 sq. m.

449 “Reserved”

450 "Reserved"

451 **Rural Exception 451 (RU-451) Zone**
1407 Young's Point Road (Smith Ward) (020.003.31600)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-451 Zone the following provisions shall apply:

a) Permitted Uses

i) Antique and furniture sales
ii) Uses, buildings and structures as are normally considered incidental and subordinate thereto.

b) In all other respects the provisions of the C1 Zone shall apply and be complied with.

452 "Reserved"

453 **Rural Exception 453 (RU-453) Zone**
2195 Marshall Lane (Smith Ward) (020.003.34504)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-453 Zone, the minimum lot area shall be 4.98 hectares.

454 **Rural Exception 454 (RU-454) Zone**
Young's Point Road, Part of Lot 29, Concession 9 (Smith Ward) (020.003.34500)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-454 Zone, the minimum lot frontage shall be 107 metres and the minimum lot area shall be 7.0 hectares.

455 **Residential Type One Exception 455 (R1-455) Zone**
2755 Fitzpatrick Drive (Smith Ward) (020.500.13528)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary, within the R1-455 Zone, the minimum lot frontage shall be 14.5 metres and the minimum lot area shall be 1600 square metres.

456 **Recreational Open Space Exception 456 (RE-456) Zone**
Parts 4 to 7, Lot 26, Con. 7, RP45R16006 (Lakefield Ward) (030.003.31200)

Notwithstanding the provisions of the Recreational Open Space (RE) Zone to the contrary, within the RE-456 Zone, the following shall apply to these lands:

a) Permitted Uses
   i) Recreational uses
   ii) A speed skating oval and related facilities
   iii) A multi-purpose community centre building

b) Regulations

i)	Minimum area zoned (D-456)	5.0 hectares
ii)	Minimum lot frontage	200 metres
iii)	Minimum front yard (main building)	65 metres
iv)	Minimum front yard (accessory buildings)	20 metres
v)	Minimum side yard	20 metres
vi)	Minimum rear yard	15 metres
vii)	Maximum lot coverage	10 percent
viii)	Minimum landscaped open space	20 percent
ix)	Minimum Vehicle Parking Spaces	122 spaces
x)	The front lot line shall be the eastern boundary of the lands zoned	

457 **Local Commercial Exception 457 h (C2-457 h) Zone**
2093 Buckhorn Road (Smith Ward) (020.004.19801)

Notwithstanding the maximum gross floor area provisions of Section 18.1, for those lands shown as C2-457 on Schedule “A”, the lot area used to determine maximum lot coverage/gross floor area shall be 42,850 square feet.

The Holding (h) symbol attached to the lands being the subject of this By-law shall be removed only when the following action has been secured:

The applicant has entered into a Site Plan Agreement to the satisfaction of the Township.

458 “Reserved”

459 **Rural Exception 459 (RU-459) Zone**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-459 Zone, one temporary trailer is permitted to accommodate seasonal farm labour, who are involved in the day-to-day operation of the farm during the growing and harvesting season.

460 **Environmental Protection Exception 460 (EP-460) Zone**

Notwithstanding the provisions of the Environmental Protection (EP) Zone to the contrary, within the EP-460 Zone, boat launching ramps, shelters, docking facilities or any in water work is not permitted unless approved by the Trent Severn Waterway.

461 **Lakeshore Residential Exception 461 (LR-461) Zone**
114 Big Island - Stony Lake (Smith Ward) (020.502.39900)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, within the LR-461 Zone, the minimum lot frontage shall be 38 metres. The minimum set back from the high-water mark for existing structures depicted on the survey completed November 14, 2006 shall be 0.6 metres.

462 “Reserved”

463 “Reserved”

464 **Lakeshore Residential Exception 464 (LR-464) Zone**
2880 Fire Route 47 (Smith Ward) (020.502.29700)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, within the LR-464 Zone, the minimum set back from the high-water mark for decks shall be 0 metres, the maximum total lot coverage shall not exceed 13.8%, and the maximum lot coverage for accessory building shall not exceed 5.7%.

465 **Community Facility Exception 465 (CF-465) Zone**
836 Charles Street (Smith Ward) (020.201.31800)

Notwithstanding the provisions of the Community Facility (CF) Zone to the contrary, within the CF-465 Zone, the following will apply:

a) The Building Street Line set backs shall be 6 metres from Charles Street and 3.5 metres from Gore Street.

b) Parking spaces can be located against any lot line which does not abut a public street or residential zone.

c) The Building set back from a residential zone shall be 15 metres.

466 **Lakeshore Residential Exception 466 (LR-466) Zone**
906 Kelly Boulevard (Smith Ward) (020.201.39000)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, within the LR-466 Zone, the permitted uses shall include a Bed and Breakfast Establishment with a maximum of two guest rooms.

467 **Rural Exception 467 (RU-467) Zone**
Part 1, Lot 24, Concession 7, RP45R1005 (Smith Ward) (020.003.14027)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-467 zone, the minimum lot area shall be 10 hectares and the minimum lot frontage shall be 120 metres.

468 **Highway Commercial Exception 468 (C1-468) Zone**
1325 Buckhorn Road (Smith Ward) (020.003.27801)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, within the C1-468 Zone, the permitted uses shall be restricted to the following:

a) A Motor Vehicle Repair Facility with a maximum floor area of 750 square feet.

b) Accessory residential uses in accordance with Section 16.3 herein.

c) Uses, buildings and structures accessory to the permitted uses.

d) Minimum side yard setback from the south lot line shall be 2.2 metres

469 **Rural Residential Exception 469 (RR-469) Zone**
Part Lot 7, Concession 5

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, within the RR-469h Zone, the uses permitted shall be limited to the following

a) Field crops and horticulture

b) A small scale farm related commercial use limited to the processing of medicinal plants within a structure no larger than 2700 square feet. The maximum water uses associated with the commercial use is not to exceed 2000 litres per day.

c) Retail uses are prohibited.

d) One single detached dwelling and buildings and uses accessory thereto.

Furthermore, the minimum lot area for lands within this designation shall be 9.1 acres and the minimum lot frontage shall be 103 feet.

The Holding (H) symbol attached to the lands being the subject of this By-law shall be removed only when the following action has been secured:

i) The applicant has entered into a Site Plan Agreement to the satisfaction of the Township.

470 **Lakeshore Residential Exception 470 (LR-470) Zone**
2771 River Road (Smith Ward) (020.500.09300)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, within the LR-470 Zone, the minimum set back from the high water mark of the lake shall be 10 metres and all development shall be above the flood elevation of 233.38 metres, and that the minimum lot area and minimum lot frontage (road) shall be 0.22 hectares, and 41 metres, respectively.

471 **Environmental Protection Exception 471 (EP-471) Zone**
Part 3, Lot 22, Plan 22, RP45R14276 (Smith Ward) (020.500.09340)

Notwithstanding the provisions of the Environmental Protection (EP) Zone to the contrary, within the EP-471 Zone, no structures can be constructed upon these lands.

472 **Rural Exception 472 (RU-472) Zone**
394 Lily Lake Road (Smith Ward) (020.001.19200)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-472 Zone, the uses permitted shall be limited to the following:

a) Agricultural uses, buildings and structures accessory thereto

b) One single detached dwelling and uses, buildings and structures accessory thereto

c) A solar energy farm

473 "Reserved"

474 **Residential Type One Exception 474 (R1-474) Zone**
Part 1, Lot 27, Con. 7 N., RP45R10019 (Lakefield Ward) (030.003.31000)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary, within R1-474, the following provisions shall will apply:

a) Permitted uses

i) One single detached dwelling on one lot;
ii) Uses, buildings and structures accessory to the foregoing permitted use.

b) Regulations for Dwellings

i)	Minimum Lot Frontage	9 metres
ii)	Minimum Lot Area	320 sq. m
iii)	Maximum Lot Coverage (1 storey dwelling)	45%
iv)	Maximum Lot Coverage (2 storey dwelling)	40%
v)	Minimum Front Yard set back	6 metres
vi)	Minimum Side Yard set back	1.2 metres
vii)	Minimum Side Yard set back (to attached garage)	0.6 metres
viii)	Minimum Rear Yard set back	7.5 metres
ix)	Minimum Floor Area (1 storey)	70 sq. m
x)	Minimum Floor Area (2 storeys)	90 sq. m
xi)	Maximum Height	2 storeys

In all other respects, the provisions of the Residential Type One (R1) Zone shall apply

and be complied with.

475 **Residential Type One Exception 475 (R1-476) Zone**
Part 1, Lot 27, Con. 7 N., RP45R10019 (Lakefield Ward) (030.003.31000)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary, within the R1-475h Zone, the following provisions will apply:

a) Permitted Uses:

i) A maximum of 60 Garden Home Dwelling Units and Suites
ii) A maximum of 80 Long Term Care/Retirement Facility Suites
iii) Uses, buildings and structures accessory to the foregoing permitted use

b) Regulations for Residential Uses:

i)	Minimum Lot Frontage	119 metres
ii)	Minimum Lot Area	2.1 hectares
iii)	Maximum Lot Coverage all Buildings	30%
iv)	Minimum Landscaped Open Space	30%
v)	Minimum Front Yard setback	10 metres
vi)	Minimum Side Yard setback (north boundary)	10 metres
vii)	Minimum Side Yard setback (south boundary)	7.5 metres
viii)	Minimum Rear Yard setback	10 metres
ix)	Maximum Height	2 storeys
x)	Parking Spaces (Garden Home Dwelling Unit)	1 per garden home
xi)	Parking Spaces (LTC/Retirement Suite)	0.75 per unit

c) Parking Area Surface

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

d) Ingress and Egress Regulations

Except as may otherwise be provided for herein, the following provisions shall

apply to ingress and egress driveways, namely:

i) ingress and egress to and from the required parking spaces and areas shall be provided by means of unobstructed driveways or passageways at least 3 metres but no more than 9 metres in perpendicular width;

ii) the maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 9 metres;

iii) the minimum distance between any two driveways on one lot, or, between a driveway and an intersection of street lines measured along the street line intersected by such driveway shall be 9 metres.

iv) the minimum angle of intersection between a driveway and a street line shall be 60 degrees; and

v) every lot shall be limited to the following number of driveways, namely:

- up to the first 15 metres of lot frontage, not more than one driveway;
- greater than 15 metres of lot frontage but less than 30 metres of frontage, not more than two driveways with a combined width not exceeding thirty percent of the lot frontage; and,
- for each additional 30 metres of frontage, not more than one additional driveway.

e) Parking Area Design Requirements

The following parking area design requirements shall apply to all required, namely:

i) the minimum width of a parking space shall be 3 metres and the minimum length shall be 6 metres except where the aisle width is at least 7 metres in which case the minimum width shall be 2.75 metres and the minimum length shall be 5.5 metres;
ii) that where a parking space has a parking angle of less than 30 degrees, such parking space shall be at least 7 metres in length where the aisle width is at least 4 metres;
iii) that where the parking angle is equal to or greater than 30 degrees but less than 50 degrees, the minimum aisle width shall be at least 4 metres;
iv) that where the parking angle is equal to or greater than 50 degrees but less that 70 degrees, the minimum aisle width shall be at least 5.5

metres; and

v) that where the parking angle is equal to or greater than70 degrees but less than or equal to 90 degrees, the minimum aisle width shall be at least 7.0 metres.

f) Parking Area Location on Lot

Notwithstanding the yard and setback provisions of this R1-475 Zone to the contrary, uncovered surface parking areas shall be permitted in the required yards or in the area between the street line and the required setback in accordance with the following provisions, namely:

i) no driveway shall be permitted within 9.0 metres of the boundary of the Residential Type One Zone;
ii) no parking space shall be permitted within 3.0 metres of the boundary of a Residential Type One Zone;
iii) parking spaces and areas shall be permitted in all yards provided that no part of any parking area, other than a driveway is located closer than 2 metres to any street line or 1.5 metres of any lot line or within a sight triangle;

In all other respects the provisions of the Residential Type One (R1) Zone shall apply and be complied with.

The Holding (H) symbol attached to the lands being the subject of this By-law shall be removed only when the following actions have been secured:

i) The applicant has proven the sustainability of development in terms of servicing capacity.
ii) The applicant has entered into a sit plan agreement to the Township's satisfaction.

476 **Residential Type One Exception 476 (R1-476) Zone**
Part 1, Lot 27, Con. 7 N., RP45R10019 (Lakefield Ward) (030.003.31000)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary, within the R1-476h Zone, the following provisions will apply:

Permitted Uses:

a) A maximum of 180 Long Term Care/Retirement Facility Suites; or

b) A maximum of 128 Long Term Care/Retirement Facility Suites and a Medical Centre/Lab Facility (maximum 15,000 square feet building area).

c) Uses, buildings and structures accessory to the foregoing permitted use.

d) Regulations for Residential Uses:

i)	Minimum Lot Frontage	20 metres
ii)	Minimum Lot Area	2 hectares
iii)	Maximum Lot Coverage all Buildings	30%
iv)	Minimum Landscaped Open Space	30%
v)	Minimum Front Yard setback	10 metres
vi)	Minimum Side Yard setback (north boundary)	27.5 metres
vii)	Minimum Side Yard setback (south boundary)	10 metres
viii)	Minimum Rear Yard setback	10 metres
ix)	Maximum Height	2 storeys
x)	Parking Spaces (LTC/Retirement Suite)	0.75 per unit
xi)	Parking Spaces other uses	See General Zone Provisions

e) Regulations for Non-Residential Uses:

i)	Minimum Lot Frontage	20 metres
ii)	Minimum Lot Area	0.8 hectares
iii)	Maximum Lot Coverage all Buildings	35%
iv)	Minimum Landscaped Open Space	30%
v)	Minimum Front Yard setback	10 metres
vi)	Minimum Side Yard setback	7.5 metres
vii)	Minimum Rear Yard setback	10 metres
viii)	Maximum Height	2 storeys
ix)	Parking Spaces (related to practitioners)	Minimum 4 per practitioner
x)	Parking Spaces and other uses	See General Zone Provisions

Parking Area Surface, Ingress/Egress and Parking Area Design Requirements criteria set out in Exception 475 Zone will apply equally in this exception zone.

The Holding (H) symbol attached to the lands being the subject of this By-law shall be removed only when the following actions have been secured:

i) The applicant has proven the sustainability of development in terms of servicing capacity.
ii) The applicant has entered into a sit plan agreement to the Township's satisfaction.

477 **Residential Type One Exception 477 (R1-477) Zone**
Part 1, Lot 27, Con. 7 N., RP45R10019 (Lakefield Ward) (030.003.31000)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary, within the R1-477h Zone, the following provisions will apply:

a) Permitted Uses:

i) One residential apartment building with a maximum of 60 dwelling units

ii) Uses, buildings and structures accessory to the foregoing permitted use.

b) Regulations for residential uses:

i)	Minimum Lot Frontage	56 metres
ii)	Minimum Lot Area	0.6 hectares
iii)	Maximum Lot Coverage all Buildings	30%
iv)	Minimum Landscaped Open Space	30%
v)	Minimum Side Yard setback (west boundary)	7.6 metres
vi)	Minimum Side Yard setback (east boundary)	6 metres
vii)	Minimum Front Yard setback (south boundary)	10 metres
viii)	Minimum Rear Yard setback	10 metres
ix)	Maximum Height	3 storeys
x)	Parking Spaces (LTC/Retirement Suite)	0.75 per unit
xi)	Parking Spaces other uses	See General Zone Provisions

Parking area Surface, Ingress/Egress and Parking Area Design Requirements criteria set out in the R1-475 Zone will apply equally in this exception zone.

Notwithstanding the provisions of Section 7.31(a) of the Smith Ward Zoning By-Law to the contrary, a building permit may be issued for the uses permitted within the R1-477 Zone provided that right-of-way access has been provided to Murray Street.

In all other respects the provisions of the Residential Zone shall apply and be complied with.

The Holding (H) symbol attached to the lands being the subject of this By-law shall be removed only when the following actions have been secured:

i) the applicant has proven the sustainability of development in terms of servicing capacity.

ii) The applicant has entered into a sit plan agreement to the Township's satisfaction.

478 **Rural Industrial Exception 478 (M1-478) Zone**
1052 County Road 19 (Smith Ward) (020.001.50201)

Notwithstanding the minimum parking requirements contained within this By-law, for those lands with the M1-478 zone, the following provisions will apply:

a) A minimum of one parking space shall be provided on the lot in any yard for each 51 square metres or fraction thereof of gross floor area;

b) Notwithstanding the provisions of the Rural Industrial (M1) Zone "Permitted Uses" to the contrary, manufacturing and industrial uses shall be limited to those which can be categorized as Class 1 as defined within the MOE Guideline D-6 (Compatibility between industrial facilities and sensitive land uses); and

c) In all other respects the provisions of Rural Industrial Zone (M1) shall apply and be complied with.

479 **Lakeshore Residential Exception 479 (LR-479) Zone**
850 and 852 Fife's Bay (Smith Ward) (020.200.22400 & 020.200.22500)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, within the LR-479 Zone, the following shall apply:

a) The additional set back required from the centre line of a Lane (section 14.2) does not apply.

b) The rear yard set back requirement shall be 30 metres (100 feet) measured from the high water mark and not from the Hazard line.

c) The area zoned hazard shall be included for the purpose of establishing lot area.

480 **Rural Exception 480 (RU-480) Zone**

No person shall within the Rural Exception 480 (RU-480) Zone in Part of Lot 28, Concession 11 (Smith Ward) use any land, or erect, alter or use any building or

structure except in accordance with the following provisions:

a) Permitted Uses

Notwithstanding the permitted uses of Section 4.8.1 for those lands shown as 'RU-480' on Schedule "A", the uses permitted shall be limited to the following:

i) One single detached dwelling on one lot, and uses, buildings and structures accessory thereto; and

ii) The small-scale industrial use existing at the date of the passing of this by-law; which shall be limited to the area defined as 'Lands Intended in Inst. No. 376584' on the Building Location Survey completed by W.A. Beninger dated May 25th, 1984; as illustrated on Schedule 'B' attached hereto and by this reference forming part of this By-Law.

b) Regulations for Permitted Uses

All the provisions and regulations of subsection 9.2 shall apply with the exception of the following:

i)	Minimum Lot Frontage	67 metres
ii)	Minimum Lot Area	0.85 hectares
iii)	Minimum Front Yard Setback	4.5 metres

481 **Highway Commercial Exception 481 (C1-481) Zone**
1434 Chemong Road (Smith Ward) (020.001.49700)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary, within the C1-481 Zone, the permitted uses shall be restricted to the following:

a) A Garden Centre

b) A restaurant

c) Retail Stores

d) Medical Centres

e) Offices

f) Custom Workshops

g) A Training Facility/School

h) Uses, buildings and structures accessory thereto

482 **Rural Exception 482 (RU-482) Zone**
Part Lot 5, Concession ECR (Smith Ward)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-482 Zone, the minimum required frontage shall be 20 metres.

483 **Highway Commercial Exception 483 (C1-483) Zone**
1645 Chemong Road (Smith Ward) (020.001.47701)

Notwithstanding the regulations of Section 14.15 with the C1-483h Zone, the following provisions shall apply to lands being situated in Part Lot 6, Concession West of Communication Road – Smith Ward:

a) Permitted Uses

i) All permitted uses of Section 4.15
ii) A business, professional or administrative office, including retail sales and customer service operations
iii) Bulk Fuel Storage Tanks, and uses, buildings and structure accessory thereto.

b) Regulations

i) Minimum lot area	0.9 hectares
ii) Minimum lot frontage	60.0 metres
iii) Minimum front yard (main building)	15.0 metres
iv) Minimum Side Yard	7.5 metres
v) Minimum rear yard	12 metres

c) Definition

The following definition of “Bulk Fuel Storage Tank” shall apply:

Bulk Fuel Storage Tank” shall mean a tank for the bulk storage of petroleum, gasoline, diesel or other fuels, oil, gas, propane or flammable liquid or fluid, but does not include a container for flammable liquid or fluid legally and properly kept in a retail store or tank for storage merely incidental to some other use of the premises where suck tank is located.

That all other provisions this by-law shall apply.

484 **Lakeshore Residential Exception 484 (LR-484) Zone**
1519 O'Connor Drive (Ennismore Ward) (010.102.15600)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, within the LR-484 Zone, the minimum lot areas and frontage requirements shall be:

a) Minimum Lot Area Requirement 550 sq. m

b) Minimum Lot Frontage Requirement 22 metres

In all other respects the provisions of the Lakeshore Residential (LR) Zone shall apply and be complied with.

485 **Lakeshore Residential Exception 485 (LR-485) Zone**
Part Lot 9, Concession 9 (Ennismore Ward)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, within the LR-485 Zone, the minimum lot areas and frontage requirements shall be:

a) Minimum Lot Area Requirement 1550 sq. m

b) Minimum Lot Frontage Requirement 9 metres

In all other respects the provisions of the Lakeshore Residential (LR) Zone shall apply and be complied with.

486 **Rural Exception 486 (RU-486) Zone**
1267 Flood's Drive (Ennismore Ward) (010.101.00135)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-486 Zone, the following shall apply:

a) Permitted Uses:

Private open space, a public use or utility, and, a building or structure, having a gross floor area of not greater than 500 square metres, for the storage of boats and equipment incidental to recreational facilities associated with the waterfront

areas provided further that such building or structure is not serviced by a private water supply system or private effluent treatment facilities.

b) Regulations

i)	Minimum Lot Area Requirement	2.8 hectares
ii)	Minimum Lot Frontage Requirement	30 metres
iii)	Maximum Lot Coverage (all buildings and structures)	3%
iv)	Special Setback Requirements	90 metres
v)	Minimum Landscaped open Space	90%

c) Specific Exclusions

No portions of any lands zoned within the RU-486 Zone shall be used for the maintenance or repair of boats or other equipment or for the display of trailers incidental and subordinate to the principal use on the lot.

In all other respects the provision of the Rural (RU) Zone shall apply and be complied with.

487 **Recreational Open Space Exception 487 (RE-487) Zone**
Part Lot 1, Concession 8 (Ennismore Ward)

Notwithstanding the provisions of the Recreational Open Space (RE) Zone to the contrary, within the RE-487 Zone, the minimum lot area and minimum lot frontage shall be 2.8 hectares and 30 metres respectively.

488 **Lakeshore Residential Exception 488 (LR-488) Zone**
Part Lot 1, Con. 8 (Ennismore Ward) (010.101.00150)

Notwithstanding any other provisions of the Lakeshore Residential (LR) Zone to the contrary, within the LR-29 Zone, the following provisions shall apply:

a) Permitted Uses

i) Residential - In accordance with Section 4.13.1 of this By-law.

b) Regulatory Provisions for Residential Uses

i)	Lot Area (Minimum)	4800 sq. m
ii)	Lot Frontage (Minimum)	30 m
iii)	Minimum Setback from High Water Mark	

No building or structure shall be located closer than 15 m to the 246.89 m contour g.s.c.

iv) Minimum Elevation of Openings to Habitable Structures
The minimum elevation of any opening to a habitable structure shall not be less than 247.09 m. g.s.c.

c) In all other respects the provisions of the Lakeshore Residential (LR) Zone shall apply and be complied with

489 **Rural Residential Exception 489 (RR-489) Zone**
511 Causeway View Road N. (Ennismore Ward) (010.002.42200)

Notwithstanding the provisions of the Rural Residential (RR) Zone, within the RR-489 Zone, the minimum lot area and frontage requirements for a seasonal dwelling unit shall be 2000 square metres and 22 metres respectively.

In all other respects the provisions of the Rural Residential (RR) Zone shall apply and be complied with.

490 **Lakeshore Residential Exception 490 (LR-490) Zone**
1485 O'Connor Drive, Part Lot 9, Con. 9 (Ennismore Ward) (010.102.14300)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, within the LR-490 Zone, the minimum lot areas and frontage requirements shall be:

a) Minimum Lot Area Requirement 1550 sq. m

b) Minimum Lot Frontage Requirement 9 m

In all other respects the provisions of the Lakeshore Residential (LR) Zone shall apply and be complied with.

491 **Rural Residential Exception 491 (RR-491) Zone**
Part Lot 9, Concession 9 (Ennismore Ward)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, within the RR-491 Zone, the minimum lot areas and frontage requirements shall be:

a) Minimum Lot Area Requirement 1550 sq. m

b) Minimum Lot Frontage Requirement 9 m

In all other respects the provisions of the Rural Residential (RR) Zone shall apply and be complied with.

492 **Residential Type One Exception 492 (R1-492) Zone**
807 Charles Street (Smith Ward) (020.201.33420)

Notwithstanding any other provision of this By-law to the contrary, within the Residential Type One (R1) Zone, no person shall use any lands or erect, alter, or use any building or structure except as specified herein:

a) Permitted Uses

i) The uses permitted in accordance with Section 4.9.1 of this By-law.
ii) A two-unit dwelling.

b) Regulations for Permitted Uses

i) Minimum Rear Yard 2 m

c) Other Zone Provisions

In all other respects, the provision of the Residential Type One (R1) Zone shall apply and be complied with.

493 **Residential Exception 493 (R-493) Zone**
Part Lot 25, Concession 17 (Smith Ward)

Notwithstanding any other provisions of this By-law to the contrary, within the Residential Exception 493 (R-493) Zone, the minimum setback from the highwater mark shall be 30 metres.

In all other respects, the provisions of the Residential (R) Zone shall apply and be complied with.

494 **Open Space Exception 494 (R-494) Zone**
36 Rory Drive (Smith Ward) (020.006.26475)

Notwithstanding any other provisions of this By-law to the contrary, within the Open Space Exception 494 (R-494) Zone, the minimum setback from the highwater mark

shall be 30 metres.

In all other respects, the provisions of the Open Space Exception 494 (O1-494) Zone shall apply and be complied with.

495 **Multiple Residential Exception 495 (R3-495) Zone**
91 Concession Street (Lakefield Ward) (030.004.20010)

Notwithstanding any provisions of the Multiple Residential (R3) Zone to the contrary, no person shall use any land or erect, alter or use any building or structure except in accordance with the following provisions:

a) Permitted Uses

i) All uses permitted in a R3 Zone;
ii) Seniors' Retirement Residence.

b) Regulations

Notwithstanding the regulations of Section 4.11.3, the following regulations shall apply to the subject lands:

i)	Minimum Lot Area	0.89 ha (inclusive of EP Zoned lands)
ii)	Setbacks as follows:	
	- Reid Street	7.5 m
	- Albert Street	7.5 m
	- Concession Street	4.5 m
iii)	Maximum Number of Dwelling Units / Suites 46 Dwellings Units / 92 Suites or combination thereof	
iv)	Minimum Dwelling Unit/Suite Area	25 sq. m
v)	Street Centreline setback	Nil
vi)	Maximum Height of Buildings	3 Storeys

c) For the purposes of this by-law, a Senior's Retirement Residence is to be defined as: a special care and / or special needs facility which may include units with full kitchen facilities and / or suites with efficiency kitchen facilities. The facility will include amenity areas designed for the use of all occupants and which shall include a common central kitchen, common dining facilities, common indoor and outdoor amenity areas, and may include support services and facilities designed to accommodate individuals with specific needs and accessory uses exclusive to occupant and staff use

d) The area subject to the R3-495 Zone shall continue to be treated as one lot for the purposes of zoning regulations despite future land division including without limitation: registration by way of a standard condominium plan, vacant land condominium plan or common elements condominium plan with parcels of land tied thereto, or part lot control exemption.

e) Notwithstanding Section 3.29, the minimum parking space requirements for a Senior's Retirement Residence shall be 0.5 spaces per suite.

f) Notwithstanding Section 3.29.1(a), the minimum width of a parking space shall be 2.75 m.

496 **Lakeshore Residential Exception 496 (LR-496) Zone**
2810 Newcomb Lane (Smith Ward) (020.502.19000)

Notwithstanding any other provisions of this By-law to the contrary, within the Lakeshore Residential Exception 496 (LR-496) Zone, the following shall apply:

Zone Regulations

The minimum front yard, rear yard, side yard and high water mark setback requirements shall be as they existed on the date of passing of by-law 2010-041 as exhibited on the survey produced by J. B. Fleguel dated April 26, 2010 or as required by Section 4.12 of this by-law whichever is lesser.

Additions to the detached garage are not permitted and the setbacks exhibited by the frame garage are only in place for the natural life of the building. Reconstruction of the frame garage will have to comply with the setback regulations in place at the time.

In all other respects, the provisions of the Lakeshore Residential (LR) shall apply and be complied with.

497a **Lakeshore Residential Exception 497a (LR-497a) Zone**
840 Fife's Bay Marina Lane (Smith Ward) (020.200.22200)

Notwithstanding any other provisions of this By-law to the contrary, within the Lakeshore Residential Exception 497a (LR-497a) Zone, the following shall apply:

a) Regulations

i) The minimum front yard setback shall be 7 metres.

ii) The minimum setback from high water mark to any dwelling or accessory structure, other than those structures which are permitted to be constructed closer, shall be 15 metres.

iii) Septic systems may be constructed within the minimum 30 metre set back from high watermark, if necessary, at the greatest set back achievable.

In all other respects, the provisions of the Lakeshore Residential (LR) shall apply and be complied with.

497b **Residential Type One Exception 497b (R1-497b) Zone**
Part Lot 25, Concession 17 (Smith Ward)

Notwithstanding any other provisions of this By-law to the contrary, within the Residential Type One Exception 497b (R1-497b) Zone, the minimum setback from the highwater mark shall be 30 metres.

In all other respects, the provisions of the Residential (R) Zone shall apply and be complied with.

498 **Recreational Open Space Exception 498 (RE-498) Zone**
Part Lot 25, Concession 17 (Smith Ward) (020.006.26560 & 020.006.26557)

Notwithstanding any other provisions of this By-law to the contrary, within the Recreational Open Space Exception 498 (RE-498) Zone, the minimum setback from the highwater mark shall be 30 metres.

In all other respects, the provisions of the Open Space Exception 498 (O1-498) Zone shall apply and be complied with.

499 **Recreational Commercial Exception 499 (RC-499) Zone**
2824 River Avenue (Smith Ward) (020.500.15000)

Notwithstanding the regulation of Section 4.14 (Recreational Commercial), the following provisions shall apply to lands being situated in Part Lot 37, Concession 12 – Smith Ward:

a) Permitted Uses

i) Existing cottage establishment
ii) Existing Private campground and marina
iii) Resort establishment
iv) Existing ancillary restaurant use

b) Accessory Uses

Uses buildings and structures accessory to any of the foregoing permitted uses, specified above and in accordance with Section 3.1 of this by-law save and except the following:

i) The maximum height of an accessory building shall not exceed 6 metres.

c) Multiple Zones

i) Notwithstanding the provisions of Section 4.5.2 related to multiple zones, the lot shall be considered to constitute a single lot as defined herein.

d) That all other provisions of this by-law shall apply.

500 **Residential Type One Exception 500 (R1-500) Zone**
Steranko Lane & Letty's Lane, Part Lot 25 & Part Lot 26, Con. 17; Part Lot 25 & Part Lot 26, Con. 18 (Smith Ward)

Notwithstanding any other provisions of this By-law to the contrary, within the Residential Type One Exception 500 (R1-500) Zone, the minimum setback from the highwater mark shall be 30 metres.

In all other respects, the provisions of the Residential Type One (R1) Zone shall apply and be complied with.

501 **Residential Type One Exception 501 (R1-501) Zone**
217 Steranko Lane (Smith Ward) (020.006.26572)

Notwithstanding any other provisions of this By-law to the contrary, within the Residential Type One Exception 501 (R1-501) Zone, the minimum rear yard setback requirement shall be 17 metres.

In all other respects, the provisions of the Residential Type One (R1) Zone shall apply

and be complied with.

502 **Recreational Open Space Exception 502 (RE-502) Zone**
Steranko Lane & Letty's Lane, Part Lot 25 & Part Lot 26, Con. 17; Part Lot 25 & Part Lot 26, Con. 18 (Smith Ward)

Notwithstanding any other provisions of this By-law to the contrary, within the Recreational Open Space Exception 502 (RE-502) Zone, the minimum setback from the highwater mark shall be 30 metres.

In all other respects, the provisions of the Open Space (O1) Zone shall apply and be complied with.

503 **Rural Exception 503 (RU-503) Zone**
Part Lot 25 & Part Lot 26, Con. 17; Part Lot 25 & Part Lot 26, Con. 18 (Smith Ward) (020.006.26561)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Exception 503 (RU-503) Zone, the minimum lot area shall be 13 hectares and the minimum frontage shall be 65.0 metres.

In all other respects, the provisions of the Rural (RU) Zone shall apply and be complied with.

504 **Residential Type One Exception 504 (R1-504) Zone**
50 George Street (Smith Ward) (020.001.05302)

Notwithstanding the provisions of Section 4.9.1 (Permitted Uses) of this By-law, a Type 'B' home occupation shall be a permitted use within the R1-504 Zone, and shall be subject to the following:

a) A Massage Therapy Business conducted by a Registered Massage Therapist (RMT) shall be the only Type 'B' home occupation permitted;

b) The Massage Therapy Business is subject to the provisions of Section 3.17 of this By-law;

c) Notwithstanding the provisions of subsection 3.17.2, the Massage Therapy Business is to be conducted solely by the person(s) residing in the residence.

d) Notwithstanding the provisions of subsection 3.17.2, the minimum number of

required parking spaces is two (2), over and above those required for the R1 Zone;

e) All other provisions of Section 4.9 (R1 Zone) shall apply.

505 **Rural Exception 505 (RU-505) Zone**
951 Tara Road (Ennismore Ward) (010.100.07600)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Exception 505 (RU-505) Zone, the following provisions shall apply:

a) Permitted Uses

i) Those uses permitted in Section 4.8.1 of this By-law.

ii) Seasonal Live Theatre may be permitted in a barn structure existing as of the date of passing of this by-law, which has been converted for a community use.

Seasonal Live Theatre shall be defined as land and/or buildings and structures thereon used for the purpose of staging theatrical and cultural performances for the entertainment of members of the public and being limited to the months from April to October.

ii) Facilities for serving of light food and beverages to patrons.

In all other respects, the provisions of the Rural (RU) Zone shall apply and be complied with.

506 **Lakeshore Residential Exception 506 (LR-506) Zone**
1524 and 1526 Westview Crescent (Smith Ward) (020.006.03900 & 020.006.04000)

Notwithstanding any other provisions of this By-law to the contrary, within the Lakeshore Residential Exception 506 (LR-506) Zone, a Bed and Breakfast Establishment shall be a permitted use within the LR-506 Zone, and shall be subject to the provisions of Section 3.4 of this By-law.

In all other respects, the provisions of the Lakeshore Residential (LR) Zone shall apply and be complied with.

507 **Lakeshore Residential Exception 507 (LR-507) Zone**
471 Causeway View Road S. (Ennismore Ward) (010.002.43700)

Notwithstanding any other provisions of this By-law to the contrary, within the Lakeshore Residential Exception 507 (LR-507) Zone, the following provisions shall apply:

i) Minimum lot area 156 m²
ii) Minimum frontage 15 m

In all other respects, the provisions of the Lakeshore Residential (LR) Zone shall 1 apply and be complied with.

508 **Lakeshore Residential Exception 508 (LR-508) Zone**
Alvin Road (Smith Ward) (020.500.01912 & 020.500.01914 & 020.500.01916)

Notwithstanding any other provisions of this By-law to the contrary, within the Lakeshore Residential Exception 508 (LR-508) Zone, the following provisions shall apply:

a) Permitted Uses
   i) Those uses permitted in Section 4.13.1 of this By-law.

b) Regulations
   i) Minimum lot area 2 500 m²
   ii) Minimum lot frontage 30 m

In all other respects, the provisions of the Lakeshore Residential (LR) Zone shall apply and be complied with.

509 **Lakeshore Residential Exception 509 (LR-509) Zone**
2515 Fire Route 57 (Smith Ward) (020.500.02000)

Notwithstanding any other provisions of this By-law to the contrary, within the Lakeshore Residential Exception 509 (LR-509) Zone, the following provisions shall apply:

a) Permitted Uses
   i) Those uses permitted in Section 4.13.1 of this By-law.

b) Regulations
   i) Minimum lot area 3 100 m²
   ii) Minimum lot frontage 25 m

In all other respects, the provisions of the Rural Residential (RR) Zone shall apply and be complied with.

510 **Lakeshore Residential Exception 510 (LR-510) Zone**
1500 Fire Route 5a, Part Lot 15, Concession 8 (Smith Ward) (020.202.33300)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary within the LR-510 zone the minimum lot frontage, the minimum lot area, and the minimum front, rear and side yard setback requirements shall be as they existed on the date of passage of By-law 2013-058 or as required by Section 4.13 of this by-law, whichever is less.

511 **Rural Exception 511 (RU-511) Zone**
300 Lindsay Road (Smith Ward) (020.200.15500)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the RU-511 zone, a dog-training facility shall also be a permitted use.

A dog training facility shall mean a facility used for the exclusive use of education, instruction, or discipline of a dog or dogs. It shall not include a boarding or breeding kennel or a doggie day-care facility.

512 **Rural Exception 512 (RU-512) Zone**
420 Lindsay Road, Part Lots 5 & 6, Concession 4 (Smith Ward) (020.200.16505)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, within the RR-512 zone, residential uses are prohibited within the calculated Minimum Distance Separation setback.

513 **Rural Residential Exception 513 (RR-513) Zone**
468 Lindsay Road, Part Lot 7, Concession 4 (Smith Ward) (020.200.17200)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary,

within the RR-513 zone, the minimum lot area shall be 0.22 hectares and the minimum lot frontage shall be 30 metres.

514 **Rural Industrial Exception 514 (M1-514) Zone**
1444 8th Line, Part Lot 19, Concession 8 (Smith Ward) (020.007.60750)

Notwithstanding the provisions of the Rural Industrial (M1) Zone to the contrary, within the M1-514 zone the following provisions shall apply:

a) Permitted Uses:

i) In addition to the uses permitted in Section 4.17.1.2 of this by-law, a bulk fuel storage facility shall also be permitted.

b) Regulations:

i) Rear Yard Setback shall be 7.5 metres
ii) Parking shall be permitted in the front yard.

515 "Reserved"

516 **Residential Type One Exception 516 (R1-516) Zone**
319 Glenwood Street (Smith Ward) (020.007.11500)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary, within the R1-516 zone the following provisions shall apply:

a) Permitted Uses:

i) In addition to the uses permitted in Section 4.9.1.1 of this by-law, a permitted use shall include a Research and Education Facility dedicated to studying the distribution and effects of electromagnetic energy on human health.

ii) For the purposes of the R1-516 Zone, Research and Education Facility shall mean a facility which is utilized for the purposes of conducting

research on the biological effects of electromagnetic fields emitted from household devices including diagnostic testing; testing of ways to shield/reduce electromagnetic exposure generated by household devices, and for the purposes of educational workshops which shall be limited to fifteen (15) participants.

b) Regulations:

i) That the use as a Research and Education Facility shall be limited to the basement of the dwelling.

ii) A minimum of three (3) parking spaces shall be provided on the subject property for the exclusive use of the Research and Education Facility. Further, parking spaces shall be provided off site through an agreement between the property owner of those lands and the property owner of 319 Glenwood Ave, as found in Schedule "B" attached hereto and by this reference forming part of this By-law. Parking spaces related to the residential use shall comply with Section 3.29 of this By-law.

iii) All other regulation of Schedule B – Section 361 shall apply and be complied with.

517 **Lakeshore Residential Exception 517 (LR-517) Zone**
2688 Westview Road, Part Lot 21, Concession 15 (Smith Ward) (020.006.03719)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary within the LR-517 zone the minimum lot frontage and the minimum lot area shall be as they existed on the date of passage of By-law 2014-072 or as required by Section 4.13 of this by-law, whichever is less.

518 **Lakeshore Residential Exception 518 (LR-518) Zone**
Fire Route 34, Part Lot 32, Concession 15 (Smith Ward)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary within the LR-518 zone the minimum lot frontage and the minimum lot area shall be as they existed on the date of passage of By-law 2014-068 or as required by Section 4.13 of this by-law, whichever is less.

519 **Local Commercial Exception 519 (C2-519) Zone**
1027 Willcox Street (Smith Ward) (020.201.31850)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary within the C2-519 zone the following shall apply:

a) Permitted uses:

i) Business, professional or administrative office
ii) Interior storage units
iii) Assembly hall
iv) Two (2) dwelling units

b) Regulations

i) Minimum front yard setback shall be 3 metres and the minimum side yard setback (northerly) shall be 1.5 metres to a canopy.

c) All other provision of the Local Commercial (C2) Zone shall apply and be complied with.

520 **Rural Residential Exception 520 (RR-520) Zone**
1591 Hilliard Street (Smith Ward) (020.001.51300)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, within the RR-520 zone the following provisions shall apply:

a) Permitted Uses:

i) In addition to the uses permitted in Section 4.12.1 of this By-law, a permitted use shall include a business, professional or administrative office.

All other regulations of the RR Zone shall apply and be complied with.

521 **Residential Type One Exception 521 (R1-521) Zone**
108 Reid Street (Lakefield Ward) (030.004.00900)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary within the R1-521 zone the following regulations shall apply:

a) Minimum lot frontage 14 m

b)	Minimum lot area	439.6 m²
c)	Minimum side yard setback (easterly)	1.08 m

522 **Residential Type One Exception 522 (R1-522) Zone**
112 Reid Street (Lakefield Ward) (030.004.01000)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary within the R1-522 zone the minimum side yard setback (westerly) shall be 0.89 m.

523 "Reserved"

524 **Residential Type One Exception 524 (R1-524) Zone**
58 Water Street (Lakefield Ward) (030.003.06410)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary within the R1-524 zone the following regulations shall apply:

a)	Minimum front yard setback	4.9 m
b)	Minimum rear yard setback	6.0 m
c)	Minimum side yard setback (northerly)	1.4 m
d)	Maximum Lot Coverage	37%

In all other respects, the provisions of the R1 Zone shall apply and be complied with.

525 **Residential Type One Exception 525 (R1-525) Zone**
Irons Avenue (Lakefield Ward)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary within the R1-525 zone the following regulations shall apply:

a) Permitted Uses

In addition to uses permitted in Section 4.9.1.2, the following uses are permitted in the R1-525 Zone:

i) Private Stormwater Management Facilities
ii) Parks, open spaces and trails

b) Zone Regulations

i) Maximum number of dwelling units per lot 1

ii) Minimum Lot Area 300 m²

iii) Minimum Lot Frontage 10 m

iv) Minimum Building Setbacks (adjacent to common element road)

a. Front Yard Setback (minimum)

- to a garage or carport 6.0 m
- to a dwelling 4.5 m
- to steps or covered porch 3.0 m

b. Side Yard Setback (minimum)

- Interior

  0.6 m on one side, 1.4 m on other side, provided spatial separation between buildings is 2 m
- from common element road 3.0 m

c. Rear Yard Setback (minimum)

- to dwelling 6.0 m

v) Encroachment for Decks, Steps or Covered Porches

3.0 m into the minimum rear yard setback

vi) Maximum Lot Coverage excluding decks, steps or porches

a. Single storey dwelling 50%

b. Two storey dwelling 45%

vii) Maximum Building Height 10 m

viii) Notwithstanding Section 3.10 a Lot shall be permitted to front on a private street.

ix) Notwithstanding Section 3.29 tandem parking shall be permitted for any dwelling type.

x) In all other respects the provisions of the By-law shall apply and be complied with.

526 **Multiple Residential Exception 526 (R3-526) Zone**

19 to 25 Hampton Lane (Smith Ward) (030.004.23963)

Notwithstanding the provisions of the Multiple Residential (R3) Zone to the contrary within the R3-526 zone the following regulations shall apply:

a) Permitted Uses

In addition to uses permitted in Section 4.11.1.1 and Section 4.11.1.2, the following uses are permitted in the R3-526 Zone:

i) Senior Citizen Multiple Dwelling
ii) Parks, open spaces and trails

b) Zone Regulations

i) Maximum number of dwelling units per block 12

ii) Minimum Block Area 2,000 m²

iii) Minimum Block Frontage 0 m

iv) Minimum Building Setbacks (adjacent to common element road)

a. Front Yard Setback (minimum) 4.5 m

Side Yard Setback (minimum)

b. - Interior

0.6 m on one side, 1.4 m on other side, provided spatial separation between buildings is 2 m

- from common element road 3.0 m

c. Rear Yard Setback (minimum)

- to dwelling 7.5 m

vi) Encroachment for Decks, Steps or Covered Porches

a. 3.0 m into the minimum rear yard setback

vii) Maximum Lot Coverage excluding decks, steps or porches 55%

viii) Maximum Building Height

a. 13 m to the maximum of three storeys

ix) Notwithstanding Section 3.10 a Block shall be permitted to front on a private street.

x) In all other respects the provisions of the By-law shall apply and be complied with.

527 **Recreational Open Space Exception 527 (R3-527) Zone**
Irons Avenue (Lakefield Ward)

In addition to uses permitted in Section 4.22.1.2, trails are permitted in the RE-527 Zone.

Notwithstanding Section 4.22 to the contrary, the Recreational Open Space (RE) Zone boundaries, as delineated on Schedule A – Map 5 of this By-law, are approximate. Adjustments to the boundaries of the RE-527Zone may be permitted without an amendment to this By-law, where it is demonstrated to the satisfaction of the Otonabee Region Conservation Authority (ORCA) and the Township of Selwyn that the proposed modifications will not significantly alter the form and function of the water features within the designated Recreational Open Space areas.

528 **Environmental Protection Exception 528 (EP-528) Zone**
21 Charlton Court (Lakefield Ward)

In addition to uses permitted in Section 4.25.1.2, parks, open spaces and trails are permitted in the EP-528 Zone.

529 "Reserved"

530 **Rural Exception 530-holding (RU-530h) Zone**
1400 Eighth Line (Smith Ward) (020.007.60700)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary within the RU-530h zone the following uses are permitted:

a) Those uses within Section 4.8.1.1 and 4.8.1.2 of this By-law

b) Wine manufacturing and bottling facility

c) Bakery

In all other respects, the provisions of the RU Zone shall apply and be complied with.

The Holding (h) Symbol attached to the lands subject to this by-law shall be removed only when the following action had been secured:

a) The property owner(s) has entered into a Site Plan Agreement to the satisfaction of the Township of Selwyn, County of Peterborough, the Otonabee

Region Conservation Authority.

b) The property owner(s) shall demonstrate that the sewage disposal system is adequate for the proposed use as a wine manufacturing and bottling facility to the satisfaction of the appropriate approval authority (Peterborough County-City Health Unit or the Ministry of Environment and Climate Change).

531 **Recreational Commercial Exception 531 (RC-531) Zone**
1275 Gail Park Drive (Ennismore Ward) (010.101.34402)

Notwithstanding the provisions of Recreational Commercial (RC) Zone to the contrary within the RC-531 zone the following regulations shall apply:

a)	Maximum Recreation Trailer Dwelling Unit Area	87 m²
b)	Minimum front yard setback	7.5 m
c)	Minimum side yard setback	1.5 m

Minimum setback from the high-water mark would be as depicted on 'Sketch to Illustrate Lots 3, 4, 5, & 6, Registered Plan No. 6 (Township of Selwyn)' as completed by Elliot and Par (Peterborough) Ltd., dated 12 March, 2015.

In all other respects, the provisions of the RC Zone shall apply and be complied with.

532 **Residential Type One Exception 532 (R1-532) Zone**
691 Peterborough Avenue (Smith Ward) (020.201.09700)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary within the R1-532, a pet grooming facility shall be an additional permitted home occupation use.

In all other respects, the provisions of the R1 Zone shall apply and be complied with

533 **Highway Commercial Exception 533 (C1-533) Zone**
586, 592, 594 Robinson Road (Ennismore Ward)
(010.002.30702 & 010.002.30706 & 010.002.30705)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary

within the C1-533 zone permitted uses shall be limited to:

a) all-terrain vehicle service and sales establishment;
b) building supply outlet including the outside storage and display of goods and materials;
c) business, professional or administrative offices, provided such use is accessory and incidental to a permitted non- residential use on the same lot;
d) craft shop;
e) custom copy centre;
f) custom workshop;
g) dry-cleaners distribution station;
h) equipment sales and rental, light;
i) farm produce retail outlet;
j) farm implement and equipment sales and service establishment;
k) flea market;
l) garden center;
m) general contractor's/tradesman's yard;
n) marine sales and service establishment;
o) motor vehicle body shop, motor vehicle dealership, or a motor vehicle repair garage,
p) motorized snow vehicle sales and service establishment;
q) outside display and storage of goods and materials where such use is accessory and incidental to a permitted non-residential use, on the same lot, specified hereunder and in accordance with the provisions of Section 4.15.6 hereof;
r) public use or utility in accordance with the provisions of Section 3.38, of this By-law;
s) retail commercial establishment, provided such use is accessory and incidental to a permitted non-residential use, on the same lot, as specified herein;
t) self storage units;
u) service shop;
v) vocational training facility.
w) warehouse, related to the rural/agricultural economy, either as a stand-alone

use or a secondary component of a use permitted on the property);

x) welding shop; and,

y) workshop.

In all other respects, the provisions of the C1 Zone shall apply and be complied with.

The Holding (h) Symbol attached to the lands subject to this by-law shall be removed only when the following action had been secured:

a) The property owner(s) has entered into a Site Plan Agreement to the satisfaction of the Township of Selwyn and the County of Peterborough.

534 **Lakeshore Residential Exception 534 (LR-534) Zone**
2482 Fire Route 35 (Smith Ward) (020.502.00200)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary within the LR-534 zone, the minimum lot area shall be 0.35 ha.

535 **Zone to Urban Fringe Control Exception 535 (UF-535) Zone**
Part Lot 9, Concession 1, RP45R16342 (Smith Ward) (020.001.04504)

Notwithstanding the provisions of the Urban Fringe (UF) Zone to the contrary within the UF-535 zone the following uses shall be permitted on the subject lands:

a) stormwater management facility

b) trunk sanitary sewer

c) recreational trails

All other provisions of the Urban Fringe Zone shall apply.

Uses legally existing as of the date of passage of this by-law may continue until such time as the Holding (h) Symbol is removed.

The Holding (h) Symbol attached to the lands subject to this by-law shall be removed only when the following action had been secured:

a) The property owner(s) has entered into a Site Plan Agreement to the satisfaction of the Township of Selwyn.

b) The property owner has completed the following to the satisfaction of the Township of Selwyn and the Otonabee Region Conservation Authority (ORCA):

i) A suitable location for the storm water pond outlet is established that is out

of the wetland.

ii) A compensation plan for the demolished wetland area to be located between the Provincially Significant wetland (PSW) and the storm water pond is prepared.

iii) A naturalization & rehabilitation plan for the outlet channel is prepared, including revegetation of the lands between the trail and the existing trees.

536 **Lakeshore Residential Exception 536 (LR-536) Zone**
621, 631, 633 Turtle Bay Boulevard (Ennismore Ward)
(010.002.48900, 010.002.48600, 010.002.48500)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary within the LR-536 zone, the minimum area and frontage requirements will be as identified on the Plan of Survey completed by Beninger Surveying Ltd, dated September 10, 2015.

537 **Rural Exception 537 (RU-537) Zone**
650 Turtle Bay Boulevard N & 671 Brick Road (Ennismore Ward)
(010.002.47300 & 010.002.47400)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary within the RU-537 zone, the minimum area and frontage requirements will be as identified on the Plan of Survey completed by Beninger Surveying Ltd, dated September 10, 2015.

538 **Lakeshore Residential Exception 538 (LR-538) Zone**
91 Lakeside Drive (Ennismore Ward) (010.002.04000)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary within the LR-538 zone, a bed and breakfast establishment shall be a permitted use.

539 **Lakeshore Residential Exception 539 (LR-539) Zone**
Ayotte's Point Lane, Lot 39, Concession 12, RP45R16182 (Smith Ward)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary within the LR-539 Zone, the minimum area and frontage requirements will be as

identified on the Plan of Survey – Plan 45R-16182, completed by Elliot and Parr (Peterborough) Ltd. Ontario Land Surveyors, dated January 13, 2016.

540 **Residential Type One Exception 540 (R1-540) Zone**
27 Nassau Street & 118 Clementi Street (Lakefield Ward)
(030.002.10610 & 030.002.10600)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary within the R1-540 zone the minimum lot area shall be 318 m²". In addition, the setback and lot coverage provisions shall be as the lot existed on the day that the severance was granted.

541 **Lakeshore Residential Exception 541 (LR-541) Zone**
505 and 509 Causeway View Road N. (Ennismore Ward)
(010.002.42400 & 010.002.42300)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary within the LR-541 Zone, the minimum area and frontage requirements are 0.1490 ha and 27 metres, respectively.

542 **Highway Commercial Exception 542 (C1-542) Zone**
1241 Buckhorn Road (Smith Ward) (020.003.14900)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary within the C1-542 zone permitted uses shall be limited to:

a) Building supply / home improvement outlet.

b) Outdoor display and sales area as an accessory use to a building supply / home improvement outlet.

c) In addition to the permitted building supply / home improvement outlet, a separate establishment for dry industrial development including manufacturing / fabricating uses related to construction and home improvement products (for example trusses).

d) Lumber yards, warehousing, and outside storage of goods and materials, accessory to uses permitted in a. and c. above.

e) Existing farm-related barn and storage buildings shall be used only for accessory storage buildings for a use permitted under a., b. and c., and that a livestock facility (barn) existing as of November 8, 2016 shall not be used as a livestock facility after that date.

f) The existing dwelling will be used as an ancillary use.

Notwithstanding Part 1 Section 2 – Definitions of this by-law, the term building supply / home improvement outlet shall mean a building or structure in which building or construction and home improvement materials are offered or kept for sale at retail and may include fabrication of certain materials related to the construction industry and home improvements. Outdoor Display and Sales Area may be permitted as an accessory use.

Notwithstanding Part 1 Section 2 – Definitions of this by-law, the term Outdoor Display and Sales Area shall mean an area of land used for the displaying and selling of landscaping plants, equipment and supplies, and sand gravel, soil fertilizers, de-icing material or similar products, in addition to supplies and equipment incidental to a building supply/ home improvement outlet, but shall not include a nursery.

Notwithstanding the provisions of Section 3.1.4 to the contrary, the maximum height of existing accessory storage buildings (former livestock facility / barn and farm related buildings) shall be as existing on November 8, 2016.

Notwithstanding the provisions of Section 3.1.2 to the contrary, the exterior side yard setback for the accessory dwelling shall be 7 metres.

Notwithstanding the provisions of Section 4.15.4 vii) the maximum lot coverage of all buildings and structures shall be 15%.

Notwithstanding any other provisions of this by-law to the contrary, for the purposes of determining the lot frontage for a lot in the Highway commercial Exception 542 (C1-542) Zone, the front lot line shall be the lot line abutting County Road 18. The lot line abutting County Road 23 (Buckhorn Road) shall be an exterior side lot line.

In all other respects, the provisions of the C1 Zone shall apply and be complied with.

543 **Local Commercial Exception 543 (C2-543) Zone**
3350 Buckhorn Road (Smith Ward) (020.006.36700)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary within the C2-543 zone permitted uses shall be limited to:

a) Retail commercial establishment for:

i) A building supply outlet including the outside storage and display of goods;

ii) Seasonal retail (for goods such as lawn furniture, cottage toys, non-motorized water craft such as canoes, kayaks, and paddle boards, clothing, etc.)

iii) A business, professional or administrative office

iv) A coffee kiosk within an existing building – this would include a small area within the store for refreshments for customers such as a coffee bar / kiosk, muffins etc., but would not include any type of restaurant, coffee shop, outdoor café or drive-through facility;

b) Outside display and sales of goods and materials which are accessory to and incidental to a permitted use; and

c) Accessory buildings and structures.

Notwithstanding the provisions of this by-law to the contrary the following shall apply:

a) The maximum width of the joint ingress and egress driveway ramp measured along the street line shall be 12.5 metres.

b) For the purposes of this by-law the front lot line is considered to be the lot line fronting onto County Road 23 (Buckhorn Road).

c) The rear yard setback shall be a minimum of 5.3 metres.

544 **Lakeshore Residential Exception 544 (LR-544) Zone**
1880 West Wind Lane (Smith Ward) (020.202.48500)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary within the LR-544 Zone, the minimum lot area shall be 1 315 square metres and the minimum lot frontage shall be 35 metres.

545 **Highway Commercial Exception 545 (C1-545) Zone**
2725 Chalmers Avenue (Smith Ward) (020.500.13700)

Notwithstanding the provisions of the Highway Commercial (C1) Zone to the contrary,

within the C1-545 Zone, the only permitted uses shall be:

a) an aquaponics facility;

b) an ancillary business / professional office.

Aquaponics Facility, for the purposes of this by-law, shall mean a wholly enclosed building or structure which combines hydroponics and aquaculture in a system that cultivates plants and fish for commercial distribution.

A marijuana production facility is prohibited within this zone.

546 **Local Commercial Exception 546 (C2-546) Zone**
3347 Lakefield Road (Smith Ward) (020.003.31200)

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, within the C2-546 Zone, a dog training school shall also be a permitted use. For the purposes of this zone category a dog training school shall mean a school which is used for the exclusive use of education, instruction, or discipline of a dog or dogs. It shall not include a boarding or breeding kennel nor a doggie day care facility.

547 **Rural Residential Exception 547 (RR-547) Zone**
1845 Tenth Line, Part of Lot 25, Concession 9 (Smith Ward) (020.003.33600)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception 547 (RR-547) Zone, the following shall apply:

a) Permitted Uses

   i) In addition to the uses permitted in Section 4.12.1, a garden suite shall be permitted

b) Regulations

   i) a garden suite shall be permitted to be located in the front yard

c) In all other respects, the provisions of Sections 3.12 and 4.12 of this shall apply and be complied with.

This temporary use shall cease twenty (20) years from the passage of the By-law (May 9, 2017).

548 **Multiple Residential Exception 548-holding (R3-548) Zone**

45 Rabbit Street (Lakefield Ward) (030.003.19100)

Notwithstanding the provisions of the Multiple Residential (R3) Zone and this by-law to the contrary within the R3-548 Zone the following provisions shall apply:

a) minimum front yard setback shall be 6 m

b) minimum interior side yard setback shall be 3 m

c) minimum number of parking spaces required shall be 10 spaces

549 **Rural Industrial Exception 549 (M1-549) Zone**
793 Robinson Road (Ennismore Ward) (010.100.02608)

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Industrial Exception 549 (M1-549) Zone the following provisions shall apply:

a) Permitted Uses

i) self-storage units
ii) a business administrative office accessory to the self-storage units.

550 **Rural Residential Exception 550 (RR-550) Zone**

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary within the RR-550 Zone, the minimum lot frontage shall be 30 metres or the minimum distance required to maintain access via the existing entrance and laneway onto Tara Road.

551 **Rural Exception 551 (RU-551) Zone**
Lot 7, Concession 5, RP45R2065 (Ennismore Ward) (010.100.01300)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary within the RU-551 Zone, the minimum lot area shall be 11 hectares.

552 **Lakeshore Residential Exception 552 (LR-552) Zone**
2641 Mary Nichol's Road (Smith Ward) (020.006.10600)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary within the LR-552 zone, the minimum floor area of a dwelling unit shall be 39 square

metres.

553 **Rural Residential 553 (RR-553) Zone**
1866 Eighth Line (Smith Ward) (020.003.28100)

Notwithstanding the provisions of the Rural Residential (RR) Zone and Section 3.16 – General Provisions - Home Industry, to the contrary, within the RR-553 Zone, the permitted uses shall include those uses permitted in Section 4.12.1 of this By-law; and a Type 'B' Home Industry limited to a small-scale wood working and furniture repair/restoration business and be limited to 60 square metres of gross floor area.

554 **Residential Type One Exception 554 (R1-554) Zone**
1045 Ward Street (Smith Ward) (020.202.21800)

Notwithstanding the provisions of the Residential Type One (R1) Zone to the contrary, within the R1-554 Zone, the permitted uses shall include a pet groom facility as a home occupation use in an attached garage.

555 **Local Commercial Exception 555 (C2-555) Zone**

Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary within the C2-555 zone the minimum lot frontage, the minimum lot area, and the minimum front, rear, and side yard setback requirements shall be as they exist on the date of passage of By-law 2018-009, or as required by Section 4.16.3 of this by-law, whichever if lesser.

556 **Recreational Commercial Exception 556 (RC-556) Zone**
888 Garthorne Avenue (Smith Ward) (020.201.34700)

Notwithstanding the provisions of the Recreational Commercial (RC) Zone to the contrary, within the RC-556 Zone, the permitted uses shall include a hair salon.

557 **Lakeshore Residential Exception 557 (LR-557) Zone**
1756 Gordon Fitzgerald Lane (Smith Ward) (020.006.24600)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary

within the LR-557 zone the minimum lot frontage, the minimum lot area, and the minimum front, rear, and side yard setback requirements shall be as they exist on the date of passage of By-law 2018-050 (July 10, 2018), or as required by Section 4.16.3 of this by-law, whichever if lesser.

558 **Lakeshore Residential Exception 558 (LR-558) Zone**
1760 Gordon Fitzgerald Lane (Smith Ward) (020.006.24100)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary within the LR-558 zone the minimum lot frontage and the minimum lot area shall be as they existing on the date of passage of By-law 2018-050 (July 10, 2018), or as required by Section 4.16.3 of this by-law, whichever if lesser. Further, the minimum front yard setback shall be 7.3 metres.

559 **Lakeshore Residential Exception 559 (LR-559) Zone**
672 Foley Road & 867, 868, 874 Twomey Place (Ennismore Ward)
(010.002.51110 & 010.002.51111 & 010.002.51119 & 010.002.51120)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary within the LR-558 zone the minimum lot frontage, the minimum lot area, and the minimum front, rear, and side yard setback requirements shall be as they existing on the date of passage of By-law 2018-051 (July 10, 2018), or as required by Section 4.16.3 of this by-law, whichever if lesser.

560 “Reserved”

561 **Rural Residential Exception 561 (RR-561) Zone**
678 Joseph Street (Ennismore Ward) (010.002.40324)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary within the RR-561 zone the minimum lot area shall be 2 193 square metres, and the

minimum front yard setback shall be 11.98 metres."

562 **Rural Exception 562 (RU-562) Zone**
613 Corkery Road & 658, 662, 678 Joseph Street (Ennismore Ward)
(010.002.40410 010.002.40415 010.002.40400 & 010.002.40324)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary within the RU-562 zone the minimum lot frontage shall be 110 metres and the minimum lot area shall be 6 hectares.

563 **Rural Residential Exception 563 (RR-563) Zone**
55 Edenderry Line (Ennismore Ward) (010.100.14301)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary within the RR-563 zone the minimum lot area shall be 3 286 square metres.

564 **Rural Residential Exception 564 (RR-564) Zone**
59 Edenderry Line (Ennismore Ward) (010.100.14400)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary within the RR-564 zone the minimum lot area shall be 3 225 square metres.

565 **Lakeshore Residential Exception 565 (LR-565) Zone**
2112 Truman Drive (Smith Ward) (020.004.14436)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone, and Section 3.1.5.1 (Boat Houses and Pump Houses) to the contrary within the LR-565 zone the following provisions shall apply:

a) The minimum side yard setback shall be 4.57 metres.

b) The minimum width of the structure parallel to the shore shall be 10.9 metres of 36% of the shoreline frontage.

566 **Lakeshore Residential Exception 566 (LR-566) Zone**
2872 Fire Route 47 (Smith Ward) (020.502.29600)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone, and Section 3.1.5.1 (Boat Houses and Pump Houses) to the contrary within the LR-566 zone the minimum side yard setback shall be 1.8 metres.

567 **Rural Exception 567 (RU-567) Zone**
25 Lily Lake Road (Smith Ward) (020.001.00100)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary within the RU-567 zone the following shall apply:

a) The existing dwelling shall be converted into an accessory structure; which, shall be accessory to a use permitted in Section 4.8.1 of this By-law; and shall not be used for human habitation.

b) The front yard setback (Lily Lake Road) of the accessory structure as noted in i) shall be 6.1 metres.

c) The maximum height of the accessory structure as noted in i) shall be 6.5 metres.

568 **Rural Exception 568 (RU-568) Zone**
900 Skyline Road (Ennismore Ward) (010.002.57900)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary within the RU-568 zone the minimum lot area shall be 17 hectares and the minimum lot frontage shall be 180 metres.

569 **Rural Exception 569 (RU-569) Zone**
2680, 2688, 2696 15th Line (Smith Ward)
(02050207405 & 02050207400 & 02050207410)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary within the RU-569 zone the minimum lot area shall be 7.9 hectares, and the lot frontage shall be 50 metres.

570 Repealed per By-law 2022-069

571 Repealed per By-law 2022-069

572 **Lakeshore Residential Exception 572 (LR-572) Zone**
1772 Gordon Fitzgerald Lane, Part of Lot 24, Con 17 (Smith Ward) (020.006.26000)

Notwithstanding any other provisions of this By-law to the contrary, within the Lakeshore Residential Exception 572 (LR-572) Zone, the following shall apply:

a) Permitted Uses

i) in addition to the uses permitted in Section 4.13.1, a garden suite shall be permitted

b) Regulations

i) a garden suite shall be permitted to be located in the front yard

c) In all other respects, the provisions of Sections 3.12 and 4.12 of this shall apply and be complied with.

573 **Rural Exception 573 (RU-573) Zone**
Lot 5, Concession 10, RP45R1931 (Ennismore Ward) (010.102.21600)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary within the RU-573 zone the minimum lot area shall be 8.5 hectares.

574 **Agricultural Exception 574 (A-574) Zone**
832 5th Line (Smith Ward) (020.201.01600)

Notwithstanding the provisions of the Agricultural (A) Zone to the contrary within the A-574 zone a seasonal storage facility shall be permitted as an on-farm diversified use. Outdoor storage associated with the on-farm diversified use is not permitted.

575 **Agricultural Exception 575-holding (A-575(h)) Zone**
832 5th Line (Smith Ward) (020.201.01600)

Notwithstanding the provisions of the Agricultural (A) Zone to the contrary within the A-575 zone, the following provisions shall apply:

a) Permitted Uses

In addition to those uses permitted in Section 4.7.1 of this By-law, an on-farm

diversified use, as defined in the Provincial Policy Statement, 2014, shall be permitted on the existing farm property. The on-farm diversified use (seasonal wedding and event venue) shall be permitted within a 4,794 square metre area on the subject property, including the upper level of the existing barn, as shown on Schedule "B" attached to this By-law. The wedding and event venue must be secondary to the principal agricultural use of the property, and shall cease should the farming activity of the property cease.

b) Regulations

i)	Maximum number of guests	138
ii)	Number of events permitted	Two (2) events per week as well as a limited number of additional smaller/daytime/weekday events which must also comply with on-site and on-road parking requirements in accordance with the Traffic Management Plan dated September 13, 2018
iii)	Operating Season	May 1st to October 31st
iv)	Maximum number of parking spaces	Nine (9), inclusive of two (2) barrier free spaces
v)	Noise Curfew (amplified music)	11:00 p.m.
vi)	Minimum Distance Separation	MDS I to the nearest manure storage facility shall be located no less than 312 metres."

576 **Multiple Residential Exception 576 (R3-576) Zone**
1354 Young's Point Road (Smith Ward) (020.003.28000)

Notwithstanding any other provision of the Multiple Residential (R3) Zone to the contrary, within the R3-576 zone the following provisions shall apply:

a) Permitted Uses

i) A maximum of twelve apartment dwelling units.

b) Regulations:

i) Maximum building height of 12.2 metres;
ii) Minimum dwelling unit area (one-bedroom units) of 35.7 square metres;
iii) Notwithstanding Section 3.29, parking shall be provided at a rate of 1.5 spaces per apartment dwelling unit.

577 **Lakeshore Residential Exception 577 (LR-577) Zone**
1358 Island View Drive (Ennismore Ward) (010.101.03700)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary within the LR-577 zone the minimum lot area shall be 3116 square metres and the minimum lot frontage shall be 40 metres.

578 **Rural Residential Exception 578 (RR-578) Zone**
1707 Templetiny Crescent (Ennismore Ward) (010.102.21600)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, within the RR-578 Zone, the minimum lot Frontage shall be 30 metres.

579 **Rural Residential Exception 579 (RR-577) Zone**
1358 Island View Drive (Ennismore Ward) (010.101.03700)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary within the RR-579 Zone the following provisions shall apply:

a) Permitted Uses:

i) Permitted uses shall include a Type ‘B’ Home Industry.

b) Regulations:

i) the home industry shall be permitted in an accessory structure that will not exceed a footprint area of 170 square metres;

ii) A maximum of three (3) non-residents (as in individuals that do not reside on the property) shall be permitted to be employed on the lot.

580 **Local Commercial Exception 580 (C2-580) Zone**
97 Queen Street (Lakefield Ward) (030.003.11000)

Notwithstanding the provisions of the Local Commercial (C2) Zone; and all other relevant section of this Zoning By-law, to the contrary within the C2-580 Zone the following provisions shall apply:

a) Regulations:

i)	Minimum lot area	1,093 sq. m (existing)
ii)	Minimum lot frontage	2.59 m (existing)
iii)	Minimum exterior side yard setback	3.57 m (existing)
iv)	Minimum exterior side yard to steps	0.76 m (existing)
v)	Minimum exterior side yard to a deck	1.56 m (existing)
vi)	Minimum interior side yard setback	2.4 m
vii)	Minimum rear yard setback	5.41 m (existing)
viii)	Minimum rear yard to steps/landing	3.78 m (existing)
ix)	Minimum required loading spaces	0
x)	Minimum parking spaces for commercial uses	4 (existing)
xi)	Minimum setback between driveway and residential zone	0 m (existing)
xii)	Minimum setback between parking space and residential zone	2.4 m (existing)
xiii)	Planting strip is not required.	

581 **Lakeshore Residential Exception 581 (LR-581) Zone**
2766 River Road (Smith Ward) (020.500.08300)

Notwithstanding the zone regulations of the Lakeshore Residential Zone to the contrary, within the LR-581 Zone the following shall apply:

a)	minimum lot area	944 square metres
b)	minimum lot frontage (road)	18 metres
c)	minimum lot frontage (water)	18 metres

d) minimum front yard setback and the minimum side yard setbacks shall be as existing the date of passage of this zoning by-law (March 9th, 2021).

e) All other provisions of the Lakeshore Residential Zone shall apply.

582 **Community Facility Exception 582 (CF-582) Zone**
724 Centre Line (Smith Ward) (020.007.39400)

Notwithstanding the provisions of the Community Facility (CF) Zone to the contrary within the CF-582 Zone the following provisions shall apply:

a) Permitted Uses:

In addition to those uses permitted in Section 4.21 of this By-law, a rental music hall, administrative office space, and an accessory residential unit, shall be permitted.

b) Regulations:

i) Maximum number of guests (rental music hall) shall be 50.
ii) Maximum number of events permitted (rental music hall) per month shall be three (3).
iii) Operating season (rental music hall) shall be from March 31st to October 31st.
iv) Noise Curfew (amplified music) (rental music hall) shall be 9:00 pm
v) Maximum number of parking spaces shall be 31, inclusive of two (2) barrier free spaces.
vi) Rear yard setback shall be 4.5 m.

c) Prohibited Uses:

Outdoor Storage of any materials and equipment associated with the landscape business, save and except the property owners one (1) pickup truck and one (1) small trailer to be parked on the property on evenings and weekends.

All other provisions of the Community Facility (CF) Zone shall apply.

583 **Rural Residential Exception 583 (RR-583) Zone**
734 Tara Road (Ennismore Ward) (010.002.53201)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, in the RR-583 Zone, the following shall apply:

a) Permitted Uses:

i) Those uses permitted in Section 4.12.1
ii) A small wedding venue subject to the regulations below.

b) Regulations:

i)	Maximum number of participants, wedding venue	10
ii)	Noise Curfew, amplified music	11:00 pm
iii)	Maximum number of employees	5
iv)	Accommodations for up to eight (8) overnight guests may be provided.	

584 **Lakeshore Residential Exception 584 (LR-584) Zone**
96 Stoney Lake - Big Island (Smith Ward) (020.502.40610)

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone to the contrary, in the LR-584 Zone, the following shall apply:

a) Maximum building area of a boathouse shall not exceed 108.2 square metres.

585 **Agricultural Exception 585 (A-585) Zone**
2018 12th Line (Smith Ward) (020.004.20400)

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 4.7 hereof, and subject to the following special provisions:

a) Residential Uses:

i) Prohibited.

b) Permitted Uses:

ii) An agricultural use and agricultural buildings.

c) Regulations for uses permitted in Section b) above:

i)	Building Height (Maximum)	12 m
ii)	Front Yard (Minimum)	30 m
iii)	Exterior Side Yard (Minimum)	30 m

iv)	Interior Side Yard (Minimum)	30 m
v)	Rear Yard (Minimum)	30 m
vi)	Maximum Lot Coverage (all buildings and structures)	10%
vii)	Minimum Setback from Street Centreline (County Road)	43 m
viii)	Minimum Setback from Street Centreline (Township Road)	40 m
ix)	Dwellings Per Lot (Maximum)	none

586 **Rural Residential Exception 586 (RR-586) Zone**
2018 12th Line (Smith Ward) (020.004.20400)

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 4.12 hereof, and subject to the following special provisions:

a) Regulations for uses permitted in accordance with Section 3 and Section 4.12.1.1:

i)	Maximum Lot Coverage (Accessory buildings and structures)	As Existing
ii)	Maximum Floor Area (Utility Sheds)	As Existing
iii)	Building Height (Maximum)	As Existing or as related in Section 3 or Section 4.12, whichever is less.

iv) New buildings, structures and additions shall meet the provisions of Section 3 and Section 4.12, as applicable.

v) "As Existing" shall mean as existing on the date of passage of by-law 2021-059 and as shown on the plan prepared by Elliott & Parr plotted 7/20/2021.

587 **Rural Exception 587 (RU-587) Zone**
Part of Lot 9, Concession 5 (Ennismore Ward) (010.100.02601)

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 4.8 hereof, and subject to the following special provisions:

a) Regulations for non-residential uses:

i)	Building Height (Maximum)	12 m or as existing on the date of passing of By-law

		no. 2021-062, whichever is less.
ii)	Interior Side Yard (Minimum)	As existing on the date of the passing of By-law no. 2021-062 or 30 metres, whichever is greater.

588 **Rural Exception 588 (RU-588) Zone**
1568 9th Line (Smith Ward) (020.003.32000)

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 4.8 hereof, and subject to the following special provisions:

a) Regulations for non-residential uses:

i)	Interior Side Yard (Minimum) for barn A and B as shown on Schedule "B" attached hereto	As existing on the date of registration of County of Peterborough approved consent application File No. B-25-21.
ii)	Front Yard (Minimum) for barn A as shown on Schedule 'B' attached hereto	As existing
iii)	The keeping of livestock in barn A and B as shown on Schedule "B" attached hereto	Prohibited

589 **Rural Residential Exception 589 (RR-589) Zone**
1592 9th Line (Smith Ward) (020.003.32100)

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 4.8 hereof, and subject to the following special provisions:

a) Zone Regulations

i)	Lot Frontage (Minimum)	As existing on the date of registration of County of Peterborough approved consent application File No. B-25-21.

590 **Rural Residential Exception 590 (RR-590) Zone**
2886 Antelope Trail (Smith Ward) (020.006.14224)

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 4.8 hereof, and subject to the following special provisions:

a) Zone Regulations

i)	Lot Frontage (Minimum)	As existing
ii)	Lot Area (Minimum)	As existing on the date of registration of County of Peterborough approved consent application File No. B-89-20.
iii)	Interior Westerly Side Yard (Minimum)	As existing on the date of registration of County of Peterborough approved consent application File No. B-89-20.

591 **Rural Exception 591 (RU-591) Zone**
1786 Young's Point Road (Smith Ward) (020.003.38300)

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 4.8 hereof, and subject to the following special provisions:

a) Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the (RU-591) Zone, the minimum lot area shall be 2 ha.

b) Notwithstanding the provisions of Section 4.5.2 and of the Rural (RU) Zone to

the contrary, within the (RU-591) Zone, the minimum lot frontage shall be as required by the Rural Residential (RR) Zone provisions applicable to the benefitting lands for the registered lot addition consent as approved through County File No. B-22-21.

592 **Rural Residential Exception 592 (RR-592) Zone**
1104 5th Line (Smith Ward) (020.007.47001)

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 4.12 hereof, and subject to the following special provisions:

a) Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, within the (RR-592) Zone, the minimum lot area shall be as existing on the date of registration of the lot addition consent as approved through County File No. B-48-21.

593 **Agriculture Exception 593 (A-593) Zone**
Part of Lot 15, Concession 5 (Smith Ward) (020.007.47000)

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 4.7 hereof, and subject to the following special provisions:

a) Notwithstanding the provisions of the Agriculture (A) Zone to the contrary, within the (A-593) Zone, the minimum lot frontage shall be as existing on the date of registration of the lot addition consent as approved through County File No. B-48-21.

594 **General Industrial Exception 594 (M2-594) Zone**
1291 Mann Road (Smith Ward) (020.202.21700)

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 4.18 hereof, and subject to the following special provisions:

a) Residential Uses:
   i) Prohibited.

b) Permitted Uses:

i) A motor vehicle repair shop (including commercial, industrial and recreation vehicles)

c) Regulations for uses permitted in Section b) above:

i)	Maximum building coverage (including accessory buildings)	
ii)	Maximum coverage by parking – vehicle movement areas	50%
iii)	Minimum south side yard	3.6 metres within 45 metres of the westerly part of the property, 6 metres otherwise
iv)	Minimum north side yard	6 metres
v)	Minimum other yards excluding a front yard	6 metres
vi)	Minimum front yard	9 metres
vii)	Maximum building height	6 metres
viii)	Minimum setback from Street Centreline (Township Road)	19 metres

595 **Rural Residential Exception 595 (RR-595(h)) Zone**
187 Kildeer Lane (Ennismore Ward) (010.102.06700)

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 4.12 hereof, and subject to the following special provisions:

a) Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, within the (RR-595) Zone, the minimum lot frontage shall be 27 metres.

b) The holding (h) symbol attached to the (RR-595) Zone of the subject property through this By-law shall only be removed upon the property owner submitting an archaeological assessment prepared by a licenced archaeologist to the satisfaction of the Township of Selwyn.

596 **Residential Type One Exception 596 (R1-596) Zone**
8 Caroline Street (Lakefield Ward) (030.002.05800)

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 4.9 hereof, and subject to the following special provisions:

Notwithstanding the provisions of Section 3.27.1 pertaining to buildings and structure

on existing lots of record, the existing buildings and structures on the subject property within the (R1-596) Zone shall be deemed to be permitted non-complying buildings and structures with regard to the (R1) Zone regulations. Furthermore, notwithstanding any provisions to the contrary, the subject property within the (R1-596) Zone shall be considered an existing undersized lot in accordance with Section 3.27.2.

597 **Multiple Residential Exception 597 (R3-597) Zone**
26 Edward Street (Lakefield Ward) (030.004.00100)

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 4.11.3.3 hereof, and subject to the following special provisions:

i)	Minimum Lot Area	240 sq. m
ii)	Minimum Lot Frontage	6 m
iii)	Interior Side Yard where no abutting wall (Minimum)	1.2 m
iv)	Rear Yard (Minimum)	8.8 m

598 **Rural Residential Exception 598 (RR-598) Zone**
Reference By-law 2023-018

Notwithstanding the Rural Residential (RR) Zone to the contrary, within the (RR-598) Zone the minimum lot area and frontage shall be as approved by County Land Division File No. B-131-22. Furthermore, any legally existing structures on the date of approval of County File No. B-131-22 may be considered legal non-complying, as needed. In all other respects the provisions of the Rural Residential (RR) Zone shall apply and be complied with.

599 **Multiple Residential Exception 599 (R3-599) Zone**
93 Ermatinger Street (Lakefield Ward)
Reference By-law 2023-049 & 2026-005

Notwithstanding any other provision of the Multiple Residential (R3) Zone to the contrary, within the (R3-599) zone the following additional provisions shall apply:

Permitted Uses

a) Shared accommodation apartment dwelling. ‘Shared accommodation apartment dwelling’ shall be defined as a residential apartment dwelling in which residents live in

independent single dwelling units and have access to additional shared amenity spaces such as, but not limited to, a common kitchen, common room, computer room, or library. On-site, in-home support services may be provided, but are not required.

Lot Regulations

Notwithstanding any other provisions of this By-law to the contrary, within the Multiple Residential Exception 599 (R3-599) Zone, the following lot regulations shall apply to a shared accommodation apartment dwelling:

i. Lot Frontage (min) ..... 15.24 m

ii. Gross Floor Area (min)
a. One Bedroom Dwelling Unit ..... 41 sq m
b. Two Bedroom Dwelling Unit size ..... 65 sq m
iii. Planting Strip Regulations of Section 3.35 shall not apply except adjacent to the rear of the lots at 93 Ermatinger Street (RP 45R17534;PARTS 1 AND 2) and 91 Ermatinger Street (PLAN 14 PT LOTS 1 AND 6 RP;45R10414 PT PART 4).

600 **Local Commercial Exception 600 (C2-600) Zone**
2090 Nathaway Drive (Roll No. 1516.020.500.08905)
Reference By-law 2023-067

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3, 4.9 and Section 4.16 hereof, and subject to the following special provisions:

a) Notwithstanding the provisions of the Local Commercial (C2) Zone to the contrary, within the (C2-600) Zone permitted uses include a residential use in accordance with the Residential Type (R1) Zone regulations.

601 **Rural Residential Exception 601 (RR-601) Zone**
626 Mallard Drive (Roll No. 1516.010.102.26800)
Reference By-law 2023-072

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and 4.12, subject to the following special provisions:

i) Accessory Lot Coverage (Maximum) 8%
ii) Front Yard Setback (Detached Garage) 12 m

iii) Maximum Height (Detached Garage) 10 m
iv) Setback from centre line of Township Road (Min) 22 m
v) Floor area of a second dwelling unit above a detached garage (max): not exceeding footprint area of principal dwelling

602 **Lakeshore Residential Exception 602 (LR-602) Zone**
899 Settlers Trail (Roll No. 1516.010.002.52100)
Reference By-law 2023-074

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and 4.13, subject to the following special provisions:

i) Lot Frontage (Minimum) 30 metres

603 **Lakeshore Residential Exception 603 holding (LR-603(h)) Zone**
899 Settlers Trail (Roll No. 1516.010.002.52100)
Reference By-law 2023-074

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and 4.13, subject to the following special provisions:

i) Lot Area (Minimum) .....0.22 ha
ii) Lot Frontage (Minimum).....35 metres
iii) Interior Side Yard (Minimum) .....3 metres
iv) The holding (h) symbol attached to the (RR-603) Zone shall not be removed until an archaeological assessment has been completed to the satisfaction of the Township of Selwyn.

604 **Rural Exception 604 (RU-604) Zone**
Reference By-law 2024-010

Notwithstanding the Rural (RU) Zone regulations to the contrary, within the (RU-604) Zone, the minimum lot frontage shall be as approved by County Land Division File No. B-14-22.

605 **Rural Residential Exception 605 (RR-605) Zone**
Reference By-law 2024-010

Notwithstanding the Rural (RR) Zone regulations to the contrary, within the (RR-605) Zone, the minimum lot area shall be as approved by County Land Division File No. B-14-22.

606 **Rural Exception 606 (RU-606) Zone**
2027 Preston Road (Roll No. 1516.020.004.14000)
Reference By-law 2024-017

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and 4.8, subject to the following special provisions:

In addition to the permitted uses of the Rural (RU) Zone in sections 4.8.1.1 & 4.8.1.2, a small-scale day camp is added as a permitted use under section 4.8.1.2.

607 **Residential Type One Exception 607 (R1-607) Zone**
Part Lot 26, Concession 7 (Lakefield Ward)
Reference By-law 2024-024

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and 4.9, subject to the following special provisions:

Notwithstanding section 4.9.4(ii), the minimum lot frontage of the subject property shall be as approved through County Land Division File No. B-104-22.

608 **Residential Type One Exception 608 (R1-608) Zone**
Part Lot 26, Concession 7 (Lakefield Ward)
Reference By-law 2024-024

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and 4.9, subject to the following special provisions:

Notwithstanding section 4.9.4(i), the minimum lot area of the subject properties shall be as approved through County Land Division File Nos. B-101-22 and B-102-22.

Further, notwithstanding sections 4.5.1 and 4.5.2, further setback requirements from the (EP) Zone line on the subject properties in accordance with the (R1) Zone regulations shall not be required.

609 "Reserved"

610 **Residential Type One Exception 610 (R1-610) Zone**
42 Caroline Street (Roll No. 1516.030.002.01000)
Reference By-law 2024-040

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and 4.9, subject to the following special provisions:

Notwithstanding any provisions of By-law 2009-021, as amended, to the contrary, the existing undersized lot regulation in Section 3.27.2 of By-law 2009-021, as amended, applies, as needed, in accordance with the consent approved through County of Peterborough File No. B-135-22.

611 **Residential Type One Exception 611 (R1-611) Zone**
42 Caroline Street (Roll No. 1516.030.002.01000)
Reference By-law 2024-040

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and 4.9, subject to the following special provisions:

Notwithstanding any provisions of By-law 2009-021, as amended, to the contrary, the non-complying provisions in Section 3.27.1 of By-law 2009-021, as amended, apply, as needed, to the existing buildings in accordance with the consent approved through County of Peterborough File No. B-135-22.

612 **Rural Residential Exception 612 (RR-612) Zone**
Reference By-law 2024-056 and 2025-021

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 4.12 hereof, and subject to the following special provisions:

a) Notwithstanding the Rural Residential (RR) Zone and Home Industry regulations to the contrary, the following provisions shall apply:

Permitted Uses:

In addition to the Type 'A' home industry uses permitted in the (RR) Zone, a custom car shop is permitted within the existing attached garage.

b) Custom car shop home industry regulations:

i.	Maximum area	53 m^2
ii.	Front Yard (Minimum)	as existing
iii.	Interior Side Yard (Minimum)	as existing
iv.	Rear Yard (Minimum)	as existing
v.	Maximum non-resident employees	One
vi.	Planting Strip Requirements Where the interior side lot line of the subject property abuts a Residential Zone, a planting strip in accordance with the requirements of Section 3.35 of this By-law is required within the front yard and interior side yard adjacent to the existing dwelling.	

613 **Lakeshore Residential Exception 613 (LR-613) Zone**
Reference By-law 2024-057

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 4.13 hereof, and subject to the following special provisions:

Notwithstanding the Lakeshore (LR) Zone and Second Unit regulations to the contrary, the following provisions shall apply:

Permitted Uses:

Within the (LR-613) Zone, a second unit is permitted above an accessory detached garage.

a) Second Unit above accessory detached garage regulations:

i.	Second Unit dwelling unit area (max)	129 m^2
ii.	Height (max)	8 m
iii.	Setback distance from principal dwelling (max)	45 m

614 **Residential Type One Exception 614 (R1-614) Zone**
83 Rabbit Street (Roll No. 1516.030.003.17900)
Reference By-law 2024-063

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and 4.9, subject to the following special provisions:

a) Notwithstanding any provisions of By-law 2009-021, as amended, to the contrary, the existing undersized lot regulation in Section 3.27.2 of By-law 2009-021, as amended, applies, as needed, in accordance with the consent approved through County of Peterborough File No. B-50-24.

b) R1-614 Zone Regulations

i.	Interior Side Yard (Min)	1.2 m
ii.	Exterior Side Yard (Min)	2.5 m
iii.	Dwelling Unit Area (Min)	85 m^2

615 **Residential Type One Exception 615 (R1-615) Zone**
83 Rabbit Street (Roll No. 1516.030.003.17900)
Reference By-law 2024-063

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and 4.9, subject to the following special provisions:

Notwithstanding any provisions of By-law 2009-021, as amended, to the contrary, the non-complying provisions in Section 3.27.1 of By-law 2009-021, as amended, apply, as needed, to the existing buildings in accordance with the consent approved through County of Peterborough File No. B-50-24.

Furthermore, notwithstanding any provisions of By-law 2009-021, as amended, to the contrary, the existing undersized lot regulation in Section 3.27.2 of By-law 2009-021,

as amended, applies, as needed, in accordance with the consent approved through County of Peterborough File No. B-50-24.

616 **Residential Type One Exception 616 (R1-616) Zone**
Part Lot 26, Concession 7 (Lakefield)
Reference By-law 2024-076

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and 4.9, subject to the following special provisions:

Notwithstanding any provisions of By-law 2009-021, as amended, to the contrary, the existing undersized lot regulation in Section 3.27.2 of By-law 2009-021, as amended, applies as needed in accordance with the consent approved through County of Peterborough File No. B-103-22.

617 **Rural Residential Exception 617 (RR- 617) Zone**
Part Lot 18, Concession 8 (Smith)
Reference By- law 2024-077

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and 4.12, subject to the following special provisions:

a) Notwithstanding any provisions of By- law 2009- 021, as amended, to the contrary, the existing undersized lot regulation in Section3. 27. 2 of By- law 2009- 021, as amended, applies, as needed, in accordance with the consent approved through County of Peterborough File No. B- 90- 23.

618 **Residential Type One Exception 618 (R1-618) Zone**
Reference By-law 2025-022

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and 4.9, subject to the following special provisions:

A) Regulations for Single Detached Dwellings

i)	Lot Area (minimum)	375 sq. m
ii)	Lot Frontage (minimum)	
	Interior Lot	12 m

	Exterior/Corner Lot	15 m
iii)	Interior Side Yard (minimum)	1.2 m
iv)	Exterior Side Yard (minimum	3.5 m
v)	Rear Yard (minimum)	6 m
vi)	Maximum Lot Coverage (all buildings and structures)	45%

619 **Multiple Residential Exception 619 (R3-619) Zone**
Reference By-law 2025-022

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and 4.11, subject to the following special provisions:

A) Permitted Uses

Notwithstanding the provisions of the Multiple Residential (R3) Zone to the contrary, the following commercial uses are permitted within an apartment dwelling located within the R3-619 Zone:

i. Bakery shop;
ii. Business, professional or administrative office;
iii. Club, commercial;
iv. Club, private;
v. Coin operated laundry facility;
vi. Commercial copy centre;
vii. Convenience store;
viii. Craft shop;
ix. Day nursery;
x. Dry cleaners distribution station;
xi. Liquor licensed premises;
xii. Outdoor café where such use is ancillary and incidental to a restaurant or liquor licensed premises;
xiii. Post office;
xiv. Restaurant;
xv. Retail commercial establishment;
xvi. Service shop;

B) Zone Provisions

a. The maximum building height for an apartment dwelling shall be 20 m with a maximum of 4 storeys.
b. The minimum number of parking spaces shall be 1.75 parking spaces per apartment dwelling unit.
c. The maximum combined floor area of all commercial uses permitted in the (R3-619) Zone shall not exceed 4,000 square metres
d. Uses listed in Section A) shall only be permitted within the ground floor of an apartment dwelling and occupy no greater than 50% of the total ground floor area.

620 **Multiple Residential Exception 620 (R3-620) Zone**
Reference By-law 2025-022

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3, 4.9, 4.10 and 4.11, subject to the following special provisions:

A) Permitted Uses

Permitted uses are limited to the following:

a. Street front Townhouse Dwellings
b. Single detached dwellings in accordance with the Residential Type One (R1) Zone regulations in Section 4.9 of this by-law
c. Semi-detached dwellings in accordance with the Residential Type Two (R2) Zone regulations in accordance with Section 4.10 of this by-law.
d. Additional residential units in accordance with the provisions of Section 3.41 of this By-law;

B) Regulations for Street Front Townhouse Dwellings

Lot Area (Minimum)	
Where a street front townhouse dwelling unit has two walls attached to adjoining units	180 m^2
Where a street front townhouse dwelling unit has only one wall attached to an adjoining unit and the lot is not a corner lot	238 m^2

Where a street front townhouse dwelling unit has only one wall attached to an adjoining unit and the lot is a corner lot	330 m^2
Lot Frontage (Minimum)	
Where a street front townhouse dwelling unit has two walls attached to adjoining units	6 m
Where a street front townhouse dwelling unit has only one wall attached to an adjoining unit and the lot is not a corner lot	7.5 m
Where a street front townhouse dwelling unit has only one wall attached to an adjoining unit and the lot is a corner lot	11 m
Rear Yard (Minimum)	6 m
Interior Side Yard (Minimum)	
Where a wall on an interior lot is not a common wall	1.2 m
Exterior Side Yard (Minimum)	3.5 m
Maximum Lot Coverage (all buildings and structures)	55%

621 **Recreational Open Space Exception 621 (RE-621) Zone**
Reference By-law 2025-022

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and 4.22, subject to the following special provisions:

A) Permitted Uses

Permitted uses are limited to the following:

i. Stormwater management pond

622 **Environmental Protection Exception 622 (EP-622) Zone**
Reference By-law 2025-022

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and 4.25, and subject to the following special provisions:

A) Within the (EP-622) Zone, the definition of "Conservation Use" as permitted by Section 4.25.1.2(b) of by-law 2009-021, as amended, is as follows:

"Conservation Use" shall mean an area of land that is largely left in its natural state and which is used for any combination of preservation, protection or improvement of its natural features for the benefit of the community and the natural environment. Passive non-motorized recreational uses such as hiking trails or cross-country ski trails, excluding buildings and structures, are permitted as an accessory use.

623 **Residential Type One Exception 623 (R1-623) Zone**
1277 Mann Road (Smith) (020.202.20400)
Reference By-law 2025-038

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and 4.9, subject to the following special provisions:

The distance from a principal dwelling to a second unit shall be no more than 50.0 m (164.04 ft)

624 **Agriculture Exception 624 (A-624) Zone**
1956 12Th Line (Smith) (020.004.20200)
Reference By-law 2025-059

No person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and 4.7, subject to the following special provisions:

Notwithstanding the second unit regulations in Section 3.41 to the contrary, the following regulations apply in the (A-624) Zone:

a) The distance from a principal dwelling to a second unit located in an ancillary building shall be no more than 42.0 m;

b) A second dwelling unit located in an ancillary building shall be permitted in the front yard;

c) A basement is permitted in a second unit located in an ancillary building; and

d) A second unit located in an ancillary building shall not be greater than 78.3% of the footprint area of the principal dwelling.

Schedule C

Illustrations

April 14, 2009
Office Consolidation – February 2026

ILLUSTRATION OF DEFINITIONS RELATED TO LOTS

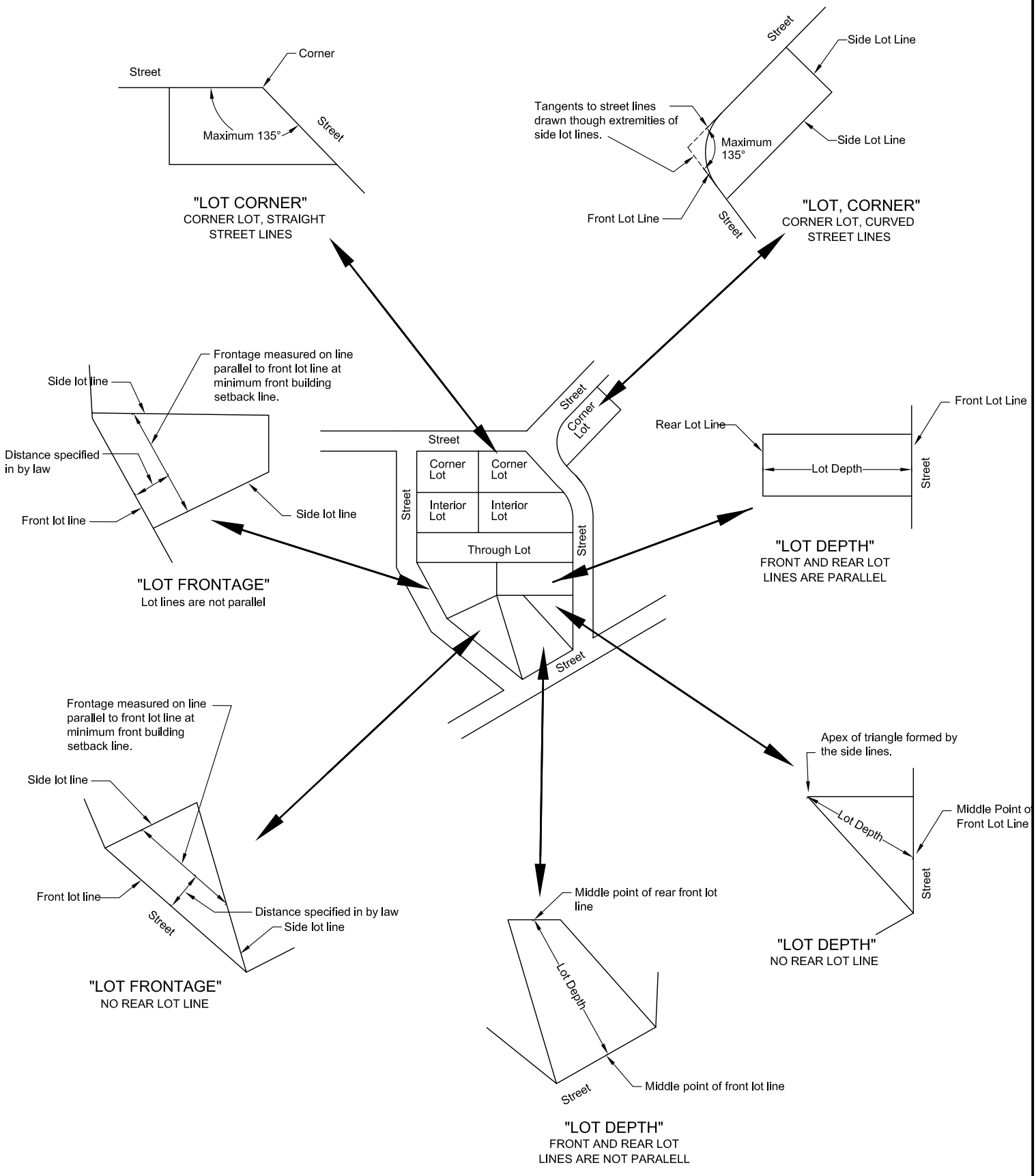

ILLUSTRATION OF DEFINITIONS RELATED TO YARDS

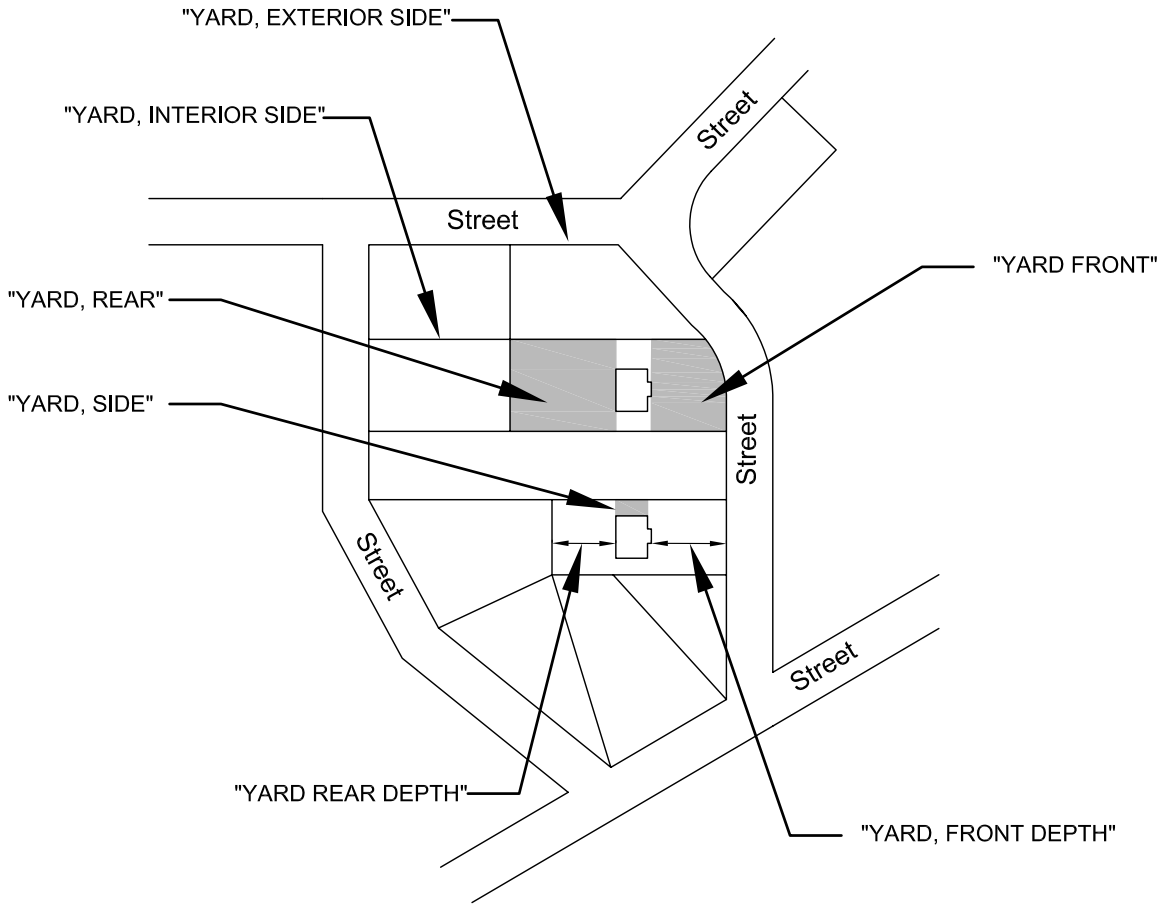

ILLUSTRATION OF WATERFRONT LOT DEFINITIONS