



**THE CORPORATION OF THE  
CITY OF CLARENCE-ROCKLAND  
ZONING BY-LAW NO. 2016-10**

May 16, 2016  
***Consolidated to December 2024***

Prepared by



in collaboration with the  
Planning Department of the  
City of Clarence-Rockland  
Rockland, Ontario  
K4K 1P7

JLR-27025

## [A User's Guide to the Zoning By-law](#)

Zoning By-law 2016-10 applies to all lands within the Corporation of the City of Clarence-Rockland. This "User's Guide" is intended only to make the By-law easier to understand and reference, and to outline how to use the By-law to find basic zoning information.

If you have any questions about the content of or how to interpret this By-law, or to obtain any content of this By-law in an alternate format, please do not hesitate to contact a member of the Planning Services department.

### [Purpose of the Zoning By-law](#)

A Zoning By-law is a "rule book" that controls building, development and site alteration. Zoning By-laws regulate how land and buildings are used, the location of buildings, minimum lot sizes and dimensions, building heights, and other provisions necessary to ensure proper development.

The Zoning By-law implements the community vision and policies for future growth and development expressed in the Official Plan of the Urban Area of the City of Clarence-Rockland, the Bourget Official Plan, and the United Counties of Prescott and Russell Official Plan (UCPR OP). The Zoning By-law puts the vision and policies of the documents into terms, permissions, and numbers that can be measured.

### [How to Use this By-law](#)

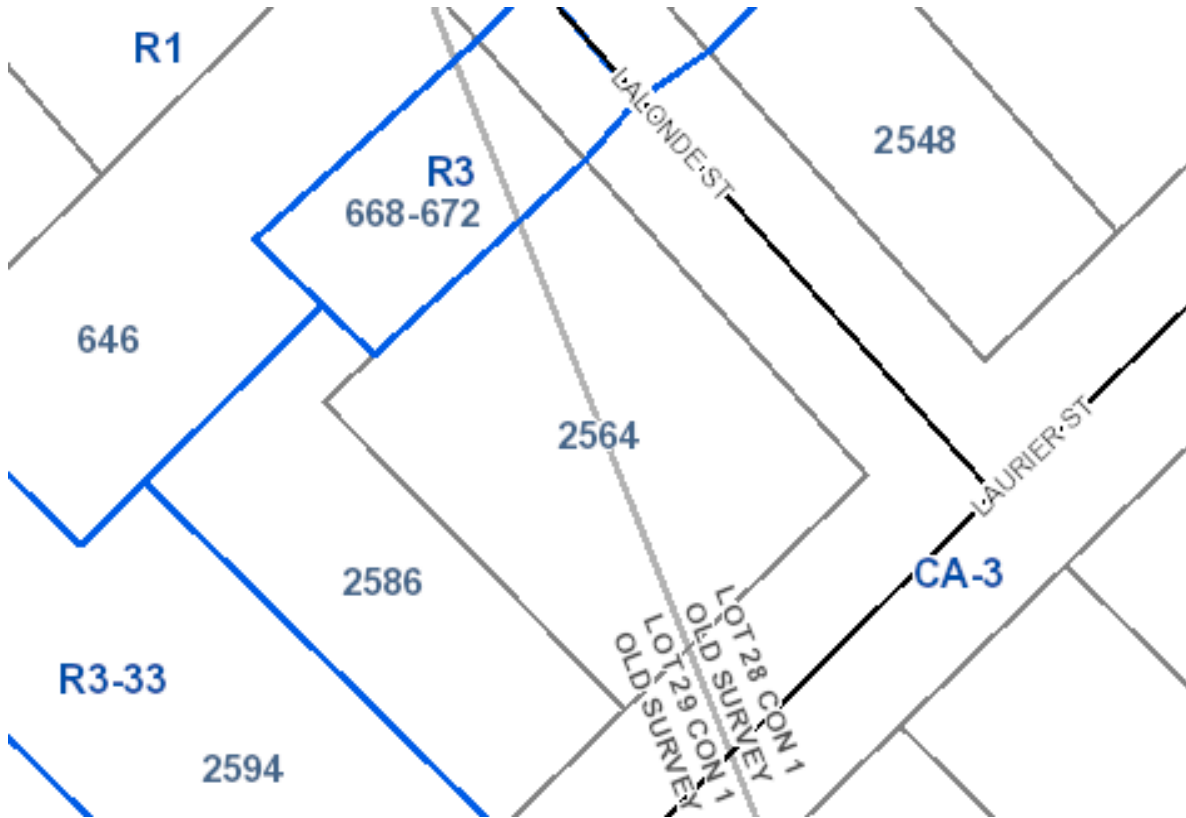
The following steps describe how to identify what uses can be undertaken and the size of buildings that can be erected on a specific property. Planning Services staff is always available to answer your questions and confirm the zoning regulations and planning policies applying to your property:

#### **1. Start with the Zoning Maps attached to the By-law or the County's interactive map to determine your zone**

1. Find the Zoning Maps which forms part of the Zoning By-law that shows the applicable property. Alternatively, the United Counties of Prescott and Russell have an interactive map system available for the public. This site allows you to search your property zoning, the soil capability or where a particular road is located (<https://alacarte.prescott-russell.on.ca/Html5Viewer/Index.html?viewer=Public>) amongst other features and constraints.
2. Locate the property on the Map or on "alacarte"; and,

3. Determine what *Zone* the property is in.

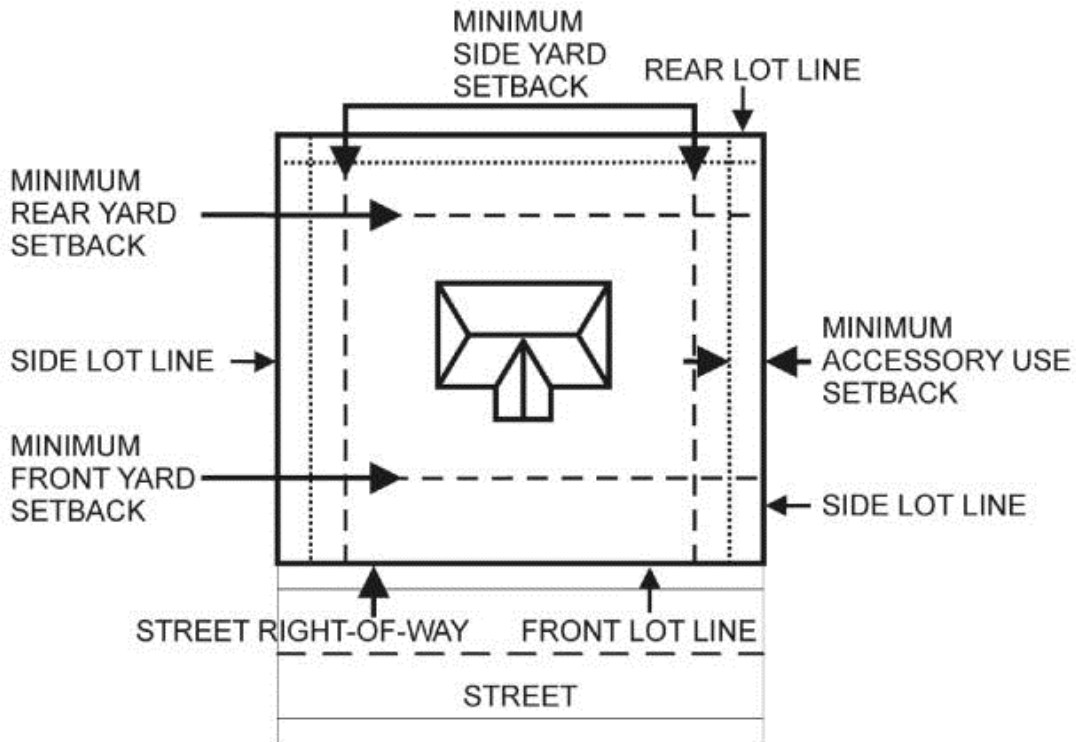
The *Zones* are identified by a short-form symbol, a series of letters and numbers. For instance, if a property is in the "Urban Residential Third Density (R3) Zone" it will be identified as "R3" on the Zoning Maps.



2. Turn to the appropriate Part of the By-law (Parts 6 through 21) for the use permissions and building regulations applying in your zone.

Once the permitted *uses* are known, turn to the next section of the by-law, where the *zone* requirements can be found in a separate table. There are multiple Residential *Zones* because of the wide range of housing forms and styles in Clarence-Rockland. Other Parts of the By-law have fewer tables. These regulation tables' states what standards apply to any *buildings* and *structures* associated with the permitted *use*.

These regulations establish the "*building envelope*" for development on a *lot*. The amount of developable area and the types and sizes of *buildings* allowed are further regulated by other Parts of the By-law.



Additional regulations may follow the *use* permission and *building* regulation tables and should also be reviewed to ensure your building plans comply.

**3. Turn to the appropriate Part of the By-law (Parts 6 to 21) for any site- or area-specific provisions applying to your property.**

Referring back to step one above, if a property has some additional site- or area-specific provisions, a number will be added to the *zone* symbol on the Zoning Maps in attachment; for example, "CG-2". These site- or area-specific provisions modify the regulations for lands covered by that provision. These provisions are listed at the end of each zone.

If the property is subject to a Holding Provision, the symbol will be followed by the letter "h" and a number (i.e. "CG-h1"). A Holding Provision restricts the *uses* on a property to only those permitted under the Hold (typically, only existing uses), until a series of conditions are cleared. These conditions and any modified provisions that apply while the Hold is in place, may be listed at the end of each zone following any site-specific exception.

If the property is subject to an Interim Control By-law, a hatched line overlay will be shown on the property along with a letter "i" and number (i.e. "i3"). These properties are subject to a temporary removal of permitted *uses* or modified *building* or *structure* regulations, pending completion of a study and

potential amendment to the Zoning By-law. These provisions may be listed at the end of each zone following any Holding Provision.

If the property is subject to a Temporary *Use* By-law, the symbol will be followed by the letter "t" and a number (i.e. "CG-t1). The intent of a temporary *use* by-law is to allow a *use* of land temporarily until the ultimate development vision for the area can be achieved through development, or when non-permanent uses are required for a short period of time. These permissions and associated provisions are listed at the end of each zone.

**4. Turn to Part 4 to identify general regulations that apply in all zones.**

After determining what standards may apply to a permitted *use* on the property, refer to the General Provisions section of the By-law to determine what provisions in that section may apply to the property. A review of this list will allow identification of regulations which may be applicable, and which should then be reviewed.

**5. Turn to Part 5 of the By-law for the parking, loading and landscaping requirements for your use.**

Part 5 of this By-law contains the requirements associated with *motor vehicle parking spaces, bicycle parking spaces, loading spaces, stacking spaces with motor vehicles queuing (i.e. drive-through facility)* and landscaping requirements. Parking and loading regulations include parking and *loading space* dimensions, minimum required and maximum permitted number of parking spaces, and design-oriented regulations that apply to all *uses* in all *zones*.

**6. Turn to Part 3 to find definitions.**

Throughout the By-law, you will find certain words are *italicized*. These are terms which have a definition in the By-law. The definitions are found in Part 3 of the By-law. Reference to the definitions section should be made to ensure a clear understanding of the implications of any italicized term used in the By-law.

If you have any questions about the content or how to interpret this By-law, or to obtain any content of this By-law in an alternate format, please do not hesitate to contact the *City* for more information. Staff in the Planning Services department is available Monday through Friday, 8:30 a.m. to 4:30 p.m., to assist with interpreting applicable policy and regulations.

EXPLANATORY NOTE TO BY-LAW NO. 2016-10  
OF THE CORPORATION OF THE  
CITY OF CLARENCE-ROCKLAND

**Lands Affected:**

By-law No. 2016-10 is a Comprehensive Zoning By-law that applies to all of the lands within the geographic limits of the City of Clarence-Rockland.

**Purpose and Effect:**

By-law No. 2016-10 will repeal Comprehensive Zoning By-law No. 2006-3, and all amendments thereto. By-law 2016-10 will implement the Official Plans in effect.

By-law No. 2016-10 is intended to:

- Prohibit the use of land, for or except for such purposes as may be set out in this By-law within the Corporation of the City of Clarence-Rockland;
- Prohibit the erecting, locating, or using buildings or structures for or except for such purposes as may be set out in the by-law within the municipality;
- Prohibit the erection of any class or classes of buildings or structures on land that is subject to flooding or on land with steep slopes, or that is rocky, low-lying, marshy, unstable, hazardous, subject to erosion or to natural or artificial perils;
- Prohibit any use of land and the erecting, locating, or using of any class or classes of buildings or structures within any defined areas or areas,
  - that is a significant wildlife habitat, wetland, woodland, ravine, valley, or area of natural and scientific interest,
  - that is a significant corridor or shoreline of a lake, river, or stream, or
  - that is a significant natural corridor, feature, or area.

- Prohibit any use of land and the erecting, locating or using of any class or classes of buildings or structures on land that is the site of a significant archaeological resource;
- Regulate the type of construction and the height, bulk, location, size, floor area, spacing, character and use of buildings or structures to be erected or located within the municipality or within any defined area or areas or upon land abutting on any defined highway or part of a highway, and the minimum frontage and depth of the parcel of land and the proportion of the area thereof that any building or structure may occupy (includes the authority to regulate the minimum area of the parcel of land mentioned therein and to regulate the minimum and maximum density and the minimum and maximum height of development in the municipality or in the area or areas defined in the by-law);
- Regulate the minimum elevation of doors, windows or other openings in buildings or structures or in any class or classes of buildings or structures to be erected or located within the municipality or within any defined area or areas of the municipality; and,
- Require the owners or occupants of buildings or structures to be erected or used for a purpose named in the by-law to provide and maintain loading or parking facilities on land that is not part of a highway.

For the purpose of this By-law, the making, establishment or operation of a pit or quarry shall be deemed to be a use of land. Furthermore, a trailer as defined in subsection 164 (4) of the *Municipal Act, 2001*, and a mobile home as defined in subsection 46 (1) of this Act are deemed to be buildings or structures for the purpose of this by-law.

The by-law may prohibit the use of land or the erection or use of buildings or structures unless such municipal services as may be set out in this by-law are available to service the land, buildings, or structures, as the case may be.

The by-law also provides for the issue of certificates of occupancy without which no change may be made in the type of use of any land covered by the by-law or of any building or structure on any such land, but no such certificate shall be refused if the proposed use is not prohibited by the by-law.

No by-law passed under Section 34 of the *Planning Act R.S.O. 1990, c. P.13*, as amended, applies,

- (a) to prevent the use of any land, building or structure for any purpose prohibited by the by-law if such land, building, or structure was lawfully used for such

purpose on the day of the passing of the by-law, so long as it continues to be used for that purpose; or

- (b) to prevent the erection or use for a purpose prohibited by the by-law of any building or structure for which a permit has been issued under subsection 8 (1) of the *Building Code Act, 1992*, prior to the day of the passing of the by-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under subsection 8 (10) of that Act.

Notwithstanding, the by-law may be amended so as to permit the extension or enlargement of any land, building or structure used for any purpose prohibited by the by-law if such land, building or structure continues to be used in the same manner and for the same purpose as it was used on the day such by-law was passed.

Land within any area or areas or abutting on any highway or part of a highway has been defined by the use of Zoning Maps in attachment to the by-law and the information shown on such maps shall form part of the by-law to the same extent as if included therein.

**CORPORATION OF THE  
CITY OF CLARENCE-ROCKLAND  
BY-LAW NO. 2016-10**

A BY-LAW OF THE CITY OF CLARENCE-ROCKLAND to implement the Official Plans in effect and repeal Comprehensive Zoning By-law No. 2006-3, and all amendments thereto.

WHEREAS the Council of the Corporation of the City of Clarence-Rockland wishes to ensure that the Official Plans in effect are appropriately implemented by a by-law passed under Section 34 of the *Planning Act, R.S.O. 1990, c.P. 13* as amended;

AND WHEREAS the administration of planning in the City will be greatly improved in the City as a result of the passage of a new Comprehensive Zoning By-law;

AND WHEREAS the *Council* of the Corporation of the City of Clarence-Rockland has carefully considered all public comments throughout the process;

AND WHEREAS it is now deemed desirable and in the public interest to repeal Comprehensive Zoning By-law No. 2006-3, and all amendments thereto and adopt a new Comprehensive Zoning By-law;

NOW THEREFORE, the *Council* of the Corporation of the City of Clarence-Rockland hereby enact as follows:

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Map A: Rural Area

Map B: Rockland Urban Area

Map C: Clarence Creek and Clarence Point

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Map E: Hammond and Cheney

Map F: Primary Artery and Collector Roads – Frontage

Map G: Unstable Slopes

Maps H1-H2: Intake Protection Zones

## **Part 1 Administration**

### **1.1 Application**

This By-law applies to all lands in the *City* of Clarence-Rockland as shown on the Zoning Maps in attachment to this By-law.

### **1.2 Repeal of Former By-laws**

The provisions of the *City* of Clarence-Rockland Zoning By-law No. 2006-3, and all amendments thereto, are hereby repealed insofar as they affect the lands covered by this By-law.

### **1.3 Administration**

This By-law shall be administered by the City Planner or delegate, or other such Zoning Administrator as may be appointed by Council. A certified true copy is on file in the clerk's office of the City of Clarence-Rockland.

### **1.4 Compliance with this By-law and Certificates of Occupancy**

- a) No person shall use any land or erect or use any building or structure on lands subject to this By-law except for a *use* permitted, and in accordance with the regulations provided, by this By-law for the Zone in which the *lot* is located.
- b) No person shall make any change in the *use* of land, or of any *building* or *structure*, without first obtaining a certificate of occupancy.
- c) Notwithstanding subsection b) above, certificates of occupancy shall not be required for changes in residential *uses* other than the establishment of a *bed and breakfast establishment, group home* or *additional residential unit*.

*The requirements of this By-law must be met before a building permit is issued for the erection, addition to, or alteration of any building or structure.*

### **1.5 Compliance with Other Legislation**

- a) Nothing in this By-law shall serve to relieve any person from any obligation to comply with the requirements of any other By-law of the *City* of

Clarence-Rockland or any other regulation of the United Counties of Prescott and Russell, Province of Ontario or Government of Canada that may otherwise affect the use of land, buildings, or structures.

- b) References to "the Zoning By-law" or "By-law No. 2006-3" in other *City* By-laws or documents shall be deemed to refer to this By-law where this By-law applies.

*Without limiting its generality Section 1.5 includes the Building Code (Ontario Regulation 350/06) and the permitting procedures of the applicable Conservation Authority (Ontario Regulation 170/06).*

## **1.6 Penalties**

The following penalties apply:

- a) Every person who contravenes any of the provisions of this by-law and, if the person is a corporation, every director or officer of the corporation who knowingly concurs in the contravention, is guilty of an offence and on conviction is liable:
  - i. on a first conviction, to a fine of not more than \$25,000.00; and,
  - ii. on a subsequent conviction, to a fine of not more than \$10,000.00 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted.
- b) Where the person convicted of a breach of any of the provisions of this by-law is a corporation, the penalty that may be imposed is:
  - i. on a first conviction, a fine of not more than \$50,000.00; and,
  - ii. on a subsequent conviction a fine of not more than \$25,000.00 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted.
- c) Where a conviction of a breach of any of the provisions of this by-law has been entered, in addition to any other remedy or any penalty provided by law, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted.
- d) Every such penalty described above is subject to the provisions of Section

67 of the Planning Act, 1990, as amended, and will change from time to time in accordance with the said Act.

- i. Every person who is convicted of an offence under this By-law is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, Chap. P.33, as amended.

### **1.7 Severability**

A decision of a court of competent jurisdiction that one or more of the provisions of this By-law or any portion of the Zoning Maps to this By-law are invalid in whole or in part does not affect the validity, effectiveness, or enforceability of the other provisions or parts of the provisions of this By-law.

### **1.8 Transition Matters**

Notwithstanding Sections 1.2 and 1.4 of this By-law, a *building* permit may be issued in accordance with Section 1.8 of this By-law for the following scenarios.

For the purposes of determining zoning compliance for matters covered by Section 1.8 of this By-law, the provisions of Zoning By-law No. 2006-3, as amended, as it read on the effective date of this By-law shall apply.

#### **1.8.1 Building Permit Applications**

Nothing in this By-law shall prevent the erection of a *building* or *structure* for which an application for a *building* permit was filed on or prior to the effective date of this By-law provided the *building* permit application satisfies the following requirements:

- a) The *building* permit application complies with the provisions of Zoning By-law No. 2006-3, as amended, as it read on the effective date of this Bylaw.
- b) All information is provided to allow for a zoning review to be undertaken; and,
- c) All planning approvals have been obtained.

#### **1.8.2 Applications and Plans**

In addition to the requirements of any Building By-law, every application for a building permit shall be accompanied by a plan, in duplicate, drawn to scale and showing the following:

- a) The true dimensions of the lot to be built upon or otherwise used;
- b) The proposed location, height and dimensions of any building, structure or use proposed for such lot, including any water supply and sewage disposal facilities;
- c) The proposed locations and dimensions of yards, landscaping, parking areas and loading spaces required by this By-law;
- d) The location of all existing buildings or structures on the lot; and,
- e) A statement signed by the owner, disclosing the exact use proposed for each building, structure or use and giving all information necessary to determine if such proposed or existing building, structure or use conforms to the requirements of this By-law.

### **1.8.3 Recently Approved Planning Applications**

- a) The requirements of this By-law do not apply on a *lot* where a minor variance to Zoning By-law 2006-3, as amended, was authorized by the Committee of Adjustment of the *City* or the Ontario Municipal Board on or before the effective date of this By-law and a *building* permit for the applicable project has not yet been issued.
- b) The requirements of this By-law do not apply to a lot where a Site Plan Approval has been granted by the *City* on or before the effective date of this By-law and a *building* permit for the applicable project has not yet been issued.
- c) The requirements of this By-law do not apply to a lot where a provisional consent has been given by the Committee of Adjustment of the *City* or the Ontario Municipal Board on or before the effective date of this By-law and a *building* permit for the applicable project has not yet been issued, the lot has not yet been registered at the Land Registry Office, or the applicable easement or agreement has not yet been registered on title.
- d) For clarity, where a minor variance to Zoning By-law No. 2006-3, as amended, was authorized by the Committee of Adjustment of the *City* or the Ontario Municipal Board on or before the effective date of this By-law as a requisite condition for a Site Plan Approval, Section 1.8.3(b) shall apply to give affect to the applicable Site Plan Approval.

*In the scenarios described above, the rules and regulations of Zoning By-law No. 2006-3 shall apply when evaluating building permit applications. These clauses provide direction to Building Services that a building permit may be issued for an application received by the City fitting any of these scenarios.*

*Planning applications in process shall be reviewed under the zoning rules in force. This means for some time an application will need to conform to both Zoning By-law No. 2006-3, as amended, and the new Zoning By-law. Applicants will need to comply with both sets of zoning regulations or seek relief or amendments to one – or possibly both – By-laws.*

*If you have questions about the applicability of these clauses to your development or building project, contact your file's planner in the Infrastructure and Planning Services Department.*

#### **1.8.4 Cessation of Section 1.8 Relief**

- a) The relief provided by Section 1.8 of this By-law shall not continue beyond the issuance of the permit, approval, or agreement upon which the exemption is founded, unless otherwise provided for in this By-law. Once the permit, agreement, or approval has been granted in accordance with Section 1.8, the provisions of Zoning By-law No. 2006-3, as amended shall cease to be in effect.
- b) Notwithstanding subsection (a) above, the relief provided by Section 1.8 of this By-law ceases to be in effect on the date of the lapsing of the applicable approval:
  - i. For a minor variance, a maximum of two years from the date of authorization;
  - ii. For a Site Plan, a maximum of two years from the date of final Approval (does not apply where an Agreement is registered); and,
  - iii. For a provisional consent, a maximum of one year from the date of giving.

#### **1.9 Expropriation and Conveyance under the Planning Act**

- a) For the purposes of determining compliance with the regulations of this by-law, in the event of an expropriation or conveyance of a part of a lot by or to the City of Clarence-Rockland or any other authority having the power of expropriation, the lot or the building or the use, as the case may be, will not be found to be in conflict with the provisions of this by-

law by reason only of that expropriation or conveyance.

- b) For the purposes of subsection a), expropriation means expropriation by the City or any other authority having the power of expropriation, and conveyance means the taking or receiving of land by the City of Clarence-Rockland or any other authority having the power of expropriation, either in satisfaction of a condition imposed on a consent to a severance by the Committee of Adjustment or as a condition of the City of Clarence-Rockland's site plan control approval process, or any other process allowing the City of Clarence-Rockland or any other expropriation authority having jurisdiction, the right to require such a conveyance.

### **1.10 Clarifications and Convenience**

- a) Examples, bubble boxes, and illustrations are for the purpose of explanation, clarification, and convenience and do not form part of this By-law.
- b) Any numbers in parentheses following any item in any Section or Table indicates that one or more additional regulations apply to the *use, Zone,* or standard indicated. These additional regulations are listed below the applicable Section or Table.
- c) The following character styles are provided for the purpose of convenience. Their usage or omission shall not be considered an interpretive statement by the *City*:
  - i. Terms that are defined in Part 3 of this By-law have been *italicized*.
  - ii. Titles of Federal or Provincial legislation have been underlined.
- d) Where a defined term listed in Part 3 of this By-law is reversed anywhere in this By-law, it is done for the ease and convenience of locating and identifying the term with other like terms. Such an inversion or lack thereof shall not be considered an interpretive statement by the *City*.

*As an example "private school" and "school private"*

- e) Any reference to legislation or regulations or sections thereof approved by another *public authority* shall include any amendments to or successions thereof.

### **1.11 Technical Revisions to the Zoning By-law**

Revisions may be made to this by-law without the need for a zoning by-law amendment in the following cases:

- a) Correction of numbering, cross-referencing, grammar, punctuation or typographical errors or revisions to format in a manner that does not change the intent of a provision;
- b) Adding or revising technical information on maps or Maps that does not affect the zoning of lands including, but not limited to, matters such as updating and correcting infrastructure information, keys, legends or title blocks; and,
- c) Changes to appendices, footnotes, headings, indices, marginal notes, tables of contents, illustrations, historical or reference information, page numbering, footers and headers, which do not form a part of this by-law and are editorially inserted for convenience of reference only.

### **1.12 Pre-Consultation**

Applicants are required to consult with municipal staff prior to submitting a development application. It is also recommended to pre-consult with the Conservation Authority and/or the Risk Management Official for any development application within or adjacent to natural heritage features, natural hazard lands and/or intake protection zones. Pre-consultation will provide important information including the identification of required studies and/or reports in support of an application. Failure to consult with municipal staff prior to submitting an application may result in delays related to incomplete applications.

#### **1.12.1 Supporting Studies and Reports**

Technical reports/plans or studies may be required to assist in the review process of a Development Permit Application or an application for a scoped decision. Applications for a Development Permit or application for a scoped decision may be required to submit the following studies or reports:

- Servicing Options Report;
- Building Materials Samples;
- Building Shadow Impact Assessment Study;
- Coloured Perspective Drawings;
- Concept Plan;
- Construction Traffic Management Plan;
- Cost Estimate for External Works;
- Functional Servicing Report;

- Hydrogeological Study;
- Drainage and/or Stormwater Management Report;
- Environmental Impact Assessment for a natural heritage feature or area;
- Archaeological Assessment;
- Heritage Impact Assessment Report;
- Natural Heritage Evaluation;
- Parking and Loading Study;
- Pavement Marking and Loading Study;
- Photographs of Existing Context;
- Reference Plan;
- Sight-Line Study;
- An influence area study for development in proximity to a waste management facility or industrial use;
- Transportation / Traffic Study;
- Phase I Environmental Study and if necessary further investigation as required;
- Source Water Protection Study;
- Noise and/or Vibration Study;
- A minimum separation distance calculation for an industrial use or a waste management facility;
- MDS I or II calculation;
- Confirmation on sufficient reserve sewage system capacity and reserve water system capacity;
- Vegetation Inventory and /or Tree Preservation Plan;
- Planning Rationale;
- Urban Design Brief;
- Utilities Plan;
- Others (as required by the City and County).

The pre-consultation process shall identify any studies and/or reports required as part of a complete application. The City will provide written confirmation of the studies and/or reports necessary to ensure a complete application. Such studies and/or reports shall be prepared by professionals qualified in the specific discipline in question.

### **1.12.2 Declaration of a Complete Application**

The Director Infrastructure and Planning or designate will evaluate each application within 10 business days of its submission and will issue a statement that the submission meets all the requirements of a complete application, as outlined within the applicable Official Plan. The applicant will receive formal correspondence from the Director Infrastructure and Planning or designate within fifteen days of receipt of said application. The timelines for review will commence at that date.

**1.12.3**      **Lot divided into more than one zone**

Where a lot is divided into more than one (1) zone, each such portion of the lot shall be used in accordance with the provisions of this By-law for the zone where such portion of the lot is located.

## Part 2 Establishment of Zones

### 2.1 Establishment of Zones

This By-law establishes the following *zones* and places all lands subject to this By-law in one or more of the following *zones*:

<i>Table 2.1.1 Zones in the City of Clarence-Rockland</i>	
<b>Zone</b>	<b>Symbol</b>
<b>Residential Zones (See Part 6)</b>	
Urban Residential First Density - General	R1
Urban Residential First Density - Special	R1S
Urban Residential Second Density	R2
Urban Residential Third Density	R3
Village Residential First Density	RV1
Village Residential Second Density	RV2
Rural Residential	RR
Country Lot Residential	RCL
Mobile Home Residential	RMH
Seasonal Residential	RS
<b>Commercial Zones (See Part 7)</b>	
General Commercial	CG
Local Commercial	CL
Highway Commercial	CH
Tourist Commercial	CT
Commercial Industrial	CI
<b>Urban Core Area (See Part 8)</b>	
Urban Core Area	CA
<b>Village Mixed-Use Zone (Part 9)</b>	
Village Mixed-Use Zone	VM
<b>Industrial Zones (See Part 10)</b>	
General Industrial	MG
Industrial and Commercial Rural	MCR
Industrial Wrecking Yard	WY
<b>Community Facilities (See Part 11)</b>	
Community Facilities	CF
<b>Agricultural Zones (See Part 12)</b>	
General Agricultural	AG
Restricted Agricultural	AR
<b>Rural Zones (See Part 13)</b>	
Rural	RU

<b>Waste Management Zone (See Part 14)</b>	
Waste Management	WM
<b>Mineral Aggregate Zones (See Part 15)</b>	
Mineral Aggregate - Pit	MAP
Mineral Aggregate - Quarry	MAQ
Mineral Aggregate - Reserve	MAR
<b>Conservation Zone (See Part 16)</b>	
Conservation	CON
<b>Wetland Zone (See Part 17)</b>	
Wetlands	WL
<b>Area of Natural and Scientific Interest (See Part 18)</b>	
Area of Natural and Scientific Area	ANSI
<b>Special Study Area Zone (See Part 19)</b>	
Special Study Area	SSA
<b>Hazard (See Part 20)</b>	
Hazard	HL
<b>Parks and Open Space (See Part 21)</b>	
Parks and Open Space	OS

The following suffixes may be used in conjunction with any of the foregoing zones:

- '-h' holding zone
- - numeral special exception zone
- '-t'-numeral temporary use

In addition, overlays can be applied to the underlying zone such as:

- '-ss' unstable slopes
- '-FP' Flood Plain

Other identified in text or on the Maps.

## **2.2 Zoning Maps**

The following attached Maps form part of this By-law:

- Map A: Rural Area
- Map B: Rockland Urban Area
- Map C: Clarence Creek and Clarence Point
- Map D: Bourget and St. Pascal Baylon
- Map E: Hammond and Cheney
- Map F: Primary Artery and Collector Roads - Frontage
- Map G: Unstable Slopes
- Maps H1-H2: Intake Protection Zones (Overlay)

### **2.3 Boundaries of Zones**

Where the boundary of any zone, as shown on the attached Zoning Maps 'A' to 'E', inclusive, is uncertain, the following provisions shall apply:

- a) all boundaries of the Municipality shall be zone boundaries;
- b) where the boundary is indicated as following a *street, lane*, railway right of way or other right of way, then the boundary shall be the centreline of such *street, lane*, railway right of way or other right of way;
- c) where the boundary is shown as approximately following a *lot line* or concession line, or a *lot line* or an extension of a *lot line* on a registered plan of subdivision or registered survey plan, the concession line, the said line or extensions thereof shall be the boundary;
- d) where the boundary is shown as approximately following a watercourse, the high water mark shall be the boundary;
- e) where flood plain mapping is available, the flood line shall be the boundary; and,
- f) where none of the above is applicable and/or a conflict arises between a description contained in this By-law and the boundary of a Zone, then the location of such boundary shall be determined from the original Maps which are available at the Municipal office.

### **2.4 Streets and Right of Way**

A *street, lane*, railway right of way or other right of way shown on the attached Zoning Maps shall be included, unless otherwise indicated, with the zone of adjoining property on either side thereof.

### **2.5 Holding Zones**

- a) Any parcel or area of land in any zone may be further classified as a holding zone with the addition of the suffix 'h'. The intent is to signify Council's approval in principle to future development of the land for the purposes indicated by the symbol. The holding classification added to a given zone shall restrict development of the land until such time as the requirements of the City of Clarence Rockland relating to the provision of municipal services and/or specific studies are complied with.
- b) While a holding zone is in effect, no lands shall be used and no buildings or structures shall be erected or used for any purpose other than a detached dwelling on any existing vacant lot of record, and those uses

existing for such land, building or structure on the date of passing of this By-law. Any change from the holding status shall require an amendment to this By-law, which shall only be passed by Council when any applicable services, financial arrangements and/or conditions for the development of the lands affected by the amendment have been completed to the satisfaction of the Municipality.

- c) Where a holding zone is in effect nothing in this By-law shall prevent the enlargement, reconstruction, renovation or repair of any existing building or structure which is a permitted use in the zone provided that such enlargement, reconstruction, renovation or repair shall not:
- i. increase the portion of *lot coverage* if such *lot coverage* exceeds the applicable maximum permitted herein;
  - ii. reduce the size of any yard adjoining that portion of such building or structure which is less than the applicable minimum required yard dimension required herein;
  - iii. reduce the distance between any 2 buildings if such distance is less than the applicable minimum setback required herein;
  - iv. increase the height of such building or structure if such dimension exceeds the applicable maximum *building height* permitted herein;
  - v. reduce the *floor area* of any building or structure if it is less than the applicable minimum *floor area* required herein;
  - vi. increase the *net floor area* of any building if it is greater than the applicable maximum *net floor area* permitted herein;
  - vii. reduce the *dwelling unit* area of any *dwelling unit* if it is less than the applicable minimum *dwelling unit* area required herein;
  - viii. reduce the portion of the *lot* used for landscaping purposes if such portion is less than the applicable minimum landscaping area required herein; or,
  - ix. contravene any other zone provisions.
- d) Notwithstanding the provisions above, the cumulative total *floor area* of additions and accessory buildings must not exceed 25% of the *floor area* of the existing building.
- e) Notwithstanding the provisions of Section 2.5 above, where agriculture is a permitted use but the lot is subject to a holding provision, agriculture may be permitted but does not include the erection of any buildings or structures.

## **2.6 Special Exception Zones**

Where a zone classification is followed by a dash and a number (e.g. R1-1), this denotes a special exception zone. Lands so zoned shall be subject to all of the provisions of the zone represented by the zone classification except as otherwise provided by the special exception provisions of the special zone. These special exception zones are listed separately under the appropriate zone in the text of the By-law.

## **2.7 Temporary Use Zones**

Where a zone classification is followed by a dash and the letter 't' followed by a number, this denotes a temporary use By-law pursuant to Section 39 of the Planning Act. Details concerning the temporary use are listed at the end of the specific zone category.

## **2.8 Overlay Zones**

### **2.8.1 Intake Protection Zones Overlay**

The South Nation Source Protection Plan, 2014 identifies Vulnerable Areas within the City of Clarence-Rockland, including part of the Wendover Intake Protection Zone (IPZ) which extends into Clarence-Rockland, and contains policies to protect municipal drinking water sources. The overlay includes properties within the Vulnerable Areas identified as Rockland IPZ-1 on Map H1 and Wendover IPZ-2 on Map H2.

### **Part 3 Definitions**

Definitions contained in the United Counties of Prescott and Russell Official Plan, the Official Plan of the Urban Area of the City of Clarence-Rockland, the Village of Bourget Official Plan, the Provincial Policy Statement, *Planning Act*, *Conservation Authorities Act*, *Clean Water Act*, and their related Regulations, shall apply to terms used in this by-law unless the terms are specifically defined herein, in which case the definition used in this Zoning By-law shall be used to facilitate the interpretation and administration of this by-law and, to the extent there may be a discrepancy or conflict, the definitions within this By-law shall prevail.

Illustrations depicting definitions are provided for clarification and convenience only and do not form a part of the By-law. The inclusion of a definition in this section does not mean that the use is permitted within any zone. Reference needs to be made to the specific zone to determine permitted uses and regulations within that zone.

PART 3

(Note: this index is provided for convenience purposes and does not form part of this By-law)

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<b>Term</b>	<b>Definition</b>
<b>A</b>	
<i>Abattoir</i>	<i>means premises used for the indoor penning and slaughtering of live animals; includes meat packing.</i>
<i>Accessory Building or Structure</i>	<p><i>means a building or structure used for an accessory purpose, including a detached private garage, that is:</i></p> <p style="padding-left: 40px;"><i>(a) located on the same lot as the primary use, building, or structure; and,</i></p> <p style="padding-left: 40px;"><i>(b) is not used for human habitation or an occupation for gain or profit unless otherwise permitted by this By-law.</i></p>
<i>Accessory Use</i>	<i>means a use naturally or normally incidental to, subordinate to, and exclusively devoted to a principal use.</i>
<i>Adult Entertainment Parlour</i>	<p><i>means any premises or part thereof used in the pursuance of a business, if:</i></p> <p style="padding-left: 40px;"><i>(a) entertainment or services that are designed to appeal to exotic or sexual appetites are offered or provided in the premises or part of the premises, and without limiting the generality of the foregoing, includes services or entertainment in which a principal feature or characteristic is nudity or partial nudity of any person; or,</i></p> <p style="padding-left: 40px;"><i>(b) body rubs, including the kneading, manipulating, rubbing, massaging, touching or stimulating by any means of a person's body are performed, offered or solicited in the premises or part of the premises, but does not include premises or part thereof where body-rubs performed, offered or solicited are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified,</i></p>



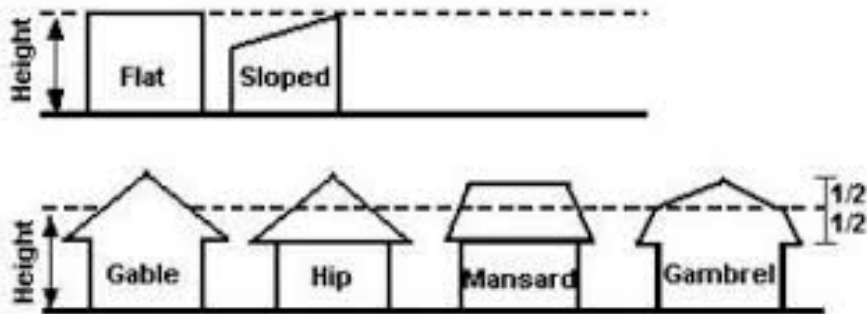
*A gazebo is a type of accessory structure*

	<p><i>licensed or registered to do so under the laws of the Province of Ontario; or,</i></p> <p><i>(c) adult videos are sold, rented, or offered or displayed for sale or rental, where the proportion of adult videos to other videos exceeds a ratio of 1:10.</i></p>
<i>Adult Video</i>	<p><i>means any cinematographic film, videotape, video disc, or other medium designed to produce visual images that may be viewed as moving pictures, classified by the Ontario Film Review Board or any successor agency, as both "restricted" and "adult sex film", or any similar successor designation.</i></p>
<i>Agriculture</i>	<p><i>means the cultivation of the soil to produce crops and the raising of farm animals, and without limiting the generality of the foregoing includes:</i></p> <p><i>(a) the growing of crops;</i></p> <p><i>(b) nurseries, greenhouses, market gardens, orchards, vineyards, agro-forestry operations and maple syrup production;</i></p> <p><i>(c) the keeping and raising of livestock, fowl, fish, bees or fur or wool bearing animals;</i></p> <p><i>(d) livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment;</i></p> <p><i>(e) farm-based home industry involving the production of value-added or value-retained products from produce grown or raised on-site;</i></p> <p><i>(f) a farm produce outlet selling agricultural products produced on the premises; or</i></p>

	<i>(g) Cannabis cultivation under a standard cultivation, micro-cultivation or nursery license from Health Canada, including all related activities such as soil preparation, soil conditioning, planting, spraying, harvesting and drying.</i>
<i>Agriculture-related uses</i>	<i>means farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity and may include a retail store, outdoor farmer's market, food production, heavy equipment and vehicle sales, rental and servicing limited to farm equipment, or a cannabis production facility.</i>
<i>Aisle</i>	<i>means an internal vehicle route immediately adjacent to a parking or loading space which provides vehicular access to and from the parking or loading space, and does not include a driveway.</i>
<i>Alternative Energy System</i>	<i>means sources of energy or energy conversion processes that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.</i>
<i>Amenity Area</i>	<i>means the total passive or active recreational area provided on a lot for the personal, shared or communal use of the residents of a building or buildings, and includes balconies, patios, rooftop gardens and other similar features, but does not include indoor laundry or locker facilities.</i>
<i>Ancillary Use</i>	<i>means a listed, permitted land use that is additional, secondary and complementary to a permitted principal use, but not accessory to the permitted principal use.</i>
<i>Animal Shelter</i>	<i>means a use for the care of lost, abandoned, rescued or neglected animals.</i>

<b>A (continued)</b>	
<i>Art Gallery</i>	<i>means premises used for any combination of the preservation, production, exhibition, or sale of sculptures, paintings, photographs, or other works of art.</i>
<i>Artist Studio</i>	<i>means the workplace of an artist or craftsman, including a painter, a sculptor or a photographer, where goods including jewellery or fine art such as portraits or sculptures are produced in small quantity and may be provided for sale.</i>
<i>Assisted Living Unit</i>	<i>means a place of residence with one or more habitable rooms containing separate bathroom facilities for private use as a single housekeeping unit and where personal support services may be provided.</i>
<i>Attic</i>	<i>means the space between the roof and the ceiling of any storey or between a dwarf wall and a sloping roof.</i>
<b>B</b>	
<i>Balcony</i>	<i>means an unenclosed or partially enclosed attached platform projecting from the face of a wall that is only directly accessible from within a building, surrounded by a balustrade, partial wall, or railing where required and without direct exterior access to grade.</i>
<i>Bar</i>	<i>means a licensed drinking establishment, the principal business of which is to serve any sort of beverage alcohol to the public for consumption on the premises, and includes a pub.</i>
<i>Basement</i>	<i>means that level of a building having more than half of its floor to ceiling height below grade.</i>
<i>Bed and Breakfast Establishment</i>	<i>means a private residence within the whole of a residential use building that is operated to provide the traveling public with temporary accommodation including sleeping accommodation, meals and other connected services and facilities within the occupant's dwelling unit; and does not include a tourist establishment.</i>

<b>B (continued)</b>	
<b>Boarding Kennel</b>	<i>means premises, including outdoor areas (i.e. dog runs), used for the breeding, raising, training, sheltering or boarding (including overnight) on a temporary basis, for dogs, cats, or other household pets.</i>
<b>Building</b>	<i>means a structure consisting of any combination of walls, roofs and floors, or a structural system serving the function thereof.</i>
<b>Building Height</b>	<p><i>Building height means the vertical distance between the average grade at the base of the front wall of the building and</i></p> <ul style="list-style-type: none"> <li><i>(a) the highest point of the roof surface, if a flat or sloped roof,</i></li> <li><i>(b) the mid-point between the ridge if a gable, hip, mansard, or gambrel roof, and the eaves of the building, excluding the eaves of any projections, or</i></li> <li><i>(c) the highest point of the building or structure in all other cases, and height has a corresponding meaning unless otherwise defined elsewhere in this By-law.</i></li> </ul>



<b>Bulk Storage Facility</b>	<i>means premises for the bulk storage of petroleum, petroleum products, chemicals, gases, or similar substances and does not include retail sales on site.</i>
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<b>B (continued)</b>	
<i>Business Office</i>	<p><i>means a place used by an agency, business or organization for:</i></p> <p><i>(a) the transaction of administrative, clerical, data processing or management business;</i></p> <p><i>(b) the practice of a profession other than a medical facility; or</i></p> <p><i>(c) the provision of government or social services and other similar services.</i></p>
<b>C</b>	
<i>Campground</i>	<p><i>means the overnight or temporary camping or parking of recreational vehicles or tents for recreational or vacation use.</i></p>
<i>Cannabis</i>	<p><i>means any plant of the genus Cannabis; including:</i></p> <p><i>(a) any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;</i></p> <p><i>(b) any substance or mixture of substances that contains or has on it any part of such a plant; and</i></p> <p><i>(c) any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.</i></p>

<b>C (continued)</b>	
<i>Cannabis production facility</i>	<i>means the medical and non-medical commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by the Access to Cannabis for Medical Purposes Regulations (ACMPR) and the Cannabis Act S.C. 2018, c.16, and any subsequent regulations or acts which may be enacted henceforth, but excludes the growing of cannabis by an individual for their personal use and consumption.</i>
<i>Cannabis products</i>	<i>means plant material from cannabis and any products that include cannabis or cannabis derivatives, intended for human use or consumption.</i>
<i>Casino</i>	<i>means premises primarily engaged in gambling activities, for money or other items of value, and offering games of chance, such as card games, dice games, wagering, and game machines or devices, but does not include a place of entertainment.</i>
<i>Cemetery</i>	<i>means the lands used or intended to be used for the interment of human or animal remains and may include a mausoleum, columbarium and crematorium.</i>
<i>Chip Wagon</i>	<i>See "Refreshment Vehicle"</i>
<i>City</i>	<i>City or City of Clarence-Rockland means the Corporation of the City of Clarence-Rockland.</i>
<i>Cogeneration</i>	<i>means the generation of electricity or mechanical power and thermal energy (heating or cooling) produced from one fuel source in the same facility. Also known as combined heat and power.</i>
<i>Cogeneration Facility</i>	<i>means a building or structure or parts thereof used for cogeneration.</i>
<i>Commercial Self-storage</i>	<i>means a building consisting of individual, self-contained units that are leased or owned for storage purposes, excluding waste.</i>

<b>C (continued)</b>	
<i>Commercial Use</i>	<i>means any permitted use which primary purpose is to sell, lease or rent a product or service directly to the public, including but not limited to retail sales, entertainment services and personal or professional services, but excluding any residential use.</i>
<i>Commercial Vehicle</i>	<i>unless otherwise defined by regulation, means a motor vehicle having attached to it a truck or delivery body and includes an ambulance, a hearse, a casket wagon, a fire apparatus, a bus and a tractor used for hauling purposes on a highway but does not include a heavy vehicle.</i>
<i>Community Centre</i>	<i>means a multi-purpose facility or part of that facility owned and operated by a public authority that offers a variety of programs of a recreational, cultural, community service, informational, or instructional nature and, where the facility is owned and operated by the City, other accessory uses authorized through an agreement with the City.</i>
<i>Community Garden</i>	<i>means a communal garden provided for the sole use of or consumption by the individual or individuals working the garden.</i>
<i>Condominium</i>	<i>means a building or grouping of buildings in which units are held in private ownership and floor space, facilities and outdoor areas used in common are owned, administered and maintained by a corporation created pursuant to the provisions of the appropriate statute.</i>
<i>Condominium Common Element</i>	<i>means spaces and features owned in common by all shareholders in a condominium and may include common element roadways, walkways, sidewalks, parking and amenity areas.</i>
<i>Condominium Common Element Roadway</i>	<i>means a right-of-way for vehicular and pedestrian access that is privately maintained by a corporation created pursuant to the provisions of the appropriate statute.</i>

<b>C (continued)</b>	
Conservation Use	<i>means a use dedicated towards the preservation, protection and/or improvement of components of the natural environment through management and maintenance; including passive recreational uses.</i>
Contractor's Establishment	means premises used as the base of operations of a tradesperson or contractor.
Convenience Store	<i>means a retail store where a range of day-to-day items such as newspapers, confections, foodstuffs, sundries and other such household items are sold in small quantities.</i>
Conversion	<i>means the alteration of, but not demolition of a residential use building to increase the number of principal dwelling units or rooming units, resulting in the creation of a use which must be a permitted use in the zone and does not include the creation or addition of an additional residential unit , and the converted has a corresponding meaning.</i>
Correctional Facility	<i>includes a place of secure temporary detention and a place of secure custody such as a secure custody group home.</i>
Custom Workshop	<i>means premises used for producing or making custom-made goods in limited quantities, using techniques that do not involve mass-production.</i>
<b>D</b>	
Day Care	<p><i>means:</i></p> <p><i>(a) indoor and outdoor premises where more than five children are provided with temporary care and/or guidance for a continuous period not exceeding 24 hours and are licensed in accordance with the <u>Day Nurseries Act</u>; or,</i></p> <p><i>(b) indoor and outdoor premises in which care is offered or supplied on a regular Map to adults for a portion of a day but does not provide overnight accommodation.</i></p>

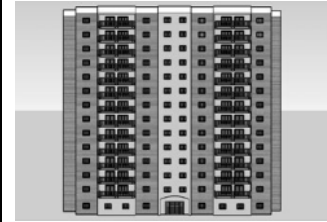
*Looking for deck?  
For zoning purposes,  
decks are called  
"uncovered platforms."*

*The definition can be  
found on page 54 in  
this section, and the  
regulations in Section  
4.1.*

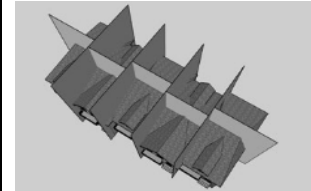
<b>D (continued)</b>	
<i>District Energy Facility</i>	<i>means a centrally located facility or linked facilities including pipeline distribution system for the production and distribution of thermal energy (heating or cooling) with or without cogeneration to users at a community scale.</i>
<i>Dog Run</i>	<i>means an enclosed outdoor extension of one or more dogs' individual indoor living space in association with a kennel.</i>
<i>Dormitory</i>	<i>means a building or part thereof used for the housing of students and staff with central kitchen and dining facilities, common indoor and outdoor amenity areas, consisting of dwelling units and/or lodging units.</i>
<i>Drive-through Facility</i>	<i>means the use of land, buildings or structures, including an order box with or without voice communication, or parts thereof, to provide or dispense products or services through an attendant, a window, or an automated machine to persons remaining in motor vehicles in a designated stacking lane.</i>
<i>Driveway</i>	<i>means a vehicle access provided between a road, lane or condominium road and a parking space, aisle, or loading area, or between two parking areas.</i>
<i>Dry Cleaning/Laundry Depot</i>	<i>means premises where the actual process of dry cleaning or laundering of personal wardrobe articles or accessories is conducted.</i>
<i>Dry Cleaning Plant</i>	<i>means premises where the process of laundering or dry-cleaning is conducted.</i>

<b>D (continued)</b>	
<i>Dwelling or Dwelling Unit</i>	<i>means a place of residence with one or more habitable rooms containing separate kitchen and bathroom facilities for private use as a single housekeeping unit.</i>
<i>Dwelling, Accessory</i>	<i>means a dwelling unit which is part of and accessory to a permitted non-residential use.</i>
<i>Dwelling, Apartment Low Rise</i>	<i>means a residential use building originally constructed to be four or fewer storeys in height and to contain four or more principal dwelling units, other than a</i>

	<i>townhouse dwelling or stacked dwelling.</i>
<i>Dwelling, Apartment Mid-High Rise</i>	<i>means a residential use building originally constructed to be more than four storeys in height and to contain four or more principal dwelling units, other than a townhouse dwelling or stacked dwelling.</i>
<i>Dwelling, Back-to-Back Townhouse</i>	<i>means a dwelling unit within a building containing four or more dwelling units divided by vertical common walls above grade, including a common rear wall.</i>
<i>Dwelling, Detached</i>	<i>means a separate residential building designed to be one dwelling unit.</i>
<i>Dwelling, Duplex</i>	<i>means a residential building divided horizontally into two attached dwelling units, each having a separate entrance either directly or through a common vestibule.</i>
<i>Dwelling, Garden Suite</i>	<i>means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable (includes similar structures such as 'tiny house').</i>
<i>Dwelling, Linked</i>	<i>Means a residential use building containing two detached dwelling units attached solely below grade and each having a private access.</i>
<i>Dwelling, Seasonal</i>	<i>means a dwelling which contains one dwelling unit and which is used for vacation, recreation, rest and relaxation purposes from time to time, but which is not occupied or used as a year-round, permanent home or residence.</i>



Apartment Mid-High Rise dwellings





Back-to-Back Townhouse dwellings



Duplex Dwellings (below and top)

<b>D (continued)</b>	
<i>Dwelling, Additional Residential Unit</i>	<i>means a parcel of Urban Residential Land within an area of settlement where residential use, other than ancillary residential use, is permitted by by-law and which is served by municipal sewer and water services.</i>
<i>Dwelling, Semi-detached</i>	<i>means a residential building divided by a common vertical wall above grade of at least 3.0 metres in length and at least 2.0</i>

	<i>metres in height adjoining dwelling units or private garages into two attached dwelling units, and each having a private access.</i>	
<i>Dwelling, Stacked Townhouse</i>	<i>means a dwelling unit within a building divided into a minimum of four non-communicating dwelling units, each dwelling unit being separated from the other vertically and horizontally and each unit has an independent entrance.</i>	 <p>Stacked Townhouse</p>
<i>Dwelling, Three Unit</i>	<i>means a residential use building containing three principal dwelling units divided horizontally or a combination of horizontally and vertically.</i>	
<i>Dwelling, Townhouse</i>	<i>means a dwelling unit within a building divided horizontally by a common vertical wall above grade of at least 3.0 metres in length and at least 2.0 metres in height adjoining dwelling units or private garages, into three or more dwelling units, each having a private access.</i>	 <p>Townhouse dwellings</p>

PART 3

<b>E</b>	
<i>Ecotourism Facility</i>	<i>means a building, structure or premises where facilities are provided for the preservation of natural resources or the natural environment in association with education, business promotion, community event, development and/or tourism. This definition may include an educational and/or research facility, community centre, ecology centre, entrepreneurship centre, tourist establishment or similar use operated for gain or profit. Accessory uses include but are not limited to an eating establishment, retail store, office, and workshop.</i>
<i>Emergency Service Facility</i>	<i>means a building that houses emergency personnel, their supplies, equipment, and vehicles authorized by a public authority to provide emergency services within Clarence-Rockland or the United Counties of Prescott and Russell.</i>
<i>Emergency Shelter</i>	<i>means a premises accommodating and providing temporary lodging, board, and personal support services to homeless individuals in a 24-hour supervised setting.</i>
<i>Equestrian Establishment</i>	<i>means a commercial establishment where horses are housed or boarded and are available for riding, riding instruction, agility training or jumping.</i>
<b>F</b>	
<i>Fairground</i>	<i>means lands where fairs, circuses or exhibitions are held primarily outdoors, and includes any accessory and temporary buildings.</i>
<i>Farmer's Market, Outdoor</i>	<i>means an outdoor area where crafts, farm products and related food products are sold at retail from seasonal, non-permanent open-air stalls or booths.</i>
<i>Financial Institution</i>	<i>means a premises where retail financial services are offered to the public.</i>

<b>F (continued)</b>	
<i>Floor Area</i>	<p><i>means the aggregate area of a building contained within the exterior walls, but does not include attic or basement space unless otherwise specified by this By-law.</i></p> <p><i>Where attic space is located adjacent to floor area as described above and exceeds a headroom clearance of 1.8 metres at any given point, the entire attic space shall be included as floor area.</i></p>
<i>Floor Area, Leasable</i>	<p><i>means the total area of all floors of a building measured from the interior faces of the exterior walls, but does not include the area of walls, stair wells, elevators, escalators, ventilating shafts, attics, attached enclosed and covered loading docks and related enclosed corridors used for loading purposes, and common areas such as mechanical rooms.</i></p>
<i>Floor Area, Net</i>	<p><i>means the total area of all floors of a building measured from the interior faces of the exterior walls or demising walls, but does not include the area of stair wells, elevators, escalators, ventilating shafts, attics, concourses, attached enclosed and covered loading docks and related enclosed corridors used for loading purposes, above and below grade parking structures, storage rooms, rooms for waste containment, and mechanical rooms.</i></p>
<i>Floor Space Index (FSI)</i>	<p><i>Means the net floor area of all buildings on a lot divided by the lot area.</i></p>
<i>Food Production</i>	<p><i>means a premises for the specialized production or preparation and packaging of a limited number of food and beverage products for sale to the public primarily for consumption off the premises such as catering establishments, make-your-own wine and beer establishments, test kitchens, bulk meal preparation, bakeries, and butchers.</i></p>

<b>F (continued)</b>	
<i>Food Store</i>	<i>means a store where primarily food, as well as other personal, convenience and household items and services, is provided for sale directly to the public and includes a supermarket, butcher shop, bakery shop, produce outlet, delicatessen or farmer's market.</i>
<i>Forestry Operation</i>	<i>means land used for the development, management and cultivation of timber resources grown on-site and may include the establishment of an accessory portable sawmill.</i>
<i>Front Wall</i>	<i>means the main exterior wall of a residential use building that is not a permitted projection or an attached garage or carport, which is located closest to the lot line, front.</i>
<i>Funeral Home</i>	<i>means a building, or part of a building, used for the purpose of furnishing funeral supplies or services to the public and includes facilities intended for the preparation of bodies for interment or cremation off site such as embalming.</i>
<b>G</b>	
<i>Garden Centre</i>	<i>means an outdoor or indoor area used primarily for the display and retail sales of plants, gardening and landscaping supplies and equipment (includes ancillary nursery).</i>
<i>Gate house</i>	<i>means a building or structure for the purpose of controlling access to a lot.</i>
<i>Golf Course</i>	<i>means a public or private area operated for the purpose of playing golf, and includes a par 3 golf course, club house, and other buildings and structures devoted to the maintenance and operation of the golf course, but does not include a golf driving range or outdoor miniature golf course unless ancillary to the golf course.</i>
<i>Golf Driving Range</i>	<i>means a facility where the sport of golf is practiced from individual fixed tees, and may include accessory structures devoted to the maintenance, administration and operation of the golf driving range.</i>

<b>G (continued)</b>	
<i>Grade</i>	<i>Grade means the average elevation of the finished level of the ground adjoining all the walls of a building.</i>
<i>Group Home</i>	<i>means a supervised residential use building in which up to ten persons, exclusive of their dependants and of any staff, live as a group in a single housekeeping establishment, and where residents require support or supervision on a daily basis, but excludes correctional facilities and emergency shelters.</i>
<b>H</b>	
<i>Heavy Equipment and Vehicle Sales, Rental and Servicing</i>	<i>means the sale, rental, servicing and accessory outside storage of heavy vehicles including farm vehicles or equipment, and transport trucks or trailers.</i>
<i>Heavy Vehicle</i>	<i>means a commercial motor vehicle as defined in the Highway Traffic Act, as amended or re-enacted from time to time, and includes trucks, tractors, commercial vehicles exceeding a gross weight of 4,500.0 kilograms as licensed by the Ministry of Transportation, a bus and any other passenger motor vehicle with capacity for more than ten passengers, fire apparatus, road-building machine or farm vehicle as defined in that Act, and all other types of construction equipment, but excludes a motor vehicle.</i>
<i>Highway Corridor</i>	<i>means lands within the designated limits of County Road 17 or future controlled-access freeway including an interchange and lands within adjacent road such as a service road, plus any road widening adjacent to any of the above.</i>
<i>Hobby Farm</i>	<i>means the keeping, breeding, raising and grazing of livestock and/or poultry, other than domestic pets, for the personal use of the household operating the hobby farm and excludes an agricultural use as herein defined which is operated for commercial purposes.</i>

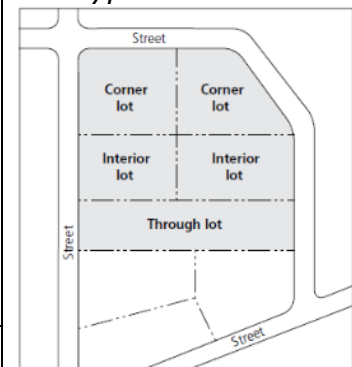
<b>H (continued)</b>	
<i>Home-Based Business</i>	<i>means one or more businesses that are compatible with a domestic household and operated by a resident as secondary and subordinate uses to a residence or farm, and includes a home-based day care.</i>
<i>Home industry</i>	<i>means a small-scale dry light industrial use, such as a carpentry shop, a metal working shop, a welding shop that provides services or wares to the rural community and which is accessory to a rural or agricultural use or a detached dwelling in the rural or agricultural area. For the purposes of the By-law, the repairing of motor vehicles, mobile homes and/or trailers is not a home industry.</i>
<i>Hospital</i>	<i>means any public or private institution under Provincial legislation established for the treatment of convalescent or chronically ill persons afflicted with sickness, disease or injury that is approved under the applicable statute, and may include research and educational facilities.</i>
<i>Hydronic Heater</i>	<i>means a manually loaded solid fuel burning device that is located outdoors or in a structure not used for human habitation, and is used for the heating of buildings, water or other such purpose on the same lot. (outdoor furnace)</i>

<b>I</b>	
<i>Industry, Class 1 – Light Industrial</i>	<i>means a place of business for a small scale, self-contained plant or building that produces, manufactures, assembles or stores a product that is contained in a package and has a low probability of fugitive emissions, (e.g., noise, odour, dust and vibration). Such industries operate in the daytime only with infrequent movement of products and/or heavy trucks and no outside storage. Examples include: electronics manufacturing and repair, high technology industries, furniture repair and refinishing, beverage bottling, package and crafting services, small scale assembly, and auto parts supply. A dry light industrial use is a use that does not require a Permit to Take Water (PTTW).</i>
<i>Industry, Class 2 – Medium Industrial</i>	<i>means a place of business for medium scale process and manufacturing with outdoor storage of wastes or materials (e.g., it has an open process) and where there are periodic or occasional outputs of fugitive emissions, (e.g. noise, odour, dust and/or vibration). Shift operations occur and there is frequent movement of products and/or heavy trucks during daytime hours. Examples include: dry cleaning services, printing establishments, paint spray booths, welding shops, courier and transport services, heavy vehicle repairs, bulk fuel storage, raw product storage (aggregates, logs/lumber), warehousing, and contractor’s yard.</i>
<i>Industry, Class 3 – Heavy Industrial</i>	<i>means place of business for uses characterized as having emissions such as noise, smoke, odour, fumes or vibrations or extensive outside storage as part of their normal operations. Such uses include sawmills, pulp and paper mills, refineries, smelting operations and similar uses that are intended to be secluded from residential or other sensitive land uses in order to limit and potential adverse effects on the environment or the surrounding areas and public health.</i>

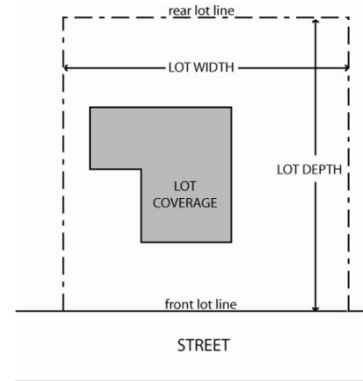
<b>I (continued)</b>	
<i>Infrastructure</i>	<i>means the buildings, structures, and corridors forming the foundation for development including water lines, wastewater lines, stormwater sewers, oil and gas distribution mains, telecommunications lines and other cabled services, transit and transportation corridors, district energy lines without cogeneration, and local electrical power lines, but shall not include a stormwater management facility, snow disposal facility, power generation facility or renewable energy system.</i>
<b>J</b>	
<b>K</b>	
<b>L</b>	
<i>Landscape Buffer</i>	<i>means an area which shall include a planting screen, fence, wall, or landscaped earth berm, or a combination of these features, and may include grass, ornamental shrubs, flowering shrubs, flower beds, and trees, and may be traversed by walkways.</i>
<i>Landscape Coverage</i>	<i>means the calculation of the total horizontal area of a lot covered by landscaping.</i>
<i>Landscaping</i>	<i>means an outdoor area on a lot comprised of living trees, plants, permeable surfaces, fences and walls, or any combination thereof, without access by motor vehicles (except emergency access by vehicles such as fire trucks or ambulances), and may include a landscape buffer.</i>
<i>Lane</i>	<i>means a thoroughfare that provides secondary means of motor vehicle access to a lot and is not a private road.</i>
<i>Library</i>	<i>means a premises for the collection of printed, electronic, and pictorial material for public use for the purposes of study, reference, and recreation, and which may include meeting rooms for community use, activity areas, cafeteria, and space for recreational uses.</i>

<b>L (continued)</b>	
<i>Livestock units</i>	<i>means the equivalent values for various types of animals and poultry based on manure production and production cycles as set out in the minimum distance separation formulae of the Province of Ontario Ministry of Agriculture and Food.</i>
<i>Loading Space</i>	<i>means an area directly adjacent to a building or unit, for the purpose of loading and unloading vehicles through a loading door in conjunction with a permitted use on the same lot.</i>
<i>Lodging House</i>	<i>means a building or structure or any portion thereof in which persons are harbored, received or lodged for rent or hire with or without meals.</i>
<i>Lodging Unit</i>	<i>means a room provided for rent or hire, which is used or designed to be used as a sleeping accommodation.</i>
<i>Long Term Care Facility</i>	<i>means a premises licensed pursuant to Provincial legislation consisting of assisted living units where a broad range of person care, support and health services are provided for the elderly, disabled or chronically ill occupants in a supervised setting, and may include one or more amenity areas such as a common dining, lounge, kitchen, and recreational area.</i>
<i>Lot</i>	<i>means one parcel of land that is registered as a legally conveyable parcel of land in the Land Registry Office. Lot of record: is defined as the lot as it existed as of June 22, 1999.</i>
<i>Lot, Corner</i>	<i>means a lot situated at the intersection of two or more roads or upon two parts of the same road having an angle of intersection not exceeding 135 degrees. In the case of a curved corner, the corner of the lot shall be that point on the exterior lot line and front lot line nearest to the point of intersection of the continued projections of the exterior lot line and the front lot line.</i>
<i>Lot, Interior</i>	<i>means a lot other than a corner lot or through lot.</i>
<i>Lot, Through</i>	<i>means a lot other than a corner lot having separate limits on two separate roads.</i>

Lot Types



<b>L (continued)</b>	
<i>Lot, Through Corner</i>	<i>means a lot having separate limits on three or more separate roads.</i>
<i>Lot Area</i>	<i>means the calculation of the total horizontal area of a lot, but does not include any portion of a lot that is covered by water or below the top of bank as determined by an Ontario Land Surveyor.</i>
<i>Lot Coverage</i>	<i>means the calculation of the total horizontal area of that part of the lot covered by all roofed structures and buildings above grade excluding eave projections to a maximum of 0.6 metres and balconies.</i>
<i>Lot Depth</i>	<i>means the horizontal distance between the front lot line and the rear lot line. a) If the front and rear lot lines are not parallel, lot depth means the measurement of a straight line joining the mid-point of the front lot line with the mid-point of the rear lot line. b) Where there is no rear lot line, lot depth means the measurement of a straight line joining the mid-point of the front lot line to the apex of the triangle formed by the intersection of the side lot lines.</i>
<i>Lot Frontage</i>	<i>means the horizontal distance between the side lot lines of a lot measured parallel to and 6.0 metres back from the front lot line, except in the case of a corner lot where the front lot line and the exterior lot line do not intersect at a 90 degree angle the front lot line and exterior lot line shall be deemed to extend to their hypothetical point of intersection where the horizontal distance between the interior side lot line and hypothetical exterior lot line is measured parallel to and 6.0 metres back from the front lot line.</i>
<i>Lot Line</i>	<i>means a line delineating any boundary of a lot.</i>
<i>Lot Line, Exterior</i>	<i>means the side lot line of a corner lot adjoining a road.</i>



<b>L (Continued)</b>	
<i>Lot Line, Front</i>	<p><i>means the lot line which separates a lot from the road in front of it, but in the case of:</i></p> <p><i>a) A corner lot, through lot, or through corner lot, the shortest of the lot lines that divide the lot from the road shall be deemed to be the front lot line;</i></p> <p><i>b) A corner lot, through lot, or through corner lot where such lot lines are of equal length, the City may deem any of the lot lines that divide the lot from the road as the front lot line; or,</i></p> <p><i>c) A lot accessed by a private road that is not in a Registered Plan of Condominium, the City may deem either of the lot line crossed by the driveway accessing the lot or the shortest lot line to be the front lot line.</i></p>
<i>Lot Line, Interior Side</i>	<i>means the lot line other than the front, rear or exterior lot line.</i>
<i>Lot Line, Rear</i>	<i>means the lot line opposite to, and most distant from, the front lot line, but where the side lot lines intersect, as in the case of a triangular lot, the rear lot line shall be represented by the apex of the triangle formed by the intersection of the side lot lines.</i>
<i>Lot Line, Side</i>	<i>means an exterior lot line and an interior side lot line.</i>
<b>M</b>	
<i>Main Wall</i>	<i>means the primary exterior front, rear or side wall of a building, not including permitted projections and indentations.</i>
<i>Manufacturing</i>	<i>means a premises for the altering, assembling, fabricating, processing, treating, or repairing goods, wares, merchandise, substances, articles or things.</i>

<b>M (Continued)</b>	
<i>Marine facility</i>	<i>means a principal use facility located within or abutting a water body, that is designed and intended to moor, berth or store boats or other watercraft, and includes a boat launch, boat lift, pier, dock, wharf or boathouse and does not include space for human habitation or a commercial service or repair operation.</i>
<i>Mechanical Penthouse</i>	<i>means a room or enclosure on the roof of a building exclusively used for mechanical equipment, a stair tower, elevator equipment, or any combination thereof.</i>
<i>Medical Office</i>	<i>means a premises designed and used for the diagnosis, examination, and treatment of human patients by a Provincially-recognized medical professional, including pharmacies and dispensaries having a maximum of 50.0 square metres in net floor area, waiting rooms, treatment rooms, blood testing clinics, but shall not include overnight accommodation for in-patient care.</i>
<i>Mineral Aggregate Operation</i>	<p><i>means:</i></p> <p><i>a) Lands under license or permit, other than for wayside pits and quarries, issued in accordance with the <u>Aggregate Resources Act</u>;</i></p> <p><i>b) For lands not designated under the <u>Aggregate Resources Act</u>, established pits and quarries that are not in contravention of this By-law and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and,</i></p> <p><i>c) Associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.</i></p>

<b>M (continued)</b>	
<i>Mixed Use Building</i>	<i>means a building containing residential uses and at least one other non-residential use permitted by this By-law.</i>
<i>Mobile Home</i>	<i>means a dwelling designed to be mobile and constructed or manufactured to provide a permanent residence for one or more persons in accordance with the applicable Canadian Standards Association standard.</i>
<i>Mobile Home Park</i>	<i>means two or more occupied mobile homes housed on the same lot, but does not include a campground or mobile homes permitted to locate on the same lot in an AG- General Agricultural Zone.</i>
<i>Mobile Home Site</i>	<i>means an area of land within a mobile home park that is designed to accommodate one mobile home.</i>
<i>Model Home</i>	<i>means a building which is used on a temporary basis as a sales office or as an example of the type of dwelling that is for sale in a related development and which is not occupied or used as a residential dwelling.</i>
<i>Motor Vehicle</i>	<i>means an automobile, motorcycle, recreational vehicle, trailer, and any other vehicle propelled, towed or driven otherwise than by muscular power, but excludes heavy vehicles.</i>
<i>Motor Vehicle Body Shop</i>	<i>means a premises where painting, structural changes, or repairs are made to motor vehicle bodies, including exteriors and undercarriages, and includes the temporary parking of motor vehicles in the process of repair.</i>
<i>Motor Vehicle Dealership</i>	<i>means a premises used for selling or leasing of motor vehicles, including the outside display and sales of inventory motor vehicles on the same lot.</i>
<i>Motor Vehicle Rental Facility</i>	<i>means a premises where motor vehicles are kept for rent or hire.</i>
<i>Motor Vehicle Repair Facility</i>	<i>means a premises equipped with facilities for the service, maintenance and repair of motor vehicles, and includes the temporary parking of motor vehicles in the process of repair, but does not include a motor vehicle body shop.</i>

*For clarity, this by-law includes recreational vehicles and trailers in the framework of "motor vehicle" terms.*

*Dealerships and repair shops can also sell or repair – primarily or in part – boats, trailers, snowmobiles, and like vehicles.*

<b>M (continued)</b>	
<i>Motor Vehicle Service Station</i>	<i>means a premises where fuel for motor vehicles is dispensed.</i>
<i>Motor Vehicle Storage Compound</i>	<i>means an area of land with or without buildings or structures used for the temporary outside storage of motor vehicles.</i>
<i>Motor Vehicle Washing Facility</i>	<i>means a premises for the mechanical or hand washing of motor vehicles.</i>
<i>Museum</i>	<i>means a premises for the preservation of a collection of any combination of paintings, other works of art, objects of natural history, mechanical, scientific or philosophical inventions, instruments, models, or designs.</i>
<b>N</b>	
<i>Natural State Shoreline Area</i>	<i>means lands generally within 30 metres of the high water mark on all lots in which the natural, un-altered landscape, topography and vegetation shall be maintained or re-instated.</i>
<i>Nightclub</i>	<i>means a place where food or drink may be served and has an open floor area used for dancing to music, and viewing musical performances or other forms of entertainment.</i>
<b>O</b>	
<i>Outdoor Commercial Patio</i>	<i>means an outdoor amenity area where seating accommodation can be provided or where meals or refreshments are served to the public for consumption.</i>
<i>Outside Display and Sales Area</i>	<i>means an outdoor area that may contain a building or structure used in conjunction with a permitted use on the same lot for the accessory display, rental, or sale of products or the supply of services in association with the primary use of the lot.</i>
<i>Outside Miniature Golf</i>	<i>means an outdoor facility where the game of miniature golf is played and includes accessory structures devoted to the maintenance, administration and operation of the facility.</i>

PART 3

<b>O (continued)</b>	
<i>Outside Processing</i>	<i>means the conducting of a manufacturing operation or repair shop outdoors accessory to a permitted use.</i>
<i>Outside Storage</i>	<i>means the keeping of goods, inventory, materials, machinery or equipment outside, including shipping containers, accessory to the primary use of the lot.</i>
<b>P</b>	
<i>Parcel with full municipal services</i>	<i>means land which is serviced by full municipal services (both municipal water and sewers).</i>
<i>Parcel with partial municipal services</i>	<i>means land which is serviced by partial services (municipal water only).</i>
<i>Parcel with private services</i>	<i>means land which is serviced by private individual services (well and septic).</i>
<i>Park, Private</i>	<i>means an area of land not under the jurisdiction of a public authority that is designed or maintained for active or passive recreational purposes.</i>
<i>Park, Public</i>	<i>means an area of land under the jurisdiction of a public authority that is designed or maintained for active or passive recreational purposes and other uses authorized through an agreement with the City.</i>
<i>Parking Area</i>	<i>Parking area means a lot or place other than a building used for the parking of four or more motor vehicles, which includes the parking spaces, aisles and driveways, but excludes the interior landscaped islands and medians, the required perimeter landscaped buffer to a lot line, and an area used solely for the display of vehicles for sale.</i>
<i>Parking Area, Commercial</i>	<p><i>means a parking area other than a road or driveway with or without a building or structure that is available for public use on a lot for the parking of motor vehicles and either:</i></p> <p><i>a) is the principal use of the lot; or,</i></p> <p><i>b) where a charge is levied to occupy any parking space.</i></p>

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<i>Parking Area, Heavy Vehicles</i>	<i>means an area on a lot for the parking for trucks, tractors and commercial vehicles exceeding a gross weight of 4,500.0 kilograms as licensed by the Ministry of Transportation.</i>
<i>Parking Area, Surface</i>	<i>means an uncovered parking area at grade, and includes parking on the roof of an underground parking structure where the roof is at grade.</i>

<b>P (continued)</b>	
<i>Parking Space</i>	<i>means an unobstructed rectangular space that is designed to be used for the temporary parking of a motor vehicle.</i>
<i>Parking Space, Accessible</i>	<i>means an accessible parking space designated and signed for the exclusive use of motor vehicles on which the applicable motor vehicle permit is properly displayed.</i>
<i>Parking Space, Bicycle</i>	<i>means an unobstructed rectangular space that is designed to be used for the temporary parking of a bicycle.</i>
<i>Parking Space, Tandem</i>	<i>means one parking space located immediately behind another parking space, leaving one parking space without direct access to an aisle or driveway.</i>
<i>Parking Structure</i>	<i>means a parking area provided in a building or structure, but does not include a private garage.</i>
<i>Personal Service Establishment</i>	<p><i>means a place where:</i></p> <p><i>(a) a service is performed for the personal grooming and personal effects or clothing of the consumer, including a hair styling salon; tattoo and piercing parlours; nail salon, hygienist, spa; tanning salon; shoe repair shop; dry cleaning outlet and accessory dry cleaning equipment; laundromat; tailor shop or dressmaker shop; or massage therapy service but excluding a body rub parlour;</i></p> <p><i>(b) a consultation or information service is provided by a professional, other than a medical professional, including a travel agency or an interior decorator, or</i></p> <p><i>(c) other personal or business services are provided, including a printing, publishing, photocopying, picture framing or photofinishing service, including self-service operations.</i></p>
<i>Pet Care Establishment</i>	<i>means a premises for the caring, grooming and training of household pets, but does not include a boarding kennel or a veterinary clinic.</i>

<b>P (continued)</b>	
<i>Place of Entertainment</i>	<i>means a premises devoted to the offering of facilities for the entertainment of the public including a cinema, live theatre, concert hall, planetarium, or other similar use, as well as facilities for the playing of games for the amusement of the public including an arcade, billiard room, bowling alley, electronic or laser game indoor miniature golf course, indoor paintball facility, indoor play facility, and bingo hall.</i>
<i>Place of Worship</i>	<i>means a premises used for the practice of religion and faith-based spiritual purposes wherein people assemble for religious worship, faith-based teaching, fellowship and community social outreach.</i>
<i>Porch</i>	<i>means an unenclosed, covered platform with direct access to the ground that is attached to a dwelling.</i>
<i>Portable Asphalt Plant</i>	<i>means a temporary facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt paving material and includes the temporary stockpiling and storage of bulk materials used in the process.</i>
<i>Portable Concrete Plant</i>	<i>means a temporary building or structure with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process.</i>
<i>Power Generation Facility</i>	<i>means a facility for generating electricity and includes a cogeneration facility, an ancillary service to power generation, and includes any structures, equipment or other things used for those purposes.</i>

<b>P (continued)</b>	
<i>Premises</i>	<i>means the area of a building occupied or used by an individual business.</i>
<i>Printing and Publishing Establishment</i>	<i>means a premises wherein printing, photocopying, blue printing, duplicating, publishing or lithography is conducted.</i>
<i>Private Garage</i>	<i>means a portion of a dwelling or a detached accessory building or structure accessory to a dwelling designed or primarily used for the parking of private motor vehicles, commercial vehicles, and/or recreational vehicles, and includes carports and porte-cocheres.</i>
<i>Private Home Day Care</i>	<i>means the temporary care for reward or compensation of children in accordance with the Child Care and Early Years Act.</i>
<i>Public Authority</i>	<i>means the Government of Canada, Province of Ontario, United Counties of Prescott and Russell, City of Clarence-Rockland, a Conservation Authority.</i>
<i>Public Hall</i>	<i>means a premises used as a banquet hall, meeting hall, or convention centre for which banquets, weddings, receptions, auctions or other similar functions may be held for which food and beverages may be prepared and served.</i>
<i>Public Works Yard</i>	<i>means a facility where motor vehicles and equipment required for the maintenance and operation of uses undertaken by a public authority are stored, and materials used for or resulting from the maintenance and operation of such uses are stored or processed.</i>
<i>Putrescible</i>	<i>means able to decompose quickly enough to cause odours and attract flies, such as putrescible waste.</i>

*In a multiple tenancy building occupied by more than one business, each business area or tenancy shall be considered a separate premises if the area is divided by walls.*

*A building occupied by only one business or tenant is still a "premises" in this By-law.*

*By "area of a building," the City defines all premises to be indoor only. Outdoor use permissions are captured through other terms*

<b>Q</b>	
Quarry	<i>means land or land under water from which consolidated aggregate is being or has been excavated, and that has not been rehabilitated, but does not include a wayside quarry.</i>
<b>R</b>	
Railway Corridor	<i>means lands within the designated limits of a railway mainline.</i>
Recreational Vehicle	<i>means a vehicle requiring a licence and designed to be used primarily for travel, recreation or vacationing as well as recreational equipment and includes such vehicles and equipment commonly known as travel trailers (includes fifth wheel and hybrids, tent trailers, truck campers, toy haulers), motor homes, boats, snowmobiles or other similar vehicles but does not include a mobile home or park model trailer.</i>
Recreational Vehicle Sales and Service	<i>Means a building and/or lot where recreational vehicles, ATVs, motorcycles, snowmobiles, power sports, watercraft and similar vehicles and equipment are kept for indoor and outdoor display, rental and/or sale. Permitted accessory uses shall include those normally required for performing maintenance and repair to said vehicles including service centre, service bays, bodyshop, storage of parts, etc. as well as an external testing/trial area for the vehicles and equipment. This definition shall also include the sales, rental and service of small construction equipment such as trailers, generators, small lifts, jack hammers, drills, pumps and similar equipment.</i>
Refreshment Vehicle	<i>means a structure or a converted vehicle located on a lot where food products and beverages are prepared and sold to the public (commonly known as chip wagon).</i>
Renewable Energy System	<i>means the production of electrical power from an energy source that is renewed by natural processes such as wind, water, a biomass resource or product, or solar and geothermal energy.</i>
Rental Establishment	<i>means a premises in which equipment is offered or kept for rent or hire under</i>

*Certain methods of generating electricity such as wind turbines and solar panels are exempt from municipal zoning by-laws under Ontario's Green Energy and Green Economy Act.*

PART 3

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	<i>agreement for compensation.</i>
<i>Repair Shop</i>	<i>means a premises for the servicing or repair of articles, excluding any repairs or services to motor vehicles.</i>
<i>Research and development centre</i>	<i>means a place used for systematic research, data collection and manipulation, or technical or scientific development of information or new products, and may include a research laboratory; but excludes industrial and manufacturing operations other than those required as part of the research.</i>
<i>Residential Floor Area Ratio</i>	<i>means the ratio of residential floor area divided by lot area.</i>

<b>R (continued)</b>	
<i>Restaurant</i>	<i>means a premises where meals or refreshments are provided to order for take-out or for consumption on the premises within a building and which may include table service on an ancillary outdoor patio, walk, deck or verandah.</i>
<i>Retail Propane and Transfer Facility</i>	<i>means a premises and/or area of land where tanks having an aggregate propane storage capacity of less than 45,000.0 litres that is licensed under the provisions of the <u>Energy Act</u>, and from which the retail sale of propane fuel to the public is provided.</i>
<i>Retail Store</i>	<i>means a premises in which goods, wares, merchandise, substances, articles or things are displayed, rented or sold directly to the public but does not include any use otherwise defined by this By-law.</i>
<i>Retirement Home</i>	<i>means a building that provides accommodation primarily to retired persons or couples where each private bedroom or living unit has a separate private bathroom and may have cooking facilities and where each unit has a separate entrance from a common hall and where common facilities for the preparation and consumption of food are provided, and where common lounges, recreation rooms and medical care facilities may also be provided.</i>
<i>Road</i>	<i>means a public road or private road.</i>
<i>Road, Arterial</i>	<i>means a major arterial, multi-purpose arterial, minor arterial, or industrial arterial road as determined in the applicable Official Plan.</i>
<i>Road, Collector</i>	<i>means a major collector or minor collector road as determined in the applicable Official Plan.</i>
<i>Road, Local</i>	<i>means a local road as determined in the applicable Official Plan.</i>

*In this By-law, the term "road" is used for all types and names for streets.*

<b>R (continued)</b>	
<i>Road, Private</i>	<i>means an easement, right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation or other private owner providing access to individual freehold lots.</i>
<i>Road, Public</i>	<i>means a right-of-way or roadway that is used by motor vehicles and is maintained by a public authority.</i>
<b>S</b>	
<i>Salvage Yard</i>	<i>means an open, uncovered area used for the outdoor handling or storage and accessory sale of scrap material such as motor vehicles, machinery, or building materials.</i>
<i>School, Commercial</i>	<i>means a premises where non-sports related specialized instruction or life skills training is provided.</i>
<i>School, Post-Secondary</i>	<i>means a public university or college of applied arts and technology, and may include a dormitory, restaurant, financial institution, and service commercial establishment as accessory uses.</i>
<i>School, Private</i>	<i>means a building, structure or part thereof where academic instruction in a full range of the subjects of the elementary or secondary school courses of study is provided.</i>
<i>School, Public</i>	<i>means a building, structure or part thereof, where academic instruction in a full range of the subjects of the elementary or secondary school courses of study is provided under the jurisdiction of a school board established by the Province of Ontario.</i>
<i>Separation Distance</i>	<i>means the shortest distance between buildings, excluding allowable projections.</i>
<i>Shipping Container</i>	<i>means an article of transportation equipment, including one that is carried on a chassis, that is strong enough to be suitable for repeated use and is designed to facilitate the transportation of goods by one or more means of transportation and includes intermodal containers, bodies of transport trucks, or straight truck boxes.</i>

<b>S (continued)</b>	
<i>Shopping Centre</i>	<p><i>means a group of predominantly commercial and service occupancies that:</i></p> <ul style="list-style-type: none"> <li><i>(a) is designed, developed and managed as a unit whether by a single owner or a group of owners or tenants acting in collaboration;</i></li> <li><i>(b) is either in a single building or in multiple buildings on the same lot or abutting lots, and shall be considered as one lot for zoning purposes;</i></li> <li><i>(c) is made up entirely of uses permitted or lawful non-conforming on the site;</i></li> <li><i>(d) has a minimum size greater than a cumulative total of 2,000 square metres of leasable floor area; and has either:(i) a common parking lot or parking garage or a combination thereof; or (ii) a group of parking lots or parking garages or a combination thereof which are managed as a unit by the same owner, owners or tenants of the commercial and service occupancies required in subparagraph (a) above, and are on the same lot or lots as the commercial and service occupancies required in subparagraph (a) above.</i></li> </ul>
<i>Shoreline</i>	<i>means the same as the high water mark.</i>
<i>Shoreline Activity Area</i>	<i>means an area of land that abuts the shoreline that provides access to the shoreline. This area may contain accessory structures where permitted, pathways, and native vegetation.</i>
<i>Short-term rental</i>	<i>means all or part of a dwelling unit used to provide sleeping accommodation for any rental period that is less than 28 consecutive days in exchange for payment, which includes existing bed and breakfasts.</i>

<b>S (continued)</b>	
<i>Sight Triangle</i>	<i>means a triangular area on a lot formed by an intersecting exterior lot line and front lot line and a line drawn from a point on one lot line across such lot to a point on the other lot line, each such point being the required distance from the point of intersection of the two lot lines.</i>
<i>Snow Disposal Facility</i>	<i>means a facility to which snow is transported for storage from other off-site locations.</i>
<i>Sports and Recreation Facility</i>	<i>means a premises or outdoor area in which facilities are provided for the purpose of instruction, conduct, practice, or training for sports or physical exercise.</i>
<i>Stacking Lane</i>	<i>means a continuous on-site queuing lane that includes stacking spaces for motor vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings, or signs.</i>
<i>Stacking Space</i>	<i>means a rectangular space that may be provided in succession and is designed to be used for the temporary queuing of a motor vehicle in a stacking lane.</i>
<i>Storage Yard</i>	<i>means land used for outdoor storage, including:</i> <i>(a) the storage of motor vehicles, including an automobile salvage operation or scrap yard;</i> <i>(b) the storage of road maintenance material such as gravel or sand;</i> <i>(c) the storage of construction, building or landscaping material; and</i> <i>the storage of heavy vehicles or construction equipment, and includes an accessory maintenance garage used for the service and repair of the stored vehicles and equipment.</i>

*Private athletic and recreational programs such as sports leagues, martial arts or dance schools, private arenas, outdoor sports fields, or commercial fitness centres are interpreted as "sports facilities" in this By-law.*

<b>S (continued)</b>	
<i>Storey</i>	<i>means the portion of a building that is:</i>  <i>a) situated between the top of any floor and the top of the floor next above it; or,</i>  <i>b) situated between the top of the floor and the ceiling above the floor, if there is no floor above it.</i>
<i>Storey, First</i>	<i>means the storey with its floor closest to grade and having its ceiling 1.8 metres or more above grade adjacent to the exterior walls of the building.</i>
<i>Stormwater Management Facility</i>	<i>means an end-of-pipe, managed detention or retention basin, which may include a permanent pool, designed to temporarily store and treat collected stormwater runoff and release it at a controlled rate or direct it for an intended reuse.</i>
<i>Structure</i>	<i>means anything that is erected, built, or constructed of parts joined together.</i>
<b>T</b>	
<i>Taxi Dispatch</i>	<i>means a premises where taxis or limousine taxis are dispatched from and where such vehicles may be parked or stored for short periods of time while waiting for calls.</i>
<i>Temporary Tent or Stage</i>	<i>means a tent structure or fixed stage placed on lands for a temporary period.</i>
<i>Tourist Establishment</i>	<i>means premises or buildings to be used for the purpose of sleeping accommodation on a temporary basis by tourists or vacationers, including a hotel, motel, lodge, and rental cottage, yurt or cabin where more than 3 such rental units occupy the same property, including accessory uses such as dining, meeting and beverage rooms and similar uses.</i>

*The determination of what constitutes a "storey" is based upon the Ontario Building Code: A mezzanine enclosed with walls becomes a storey if the area of the mezzanine is greater than 10% of the floor area in which it is located. An open, unenclosed mezzanine becomes a storey if the area of the mezzanine is greater than 40% of the floor area in which it is located.*

<b>T (continued)</b>	
<i>Trailer</i>	<i>means a vehicle designed to be towed by a motor vehicle for the purpose of transporting or storage of goods, materials and equipment, including boat and snowmobile trailers and trailers used for business or employment purposes, i.e. construction trailer.</i>
<i>Training Facility</i>	<i>means a building, structure, or part thereof where instruction of a skill for a trade is provided.</i>
<i>Transportation Terminal</i>	<i>means a premises or area of land used for storing, parking or dispatching of buses, trucks, tractors, or trailers, including servicing or repair within an enclosed building.</i>
<b>U</b>	
<i>Uncovered Platform</i>	<i>means an attached or freestanding platform or series of platforms not covered by a roof or building which is located on the same level as or lower than the first storey of the building associated with the platform. An uncovered platform covered by a permitted balcony or other platform shall continue to be an uncovered platform for the purposes of this By-law.</i>
<i>Urban Square</i>	<i>means a publicly accessible, mainly hardscaped open space area located at grade.</i>

*"Uncovered platform" is the City's catch all zoning term for decks, landings, and other similar structures without roofs.*

*Platforms covered by other platforms remain "uncovered platforms" when interpreting the regulations of this By-law.*

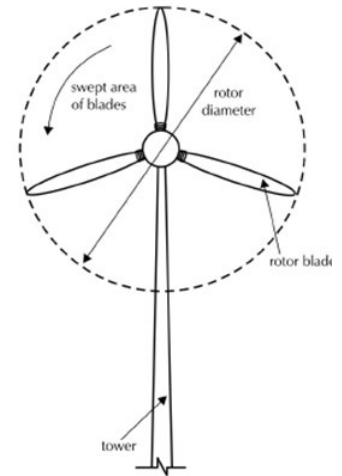
*Landscaping provided in an urban square that meets the dimension requirements of this By-law can count towards landscaping width and coverage requirements.*

<b>U (continued)</b>	
<i>Use</i>	<p><i>means:</i></p> <p><i>a) as a noun, the purpose for which land or a building or structure is arranged, designed, or intended or for which either building or land or structure is or may be occupied or maintained; or,</i></p> <p><i>b) as a verb, the doing or permitting of anything by the owner or occupant of any land, building or structure directly or indirectly or by or through any trustee, tenant, servant or agent acting for or with the knowledge or consent of such owner or occupant, for the purpose of making use of the land, building or structure.</i></p>
<b>V</b>	
<i>Veterinary Clinic</i>	<p><i>means a premises used by a veterinarian or group of veterinarians for the diagnosis, examination, and treatment of animals and includes the overnight care of animals supervised by a licensed veterinarian.</i></p>
<b>W</b>	
<i>Warehousing</i>	<p><i>means a premises for the indoor storage and freight distribution of goods, wares, merchandise, substances, articles or things.</i></p>
<i>Waste</i>	<p><i>means a material licensed or included within a Certificate of Approval issued by Federal, Provincial, or Regional Governments which is not hazardous and not needed by the generator of that material, that is destined for either final disposal or for reprocessing to create a usable product or material, but does not include a by-product of a manufacturing process that is used unaltered in another manufacturing process.</i></p>

<b>W (continued)</b>	
Waste Container	<i>means a bin, with or without a lid, greater than one cubic metre in volume used to store garbage and refuse temporarily. This definition excludes a container used for a construction or demolition project for which a valid building or demolition permit has been issued.</i>
Waste Container Enclosure	<i>means a solid opaque wall or fence that screens a waste container.</i>
Waste (solid) Disposal Facility	<i>means a facility providing for the long-term storage or destruction of municipal solid waste, and includes a landfill site or an incinerator.</i>
Waste, Hazardous	<i>means any substance or material licensed or included within a Certificate of Approval issued by Federal, Provincial, or Regional Governments that, by reason of its toxic, caustic, corrosive or otherwise injurious properties, may be detrimental or deleterious to the health of any person handling or otherwise coming into contact with such material or substance.</i>
Waste Processing and Transfer Facility (non-putrescible)	<i>means a facility where non-putrescible waste is sorted, processed and temporarily stored prior to transfer off site and may include a recycling operation, but does not include a salvage yard or scrap metal yard.</i>
Waste Processing and Transfer Facility	<i>Waste processing and transfer facility means a facility where putrescible and non-putrescible waste is sorted, processed or temporarily stored prior to transfer off site and may include a source separated organics and biosolids processing and storage facility, but does not include salvage yards or scrap metal yards.</i>
Wayside Pit and Quarry	<i>means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project on contract of road construction and not located on the road right-of-way.</i>

<b>W (continued)</b>	
<i>Wholesaling and Distribution</i>	<i>means a premises or part thereof where the purpose of the business is the buying of goods for resale to other businesses including other wholesalers.</i>
<i>Wind Turbine</i>	<i>means a rotary engine that is used to collect kinetic energy from the wind and convert it to electricity.</i>
<b>X</b>	
<b>Y</b>	
<i>Yard</i>	<i>means any open, uncovered, unoccupied space appurtenant to a building. In determining yard measurement the minimum horizontal measurement between the applicable lot line and the nearest point of the building above and below grade shall be used unless otherwise specified by this By-law.</i>
<i>Yard, Exterior Side</i>	<i>means a side yard adjoining the road on a corner lot extending (aka flankage) from the front yard to the rear yard between the exterior lot line and any part of any building on the lot.</i>
<i>Yard, Front Side</i>	<i>means a yard extending across the full width of the lot between the front lot line and any part of any building on the lot.</i>
<i>Yard, Interior Side</i>	<i>means a yard extending from the front yard to the rear yard between the interior side lot line and any part of any building on the lot.</i>

ILLUSTRATION OF WIND TURBINE



Portions of buildings below grade are subject to the same yard requirements as buildings above grade, unless otherwise permitted by this By-law (i.e. parking structures in the Mixed Use Zones).

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<b>Y (continued)</b>	
<i>Yard, Maximum</i>	<i>means the maximum distance of the applicable yard measured horizontally from the nearest point of a building to the applicable lot line.</i>
<i>Yard, Minimum</i>	<i>means the minimum required distance of the applicable yard measured horizontally from the nearest point of a building to the applicable lot line.</i>
<i>Yard, Rear Side</i>	<i>means a yard extending across the full width of the lot between the rear lot line and any part of any building on the lot.</i>
<i>Yard, Side</i>	<i>means an exterior side yard and an interior side yard.</i>
<b>Z</b>	
<i>Zone</i>	<i>means a designated area of land use shown on the Zoning Maps of this By-law.</i>

## **Part 4 General Provisions**

The following provisions apply to all land *uses* or to lands located in identified areas in specific situations.

### **4.1 Accessory Uses, Buildings and Structures**

- a) Where this By-law provides that land may be *used* or a *building* or *structure* may be erected and used for a permitted *use*, that *use* shall include any *accessory use(s)*, *building (s)* and *structures(s)* if:
  - i. It is on the same lot as the principal use to which it is accessory; and,
  - ii. It exists to aid and contribute to the principal use to carry out the function of that principal use.
- b) No person shall, where an *accessory use* is in a different building than the principal use to which it is accessory, use that accessory building for human habitation.
- c) A *garden suite* is not considered to be an accessory use.
- d) An *Additional Residential Unit* is not considered to be an accessory use.
- e) In a Residential Zone or on a lot in another zone used primarily for residential purposes, the following provisions will apply for buildings and structures which are accessory to the residential use:
  - i. *accessory buildings* or *structures*, including *residential wind turbines*, shall not be located within any minimum *front yard*, except as specifically permitted in this By-law;
  - ii. *accessory buildings* or *structures* of more than 10 m<sup>2</sup> other than *accessory residential wind turbines*, shall not be located closer than 1.2 meter to any *interior side lot line*, *exterior side lot line*, *rear lot line* or main building, shall not exceed 3.8 meters in height in urban residential zones, 5.0 meters in community residential zones and shall not exceed 6.0 meters in height in rural and agricultural zones;
  - iii. Notwithstanding 4.e) ii) above, detached garages and carports with direct vehicular access from that street, shall not be located within any minimum *exterior side yard*, except as specifically permitted in this By-law;

- iv. *accessory residential wind turbines* shall not exceed 15.0 metres in height, exclusive of the blades, and shall not be located closer to any *interior side lot line, rear lot line* or *exterior side lot line* than a distance equal to the height of the structure;
  - v. *accessory buildings* or *structures* shall not occupy more than 8% of the total *lot area*, excluding hobby farms, swimming pools, temporary shelters (“tempo”), and uncovered platforms (decks) nor shall it exceed the *lot coverage* of the *dwelling* on the *lot* whichever is the lesser. Such *accessory buildings* or *structures* shall be included as part of the total *lot coverage* permitted in the zone requirements;
  - vi. Notwithstanding 4.1 e) v. in a Rural Zone, Agricultural Zone, Restricted Agricultural Zone, or Conservation Zone, *accessory buildings* or *structures* can exceed the *lot coverage* of the *dwelling* on the *lot*;
  - vii. an *accessory private garage* which gets its access from a lane shall be setback 1.0 metre from the *lot line* abutting that *lane*;
  - viii. temporary structures (Tempo Garages) may be permitted pursuant to By-Law No. 2017-133, as amended.
- f) Any building or structure which is attached to the main building will not be considered accessory for the purposes of this By-law, except for uncovered platforms (i.e. decks).
  - g) In a Residential Zone the maximum number of *accessory buildings* permitted on a lot is 2.
  - h) In a Residential Zone or on a *lot* used primarily for residential purposes, *accessory buildings* and *structures* shall not include truck-trailers, portable (shipping) containers, site construction trailers, portable classrooms and/or any other similar items, except as otherwise indicated under Section 4.45.1.
  - i) In a Mobile Home Residential (RMH) Zone, a maximum of 10.0 m<sup>2</sup> is permitted for a maximum of one *accessory building* associated with a *mobile home site* and a maximum cumulative total floor area of 300.0 m<sup>2</sup> may be used for *accessory buildings* or *structures* whose sole purpose is to provide space for tools, equipment, materials and similar items, of for *accessory uses* needed to maintain the *mobile home park*; and must not be used for storage for individual *mobile home sites*, nor for *commercial storage*.
  - j) In all other zones, *accessory buildings* and *structures* can be located to a

minimum of 1.0 meter from a *rear lot line* and *interior side lot line* and shall conform to the other requirements of the particular zone.

- k) Where an *accessory dwelling* is permitted in a Commercial Zone, the following regulations apply:
  - i. An *accessory dwelling* is only permitted within the same building as a permitted *retail, service commercial, or business office use*.
  - ii. An *accessory dwelling* is not permitted on a *first storey* unless it legally existed on the effective date of this By-law.
- l) For *gate house or bus shelter*, there shall be no minimum *yard* required for the *front or side yard*.
- m) For marinas and *marine facilities*, there shall be no minimum *yard* required for the *yard* adjacent to the water.
- n) This Section does not apply to *hydronic heaters (outdoor furnace)*, which are by definition an accessory structure, as they are regulated elsewhere in this By-law.
- o) In this Section, yard provisions do not apply to features permitted under Section 4.36.

#### **4.2 Adequate Urban and Rural Services**

- a) Within the Urban Area of the City of Clarence-Rockland, no land can be used or the intensity of any use of land expanded or any building placed, erected, altered, enlarged, or used unless the land is serviced by municipal water and sewerage systems that have adequate capacity.
- b) Within the Rural Area of the City of Clarence-Rockland, where municipal water or sewerage systems are not available, private services approved by the City of Clarence-Rockland or its delegate are permitted.
- c) Despite subsections a) and b) above, lands subject to unique servicing constraints or restricted connection privileges through separate municipal by-laws and through legal and servicing agreements with the City of Clarence-Rockland are considered to be in conformity with this By-law.
- d) No land can be used or the intensity of any use of land expanded or any building placed, erected, altered, enlarged, or used within the limits of the Villages of Clarence Creek, Bourget. St.-Pascal-Baylon, Hammond and Cheney, as shown on Zoning Maps 'C', 'D' and 'E', respectively, unless it is connected to the municipal water supply, except where expressly permitted elsewhere in this By law.

- e) All development within the limits of the Village of Clarence Point may be provided on the basis of private services.

**4.3 Adult Entertainment Parlour**

- a) Where an *adult entertainment parlour* is permitted, the *lot* on which it is located must not be:
  - i. within 500.0 metres of a residential use building, *day care, place of worship, school, library, long-term care facility, community centre, park*, or any Residential Zones, Community Facilities Zone, or any Parks and Open Space Zones; or
  - ii. within 1000.0 metres of a *lot* occupied by another *adult entertainment parlour*.
- b) No *adult entertainment parlour* may be located on a *lot* having its *frontage* or its *rear lot line* on a County Road.

**4.4 Amenity Area**

- a) *Amenity area* must be provided for a residential use that is a permitted use in the zone in which it is located, in accordance with Table 4.4.
- b) *Amenity area* must be located on the same *lot* as the use for which it is provided.
- c) Where *amenity area* is located outside at grade, it may be included in the calculation of the *landscaping* requirements.
- d) Minimum required communal *amenity area* may only be included as part of a required *landscape buffer* where it is aggregated into areas of 54.0 m<sup>2</sup> or more.

**Table 4.4- Amenity Area**

I	II	III	IV
Land Use	Total Amenity Area	Communal Amenity Area	Layout of Communal Amenity Area
(1) <i>Apartment low rise of more than four dwelling units</i>	6.0 m <sup>2</sup> per <i>dwelling unit</i>	A minimum of 50% of the required total <i>amenity area</i>	Aggregated into areas up to 54.0 m <sup>2</sup> , and where

(2)	<i>Apartment mid-high rise</i>			more than one aggregated area is provided, at least one must be a minimum of 54.0 m <sup>2</sup>
(3)	<i>Mixed use building, with 9 or more dwelling units or lodging units</i>			
(4)	<i>Stacked dwelling of 9 or more dwelling units</i>			
(5)	<i>Retirement Home</i>			
(6)	<i>Long term care facility</i>	10% of the floor area of each <i>assisted living unit</i>	All of the total <i>amenity area</i>	
(7)	<i>Other uses</i>	Not required		

**4.5 Bed and Breakfast Establishment**

Where a *bed and breakfast* establishment is permitted, the following regulations apply:

- a) *A bed and breakfast establishment is only permitted within a detached dwelling.*
- b) *A bed and breakfast establishment shall have a maximum of four lodging units which shall in total not exceed a maximum of 25% of the residential floor area of the detached dwelling. For the purposes of this subsection, residential floor area shall include all area within a basement.*
- c) *A bed and breakfast shall be operated by the person or persons whose principal residence is the detached dwelling.*

**4.6 Boarding Kennel**

- a) Where permitted:
  - i. a boarding kennel must comply with the provisions of Table 4.6;
  - ii. a boarding kennel may be located in the same building as a dwelling unit, subject to the provisions of Table 4.6;

- iii. a boarding kennel is only permitted as an accessory use in the General Agricultural (AG) Zone and or Restricted Agricultural (AR) Zone, a boarding kennel is only permitted as an on-farm diversified use;
- iv. a boarding kennel structure associated with a kennel is considered to be a building for zoning purposes.

**Table 4.6- Boarding Kennel Provisions**

<b>I Zoning Mechanisms</b>		<b>II Provisions</b>
(a) Minimum <i>width of a lot</i> containing a kennel (m)	(i) In an AG, AR, RU or MCR Zone	80
(b) Minimum <i>area of a lot</i> containing a kennel (ha)	(i) In an AG, AR, RU or MCR Zone	4
(c) Minimum setback of a kennel or any structure or portion thereof used for the kennel operation (m)	(i) In an AG, AR, RU or MCR Zone	(a) from a <i>front lot line</i> or any <i>side lot line</i> – 15.0 m (b) from a rear lot line -12.0 m
(d) Maximum height of a kennel (m)		same as an accessory building, but in no case may the kennel contain anything other than single-level dog runs only
(e) Location of parking spaces required or provided for a kennel	(i) In an AG, AR, RU or MCR Zone	no closer than 6.0 metres to any property line abutting a <i>street</i>
(f) Permitted Location of Dog Runs Associated with a Boarding Kennel		restricted to locations in an interior side yard or <i>rear yard</i>
(g) Minimum Separation Areas between a kennel and residential use (m)		100

#### **4.7 Building to be Moved**

No building or structure shall be moved within the limits of the Municipality or shall be moved from outside the Municipality into the Municipality unless the building or structure is a permitted use and satisfies all the requirements of the zone in which it is to be located and then only after a building permit has been obtained from the Chief Building Official.

#### **4.8 Cannabis Production Facility**

- a) A *cannabis production facility*:
- i. Must be a listed permitted use in the zone it is located in and must comply with the provisions of that zone;
  - ii. Must be located completely within a building;
  - iii. Must not have any outside storage; and,
  - iv. Must be setback a minimum of 150 metres from a dwelling in General Agricultural, Restricted Agricultural, and Rural zones and must be setback a minimum of 150 metres from a lot line abutting a lot zoned or used for residential purposes, daycare, community centre, school, religious institution, public park or playground in any other zone.

#### **4.9 Community Garden**

- b) Where permitted, a *community garden* must comply with the following provisions:
- i. it is not a commercial operation;
  - ii. the produce grown is for the personal use and consumption of the individual working the *community garden*;
  - iii. no *motor vehicle*, equipment, building or structure of any sort, including an arbour or other such supporting structure, is permitted within 1.5 metres of a public street; and,
  - iv. *accessory buildings and structures* are permitted per Section 4.1.
- c) No parking is required for a *community garden*.

#### **4.10 Detached Dwellings on a Lot**

Unless otherwise specified by this By-law, no more than one *detached dwelling unit* is permitted on a *lot*.

#### **4.11 External Building Materials**

The following building materials shall not be used for the exterior vertical facing on any wall of any building or structure which is located partly or wholly within 90.0 metres of a street:

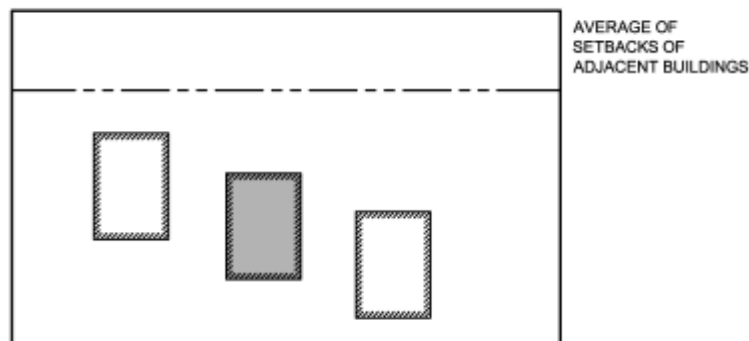
- tar or asphalt impregnated paper;
- asphalt shingles;
- asphalt roll-type siding or roofing;
- membrane air barrier or insulation materials;
- mill ends;
- non-painted sheet metal.

#### **4.12 Fences**

Fences may be permitted pursuant to By-Law No. 2016-96, as amended.

#### **4.13 Front Yard Setback Reductions**

- a) Where the *front yard* setback of at least one of the *lots* on either side of another *lot* is less than the required *front yard* setback for the zone but was lawfully established, the *front yard* setback for the middle residential *lot* may be reduced to the greater of,
- i. 1.5 metres, or
  - ii. the average of the two *front yard* setbacks of the other two *lots*.



- b) Where one of the *lots* on either side of the middle *lot* mentioned in subsection a) is vacant, and the other *lot* is less than the required *front yard* setback for the zone but was legally established, the *front yard* setback for the middle *lot* may be reduced to the greater of,
  - i. 1.5 metres, or
  - ii. the average of the required front yard setback for the zone and the *front yard* setback of the *lot* that is not vacant.
- c) Subsections a) and b) apply to both an addition to a building or to a new building on the middle *lot*.
- d) Where the *front yard* setback of the *lot* abutting a corner lot is less than the required front yard setback for the zone, either the *exterior side yard* setback or the *front yard* setback of a *corner lot* may be reduced to the greater of,
  - i. 1.5 metres, or
  - ii. the *front yard* setback of the abutting *lot* that faces the same *street*, but only one of the yards abutting a *street* is permitted this reduced setback.
- e) Section 4.13 does not apply to *lots* within the Urban Core Area (CA) Zone.

#### **4.14 Frontage Requirements**

No person shall erect any *building* or *structure* or use any *building*, *structure*, or *lot* unless the *lot* meets one or more of the following requirements:

- a) The *lot* has *frontage* on a *public road* for a distance of at least 3.0 metres, except in RU and AG Zones or their Subzones where the distance must be equal the minimum required *lot width* for the respective zone and which is assumed by By-law by a *public authority*.
- b) No person shall sever any land unless the land severed and the lands retained each abut to a road, in accordance with subsection a).
- c) Where a severance involves more than two *lots*, subsection a) applies with all necessary modification to each *lot* involved.
- d) Subsections a), b) and c) do not apply to a *lot* used for a marina or *marine facility*, a *utility installation*, a *cemetery*, a *forestry operation*, a *park*, a *conservation use*, an *agricultural use* excluding any *Additional*

*Residential Unit* or for a building or structure erected in a Seasonal Residential (RS) Zone.

- e) The *lot* will have frontage on a future public road that is currently being constructed pursuant to a Subdivision Agreement or other Development Agreement with a public authority;
- f) The *lot* is legally tied to a *common element condominium* having frontage on a *condominium common element* roadway which provides direct access to a public road or which connects with another *condominium common element* roadway having access a public road;
- g) The *lot* will be legally tied to a *common element condominium* having frontage on a future *condominium common element* roadway that is currently being constructed pursuant to a Condominium Agreement or other Development Agreement with a public authority which provides direct access to a public road or which connects with another *condominium common element roadway* having access a public road;
- h) For a *lot* that legally existed on the effective date of this By-law, the *lot* has access to a *private road* that legally existed on the effective date of this By-law;
- i) Development and/or redevelopment on existing privately maintained roads shall be subject to a legal and binding agreement which shall address ownership and maintenance.
- j) The *City* shall not assume any liability for privately maintained access ways and shall not be responsible for maintenance or snow removal. In some cases, public services such as school bussing and protection to person/property, including police, fire and ambulance services may be unavailable or limited due to physical constraints posed by either the access way itself or maintenance levels.

#### **4.14.1 Frontage on Primary Artery and Collector Roads**

- a) Notwithstanding any of the provisions contained in this By-law to the contrary, all lots having their frontage as defined in this By-law, on any of the primary artery, major collector, or minor collector roads, shall comply with the minimum lot frontage requirements per Map 'F'.
- b) In addition to the requirements of the Corporation, all development adjacent to any County Road shall also be subject to the requirements and permits of the United Counties of Prescott and Russell.
- c) Notwithstanding, no development will be permitted between Canaan Road to County Road 8 (Landry Road) which requires direct access to County Road 17 until such time as the Class Environmental Assessment

(EA) study for improvements to this stretch of road has been completed.

**4.15 Garden Suites**

- a) A *garden suite* is only permitted where a site-specific, temporary zoning by-law allows one.
- b) Where a *garden suite* is permitted by the temporary zoning mentioned in subsection a), the following provisions apply:
  - i. only one *garden suite* is permitted per lot;
  - ii. the *garden suite* must be on the same *lot* as a principal residential use building;
  - iii. the principal residential use building must be either a *detached dwelling, linked-detached dwelling or a semi-detached dwelling*;
  - iv. the *detached dwelling, linked-detached dwelling or semi-detached dwelling* must be a permitted use in the zone;
  - v. the *garden suite* must comply with the regulations set out in Table 4.15; and
  - vi. despite subsection b) v., these regulations may be varied on a site-specific basis through a temporary zoning by-law.
- c) Subsection b) does not preclude both units of a *semi-detached dwelling* of having a *garden suite*.
- d) A Garden Suite is not an Additional Residential Unit (ARU) and thus all provisions associated with an ARU do not apply.
- e) Garden Suites are not permitted on individual lots which include an additional residential unit within an ancillary building.

**TABLE 4.15- PROVISIONS FOR GARDEN SUITES**

<b>I ZONING MECHANISM</b>	<b>II PROVISION</b>
(1) Maximum height	4.6 m and 1 storey
(2) Permitted Location	In the rear yard only

(3) Minimum setback	(a) From a side lot line	Same as for principal building
	(b) From a rear lot line	2.3 m
(4) Maximum <i>Lot Coverage</i>		(i) 35% of the area of the <i>rear yard</i> (ii) a <i>garden suite</i> is not included in the calculation of any other maximum lot coverage requirements
(5) Minimum distance from any other building on the <i>lot</i>		1.2 m
(6) Driveways		no driveway, other than one already on the <i>lot</i> prior to the installation of the <i>garden suite</i> , is permitted
(7) Maximum floor area		65% of the <i>floor area</i> of the principal building on the <i>lot</i>
(8) Parking		no additional parking is required

**4.16 Group Homes**

- a) Where a *group home* is a permitted use in a zone, in addition to the provisions of the zone in which it is located, a *group home*:
  - i. when located in a residential zone, must be within a *dwelling type* permitted in that zone;
- b) The maximum number of residents permitted applies to the whole of the residential use building and not to individual units within the residential building in which the *group home* is located.

**4.17 Hazardous Land**

**4.17.1 Flood Plain Overlay (OMB PL060069)**

The following provisions take precedence over the provisions of the underlying zone. They apply to land uses within an area affected by a flood plain overlay in order to restrict development and site alteration in a floodplain area to minimize the threat of injury or loss of life and prohibit land uses where substances of a chemical, hazardous or toxic nature are used which could contaminate potential flood waters; where flooding may compromise the ability to deliver essential services, or where flooding may cause unacceptable

risk of property damage. Not all flood plains have been identified by the FP overlay. The 1:100 year flood protection elevation along the Ottawa River is the 45.1 meter contour. This flood protection elevation shall take precedent unless a study completed by a qualified professional – to the satisfaction of the City and the Conservation Authority – demonstrates that the lands are not susceptible to flooding.

a) Use of Flood Plains:

No person shall use any lot or erect, alter or use any building or structure in a flood plain, as identified by the suffix '-FP' on the Zoning Maps of this By-law, for any purpose except one or more of the following uses:

- *agricultural use*, excluding buildings;
- *conservation use*, excluding buildings;
- flood or erosion control works;
- *forestry operation*, excluding buildings;
- *marine facility*;
- *park*;
- marina;
- *golf course*, excluding buildings;
- parking lot;
- public infrastructure, excluding stormwater management facility.

b) Additional Provisions

No accessory agricultural buildings used for the housing of animals or the storage of manure, fertilizer or hazardous substances shall be permitted.

c) Repairs and Minor additions

- i. Notwithstanding Section 4.17.1 a), repairs and minor additions to existing buildings or structures may be permitted provided that all new works are undertaken using appropriate flood proofing measures to the satisfaction of the City and the Conservation Authority. The size and scale of any repairs and minor additions shall be consistent with the Conservation's regulated policies and approved by the Conservation Authority by way of a permit.
- ii. All permitted uses in section 4.17.1 a) and minor additions to existing buildings or structures described in Section 4.17.1 b) shall comply with the Official Plan of the Urban Area of the City of Clarence-Rockland, the Bourget Official Plan and the UCPR Official Plan.

d) Accessory uses

Wherever a legal non-conforming use exists, such as a residential use in

a flood plain, an accessory use to this non-conforming use (i.e. a detached garage, a swimming pool or a shed) must also comply with applicable Official Plan policies dealing with development within a Flood Plain.

An Additional Residential Unit or a short-term rental is not permitted under a Hazardous land.

e) Governmental Agencies

Development in a flood plain, including site grading and fill placement, is regulated under the Conservation Authorities Act, R.S.O. 1990 where a Conservation Authority has jurisdiction. A permit from the Conservation Authority may be required in addition to any applicable municipal permits (i.e. a building permit under the Building Code Act, 1992).

Lands expropriated for the benefit of Quebec Hydro's Carillon Dam and privately-owned lands subject to a flooding easement are under the jurisdiction of the Ministry of Economic Development, Employment and Infrastructure (MEDEI).

The bed of the Ottawa River, from original shoreline (pre flooding) to the centerline of the river, remains under Ministry of Natural Resources and Forestry jurisdiction.

**4.17.2 Unstable Slopes, Unstable Bedrock, Organic Soils, Potential Retrogressive Landslide Areas Overlay**

The following provisions take precedence over the provisions of the underlying zone. They apply to land uses within an area affected by an identified hazard within the UCPR OP in order to restrict development and site alteration to minimize the threat of injury or loss of life and prohibit land uses which may cause unacceptable risk of property damage.

- a) Despite any other provisions of this By-law, development and site alteration are not permitted on land which, by reason of its low lying, marshy, unstable character or which is located or may be located on organic soil, unless the proponent or applicant for development can demonstrate conclusively, through recognized scientific and/or engineering studies, that the physical constraint can be mitigated or overcome, and that the requirements of the Ontario Building Code with respect to construction, and the requirements of the *Ontario Water Resources Act* and the *Environmental Protection Act* with respect to the installation of an individual on-site sewage and water system can be met.
- b) See Section 4.44.2 for Setbacks to Unstable Slopes.

- c) A permit from the applicable Conservation Authority may be necessary.
- d) Development and site alteration shall comply with the Official Plan of the Urban Area of the City of Clarence-Rockland and UCPR OP.

#### **4.17.3 Closed Waste Disposal Sites, Abandoned Pit or Quarry**

- a) Despite any other provisions of this By-law, development and site alteration in and around closed waste disposal site or an abandoned pit or quarry are subject to the policies of the UCPR OP.

#### **4.18 Home-Based Business**

##### **4.18.1 Residential**

- a) Home-based businesses are permitted in any *dwelling unit, additional residential unit, attached garage and accessory building*, in any zone that permits residential uses provided:
  - i. they must not become a nuisance because of noise, odour, dust, fumes, vibration, radiation, glare, traffic, or parking generated;
  - ii. they must not become a fire or building hazard or health risk;
  - iii. they must not interfere with radio, television or other telecommunications transmissions;
  - iv. one or more residents may operate a business; and,
  - v. the operators of the home-based businesses must reside in the *dwelling, or additional residential unit* from which the *home-based business* is conducted, including when the business is in operation.
- b) Any number of businesses may exist provided the cumulative maximum total *floor area* outlined subsection i) below, is not exceeded.
- c) Despite the unlimited number of businesses permitted, a maximum of only one, on-site, non-resident employee is permitted per principal *dwelling unit*.
- d) On-site non-resident employees are prohibited in association with any *home-based business* located within an additional residential unit, three unit dwelling or *dwelling unit* within an *apartment dwelling low rise* or an *apartment dwelling mid-high rise*.
- e) No client or customer may be attended or served on-site in the case of

any *home-based business* located within an *additional residential unit* , or *dwelling unit* within an *apartment dwelling low rise* or an *apartment dwelling mid-high rise*.

- f) Where any parking is required for the *home-based business*, such space may be located in the *driveway*.
- g) There is no visible display or indication of any *home-based business* from the *street*, other than the maximum of one sign for all *home-based businesses* on the *lot*, as provided for in an applicable Signs By-law.
- h) *Home-based businesses* must not involve the use of the *premises* as a dispatching office or supply depot.
- i) Any number of *home-based businesses* is permitted on a *lot* which permits a residential use, either within the *dwelling unit* or *additional residential unit*, or within an attached garage and *accessory building* on the *lot*, provided that:
  - i. if within a *dwelling unit* or *Additional Residential Unit* , the cumulative size of all *home-based businesses* per *dwelling unit* or *Additional Residential Unit* must not exceed 25% of the unit's *floor area* or 28.0 m<sup>2</sup> whichever is the greater;
  - ii. if within an attached garage and *accessory building*, the cumulative size of all *home-based businesses* must not exceed a maximum of 54.0 m<sup>2</sup>, and the required parking for the *dwelling unit* must continue to be legally provided on the *lot*;
  - iii. In the case of subsections i. and ii. above, the cumulative total is for all *home-based businesses* within the principal dwelling unit, attached garage, and *accessory building* combined, with a separate cumulative total applicable to the *Additional Residential Unit*, and not for the principal *dwelling unit*, attached garage and *accessory building* and *Additional Residential Unit* combined.
- j) Where instruction is carried on, no more than five (5) pupils are in attendance at one time.
- k) The business of storing automobiles, buses, boats, recreation and any other types of vehicles is specifically prohibited.
- l) *Outside storage* and *outdoor sales and display area* is prohibited.
- m) Where a *home-based business* sells on the premises, it sells only those items that are made on the *premises* or incidental to the business. Despite the foregoing, telemarketing and mail order sales are permitted provided that any merchandise purchased is delivered or mailed directly

to the customer.

- n) Section 5.10 sets out the regulations applicable to the parking of *commercial vehicles*.

#### **4.18.2**      **Rural**

- a) On *lots* zoned RU-Rural, AG-General Agricultural, or AR-Restricted Agriculture that are a minimum size of 0.8 ha, the following additional regulations apply to home-based businesses:
- i. The regulations of Sections 4.18.1 a), 4.18.1 b), Section 4.18.1 d) through 4.18.1 h), and Section 4.18.1 n) applies.
  - ii. Despite the unlimited number of businesses permitted, a maximum of three, on-site, non-resident employees are permitted per principal *dwelling unit*.
  - iii. *Home-based businesses* are permitted in the dwelling unit, *Additional Residential Unit*, garage and *accessory buildings* to a cumulative maximum of 150.0 m<sup>2</sup>.
  - iv. In the case of subsection iii), the cumulative total is for all *home-based businesses* within the principal *dwelling unit*, garage and *accessory buildings* combined, with a separate cumulative total applicable to the *Additional Residential Unit*, and not for the principal *dwelling unit*, garage, *accessory buildings* and *Additional Residential Unit* combined. If within a *dwelling unit* or *Additional Residential Unit*, the cumulative size of all *home-based businesses* per *dwelling unit* or *Additional Residential Unit* must not exceed 25% of the unit's *floor area* or 40.0 m<sup>2</sup> whichever is the greater.
- b) For lots less than 0.8 ha in size the provisions of Section 4.18.1 shall apply.
- c) In addition to typical *home-based businesses* under Section 4.18.1, snow plough contractors, drain contractors, antique dealers and any business of storing automobiles, buses, boats and recreation vehicles are also permitted, subject to paragraph 4.18.1 a) v.
- d) Sales areas are restricted to within principal dwelling units and *accessory buildings* only.
- e) No part of any garage or *accessory building* used for a *home-based business* may be located closer than 10.0 metres to any residential use on another *lot*, or to the *side lot* line if the neighbouring *lot* is not developed with a residential use.

- f) On-site storage of hazardous chemicals or explosives is prohibited.
- g) Section 5.10 sets out the regulations applicable to the parking of *commercial vehicles*.

#### **4.18.3 Home-Based Business Village**

- a) On lots zoned RV1 – Village Residential First Density, RV2 – Village Residential Second Density, and VM – Village Mixed-Use zones, the following regulations apply to home-based businesses:
  - i. Section 4.18.1 applies, except for subsections b), c) and i).
  - ii. Any number of *home-based businesses* is permitted in the *dwelling unit, Additional Residential Unit, garage, and accessory buildings* to a cumulative maximum of 75.0 m<sup>2</sup>.
  - iii. In the case of subsection ii. above, the cumulative total is for all *home-based businesses* within the principal *dwelling unit, garage and accessory buildings* combined, with a separate cumulative total applicable to the *Additional Residential Unit*, and not for the principal *dwelling unit, garage, accessory buildings and Additional Residential Unit* combined. If within a *dwelling unit or Additional Residential Unit*, the cumulative size of all *home-based businesses* per *dwelling unit or Additional Residential Unit* must not exceed 45% of the unit's *floor area* or 75.0 m<sup>2</sup> whichever is the lesser.
  - iv. Despite the unlimited number of businesses permitted, a maximum of two, on-site, non-resident employees are permitted per principal *dwelling unit*.

#### **4.18.4 Home-Based Private Home Day Care**

- a) *Home-based private home day care* is permitted as a *home-based business* in any principal *dwelling unit* that is a permitted use in the zone in which it is located.
- b) *Home-based private home day care* permitted under subsection a) is subject to the regulations of Section 4.18.1.
- c) Despite subsection b), and 4.18.1 b), only one *home-based private home day care* is permitted in any one principal *dwelling unit*.
- d) Despite 4.18.1 a), 4.18.1 b) and 4.18.1 i), *home-based private home day care* must only be in a principal *dwelling unit*.

#### **4.19 Home Industry**

- a) On *lots* zoned RU-Rural, AG-General Agricultural, or AR-Restricted Agriculture that are a minimum size of 0.8 ha, the following regulations apply to *home industries*:
- i. Only *dry light industrial uses* are permitted, and a maximum of three, on-site, non-resident employees are permitted per principal *dwelling unit*.
  - ii. *Home industries* are permitted in the *dwelling unit*, *Additional Residential Unit*, garage and *accessory buildings* to a cumulative maximum of 150.0 m<sup>2</sup>, excluding *outside storage* associated with the home industry. If within a *dwelling unit* or *Additional Residential Unit*, the cumulative size of all *home industries* per *dwelling unit* or *Additional Residential Unit* must not exceed 25% of the unit's *floor area* or 40.0 m<sup>2</sup> whichever is the greater.
  - iii. Section 4.18.1 f) applies with all necessary modifications.
  - iv. Section 4.18.1 b) applies with all necessary modifications.
  - v. Sales areas are restricted to within principal *dwelling units*, garage and *accessory buildings* only.
  - vi. No part of any *private garage* or *accessory building* used for *home industries* may be located closer than 70.0 metres to any residential use on another *lot* or to a *lot line* if the neighbouring *lot* is not developed with a residential use. This separation distance can be reduced subject to studies demonstrating no nuisance to the neighbouring property (ies) but shall not be less than 20 metres.
  - vii. A maximum cumulative 5% of the *lot area* or 100.0 m<sup>2</sup>, whichever is the lesser is permitted to be used for *outside storage* associated with all of the home industries and home-based businesses combined.
  - viii. The permitted *outside storage* is restricted to the *rear yard* or to an *interior yard* adjacent to the *rear yard*.
  - ix. The *outside storage* is not to be located within 20 metres of any *side lot line* and no higher than 1.5 metres.
  - x. The *outside storage* must be screened from view from any abutting *public street*, or abutting property, with an opaque screen, hedge or fence, with a minimum height of 1.5 metres.
  - xi. On-site storage of hazardous chemicals or explosives is prohibited.

- xii. No outside storage may lead to the creation of a *salvage yard* or *storage yard*.
- xiii. Section 5.10 sets out the regulations applicable to the parking of *commercial vehicles*.

#### **4.20 Hydronic Heaters**

A *hydronic heater* is:

- a) not permitted on a lot within:
  - i. the Urban Area; and,
  - ii. the RV1, RV2 and VM zones.
- b) In other zones, only permitted on a *lot* with an area equal to or greater than 0.8 hectares;
- c) Required to be setback a minimum of:
  - i. 30.0 metres from a lot line abutting a *public street*;
  - ii. 15.0 metres from any other *lot line*; and,
  - iii. 60.0 metres from a residential use building located on another *lot*,
- d) Required to have a chimney or stack which projects at least 3.66 metres above ground level;
- e) Notwithstanding clause d), where a *hydronic heater* is within 70 metres of a residential use building located on another lot, the *hydronic heater* must have a chimney or stack which projects at least 4.88 metres above ground level.

#### **4.21 Illumination**

- a) The use of sensitive lighting practices is required in accordance with the following:
  - i. Illumination shall not cause direct or indirect glare on a *street* that may interfere with traffic or pedestrian safety;
  - ii. Illumination shall not consist of a colour or be so designed or located that it may be confused with traffic signals;
  - iii. Illumination shall not cause direct or indirect glare on adjacent properties.

#### **4.22 Infrastructure**

- a) Infrastructure shall be permitted in all zones if it is located within one of:
  - i. An existing corridor containing infrastructure;
  - ii. A public road; or,
  - iii. A future public road or corridor for which an environmental assessment has been completed or a *Planning Act* approval has been received.
- b) Infrastructure such as a municipal water storage tank, pump stations, etc., shall be permitted in all zones with the exception of the Wetlands (WL) Zone. Notwithstanding, a *stormwater management facility* is not permitted in the flood plain overlay or intake protection zones.
- c) Any building or structure for the purpose of providing or sheltering *infrastructure* shall be exempt from the regulations of the zone within which it is located.

#### **4.23 Intensive Livestock Operations**

- a) General

Notwithstanding any provisions of this By-law to the contrary, the establishment of a new *intensive livestock operation* or the expansion of an existing *intensive livestock operation* in a General Agricultural (AG) Zone may be permitted subject to the following:

- i. that the operation, including the manure storage and livestock facilities, shall conform with the Minimum Distance Separation II (MDS II); and
- ii. that the said facilities are constructed in accordance with an approved nutrient management plan.

- b) Nutrient Management Plan

No livestock operation or manure storage facility shall be established or enlarged until a Nutrient Management Plan is completed to the satisfaction of the Municipality.

- c) Notwithstanding any provisions of this By law to the contrary, new intensive livestock operations shall not be permitted within 500.0 metres of the Rockland Urban Area or the Villages of Clarence Creek, Bourget, Hammond, Cheney, and Clarence Point, as shown on Zoning Maps 'A', 'B', 'C', 'D' and 'E' hereto.

**4.24 Legal Non-Complying / Legal Non-Conformity**

**4.24.1 Legal Existing Buildings and Structures**

- a) A building or structure that does not meet the standards, provisions, and regulations of this By-law, but which was legally erected or altered in accordance with the By-laws in force at the time of construction may be enlarged, reconstructed, renovated, or repaired without the need for a minor variance from the Committee of Adjustment provided that:
  - i. it does not further increase the extent or degree of non-conformity, including required parking; and
  - ii. it complies with all other applicable provisions of this By-law.
- b) In order for reconstruction permitted per subsection a) above, the Owner has to demonstrate intent to reconstruct.
- c) Subsection a) shall additionally apply for a width of landscaping that does not meet the minimum landscaping requirements of this By-law, but only for the width of landscaping legally existing on the effective date of this By-law.



*Potential area where a legal non-conforming building could be expanded without first requiring approval from the Committee of Adjustment.*

**4.24.2 Legal Existing Lots**

- a) A lot in existence prior to the effective date of this By-law that does not meet the minimum lot area or lot frontage requirements of the applicable zone is permitted to be used and buildings and structures, including

*accessory buildings and structures*, be erected provided the use conforms with the By-law and the buildings and structures comply with all other provisions of the By-law.

- b) A person may build an addition, reconstruct, renovate, or repair an existing principal building or accessory building on land that is legally non-complying with respect to *lot area* or *lot frontage* if:
  - i. The addition conforms to all other provisions of this By-law;
  - ii. The Owner has demonstrated an intent to maintain the existing use; and,
  - iii. No additional *dwelling units* or *Additional Residential Unit s* are created.

#### **4.24.3 Legal Existing Uses**

- a) Nothing in this By-law applies to prevent the use of any land, building, or structure for any purpose prohibited by this By-law if such land, building, or structure was lawfully used for such purpose on the day of the passing of the By-law, provided it continues to be used for that purpose.
- b) A legal existing use, in a building or on a *lot* that does not comply with the standards, provisions, and regulations of this By-law, may change to another permitted use without the need for a minor variance from the Committee of Adjustment provided that the standards, provisions, and regulations of this By-law are no more restrictive for the new use.

#### **4.24.4 Acquisition by a Public Authority**

- a) No existing *lot*, building or structure shall be deemed to have come into contravention with any regulations or provisions of this By-law by reason that any part or parts of the lot has or have been conveyed to or acquired by any public authority.

This provision shall not apply where the conveyance of any part or parts of the *lot* to any public authority is required as a condition of an approval required for the creation of a *lot*, the construction of a new building or structure, or addition to a building.

- b) Where subsection a) above applies and a new building or structure is proposed:
  - i. Lot area, lot depth, lot frontage, and lot coverage shall be calculated using the original lands conveyed to or acquired by the public authority; and,

- ii. All other regulations shall be calculated using the remaining lands not conveyed to or acquired by the public authority.

#### **4.25 Maximum Number of Attached Dwelling Units in a Townhouse Dwelling Block**

No more than eight attached *dwelling units* are permitted in a *townhouse dwelling* block.

#### **4.26 Minimum Distance Separation**

- a) Notwithstanding any other provisions contained in this By-law to the contrary, new land uses, including the creation of new lots and new or expanding livestock facilities, shall comply with the Minimum Distance Separation (MDS) Formula. The Minimum Distance Separation Formula is applicable in zones where agriculture use (livestock) is a permitted use.
- b) MDS I or MDS II formula will not apply to the reconstruction of a building or structure (including livestock and/or manure storage facility) if in whole or part destroyed by a catastrophe providing the new or reconstructed building or structure is built no closer than before the catastrophe to any land use, building or structure described in the MDS Implementation Guidelines, and does not result in an increase in Factor A (odour potential), B (nutrient units), C (orderly expansion), and/or D (Manure or Material Form in a Storage Facility) as described in the MDS Implementation Guidelines, as amended from time to time.
- c) For the purpose of implementing the MDS II formula, cemeteries shall be considered a Type B land use. However, other cemeteries that are closed and receive low levels of visitation shall be considered a Type A land use. Where a cemetery is located on the same lot as a new/expanded livestock facility, the MDS II formula will apply.
- d) MDS I will apply through building permit on existing lots. Minor variances to MDS 1 distances can be considered based on site specific circumstances. Circumstances that meet the intent, if not the precise distances of MDS 1, or mitigate environmental impacts, may be considered by the Committee of Adjustment.
- e) The MDS II regulations shall apply to all lots of record.

#### **4.27 Motor Vehicle Service Stations including Gasoline Bar, Fuel Pump Islands, Motor Vehicle Body Shops, Motor Vehicle Repair Facility and Motor Vehicle Washing Facility**

a) Where *motor vehicle service stations, body shops, repair facilities, and washing facilities* are permitted in this By law, and notwithstanding any other provisions of this By-law to the contrary except for the provisions of Section 4.14.1 hereof, the following provisions shall apply:

- i. Lot Area (minima):
  - with full municipal services 1000.0 m<sup>2</sup>
  - with piped water supply 2500.0 m<sup>2</sup>
  - with individual services 4000.0 m<sup>2</sup>
- ii. Lot Frontage (minima):
  - with full municipal services or piped water supply only 35.0 m
  - with individual services 45.0 m
- iii. Front Yard Depth (minima):
  - County Roads 15.0 m
  - Local Roads 12.0 m
- iv. Exterior Side Yard Width (minima):
  - County Roads 15.0 m
  - Local Roads 9.0 m
- v. Interior Side Yard Width (minimum): 3.0 metres, except that where the interior side lot line abuts a lot in a Residential Zone, the minimum interior side yard shall be 6.0 metres
- vi. Rear Yard Depth (minimum): 7.50 m
- vii. Landscape Coverage (minimum): 10%

b) Despite any other provisions contained in this By-law, for all zones where a *motor vehicle service station, gasoline bar, fuel pump island and or motor vehicle washing facility* is permitted, the following shall apply:

**4.27.1 Gasoline Bar, Fuel Pump Islands Location**

The minimum distance between the gasoline pump island, pumps and their related overhead canopies and any pump shall be 6.0 metres (19.7 feet) from any lot and or street line.

Where the lot is a *corner lot*, no portion of any gasoline pump island shall be located closer than 3.0 metres (9.8 feet) to the limits of a *sight triangle*.

#### **4.27.2 Gasoline Bar, Fuel Pump Islands Location**

No person shall erect or use a tank for the storage of propane for sale at a motor service station or gas bar or on any other property where *motor vehicle* fuel may be dispensed unless a license has been obtained from the Ministry of Consumer and Commercial Relations and the location is in compliance with the requirements under the Ontario Propane Code.

#### **4.27.3 Access and Egress**

The width of any entrance or exit, combined entrance or exit measured at the front lot line or exterior side lot line shall not be greater than 12.0 metres (39.4 feet).

The minimum distance of any access from a street intersection shall be 7.0 metres (22.9 feet).

The minimum distance between driveways measured along the street line intersected by such driveways shall be 7.5 metres (24.6 feet) excluding driveways located in any Residential zone.

#### **4.28 Noxious Use**

No use shall be permitted which from its nature or the materials used therein, is declared to be a noxious trade, business or manufacture by the Health Protection and Promotion Act or any regulations made there under.

#### **4.29 Occupancy Restrictions**

- a) All *dwelling units* are required to obtain an occupancy permit from the Chief Building Official before human habitation.
- b) Human habitation shall not be permitted in any of the following buildings, structures, or parts thereof unless the building, structure or parts thereof meet all requirements of the Fire Code, the Ontario Building Code and any other applicable regulations, policies, or Acts:
  - i. Any private garage or other building which is accessory to a residential use;
  - ii. Any truck, bus, coach or street car body whether or not the same is mounted on wheels;
  - iii. Any cellar, as herein defined;

- iv. Any *trailer* or *shipping container*; and,
- v. Any building or structure before the main wall and roof have been erected, application of the exterior siding and roofing has been completed and the kitchen, heating and sanitary conveniences have been installed.

#### **4.30 One Lot For Zoning Purposes**

- a) A group of occupancies located in a Commercial or Industrial Zone that:
  - i. are designed, developed and managed, including site access and infrastructure servicing, as a unit whether by a single owner or a group of owners or tenants acting in collaboration;
  - ii. are made up entirely of uses permitted or lawfully non-conforming on the site, and has either:
    - a common parking lot or parking garage or a combination thereof; or
    - a group of parking lots or parking garages or a combination thereof which are managed as a unit by the same owner, owners or tenants of the occupancies required in clause a. above, and are on the same lot or lots as the occupancies required in clause ii. above;

shall be considered as one lot for the purposes of applying zoning provisions and regulations.

#### **4.31 Outdoor Commercial Patio**

- a) An *outdoor commercial patio* is permitted if it is operated as a part of a *restaurant, bar, place of entertainment or nightclub* where those uses are listed permitted uses.
- b) An *outdoor commercial patio* is prohibited in association with any *adult entertainment parlour*.
- c) An *outdoor commercial patio* is permitted in any *yard* however is prohibited in any *yard* facing or abutting a residential zone or abutting a *yard* or *lane* facing or abutting a residential zone unless:
  - i. it is located a minimum of 20.0 metres from the residential zone;
  - ii. it is screened and physically separated from the residential zone by a building, structure, fence or wall that is at least 1.5 metres in

height so as to mitigate both light and noise from the outdoor commercial patio; and,

- iii. where an outdoor commercial patio is located 75.0 metres or more from a residential zone or is separated by a street the provisions of subsection c) ii. above, do not apply.
- d) *Outdoor commercial patios* must not encroach on or eliminate any required parking or loading space, *driveway* or *aisle*.
- e) No additional parking is required for an *outdoor commercial patio*.
- f) No portion of an *outdoor commercial patio* may be located at an elevation higher than two metres above ground level; does not apply for a roof top *outdoor commercial patio*.

#### **4.32 Outside Display and Sales Area**

Where an outside display and sales area is permitted, the following regulations apply:

- a) An *outside display and sales area* shall be accessory to a permitted use on the same lot.
- b) The maximum height of any merchandise display is 3.0 metres.
- c) An outside display and sales area shall not be located within any required *parking space, loading space, landscaping, or sight triangle*.
- d) Notwithstanding c) above, an *outside display and sales areas* may encroach up to 30% into the required yard and/or landscaping.

#### **4.33 Outside Storage**

- a) On any zone where *outside storage* is permitted, the following provisions shall apply:
  - i. the outside storage is a permitted use in the zone or is permitted as accessory to the principal use of the lot;
  - ii. outside storage shall not be permitted within any minimum front or exterior side yard, or in any minimum side or rear yard setback where the side or rear lot line abuts any Residential or Community Facilities Zone and/or any public road;
  - iii. the height of materials stored outside shall not be higher than the

maximum permitted height for that zone (where height is measured from the *grade* to the peak of the stored materials);

- iv. a *landscape buffer* with a minimum width of 3.0 metres shall be maintained around all outside storage areas and shall include an opaque screen with a minimum height of 1.8m.
- v. any areas used for *outside storage* shall be in addition to any minimum off street parking or *loading areas* required by this By law.

#### **4.34 Parks, Paths, Streets and Heritage Sites**

Notwithstanding the list of permitted uses in each zone established by this By-Law, *public parks*, recreational paths and trails, pathways, walkways, *streets, lanes, highways*, monuments and heritage sites are permitted in all zones of this By-Law.

#### **4.35 Permitted Projections Above the Height Limit**

The maximum height limits do not apply to the structures listed below or to any other similar structures that may require a height in excess of maximum height limits in order to serve their intended purpose, unless otherwise specified in the by-law and provided these structures are erected only to such height or area as is necessary to accomplish the purpose they are to serve and that is necessary to operate effectively and safely:

- barn, silo, or other farm-related buildings or structures
- bridge
- chimney or smokestack
- clock tower, church spire, steeple or belfry
- construction equipment during the construction process
- mechanical and service equipment penthouse, elevator or stairway penthouses flag pole
- communication transmission and distribution towers forming part or all of a utility installation
- landscaped areas, roof-top gardens and terraces and associated safety guards and access structures
- ornamental dome, skylight, cupola or parapet
- utility poles
- water tower
- solar panels or solar collectors
- wind turbines located on the Agricultural Zones (AG and/or AR) or on the Rural Zone (RU).

### 4.36 Permitted Projections into Yards

Despite any other provision to the contrary, the following features and other similar features are permitted to project from a principal building into a required yard in accordance with Table 4.36. Where no yard setback is specified, the provisions of Table 4.36 do not apply. This section does not apply to:

- i. accessory buildings which are regulated by Section 4.1, except as set out in row (9) of Table 4.36;
- ii. the projection of any structure listed in Table 4.36, row (6) into the minimum required setback from waterbodies or watercourses.
- iii. Section 4.40 a), which deems a 0 m setback between vertically-attached dwelling units applies.

**Table 4.36 - Permitted Projections into Required Yards**

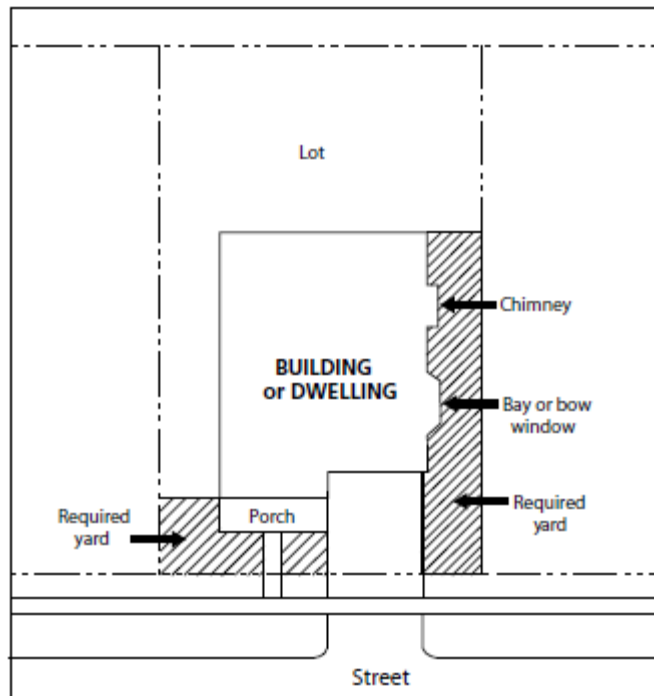
<b>I Feature</b>	<b>Maximum Size and Extent of Projection</b>	
	<b>II For Residential Use Buildings</b>	<b>III For All Other Buildings</b>
(1) Chimney, chimney box and fireplace box	1.0 m, but not closer than 0.6 m to a lot line	2.0 m, but not closer than 0.6 m to a lot line
(2) Eaves, eave-troughs, rain barrels and gutters	1.0 m, but not closer than 0.3 m to a lot line	2.0 m, but not closer than 0.3 m to a lot line
(3) Ornamental elements such as sills, belt courses, cornices, parapets and pilasters	0.6 m, but not closer than 0.6 m to a lot line	1.2 m, but not closer than 0.6 m to a lot line
(4) Canopies and awnings	(a) Residential use buildings other than low-rise apartment dwellings and mid-high rise apartment dwellings: -1.8 m, but not closer than 0.6 m to a lot line	

	<p>(b) All other buildings including a low-rise apartment dwelling and mid-high-rise apartment dwelling:</p> <ul style="list-style-type: none"> <li>i) a distance equal to ½ the depth of a front, rear or exterior side yard but not closer than 0.6 m to a lot line, and</li> <li>ii) 1.8 m into an interior side yard, but not closer than 0.6 m to a side lot line</li> </ul>
<p>(5) Fire escapes, open stairways, stoop, landing, steps and ramps</p>	<p>(a) Wheelchair ramps - no limit</p> <p>(b) Other features:</p> <ul style="list-style-type: none"> <li>i) where at or below the floor level of the first floor: <ul style="list-style-type: none"> <li>1. in the case of the interior side yard or rear yard: 1.0m, and</li> <li>2. in the case of the front yard or exterior side yard: no closer than 0.6 m to a lot line, and</li> <li>3. in the case of a separation distance between buildings on the same lot: no closer than 1 meter to the other building</li> </ul> </li> <li>ii) other cases: <ul style="list-style-type: none"> <li>1. In the case of any yard: 1.5 m, but not closer than 1.0 m to a lot line;</li> </ul> </li> </ul>
<p>(6) Covered or uncovered balcony, porch, deck, platform and verandah, with a maximum of two enclosed sides, excluding those covered by canopies and awnings</p>	<p>a) uncovered, unenclosed features such as decks or platforms where the walking surface is not higher than 0.6 m above adjacent grade:</p> <ul style="list-style-type: none"> <li>i. in the interior side yard and rear yard: no limit</li> <li>ii. in the front yard and exterior side yard – the greater of 2.0 m or 50% of the required front yard or exterior side yard, but no closer than 1.0 m to a property line; and</li> </ul> <p>(b) all other cases – 2.0 m in any front, interior side yard and exterior side yard and 4.0 m in a rear side yard, but no closer than 1.0 m from any lot line</p>

PART 4

(7) Bay window where window faces a lot line	1.0 m, but not closer than 1.2 m from a lot line	No restriction
(8) Air conditioner condenser, heat pump or similar equipment	0.6 m, but not closer to a lot line than 0.3 m, and may not project into a required front yard.	(a) In a yard abutting a residential use – 0.6 m, but not closer to a lot line than 0.3 m (b) Other cases - no restriction
(9) An existing carport as of the date of adoption of this By-law	An existing carport complies if:	
	(a) it is attached to the house to which it is accessory;	
	(b) it is entirely open on at least two sides;	
	(c) it is built over the driveway;	
	(d) it is not in:	
	i)	a required front yard, or
ii)	a required exterior side yard.	

*Some architectural and building design features are permitted to project into minimum yards.*



**4.37 Prohibited Uses**

- a) For clarity, the following uses are not considered to be part of any use permitted by this By-law:
  - i. The refining, storage or use in manufacturing of coal oil, rock oil, water, oil, naphtha, benzene, dynamite, dualine, nitroglycerin, or gunpowder, except where specifically permitted for commercial purposes. This provision shall not apply to prevent the above ground storage of such substances by a farmer, where such storage is incidental and accessory to agriculture, or the use of natural gas, propane or fuel oil for purposes such as heating and cooking, in conjunction with any use;
  - ii. The tanning or storage of uncured hides or skins;
  - iii. The boiling of blood, tripe, or bones for commercial purposes;
  - iv. The manufacturing of glue or fertilizers from dead animals or from human or animal waste;
  - v. The extracting of oil from fish;
  - vi. A disposal site for solid waste (except in the Waste Management Zone);
  - vii. Motor vehicles, or recreational vehicles and trailers occupied as a permanent residence; and,
  - viii. Large scale outside storage of road salt, road sand or other de-icing materials.

**4.38 Provisions for the Handling and Transfer of Propane and Natural Gas**

- a) Facilities relating to the handling and transfer of propane and natural gas, including tanks and associated compressors, pumps and other similar facilities must not be located in any required front, side, exterior side or rear yard, nor closer than 30.0 metres to any *lot line* abutting a residential zone.
- b) Despite subsection a), the minimum of 30.0 metres may be reduced to a minimum of 6.0 metres where it can be demonstrated that appropriate noise abatement measures have been undertaken to ensure that noise levels at the boundary of the residential zone do not create a nuisance for uses in that abutting residential zone.

**4.39 Refreshment Vehicles (commonly known as chipwagon)**

Refreshment vehicles may be permitted pursuant to By-Law No. 2007-38, as amended.

**4.40 Regulations Affecting Vertically Attached Dwelling Units**

- a) Minimum interior side yard and minimum rear yard setbacks are deemed to be 0 m between individual *dwelling units* that are permitted to be vertically attached.
- b) A *linked-detached dwelling* must be connected by a common foundation wall that is no greater than 1.0 metre above grade, and a minimum of 5.0 metres or more in depth.
- c) A *duplex dwelling* may additionally have vertical separated *floor area* of up to 15% of the upper unit.
- d) A *semi-detached dwelling* must have a vertical common wall that is 5.0 metres or more in depth and 2.5 metres or more in height.

**4.41 Additional Residential Unit**

- a) An additional residential unit on a *Parcel with full municipal services* is permitted in a detached house, linked-detached, semi-detached house or townhouse on a parcel of land on which residential use is permitted and can take the form of:
  - i. a second residential unit in a detached house, linked-detached, semi-detached house or townhouse on a parcel of land on which a residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the detached house, linked-attached, semi-detached house or townhouse cumulatively contain no more than one residential unit;
  - ii. a third residential unit in a detached house, linked-detached, semi-detached house or townhouse on a parcel of land on which a residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the detached house, linked-detached house, semi-detached house or townhouse contains any residential units; or
  - iii. one residential unit in a building or structure ancillary to a detached house, linked-detached, semi-detached house or townhouse, if the detached house, linked-detached house, semi-detached house or townhouse contains no more than two residential units and no other building or structure ancillary to the detached house, linked-detached house, semi-detached house or townhouse contains any residential units.

- b) An additional residential unit on a *Parcel with partial municipal services* is permitted in a detached house, linked-detached or semi-detached house on a parcel of land on which a residential use can take the form of:
- i. a second residential unit on a lot where the primary dwelling unit is a detached dwelling. The residential lot area must be a minimum of 2,500 m<sup>2</sup> and a maximum of four (4) bedrooms combined (main dwelling unit and ARU).
  - ii. a second residential unit on a lot where the primary dwelling unit is a linked-detached or semi-detached. The residential lot area must be a minimum of 2,500 m<sup>2</sup> (per main unit) and a maximum of four (4) bedrooms combined (main dwelling unit and ARU).
  - iii. a third residential unit in a detached dwelling, linked-detached or semi-detached if supported by a hydrogeological and terrain analysis that includes interference impact assessment and that has determined whether these areas and proposed development are suitable for long-term provision of partial services, to the satisfaction of the City of Clarence Rockland.
- c) An additional residential unit on a Parcel with private services is permitted in a detached house on a parcel of land on which residential use, other than ancillary residential use, and can take the form of:
- i. a second residential unit on a lot where the primary dwelling unit is a detached dwelling in a rural or agricultural zone; the residential lot area must be a minimum of 8,000 m<sup>2</sup> and must be supported by a hydrogeological study that includes interference impact assessment and that has determined whether these areas and proposed development are suitable for long-term provision of private services, to the satisfaction of the City of Clarence-Rockland.
- d) Notwithstanding subsection b) additional residential units on smaller lot areas or additional bedrooms may be permitted for a property on partial municipal services or private services if supported by a hydrogeological and terrain analysis that includes interference impact assessment and that has determined whether these areas and proposed development are suitable for long-term provision of partial services, to the satisfaction of the City of Clarence-Rockland.
- e) An additional residential unit cannot be a stand-alone principal unit capable of being severed; and it must be located on the same lot as the primary dwelling unit.

- f) An additional residential unit is not permitted within an ancillary structure within the agricultural zone.
- g) Where an additional residential unit is in a structure ancillary to the primary dwelling, it is subject to the same zone provisions as the primary dwelling with the exception that the maximum permitted height is one storey or 4.0 metres and rear yard setback is 2.0 metres.
- h) The creation of an additional residential unit must not eliminate the required parking space(s) for the principal residential unit.
- i) Despite subsection h), a parking space for an additional residential unit may be in a driveway that passes through a front yard to a garage, carport or other parking space, and may be in tandem in the driveway.
- j) Where a total of two additional residential units on a Parcel with full municipal services are located within the primary dwelling or ancillary structure, neither a garden suite, bed and breakfast, nor any lodging units are permitted on that lot.
- k) Where an additional residential unit on a Parcel with partial municipal services or private services is located within the primary dwelling or ancillary structure, neither a garden suite, bed and breakfast, nor any lodging units are permitted on that lot.
- l) Additional residential units must not be limited by, nor included in, any density control requirement, including for example, number of dwelling units and unit per hectare counts. However, if located in an ancillary structure will count towards total lot coverage.
- m) An additional residential unit within an ancillary structure must comply with Minimum Distance Separation (MDS) requirements.
- n) An additional residential unit is not permitted within an ancillary structure on a property subject to a mineral aggregate overlay unless a study has demonstrated that there will be no impacts to the mineral aggregate resource, to the satisfaction of the City of Clarence-Rockland.
- o) An additional residential unit is not permitted within an ancillary structure on a property subject to a natural heritage feature or within 120 metres of a natural heritage feature unless an environmental impact study has demonstrated no negative impacts to the satisfaction of the City of Clarence-Rockland.
- p) An additional residential unit is not permitted on a property subject to natural or human made hazards or within their influence area.

- q) Additional residential units are not permitted on legal non-complying or legal non-conforming property unless permission is granted by the Committee of Adjustment.

#### **4.42 Separation Distances**

- a) Notwithstanding any provision of this By-law to the contrary, new sensitive uses such as *dwelling*s, *day cares*, *retirement home*, etc. requiring a land use amendment will be prohibited in the following locations:
- within a minimum distance separation as established by MDS Formulae
  - within 150.0 metres of any land zoned Industrial Wrecking Yard or used for wrecking yard purposes
  - within 500.0 metres of any land zoned Waste Management
  - within 150.0 metres of any land zoned Mineral Aggregate-Pit
  - within 300.0 metres of any land zoned Mineral Aggregate-Quarry
  - within 300.0 metres of any land zoned Mineral Aggregate-Reserve
  - within 500.0 metres of any land used as an Adult Entertainment-Parlour
  - Within 20 metres of the lot line of a lot used for a Class I industrial use
  - Within 70 metres of the lot line of a lot used for a Class II industrial use
  - Within 300 metres of the lot line of a lot used for a Class III industrial use
  - Within 150 metres of a *cannabis production facility*
- b) The minimum separation distance for any lands where a Class I, II or III industrial use requires a land use amendment is reciprocal for a sensitive use.
- c) Notwithstanding section a) above, separation distances between industrial uses or mineral aggregate uses and sensitive land uses (vice versa) can be reduced either by rezoning or minor variance. An application to reduce the separation distance will only be supported where appropriate studies (i.e. noise, odour, vibration, etc.) and mitigation measures have demonstrated that there will be no negative impacts on either the sensitive land use or the industrial or aggregate use.
- d) The minimum separation distance from any fire hydrant is 1.5 metres. This includes hardened landscape features and driveways.

#### **4.43 Sequence of Development**

No *accessory use*, building or structure shall be erected on any *lot* until the principal use has been established or the principal building or structure has been erected.

#### **4.44 Special Setbacks**

##### **4.44.1 Setback from Waterbodies and Watercourses**

- a) All waterbodies and watercourses (as defined by the Conservation Authorities Act) within the *City of Clarence-Rockland* shall be considered as fish habitat (including municipal drains).
- b) Any new development or site alteration within 120.0 m from the normal highwater mark of a waterbody or watercourse requires consultation with the Conservation Authority (where applicable) or the federal Department of Fisheries and Oceans and may require the preparation of an Environmental Impact Study per Section 5.6 of the UCPR OP.
- c) Any demonstrated harmful alteration, destruction or disturbance of fish habitat will require prior written approval of the Minister of Fisheries and Oceans for Canada.
- d) Where an existing *lot* on which a *building* or *structure*, which does not require plan of subdivision or site plan control approval, is to be erected or enlarged contains or is adjacent to a waterbody or watercourse, such building or structure but excluding a *marine facility*, a public bridge, and flood and erosion control works shall be set back a minimum of 30.0 m from the high water mark of the waterbody or watercourse or any other distance as approved in writing by the South Nation Conservation.
- e) Along the shorelines of the Ottawa River, buildings or structures including a sewage disposal system shall be setback 30.0 m from the high water mark, or any other distance as approved in writing by the South Nation Conservation.
- f) Notwithstanding d) and e) above, additions and accessory structures that do not exceed 24 square metres in area within the 30-metre setback are permitted as long as they are located no closer than the principal building to the watercourse or waterbody.
- g) It is recognized that not all waterbodies and watercourses or areas of fish habitat have been accurately displayed in the Maps. Where there is a discrepancy, what actually exists on the ground shall preside and the text of this Zoning By-law shall be applied.

- h) Watercourses, waterbodies, and areas of fish habitat layer on the Maps may be amended from time to time without amendment to this Zoning By-law.
- i) A Natural State Shoreline Area shall be provided with a minimum depth of 15.0 m along all watercourses and waterbodies.

#### **4.44.2 Setback from Unstable Slopes**

- a) Development and site alteration in areas known to have unstable slopes (i.e. lands with a slope stability factor of safety of 1.5 or less), as shown on Map G, is prohibited except by site specific zoning by-law amendment. Also, development and site alteration on any lands identified as having unstable slopes (including a septic tank, tile bed, swimming pool or underground structure) shall be setback from the top of slope and shall not be located on the flank of the slope. Site specific zoning by-law amendments are not required where the Building Code Act addresses the requirements for development in areas of unstable slopes.
- b) Site specific zoning by-law amendments to permit construction of a building or structure may be passed only if all of the following conditions are met:
  - i. development may be permitted in accordance with the zone category in areas of unstable slopes with appropriate development setbacks where sufficient soils and engineering information is made available to indicate that, although the site is identified as having unstable slopes, it is in fact suitable or can be made suitable for development using accepted scientific and engineering practices;
  - ii. alteration to the site will not result in increased hazards or cause adverse environmental effects on or off-site based on engineering and/or environmental impact analysis;
  - iii. institutional uses, essential emergency services, snow disposal facilities or the disposal, manufacture, treatment or storage of hazardous substances shall not be permitted on lands identified as having unstable slopes; and,
  - iv. notwithstanding the above, development and site alteration within lands affected by unstable slopes may be regulated under the Conservation Authority Act, and, in addition to a building permit from the municipality under the Building Code Act, may require a permit from the Conservation Authority or other authority having jurisdiction over the regulated area.
- c) In areas not identified on Map G as having unstable slope yet susceptible of containing erosion hazards, development and site alteration shall only

proceed where an assessment has been prepared by a qualified engineer determining the property can be safely developed.

#### **4.44.3 Setback from Significant Wetlands**

- a) Only Provincially Significant Wetlands that meet the Ministry of Natural Resources criteria or Locally Significant Wetlands as deemed appropriate by the Municipality will form part of this Zoning By-law.
- b) Development and site alteration shall not be permitted within the "Wetlands (WL) Zone".
- c) Development and site alteration within 120 meters of a "Wetland Zone (WL)" may be permitted, if it can be demonstrated through an Environmental Impact Study per Section 5.6 of the UCPR OP that there will be no negative impacts on the wetland's natural features, ecological and hydrologic functions, to the satisfaction of the Municipality and applicable Conservation Authority or other authority.
- d) Nothing in this subsection is intended to limit the ability of *agricultural uses* to continue.
- e) Further, development and site alteration within 120 metres of a "Wetland Zone (WL)" may be regulated under the Conservation Authorities Act, and, in addition to a building permit from the municipality under the Building Code Act, may require a permit from the Conservation Authority having jurisdiction over the regulated area.

#### **4.44.4 Setback from Significant Woodland**

- a) Significant woodlands are identified in the UCPR OP.
- b) Development and site alteration in or within 120.0 m of a significant woodland requires consultation with the Conservation Authority (where applicable) or the Ministry of Natural Resources and Forestry and will require the preparation of an Environmental Impact Study per Section 5.6 of the UCPR OP.
- c) Development and site alteration in or within 120 metres of a significant woodland may be regulated under the Conservation Authorities Act or Endangered Species Act, and, in addition to a building permit from the municipality under the Building Code Act, may require a permit from the Conservation Authority or Ministry of Natural Resources and Forestry having jurisdiction over the area.
- d) The establishment of a detached dwelling on an existing lot of record is permitted. Notwithstanding, clear-cutting is authorized on property designated "significant woodlands" or on adjacent lands within 120

meters, only if supported by an Environmental Impact Study in accordance with Section 5.6 of the UCPR OP. For the purpose of this section, "clear-cutting" means the harvesting of all merchantable trees from area of forested land representing the lesser of 4,047 square meters (1 acre) or 20% of the total area of the lot, within a 3 years period.

- e) It is recognized that not all significant woodlands have been accurately displayed in the UCPR OP. Where there is a discrepancy, what actually exists on the ground shall prevail and the text of this Zoning By-law shall be applied.

#### **4.44.5 Setback from Primary Artery and Collector Roads**

- a) Notwithstanding setback requirements from the applicable zone, a minimum development setback of half the minimum right of way identified on Map D of the UCPR OP from the centre line of the road shall be required.

### **4.45 Shipping Containers**

#### **4.45.1 Shipping Containers in Residential Zones or on a lot used for residential purposes**

The parking or storing of a shipping container in a Residential Zone or on a lot used for residential purposes is only permitted in accordance with the following provisions:

- a) Shipping containers shall not be permitted except on a temporary basis for moving purposes for a period not to exceed 14 days, in which case the shipping container shall be located on the driveway, at least 2 metres from the edge of asphalt.
- b) Notwithstanding subsection a) above, a shipping container used for temporary storage because of construction, renovation or damage mitigation, shall only be permitted for a period not to exceed 6 months and shall be removed from the lot upon the completion of construction, renovation and damage mitigation.
- c) A shipping container shall not exceed a maximum height of 3 metres and a maximum length of 6 metres.
- d) A shipping container permitted under subsection a, b and c above shall not be used for human habitation.

#### **4.45.2 Shipping Containers in all other Zones not used for residential purposes**

The parking or storing of a shipping container in all other Zones not used for residential purpose is only permitted in accordance with the following provisions:

- a) Shipping containers shall not be located within a front yard;
- b) Shipping containers shall be located at a minimum distance of 6 metres from any exterior side lot line and at a minimum distance of 1.2 metres from any interior side and rear lot line;
- c) Notwithstanding subsection b), shipping containers shall not be permitted within 5 metres of a lot containing a residential use or zoned for residential purposes.
- d) The maximum lot coverage shall be equal to or less than 5% or limited to a maximum of 4 shipping containers, whichever is less;
- e) The issuance of a building permit is required as per the Building Code Act.
- f) The stacking of shipping containers is prohibited;
- g) Shipping containers shall not be permitted in a required parking area.
- h) Shipping containers shall be screened by a landscape buffer from the street frontage and buildings on abutting lots.

#### **4.46 Shoreline Activity Area and Natural State Shoreline Area**

- a) Notwithstanding Section 4.44.1 Setback from Waterbodies and Watercourses, a *shoreline activity area* may be permitted within the *natural state shoreline area*.
- b) The depth of the *natural state shoreline area* shall be maintained in a natural state. Within this area, existing native (riparian) vegetation shall be preserved. Invasive species and trees which present safety hazards may be removed. On each *lot*, a *shoreline activity area* shall be permitted within the determined setback from a waterbody or watercourse to provide access to the shoreline and locations for land-based shoreline *accessory structures*. The *shoreline activity area* is calculated as a percentage of the *natural state shoreline area*. The *natural state shoreline area* is calculated by multiplying the length of the shoreline by 15.0 m depth. *Multiple shoreline activity areas* may exist on a *lot*, however, the maximum cumulative area shall be as follows:
  - i. A *shoreline activity area* shall be a maximum of 10 percent of the *natural state shoreline area*, and shall have a maximum width of 10 percent of the shoreline length or 9.0 m (whichever is less), at any point within the *natural state shoreline area*.

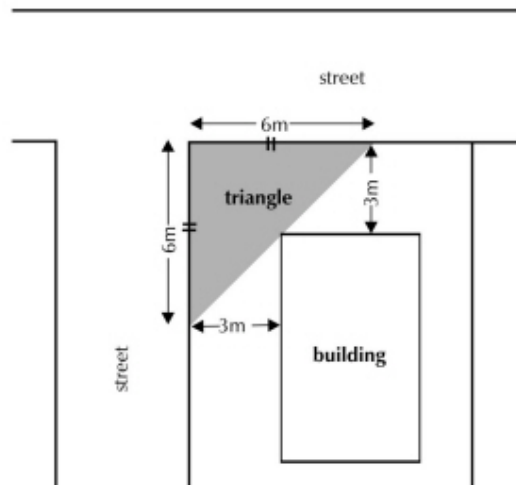
#### **4.47 Sight Triangle**

- a) For any *detached, linked, duplex, semi-detached* or *three unit dwelling* located on a *corner lot*, no obstruction to the vision of *motor vehicle* operators higher than 0.75 metres above grade including but not limited to buildings, structures or vegetation is permitted within the triangle formed by that part of the *lot lines* measured along each street from the intersection of those lines at the street corner, or the projection of those

lines, for the distance of 6.0 metres, and a line drawn between those two lines to form the base of the triangle.

- b) For development other than that listed in a), the required sight triangle will be determined through the City's Site Plan Control Approval process.
- c) For the purposes of subsection a) and b), an agricultural crop, chain link fence or other similar feature that can be seen through is not an obstruction.

**ILLUSTRATION OF CORNER SIGHT TRIANGLES**



- d) Where a lot abuts a sight triangle, the front yard setback and exterior yard setback shall be measured from the imaginary projection of these two lot lines.

**4.48 Snow Disposal Facility**

- a) Where permitted, a snow disposal facility must be located at least 200.0 metres from a residential zone or a residential use in another zone.
- b) Despite subsection a), the minimum required 200.0 metre setback may be reduced to a minimum of 100.0 metres provided that noise attenuation measures are introduced to mitigate the noise level of the snow disposal facility so that it does not become a nuisance to surrounding dwellings.

**4.49 Source Water Protection**

The City of Clarence-Rockland obtains its water from the Ottawa River. The Ontario Clean Water Act, 2006 requires protection of municipal drinking water

sources from significant drinking water threats. The South Nation Source Protection Plan, 2014 identifies Vulnerable Areas within the City of Clarence-Rockland, including part of the Wendover Intake Protection Zone (IPZ) which extends into Clarence-Rockland, and contains policies to protect municipal drinking water sources. These policies may prohibit certain uses or require that a Risk Management Plan be developed to outline how the property owner will manage a significant drinking water threat. Effective April 1<sup>st</sup>, 2015, properties within the Vulnerable Areas identified as Rockland IPZ-1 on Map H1 and Wendover IPZ-2 on Map H2 are subject to policies from the South Nation Source Protection Plan.

#### **4.49.1 Rockland IPZ-1 Overlay, Prohibited Uses**

The following uses are prohibited within the areas identified as Rockland IPZ-1 on Map H1 of this By-law:

1. Waste disposal site
2. Snow disposal site
3. Sewage works
4. *Agriculture use*
5. Storage and handling of commercial pesticides
6. Storage and handling of road salt
7. Storage and handling of commercial chemical

A *stormwater management facility* constructed in the Rockland IPZ-1 is required to be built to Enhanced Level Protection Standards as described in the Stormwater Management Planning and Design Manual, MOECC 2003, as amended.

#### **4.49.2 Wendover IPZ-2 Overlay, Prohibited Uses**

The following uses are prohibited within the areas identified as Wendover IPZ-2 on Map H2 of this By-law:

1. Sewage works
2. *Agricultural use* without an approved Nutrient Management Plan.

A *stormwater management facility* constructed in the Wendover IPZ-2 is required to be built to Enhanced Level Protection Standards as described in the Stormwater Management Planning and Design Manual, MOECC 2003, as amended.

#### **4.50 Swimming Pools**

Swimming Pools may be permitted pursuant to By-Law No. 2007-50, as amended.

#### **4.51 Temporary Uses**

The following temporary uses are permitted in all zones:

##### **4.51.1 Construction Uses**

Notwithstanding any other provision of this By-law, uses incidental to construction such as a construction camp or other such temporary work camp, a tool shed, a scaffold or other building or structure incidental to the construction, and the parking or storage of any construction equipment or construction vehicle are permitted, subject to the following provisions:

- a) Such uses shall be permitted only for so long as the same are necessary for work in progress that has neither been finished nor discontinued for a period of 60 days;
- b) A valid building permit or site alteration permit for the construction remains in place, if such a permit was required; and,
- c) Uses incidental to construction may be undertaken on the lot prior to the erection of the main building, provided it is used for no purpose other than storage.

##### **4.51.2 Model Homes**

Model homes are permitted on lands that have received draft plan of subdivision or condominium approval for residential purposes provided that:

- a) The number of model homes does not exceed 10 units or 10% of the dwelling units draft approved in the plan of subdivision or condominium whichever is the lesser;
- b) The model home is built within a lot defined by the draft approved plan of subdivision or condominium;
- c) The model home complies with all other requirements of this By-law for the applicable type of *dwelling unit* with the exception of the parking requirements; and,
- d) The buildings are used for the purpose of model homes only and shall not be occupied prior to the date of registration of the subdivision, condominium, or similar development agreement and issuance of the certificate of preliminary acceptance of the subdivision.

##### **4.51.3 Tempo Garages**

Tempos are permitted in accordance with By-law 2009-138, as amended.

#### **4.51.4 Temporary Sales Office**

Temporary sales offices for the sale of residential, employment or commercial *lots* or units in a plan of subdivision or condominium are permitted, subject to the following provisions:

- a) The temporary sales office shall not be permitted until an applicable plan of subdivision or condominium has received draft plan approval or the property is in a zone that permits the proposed development.
- b) The temporary sales office shall only be permitted for such period that work within a relevant plan of subdivision or condominium remains in progress, having not been finished or discontinued for 60 days.
- c) The temporary sales office shall comply with the minimum yards for the applicable zone.
- d) If *parking spaces* are provided, the temporary sales office shall comply with the parking provisions of this By-law.
- e) The temporary sales office is located in the plan of subdivision or condominium where the *lots* or units are being sold.

#### **4.51.5 Temporary Accommodation**

- a) In any zone, temporary accommodation may be permitted for a maximum period of two years and only while a valid building permit for such construction remains in force. Temporary construction facilities and/or accommodations shall comply with the provisions of the zone.

#### **4.52 Through Lots in Residential Zones**

- a) In the case of a residentially-zoned *through lot*, or *corner through lot*, the minimum required *front yard* setback applies to both the *front and rear lot lines*, in accordance with the provisions of the Residential zone or zones in which such *lot* is located and the minimum required *rear yard setback* does not apply.
- b) In the case of a *corner through lot*, the minimum required *exterior side yard* setback applies to the street that is mostly perpendicular to the other two *streets*, in accordance with the provisions of the Residential zone or zones in which such *lot* is located.

#### **4.53 Waste Processing and Transfer Facility**

- a) A *waste processing and transfer facility (putrescible)* is only permitted in a Waste Management (WM) Zone;

- b) The minimum lot area for *waste processing and transfer facility (putrescible)*: 2.0 hectares;
- c) A minimum separation distance of 300.0 metres is required between a building containing a *waste processing and transfer facility (putrescible)* and any building for which the principal use is residential or institutional;
- d) A minimum separation distance of 300.0 metres is required between a building containing a *waste processing and transfer facility (putrescible)* and any *lot* residentially-zoned or institutionally-zoned;
- e) The construction of any building for which the principal use will be residential or institutional on a lot zoned to permit a residential or institutional use in proximity to existing *waste processing and transfer facilities (putrescible)* must also comply with the minimum separation distance;
- f) Despite the required minimum separation distance, no *waste processing and transfer facility (putrescible)* is deemed to be non-complying by the subsequent erection of a residential use or institutional use building on another lot,
- g) *A waste processing and transfer facilities (putrescible) and waste processing and transfer facilities (non-putrescible)*, are restricted to having either direct access to a designated truck route or access through an industrial subdivision leading directly to a designated truck route;
- h) Development of a *waste processing transfer facility (putrescible)* or a *waste processing transfer facility (non-putrescible)*, must not be developed without the approval of the Ministry of Environment and Climate Change;
- i) *A waste processing and transfer facility (putrescible) and waste processing and transfer facility (non-putrescible)* must not be used as a *solid waste disposal facility*; and,
- j) *Outside storage* of putrescible waste is prohibited.

#### **4.54 Wayside Pits and Wayside Quarries**

- a) Wayside pits, wayside quarries and related portable asphalt plants and portable concrete plants are permitted in all zones other than Conservation Zone (CON), Wetlands Zone (WL), Area of Natural and Scientific Interest Zone (ANSI), or Hazard Zone (HL).

#### **4.55 Agriculture-Related Uses and On-farm Diversified Uses**

Where there is doubt as to the compatibility of a proposed on-farm diversified use or agriculture-related use, or where there is doubt as to if a proposed use fits the definition and criteria of an on-farm diversified use or an agriculture-related use, application may be made to the Committee of Adjustment to determine whether or not the proposed use is appropriate. In such cases, the Committee of Adjustment shall consider how the proposed use meets the criteria contained in the *Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas*.

##### **4.55.1 On-farm diversified uses**

- (a) All on-farm diversified uses shall be considered accessory uses to a primary agricultural use. On-farm diversified uses must be compatible with, and shall not hinder, surrounding agricultural operations.
- (b) The following uses shall be considered on-farm diversified uses when located in an agricultural zone:
  - i. uses of a farm-tourism nature that are secondary to and subordinate to the agricultural use such as seasonal or occasional festivals or events, recreational activities, or educational displays
  - ii. food production that uses inputs from local farms, including vineyards and micro-breweries
  - iii. eating establishment "Country Style Dining" for transient guests and where the primary attraction consist in serving meals which are prepared with homegrown produce and livestock for gastronomic purposes.
  - iv. *Home-based businesses and home industries*
  - v. *Home-based private home day care*
  - vi. *Bed and breakfast*
  - vii. *Outdoor farmer's market*
  - viii. *Boarding kennel*
  - ix. *Retail store or food store* selling value-added products from local farms
  - x. *Veterinary clinic* limited to providing services to livestock and horses.
- (c) The cumulative total area occupied by all on-farm diversified uses on a lot producing a harvestable crop may not exceed 2% of the total area of the lot on which they are located, to a maximum of one hectare or 10,000m<sup>2</sup>. This includes all area of new buildings or structures, including setbacks, outside storage, landscaped areas, berms, well and septic systems, laneways, parking, etc. that may be associated with the on-farm diversified use(s). In addition, the buildings must not occupy more than 30 per cent of the 2% lot coverage cap. Where the use is located within an existing building the area of the use is reduced by 50% (i.e. converted barn, within a dwelling); this reduction does not apply to

parking or outside storage areas.

- (d) Despite subsection (c) above, uses that are intermittent, such as special events, may occupy a larger area, provided they are located on lands that are also used for the production of a harvestable crop.

#### **4.55.2 Agriculture-Related Uses**

- (a) Uses that fit the definition of Agriculture-related uses and that are located in an agricultural zone shall not be considered on-farm diversified uses regardless of whether they are located on the same lot as a farm or on a separate lot.
- (b) Agricultural related commercial or agricultural related industrial uses that have a large number of employees or attract a large number of customers may not be compatible in the prime agricultural area. Agriculture-related uses and on-farm diversified uses should:
- Have little to no impact on surrounding agricultural operations;
  - Ensure appropriate rural services and infrastructure are available;
  - Maintain the agricultural/rural character of an area or region;
  - Meet all applicable environmental standards; and,
  - Ensure cumulative impacts of multiple uses in prime agricultural areas are limited and do not undermine the overall agricultural nature of the area.

#### **4.56 Provisions for Pet Care Establishments**

- (a) A pet care establishment shall not become a nuisance with regards to noise or odours.
- (b) A pet care establishment shall not keep animals on the premises overnight.
- (c) A pet care establishment which houses dogs temporarily during daytime business hours, such as a doggy daycare, dog training facility, or dog grooming establishment shall house no more than 15 dogs per supervisor at any one time and shall house no more than 27 dogs per 100 m<sup>2</sup> gross floor area at any one time.

## **Part 5 Parking, Stacking, Loading and Landscaping Provisions**

### **5.1 General Provisions**

#### **5.1.1 Applicability**

- a) The *parking space, accessible parking space, bicycle parking space, and stacking space* requirements of this By-law shall not apply to any legal or legal non-conforming use existing on the effective date of this By-law.
- b) Additional *parking spaces, accessible parking spaces, bicycle parking spaces, or stacking spaces* shall be provided in accordance with the provisions of this By-law for all uses and all *net floor area* on a *lot* in the following circumstances:
  - i. Where a new building is erected or additional *net floor area* is added to a legal or legal non-conforming building existing on the effective date of this By-law.
  - ii. Where a change in use occurs that has the effect of requiring additional *spaces* identified in subsection b) above.

#### **5.1.2 Exclusive Use**

- a) Any minimum *parking space, accessible parking space, bicycle parking space, stacking space, and loading space* required by this By-law and any *driveway or aisle* leading to those *spaces* shall be unobstructed, available, and exclusively used for that purpose at all times, unless otherwise specified by this By-law. For residential uses or accessory residential uses, minimum parking spaces can be in tandem (need not have direct, unobstructed access to a public street).
- b) Notwithstanding subsection a) above, an *outdoors farmers market a seasonal garden centre or a temporary special event accessory to retail store, food store, shopping centre or place of worship* may be located such that it temporarily prevents the use of a portion of the required or provided *parking spaces, aisles or driveways*, provided that:
  - i. the majority of the *parking spaces* continue to be available in compliance with this by-law; and
  - ii. the *garden centre* or temporary special event does not obstruct access to a fire route.

### **5.1.3 More than One Use on a Lot**

The *parking space, accessible parking space, bicycle parking space, and stacking space* requirements for more than one *use* on a single *lot* or for a *building* containing more than one *use* shall be the sum total of the requirements for each of the component *uses* or *buildings*, unless otherwise permitted by this By-law.

### **5.1.4 Location of Required Parking**

- a) Any *parking space, accessible parking space, bicycle parking space, and loading space* required by this By-law shall be located on the same *lot* on which the use is located.
- b) Despite subsection a) above, required parking in a Residential Zone shall be provided on the same *lot* as the *dwelling unit*. In all other zones, the required parking may be provided within 150.0 metres of the building it is intended to serve and no part of any *parking area* required for a use other than Residential shall be permitted in a Residential Zone. Where required parking is not provided on the same *lot*, the *lot* or part of the *lot* where the parking is located shall be in the same ownership or be leased by a long term renewable agreement and the parking spaces shall be retained for the duration of the use.

### **5.1.5 Rounding Provision**

- a) Where the application of any ratio in this Part of the By-law results in a fraction of a *parking space, bicycle parking space or loading space* being required, the minimum number of spaces required shall be increased to the next highest whole number if the fraction is greater than 0.50.
- b) Where the application of any ratio in this Part of the By-law results in a fraction of an *accessible parking space* being required, the minimum number of *accessible parking spaces* required shall be increased to the next highest whole number.

### **5.1.6 Cash-in-Lieu of Parking**

*Parking spaces and bicycle parking spaces* required by this By-law for non-residential uses shall not be required for a *lot* in the Urban Core Area if the City enters into an agreement with the landowner respecting the payment of cash-in-lieu for some or all of the *parking spaces, bicycle parking spaces, aisles, or driveways* required, in accordance with Section 40 of the *Planning Act*.

### **5.1.7 Shared Driveways and Access Lanes Recognition**

Notwithstanding any other provision of this By-law, a *driveway* or *aisle* shared across two lots shall be permitted.

### **5.1.8 Hardscape Surface Treatment**

All *parking areas, loading spaces, stacking lanes and stacking spaces, aisles and driveways* must have a surface which is:

- a) hard, stable and dust preventative such as standard concrete and asphalt paving in the Urban Area and Villages;
- b) dust preventative, stable, permeable, and usable in all seasons in the Rural areas;

alternatives such as porous paving, turf block, honeycomb block cobblestone, pavers which allow infiltration of surface water could be used throughout.

- c) Notwithstanding subsection b) above, hard, stable and dust preventative materials such as standard concrete and asphalt paving, or any of the alternatives listed above, is required between the edge of roadway asphalt and the street lot line.

## **5.2 Motor Vehicle Parking Spaces**

### **5.2.1 Minimum Number of Parking Spaces**

- a) The minimum number of *parking spaces* required for uses permitted by this By-law are established and calculated in accordance with the ratios set out in Table 5.2.1, below.
- b) Despite subsection 5.2.1 a) above, no additional parking is required for an *outdoors farmer's market, seasonal garden centre or a temporary special event accessory to retail store, food store, shopping centre or place of worship* activities or for an *outdoor commercial patio*. For the purpose of this Section, a temporary special event includes a seasonal or short-term fair, carnival, show, exhibit or other similar events and associated facilities such as a temporary tent or stage.
- c) Despite subsection 5.2.1 a) above, , where a restaurant use operates in combination with a *drive-through facility*, the parking required by Table 5.2.1 for that land use may be reduced by 20% and where any other use operates in combination with a *drive-through facility*, the parking required by Table 5.2.1 for that land use may be reduced by 10%.

- d) Despite subsection 5.2.1 a) above, up to 20% of the required *parking spaces* may be reduced to a minimum width of 2.4 metres and a minimum length of 5.6 metres subject to:
- i. The *parking spaces* are located in a *parking lot* or *parking structure* containing more than 20 spaces, and
  - ii. Provided any reduced space is clearly identified for small cars only.

<b>Table 5.2.1: Ratios of Minimum Number of Parking Spaces</b>	
<b>Use</b>	<b>Minimum Number of Parking Spaces</b>
<b>Residential Uses</b>	
<i>Dormitory</i>	0.5 per lodging unit
<i>Dwelling, Apartment Low Rise</i>	a) 1.25 per <i>dwelling</i> where the unit has less than 75.0 m <sup>2</sup> <i>net floor area</i> (1); b) 1.5 per <i>dwelling</i> for all other units (1)
<i>Dwelling, Apartment Mid-High Rise</i>	a) 1.0 per <i>dwelling</i> where the unit has less than 75.0 m <sup>2</sup> <i>net floor area</i> (1)(3); b) 1.5 per <i>dwelling</i> for all other units (1)(3)
<i>Dwelling, Back-to-Back Townhouse</i>	2.0 per <i>dwelling</i>
<i>Dwelling, Detached</i>	2.0 per <i>dwelling</i>
<i>Dwelling, Duplex</i>	2.0 per <i>dwelling</i>
<i>Dwelling, Linked</i>	2.0 per <i>dwelling</i>
<i>Dwelling, Seasonal</i>	1.0 per <i>dwelling</i>
<i>Dwelling, Semi-detached</i>	2.0 per <i>dwelling</i>
<i>Dwelling, Stacked Townhouse</i>	1.5 per <i>dwelling</i> (1)
<i>Dwelling, Three Unit</i>	2.0 per <i>dwelling</i> (1)(2)
<i>Dwelling, Townhouse</i>	2.0 per <i>dwelling</i> (1)(2)
<i>Group home</i>	1 per 100.0 m <sup>2</sup> <i>net floor area</i> , minimum of 1
<i>Long term care facility</i>	0.25 per bed
<i>Mobile home park</i>	1 per <i>mobile home site</i> plus 5 for each accessory commercial or recreational use building
<i>Retirement home</i>	0.33 per <i>assisted living unit</i> and <i>dwelling unit</i> , plus 1 per 100.0 m <sup>2</sup> of <i>net floor area</i> used for ancillary uses such as medical, health or personal services. (1)

<b>Use</b>	<b>Minimum Number of Parking Spaces</b>
<b>Accessory Residential Uses</b>	
<i>Bed and breakfast establishment</i>	1.0 additional parking space per <i>lodging unit</i>
<i>Day care</i>	See " <i>Institutional and Community Uses</i> "
<i>Dwelling, Garden suite</i>	No space required
<i>Additional Residential Unit</i>	1.0 additional <i>parking space</i>
<i>Home-based business</i>	No minimum requirement
<i>Home industry</i>	No minimum requirement
<i>Lodging house</i>	1.0 additional <i>parking space</i> per <i>lodging unit</i>
<i>Mobile Home (agricultural related)</i>	No minimum requirement
<i>Private Home Day Care</i>	No minimum requirement
<b>Retail Uses</b>	
<i>Convenience store</i>	1.0 per 30.0 m <sup>2</sup> of <i>net floor area</i>
<i>Food store</i>	1.0 per 30.0 m <sup>2</sup> of <i>net floor area</i>
<i>Garden centre</i>	1.0 per 40.0 m <sup>2</sup> of <i>net floor area</i>
<i>Retail propane and transfer facility</i>	1.0 per 40.0 m <sup>2</sup> of <i>net floor area</i>
<i>Retail store or any other "store" permitted by this By-law</i>	1.0 per 18.0 m <sup>2</sup> of <i>net floor area</i>
<i>Shopping centre</i>	1.0 per 30.0 m <sup>2</sup> of <i>net floor area</i>
<b>Service Commercial Uses</b>	
<i>Adult entertainment parlour</i>	1.0 per 18.0 m <sup>2</sup> of <i>net floor area</i>
<i>Bar</i>	1.0 per 16.0m <sup>2</sup> of <i>net floor area</i>
<i>Casino</i>	1.0 per 16.0m <sup>2</sup> of <i>net floor area</i>
<i>Commercial school</i>	1.0 per 22.0 m <sup>2</sup> of <i>net floor area</i>
<i>Dry cleaning / laundry depot</i>	1.0 per 22.0 m <sup>2</sup> of <i>net floor area</i>
<i>Financial institution</i>	1.0 per 22.0 m <sup>2</sup> of <i>net floor area</i>
<i>Food production</i>	1.0 per 40.0 m <sup>2</sup> of <i>net floor area</i>
<i>Funeral home</i>	1.0 per 22.0 m <sup>2</sup> of <i>net floor area</i>
<i>Nightclub</i>	1.0 per 40.0 m <sup>2</sup> of <i>net floor area</i>
<i>Personal service establishment</i>	1.0 per 22.0 m <sup>2</sup> of <i>net floor area</i>
<i>Pet care establishment</i>	1.0 per 22.0 m <sup>2</sup> of <i>net floor area</i>
<i>Place of entertainment</i>	1.0 per 22.0 m <sup>2</sup> of <i>net floor area</i>
<i>Rental establishment</i>	1.0 per 18.0 m <sup>2</sup> of <i>net floor area</i>
<i>Restaurant</i> <ul style="list-style-type: none"> <li>• <i>Fast Food</i></li> <li>• <i>Full Service</i></li> </ul>	a) 1.0 per 10.0 m <sup>2</sup> of <i>net floor area</i> for the first 50.0 m <sup>2</sup> ; plus, b) 1.0 per 20.0 m <sup>2</sup> for any additional <i>net floor area</i>
<i>Restaurant – Take Out</i>	1.0 per 20.0 m <sup>2</sup> of <i>net floor area</i>
<i>Sports and recreation facility</i>	a) 1.0 per 18.0 m <sup>2</sup> of <i>net floor area</i> ; plus, b) 4 <i>parking spaces</i> per outdoor playing court; plus, c) 12 <i>parking spaces</i> per outdoor playing field
<i>Taxi dispatch</i>	1.0 per 22.0 m <sup>2</sup> of <i>net floor area</i>

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<i>Veterinary clinic</i>	1.0 per 22.0 m <sup>2</sup> of <i>net floor area</i>
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<b>Use</b>	<b>Minimum Number of Parking Spaces</b>
<b>Office Uses</b>	
<i>Business office</i>	1.0 per 35.0 m <sup>2</sup> of <i>net floor area</i>
<i>Medical office</i>	a) For the first 60% of the <i>net floor area</i> on the lot occupied by medical offices, 1.0 per 35.0 m <sup>2</sup> <i>net floor area</i> b) Where <i>medical offices</i> occupy greater than 60% of the <i>net floor area</i> of the building, 1.0 per 18.0 m <sup>2</sup> <i>net floor area</i> for the entire building
<b>Employment Uses</b>	
<i>Abattoir</i>	1.0 per 100.0 m <sup>2</sup> of <i>net floor area</i>
<i>Artist studio</i>	1.0 per 40.0 m <sup>2</sup> of <i>net floor area</i>
<i>Bulk storage facility</i>	1.0 per 100.0 m <sup>2</sup> of <i>net floor area</i>
<i>Cannabis production facility</i>	0.8 per 100.0 m <sup>2</sup> of <i>net floor area</i>
<i>Commercial self-storage</i>	1.0 per 100.0 m <sup>2</sup> of <i>net floor area</i> , to a maximum minimum requirement of 8 parking spaces
<i>Contractors facility</i>	1.0 per 100.0 m <sup>2</sup> of <i>net floor area</i>
<i>Correctional facility</i>	1.0 per 100.0 m <sup>2</sup> of <i>net floor area</i>
<i>Custom workshop</i>	1.0 per 100 m <sup>2</sup> of <i>net floor area</i>
<i>Dry cleaning plant</i>	0.75 per 100.0 m <sup>2</sup> of <i>net floor area</i>
<i>Heavy equipment and vehicle sales, rental and servicing</i>	0.75 per 100.0 m <sup>2</sup> of <i>net floor area</i>
<i>Heavy industrial use</i>	0.8 per 100.0 m <sup>2</sup> of <i>net floor area</i>
<i>Light industrial use</i>	0.8 per 100.0 m <sup>2</sup> of <i>net floor area</i>
<i>Manufacturing</i>	a) 1.0 per 100.0 m <sup>2</sup> of <i>net floor area</i> for the first 7,500.0 m <sup>2</sup> of <i>net floor area</i> ; plus, b) 1.0 per 200.0 m <sup>2</sup> <i>net floor area</i> for any additional <i>net floor area</i>
<i>Medium industrial use</i>	0.8 per 100.0 m <sup>2</sup> of <i>net floor area</i>
<i>Outside processing</i>	No minimum requirement (accessory use)
<i>Outside storage</i>	No minimum requirement (accessory use)
<i>Printing and publishing establishment</i>	1.0 per 100.0 m <sup>2</sup> of <i>net floor area</i>
<i>Public works yard</i>	No minimum requirement
<i>Repair shop</i>	a) 1.0 per 40.0 m <sup>2</sup> of <i>net floor area</i> for the first 7,500.0 m <sup>2</sup> <i>net floor area</i> ; plus, b) 1.0 per 100.0 m <sup>2</sup> of <i>net floor area</i> for any additional <i>net floor area</i>
<i>Research and development centre</i>	0.8 per 100.0 m <sup>2</sup> of <i>net floor area</i>
<i>Snow disposal facility</i>	No minimum requirement
<i>Training facility</i>	1.0 per 22.0 m <sup>2</sup> of <i>net floor area</i>
<i>Transportation terminal</i>	1.0 per 100.0 m <sup>2</sup> of <i>net floor area</i>

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Use	Minimum Number of Parking Spaces
<i>Warehousing</i>	a) 1.0 per 100.0 m <sup>2</sup> of <i>net floor area</i> for the first 7,500.0 m <sup>2</sup> <i>net floor area</i> ; plus, b) 1.0 per 200.0 m <sup>2</sup> of <i>net floor area</i> for any additional <i>net floor area</i>
<i>Waste (solid) disposal facility</i>	No minimum requirement
<i>Waste processing and transfer facility (non-putrescible)</i>	1.0 per 100.0 m <sup>2</sup> of <i>net floor area</i>
<i>Waste processing and transfer facility</i>	1.0 per 100.0 m <sup>2</sup> of <i>net floor area</i>
<i>Wholesaling and distribution</i>	1.0 per 100.0 m <sup>2</sup> of <i>net floor area</i>
<b>Institutional and Community Uses</b>	
<i>Animal shelter</i>	0.5 per 100.0 m <sup>2</sup> of <i>net floor area</i>
<i>Art gallery</i>	1.0 per 40.0 m <sup>2</sup> of <i>net floor area</i>
<i>Cemetery</i>	No minimum requirement
<i>Community centre</i>	1.0 per 22.0 m <sup>2</sup> of <i>net floor area</i>
<i>Community garden</i>	No minimum requirement
<i>Day care</i>	1.0 per 40.0 m <sup>2</sup> of <i>net floor area</i>
<i>Emergency housing</i> • <i>Emergency shelter</i>	0.25 per lodging unit
<i>Emergency service facility</i>	1.0 per 100.0 m <sup>2</sup> of <i>net floor area</i>
<i>Food bank</i>	1.0 per 40.0 m <sup>2</sup> of <i>net floor area</i>
<i>Hospital</i>	1.0 per 55.0 m <sup>2</sup> of <i>net floor area</i>
<i>Library</i>	1.0 per 28.0 m <sup>2</sup> of <i>net floor area</i>
<i>Marine facility</i>	0.6 spaces per berth
<i>Museum</i>	1.0 per 40.0 m <sup>2</sup> of <i>net floor area</i>
<i>Place of worship</i>	a) 1.0 per 5 persons capacity for the <i>place of worship</i> area of worship; plus, b) 1.0 per 22.0 m <sup>2</sup> of <i>net floor area</i> for any additional accessory assembly area
<i>School, post-secondary</i>	1.0 per 100.0 m <sup>2</sup> <i>net floor area</i>
• <i>School, private</i> • <i>School, public</i>	a) For elementary schools, 1.5 per classroom, not including any portables b) For secondary schools 2.5 per classroom, not including any portables
<b>Open Space Uses</b>	
<i>Agriculture</i>	No minimum requirement however 2.0 per <i>dwelling</i>
<i>Boarding kennel</i>	1.0 per 35.0 m <sup>2</sup> of <i>net floor area</i> , to a maximum requirement of 6 parking spaces
<i>Campground</i>	1 per camping site within <i>campground</i>
<i>Cemetery</i>	No minimum requirement
<i>Conservation use</i>	No minimum requirement
<i>Ecotourism facility</i>	No minimum requirement
<i>Equestrian establishment</i>	No minimum requirement
<i>Fairground</i>	No minimum requirement

<b>Use</b>	<b>Minimum Number of Parking Spaces</b>
<i>Forestry operation</i>	No minimum requirement
<i>Golf course</i>	a) 4.0 per hole; plus, b) 1.0 per 22.0 m <sup>2</sup> of <i>net floor area</i> for any <i>accessory uses</i>
<i>Golf driving range</i>	1.25 per fixed tee
<i>Mineral aggregate operation</i> <ul style="list-style-type: none"> <li>• <i>Portable asphalt plant</i></li> <li>• <i>Portable concrete batching plant</i></li> <li>• <i>Quarry</i></li> <li>• <i>Wayside pit</i></li> <li>• <i>Wayside quarry</i></li> </ul>	No minimum requirement
<i>Outside processing</i>	No minimum requirement
<i>Outside storage</i>	No minimum requirement
<i>Outside miniature golf course</i>	1.25 per hole
<ul style="list-style-type: none"> <li>• <i>Park, private</i></li> <li>• <i>Park, public</i></li> </ul>	No minimum requirement
<i>Salvage yard</i>	0.8 per 100.0 m <sup>2</sup> of <i>net floor area</i>
<i>Storage yard</i>	0.8 per 100.0 m <sup>2</sup> of <i>net floor area</i>
<i>Transportation terminal</i>	0.8 per 100.0 m <sup>2</sup> of <i>net floor area</i>
<b>Hospitality Uses</b>	
<i>Tourist Establishment</i>	a) 1.0 per <i>lodging unit</i> ; plus, b) 1.0 per 30.0 m <sup>2</sup> of <i>net floor area</i> outside of a <i>lodging unit</i>
<i>Public hall</i>	1.0 per 18.0 m <sup>2</sup> of <i>net floor area</i>
<b>Motor Vehicle Uses</b>	
<i>Motor Vehicle body shop</i>	1.0 per 100.0 m <sup>2</sup> of <i>net floor area</i>
<i>Motor Vehicle dealership</i>	1.0 per 100.0 m <sup>2</sup> of <i>net floor area</i>
<i>Motor Vehicle rental facility</i>	1.0 per 100.0 m <sup>2</sup> of <i>net floor area</i>
<i>Motor Vehicle repair facility</i>	1.0 per 100.0 m <sup>2</sup> of <i>net floor area</i>
<i>Motor Vehicle service station</i>	1.0 per 100.0 m <sup>2</sup> of <i>net floor area</i>
<i>Motor Vehicle storage compound</i>	1.0 per 100.0 m <sup>2</sup> of <i>net floor area</i>
<i>Motor Vehicle washing facility</i>	1.0 per 100.0 m <sup>2</sup> of <i>net floor area</i>

### **Additional Regulations for Minimum Parking Ratios Table 5.2.1**

- (1) Of the total number of *parking spaces* required, 0.25 of the *parking spaces* required per *dwelling* shall be designated as *visitor's parking spaces*.
- (2) The *visitors parking spaces* for a *three-unit* or *townhouse dwelling* shall only be required in a *condominium* and shall be located on a parcel of land tied to a *common element condominium*.
- (3) A minimum of 50% of the minimum residential *parking spaces* shall be provided within a *private garage, carport, or parking structure*.

### **5.2.2 Minimum Number of Parking Spaces in Urban Core Area and Village Mixed-Use Zones**

The minimum and maximum number of *parking spaces* required for uses permitted by this By-law in any Urban Core Area or Village Mixed-Use Zone are established and calculated in accordance with the ratios set out in Table 5.2.2, below. Within the Urban Core Area and Village Mixed-Use Zone, the minimum number of *parking spaces* required is reduced to support the City's policy objectives related to transit, growth management, and design.

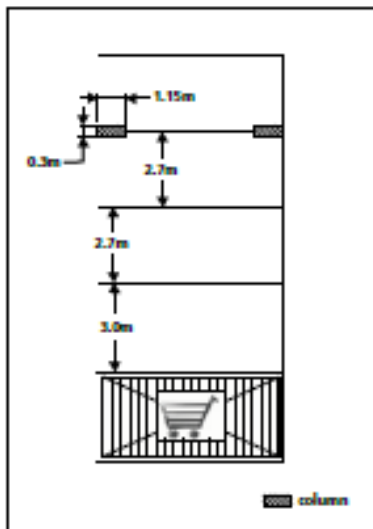
<b>Table 5.2.2: Ratios of Minimum and Maximum Number of Parking Spaces for the Urban Core Area and Village Mixed-Use Zones</b>	
<b>Use</b>	<b>Minimum Number of Parking Spaces</b>
<b>Residential Uses</b>	
<i>Dwelling, Apartment Low Rise</i>	1.25 per <i>dwelling</i> unit (1)
<i>Dwelling, Apartment Mid-High Rise</i>	1.25 per <i>dwelling</i> unit (1)(2)
<i>Long term care facility</i>	0.25 per bed
<i>Retirement home</i>	0.33 per <i>assisted living unit</i> and <i>dwelling unit</i> , plus 1 per 100 m <sup>2</sup> of <i>net floor area</i> used for ancillary uses such as medical, health or personal services (1)(2)
<b>Accessory Residential Uses</b>	
<i>Bed and breakfast establishment</i>	1.0 additional parking space per <i>lodging unit</i>
<i>Additional Residential Unit</i>	1.0 additional <i>parking space</i>
<i>Home-based business</i>	No minimum requirement
<i>Private Home Day Care</i>	No minimum requirement
<b>Hospitality Uses</b>	
<i>Tourist Establishment</i>	a) 1.0 per <i>lodging unit</i> ; plus, b) 1.0 per 40.0 m <sup>2</sup> <i>net floor area</i> outside of a <i>lodging unit</i>
<i>Public hall</i>	1.0 per 20.0 m <sup>2</sup> <i>net floor area</i>
<b>All Non-Residential Uses</b>	
<ul style="list-style-type: none"> <li><i>All other permitted non-residential uses in an Urban Core Area (CA) Zone</i></li> </ul>	a) 1.0 per 24.0 m <sup>2</sup> <i>net floor area</i> on the first storey; plus, b) 1.0 per 40.0 m <sup>2</sup> <i>net floor area</i> above the first storey occupied by non-residential uses c) Notwithstanding this, where <i>medical offices</i> cumulatively occupy any <i>net floor area</i> on the <i>first storey</i> or greater than 60% of the <i>net floor area</i> of the building, the minimum number of <i>parking spaces</i> shall be 1.0 per 18.0 m <sup>2</sup> <i>net floor area</i> occupied by <i>medical offices</i>
<b>All Others Uses</b>	
<i>Any other uses not otherwise accommodated by Table 5.2.2</i>	Shall be the ratio provided in Table 5.2.1

### Additional Regulations for Minimum Parking Ratios Table 5.2.2

- (1) Of the total number of *parking spaces* required, 0.25 of the *parking spaces* required per *dwelling* shall be designated as *visitor's parking spaces*.
- (2) A minimum of 50% of the minimum residential *parking spaces* shall be provided within a private garage, carport, or *parking structure*.
- (3) For all uses listed above, a *parking space* is not permitted in the *front* or *exterior side yard*.

### 5.2.3 Motor Vehicle Parking Space Dimensions

- a) The minimum dimensions of a *parking space* not located in a private garage shall be 2.7 metres in width and 5.6 metres in length, except for parallel parking where a minimum length of 7.0 metres is required.
- b) The minimum dimensions of a *parking space* located in a private garage shall be 5.85 metres in length and:
  - i. Where one *parking space* is provided, 3.3 metres in width; and,
  - ii. Where two *parking spaces* are provided, 6.0 metres in width.
- c) Where a wall, column, or other obstruction is located abutting or within any *parking space*, the minimum width of the *parking space* shall be increased by 0.3 metres for each side that is obstructed. Obstructions within 1.15 metres of either stall end do not require an increase *in parking space* width, provided the obstruction projects no more than 0.15 metres into the *parking space*.



Where a wall, column, or other obstruction is next to a parking space, this By-law requires the parking space to be wider.

- d) Where two *parking spaces* are provided in tandem, the minimum cumulative dimensions of the *parking spaces* shall be 2.7 metres in width and 11.5 metres in length.

**5.3 Accessible Parking Spaces**

**5.3.1 Ratios for Minimum Number of Spaces**

- a) *Accessible parking spaces* shall be required for all non-residential uses.
- b) *Accessible parking spaces* shall additionally be required for visitor *parking spaces* for the following residential uses. The total number of *parking spaces* in the left column of Table 5.3.1 shall be calculated using only the total number of visitor *parking spaces* on the *lot*:
- i. *Apartment dwelling;*
  - ii. *Dormitory;*
  - iii. *Long term care facility;*
  - iv. *Retirement home; and,*
  - v. *Stacked townhouse dwelling* where in a condominium project.
- c) The minimum number of *accessible parking spaces* required shall be calculated in accordance with the ratios set out in Table 5.3.1, below.

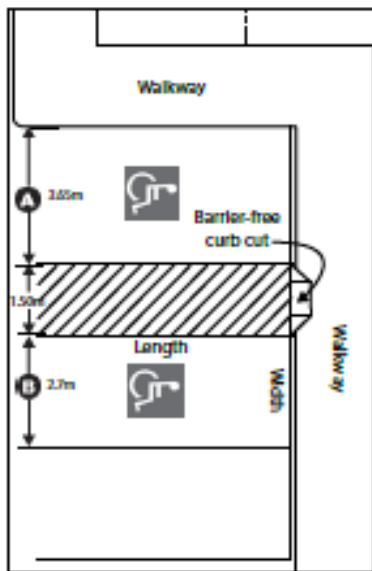
<b>Table 5.3.1: Minimum Number of Accessible Parking Spaces</b>	
<b>Total Number of Parking Spaces required in all Parking Areas on the Lot</b>	<b>Minimum Number of Accessible Parking Spaces Required</b>
12 parking spaces or fewer	1 Type A
13 to 100 parking spaces	4% of the total number of <i>parking spaces</i> in the <i>parking area</i>
101 to 200 parking spaces	1, plus 3% of the total number of <i>parking spaces</i> in the <i>parking area</i>
201 to 1,000	2, plus 2% of the total number of <i>parking spaces</i> in the <i>parking area</i>
More than 1,000	11, plus 1% of the total number of <i>parking spaces</i> in the <i>parking area</i>

**5.3.2 Dimensions and Paths of Travel**

- a) The minimum dimensions for an accessible *parking space* shall be in accordance with the dimensions of Table 5.3.2, below.

<b>Table 5.3.2: Dimensions of Accessible Parking Spaces</b>		
<b>Type</b>	<b>Width</b>	<b>Length</b>
Type A	3.4 m	5.6 m
Type B	2.4 m	5.6 m

- b) A Type A accessible parking space must have signage that identifies the space as “van accessible”.
- c) Where the minimum number of *accessible parking spaces* required is even, an equal number of Type A and Type B *accessible parking spaces* shall be required.
- d) Where the minimum number of *accessible parking spaces* required is odd, the additional *accessible parking space* remaining shall be a Type B *accessible parking space*.
- e) An accessible path of travel 1.5 metres in width is required abutting the entire length of the longest side of an accessible *parking space*. A path of travel can be shared by two *accessible parking spaces*. The accessible path must be marked with high tonal contrast diagonal lines and lead to a barrier-free curb cut.



## 5.4 Bicycle Parking Spaces

### 5.4.1 Minimum Number of Bicycle Parking Spaces

- a) The minimum number of *bicycle parking spaces* required for uses permitted by this By-law are established and calculated in accordance with the ratios set out in Table 5.4.1, below.
- b) In no circumstance shall the number of minimum *bicycle parking spaces* required on a lot be greater than 30.

<b>Table 5.4.1: Ratios of Minimum Number of Bicycle Parking Spaces</b>	
<b>Blended Rates for Lots with Multiple Premises</b>	
Where multiple <i>premises</i> are located on a <i>lot</i> any non-residential zone	The greater of 2 or 1.0 per 1,000.0 m <sup>2</sup> <i>net floor area</i> , plus the minimum number of <i>bicycle parking spaces</i> for the <i>dwellings</i> .
<b>Residential Uses</b>	
<i>Apartment dwelling</i> <ul style="list-style-type: none"> <li>• <i>Low rise</i></li> <li>• <i>Mid-high rise</i></li> </ul>	0.50 per dwelling unit (1)
<i>Dormitory</i>	0.50 per lodging unit
<i>Retirement home</i>	0.25 per dwelling unit (1)
<i>Stacked townhouse dwelling</i>	0.50 per dwelling unit (1) (2)
<b>Retail Uses</b>	
<i>Retail store and any other "store" permitted in the By-law</i>	The greater of 2 or 1.0 per 1,000.0 m <sup>2</sup> of <i>net floor area</i>
<i>Shopping Centre</i>	The greater of 2 or 1.0 per 1,000 m <sup>2</sup> of <i>net floor area</i>
<b>Service Commercial Uses</b>	
<i>Adult entertainment establishment</i>	No minimum requirement
<i>Commercial self-storage</i>	No minimum requirement
<i>Funeral home</i>	No minimum requirement
All other <i>uses</i> permitted in a <i>zone</i> under the heading Service Commercial Uses (see Table 5.2.1)	The greater of 2 or 1.0 per 1,000.0 m <sup>2</sup> of <i>net floor area</i>
<b>Office Uses</b>	
<i>Business Office</i>	The greater of 2 or 1.0 per 1,000.0 m <sup>2</sup> of <i>net floor area</i>
Medical Office	The greater of 2 or 1.0 per 1,000.0 m <sup>2</sup> of <i>net floor area</i>
<b>Employment Uses</b>	
All <i>uses</i> permitted in a <i>zone</i> under the heading <i>Employment Uses</i> (see Table 5.2.1)	2, plus 0.50 per 1,000.0 m <sup>2</sup> of <i>net floor area</i>
<b>Institutional and Community Uses</b>	
<i>Art gallery</i>	The greater of 2 or 1.0 per 1,000.0 m <sup>2</sup> <i>net floor area</i>
<i>Marine facility</i>	No minimum
<i>School, post-secondary</i>	The greater of 10 or 1.0 per 100.0 m <sup>2</sup> of <i>net floor area</i>
<i>School, private and school, public</i>	a) For elementary schools, 0.50 per classroom, not including any portables. b) For secondary schools, 1.0 per classroom, not including any portables
All other <i>uses</i> permitted in a <i>zone</i> under the heading Institutional and Community Uses (see Table 5.2.1)	The greater of 4 or 1.0 per 500.0 m <sup>2</sup> of <i>net floor area</i>

### **Additional Regulations for Minimum Bicycle Parking Ratios Table 5.4.1**

- (1) In a building having fewer than 20 assisted living units or 12 dwelling units, the minimum number of *bicycle parking space* required shall be zero.
- (2) The *bicycle parking spaces* shall only be required in a *condominium* and shall be located on a parcel of land tied to a *common element condominium*.

#### **5.4.2 Location of Bicycle Parking Spaces**

- a) *Bicycle parking* must be located on the same *lot* as the use or building for which it is provided.
- b) *Bicycle parking spaces* must be located in order to provide convenient access to main entrances or well-used areas.
- c) A *bicycle parking space* may be located in any yard.
- d) A maximum of 50% of the required *bicycle parking spaces* or 10 spaces, whichever is greater, may be located in a landscaped area.

#### **5.5 Drive-Through Facility and Stacking Spaces**

Where a *drive-through facility* is a listed permitted use, and is provided on a site, off-street *motor vehicle* stacking space must be provided for that *drive-through facility* leading both to and from the service bay, window, kiosk or booth for the uses specified and at the rate set out in Table 5.5.2.

##### **5.5.1 Locations**

- a) The minimum setback for all points of a *drive-through facility* from any lot line abutting any residential or institutional property shall be 7.5 metres.
- b) Despite subsection a) above, the minimum setback for any point of a *drive-through facility* may be reduced to 3.0 metres if a *landscape buffer* in accordance with section 5.9 is provided.
- c) A *stacking lane* shall be separate from an aisle or *driveway*.
- d) Pedestrian walkways shall not intersect the drive through *aisles*, but where they do, they shall have clear visibility, and they must be either raised or emphasized by enriched paving or striping.
- e) A minimum 3.0 metre wide landscape buffer is required along the edge of

a site where *parking areas, stacking lanes or stacking spaces* are adjacent to a public *street*. Use features such as trees, shrubs, low walls or berms to screen cars from view while allowing eye level visibility into the site.

**5.5.2 Minimum Number of Stacking Spaces**

- a) Each *stacking space* in a *stacking lane* shall have a minimum width of 3.0 metres and a minimum length of 6.0 metres.
- b) The minimum number of *stacking spaces* required in a *stacking lane* shall be calculated in accordance with the standards set out in Table 5.5.2, below.

<b>Table 5.5.2: Stacking Space Requirements</b>	
<b>Use</b>	<b>Minimum Number of Stacking Spaces</b>
<i>Financial Institution (bank or bank machine)</i>	4
<i>Motor vehicle washing facility</i>	6 (1)
<i>Restaurant</i>	8 (2)
<i>Retail store</i>	4
<i>Service commercial establishment</i>	4
In all other cases	3 spaces before / at service window

**Additional Regulations for *Stacking Spaces* Table 5.5.2**

- (1) Of which two *stacking spaces* are required at the exit of the motor vehicle washing facility.
- (2) Of these, seven *stacking spaces* shall be provided at or before the order station where an order station is provided.

**5.6 Loading Spaces**

Where a *loading space* is provided, the following regulations apply:

- a) The minimum dimensions of a *loading space* are 3.5 metres in width and 12.0 metres in length, with a minimum vertical clearance of 4.2 metres.
- b) A *loading space* shall abut the building for which the *loading space* is provided.
- c) A *loading space* shall be set back 7.5 metres from any residential or institutional property, except if it is located entirely within a structure.
- d) A *loading space* is not permitted:

- i. In any minimum yard;
- ii. Between the main wall closest to the exterior lot line and the exterior lot line in an exterior yard; and,
- iii. In any front yard.

### **5.7 Aisles Widths and Access Driveways**

- a) The minimum width of an *aisle* providing access to a *parking space* within a *parking area* is 6.0 metres and the maximum width is 9.0 metres.

The aisle width required where parking spaces are perpendicular to the drive aisle is 6.0 metres (minimum).

- b) Notwithstanding Subsection a) above, the minimum width of an *aisle* providing one way travel access to a *parking space* within a *parking area* is 5.5 metres where the angle of access to the *parking space* is greater than or equal to 60 degrees.

Aisle widths can be reduced where parking is provided at a 60 degree angle to the drive aisle.

- c) Notwithstanding Subsection a) above, the minimum width of an *aisle* providing one way travel access to a *parking space* within a *parking area* is 4.0 metres where the angle of access to the *parking space* is less than 60 degrees.
- d) *Parking area* access shall be provided by at least one entrance *driveway* and one exit *driveway*. If separate, each *driveway* providing access to the *parking area* shall have a minimum width of 3.0 metres. Access *driveways* designated for two-way traffic may be 3.0 metres wide minimum in the Urban Core Area along Laurier Street.
- e) A parking area located in a commercial or industrial zone, or on a property fronting on Laurier Street within the Urban Core Area, need not have its driveway from the public street or aisle on-site, provided that access to the parking lot is provided from another lot in the same zone category.
- f) For a non-residential use or stacked townhouse, apartment low-rise, and apartment mid-rise, the minimum distance between two separate *driveways* on one *lot*, measured along the street line, shall be 7.5 metres
- g) The minimum angle of intersection between the *driveway* and a *street lot line* shall be 60°.
- h) The minimum distance between a *driveway* and an intersection of *street lines*, measured along the street line intersected by such *driveway*, shall

be 6.0 metres for all residential uses in Residential Zones and shall be 8.0 metres for all other uses in any zone.

## **5.8 Driveways and Private Garages Associated with Residential Uses**

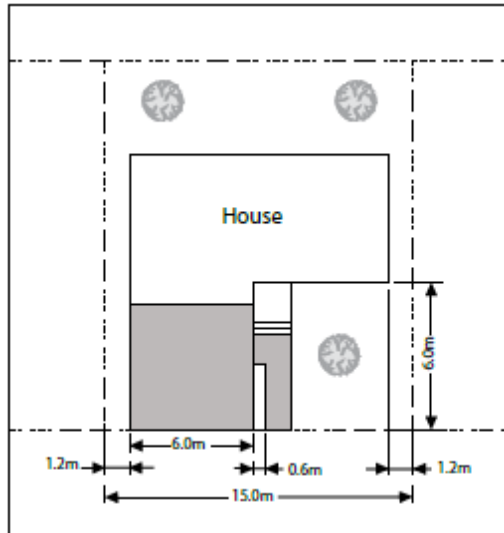
This Section applies to *driveways* and private garages associated with any *detached dwelling, semi-detached dwelling, duplex dwelling, linked dwelling, seasonal dwelling, three unit dwelling, townhouse dwelling, and back-to-back townhouse dwelling.*

### **5.8.1 General Provisions**

- a) A *motor vehicle* shall only be parked outdoors if it is entirely located on a *driveway, surface parking area, or the roof of a parking structure.*
- b) *Parking spaces* shall only be accessed by a *driveway, aisle, or a lane.*
- c) *Tandem parking spaces* are permitted for any *dwelling.*

### **5.8.2 Driveway Widths**

- a) Notwithstanding any other provision of this By-law, the minimum width of a *driveway* shall be 3.0 metres.
- b) The maximum width of a *driveway* shall be:
  - i. The lesser of 6.0 metres or 55% of the lot frontage for a *lot* having a *lot frontage* of 12.0 metres or less;
  - ii. Equal to 50% of the *lot frontage* on a *lot* having greater than 12.0 metres and less than 18.0 metres of *lot frontage* to a maximum of 7.0 m; or,
  - iii. 9.0 metres for a *lot* having a *lot frontage* equal to or greater than 18.0 metres.
- c) The calculation of a *driveway* width shall apply along the length of the *driveway* that is included under the minimum *front yard* requirement of that particular zone. The measurement shall be calculated including any continuous hard surface or discontinuous hard surface area within 0.6 metres of the widest part of continuous hard surface area on the same lot, measured along the length of the driveway within the minimum front yard perpendicular from one edge of the continuous hard surface area.
- d) Notwithstanding subsection c) above, one walkway access may be connected to each side of a *driveway*. The maximum width of the walkway access at the point of attachment shall be 1.8 metres.



Hard surfaces (except for a maximum 1.8 metre-wide walkway attachment) shall be set back 0.6 metres from the edge of a driveway. Otherwise, the walkway is included as driveway surface.

### 5.8.3 Maximum Number of Driveways

- a) One driveway per dwelling / lot.
- b) One *driveway per dwelling* is permitted on a block designated for *semi-detached, townhouse, and back-to-back townhouse dwellings* provided the *driveway* meets all provisions of this By-law as they would apply to the future *lot*.
- c) Notwithstanding subsection a) above, two *driveways* are permitted on a *lot* with a *duplex dwelling*.
- d) A *driveway* shall not be added for an *Additional Residential Unit*.
- e) Notwithstanding, a second driveway could be approved through the Site Plan Control process however would be subject to criteria established by the authority which manages the road.

### 5.9 Landscaping and Landscape Buffer

- a) In any zone, any portion of any *yard* which is not used for any other permitted use shall be devoted to *landscaping*.
- b) Any land used as *landscaping* may form part of any required *landscaping* and any required *yard*, and shall be included in the calculations of the *lot area, yard area* and *yard setback* requirements as set forth in this By-law.

- c) An *aisle, driveway, lane, pathways* or walkway may cross a required area of *landscaping*, but that area shall not count towards the calculation of required *landscape coverage*.
- d) *Landscaping* provided on the roof of a building shall be included in the calculation of required *landscape coverage* on the *lot*.
- e) A *landscape buffer* required by this By-law shall be used for the erection of a fence at least 1.5 metres in height or the planting of a continuous row of natural evergreens or natural shrubs, not less than 1.00 metres in height at planting and maintained at a minimum height of 1.52 metres at maturity, immediately adjacent to the lot line or portion thereof along which such *landscape buffer* is required by this By-law; the remainder of the *landscape buffer* shall be landscaped and planted with grass, ornamental shrubs, flowering shrubs, flower beds, trees or a combination thereof.
- f) Required *landscaping* and landscape buffer shall be located on the same *lot* for which it is required.
- g) Where a conflict exists between two different landscaping requirements in this By-law, the provision requiring the greater amount of landscaping shall apply.

#### **5.9.1 Required Widths of Landscaping**

- a) Where, in a yard in any zone, a parking area providing more than 4 parking spaces is closer than 3.0 metres from a lot used for *detached dwelling, semi-detached dwelling, duplex dwelling, linked dwelling, seasonal dwelling, three unit dwelling, townhouse dwelling, and back-to-back townhouse dwelling* or any R1, R1S, R2, RV1 or RV2 zone, then a *landscape buffer* of at least 1.5 metres in width shall be maintained.
- b) An area of *landscaping* of at least 1.0 metre shall be maintained between any *aisle, driveway, surface parking area* or *lane* and any *side lot line* or *rear lot line*.
- c) The minimum width of *landscaping* between two surface *parking areas* is not required where there is a shared driveway / parking agreement in place.
- d) In addition to the *landscape buffer*, in all zones except an industrial zone, a minimum of 15% of the area of any surface parking area, whether a principal or an *accessory use*, must be provided and shall be comprised of one or both the following:

- i. A landscape buffer must be provided between the perimeter of a surface parking area and a *lot* line in accordance with section 5.9.1 (a), (b), and (c).
  - ii. interior landscaping may be provided including various landscaped islands, landscaped medians, pedestrian pathways or public plazas to meet the minimum 15% requirement.
- e) A *landscape buffer* with a minimum width of 3.0 metres shall be maintained around all *outside storage* areas and shall include an opaque screen with a minimum height of 1.8m.
- f) A *landscape buffer* with a minimum width of 3.0 metres shall be maintained along the lot line of a lot used for any industrial use.

### **5.9.2 Waste Container**

All *waste container* loading and *waste* collection areas must be:

- a) located at least 7.5 metres from a *lot line* abutting a *public street*;
- b) located at least 3.0 metres from any other *lot line*; and
- c) screened from view by an opaque screen with a minimum height of 2.0 metres.
- d) Notwithstanding subsection b) above, where a *landscape buffer* consisting of a fence at least 1.5 metres in height or the planting of a continuous row of natural evergreens or natural shrubs, not less than 1.00 metres in height at planting and maintained at a minimum height of 1.52 metres at maturity, immediately adjacent to the *lot line* or portion thereof along which such landscape buffer is required by this By-law is provided, the *waste container* setback may be reduced to 1.5 metres.

## **5.10 Parking Provisions for Commercial Vehicles, Recreational Vehicles and Trailers in a Residential Zone**

### **5.10.1 Parking Provisions for Commercial Vehicles and Heavy Vehicles in a Residential Zone or on a lot used primarily for residential purposes**

The parking or storing of a *commercial vehicle* on a lot in a Residential Zone or on a lot used primarily for residential purposes is only permitted in accordance with the following provisions:

- a) A *commercial vehicle* parked on a *lot* must be used for the resident's transportation to and from a place of employment or to earn a living.

- b) The number of *commercial vehicles* parked in the open shall be a maximum of one.
- c) The number of *commercial vehicles* parked within a private garage or wholly enclosed within a building associated with a *dwelling unit* shall be unrestricted.
- d) No parking of a *commercial vehicle* shall be permitted on a *lot* unless a main building exists on such a *lot*.
- e) A *commercial vehicle* parked in the open in the *front yard* or *exterior side yard* shall only be parked on a driveway.
- f) A *commercial vehicle* may be parked on a stable surface in the open in any *interior side* or *rear yard* provided it be setback a minimum of 1.0 m from any *interior side lot line* or *rear lot line*.
- g) A *commercial vehicle* shall not exceed a maximum length of 7.0 m exclusive of hitch and tongue or exceed a maximum height of 2.6 m measured from the ground to the highest point of the driver cab or the delivery body.
- h) A rack or apparatus on the top of a commercial vehicle shall not be included in the calculation of maximum height provided the height of the rack or apparatus does not exceed 0.4 m in height.
- i) Parking and storage of *heavy vehicles* shall be prohibited on all lots in a Residential Zone.
- j) A parked or stored *commercial vehicle* cannot obstruct a required *sight triangle*.
- k) The parking of heavy vehicles may be permitted on properties used primarily for residential purposes that are located in an Agricultural or Rural zone, provided that:
  - i. the *heavy vehicle* is parked a minimum of 50 metres from any nearby dwelling;
  - ii. not more than 1 *heavy vehicle* is parked outside on a property; and
  - iii. there is no limit to the number of *heavy vehicles* parked inside an accessory structure.

**5.10.2 Parking Provisions for Recreational Vehicles and Trailers in a Residential Zone or on a lot used primarily for residential purposes**

The parking or storing of a *recreational vehicle* or *trailer* parked or stored on a *lot* in a Residential Zone or on a lot used primarily for residential purposes is only permitted in accordance with the following provisions:

- a) A *recreational vehicle* or *trailer* parked or stored on a *lot* shall be owned by the occupant of the *lot*.
- b) No parking or storage of a *recreational vehicle* or *trailer* shall be permitted on a *lot* unless a main building exists on such a *lot*.
- c) A *recreational vehicle* or *trailer* parking or storage shall only be permitted provided that such parking or storage does not occupy a required *parking space* related to the principal use on the *lot*. Notwithstanding, a *recreational vehicle* or *trailer* may be parked in tandem in the *driveway*. (Must still conform to the City's Traffic and Parking By-law 2020-18, as amended.)
- d) A *recreational vehicle* or *trailer* may be parked on a stable surface in the open in any *interior side* or *rear yard* provided it be setback a minimum of 1.0 m from any *interior side lot line* or *rear lot line*.
- e) The number of *recreational vehicles* or *trailers* parked or stored in the open within a *front yard* or *exterior side yard* shall be one.
- f) Where a *recreational vehicle* such as a boat, all-terrain vehicle, or snowmobile is kept on a *trailer*, the *recreational vehicle* and *trailer* together shall be counted as one *recreational vehicle* or *trailer*.
- g) A *recreational vehicle* or *trailer* may be parked or stored on a *driveway* within a *front yard* or *exterior side yard* between May 1<sup>st</sup> to October 31<sup>st</sup> of the same year but must not be within 1.0 m of a sidewalk or if there is no sidewalk within 2.0 m of the roadway (inclusive of trailer hitch or tongue).
- h) Notwithstanding g) above, a *recreational vehicle* or *trailer* parked or stored in the *front yard* or *exterior side yard* that does not exceed a maximum length of 6.0 m exclusive of any trailer hitch or tongue or exceed a maximum height of 2.0 m measured from the ground to the highest point of the *recreational vehicle* or *trailer*, may be parked or stored on a *driveway* within a *front yard* or *exterior side yard* between November 1<sup>st</sup> to April 30<sup>th</sup> of the same year but must not be parked or stored closer than 5.0 m from the edge of the pavement (or roadway) nearest to the property line (inclusive of trailer hitch or tongue).
- i) A *trailer* owned by the occupant of a *dwelling* on a *lot* where such *trailer*

is used by the occupant on a daily basis for employment and to earn a living may be parked in the *front yard* or *exterior side yard* provided such trailer does not exceed a maximum length of 4.0 m exclusive of any trailer tongue and hitch and a maximum height of 2.6 m. A rack or apparatus on the top of a *trailer* shall not be included in the calculation of maximum height provided the height of the rack or apparatus does not exceed 0.4 m in height. The *trailer* must not be within 1.0 m of a sidewalk or if there is no sidewalk within 2.0 m of the roadway.

- j) The number of *recreational vehicles* or *trailers* parked or stored within a *private garage* or wholly enclosed within an *accessory building* shall be unrestricted.
- k) A parked or stored *recreational vehicle* or *trailer* cannot obstruct a required *sight triangle*.

## **Part 6 Residential Zones**

### **6.1 Urban Residential First Density – General (R1) Zone**

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in an Urban Residential First Density - General (R1) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

#### **6.1.1 Permitted Uses**

##### **Residential Uses**

- *Detached dwelling*
- *Group home (1)*
- *Retirement home (1)*
- *Converted dwelling (5)*

##### **Accessory Residential Uses**

- *Bed and breakfast establishment (1)(2)*
- *Home-based business, Urban (2)*
- *Lodging house (3)*
- *Private home day care (2)*
- *Additional Residential Unit (4)*
- *Short-term rental*

##### **Institutional and Community Uses**

- *Emergency service facility*

##### **Open Space Uses**

- *Community garden*
- *Conservation use*
- *Park, public*
- *Stormwater management facility*

##### **Additional Regulations for Permitted Uses**

1. The maximum number of private bedrooms or living units, for uses subject to footnote (1), shall be 4.
2. A maximum of one of the uses, for uses subject to footnote (2), shall be permitted in a *dwelling*.
3. The maximum number of *lodging units*, for uses subject to footnote (3), shall be 3.
4. Additional Residential Units are subject to the provisions of section 4.41.
5. Uses subject to footnote (5) may contain a maximum of three (3) dwelling units.

### 6.1.2 Zone Requirements

The zone requirements for *lots* in an Urban Residential First Density - General (R1) Zone are set out in Table 6.1.2, below.

<b>Table 6.1.2: Zone requirements in the Residential First Density - General (R1) Zone</b>		
	Residential Uses	Other Uses
Minimum <i>lot area</i>	450 m <sup>2</sup>	n.a.
Minimum <i>lot frontage</i>	15.0 m	n.a.
Minimum <i>front yard</i>	6.0 m	n.a.
Minimum <i>exterior side yard</i>	3.5 m	n.a.
Minimum <i>interior side yard</i>	1.0 m (1)	n.a.
Minimum <i>rear yard</i>	7.5 m	n.a.
Minimum <i>dwelling unit area</i>	85.0 m <sup>2</sup>	n.a.
Maximum <i>building height</i>	11.5 m	n.a.

#### **Additional Requirements for Zone Requirements Table 6.1.2**

- (1) Provided that on a lot where there is no attached private garage or attached carport, the minimum interior side yard width shall be 3.0 metres on one side and 1.0 metre on the other side.
- (2) Minimum *lot area* is 930 m<sup>2</sup> for *lots* connected to only piped municipal water.
- (3) Maximum *lot coverage* is 35% for a *lot* connected to only piped municipal water.
- (4) Lots serviced by partial or private services per Section 4.2, may require lot sizes larger than that necessary to meet zone provisions in order to accommodate the servicing systems capable of handling the increased levels of water consumption and sewage generation that may be associated with certain uses.

### 6.1.3 Special Exception Zones

#### (a) R1-1, Lemay Subdivision

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R1-1 shall be used in accordance with the following provision(s):

- (i) no basement floor shall be below the 44.6 m (G.S.C.) elevation; and
- (ii) the minimum elevation of all lots shall be 44.6 m (G.S.C.).

#### (b) R1-2, Des Pins Avenue

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R1-2 shall be used in accordance with the following provision(s):

- (i) *Front Yard Depth* (minimum): 3.0 m

(c) R1-3, Laviolette Subdivision

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R1-3 shall be used in accordance with the following provision(s):

- (i) no building openings shall occur below the 44.5 m (G.S.C.) elevation;  
(ii) no basement floor shall be below the 44.5 m (G.S.C.) elevation; and  
(iii) the first floor elevations shall be no lower than the 45.8 m (G.S.C.) elevation.

(d) R1-4, 270, 280, 290, 300 and 310 Voisine Road

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R1-4 shall be used in accordance with the following provision(s):

- (i) *Rear Yard Depth* (minimum): 0.15 m

(e) R1-5, Pigeon Street, Part of Lot 25, Concession 1 (O.S.)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R1-5 shall be used in accordance with the following provision(s):

- (i) *Lot Area* (minimum):  
- with piped water service 2000.0 m<sup>2</sup>  
(ii) *Lot Frontage* (minimum): 26.0 m

(f) R1-6, 892 Notre Dame Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R1-6 shall be used in accordance with the following provision(s):

- (i) *Exterior Side Yard Width* (minimum): 0.67 m

(g) R1-7, Poupart Subdivision, Elie and Cecile Crescents

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R1-7 shall be used in accordance with the following provision(s):

- (i) *Lot Area* (minimum): 4550.0 m<sup>2</sup>  
(ii) *Lot Frontage* (minimum): 14.7 m  
(iii) *Dwelling Unit Area* (minimum): 115.0 m<sup>2</sup>  
(iv) *Building Height* 10.5 m  
- maximum and minimum 2 storey  
(v) *Basement Floor and Lot elevation* (minimum): 44.6 m (G.S.C.)  
(vi) *Special Provision*:

In the case of a corner lot, the parking and driveways provided for the dwelling

units shall be located along the interior side lot line.

(h) R1-9 Valerie Place, Laviolette Subdivision, Sylvain Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R1-9 shall be used in accordance with the following provision(s):

- (i) Basement Floor and Lot Elevation (minimum): 44.6 m (G.S.C.)
- (ii) Special Provision:

In the case of a corner lot, the parking and driveways provided for the dwelling units shall be located along the interior side lot line.

(i) R1-10, Poupart Subdivision, Elie Crescent

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R1-10 shall be used in accordance with the following provision(s):

- (i) *Lot Area* (minimum): 500.0 m<sup>2</sup>
- (ii) *Lot Frontage* (minimum): 10.0 m
- (iii) *Dwelling Unit Area* (minimum): 115.0 m<sup>2</sup>
- (iv) *Building Height* 10.5 m
  - maximum and minimum: 2 storey
- (v) Basement Floor and Lot Elevation (minimum): 44.6 m (G.S.C.)

(j) R1-11, 672 Cercle Henrie

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R1-11 shall be used in accordance with the following provision(s):

- (i) *Front Yard Depth* (minimum): 0.17 m

(k) R1-12, 680 Cercle Henrie

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R1-12 shall be used in accordance with the following provision(s):

- (i) *Lot Frontage* (minimum): 14.7 m

(l) R1-13, Laviolette Subdivision, Sylvain Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R1-13 shall be used in accordance with the following provision(s):

- (i) *Lot Area* (minimum): 450.0 m<sup>2</sup>
- (ii) *Lot Frontage* (minimum): 12.5 m
- (iii) Basement Floor and Lot Elevation (minima): 44.6 m (G.S.C.)

(m) R1-14, Laviolette Subdivision, Sylvain Street and Heritage Drive

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R1-14 shall be used in accordance with the following provision(s):

- (i) *Lot Area* (minimum): 420.0 m<sup>2</sup>
- (ii) *Lot Frontage* (minimum): 13.6 m
- (iii) *Basement Floor and Lot Elevation* (minima): 44.6 m (G.S.C.)

(n) R1-16, (reserved)

(o) R1-17, 1772 Wallace Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R1-17 shall be used in accordance with the following provision(s):

- (i) *Lot Area* (minimum): 425.0 m<sup>2</sup>
- (ii) *Rear Yard Depth* (minimum): 6.0 m

(p) R1-18, 1440 Roger Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R1-18 shall be used in accordance with the following provision(s):

- (i) *Lot Area* (minimum):
  - with piped water service: 4000.0 m<sup>2</sup>
- (ii) *Lot Frontage* (minimum): 20.0 m

(q) R1-19, Catherine Street, South Side

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R1-19 shall be used in accordance with the following provision(s):

- (i) *Lot Frontage* (minimum): 13.05 m
- (ii) *Interior Side Yard Width* (minimum):
  - east side 4.0 m

(r) R1-21, 1844 Albert Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R1-21 shall be used in accordance with the following provision(s):

- (i) *Front Yard depth* (minimum): 3.75 m
- (ii) *Interior Side Yard Width* (minimum): 1.45 m

(s) R1-22, (reserved)

(t) R1-23, 801 St-Jean Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R1-23, shall be used in accordance with the following provisions:

(h) Additional Permitted Uses:

- Business Office

(u) R1-24, Fairway Street, Clubhouse Street, Poupart Street and Eagle Street, Rockland

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R1-24 shall be used in accordance with the following provision(s):

(i) Permitted Uses:

- detached dwelling

(ii) *Lot Area* (minimum):

- with private services 1390.0 m<sup>2</sup>

(iii) *Lot Frontage* (minimum):

- with private services 20.0 m

(v) R1-25, Chamberland Street, Limmer Subdivision

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R1-25 shall be used in accordance with the following provision(s):

- the width of the area occupied by the parking spaces shall not exceed 60% of the *lot frontage*.

(w) R1-26 (Reserved)

(x) R1-27, 260 Laurier Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R1-27 shall be used in accordance with the following provision(s):

(i) Permitted Use:

A *private garage* intended for the maintenance and storage of a *commercial vehicle* (crane) of more than 4 530 kg (10 000 pounds).

(y) R1-28 (Reserved)

(z) R1-29, 816 Powers Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R1-29 shall be used in accordance with the following provision(s):

a second access driveway to the parking area shall be allowed and an *Additional Residential Unit is also permitted.*

(aa) R1-30, 625 Laurier Street, Rockland

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R1-30 shall be used in accordance with the following provision(s):

(i) Permitted additional use: *Additional Residential Unit* with a maximum area of 75 square meters.

(bb) R1-31 (Reserved)

(cc) R1-32 (Reserved)

(dd) R1-33 (Reserved)

(ee) R1-34, 1437-1441 David Street

Notwithstanding the provisions of Section 6.1 hereof to the contrary, the lands designated R1-34 on Map "B" hereto, shall be used in accordance with the following provision:

(i) Permitted additional use: *three unit dwelling with one Additional Residential Unit.*

#### **6.1.4 Temporary Use Zones**

(Reserved)

## **6.2 Urban Residential First Density – Special (R1S) Zone**

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in an Urban Residential First Density-Special (R1S) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### **6.2.1 Permitted Uses**

#### **Residential Uses**

- *Detached dwelling*
- *Group home (1)*
- *Retirement home (1)*
- *Converted dwelling (5)*

#### **Accessory Residential Uses**

- *Home-based business, Urban (1)*
- *Private home day care (1)*
- *Additional Residential Unit (2)*
- *Short-term rental*
- *Bed and breakfast establishment (1)(2)*
- *Lodging house (3)*

#### **Institutional and Community Uses**

- *Emergency service facility*

#### **Open Space Uses**

- *Community garden*
- *Conservation use*
- *Park, public*
- *Stormwater management facility*

#### **Additional Regulations for Permitted Uses**

1. The maximum number of private bedrooms or living units, for uses subject to footnote (1), shall be 4.
2. A maximum of one of the uses, for uses subject to footnote (2), shall be permitted in a dwelling.
3. The maximum number of lodging units, for uses subject to footnote (3), shall be 3.
4. Additional Residential Units are subject to the provisions of section 4.41.
5. Uses subject to footnote (5) may contain a maximum of three (3) dwelling units.

### **6.2.2 Zone Requirements**

The zone requirements for *lots* in an Urban Residential First Density-Special (R1S) Zone are set out in Table 6.2.2, below.

**Table 6.2.2: Zone requirements in the Residential First Density - Special (R1S) Zone**

	Detached dwelling	Other Uses
Minimum <i>lot area</i>	300 m <sup>2</sup>	n.a.
Minimum <i>lot frontage</i>	10.0 m	n.a.
Minimum <i>front yard</i>	6.0 m	n.a.
Minimum <i>exterior side yard</i>	3.5 m	n.a.
Minimum <i>interior side yard</i>	1.0 m (1)	n.a.
Minimum <i>rear yard</i>	7.5 m	n.a.
Minimum <i>dwelling unit area</i>	70.0 m <sup>2</sup>	n.a.
Maximum <i>building height</i>	11.5 m	n.a.
Maximum <i>lot coverage for the dwelling</i>	n.a.	n.a.

**Additional Requirements for Zone Requirements Table 6.2.2**

- (1) Provided that on a lot where there is no attached private garage or attached carport, the minimum interior side yard width shall be 3.0 metres on one side and 1.0 metre on the other side.
- (2) Lots serviced by private services per Section 4.2, may require lot sizes larger than that necessary to meet zone provisions in order to accommodate the servicing systems capable of handling the increased levels of water consumption and sewage generation that may be associated with certain uses.
- (3) Minimum *lot area* is 930 m<sup>2</sup> for *lots* connected to only piped municipal water.
- (4) Maximum *lot coverage* is 25% for a *lot* connected to only piped municipal water.

**6.2.3 Special Exception Zones**

- (a) R1S-1, Charron Street, Lot 6 of the Draft Plan of Subdivision of Part of Lot 28, Concession 1 O.S., prepared by Mr. Marc P. Payette under reference number 07-023 submitted on September 6th, 2007, Rockland

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R1S-1 shall be used in accordance with the following provision(s):

- one *driveway* in the *front yard* and one *driveway* in the *exterior side yard*

- (b) R1S-2, Part of Lots 26 and 27, Con. 1 (O.S.), part of Lot 25, Con. 2 (O.S.) and part of Lots C and D, Con. 8

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R1S-2 shall be used in accordance with the following provisions:

Detached dwelling:

Minimum front yard:	3.0m
Minimum garage setback from front lot line:	5.6m
Minimum exterior side yard:	3.0m
Minimum rear yard:	7.0m

- (c) R1S-3, Part of Lot 25, Concession 2 (Old Survey) and Part of Lot C, Concession 8 (Block 1 & 2), City of Clarence-Rockland (By-law 2023-24)

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned R1S-3 shall be used in accordance with the following provisions(s):

Detached dwelling:

Minimum front yard: 3.0m

Minimum exterior side yard: 2.5m

Minimum rear yard: 7.0m

**6.2.4 Temporary Use Zones**

- (a) (Reserved)

### **6.3 Urban Residential Second Density – (R2) Zone**

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in an Urban Residential Second Density (R2) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

#### **6.3.1 Permitted Uses**

##### **Residential Uses**

- *Detached dwelling*
- *Duplex dwelling*
- *Linked dwelling*
- *Semi-detached dwelling*
- *Group home (1)*
- *Lodging house (2)*
- *Retirement home (3)*

##### **Accessory Residential Uses**

- *Bed and breakfast (4)*
- *Home-based business, Urban (4)*
- *Private home day care (4)*
- *Additional Residential Unit (5)*
- *Short-term rental*

##### **Institutional and Community Uses**

- *Emergency service facility*

##### **Open Space Uses**

- *Community garden*
- *Conservation use*
- *Park, public*
- *Stormwater management facility*

##### **Additional Regulations for Permitted Uses**

- (1) The maximum number of private bedrooms or living units, for uses subject to footnote (1), shall be 4.
- (2) The maximum number of *lodging units*, for uses subject to footnote (2), shall be 3.
- (3) The maximum number of private bedrooms or living units, for uses subject to footnote (3), shall be 8.
- (4) A maximum of one of the uses subject to footnote (4) shall be permitted in a *dwelling*.
- (5) Additional Residential Units are subject to the provisions of section 4.41.

**6.3.2 Zone Requirements**

Table 6.3.2: Zone requirements in the Residential Second Density (R2) Zone				
	<i>Detached dwelling</i>	<i>Semi-detached dwelling</i>	<i>Duplex dwelling</i>	<i>Linked dwelling</i>
Minimum <i>lot area</i>	450.0 m <sup>2</sup>	300.0 m <sup>2</sup> per dwelling unit (DU)	500.0 m <sup>2</sup>	390.0 m <sup>2</sup>
Minimum <i>lot frontage</i>	15.0 m	10.0 m (per dwelling unit)	17.0 m	12.0 m (per dwelling unit)
Minimum <i>front yard</i>	6.0 m	6.0 m	6.0 m	6.0 m
Minimum <i>exterior side yard</i>	3.5 m	3.5 m	3.5 m	3.5 m
Minimum <i>interior side yard</i>	1.0 m (1)	1.0 m (2)(3)	1.5 m (4)	1.0 m (1)(3)
Minimum <i>rear yard</i>	7.5 m	7.5 m	7.5 m	7.5 m
Minimum <i>dwelling unit area</i>	85.0 m <sup>2</sup>	70.0 m <sup>2</sup>	65.0 m <sup>2</sup>	85.0 m <sup>2</sup>
Maximum <i>building height</i>	11.5 m	11.5 m	11.5 m	11.5 m

**Additional Requirements for Zone Requirements Table 6.3.2**

- (1) Provided that on a *lot* where there is no attached private garage or attached carport, the minimum *interior side yard* width shall be 3.0 metres on one side and 1.0 metre on the other side.
- (2) Provided that on a *lot* where there is no attached private garage or attached carport, the minimum *interior side yard* width shall be 3.0 metres.
- (3) If a *semi-detached dwelling* or *linked dwelling* is severed, the zone requirements continue to apply to the original *lot* except that the *interior side yard* requirement does not apply along the common *lot line*.
- (4) Provided that on a lot where there is no attached private garage or attached carport, the minimum *interior side yard* width shall be 3.0 metres on one side and 1.5 metres on the other side.
- (5) Lots serviced by private services per Section 4.2, may require lot sizes larger than that necessary to meet zone provisions in order to accommodate the servicing systems capable of handling the increased levels of water consumption and sewage generation that may be associated with certain uses.
- (6) Minimum *lot area* is 930 m<sup>2</sup> per dwelling unit for *lots* connected to only

- piped municipal water.
- (7) Maximum *lot coverage* is 25% for a *lot* connected to only piped municipal water.
- (8) A *group home, long term care facility and retirement home* will be subject to the zone requirements for an "*apartment dwelling, low rise*" per Table 6.4.2b). Other uses will be subject to zone requirements for "other uses" per Table 6.2.2.

Minimum *lot frontage, lot area, dwelling unit area and parking* requirements for *linked-detached dwellings* and *semi-detached dwellings* shall apply to each portion of a *lot* on which each *dwelling unit* is located, whether or not that parcel is to be severed.

### **6.3.3 Special Exception Zones**

#### (a) R2-1, 279 Edwards Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-1 shall be used in accordance with the following provision(s):

- *converted dwelling* containing a maximum of 2 *dwelling units* with the required parking being permitted in the front yard.

#### (b) R2-2, 2175 Hudon Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-2 shall be used in accordance with the following provision(s):

- (i) *Front Yard Depth* (minimum):
  - existing building 2.50 m
- (ii) *Interior Side Yard Width* (minimum):
  - existing building 0.90 m
- (iii) *Dwelling Unit* or Guest Room Area (minimum): 63.0 m<sup>2</sup>

#### (c) R2-3, 1060 Alma Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-3 shall be used in accordance with the following provision(s):

- (i) *Lot Area* (minimum): 330.0 m<sup>2</sup>

#### (d) R2-4, 1371 Laurier Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-4 shall be used in accordance with the following provision(s):

- (i) *Dwelling Unit Area* (minimum):
  - *semi-detached dwelling* 45.0 m<sup>2</sup> / DU

(e) R2-5, 2320 – 2328 Woods Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-5 shall be used in accordance with the following provision(s):

- (i) *Lot Frontage* (minimum): 15.24 m
- (ii) *Front Yard Depth* (minimum): 5.60 m
- (iii) *Interior Side Yard Width*  
- west side (minimum): 0.60 m

(f) R2-6, 563 – 565 Notre Dame Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-6 shall be used in accordance with the following provision(s):

- (i) *Lot Frontage* (minimum):  
- *semi-detached or duplex dwelling* 15.5 m

(g) R2-7, 2400 Albert Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-7 shall be used in accordance with the following provision(s):

- (i) *Lot Frontage* (minimum):  
- *duplex dwelling* 15.5 m

(h) R2-8, 490 St. Louis Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-8 shall be used in accordance with the following provision(s):

- (i) *Lot Area* (minimum):  
- existing building 374.93 m<sup>2</sup>
- (ii) *Front Yard Depth* (minimum):  
- existing building 2.76 m
- (iii) *Exterior Side Yard Width* (minimum):  
- existing building 0.81 m
- (iv) *Rear Yard Depth* (minimum):  
- existing building 0.57 m

(i) R2-9, Elie and Cecile Crescents

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-9 shall be used in accordance with the following provision(s):

- (i) *Lot Area* (minima):  
- *interior lot* 300.0 m<sup>2</sup> / DU

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- *corner lot* 350.0 m<sup>2</sup> / DU
- (ii) *Lot Frontage* (minima):
- *interior lot* 10.0 m / DU
- *corner lot* 11.5 m / DU
- (iii) Basement Floor and *Lot Elevation* (minimum): 44.6 m (G.S.C.)
- (iv) Special Provision:

In the case of a *corner lot*, the *parking* and *driveway* provided for the dwelling unit shall be located along the interior side lot line.

(j) R2-10, Laviolette Subdivision, Sylvain Street and Heritage Drive

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-10 shall be used in accordance with the following provision(s):

- (i) Basement Floor and *Lot Elevation* (minimum): 44.6 m (G.S.C.)
- (ii) Special Provision:

In the case of a corner lot, the parking and driveway provided for the dwelling unit shall be located along the interior side lot line.

(k) R2-11, Elie Crescent, Valerie Place

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-11 shall be used in accordance with the following provision(s):

- (i) detached dwellings may also be permitted in accordance with the provisions of Section 6.2 of this By-law and shall also be used in accordance with the following provisions:
- (ii) Basement Floor and *Lot Elevation* (minimum): 44.6 m (G.S.C.)

(l) R2-12, 1062 – 1088 Des Pins Avenue

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-12 shall be used in accordance with the following provision(s):

- (i) *Lot Area* (minimum):
- *semi-detached dwelling* 265.0 m<sup>2</sup> / DU
- (ii) *Lot Frontage* (minimum):
- *semi-detached dwelling* 9.0 m / DU
- (iii) *Front Yard Depth* (minimum): 3.0 m

(m) R2-13, 384 Laurier Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-13 shall be used in accordance with the following provision(s):

- (i) may also be used for an *apartment dwelling, low-rise* containing four (4) dwelling units
- (ii) *Lot Area* (minimum):

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- 4 dwelling unit apartment dwelling, low-rise 900.0 m<sup>2</sup>
- (iii) Lot Frontage (minimum):
- 4 dwelling unit apartment dwelling, low-rise 24.0 m
- (iv) Interior Side Yard Width (minimum):
- 4 dwelling unit apartment dwelling, low-rise 1.0 m, provided that where there is no attached *private garage* or attached carport, the minimum shall be 2.0 metres
- (v) Dwelling Unit Area (minimum):
- 4 dwelling unit apartment dwelling, low-rise 65.0 m<sup>2</sup>
- (vi) Special Provision:
- The minimum *lot frontage* on Laurier Street for a *duplex dwelling* shall be 15.0 metres.

(n) R2-14, 592 – 596 St. Jacques Street, Rockland

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-14 shall be used in accordance with the following provision(s):

- (i) may also be used for an *apartment dwelling* containing a minimum of 3 *dwelling units*, in accordance with the following provisions:
- (ii) Lot Area (minimum):
- 3 dwelling unit apartment dwelling low-rise 700.0 m<sup>2</sup>
- (ii) Lot Frontage (minimum):
- 3 dwelling unit apartment dwelling low-rise 20.0 m
- (iii) Building Height (maximum):
- 3 dwelling unit apartment dwelling low-rise 12.5 m
- (iv) Dwelling Unit area (minimum):
- apartment dwelling* low-rise 65.0 m<sup>2</sup>

(o) R2-15, Chamberland and Catherine Streets, Limmer Subdivision

Notwithstanding the provisions of Section 5.8.2 hereof to the contrary, on the lands designated R2-15 on Map 'B' hereto,

- (i) the width of *lot* area occupied by the parking spaces shall not exceed 60% of the *lot frontage*.

(p) R2-16, Morris Village Subdivision, Patricia Street Subdivision Phase 2, Rockland

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-16 shall be used in accordance with the following provision(s):

- (i) may also be used for detached dwellings in accordance with the provisions of Section 6.2 of this By-law.

(q) R2-17, 592-596 St-Jacques Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-17 shall be used in accordance with the following provision(s):

- (i) may also be used for a *dwelling, three unit* in accordance with the R3 provisions for a three unit dwelling.

(r) R2-18, Morris Village Subdivision, 2269-2281 Marble Crescent, Rockland

Notwithstanding the provisions of this By-law to the contrary, the land zoned R2-18 on Map 'A' hereto, shall be used in accordance with the following provisions:

*Semi-detached dwelling*

- (i) *Lot Frontage* (minima): 6.5 m / DU

(s) R2-19 1113-1135 Charette

Notwithstanding the provisions of Section 6.3.1 and 5.2.3 hereof to the contrary, the lands designated R2-19 on Map "B" hereto shall be used in accordance with the following provisions:

- (i) *Lot Area* (Minimum):
  - *Semi-detached dwelling* 285m<sup>2</sup>/DU
- (ii) *Parking Space Dimensions*: 2.5m x 5.6m
- (iii) *Width of parking area*: 5 metres/DU
- (iv) *Lot width*: 7 metres /DU

(t) R2-20, Morris Village Subdivision, Stage 2, Part of Lot 24, Concession 1 (O.S.)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-20 shall be used in accordance with the following provision(s):

- (i) may also be used for *detached dwellings* in accordance with the provisions of Section 6.2 of this By-law.
- (ii) In the case of *through lots*, the minimum depth for a residential *lot* shall be 31.0 m.

(u) R2-21, 926 Alma

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-21 shall be used in accordance with the following provision(s):

*Semi-detached dwelling*

- (ii) *Lot Area* (minima): 200 m<sup>2</sup> / DU
- (iii) *Lot Frontage* (minima): 9 m / DU
- (iii) *Front Yard Depth* (minimum): 5.5 m
- (iv) *Rear Yard Depth* (minimum): 6 m
- (v) *Dwelling Unit Area* (minima): 61 m<sup>2</sup> / DU

(v) R2-22, 833 Laurier

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-22 shall be used in accordance with the following provision(s):

- (i) Permitted Uses:
  - detached dwelling
  - semi-detached dwelling
  - duplex dwelling
  - personal service establishment – limited to the basement of the existing dwelling

(w) R2-23, 926 – 940 Payer Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-23 shall be used in accordance with the following provision(s):

- (i) *Lot Area* (minimum):
  - *semi-detached dwelling* 270 m<sup>2</sup> / DU
- (ii) *Lot Frontage* (minimum):
  - *semi-detached dwelling* 9.0 m / DU

(x) R2-24, Part of Lot 25, Concession 1 (O.S.), Lawrence Street, Rockland

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-24 shall be used in accordance with the following provision(s):

- (i) *Lot Frontage* (minimum):
  - Semi-detached dwelling: 9 m per unit
- (ii) *Lot Area* (minimum):
  - *Semi-detached dwelling*: 228.68 m<sup>2</sup> per unit
- (iii) *Front yard depth* (minimum):
  - *Semi-detached dwelling*: 0.04 m
  - *interior side yard* width (minimum): 0.31 m
  - distance of driveway to *interior side lot line* (minimum): 0.5 m

(y) R2-25, 241 Sterling Avenue

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-25 shall be used in accordance with the following provision(s):

- (i) *Additional Residential Unit* of 115 square metres divided into two storeys only of the *detached dwelling* (one of which can be part of the basement).
- (ii) The *Additional Residential Unit* can be built at the same time as the *detached dwelling*.
- (iv) No additional *Additional Residential Unit* is permitted.
- (v) The principal *dwelling unit* and the *Additional Residential Unit* must share one common *driveway*.

(z) R2-26, Part of Lots 21 et 22, Concession 1 (O.S.), Part 5 on Plan 50R-2938 (Rockland)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-26 shall be used in accordance with the following provision(s):

- i. Added permitted uses:  
*Community Centre* (private) subject to the following zone provisions:
- ii. *Lot Area* (minimum): 240 m<sup>2</sup>
- iii. *Lot Frontage* (minimum): 9.0 m
- iv. *Front Yard Depth* (minimum): 4.0 m
- v. *Interior Side Yard Width* (minimum): 1.5 m
- vi. *Rear Yard Depth* (minimum): 7.5 m
- vii. *Building Height* (maximum): 9.0 m
- viii. A private *community centre* need not provide parking spaces.

(aa) R2-27, Part of Lots 21 et 22, Concession 1 (O.S.), Part 5 on Plan 50R-2938 (Rockland)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-27 shall be used in accordance with the following provision(s):

*Detached dwelling*

- i) *Lot Area* (minimum): 400m<sup>2</sup>
- ii) *Lot Frontage* (minimum): 12.0m
- iii) *Front Yard Depth* (minimum): 3.0m
- iv) *Minimum setback from a private garage to the front lot line:* 5.5m
- v) *Exterior Side Yard Width:* 3.0m
- vi) *Interior Side Yard Width:* 1.0m
- vii) *Rear Yard Setback* (minimum): 7.0m
- viii) *Dwelling Unit Area* (minimum): 85m<sup>2</sup>

*Semi-detached dwelling*

- i) *Lot Area* (minimum): 300m<sup>2</sup>
- ii) *Lot Frontage* (minimum): 8.5m
- iii) *Front Yard Depth* (minimum): 3.0m
- iv) *Minimum setback from a private garage to the front lot line:* 5.5m
- v) *Exterior Side Yard Width* (minimum): 3.0m
- vi) *Interior Side Yard Width* (minimum): 1.0m
- vii) *Rear Yard Depth* (minimum): 7.0m
- viii) *Dwelling Unit Area* (minimum): 70m<sup>2</sup>

(bb) R2-28, Part of Lots 21 and 22, Concession 1 (O.S.), 701, 705, 709, 713, 717, 721, 725, 729, and 733 Du Rivage Street

Notwithstanding the provisions of Table 6.3.2 hereof to the contrary, the lands zoned R2-28 shall be used in accordance with the following provision(s):

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- i) Lot Area (minimum): 350m<sup>2</sup>
- ii) Lot Frontage (minimum): 11.0m
- iii) Front Yard Depth (minimum): 3.0m
- iv) Minimum setback from a private garage to the front lot line: 5.5m
- v) Exterior Side Yard Width: 3.0m
- vii) Rear Yard Setback (minimum): 7.0m

(cc) R2-29, 808 Powers Street

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned R2 – 29, the lands shall be used in accordance with the following provision(s):

For semi-detached dwellings:

- i) Maximum width of a private driveway: 7.0m
- ii) Minimum interior side yard where there is no private garage: 1.8m on each side
- iii) Minimum width of a landscape buffer between a private driveway and an interior side lot line: 0.5m

(dd) R2-30, 2289, 2293, 2295 Raymond Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-30, shall be used in accordance with the following provision(s):

For detached dwellings:

- i) Minimum rear yard: 1.2m
- ii) Maximum width of a private driveway: 10.8m

For semi-detached dwellings:

- i) Maximum width of a private driveway: 6.65m/DU
- ii) Minimum width of a landscape buffer between a private driveway and an interior side lot line: 0m

(ee) R2-31, 1253 Alma Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-31 shall be used in accordance with the following provision(s):

*For semi-detached dwellings:*

- h) Minimum interior side yard where there is no private garage: 2.76m

(ff) R2-31, Part of Block 54, Plan 50M-323

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-

31 shall be used in accordance with the following provision(s):

a) Single Detached Dwelling

- Lot Area Minimum: 400 m<sup>2</sup>
- Lot Frontage Minimum: 10 m
- Front Yard Minimum: 6 m
- Rear Yard Minimum: 7 m
- Interior Side Yard Minimum: 1 m
- Exterior Side Yard Minimum: 3 m
- Dwelling Unit Area Minimum: 85 m<sup>2</sup>
- Maximum Building Height: 11.5 m

Additional Provisions:

- Minimum dimensions of a parking space where one is provided in a private garage shall be 5.6m in length and 2.7m in width.

(ff) R2-32, 2198 Hudon Street

Notwithstanding the provisions of this By-law to the contrary, on the lands designated R2-32, the following provisions apply:

- i. Minimum Lot Area: 250.8 m<sup>2</sup>/DU
- ii. Minimum Lot Frontage: 8.2 m
- iii. Minimum Front Yard: 6.0 m
- iv. Minimum Exterior Side Yard: 3.5 m
- v. Minimum Interior Side Yard: 1.0 m
- vi. Minimum Rear Yard: 7.5 m
- vii. Minimum Dwelling Area: 70 m<sup>2</sup>
- viii. Maximum Building Height: 11.5 m

(gg) R2-33, Morris Village Subdivision Stage 6

Notwithstanding the provisions of this By-law to the contrary, the lands designated R2-33 shall be used in accordance with the following provisions:

- i. For detached dwellings and semi-detached dwellings:
  - Minimum lot area: 300.0 m<sup>2</sup>
  - Minimum lot frontage: 10.0m (per unit)
  - Minimum front yard: 3.0m
  - Minimum exterior side yard: 2.0m
  - Minimum rear yard: 7.0m
  - Minimum garage setback from front lot line: 5.6m
- ii. Minimum dwelling unit area
  - detached dwelling: 70.0m<sup>2</sup>
  - semi-detached dwelling: 60.0m<sup>2</sup>
- iii. Minimum front yard for a dwelling without a garage: 5.6m

(hh) R2-34, 604 Caron Street

Notwithstanding the provisions of this By-law to the contrary, the lands designated R2-34 shall be used in accordance with the following provisions:

- i. Minimum Front Yard: 4.3 m
- ii. Minimum Interior Side Yard: 2.5 m
- iii. Semi-detached dwelling not required to have individual driveway and may be located on adjacent lot.

(ii) R2-35, 901 St-Jean Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-35 shall be used in accordance with the following provision(s):

- i. Minimum Lot Frontage: 9.4 m per dwelling unit (DU)

(jj) R2-36, 1969 Catherine Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-36 shall be used in accordance with the following provision(s):

- i. Maximum driveway width: 8.1 m per dwelling unit (DU)

(kk) R2-37, 791 Lawrence Street

Notwithstanding the provisions of this By-law to the contrary the lands zoned R2-37 shall be used in accordance with the following provisions:

- i. Minimum Lot Frontage: 9.9 m per dwelling unit
- ii. Minimum Rear Yard setback: 2.5 m
- iii. Minimum Interior Side Yard setback: 2.5 m
- iv. Semi-detached dwellings do not require an individual driveway and may be located on adjacent lot.
- v. Minimum width of access- to the parking area: 4.5 m

**6.3.4 Temporary Use Zones**

- (a) (Reserved)

## **6.4 Urban Residential Third Density (R3) Zone**

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in an Urban Residential Third Density (R3) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### **6.4.1 Permitted Uses**

#### **Residential Uses**

- *Apartment dwelling, low-rise*
- *Apartment dwelling, mid-high rise*
- *Back-to-back townhouse dwelling*
- *Three unit dwelling*
- *Townhouse dwelling*
- *Stacked townhouse dwelling*
- *Group home*
- *Long term care facility*
- *Retirement home*

#### **Accessory Residential Uses**

- *Day care (1)*
- *Home-Based Business, Urban (3)*
- *Private home day care (3)*
- *Additional Residential Unit (4)*
- *Short-term rental*

#### **Retail Uses**

- *Artist studio (1)*
- *Business office (1)*
- *Convenience store (1) (2)*
- *Dry cleaning / laundry depot (1)*
- *Financial institution (1)*
- *Medical facility, (1)*
- *Personal service establishment (1)*
- *Restaurant (full service, fast food, take-out) (1)*
- *Retail food store (1)*
- *Retail store (limited to a pharmacy, florist shop or newsstand) (1)*
- *Sports and recreation facility (1)*

#### **Institutional and Community Uses**

- *Day care*
- *Emergency service facility*

#### **Open Space Uses**

- *Community garden*
- *Conservation use*
- *Park, public*

- *Stormwater management facility*

### Additional Regulations for Permitted Uses

- (1) Ancillary uses listed with footnote (1) include an *artist studio, business office, convenience store, day care, dry cleaning / laundry depot, financial institution, medical facility, personal service establishment, restaurant, retail food store, retail store* and a *sports and recreation facility*. These are permitted as ancillary uses to an *apartment mid-high-rise, long-term care facility or retirement home* if they are located on the ground floor but the cumulative *floor area* must not exceed 200 m<sup>2</sup>.
- (2) A *convenience store, listed as footnote (2)*, is permitted if it is located on the ground floor of an apartment dwelling low-rise and it does not exceed 75 m<sup>2</sup> of *floor area*.
- (3) A maximum of one of the uses subject to footnote (3) shall be permitted in a *dwelling*.
- (4) Additional Residential Units are subject to the provisions of section 4.41.

### 6.4.2 Zone Requirements

	<i>Three Unit Dwellings</i>	<i>Townhouse dwellings</i>	<i>Back-to-back townhouse dwellings</i>	<i>Stacked townhouse dwellings</i>
Minimum <i>lot area</i>	540.0 m <sup>2</sup>	185.0 m <sup>2</sup> per DU	140.0 m <sup>2</sup> per DU	140.0 m <sup>2</sup> per DU
Minimum <i>lot frontage</i>	18.0 m (1)	5.5 m per DU (plus side yard requirements where applicable)	30.5 m (1)	24.0 m (1)
Minimum <i>front yard</i>	6.0 m	6.0 m	6.0 m	6.0 m
Minimum <i>exterior side yard</i>	3.5 m	3.5 m	3.5 m	3.5 m
Minimum <i>interior side yard</i>	1.5 m	1.5 m	3.0 m	3.0 m
Minimum separation distance between buildings containing <i>dwelling units</i>	3.0 m	3.0 m	3.0 m	3.0 m
Minimum <i>rear yard</i>	7.5 m	7.5 m	0.0 m	6.0 m
Maximum number of storeys	3	3	3	3
Maximum <i>building height</i>	12.0 m	12.0 m	12.0 m	14.5 m.

Minimum landscaping coverage	30%	30%	30%	30%
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<b>Table 6.4.2b: Zone requirements in the Residential Third Density (R3) Zone</b>		
	<i>Apartment dwelling, low rise</i>	<i>Apartment dwelling, mid-high rise</i>
Minimum lot area	140.0 m <sup>2</sup> per DU	140.0 m <sup>2</sup> per DU
Minimum lot frontage	20.0 m (1)	24.0 m (1)
Minimum front yard	4.5 m	4.5 m
Minimum exterior side yard	3.0 m	3.0 m
Minimum interior side yard	4.5 m	4.5 m
Minimum separation distance between buildings containing dwelling units	2.4 m	2.4 m
Minimum rear yard	6.0 m	6.0 m
Maximum number of storeys	4	5
Maximum building height	15.0 m	18.75 m
Minimum landscaping coverage	30%	30%

### **Additional Requirements for Zone Requirements Table 6.4.2a and 6.4.2b**

- (1) The entirety of the *lot* or block shall be used for the purposes of determining compliance with the minimum *lot frontage* requirements of this By-law.
- (2) A *day care, group home, long term care facility and retirement home* will be subject to the zone requirements for an *apartment dwelling, low rise* listed in Table 6.4.2b.

### **6.4.3 Special Exception Zones**

#### **(a) R3-1, Victoria Street**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-1 shall be used in accordance with the following provision(s):

- the maximum number of *dwelling units* permitted shall be six (6).

#### **(b) R3-2, 2090 Catherine Street, 794 Laurier Street**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-2 shall be used in accordance with the following provision(s):

- the maximum number of *dwelling units* permitted shall be three (3).

(c) R3-3, 2476 – 2484 Albert Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-3 shall be used in accordance with the following provision(s):

- the maximum number of dwelling units permitted shall be four (4).

(d) R3-4, 1650 – 1658, 1662 – 1666 Wallace Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-4 shall be used in accordance with the following provision(s):

- (i) *Lot Area* (minimum): 900.0 m<sup>2</sup>
- (ii) *Lot Frontage* (minimum): 24.0 m
- (iii) *Front yard Depth* (minimum): 2.75 m
- (iv) *Interior Side Yard Width* (minimum): 3.50 m
- (v) Special Provisions:

For the purposes of interpretation and application of the zone requirements, the lands in the R3-4 zone shall be considered as one lot.

- (vi) Number of *Dwelling Units* (maximum): 6

(e) R3-5, 1987 Woods Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-5 shall be used in accordance with the following provision(s):

- (i) Number of *Dwelling Units* (maximum): 29
- (ii) Basement Floor and *Lot Elevation* (minimum): 44.6 m (G.S.C.)
- (iii) Special Provisions:

The *lot line* abutting Woods Street shall be considered the *front lot line*.

(f) R3-6, 1400 – 1500 Rochelandaise Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-6 shall be used in accordance with the following provision(s):

- the maximum number of *dwelling units* permitted of the *townhouse* type shall be thirty-six (36).

(g) R3-7, Morris Village, 2362-2378 Marble Crescent, Rockland

Notwithstanding the provisions of Section 6.4 hereof to the contrary, the lands designated R3-7 on Map 'B' hereto shall be used in accordance with the following provisions:

- (i) Minimum Exterior Side yard: 2.5 metres

(h) R3-8, Potvin Subdivision, North of Chapman Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-8 shall be used in accordance with the following provision(s):

- (i) In addition to the permitted uses listed in Section 6.4, the following uses shall also be permitted:  
*detached dwellings* in accordance with the provisions of Section 6.2 of this By law, and *semi-detached dwellings* in accordance with the applicable provisions of Section 6.3 of this By-law.
- (ii) In the case of *townhouse dwellings*, the following provisions shall apply:

<i>Lot Area</i> (minimum)	
Interior unit	144.0 m <sup>2</sup> / DU
<i>Exterior Side Yard Width</i> (minimum)	4.5 m

All other applicable provisions of Section 6.7 shall continue to apply.  
Minimum basement floor elevation and *lot* elevation shall be 44.6 m (G.S.C).

(i) R3-9, 715 and 875 Laurier Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-9 shall be used in accordance with the following provision(s):

- (ii) Number of *Dwelling Units* (maximum): 12
- (iii) *Building Height* (maximum): 10.5 m

(j) R3-10, 894, 896, 898 Notre Dame Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-10 shall be used in accordance with the following provision(s):

- (i) Number of *Dwelling Units* (maximum): 3
- (ii) *Building Height* (maximum): 10.5 m
- (iii) Special Provision:

For the purpose of the interpretation and application of the zone requirements, the lands in the R3-10 zone shall be considered as one *lot*.

(k) R3-11, Part of Lots 26 and 27, Con. 1 (O.S.), part of Lot 25, Con. 2 (O.S.) and part of Lots C and D, Con. 8; Part of Lot 24, Con.2 (OS)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-11 shall be used in accordance with the following provisions:

- (1) Additional permitted use:
  - Semi-detached dwelling
- (2) For semi-detached dwellings and townhouse dwellings, the following provisions apply:

Minimum lot area:	185m <sup>2</sup> per DU
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Minimum lot frontage:	5.5m per DU
Minimum front yard:	3.0m
Minimum garage setback from front lot line:	5.6m
Minimum exterior side yard:	3.0m
Minimum interior side yard:	1.5m
Minimum separation distance between buildings containing dwelling units:	3.0m
Minimum rear yard:	7.0m
Maximum number of storeys:	3
Maximum building height	12.0m
Minimum landscaping coverage	30%”

(l) R3-12, 490 Laurier Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-12 shall be used in accordance with the following provision(s):

- a converted *dwelling* house containing a maximum of three (3) *dwelling units*.

(m) R3-13, 2440 Albert Street, 1090 – 1104 Charette Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-13 shall be used in accordance with the following provision(s):

- (i) Number of *Dwelling Units* (maximum): 8
- (ii) *Building Height* (maximum): 10.5 m

(n) R3-14, Part of Lots 26 and 27, Con. 1 (O.S.), part of Lot 25, Con. 2 (O.S.) and part of Lots C and D, Con. 8

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-14 shall be used in accordance with the following provisions:

Apartment dwelling, mid-high rise:	
Minimum front yard:	3.5m

(o) R3-15, 2360 Albert Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-15 shall be used in accordance with the following provision(s):

- (i) *Lot Frontage* (minimum): 13.0 m

(p) R3-16, 841 Laurier Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-16 shall be used in accordance with the following provision(s):

(i) *Lot Frontage* (minimum): 20.42 m

(q) R3-17, 931 – 937 Caron Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-17 shall be used in accordance with the following provision(s):

- (i) *Lot Frontage* (minimum):
  - *apartment dwelling, low rise* 22.4 m
- (ii) *Interior Side Yard Width* (minimum):
  - *apartment dwelling, low rise* 3.0 m, 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 2.0 m
- (iii) *Building Height* (maximum): 12.5 m
- (iv) *Number of Dwelling Units* (maximum): 6

(r) R3-18, 793 – 813 Caron Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-18 shall be used in accordance with the following provision(s):

- (i) *Lot Area* (minimum):
  - *townhouse dwelling* 150.0 m<sup>2</sup> / DU
- (ii) *Lot Frontage* (minimum):
  - *townhouse dwelling* 5.5 m per unit, plus side yard requirements, where applicable
- (iii) *Rear Yard Depth* (minimum): 5.0 metres

(s) R3-19, 2825 Laurier Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-19 shall be used in accordance with the following provision(s):

- (i) *Interior Side Yard Width* (minimum):
  - *west side* 3.0 metres
- (ii) *Landscaped Open Space* (minimum): 25%
- (iii) *Number of Dwelling Units* (maximum): 55
- (iv) *Building Height* (maximum): 13.0 metres

(t) R3-20, 2177 Cecile Crescent

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-20 shall be used in accordance with the following provision(s):

- (i) Lot Frontage (minimum):
  - townhouse dwelling 33.0 metres
- (ii) Basement Floor and Lot Elevation (minimum): 44.6 m (G.S.C.)
- (iii) Building Height (maximum):
  - townhouse dwelling 12.5 metres

(u) R3-21, Block 8 of the Draft Plan of Subdivision -Part of Lots, 28 and 29, Concession 1 (O.S.)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-21, herein in referred to as "the lot" shall be used in accordance with the following provisions:

- (i) The minimum setback from the west property line shall be 15 metres.
- (ii) The minimum setback from the south property line shall be 6 metres for the building closest to the west lot line.
- (iii) The building located on the northwest corner of the lot shall be setback at a maximum of 6 metres from the north property line.
- (iv) The building located closest to the south-west corner of the lot shall have a maximum height of 3 storeys.
- (v) Unless a building is located on the southwest corner of the site, the maximum height of any building on the lot shall be three storeys.
- (vi) An opaque fence of a height of 2.43 metres shall be installed along the west property line. The fence shall be located wholly within the lot.

(v) R3-22, Part of Block 48, Plan 50M-323

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-22 shall be used in accordance with the following provision(s):

a) Additional permitted use: Detached Dwellings

b) Provisions for Detached Dwellings

- Minimum lot area: 380 m<sup>2</sup>
- Minimum lot frontage: 10 m
- Minimum front yard: 6 m
- Minimum rear yard: 6.5 m
- Minimum interior side yard: 1 m
- Minimum exterior side yard: 3 m

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- Minimum dwelling unit area: 85 m<sup>2</sup>
- Maximum building height: 11.5 m

c) Provisions for Townhouse Dwellings

- Minimum lot area: 185 m<sup>2</sup> per dwelling unit
- Minimum lot frontage: 5.5 m per dwelling unit
- Minimum front yard: 6 m
- Minimum rear yard: 7.5 m
- Minimum interior side yard: 1.2 m
- Minimum exterior side yard: 3 m
- Minimum Landscaping Coverage: 30%
- Maximum building height: 12 m

Additional Provisions:

- Minimum dimensions of a parking space where one is provided in a private garage shall be 5.6m in length and 2.7m in width.
- Section 5.7 h) shall not apply.

(w) R3-23, part of Block 284, plan 50M-308, block 5 of draft plan of subdivision

Notwithstanding the provisions of this By-law to the contrary, on lands zoned R3-23, the minimum lot area for an apartment dwelling mid-rise shall be 127 m<sup>2</sup> per dwelling unit.

(x) R3-24, 1280 Caron Street

Notwithstanding the provisions of this By-law to the contrary, on lands zoned R3-24, the following provisions shall apply:

- i. Permitted uses only:
  - Townhouse dwellings
  - Stacked townhouse dwellings
- ii. For townhouse dwellings and stacked townhouse dwellings, the following provisions apply:
  - Minimum lot area: 7,840 m<sup>2</sup>
  - Minimum lot frontage: 35.0m
  - Maximum building height: 11.5m
  - Minimum separation distance between buildings containing dwelling units: 3.0m
  - Minimum front yard: 6.0m
  - Minimum rear yard: 7.5m
  - Minimum interior side yard (along the northern property line): 7.5m
  - Minimum interior side yard (along the southern property line): 4.5m
  - Minimum landscape coverage: 30%
- iii. A landscape buffer consisting of an opaque fence at least 2.0m high is required along the rear lot line and the interior side lot lines.

- (y) R3-25, Part of lot 99 and all of lots 100 and 101, Plan by Andrew Bell O.L.S. (Dated February 12, 1908)

Notwithstanding the provisions of this By-law to the contrary, on lands zoned R3-25, the following provisions apply:

- i. For the purposes of interpretation and application of the zone requirements, the lands in the R3-25 zone shall be considered as one lot.
- ii. Permitted uses:
  - Apartment dwelling, low-rise
  - Stacked townhouse dwelling
- iii. Lot Area (minimum): 140 m<sup>2</sup> / DU
- iv. Lot Frontage (minimum): 37.4 m
- v. Front yard Depth (minimum): 6.0 m
- vi. Interior Side Yard Width (minimum): 1.2 m
- vii. Rear Yard Depth (minimum): 6.0 m
- viii. Number of Dwelling Units (maximum): 11
- ix. Separation distance between buildings containing dwelling units (minimum): 2.4 m
- x. Number of storeys (maximum): 3
- xi. Number of parking spaces (minimum): 12
- xii. Landscape coverage (minimum): 40%

- (z) R3-26, Lot 75, Plan by Andrew Bell O.L.S. (Dated February 12, 1908)

Notwithstanding the provisions of this By-law to the contrary, on lands zoned R3-26, the following provisions apply:

- i. Permitted uses:
  - Apartment dwelling, low-rise
- ii. Front yard Depth (minimum): 4.5 m
- iii. Interior Side Yard Width (minimum): 3.0 m
- iv. Rear Yard Depth (minimum): 6.0 m
- v. Number of storeys (maximum): 3
- vi. Number of Dwelling Units (maximum): 8

- (aa) R3-27, Part of Lot 21, Concession 1 (Old Survey), Outaouais Side Road (severed parcels of consents D-10-22-10 and D-10-22-11)

Notwithstanding the provisions of this By-law to the contrary, on lands zoned R3-27, the following provisions apply:

- vii. For stacked townhouse dwellings:
  - Setback from water body (minimum): 14.0 m
  - Interior Side Yard Width (minimum): 1.5 m
  - Main Buildings' spacing (minimum): 3.0 m

- viii. For the purposes of interpretation and application of the zone requirements, the lands in the R3-27 zone shall be considered one lot.

(bb) R3-28, (reserved)

(cc) R3-29, Outaouais Marina, Edwards Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-29 shall be used in accordance with the following provision(s):

- (i) Permitted Uses:
  - *apartment dwelling, low rise*
  - *marina*
  - *business office* related to the *marina*
- (ii) Number of *Dwelling Units* (maximum): 54
- (iii) Basement Floor Elevation (minimum): 45.1 metres (G.S.C.)
- (iv) Zone Requirements:

In accordance with an approved Site Plan.

(dd) R3-30, 1200 Laurier Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-30 shall be used in accordance with the following provision(s):

- (i) Permitted Use:
  - *apartment dwelling, low-rise or*
  - *semi-detached dwelling*
  - *three unit dwelling*
- (ii) Number of *Dwelling Units* (maximum): 6
- (iii) *Exterior Side Yard Width* (maximum): 3.5 m

Other Zone Requirements:

In accordance with approved Site Plan

(ee) R3-31, Laurier Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-31 shall be used in accordance with the following provision(s):

- (i) Permitted Uses:
  - *apartment dwelling, low-rise*
  - *townhouse dwelling*
- (ii) Zone Requirements:
  - In accordance with approved Site Plan
  - Basement Floor Elevation (minimum): 44.6 m (G.S.C.)

(ff) R3-32, 1005 – 1013 Laurier Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-

32 shall be used in accordance with the following provision(s):

- (i) Front Yard Depth (minimum): 4.45 metres

(gg) R3-33, 2594 Laurier Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-33 shall be used in accordance with the following provision(s):

- (i) Lot Frontage (minimum):
  - *apartment dwelling, low rise* 27.0 metres

(hh) R3-34, 2098 – 2012 Laurier Street/612 – 650 Edwards Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-34 shall be used in accordance with the following provision(s):

- (i) Zone Requirements:  
In accordance with approved Site Plan.
- (ii) Special Provisions:  
For the purpose of interpretation and application of zone requirements, the lands zoned R3-34 are considered to be one lot.

(ii) R3-35, Laurier Street – County Road 17

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-35 shall be used in accordance with the following provision(s):

- (i) Permitted Uses:
  - *detached dwellings*
  - all other uses listed under Section 6.4
- (ii) Lot Area (minimum):
  - *detached dwelling*
  - *interior lot* 300.0 m<sup>2</sup>
  - *corner lot* 360.0 m<sup>2</sup>
- (iii) Lot Frontage (minimum):
  - *interior lot* 10.0 m
  - *corner lot* 12.0 m
  - *apartment dwelling, low rise* 24.0 m
- (iv) Exterior Side Yard Width (minimum):
  - *detached dwelling* 3.5 m
- (v) Interior Side Yard Width (minimum):  
In accordance with the provisions of the R1 zone.

(jj) R3-36, 1026 Laurier Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-36 shall be used in accordance with the following provision(s):

- (i) *Lot Area* (minimum):
  - *apartment dwelling, low-rise* 82.0 m<sup>2</sup> / DU
- (ii) *Front Yard Depth* (minimum): 3.0 m
- (iii) *Exterior Side Yard Width* (minimum): 4.0 m
- (iv) *Rear Yard Depth* (minimum): 5.0 m
- (v) *Landscaped Open Space* (minimum): 20%
- (vi) *Parking Spaces Required* (minimum): 28 spaces
- (vii) *Special Provisions*:

For the purpose of interpretation and application of zone requirements, the lands designated R3-36 shall be considered as one lot and the lot line abutting Laurier Street shall be considered the front lot line.

- (viii) Additional permitted use: business office within the basement

(kk) R3-37, Edwards Street, Part of Lot 27, Concession 1 (O.S.), Part 1 of Registered Plan 50R-781, Parcels 63, 65 and 65A (Edwards Street)

In addition to the provisions of Section 6.4, "Urban Residential Third Density (R3) Zone" of this by-law, the following provision applies:

Maximum number of *dwelling units* is eight (8).

(ll) R3-38, Part of Lots 28 and 29, Concession 1 (Old Survey) (Extension of Raymond Street)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-38 shall be used in accordance with the following provision(s):

- (i) Permitted Uses: *Townhouse dwelling, 9 units per block*

(mm) R3-39, 855 St-Jacques Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-39 shall be used in accordance with the following provision(s):

- (i) Permitted Use: *converted dwelling with a maximum number of 4 dwelling units.*

(nn) R3-40, Part 2 of Plan 50R-6301, Part of Lot 27, Concession 1 (O.S.), 601-605 Pouliotte Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-40 shall be used in accordance with the following provision(s):

- i. Lot area (minimum) for townhouse dwelling: 175 m<sup>2</sup>
- ii. Front yard (minimum): 5.5 m
- iii. Interior side yard (minimum): 1.5 m
- iv. Rear yard (minimum): 5 metres

(oo) R3-41, 772-780 Giroux Street, Rockland

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-41 shall be used in accordance with the following provision(s):

- (i) Permitted Use:  
*apartment dwelling, low rise* with a maximum of 3 *dwelling units*
- (ii) *Lot frontage* (minimum): 17 m
- (iii) Width of access *driveway* (minimum): 5 m
- (iv) Width between the access *driveway* and the interior side lot line (minimum): 0 m
- (v) Landscaped open space (minimum): 20%

(pp) R3-42, Lot 4 Pbell 1908, 592-596 St-Jacques Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-42 shall be used in accordance with the following provision(s):

- (i) Permitted Uses limited to:
  - townhouse dwelling containing a maximum of three units
  - *semi-detached dwelling*
  - *duplex dwelling*
- (ii) Interior Side Yard Width (minimum)
  - townhouse dwelling end wall 1.5 m

(qq) R3-43, Part of Lot 29, Concession 1 (O.S.), Block 2 of Plan 50M-278

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-43 shall be used in accordance with the following provision(s):

- (i) Permitted Residential Use: *Townhouse dwelling* containing a maximum of nine *dwelling units*

(rr) R3-44, 2500 Albert Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-44 shall be deemed to be one lot regardless of ownership.

(ss) R3-45, Part of Lot 28 et 29, Concession 1 (O.S.)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-45 shall be used in accordance with the following provision(s):

- (i) Main building Spacing (minimum)  
*apartment dwelling low rise* : 6 m regardless of the building height
- (ii) When abutting an "Urban Residential First Density – general (R1) Zone" and/or an "Urban Residential First Density – special (R1S) Zone", the

minimum interior side yard requirements for *townhouse dwellings* may be reduced to 2 m if the yard adjoins a wall containing no habitable room windows.

- (iii) The maximum *height of building* is set to two (2) storeys within a thirty-five (35) metres buffer zone for part of the land abutting an "Urban Residential First Density – general (R1) Zone" and/or an "Urban Residential First Density – special (R1S) Zone".
- (iv) For the purposes of this By-law, Blocks 6 and 7 shall be deemed to be one *lot* regardless of ownership.

(tt) R3-46, 555-559 Laurier Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-46 shall be used in accordance with the following provision(s):

- (i) Number of *dwelling units* (maximum): 5
- (ii) Access *driveway width* (minimum): 3.00 metres

(uu) R3-47, Part of Lot 28, Concession 1 (O.S.)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-47 shall be used in accordance with the following provision(s):

- (i) The minimum lot area for a street row house dwelling shall be 170m<sup>2</sup>.
- (ii) The minimum setback for an end wall shall be 1.5m.
- (iii) The minimum interior side yard requirement shall be 1.5m

(vv) R3-48, 701 St-Joseph Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-48 shall be used in accordance with the following provision(s):

- (j) *Lot area* (minimum)  
Apartment dwelling low rise: 97 m<sup>2</sup> per unit
- (ii) Landscaped open space (minimum)  
*Apartment dwelling low rise*: 32.0%
- (iii) Children's play area (minimum)  
*Apartment dwelling low-rise*: 0%
- (iv) Amenity area (minimum)  
*Apartment dwelling low-rise*: 0%
- (v) Required parking spaces per *dwelling unit* (minimum)  
*Apartment dwelling low rise*: 1.0

(ww) R3-49, Part of Lots 27 & 28, Concession 1 (O.S.)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-49 shall be used in accordance with the following provision(s):

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- (i) *Lot Frontage* (minimum): 14.0 m
- (ii) Required Building Spacing (minimum) 5.0 m
- (ii) The setback from a waterbody shall be a distance recommended in an approved Environmental Impact Study.

(xx) R3-50, Part of Lot D, Concession 8, Part of Lot 25, Concession 2 (O.S.) and Part of Lots 26 and 27, Concession 1 (O.S.)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-50 shall be used in accordance with the following provision(s):

- (i) *Front Yard Depth* 3.5 metres

(yy) R3-51, Part of Lot D, Concession 8, Part of Lot 25, Concession 2 (O.S.) and Part of Lots 26 and 27, Concession 1 (O.S.)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-51 shall be used in accordance with the following provision(s):

- (i) *Lot Frontage* (minimum): 14.0 metres

(zz) R3-52, Block 282, Plan 50M-308

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-52 shall be used in accordance with the following provision(s):

- i) *Front Yard Depth* 3.5 m
- ii) Main buildings' spacing 4 m
- iii) Minimum lot area 126.5 m<sup>2</sup>/unit (apartment dwelling low rise)
- iv) parking spaces' ratio 1.35 space per (*apartment dwelling*) dwelling unit.

(aaa) R3-53, partie du bloc 280, plan 50M-308

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-3 shall be used in accordance with the following provision(s):

- (i) *Interior side yard* (minimum)  
- Townhouse dwelling: 1.5 m (exterior wall)

(bbb) R3-54, Part of Lots 20 and 21, Concession 1 (O.S), Outaouais Side Road

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-54 shall be used in accordance with the following provision(s):

- i) *Main buildings' spacing* 3 m

(ccc) R3-55, 1990-1994 Albert Street (Rockland)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-55 shall be used in accordance with the following provision(s):

- i) *Front Yard Depth* for a parking area 2.0 m
- ii) *Interior Side Yard Width* (minima) 2.0 m
- iii) *Minimum lot area* 126.5 m<sup>2</sup>/unit (apartment dwelling low rise)
- iv) parking spaces' ratio 1.35 space per (apartment dwelling low rise) dwelling unit

(ddd) R3-56, Part of Lot 28, Conc. 1 (O.S.) (Rockland)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-56 shall be used in accordance with the following provision(s):

- i) *Main buildings' spacing:* 4 m
- ii) Distance between the children's play area and the *street line:* 6.5 m

(eee) R3-57, Part of Lot 27, Conc. 1 (O.S.) (499 Edwards Street)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-57 shall be used in accordance with the following provision(s):

- i) *Lot area* (minimum)  
*Apartment dwelling low rise:* 120 m<sup>2</sup> per dwelling unit
- ii) *Lot Frontage* (minimum)  
*Apartment dwelling low rise:* 13 metres
- iii) Required *parking spaces* (minimum)  
*Apartment dwelling low rise:* 1 per dwelling unit
- iv) *Rear and interior side yard setback* for parking area (minimum): 0.6 metre

(fff) R3-58, Part of Lots 21 et 22, Concession 1 (O.S.), Part 5 on Plan 50R-2938 (Rockland)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-58 shall be used in accordance with the following provision(s):

*Townhouse dwelling*

- i) *Lot Area* (minimum): 185m<sup>2</sup> (per unit)
- ii) *Lot Frontage* (minima): 7.0m (per unit)
- iii) *Front Yard Depth* (minimum): 3.0m
- iv) *Minimum setback* from a waste container to the front lot line: 5.5m
- v) *Exterior Side Yard Width* (minimum): 3.0m
- vi) *Interior Side Yard Width* (minimum): 1.2m
- vii) *Rear Yard Depth* (minimum): 6.5m

(ggg) R3-59, Part of Lots 21 et 22, Concession 1 (O.S.), Part 5 on Plan 50R-2938 (Rockland)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-59 shall be used in accordance with the following provision(s):

*Apartment dwelling low rise*

- i) *Lot Area* (minimum): 180m<sup>2</sup> (per unit)
- ii) *Lot Frontage* (minima): 20.0m
- iii) *Front Yard Depth* (minima): 3.0m
- iv) *Exterior Side Yard Width* (minimum): 3.0m
- v) *Interior Side Yard Width* (minimum): 3.0m
- vi) *Rear Yard Depth* (minimum): 5.5m
- vii) Development is exempt from providing required *amenity area* per Section 4.4.
- viii) Development is exempt from providing the required landscaping of Section 5.9.1 b).

(hhh) R3-60, Block 52, Plan 50M-323

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-60 shall be used in accordance with the following provision(s):

- (i) Additional permitted use :
  - Semi-detached dwellings
- (ii) Zone requirements for all permitted uses:
  - Lot Area (minimum): 3,544.6m<sup>2</sup> for the block
  - Lot frontage (minimum): 66m
  - Front yard (minimum): 3.5m
  - Rear yard (minimum): 3m
  - Interior side yard (minimum): 6m
  - Exterior side yard (minimum): 6m
  - Minimum setback from a private street: 6m as measured from the edge of the curb
- (iii) Minimum dimensions of a parking space where one is provided in a private garage: 5.6m by 2.7m

The lot line abutting de l'Étang Street shall be considered the front lot line.

For the purposes of interpretation and application of the zone requirements, the lands in the R3-60 zone shall be considered one lot.

Notwithstanding the division of a block on a Registered Plan of Subdivision for the purposes of freehold ownership of a dwelling unit and its associated parcel of land, zone provisions shall continue to apply on the basis of the entire block.

(iii) R3-61, Lot 9, plan 50M-247 (Rockland)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-61 shall be used in accordance with the following provisions:

- Minimum setback between street line and parking: 0.1 m
- Visitor parking: 3 spaces
- Parking space dimensions are 2.6 m by 5.5 m
- Accessible path of travel adjacent the accessible space is 1.0 m
- Exterior side lot line shall be deemed to be the east property line
- Minimum width of landscaping between surface parking area and a lot with a residential use shall be 1.0 m
- Accessible parking space dimension shall be 3.9 m by 5.5 m

(jjj) R3-62, Part of Lots 20 & 21, Concession 1 (O.S.), Blocks 44, 45, 46, & 47, Plan 50M-323, (247, 251, 255, 259, 263, 267, 271, 275, 279, 283, 287, 291, 299, 303, et 307 De l'Étang Street)

Notwithstanding the provisions of Table 6.4.2a hereof to the contrary, the lands designated R3-62 on Map "B" hereto shall be used in accordance with the following provisions:

- Lot area (min): 185 m<sup>2</sup> (per unit)
- Lot frontage (min): 6.0m (per unit)
- Front yard depth (minimum): 3.0m
- Exterior side yard (min): 3.0m
- Interior side yard (min): 1.2m
- Rear yard (min): 6.5m

(kkk) R3-63, (Apartment Block), Morris Village Subdivision Stage 6

Notwithstanding the provisions of this By-law to the contrary, the lands designated R3-63 shall be used in accordance with the following provisions:

- i. Maximum number of storeys: 6
- ii. Maximum building height: 22.5m

(lll) R3-64, Part of Lot 19, 20, 21 and Concession 1 (O.S.), known as the Clarence Crossing East Lands. (By-law 2023-29) (administrative correction)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-63 shall be used in accordance with the following provisions(s):

i. Permitted Uses

All permitted uses of Sections 6.3.1 and Section 6.4.1 and related zone requirements with the exception that the following uses will be subject to the following zone requirements:

- Detached dwelling in accordance with the following zone requirements

- Semi-detached dwelling in accordance with the following zone requirements
- Townhouse Dwelling in accordance with the following zone requirements

ii. Zone Requirements

Detached Dwelling

- Lot Frontage (min) 9 m
- Lot Area (min) 270 m<sup>2</sup>
- Front Yard (min.)
  - o Attached Private Garage 6 m
  - o Front Wall 3 m
- Exterior Yard (min) 3 m
- Interior Yard (min) 1.8 m total, 0.6 m for one side yard
- Rear Yard (min) 6 m
- Building Height (max) 11.5 m
- Dwelling Unit Area (min) 85 m<sup>2</sup>

Semi-Detached Dwelling

- Lot Frontage (min) 9 m (Per Unit)
- Lot Area (min) 270 m<sup>2</sup> (Per Unit)
- Front Yard (min.)
  - o Attached Private Garage 6 m
  - o Front Wall 3 m
- Exterior Yard (min.) 3 m
- Interior Yard (min.) 1.2 m
- Rear Yard (min.) 6 m
- Building Height (max.) 11.5 m
- Dwelling Unit Area (min.) 70 m<sup>2</sup>

Townhouse Dwelling

- Lot Frontage (min) 5.5 m (Per Unit)
- Lot Area (min.) 160 m<sup>2</sup> (Per Unit)
- Front Yard (min.)
  - o Attached Private Garage 6 m
  - o Front Wall 3 m
- Exterior Yard (min.) 3 m
- Interior Yard (min.) 1.2 m
- Rear Yard (min.) 6 m
- Building Height (max.) 12 m
- Landscaping Coverage (min.) 30%

ii. Additional Provisions

- Minimum dimensions of a parking space where one is provided in a private attached garage: 5.6 m x 2.7 m
- A driveway shall not extend further than the exterior wall of an ed garage.
- A maximum of 20 dwelling units shall be permitted as a model home.

(mmm) R3-65, Part of Lot C, Concession 8, City of Clarence-Rockland (By-law 2023-24)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-65 shall be used in accordance with the following provisions:

Townhouse and Semi-detached dwelling:

- Minimum front yard 3.0m
- Minimum exterior side yard: 2.5m
- Minimum rear yard: 7.0m

(nnn) R3-66, Part of Lot 22, Concession 2 (O.S.), now City of Clarence-Rockland (1465 David Street) (By-law 2023-56)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-66 shall be used in accordance with the following provisions(s):

- Main building's spacing 3.0 m
- Minimum setback for a lot line abutting a servicing block 0.3 m

(ooo) R3-67 Part of Lot 23, Concession 1 on Andrew Bell 1908 Plan, former Town of Rockland, in the former geographic township of Clarence, now in the City of Clarence-Rockland, civic address 632-636 Laurier Street, Rockland.

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-67 shall be used in accordance with the following provisions:

- i) landscape buffer between a driveway/parking area and interior side lot line: 1.0 m
- ii) required communal amenity area: 55.7 m<sup>2</sup>
- iii) total number of parking spaces: 22 spaces
- iv) minimum lot area for 20 units in a low-rise apartment in the R3 zone: 2,256 m<sup>2</sup> or 112 m<sup>2</sup>- per unit.

#### **6.4.4 Temporary Use Zones**

- a) (Reserved)

## **6.5 Village Residential First Density (RV1) Zone**

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in a Village Residential First Density (RV1) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### **6.5.1 Permitted Uses**

#### **Residential Uses**

- *Detached dwelling*
- *Duplex dwelling*
- *Linked detached dwelling*
- *Semi-detached dwelling*
- *Group home (1)*
- *Retirement home (1)*

#### **Accessory Residential Uses**

- *Bed and breakfast (1)(2)*
- *Home-based business, Village (2)*
- *Lodging house (1)(2)(3)*
- *Private home day care (1)(2)*
- *Additional Residential Unit (4)*
- *Short-term rental*

#### **Institutional and Community Uses**

- *Emergency service facility*

#### **Open Space Uses**

- *Community garden*
- *Conservation use*
- *Park, public*
- *Stormwater management facility*

#### **Additional Regulations for Permitted Uses**

- (1) The maximum number of private bedrooms or living units, for uses listed under footnote (1), shall be 4.
- (2) A maximum of one of the uses subject to footnote (2) shall be permitted in a *dwelling*.
- (3) The maximum number of *lodging units*, for uses subject to footnote (3), shall be 4.
- (4) Additional Residential Units are subject to the provisions of section 4.41.

### **6.5.2 Zone Requirements**

The zone requirements for *lots* in a Village Residential First Density (RV1) Zone are set out in Table 6.5.2, below.

<b>Table 6.5.2: Zone requirements in the Village Residential First Density (RV1) Zone</b>				
	<i>Detached dwelling, Group Home, Retirement Home</i>	<i>Semi-detached dwelling</i>	<i>Duplex dwelling</i>	<i>Linked dwelling</i>
Minimum lot area - Entirely serviced on private services	2,500.0 m <sup>2</sup>	1,250.0 m <sup>2</sup> / DU	2,500.0 m <sup>2</sup>	1,250.0 m <sup>2</sup> / DU
Minimum lot frontage on private services	38.0 m	19.0 m / DU	38.0 m	38.0 m
Minimum lot area - Partial service (water)	1,300.0 m <sup>2</sup>	900.0 m <sup>2</sup> / DU	1,800.0 m <sup>2</sup>	1,300.0 m <sup>2</sup>
Minimum lot frontage on partial services	22.5 m	15.0 m / DU	30.0 m	30.0 m
<b>Minimum front yard</b>				
- Local Road	7.5 m			
- County Road	10.0 m			
<b>Minimum exterior side yard</b>				
- Local Road	6.0 m			
- County Road	10.0 m			
Minimum interior side yard	1.5 m (1)			
Minimum rear yard	6.0 m			
Minimum dwelling unit area	100.0 m <sup>2</sup>			
Maximum building height	11.0 m			
Maximum Lot Coverage	30%			

### **Additional Requirements for Zone Requirements Table 6.5.2**

(1) If a semi-detached dwelling or linked dwelling is severed, the zone

requirements continue to apply to the original *lot* except that the *interior side yard* requirement does not apply along the common *lot line*.

- (2) Lots serviced by private services per Section 4.2, may require lot sizes larger than that necessary to meet zone provisions in order to accommodate the servicing systems capable of handling the increased levels of water consumption and sewage generation that may be associated with certain uses.

### **6.5.3 Special Exception Zones**

(a) RV1-1, Part of Lots 17 and 18, Concession 1 O.S. Clarence Point

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV1-1 shall be used in accordance with the following provision(s):

- (i) Lot Area (minimum):
  - *detached dwelling* with private services: 2,200.0 m<sup>2</sup>
- (ii) Lot Frontage (minimum):
  - *detached dwelling* with private services: 30.0 m

(b) RV1-2, 595 Russell Road, Cheney

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV1-2 shall be used in accordance with the following provision(s):

- (i) Lot Area (minimum):
  - *duplex dwelling* with piped water system: 1,400.0 m<sup>2</sup>

(c) RV1-3, Lemery Street Subdivision, Bourget

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV1-3 shall be used in accordance with the following provision(s):

- (i) Permitted Uses:
  - *detached dwelling*
  - *Additional Residential Unit*
- (ii) Lot Area (minimum): 3000.0 m<sup>2</sup>
- (iii) Lot Frontage (minimum): 38.0 m
- (iv) Front Yard Depth (minimum): 15.0 m
- (v) Exterior Side Yard Depth (minimum): 10.0 m
- (vi) Interior Side Yard Width (minimum): 3.0 m
- (vii) Rear Yard Depth (minimum): 10.0 m
- (viii) Special Provision:

All lots within the RV1-3 zone shall be provided with municipal piped water.

(d) RV1-4, Lasalle Street, Marquette Street, Claudette Drive, Patrick Street, Daniel Crescent, Clarence Point

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Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV1-4 shall be used in accordance with the following provision(s):

- (i) Lot Area (minimum):
  - *detached dwelling* with private services: 3000.0 m<sup>2</sup>
- (ii) Lot Frontage (minimum):
  - *detached dwelling* with individual services 30.0 m

(e) RV1-5 Lots 22, 23, 24, 25 and 26 Plan 50M-342

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV1-5 shall be used in accordance with the following provision(s):

- (i) No building or structures is allowed within this zone.

(f) RV1-6, Part Lot 16, Concession 1 O.S., A. Côté Subdivision

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV1-6 shall be used in accordance with the following provision(s):

- (i) Permitted Uses:
  - *detached dwelling*
  - *Additional Residential Unit*
- (ii) Lot Area (minimum):
  - *detached dwelling* with private services: 3000.0 m<sup>2</sup>
- (iii) Lot Frontage (minimum):
  - *detached dwelling* with private services 35.0 m
- (iv) Exterior Side Yard Width (minimum):
  - Local Road 8.0 m
- (v) Interior Side Yard Width (minimum): 3.0 m
- (vi) Rear Yard Depth (minimum): 10.0 m

(g) RV1-7, 3792 Drouin Road, Cheney

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV1-7 shall be used in accordance with the following provision(s):

- (i) Permitted Uses: Existing four (4) *dwelling unit apartment, low rise*

(h) RV1-8, 3908 Champlain Street, Bourget

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV1-8 shall be used in accordance with the following provision(s):

- (i) Permitted Uses:
  - *detached dwelling*
  - *Additional Residential Unit*
- (ii) Lot Area (minimum):
  - with piped water system 745.0 m<sup>2</sup>

- (iii) Lot Frontage (minimum):
  - with piped water system 12.0 m

(i) RV1-9, 3910 Champlain Street, Bourget

Notwithstanding the provisions of Sections 6.5.1 and 6.5.2 hereof to the contrary, the lands designated RV1-9 on Map 'D' hereto, shall be used in accordance with the following provisions:

- (i) Permitted Uses:
  - *detached dwelling*
  - *Additional Residential Unit*
- (ii) Lot Area (minimum):
  - with piped water system 1080.0 m<sup>2</sup>
- (iii) Lot Frontage (minimum):
  - with piped water system 17.5 m

(j) RV1-10, 4 Vaudreuil Street, Clarence Point

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV1-10 shall be used in accordance with the following provision(s):

- (i) Home-Based Business Floor Area (maximum): 147.0 m<sup>2</sup>

Furthermore, the following uses are also allowed as accessory uses: embroidery, screen printing, engraving, hot stamping, mounting and florist.

(k) RV1-11, 458 Russell Road, Cheney

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV1-11 shall be used in accordance with the following provision(s):

- (i) Lot Frontage (minimum):
  - *detached dwelling* with private services 26.0 m

(l) RV1-12, 3920 Drouin Road, Cheney

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV1-12 shall be used in accordance with the following provision(s):

- (i) Side Yard Width (minima):
  - north side 1.50 m
  - south side 15.0 m

(m) RV1-13, 1460 Landry Road, Clarence Creek

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV1-13 shall be used in accordance with the following provision(s):

Maximum gross floor area to be used for *motor vehicle repair facility*: 200.0 m<sup>2</sup>

(n) RV1-14, Claudette Drive, Patrick Street, Clarence Point

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV1-14 shall be used in accordance with the following provision(s):

- (i) Permitted Uses:
  - *detached dwelling*
  - *Additional Residential Unit*
- (ii) *Lot Area* (minimum):
  - with private services 3000.0 m<sup>2</sup>
- (iii) *Lot Frontage* (minimum):
  - with private services 30.0 m

(o) RV1-15, Hunter Hollow Subdivision, Clarence Point

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV1-15 shall be used in accordance with the following provision(s):

- (i) Permitted Uses:
  - *detached dwelling*
- (ii) *Lot Area* (minimum): 3000.0 m<sup>2</sup>
- (iii) *Lot Frontage* (minimum): 30.0 m
- (iv) *Front Yard Depth* (minimum): 10.0 m
- (v) *Exterior Side Yard Width* (minimum): 8.0 m
- (vi) *Interior Side Yard Width* (minimum): 3.0 m
- (vii) *Rear Yard Depth* (minimum): 10.0 m
- (viii) Special Provisions:

No building or structure intended for residential occupancy shall be permitted on any *lot* or part thereof having an elevation at or lower than 44.6 metres (G.S.C.) unless the building or structure has been flood proofed with all openings located above the 44.6 metres (G.S.C.) level.

(p) RV1-16, Part of Lot 6, Concession 5, Lafleur Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV1-16 shall be used in accordance with the following provision(s):

- i) Minimum setback from a watercourse: 20m or as approved by the City and South Nation Conservation
- ii) No building or structure is allowed within 20m of the top of bank of the watercourse "Pharmacy Municipal Drain".
- iii) The 20-metre setback from the watercourse will remain vegetated and untouched, except for any maintenance or improvement work required on the municipal drain under the Drainage Act.
- iv) The zone limits must be the same as the limits established by severance or

subdivision.

(q) RV1-17, Part of Lot 17, Concession 1 O.S., 8405 County Road No. 17

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV1-17 shall be used in accordance with the following provision(s):

Additional Permitted Uses:

A *business office* and indoor storage of equipment and materials related to a masonry business is also permitted in accordance with the detached dwelling zone requirements.

(r) RV1-18 (Reserved)

(s) RV1-19, 2227 Old Highway 17

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV1-19 shall be used in accordance with the following provision(s):

- (i) *Exterior side yard width* (minimum): 1.5 m

(t) RV1-20, Part of Lots 20 & 21, Concession 1 (O.S.)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV1-20 shall be used in accordance with the following provision(s):

- (i) *Lot Area* (minima):
  - *detached dwelling* 2,000 m<sup>2</sup>
- (ii) *Lot Frontage* (minima):
  - *detached dwelling* 30.0 m

Note: Municipal water supply must be provided to each *lot*.

- (iii) *Front Yard Depth* (minima): 7.5 m
- (iv) *Exterior Side Yard Width* (minima): 8.0 m
- (v) *Interior Side Yard Width* (minima): 3.0 m
- (vi) *Rear Yard Depth* (minima): 10.0 m

Note: No building or structure intended for residential occupancy shall be permitted on any *lot* or part thereof having an elevation at or lower than 45.0 metres (G.S.C.) unless the building or structure has been flood proofed with all openings being located above 45.0 metres (G.S.C.) level.

(u) RV1-21, Part of Lot 22, Concession 1 (O.S.)

Notwithstanding the provisions of Section 6.5.2 to the contrary, the lands designated RV1-21 on Map "C" hereto shall be used in accordance with the following provisions:

- (i) *Lot Area* (minima):

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- <i>detached dwelling</i>	3,000 m <sup>2</sup>
a. Lot Frontage (minima):	
- <i>detached dwelling</i>	28.0 m
(iii) <i>Front Yard Depth</i> (minima):	10.0 m
(iv) <i>Exterior Side Yard Width</i> (minima):	8.0 m
(v) <i>Interior Side Yard Width</i> (minima):	3.0 m
(vi) <i>Rear Yard Depth</i> (minima):	10.0 m

Note: No building or structure intended for residential occupancy shall be permitted on any lot or part thereof having an elevation at or lower than 45.0 metres (G.S.C.) unless the building or structure has been flood proofed with all openings being located above 45.0 metres (G.S.C.) level.

(v) RV1-22, 1788 Claude Street (OMB PL070896)

(w) RV1-23, 595 Russell Road

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV1-23 shall be used in accordance with the following provision(s):

(i) Maximum *lot coverage* for *accessory buildings*: 10%

(x) RV1-24, 2203 Lefebvre Street & Part of lot 19, Conc 5. Part 3Plan 50R 5261

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV1-24 shall be used in accordance with the following provision(s):

- (i) Maximum 3 accessory uses
- (ii) Accessory uses may exceed the lot coverage of the dwelling on the lot.
- (iii) Accessory uses may not occupy more than 9% of the lot
- (iv) Special Provisions:  
For the purposes of interpretation and application of the zoning requirements only, the lands in the RV1-24 zone shall be considered as one lot.

(y) RV1-25, Part of Lots 16 and 17, concession 9

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV1-25 shall be used in accordance with the following provision(s):

(v) Setback from watercourse (minimum): 15.0 m

(z) RV1-26-h, Part of Lot 20, Concession 11, Russell Road

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV1-26-h shall be used in accordance with the following provision(s):

(i) *Lot Frontage* (minimum): 20.0 m

(aa) RV1-27 (Reserved)

(bb) RV1-28, Part of Lot 4, Concession 6, Landry Road

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV1-28 prohibits residential uses and shall be used in accordance with the following provisions:

(i) Lot Frontage (minimum): 35.0 m

(cc) RV1-29, Part of Lot 17, Concession 1 (O.S.)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV1-29 shall be used in accordance with the following provision(s):

(i) *accessory buildings or structures* of more than 10.0 m<sup>2</sup> shall not exceed 8.0 metres in height; and

(vi) *accessory buildings or structures* may exceed the lot coverage of the *dwelling unit on the lot.*"

(dd) RV1-30, 1923 Labonté Street

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RV1-30, shall be used in accordance with the following provision(s):

*For detached dwellings:*

i) Minimum front yard (County Road): 7.4 m

ii) Minimum lot area (partial services - water): 1232 m<sup>2</sup>

(ee) RV1-31, 3708 Champlain Street (part to be severed – D-10-947)

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RV1 -31 shall be used in accordance with the following provisions:

i) lot frontage (minimum): 7 m

(ff) RV1-32, 3640 Champlain Street

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RV1 -32 shall be used in accordance with the following provisions:

Additional Permitted Uses:

A Additional Residential Unit within a duplex dwelling unit.

(gg) RV1-33, Levis Street

Notwithstanding the provisions of this By-law to the contrary, on the lands designated RV1-33, the following uses are prohibited:

- Duplex dwelling
- Linked detached dwelling
- Semi-detached dwelling
- Retirement home

(hh) (Reserved)?

(ii) RV1-35, (Lots 1-10, Lot 20, Block 21, Plan 50M366) (By-law 2023-44)

Notwithstanding the provisions of this By-law to the contrary, on lands designated as RV1-35, only a detached dwelling is permitted. No Additional Residential Unit or additional residential units are permitted.

(jj) RV1-36, (Lots 12-19, Plan 50M366) (By-law 2023-44)

Notwithstanding the provisions of this By-law to the contrary, on lands designated as RV1-36, only a detached dwelling, duplex or semi-detached dwelling is permitted. No Additional Residential Unit or additional residential units are permitted.

(kk) RV1-37, Part of Lot 19, Concession 1 (old survey), being Part 1 on Plan 50R-5331, civic address 1748 Tucker Road, Rockland (By-law 2023-84)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV1-37 shall be used in accordance with the following provisions(s):

- i. Minimum setback from a new well to any surrounding septic bed: 50 m
- ii. Minimum setback between the new well and existing wells: 15 m
- iii. Minimum setback from a watercourse: 30 m

#### **6.5.4 Temporary Use Zones**

(a) RV1-T1, Part of Lot 6, Concession 5, being Part of Part 3 on Plan 50R- 6346, civic address 1908 Labonte Street, Clarence-Creek (By-law 2023-93)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV1-T1 shall permit a dome supported by two maritime shipping containers of dimensions of 54 feet wide by 40 feet deep and with a height of 21 feet for the storage of roofing equipment and materials for a period of three (3) years following the date by-law 2023-93 comes into full force and effect.

## **6.6 Village Residential Second Density (RV2) Zone**

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in a Village Residential Second Density (RV2) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### **6.6.1 Permitted Uses**

#### **Residential Uses**

- *Detached dwelling*
- *Duplex dwelling*
- *Linked detached dwelling*
- *Semi-detached dwelling*
- *Townhouse dwelling*
- *Apartment, low rise*
- *Group Home (1)*
- *Retirement home (1)*

#### **Accessory Residential Uses**

- *Bed and Breakfast (1)(2)*
- *Home-Based Business, Village (2)*
- *Lodging House (1) (2) (3)*
- *Private home day care (1)(2)*
- *Additional Residential Unit (4)*
- *Short-term rental*

#### **Institutional and Community Uses**

- *Emergency service facility*

#### **Open Space Uses**

- *Community garden*
- *Conservation use*
- *Park, public*
- *Stormwater management facility*

#### **Additional Regulations for Permitted Uses**

- (1) The maximum number of private bedrooms or living units, subject to footnote (1), shall be 8.
- (2) A maximum of one of the uses subject to footnote (2) shall be permitted in a *dwelling*.
- (3) The maximum number of *lodging units*, for uses subject to footnote (3), shall be 8.
- (4) Additional Residential Units are subject to the provisions of section 4.41.

**6.6.2 Zone Requirements**

The zone requirements for *lots* in a Village Residential Second Density (RV2) Zone are set out in Table 6.6.2, below.

<b>Table 6.6.2: Zone requirements in the Village Residential Second Density (RV2) Zone</b>					
	<i>Townhouse dwellings</i>	<i>Apartment, low rise</i>		<i>Group home</i>	<i>Retirement home</i>
Minimum <i>lot area</i>	350.0 m <sup>2</sup> (per unit)	3,000 m <sup>2</sup> - Up to four dwelling units	4,000 m <sup>2</sup> - Five to eight dwelling units	1,300 m <sup>2</sup>	1,300 m <sup>2</sup>
Minimum <i>lot frontage</i>	6.0 m per DU (plus side yard requirements where applicable)	38.0 m		30.0 m	38.0 m (1)
<i>Minimum front yard</i>					
- Local road	10.0 m				
- County road	15.0 m				
<i>Minimum exterior side yard</i>					
- Local road	7.5 m				
- County road	10.0 m				
Minimum <i>interior side yard</i>	3.0 m	6.0 m		6.0 m	6.0 m
Minimum <i>rear yard</i>	10.0 m				
Maximum number of storeys	3	3		3	3
Maximum <i>building height</i>	12.0 m	12.0 m		12.0 m	12.0 m.
Maximum <i>lot coverage</i>	35%				
Minimum <i>landscaping coverage</i>	30%				

**Additional Requirements for Zone Requirements Table 6.6.2**

- (1) Maximum number of units in a *townhouse* block is 6.
- (2) *Detached, duplex, linked, and semi-detached dwelling* in accordance with Table 6.5.2.
- (3) If a *semi-detached dwelling* or *linked dwelling* is severed, the zone

requirements continue to apply to the original *lot* except that the *interior side yard* requirement does not apply along the common *lot line*.

- (4) The *lot* must be serviced by municipal water supply.

### **6.6.3 Special Exception Zones**

(a) RV2-1, 2248 Laval Street, Bourget

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV2-1 shall be used in accordance with the following provision(s):

- (i) Permitted Uses:  
- *apartment dwelling, low rise*  
- *townhouse dwelling*

- (ii) Zone Requirements:

Lot Area (minimum):

- *Apartment dwelling, low rise and/or townhouse dwelling* containing a maximum of six (6) *dwelling units*: 2100.0 m<sup>2</sup>

Lot Frontage (minimum):

30.0 m

Front Yard Depth (minima):

- existing building as of May 7, 1985  
- additions to existing building or new buildings 10.0 m

Interior Side Yard Width (minimum):

2.0 m

Rear Yard Depth (minimum):

10.0 m

(b) RV2-2, 1875 Beauchamp Street, Clarence Creek

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV2-2 shall be used in accordance with the following provision(s):

- (i) Lot Area (minimum):  
- *apartment dwelling, low rise*  
(maximum of twenty *dwelling units*) 15,000.0 m<sup>2</sup>

(c) RV2-3, 589 Russell Road, Cheney

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV2-3 shall be used in accordance with the following provision(s):

- (i) Lot Frontage (minimum):  
- *apartment dwelling, low rise* 36.5 m

(d) RV2-4, Reserved

(e) RV2-5, 3722 Cartier Street, Bourget

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV2-5 shall be used in accordance with the following provision(s):

(i) *Lot Frontage* (minimum): 24.0 m

(f) RV2-6, 3748 Champlain Street, Bourget

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV2-6 shall be used in accordance with the following provision(s):

(i) *Lot Frontage* (minimum): 20.0 m  
(ii) *Rear Yard Depth* (minimum): 6.0 m

(g) RV2-7, 2260 Laval Street, Bourget

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV2-7 shall be used in accordance with the following provision(s):

(i) Permitted Uses:  
- *apartment dwelling, low rise* - four (4) dwelling units  
- *retail store* (limited to a bookstore)  
(ii) Zone Requirements  
*Lot Area* (minimum):  
- *apartment dwelling, low rise* 1392.0 m<sup>2</sup>  
*Lot Frontage* (minimum): 33.5 m

(h) RV2-8-h, 016-005-08343, Bourget

Notwithstanding the provisions of Section 6.6 hereof to the contrary, the land designated RV2-8-h on Map "D" hereto, shall be used in accordance with the following use and provisions:

(i) Permitted additional use: two separate *apartment, low rise* buildings of 8 units for a total of 16 *units*.  
(ii) Lifting of 'h' condition: the construction of units 9 to 16 will only be permitted when municipal sewer connections will be available.

(i) RV2-9, 525 Russell Road

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV2-9 shall be used in accordance with the following provision(s):

(i) *Apartment dwelling, low rise* (maximum): 6 units

(j) RV2-10, Part of Lot 20, Concession 10, Roll Number 0316-016-010-06966, 0316-016-010-06967, Russell Road

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV2-10 shall be used in accordance with the following provision(s):

- (i) *Lot Area (minima):*  
*Apartment dwelling low rise*  
*- ten (10) dwelling units      2,900 m<sup>2</sup>*

(k) RV2-11, 2489 du Lac Road, St-Pascal Baylon

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV2-11 shall be used in accordance with the following provision(s):

- (i) Permitted uses:  
- Apartment dwelling low rise limited to three *dwelling units*

(l) RV2-12, 519 Russell Road

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RV2-12 shall be used in accordance with the following provision(s):

- (i) *Apartment dwelling, low rise* (maximum): 8 units

(m) RV2-13, 3911 Champlain Road

Notwithstanding the provisions of this By-law to the contrary, on the lands designated RV2-13, the following provisions apply:

- iii. Additional permitted uses:
  - i. Stacked townhouse dwelling
  - ii. Three-unit dwelling
- iv. Minimum Lot Area (9 dwelling units): 5,668 m<sup>2</sup>
- v. Minimum Lot Frontage: 42 m
- vi. Minimum Front Yard: 4.5 m
- vii. Minimum Interior Side Yard: 4.5 m
- viii. Minimum Rear Yard: 56 m
- ix. Maximum Number of Storeys: 2.5
- x. Maximum Building Height: 8.8 m
- xi. Minimum Distance between Buildings: 6.5 m
- xii. Maximum Lot Coverage: 7%
- xiii. Minimum landscaping coverage: 75%

(n) RV2-14, 2060, 2062, 2064, 2070, 2072, 2074 Laval Street (By-law 2023-06)

Notwithstanding the provisions of this By-law to the contrary, on the lands designated RV2-14, the following provisions apply:

- i. Additional permitted use: Stacked townhouse dwellings
- ii. Minimum Lot Area (24 dwelling units): 9,590 m<sup>2</sup>
- iii. Minimum Lot Frontage: 89 m
- iv. Minimum Front Yard (County Road): 10 m
- v. Minimum Interior Side Yard: 6.0 m

- vi. Minimum Rear Yard: 7.5 m
- vii. Maximum Number of Storeys: 3
- viii. Maximum Building Height: 12 m
- ix. Maximum Lot Coverage: 35%
- x. Minimum Landscape Coverage: 30%

#### **6.6.4 Temporary Use Zones**

- a) (Reserved)

## **6.7 Rural Residential (RR) Zone**

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in a Rural Residential (RR) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### **6.7.1 Permitted Uses**

#### **Residential Uses**

- *Detached dwelling*
- *Group home (1)*

#### **Accessory Residential Uses**

- *Bed and breakfast (1)(2)*
- *Home-based business, Village (2)*
- *Lodging house (1) (2) (3)*
- *Private home day care (1)(2)*
- *Additional Residential Unit (4)*
- *Short-term rental*

#### **Institutional and Community Uses**

- *Emergency service facility*

#### **Open Space Uses**

- *Community garden*
- *Conservation use*
- *Park, public*
- *Stormwater management facility*

#### **Additional Regulations for Permitted Uses**

- (1) The maximum number of private bedrooms or living units, subject to footnote (1), shall be 4.
- (2) A maximum of one of the uses subject to footnote (2) shall be permitted in a *dwelling*.
- (3) The maximum number of *lodging units* shall be 3 for uses subject to footnote (3).
- (4) Additional Residential Units are subject to the provisions of section 4.41.

### **6.7.2 Zone Requirements**

The zone requirements for *lots* in a Rural Residential (RR) Zone are set out in Table 6.7.2, below.

<b>Table 6.7.2: Zone requirements in the Rural Residential (RR) Zone</b>			
	<i>Detached dwelling</i>	Group Home	Other Uses
<i>Minimum lot area</i>			
- Entirely serviced on private services	4,000 m <sup>2</sup>	8,000 m <sup>2</sup>	n.a.
- Partial service (water)	2,500 m <sup>2</sup>	2,500 m <sup>2</sup>	n.a.
<i>Minimum lot frontage</i>			
- Entirely serviced on private services	38.0 m	50 m	n.a.
- Partial service (water)	22.5 m	38.0 m	n.a.
<i>Minimum front yard</i>			
- Local Road	7.5 m		
- County Road	15.0 m		
<i>Minimum exterior side yard</i>			
- Local Road	6.0 m		
- County Road	10.0 m		
<i>Minimum interior side yard</i>			
- Entirely serviced on private services	5.0 m	6.0 m	n.a.
- Partial service (water)	1.5 m	6.0 m	n.a.
<i>Minimum rear yard</i>	6.0 m		n.a.
<i>Minimum dwelling unit area</i>	125 m <sup>2</sup>		n.a.
<i>Maximum building height</i>	10.0 m		n.a.
<i>Maximum Lot Coverage</i>			
- Entirely serviced on private services	15%		n.a.
- Partial service (water)	30%		n.a.

### **Additional Requirements for Zone Requirements Table 6.7.2**

(a) (Reserved)

### **6.7.3 Special Exception Zones**

(a) RR-1, 290, 296, 306 Ramage Road, Part of Lot 13, Concession 1 O.S.

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-1 shall be used in accordance with the following provision(s):

- (i) *Lot Area* (minimum):
  - with individual services 2000.0 m<sup>2</sup>
- (ii) *Lot Frontage* (minimum):
  - with individual services 28.0 m

(b) RR-2, Dubois Street, Parts of Lots 12 and 13, Concession 1 O.S.

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-2 shall be used in accordance with the following provision(s):

- (i) *Interior Side Yard Width* (minimum):
  - with individual services 3.0 m
- (ii) *Rear Yard Depth* (minimum): 20.0 m
- (iii) No *accessory building* shall be erected within 7.50 m of a lot line abutting County Road No. 17.

(c) RR-3, Dubois Street, Parts of Lots 12 and 13, Concession 1 O.S.

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-3 shall be used in accordance with the following provision(s):

- (i) *Lot Frontage* (minimum):
  - with private services 24.10 m
- (ii) *Interior Side Yard Width* (minimum): 3.0 m
- (iii) *Rear Yard Depth* (minimum): 20.0 m

(d) RR-4, Old Highway 17, Part of Lot 4, Concession 1 O.S.

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-4 shall be used in accordance with the following provision(s):

- (i) *Lot Area* (minimum):
  - with private services 5000.0 m<sup>2</sup>
- (ii) *Front Yard Depth* (minimum): 15.0 m
- (iii) *Interior Side Yard Width* (minimum): 3.0 m
- (iv) *Rear Yard Depth* (minimum): 20.0 m
- (v) No building or structure shall be erected on any of the lands in the RR-4 zone without the written approval of the Ministry of Natural Resources.

(e) RR-5, 2600 Dubois Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-5 shall be used in accordance with the following provision(s):

- (i) Permitted additional use:  
*Additional Residential Unit* with a maximum area of 130 m<sup>2</sup>.
- (ii) *Interior Side Yard Width* (minimum): 3.0 m
- (iii) *Rear Yard Depth* (minimum): 20.0 m
- (iv) No *accessory building* shall be erected within 7.5 m of a lot line abutting County Road No. 17.

(f) RR-6, Part of Lot 21, Concession 2 (O.S.)

Notwithstanding the provisions of Section 4.26 hereof to the contrary, the lands designated RR-6 on Map "A" hereto shall be used in accordance with the following provisions:

The minimum distance separation (MDS) does not apply for the lands zoned with this zoning."

#### **6.7.4 Temporary Use Zones**

- (a) RR-T1, part of lot 13, concession 1 O.S, part 3 on plan 50R-3108

Notwithstanding the provisions of the present by-law hereof to the contrary, the lands designated as RR-T1 on Map "A" hereto, may also be used for a parking area as a **temporary use until December 18<sup>th</sup>, 2020**.

## **6.8 Country Lot Residential (RCL) Zone**

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in a Country Lot Residential (RCL) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### **6.8.1 Permitted Uses**

#### **Residential Uses**

- *Detached dwelling*
- *Group home (1)*

#### **Accessory Residential Uses**

- *Bed and breakfast (1)(2)*
- *Home-based business, Village (2)*
- *Lodging house (1) (2) (3)*
- *Private home day care (1)(2)*
- *Additional Residential Unit (4)*
- *Short-term rental*

#### **Institutional and Community Uses**

- *Emergency service facility*

#### **Open Space Uses**

- *Community garden*
- *Conservation use*
- *Park, public*
- *Stormwater management facility*

#### **Additional Regulations for Permitted Uses**

- (1) The maximum number of private bedrooms or living units, subject to footnote (1), shall be 4.
- (2) A maximum of one of the uses subject to footnote (2) shall be permitted in a *dwelling*.
- (3) The maximum number of *lodging units* shall be 3 for uses subject to footnote (3).
- (4) Additional Residential Units are subject to the provisions of section 4.41.

### **6.8.2 Zone Requirements**

The zone requirements for *lots* in a Country Lot Residential (RCL) Zone are set out in Table 6.8.2, below.

<b>Table 6.8.2: Zone requirements in the Country Lot Residential (RCL) Zone</b>			
	<i>Detached dwelling</i>	Group Home	Other Uses
Minimum <i>lot area</i>	4,000.0 m <sup>2</sup>	8,000 m <sup>2</sup>	n.a.
Minimum <i>lot frontage</i>	38.0 m	50 m	n.a.
Minimum <i>front yard</i>	15.0 m		
Minimum <i>exterior side yard</i>			
- Local Road	10.0 m		
- County Road	15.0 m		
Minimum <i>interior side yard</i>	5.0 m	6.0 m	n.a.
Minimum <i>rear yard</i>	10.0 m		n.a.
Minimum <i>dwelling unit area</i>	125 m <sup>2</sup>		n.a.
Maximum <i>building height</i>	10.0 m		n.a.
Maximum <i>Lot Coverage</i>	15%		n.a.

### **Additional Requirements for Zone Requirements Table 6.8.2**

(Reserved)

#### **6.8.3 Special Exception Zones**

(a) RCL-1, Caron Street, Part of Lot 24, Concession 2 O.S.

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RCL-1 shall be used in accordance with the following provision(s):

- (i) *Lot Area* (minimum): 5.52 ha
- (ii) *Lot Frontage* (minimum): 150.0 m

(b) RCL-2, Chemin Canaan, Parts of Lots 2 and 3, Concession 11

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RCL-2 shall be used in accordance with the following provision(s):

- (i) *Lot Frontage* (minimum): 30.0 m
- (ii) *Front Yard Depth* (minimum): 10.0 m
- (iii) *Exterior Side Yard Width* (minimum): 8.0 m
- (iv) *Interior Side Yard Width* (minimum): 3.0 m

- (c) RCL-3, Henrie Ménard Crescent, Part of Lot 11, Concession 10, McDermitt Drive s/d, Part of Lot 2, Concession 10, Baseline Road, Part of Lot A, Concession 10

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RCL-3 shall be used in accordance with the following provision(s):

- |       |  |        |
|-------|--|--------|
| (i)   | <i>Front Yard Depth</i> (minimum):         | 10.0 m |
| (ii)  | <i>Exterior Side Yard Width</i> (minimum): | 8.0 m  |
| (iii) | <i>Interior Side Yard Width</i> (minimum): | 3.0 m  |

#### **6.8.4 Temporary Use Zones**

- a) (Reserved)

## **6.9 Mobile Home Residential (RMH) Zone**

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in a Mobile Home Residential (RMH) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### **6.9.1 Permitted Uses**

#### **Mobile Home Park**

- *Mobile Home*
- *One dwelling unit for the use of the mobile home park manager*

#### **Accessory Residential Uses**

- *Home-based business, Village*
- *Private home day care*

#### **Open Space Uses**

- *Community garden*
- *Conservation use*
- *Park, public*
- *Stormwater management facility*

#### **Additional Regulations for Permitted Uses**

1. The following uses are permitted subject to:
  - a. the zone requirements of Table 6.9.2 below;
  - b. provided they do not exceed a cumulative total floor area of 150 m<sup>2</sup>;
  - c. provided they are located on the lot and are ancillary to a mobile home park; and
  - d. provided they are located in the interior of the lot mentioned in paragraph c) above in such a way that these uses are not visible from the public street.
    - i. Bank machine
    - ii. Community centre
    - iii. Convenience store
    - iv. Day care
    - v. Personal service business limited to a laundromat

### 6.9.2 Zone Requirements

Table 6.9.2: Zone requirements in the Mobile Home Residential (RMH) Zone		
	Mobile Home	Mobile Home Park
Minimum <i>lot area</i>	1,300 m <sup>2</sup>	10 ha
Minimum <i>lot frontage</i>	30.0 m	75.0 m
Minimum <i>front yard</i>	7.5 m	15.0 m
Minimum <i>exterior side yard</i>	7.5 m	10.0 m
Minimum <i>interior side yard</i>	3.0 m	6.0 m
Minimum <i>rear yard</i>	7.5 m	10.0 m
Minimum <i>dwelling unit area</i>	66.0 m <sup>2</sup> per mobile home	66.0 m <sup>2</sup> per mobile home
Maximum <i>building height</i>	5.0 m	10.0 m
Minimum <i>landscaped open space</i>	35%	50%

#### Additional Requirements for Zone Requirements Table 6.9.2

- (1) All *mobile home parks* shall be provided with a *landscaped buffer strip* along the perimeter of the *park* having a minimum width of 6 metres which shall be landscaped to the satisfaction of the Municipality.
- (2) Each *mobile home site* shall be accessible and have frontage on an internal private road having a minimum width of 8.5 metres (travelled portion).
- (3) Private amenity area shall be provided on the basis of 40.0 square metres per *mobile home site*. Such areas shall be free of traffic hazards and shall not include any required *landscaped buffer strips* or side yards for any *mobile home*.
- (4) For the purposes of applying and interpreting zone requirements the *streets* within the RMH Zone will be considered as if they were all *public streets*.
- (5) For the purposes of applying and interpreting the zone requirements the *mobile home sites* within the RMH zone will be considered as *lots*.

### 6.9.3 Special Exception Zones

- (a) RMH-1, 1210 St. Felix Road, Part of Lot 23, Concession 8

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RMH-1 shall be used in accordance with the following provision(s):

- (i) *Lot Area* (minima):
  - *mobile home site*
  - with piped water service           750.0 m<sup>2</sup>
  - with individual services           1650.0 m<sup>2</sup>

**6.9.4 Temporary Use Zones**

- a) (Reserved)

## **6.10 Seasonal Residential (RS) Zone**

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in a Seasonal Residential (RS) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By law.

### **6.10.1 Permitted Uses**

#### **Residential Uses**

- *Seasonal dwelling*

#### **Open Space Uses**

- *Conservation use*
- *Stormwater management facility*

#### **Additional Regulations for Permitted Uses**

1. Lots within a Seasonal Residential (RS) Zone might not be supplied with a full complement of municipal services.

### **6.10.2 Zone Requirements**

<b>Table 6.10.2: Zone requirements in the Seasonal Residential (RS) Zone</b>		
	<b>Seasonal dwelling</b>	<b>Other Uses</b>
Minimum <i>lot area</i>	2,500.0 m <sup>2</sup>	n.a.
Minimum <i>lot frontage</i>	38.0 m	n.a.
Minimum <i>front yard</i>		
- Local Road or County Road	15.0 m	n.a.
- Private Road	7.5 m	n.a.
Minimum <i>exterior side yard</i>		
- Local Road or County Road	10.0 m	n.a.
- Private Road	7.5 m	n.a.
Minimum <i>interior side yard</i>	5.0 m	n.a.
Minimum <i>rear yard</i>	10.0 m	n.a.
Maximum <i>building height</i>	5.0 m	n.a.

#### **Additional Requirements for Zone Requirements Table 6.10.2**

- (1) (Reserved)

**6.10.3**      **Special Exception Zones**

(a) RS-1, Clarence Island

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RS-1 shall be used in accordance with the following provision(s):

- (i)      Permitted Uses:
  - *existing seasonal dwelling*

(b) RS-2, Parts 17 and 20, Plan RD-9

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RS-2 shall be used in accordance with the following provision(s):

- (i)      retail sales restricted to sale of minnows

**6.10.4**      **Temporary Use Zones**

- a)      (Reserved)

## **Part 7 Commercial Zones**

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in a Commercial Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

*Be sure to refer to all Parts of this By-law to ensure that you have reviewed all regulations that may apply to your lot. Contact staff in the Planning Department to confirm the applicable zoning.*

### **7.1 General Commercial (CG) Zone**

#### **7.1.1 Permitted Uses**

##### **Retail Uses**

- Food store
- Garden centre
- *Outside display and sales area*
- *Retail store*
- *Shopping centre*

##### **Service Commercial Uses**

- Bar
- Casino
- Chip wagon
- *Commercial school*
- *Drive-through facility (1)*
- *Dry cleaning / laundry depot*
- *Farmer's market*
- *Financial institution*
- *Food production*
- *Funeral home*
- *Nightclub (2)*
- *Pet care establishment*
- *Personal service establishment*
- *Place of entertainment*
- *Rental establishment*
- *Restaurant*
  - *fast food (1)*
  - *full service*
  - *take out (1)*
- *Sports and recreational facility*
- *Veterinary clinic*

**Office Uses**

- *Business office*
- *Medical office*

**Employment Uses**

- *Artist studio*
- *Custom Workshop*

**Institutional and Community Uses**

- *Art gallery*
- *Community centre*
- *Community garden*
- *Day care*
- *Emergency service facility*
- *Food bank*
- *Library*
- *Museum*
- *Place of worship*
- *School, private*

**Open Space Uses**

- *Conservation use*
- *Outside miniature golf*
- *Park, public*
- *Stormwater management facility*

**Hospitality Uses**

- *Tourist Establishment*
- *Public hall*

**Motor Vehicle Uses**

- *Commercial parking area*
- *Motor vehicle dealership*
- *Motor vehicle rental facility*
- *Motor vehicle repair facility*
- *Motor vehicle service station*
- *Motor vehicle washing facility*

**Additional Regulations for Permitted Uses**

- (1) For uses subject to footnote (1), are permitted only on a *lot* abutting an arterial road or major collector road as shown in the Official Plan for the Urban Area of the City of Clarence-Rockland.
- (2) Uses subject to footnote (2) are not permitted on a *lot* abutting a Residential Zone.

### 7.1.2 Zone Requirements

The zone requirements for *lots* in a General Commercial (CG) Zone are set out in Table 7.1.2, below.

<b>Table 7.1.2: Zone requirements in General Commercial (CG) Zone</b>		
	Retail Uses, Service Commercial Uses, Office Uses, Employment Uses, Institutional and Community Uses, Motor Vehicle Uses	Open Space Uses
<i>Minimum lot area</i>		
- With full municipal services	0.0 m <sup>2</sup>	n.a.
- With piped water supply	3,000 m <sup>2</sup>	n.a.
- With private services	4,000 m <sup>2</sup>	n.a.
<i>Minimum lot frontage</i>		
- With full municipal services	0.0 m	n.a.
- With piped water supply	30.0 m	n.a.
- With private services	40.0 m	n.a.
<i>Minimum front yard</i>		
- With full municipal services	2.0 m	n.a.
- With piped water supply or private services		
- Local Road	7.5 m	n.a.
- County Road	10.0 m	n.a.
<i>Minimum exterior side yard</i>		
- With full municipal services	2.0 m	n.a.
- With piped water supply or private services		
- Local Road	2.0 m	n.a.
- County Road	5.0 m	n.a.
<i>Minimum interior side yard</i>		
- With full municipal services	0.0 m (1)	n.a.
- With piped water supply or private services	3.0 m	n.a.
<i>Minimum rear yard</i>		
- With full municipal services	0.0 m (2)	n.a.
- With piped water supply or private services	7.5 m	n.a.
<i>Maximum building height</i>		
- With full municipal services	12.0 m	n.a.
- With piped water supply or	10.0 m	

private services		
Maximum <i>lot coverage</i>		
- With full municipal services	50%	n.a.
- With piped water supply or private services	30%	n.a.
Minimum <i>landscape coverage</i>	10%	n.a.

**Additional Requirements for Zone Requirements Table 7.1.2**

- (1) For permitted uses subject to footnote (1), where an *interior side lot line* abuts a *lot* in a Residential Zone, or a *lot* used for residential purposes, the minimum side yard shall be 3.0 metres.
- (2) For permitted uses subject to footnote (2), where a *rear lot line* abuts a *lot* in a Residential Zone, or a *lot* used for residential purposes, the minimum *rear yard* shall be 4.5 metres

**Additional Standards for Zone Requirements Table 7.1.2**

1. For a new *building* being constructed or the addition of *floor area* in a *front yard* or *exterior side yard* to a *building* legally existing on the effective date of this By-law on a *corner lot* located at the intersection of any two arterial roads, collector roads or an arterial road and a collector road, the maximum *front* and *exterior yards* for a lot on full municipal services shall be 10.0 metres.
2. A minimum of 35% of the length of all main walls oriented toward the *front lot line* and *exterior lot line* shall be located within the area on the *lot* defined by the minimum and maximum *front* and *exterior yard*. This standard does not apply to additions to a *building* legally existing on the effective date of this By-law.
3. *No outside storage is permitted; storage* must be completely enclosed within a building.

**7.1.3 Special Exceptions**

- (a) CG-1, 3874 Champlain Street, Bourget

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CG-1 shall be used in accordance with the following provision(s):

- i. the maximum number of *dwelling units* permitted shall be six (6).

- (b) CG-2, 2308 Laval Street, Bourget

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CG-2 shall be used in accordance with the following provision(s):

- i. the maximum number of dwelling units permitted shall be three (3).

(c) CG-3, 1738 Landry Street, Clarence Creek

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CG-3 shall be used in accordance with the following provision(s):

- i. Front Yard Depth (minimum): 7.50 m
- ii. Interior Side Yard Width (minimum): 1.75 m
- iii. Rear Yard Depth (minimum): 1.75 m

(d) CG-4, 1923 Labonté Street, Clarence Creek

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CG-4 shall be used in accordance with the following provision(s):

- (i) Lot Area (minimum): 1,230.0 m<sup>2</sup>
- (ii) Lot Frontage (minimum): 22.0 m
- (iii) Parking Spaces required (minimum): 3

(e) CG-5, 3 St. Pierre Street, Bourget

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CG-5 shall be used in accordance with the following provision(s):

- (i) Parking Spaces required (minimum):
  - business offices and medical offices 1 parking space per 20.0 m<sup>2</sup> of leasable floor area

(f) CG-6, 1979 Labonté Street, Clarence Creek

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CG-6 shall be used in accordance with the following provision(s):

- (i) Permitted Uses:
  - storage of equipment and materials accessory to the commercial operation
  - a *detached dwelling* in accordance with the RV1 zone requirements

(g) CG-7, 2212 Laval Street, Bourget

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CG-7 shall be used in accordance with the following provision(s):

- (i) Dwelling Units Permitted (maximum): 6
- (ii) Lot Frontage (minimum): 10.0 m
- (iii) Front Yard Depth (minimum): 1.5 m

(iv) Side Yard Width (minimum): 1.50 m

(v) Rear Yard Depth (minimum): 9.0 m

Parking Spaces required (minimum):

- retail store or retail food store: 1 parking space per 50.0 m<sup>2</sup> of floor area or portion thereof

(h) CG-8, Part of Lots 26 and 27, Con. 1 (O.S.), part of Lot 25, Con. 2 (O.S.) and part of Lots C and D, Con. 8

Notwithstanding the provisions of this By-law to the contrary, for the lands zoned CG-8, the following uses are prohibited:

- Commercial parking area
- Motor vehicle dealership
- Motor vehicle rental facility
- Motor vehicle service station
- Motor vehicle washing facility"

(i) CG-9, 3150 Gendron Road

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CG-9 shall be used in accordance with the following provision(s):

(i) Permitted Uses:

-detached dwelling in accordance with the RV1 zone requirements

-contractors facility consisting of a custom workshop with accessory retail store in accordance with the Employment Use zone requirements.

(j) CG-10, Lacroix Street, Hammond

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CG-10 shall be used in accordance with the following provision(s):

(i) Dwelling Units Permitted (maximum): 6

(ii) Front Yard Depth (minimum): 0.0 m

(iii) Interior Side Yard Width (minimum): 3.0 m

(iv) Exterior Side Yard Width (minimum): 0.0 m

(v) Rear Yard Depth (minimum): 9.0 m

Special Provision:

In the event that the existing building located on this lot is demolished or destroyed, all new buildings shall be erected in compliance with the zone requirements in effect at that time.

(k) CG-11, Laurier Street at Laporte Street, Rockland

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CG-11 shall be used in accordance with the following provision(s):

- (i) Basement Floor and Lot Elevations (minima): 44.6 m (G.S.C.)
- (ii) Zone Requirements: In accordance with approved Site Plans.

(l) CG-12, 321 Laurier Street

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned CG-12, the following provisions shall apply:

i) Additional permitted uses:

- commercial self-storage
- outside storage

In accordance with the Highway Commercial (CH) Zone requirements.

- ii) No landscape buffer is required along the interior side lot line adjacent to a Highway Commercial (CH) Zone.

(m) CG-13, Laurier Street at Heritage Drive, Hammond

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CG-13 may also be used for a *car washing establishment*, in accordance with the following provisions:

Zone Requirements:

In accordance with an approved Site Plan.

(n) CG-14, 2832 Laurier Street, Rockland

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CG-14 shall be used in accordance with the following provision(s):

- (i) Number of parking spaces required (minimum): 21

(o) CG-15, 632-634-636 Laurier Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CG-15 shall be used in accordance with the following provision(s):

- *Three unit dwelling*
- *Townhouse dwelling*
- *Converted dwelling*
- *Apartment dwelling, low rise*
- *Mixed-use building*

In accordance with the applicable R3 zone requirements.

(p) CG-16 (Reserved)

(q) CG-17, 2088 Laval Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CG-17 shall be used in accordance with the following provision(s):

(i) Additional permitted use:

- *commercial self-storage*

In accordance with General Industrial (MG) Zone requirements.

(r) CG-18, Part of Lot 20, Concession 5, Laval Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CG-18 shall be used in accordance with the following provision(s):

(i) Additional permitted uses:

- *commercial self-storage*

- *emergency service facility*

In accordance with the General Industrial (MG) zone requirements.

(s) CG-19, 1706 Landry Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CG-19 shall be used in accordance with the following provision(s):

(i) Additional permitted uses:

- *dwelling units* only on the storeys above the ground floor of a *mixed use building*;

- *apartment dwelling, low rise* in accordance with the provisions of section 6.6.2 of this by-law

(t) CG-20, 542 Russell Road

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CG-20 shall be used in accordance with the following provision(s):

(i) Additional Permitted Uses:

- *one accessory dwelling unit*

- *commercial self-storage*

(u) CG-21, 457 Russell Road

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CG-21 shall be used in accordance with the following provision(s):

- i) One (1) *Additional Residential Unit* located within the *main building*

(v) CG-22 892, 920 and 940 St-Jean Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CG-22 shall be used in accordance with the following provision(s):

- i) Additional permitted uses:
  - Outside Storage
  - Repair Shop
  - Two single detached dwellings total for all of the properties
- ii) Rear yard depth (minimum): 1.0 m
- iii) Interior side yard depth (minimum): 1.0 m
- iv) Setback from the rear lot line and from the interior side lot line for accessory buildings and structures (minimum): 1.0 m
- v) Landscape coverage (minimum): 0 %
- vi) No landscape buffer is required
- vii) Special Provisions:

For the purpose of interpretation and application of zone requirements, the lands designated CG-22 shall be considered as one lot.

(w) CG-23, Part of Lot 29, Concession 1 (OS), Part 1 on Plan 50R-9865 (Rockland)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CG-23 shall be used in accordance with the following provision(s):

- i) Permitted additional use:

- *Mixed-use building*

i) *Lot area* (minimum): Nil

ii) *Lot width* (minimum): Nil

*Front yard setback* from County Road 17 (minimum):

a. Commercial 2.0 m

b. Residential 9.0 m

iii) *Interior side yard width* (minimum): 1.625 m

iv) *Rear yard depth* (minimum): Nil

v) *Building height* (maximum): 56.25 m

- The mechanical penthouse and enclosed amenity area permitted projection be (maximum): 61 m

vi) The *mixed-use building* must include a minimum of 600 m<sup>2</sup> of commercial use on the ground floor."

vii) Front yard setback for underground parking garage portion of the building: 0 m

Notwithstanding the provisions of Article 4.1 of the by-law and unless otherwise provided, lands designated "CG-23" on Map "B" need not provide loading spaces.

**7.1.4 Temporary Use Zones**

(Reserved)

## **7.2 Local Commercial (CL) Zone**

### **7.2.1 Permitted Uses**

#### **Residential Uses**

- *One accessory dwelling situated above or at the rear of a commercial use*
- *Retirement home (3)*

#### **Retail Uses**

- *Food store (1)*
- *Outside display and sales area*
- *Retail store (1)*

#### **Service Commercial Uses**

- *Commercial school*
- *Convenience store*
- *Drive-through facility (2)*
- *Dry cleaning / laundry depot*
- *Farmer's market*
- *Financial institution*
- *Food production*
- *Personal service establishment*
- *Pet care establishment*
- *Restaurant*
  - *fast food (2)*
  - *full service*
  - *take out (2)*
- *Sports and recreational facility*
- *Veterinary clinic*

#### **Office Uses**

- *Business office*
- *Medical office*

#### **Employment Uses**

- *Artist studio*

#### **Institutional and Community Uses**

- *Art gallery*
- *Community centre*
- *Community garden*
- *Day care (2)*
- *Emergency service facility*
- *Food bank*
- *Library*

- *Museum*
- *Place of worship (2)*

**Open Space Uses**

- *Conservation use*
- *Park, public*
- *Stormwater management facility*

**Additional Regulations for Permitted Uses**

- (1) Four *uses* subject to footnote (1), the maximum floor area or leasable floor area shall be 2,000 m<sup>2</sup>.
- (2) For *uses* subject to footnote (2), are permitted only on a *lot* abutting an arterial road or major collector road.
- (3) For *uses* subject to footnote (3) a maximum of ten private bedrooms or *living units* are permitted.

**7.2.2 Zone Requirements**

The zone requirements for *lots* in a Local Commercial (CL) Zone are set out in Table 7.2.2, below.

<b>Table 7.2.2: Zone requirements in a Local Commercial (CL) Zone</b>		
	Retail Uses, Service Commercial Uses, Office Uses, Employment Uses, Institutional and Community Uses, Residential Uses	Open Space Uses
<i>Minimum lot area</i>		
- With full municipal services	450.0 m <sup>2</sup>	n.a.
- With piped water supply	3,000 m <sup>2</sup>	n.a.
- With private services	4,000 m <sup>2</sup>	n.a.
<i>Minimum lot frontage</i>		
- With full municipal services	15.0 m	n.a.
- With piped water supply	30.0 m	n.a.
- With private services	40.0 m	n.a.
<i>Minimum front yard</i>		
- With full municipal services	6.0 m	n.a.
- With piped water supply or private services		
- Local Road	7.5 m	n.a.
- County Road	10.0 m	n.a.
<i>Minimum exterior side yard</i>		

- With full municipal services	3.5 m	n.a.
- With piped water supply or private services		
- Local Road	5.0 m	n.a.
- County Road	5.0 m	n.a.
Minimum <i>interior side yard</i>		
- With full municipal services	1.0 m (1)	n.a.
- With piped water supply or private services	3.0 m	n.a.
Minimum <i>rear yard</i>		
- With full municipal services	5.0 m (2)	n.a.
- With piped water supply or private services	7.5 m	n.a.
Maximum <i>building height</i>		
- With full municipal services	10.5 m	n.a.
- With piped water supply or private services	10.0 m	
Maximum <i>lot coverage</i>		
- With full municipal services	30%	n.a.
- With piped water supply or private services	30%	n.a.
Minimum <i>landscape coverage</i>	10%	n.a.

### Additional Requirements for Zone Requirements Table 7.2.2

- (1) For permitted uses subject to footnote (1), where an *interior side lot line* abuts a *lot* in a Residential Zone, or a *lot* used for residential purposes, the minimum side yard shall be 3.0 metres.
- (2) For permitted uses subject to footnote (2), where a *rear lot line* abuts a *lot* in a Residential Zone, or a *lot* used for residential purposes, the minimum *rear yard* shall be 7.5 metres.

### Additional Standards for Zone Requirements Table 7.2.2

1. For a new *building* being constructed or the addition of *floor area* in a *front yard* or *exterior side yard* to a *building* legally existing on the effective date of this By-law on a *corner lot* located at the intersection of any two arterial roads, collector roads or an arterial road and a collector road, the maximum *front* and *exterior yards* for a lot on full municipal services shall be 10.0 metres.
2. A minimum of 35% of the length of all main walls oriented toward the *front lot line* and *exterior lot line* shall be located within the area on the *lot* defined by the minimum and maximum *front* and *exterior yard*. This standard does not apply to additions to a *building* legally existing on the effective date of this By-law.
3. *No outside storage is permitted; storage* must be completely enclosed within a building.

**7.2.3 Special Exceptions**

- (a) CL-1, 3118 Gendron Road, Hammond

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CL-1 shall be used in accordance with the following provision(s):

*Lot Frontage* (minimum):

- with piped water supply 19.0 metres

- (b) CL-2, 3160-3162 Gendron Road, Hammond

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CL-2 shall be used in accordance with the following provision(s):

Additional Permitted Uses:

- *detached dwelling*
- *Additional Residential Unit*

Parking Requirements (minimum):

- two (2) *parking spaces per business office*

- (c) CL-3, 920 Lacroix Street, Hammond

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CL-3 shall be used in accordance with the following provision(s):

- *motor vehicle repair facility*
- *motor vehicle dealership*
- *motor vehicle rental facility*

- (d) CL-4, 1868 Labonté Street, Clarence Creek

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CL-4 shall be used in accordance with the following provision(s):

*Front Yard Depth* (minimum): 7.25 m  
*Side Yard Width* (minimum): 1.25 m  
*Rear Yard Depth* (minimum): 9.0 m

- (e) CL-5 (Reserved)

(f) CL-6, 920 St. Jean Street, Rockland

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CL-6, may also be used for a *repair shop* of small engines and equipment sales.

(g) CL-7, 920 Caron Street, Rockland

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CL-7 may also be used for a *motor vehicle body shop* and a *medium industrial use* limited to a metal working shop.

(h) CL-8, 1814 Albert Street, Rockland

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CL-8 may also be used for a *custom workshop*.

(i) CL-9, 1805 Albert Street, Rockland

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CL-9 may also be used for an *automobile body shop*.

(j) CL-10

(Reserved)

(k) CL-11, 974 St-Jacques Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CL-11 shall be used in accordance with the following provision(s):

- (i) Permitted Uses: A *personal service establishment* limited to a beauty salon in the basement of an existing *detached dwelling*.

(l) CL-12, 488 Lalonde Street

Notwithstanding the provisions of Section 7.2.1 hereof to the contrary, the lands designated CL-12 on Schedule "B" hereto shall be used in accordance with the following provisions:

- Accessory dwelling permitted in the basement

(m) CL-13, Part of Lot 19, 20, 21 and Concession 1 (O.S.), known as the Clarence Crossing East Lands.

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CL-13 shall be used in accordance with the following provisions:

- i. Permitted Uses
  - Dwelling Unit(s) in upper storey(s) of a non-residential building
  
- ii. Zone Requirements
  - Building Height (max.) 12 m

**7.2.4 Temporary Use Zones**

- a) (Reserved)

### **7.3 Highway Commercial (CH) Zone**

#### **7.3.1 Permitted Uses**

##### **Retail Uses**

- *Food store*
- *Garden centre*
- *Outside display and sales area*
- *Retail store*
- *Retail propane and transfer facility (2)*

##### **Service Commercial Uses**

- *Bar*
- *Casino (2)*
- *Chip wagon*
- *Commercial school*
- *Drive-through facility(1)*
- *Dry cleaning / laundry depot*
- *Farmer's market*
- *Financial institution*
- *Food production*
- *Funeral home*
- *Nightclub (2)*
- *Pet care establishment*
- *Personal service establishment*
- *Place of entertainment*
- *Rental establishment*
- *Restaurant*
  - *fast food(1)*
  - *full service*
  - *take out(1)*
- *Sports facility*
- *Taxi dispatch*
- *Veterinary clinic*

##### **Employment Uses**

- *Artist studio*
- *Commercial self-storage*
- *Custom workshop*
- *Heavy Equipment and Vehicle Sales, Rental and Servicing (2)*
- *Outside storage*

##### **Institutional and Community Uses**

- *Art gallery*
- *Community centre*
- *Community garden*

- *Day care*
- *Emergency service facility*
- *Food bank*
- *Place of worship (1)*
- *School, private*

**Open Space Uses**

- *Conservation use*
- *Outside miniature golf*
- *Park, public*
- *Stormwater management facility*

**Hospitality Uses**

- *Tourist Establishment*
- *Public hall*

**Motor Vehicle Uses**

- *Commercial parking area (2)*
- *Motor vehicle body shop (2)*
- *Motor vehicle dealership*
- *Motor vehicle rental facility*
- *Motor vehicle repair facility (2)*
- *Motor vehicle service station*
- *Motor vehicle washing facility*

**Additional Regulations for Permitted Uses**

- (1) For uses subject to footnote (1), are permitted only on a *lot* abutting an arterial road or major collector road as shown in the Official Plan for the Urban Area of the City of Clarence-Rockland.
- (2) Uses subject to footnote (2), shall not be permitted on a *lot* abutting any Residential Zone.

**7.3.2 Zone Requirements**

The zone requirements for *lots* in a Highway Commercial (CH) Zone are set out in Table 7.3.2, below.

<b>Table 7.3.2: Zone requirements in a Highway Commercial (CH) Zone</b>		
	Retail Uses, Service Commercial Uses, Institutional and Community Uses, Hospitality Uses, Employment Uses, Motor Vehicle Uses	Open Space Uses
<i>Minimum lot area</i>		
- With full municipal services	0.0 m <sup>2</sup>	n.a.
- With piped water supply	3,000 m <sup>2</sup>	n.a.
- With private services	4,000 m <sup>2</sup>	n.a.
<i>Minimum lot frontage</i>		
- With full municipal services	0.0 m	n.a.
- With piped water supply	30.0 m	n.a.
- With private services	40.0 m	n.a.
<i>Minimum front yard</i>		
- With full municipal services	2.0 m	n.a.
- With piped water supply or private services		
- Local Road	7.5 m	n.a.
- County Road	10.0 m	n.a.
<i>Minimum exterior side yard</i>		
- With full municipal services	2.0 m	n.a.
- With piped water supply or private services		
- Local Road	2.0 m	n.a.
- County Road	5.0 m	n.a.
<i>Minimum interior side yard</i>		
- With full municipal services	0.0 m (1)	n.a.
- With piped water supply or private services	3.0 m	n.a.
<i>Minimum rear yard</i>		
- With full municipal services	0.0 m (2)	n.a.
- With piped water supply or private services	7.5 m	n.a.
<i>Maximum building height</i>		
- With full municipal services	12.0 m	n.a.
- With piped water supply or private services	10.0 m	
<i>Maximum lot coverage</i>		
- With full municipal services	50%	n.a.
- With piped water supply or private services	30%	n.a.
<i>Minimum landscape coverage</i>	10%	n.a.

### **Additional Requirements for Zone Requirements Table 7.3.2**

- (1) For permitted uses subject to footnote (1), where an *interior side lot line* abuts a *lot* in a Residential Zone, or a *lot* used for residential purposes, the minimum side yard shall be 3.0 metres.
- (2) For permitted uses subject to footnote (2), where a *rear lot line* abuts a *lot* in a Residential Zone, or a *lot* used for residential purposes, the minimum *rear yard* shall be 4.5 metres

### **Additional Standards for Zone Requirements Table 7.3.2**

1. For a new *building* being constructed or the addition of *floor area* in a *front yard* or *exterior side yard* to a *building* legally existing on the effective date of this By-law on a *corner lot* located at the intersection of any two arterial roads, collector roads or an arterial road and a collector road, the maximum *front* and *exterior yards* for a lot on full municipal services shall be 10.0 metres.
2. A minimum of 35% of the length of all main walls oriented toward the *front lot line* and *exterior lot line* shall be located within the area on the *lot* defined by the minimum and maximum *front* and *exterior yard*. This standard does not apply to additions to a *building* legally existing on the effective date of this By-law.

### **7.3.3 Special Exceptions**

#### **(a) CH-1, Laurier Street, Rockland**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CH-1 shall be used in accordance with the following provision(s):

1. Lot Frontage (minimum): 15.0 metres

#### **(b) CH-2, 2950 Laurier Street, Rockland**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CH-2 shall be used in accordance with the following provision(s):

- (i) Permitted Uses:
  - *retirement home*
  - *sports facility*
  - *place of entertainment*
  - *public hall*
  - *Tourist Establishment* (larger of 8 rooms or 10% of guest rooms available)
  - *restaurant*, including *bar* and lounge
- (ii) Interior Side Yard Width (minimum): 0.0 m
- (iii) Rear Yard Depth (minimum): 0.0 m

#### **(c) CH-3, 2090 County Road 17, Clarence Point**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CH-3 shall be used in accordance with the following provision(s):

1. Front Yard Depth (minimum): 6.40 m
2. Exterior Side Yard Width (minimum): 3.80 m

(d) CH-4, 8250 County Road No. 17

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CH-4, may also be used for the following uses:

- *business office*
- *model home*, including a sales office for prefabricated homes

(e) CH-5, 300 Pigeon Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CH-5 the following additional use shall also be permitted:

- (i) *business office*

(f) CH-6, 8244 County Road 17

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CH-6 the following additional use shall also be permitted:

1. a *retail store* with a *commercial school* as an *accessory use*
2. *mixed-use* consisting of permitted uses and *accessory dwelling units*

(g) CH-7, Part of Lot 11, Concession 9

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CH-7, the following additional use shall also be permitted:

- (i) *Warehousing*

(h) CH-8, 433 Laurier Street

Notwithstanding the provisions of Section 7.3.1 and 7.3.2 hereof to the contrary, for the lands designated CH-8 on Schedule "B" hereto, the following additional use shall also be permitted:

- (i) *Accessory dwelling*

### **7.3.4 Temporary Use Zones**

(a) CH-7-T1, Part of Lot 11, Concession 9

Notwithstanding all other provisions of the present by-law hereof to the contrary, the land designated as CH-7-T1, may also be used as a parking area, heavy vehicle **temporarily until November 20<sup>th</sup>, 2020.**

## **7.4 Tourist Commercial (CT) Zone**

### **7.4.1 Permitted Uses**

#### **Residential**

- *Accessory dwelling (2)*

#### **Retail Uses**

- *Outside display and sales area (2)*
- *Retail store (2)*

#### **Service Commercial Uses**

- *Convenience store (2)*
- *Farmer's market*
- *Marine facility*
- *Place of entertainment*
- *Personal service establishment (2), or (3)*
- *Repair shop (2)*
- *Restaurant*
  - *fast food(1)*
  - *full service*
- *Sports and recreational facility*

#### **Office Uses**

- *Business office (2)*

#### **Employment Uses**

- *Outside storage (2)*

#### **Institutional and Community Uses**

- *Emergency service facility*

#### **Open Space Uses**

- *Campground*
- *Community garden*
- *Conservation use*
- *Fairground*
- *Golf course*
- *Golf driving range*
- *Outdoor miniature golf*
- *Park, public*
- *Stormwater management facility*

**Hospitality Uses**

- *Tourist Establishment*
- *Public hall (2)*

**Additional Regulations for Permitted Uses**

- (1) For *uses* subject to footnote (1), are permitted only on a lot abutting an arterial road or major collector road.
- (2) *Uses* subject to footnote (2) are only permitted accessory to a tourist commercial *use*.
- (3) For *uses* subject to footnote (3), only personal service establishments which are water oriented are permitted.

**7.4.2 Zone Requirements**

The zone requirements for *lots* in a Tourist Commercial (CT) Zone are set out in Table 7.4.2, below.

<b>Table 7.4.2a: Zone requirements in a Tourist Commercial (CT) Zone</b>		
	Retail Uses, Service Commercial Uses, Office Uses, Institutional and Community Uses, Employment Uses, Residential Uses	Open Space Uses
<i>Minimum lot area</i>		
- With full municipal services	0.0 m <sup>2</sup>	n.a.
- With piped water supply	3,000 m <sup>2</sup>	n.a.
- With private services	4,000 m <sup>2</sup>	n.a.
<i>Minimum lot frontage</i>		
- With full municipal services	15.0 m	n.a.
- With piped water supply	30.0 m	n.a.
- With private services	40.0 m	n.a.
<i>Minimum front yard</i>		
- With full municipal services	7.5 m	n.a.
- With piped water supply or private services		
- Local Road	10.0 m	n.a.
- County Road	15.0 m	n.a.
<i>Minimum exterior side yard</i>		
- With full municipal services	7.5 m	n.a.
- With piped water supply or private services		
- Local Road	10.0 m	n.a.
- County Road	15.0 m	n.a.
<i>Minimum interior side yard</i>		
	7.5 m (1)	n.a.

Minimum <i>rear yard</i>	7.5 m (2)	n.a.
Maximum <i>building height</i>	12.0 m	n.a.
Maximum <i>lot coverage</i>	30%	n.a.
Minimum <i>landscape coverage</i>	10%	n.a.

<b>Table 7.4.2b: Zone requirements in a Tourist Commercial (CT) Zone</b>	
	Campground
Minimum <i>lot area</i>	4.0 hectares
Minimum <i>lot frontage</i>	100.0 m
Minimum <i>front yard</i>	9.0 m
Minimum <i>exterior side yard</i>	9.0 m
Minimum <i>interior side yard</i>	9.0 m (1)
Minimum <i>rear yard</i>	9.0 m
Maximum <i>building height</i>	9.0 m
Maximum <i>density</i>	15 campsites per 0.4 hectares

**Additional Requirements for Zone Requirements Table 7.4.2a, 7.4.2b**

- (1) For permitted uses subject to footnote (1), where an *interior side lot line* abuts a *lot* in a Commercial Zone or a navigable waterway, the minimum side yard shall be 0.0 metre.
- (2) For permitted uses subject to footnote (2), where a *rear lot line* abuts a *lot* in a Commercial Zone or a navigable waterway, the minimum rear yard shall be 0.0 metre.

**Additional Standards for Zone Requirements Table 7.4.2a, 7.4.2b**

- 1. Any *Tourist Establishment* or *campground* with water access must have a minimum water frontage of 75.0 metres, and an additional water frontage of 3.0 metres for each guest room in excess of 30 units.
- 2. See Section 4.44.1 Setbacks to Watercourse and Section 4.46 Shoreline Activity Area and Natural State Shoreline Area.

**7.4.3 Special Exceptions**

- (a) CT-1, 2078 Golf Road, Part of Lot 11, Concession 5

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CT-1 may also be used for the following:

- *agricultural use*
- *bed and breakfast*
- *business office*
- *detached dwelling*
- *ecotourism facility*
- *equestrian establishment*

- *motor vehicle repair facility, accessory to a permitted use*
- *place of entertainment*

(b) CT-2, 600 du Golf Road, Part of Lot 10, Concession 9

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CT-2 shall be used in accordance with the following provision(s):

(i) Additional permitted uses:

- detached dwelling
- food production

(i) Maximum floor area for food production use: 85 m<sup>2</sup>

(c) CT-3, 201 Montée Outaouais , 201 Tucker Road, Rockland

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CT-3 shall be used in accordance with the following provision(s):

(i) Permitted Uses:

- *golf course*
- *sports facility, outdoor*
- *park, public*
- *place of entertainment*
- *restaurant*
- *retail store accessory to a permitted use*

(d) CT-4, 2164 Landry Road

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CT-4 shall be used in accordance with the following provision(s):

(i) Additional Permitted Use:

- detached dwelling

(ii) Zone requirement:

(a) *campground*:

- *Front Yard Depth* (minimum)                      64.0 m

**7.4.4 Temporary Use Zones**

- a) (Reserved)

## **7.5 Commercial Industrial (CI) Zone**

### **7.5.1 Permitted Uses**

#### **Retail Uses**

- *Garden centre*
- *Outside display and sales area*
- *Retail propane and transfer facility (2)*
- *Retail store*
- *Shopping centre*

#### **Service Commercial Uses**

- *Chip wagon*
- *Commercial school*
- *Drive-through facility(1)*
- *Dry cleaning / laundry depot*
- *Farmer's market*
- *Financial institution*
- *Food production*
- *Pet care establishment*
- *Personal service establishment (3)*
- *Place of entertainment*
- *Rental establishment*
- *Repair shop*
- *Restaurant*
  - *fast food(1)*
  - *full service*
  - *take out(1)*
- *Sports facility (4)*
- *Taxi dispatch*
- *Veterinary clinic*

#### **Office Uses**

- *Business office*
- *Medical office*

#### **Employment Uses**

- *Artist studio*
- *Commercial self-storage*
- *Contractors establishment*
- *Custom workshop*
- *Retail store, accessory and showroom (1)*
- *Training facility*
- *Warehousing*
- *Wholesaling and distribution*

**Institutional and Community Uses**

- *Community garden*
- *Day care (3)*
- *Emergency service facility*
- *Food bank*
- *Place of worship*
- *School, private*

**Open Space Uses**

- *Conservation use*
- *Park, public*
- *Stormwater management facility*

**Hospitality Uses**

- *Tourist Establishment*
- *Public hall*

**Motor Vehicle Uses**

- *Motor vehicle body shop (2)(5)*
- *Motor vehicle dealership*
- *Motor vehicle rental facility (5)*
- *Motor vehicle repair facility (2) (5)*
- *Motor vehicle service station*
- *Motor vehicle washing facility*

**Additional Regulations for Permitted Uses**

- (1) For uses subject to footnote (1),
  - a. the maximum *net floor area* for an *accessory retail store* and *showroom* shall be the lesser of a maximum *net floor area* of 15% of the *net floor area* of the main use or 200 square metres; and,
  - b. The *accessory retail store* and *showroom* shall be contained within the same *premises* as the associated permitted use.
- (2) Uses subject to footnote (2) are not permitted on a *lot* abutting a Residential Zone.
- (3) Uses subject to footnote (3) are only permitted within the same *building* or part thereof used by any other uses not subject to this footnote. A maximum of 20% of the total *net floor area* of the *building* shall be cumulatively occupied by all uses permitted to this foot note.
- (4) For uses subject to footnote (4), the maximum *net floor area* on any *lot* within 100.0 metres of a *Residential Zone* shall be 1,000 square metres.
- (5) For uses subject to footnote (5), if the *lot* is abutting the *highway corridor* (County Road 17), uses subject to this footnote are permitted only in conjunction with a *motor vehicle dealership*.

### 7.5.2 Zone Requirements

The zone requirements for *lots* in a Commercial Industrial (CI) Zone are set out in Table 7.5.2, below.

<b>Table 7.5.2: Zone requirements in a Commercial Industrial (CI) Zone</b>		
	Retail Uses, Service Commercial Uses, Office Uses, Employment Uses, Institutional and Community Uses, Hospitality Uses, and Motor Vehicle Uses	Open Space Uses
Minimum <i>lot area</i>	0.0 m <sup>2</sup>	n.a.
Minimum <i>lot frontage</i>	18.0 m	n.a.
Minimum <i>front yard</i>	9.0 m	n.a.
Minimum <i>exterior side yard</i>	6.0 m	n.a.
Minimum <i>interior side yard</i>	6.0 m (1)	n.a.
Minimum <i>rear yard</i>	9.0 m	n.a.
Maximum <i>building height</i>	15.0 m	n.a.
Minimum <i>landscape coverage</i>	10%	n.a.

#### **Additional Requirements for Zone Requirements Table 7.5.2**

- (1) For permitted uses subject to footnote (1), the *interior side lot line* shall be 6.0 metres on one side and 0.0 metre on the other side unless the lot abuts a *lot* in a Residential Zone. Where the *lot* abuts a Residential Zone, the minimum side yard shall be 6.0 metres.
- (2) Notwithstanding the yard requirements, increased yards may be required to protect a municipal drinking water system, provide fire protection, mitigate odour, noise or dust, or meet Ministry of Environment and Climate Change's D-series Guidelines on Land Use Compatibility.

#### **Additional Standards for Zone Requirements Table 7.5.2**

1. (Reserved)

**7.5.3 Special Exceptions**

(a) CI-1, Part of Lots 31 and 32, Concession 1 (Old Survey) Montée Poupart and County Road 17

- i. For the purposes of this By-law, lands zoned “Commercial Industrial - Special Exception Zone (CI-1)” shall be deemed to be one lot regardless of ownership.
- ii. The following additional uses are also permitted:
  - *Medical office;*
  - *Garden centre;*
  - *Retail store ;*
  - *Personal Service Establishment*
- iii. The following zone requirements shall apply:

<i>Front Yard Depth</i> (minimum)	4.5 m
<i>Exterior Side Yard Width</i> (minimum)	4.5 m
<i>Interior Side Yard Width</i> (minimum)	4.5 m one side & 0 m other side
<i>Rear Yard Depth</i>	4.5 m
- iv. Notwithstanding the *Loading Requirements* stated in Section 5.6, on lands zoned Commercial Industrial - Special Exception Zone (CI-1), the number of required *loading spaces* shall be as follows:

Less than 200 m <sup>2</sup>	none
200 M <sup>2</sup> up to 3500 m <sup>2</sup>	1
More than 3500 m <sup>2</sup>	2
- v. All other applicable provisions of this By-law shall continue to apply.

(b) CI-2 (Reserved)

(c) CI-3, 928 Laporte Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CI-3 the following additional uses shall also be permitted:

- *Medical office*
- *Commercial patio*
- *Personal service establishment*
- *Place of worship*

(d) CI-4, Part of Lots 29/30, Conc. 1 (O.S.) (Plaza Rockland)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CI-4 shall be used in accordance with the following provision(s):

(i) Additional Permitted Uses:

- *personal service establishment*
- *pet care establishment*
- *transportation terminal*
- *medical clinic*
- *commercial patio*
- *garden centre*
- *retail store consisting of a home improvement centre*
- *convenience store*
- *motor vehicle washing facility*

(e) CI-5, 9045 County Road 17

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CI-5 the following additional use shall also be permitted:

- *retirement home*

**7.5.4 Temporary Use Zones**

- a) (Reserved)

## **Part 8 URBAN CORE AREA ZONE (CA)**

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in an Urban Core Area Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

*Be sure to refer to all Parts of this By-law to ensure that you have reviewed all regulations that may apply to your lot. Contact staff in the Planning Department to confirm the applicable zoning.*

### **8.1 Urban Core Area (CA) Zone**

#### **8.1.1 Permitted Uses**

##### **Residential Uses**

- *Apartment dwelling, low-rise (1)*
- *Apartment dwelling mid to high rise (1)*
- *Dormitory (4)*
- *Long term care facility (1)*
- *Retirement home (1)*
- *Townhouse dwelling units (2)*

##### **Accessory Residential Uses**

- *Accessory dwelling (2)(3)*
- *Additional Residential Unit (7)*
- *Home occupation, Urban (5)*
- *Private home day care (5)*

##### **Retail Uses**

- *Food store*
- *Outside display and sales area*
- *Retail store*
- *Shopping centre*

##### **Service Commercial Uses**

- *Bar*
- *Casino*
- *Chip wagon*
- *Commercial school*
- *Dry cleaning / laundry depot*
- *Farmer's market*
- *Financial institution*
- *Food production*
- *Funeral home*

- *Nightclub (2)*
- *Pet care establishment*
- *Personal service establishment*
- *Place of entertainment*
- *Rental establishment*
- *Restaurant*
  - *fast food*
  - *full service*
  - *take out*
- *Sports facility*
- *Taxi dispatch*
- *Veterinary clinic*

**Office Uses**

- *Business office*
- *Medical office*

**Employment Uses**

- *Artist studio*

**Institutional and Community Uses**

- *Art gallery*
- *Community centre*
- *Community garden*
- *Day care*
- *Emergency service facility*
- *Food bank*
- *Library*
- *Museum*
- *Place of worship*
- *School, private*
- *School, public*

**Open Space Uses**

- *Conservation use*
- *Park, public*
- *Stormwater management facility*

**Hospitality Uses**

- *Tourist Establishment*
- *Public hall*

**Motor Vehicle Uses**

- *Commercial parking area*
- *Motor vehicle rental facility*

### Additional Regulations for Permitted Uses

- (1) For *uses* subject to footnote (1), the minimum density shall be 80 units per net hectare.
- (2) *Uses* subject to footnote (2) are permitted above or at the rear of commercial uses.
- (3) An *accessory dwelling* which is subject to footnote (3) is also permitted as an ancillary residential use on the first storey but is permitted to occupy a maximum of 15% of the length of the main wall oriented toward the *public road*.
- (4) *Uses* subject to footnote (4) are only permitted accessory to and on the same lot as a *post-secondary school* or *private school*.
- (5) A maximum of one of the *uses* subject to footnote (5) shall be permitted in a *dwelling*.
- (6) A *mixed-use building* consisting of any combination of the permitted uses.
- (7) Additional Residential Units are subject to the provisions of section 4.41.

#### 8.1.2 Zone Requirements

The zone requirements for *lots* in an Urban Core Area (CA) Zone are set out in Table 8.1.2, below.

Table 8.1.2: Zone requirements in Urban Core Area (CA) Zone		
	Residential Uses, Accessory Residential Uses, Retail Uses, Service Commercial Uses, Office Uses, Employment Uses, Institutional and Community Uses, Hospitality Uses, and Motor Vehicle Uses	Open Space Uses
Minimum <i>lot area</i>	0.0 m <sup>2</sup>	n.a.
Minimum <i>lot frontage</i>	0.0 m	n.a.
Minimum <i>front yard</i>	1.0 m	n.a.
Maximum <i>front yard</i>	5.0 (1) (2)	n.a.
Minimum <i>exterior side yard</i>	1.0 m	n.a.
Maximum <i>exterior side yard</i>	5.0 (1)	n.a.
Minimum <i>interior side yard</i>	0.0 m (3)	n.a.
Minimum <i>rear yard</i>	0.0 m (4)	n.a.
Maximum <i>building height</i>	18.0 m	n.a.
Maximum <i>floor space index</i>	1.5	n.a.
Minimum <i>landscape coverage</i>	10%	n.a.

**Additional Requirements for Zone Requirements Table 8.1.2**

- (1) For permitted *uses* subject to footnote (1), the maximum *front yard* and maximum *exterior side yard* requirement do not apply when an *urban square* measuring no less than 100.0 square metres in area and having a minimum length of 10.0 metres is provided along the length of the *main wall* oriented toward the *front* or *exterior lot line*.
- (2) For permitted *uses* subject to footnote (2), the maximum *front yard* and maximum *exterior side yard* requirement shall only apply to the first 9.0 metres of *building height* measured along the *main wall* oriented toward the *front* or *exterior lot line*.
- (3) For permitted *uses* subject to footnote (3), where an *interior side lot line* abuts a *lot* in a Residential Zone, or a *lot* used for residential purposes, the minimum side yard shall be 3.0 metres.
- (4) For permitted *uses* subject to footnote (4), where a *rear lot line* abuts a *lot* in a Residential Zone, or a *lot* used for residential purposes, the minimum *rear yard* shall be 4.5 metres

**Additional Standards for Zone Requirements Table 8.1.2**

1. A minimum of 50% of the length of all main walls oriented toward the *front lot line* and *exterior lot line* shall be located within the area on the *lot* defined by the minimum and maximum *front* and *exterior yard*. This standard does not apply to additions to a *building* legally existing on the effective date of this By-law.
2. Where abutting a *Residential Zone*, *storage* must be completely enclosed within a building.

**8.1.3 Special Exceptions**

(a) CA-1, 2509 Laurier Street, Rockland

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CA-1 shall be used in accordance with the following provision(s):

- (i) The access to the *parking area* for the commercial use shall be located along Lavolette Street at the southern limit of the *lot*.

(b) CA-2, 1854 Laurier Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CA-2 shall be used in accordance with the following provision(s):

- (i) Permitted uses only: antique shop, *apartment dwelling* on the storeys above the ground floor of a non-residential use, *public hall*, bake shop, *business or professional office*, catering establishment, *medical office*,

*commercial patio, commercial school, place of entertainment, sports facility, day care, farmer's market, financial institution, funeral home, dry cleaning / laundry depot, museum, park private, personal service establishment, pet care establishment, printing and publishing establishment, restaurant, retail store, shopping centre, artist studio, theatre, Tourist Establishment and veterinary clinic.*

- (ii) *Front Yard Depth* (maximum): eliminated
- (iii) *Exterior Side Yard Width* (minimum): 1.5 metres
- (iv) *Interior Side Yard Width* (minimum): 1.8 metres
- (v) *Rear Yard Depth* (minimum): 2.5 metres
- (vi) The *access driveway* is limited to one and will be located on Edwards Street.
- (vii) The *parking area* will be allowed in the front yard at 0 metre from the *interior side lot line*.

(c) CA-3, Laurier Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CA-3 shall be used in accordance with the following provision(s):

- (i) *Front Yard Depth* (minimum): 5.0 metres  
*Front Yard Depth* (maximum): 6.0 metres

(d) CA-4, 2337 Laurier Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CA-4 shall be used in accordance with the following provision(s):

- i) *Apartment dwelling low rise* not to exceed 12 *dwelling units*
- ii) *Front Yard Depth* (min): 4.0 m
- iii) *Interior Side Yard* (min): 4.3 m
- iv) *Parking Rate* is 1.35 spaces per *dwelling unit*
- v) *Site triangle* is 3.5m by 3.5 m
- vi) *No children's play area* is required

(e) CA-5, 2193 Laurier Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CA-5 shall be used in accordance with the following provision(s):

- i) *Setback between parking lot and Laurier Street* (min): 1.8 m
- ii) *Parking area setback to interior side lot line (East side)* (min): 0.6 m
- iii) *Parking area setback to rear lot line abutting a residential zone*: 1.0 m

(f) CA-6, 1587 Laurier Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CA-6 shall be used in accordance with the following provision(s):

- Maximum *front yard* setback: 22.0 m
- (i) Where a wall, column, or other obstruction (such as a waste container) is located abutting any *parking space*, the width of the parking space shall not be increased.
- (ii) Required *amenity area*: 3.0 m<sup>2</sup> per unit
- (iii) Minimum dimensions for an *accessible parking space*: 3.7 m by 5.6 m
- (iv) Required width of landscaping along the road: 1.5 m
- (v) Required width of landscaping between the surface parking area and *interior side lot lines*: 1.5 m

#### **8.1.4 Temporary Use Zones**

- a) (Reserved)

## **Part 9 Village Mixed-Use (VM) Zone**

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in a Village Mixed-Use (VM) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

*Be sure to refer to all Parts of this By-law to ensure that you have reviewed all regulations that may apply to your lot. Contact staff in the Planning Department to confirm the applicable zoning.*

### **9.1 Village Mixed-Use (VM) Zone**

#### **9.1.1 Permitted Uses**

##### **Residential Uses**

- *Apartment dwelling low rise (1)*
- *Detached dwelling*
- *Duplex*
- *Group home*
- *Lodging house*
- *Long term care facility (1)*
- *Retirement home (1)*
- *Semi-detached dwelling*
- *Townhouse dwelling units*

##### **Accessory Residential Uses**

- *Accessory dwelling (2), (3)*
- *Bed and breakfast*
- *Home occupation, Village (4)*
- *Private home day care (4)*
- *Additional Residential Unit (8)*
- *Short-term rental*

##### **Retail Uses**

- *Food store (5)*
- *Outside display and sales area*
- *Retail store (5)*

##### **Service Commercial Uses**

- *Bar*
- *Chip wagon*
- *Commercial school*
- *Dry cleaning / laundry depot*
- *Farmer's market*

- *Financial institution*
- *Food production*
- *Funeral home*
- *Nightclub (2)*
- *Pet care establishment*
- *Personal service establishment*
- *Place of entertainment*
- *Rental establishment*
- *Restaurant*
  - *fast food*
  - *full service*
  - *take out*
- *Sports facility*
- *Taxi dispatch*
- *Veterinary clinic*

**Office Uses**

- *Business office*
- *Medical office*

**Employment Uses**

- *Artist studio*
- *Outside storage (6)*

**Institutional and Community Uses**

- *Art gallery*
- *Community centre*
- *Community garden*
- *Day care*
- *Emergency service facility*
- *Food bank*
- *Library*
- *Museum*
- *Place of worship*
- *School, private*
- *School, public*

**Open Space Uses**

- *Conservation use*
- *Park, public*
- *Stormwater management facility*

**Hospitality Uses**

- *Tourist Establishment*
- *Public hall*

**Motor Vehicle Uses**

- *Commercial parking area*
- *Motor vehicle rental facility*

**Additional Regulations for Permitted Uses**

- (1) For *uses* subject to footnote (1), the maximum number of *dwelling units* shall be 8.
- (2) *Uses* subject to footnote (2) are permitted above or at the rear of commercial uses.
- (3) A *dwelling unit* which is subject to footnote (3) is permitted as an ancillary residential use on the first storey but permitted to occupy a maximum of 15% of the length of the main wall oriented toward the *public road*.
- (4) A maximum of one of the *uses* subject to footnote (4) shall be permitted in a *dwelling*.
- (5) *Uses* subject to footnote (5) are limited in size to a maximum of 900 square metres.
- (6) *Uses* subject to footnote (6) are permitted as *accessory* to a permitted use however must be completely enclosed and screened from a *public street*, and from residential or community facility zones.
- (7) A *mixed-use building* consisting of any combination of the permitted uses.
- (8) Additional Residential Units are subject to the provisions of section 4.41.

**9.1.2 Zone Requirements**

The zone requirements for *lots* in a Village Mixed-Use (VM) Zone are set out in Table 9.1.2, below.

<b>Table 9.1.2: Zone requirements in Village Mixed-Use (VM) Zone</b>		
	Residential Uses, Accessory Residential Uses, Retail Uses, Service Commercial Uses, Office Uses, Employment Uses, Institutional and Community Uses, Hospitality Uses, and Motor Vehicle Uses	Open Space Uses
Minimum <i>lot area</i>	1,500 m <sup>2</sup>	n.a.
Minimum <i>lot frontage</i>	20.0 m	n.a.
Minimum <i>front yard</i>	2.0 m	n.a.
Maximum <i>front yard</i>	6.0 (1) (2)	n.a.
Minimum <i>exterior side yard</i>	3.0 m	n.a.
Maximum <i>exterior side yard</i>	6.0 (1)	n.a.

Minimum <i>interior side yard</i>	0.0 m (3)	n.a.
Minimum <i>rear yard</i>	6.0 m (4)	n.a.
Maximum <i>building height</i>	11.0 m	n.a.
Maximum <i>floor space index</i>	1.5	n.a.
Minimum <i>landscape coverage</i>	10%	n.a.

### **Additional Requirements for Zone Requirements Table 9.1.2**

- (1) For permitted *uses* subject to footnote (1), the maximum *front yard* and maximum *exterior side yard* requirement do not apply when an *urban square* measuring no less than 100.0 square metres in area and having a minimum length of 10.0 metres is provided along the length of the *main wall* oriented toward the *front* or *exterior lot line*.
- (2) For permitted *uses* subject to footnote (2), the maximum *front yard* and maximum *exterior side yard* requirement shall only apply to the first 9.0 metres of *building height* measured along the *main wall* oriented toward the *front* or *exterior lot line*.
- (3) For permitted uses subject to footnote (3), where an *interior side lot line* abuts a *lot* in a Residential Zone of Community Facilities Zone, or a *lot* used for residential purposes, the minimum side yard shall be 3.0 metres.
- (4) For permitted uses subject to footnote (4), where a *rear lot line* abuts a *lot* in a Residential Zone or Community Facilities Zone, or a *lot* used for residential purposes, the minimum *rear yard* shall be 7.5 metres
- (5) It should be noted that lots serviced by private services may require lot sizes larger than that necessary to meet zone provisions in order to accommodate the servicing systems capable of handling the increased levels of water consumption and sewage generation that may be associated with these uses.

### **Additional Standards for Zone Requirements Table 9.1.2**

1. A minimum of 50% of the length of all main walls oriented toward the *front lot line* and *exterior lot line* shall be located within the area on the *lot* defined by the minimum and maximum *front* and *exterior yard*. This standard does not apply to additions to a *building* legally existing on the effective date of this By-law.

### **9.1.3 Special Exceptions**

#### (a) VM-1, 3780 Champlain Street, Bourget

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VM-1 shall be used in accordance with the following provision(s):

- (i) the maximum number of dwelling units permitted shall be four (4).

(b) VM-2, 2160 Laval Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VM-2 shall be used in accordance with the following provision(s)

- (i) Additional Permitted Uses:
- Motor vehicle dealership
  - Motor vehicle body shop
  - Motor vehicle repair facility
  - Service station
  - Motor vehicle washing facility

(c) VM-3, Part of Lot 6, Concession 6, in the Geographic Township of Clarence, now the City of Clarence-Rockland, Parts 1 and 2 on Plan 50R-680, civic address, 1710 Landry Street, Clarence Creek (By-law 2023-57)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VM-3 shall be used in accordance with the following provisions:

1. Additional Permitted Use under "Employment Uses": Commercial Self-Storage
2. Outside storage is not permitted.

**9.1.4 Temporary Use Zones**

- a) (Reserved)

## **Part 10 Industrial Zones**

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in an Industrial Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

*Be sure to refer to all Parts of this By-law to ensure that you have reviewed all regulations that may apply to your lot. Contact staff in the Planning Department to confirm the applicable zoning.*

### **10.1 General Industrial (MG) Zone**

#### **10.1.1 Permitted Uses**

##### **Retail Use**

- *Retail store, accessory and showroom (1)*

##### **Service Commercial Uses**

- *Animal shelter*
- *Food production*
- *Heavy equipment and vehicle sales, rental and servicing*
- *Rental establishment*
- *Repair shop*
- *Restaurant, accessory (1)*
- *Sports and recreation facility*
- *Taxi dispatch*
- *Veterinary clinic*

##### **Office Uses**

- *Business office, accessory (1)*

##### **Employment Uses**

- *Artist studio*
- *Bulk storage facility*
- *Cannabis production facility*
- *Commercial self-storage*
- *Contractors establishment*
- *Custom workshop*
- *Dry cleaning plant*
- *Manufacturing*
- *Outside processing*
- *Outside storage*
- *Printing and publishing establishment*
- *Research and development centre*
- *Training facility*

- *Warehousing*
- *Wholesaling and distribution*

**Institutional and Community Uses**

- *Emergency service facility*
- *Public works yard (2)*

**Open Space Uses**

- *Conservation use*
- *Park, public*
- *Stormwater management facility*

**Motor Vehicle Uses**

- *Motor vehicle body shop (2)*
- *Motor vehicle repair facility (2)*
- *Motor vehicle service station*
- *Motor vehicle washing facility*
- *Parking area, heavy vehicle (2)*
- *Transportation terminal (2)*

**Additional Regulations for Permitted Uses**

- (1) For *uses* subject to footnote (1),
  - a. the maximum *net floor area* shall be the lesser of a maximum *net floor area* of 15% of the *net floor area* of the main *use* or 200 square metres; and,
  - b. The *use* shall be contained within the same *premises* as the associated permitted *use*.
- (2) *Uses* subject to footnote (2) shall not be permitted on a *lot* abutting any *Residential Zone*.
- (3) Permitted *uses* above are those which meet the definition of a *Class 1 light industrial use*.

**10.1.2 Zone Requirements**

The zone requirements for *lots* in a General Industrial (MG) Zone are set out in Table 10.1.2, below.

<b>Table 10.1.2: Zone requirements in General Industrial (MG) Zone</b>		
	Retail Use, Service Commercial Uses, Office Uses, Employment Uses, Institutional and Community Uses, and Motor Vehicle Uses	Open Space Uses
<i>Minimum lot area</i>		
- With full municipal services	n.a.	n.a.
- With piped water supply or private services	4,000 m <sup>2</sup>	n.a.
<i>Minimum lot frontage</i>		
- With full municipal services	18.0 m	n.a.
- With piped water supply or private services	45.0 m	n.a.
<i>Minimum front yard</i>		
- With full municipal services	9.0 m	n.a.
- With piped water supply or private services		
- Local Road	10.0 m	n.a.
- County Road	15.0 m	n.a.
<i>Minimum exterior side yard</i>		
- With full municipal services	6.0 m	n.a.
- With piped water supply or private services		
- Local Road	10.0 m	n.a.
- County Road	15.0 m	n.a.
<i>Minimum interior side yard</i>		
- With full municipal services	5.0 m	n.a.
- With piped water supply or private services	10.0 m	n.a.
<i>Minimum rear yard</i>		
<i>Minimum rear yard abutting a lot in any Residential Zone, or Community Use Zone</i>		
15.0 m		
<i>Maximum building height</i>		
15.0 m		
<i>Minimum landscape coverage</i>		
10%		

### **Additional Requirements for Zone Requirements Table 10.1.2**

1. Where a General Industrial Zone abuts any Residential or Community Facility Zone, the minimum yard requirement for any yard so abutting shall be increased to 15.0 metres of which 3.0 metres shall be landscaped open space.

2. Notwithstanding the yard requirements, increased yards may be required to protect a municipal drinking water system, provide fire protection, mitigate odour, noise or dust, or meet Ministry of Environment and Climate Change's D-series Guidelines on Land Use Compatibility.

**Additional Standards for Zone Requirements Table 10.1.2**

1. Where *outside processing, outside storage, and a heavy vehicle parking area* are permitted, the following regulations apply:
  - a. The *uses* are permitted only in an *interior side yard or rear yard* and shall be set back 3.5 metres from any *lot line*.
  - b. The maximum *area coverage* on a *lot* shall be:
    - i. 50% of the lot area in the General Industrial (MG) Zone where the lot is set back further than 30.0 metres from a highway corridor;
    - ii. No maximum where accessory to an *emergency service facility or public works yard*.
  - c. The uses are not permitted within any yard abutting a Residential or Community Use Zone boundary.
2. *Storage of damaged, impounded, or inoperable motor vehicles* is prohibited as part of *outside storage*.

**10.1.3 Special Exceptions**

(a) MG-1 (Reserved)

(iv) .

(b) MG-3, Part of Lots 21 and 22, Conc. 1 (O.S.), Part 5 of Plan 50R-2938 (Rockland)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned MG-3 shall be used in accordance with the following provisions:

- i) Added permitted uses
  - *Assembly hall*
  - *Place of worship*
  - *Motor vehicle service station (not as stand-alone use)*
  - *Motor vehicle washing facility (associated with a motor vehicle service station)*
  - *Motor vehicle dealership*
  - *Retail store (limited to water-oriented retail boat sales and or service establishment)*
  - *Heavy Equipment and Vehicle Sales, Rental and Servicing (restricted to farm equipment)*
  - *Retail store (limited to building supplies) no outdoor storage*
  - *Garden centre*

- *Retail store (limited to home improvement)*
- *Model home*
- *Food production (limited to a catering establishment)*
- *Commercial school*
- *Museum*
- *Rental establishment*
- *Commercial patio*
- *Place of entertainment*
- *Bar*
- *Tourist Establishment*
- *Retail store greater than 2000 m<sup>2</sup>*
- *Shopping centre (with a retail market study)*

ii) Prohibited uses:

- *Bottling and food packaging plant*
- *Processing plant*
- *Compressed gas sales and service*
- *Contractor's yard*
- *Home display and sales outlet*
- *Fuel storage establishment*
- *Gasoline retail facility*
- *Machine and metal working shop*
- *Recycling depot*
- *Public garage*
- *Snow disposal facility*
- *Greenhouse*
- *Transportation depot*

(c) MG-5, 733 Industrielle Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned MG-5 shall be used in accordance with the following provisions:

(i) Additional permitted uses:

- daycare

(ii) A daycare is not subject to the provisions of section 4.42 of this by-law.

(f) MG-6, Part of Lot 19, 20, 21 and Concession 1 (O.S.), known as the Clarence Crossing East Lands. (By-law 2023-29)

i. Permitted Uses

- All permitted uses of Section 7.3.1
- All permitted uses of Section 7.5.1
- All permitted uses of Section 10.1.1

- ii. Prohibited Uses
  - Bottling and food packaging plant
  - Processing plant
  - Compressed gas sales and service
  - Dry cleaning plant
  - Fuel storage establishment
  - Recycling depot
  - Public garage
  - Public works yard
  - Snow disposal facility
  - Transportation depot
  
- iii. Zone Requirements
  - All permitted uses shall be in accordance with the Zone Requirements of Section 10.1.2 including Additional Requirements and Additional Standards for Zone Requirements Table 10.1.2.

**Temporary Use Zones**

- (a) (Reserved)

## **10.2 Industrial Commercial Rural (MCR) Zone**

### **10.2.1 Permitted Uses**

#### **Retail Uses**

- *Garden centre (including agriculture related and forestry related products)*
- *Retail store, accessory and showroom (1)*

#### **Service Commercial Uses**

- *Boarding kennel*
- *Food production*
- *Pet care establishment*
- *Rental establishment*
- *Repair shop*
- *Restaurant, accessory (1)*
- *Veterinary clinic*

#### **Office Uses**

- *Business office, accessory (1)*

#### **Employment Uses**

- *Abattoir, existing*
- *Artist studio*
- *Bulk storage facility*
- *Cannabis production facility*
- *Commercial self-storage*
- *Contractors establishment*
- *Custom workshop*
- *Heavy equipment and vehicle sales, rental and servicing*
- *Light industrial use*
- *Manufacturing*
- *Outside processing*
- *Outside storage*
- *Printing and publishing establishment*
- *Public works yard (2)*
- *Warehousing*
- *Wholesaling and distribution*

#### **Institutional and Community Uses**

- *Animal shelter*
- *Emergency service facility*

### **Open Space Uses**

- *Boarding kennel*
- *Conservation use*
- *Park, public*
- *Stormwater management facility*

### **Motor Vehicle Uses**

- *Motor vehicle repair facility*
- *Parking area, heavy vehicle (2)*
- *Transportation terminal (2)*

### **Additional Regulations for Permitted Uses**

- (1) For *uses* subject to footnote (1),
  - a. the maximum *net floor area* shall be the lesser of a maximum *net floor area* of 15% of the *net floor area* of the main *use* or 200 square metres; and,
  - b. The *use* shall be contained within the same *premises* as the associated permitted *use*.
- (2) *Uses* subject to footnote (2) shall not be permitted on a *lot* abutting any *Residential Zone*.
- (3) Permitted *uses* above are those which meet the definition of a *Class 1 light industrial use*.

#### **10.2.2 Zone Requirements**

The zone requirements for *lots* in an Industrial Commercial Rural (MCR) Zone are set out in Table 10.2.2, below.

<b>Table 10.2.2: Zone requirements in Industrial Commercial Rural (MCR) Zone</b>		
	Retail Uses, Service Commercial Uses, Office Uses, Employment Uses, Institutional and Community Uses, and Motor Vehicle Uses	Open Space Uses
Minimum <i>lot area</i>	4,000 m <sup>2</sup>	n.a.
Minimum <i>lot frontage</i>	30.0 m	n.a.
Minimum <i>front yard</i>	15.0 m	n.a.
Minimum <i>exterior side yard</i>	12.0 m	n.a.
Minimum <i>interior side yard</i>	8.0 m	n.a.
Minimum <i>rear yard</i>	15.0 m	n.a.
Maximum <i>building height</i>	15.0 m	n.a.
Maximum <i>lot coverage</i>	40 %	n.a.
Minimum <i>landscape coverage</i>	10%	n.a.

### **Additional Requirements for Zone Requirements Table 10.2.2**

1. Where an Industrial Commercial Rural Zone abuts any Residential or Community Facility Zone, the minimum yard requirement for any yard so abutting shall be increased to 15.0 metres of which 3.0 metres shall be landscaped open space.
2. Notwithstanding the yard requirements, increased yards may be required to protect a municipal drinking water system, provide fire protection, mitigate odour, noise or dust, or meet Ministry of Environment and Climate Change's D-series Guidelines on Land Use Compatibility.

### **Additional Standards for Zone Requirements Table 10.2.2**

1. Where *outside processing, outside storage, and a heavy vehicle parking area* are permitted, the following regulations apply:
  - a. These *uses* are permitted only in an *interior side yard* or *rear yard* and shall be set back 3.5 metres from any *lot line*.
  - b. The maximum *area coverage* for these uses is 50%.
  - c. No maximum where *accessory* to an *emergency service facility* or *public works yard*.
  - d. These *uses* must be screened from abutting residential uses or zones and public streets by an opaque screen at least 1.8 metres in height from finished grade.
2. Storage of damaged, impounded, or inoperable *motor vehicles* is

prohibited as part of *outside storage*.

**10.2.3**      **Special Exceptions**

(a) MCR-1, Part of Lot 20, Concession 6, Russell Road

Notwithstanding the provisions of this By-law to the contrary, the lands zoned MCR-1 shall be used in accordance with the following provisions:

- (i)      Zone requirement:  
          *Lot Frontage* (minimum): 39 meters

**10.2.4**      **Temporary Use Zones**

- (a) (Reserved)

### **10.3 Industrial Wrecking Yard (WY) Zone**

#### **10.3.1 Permitted Uses**

##### **Retail Uses**

- *Retail store*

##### **Office Uses**

- *Business office*

##### **Employment Uses**

- *Outside processing (1)*
- *Outside storage (1)*

##### **Motor Vehicle Uses**

- *Motor vehicle body shop*
- *Motor vehicle repair facility*
- *Motor vehicle storage compound*
- *Parking area, heavy vehicle*
- *Salvage yard*

#### **Additional Regulations for Permitted Uses**

- (1) *Uses subject to footnote (1) are permitted as accessory to a permitted use.*

#### **10.3.2 Zone Requirements**

The zone requirements for *lots* in an Industrial Wrecking Yard (WY) Zone are set out in Table 10.3.2, below.

<b>Table 10.3.2: Zone requirements in an Industrial Wrecking Yard (WY) Zone</b>	
	<b>Office Uses, Retail Uses, , Employment Uses, and Motor Vehicle Uses</b>
Minimum <i>lot area</i>	0.0 m <sup>2</sup>
Minimum <i>lot frontage</i>	0.0 m
Minimum <i>front yard</i>	30.0 m
Minimum <i>exterior side yard</i>	30.0 m
Minimum <i>interior side yard</i>	30.0 m
Minimum <i>rear yard</i>	30.0 m
Maximum <i>building height</i>	15.0 m
Minimum <i>landscape coverage</i>	10%

**Additional Requirements for Zone Requirements Table 10.3.2**

1. Notwithstanding the above yard requirements, no Industrial Wrecking Yard Zone shall be established within 150.0 metres of a dwelling on another lot or within 150.0 metres of a waterbody or watercourse.
2. Notwithstanding the yard requirements, increased yards may be required to protect a municipal drinking water system, provide fire protection, mitigate odour, noise or dust, or meet Ministry of Environment and Climate Change's D-series Guidelines on Land Use Compatibility.

**Additional Standards for Zone Requirements Table 10.3.2**

1. The maximum *area coverage* for *outside processing, outside storage, motor vehicle storage compound, or salvage yard* is 70%.
2. These *uses* must be screened from abutting residential uses or zones and public streets by an opaque screen at least 2.5 metres in height from finished grade.

**10.3.3 Special Exceptions**

- (a) (Reserved)

**10.3.4 Temporary Use Zones**

- (a) (Reserved)

## **Part 11 Community Facilities (CF) Zone**

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in a Community Facilities (CF) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

*Be sure to refer to all Parts of this By-law to ensure that you have reviewed all regulations that may apply to your lot. Contact staff in the Planning Department to confirm the applicable zoning.*

### **11.1 Community Facilities (CF) Zone**

#### **11.1.1 Permitted Uses**

##### **Residential Uses**

- *Dormitory (1)*
- *Long term care facility*
- *Retirement home*

##### **Retail Uses**

- *Outdoors farmers market*
- *Restaurant (2)*

##### **Service commercial Uses**

- *Food production*
- *Sports and recreation facility*

##### **Office Uses**

- *Business office*
- *Medical office*

##### **Institutional and Community Uses**

- *Art gallery*
- *Community centre*
- *Cemetery*
- *Day care*
- *Emergency service facility (3)*
- *Food bank*
- *Hospital*
- *Library*
- *Museum*
- *Place of worship (4)*
- *Public works yard (3)*
- *School, post-secondary*

- *School, private*
- *School, public*

**Open Space Uses**

- *Conservation use*
- *Park, private*
- *Park, public*
- *Stormwater management facility*
- *Community garden*
- *Fairgrounds*

**Hospitality Uses**

- *Public hall*

**Motor Vehicle Uses**

- *Commercial parking area*

**Additional Regulations for Permitted Uses**

- (1) Uses subject to footnote (1) are permitted only *accessory* to and on the same *lot* as a *post-secondary school* and *private school*.
- (2) Uses subject to footnote (2) are permitted *accessory* to a *community centre*.
- (3) For uses subject to footnote (3), *outside storage* is permitted.
- (4) Uses subject to footnote (4) a *dwelling unit* is permitted for the faith group leader with a maximum of five *lodging units* permitted within the *dwelling*.

**11.1.2 Zone Requirements**

The zone requirements for *lots* in a Community Facilities (CF) Zone are set out in Table 11.1.2, below.

<b>Table 11.1.2: Zone requirements in a Community Facilities (CF) Zone</b>		
	Residential Uses, Retail Uses, Office Uses, Institutional and Community Uses, Hospitality Uses, and Motor Vehicle Uses,	Open Space Uses
<b>Minimum lot area</b>		
- With full municipal services	1800.0 m <sup>2</sup>	n.a.
- With piped water supply or private services	4,000 m <sup>2</sup>	n.a.
<b>Minimum lot frontage</b>		
- With full municipal services	30.0 m	n.a.
- With piped water supply or private services	38.0 m	n.a.
<b>Minimum front yard</b>		
7.5 m		
<b>Minimum exterior side yard</b>		
6.0 m		
<b>Minimum interior side yard</b>		
4.0 m		
<b>Minimum rear yard</b>		
7.5 m		
<b>Maximum building height</b>		
15.0 m		
<b>Maximum lot coverage</b>		
40%		
<b>Minimum landscape coverage</b>		
20%		

**Additional Requirements for Zone Requirements Table 11.1.2**

(1) (Reserved)

**Additional Standards for Zone Requirements Table 11.1.2**

1. (Reserved)

**11.1.3 Special Exceptions**

(a) CF-1, 1508, 1536, and 1560 Laurier Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CF-1 shall be considered as one lot for the purposes of applying zoning provisions and regulations.

(b) CF-2, Part of Lot 6, Concession 5, Lafleur Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CF-2 shall be used in accordance with the following provision(s):

- i) Minimum setback from a watercourse: 20m or as approved by the City and South Nation Conservation
- ii) No building or structure is allowed within 20m of the top of bank of the watercourse "Pharmacy Municipal Drain".
- iii) The 20-metre setback from the watercourse will remain vegetated and untouched, except for any maintenance or improvement work required on the municipal drain under the Drainage Act.
- iv) The zone limits must be the same as the limits established by severance or subdivision.

(c) CF-3, 10-20 Canadian Lane

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CF-3 shall be used in accordance with the following provisions:

- i) Additional permitted uses:
  - Cafeteria
- ii) Permitted accessory uses to the community centre:
  - Personal service establishment
  - Retail store
- iii) The following zone requirements shall apply:
  - The minimum number of parking spaces required for the Hockey Academy and its accessory uses shall be 12.
  - The minimum lot frontage shall be 15 metres.
  - The minimum interior side yard shall be 1.2 metre.
  - All other applicable provisions of the Zoning By-law shall continue to apply.

(d) CF-4, 60 Canadian Lane

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CF-4 shall be used in accordance with the following provisions:

- i) Permitted accessory uses to the community centre:
    - Personal service establishment
    - Retail store
  - ii) The following zone requirements shall apply:
    - The minimum number of parking spaces required for the community centre and its accessory uses shall be 440;
- All other applicable provisions of the Zoning By-law shall continue to apply.

(e) CF-5, Part of Lots 22 and 23, Concession 1 – Canadian Lane

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CF-5 shall be used in accordance with the following provisions:

- i) Permitted accessory uses to the sports and recreation facility:
    - personal service establishment
    - retail store
- The following zone requirements shall apply:
- i) The required parking spaces will be shared with the land located at 60 Canadian Lane;
  - ii) All other applicable provisions of the Zoning By-law shall continue to apply.

**11.1.4**     **Temporary Use Zones**

- (a)    (Reserved)

## **Part 12 Agricultural Zones**

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in Agricultural Zones except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

*Be sure to refer to all Parts of this By-law to ensure that you have reviewed all regulations that may apply to your lot. Contact staff in the Planning Department to confirm the applicable zoning.*

### **12.1 General Agricultural (AG) Zone**

#### **12.1.1 Permitted Uses**

##### **Residential Uses**

- *Detached dwelling (1)*
- *Group home (2)*

##### **Accessory Residential Uses**

- *Bed and breakfast (3)*
- *Detached dwelling (4)*
- *Hobby farm (5)*
- *Home-based business, rural (3)(6)*
- *Home-based daycare (3)*
- *Home industry (3)*
- *Mobile home (7)*
- *Additional Residential Unit (9)*
- *Short-term rental*

##### **Retail Uses**

- *Outdoor Farmer's Market (4)*

##### **Employment Uses**

- *Abattoir*
- *Outside storage (4)*
- *On-farm diversified uses*
- *Agriculture-related uses*

##### **Open Space Uses**

- *Agriculture (8)*
- *Boarding kennel (4)*
- *Conservation use*
- *Equestrian establishment (4)*
- *Forestry operation*

### **Additional Regulations for Permitted Uses**

- (1) Uses subject to footnote (1) are permitted if they existed on the day this By-law came into effect or on a lot which existed on the day this By-law came into effect.
- (2) The maximum number of private bedrooms or *living units*, for uses subject to footnote (2), shall be 10.
- (3) For uses subject to footnote (3) only one *residential accessory use* is permitted.
- (4) *Uses* subject to footnote (4) are permitted as accessory to an *agriculture use*.
- (5) *Uses* subject to footnote (5) are permitted as accessory to a detached dwelling which existed on the day this By-law came into effect or accessory to a *detached dwelling* built on a *lot* which existed on the day this By-law came into effect. Where permitted, a *hobby farm* is limited to five (5) nutrient units.
- (6) *Uses* subject to footnote (6) includes an eating establishment "Country Style Dining" for transient guests and where the primary attraction consist in serving meals which are prepared with homegrown produce and livestock for gastronomic purposes.
- (7) *Uses* subject to footnote (7) are only permitted for full-time farm labour when the size and nature of the operation requires additional employment.
- (8) *Uses* subject to footnote (8) includes a new or expanded intensive livestock operation (an intensive livestock operation is considered as being those farms with more than 150 livestock units), provided that the following conditions are met:
  - a. That Nutrient Management Record of Approval, if one is required by the Nutrient Management Act, 2002 and regulations made under that Act, be received by the municipality;
  - b. That appropriate manure storage facilities be constructed in accordance with the approved Nutrient Management Record of Approval, if one is required by the Nutrient Management Act, 2002 and regulations made under that Act;
  - c. That the manure storage and livestock facilities conform to the Minimum Distance Separation formulae, as amended from time to time.
- (9) Additional Residential Units are subject to the provisions of section 4.41.

#### **12.1.2 Zone Requirements**

The zone requirements for *lots* in a General Agricultural (AG) Zone are set out in Table 12.1.2a and 12.1.2b, below.

<b>Table 12.1.2a: Zone requirements in a General Agricultural (AG) Zone</b>			
	Agriculture	Agriculture-related uses (not on farm), Equestrian establishment, Forestry operation	Conservation uses
Minimum <i>lot area</i>	40.5 ha	4.0 ha	n.a.
Minimum <i>lot frontage</i>	60.0 m	50.0 m	n.a.
Minimum <i>front yard</i>	15.0 m		n.a.
Minimum <i>exterior side yard</i>			
- <i>Local Road</i>	10.0 m		n.a.
- <i>County Road</i>	15.0 m		n.a.
Minimum <i>interior side yard</i>	6.0 m	6.0 m	n.a.
Minimum <i>rear yard</i>	10.0 m		n.a.
Maximum <i>building height</i>	15.0 m		n.a.
Maximum <i>lot coverage</i>	30 %	50%	n.a.

<b>Table 12.1.2b: Zone requirements in a General Agricultural (AG) Zone</b>	
	<i>Detached dwelling or Detached dwelling (surplus to a farming operation as a result of a farm consolidation)</i>
Minimum <i>lot area</i>	0.4 ha
Maximum <i>lot area</i>	2.0 ha
Minimum <i>lot frontage</i> on private services	38.0 m
Minimum <i>lot frontage</i> on partial services (water)	30.0 m
Minimum <i>front yard</i>	15.0 m
Minimum <i>exterior side yard</i>	
- <i>Local Road</i>	10.0 m
- <i>County Road</i>	15.0 m
Minimum <i>interior side yard</i>	3.0 m
Minimum <i>rear yard</i>	10.0 m
Minimum <i>dwelling unit area</i>	100.0 m <sup>2</sup>
Maximum <i>building height</i>	11.0 m
Maximum <i>Lot Coverage</i>	15%

**Additional Requirements for Zone Requirements Table 12.1.2a and 12.1.2b**

1. Notwithstanding the yard requirements, Minimum Distance Separation (MDS) per General Provisions Section 4.26 shall apply to all livestock facilities greater than 10 m<sup>2</sup> and/or manure storage facilities.
2. Notwithstanding the yard requirements, increased yards may be required to protect a municipal drinking water system, provide fire protection, mitigate odour, noise or dust, meet requirements under the Nutrient Management Act or meet Ministry of Environment and Climate Change's D-series Guidelines on Land Use Compatibility.
3. Notwithstanding the provisions of Table 12.1.2a and 12.1.2b, all lots having frontage on a collector road, as shown on Map 'F' shall comply with the minimum lot frontage requirements of Section 4.13.1 of this By-law.

**Additional Standards for Zone Requirements Table 12.1.2a and 12.1.2b**

1. A boarding kennel is subject to the General Provisions of Section 4.6.
2. Agricultural related commercial or agricultural related industrial uses that have a large number of employees or attract a large number of customers may not be compatible in the prime agricultural area. In addition, on-farm uses should:
  - Have little to no impact on surrounding agricultural operations;
  - Ensure appropriate rural services and infrastructure are available;
  - Maintain the agricultural/rural character of an area or region;
  - Meet all applicable environmental standards; and,
  - Ensure cumulative impacts of multiple uses in prime agricultural areas are limited and do not undermine the overall agricultural nature of the area.

**12.1.3 Special Exceptions**

(a) AG-1, 3537 Labelle Road, Part of Lot 19, Concession 3

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AG-1 shall be used in accordance with the following provisions:

- i) Additional permitted uses
  - *motor vehicle service station*
  - *motor vehicle repair facility*

(b) (reserved)

(c) AG-3, 2710 Champlain Street, Part of Lot 13, Concession 5

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AG-3 the following uses shall also be permitted:

- *business office*

(d) AG-4, 1546 Baseline Road, Part of Lot 1, Concession 6

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AG-4, the following uses shall also be permitted:

- A school bus facility including related business office, related motor vehicles repair facility, parking spaces for the school buses and employee's vehicles and accessory uses.

(e) AG-5, 1503 Baseline Road, Part of Lot 22, Concession 2 O.S.

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AG-5 may also be used for "an indoor/outdoor paintball commando/war games facility" in accordance with the following provisions:

- i. For the purposes of the AG-5 zone, a paintball commando/war games facility shall mean "an active commercial recreational activity where participants pay a fee to participate in contract games in protective gear using paintball guns in a designated area."
- ii. Minimum number of parking spaces required: 30

(f) AG-6, 771 Landry Road, Part of Lot B, Concession 5

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AG-6 the following use shall also be permitted:

Intensive livestock operation of more than 150 nutrient units

With the following Minimum Distance Separation II (MDS II) setbacks which must be respected:

From the barn to Type A land use:	50 metres
From the barn to Type B land use:	200 metres
From the manure storage to Type A land use:	90 metres
From the manure storage to Type B land use:	300 metres"

(g) AG-7, 3133 Lalonde Road, Part of 15, Concession 1, 1177 Landry Road, Part of Lot 2, Concession 5

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AG-7 the following use shall also be permitted:

- *storage yard associated with a contractor's establishment*

(h) AG-8, 3271 Champlain Road, Part of Lot 17, Concession 4

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AG-8, the following use shall also be permitted:

- duplex dwelling house

- (i) AG-9, Part of Lot 5, Concession 4, Duquette Road and Pilon Road; South half of Lot 10, Concession 4, Champlain Road and St-Pascal Road; Part of Lots 26 and 27, Concession 3, Boileau Road; Part of Lot 17, Concession 4, Labelle Road and Champlain Road; Part of Lot 15, Concession 2, Rollin Rd; Part of Lot 26, Concession 2, Rondeau Road and Boileau Road; Part of Lot 13, Concession 5, Champlain Road; Part of Lot 2, Concession 3, du Lac Road; Part of Lot 21, Concession 7, Russell Road; Part of Lot 21, Concession 8, Russell Road, Part of Lot 31, Concession 8

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AG-9, residential uses are prohibited.

- (j) AG-10, 2909 Rollin Road, Part Lot 14, Concession 1

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AG-10 shall be used in accordance with the following provisions:

- (i) Lot Frontage (minimum)  
- *agricultural use, conservation use, forestry use:* 43.0 m

- (k) AG-11, 3122 Baseline Road, Part of Lot 1 Concession 1

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AG-11 shall be used in accordance with the following provisions:

- maximum lot area for a detached dwelling surplus to a farming operation as a result of a farm consolidation: 2.15ha
- maximum lot coverage of accessory structures: 850m<sup>2</sup>
- additional permitted uses, accessory to a detached dwelling surplus to a farming operation as a result of a farm consolidation:
  - hobby farm, limited to a maximum of two (2) nutritive units

- (l) AG-12, 1207 Landry Road, Part of Lot 2, Concession 5

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AG-12, the following *uses* shall also be permitted:

- (i) *campground*, including accessory services and recreational facilities
- (ii) *one mobile home*
- (iii) *cabins associated to the campground*
- (iv) *lean-to(s) associated to the campground*

- (m) AG-13, Part of Lot 1, Concession

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AG-13 shall be used in accordance with the following provisions:

- all residential uses are prohibited
- minimum lot area for agriculture: 40.0ha

(n) AG-14, 3715 Labelle Road

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AG-14 shall be used in accordance with the following provisions:

- (i) Additional permitted uses under *home industries*:
  - sanitation business;
  - garage used for storage and maintenance of trucks incidental to the business with a maximum of 230 m<sup>2</sup> of *floor area*;
  - accessory storage farm building with a maximum of 450 m<sup>2</sup> of *floor area* for the indoor storage of portable sanitation stations;
  - *business office* to a maximum of 40 m<sup>2</sup> of *floor area* within the *dwelling unit*.
- (ii) Lot frontage (minima): 20 m

(o) AG-15, Part of Lot 1, Concession 7 (B-CR-007-2011); Part of Lot 1, Concession 7 (B-CR-006-2011); Part of Lot 13, Concession 9; Part of Lot 9, Concession 10; Part of Lot 4, Concession 4; Part of Lot 9, Concession 5; Part of lot 2, Concession 3; Part of Lot 1, Concession 6 (D-10-22-13).

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AG-15, prohibit residential uses and permit agricultural uses on a lot having a minimum lot area inferior to 20 hectares.

(p) AG-16, 3268 Maisonneuve Road

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AG-16 shall be used in accordance with the following provision:

- (i) Lot area (minimum): 15.6 ha

(q) AG-17, Part of Lots 8 and 9, Concession 10, Part of Lot 10, Concession 5

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AG-17 prohibit residential uses.

(r) AG-18, Part of Lot 10, Concession 5

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AG-18 permit conservation and forestry uses on a lot having a minimum lot area inferior to 10 hectares.

(s) AG-19, part of Lot 10, Concession 10 (289 du Golf Road)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AG-19 shall be used in accordance with the following provision:

- i) an accessory apartment for farm help will be permitted in the garage of the existing *detached dwelling*.

(t) AG-20, Part of Lot 22, Concession 7 (3996 Bouvier Road)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AG-20 shall be used in accordance with the following provision:

- i) maximum lot area for a residence surplus to a farming operation as a result of farm consolidation: 2.02 hectares.

(u) AG-21, Part of Lot 22, Concession 7 (Bouvier Road)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AG-21 shall be used in accordance with the following provision:

- i) minimum lot area: 14.16 hectares
- ii) Residential uses are prohibited.

(v) AG-22, 2822 Maisonneuve Road

Notwithstanding the provisions of this By-law to the contrary, the lands designated AG-20 on Schedule "A" hereto shall be used in accordance with the following provision(s):

- i) Accessory uses may exceed the lot coverage of the dwelling on the lot
- ii) Accessory uses may not occupy more than 17% of the lot
- iii) Maximum lot coverage: 23%
- iv) Minimum front yard: 6.7m

(w) AG-23, 2925 Rollin Road (part to be severed – D-10-909)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AG-23 shall be used in accordance with the following provisions:

- i) lot frontage (minimum): 30 m

(x) AG-24, Part of Lot 14, Concession 1 (part to be retained – D-10-909)

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned AG-24 shall be used in accordance with the following

provisions:

- i) lot frontage (minimum): 12m
- ii) lot area (minimum): 24 ha
- iii) all residential uses are prohibited

(y) AG-25, Part of Lot A, Concession 6, Parts 1, 2 and 3 on Reference Plan 50R-505 (part to be retained – D-10-891)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AG-25 prohibit residential and accessory residential uses.

(z) AG-26, Part of Lot 13, Concession 9, Joannis Road (retained parcel of consent D-10-956)

Notwithstanding the provisions of this By-law to the contrary, on lands zoned AG-26, the following provisions apply:

- i. All residential and residential accessory uses are prohibited.
- ii. Lot size (minimum): 38.0 ha

(aa) AG-27, Part of Lot 24, Concession 1 Parts 2, 3, 4, 5 and 6 on the plan 50R-8918, Part 2 on plan 50R-7588 (retained parcel of consent D-10-22-41) (By-law 2023-48)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AG-27 shall be used in accordance with the following provisions:

- i. Residential uses are prohibited
- ii. Minimum lot frontage: 52 meters
- iii. Minimum lot area: 21 hectares

(bb) AG-28, Part of Lot 9, Concession 10 (retained parcel of consent D-10-22-21) (By-law 2023-49)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AG-28 shall be used in accordance with the following provisions:

- Residential uses are prohibited
- Minimum lot area 17 hectares

(cc) AG-29, Part of Lot 17, Concession 3 S and Part of Lot 18 Concession 3 N (By-law 2023-52)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AG-29 shall be used in accordance with the following provisions:

- i. Residential uses are prohibited

(dd) AG-30, Part of Lot A and B, Concession 2, being Part 1 on Plan 50R-11591

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AG-30 shall be used in accordance with the following provisions:

- A detached dwelling is permitted and is not subject to footnote (1)
- Minimum geotechnical setback from toe of slope: 25.8 m

(ee) AG-31, Part of Lot 1 and Lot 2, Concession 9

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AG-31 shall be used in accordance with the following provisions:

- i. Residential uses are prohibited
- ii. Minimum lot area: 20.5 hectares

**12.1.4 Temporary Use Zones**

(a) AG-t1, 1795 du Lac Road

Notwithstanding the provisions of this By-law to the contrary, on the lands designated AG-t1 on Map "A" hereto a garden suite shall be permitted for a period of twenty (20) years from the date of coming into effect of this By-law.

## **12.2 Restricted Agricultural (AR) Zone**

### **12.2.1 Permitted Uses**

#### **Residential Uses**

- *Detached dwelling (1)*
- *Group home (2)*

#### **Accessory Residential Uses**

- *Bed and breakfast (3)*
- *Detached dwelling (4)*
- *Hobby farm (5)*
- *Home-based business, rural (3)(6)*
- *Home-based daycare (3)*
- *Home industry (3) (7)*
- *Additional Residential Unit (9)*
- *Short-term rental*

#### **Retail Uses**

- *Outdoor Farmer's Market*

#### **Employment Use**

- *Outside storage (4)*
- *On-farm diversified uses (10)*
- *Agriculture-related uses (10)*

#### **Open Space Uses**

- *Agriculture (8), not including an intensive livestock operation*
- *Boarding kennel (4)*
- *Conservation use*
- *Equestrian establishment (4)*
- *Forestry operation*

#### **Additional Regulations for Permitted Uses**

- (1) Uses subject to footnote (1) are permitted if they existed on the day this By-law came into effect or on a lot which existed on the day this By-law came into effect.
- (2) The maximum number of private bedrooms or *living units*, for uses subject to footnote (2), shall be 10.
- (3) For uses subject to footnote (3) only one *residential accessory use* is permitted.
- (4) *Uses* subject to footnote (4) are permitted as accessory to an *agriculture use*.
- (5) *Uses* subject to footnote (5) are permitted as accessory to a detached

dwelling which existed on the day this By-law came into effect or accessory to a *detached dwelling* built on a *lot* which existed on the day this By-law came into effect. Where permitted, a *hobby farm* shall be limited to five (5) nutrient units.

- (6) Uses subject to footnote (6) includes an eating establishment “Country Style Dining” for transient guests and where the primary attraction consist in serving meals which are prepared with homegrown produce and livestock for gastronomic purposes.
- (7) *Uses* subject to footnote (7) are restricted to the production of value-added or value-retained products from produce grown or raised on-site
- (8) *Uses* subject to footnote (8) includes an existing livestock operation however prohibits the expansion of an existing agricultural operation which would result in more than 150 livestock units.
- (9) Additional Residential Units are subject to the provisions of section 4.41.
- (10) Agriculture-Related Uses and On-Farm Diversified Uses are subject to the provisions of Section 4.55.

**12.2.2 Zone Requirements**

The zone requirements for *lots* in a Restricted Agricultural (AR) Zone are set out in Table 12.2.2, below.

<b>Table 12.2.2: Zone requirements in a Restricted Agricultural (AR) Zone</b>			
	<i>Residential Uses</i>	Equestrian establishment, Forestry operation	Conservation Uses
Minimum <i>lot area</i>	2,500.0 m <sup>2</sup>	10.0 ha	n/a
Maximum <i>lot area</i>	2.0 ha	n/a	n/a
Minimum <i>lot frontage</i>	38.0 m	50.0 m	n/a
Minimum <i>front yard</i>	15.0 m	15.0 m	n/a
Minimum <i>exterior side yard</i>			
- <i>Local Road</i>	10.0 m	10.0 m	n/a
- <i>County Road</i>	15.0 m	15.0 m	n/a
Minimum <i>interior side yard</i>	3.0 m	6.0 m	n/a
Minimum <i>rear yard</i>	10.0 m	10.0 m	n/a
Maximum <i>building height</i>	10.5 m	15.0 m	n/a
Maximum <i>lot coverage</i>	15 %	30 %	n/a

**Additional Requirements for Zone Requirements Table 12.2.2**

- 1. Notwithstanding the *yard* requirements, Minimum Distance Separation (MDS) per General Provisions Section 4.26 shall apply to all *livestock facilities* greater than 10 m<sup>2</sup> and/or manure storage facilities.

2. Notwithstanding the provisions of Table 12.2.2, all lots having *frontage* on a collector road, as shown on Map 'F' shall comply with the minimum *lot frontage* requirements of Section 4.13.1 of this By-law.

**Additional Standards for Zone Requirements Table 12.2.2**

1. A *boarding kennel* is subject to the General Provisions of Section 4.6.

**12.2.3 Special Exceptions**

(b) AR-1 (Reserved)

(c) AR-2, 3574 Labelle Road, Part of Lot 19, Concession 4

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AR-2 may also be used for a commercial garage in accordance with the following provisions:

i) *Motor vehicle repair facility floor area* (maximum): 120.0 m<sup>2</sup>

(d) AR-3, Part of Lot 7, Concession 5, Henrie Road, Part of Lot 4, Concession 6 (B-CR-021-2011)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AR-3, residential uses are prohibited.

(e) AR-4, 1410 Landry Road (severed parcel D-10-897)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AR-4 shall be used in accordance with the following provisions:

i) lot area (minimum): 2.02 ha

ii) Notwithstanding 12.2.1 (1) all residential and accessory residential uses are permitted in accordance with table 12.2.2.

(f) AR-5, Part of Lot 3, Concession 6, Part 1 on Reference Plan 50R-8449 (retained parcel D-10-897)

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned AR-5 shall be used in accordance with the following provisions:

i) lot area (minimum): 37.95 ha

ii) all residential and accessory residential uses are prohibited

**12.2.4**     **Temporary Use Zones**

(a)    (Reserved)

## **Part 13 Rural Zones**

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in a Rural Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

*Be sure to refer to all Parts of this By-law to ensure that you have reviewed all regulations that may apply to your lot. Contact staff in the Planning Department to confirm the applicable zoning.*

### **13.1 Rural (RU) Zone**

#### **13.1.1 Permitted Uses**

##### **Residential Uses**

- *Detached dwelling*
- *Group home (1)*

##### **Accessory Residential Uses**

- *Bed and breakfast (2)*
- *Hobby farm (3)*
- *Home-based business, rural (2)(4)*
- *Home-based daycare (2)*
- *Home industry (2)*
- *Additional Residential Unit (6)*
- *Short-term rental*

##### **Retail Uses**

- *Garden centre*
- *Outdoor farmer's market*

##### **Service Commercial Use**

- *Veterinary clinic*

##### **Employment Use**

- *Artist studio*
- *Custom workshop*
- *Outside storage*
- *On-farm diversified uses*
- *Agriculture-related uses*

##### **Institutional and Community Uses**

- *Place of worship*

##### **Open Space Uses**

- *Agriculture (5)*
- *Boarding kennel*
- *Cemetery*
- *Conservation use*
- *Equestrian establishment*
- *Fairground*
- *Forestry operation*

### **Additional Regulations for Permitted Uses**

- (1) The maximum number of private bedrooms or *living units*, for uses subject to footnote (1), shall be 10.
- (2) For uses subject to footnote (2) only one *residential accessory use* is permitted.
- (3) *Uses* subject to footnote (3) are permitted as accessory to a detached dwelling. A *hobby farm* is limited to five (5) nutrient units.
- (4) *Uses* subject to footnote (4) includes an eating establishment "Country Style Dining" for transient guests and where the primary attraction consist in serving meals which are prepared with homegrown produce and livestock for gastronomic purposes.
- (5) New or expanded intensive livestock operations may be permitted by site-specific zoning by-law amendment provided that the following conditions are met:
  - a. That a Nutrient Management Record of Approval, if one is required by the Nutrient Management Act, 2002 and regulations made under that Act, be received by the municipality.
  - b. That appropriate manure storage facilities be constructed in accordance with the approved Nutrient Management Record of Approval, if one is required by the Nutrient Management Act, 2002 and regulations made under that Act;
  - c. That the manure storage and livestock facilities conform to the Minimum Distance Separation formulae, as amended from time to time.
  - d. That the intensive livestock operation is not within 500 metres of the Rockland Urban Area or the Villages of Clarence Point, Clarence Creek, Bourget, Hammond, or Cheney.
- (6) Additional Residential Units shall be subject to the provisions of section 4.41

#### **13.1.2 Zone Requirements**

The zone requirements for *lots* in a Rural (RU) Zone are set out in Table 13.1.2, below.

<b>Table 13.1.2: Zone requirements in a Rural (RU) Zone</b>			
	<i>Detached dwelling</i>	Agriculture, Equestrian establishment, Forestry operation	Other Non-Residential Uses
Minimum <i>lot area</i>	0.4 ha	10.0 ha	1.0 ha
Minimum <i>lot frontage</i> on private services	38.0 m	50.0 m	40.0 m
Minimum <i>lot frontage</i> on partial services (water)	30.0 m	n.a.	n.a.
Minimum <i>front yard</i>	15.0 m		
Minimum <i>exterior side yard</i>			
- <i>Local Road</i>	10.0 m		
- <i>County Road</i>	15.0 m		
Minimum <i>interior side yard</i>	3.0 m	6.0 m	3.0 m
Minimum <i>rear yard</i>	10.0 m		
Maximum <i>building height</i>	10.5 m	15.0 m	
Maximum <i>lot coverage</i>	15 %	30 %	

### **Additional Requirements for Zone Requirements Table 13.1.2**

1. Notwithstanding the yard requirements, Minimum Distance Separation (MDS) per General Provisions Section 4.26 shall apply to all livestock facilities greater than 10 m<sup>2</sup> and/or manure storage facilities.
2. Notwithstanding the provisions of Table 13.1.2, all lots having frontage on a collector road, as shown on Map 'F' shall comply with the minimum *lot frontage* requirements of Section 4.13.1 of this By-law.

### **Additional Standards for Zone Requirements Table 13.1.2**

1. A *boarding kennel* is subject to the General Provisions of Section 4.6.

### **13.1.3 Special Exceptions**

- (a) RU-1, 1325 Lacasse Road

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-1, the following additional use shall also be permitted:

- *duplex dwelling*

- (b) RU-2, 1176-1184 Landry Road, Part of Lot 2, Concession 6

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-2, the following uses shall also be permitted:

- *contractor's establishment*
- *heavy equipment and vehicle sales, rental and servicing*
- *motor vehicle repair facility*

(c) RU-3, 3059 Drouin Road, Part of Lot 15, Concession 9

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-3, the following uses shall also be permitted:

- *repair shop*
- *retail store* limited to small motorized tools and equipment

(d) RU-4, 1726-1728 Rollin Road, Part of Lot 6, Concession 2, 714 Poupart Road, Part of Lot 31, Concession 1 O.S., 1732-1732 Rollin Road, Part of Lot 6, Concession 2

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RU-4 may also be used for *semi-detached dwelling* and/or *duplex dwelling*, in accordance with the RU zone requirements applicable to a *detached dwelling*.

(e) RU-5, Part Lot 13, Concession 1 (O.S.), part 3 of Plan 50R-3108

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-5, the following uses shall also be permitted:

- Parking area as a principal use subject to the provisions of Section 5.9.1;
- Maximum of 2 shipping containers subject to the provisions of Section 4.45.2;
- Maximum of 3 car tempos subject to the provisions of accessory structure under Section 4.1;
- Garage dome of 182 m<sup>2</sup> subject to the provisions of the RU zone.
- The Site Plan file must be brought to Planning Committee and Council for approval.

The minimum lot area shall also be 0.4 hectare.

(f) RU-6, 1372, 1425 and 1447 Russell Road, Part of Lot 20, Concession 7

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-6, the following uses shall also be permitted:

- *abattoir* limited to meat packing
- *retail store*
- *food store*

- *warehousing*

(g) RU-7, 1422 Lavigne Road, Part of Lot 18, Concession 7

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-7, the following uses shall be permitted:

- conservation use
- public hall
- *restaurant, accessory*
- *retail store*
- *sports and recreation facility*

(h) RU-8, Joanisse Road, Part of Lot 6, Concession 9

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-8, the following use shall also be permitted:

- *warehousing* limited to insulation materials

(i) RU-9, 3216 Old Highway No. 17, Part of Lots 7 and 8, Concession 1 O.S.

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-9, the following use shall also be permitted:

- *golf course*

(j) RU-10, 2104 Clarke Road, Part of Lot C, Concession 5 (By-law 2023-04)

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-10, the following uses shall be permitted:

- *manufacturing and retail store* of fish farm products
- *campground* including cabins

(k) RU-11, 1091 Brazeau Road, Part of Lot 1, Concession 4

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-11, the following use shall also be permitted:

- *custom workshop*

(l) RU-12, 4116 Bouvier Road, Part of Lot 23, Concession 7

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-12, may also be used for "a retail store" in accordance with the following

provisions:

- *Retail store* within a building having a maximum ground *floor area* of 67.0 m<sup>2</sup>

(m) RU-13, 2677 Gagné Road, Part of Lot 12, Concession 8

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-13, the following use shall also be permitted in accordance with the following provisions:

- *custom workshop* consisting of a cabinet making shop
- Gross floor area to be used for cabinet making shop (maximum): 200.0m<sup>2</sup>

(n) RU-14, 2977 Old Highway 17, Part of Lot 9, Concession 1 O.S.

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-14 shall be used in accordance with the following provisions:

- (i) Front Yard Depth (minimum): 5.50 m
- (ii) Setback from water (minima):
  - *detached dwelling* 4.0 m
  - septic system 2.0 m
- (iii) Setback from slope (minimum):
  - as established in the slope stability report prepared by Morey, Houle Engineering Consultants Ltd., dated January 19, 1996.

(o) RU-15, Guindon Road, Part of Lots 11, 12, 13 and 14, Concessions 7 and 8

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-15, shall be used in accordance with the following provisions:  
*detached dwelling*

- Lot area (minimum): 4,000 m<sup>2</sup>
- Lot frontage (minimum): 60.0 m
- Front Yard Depth (minimum): 30.0 m

(p) RU-16, 147 Baseline Road, Part of Lot A, Concession 11, 3175 Old Highway 17, Part of Lot 7, Concession 1 O.S.

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-16 shall be used in accordance with the following provisions:

- Lot Frontage (minimum): 30.4 metres

(q) RU-17, 1263 Vinette Road, Part of Lot 5, Concession 7

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-17, the following use shall also be permitted:

- *storage yard* restricted to a contractor's yard

(r) RU-18, 4105 Bouvier Road, Part of Lot 23, Concession 6

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-18, the following uses shall also be permitted:

- *Tourist Establishment*
- *personal service establishment consisting of a health retreat*
- restaurant limited to "country style dining" consisting of an eating establishment or transient guests and where the primary attraction consist in serving meals which are prepared with homegrown produce and livestock for gastronomic purposes.
- *public hall*

(s) RU-19, 3072 Champlain Street, Bourget

Notwithstanding the provisions of this By-law to the contrary, an *accessory building* or building associated with an *artist studio* can have a *lot coverage* of 4.50%.

(t) RU-20, 1191 Pilon Road, Part of Lot 1, Concession 3

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-20, the following use shall also be permitted:

- custom work limited to a woodworking workshop (stairs) with a maximum from floor area of 557.43 m<sup>2</sup>

(u) RU-21, 3035 Old Highway 17, Part of Lot 9, Concession 1 O.S.

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-21, may also be used for a "*semi-detached dwelling*" in accordance with the following provisions:

Lot Area (minimum): 7200.0 m<sup>2</sup>  
Lot Frontage (minimum): 71.20 m

(v) RU-22, Gagné Road, Part of Lot 11, Concession 9, 2360 Bouvier Road, Part of Lot 10, Concession 7

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-22 may be used for a *duplex dwelling* in accordance with the RU zone requirements applicable to a *detached dwelling*.

(w) RU-23, du Golf Road, Part of Lot 11, Concession 9

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-23 may also be used for the following:

*Golf driving range*

(x) RU-24, 746 du Golf Road, Part of Lot 11, Concession 9

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-24, the following use shall also be permitted in accordance with the following provisions:

- (i) *retail store* limited to floor covering
- (ii) *Floor area* to be used for *commercial purposes* (maximum): 200.0 m<sup>2</sup>

(y) RU-25, 2613 Joanisse Road, Part of Lot 12, Concession 9

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-25 may also be used for a commercial warehouse in accordance with the following provisions:

- (i) Parking spaces required (minimum):
  - *warehouse* 1 space per 247.0 m<sup>2</sup> of *floor area*
- (ii) Parking aisle width (minimum):
  - further than 20.0 metres from Joanisse Road 3.40 m

(z) RU-26, 2592 Joanisse Road

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-26, the following uses shall also be permitted:

- Custom workshop – cabinet making

(aa) RU-27, 3245 Maisonneuve Road

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-27, the following uses shall also be permitted:

- *Additional Residential Unit*
- Maximum *floor area* of *Additional Residential Unit*: 115 m<sup>2</sup>

(bb) RU-ss-28, 3729 Old Highway 17

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-ss-28, shall be used in accordance with the following provision:

Minimum setback from the top of bank: 5 m

(cc) RU-29, Champlain Road, being part of Lot 17, Concession 5, geographic Township of Clarence (OMB PL071088)

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-29, the following uses shall also be permitted:

- (i) A *waste transfer station* for the purpose of transferring waste from one vehicle to another, for transportation to another waste disposal site;
  - A portable toilet storage, cleaning and rental service;
    - Accessory uses to the foregoing permitted uses, limited to a parking area for The parking of sewage haulage vehicles licensed under the Ministry of the Environment, vehicles for the transport of portable toilets, and employee vehicles, a garage with commercial office, an advertising sign and equipment required for spills control or as otherwise required for the *waste transfer station*.
- (ii) The following are prohibited uses:
  - On-site maintenance and repair of vehicles;
  - Disposal, treatment, composting, spreading or processing of any waste materials; or
  - Storage or handling of waste otherwise than as authorized above.
- (iii) The zone requirements are as follows:
  - Minimum lot area: 5.15 ha
  - Minimum lot frontage: 200 m
  - Minimum front yard: 50 m
  - Minimum interior side yard: 30 m
  - Minimum rear yard: 30 m

No *waste transfer* shall be permitted without a valid Certificate of Approval.

For the purposes of this Zone,

“Waste transfer” shall mean haulage and inter-vehicle transfer of septage and biosolids, grease trap waste, catch basin cleanout material, wash water, and contaminated sand;

“Waste transfer station” shall mean a site used for the purpose of transferring waste from one vehicle to another for transportation to a waste disposal site; and

“Portable toilet storage, cleaning and rental service” shall mean the use of land, buildings or structures specifically designed and developed for the on-site storage,

rental, pumping-out and cleaning of portable toilets and may include the parking of vehicles required for the transporting of portable toilets.

All other applicable provisions of this By-law shall apply.

(dd) RU-30, Part of Lots 35, 36 and 37, Concession 1 O.S.)

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-30 shall be used in accordance with the following provisions:

*Detached dwelling*

- |       |                                    |                      |
|-------|------------------------------------|----------------------|
| (i)   | Lot area (minima):                 | 3,000 m <sup>2</sup> |
| (ii)  | Lot frontage (minima):             | 30 m                 |
| (iii) | Interior Side Yard Width (minima): | 5 m                  |

(ee) RU-ss-31, eastern half of 3613 Old Highway 17

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-ss-31 shall be used in accordance with the following provision:

- |      |                                       |           |
|------|---------------------------------------|-----------|
| (i)  | Minimum <i>front yard</i> setback:    | 10 m      |
| (ii) | Minimum setback from the top of bank: | 5 meters. |

(ff) RU-32, 3243 Bouvier Road

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-32, the following uses shall also be permitted:

- (i) *Additional Residential Unit* in a detached garage with a maximum floor area of 100 m<sup>2</sup>.

(gg) RU-ss-33, 3081 Old Highway 17

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-s-33, shall be used in accordance with the following provisions:

Minimum setback from the top of bank: 5 meters.

(hh) RU-34, Part of Lot 16, Concession 7, Parts 1-3 of Plan 50R-10655

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RU-34 shall be used in accordance with the following provisions:

- (i) New sensitive uses will be prohibited within 25m of any lands zoned Mineral Aggregate-Pit

(ii) RU-35, 2974 Henrie Road

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-35, the following uses shall also be permitted:

- (i) *mobile home*
- (jj) RU-36, 1633 Caron Street

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-36, the following use shall also be permitted:

- *Motor vehicle body shop*
- (kk) RU-37, 1095 Brazeau Road

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-37 shall be used in accordance with the following provisions:

- (i) Permitted Use: *repair shop*
- (ll) RU-38, 1255 Joannis Road

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-38, the following additional uses shall also be permitted:

- *food production* limited to a catering establishment
- *garden center*
- *custom workshop* limited to a cabinet shop
- *business office* limited to a landscaping business
- *motor vehicle storage compound*
- *commercial self-storage*

- (mm) RU-39, Part of Lot 8, Concession 1 (O.S.)

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-39, shall prohibit residential uses and shall be used in accordance with the following provisions:

- (i) *Lot Frontage* (minimum): 23 meters
- (ii) Hobby Farm without *dwelling*: The maximum *lot area* for a Hobby Farm is 9 hectares and limited to 5 nutrient units.
- (nn) RU-40 (Reserved)
- (oo) RU-41, Part of Lots 8 and 9, Concession 1 (O.S.)

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-41 shall be used in accordance with the following provisions:

i) minimum lot frontage along Old Highway 17, from 45 metres to 22.5 metres and to prohibit all residential uses within 600 metres of County Road No. 17.

(pp) RU-42, 9370 County Road 17

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-42, the following uses are also permitted:

- *Restaurant*, excluding the use of a fast-food restaurant
- *Public hall*
- *Apartment, accessory to a restaurant use*
- *Food production* (limited to a catering establishment)

(qq) RU-43, Part of Lot 18, Conc. 9

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-43, shall permit agricultural uses on a lot having a minimum lot area inferior to 20 hectares.

(rr) RU-44, Part of Lot 18, Conc. 9

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-44, permit rural uses on a lot having a minimum *lot frontage* inferior to 40 metres.

(ss) RU-45, Part of Lot 21, Concession 9; 3210-3232 Champlain Street; Part of Lots 16 and 17, Concession 5; Part of Lot 21, Concession 6 Russell Rd; Part of lot 5, concession 10 (part to be retained B-CR-014-2019); Part of Lot 12, Concession 1, Rollin Road

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-45, prohibits residential uses.

(tt) RU-46, 2634 Joanisse Road

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-46 shall be used in accordance with the following provision:

- |      |                          |                          |
|------|--------------------------|--------------------------|
| i)   | Permitted use:           | <i>Contractor's yard</i> |
| ii)  | Accessory permitted use: | <i>Business office</i>   |
| iii) | <i>Minimum frontage:</i> | Less than 60 metres      |

(uu) RU-47, part of Lot 6, Concession 7 (Vinette Road)

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-

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47 shall be used in accordance with the following provision:

- i) *A Additional Residential Unit* having a maximum floor area of 99 square metres shall be permitted

(vv) RU-48, Part of Lot 18, Concession 8, Gendron Road

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-48 shall be used in accordance with the following provisions:

- (i) Prohibited use:
  - Residential use
- (ii) Lot area (minimum):
  - Agricultural use 15.5 hectares
- (iii) *Lot frontage* (minimum):
  - Agricultural use 9.0 metres

(ww) RU-49-h, Part of Lot 14, Concession 9 (Gagné Road)

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-49-h, the following additional uses shall be permitted:

- *Private garage*

For the purposes of this Zone,

- "*Private garage*" shall mean a residential garage for the use and storage of personal vehicles and goods."

(xx) RU-50, 8132 County Road 17

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-50, the following additional uses shall be permitted:

- *motor vehicle storage compound*
- *commercial self-storage*

(yy) RU-51, RU-ss-51, 9374 County Road 17

Notwithstanding the provisions of Section 13.1 hereof to the contrary, on the lands designated RU-51 on Map "A" hereto, the following additional uses shall be permitted:

- *Contractor's Establishment*
- *Business office*

(zz) RU-52, 3188 Champlain Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RU-52 shall be used in accordance with the following provisions:

- i) Accessory buildings
  - Maximum area: 2680ft<sup>2</sup>
  - Maximum height: 9.15m

(aaa) RU-53, 2919 Old Highway 17, Unit 4 (#15)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RU-53 will permit a recreational vehicle to be used as a seasonal residence and shall be used in accordance with the following provision(s):

- (i) Setback to water's edge (minimum): 30 m
- (ii) Setback to property lines (minimum): 3 m

(bbb) RU-54, Parts of Lots 4 and 5, Concession 8

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RU-54 shall be used in accordance with the following provisions:

- (i) Residential uses are prohibited
- (ii) Lot frontage (minimum): 10 m

(ccc) RU-55, 1750 Russell Road

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RU-55 shall be used in accordance with the following provisions:

- i) Minimum lot frontage: 45.0m

(ddd) RU-56, Part of Lot C, Con. 3. Clark Road

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-53, the following provisions shall apply:

- (i) Only the following uses are permitted:
  - Seasonal dwelling
  - Forestry operation
- (ii) The following existing buildings are permitted:
  - A seasonal dwelling with ground floor area of 70m<sup>2</sup>
  - A second seasonal dwelling with ground floor area of 92m<sup>2</sup>
  - An accessory structure to the seasonal dwelling use with ground floor area of 86m<sup>2</sup>

- An accessory structure to the forestry operation use with ground floor area of 163m<sup>2</sup>
- (iii) In addition to the uses and buildings cited above, the following buildings are also permitted:
  - A shipping container or accessory structure in conformity with the provisions of section 4.1 of this by-law.
- (iv) The private right-of-way established by court order on August 3rd, 2018 satisfies the requirements of section 4.13 (h) of this by-law for access to a private road.

(eee) RU-57, Part of Lot 11, Concession 1 (O.S.), County Road 17

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-57, the following additional uses shall be permitted:

- *motor vehicle storage compound*
- *commercial self-storage*
- *recreational vehicle sales and service*
- *outside display and sales area*

(fff) RU-58, Part of Lot 3, Concession 10, Part 1 on Reference Plan 50R-11045 (Retained Parcel B-CR-021-2019)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RU-58 shall be used in accordance with the following provisions:

i) Lot frontage (minimum): 53.40 m

(ggg) RU-59, Part of Lot 3, Concession 10, Parts 2 and 3 on Reference Plan 50R-11045 (Severed Parcel B-CR-021-2019)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RU-59 shall be used in accordance with the following provisions:

i) Lot frontage (minimum): 40 m

ii) Limited to one existing accessory structure on a vacant lot

(hhh) RU-60, Part of Lot A, Concession 6, Parts 1, 2 and 3 on Reference Plan 50R-505 (part to be severed – D-10-891)

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-60 shall be used in accordance with the following provisions:

i) lot frontage (minimum): 42.69 m

(iii) RU-61, Part of Lot 6, Concession 7, (part to be retained – D-10-920)

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-61 shall be used in accordance with the following provisions:

- i) lot frontage (minimum): 12 m
- ii) all residential and accessory residential uses are prohibited

(jjj) RU-62, 2088 Bouvier Road, (part to be retained – D-10-914 and D-10-915)

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-62 shall be used in accordance with the following provisions:

- i) lot frontage (minimum): 22.6 m

(kkk) RU-63, 1333 Joannis Road (severed parcel of consent D-10-956)

Notwithstanding the provisions of this By-law to the contrary, on lands zoned RU-63, the following provisions apply:

- i. Lot frontage (minimum): 77.0 m

(III) RU-64 1100 St-Felix

Notwithstanding the provisions of this By-law to the contrary, on the lands designated RU-64, the following provisions apply:

- i. Despite Section 4.18.2, a detached dwelling with an accessory home-based business may also include accessory outdoor storage. The following provisions apply to the outdoor storage area:
  - Maximum area: 766 m<sup>2</sup>
  - Total volume of outdoor storage area used for tire storage shall not exceed 300 m<sup>3</sup>
  - Outside storage is restricted to the rear yard or to an interior yard adjacent to the rear yard.
  - Outside storage is not to be located within 10 m of any side lot line or higher than 2.5 metres
  - A 6.0m wide fire route shall be maintained along at least one side of the outdoor storage area at all times
  - Outside storage must be screened from view from any abutting public street, or abutting property, with an opaque screen, hedge or fence, with a minimum height of 1.5 m.
  - Outside storage may not lead to the creation of a salvage yard or storage yard.
- ii. Despite Section 5.10.1, heavy vehicle parking is not permitted within 15 m of an interior lot line.

- iii. Despite Section 4.45.1, shipping containers are permitted in accordance with Section 4.45.2 to a maximum combined gross floor area of 45 m<sup>2</sup>.

(mmm) RU-65, 1531 Lacasse Road, Part of Lot 4, Concession 7 (By-law 2023-13)

Notwithstanding the provisions of this By-law to the contrary, on the lands designated RU-65, the following provisions apply:

- i. Additional permitted use: Motor Vehicle Body Shop
- ii. The maximum of exterior temporary parking of motor vehicles associated with the Motor Vehicle Body Shop use shall be of three (3).
- iii. Any motor vehicle body shop operations are to take place inside an accessory building or structure. No exterior repair or alteration of motor vehicles is permitted.

(nnn) RU-66, Part of Lot 11, Concession 5 in the Geographic Township of Clarence, now in the City of Clarence-Rockland (1916 du Golf Road) (By-law 2023-58)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RU-66 shall be used in accordance with the following provisions:

- No person shall hereafter use any land, nor erect, alter, enlarge or use any building or structure within 30 meters from normal high-water mark of the watercourse to maintain a vegetative buffer.

(ooo) RU-67, 3032 Champlain Street

Notwithstanding the provisions of this By-law to the contrary, on the lands designated RU-67, the following additional use shall also be permitted:

- Contractor's establishment
- Storage yard accessory to a contractor's establishment subject to the provisions of section 4.33 and shall not occupy more than 7% of the total lot area
- Maximum combined footprint of buildings used for business of contractor's establishment of 1,189 m<sup>2</sup>
- Maximum of 4 shipping containers

### **13.1.4 Temporary Use Zones**

(a) RU-T1, 3303 Bouvier Road

Notwithstanding the provisions of this By-law to the contrary, on the lands designated RU-T1 on Map "A" hereto a garden suite shall be permitted for a period of twenty (20) years from the date of coming into effect of this By-law.

## **Part 14 Waste Management Zone**

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in a Waste Management Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

*Be sure to refer to all Parts of this By-law to ensure that you have reviewed all regulations that may apply to your lot. Contact staff in the Planning Department to confirm the applicable zoning.*

### **14.1 Waste Management (WM) Zone**

#### **14.1.1 Permitted Uses**

##### **Employment Use**

- *Waste (solid) disposal facility (1)*
- *Waste processing and transfer facility (non-putrescible)*
- *Waste processing and transfer facility (1)*

##### **Institutional and Community Uses**

- *Emergency service facility*
- *Public works yard*

##### **Open Space Uses**

- *Existing snow disposal facility*
- *Stormwater management facility*

##### **Additional Regulations for Permitted Uses**

- (1) *Uses subject to footnote (1) excludes hazardous waste.*

#### **14.1.2 Zone Requirements**

The zone requirements for *lots* in a Waste Management (WM) Zone are set out in Table 14.1.2, below.

<b>Table 14.1.2: Zone requirements in a Waste Management (WM) Zone</b>		
	<i>Employment Uses</i>	<i>Other Uses</i>
Minimum <i>lot area</i>	4.0 ha	n.a.
Minimum <i>lot frontage</i>	100.0 m	n.a.
Minimum <i>front yard</i>	50.0 m	n.a.
Minimum <i>exterior side yard</i>	50.0 m	n.a.
Minimum <i>interior side yard</i>	25.0 m	n.a.
Minimum <i>rear yard</i>	50.0 m	n.a.
Maximum <i>building height</i>	10.5 m	n.a.

### **Additional Requirements for Zone Requirements Table 14.1.2**

1. Notwithstanding the above yard requirements, no Waste Management Zone will be established within 500.0 metres of any Residential zone or dwelling on another lot.

### **Additional Standards for Zone Requirements Table 14.1.2**

1. (Reserved)

#### **14.1.3 Special Exceptions**

- (a) (Reserved)

#### **14.1.4 Temporary Use Zones**

- (a) (Reserved)

## **Part 15 Mineral Aggregate Zones**

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in a Mineral Aggregate Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

*Be sure to refer to all Parts of this By-law to ensure that you have reviewed all regulations that may apply to your lot. Contact staff in the Planning Department to confirm the applicable zoning.*

### **15.1 Mineral Aggregate - Pit (MAP) Zone**

#### **15.1.1 Permitted Uses**

##### **Residential Uses**

- *Mobile home (1)*

##### **Employment Use**

- *Manufacturing (2)*
- *Outside processing (2)*
- *Storage yard (2)*
- *Waste processing and transfer facility (non-putrescible) (2) (3)*

##### **Open Space Uses**

- *Agricultural use (4)*
- *Conservation Use (5)*
- *Mineral aggregate - pit*

##### **Additional Regulations for Permitted Uses**

- (1) *Uses subject to footnote (1) are permitted if the use is located on the same lot as a mineral aggregate operation and the use is for a security guard or caretaker.*
- (2) *Uses subject to footnote (2) are permitted if the use is located on the same lot as a mineral aggregate pit and the use is limited to associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products.*
- (3) *Uses subject to footnote (3) are permitted if the use is located on the same lot as a mineral aggregate pit and the use is limited to inert construction materials such as fill, concrete and asphalt;*
- (4) *Uses subject to footnote (4) excludes an intensive livestock operation and excludes any buildings.*
- (5) *Uses subject to footnote (5) excludes any buildings.*

**15.1.2 Zone Requirements**

The zone requirements for *lots* in a Mineral Aggregate – Pit (MAP) Zone are set out in Table 15.1.2, below.

<b>Table 15.1.2: Zone requirements in a Mineral Aggregate - Pit (MAP) Zone</b>			
	Mineral Aggregate - Pit	Agricultural Use	Other Uses
Minimum <i>lot area</i>	n.a.	20.0 ha	n.a.
Minimum <i>lot frontage</i>	n.a.	50.0 m	n.a.
Minimum <i>front yard</i>	30.0 m	15.0 m	n.a.
Minimum <i>exterior side yard</i>	30.0 m	15.0 m	n.a.
Minimum <i>interior side yard</i>	15.0 m	6.0 m	n.a.
Minimum <i>rear yard</i>	15.0 m	10.0 m	n.a.
Maximum <i>building height</i>	n.a.	15.0 m	n.a.
Maximum <i>lot coverage</i>	30%	n/a	n.a.

**Additional Requirements for Zone Requirements Table 15.1.2**

1. Notwithstanding the yard requirements above, Minimum Distance Separation (MDS) per General Provisions Section 4.26 shall apply to all livestock facilities greater than 10 m<sup>2</sup> and/or manure storage facilities.
2. Notwithstanding the yard requirements, Separation Distances per General Provisions Section 4.42 shall also apply.
3. Notwithstanding the provisions of Table 15.1.2, all lots having frontage on a collector road, as shown on Map 'F' shall comply with the minimum *lot frontage* requirements of Section 4.13.1 of this By-law.

**Additional Standards for Zone Requirements Table 15.1.2**

1. (Reserved)

**15.1.3 Special Exceptions**

- (a) (Reserved)

**15.1.4 Temporary Use Zones**

- (a) (Reserved)

## **15.2 Mineral Aggregate - Quarry (MAQ) Zone**

### **15.2.1 Permitted Uses**

#### **Residential Uses**

- *Mobile home (1)*

#### **Employment Use**

- *Manufacturing (2)*
- *Outside processing (2)*
- *Storage yard (2)*
- *Waste processing and transfer facility (non-putrescible) (2) (3)*

#### **Open Space Uses**

- *Agricultural use (4)*
- *Conservation Use (5)*
- *Mineral aggregate - quarry*

#### **Additional Regulations for Permitted Uses**

- (1) *Uses subject to footnote (1) are permitted if the use is located on the same lot as a mineral aggregate operation and the use is for a security guard or caretaker.*
- (2) *Uses subject to footnote (2) are permitted if the use is located on the same lot as a mineral aggregate pit and the use is limited to associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products.*
- (3) *Uses subject to footnote (3) are permitted if the use is located on the same lot as a mineral aggregate pit and the use is limited to inert construction materials such as fill, concrete and asphalt;*
- (4) *Uses subject to footnote (4) excludes an intensive livestock operation and excludes any buildings.*
- (5) *Uses subject to footnote (5) excludes any buildings.*

### **15.2.2 Zone Requirements**

The zone requirements for *lots* in a Mineral Aggregate – Quarry (MAQ) Zone are set out in Table 15.2.2, below.

<b>Table 15.2.2: Zone requirements in a Mineral Aggregate - Pit (MAP) Zone</b>			
	Mineral Aggregate - Pit	Agricultural Use	Other Uses
Minimum <i>lot area</i>	n.a.	20.0 ha	n.a.
Minimum <i>lot frontage</i>	n.a.	50.0 m	n.a.
Minimum <i>front yard</i>	30.0 m	15.0 m	n.a.
Minimum <i>exterior side yard</i>	30.0 m	15.0 m	n.a.
Minimum <i>interior side yard</i>	30.0 m	6.0 m	n.a.
Minimum <i>rear yard</i>	30.0 m	10.0 m	n.a.
Maximum <i>building height</i>	n.a.	15.0 m	n.a.
Maximum <i>lot coverage</i>	30%	n/a	n.a.

**Additional Requirements for Zone Requirements Table 15.2.2**

1. Notwithstanding the yard requirements above, Minimum Distance Separation (MDS) per General Provisions Section 4.26 shall apply to all livestock facilities greater than 10 m<sup>2</sup> and/or manure storage facilities.
2. Notwithstanding the yard requirements, Separation Distances per General Provisions Section 4.42 shall also apply.
3. Notwithstanding the provisions of Table 15.2.2, all lots having frontage on a collector road, as shown on Map 'F' shall comply with the minimum *lot frontage* requirements of Section 4.13.1 of this By-law.

**Additional Standards for Zone Requirements Table 15.2.2**

1. (Reserved)

**15.2.3 Special Exceptions**

- (a) (Reserved)

**15.2.4 Temporary Use Zones**

- (a) (Reserved)

**15.3 Mineral Aggregate - Reserve (MAR) Zone**

**15.3.1 Permitted Uses**

**Open Space Uses**

- *Agricultural use (1)*
- *Conservation Use (2)*
- *Park, private(2)*
- *Park, public (2)*

**Additional Regulations for Permitted Uses**

- (1) *Uses subject to footnote (1) excludes an intensive livestock operation and excludes any buildings.*
- (2) *Uses subject to footnote (2) excludes any buildings.*

**15.3.2 Zone Requirements**

The zone requirements for *lots* in a Mineral Aggregate –Reserve (MAR) Zone are set out in Table 15.3.2, below.

<b>Table 15.3.2: Zone requirements in a Mineral Aggregate - Reserve (MAR) Zone</b>			
	Mineral Aggregate - Reserve	Agricultural Use	Other Uses
Minimum <i>lot area</i>	n.a.	20.0 ha	n.a.
Minimum <i>lot frontage</i>	n.a.	50.0 m	n.a.
Minimum <i>front yard</i>	n.a.	15.0 m	n.a.
Minimum <i>exterior side yard</i>	n.a.	15.0 m	n.a.
Minimum <i>interior side yard</i>	n.a.	6.0 m	n.a.
Minimum <i>rear yard</i>	n.a.	10.0 m	n.a.
Maximum <i>building height</i>	n.a.	15.0 m	n.a.
Maximum <i>lot coverage</i>	n.a.	30%	n.a.

**Additional Requirements for Zone Requirements Table 15.3.2**

1. Notwithstanding the yard requirements above, Minimum Distance Separation (MDS) per General Provisions Section 4.26 shall apply to all livestock facilities greater than 10 m<sup>2</sup> and/or manure storage facilities.
2. Notwithstanding the yard requirements, Separation Distances per General Provisions Section 4.42 shall also apply.
3. Notwithstanding the provisions of Table 15.3.2, all lots having frontage on a collector road, as shown on Map 'F' shall comply with the minimum *lot frontage* requirements of Section 4.13.1 of this By-law.

**Additional Standards for Zone Requirements Table 15.3.2**

1. (Reserved)

**15.3.3 Special Exceptions**

- (a) (Reserved)

**15.3.4 Temporary Use Zones**

- (a) (Reserved)

## **Part 16 Conservation Zone**

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in Conservation (CON) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

*Be sure to refer to all Parts of this By-law to ensure that you have reviewed all regulations that may apply to your lot. Contact staff in the Planning Department to confirm the applicable zoning.*

### **16.1 Conservation (CON) Zone**

#### **16.1.1 Permitted Uses**

##### **Residential Use**

- *Detached dwelling (1)*

##### **Service Commercial Uses**

- *Sports and recreational facility, excluding a golf course (2) (3)*

##### **Institutional and Community Uses**

- *Emergency service facility*

##### **Open Space Uses**

- *Agriculture (4)*
- *Conservation use*
- *Park, public*

##### **Additional Regulations for Permitted Uses**

- (1) *Uses subject to footnote (1) are permitted if they existed on the day this By-law came into effect or on a vacant lot which existed on the day this By-law came into effect.*
- (2) *Uses subject to footnote (2) excludes any buildings.*
- (3) *Uses subject to footnote (3) are restricted to passive outdoor recreational uses.*
- (4) *Uses subject to footnote (4) includes an existing agriculture use however prohibits the expansion of an existing agricultural operation which would result in more than 150 livestock units. Notwithstanding, the following agriculture uses are permitted:*
  - a. *the growing of crops;*
  - b. *nurseries, greenhouses, market gardens, orchards, vineyards, agro-forestry operations and maple syrup production;*
  - c. *uses of a farm-tourism nature that are secondary to and*

- subordinate to the agricultural use such as:
  - i. seasonal or occasional festivals or events,
  - ii. recreational activities, or
  - iii. educational displays
- d. farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

**16.1.2 Zone Requirements**

The zone requirements for *lots* in a Conservation (CON) Zone are set out in Table 16.1.2, below.

<b>Table 16.1.2: Zone requirements in a Conservation (CON) Zone</b>			
	Agriculture	Detached dwelling	Other Non-Residential Uses
Minimum <i>lot area</i>	20.0 ha	0.4 ha	1.0 ha
Minimum <i>lot frontage</i>	60.0 m	38.0 m	40.0 m
Minimum <i>front yard</i>	15.0 m		
Minimum <i>exterior side yard</i>			
- <i>Local Road</i>	10.0 m		
- <i>County Road</i>	15.0 m		
Minimum <i>interior side yard</i>	6.0 m	6.0 m	10.0 m
Minimum <i>rear yard</i>	10.0 m		
Maximum <i>building height</i>	15.0 m		
Maximum <i>lot coverage</i>	30 %		

**Additional Requirements for Zone Requirements Table 16.1.2**

- 1. (Reserved)

**Additional Standards for Zone Requirements Table 16.1.2**

- 1. Development in a “Conservation (CON) Zone” Zone or adjacent to a “Conservation (CON) Zone” may be regulated under the Conservation Authorities Act, and, in addition to a building permit from the municipality under the Building Code Act, may require a permit from the Conservation Authority or other authority having jurisdiction over the regulated area.

**16.1.3 Special Exceptions**

- (a) CON-1, Clarence Crossing East (By-law 2023-29)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CON-1 shall be used in accordance with the following provisions:

- (1) Permitted Uses
  - Conservation use
  - Park, public
- (2) Zone Requirements
  - Not applicable
- (b) CON-2 (Reserved)

(c) CON-3, Larose Forest

Notwithstanding the provisions of Section 16.1 of this by-law hereto to the contrary, the lands designated "CON-3" on Map "A" hereto, shall be used in accordance with the provisions that follows:

- i) Permitted Uses (additional)
  - *ecotourism facility*
  - *forestry operation*
  - *school, commercial*
  - *custom workshops*
  - *business office, accessory*
  - *tourist establishment*
  - *retail store*
  - *community centre*
  - *accessory buildings and structures (including shipping containers)*

Development and site alteration will only be permitted where an Environmental Impact Study per Section 5.6 of the UCPR OP has been completed.

**16.1.4 Temporary Use Zones**

**Part 17 Wetlands Zone**

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in a Wetlands Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

*Be sure to refer to all Parts of this By-law to ensure that you have reviewed all regulations that may apply to your lot. Contact staff in the Planning Department to confirm the applicable zoning.*

**17.1 Wetlands (WL) Zone**

**17.1.1 Permitted Uses**

**Open Space Uses**

- *Agricultural use (1) (2)*
- *Conservation Use (1) (2)*
- *Park, public (1) (2)*

**Additional Regulations for Permitted Uses**

- (1) *Uses subject to footnote (1) excludes any buildings or new buildings.*
- (2) *Uses subject to footnote (2) includes an existing agriculture use however prohibits the expansion of an existing agricultural operation.*

**17.1.2 Zone Requirements**

The zone requirements for *lots* in a Wetlands (WL) Zone are set out in Table 17.1.2, below.

<b>Table 17.1.2: Zone requirements in a Wetlands (WL) Zone</b>	
	<b>Open Space Uses</b>
<i>Minimum lot area</i>	n.a.
<i>Minimum lot frontage</i>	n.a.
<i>Minimum front yard</i>	n.a.
<i>Minimum exterior side yard</i>	n.a.
<i>Minimum interior side yard</i>	n.a.
<i>Minimum rear yard</i>	n.a.
<i>Maximum building height</i>	n.a.
<i>Maximum lot coverage</i>	n.a.

**Additional Requirements for Zone Requirements Table 17.1.2**

1. Notwithstanding the yard requirements above, Minimum Distance Separation (MDS) per General Provisions Section 4.26 shall apply to all livestock facilities greater than 10 m<sup>2</sup> and/or manure storage facilities.

**Additional Standards for Zone Requirements Table 17.1.2**

1. Development and site alteration is not permitted in a Wetland (WL) Zone. Development and site alteration within 120 m of a Wetland (WL) Zone will require an Environmental Impact Study and may be regulated under the *Conservation Authorities Act*, and, in addition to a building permit from the municipality under the *Building Code Act*, may require a permit from the Conservation Authority or other authority having jurisdiction over the regulated area.

**17.1.3 Special Exceptions**

- (a) (Reserved)

**17.1.4 Temporary Use Zones**

- (a) (Reserved)

**Part 18 Area of Natural and Scientific Interest Zone**

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in an Area of Natural and Scientific Interest (ANSI) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

*Be sure to refer to all Parts of this By-law to ensure that you have reviewed all regulations that may apply to your lot. Contact staff in the Planning Department to confirm the applicable zoning.*

**18.1 Area of Natural and Scientific Interest (ANSI) Zone**

**18.1.1 Permitted Uses**

**Open Space Uses**

- *Conservation Use (1) (2)*
- *Park, public (1) (2)*

**Additional Regulations for Permitted Uses**

- (1) *Uses subject to footnote (1) are restricted to passive outdoor recreational uses.*
- (2) *Uses subject to footnote (2) excludes any buildings.*

**18.1.2 Zone Requirements**

The zone requirements for *lots* in an Area of Natural and Scientific Interest (ANSI) Zone are set out in Table 18.1.2, below.

<b>Table 18.1.2: Zone requirements in an Area of Natural and Scientific (ANSI) Zone</b>	
	<b>Open Space Uses / Service Commercial Uses</b>
<i>Minimum lot area</i>	n.a.
<i>Minimum lot frontage</i>	n.a.
<i>Minimum front yard</i>	n.a.
<i>Minimum exterior side yard</i>	n.a.
<i>Minimum interior side yard</i>	n.a.
<i>Minimum rear yard</i>	n.a.
<i>Maximum building height</i>	n.a.
<i>Maximum lot coverage</i>	n.a.

**Additional Requirements for Zone Requirements Table 18.1.2**

1. (Reserved)

**Additional Standards for Zone Requirements Table 18.1.2**

1. Development in an Area of Natural and Scientific Interest (ANSI) Zone or within 120 m of a life science ANSI Zone or 50 m of an earth science ANSI Zone will require an Environmental Impact Study and may be regulated under the *Conservation Authorities Act*, and, in addition to a building permit from the municipality under the *Building Code Act*, may require a permit from the Conservation Authority or other authority having jurisdiction over the regulated area.

***18.1.3 Special Exceptions***

- (a) (Reserved)

***18.1.4 Temporary Use Zones***

- (a) (Reserved)

## **Part 19 Special Study Area Zone**

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in a Special Study Area (SSA) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

It is the intent of this Zone that lands so zoned will ultimately be developed or redeveloped in accordance with the results and recommendations of a Secondary Plan. In the interim, the use of the lands within a SSA Zone should not be changed to the extent that the results of the Secondary Plan and supporting studies could be prejudiced.

*Be sure to refer to all Parts of this By-law to ensure that you have reviewed all regulations that may apply to your lot. Contact staff in the Planning Department to confirm the applicable zoning.*

### **19.1 Special Study Area (SSA) Zone**

#### **19.1.1 Permitted Uses**

In any Special Study Area (SSA) Zone, the only permitted uses will be those which were in existence on the date of passing of this By-law and any other uses may be authorized by Committee of Adjustment or City Council under the provision of the *Planning Act*.

#### **Additional Regulations for Permitted Uses**

- (1) (Reserved)

#### **19.1.2 Zone Requirements**

(Reserved)

#### **Additional Requirements for Zone Requirements Table 19.1.2**

1. (Reserved)

#### **Additional Standards for Zone Requirements Table 19.1.2**

1. (Reserved)

#### **19.1.3 Special Exceptions**

- (a) (Reserved)

**19.1.4**      **Temporary Use Zones**

(a) SSA-t1, Part of Lot 32, Concession 1 (O.S.), save and except Parts 3 and 4, Plan 50R-3896 and Part 2, Plan 50R-9389, former Township of Clarence, now in the City of Clarence-Rockland:

- Notwithstanding the provisions of this By-law to the contrary, the land zoned SSA-t1 shall permit the exterior storage of recreational vehicles and pleasure boats for a period of three (3) years following the date bylaw 2021-19 comes into full force and effect.

- Exterior storage will need to maintain a 1.0 m setback to property lines.

## **Part 20 Hazard Zone**

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in a Hazard Zone (HL) except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

*Be sure to refer to all Parts of this By-law to ensure that you have reviewed all regulations that may apply to your lot. Contact staff in the Planning Department to confirm the applicable zoning.*

### **20.1 Hazard (HL) Zone**

#### **20.1.1 Permitted Uses**

In any Hazard (HL) Zone, the only permitted uses will be those which were in existence on the date of passing of this By-law and any other uses may be authorized by Committee of Adjustment or City Council under the provision of the *Planning Act*.

#### **Additional Regulations for Permitted Uses**

- (1) (Reserved)

#### **20.1.2 Zone Requirements**

1. (Reserved)

#### **Additional Requirements for Zone Requirements Table 20.1.2**

1. (Reserved)

#### **Additional Standards for Zone Requirements Table 20.1.2**

1. (Reserved)

#### **20.1.3 Special Exceptions**

- (a) (Reserved)

#### **20.1.4 Temporary Use Zones**

- (a) (Reserved)

## **Part 21 Parks and Open Space Zone**

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in a Parks and Open Space (OS) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

*Be sure to refer to all Parts of this By-law to ensure that you have reviewed all regulations that may apply to your lot. Contact staff in the Planning Department to confirm the applicable zoning.*

### **21.1 Parks and Open Space (OS) Zone**

#### **21.1.1 Permitted Uses**

##### **Open Space Uses**

- *Community garden*
- *Conservation use*
- *Fairgrounds*
- *Park, public*
- *Sports and recreation facility*
- *Stormwater management facility*

##### **Additional Regulations for Permitted Uses**

- (1) (Reserved)

#### **21.1.2 Zone Requirements**

Table 21.1.2 (Reserved)

##### **Additional Requirements for Zone Requirements Table 21.1.2**

1. No building or structure shall be located or erected closer than 6.0 metres to any lot line and maximum lot coverage shall not exceed 25%.
2. No minimum lot area or frontage shall be required.
3. No building height shall exceed 10.5 metres.

##### **Additional Standards for Zone Requirements Table 21.1.2**

1. (Reserved)

#### **21.1.3 Special Exceptions**

- (a) OS-1, 455 Notre Dame Street

Notwithstanding the provisions of this By-law to the contrary, on the lands designated OS-1, a stormwater management facility is permitted within the Flood Plain Overlay. (By-law 2023-03)

**21.1.4 Temporary Use Zones**

- (a) (Reserved)

**Part 22 Enactment**

**FORCE AND EFFECT**

This By-law shall come into force and effect on the date it is passed by the Council of the Corporation of the City of Clarence-Rockland subject to the applicable provisions of the *Planning Act, R.S.O. 1990, c. P.13*, as amended.

**READINGS BY COUNCIL**

THIS BY-LAW READ A FIRST TIME ON THE 16<sup>th</sup> DAY OF JUNE, 2016

THIS BY-LAW READ A SECOND TIME ON THE 16<sup>th</sup> DAY OF JUNE, 2016.

THIS BY-LAW READ A THIRD TIME AND FINALLY PASSED ON THE 16<sup>th</sup> DAY OF JUNE, 2016.

MAYOR: \_\_\_\_\_

Guy Desjardins

(MUNICIPAL SEAL)

CLERK: \_\_\_\_\_

Monique Ouellet

**CERTIFICATION**

I hereby certify that the foregoing is a true copy of Zoning By-law No. 2016-10 as enacted by the Council of the Corporation of the City of Clarence-Rockland, on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

CLERK: \_\_\_\_\_

Monique Ouellet

**ZONING MAPS TO  
BY-LAW 2016-10**

The following attached Zoning Maps form part of this By-law:

- Map A: Rural Area
- Map B: Rockland Urban Area
- Map C: Clarence Creek and Clarence Point
- Map D: Bourget and St. Pascal Baylon
- Map E: Hammond and Cheney
- Map F: Primary Artery and Collector Roads – Frontage and Setbacks
- Map G: Unstable Slopes
- Maps H1-H2: Intake Protection Zones (Overlay)