

The Corporation of the Town of Arnprior Zoning By-Law No. 6875-18



October 9, 2018

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PLANNING

Before you review this By-law, a note to the reader....

The Preamble Section of this document is not a formal part of the Zoning By-law. However, we recommend that you review the Preamble Section first as it can provide valuable information on how to use this By-law.

Please do not hesitate to contact the Town's Community Services Branch for assistance interpreting this document, confirming the zoning of your property or to ensure that you have the most up-to-date zoning provisions.

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Preamble

These pages explain the purpose of this Zoning By-law and how it should be used. **These pages do not form part of the Zoning By-law** passed by Council and are intended only to make the Zoning By-law more understandable and easier to reference.

1.0 Purpose of This Zoning By-Law

The purpose of this Zoning By-law is to implement the policies of the Town of Arnprior Official Plan. The Official Plan contains general policies that affect the use of land throughout the Town. These policies specify where certain land uses are permitted and, in some instances, specify what regulations should apply to the development of certain lands.

The Official Plan is a general document that is not intended to regulate every aspect of the built-form on a lot. In the Province of Ontario, this is the role of the Zoning By-law. Once an Official Plan is in effect, any Zoning By-law passed by Council must conform to the Official Plan. For example, if the Official Plan stated that lands in the vicinity of a significant natural feature are to remain in their natural state, the Zoning By-law would prohibit the erection of buildings or structures on those lands. A Zoning By-law can also specifically permit certain uses of land, such as retail stores in a downtown area.

2.0 How to Use This By-Law

In order to reference this By-law most easily, a property owner should follow each of the steps listed below to determine what provisions apply to their particular property.

A. Locate the Property on a Map

Maps in a Zoning By-law are called 'Schedules'. The first step to using this By-law is to refer to Schedule 'A', which is found at the back of the By-law to determine in which Zone category or categories your property is located. The Zone category will be indicated on Schedule 'A' by a symbol or abbreviation. For example, you may see a symbol such as "R1" that applies to your property. This would indicate that your property is within the 'Residential One' Zone. The Zone symbols or abbreviations are identified on the first page of Part 2.0 (Establishment of Zones) of the By-law.

Part 2.0 (Establishment of Zones) also provides assistance to help you identify the Zone boundaries on Schedule 'A'. For example, if your property appears close to a Zone boundary and you are not sure how to determine exactly where that boundary is located, refer to Section 2.4 (Determining Zone Boundaries) of the By-law.

B. By-Law Amendments, Minor Variances and Exceptions

A Zoning By-law is not a static document; it is amended over time as demands and policies governing land use change. By-laws are commonly amended to change the zone to provide for a specific use or to prohibit a certain use. In some cases, special provisions are applied to a property or a series of properties that vary the zone provisions as needed. This type of variance is called an exception and exceptions to the By-law are contained within Part 10.0 (Exceptions).

Before proceeding any further, you should verify that your property is not the subject of an earlier Zoning By-law amendment or Minor Variance. Some of these amendments are identified in the Zone schedules and listed in Part 10.0 (Exceptions), Part 11.0 (Temporary Uses) and Part 12.0 (Holding Zones) of this By-law.

Amendments that are more recent may not be included in the version of the By-law you are using, while Minor Variances are not included in the By-law at all. Staff in the Town's Community Services Branch will be able to assist you to confirm if your property has been subject to a more recent By-law amendment or Minor Variance.

C. Permitted Uses and Zone Standards

The next step to using this By-law is to determine what uses are permitted on your property. Parts 6.0, 7.0, 8.0 and 9.0 of the By-law identify the permitted uses for each Zone in the Town. The definitions in Part 3.0 (Definitions) can assist you if you are not sure of the nature of a use or how it has been defined for the purposes of this By-law.

Words that are defined in Part 3.0 are italicized throughout the By-law. If a word is not italicized, it is not specifically defined. Uses that are not identified as permitted uses within a particular Zone are not permitted in that specific Zone.

The next step is to determine what standards may apply to the uses on your property. Parts 6.0, 7.0, 8.0 and 9.0 of the By-law identify the Standards for each Zone including minimum lot area, minimum frontage, minimum yards, maximum lot coverage for buildings, and the maximum permitted height of buildings.

D. General Provisions

Now that you are aware of the uses permitted on your property and the specific Zone Standards that apply to those uses, reference should be made to Part 4.0 (General Provisions) of this By-law.

Part 4.0 contains a more generic set of standards known as 'General Provisions' that apply to all properties in all Zones throughout the Town. For example, the general provisions contain standards that regulate the construction of accessory structures, height exceptions and non-conforming/non-complying uses that apply to all properties regardless of where in the Town a property is located. General provisions that apply to a specific Zone are contained in the specific section. For

example, the general provisions that apply only to the Residential Zones are contained in Part 6.0 of the By-law.

E. Parking and Loading

There is an additional section of the By-law that should be consulted when determining what provisions apply to your specific property. Part 5.0 (Parking and Loading) provides the parking and loading requirements for all permitted uses in the Town. If you are considering changing the use of your property or adding a new use to your property, you should review Part 5.0 to ensure that you are aware of the parking and loading requirements for the proposed use.

F. Exceptions, Temporary Uses and Interim Control By-Laws

Parts 10.0 and 11.0 contain specific requirements that may apply to your property. Lands subject to an exception covered in Part 10.0 (Exceptions) have specific use permissions or zone provisions that have been applied either in response to a landowner request or if there is a public interest objective in applying different rules on a property and/or in an area.

The provisions within an exception section are intended to take precedence over any other provision in the By-law. Lands subject to an exception will be specifically identified on the schedules with the use of a set of brackets containing the exception number after the parent zone symbol.

Part 11.0 (Temporary Uses) identifies those properties that are subject to use permissions that only last for a specified period of time. Lands subject to an exception will be specifically identified on the schedules with the use of a (T) symbol followed by the Temporary Use number.

Part 12.0 (Holding Zones) contains specific requirements that describe what conditions need to be met in order to develop/establish permitted uses on a property. Lands subject to an exception will be specifically identified on the schedules with the use of a (H) symbol followed by the Holding provision number.

**Corporation of the Town Of Arnprior
Zoning By-Law No. 6875-18**

Whereas it is considered desirable to control development within the Town of Arnprior and enact a new comprehensive zoning by-law in accordance with the Official Plan and to prohibit the use of land and the erection and use of buildings or structures except for certain purposes, and to regulate the type of construction and the height, bulk, location, size, floor area, character and use of buildings in accordance with the provisions of Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended;

And Whereas Council confirm that adequate public notice has been provided for, in accordance with Section 34(17) of the Planning Act, RSO 1990, c.P.13, and that further notice is not required;

Now Therefore Council enact a new Comprehensive Zoning By-law for the Town of Arnprior as set out hereto;

And That Council waive the two-year moratorium on all zoning by-law amendments to the new comprehensive zoning by-law by declaring that Section 34(10.0.0.1) of the Planning Act, RSO 1990, c.P.13 does not apply in respect to any application for amendment to the new Zoning By-law.

Part 1.0 - Interpretation and Administration

1.1 Title

This By-law may be referred to as the “Town of Arnprior Zoning By-law” and applies to all lands within the Town of Arnprior and it includes Schedule 'A', which is attached to and forms part of this By-law.

1.2 Conformity and Compliance with By-Law

No person shall change the use of any building, structure or land or erect or use any building or structure or occupy any land, building or structure except in accordance with the provisions of this By-law.

1.3 Interpretation

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 Town of Arnprior or any other requirement of the County of Renfrew, the Province of Ontario or the Government of Canada that may affect the use of lands, buildings or structures in the Town of Arnprior.

1.4 Severability

A decision of a court that one or more of the provisions of 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.

1.5 Repeal of Former By-Laws

By-law 4990-2001 of the Town of Arnprior and all amendments thereto are hereby repealed.

1.6 Minor Variances to Former By-Laws

Where the Committee of Adjustment of the Town of Arnprior or the Ontario Municipal Board has authorized a minor variance from the provisions of By-law 4990-2001, as amended, in respect of any land, building or structure and the decision authorizing such minor variance has become final and binding after January 1, 2010, the provisions of this By-law (as they apply to such land, building or structure) are deemed to be modified to the extent necessary to only and solely give effect to the provisions of that previous minor variance that would otherwise not be in conformity or compliance with this By-law.

1.7 Expansions to Legal Non-Conforming Uses

Where the Committee of Adjustment or the Ontario Municipal Board has made a decision in accordance with Sections 45(2)(a) or (b) of the Planning Act, R.S.O. 1990, c.P.13, as amended, and such a decision has become final and binding after January 1, 2010, the provisions of this By-law (as they apply to such use, building or structure) are deemed to be modified to the extent necessary to implement the decision.

1.8 Enforcement

Every person who contravenes this By-law, if the person is a corporation, every director or officer of the corporation who knowingly concurs in the contravention, is guilty of an offence and on conviction is liable:

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

Where a corporation is convicted, the maximum penalty that may be imposed is:

- a) On a first conviction a fine not more than \$50,000;
- b) On a subsequent conviction a fine not more than \$25,000 for each day or part thereof which the contravention has continued after the day on which the corporation was first convicted.

1.9 Illustrations

All illustrations in this By-law are deemed to not be part of this By-law and are included only to assist with the interpretation of the By-law.

1.10 Technical Revisions to the Zoning By-Law

Provided that the purpose, effect, intent, meaning and substance of this By-law are in no way affected, the following technical revisions to this By-law are permitted without a zoning by-law amendment:

- c) Changes to the numbering, cross-referencing, format and arrangement of the text, tables, schedules and maps;
- d) Additions to and revisions of technical information on maps and schedules including, but not limited to: infrastructure and topographic information, notes, legends, shading and title blocks;
- e) Alterations of punctuation or language; and,
- f) Correction of grammatical, dimensional, boundary, mathematical or typographic errors.

Part 2.0 - Establishment of Zones

2.1 Zones

All lands subject to this By-law are contained within one or more of the following Zones:

Residential Zones (see Part 6.0)

R1 - Residential One

R2 - Residential Two

R3 - Residential Three

R4 - Residential Four

Mixed Use Zones (see Part 7.0)

D-CR - Downtown Commercial/Residential

MU-RC - Mixed Use Residential/Commercial

MU-CE - Mixed Use Commercial/Employment

Employment Zone (see Part 8.0)

EMPL - Employment

Other Zones (see Part 9.0)

I - Institutional

A-D - Airport Development

OS - Open Space

EP - Environmental Protection

FD - Future Development

2.2 Zone Symbols

The Zone symbols may be used to refer to lots, buildings and structures and to the use of lots, buildings and structures permitted by this By-law.

2.3 Zone Schedule

The Zones and Zone boundaries are shown on Schedule 'A' that is attached to and form part of this By-law.

2.4 Determining Zone Boundaries

When determining the boundary of any Zone as shown on any Schedule forming part of this By-law, the following provisions shall apply:

- a) A boundary following a street or highway, lane, railway right-of-way, utility corridor or watercourse shall be the centreline of such street or highway, lane, railway right-of-way, utility corridor or watercourse;
- b) A boundary indicated as substantially following lot lines shown on a Registered Plan of Subdivision shall follow such lot lines;
- c) A boundary indicated as running substantially parallel to a streetline and the distance from the streetline is not indicated shall be deemed to be parallel to such a streetline and the distance from the streetline shall be determined according to the scale shown on the Schedule(s);
- d) A boundary indicated as following a lot line abutting an unopened road allowance shall follow the centreline of such road allowance;
- e) Where a lot falls into two or more Zones, each portion of the lot shall be used in accordance with the provisions of this By-law for the applicable Zone; and,
- f) Where none of the above provisions apply, the Zone boundary shall be scaled from the Schedule(s).

2.5 Exception Zones and Temporary Uses

Where a Zone symbol on the attached schedule(s) is followed by one or more numbers following the star (*) symbol, such as R4*1 (exception), the numbers/letters following the star (*) symbol refer to subsections in Part 10.0 (Exceptions) or Part 11.0 (Temporary Uses) of this By-law that apply to the lands noted.

2.6 Holding Zones

Notwithstanding any other provision in this By-law, where a Zone symbol is followed by the letter (H), no person can use the land to which the letter (H) applies for any use other than the use which legally existed on the date the By-law applying the Holding provision came into effect, or expand or replace an existing building or structure, as the case may be until the (H) is removed in accordance with the policies of the Official Plan.

Notwithstanding the above, this provision does not apply to the following uses, which are permitted without the need to remove the Holding provision:

- a) Temporary construction and sales offices and model homes in accordance with Section 4.13 of this By-law.

In addition, the existence of the Holding provision does not prevent the issuance of a building permit to make structural repairs, carry out façade improvements, improve and/or replace plumbing and electrical systems and/or replace openings.

Site-specific or area-specific Holding zones are detailed in Part 12.0 of this By-law.

2.7 Floodplain Overlay Adjacent To the Ottawa and Madawaska Rivers

- a) The Floodplain Overlay is shown on Schedule 'A' and applies to lands along the Ottawa River and along the Madawaska River from the mouth of the Madawaska River to the weir at Madawaska Boulevard.
- b) Within the 1:100 year flood elevation of the Ottawa River as identified by the 76.16 metre contour elevation, no person shall erect any building or structure, including additions to existing buildings and structures and accessory buildings below the 76.46 metre contour elevation, unless it is flood proofed to the 76.46 metre contour elevation and no building openings shall be permitted below this elevation.
- c) For lands along the Madawaska River from the weir at Madawaska Boulevard to the Arnprior Generating Station, as identified by the 80.77 metre contour elevation, no person shall erect any building or structure, including additions to existing buildings and structures and accessory buildings below the 81.07 metre contour elevation, unless it is flood proofed to the 81.07 metre contour elevation and no building openings shall be permitted below this elevation.
- d) For lands along the Madawaska River south of the Arnprior Generating Station the applicable elevations of the Flood Damage Reduction Program (FDRP) mapping shall apply.
- e) To identify the relevant elevations and demonstrate how these zone provisions will be met, a detailed elevation survey prepared by an Ontario Land Surveyor will be required prior to the issuance of any building permit.

2.8 Definitions

For the convenience of the reader, all words that are italicized are defined in Part 3.0 of this By-law.

2.9 Land Ownership

The Town makes no representation or implication, nor should any inference be drawn from the Schedule(s) attached to this By-law as to the ownership of any land and/or rights of access to such land. Ownership and access rights are legal matters that fall solely within the purview of a Court of competent jurisdiction.

Part 3.0 - Definitions

Accessory Building or Structure means a detached building or structure, the use of which is customarily incidental to, subordinate to, or exclusively devoted to the principal use or main building, located on the same lot.

Accessory Use means a use, customarily and normally subordinate to, incidental to and exclusively devoted to a principal use of land or the use of the main building, and located on the same lot.

Adult Entertainment Parlour means an establishment or part thereof in which there is provided, in pursuance of a trade, calling, business or occupation, goods or services appealing to, or designed to appeal to, erotic or sexual appetites or inclinations.

Adult Entertainment Use includes an adult entertainment parlour, adult specialty store and body rub parlour, whether any such use is a principal land use or an accessory use.

Adult Specialty Store means an establishment specializing in the sale of goods and materials appealing to, or designed to appeal to, erotic or sexual appetites or inclinations.

Alteration means any modification to the structural component of a building that results in a change of use, or any increase or decrease in the volume or floor area of a building or structure.

Amenity Area means a common area used for indoor and/or outdoor recreational uses and which may include patios and landscaping areas, balconies, decks, swimming pools, rooftop patios, communal lounges and other similar areas.

Animal Clinic means an establishment where cats, dogs and other domesticated animals (excluding livestock) are evaluated and/or treated for medical conditions and which may have limited boarding facilities for animals in their care for a limited time, but does not include a kennel.

Appealing To, Or Designed To Appeal To, Erotic Or Sexual Appetites Or Inclinations means when used to describe goods and services, includes,

- a) Goods or services of which a principal feature or characteristic is the nudity or partial nudity of any person; and,
- b) Goods or services in respect of which the word “nude”, “naked”, “topless”, “bottomless”, “sexy”, or any other word, picture, symbol or representation having like meaning or implication is used in any advertisement.

Art Gallery means an establishment used for the preservation, exhibition and/or sale of paintings or other works of art.

Asphalt plant means an industrial use that produces and/or recycles asphalt or similar coated road stone and has equipment designed to heat and dry aggregate and to mix mineral aggregate with bitumen and/or tar, and includes:

- a) The stockpiling and storage of bulk materials used in the process or finished product(s) manufactured on the premises; and,
- b) The storage and maintenance of equipment, and facilities for the administration or management of the business.

Balcony means a partially enclosed platform attached to or extending horizontally from one or more main walls of a building and which is not accessed by stairs from the outside.

Banquet Hall means an establishment for the purpose of catering to banquets, weddings, receptions or similar functions for which food and beverages are prepared and/or served.

Barrier-free means a building and its facilities, which can be approached, entered and used by persons with physical or sensory disabilities.

Basement means that portion of a building below the first storey.

Bay Window means a window or a combination of windows that protrudes from the wall of a building and is not supported by a foundation wall.

Bed and Breakfast Establishment means a single-detached dwelling in which no more than three guest rooms are made available by the resident of the said dwelling for the temporary accommodation of the traveling public for time periods of less than 30 days.

Boarding, Lodging or Rooming House means a single-detached dwelling in which lodging is provided for more than four persons in return for remuneration or for the provision of services or for both, and in which the lodging rooms do not have both bathrooms and kitchen facilities for the exclusive use of individual occupants.

Body Rub includes the kneading, manipulating, rubbing, massaging, touching or stimulating, by any means, of a person's body or thereof but does not include medical or therapeutic treatment given by a person duly qualified, licensed or registered to do so under the laws of the Province of Ontario

Body Rub Parlour means an establishment where a body rub is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where body rubs are performed for the purpose of medical or therapeutic treatment and are performed by persons duly qualified, licensed or registered to do so under the laws of the Province of Ontario.

Brewery means establishment where alcohol is produced and may include storage, display, processing, tasting and retail, administrative facilities, but shall not include a restaurant or banquet hall. This definition shall also include a cidery or distillery.

Building means a structure occupying an area greater than 10 square metres consisting of any combination of a wall, roof and floor, or a structural system serving the function thereof, including all associated works, fixtures and service systems.

Building, Main means a building in which is carried on the principal purpose for which the lot is used.

Business Office means an establishment used by an agency, business or organization for the transaction of administrative, clerical or management business, the practice of a profession and/or the provision of government or social services and other similar services, but which does not include a medical office.

Business Service Use means an establishment where services are provided primarily to employment uses on a fee or contract basis, including but not limited to advertising and mailing, building maintenance, caretaking and cleaning, employment services, protective services, and information technology and computer services, but does not include a retail store or a personal service shop.

Carport means a building or structure that is not wholly enclosed, and is used for the parking or storage of one or more motor vehicles.

Car Wash means an establishment in which the mechanical or hand washing of motor vehicles is carried out.

Cannabis Related Facility means an establishment where the cultivation, processing, analytical testing and/or research of cannabis occur as authorized by a license by the Government of Canada.

Cemetery means:

- a) Land that has been established as a cemetery under the Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, Chapter 33, a private Act or a predecessor of one of them that related to cemeteries, or
- b) Land that was recognized by the registrar as a cemetery under a predecessor of the Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, Chapter 33, that related to cemeteries, and includes,
- c) Land that, in the prescribed circumstances, has been otherwise set aside for the interment of human remains, and,
- d) A mausoleum or columbarium intended for the interment of human remains.

Child Care Centre means an establishment operated by a person that is licensed in accordance with the Child Care and Early Years Act, as amended.

Commercial Fitness Centre means an establishment where physical fitness and recreation equipment and/or instruction are provided for use by the general public.

Commercial Motor Vehicle means a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, buses and tractors used for hauling purposes on the street or highway.

Commercial Recreation Use, Private means a privately owned sports or recreation establishment operated for use by private members and/or the general public for compensation and includes uses such as a pool hall, bowling alley, skate park, paint ball facility, curling rink, rock climbing facility and miniature golf.

Commercial Self-Storage Use means an establishment used for the temporary storage of household items and secured storage areas or lockers which are generally accessible by means of individual loading doors.

Community Centre means a building or part of a building that is owned and/or operated by a public authority or a community service group that provides social, recreational or other similar facilities for use by the general public.

Community garden means an area of land, rooftop, or other space managed and maintained by individuals and/or non-profit organizations that is not located in a building, to grow and harvest:

- a) Food crops; and/or
- b) Non-food, ornamental crops, such as flowers grown for personal or group use, consumption or donation.

Conservation Use means an area of land that is generally left in its natural state and which is used for any combination of preservation, protection, or improvement of components of the natural heritage system and which may include, as an accessory use, passive recreational uses (such as hiking trails and cross country ski trails), and buildings and structures (such as nature interpretation centres and public information centres).

Contractor's Yard or Shop means an establishment used by any general contractor or builder where equipment and materials are stored, or where a contractor and/or builder performs shop and assembly work, and/or offers a trade or service, which is not generally open to the public, and includes, but is not limited to, landscaping services, excavators, roofing, industrial electricians, general construction services, and welding services, or other similar services but does not include any other use as defined by this By-law.

Corporation means the Corporation of the Town of Arnprior.

Council means the Council of the Corporation.

County Road means a street or highway under the jurisdiction of the County.

Crematorium means a building that is fitted with appliances for the purpose of cremating human remains and that has been approved as a crematorium or established as a crematorium in accordance with the requirements of Funeral Burial and Cremation Services Act and includes everything necessarily incidental and ancillary to that purpose.

Crisis Intervention Home means an institutional facility providing counselling, assistance and temporary emergency shelter for the homeless and/or for the victims of a domestic conflict or physical assault/abuse of any kind.

Deck means a structure that is accessory to a residential use and used as an outdoor living area, with posts holding it erect and a floor that is above finished grade and shall not include a landing or a stair.

Drive-Through Service Use means a building or structure or part thereof where goods and/or services are offered to the public within a parked or stationary vehicle by way of a service window or kiosk, where goods, money or materials are exchanged. Kiosks within a parking garage or associated with a surface parking area are not considered to be drive-through service facilities.

Driveway means a defined area providing access for motor vehicles from a street or highway, a private street or a lane to a parking area, parking garage, parking lot, loading space, private garage or carport.

Dwelling, Apartment means a dwelling unit in a building containing four or more dwelling units that share a common external access to the outside through a common vestibule and/or a common corridor system. A dwelling unit in any other type of building is not an apartment dwelling.

Dwelling, Duplex means a dwelling unit in a building that is divided horizontally into two dwelling units, each of which has an independent entrance either directly to the outside or through a common vestibule or a combination of both. A dwelling unit in any other type of building is not a duplex dwelling.

Dwelling, Multiple means a dwelling unit in a building containing four or more dwelling units that would not be considered any other type of dwelling unit as defined by this By-law.

Dwelling, Semi-Detached means a dwelling unit in a building that is divided vertically into two dwelling units that share a common wall above and below grade. A dwelling unit in any other type of building is not a semi-detached dwelling.

Dwelling, Single Detached means a dwelling unit in a building containing only one dwelling unit.

Dwelling, Street Townhouse means a dwelling unit in a building that is vertically divided into a minimum of three dwelling units, each of which has an independent entrance to the outside to the front, rear and/or side of the building.

Dwelling, Triplex means a dwelling unit in a building that is divided horizontally or is divided horizontally and vertically into three dwelling units, each of which has an independent entrance to the outside or through a common vestibule or a combination of both. A dwelling unit in any other type of building is not a triplex dwelling.

Dwelling Unit means a suite operated as a housekeeping unit, used or intended to be used by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities.

Easement, Public means an instrument that is registered on title that provides for the use of land subject to the easement for sewer, water, drainage or utility purposes and which may include a right-of-way in favour of a public authority.

Fence means a structure or partition made of wood, metal or other substance that is constructed for any purpose, such as marking the boundary of a property, enclosing a property, providing privacy, preventing access by people or animals, or dividing a property into sections, and includes every door, gate and other closure that forms part of a fence.

Financial Institution means a bank, credit union, trust company or similar lending institution that is open to the general public.

First Storey means the storey with its floor closest to established grade and having its ceiling more than 1.8 metres above grade.

Floor Area, Gross means the aggregate of the areas of each floor of a building or structure above or below established grade, measured between the exterior faces of the exterior walls of the building or structure, or where there are common walls between uses or buildings or structures; measured to the centre-line of a common wall.

Floor Area, Net means the aggregate of the gross floor areas of a building above or below established grade, but excluding:

- a) Motor vehicle parking areas within the building;
- b) Stairways and common hallways;
- c) Elevator shafts and other service and mechanical shafts;
- d) Service/mechanical rooms and penthouses;
- e) Washrooms;
- f) Waste/recycling rooms;
- g) Staff locker, staff restrooms and staff lunch rooms;
- h) Loading areas within and outside a building;
- i) Any space with a floor to ceiling height of less than 1.8 metres; and,

j) Any part of a basement that is unfinished.

Funeral Home means an establishment used for the temporary placement of dead human bodies, and cremated human remains, so that persons may attend funeral services and pay their respects, but does not include a crematorium.

Garage, Private means an enclosed building, or part thereof, designed and used for the storage of one or more motor vehicles

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

Gas Bar means an establishment used only for the sale of motor vehicle fuels and motor vehicle accessories, and may also include accessory retail sales of convenience foods and beverages and car washes, but shall not include the performance of repairs to a motor vehicle.

Golf Course means an outdoor public or private area operated for the purpose of playing golf and includes a par three golf course, a miniature golf course and putting greens.

Golf Driving Range means an indoor or outdoor public or private facility dedicated to the driving of golf balls from fixed golf tees.

Grade, Established means the finished ground surface at the outside wall of the building or structure facing the street or highway.

Group Home means residential accommodation for up to 10 people (exclusive of staff) with special needs beyond economic requirements, including physical, social and mental needs, which require support functions for daily living.

Hangar means a building or structure designed for the shelter of an aircraft. A private hangar shall not be serviced.

Hangar, Cluster means a single building or structure designed for the shelter of more than one aircraft.

Height means with reference to a building or structure, the vertical distance measured from the average elevation of the finished surface of the ground at the front of the building to:

- a) The highest point of the roof surface or the parapet, whichever is the greater, of a flat roof;
- b) The deckline of a mansard roof;

- c) The mean height between the eaves and ridge of a gabled, hip or gambrel roof or other type of pitched roof; and,
- d) In case of a structure with no roof, the highest point of the said structure.

High Water Mark means the mark made by the action of water under natural conditions on the shore or bank of water, which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark. In a case where the water level is regulated, the high water mark is the presumed high water mark established by the regulating authority.

Home Business means an occupation conducted within a dwelling unit by the resident or residents of the dwelling unit and which is an accessory use to the dwelling unit.

Home Child Care means the caring of children in a dwelling unit in accordance with the Child Care and Early Years Act, as amended and which is not a child care centre.

Home Improvement Centre means a retail store that combines the function of a hardware store with those of a lumber yard and where a range of building supplies, tools, lumber, garden supply and landscaping products and other products used to improve buildings, structures and land are sold and which may include the rental of tools and equipment.

Hospital, Public means any institution, building or other premises or place established for the purpose of the treatment of persons, and that is approved under The Public Hospitals Act, R.S.O. 1990, Chapter P40, as amended, as a public hospital.

Hotel means an establishment containing lodging rooms for the travelling public and may include accessory meeting facilities, recreation facilities, a restaurant, banquet hall, and retail stores which are incidental and subordinate to the primary lodging function and located on the same lot, and which does not include a bed and breakfast establishment or a boarding, lodging or rooming house.

Industrial Use means an establishment used for the warehousing of goods and materials, the assembly of manufactured goods, the manufacturing of goods, the repair and servicing of goods and similar uses, but does not include a motor vehicle repair garage, a motor vehicle body shop or a motor vehicle service station. For the purposes of this definition, research laboratories and printing establishments are considered to be industrial uses.

Infrastructure means physical structures (facilities and corridors) that form the foundation for development. Infrastructure includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

Kennel means an establishment where dogs and other domestic pets are boarded for more than 24 hours and/or are kept for the purposes of breeding.

Kennel, Day means an establishment where dogs are boarded for a continuous period not exceeding twenty-four hours.

Landscaping means trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, screening or other architectural elements, all of which are designed to enhance the visual amenity of a property and shall not include parking areas, driveways or ramps and shall not be used for the parking of motor vehicles and may include walkways, driveways and ramps that provide access onto the lot from the street or highway.

Landscaped Open Space means that space on a lot that is not covered by buildings or structures and is used exclusively for landscaping.

Lane means a right of way owned by the Corporation that is not intended for general traffic circulation and which provides motor vehicle access to an abutting lot.

Library means an institutional use in a building or part of a building containing printed, electronic and pictorial material for public use for purposes of study, reference and recreation.

Light Equipment Sales and Rental Use means an establishment where light machinery and equipment are offered or kept for sale, rent, lease or hire under agreement for compensation and which may include an accessory service shop. For the purposes of this definition, light equipment does not include farm vehicles or equipment and transport trucks and trailers.

Loading Space means an unobstructed area of land that is used for the temporary parking of one or more commercial motor vehicles while merchandise or materials are being loaded or unloaded from such vehicle.

Long Term Care Home means a place that is licensed as a long-term care home under the Long-Term Care Homes Act, 2007, S.O. 2007, c.8. and includes a municipal home, joint home of First nations home.

Lot means a parcel of land that is registered as a legally conveyable parcel of land in the Land Titles Registry Office.

Lot Area means the total horizontal area within the lot lines of a lot

Lot, Corner means a lot at the intersection of two or more streets or highways or upon two parts of the same street or highway with such streets or highways containing an angle of less than or equal to 135 degrees.

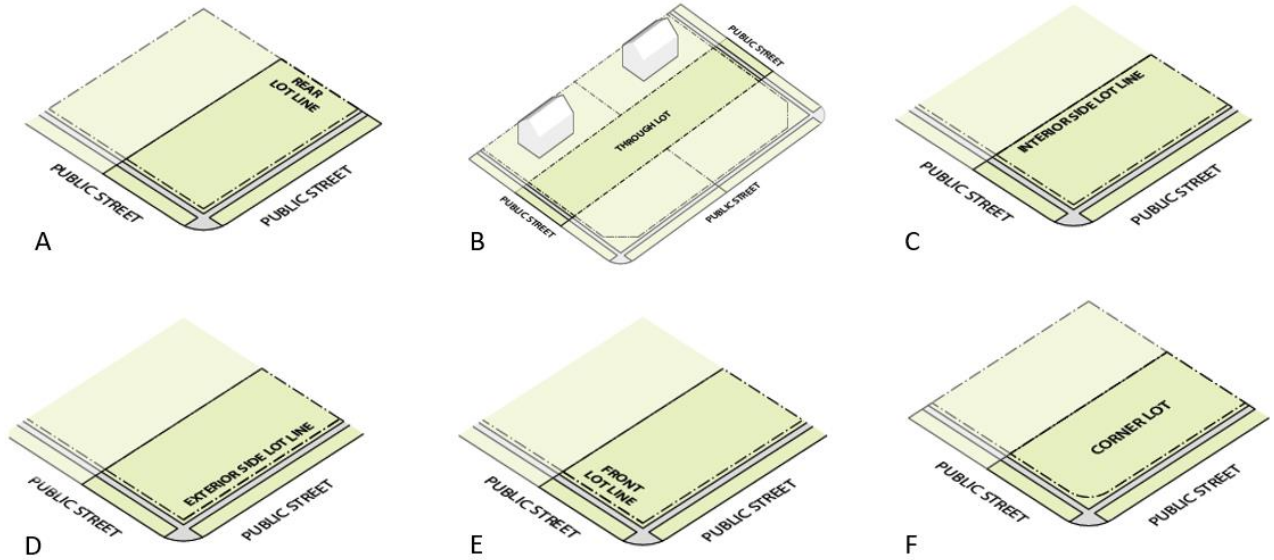
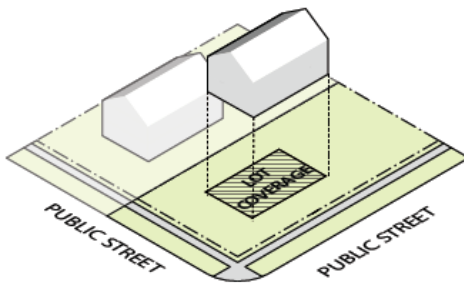


Figure 3.1 A. Rear lot line; B. Through lot; C. Interior side lot line; D. Exterior side lot line; E. Front lot line; and F. Corner lot.



Lot, Coverage means that percentage of the lot covered by all buildings and shall not include that portion of such lot area that is occupied by a building or a portion thereof that is completely below grade. Lot coverage in each zone shall be deemed to apply only to that portion of such lot that is located within said zone.

Figure 3.2 Lot coverage.

Lot Frontage means the horizontal distance between two interior side lot lines or between an interior side and exterior side lot line or between two exterior side lot lines with such distance being measured along the front lot line. Where the front lot line is not straight, or where the two side lot lines are not parallel, the lot frontage shall be measured along a line that is 6.0 metres back from and parallel to the streetline.

Lot, Interior means a lot situated between adjacent lots and having access to one street or highway.

Lot Line, Interior Side means a lot line, other than a rear lot line that does not abut a public street.

Lot Line means a line delineating any boundary of a lot.

Lot Line, Exterior Side means the lot line of a corner lot, other than the front lot line, which divides the lot from a street or highway.

Lot Line, Front means the lot line that divides the lot from the street or highway, provided that in the case of a corner lot, the shorter lot line that abuts a street or highway is deemed to be the front lot line and the longer lot line that abuts a street or highway is deemed to be an exterior side lot line.

Lot Line, Rear means the lot line opposite to, and most distant from, the front lot line. For the purpose of this definition, if two side lot lines join at a point, that point shall be deemed as a rear lot line.

Lot, Through means a lot that is not a corner lot but has frontage on more than one street or highway. If a lot is a through lot, both of the lot lines abutting the street or highway are deemed to be front lot line.

Main Wall means the exterior front, side and/or rear wall of a building and all structural components essential to the support of a fully enclosed space.

Medical Office means an establishment used for the medical, dental, surgical and/or therapeutic treatment of human beings including clinics operated by a number and/or variety of licensed medical professionals, but does not include a private or public hospital.

Motel means an establishment containing multiple rooms with no private cooking facilities that are rented to the travelling public for temporary sleeping accommodation, with each of the rooms accessed from the outside and which does not include a bed and breakfast establishment or a boarding, lodging or rooming house.

Motor Vehicle means an automobile, motorcycle, motor-assisted bicycle unless otherwise indicated in the Highway Traffic Act, as amended, and any other vehicle propelled or driven otherwise than by muscular power.

Motor Vehicle, Commercial means a motor vehicle which is designed for the transport of goods and which is used for business, employment or commercial purposes.

Motor Vehicle Body Shop means an establishment used for the painting and/or repairing of the exterior and/or the undercarriage of motor vehicle bodies.

Motor Vehicle Repair Garage means an establishment where the services performed or executed on motor vehicles for compensation shall include the installation of exhaust system, repair of the electrical system, transmission repair, brake repair, radiator repair, tire repair and installation, rustproofing, motor vehicle diagnostic centre, major and minor mechanical repairs or similar use, but does not include a motor vehicle body shop.

Motor Vehicle Rental Establishment means an establishment used for the rental of motor vehicles.

Motor Vehicle Sales and Rental Establishment means an establishment used for the sale or rental of motor vehicles.

Municipal Airport Uses means those uses such as aircraft assembly and repair plant, aircraft sales and rental facility, accessory restaurant, accessory business office, fuel tank storage and unserviced campsites for fly-in visitors.

Museum means a non-profit, permanent institution in the service of society and its development, open to the public, which acquires, conserves, researches, communicates and exhibits the tangible and intangible heritage of humanity and its environment for the purposes of education, study and enjoyment.

Non Complying means a building, structure or lot that does not comply with the regulation(s) of this By-Law.

Non Conforming Use means an existing use that is not a permitted use in the zone in which the said use is situated.

Outdoor Display and Sales Area means an outdoor open space area, used in conjunction with the main building or structure on the same lot, for the accessory display and/or sales of produce, merchandise or the supply of services in association with the primary use of the lot. Such a display and/or sales area may be wholly or partially contained within a temporary tent structure.

Outdoor Storage means an area of land used in conjunction with a business located within a building or structure on the same lot, for the storage of goods and materials.

Outdoor Storage Use means an area of land used for the storage area forming the principal use of a lot, such as a contractor's, construction equipment or materials yard.

Park, Public means any area of land under the jurisdiction of a public authority that is designed and/or maintained for recreational purposes. Without limiting the generality of the foregoing, a park may include municipal parks and playgrounds, golf courses, swimming pools, tennis courts, bowling greens, arenas, boating facilities and sports fields and ancillary retail uses.

Park, Private means an open space or recreational area other than a public park, operated on a commercial and/or private member basis, and which includes one or more recreational uses.

Parking Area means an open area of land not located within a street or highway or lane that is used for the parking of four or more motor vehicles, but shall not include any area where motor vehicles for sale, rent or repair are kept or stored.

Parking Garage means a building, or part thereof, used for the storage or parking of motor vehicles for a number of dwelling units and/or a number of different uses.

Parking Lot, Commercial means an area of land used for the parking of motor vehicles for a fee.

Parking Space means a space that has been designed and/or located for the parking of a motor vehicle or a bicycle.

Parking Space, Tandem means a parking space that is located behind another parking space and which, if used, prevents the other parking space from being accessed by a motor vehicle.

Patio means an area of land that is the site of decorative stone or other material that rests upon the ground that is intended for use as an outdoor amenity area, but does not include a deck, balcony or porch.

Personal Service Use means an establishment where a service is performed for the grooming of a person (such as hairstyling) and/or the repair and/or cleaning of personal effects (such as shoe repair and dry cleaning) but does not include a use that is defined in this By-law.

Place of Entertainment means a motion picture or live theatre, arena, auditorium, planetarium, concert hall and other similar uses but shall not include an adult entertainment parlour, any use entailing the outdoor operation or racing of animals or motorized vehicles, a casino or any other establishment accommodating or providing gambling or gaming activities, wagering or betting, video lottery or gaming machines, or any other similar type of gambling use.

Place of Worship means a building or part of a building used by a religious group(s) for the practice of religious rites and associated activities.

Planting Strip means an area of land that is used exclusively for landscaping and can be crossed by driveways and walkways accessing a lot from the street or highway.

Porch means a structure with a roof and at least at least one side that is open and unenclosed that is accessed by stairs from grade and which provides access to the first storey of a dwelling unit.

Private Club means an establishment used as a meeting place by members and guests of members of non-profit and non-commercial organizations for community, social or cultural purposes. This definition does not include uses that are normally carried out as a commercial enterprise.

Public Authority means any commission, board, or authority or any quasi-public body that is controlled by the Federal, Provincial, County and Town government.

Public Hall means an establishment used as a banquet hall, meeting hall, or trade and convention centre for which banquets, weddings, receptions, auctions, trade shows, or

other similar functions may be held, and for which food and beverages may be prepared and served.

Repair Shop means an establishment used primarily for the repair of household articles but shall not include shops for the repair of internal combustion engines, motor vehicles or other similar uses.

Reserve means a strip of land abutting a street or highway and owned by the authority having jurisdiction over such a street or highway.

Restaurant means an establishment in which the principal business is the preparation and serving of food and refreshments to the public for consumption at tables within or outside the building and which may include the preparation of food in a ready-to-consume state for consumption off the premises.

Retail Store means an establishment 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.

Refreshment Stand means a structure, which is not able or intended be relocated readily (not on wheels), and is designed as to be capable of being used and is used for the purpose of the sale or dispensing of food, and/or drinks, intended for consumption by the general public.

Refreshment Vehicle means a vehicle, which can be relocated readily (motorized or on wheels), and which is designed as to be capable of being used and is used for the purpose of the sale or other dispensing of food, and/or drinks, intended for consumption by the general public.

Retirement Home means a residential complex or a part of a residential complex that is occupied primarily by persons who are 65 years of age or older, is occupied by individuals that are not related to the operator of the home and where the operator of the home makes at least two care services available, directly or indirectly, to the residents, and which does not include a long term care home, a private hospital or a public hospital.

School, Commercial means an establishment used as a school conducted for gain, including a studio of a dancing teacher or a music teacher, an art school, a golf school, school of calisthenics, business or trade school and any other such specialized school.

School, Commercial Trade means an establishment where instruction, training, or certification in a specific trade, service, or skill is provided.

School, Portable means a temporary building or structure designed to serve as a classroom on a lot that is also the site of a public school.

School, Private means an establishment used as an academic institution that is not a public school.

School, Public means a building or part of a building used as an academic school under the jurisdiction of a Provincially approved educational institution or school operated on a non-profit basis.

Secondary Residential Unit means a separate dwelling unit containing bathroom and kitchen facilities that is subordinate to an existing residential structure.

Shipping Container means a freight container that is used for the transportation and storage of goods and materials that are loaded onto trucks, trains or ships for the purpose of moving of goods and materials. A shipping container shall also include, but not be limited to the body of a transport trailer or a straight truck and any prefabricated portable metal storage unit. For the purpose of this definition, a shipping container does not have wheels or include a motor vehicle or a transport trailer.

Shopping Centre means a commercial development, containing at least three individual business establishments, designed as a single, comprehensively planned development project with relationships between the shopping centre buildings, activities, open spaces, parking areas, loading areas, driveways, other shared facilities, public areas and adjoining streets, and held in single ownership or by participants in a condominium corporation or commercial cooperative.

Sight Triangle means the triangular space on a lot formed by two intersecting street lines and a line drawn from a point in one street line across such lot to a point in the other street line, each such point being 9.0 metres from the point of intersection of the street lines (measured along the street lines). Where two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the tangents to the street.

Storey means that portion of a building:

- a) That is situated between the top of any floor and the top of the floor next above it, or,
- b) That is situated between the top of the floor and the ceiling above the floor, if there is no floor above it.

Street or Highway means a roadway owned by a public authority and for the purposes of this By-law does not include a private street or lane.

Streetline means the lot line that separates a lot from a street or highway.

Street, Private means a private right-of-way that is used by motor vehicles but is not owned by the Corporation or any other public authority.

Structure means anything that is erected, built or constructed of parts joined together and attached or fixed permanently to the ground or any other structure. For the purpose of this By-law, a fence, a light standard, transformers, an antenna and a sign shall be deemed not to be structures. For the purpose of setback calculations, natural gas or electricity metres and air conditioning units, dog houses, freestanding mail boxes, driveway entrance pillars, statues, storage lockers under 1 metre high, pool pumps and filters not inside accessory buildings, flag poles, free standing trellises, shopping cart enclosures, waste receptacles, school bus shelters, composters, planters, and barbeques are not considered structures for the determination of setbacks.

Swimming Pool means any body of water contained by artificial means located outdoors on privately owned property in which the depth of the water at any point can exceed 0.6 metres and shall include any accessory deck or support structure.

Tasting Room means premises where food and beverage are offered for consumption by the public under license from the Alcohol and Gaming Commission of Ontario and are secondary and accessory to a brewery.

Trade and Convention Centre means a building or part of a building where facilities are provided for the displaying of goods and/or services for the general public, such as an auto show or a computer trade show or where groups of people meet for civic, educational, political, religious or social purposes.

Transport Terminal means the use of land for the purpose of storing, servicing, washing, repairing or loading of trucks and/or transport trailers with materials or goods which are not manufactured, assembled, warehoused, or processed on the same lot, and which may include a warehouse.

Warehouse means a building or part thereof, which is used primarily for the housing, storage, adapting for sale, packaging or wholesale distribution of goods, wares, merchandise, food stuff substances and articles, but does not include a fuel storage tank.

Yard means an open, uncovered space on a lot pertaining to a building and unoccupied by buildings or structures except as specifically permitted in this By-law.

Yard, Exterior Side means the yard of a corner lot extending from the front yard to the rear yard between the exterior side lot line and the nearest main walls of the main building or structure on the lot.

Yard, Front means a yard extending across the full width of the lot between the front lot line and the nearest main walls of the main building or structure on the lot.

Yard, Interior Side means a yard other than an exterior side yard that extends from the front yard to the rear yard between the interior side lot line and the main walls of the main building or structure on the lot.

Yard, Maximum means the maximum distance of a yard from a lot line. In calculating the maximum yard, the minimum horizontal distance from the respective lot line is to be used.

Yard, Rear means a yard extending across the full width of the lot between the rear lot line and the nearest main walls of the main building or structure on the lot.

Yard, Required means the minimum distance of a yard required from a lot line. No part of a required yard for a building or structure is to be included as part of a required yard for another building or structure. In calculating required yards, the minimum horizontal distance from the respective lot lines is to be used.

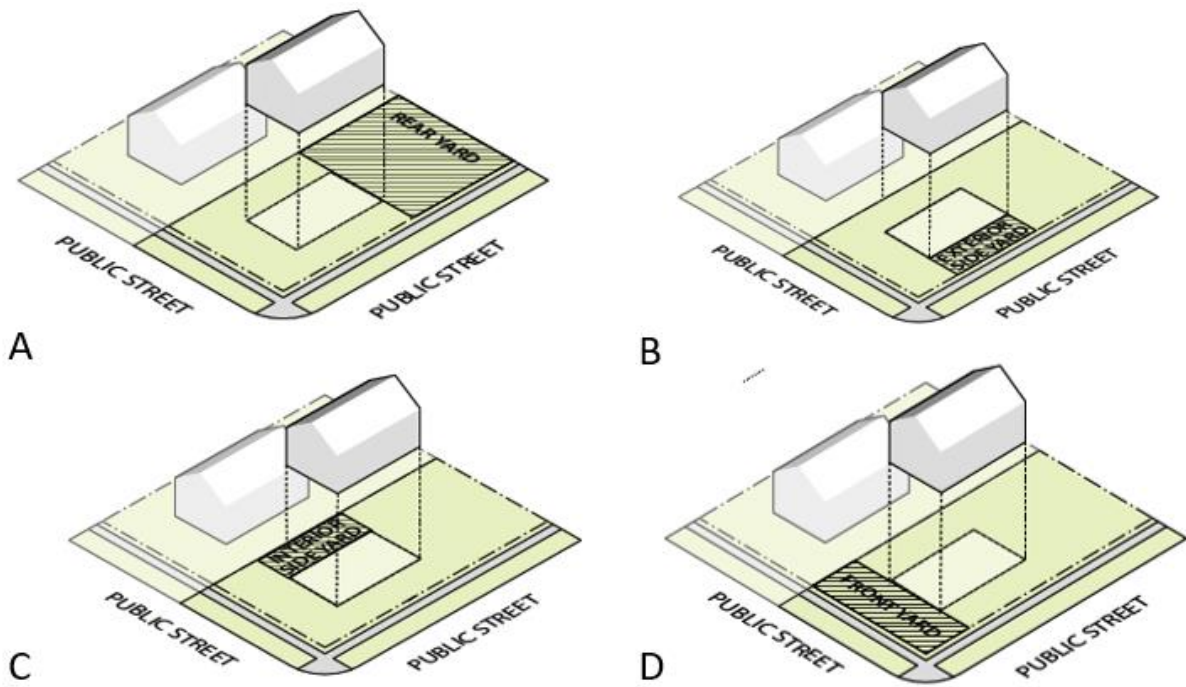


Figure 3.3 A. Rear yard; B. Exterior side yard; C. Interior side yard; and D. Front yard.

Zone means a classification of a land use shown on the Zoning Schedule(s) of this By-law.

Part 4.0 - General Provisions

4.1 Accessory Buildings, Structures and Uses

Unless otherwise specified, accessory uses, buildings and structures are permitted in all zones and are subject to the following provisions:

- a) No accessory building or structure can be erected on a lot prior to the erection of the main building on the lot.
- b) No accessory building or structure can be used for human habitation or home business, unless expressly permitted by this By-law.
- c) No accessory building or structure can be located within an easement that is in favour of a public authority;
- d) Accessory buildings and structures in an interior side yard must be located no closer than 1.2 metre from the interior side lot line if the minimum yard for the main building is 1.2 metres or greater. If the minimum yard for the main building is less than 1.2 metres, no part of any accessory buildings and structures in an interior side yard may be located closer than 0.6 metres from the interior side lot line.
- e) Accessory buildings and structures in a rear yard must be located no closer than 1.2 metres from the rear lot line.
- f) The maximum height of accessory buildings or structures in all zones is 5.0 metres, unless specified otherwise.

4.2 Accessory Waste Storage Areas

Accessory waste storage areas are subject to the following provisions:

- a) All waste generated by the occupants of 6 or more dwelling units on a lot or from any mixed use, employment or institutional use must be stored inside a building or structure on the same lot or deposited in purpose built non-metal receptacle(s) that are designed for that purpose and which can only be moved by a motor vehicle or machine provided the waste storage building or structure or purpose built non-metal receptacle:
 - (i) Is located within the interior side or rear yard;
 - (ii) Is located no closer to any lot line than required for an accessory building or structure by this By-law;
 - (iii) Does not occupy any required parking spaces, loading spaces and the access to these parking and loading spaces; and,
 - (iv) Is located outside of any required planting strip.
- b) Where a waste storage building or structure is provided in accordance with sub-section (a) above, the building or structure must be surrounded on all

sides by masonry, concrete, or wooden walls in order to provide screening. This provision does not apply to a purpose built non-metal receptacle.

- c) Notwithstanding subsections (a) and (b), the temporary storage of waste in any type of container or receptacle is permitted anywhere on a lot if construction, demolition, or site alteration works are occurring on the same lot, and only as long as these activities are occurring.

4.3 Barrier Free Access Ramps and Lifts

Nothing in this By-law prevents the establishment of barrier-free entrances in accordance with the requirements of the Ontario Building Code. In addition, nothing prevents the location of barrier-free entrances in a private garage that is attached to a dwelling unit provided the required number of parking spaces can still be provided.

4.4 Exceptions to Height Requirements

The height requirements of this By-law shall not apply to:

- a) Place of worship spires;
- b) Place of worship belfries;
- c) Chimneys;
- d) Clock towers;
- e) Transmission and telecommunication towers;
- f) Water storage tanks;
- g) Monuments;
- h) Flag poles;
- i) Agricultural buildings and structures, including silos and grain elevators;
- j) Storage tanks and silos associated with an industrial use in an Employment Zone;
- k) Any ornamental roof construction features including but not limited to domes, chimneys, towers and steeples;
- l) Any mechanical features, such as structures containing a mechanical penthouse or the equipment necessary to control an elevator;
- m) Aggregate processing facilities; and,
- n) Buildings and structures associated with a public works yard operated by a public authority.

4.5 Fences

a) No fence shall be constructed at a height greater than 1.9 meters in the front or exterior side yard on a lot in a residential zone.

b) No person shall erect a fence or privacy screen unless it is; constructed of materials specifically designed or commonly used for fencing purposes and is in good repair, including being vertical, stable and structurally sound

4.6 Frontage on A Street or Highway

Unless otherwise specified by this By-law, no person shall erect any building or structure and no person shall use any building or structure, lot or parcel unless the lot or parcel to be so used, or upon which the building is situated or erected or proposed to be erected:

- a) Abuts or fronts on a street or highway which is assumed by by-law by a public authority for maintenance purposes; or,
- b) Is being constructed pursuant to a Subdivision Agreement with a public authority; or,
- c) Fronts on a year round maintained street or highway that was not established as a consequence of Registering a Plan of Subdivision; or,
- d) Is a private street within a Plan of Condominium that either provides direct access to a street or highway or which connects with other private streets within a Plan of Condominium or other Plans of Condominium to access a street or highway.

For the purposes of this By-law, the front lot line of a lot separated from a street or highway by a reserve owned by a public authority shall be deemed to abut such a street or highway.

4.7 Multiple Uses and Zones On One Lot

- a) Where any building, structure or lot is used for more than one purpose as provided by this By-law, the said building, structure or lot must comply with the provisions of this By-law relating to each use.
- b) Where a lot is divided into more than one zone, each portion of the lot must be used for a purpose that is permitted within each applicable zone. Accessory buildings and structures must be located in the same zone as the main building. In no case shall the zone boundary function as a lot line for the purposes of determining required setbacks and minimum yards.

4.8 Non-Complying Buildings and Structures

4.8.1 Replacement, Enlargement, Repair or Renovation

- a) A non-complying building or structure that does not comply with this By-law, but which was legally erected/altere d in accordance with a by-law that was in effect in accordance with Section 34 of the Planning Act R.S.O. c. P. 13 as amended at the time of construction and/or alteration may be replaced, enlarged, repaired or renovated provided that the replacement, enlargement, repair or renovation:
 - (i) Does not encroach further into a required yard;
 - (ii) Does not further increase a situation of non-compliance;
 - (iii) Complies with all other applicable provisions of this By-law; and,
 - (iv) Does not increase the amount of volume or floor area within an enclosed space in a building or structure in a minimum yard or setback area, if the yard or setback area is located adjacent to the Madawaska River or the Ottawa River.
- b) Nothing in this By-law prevents the repair, strengthening or restoration to a safe condition of any legal non-complying building or structure or part thereof provided that the dimensions and use of the original building or structure or of any yards associated thereto, are not altered in any way except in conformity with this By-law.
- c) Notwithstanding Section 4.7.1 (b), nothing in this By-law prevents the replacement or rebuilding of a legal non-complying building or structure, if it has been destroyed by means beyond the control of the owner, provided that the dimensions and use of the original building or structure or of any yards associated thereto, are not altered in any way except in conformity with this By-law.

4.8.2 Non-Compliance As A Result Of Acquisition by a Public Authority

Notwithstanding any other provision of this By-law, where, as a result of an acquisition of land by a public authority, such acquisition results in a contravention of this By-law, the following applies:

- a) If the acquisition results in a contravention of this By-law with respect to minimum lot frontage and lot area requirements, the remaining lot frontage and/or lot area shall be deemed to be legal non-complying;
- b) If the acquisition results in a contravention of this By-law with respect to parking space, planting strip, front yard, interior side yard, exterior side yard, rear yard or any other requirement, the lands so affected are deemed to comply with this By-law to the extent it complied with this By-law on the day before the acquisition was finalized;
- c) Notwithstanding subsection (b), no new building, structure or addition to an existing building or structure shall be erected or located except in

accordance with all the provisions of this By-law, excluding subsection (a); and,

- d) Notwithstanding any other provision in this By-law, where as a result of the establishment of a new street or highway abutting a lot that would have been considered an interior lot prior to the establishment of the street or highway, such lot shall continue to be considered an interior lot for the purposes of determining compliance with this By-law.

4.9 Non-Complying Lots

A lot in existence prior to the effective date of this By-law that does not meet the lot area and/or lot frontage requirements of the applicable Zone, is permitted to be used and buildings and structures thereon be erected, enlarged, repaired or renovated provided the use conforms with the By-law and the buildings or structures comply with all of the other provisions of this By-law.

4.10 Non-Conforming Uses

No lands shall be used and no building or structure shall be used except in conformity with the provisions of this By-law unless such use existed before the date of passing this By-law and provided that it has continued and continues to be used for such purpose, and that such use, when established, was not contrary to any By-law in force at that time.

4.11 One Lot for Zoning Purposes

- a) A group of occupancies located in a Downtown – Commercial/Residential, Mixed Use – Residential/Commercial, Mixed Use – Commercial/Employment, Institutional, or Employment Zone that:
- b) 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;
- c) Are made up of entirely of uses permitted or lawfully non-conforming on the site, and has a common parking lot or parking garage or a combination thereof.
- d) Have entered into an agreement, satisfactory to the municipality, for the joint use and maintenance of the lot.

4.12 Permitted Uses In All Zones

- a) Public uses and infrastructure are permitted in all Zones, with the exception of the Environmental Protection (EP) Zone, unless such uses are expressly permitted by this By-law.
- b) Nothing in this By-law prevents the use of any land, building or structure for infrastructure or as a street or highway, nor prevent the installation of a utility including a water main, sanitary sewer, storm sewer, gas main,

pipeline or overhead or underground electrical lines, sewage pumping station, municipal well and related structure, water storage tower or water reservoir, public or municipal works depot, sewage of water treatment plant in any zone, with the exception of the Environmental Protection (EP) Zone.

- c) Where a public use is permitted in any zone, the following provisions apply:
 - (i) Such public use must comply with all applicable zone standards, and parking and loading requirements of the zone in which it is located.
 - (ii) No outdoor storage or outdoor storage use is permitted unless specifically permitted in the zone in which the public use is located.
 - (iii) Any accessory use to a public use must be clearly incidental and accessory to the principal use.
- d) Group Home and Shopping Centre:
 - (i) Group Home permitted use in: Residential One, Residential Two, Residential Three, Residential Four, Downtown – Commercial/Residential, Mixed Use – Residential/Commercial, and Institutional.
 - (ii) Shopping Centre permitted use in: Downtown – Commercial/Residential, Mixed Use – Residential/Commercial, Mixed Use – Commercial/Employment.
- e) Other uses permitted in any zone, excluding the Environmental Protection Zone are listed below:
 - (iii) Community gardens;
 - (iv) Temporary farmers markets;
 - (v) Essential emergency services such as police and fire stations and ambulance dispatch; and,
 - (vi) Charging stations for electric motor vehicles.

4.13 Prohibited Uses, Structures and Objects

The following uses, structures and objects are not permitted by this By-law in any Zone:

- a) The use of any tent, trailer or motor vehicle for human habitation, except where such tent, trailer or motor vehicle is located in a campground, in a trailer park or in a mobile home park that is expressly permitted by this By-law;
- b) The use of any accessory building or structure for human habitation or for gain or profit, unless such uses are specifically permitted by this By-law;

- c) The erection of a tarpaulin structure or any temporary structure in the front or exterior side yard, the purpose of which is to store motor vehicles, recreational motor vehicles and/or trailers is only permitted in an Employment Zone;
- d) Tarpaulin structures are prohibited in all zones except the Employment Zone;
- e) The storage or use of shipping containers on a lot unless outdoor storage is specifically permitted on the lot by this By-law or if the shipping container is permitted on a temporary basis on a lot in a Residential Zone in accordance with Part 6.0 of this By-law;
- f) The permanent placement of shipping containers on a lot in a Residential Zone;
- g) The use of a truck, bus, coach body or rail car for human habitation or for storage purposes;
- h) The storage of disused or partially dismantled motor vehicles, rail cars, streetcars, buses, truck bodies or trailers, unless otherwise permitted by this By-law;
- i) The parking or storage of trailers or commercial motor vehicles on a vacant lot;
- j) The parking or storage of trailers or commercial motor vehicles on a vacant lot for the purposes of advertising;
- k) The outdoor storage of partially dismantled motor vehicles or trailers or motor vehicle or trailer parts unless otherwise specifically permitted by this By-law;
- l) The manufacturing, refining, rendering or distillation of acid, ammonia, chlorine, coal, creosote, explosives, fireworks, glue, petroleum or tar; and,
- m) The bulk storage of industrial chemicals, fuels and oils, hazardous waste or liquid industrial waste unless specifically permitted by the Environmental Protection Act, as amended.

4.14 Sight Triangle

Within any area defined as a sight triangle, the following uses shall be prohibited:

- a) A building, structure or use which would obstruct the vision of drivers of motor vehicles;
- b) A fence, tree, hedge, bush or other vegetation, other than agricultural crops, the top of which exceeds 1.0 metres in height above the elevation of the street;
- c) Any portions of a delivery space, loading space or parking space;

- d) A beam or other ground service which exceeds the elevation of the street by more than 0.6 metres.

The provisions of this clause shall not apply at any intersection controlled by traffic signal lights. The provisions of this section shall not apply to intersections involving a Provincial highway, the requirements of the Ministry of Transportation shall apply.

4.15 Special Setbacks

Notwithstanding any other provision in this By-law, the following special setbacks shall apply:

4.15.1 Setback from Provincial Highway

No building or structure shall be located any closer than 14.0 metres to the edge of the Provincial Highway right-of-way.

4.15.2 Setback from Other Roads

No building or structure shall be located any closer than 10.0 metres from the road centreline.

4.15.3 Setbacks from Water

- a) No building or structure shall be located any closer than 30.0 metres from the high water mark on any lot adjacent to a water body.
- b) Notwithstanding the above, decks are permitted in the setback area subject to meeting all other requirements of this By-law.
- c) Accessory boat dock and boat launching facilities and boathouses shall not be required to meet the water setback set out in sub-section a).
- d) For the purposes of interpreting this By-law, in the case of a conflict between Section 2.7 of this By-law and sub-sections a), b) and c) above, Section 2.7 prevails to the extent of the conflict.

4.16 Temporary Construction, Sales Offices and Model Homes

- a) Nothing in this By-law shall prevent uses incidental to construction, such as a construction camp or other such temporary work camp, tool shed, scaffold or other building or structure incidental to the construction, only for so long as the same are necessary for work in progress that has neither been finished nor abandoned.
- b) Nothing in this By-law shall prevent the use of land for a temporary sales office or a model home.
- c) The temporary sales office or a model home must be located on lands that are subject to a draft approved plan of subdivision, plan of condominium or an approved site plan control agreement under the Planning Act.

4.17 Uses of Lots without Buildings

Unless expressly permitted by this By-law, no permitted use in any Zone is permitted unless a main building is erected on the same lot.

4.18 Phased Condominiums

Unless provided elsewhere, where a plan of condominium is proposed to be developed as a phased condominium as defined and set out in the Condominium Act, S.O. 1998, Chapter 19 the lands shall be considered as one singular property for the purpose of determining conformity with the provisions of the Zoning By-law and temporary lot lines created as a result of the phasing shall not be considered.

Part 5.0 - Parking and Loading Standards

5.1 Applicability of This Section

- a) The parking space requirements of this part of the By-law do not apply to any use in existence at the date of passing of this By-law so long as the gross floor area that existed on that date is not increased.
- b) Additional parking 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-complying building existing on the effective date of this By-law; and/or,
 - (ii) Where a change in use occurs that has the effect of requiring the additional spaces.

5.2 General Parking Provisions

5.2.1 Restriction on Use of Land, Buildings and Structures

- a) No person shall use any land, building or structure in any Zone for any purpose permitted by this By-law, unless the minimum number of parking spaces required are provided in accordance with the provisions of this Part of the By-law.
- b) Notwithstanding the above, the required parking for public uses can be located on an abutting or nearby lot that is also the site of a public use.

5.2.2 Calculation of Parking Requirements

Where the minimum number of parking spaces is calculated on the basis of a rate or ratio, the required number of parking spaces shall be rounded down to the next lower whole number.

5.2.3 More Than One Use on a Lot

The parking 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 parking space requirements for each of the component uses, unless otherwise noted.

5.2.4 Exclusive Use of a Parking Space

Any parking space shall be unobstructed and available for parking purposes and used exclusively for that purpose at all times, unless otherwise specified in this By-law.

5.2.5 Size of Parking Spaces

- a) Where parking spaces are provided in a parking area, or on a driveway each parking space shall have a width of not less than 2.75 metres and a length of not less than 5.5 metres.
- b) Where parking spaces are provided in an enclosed or underground parking garage, such parking spaces shall have a width of not less than 2.6 metres and a length of not less than 5.5 metres.

5.2.6 Width of Parking Aisles

The width of parking aisles within a parking area or parking garage, must be in accordance with the following:

- a) For two-way aisles, the minimum aisle width must be 6.0 metres.
- b) For one-way aisles or aisles, the minimum aisle width must be 3.0 metres.
- c) Where the aisle width in a parking area or parking garage is less than 6.0 metres, the aisle must be one-way.
- d) Notwithstanding the above, parking areas and parking garages that legally existed on the effective date of this By-law are exempt from the minimum aisle width requirements set out in sub-sections (a), (b) and (c).

5.2.7 Width of Access Ramps and Driveways

Access ramps and driveways accessing a parking area or parking lot shall be a minimum of 3.0 metres in width for one-way traffic and a minimum of 6.0 metres in width for two-way traffic.

5.2.8 Surface Treatment

All parking spaces and parking areas and all driveways to any parking area or commercial parking lot in any Residential, Mixed Use or Employment Zone must be surface treated with asphalt, concrete, concrete pavers or other similar hard, stable and dust preventative material.

5.2.9 Parking Area Location on a Lot In Relation To Buildings and Structures

Notwithstanding any other provisions of this By-law, parking areas shall be setback a minimum of 1.2 metres from any building or structure.

5.3 Residential Parking Requirements

The number of parking spaces required for residential uses shall be calculated in accordance with the standards set out in Table 5.3 below.

Table 5.3: Residential Parking Requirements.

Use	Minimum Parking Space Requirement
Bed and breakfast establishment	2 parking spaces per dwelling unit and 1 parking space for each room rented
Boarding, lodging or rooming house	1 parking space plus 1 parking space per every 3 beds
Dwelling, apartment	1 parking space per unit plus 0.25 parking spaces per unit for visitors
Dwelling – Single detached, semi-detached and duplex	2 parking spaces per dwelling unit (tandem parking spaces permitted)
Dwelling – triplex, townhouse and multiple	1.5 parking spaces per dwelling unit
Dwelling – Townhouse street	2 parking spaces per dwelling unit (tandem parking spaces permitted)
Group home	Greater of 2 parking spaces or 1 space/ staff member on duty
Home business	1 parking space in addition to the requirement for the dwelling unit
Long term care home	0.35 parking spaces per bed
Retirement home	0.5 parking spaces per unit plus 0.2 parking spaces per unit for visitors
Secondary residential unit	1 parking space (in addition to the minimum parking space requirement for the principal dwelling unit) - tandem parking spaces permitted

5.4 Non-Residential Parking Requirements

5.4.1 Minimum Number of Parking Spaces Required

The number of parking spaces required for non-residential uses shall be calculated in accordance with the standards set out in Table 5.4 below.

Table 5.4: Non-Residential Parking Requirements.

Use	Minimum Parking Space Requirement (net floor area unless otherwise noted)
Airport terminal	1/60 m ²
Animal clinic	1/30 m ² for office component
Art gallery	1/30 m ²
Banquet hall	1/6 m ²
Business office	1/30 m ²
Business service use	1/30 m ²
Cannabis related facility	1/100m ²
Child care centre	1/45 m ²
Commercial fitness centre	1/20 m ²
Commercial self storage facility	1/30 m ² for office component
Contractors yard or shop	1/30 m ² for office component
Financial institution	1/23 m ² and 1/30 m ² if it has a drive-through service facility
Funeral home	1/25 m ²
Gas bar	1/30 m ² for office and retail components
Hangar	1 parking space for every individual hangar
Hangar, cluster	6 parking spaces for every cluster hangar, the parking spaces are to be located at the Airport Terminal
Home improvement centre	1/30 m ²
Hospital, public	4 spaces per bed
Hotel and Motel	1 parking space per guest room, plus any required parking spaces for other uses listed in this table
Industrial use in a single use building	1/100 m ²
Industrial use in a building with 2 or more industrial uses	1/150 m ²
Kennel and Kennel, Day	1/30m ² for office component
Light equipment sales and rental use	1/30 m ² for office and retail components
Medical office	1/20m ²
Motor vehicle body shop	1/30 m ² for office and retail components

Use	Minimum Parking Space Requirement (net floor area unless otherwise noted)
Motor vehicle rental establishment and motor vehicle sales and rental establishment	1/30 m ² for office and retail components
Motor vehicle repair garage	1/30 m ² for office and retail components
Outdoor storage use	1/30m ² for office component
Personal service use	1/30 m ² in first storey and 1/40 m ² in any storey above the first storey unless otherwise noted
Place of entertainment including arena, auditorium, theatre, stadium, cinema and fairgrounds	1 parking space per 4 persons Fire Code capacity, unless otherwise noted
Place of worship	The greater of 1 parking space per 10 m ² of gross floor area or 1 parking space per every 4 fixed seats or 1 parking space per ever 2.5 metres of bench seating
Private club	1 parking space per 4 persons permitted Fire Code capacity, unless otherwise noted
Public hall	1 parking space per 4 persons permitted Fire Code capacity, unless otherwise noted
Repair shop	1/30 m ² in first storey and 1/40 m ² in any storey above the first storey unless otherwise noted
Restaurant	1/6 m ²
Restaurant patios	1/6 m ² for that portion of the patio that exceeds 40% of the net floor area of the restaurant it serves
Retail store	1/30 m ² in first storey and 1/40 m ² in any storey above the first storey unless otherwise noted
School, commercial and school, commercial trade	1/20 m ²
School, public (elementary)	1.5 parking spaces per classroom
School, public (secondary)	5 parking spaces per classroom
School, private	2.5 parking spaces per classroom
Shopping centre	4.9/100 m ² of net floor area
Transport terminal	1/30 m ² for office component
Warehouse	1/185 m ² plus the requirement for office and retail components
Any other non-residential uses not listed above	1/30 m ²

5.4.2 Shared Parking Provisions

Notwithstanding the minimum non-residential parking space requirements set out in Table 5.4, where there are two or more dwelling units and two or more non-residential uses in the same building, the number of parking spaces provided for non-residential uses may be reduced by 20% of what is required.

5.4.3 Special Parking Provision for Downtown - Commercial/Residential Zone

- a) Notwithstanding the minimum non-residential parking space requirements set out in Table 5.4, no parking spaces are required for any permitted non-residential use in a building that existed on the effective date of this By-law within the Downtown Commercial/Residential Zone.
- b) In addition to the above, if all or part of a building that existed on the effective date of this By-law is replaced, no parking spaces are required for any permitted non-residential use provided the net floor area is not increased and provided the parking spaces that existed on the lot on the effective date of this By-law are retained.

5.5 Accessible Parking Space Requirements

- a) Of the parking spaces required for apartment buildings in Table 5.3 and for all non-residential uses in Table 5.4, a certain number of those required spaces must be dedicated and used as Type A and Type B accessible parking spaces in accordance with Table 5.5 below.
- b) In cases where this By-law establishes a parking requirement that is greater or lesser than what is required in Tables 5.3 or 5.4, the amended parking requirement is to be used instead.
- c) Where the application of this requirement results in a numeric fraction, a fraction of less than 0.5 must be rounded down to the nearest whole number. Fractions equal to or greater than 0.5, are to be rounded up to the nearest whole number.
- d) Type A parking spaces accommodate people who use vans with a mechanical lift on the side, which is used to get in and out of the vehicles. These parking spaces (Type A) must be provided in accordance with Table 5.5 below.
- e) The minimum width of a Type A accessible parking space must be 3.4 metres wide, and must be provided adjacent to an access aisle that is 2.0 metres wide.
- f) Type B parking spaces to accommodate people who transfer in and out of their vehicles manually. These parking spaces (Type B) must be provided in accordance with Table 5.5 below.
- g) The minimum width of a Type B accessible parking space must be 2.75 metres wide, and must be provided adjacent to an access aisle that is 2.0 metres wide.

Table 5.5: Accessible Parking Space Requirements.

Number of Parking Spaces	Type A Accessible Parking Space Requirement	Type B Accessible Parking Space Requirement
1-25	1	0
26-50	1	1
51-75	1	2*
76-100	2	2
101-133	2	3*
134-166	3	3

*Where an uneven number of total accessible parking spaces are required, the extra Type B space may be changed to a Type A space.

5.6 Loading

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

- a) A loading space must be set back 7.5 metres from any Residential Zone boundary, except if it is located entirely within a structure. This subsection does not apply to a loading space located in a Residential Zone.
- b) A loading space is not permitted:
 - (i) In any minimum required yard;
 - (ii) Between the main wall closest to the exterior lot line and the exterior lot line; and,
 - (iii) In any front yard.
- c) Access to loading spaces must be by means of a driveway that is at least 6 metres wide contained within the lot on which the loading spaces are located.
- d) All vehicular movements required to access the loading space must be on private property.

5.7 Bicycle Parking Requirements

- a) In cases where 13 or more motor vehicle parking spaces are required in accordance with Tables 5.3 and 5.4 of this By-law, the minimum number of bicycle parking spaces provided shall be 5% of the required number of motor vehicle parking spaces.
- b) Notwithstanding sub-section (a) above, the maximum number of bicycle parking spaces required is 30 bicycle parking spaces.
- c) Bicycle parking spaces must have a minimum width of 60 centimetres wide and a minimum length of 1.9 metres long.

- d) Motor vehicle parking requirements may be reduced in any zone except the R1, R2, R3 and R4 Zones at the rate of one motor vehicle parking space required for every 5 additional bicycle parking spaces beyond what is required in sub-section a) provided the reduction does not reduce the number of required parking spaces by more than 10%.

5.8 Drive-Through Service Facilities

Where drive-through service facilities are permitted, the provisions of this Section apply.

5.8.1 Stacking Lane Requirements

Stacking lanes are required and must be exclusive of any other parking space and loading space and aisle requirements contained within this By-law and must be provided in accordance with Table 5.8.

Table 5.8: Minimum Number of Ingress and Egress Spaces Required.

Use Associated with Drive-Through Service Facility	Minimum Required Ingress Spaces	Minimum Required Egress Spaces
Commercial and Institutional Uses	4	N/A
Financial institution	4	N/A
Motor vehicle washing establishment	5	1
Restaurant	7	3

5.8.2 Location of Ingress and Egress Spaces

- a) Required ingress spaces must be located and calculated from the entrance of the stacking lane to the product pick-up window.
- b) The required egress spaces must be located after the service product pick-up window or dispensing machine.
- c) The vehicle space at the product pick-up window will count towards the minimum egress spaces.

5.8.3 Size of Stacking Space

All stacking spaces must be rectangular in shape, with a minimum length of 6.0 metres and a minimum width of 3.0 metres.

5.8.4 Setbacks from Residential Zone Boundary

Stacking lanes and all order boxes using voice communication to order must be located no closer than 15.0 metres from any Residential Zone boundary.

5.8.5 Location of Drive Through Components

No stacking lanes, order boxes, or wall openings associated with a drive-through service facility can be:

- a) Located in any minimum required yard; or
- b) Located in a wall facing the front or exterior side lot line unless all of the components of a drive-through service facility are located a minimum of 10 metres from the front and exterior lot lines.

Part 6.0 - Residential Zones

6.1 Zones

The following residential zones have been established in this By-law:

Residential One (R1)

Residential Two (R2)

Residential Three (R3)

Residential Four (R4)

6.2 Description of Zones

The residential zones are intended to implement the policies of the Established Residential Area and Low-Medium Density Residential Area designations within the Official Plan.

The Residential One (R1) Zone is intended to implement the policies of the Established Residential Area designation in the Official Plan. The R1 Zone is intended to generally permit single-detached, semi-detached and duplex dwellings.

The Residential Two (R2) Zone is also intended to implement the policies of the Established Residential Area designation in the Official Plan. However, the R2 Zone permits apartment dwellings and multiple dwellings (up to three storeys) and street townhouse dwellings.

The Residential Three (R3) Zone is intended to implement the Low-Medium Density Residential Area designation. This includes areas that have been recently developed on the edges of the built up area of the Town and outside of the Established Residential Area designation. The R3 Zone generally applies to single-detached, semi-detached and duplex dwellings.

The Residential Four (R4) Zone is also intended to implement the Low-Medium Density Residential Area designation and permits apartment dwellings and multiple dwellings (up to three storeys) and street townhouse dwellings.

6.3 Specific Use Provisions

6.3.1 Secondary Residential Units

Where permitted by this By-law, a maximum of one secondary residential unit is permitted and the following regulations apply.

- a) The secondary residential unit shall be located entirely within the same building as the principal use on the same lot, or be wholly located within a detached accessory building.
- b) The maximum floor area of the secondary residential unit shall not exceed 40% of the gross floor area of the main building containing the principal use, with the gross floor area not including the private garage or basement.
- c) A tandem parking space may be permitted in order to meet the parking requirements of this By-law.
- d) Where direct access to the secondary residential unit is provided from the interior side yard, the opening is required to be a minimum of 1.2 metres from the interior side lot line and no stairs accessing the secondary residential unit are permitted within 1.2 metres from the interior side lot line.
- e) A secondary residential unit is not permitted on a lot where a garden suite is also situated.

6.3.2 Garden Suites

Garden suites are subject to the provisions that apply to detached accessory buildings in Section 4.1 of this By-law.

6.3.3 Home Businesses

Where a home business is permitted in a zone, the home business:

- a) Shall clearly be a secondary use of the lot;
- b) Shall be conducted entirely within a dwelling unit in the main building on the lot;
- c) Shall be conducted by at least one of the residents of a dwelling unit located on the same lot;
- d) Shall not employ more than one person who does not reside in the dwelling unit;
- e) Shall not occupy more than 25 percent of the gross floor area (not including the private garage or the basement) of the dwelling unit, if the home occupation provides a service that the general public can access;
- f) Shall not involve the outdoor storage or outdoor display of materials or finished products; and,
- g) Shall not consist of an occupation that involves the sale of a commodity not produced on the premises, unless the items being sold are related to the primary business of the home business.
- h) Shall not include the following uses:

- (i) Adult entertainment uses;
- (ii) Any use requiring ventilation, other than ventilation typically found in any residence;
- (iii) Any use involving the treatment, care and/or grooming of any animal, including a kennel or a day-kennel;
- (iv) Any use involving the storage, repair, maintenance, painting and/or towing of motor vehicles or recreational vehicles;
- (v) Dating/escort services;
- (vi) Industrial uses;
- (vii) Places of amusement;
- (viii) Restaurants;
- (ix) Retail stores; and,
- (x) Taxi and limousine service depot/dispatch establishments.

6.4 General Provisions for Residential Zones

The provisions of this section apply in addition to all relevant general provisions in Part 4.0 of this By-law.

6.4.1 Accessory Buildings and Structures in Residential Zones

Unless otherwise specified, accessory uses, buildings and structures are permitted in all Residential zones and are subject to the following provisions:

- a) Accessory buildings and structures shall be located no closer to the front or exterior side lot line than the main building in the R1, R2, R3 or R4 Zones.
- b) The maximum lot coverage of all accessory building and structures (including a detached private garage) on a lot in any Residential Zone is 10%.
- c) No more than three detached accessory buildings or structures are permitted on a lot in any Residential Zone, unless otherwise permitted by this By-law.
- d) Minimum setback between accessory buildings and main use building shall be 1.2 metres.

6.4.2 Permitted Locations for Parking

- a) The parking of motor vehicles in a Residential Zone is only permitted within a parking garage, parking area, private garage, carport or on a driveway accessing an individual dwelling unit.

- b) Within a front or exterior side yard, motor vehicle parking is only permitted on a driveway. A parking area shall not be permitted within a front or exterior side yard.

6.4.3 Driveways

- a) A driveway associated with a single detached, semi detached and townhouse dwelling shall provide direct access to a private garage or carport.
- b) Where a private garage is detached from the main building and is accessed by a driveway crossing the front lot line, the driveway must be located no closer to the interior side lot line than the minimum setback required for detached accessory buildings.
- c) Notwithstanding sub-section (b) above, the setback for the driveway may be less to match the setback of a detached private garage that legally existed on the effective date of this By-law.
- d) The maximum width of a driveway leading to a private garage or carport that is attached to a single detached dwelling or each unit in a semi-detached dwelling is 50% of the frontage of the lot up to a maximum of 7.0 metres.
- e) The maximum width of a driveway leading to a private garage or carport that is attached to a street townhouse dwelling is 60% of the frontage of the lot up to a maximum of 6.0 metres.
- f) In no case shall the width of the driveway be made larger with the addition of brick, pavers, rock, stone, concrete tile and/or wood for the purposes of parking and/or storing motor vehicles.
- g) Individual driveways accessing two side-by-side semi-detached dwelling units or two street townhouse dwelling units shall be paired.
- h) The provisions of sub-sections (d), (e), (f) and (g) above do not apply to driveways that legally existed on the effective date of this By-law.

6.4.4 Parking Spaces in Private Garages

Where parking spaces are located in a private garage, the following provisions apply:

- a) All parking spaces in private garages must have a minimum length of 6.1 metres, with the length measured from the inside wall to the garage door.
- b) A private garage intended to occupy a single motor vehicle must be a minimum of 3.0 metres in width with the width measured from the inside walls.
- c) A private garage intended to occupy two or more motor vehicles must be a minimum of 5.5 metres in width with the width measured from the inside walls.

- d) Within the private garage, stair encroachments into the parking spaces required in sub-sections (i), (ii) and (iii) are permitted provided that the size of each parking space is no less than 5.3 metres in length and 2.6 metres in width and has a height of at least 2.1 metres.
- e) Notwithstanding sub-section (iv) above, private garages that legally existed on the effective date of this By-law are exempt from the minimum parking space size requirements set out in sub-sections (i), (ii) and (iii).

6.4.5 Parking of Commercial Motor Vehicles

Within any Residential Zone, the owner or occupant of a dwelling unit may use a parking space for the purposes of parking or storage of one commercial motor vehicle, provided such motor vehicle does not exceed a capacity of 4,500 kilograms and is parked or stored on a driveway.

6.4.6 Parking of Recreational Trailers, Vehicles or Boats and Snowmobiles

The outdoor parking or storage of any recreational trailer, vehicle or boat is permitted on any lot that is zoned to permit residential uses by this By-law, but shall be subject to the following provisions:

- a) A recreational trailer, vehicle or boat may be parked or stored on a driveway from April 1 to October 31 only.
- b) A recreational trailer, vehicle or boat may also be parked or stored in any yard except the front yard, provided the recreational trailer, vehicle or boat is not closer than 1.0 metre away from any lot line.
- c) No storage of any recreational trailer, vehicle or boat shall be permitted unless a main building has been constructed;
- d) The storage of snowmobiles and their associated trailers may be temporarily stored in a required front yard or exterior side yard from November 1 to March 31st, provided that it is stored on a driveway.

6.4.7 Decks

Decks are permitted in the interior side, exterior side and rear yard provided that the deck is:

- a) No closer than 1.2 metres from the interior side lot line, in cases where an interior side yard is required for the main building;
- b) No closer than 3.0 metres from the exterior side lot line; and,
- c) No closer than 3.0 metres from the rear lot line.

6.4.8 Porches

Porches and the associated stairs, eaves and gutters are permitted in the front, interior side and exterior side yards provided that the porch and the associated stairs, eaves and gutters are:

- a) No closer than 1.2 metres from the interior side lot line in cases where an interior side yard is required for the main building;
- b) No closer than 3.0 metres from the front and exterior side lot lines; and,
- c) Not located within the required rear yard.

6.4.9 Dwelling Units

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

6.4.10 Encroachments into Required Yards (Excluding Decks and Porches)

Encroachments of the following structures or features shall be permitted in accordance with Table 6.4.10 below.

Table 6.4.10: Permitted Encroachments into Yards.

Structure or Feature	Yards in which Structure or Feature is Permitted	Required Setback or Permitted Encroachment
Air conditioners and heat pumps	Interior side and rear yard	Must be set back a minimum of 0.6 metres from the interior and rear lot lines and not located in an access or public easement accessing two or more lots.
	Exterior side yard	Must be set back a minimum of 1.5 metres from the exterior side lot line.
	Front yard	No encroachment permitted.
Awnings, cornices, coves, belt courses, eaves, gutters, pilasters, sills, or weather-shielding structures	All yards	May encroach by no more than 0.6 metres into any required yard.
Bay windows, box out windows and bow windows without foundations, with a maximum width of 3.9 metres	All yards	May encroach by no more than 0.6 metres into any required yard provided it does not extend into an access or public easement accessing two or more lots.
Chimneys and gas fireplace projections and chases with a	All yards	May encroach by no more than 0.6 metres into any minimum yard provided it does not extend into an

Structure or Feature	Yards in which Structure or Feature is Permitted	Required Setback or Permitted Encroachment
maximum width of 1.8 metres		access or public easement accessing two or more lots.
Fire escapes	All yards	May encroach by no more than 1.5 metres into any required yard and must be set back a minimum of 0.6 metres from the interior side lot line.
Stairs and landings that access any part of the principal building (except a secondary residential unit) at or above grade and which are not associated with a deck or porch	Rear yard	May encroach by no more than 1.5 metres into required rear yard.
	Front and exterior side yards	No part of the stairs or landing may be closer than 0.6 metres from the front and exterior side lot lines.
	Interior side yard	No encroachment permitted.
Stairs that access the principal building (except a secondary residential unit) below grade	Rear yard	May encroach by no more than 1.5 metres into required yard.
	Front, interior and exterior side yards	No encroachment permitted.
Balconies	Front and exterior side yards	May encroach by no more than 1.5 metres into the required front and exterior side yards.
	Rear yard	May encroach by no more than 1.5 metres into the required rear yard.
	Interior side yard	No encroachment permitted.
Accessory structure with a gross floor area less than 15m ² in R2 or R4 Zone on lots containing a townhouse unit	Exterior Side Yard	May encroach into 100% of any required exterior side yard setback and setback to the main building. The structure may be permitted to reduce the setback to 0m to the exterior lot line and 0m to the main building.

6.4.11 Swimming Pools

The following regulations apply to outdoor swimming pools and hot tubs:

- a) Outdoor swimming pools and hot tubs are permitted in the interior side, rear and exterior side yards, provided they are set back a minimum of 1.2 metres from the interior side and rear lot lines and 3.0 metres from the exterior side lot line, with the setback measured from the water's edge of the swimming pool or hot tub.
- b) The maximum height of a swimming pool or hot tub is 1.5 metres above grade.
- c) Swimming pool pumps, filters and heaters, are permitted in the interior side, rear and exterior side yards, provided they are set back a minimum of 0.6 metres from the interior side and rear lot lines and 1.5 metres from the exterior side lot line.

6.4.12 Shipping Containers

Notwithstanding any other provision in this By-law, the temporary placement of one shipping container is permitted per lot in a Residential Zone provided the shipping container:

- a) Is located on the driveway;
- b) Is set back a minimum of 1.0 metre from any lot line;
- c) Has a maximum height of 2.5 metres, a maximum width of 2.5 metres and a maximum length of 6.0 metres; and
- d) Is not located on the lot for more than 30 days in a calendar year.

6.5

R1 (Residential One)



Permitted Uses:

- Single-detached dwelling
- Semi-detached dwelling
- Duplex-dwelling
- Secondary residential unit
- Home business
- Bed and breakfast establishment
- Child care centre
- Home child care

Zone Standards:

Table 6.5 – Standards for Residential One (R1) Zone.

Minimum Lot Frontage	
Single-detached dwelling	13.5 metres
Semi-detached dwelling	16.0 metres or 8.0 meters if separate lot
Duplex dwelling	14.5 metres
Minimum Front Yard	6.0 metres or average front yard on the abutting lots on either side of the lot
Minimum Setback to Private Garage and Carport	6.0 metres
Minimum Rear Yard	6.0 metres
Minimum Exterior Side Yard	4.0 metres
Minimum Interior Side Yard	1.2 metres*
Minimum Dwelling Area	
Single-detached dwelling	75 m ²
Semi-detached dwelling	65 m ²
Duplex dwelling	65 m ²
Maximum Height	9.0 metres

*Increased to 1.5 metres on both sides for new single-, semi-detached, and duplex-dwellings. The minimum interior side yard setback shall not apply to the common wall of a semi-detached dwelling.

6.6 R2 (Residential Two)



Permitted Uses:

- Street townhouse dwelling
- Apartment dwelling
- Triplex dwelling
- Multiple dwelling
- Secondary residential unit
- Home business
- Bed and breakfast establishment
- Child care centre
- Home child care

Zone Standards:

Table 6.6 – Standards for Residential Two (R2) Zone.

Minimum Lot Frontage	
Triplex dwelling	16.0 metres
Street townhouse dwelling	6.0 metres
Apartment/multiple dwelling	30.0 metres
Minimum Front Yard	
	6.0 metres
Minimum Rear Yard	
	7.5 metres
Minimum Exterior Side Yard	
	4.5 metres
Minimum Interior Side Yard	
Triplex dwelling	1.5 metres
Street townhouse dwelling	1.8 metres
Apartment/multiple dwelling	2.4 metres
Maximum Height	
Triplex dwelling	10.5 metres
Street townhouse dwelling	10.5 metres
Apartment/multiple dwelling	10.5 metres

6.7 R3 (Residential Three)



Permitted Uses:

- Single-detached dwelling
- Semi-detached dwelling
- Duplex-dwelling
- Secondary residential unit
- Home business
- Bed and breakfast establishment
- Child care centre
- Home child care

Zone Standards:

Table 6.7 – Standards for Residential Three (R3) Zone.

Minimum Lot Frontage	
Single-detached dwelling	12.0 metres
Semi-detached dwelling	15.0 metres or 7.5 meters if separate lot
Duplex dwelling	13.5 metres
Minimum Front Yard	
6.0 metres	
Minimum Setback to Private Garage and Carport	
6.0 metres	
Minimum Rear Yard	
6.0 metres	
Minimum Exterior Side Yard	
4.5 metres	
Minimum Interior Side Yard	
1.2 metres*	
Minimum Dwelling Area	
Single-detached dwelling	75 m ²
Semi-detached dwelling	65 m ²
Duplex dwelling	65 m ²
Maximum Height	
10.5 metres	

*The minimum interior side yard setback shall not apply to the common wall of a semi-detached dwelling.

6.8 R4 (Residential Four)



Permitted Uses:

- Street townhouse dwelling
- Apartment dwelling
- Triplex dwelling
- Multiple dwelling
- Secondary residential unit
- Home business
- Bed and breakfast establishment
- Child care centre
- Home child care

Zone Standards:

Table 6.8 – Standards for Residential Four (R4) Zone.

Minimum Lot Frontage	
Triplex dwelling	14.0 metres
Street townhouse dwelling	6.0 metres
Apartment/multiple dwelling	20.0 metres
Minimum Front Yard	4.5 metres
Minimum Setback to Private Garage and Carport	6.0 meters
Minimum Rear Yard	6.0 metres
Minimum Exterior Side Yard	4.5 metres
Minimum Interior Side Yard	
Triplex dwelling	1.5 metres
Street townhouse dwelling	1.8 metres
Apartment/multiple dwelling	2.4 metres
Maximum Height	
Triplex dwelling	10.5 metres
Street townhouse dwelling	10.5 metres
Apartment/multiple dwelling	10.5 metres

Part 7.0 - Mixed Use Zones

7.1 Zones

The following mixed-use zones have been established in this By-law:

Downtown - Commercial/Residential (D – CR)

Mixed Use Residential/Commercial (MU-RC)

Mixed Use Commercial/Employment (MU-CE)

7.2 Description of Zones

The Downtown - Commercial/Residential Zone (D-CR) Zone applies to the business areas within Downtown Arnprior and it implements the policies of the Downtown Area designation in the Town's Official Plan.

The Mixed Use Residential/Commercial (MU-RC) Zone implements the policies of the Mixed Use Residential/Commercial Area designation in the Town's Official Plan.

The Mixed Use Commercial/Employment (MU-CE) Zone implements the policies of the Mixed Use Commercial Employment Area designation in the Town's Official Plan. The MU-CE Zone generally applies to former Highway Commercial lands along Madawaska Boulevard, Daniel Street and on White Lake Road.

7.3 General Provisions for Mixed Use Zones

The provisions of this section apply in addition to all relevant general provisions in Part 4.0 of this By-law.

7.3.1 Outdoor Display and Sales Area

Where an outdoor display and sales area is located on a lot, the following provisions apply:

- a) The outdoor display and sales area must be set back a minimum of 12.0 metres from a Residential Zone boundary;
- b) The outdoor display and sales area must be located outside of any required parking spaces and required planting strips; and,
- c) Notwithstanding subsection (b), if the outdoor sales and display area is temporary, it may occupy up to 10% of the parking spaces required by this By-law for the uses that exist on the same lot.

7.3.2 Planting Strip Requirements

A minimum 3.0 metres wide planting strip abutting the full length of a lot line is required on a lot in any Mixed-Use Zone except the Downtown Commercial/Residential Zone that abuts an interior side or rear lot line of a lot in any Residential Zone.

Where there is a wall or solid board fence having a height of 1.5 metres or more along an interior side or rear lot line, the width of the planting strip established in sub-section (a) can be reduced to 1.5 metres in width.

A minimum 3.0 metres wide planting strip abutting the full length of the lot line is required along the front and exterior side lot lines in any Mixed Use Zone, except the Downtown Commercial/Residential Zone.

Planting strips required by this section of the by-law can be counted as part of any landscaped open space requirement of this by-law.

7.3.3 Brewery

A brewery in the Downtown – Commercial/Residential zone shall have an accessory tasting room.

Notwithstanding the provision in Section 7.3.3 a), a brewery shall be permitted in the Downtown – Commercial/Residential Zone as an accessory use without the requirement for a tasting room.

7.4 D - CR (Downtown-Commercial/Residential)



Permitted Uses:

- As set out in Sections 4.10 and 7.8

Zone Standards:

Table 7.4 – Standards for Downtown-Commercial/Residential (D-CR) Zone.

Minimum Lot Frontage	No requirement
Minimum Lot Area	No requirement
Minimum Front Yard	0.0 metres
Minimum Rear Yard	7.5 metres
Minimum Exterior Side Yard	0.0 metres
Minimum Interior Side Yard	0.0 metres*
Maximum Height	12.0 metres

*The minimum interior side yard setback shall not apply to the common wall of a semi-detached dwelling.

7.5 MU-RC (Mixed Use-Residential/Commercial)



Permitted Uses:

- As set out in Sections 4.10 and 7.8

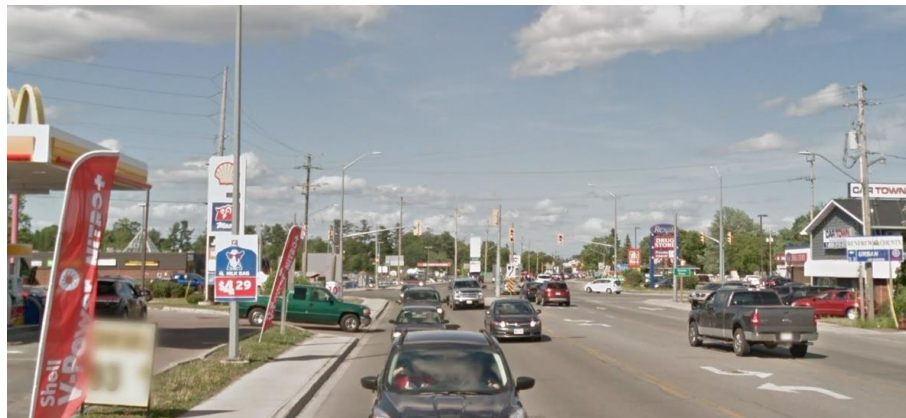
Zone Standards:

Table 7.5 – Standards for Mixed Use- Residential/ Commercial (MU-CE) Zone.

Minimum Lot Frontage	30.0 metres
Minimum Lot Area	No requirement
Minimum Front Yard	4.5 metres
Minimum Rear Yard	7.5 metres
Minimum Exterior Side Yard	4.5 metres
Minimum Interior Side Yard	
Single detached and semi-detached dwellings that existed on effective date of this By-law	1.2 metres
All other buildings that existed on effective date of this By-law	2.4 metres
New street townhouse dwellings constructed after effective date of this By-law	1.8 metres
New apartment/multiple dwellings constructed after effective date of this By-law	2.4 metres
Maximum Height	10.5 metres

*The minimum interior side yard setback shall not apply to the common wall of a semi-detached dwelling.

7.6 MU-CE (Mixed Use-Commercial/Employment)



Permitted Uses:

- As set out in Sections 4.10 and 7.8

Zone Standards:

Table 7.6 – Standards for Mixed Use-Commercial/Employment (MU-CE) Zone

Minimum Lot Frontage	30.0 metres
Minimum Lot Area	1,858m ²
Minimum Front Yard	6.0 metres
Minimum Rear Yard	12.0 metres
Minimum Exterior Side Yard	6.0 metres
Minimum Interior Side Yard	3.0 metres
Maximum Height	14.0 metres

7.7 Permitted Uses

Uses permitted in a Mixed Use Zone are denoted by the symbol 'X' in the column applicable to that Zone and corresponding with the row for a specific permitted use in Table 7.7. A number(s) following the symbol 'X' or identified permitted use, indicates that one or more special provisions apply to the use noted or, in some cases, to the entire zone. Special provisions are listed below Table 7.7 (if applicable).

Table 7.7 – Permitted Uses in the Mixed Use Zones.

Use	D - CR	MU-RC	MU-CE
Residential Uses			
Single detached dwelling			
Semi-detached dwelling			
Duplex dwelling			
Apartment dwelling	X	X	
Bed and breakfast establishment		X	
Crisis intervention home	X		
Street townhouse dwelling	X	X	
Dwelling unit within a non-residential building	X	X	
Home business	X	X	
Home child care	X	X	
Long-term care home	X	X	
Retirement home	X	X	

Use	D-CR	MU-RC	MU-CE
Non-Residential Uses			
Accessory outdoor storage subject to Section 8.3.1			X
Animal clinic	X	X	X
Art gallery	X	X	X
Banquet hall	X	X	X
Brewery	X	X	X
Business office	X	X	X
Business service use	X	X	X
Car wash			X
Child care centre	X	X	X
Commercial fitness centre	X	X	X
Commercial recreation use, private	X	X	X
Commercial self storage use			X
Community centre	X	X	X
Contractors yard or shop			X (1)
Financial institution	X	X	X

Use	D-CR	MU-RC	MU-CE
Non-Residential Uses			
Funeral home	X	X	
Gas bar			X
Home improvement centre	X	X	X
Hotel	X	X	X
Industrial use			X
Kennel and kennel, day			X
Library	X	X	X
Light equipment sales and rental use			X
Medical office	X	X	X
Motel	X	X	X
Motor vehicle body shop			X
Motor vehicle repair garage			X
Motor vehicle rental establishment	X	X	X
Motor vehicle sales and rental establishment		X	X
Museum	X	X	X
Parking lot, commercial	X	X	X
Personal service use	X	X	X
Place of entertainment	X	X	
Place of worship	X	X	X
Private club	X	X	X
Refreshment stand	X	X	X
Refreshment vehicle	X	X	X
Repair shop	X	X	X
Restaurant	X	X	X
Retail store	X	X	X
School, commercial	X	X	X
School, commercial trade	X	X	X
School, private	X	X	
Trade and convention centre	X	X	X
Warehouse			X

Special Provisions: (1) - Only existing uses permitted

Part 8.0 - Employment Zone

8.1 Zone

The following employment zone has been established in this By-law:

Employment (EMPL)

8.2 Description of Zone

The Employment (EMPL) Zone implements the policies of the Employment Area designation in the Town's Official Plan.

8.3 General Provisions for Employment Zones

The provisions of this section apply in addition to all relevant general provisions in Part 4.0 of this By-law.

8.3.1 Accessory Outdoor Storage

Where outdoor storage is permitted in conjunction with a building or structure on the same lot and is not an outdoor storage use, the following provisions apply:

- a) The outdoor storage is only permitted on a lot if there is also a building or structure on the same lot that has a minimum lot coverage of 15%.
- b) The outdoor storage is permitted only in a rear or interior side yard and must not be located any closer than 7.5 metres to any lot line abutting a street or highway.
- c) Outdoor storage shall be screened by opaque fencing or masonry wall with a minimum height of 1.8 metres or a berm with a minimum height of 3.0 metres.
- d) No materials (other than machinery and equipment) in an outside storage area shall exceed 6.0 metres in height.

8.3.2 Cannabis Related Facilities

Cannabis related facilities are subject to the following provisions:

- a) No cannabis related facility shall be located closer than 70.0 metres from any residential or institutional use.
- b) No residential use shall be permitted on the same lot where a cannabis related facility is located.
- c) Loading spaces and storage must be conducted within a fully enclosed building.
- d) The retail sale of cannabis is not permitted in conjunction with the use.

8.3.3 Planting Strip Requirements

A minimum 3.0 metre wide planting strip abutting the full length of a lot line is required on a lot in any Employment Zone that abuts an interior side or rear lot line of a lot in any Residential Zone.

Where there is a wall or solid board fence having a height of 1.5 metres or more along an interior side or rear lot line, the width of the planting strip established in sub-section (a) can be reduced to 1.5 metres in width.

A minimum 3.0 metre wide planting strip abutting the full length of the lot line is required along the front and exterior side lot lines in any Employment Zone.

Planting strips required by this section of the By-law can be counted as part of any landscaped open space requirement of this By-law.

8.3.4 Brewery

Where brewery is a permitted use, a tasting room shall be permitted provided such use is secondary and accessory to the brewery and such use does not occupy more than the lesser of 75m² or 25% of the total brewery floor area (excluding below ground floor area).

8.4 Permitted Uses

Uses permitted in an Employment Zone are denoted by the symbol 'X' in the column applicable to that Zone and corresponding with the row for a specific permitted use in Table 8.4.

Table 8.4 – Permitted Uses in Employment Zone.

Use	Employment Zone
Accessory outdoor storage	X
Animal clinic	X
Banquet hall	X
Brewery	X
Business office	X
Business service use	X
Cannabis related facility	X
Car wash	X
Commercial fitness centre	X
Commercial recreation use, private	X
Commercial self storage use	X
Community centre	X
Contractors yard or shop	X
Funeral home	X
Industrial use	X
Kennel and kennel, day	X
Light equipment sales and rental use	X

Use	Employment Zone
Motor vehicle body shop	X
Motor vehicle repair garage	X
Motor vehicle rental establishment	X
Motor vehicle sales and rental establishment	X
Outdoor storage use	X
Parking lot, commercial	X
Private club	X
Repair shop	X
School, commercial trade	X
Trade and convention centre	X
Transport terminal	X
Warehouse	X

8.5 Zone Standards

Regulations For Uses Permitted In Section 8.4 Are Set Out In Table 8.5.

Table 8.5 – Standards for Employment Zone.

Standard	Employment Zone
Minimum Lot Frontage	30.0 m
Minimum Lot Area	1,858 m ²
Minimum Front Yard	9.0 m
Minimum Rear Yard	7.5 m
Minimum Interior Side Yard	0.0 m
Minimum Exterior Side Yard	9.0 m
Maximum Height	19.0 m
Minimum Setback From Residential Zone Boundary	15.0 m

Part 9.0 - Other Zones

9.1 Zones

The following other zones have been established in this By-law:

Institutional (I)
Airport Development (A-D)
Open Space (OS)
Environmental Protection (EP)
Transportation-Utility (T-U)
Future Development (FD)

9.2 Description of Zones

The **Institutional (I) Zone** recognizes local institutional uses that are permitted in the Established Neighbourhoods and Low/Medium Density Residential Area designation in the Town's Official Plan.

The **Airport Development (A-D) Zone** implements the policies of the Airport Area designation in the Town's Official Plan. The A-D zone applies to the airport and adjacent lands and requires a Comprehensive Development Plan to be prepared for this area before development can proceed.

The **Open Space (OS) Zone** implements the policies of the Parks and Open Space designation in the Town's Official Plan.

The **Environmental Protection (EP) Zone** implements the Environmental Protection Area designation in the Town's Official Plan. Development is generally not permitted in the EP Zone.

The **Transportation-Utility (T-U) Zone** recognizes the existing substations in the Town.

The **Future Development (FD) Zone** recognizes existing uses on date of passing of this By-law. Future development on lands within this Zone will require an amendment to the Zoning By-law.

9.3 Institutional Zone Provisions

9.3.1 Permitted Uses

Uses permitted in an Institutional Zone are denoted by the symbol 'X' in the column applicable to that Zone and corresponding with the row for a specific permitted use in Table 9.3.1 below.

Table 9.3.1: Permitted Uses in the Institutional Zone.

Use	Institutional (I) Zone
Cemetery	X
Child care centre	X
Community centre	X
Crisis intervention home	X
Hospital, public	X
Library	X
Long term care home	X
Museum	X
Place of Worship	X
Retirement Home	X
Schools, private	X
Schools, public	X

9.3.2 Zone Standards

No person shall within any Institutional Zone use or permit the use of any lot or erect, alter, use any building or structure except in accordance with the following Zone standards. A number(s) following the Zone standard, Zone heading or description of the standards, indicates an additional Zone requirement. These additional standards are listed at the end of Table 9.3.2 below.

Table 9.3.2: Institutional Zone Standards.

Type of Standard	Institutional Zone Standards
Minimum Lot Frontage	15.0 metres
Minimum Lot Area	0.0 metres
Minimum Front Yard	7.5 metres
Minimum Rear Yard	7.5 metres
Minimum Interior Side Yard	3.0 metres (1)
Minimum Exterior Side Yard	7.5 metres
Maximum Height	11.0 metres

Special Provisions: (1) Increased to 7.5 metres abutting any Residential Zone boundary.

9.4 Airport Development Zone Provisions

9.4.1 Permitted Uses

Uses permitted in an Airport Development Zone are denoted by the symbol 'X' in the column applicable to that Zone and corresponding with the row for a specific permitted use in Table 9.3.

Table 9.4.1: Permitted Uses in the Airport Development Zone.

Use	Airport Development (A-D) Zone
Municipal airport uses	X
Flight School	X
Airport Terminal	X
Hangar	X
Hangar, Cluster	X
Auxiliary industrial uses dependent upon the aircraft industry	X

9.4.2 Zone Standards

No person shall within any Airport Development Zone use or permit the use of any lot or erect, alter, use any building or structure except in accordance with the following Zone standards. A number(s) following the Zone standard, Zone heading or description of the standards, indicates an additional Zone requirement. These additional standards are listed at the end of Table 9.4 below.

Table 9.4.2: Airport Development Zone Standards.

Type of Standard	Airport Development Zone Standards
Minimum Lot Frontage	30.0 metres
Minimum Lot Area	2,000 metres ²
Minimum Front Yard	15.0 metres
Minimum Rear Yard	30.0 metres (1)
Minimum Interior Side Yard	10.0 metres (2)
Minimum Exterior Side Yard	15.0 metres
Maximum Height	20.0 metres

Special Provisions:

- (1) Increased to 30.0 metres abutting any Residential Zone boundary.
- (2) Increased to 20.0 metres abutting any Residential Zone boundary.

9.5 Open Space Zone Provisions

9.5.1 Zone Standards

Uses permitted in an Open Space Zone are denoted by the symbol 'X' in the column applicable to that Zone and corresponding with the row for a specific permitted use in Table 9.5.1 below.

Table 9.5.1: Permitted Uses in an Open Space Zone.

Use	Open Space (OS) Zone
Conservation Use	X
Public Park	X
Stormwater Management Pond	X

9.5.2 Zone Standards

No person shall within any Open Space Zone use or permit the use of any lot or erect, alter, use any building or structure except in accordance with the following Zone standards.

Table 9.5.2: Open Space Zone Standards.

Type of Standard	Open Space (OS) Zone Standards
Minimum Lot Frontage	0.0 metres
Minimum Lot Area	0.0 metres
Minimum Required Front Yard	7.5 metres
Minimum Required Rear Yard	7.5 metres
Minimum Required Exterior Side Yard	7.5 metres
Maximum Height	11.0 metres

9.6 Environmental Protection Zone Provisions

9.6.1 Zone Standards

Uses permitted in an Environmental Protection Zone are denoted by the symbol 'X' in the column applicable to that Zone and corresponding with the row for a specific permitted use in Table 9.6.1 below.

Table 9.6.1: Permitted Uses in an Environmental Protection Zone.

Use	Environmental Protection (EP) Zone
Conservation Use	X
Public Park	X

9.6.2 Zone Standards

No person shall within any Environmental Protection Zone use or permit the use of any lot or erect, alter, use any building or structure except in accordance with the following Zone standards.

Table 9.6.2: Environmental Protection Zone Standards.

Type of Standard	Environmental Protection (EP) Zone Standards
Minimum Lot Frontage	0.0 metres
Minimum Lot Area	0.0 metres
Minimum Required Front Yard	9.5 metres
Minimum Required Rear Yard	9.5 metres
Minimum Required Exterior Side Yard	9.5 metres
Maximum Height	11.0 metres

9.7 Transportation-Utility Zone Provisions

9.7.1 Zone Standards

Uses permitted in a Transportation-Utility Zone are denoted by the symbol 'X' in the column applicable to that Zone and corresponding with the row for a specific permitted use in Table 9.7.1 below.

Table 9.7.1: Permitted Uses in a Transportation-Utility Zone.

Use	Transportation-Utility (T-U) Zone
Electrical Substation	X (Only uses that legally existed on the effective date of this By-law are permitted.)

9.7.2 Zone Standards

No person shall within any Transportation-Utility Zone use or permit the use of any lot or erect, alter, use any building or structure except in accordance with the following Zone standards.

Table 9.7.2: Transportation-Utility Zone Standards.

Type of Standard	Transportation-Utility (T-U) Zone Standards
Minimum Required Front Yard	6.0 metres
Minimum Required Rear Yard	7.5 metres
Minimum Required Side Yard	3.0 metres
Minimum Required Exterior Side Yard	4.5 metres
Maximum Height	13.0 metres

9.8 Future Development Zone Provisions

9.8.1 Zone Standards

Uses permitted in a Future Development Zone are denoted by the symbol 'X' in the column applicable to that Zone and corresponding with the row for a specific permitted use in Table 9.8.1 below.

Table 9.8.1: Permitted Uses in a Future Development Zone.

Use	Future Development (FD) Zone
Legally existing uses as of the effective date of this By-law.	X

9.8.2 Zone Standards

Additions to existing single detached dwellings are permitted subject to the standards as listed in Table 9.8.2 below.

Table 9.8.2: Future Development Zone Standards.

Type of Standard	Future Development (FD) Zone Standards
Minimum Required Front Yard	6.0 metres
Minimum Required Rear Yard	7.5 metres
Minimum Required Interior Side Yard	1.2 metres
Minimum Required Exterior Side Yard	3.0 metres
Maximum Height	11.0 metres

Part 10.0 - Exceptions

10.1 Exceptions

The provisions of this By-law are modified as set out in Table 10.1, below. In Table 10.1:

- f) Column 1 identifies the exception number;
- g) Column 2 identifies the Zone subject to the exception;
- h) Column 3 sets out the uses permitted in the zone exception, if applicable; and,
- i) Column 4 sets out the special rules that apply, if applicable.

Table 10.1: Exceptions.

Exception Number	Base Zone	Permitted Uses	Special Rules and/or Provisions that apply that are different than in the Base Zone
1	MU-RC	Business office Business service use Club, private Medical office Personal service use Repair shop Restaurant School, commercial School, commercial trade	No special provisions
2	MU-RC	Accessory retail store Accessory business office Commercial self storage use Industrial use Light equipment sales and rental use Motor vehicle repair garage Motor vehicle rental establishment	No special provisions

Exception Number	Base Zone	Permitted Uses	Special Rules and/or Provisions that apply that are different than in the Base Zone
		Motor vehicle sales and rental establishment Repair shop Warehouse	
3	MU-RC	Existing uses Business office Business service use Personal service use Retail store	Business offices, business service uses, personal service uses and retail stores shall have a net floor area that is 100 square metres or less Existing non-residential uses can only expand such that the use does not exceed 100 square metres of net floor area
4	MU-RC	Only existing uses permitted	No special provisions
5	FD	In accordance with Section 9.8.1 In addition, a contractors storage building and garage are permitted Outdoor storage is not permitted	Minimum required interior side yard on west side - 11 metres Minimum required rear yard - 15 metres
6	FD	In accordance with Section 9.8.1 In addition, a commercial self storage use permitted within a building that existed on the effective date of this By-law	No special provisions
7	MU-CE	All uses permitted in MU-CE Zone Only existing industrial uses and warehouse uses with outdoor storage and/or processing are permitted	No special provisions
8	MU-CE	All uses permitted in MU-CE Zone	Retail stores shall not exceed 2,500 square metres of net floor area

Exception Number	Base Zone	Permitted Uses	Special Rules and/or Provisions that apply that are different than in the Base Zone
		Drive through service facilities are not permitted	
9	R3	All uses permitted in the R3 Zone	Minimum lot frontage - 10.7 metres
10	R3	All uses permitted in the R3 Zone	Minimum lot frontage - 12.2 metres Maximum lot coverage - 50%
11	R3	All uses permitted in the R3 Zone	No special provisions
12	R4	All uses permitted in the R4 Zone	Minimum lot frontage – 4.5m Minimum setback to Private Garage and Carport – 5.0m Minimum Rear Yard – 5.5m Minimum Interior Side Yard – 1.2m Maximum Height – 15m
13	R3	All uses permitted in the R3 Zone	Maximum lot coverage for single storey semi-detached dwellings - 50%
14	R3	All uses permitted in the R3 Zone	Maximum lot coverage - 50%
15	R3	All uses permitted in the R3 Zone	Minimum required front yard for semi-detached dwelling units when both units are on the same lot - 14.16 metres Minimum required front yard for semi-detached dwelling units when each unit is on a separate lot - 7.08 metres
16	R4	All uses permitted in the R4 Zone	Minimum lot frontage – 4.5m Minimum setback to Private Garage and Carport – 5.0m Minimum exterior Side Yard – 3.0m Minimum interior side yard – 1.2m

Exception Number	Base Zone	Permitted Uses	Special Rules and/or Provisions that apply that are different than in the Base Zone
17	R4	All uses permitted in the R4 Zone	Minimum lot frontage – 4.5m Minimum setback to Private Garage and Carport – 5.0m Minimum Interior Side Yard – 1.2m Maximum Height – 15m
18	I	All uses permitted in the I Zone	The lands subject to this exception are considered to be one lot for the purposes of this By-law The front lot line for the lands subject to this exception is the southern lot line
19	I	All uses permitted in the I Zone plus one dwelling unit in a building that existed on the effective date of this By-law	No special provisions
20	R2	All uses permitted in the R2 Zone	Minimum lot frontage - 16.5 metres Maximum height - 9.0 metres
21	EMPL	All uses permitted in the EMPL Zone plus the shelter and care of animals	No special provisions
22	R1	All uses permitted in the R1 Zone In addition, a research facility, testing laboratory and office are permitted	Minimum interior side yard - 6.0 metres
23	R1	All uses permitted in the R1 Zone Home business use is permitted in accessory building, with the home business being comprised of a cabinetry making shop and showroom	No special provisions
24	R2	All uses permitted in the R2 Zone	Minimum front yard - 3.7 metres Minimum interior side yard - 3.0 metres

Exception Number	Base Zone	Permitted Uses	Special Rules and/or Provisions that apply that are different than in the Base Zone
			<p>Minimum rear yard - 8.0 metres</p> <p>Minimum dwelling unit area - 43 square metres in existing building and 55 square metres in new building</p> <p>Maximum density - 111 units per hectare</p> <p>Minimum parking - 1.3 parking spaces per unit</p>
25	D-CR	<p>All uses permitted in the D-CR zone</p> <p>Semi-detached dwelling</p>	<p>Minimum interior side yard for semi-detached dwellings - 2.3 metres</p> <p>Minimum rear yard for semi-detached dwellings - 5.0 metres</p>
26	MU-RC	All uses permitted in the MU-RC Zone	Maximum height – 15 metres
27	D-C/R	All uses permitted in the D-C/R zone plus alkaline hydrolysis	No special provisions
27	R4	All uses permitted in the R4 Zone	Minimum Interior Side Yard for townhouse use – 1.2m
28	R4	Street Townhouse Dwellings	Minimum Interior Side Yard – 1.2m
29	R4	Apartment Dwelling	Maximum Height – 15.5m
30	MU-RC	All uses permitted in the MU-RC zone plus Commercial self-storage use	No special provisions
31	R2	All uses permitted in the R2 Zone	Existing site performance standards for setbacks shall apply for all existing buildings on the property.
33	R4	<p>Street townhouse dwelling</p> <p>Apartment dwelling</p> <p>Triplex dwelling</p> <p>Multiple dwelling</p>	<p>Minimum Rear Yard for street townhouses 8.3 metres</p> <p>Maximum Height for street townhouses 10.5 metres</p>

Exception Number	Base Zone	Permitted Uses	Special Rules and/or Provisions that apply that are different than in the Base Zone
		Secondary residential unit Home business Bed and breakfast establishment Child care centre Home child care	Maximum Height for apartment/multiple dwelling 18.0 metres Despite Section 6.4.3 to the contrary, the maximum width of a driveway leading to a private garage or carport attached to a street townhouse is 3.35 metres.
34	R1	Single-detached and semi-detached dwelling	Retail sales are permitted as part of a home business An accessory building is permitted to be used for a home business A home business is permitted to operate within an accessory building Retail sale of goods not produced on the premise are permitted as part of a home business
35	R1	Single-detached dwelling and semi-detached dwelling	Minimum lot frontage for semi-detached dwelling each on a separate lot – 10.0 metres Minimum Interior Side Yard required on one side only – 1.5 metres
36	R4	All uses permitted in the R4 Zone Retirement Home	Maximum Height: Within 75m of the lot line abutting Fourth Avenue: 14m (4-storey) Remainder of lot: 20m (6-storey) Minimum Parking: Retirement non-residential: 1/30m ² of medical, health or personal service GFA Minimum Parking Space Area Underground Parking Area: 2.6m by 5.2m

Exception Number	Base Zone	Permitted Uses	Special Rules and/or Provisions that apply that are different than in the Base Zone
			<p>Location of Parking Area:</p> <p>Parking area in the exterior side yard facing McNab Street subject to a landscaped 3 metre setback from the lot line</p> <p>Enclosed Amenity Area Permitted Projection:</p> <p>Maximum enclosed area of 163m² to be setback a minimum of 3m from edge of building</p> <p>The façade facing Fourth Avenue is narrower than the depth of the building measured perpendicularly to the façade. This provision shall not apply to accessory buildings.</p>
37	MU-CE	<p>All uses permitted in MU-CE zone</p> <p>Apartment dwelling</p> <p>Drive through service facilities are not permitted</p>	<p>Retail stores shall not exceed 2,500 square metres of floor area</p> <p>The lands subject to this exception are considered one lot for the purposes of this By-law</p>
38	R1	<p>All uses permitted in the R1 zone</p>	<p>5.0 metre setback to garage/carport</p> <p>5.0 metre minimum rear yard setback</p> <p>1.2 metre interior side yard setback</p>
39	R4	<p>All uses permitted in the R4 zone</p>	<p>Buffer strip location: A buffer strip shall be required along any portion of a lot line abutting an Open Space (OS) zone.</p> <p>Buffer strip width (minimum): 10m or 5m beyond the vegetation dripline of trees along the property line, which is greater.</p> <p>Buffer strip definition: A buffer strip shall be defined as an area cleared of any non-native species and left to naturally regenerate and further</p>

Exception Number	Base Zone	Permitted Uses	Special Rules and/or Provisions that apply that are different than in the Base Zone
			<p>plated with calipersized native species consistent with species composition with the adjacent Gillies Grove Woodland.</p> <p>Required setback from buffer strip (minimum): 5 metres</p>
40	R2	All uses permitted in the R2 zone	<p>That the existing performance standards (setbacks) to the front and exterior side yard lot lines be considered the minimum.</p> <p>That a parking area in the rear yard setback shall be screened with a planting strip or fence with a minimum height of 1.5 meters.</p>

Part 11.0 - Temporary Uses

11.1 Temporary Uses

Where on Schedules to this By-law, a zone symbol is followed by the letter “T”, a number for example MUC-T1-, one or more additional but temporary uses are permitted on the lands noted until the permission granted by the site specific Temporary Use By-law expires in accordance with the policies of the Official Plan and Section 39 of the Planning Act, R.S.O. 1990, c.P.13, as amended. Table 11.1, below, identifies the Temporary Use Zones within the Municipality.

Table 11.1: List of Temporary Use Zones.

Zone	Property/ Legal Description	Temporary Uses	Zone Standards	Date Enacted	Date Expires
T1	260 Elgin Street West	Retail sales as part of a home business within an accessory building	No special provisions	April 24, 2017	April 24, 2020

Part 12.0 - Holding Provisions

12.1 Holding Provisions

Notwithstanding any other provision in this By-law, where a Zone symbol is followed by the letter “H” and a number – for example MUC-H- no person shall use or permit the use of land to which the letter “H” applies for any use other than the use which legally existed on the date the By-law applying the holding provision came into effect until the holding symbol is removed in accordance with the policies of the Official Plan and the Planning Act, as amended.

Council may pass a By-law pursuant to Section 46 of the Planning Act, as amended, to remove the holding symbol, thereby placing the lands in the zone indicated by the zone symbol, when all of the applicable requirements have been met.

Table 12.1: List of Holding Provisions.

Holding Symbol	Property/Legal Description	Uses Permitted with Holding Provision in Effect	Conditions for Removal
H 1	Various Properties	In accordance with Section 2.6 of this By-law	The execution of appropriate agreements with the Town
H 3	640 White Lake Road	In accordance with Section 2.6 of this By-law	The execution of appropriate agreements with the Town Council acceptance of servicing studies and plans for sanitary sewer, storm sewer and water services Council acceptance of a traffic impact/analysis study indicating phased/overall impact of development on the road system Council acceptance of a storm drainage report Council acceptance of a site grading and drainage plan
H 4	All lands within the Employment Zone	All uses permitted by Section 8.4 except a cannabis related facility	A cannabis related facility may be permitted provided Council is satisfied that noise and odour from the facility will not create adverse effects on residential uses.

H 5	Elementary school on Baskin Drive	In accordance with Section 2.6 of this By-law	<p>The execution of appropriate agreements with the Town</p> <p>Council acceptance of servicing studies and plans for sanitary sewer, storm sewer and water services</p> <p>Council acceptance of a storm drainage report</p> <p>Council acceptance of a traffic and parking study that assesses the potential traffic impacts associated with the future expansion of a secondary school on the site and provides recommendations for the implementation of any necessary mitigating measures, with this study to be submitted and approved by the Director of Public Works prior to the development of any secondary school on the site</p> <p>Council acceptance of an environmental impact study and slope stability study</p> <p>That adequate hydraulic watermain network system capacity and redundancy has been demonstrated to the satisfaction of the Town's engineering consultant in a manner satisfactory to the Director of Public Works, through a Hydraulic Watermain Analysis; and that any required measures needed to ensure system capacity and redundancy to accommodate growth are in place.</p>
H 6	30 Daniel Street North	In accordance with Section 2.6 of this By-law	<p>Council acceptance of a storm drainage report</p> <p>Council acceptance of a site grading and drainage plan</p> <p>Council acceptance of servicing studies and plans for sanitary sewer, storm sewer and water services</p> <p>Council acceptance of a heritage impact assessment</p> <p>Council acceptance of tree preservation and landscaping plan</p>

H 7	386 and 396 Madawaska Boulevard	All uses permitted by Section 7.14 except residential uses	The execution of appropriate agreements with the Town
H8	R4	In accordance with Section 2.6 of this By-Law	The execution of appropriate agreements with the Town
H 9	Part of Part 1, Plan 49R-7230, Part of Lot 3, Concession A	In accordance with Section 2.6 of this By-Law	Council acceptance of servicing studies and plans for development of the lands. The execution of appropriate agreements with the Town
H 10	Part of Lot 1, Con B, Hartney Street	In accordance with Section 26 of this By-Law	A cannabis related facility may be permitted provided Council is satisfied that noise and odour from the facility will not create adverse effects on residential uses Council acceptance of an environmental impact study The execution of appropriate agreements with the Town
H 12	Lot 4, Con B	In accordance with Section 2.6 of this By-law	Council acceptance of servicing studies and plans for development of the lands. The execution of appropriate agreement with the Town
H 13	Part 1 on Plan 49R-8580, Part of Lot 3, Con C	All uses permitted In R4*36 to a maximum height of 14 m (four storeys)	Council acceptance of appropriate plans and studies for development of the lands, including the submission of a wind study The execution of appropriate agreements with the Town
H 14	Con C, Part Lot 5	Legally existing uses as of the effective date of this By-law.	A development application, being submitted and approved by the appropriate authority and that the applicable agreement is entered into and registered on title; That servicing studies and plans for sanitary sewer, storm sewer, and water services must be submitted and approved; That a traffic impact/analysis study indicating a phased/overall impact of

			<p>development on the road system by submitted and approved; and That a site grading and drainage plan, storm drainage report and tree preservation plan be submitted and approved.</p>
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Part 13.0 – Enactment

That the Comprehensive Zoning By-law No. 6875-18 be hereby enacted and passed this 9th day of October, 2018.

David Reid, Mayor



Maureen Spratt, Town Clerk