

CORPORATION
OF THE
TOWN OF ARNPRIOR
ZONING BY-LAW NO. 4990-2001

OFFICE CONSOLIDATION
January 13, 2003

Prepared For:

The Corporation of the
Town of Arnprior

Prepared By:

The County of Renfrew
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October 29, 2001

TOWN OF ARNPRIOR
FORM 1 - NOTICE OF PASSING OF A COMPREHENSIVE ZONING BY-LAW

TAKE NOTICE that the Council of the Corporation of the Town of Arnprior passed By-law _____ on the _____ day of _____, 20_____ under Section 34 of the Planning Act, 1990.

AND TAKE NOTICE that any person or agency may appeal to the Ontario Municipal Board in respect of the By-law by filing with the Clerk of the Corporation of the Town of Arnprior not later than the _____ day of _____, 20_____, a notice of appeal setting out the objection to the By-law and the reasons in support of the objection. The notice of appeal must be accompanied by the fee required by the Ontario Municipal Board (\$125.00).

Only individuals, corporations and public bodies may appeal a zoning by-law to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

An explanation of the purpose and effect of the By-law is attached. As the By-law effects all lands in the Town, a Key Map is not attached.

EXPLANATORY NOTE

The Ministry of Municipal Affairs and Housing approved the Town's new Official Plan on January 27, 2000. This new Zoning By-law which repeals By-law No. 3223-81 will implement the new Official Plan by establishing revised Zones and Zoning provisions for the Town.

The Council of a municipality may, under Section 34 of the Planning Act, 1990, pass a Zoning By-law to govern the use of land. The effect of By-law Number _____ is to regulate the use of land and the erection, location and use of buildings and structures within the entire Town of Arnprior. After the By-law is in force, no land shall be used and no building or structure shall be erected, altered or used in any manner except in conformity with the provisions of the By-law. All previous Zoning By-laws are repealed by the new By-law.

The By-law will not apply to prevent or hinder the continued use of any land, building or structure, if such land, building or structure was lawfully used for such purpose on the day of the passing of the By-law, so long as it continues to be used for that purpose.

The By-law effects all lands within the Town of Arnprior.

DATED at the Town of Arnprior this _____ day of _____, 20_____.

Larry Donaldson
Clerk
P.O Box 130
105 Elgin Street West
Arnprior, Ontario K7S 3H4

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Schedule "A" - Town of Arnprior

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THE CORPORATION OF THE TOWN OF ARNPRIOR

BY-LAW NUMBER 4990-2001

Being a By-law to regulate the use of lands and the character, location and use of buildings and structures within the Town of Arnprior pursuant to Section 34 of the Planning Act, 1990.

PREAMBLE

WHEREAS Section 34 of the Planning Act, 1990, provides that the Council of a local municipality may pass By-laws to regulate the use of lands and the character, location and use of buildings and structures;

AND WHEREAS the Council of The Corporation of the Town of Arnprior recommended that such a By-law be enacted in order to implement the policies and designations contained within the updated Official Plan for the Town of Arnprior adopted by Council on October 27, 1997, and to ensure proper and orderly development within the corporate limits of the Town of Arnprior;

AND WHEREAS the Council of The Corporation of the Town of Arnprior has deemed it to be in the public interest that such a By-law be enacted;

NOW THEREFORE the Council of The Corporation of the Town of Arnprior enacts as follows:

SECTION 1.0 – AUTHORIZATION AND USAGE

1.1 TITLE

This By-law shall be known and may be cited as the "Zoning By-law" of the Corporation of the Town of Arnprior.

1.2 SCOPE

1.2.1 Application of By-law

The provisions of this By-law shall apply to all lands within the Corporation of the Town of Arnprior.

1.2.2 Conformity with By-law

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

1.2.3 Changes Causing Contravention of By-law

No person shall change the purpose for which any lot, building or structure is used, or erect any new building or structure or alter any existing building, structure or lot, or sever any lands from any existing lot, if the effect of such action is to create a situation where any original, adjoining, remaining or new building, structure or lot contravenes any of the applicable provisions of this By-law.

1.2.4 Violations of Previous Zoning By-laws

Any use established in violation of a predecessor of this By-law shall be deemed to have been established unlawfully.

1.2.5 Other Restrictions

This By-law shall not be used or have the effect to reduce or mitigate any other restrictions by an authority having lawful jurisdiction to make such restrictions.

1.2.6 Permits and Licences

No Municipal permit, certificate or licence shall be issued for a proposed use of land, including any establishment, enlargement, alteration or change in use of any building or structure, that contravenes any provision of this By-law.

1.3 **ADMINISTRATION**

1.3.1 **Administrator**

This By-law shall be administered by the Chief Building Official or by a Zoning Administrator appointed by Council, or by such other person as Council may designate from time to time for such purpose.

1.3.2 **Inspection**

The Zoning Administrator, Chief Building Official or any officer or employee of the Corporation assigned the responsibility for enforcing this By-law may at all reasonable times and upon producing proper identification, enter and inspect any property on or in respect of which he or she believes a contravention is occurring. However, such officer shall not enter any room or place actually used as a dwelling without requesting and obtaining the consent of the occupier, except under the authority of a search warrant as set out in Section 49 of the Planning Act, 1990.

1.3.3 **Violations and Penalties**

Every person who contravenes any provision of this By-law on conviction is liable:

- (a) on a first conviction to a fine of not more than \$25,000.00; and
- (b) on a subsequent conviction to a fine of not more than \$10,000.00 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted; and

Every corporation which contravenes any provision of this By-law on conviction is liable:

- (c) on a first conviction to a fine of not more than \$50,000.00 and
- (d) on a subsequent conviction a fine of not more than \$25,000.00 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted.

Every such penalty described herein is subject to the provisions of Section 67 of the Planning Act, 1990, as amended, and will change from time to time in accordance with the said Act.

1.3.4 **Remedies**

Where a building or structure is or is proposed to be erected, altered or enlarged, or a building, structure or lot is or is proposed to be used in contravention of any provision of this By-law, such contravention may be restrained by action at the insistence of any ratepayer or of the Corporation.

1.3.5 Plans to Accompany Applications

In addition to all of the requirements of the Building Code and this By-law or any other By-law of the Corporation, every application for a building permit shall be accompanied by a plan, in duplicate, drawn to scale in metric and showing;

- (a) the true dimensions of the lot to be built upon or otherwise used;
- (b) the location of all existing buildings, structures or uses on the lot;
- (c) the proposed location, height and dimensions of any building, structures or use proposed for such lot;
- (d) the proposed locations and dimensions of yards, landscaped open spaces, parking areas and loading spaces required by this By-law;
- (e) a statement, signed by the owner, disclosing the specific existing or proposed use for each existing or proposed building or structure, and containing all information necessary to determine if such existing or proposed building, structure or use conforms to the requirements of this By-law.

1.4 **VALIDATION**

1.4.1 Effective Date

This By-law shall come into effect from the date of its passing by Council and shall come into force in accordance with Section 34 of the Planning Act, 1990.

1.4.2 Repeal of Existing By-laws

From the coming into force of this By-law all previous By-laws passed by the Town, under Section 34 of the Planning Act, 1990, or a predecessor thereof, shall be repealed, except to the extent that any of the said By-laws prohibit the use of any land, building or structure for a purpose or in a manner that is also prohibited by this By-law.

1.4.3 Provisions Validity Separable

A decision of a competent 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 enforce ability of the other provisions (or parts thereof) of this By-law.

1.4.4 Schedules to By-law

The Zones set out in this By-law and the boundaries of such Zones are set out on the maps that are attached hereto and marked as Schedules. The Schedules are hereby made a part of this By-law as fully and to all intents and purposes as though recited in full herein.

1.5 **INTERPRETATION**

1.5.1 For the purposes of this By-law, words used in the present tense include the future; words in the singular number include the plural and words in the plural include the singular number; the word "shall" is mandatory; the word "used" shall also mean "designed to be used"; and the word "occupied" shall also mean "designed to be occupied".

1.5.2 Titles of sections and subsections are for convenience only and not for interpretive purposes.

1.5.3 **Boundaries of Zones**

Where uncertainty exists with respect to the boundaries of the various zones as shown on the Schedules (Zoning maps) attached to this By-law the following rules shall apply:

(a) Centreline Limits

Where the boundary is shown as following a street, lane, railway right-of-way or other right-of-way, such Zone boundary shall be the centreline of the street, lane, railway right-of-way or other right-of-way.

(b) Lot Lines

Where the boundary is not shown to be a street, or other feature described in item (a), but is shown to substantially follow a lot line, such lot line shall be the Zone boundary unless specifically indicated otherwise on the Schedule.

(c) Closed Road, Right-of-Way

In the event that a dedicated road, lane or railway right-of-way shown on the Schedule is closed, the property formerly in such road, lane or railway right-of-way shall be included within the Zone of adjoining property on either side of such closed feature. Where such closed feature formed a Zone boundary, the new Zone boundary shall be the former centreline of the closed road, lane or railway right-of-way.

(d) Shoreline

Where the boundary is shown as following the shoreline of any waterbody, the high water mark shall be the Zone boundary.

(e) Other Boundaries

Where none of the above interpretations can be applied, then the location of the boundary shall be determined by scaling from the original Schedule(s) located in the Municipal offices.

1.5.4 Measurements

Where linear distances, other than those referring to vertical measurements are specified, such linear distances are measured on a horizontal plane.

1.5.5 Conflicting Standards

Where there are any conflicting requirements in this By-law, the more restrictive standard shall apply, unless specifically stated otherwise.

SECTION 2.0 - DEFINITIONS

For the purpose of this By-law the definitions and interpretations of this section shall apply.

- 2.1 ABANDONED means the failure, in the opinion of the Zoning Administrator, to proceed expeditiously with construction work during any continuous 12 month period.
- 2.2 ABATTOIR means a building, structure or lot or part thereof used for the slaughter of livestock or other animals for the purpose of processing or rendering.
- 2.3 ACCESSORY when used to describe a use, building or structure, means a use, or a detached building or structure, that is naturally and normally incidental, subordinate and exclusively devoted to supporting the principle use, building or structure and located on the same lot therewith. This does not include an accessory residence unless otherwise specified.
- 2.4 AIRFIELD, PRIVATE means land used for the purpose of the landing, storing, taxiing or taking-off of private aircraft and uses, buildings and structures accessory thereto, but not an airport under the regulation of Transport Canada.
- 2.5 AIRPORT means the use of land licensed by Transport Canada for the landing and take-off of commercial and/or private aircraft and shall include any buildings or structures accessory thereto.
- 2.6 ALTER means any alteration in a bearing wall or partition or column, beam, girder or other supporting member of a building or structure or any increase in area or volume of a building or structure. When used in reference to a lot, the word alter means to decrease the width, depth or area of any required yard, setback, landscaped open space or parking area, or to change the location of any boundary of such lot with respect to a street or lane. The words "altered" and "alteration" shall have a corresponding meaning.
- 2.7 AMUSEMENT ARCADE means any premises or part thereof containing four or more electronic, mechanical pinball or amusement machines operated for gain and made available for the entertainment or amusement of the general public. This definition shall not include establishments which sell such devices, provided that such devices are not made available on the premises for use on a commercial basis by the public.
- 2.8 ANIMAL HOSPITAL means a building or structure where domestic animals, birds or other livestock are treated and where domestic animals or birds are kept for treatment only and shall include the clinic of a registered veterinarian.
- 2.9 ASSEMBLY HALL means a building or part of a building in which facilities are provided for such purposes as meetings of civic, education, political, religious or social purposes, and shall include a banquet hall.

- 2.10 ATTACHED means a building otherwise complete in itself, which depends for structural support, or complete enclosure, upon a division wall or walls shared in common with an adjacent building or buildings.
- 2.11 AUTOMOTIVE-BODY SHOP means a building or structure used for the painting or repairing of vehicle bodies or fenders, but shall not include a salvage yard.
- 2.12 AUTOMOTIVE-CAR WASH shall mean a building or structure containing facilities for washing vehicles, either by production line methods and mechanical services or by a self-service operation.
- 2.13 AUTOMOTIVE-COMMERCIAL GARAGE means a building where all functions of an automotive service station may be carried out and where major repairs of vehicles, owned by the general public may be performed, including body work and welding but shall not include dismantling of motor vehicles for scrap or the storage of motor vehicles awaiting scrapping.
- 2.14 AUTOMOTIVE-GASOLINE BAR means one or more pump islands, each consisting of one or more gasoline pumps, and shelter having a floor area of not more than 10 square metres, excluding washrooms, which shall not be used for the sale of any product other than liquids and small accessories required for the operation of motor vehicles and shall not be used for repairs, oil changes or greasing.
- 2.15 AUTOMOTIVE-SERVICE STATION means a building or place where gasoline, grease, anti-freeze, tires, tubes, tire accessories, electric light bulbs, spark plugs and batteries for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries changed, or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed.
- 2.16 AUTOMOTIVE-STORE means an establishment primarily engaged in the retail sale of vehicle parts, accessories and tools. Accessory uses may include service bays for performing maintenance repair operations on motor vehicles.
- 2.17 AUTOMOTIVE-VEHICLE SALES OR RENTAL ESTABLISHMENT means an establishment having as its main use the storage of vehicles for sale or the storage of vehicles for rent or lease. Accessory uses may include facilities for the repair or maintenance of such vehicles.
- 2.18 BASEMENT means that portion of a building between two floor levels which is partly underground but which has at least one-half of its height from finished floor to finished ceiling above adjacent finished grade as approved.
- 2.19 BED AND BREAKFAST ESTABLISHMENT means an owner-occupied single-detached dwelling in which there are up to four rooms for rent as short-term accommodation for tourists or vacationers, and may include the provision of meals. The Bed and Breakfast use shall remain subordinate to the primary use of the building as a single-

detached dwelling. This definition does not include any other establishment defined in this By-law.

- 2.20 BERM means a landscaped mound of earth.
- 2.21 BOARDING HOUSE means a single detached dwelling in which the proprietor supplies for gain, at least three but not more than ten bedrooms, exclusive of the proprietor's room, for boarders and may include the provision of meals. Rooming house shall have a corresponding meaning.
- 2.22 BREWING ESTABLISHMENT means a commercial establishment where equipment, materials and instruction are made available to customers for the purposes of brewing and bottling alcoholic beverages which are usually not consumed on the premises.
- 2.23 BUFFER STRIP (or PLANTING STRIP) means an area to be used only for the purpose of screening land, buildings or other structures by the planting/construction and maintenance of natural plant materials, solid fencing or berms or any combination of the foregoing.
- 2.24 BUILDING means any structure used or designed to be used for shelter, accommodation or enclosure of persons, animals or chattels.
- 2.25 BUILDING ENVELOPE means the buildable area on a lot, defined by the minimum front yard depth, rear yard depth and side yard width requirements and maximum height requirements, within which a building can be erected.
- 2.26 BUILDING SUPPLY STORE means an establishment engaged in the selling of building supplies such as lumber, insulation, siding, roofing, and electrical, and heating materials.
- 2.27 BUSINESS OFFICE means any building or part of a building in which one or more persons are employed in the management, direction or conducting of any agency, business, brokerage, labour or fraternal organization and shall include a newspaper plant, a radio and television broadcasting studio or theatre.
- 2.28 CAMP, RECREATION means a recreational establishment operated by a private or public organization where children and/or adults are temporarily accommodated in tents, cabins, cottages and/or lodge houses and shall include a church camp, a day camp or a scout camp but does not include any tourist establishment or mobile home park.
- 2.29 CAMPING ESTABLISHMENT means a tourist establishment consisting of at least five camping lots and comprising land used or maintained as grounds for the camping or parking of recreational vehicles and tents.
- 2.30 CARPORT means a covered parking area, the perimeter of which is open on at least two sides.

- 2.31 CELLAR means the portion of a building between two floor levels, which is partly underground and which has more than one-half of its height from finished floor to finished ceiling, below adjacent finished grade.
- 2.32 CEMETERY means a cemetery, columbarium or mausoleum within the meaning of the Cemetery Act (Revised) R.S.O., 1990, Chapt. C.4.
- 2.33 CHURCH means a building commonly used by any religious organization as defined in the Religious Organizations' Lands Act, R.S.O. 1990, Chapt. R.23 as amended, for public worship, and may include a rectory or manse, church hall, auditorium, day nursery or religious school associated with or accessory thereto.
- 2.34 CLINIC means a building or part thereof, used exclusively by physicians, dentists, their staff, and their patients for the purpose of consultation, diagnosis and office treatment. Without limiting the generality of the foregoing, a clinic may include administrative offices, waiting rooms, treatment rooms, laboratories, pharmacies and dispensaries directly associated with the clinic, but shall not include accommodation for in-patient care or operating rooms.
- 2.35 CLUB, PRIVATE means a building or part of a building used as a meeting and social place exclusively for members of a chartered organization and their guests, and shall include a fraternal lodge (eg. Free Masons) a fraternity or sorority house, hostel, and a labour union hall.
- 2.36 COMMUNITY CENTRE means any tract of land or buildings or any part of any buildings used for community activities whether used for commercial purposes or not, and the control of which is vested in the municipality, a local board or agent thereof.
- 2.37 CONCRETE MANUFACTURING PLANT means an industrial facility used for the production of concrete for immediate use in the construction of buildings, structures, roads or driveways. This definition also means the manufacturing of finished concrete products and may include the retail sale of such products.
- 2.38 CONSERVATION USE means the use of land for the preservation, protection and improvement of the components of the natural environment through a management plan administered by a public authority or a private agency or group.
- 2.39 CONTRACTOR'S YARD OR SHOP means an area of land of a contractor of any building, construction or industrial trade where equipment and materials are stored, or where a contractor performs shop or assembly work but does not include any other yard or establishment otherwise defined or classified herein. Offices for the contractor may also be permitted.
- 2.40 CONVENIENCE STORE means a retail commercial establishment supplying groceries, sundries and other daily household necessities to the immediate surrounding area.
- 2.41 CORPORATION means the corporation of the Town of Arnprior.

ILLUSTRATION OF CELLAR AND BASEMENT DEFINITIONS

Note: The above illustrations are for clarification purposes only.

- 2.42 COTTAGE means a building to accommodate one or more guests for temporary occupancy,
- (a) that contains at least two rooms;
 - (b) that is at least partially furnished; and
 - (c) in which the guest may be permitted to prepare and cook food.
- 2.43 COTTAGE ESTABLISHMENT means a tourist establishment comprised of two or more cottages owned or leased by the same person. Cabin establishment shall have a corresponding meaning.
- 2.44 DAY NURSERY means a building or part thereof duly licensed by the Province of Ontario for use as a facility for the day-time care of children, under the Day Nursery Act, R.S.O. 1990, Chapt.. D.2.
- 2.45 DRIVEWAY means a vehicle access provided between a street or lane and a parking area or a loading space, or between two parking areas, but does not include a parking aisle.
- 2.46 DWELLING means a building or part of a building containing one or more dwelling units.
- 2.47 DWELLING, SINGLE DETACHED means a single dwelling unit which is freestanding, separate and detached from other main buildings or main structures and includes a prefabricated single dwelling unit but does not include a mobile home.
- 2.48 DWELLING, SEMI-DETACHED means a building that is divided vertically into two separate dwelling units each of which has an independent entrance either directly from the outside or from a common vestibule.
- 2.49 DWELLING, DUPLEX means a building that is divided horizontally into two separate dwelling units each of which has an independent entrance either directly from outside or through a common vestibule or entrance.
- 2.50 DWELLING, TRIPLEX means a building that is divided horizontally into three separate dwelling units each of which has an independent entrance either directly from outside or through a common vestibule or entrance.
- 2.51 DWELLING, ROW HOUSE means a building that is divided vertically into three or more dwelling units, each of which has a separate and independent entrance at finished grade and separated from the adjoining unit or units by a common unpierced wall with no interior access between each dwelling unit. Townhouse shall have a corresponding meaning.
- 2.52 DWELLING, MAISONETTE means a building that is divided vertically into five or more dwelling units, each of which has independent entrances, one to a common corridor and the other directly to an outside yard area adjacent to the said dwelling unit.

- 2.53 DWELLING, APARTMENT means a building which contains four or more dwelling units served by a common entrance or by an independent entrance directly from the outside in which the occupants have the right to use in common any corridors, stairs or elevators contained therein, and the yards appurtenant thereto.
- 2.54 DWELLING, CONVERTED means a building originally designed as a single detached dwelling which has been converted or altered so as to provide therein more than one dwelling unit with or without separate entrances, none of which shall be located in the cellar of the dwelling.
- 2.55 DWELLING UNIT means a suite of habitable rooms which:
- (a) is located in a building;
 - (b) is used or intended to be used in common by one or more persons as a single, independent and separate housekeeping establishment;
 - (c) contains food preparation and sanitary facilities provided for the exclusive common use of the occupants thereof; and
 - (d) has a private entrance directly from outside the building or from a common hallway or stairway inside the building.
- 2.56 DWELLING UNIT, ACCESSORY means a dwelling unit accessory to a permitted non-residential use.
- 2.57 DWELLING UNIT AREA means the aggregate of the floor area of all habitable rooms, hallways and lobbies within a dwelling unit, excluding the thickness of any exterior walls.
- 2.58 DWELLING UNIT, TEMPORARY means a dwelling unit which is an ancillary detached dwelling unit located on the same lot as an existing dwelling and intended to house (for a temporary period) elderly or disabled relatives of the occupant of the main dwelling.
- 2.59 EATING ESTABLISHMENT means a building or part of a building where food is offered for sale or sold to the public for immediate consumption therein.
- 2.60 EATING ESTABLISHMENT, DRIVE-IN means a premises consisting of a building or structure, together with a parking lot, from which food, refreshments, dairy products or beverages are offered for sale or sold to the public for consumption either in automobiles parked on the parking lot or for consumption elsewhere on the premises, but not necessarily within such building or structure, and does not include any other use defined in this by-law.
- 2.61 EATING ESTABLISHMENT, TAKE-OUT means a building or structure used for the sale of food to the general public and from which food is made available to the customer from within the building. No provision is made for the consumption of food on the site.

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- 2.62 EDUCATIONAL FACILITY means training or instructional facilities including classrooms, seminar rooms and similar facilities.
- 2.63 EQUIPMENT RENTAL ESTABLISHMENT means a building or part of a building wherein the primary use is the rental of machinery, equipment, furniture and fixtures, only of a size and type which would be used for a specific home improvement or household purpose and which could be transported by the individual household user.
- 2.64 ERECT means build, construct, reconstruct, alter, enlarge or relocate and without limiting the generality of the foregoing, shall include any preliminary physical operations such as cutting, grading, excavating, berming, piling, cribbing, filling or drainage, or any altering of any existing building by an addition, deletion, enlargement, extension or other structural change.
- 2.65 ESTABLISHED BUILDING LINE means the average distance from the street line to existing buildings on the same side of a street within 150 metres of a lot, where a minimum of three dwellings have been built within this area prior to the date of passing of this By-law.
- 2.66 EXISTING means existing as of the date of final passing of this By-law.
- 2.67 FACTORY OUTLET means a building or use accessory to a permitted industrial use where the products manufactured by that industry are kept and offered for wholesale or retail sale.
- 2.68 FARM means land used for the tillage of soil; the growing and harvesting of field crops, vegetables, fruits, horticultural crops and trees; the grazing, breeding, raising, boarding or training of livestock and horses; dairying; beekeeping, fish farming; any other operation that is normal farming practice; and includes one farm dwelling as well as barns, sheds and other accessory structures.
- 2.69 FARM PRODUCE MARKET means a building or area where fruits, vegetables, flowers or farm produce are sold at retail.
- 2.70 FARM PRODUCE SALES OUTLET means a use accessory to a farm which consists of the retail sale of agricultural products produced on the farm where such outlet is located.
- 2.71 FLOOD means a temporary rise in the water level resulting in the inundation of areas that are adjacent to a water course and not ordinarily covered by water.
- 2.72 FLOOD FRINGE means the outer portion of the flood plain between the floodway and the upper elevation of the flood plain limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the floodway.
- 2.73 FLOOD PLAIN means the area of land within a watershed which is subject to inundation during a flooding event. This area shall be calculated as being the area that would be

flooded with an expected average frequency of once in a hundred years. Lands subject to flooding shall have a corresponding meaning.

- 2.74 FLOOD PROOFED refers to the measures taken to ensure that a structure or building is safe from the effects of flooding and include: no openings of any kind including windows, doors, vents, etc. should be permitted below the flood datum; incoming power service metering equipment, electrical appliances, etc., should not be erected below the flood datum; this restriction does not apply to electrical wall outlets equipped with ground fault plugs; design of heating, air conditioning, ventilation, plumbing, sanitary and water systems to consider flood vulnerability; sanitary sewer and storm drainage systems having openings below the flood datum should be provided with automatic backflow preventers; water supply systems should be designed to prevent possible contamination from flood water; gas or oil fired furnaces should be provided with float-operated automatic control valves to shut off fuel in the event of flooding; sanitary sewer or septic systems intended during flood conditions should be designed to prevent sewage discharge and resulting health hazards, etc.
- 2.75 FLOODWAY means the channel of a watercourse and the portion of the flood plain adjacent to the watercourse where flood depths and velocities are more severe than in the flood fringe. These flood depths and velocities are considered to have the potential to threaten lives and/or damage property.
- 2.76 FLOOR AREA GROSS means, for a dwelling, the total area of the storeys exclusive of basements, cellars, attic, garages, sunrooms, unenclosed verandas or porches; and for a building other than a dwelling, the total area of all the floors contained within the outside walls of the building. Only that floor area having a clear height to the ceiling of at least 2.25 metres may be used to calculate floor area.
- 2.77 FLOOR AREA, GROSS LEASABLE means the total floor area of a building including basements, mezzanines and upper floors, minus common areas including public walkways, malls, public toilets, truck and service facilities, joint service facilities, elevator shafts and lobbies, boiler rooms, maintenance rooms, mechanical or electrical or utility rooms and any parking for autos within the building.
- 2.78 FLOOR AREA, NET means only the habitable or useable floor space in a building exclusive of any foyer, hallways, stairwell, closet, washroom or toilet room and shall be measured from the inside walls.
- 2.79 FRONTAGE see LOT FRONTAGE.
- 2.80 FORESTRY means the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, protection and production of water supplies, and preservation of the recreation resources.
- 2.81 FUEL STORAGE TANK means a tank for the bulk storage of petroleum gasoline, fuel oil, gas or inflammable liquid or fluid but does not include a container for inflammable

liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use of the premises where such tank is located.

- 2.82 FURNITURE OR WOOD PRODUCTS SHOP means an establishment where items are constructed primarily from wood, including such products as cabinets, furniture, caskets, trim, or sash and door works.
- 2.83 FUNERAL HOME means any premises designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for internment or cremation.
- 2.84 GARAGE, PRIVATE means an enclosed or partially enclosed structure in which no business, occupation or service is conducted for profit (unless otherwise permitted by this By-law), and which structure is used primarily for the storage of one or more vehicles and storage of household equipment incidental to the residential occupancy.
- 2.85 GARAGE, PUBLIC means a municipal or provincial facility used for the storage and servicing of road construction and maintenance equipment and materials and may include open storage.
- 2.86 GARAGE, COMMERCIAL (see AUTOMOTIVE COMMERCIAL GARAGE)
- 2.87 GARDEN CENTRE means an establishment primarily used for the retail sale of gardening equipment, products and planting materials, including greenhouses for the cultivation of such materials. Nursery shall have a corresponding meaning.
- 2.88 GOLF COURSE means a public or private area operated for the purpose of playing golf and includes a par 3 golf course, an accessory club house and an accessory driving range.
- 2.89 GROUP HOME means a single housekeeping unit in a residential dwelling in which up to ten unrelated residents, excluding staff or the receiving family, live as a family under responsible supervision consistent with the requirements of its residents and which is licensed or approved under Provincial statute.
- 2.90 HANGAR shall mean a building or structure designed for the shelter of aircraft.
- 2.91 HANGAR, CLUSTER shall mean a single building or structure designed for the shelter of more than one aircraft. Nested hangar shall have a corresponding meaning.
- 2.92 HAULED SEWAGE means untreated sanitary waste from a septic tank, privy or holding tank.
- 2.93 HEIGHT means, when used with reference to a building, the vertical distance between the average elevation of the finished surface of the ground at the front of the building and,
- (a) in the case of a flat roof, the highest point of the roof surface or the parapet, whichever is the greater;

- (b) in the case of a mansard roof, the deck roof line; and
 - (c) in the case of a gable, hip or gambrel roof, the mean height between the eaves and the ridge.
- 2.94 **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.
- 2.95 **HOME DISPLAY AND SALES OUTLET** means an establishment or premises where prefabricated dwellings including cottages and mobile homes are erected or located for display purposes only and from which orders can be placed for the purchase and delivery of such dwellings or parts and accessories associated therewith.
- 2.96 **HOME FOR THE AGED** means a "home for the aged" as defined under the Homes for the Aged and Rest Homes Act, R.S.O. 1990, Chapt. H.13 as amended from time to time.
- 2.97 **HOME OCCUPATION** means any occupation for gain or support which is carried on as an accessory use within a dwelling or dwelling unit and operated by members of the family residing in the dwelling or dwelling unit. Such home occupation uses may include a service or repair shop, a personal service shop, the office or consulting room of a doctor, dentist, chiropractor, drug-less practitioner, lawyer, real estate agent, insurance agent, planner, architect, photographer, artist's studio, teacher, music or dance instructor or engineer, but does not include a clinic, a hospital, a nursing home, a tea room, kennel, a taxi business or a small internal combustion engine repair shop.
- 2.98 **HOSPITAL** means a hospital as defined in the Private Hospitals Act, R.S.O. 1990, Chapt. C.24. or a hospital as defined by the Public Hospital Act R.S.O. 1990, Chapt. P.40.
- 2.99 **HOTEL** means a tourist establishment that consists of the following: 1) one or more than one building containing four or more accommodation units grouped under one roof and accessible from the interior or partially from the exterior, and 2) may or may not have facilities for serving meals.
- 2.100 **KENNEL** means an establishment in which dogs or other domesticated animals are housed, groomed, boarded, bred or trained for gain or profit.
- 2.101 **LANDSCAPED OPEN SPACE** means open space comprised of lawn and/or ornamental shrubs, flowers and trees and may include space occupied by paths, walks, courts and patios, but shall not include parking areas, traffic aisles, driveways, ramps or storage of equipment, vehicles or other materials.
- 2.102 **LANE** means a public thoroughfare which affords only a secondary means of access to abutting lots and which is not intended for general traffic circulation.

- 2.103 LAUNDROMAT means a building or structure where coin-operated laundry machines, using only water, detergents and additives are made available to the public for the purpose of laundry cleaning.
- 2.104 LIVESTOCK means chickens, turkeys, cattle, hogs, mink, rabbits, sheep, horses, goats or any domestic animal used or raised for consumption or for commercial purposes.
- 2.105 LIVESTOCK FACILITY means barns, buildings or structures where livestock are housed and shall also include beef feedlots and the associated manure storage facilities.
- 2.106 LOADING SPACE means a space or bay located on a lot which is used or intended to be used for the temporary parking of any commercial vehicle while loading or unloading goods, merchandise or materials used in connection with the use of the lot or any building thereon.
- 2.107 LOT means a parcel or tract of land:
- (a) which is a whole lot as shown on a Registered Plan of Subdivision, but a Registered Plan of Subdivision for the purposes of this paragraph does not include a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under a By-law passed pursuant to Section 50 of The Planning Act, R.S.O. Chapt. P.13.
 - (b) which is a separate parcel of land the owner of which does not retain the fee or equity of redemption in, or a power or right to grant, assign, or exercise a power of appointment with respect to any abutting land, or
 - (c) the description of which is the same as in a deed which has been given consent pursuant to the Planning Act, R.S.O. Chapt. P.13.
- 2.108 LOT AREA means the total horizontal area within the lot lines of a lot. In the case of a corner lot having street lines rounding at the corner with a radius of 6.0 metres, or less, the lot area of such land shall be calculated as if the lot lines were produced to their point of intersection.
- 2.109 LOT, CORNER means a lot situated at the intersection of two streets, of which two adjacent sides that abut the intersecting streets contain an angle of not more than 135 degrees; where such adjacent sides are curved, the angle of intersection of the adjacent sides shall be deemed to be the angle formed by the intersection of the tangents to the street lines, drawn through the extremities of the interior lot lines, provided that, in the latter case, the corner of the lot shall be deemed to be that point on the street lines nearest to the point of intersection of the said tangents.
- 2.110 LOT COVERAGE means the percentage of the lot area covered by buildings, including accessory buildings.

- 2.111 LOT FRONTAGE means the horizontal distance between the side lot lines measured along the front lot line. Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be measured along a line 6.0 metres back from and parallel to the street line.
- 2.112 LOT, INTERIOR means a lot situated between adjacent lots and having access to one street.
- 2.113 LOT LINE means any boundary of a lot or a vertical projection thereof.
- 2.114 LOT LINE, FLANK means a lot line other than a front lot line which is also a street lot line.
- 2.115 LOT LINE, FRONT means the lot line that divides the lot from the street or street allowance or private road with the following clarifications:
- (a) in the case of a corner lot, the shorter lot line that abuts the street shall be deemed the front lot line and the longer lot line that abuts the street shall be deemed the flank lot line;
 - (b) in the case of a corner lot with two street lines of equal lengths, the lot line that abuts the wider street or abuts a Provincial Highway or abuts a County Road shall be deemed to be the front lot line, and in the case of both streets being under the same jurisdiction, or of the same width, the lot line where the principal access to the lot is approved shall be deemed to be the front lot line;
 - (c) in the case of a corner lot abutting a 0.3 metre reserve the lot line so abutting the 0.3 metre reserve shall be deemed a flank lot line and the other line abutting the street shall be deemed the front lot line;
 - (d) in the case of a through lot, the longer boundary dividing the lot from the street shall be deemed to be the front line and opposite shorter boundary shall be deemed to be the rear lot line. In case each of such lot lines should be of equal length the lot line where the principal access to the lot is approved shall be deemed to be the front lot line.
- 2.116 LOT LINE, REAR means the lot line opposite the front lot line. If a lot has less than four lot lines, there shall be deemed to be no rear lot line.
- 2.117 LOT LINE, SIDE means a lot line other than a front, flank or rear lot line.
- 2.118 LOT, THROUGH means a lot bounded on two opposite sides by a street. If any lot qualifies as being both a "Lot, Corner" and a "Lot, Through" as hereinbefore defined, such lot shall be deemed a "Lot, Corner" for the purpose of this By-law.
- 2.119 MAIN BUILDING means a building in which the principal use is conducted on the lot on which the building is located. In the residential zone the dwelling is the main building.

- 2.120 MANUFACTURING PLANT means a building or structure in which a product is fabricated or materials are processed and from which such product is shipped to a wholesale or retail outlet.
- 2.121 MANUFACTURING PLANT, LIGHT means a building or structure in which materials or component parts are manufactured, assembled or processed to produce finished products suitable for the retail trade but does not include any industry involving stamping presses, furnaces or other machinery that emits dirt, dust or noxious fumes into the air or that results in noise or vibration beyond the property in excess of Ministry of the Environment and Energy guidelines.
- 2.122 MARINA means a building, structure or place, containing docking facilities and located on a waterbody, where boats and boat accessories are berthed, stored, serviced, repaired or kept for sale or rent and where facilities for the sale of marine fuels and lubricants may be provided.
- 2.123 MEAT PRODUCTS PLANT means a canned meat factory, sausage factory, meat processing plant and any other factory where meat or poultry are cooked, cured, smoked or otherwise processed or packed but does not include a stock-yard, abattoir, tannery or hide processing plant, a poultry-killing establishment, an animal food factory or an animal by-products plant.
- 2.124 MINI STORAGE ESTABLISHMENT means one or more than one building containing separate spaces of varying sizes that are offered by lease or rent to persons for the storage of chattels. Self-service storage building shall have a corresponding meaning.
- 2.125 MOBILE HOME means any dwelling that is designed to be made mobile and constructed or manufactured to be used in like manner as a single detached dwelling for the permanent accommodation of one or more persons, notwithstanding that the running gear is or may be removed, or that such dwelling is or may be fixed on a finished and permanent foundation or has become in any other manner so adapted and affixed to the land upon which it is situated that it is, or has become, an immobile and permanent structure, and includes any mobile home as defined in Section 46(1) of the Planning Act, 1990 amended from time to time, or any successors thereto.
- 2.126 MOBILE HOME PARK means a lot containing two or more mobile home sites and which is under single management and ownership, used for the siting of mobile homes together with commercial-recreational and service uses for Mobile Home Park residents, including any building, structure or enclosure forming a part of such a mobile home park.
- 2.127 MOBILE HOME SITE means an area of land within a mobile home park occupied by or intended for occupancy by one mobile home together with all yards and open space required by this By-law.
- 2.128 MOTEL means a tourist establishment that consists of the following: 1) one or more than one building containing four or more attached accommodation units accessible from the

exterior only; 2) may or may not have facilities for serving meals; and 3) is designed to accommodate the public for whom the automobile is the principal means of transportation.

- 2.129 MOTOR HOTEL means a tourist establishment that consists of the following: 1) one or more than one building containing four or more accommodation units grouped under one roof and accessible from the interior or partially from the exterior; 2) may or may not have facilities for serving meals; and 3) is designed to accommodate the travelling public for whom the automobile is the principle means of transportation.
- 2.130 MUTUAL DRIVEWAY means an ingress or egress that is common to two or more owners of abutting lands as a right-of-way registered against the title of the lands.
- 2.131 NATURAL AREA means an undeveloped or undisturbed area which may represent or contain a unique natural feature such as a rare forest stand, fish and wildlife habitat or scenic landscape.
- 2.132 NAVIGABLE WATERWAY means a navigable body of water or stream as deemed under the Navigable Waters Protection Act.
- 2.133 NON-COMPLYING means when referring to a building or structure that which is a permitted but which does not comply with one or more of the zone provisions of the zone in which such building or structure is located as of the date of passing of this By-law.
- 2.134 NON-CONFORMING means when referring to a use, building or structure, means a use, building or structure which on the date of passing of this By-law, is not a permitted use in the zone where such use, building or structure is located.
- 2.135 NURSERY See GARDEN CENTRE.
- 2.136 NURSING HOME means a nursing home as defined under the Nursing Home Act, R.S.O. 1990, Chapt. N.7.
- 2.137 OFFICE, BUSINESS means an office where one or more persons are employed in the management, direction or conducting of any agency, business, brokerage, labour or fraternal organization and shall include a financial institution, newspaper plant, a radio and television broadcasting studio or theatre.
- 2.138 OFFICE, PROFESSIONAL means any office where professionally qualified persons, technical assistants and clerical staff are employed and where clients or patients seek advice, consultation, treatment or research results. Notwithstanding the foregoing, said office shall not be a hospital or any other use defined herein.
- 2.139 OPEN STORAGE means the storage of goods, merchandise or equipment in the open air and in unenclosed portions of buildings which are open to air on the side.

- 2.140 **PARK** means a recreational area that consists largely of open space and which may include a picnic area, swimming pool or area, playground, play field or similar use, but shall not include a mobile home park or recreational vehicle park.
- 2.141 **PARK, PRIVATE** means a park other than a public park.
- 2.142 **PARK, PUBLIC** means a park owned or controlled by the Corporation or by any Ministry, Board, Commission or Authority established under any statute of Ontario or Canada.
- 2.143 **PARKING AREA** means an area provided for the parking of motor vehicles and encompassing at least the required number of parking spaces and all driveways, aisles, manoeuvring areas, entrances, exits and similar areas for access to parking spaces, but shall not include any part of a street or private road.
- 2.144 **PARKING SPACE** means a portion of a parking area exclusive of driveways or aisles which may be used for the temporary parking or storage of motor vehicles.
- 2.145 **PERMITTED** means permitted by this By-law.
- 2.146 **PERSON** means an individual, an association, a chartered organization, a firm, a partnership or a corporation.
- 2.147 **PLACE OF ENTERTAINMENT** means an athletic, recreational or social club operated for gain or profit as well as a motion picture or other theatre, auditorium, billiard or pool room, bowling alley, ice or roller skating rink, curling rink, or dance hall, but does not include any place of entertainment or recreation otherwise defined or classified in this By-law.
- 2.148 **PLANTING STRIP** (see **BUFFER STRIP**)
- 2.149 **PORTABLE ASPHALT PLANT** means a facility operated by, or on behalf of, a public road authority for a particular construction project, with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material and includes the stockpiling and storage of bulk materials used in the process. Such a facility is not of permanent construction, but is designed to be dismantled and moved to another location as required.
- 2.150 **PRIVATE ROAD** means a registered right-of-way not dedicated and accepted as, or otherwise deemed at law to be a public highway, that serves as a privately maintained motor vehicle access-route to one or more abutting, legally conveyable parcels of land.
- 2.151 **PROFESSIONAL OFFICE** shall mean any office where professional qualified persons, technical assistants and clerical staff are employed and where clients or patients seek advice, consultation or treatment. Notwithstanding the foregoing, said office shall not be a clinic or hospital or any other use defined herein.

- 2.152 **PROVINCIALY SIGNIFICANT WETLAND** means an area identified as Provincially Significant by the Ministry of Natural Resources using evaluation procedures established by the Province of Ontario.
- 2.153 **PUBLIC AUTHORITY** means the Council and any School Board, Public Utility Commission, Transportation Commission, Public Library Board, Board of Parks Management, Board of Health, Planning Committee or other board or commission or committee of the Town of Arnprior established or exercising any power or authority under any general or special statutes of Ontario with respect to any of the affairs or purposes of the Municipality or a portion thereof, and includes any committee or local authority established by By-law of the Municipality.
- 2.154 **PUBLIC BUILDING** means any building or structure owned or leased by a municipal corporation, the County of Renfrew, Province of Ontario or the Government of Canada and in which government activities are carried out.
- 2.155 **PUBLIC UTILITY** means a waterworks, a water supply system, sewage works, electrical power or energy generating, transmission or distribution system, street lighting system, natural or artificial gas works or supply system or a telephone system, and includes any lands, buildings or equipment required for the administration or operation of any such system.
- 2.156 **RECREATION, ACTIVE** means the use of land, water and/or building for the purpose of organized active leisure activities and shall include an arena, a golf course, a sports field, and motorized vehicle trails.
- 2.157 **RECREATION, PASSIVE** means the use of land and/or water for the purpose of passive leisure activity and shall include a park, a garden, a picnic area and the like, equestrian and hiking trails, as well as a playlet with activity equipment for children.
- 2.158 **RECREATIONAL VEHICLE** means a structure or vehicle designed, intended and used as accommodation exclusively for travel, recreation and vacation and which is either capable of being drawn by a passenger vehicle or is self-propelled and shall include travel trailers, park model trailers, tent trailers, vans, motor homes, and similar transportable accommodation excepting a mobile home.
- 2.159 **RECREATIONAL VEHICLE CAMPGROUND** means a parcel of land under single ownership which is designed, developed and maintained or intended to provide accommodation on a temporary or seasonal basis, for recreational vehicles and/or tents plus accompanying towing or carrying vehicles. It may also include accessory uses such as an administration office, clubhouse, snack bar, laundry, convenience and souvenir shop, swimming pool, washrooms, showers, managers dwelling and recreational facilities. Recreational Vehicle Park shall have a corresponding meeting.
- 2.160 **RECREATIONAL VEHICLE SITE** means a plot of ground within a recreational vehicle campground or a camping establishment intended for exclusive occupancy by the renter(s), and on which accommodations and vehicles can be placed.

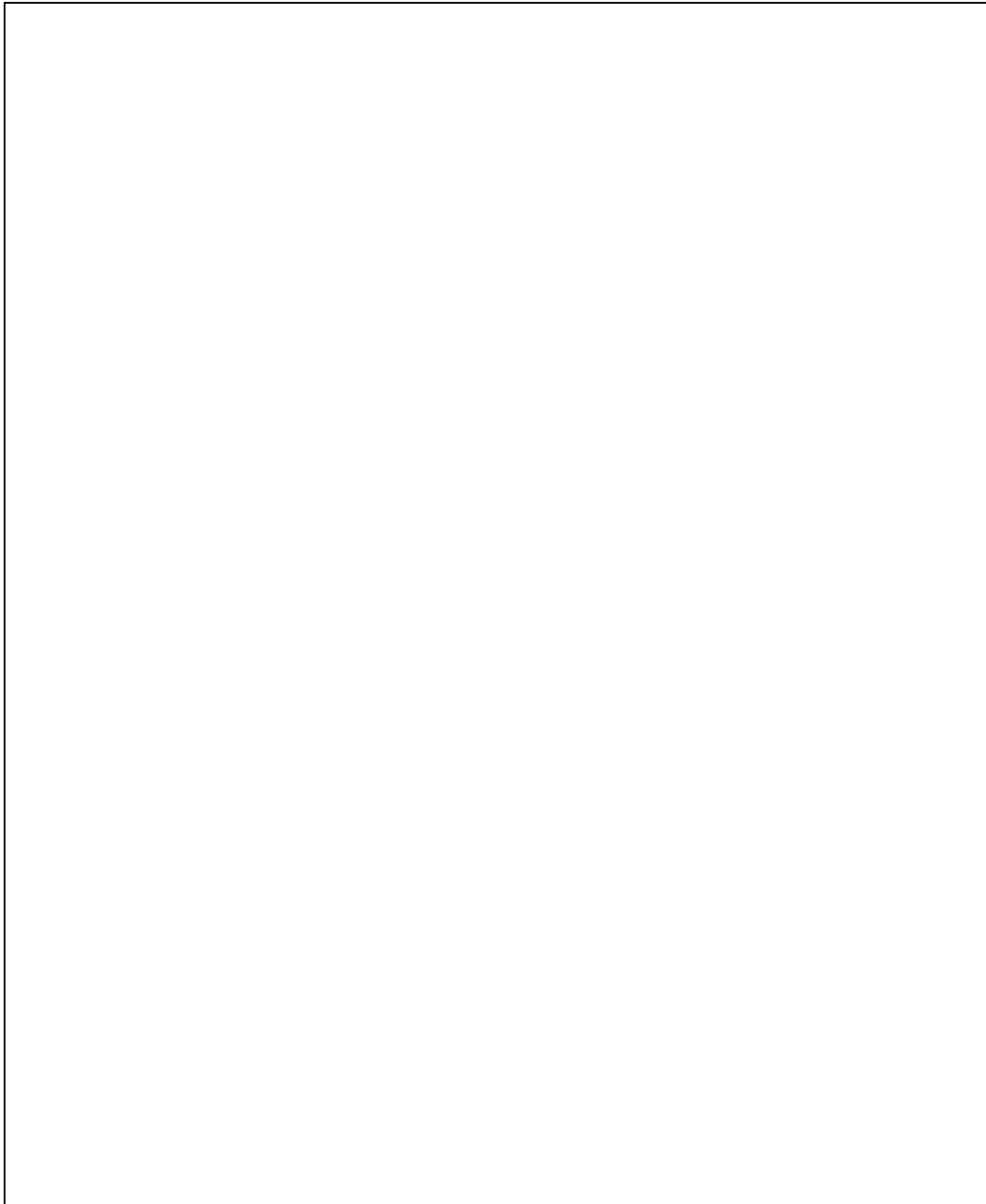
- 2.161 RELIGIOUS EDUCATION FACILITY means an establishment used by religious groups for study, relaxation, meditation and similar activities, including dining and lodging facilities, accommodation for staff and compatible accessory uses.
- 2.162 REQUIRED means required by this By-law. REQUIREMENT shall have a corresponding meaning.
- 2.163 RESORT means a tourist establishment catering to the vacationing public, designed as a destination-oriented operation and/or being within an area recognized as a destination for vacations, and providing meals and sleeping accommodations that may consist of lodge houses, guest rooms or cottages, but shall not include any other use defined herein.
- 2.164 RESTAURANT see EATING ESTABLISHMENT.
- 2.165 RETAIL STORE means a building or part of a building in which goods, wares, merchandise, substance, articles or things are offered or kept for sale at retail, but does not include any establishment otherwise defined herein or specifically named elsewhere in this By-law.
- 2.166 ROAD see STREET.
- 2.167 ROOM, HABITABLE means a room which:
- (a) is located within a dwelling unit;
 - (b) is designed for living, sleeping or eating or for sanitary purposes;
 - (c) can be used at all times throughout the year; and
 - (d) is not located within a cellar.
- 2.168 ROOM, NON-HABITABLE means any room located within a dwelling unit that is not a habitable room, including, but not so as to limit the generality of the foregoing, a laundry room, a pantry, a lobby, a stairway, a closet, a verandah, a recreation room, a porch, a balcony, a private garage, an unfinished attic, a cellar, a boiler room and any space used for the service and maintenance of such dwelling or for vertical travel between storeys.
- 2.169 SALVAGE YARD means a lot and/or premises for the storage and/or handling and/or sale of scrap or used materials, which, without limiting the generality of the foregoing, shall include waste paper, rags, wood, bottles, bicycles, vehicles, tires, metal and/or other scrap material and salvage includes a junk yard, scrap metal yard and a wrecking yard, including ancillary automotive sales and service establishment and premises.
- 2.170 SAWMILL means a building, structure or area where timber is cut or stored, either to finished lumber or as an intermediary step.

- 2.171 **SCHOOL** means a school under the jurisdiction of a Public, Separate or High School Board, a college or a university or any other school established and maintained either wholly or partially at public or private expense whether or not the same is also a boarding school, and includes any dormitory building accessory to a school.
- 2.172 **SENIOR CITIZEN'S HOME** means any home for senior citizens sponsored and administered by any public agency or any service club, church or other profit or non-profit organization, either of which obtains its financing from Federal, Provincial or Municipal Governments or agencies, or by public subscription donation or residents payments, or by any combination thereof, and such homes shall include auxiliary uses such as club, kitchen, dining and/or lounge facilities, usually associated with Senior Citizens development.
- 2.173 **SEPARATION DISTANCE** means the horizontal distance between buildings or structures or physical features measured from the closest point of the exterior wall of such building or structure, or from the closest point of such physical feature.
- 2.174 **SERVICE SHOP, GENERAL** means a building or part of a building used for the servicing or repairing of articles, goods or materials, and in which no product is manufactured and includes radio, television, computer and appliance repair shops, a laundromat, but does not include any automotive uses as defined by this By-law.
- 2.175 **SERVICE SHOP, PERSONAL** means a building or part thereof in which services are provided and administered to the individual and personal needs of persons, and without limiting the generality of the foregoing, includes barber shops, hairdressing establishments and workrooms for shoe repair and shoe shining shops, tailor shops, bakery shops, dry cleaners, photographic studios and banks or financial institutions.
- 2.176 **SEWER SLUDGE**, means the aqueous suspension of residual solids generated from the treatment of municipal or industrial wastewater.
- 2.177 **SHOPPING CENTRE** means a group of commercial and service establishments related in size and type, primarily to the specific commodity needs of the community and designed, developed and managed as a unit whether by a single owner, a group of owners or tenants acting in collaboration and shall include as a primary establishment a department store. Generally, but not prerequisite, the public access to individual functions within a Shopping Centre will be from an enclosed common mall area.
- 2.178 **SHOPPING PLAZA** means a group of commercial and service establishments or uses, related in size and type and designed, developed and managed as a unit, whether by a single owner, a group of owners or tenants in collaboration. Access to individual functions generally may be from an open mall area.
- 2.179 **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).

- 2.180 **STREET** means a public highway or public road under the jurisdiction of either the Corporation, the County of Renfrew or the Province of Ontario, and includes any highway as defined in the Municipal Act, R.S.O. 1990, Chapt. C.M.45, as amended but does not include a lane, a driveway or a private road.
- 2.181 **STREET ALLOWANCE** means land held under public ownership for the purpose of providing a street.
- 2.182 **STREET, IMPROVED** means a public road which has been constructed in such a manner so as to permit its use by normal vehicular traffic on a year-round basis and is maintained, including snow ploughing, on a year-round basis.
- 2.183 **STREET LINE** means the limit of the road or street allowance and is the dividing line between a lot and a street.
- 2.184 **STRUCTURE** means anything constructed or erected, the use of which requires location on or in the ground or attached to something having location on or in the ground.
- 2.185 **TARPAULIN STRUCTURE** means a supporting metal pole frame structure with a fabric cover made of canvas, nylon, or similar material. Such structure must be ancillary to a main permitted use and can be dismantled and moved.
- 2.186 **TESTING OR RESEARCH LABORATORY** means an establishment equipped with necessary appliance and apparatus to permit the critical examination, observation, evaluation or investigation of substance and investigation and experimentation aimed at the discovery or interpretation of facts.
- 2.187 **TAVERN OR PUBLIC HOUSE** means a tavern or public house as defined in the Liquor Licence Act, R.S.O. 1990, Chapt. L.19 but does not include a hotel or eating establishment.
- 2.188 **TAXI STAND** means the permanent location of the taxi business and the source of dispatch rather than the location of the taxi on its dispatch.
- 2.189 **TOWN** means the Corporation of the Town of Arnprior, or land included within the Town of Arnprior as appropriate.
- 2.190 **TRAILER** means any vehicle so constructed as to be suitable for attachment to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, except a mobile home or farm implement.
- 2.191 **TRAILER, PARK MODEL**, means a trailer constructed to CSA Z-241 standard that is built on a single chassis mounted on wheels, designed for relocation from time to time, designed as living quarters for seasonal camping with the possibility for connection to services, and has a gross floor area, including lofts, not greater than 50 square metres when in setup mode and having a width greater than 2.6 metres in transit mode.

- 2.192 TRAILER, TENT OR TRAVEL means any trailer capable of being used for the temporary living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked up or that its running gear is removed. A tent or travel trailer is deemed to be a building or structure for the purposes of this By-law, as authorized by Section 34(4) of the Planning Act, R.S.O. 1990, Chapt. P.13.
- 2.193 TRAILER PARK see RECREATIONAL VEHICLE CAMPGROUND.
- 2.194 TRUCK TERMINAL means a building, structure or place where trucks, transports or buses are rented, leased, kept for hire, or stand or park for remuneration, or from which trucks, transports or buses, stored or parked on the property, are dispatched for hire as common carriers or where goods are stored temporarily for further shipment.
- 2.195 VEHICLE means a passenger automobile or other motor vehicle, a boat, a farm implement, a commercial motor vehicle, a recreational vehicle, a snowmobile, a trailer and any other device that is capable of being propelled or driven by any kind of power but not any other device powered solely by human effort except a boat.
- 2.196 WAREHOUSE means a building or part of a building used primarily for the operation of general merchandise warehousing, cold storage and other storage facilities and also includes a centre for the distribution of wholesale goods and commodities for resale to retailers; to industrial, commercial, institutional, or professional users; to wholesalers.
- 2.197 WASTE DISPOSAL SITE means any land approved by the Ministry of the Environment and Energy upon, into, or in which waste may be deposited or processed.
- 2.198 WATER FRONTAGE means the straight line horizontal distance between the two most widely separated points on any one shoreline of a waterfront lot.
- 2.199 WATER SETBACK means the straight line horizontal distance from the high water mark of a watercourse, bay or lake to the nearest part of any excavation, building, structure or open storage use on the lot.
- 2.200 WATER SYSTEM, COMMUNAL means a private water distribution supply system in which water is piped to more than one dwelling or business operation.
- 2.201 WETLANDS means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils (soils in which there is an abundance of moisture) and has favoured the dominance of either plants that commonly grow in water or in water logged soil, or water tolerant plants. The four major categories of wetland are swamps, marshes, bogs and fens.
- 2.202 WELDING SHOP means a building or structure or part thereof where metal products are joined, repaired or shaped by welding but no mass productions shall be involved.

- 2.203 YARD means an open space on the same lot with a building or structure or excavation, unoccupied and unobstructed except as for such accessory buildings, structures or uses specifically permitted in this By-law.
- 2.204 YARD, FRONT means a yard extending across the full width of a lot between the front lot line and the nearest part of any building, structure or excavation on the lot; FRONT YARD DEPTH means the shortest horizontal distance between the front lot line of the lot and the nearest part of any building, structure or excavation on the lot.
- 2.205 YARD, REAR means a yard extending across the full width of a lot between the rear lot line and the nearest part of any building, structure or excavation on the lot; REAR YARD DEPTH means the shortest horizontal distance between the rear lot line of the lot and the nearest part of any building, structure or excavation on the lot.
- 2.206 YARD, SIDE means a yard extending from the front yard to the rear yard of a lot and from the side lot line of such lot to the nearest part of any building, structure or excavation on the lot. SIDE YARD WIDTH means the shortest horizontal distance between a side lot line and the nearest part of any building, structure or excavation on the lot.
- 2.207 YARD, FLANK SIDE means a yard between the nearest part of any building, structure or excavation on the lot and a street line, extending from the front yard to the rear lot line.
- 2.208 YARD, INTERIOR SIDE means a side yard other than a flank side yard.
- 2.209 YARD, REQUIRED means a yard with the minimum front yard depth, rear yard depth or side yard width required by the provisions of this By-law. A required side yard shall extend from the required front yard to the required rear yard.
- 2.210 ZONE means an area delineated on a Zoning Map Schedule and established by this By-law for a specific use or group of uses.
- 2.211 ZONING ADMINISTRATOR means the officer or employee of the Corporation charged with the duty of enforcing the provisions of this By-law.



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Note: The above illustration is for clarification purposes only.

3.1 APPLICATION

The requirements contained in the General Provisions shall apply to all zones, except as otherwise indicated.

3.2 ACCESS see Subsection 3.9 Lots to Front on a Street.**3.3 ACCESSORY USES, BUILDINGS AND STRUCTURES**

Accessory uses, buildings and structures shall be permitted in any Zone provided that:

3.3.1 No accessory building or structure shall be used for human habitation except where a dwelling is a permitted accessory use.

3.3.2 The accessory building or structure shall not be located within any minimum required front yard depth or within any flank yard except in accordance with specific flank side yard requirements established by this By-law.

3.3.3 Where paragraph 3.3.2 preceding does not apply and unless indicated otherwise in this By-law, no accessory building or structure or use shall be located closer than 1.22 metres to any lot line except:

- (a) that common semi-detached garages may be centred on the mutual side lot line;
- (b) that boathouses and boat docks may be built to the lot line where such line corresponds to the high water mark; and
- (c) that prescribed uses and structures may be permitted in accordance with the provisions of this By-law for Encroachments On Required Yards, and with the Parking Requirements of this By-law.

3.3.4 Accessory buildings and structures shall not exceed 5.0 metres in height in any Residential or Commercial Zone or 7.5 metres in any Industrial Zone.

3.3.5 Buildings and structures shall not be considered accessory if attached to the main building.

3.3.6 Accessory buildings and structures shall not be constructed on lands subject to slope failure or to flooding.

3.3.7 Notwithstanding paragraphs 3.3.2, 3.3.3 and 3.3.4 preceding, where an accessory structure is a satellite dish or similar device designed to receive communication signals from a satellite,

- (a) in any Zone, no part of such structure shall be located in the minimum front yard depth or in the required flank side yard and such structure shall not exceed the height of the main building by more than 2.0 metres;

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- 3.3.8 Tarpaulin structures shall be permitted in a Highway Commercial (HC), a General Industrial (GM) and a Light Industrial (LM) Zone. The following provisions shall apply:
- (a) the tarpaulin structure as defined in this By-law is accessory to the principle permitted use on the lot;
 - (b) the tarpaulin structure shall not be permitted within any minimum required front yard, side yard or rear yard;
 - (c) the total lot coverage of the tarpaulin structure and all other accessory structures shall not be greater than 15% of the total lot area;
 - (d) no occupation or trade shall be conducted for gain or profit, within the tarpaulin structure;
 - (e) no tarpaulin structure shall be used for the shelter, accommodation or enclosure of persons or animals;
 - (f) the tarpaulin structure shall be used for the storage of raw materials, supplies or finished products, but shall not include the storage of hazardous materials;
 - (g) the tarpaulin structure shall be constructed and maintained as a "tent/air supported structure" in accordance with the requirements of the Ontario Building Code, in consideration of flame resistance, wind loading, separation distances, etc.; and
 - (h) the tarpaulin structure shall require a building permit issued by the Chief Building Official.

3.4 **BUILDINGS TO BE MOVED**

No building or structure shall be moved within the limits of the Municipality or shall be moved from outside the Municipality into the Municipality unless the building or structure is a permitted use and satisfies all of the requirements of the Zone in which it is to be located. A permit under the Ontario Building Code shall be required.

3.5 **DWELLINGS PER LOT**

No more than one building used as a dwelling or containing one or more dwelling units shall be erected on any lot, unless stated otherwise in this By-law. Where an accessory dwelling unit is a permitted use, no more than one accessory dwelling unit shall be permitted on any lot, unless stated otherwise in this By-law.

3.6 **ENCROACHMENTS ON REQUIRED YARDS**

Every part of any minimum required yard shall be open and unobstructed from the ground to the sky by any structure other than an accessory building permitted elsewhere in this By-law provided, however, that those structures and items listed in the following table shall be permitted to project into the minimum required yards indicated, for the distances specified:

<u>Structure</u>	<u>Yards in Which Encroachment is Permitted</u>	<u>Maximum Projection Permitted into Minimum Required Yard</u>
(a) Sills, belt courses, eaves, gutters, chimneys, bay windows, solar collectors, heat pumps, ventilators, shutters, cornices, parapets, pilasters or other ornamental structures.	All	1.5 metres
(b) Fire escapes exterior stair cases	Side and Rear only	1.5 metres
(c) Balconies, steps, unenclosed porches, sundecks, attached solarium	Front and Rear only	2 metres
(d) Uncovered paved patios	All	2.5 metres front yard; other yards unlimited
(e) Railway Spur	All	Unlimited
(f) Gate House in any Industrial Zone	Front and Side only	Unlimited
(g) Fences, Hedges, Shrubs, Trees, Freestanding Walls, Flagpoles, Light Standards, Garden Trellises, Clothes Poles and similar structures and appurtenances	All	Unlimited

3.7 **EXCEPTIONS TO HEIGHT LIMITATIONS**

The height limitations of this By-law shall not apply to bridges, chimneys, church spires, clock towers, electrical transmission facilities, elevator enclosures, flag poles, public buildings, skylights, television or radio antennae, ventilators and water tanks.

3.8 **HOME OCCUPATIONS**

A home occupation shall be permitted in any Zone provided such home occupation conforms to the following provisions:

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- 3.8.1 The use shall be conducted entirely within the dwelling unit and with the exception of one employee, all employees must reside in the dwelling or dwelling unit.
 - 3.8.2 There shall be no external display or advertising other than a non-illuminated sign not more than 0.3 square metres in area, to indicate to persons outside that any part of the dwelling unit is being used for a purpose other than residential.
 - 3.8.3 Not more than 25% of the dwelling unit area shall be used for the purpose of home occupation uses. No accessory detached buildings may be utilized for home occupation purposes.
 - 3.8.4 Such home occupation shall be clearly secondary to the main residential use and there shall be no change to the outside appearance of the dwelling unit or premises or any visible evidence of the conduct of a home occupation.
 - 3.8.5 There shall be no storage of equipment, vehicles, or supplies associated with the home occupation outside the dwelling.
 - 3.8.6 There shall be no sale or rental of goods, other than those produced on the premises.
 - 3.8.7 The use shall not create a nuisance with regard to traffic and parking, thereby interfering with the use and enjoyment of surrounding properties.
 - 3.8.8 No equipment or process shall be used in a home occupation which creates excessive noise, vibration, glare, fumes, or odour detrimental to the health, safety, and general welfare of persons residing in the neighbourhood.
 - 3.8.9 Where instruction is carried on, no more than 5 pupils are in attendance at any one time.
 - 3.8.10 Such home occupation does not interfere with television or radio reception of adjacent property owners.

3.9 **LOTS TO FRONT ON STREETS**

No person shall erect or use any building or structure on a lot in any zone unless the lot fronts on and has direct access to an improved street being a Provincial Highway, County Road or Township Road. This provision shall not apply to a lot on a registered plan of subdivision where an agreement between the owner and the Corporation which includes provisions for the construction of the streets in a subdivision is registered in the Registry Office or Land Titles Office.

3.10 **LOTS WITH MORE THAN ONE ZONE**

- (a) Where a lot is divided into two or more zones, each such portion of the lot shall be treated as a separate lot for the purposes of interpreting and applying the applicable provisions of this by-law, and each such portion of the lot shall be used in accordance with those separate provisions, except that no lot shall have more than one dwelling or

dwelling unit unless specifically permitted elsewhere in this by-law.

- (b) Notwithstanding anything to the contrary in the preceding paragraph (a), where the use or uses of a lot divided into two or more zones are permitted in all zones applying to the lot, such lot shall be treated as one lot and the most restrictive of all the applicable zone requirements pertaining to such uses or uses shall apply.
- (c) Notwithstanding anything to the contrary in paragraph (a) of this subsection, where part of a lot is within the Environmental Protection (EP) Zone, such lands zoned EP may be used in the calculation of lot frontage, lot area, required yards, and lot coverage provided that the maximum for lot area, lot frontage and area of the required front yard within the EP Zone is 50% of the requirement.

3.11 **MOBILE HOMES**

Mobile homes are prohibited in the Town of Arnprior.

3.12 **NON-CONFORMING USES**

3.12.1 Accessory Buildings

Nothing in this By-law shall prevent the erection of a building or structure accessory to an existing legal non-conforming use provided that such accessory building or structure complies with all other relevant provisions of this By-law.

3.12.2 Continuation of Existing Uses

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

3.12.3 Repair of Existing Buildings

If a non-conforming building or structure should be damaged by fire, flood, wind, earthquake, or other natural or unnatural occurrence beyond the owner's control, nothing in this By-law shall prevent such a building from being restored and strengthened to a safe condition, provided the height, size or volume is not increased and provided that reconstruction or restoration is commenced within 12 months and completed within 24 months of the date on which the damage took place.

3.12.4 Enlargements to Existing Undersized Lots

Nothing in this By-law shall prevent an undersized lot that was held in separate ownership from adjoining parcels on the date of passage of this By-law or that was created by expropriation subsequent to the passage of this By-law from being enlarged even if the enlargement does not result in a lot that meets the minimum frontage and/or

area required by this By-law. Nothing in this By-law shall prevent such a lot from being used for a purpose permitted in the Zone in which the lot is located provided that:

- (a) where the development is on private services, the lot is of an adequate size for water supply and sewage disposal systems approved by the applicable approval authority;
- (b) where the development is on private services, the enlargement, reconstruction, repair or renovation satisfies the requirements of the applicable approval authority;
- (c) an undersized lot is not reduced further in size or created as a result of the proposed development; and
- (d) all other applicable provisions of this By-law are complied with.

3.12.5 Existing Buildings with Inadequate Lot or Yard Size

Where a building has been erected prior to the date of passing of this By-law on a lot having less than the minimum required frontage and/or area, or where such building has less than the minimum required side yard, front yard, rear yard, or setback, said building may be enlarged, reconstructed, repaired or renovated provided that:

- (a) such enlargement, reconstruction, repair or renovation does not further contravene any provisions of this By-law;
- (b) where the development is on private services the enlargement, reconstruction, repair or renovation satisfies the requirements of the applicable approval authority;
- (c) any reconstruction is commenced within 12 months and completed within 24 months of the date on which the building was demolished to allow for reconstruction; and
- (d) all other applicable provisions of this By-law are complied with.

3.12.6 Less than Required Floor Area

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

3.12.7 Undersized Vacant Lots

Where a vacant lot with less than the minimum frontage or lot area required by this By-law was held in separate ownership from adjoining parcels on the date of passage

of this By-law, or where a vacant lot was created by expropriation subsequent to the date of passage, such undersized, vacant lot may be used for a purpose permitted in the Zone in which the said lot is located, provided that:

- (a) all other applicable provisions of this By-law are complied with; and
- (b) written approvals for the water supply and sewage disposal systems are obtained from the applicable approval authority.

3.12.8 Prior Building Permits

Nothing in this By-law shall prohibit the erection of a building or structure for which a building permit has been issued prior to the date of passing of the By-law provided that the building permit has not been revoked under the Building Code Act.

3.13 NOXIOUS USES

No use shall be permitted which, from its nature or the materials used therein, is declared to be a noxious trade, business or manufacture under the Health Protection and Promotion Act and Regulations thereunder, and the Environmental Protection Act and Regulations thereunder. Noxious uses do not include normal farm operations using commercial fertilizers and manure, the spraying of crops with herbicides, insecticides, and pesticides, or the use of heavy machinery for farm purposes.

3.14 OCCUPANCY RESTRICTIONS

No dwelling unit in its entirety shall be located in a cellar, but part of a dwelling unit consisting of a furnace room, laundry room, storage room, recreation room, or similar use may be located in a cellar. No dwelling unit in its entirety shall be located in a basement except where the finished floor level of such basement is above the level of the sanitary or storm sewer serving the building or structure in which such basement is located, or such basement is more than 0.5 metres below the adjacent finished grade.

3.15 OCCUPANCY OF VEHICLES

No truck, bus, coach, vehicle, recreational vehicle or trailer shall be used for human habitation within the Municipality whether or not the same is mounted on wheels.

3.16 OPEN STORAGE

Except as otherwise specifically provided in this By-law, no open storage shall be permitted in any Zone except in accordance with the following provisions:

- 3.16.1 Open storage shall be accessory to a permitted or existing non-residential use on the same lot.

3.16.2 No open storage shall be permitted in any required minimum front yard or required exterior side yard, nor within any required minimum side or rear yard where the side or rear lot lines abut a property used for residential purposes.

3.16.3 No open storage area shall be visible from any street, or from any adjacent lot where such adjacent lot is in a Zone other than a Commercial or an Industrial Zone. Wherever it is necessary, visual screening such as plant materials, a buffer strip, a berm, fencing or other opaque barrier to a minimum height of 1.5 metres shall be used.

3.16.4 A strip of landscaped open space with a minimum width of 3 metres shall be maintained around all open storage areas.

3.16.5 Any open storage area shall be maintained as landscaped open space, or surfaced and maintained with stable materials to prevent the raising of dust and particles, and shall be properly drained.

3.16.6 No parking spaces or loading spaces required by this By-law shall be used for open storage purposes.

3.17 PARKING AND LOADING SPACE REQUIREMENTS

3.17.1 PARKING REQUIREMENTS

(a) Number of Spaces

In any Zone the owner of every building hereafter erected, enlarged or changed in use after the passing of this By-law shall provide and maintain off-street parking space in accordance with the following:

<u>Type of Use</u>	<u>Minimum Parking Required</u>
i) Dwelling--Single Detached, Semi Detached and Duplex:	2 parking spaces per dwelling unit
ii) Dwelling--Triplex, Rowhouse, Maisonette and Apartment:	1.5 parking spaces per dwelling unit
iii) Home Occupation	1 parking space for each home occupation
iv) Group Home	1 parking space per each 3 persons licensed or approved capacity
v) Boarding House	1 parking space plus 1 parking space per every 3 beds
vi) Bank or Trust Company	5.9 spaces per 100 square metres gross leasable area

vii)	Bed and Breakfast	2 parking spaces per dwelling unit and 1 parking space for each room rented
viii)	Tavern, Public House	1 parking space per 4 persons design capacity
ix)	Church, Assembly Hall	The greater of 1 parking space per 10 square metres of gross floor area or 1 parking space per every 4 fixed seats or 1 parking space per every 2.5 metres of bench space
x)	Place of Entertainment including arena, auditorium, theatre, stadium, cinema, fairgrounds	1 parking space per 6 seat capacity
xi)	Athletic or Recreational Establishment	The greater of 1 parking space per 14 square metres of gross floor area, or 1 parking space per 4 persons design capacity of the establishment
xii)	Hangar	1 parking space for every individual hangar
xiii)	Hangar, Cluster	6 parking spaces for every cluster hangar, the parking spaces to be located at the Airport Terminal
xiv)	Hospital, Nursing Home Home for the Aged, Senior Citizens Home	1 parking space per each 2 beds
xv)	Hotel, Motor Hotel	1 space per guest room plus 10 spaces per 100 square metres of public use area
xvi)	Industrial Establishment	1 parking space per each 100 square metres of gross floor area
xvii)	Clinic	4 spaces per practitioner
xviii)	Motel	1 space per guest room
xix)	Office (Business/Professional)	3.5 spaces per 100 square metres of gross leasable area
xx)	Eating Establishment, Drive-In	29 spaces per 100 square metres of gross leasable floor area
xxi)	Eating Establishment	22 spaces per 100 square metres of gross leasable area

xxii)	Eating Establishment, Take Out	7 spaces per 100 square metres of gross leasable area
xxiii)	Retail, General including Convenience Store, Personal Service Shop and Brewing Establishment	5.4 spaces per 100 sq. metres of gross leasable area
xxiv)	School, Elementary	The greater of 1.5 parking spaces per classroom or 1 parking space per 3.0 square metres of floor area in the gymnasium, or 1 parking area per 3.0 square metres of floor area in the auditorium
xxv)	School, Secondary	The greater of 5 parking spaces per classroom, or 3 parking spaces per 3.0 square metres of floor area in the gymnasium or 3 parking spaces per 3.0 square metres of floor area in the auditorium
xxvi)	Shopping Centre	5.4 spaces per 100 square metres of gross leasable area
xxvii)	Shopping Plaza	4.9 spaces per 100 square metres of gross leasable area
xxviii)	Other Non-Residential Uses	1 parking space per 30 square metres of gross floor area
(5055-02) xxix)	Day Nursery	1 parking space per 45 square metres of gross floor area

(b) Dimensions of Parking Spaces

Every required parking space shall have minimum rectangular dimensions of 2.7 metres by 5.5 metres.

(c) Calculation of Spaces

If the calculation of the required parking spaces results in a fraction, the required parking spaces shall be the next higher whole number.

(d) Location of Parking Areas

In a Residential Zone, or in any Zone which permits residential uses, the required residential parking shall be located on the same lot as the dwelling unit. In all other areas and for other uses, the parking area shall be located within 150 metres of the location of the use it is intended to serve, and shall be situated in the same Zone; and shall be secured and retained for parking purposes for the duration of the use.

(e) Yard Where Permitted

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

<u>Zones</u>	<u>Required Yards in which Required Parking Area Permitted</u>
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| i) | Residential Zones | All yards provided that no part of any parking area, other than a driveway, is located closer than 1.0 metre to any street line. In a front yard, parking shall only be permitted on a properly constructed driveway fronting a garage, carport or a side yard. A parking area for a Residential use containing three or more dwelling units shall be located in the side or rear yard only. |
| ii) | General Industrial/
Light Industrial | Interior side and rear yards only except for visitor parking provided that no part of any parking area, other than a driveway, is located closer than 1.0 metre to any streetline and further provided that where the Industrial zone abuts a Residential Zone, the parking area shall be set back 3.0 metres from the lot line. |
| iii) | Other Zones | All yards provided that no part of any parking area, other than a driveway, is located closer than 1.0 metre to any streetline. Where the subject zone abuts a Residential zone, the parking area shall be set back 3.0 metres from the lot line. |

(f) Surface and Drainage

- (i) The parking area and approaches shall be surfaced with concrete, asphalt, crushed stone, gravel or a combination thereof with a stable surface.
- (ii) Where more than four parking spaces are required, the surface treatment shall prevent the raising of dust or loose particles.
- (iii) Provision for drainage facilities shall be made in compliance with the requirements of the Municipality.

- (g) Access to Parking Spaces and Parking Areas
- (i) Every parking space shall be provided with unobstructed access to a street by a driveway aisle or lane, except where such spaces are provided for the use of occupants of a single detached or semi-detached dwelling. For a one-way ingress or egress lane, the minimum width shall be 3.0 metres. For a combined ingress/egress lane, the minimum width shall be 6.0 metres but shall not exceed 9.0 metres. Aisles between rows of parking spaces within a parking area shall be a minimum of 6.0 metres in width.
- (ii) Access to parking areas for commercial or industrial uses shall not pass through a Residential Zone.

3.17.2 LOADING REQUIREMENTS

- (a) Uses Where Applicable

No person shall, in any Zone, erect or use any permitted building or structure for manufacturing, storage, warehouse, department store, retail store, wholesale store, market, freight or passenger terminal, hotel, hospital, mortuary, or other permitted uses similarly involving the frequent shipping, loading or unloading of persons, animals or goods, unless there is maintained on the same premises with every such structure or use, off-street space for standing, loading and unloading.

- (b) Dimensions of Loading Spaces

Every required loading space shall have minimum rectangular dimensions of 3.5 metres by 9.0 metres with a minimum height clearance of 4.0 metres.

- (c) Minimum Number of Loading Spaces

This requirement does not apply to buildings and structures having a total floor area less than 300 square metres. For all other buildings, there shall be one loading space for each 1500 square metres of floor area or part thereof, above the 300 square metre threshold.

- (d) Location

The loading space required shall be located in the interior side yard or rear yard unless set back a minimum distance of 16 metres from the street line.

- (e) Surfacing

The loading space and approaches shall be surfaced with concrete, asphalt, crushed stone or gravel.

3.18 PUBLIC USES OF LAND

The provisions of this By-law shall not apply to the use of any land or to the erection or use of any building or structure for the purpose of public service by the Municipality or by any local board thereof defined by the Municipal Affairs Act. R.S.O. 1990, Chapt. M.45, any telephone, gas, telegraph or electric power company, any department or agent of the Government of Ontario or Canada, including Ontario Hydro, provided that:

- (a) With the exception of a public utility, the lot coverage, parking and loading, setback and yard requirements prescribed for the Zone in which such land, building or structure is located shall be complied with; and
- (b) No goods, material, or equipment shall be stored in the open in a Residential Zone; and
- (c) Any building erected in a Residential Zone or in a Zone which permits residential uses under the authority of this paragraph shall be designed and maintained in general harmony with residential buildings of the type permitted in the Zone.

3.19 SEPARATION DISTANCES**(a) Dwellings**

- (i) No dwelling shall be erected within the minimum distance from a livestock facility required by the Minimum Distance Separation I (MDS I).
- (ii) No dwelling shall be erected within 70 metres of any Industrial Zone or Industrial-Holding Zone.
- (iii) No dwelling shall be erected within 100 metres of any animal hospital or kennel if such hospital or kennel has more than four outdoor runs or more than 30 square metres of total area of outdoor facilities for animals.
- (iv) No dwelling shall be erected within 500 metres of a waste disposal site.

(b) Farm Uses

No livestock facilities, manure storage area or farm use shall be located within:

- (i) The minimum distance from residential uses required by the Minimum Distance Separation II (MDS II) formulae;
- (ii) 30 metres from any lot line.

(c) Animal Hospital, Kennel

No animal hospital and no kennel shall be located within 100 metres of any Residential Zone or any dwelling on another lot if such animal hospital or kennel has more than four outdoor runs or more than 30 square metres of total area of outdoor facilities for

animals.

(d) Waste Disposal Site

No waste disposal site shall be located within 500 metres of a residential dwelling or structure.

3.20 **SETBACKS**

No person shall erect any building or structure in any Zone unless such building or structure conforms to the following setback requirements:

(a) Provincial Highway

Any development within the Permit Control Area of a Provincial Highway shall be carried out in accordance with the setback, access, building permit controls and any and all other requirements of the Ministry of Transportation and shall not apply to all general provisions. Any proposed access to the Provincial Highway will be subject to the approval of the Ministry of Transportation.

(b) County Road

Any development which is to occur adjacent to a County Road shall be carried out in accordance with the setback requirements, access and building permit controls of the County of Renfrew Roads Department. Any proposed access to the road will be subject to the prior approval of the County of Renfrew.

(c) Other Road

The setback requirement shall be 10 metres from the road centreline plus the minimum front yard depth required for such use in the Zone where it is located. Any proposed access to the road will be subject to the prior approval of the Town of Arnprior.

(d) Water Setback

A minimum water setback of 30 metres from the high water mark shall be provided for any building, structure, septic tank or tile field located on any lot adjacent to a water body. Accessory boat dock and boat launching facilities and boathouses shall not be required to meet the water setback.

3.21 **SIGHT TRIANGLES**

(a) Uses Prohibited

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

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- (i) a building, structure or use which would obstruct the vision of drivers of motor vehicles;
 - (ii) 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;
 - (iii) any portion of a delivery space, loading space or parking space;
 - (iv) a berm 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, except as noted in part (b).

- (b) At all intersections involving a Provincial highway, the requirements of the Ministry of Transportation regarding sight triangles shall apply.

3.22 **STANDARDS - CUMULATIVE**

- (a) Unless permitted elsewhere in this By-law, where a lot contains more than one use, the lot area requirements shall be the sum of the requirements for the separate uses thereof but the lot frontage requirements shall be no less than the greater of the lot frontage requirements for each individual use in the Zone where such lot is located.
- (b) When a building, structure or lot accommodates more than one use, loading space requirement and parking space requirement for each building, structure or lot shall be the sum of the requirements for the separate uses thereof unless exempted elsewhere in this By-law.

3.23 **DISPOSAL OF HAULED SEWAGE OR SEWAGE SLUDGE**

The disposal of hauled sewage or sewage sludge shall be prohibited in the Town of Arnprior, with the exception of disposal of hauled sewage by the Town of Arnprior at the water pollution control plant.

3.24 **FLOODPLAINS OF THE OTTAWA AND MADAWASKA RIVERS**

For the lands along the Ottawa River and along the Madawaska River from the mouth of the Madawaska River to the weir at Madawaska Boulevard, 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 to an existing use, below the 76.46 metre contour elevation, unless it is floodproofed to the 76.46 metre contour elevation and no building openings shall be permitted below this elevation.

For lands along the Madawaska River from the weir at Madawaska Boulevard to the Arnprior Generating Station, within the flood elevation of the Madawaska River 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 to an existing use, below the 81.07 metre contour elevation, unless it is floodproofed to the 81.07 metre contour elevation and no building openings shall be permitted below this elevation.

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.

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.

3.25 **TEMPORARY CONSTRUCTION USES PERMITTED**

Nothing contained in this By-law shall prevent the erection or location of any sheds, scaffolds, or other structures (including trailers or recreational vehicles) incidental to building construction on the premises for so long as the same is necessary for work in progress which has neither been finalized, nor abandoned and while a valid permit for such construction remains in force.

3.26 **THROUGH LOTS**

Where a lot which is not a corner lot has frontage on more than one street, the requirements for front yards contained in the By-law shall apply to each yard abutting the street.

3.27 **PARKS AND PLAYGROUNDS**

Nothing in this By-law shall prevent the establishment of a public park or public playground in any zone provided that such parks and playgrounds are not operated for commercial purposes and provided that they conform with the applicable Open Space One (OS1) or Open Space Two (OS2) Zone requirements.

3.28 **SWIMMING POOLS**

The regulation of private swimming pools shall be in accordance with the applicable by-law passed by the Corporation of the Town of Arnprior providing for the regulation of private swimming pools.

3.29 **TRAILER, BOAT AND RECREATIONAL VEHICLE STORAGE**

(a) **Residential Zone**

No person shall in any Residential Zone, use any lot for the parking or storage of any trailer, boat or recreational vehicle.

(b) **Exceptions**

Notwithstanding the provisions of paragraph (a), the owner or occupant of any lot, building or structure in any Residential Zone may use for the purpose of parking or storing boats and/or recreational vehicles, with or without trailers, not more than 10% of the lot area upon such lot subject to the following regulations:

-
-
- (i) Where lands are used for apartment dwelling houses or group housing purposes, the boat, recreational vehicle or trailer must be located within a building and shall only be permitted in spaces or areas that are in addition to the number of parking spaces required by Section 3.17 hereof.
 - (ii) Where lands are used for any other purpose:
 - (a) The boat, recreational vehicle or trailer must be within a private garage or carport or located in the interior side yard to the rear of a point midway between the front and rear walls of the main building not closer than 1.2 metres from the nearest side lot line or located in the rear yard.
 - (b) In the case of a lot, the side lot line of which abuts a street or one foot reserve, any trailer, boat or recreational vehicle parked or stored in the rear yard shall be located no closer than 6.0 metres from such side lot line.
 - (c) In the case of a lot, the rear lot line of which abuts a street or one foot reserve, any trailer, boat or recreational vehicle parked or stored in the rear yard shall be located not less than 6.0 metres from such rear lot line.
 - (c) Fully Enclosed

Notwithstanding paragraphs 3.29(b)(ii)(b) and 3.29(b)(ii)(c) hereof to the contrary, where lands are used for purposes other than any apartment dwelling house or group housing, the limitations imposed therein shall not restrict the number of such boats, trailers or recreational vehicles that are fully enclosed within a garage or dwelling provided the same are owned by the occupant of such lot or a member of his or her family.

3.30 VEHICLE STORAGE/PARKING OF COMMERCIAL MOTOR VEHICLES

- (a) No person shall allow an automotive vehicle without current licence plates to be parked outside on a lot except within a vehicle sales establishment or within an approved wrecking yard.
- (b) Within any Residential Zone, the owner or occupant of a dwelling unit may use a parking space for the purposes of the parking of one commercial motor vehicle, provided such motor vehicle does not exceed a rated capacity of one ton (970 kilograms) and provided that there shall be no more than one such vehicle permitted on any one lot.

3.31 GROUP HOMES

Group homes are permitted in the residential zones (R1, R2 and R3) and the Mixed Use Commercial (MUC) zone. The minimum distance between group homes shall be 400 metres.

3.32 TEMPORARY DWELLING UNITS

The establishment of a temporary detached dwelling unit shall be controlled by means of the passage of a temporary use by-law under the Planning Act. Each temporary use by-law will be tailored to suit the applicable site specific circumstances. Section 39 of the Planning Act also allows the municipality to enter into an agreement with the owner regarding the establishment and removal of the temporary dwelling unit.

SECTION 4.0 - ZONE CLASSIFICATIONS, EXCEPTION ZONE PROVISIONS

4.1 ZONE CLASSIFICATIONS

For the purpose of this By-law, the following zones are established as shown on the Schedule(s) (Zoning Maps).

<u>Zones</u>	<u>Zone Symbol</u>
(a) Residential Zones	
i) Residential One	R1
ii) Residential Two	R2
iii) Residential Three	R3
(b) Commercial Zones	
i) Mixed Use Commercial	MUC
ii) Highway Commercial	HC
iii) Shopping Centre Commercial	SCC
(c) Industrial Zones	
i) General Industrial	GM
ii) Light Industrial	LM
(d) Additional Zones	
i) Community Facility	CF
ii) Environmental Protection	EP
iii) Open Space One	OS1
iv) Open Space Two	OS2
v) Airport	A
vi) Residential Reserve	RR

4.2 EXCEPTION ZONES

Where a Zone classification is followed by the numbered suffix "-Exception One", this denotes the further classification as an Exception Zone. The corresponding Zone symbol suffix is "-E1". Additional Exception Zones within the same zone classification are numbered consecutively (i.e. Highway Commercial - Exception One (HC-E1), etc).

Exception Zone provisions are listed separately under the applicable Zone classification requirements sections in the text of this By-law. All provisions of this By-law will apply equally to the respective Exception Zone classification, except as otherwise specified by the Exception Zone provisions.

For the purpose of this By-law, Exception Zones are established as shown on the Schedule(s) (Zoning Maps).

4.3 **HOLDING PROVISIONS**

- (a) Any parcel of land zoned for residential, commercial or industrial development where the principle of development has been established (ie. R1, HC, R2) may be further classified as a holding zone with the addition of the suffix "-h". Certain criteria for development (i.e. phasing, financial considerations, geotechnical studies, access etc.) must be met to the satisfaction of Council prior to the removal of the holding provision.

Under this holding Zone, interim and passive uses such as open space and conservation will be permitted. Uses existing at the time of passing of the By-law will also be permitted. When the holding provision is removed these uses would no longer apply. The individual residential, commercial or industrial Zone provisions (i.e. R1, R2, HC, etc.) as the case may be would then apply.

The removal of the holding provisions shall require an amendment to this By-law passed in accordance with Section 36 of the Planning Act, which does not require a public meeting.

- (b) For those lands described as part of Lot 5, Concession "C", Town of Arnprior and zoned R1-h, R1-E16-h and R3-E5-h on Schedule "A" to this By-law, the H-holding symbol shall not be removed until the following conditions are met and approved to Council's satisfaction:
- i) That a plan of subdivision application is submitted and approved by the appropriate approval authority and that the applicable subdivision agreement is entered into and registered on title.
 - ii) That servicing studies and plans for sanitary sewer, storm sewer and water must be submitted and approved.
 - iii) That a traffic study indicating phased/overall impact of development on the road system be submitted and approved.
 - iv) That an Environmental Impact Study – Effects of the Proposed Development on Health and Longevity of "The Grove" be submitted to Council for review and approval.
 - v) That the required site plan application(s) be submitted and approved and the site plan agreement be entered into and registered on title.

4.4 **TEMPORARY USE ZONES**

Any parcel of land in any Zone may be further classified as a temporary use zone with the addition of the suffix "-t". The temporary classification added to a given zone indicates that some or all elements of the zone's regulations expire after a particular time period has elapsed. The details are outlined in the specific zone category for the subject land. Unless specifically noted otherwise, the temporary provision expires three (3) years after the date of passing of the applicable By-law.

SECTION 5.0 - REQUIREMENTS FOR RESIDENTIAL ONE (R1) ZONE

5.1 PERMITTED USES

No person shall use land or erect or use a building or structure in any R1 Zone except for:

- (a) Residential Uses
 - single detached dwelling
 - group home
 - bed and breakfast establishment

5.2 ZONE PROVISIONS

No person shall use any lot or erect, alter or use any building or structure in any R1 Zone except in accordance with the following provisions:

- (a) Lot Area (minimum): 450 square metres
- (b) Lot Frontage (minimum) 15 metres
- (c) Front Yard Depth (minimum) 6.0 metres
- (d) Flank Yard Width (minimum) 4.5 metres
- (e) Interior Side Yard Width (minimum) 1.2 metres
- (f) Rear Yard Depth (minimum) 6.0 metres
- (g) Dwelling Unit Area (minimum) 84 square metres
- (h) Lot Coverage (maximum) 40%
- (i) Building Height (maximum) 10.5 metres
- (j) General Provisions - In accordance with the provisions of **SECTION 3 - GENERAL PROVISIONS** of this By-law.

5.2.1 Zone Provisions for R1 uses on Private Services

Notwithstanding the above lot area provision, the following lot area provisions shall apply to R1 uses on private services:

- (a) Lot Area (minimum)
 - (i) municipal water and private septic 900 square metres
 - (ii) private water and municipal sewer 900 square metres
 - (iii) private water and private septic 1400 square metres

5.3 EXCEPTION ZONES

- (a) Residential One - Exception One (R1-E1) *Charles Street – River Ridge Subdivision.*

Notwithstanding any other provisions of this By-law to the contrary, for those lands located in part of Lots 2 and 3, Concession “B”, Town of Arnprior and delineated as Residential One - Exception One (R1-E1) on Schedule “A” (Map 4) to this By-law a building setback from the crest of slope shall be provided as follows:

Lot Nos. (PLAN 566)	Required Minimum Setback distance from Crest of Slope (metres)			
	Houses	Swimming Pools	Decks	Garden Sheds
1 – 8, inclusive				
13 – 20, inclusive	2	2	2	2
27 – 30, inclusive				
21 – 23, inclusive	5	2	2	2

For the purposes of this subsection, crest of slope shall be as delineated as follows:

-Lots 1 to 8 inclusive, Plan No. 566, as indicated on Site Grading Plan No. 86-5438-GPI(Rev. 4), dated October 1988 and prepared by Oliver Mangione McCalla & Associates Limited;

-Lot 13, Plan 566, as indicated on Site Grading Plan No. 86-5438-GP3(Rev. 7), dated October 1988 and prepared by Oliver Mangione McCalla & Associates Limited;

-Lots 14 to 23 and 27 to 30 inclusive, Plan 566, as indicated on Site Grading Plan No. 86-5438-GP4 (Rev. 4), dated October 1988 and prepared by Oliver Mangione McCalla & Associates Limited; and

shall be scaled to determine the actual location of established crest of slope on the ground. The setback from crest of slope shall only be measured from the established crest of slope and not from any other point of origin.

- (b) Residential One - Exception Two (R1-E2) *River Ridge Cresc. / Fairview Cresc.
River Ridge Subdivision*

Notwithstanding any other provisions of this By-law to the contrary, for those lands located in Part of Lots 2 and 3, Concession 'B', Town of Arnprior and delineated as Residential One - Exception Two (R1-E2) on Schedule “A” (Map 4) to this By-law, a building setback from the crest of slope shall be provided as follows:

Lot Nos.	Required Minimum Setback distance from Crest of Slope (metres)			
	Houses	Swimming Pools	Decks	Garden Sheds
(PLAN 610)				
1 to 2, inclusive	5	2	2	2
3 to 6, inclusive	10	5	3	3
7 to 10, inclusive	12	6	3	3
11 to 16 inclusive	2	2	2	2
(PLAN 583)				
14 to 17 inclusive	2	2	2	2
Draft Plan Phase IV 28	5	5	5	5

For the purpose of this subsection, crest of slope shall be delineated as follows:

-Lots 1 to 16 inclusive, Plan No. 610 and Lot 28, Draft Plan Phase IV, as indicated on Site Grading Plan No. 86-5438-GP3 (Rev. 7), dated October 1988 and prepared by Oliver Mangione McCalla & Associates Limited;and

-Lots 14 to 17 inclusive, Plan 583, as indicated on Site Grading Plan No. 86-5438-GP4 (Rev. 4), dated October 1988 and prepared by Oliver Mangione McCalla & Associates Limited; and shall be scaled to determine the actual location of established crest of slope on the ground. The setback from crest of slope shall only be measured from the established crest of slope and not from any other point of origin.

(c) Residential One - Exception Three (R1-E3) 254 Division Street - McEwan

Notwithstanding any provisions of this By-law to the contrary, and in addition to those uses normally permitted in the Residential One (R1) Zone, those lands described as part of Lot 5, Concession "B", Town of Arnprior (Part 2 on Plan 49R-11407), and delineated as Residential One - Exception Three (R1-E3) on Schedule "A" (Map7) to this By-law, may be used for the purposes of a contractor's yard.

Notwithstanding subsections 5.2(e) and 5.2(f) to the contrary:

- (i) the interior side yard width (minimum) from the westerly side lot line, that being 61.16 metres in length running North 36° 53' 40" East and continuing 21.70 metres North 42° 03' 50" West, shall be 11 metres.
- (i) the rear yard depth (minimum) shall be 15 metres.

Notwithstanding subsection 2.39 to the contrary, for the purposes of this subsection, contractor's yard shall mean an area of land of a building contractor containing an equipment storage building and garage, but where outside storage of building materials is prohibited.

- (d) Residential One – Exception Four (R1-E4) *Craig, Hugh & MacDonald Streets*

Notwithstanding Section 5.2 (f) to the contrary, for those lands delineated as Residential One – Exception Four (R1-E4) on Schedule “A” (Map 7) to this By-law, the rear yard depth (minimum) shall be 3.0 metres.

- (e) Residential One - Exception Five (R1-E5) *50 Ida Street North - Arnprior Automotive*

Notwithstanding anything in this By-law to the contrary, those lands described as part of Lots 13 and 16, Plan 32, Town of Arnprior and delineated as Residential One - Exception Five (R1-E5) on Schedule “A” (Map 8) to this By-law may be used for the purposes of a commercial garage and general service shop, in compliance with the R1 Zone provisions, excepting, however, that the interior side yard width (minimum) for the most northerly side lot line shall be 3.0 metres, the side yard width (minimum) for the most southerly side lot line shall be 1.0 metre and the rear yard depth (minimum) shall be 1.0 metre. No use including human habitation shall be permitted.

- (f) Residential One - Exception Six (R1-E6) *293 John St. N. - Schriver*

Notwithstanding subsection 3.8.3 to the contrary, for those lands described as Lot 45, Plan 75 and delineated as Residential One - Exception Six (R1-E6) on Schedule “A” (Map 8) to this By-law, the existing single-detached dwelling may be enlarged for the purposes of a home occupation, provided that the maximum gross floor area utilised for a home occupation shall be 93 square metres (1,000 square feet).

- (g) Residential One - Exception Seven (R1-E7) *252 Division St. – Guillemette*

Notwithstanding anything in this By-law to the contrary, for those lands described as part of Lot 5, Concession XIII, Town of Arnprior (Part 1, Plan 49R-2102) and delineated as Residential One -Exception Seven (R1-E7) on Schedule “A” (Map 7) to this By-law a personal hobby shop within the existing structure shall be a permitted use. For the purposes of this subsection, a personal hobby shop shall mean a workshop utilized for pursuing a personal interest in such areas as woodworking or arts and craft. No retail activities shall be permitted.

- (h) Residential One – Exception Eight (R1-E8) *Norma & Ida Sts. - Former CN Lands*

Notwithstanding anything in this By-law to the contrary, for those lands described as part of Lots 11, 12, 17, 21 and 27, Plan 19 and Lot 22, Plan 19, Town of Arnprior and delineated as Residential One – Exception Eight (R1-E8) on Schedule “A” (Map 8) to this By-law, no structure may be used for human habitation however, the normal uses and structures accessory to residential uses shall be permitted.

(i) Residential One – Exception Nine (R1-E9) 202-204 William Street West

Notwithstanding subsections 5.1 and 5.2 e) to the contrary, for those lands described as part of the Harrington Estate Reserve and delineated as Residential One – Exception Nine (R1-E9) on Schedule “A” (Map 7) to this By-law, the following provisions shall also apply:

(a) Permitted Uses:

High-technology research facility
Testing laboratory
Office use

(b) Zone Requirements

Interior Side Yard Width (minimum) 6.0 metres

(j) Residential One - Exception Ten (R1-E10) 33 McLachlin St. S. - L'Arche

Notwithstanding anything in this By-law to the contrary, those lands described as part of Lot 36, Plan 32, Town of Arnprior and delineated as Residential One - Exception Ten (R1-E10) on Schedule “A” (Map 7) to this By-law, the existing accessory building may be used for the purposes of a day program centre for the exclusive use by L'Arche Arnprior employees and clients who reside in L'Arche Arnprior group homes.

(k) Residential One - Exception Eleven (R1-E11) 316 Elgin Street West - Mann

Notwithstanding any provisions of this By-law to the contrary, and in addition to those uses normally permitted in the Residential One (R1) Zone, those lands described as Lot 20, Plan 32, Town of Arnprior and delineated as Residential One – Exception Eleven (R1-E11) on Schedule “A” (Map 8) to this By-law, may be used for the purposes of a convenience store and the retail sale of gasoline products.

(l) Residential One – Exception Twelve (R1-E12) 180 Elgin St. W. – Dorzek

Notwithstanding any provisions of this By-law to the contrary, those lands described as part of Lot 52, Plan 33, Town of Arnprior and delineated as Residential One – Exception Twelve (R1-E12) on Schedule “A” (Map 8) to this By-law, may be used for the purposes of an automotive service station and accessory dwelling unit.

(m) Residential One - Exception Thirteen (R1-E13) 93 Mary St. - Scheels

Notwithstanding anything in this By-law to the contrary, for those lands described as part of Lot 24, Plan 117, Town of Arnprior, and delineated as Residential One – Exception Thirteen (R1-E13) on Schedule “A” (Map 7) to this By-law, may be used for the purposes of a convenience store and an accessory dwelling unit.

- (n) Residential One – Exception Fourteen (R1-E14) 80 Ottawa St. - Variety Store

Notwithstanding anything in this By-law to the contrary, for those lands described as part of Lot 30, Plan 7, Town of Arnprior, and delineated as Residential One - Exception Fourteen (R1-E14) on Schedule "A" (Map 8) to this By-law, may be used for the purposes of a convenience store and an accessory dwelling unit.

- (o) Residential One – Exception Fifteen (R1-E15) 291 Elgin St. W. - Mel's House of Flowers

Notwithstanding any provisions of this By-law to the contrary, and in addition to those uses normally permitted in the Residential One (R1) Zone, those lands described as Part Lot 1, Block C, Plan 49, Town of Arnprior and delineated as Residential One – Exception Fifteen (R1-E15) on Schedule "A" (Map 8) to this By-law, may be used for the purposes of a retail floral store and an accessory dwelling unit.

For the purposes of this subsection a retail floral store shall mean a retail store where flowers and/or plants are sold or offered for sale to the public and such use may include the arranging of flowers for sale in the store or for delivery to customers.

- (p) Residential One – Exception Sixteen (R1-E16) John St. N. - Oblates

Notwithstanding subsection 5.2b) to the contrary, for those lands described as part of Lot 5, Concession "C", Town of Arnprior and delineated as Residential One – Exception Sixteen (R1-E16) on Schedule "A" (Map 8) to this By-law, the lot frontage (minimum) shall be 12 metres.

- (5027-02) (q) Residential One - Exception Seventeen (R1-E17) 32 Ewen Street - Blier

Notwithstanding subsection 5.1(a) to the contrary, for those lands described as part of Lot 65 and Lot 66 on Plan 77, Town of Arnprior, delineated as R1-E17 on Schedule "A" (Map 8) to this By-law, a Day Nursery shall also be a permitted use.

SECTION 6.0 - REQUIREMENTS FOR RESIDENTIAL TWO (R2) ZONE

6.1 PERMITTED USES

No person shall use land or erect or use a building or structure in any R2 Zone except for:

- (a) Residential Uses
- single detached dwelling
 - group home
 - semi-detached dwelling
 - duplex dwelling
 - boarding house
 - bed and breakfast establishment

6.2 ZONE PROVISIONS

No person shall use any lot or erect, alter or use any building or structure in any R2 Zone except in accordance with the following provisions:

6.2.1 Zone Provisions for Single Detached Dwelling, Group Home:

Refer to Sections 5.2 and 5.2.1.

6.2.2 Zone Provisions for Semi-detached (both units on same lot) and Duplex Dwellings:

- | | | |
|-----|---|-------------------|
| (a) | Lot Area (minimum) | 540 square metres |
| (b) | Lot Frontage (minimum) | 18 metres |
| (c) | Front Yard Depth (minimum) | 5.0 metres |
| (d) | Flank Yard Width (minimum) | 4.5 metres |
| (e) | Interior Side Yard Width (minimum) | 1.2 metres |
| (f) | Rear Yard Depth (minimum) | 5.0 metres |
| (g) | Dwelling Unit Area (minimum) | 70 square metres |
| (h) | Lot Coverage (maximum) | 45% |
| (i) | Building Height (maximum) | 10.5 metres |
| (j) | Dwelling Units per Lot (maximum) | 2 |
| (k) | General Provisions - In accordance with the provisions of <u>SECTION 3 - GENERAL PROVISIONS</u> of this By-law. | |

6.2.3 Zone Provisions for Semi-detached (each unit on a separate lot):

- | | | |
|-----|---|-------------------|
| (a) | Lot Area (minimum) | 270 square metres |
| (b) | Lot Frontage (minimum) | 9 metres |
| (c) | Interior Side Yard Width (minimum)
required on one side only | 1.2 metres |
| (d) | Dwelling Units per Lot (maximum) | 1 |
| (e) | All other provisions of Section 6.2.2 apply. | |

6.3 EXCEPTION ZONES

- (a) Residential Two - Exception One (R2-E1) *Arthur St. – River Ridge Subdivision*

Notwithstanding any provisions of this By-law to the contrary, for those lands described as part of Lots 2 and 3, Concession ‘B’, Town of Arnprior and delineated as Residential Two - Exception One (R2-E1) on Schedule “A” (Map 4) to this By-law the following provisions shall apply:

- (i) Building setbacks from crest of slope shall be as follows:

Lots 14-17, 23-27	2.0 metres
Lots 20-22	0.0 metres
Lots 18-19	3.0 metres
Lot 28	5.0 metres
Block 129	2.0 metres

For the purposes of this subsection, crest of slope shall be as per J.D. Paterson & Associates Report of Slope Stability Investigation, May 1988 (Report No. S4321-88).

SECTION 7.0 - REQUIREMENTS FOR RESIDENTIAL THREE (R3) ZONE

7.1 PERMITTED USES

No person shall use land or erect or use a building or structure in any R3 Zone except for:

(a) Residential Uses

- single detached dwelling
- group home
- semi-detached dwelling
- duplex dwelling
- boarding house
- triplex dwelling
- converted dwelling
- maisonette dwelling
- rowhouse dwelling
- apartment dwelling
- bed and breakfast establishment

7.2 ZONE PROVISIONS

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

7.2.1 Zone Provisions for Single Detached Dwelling, Group Home, Converted Dwelling House

Refer to Sections 5.2 and 5.2.1.

7.2.2 Zone Provisions for Semi-detached and Duplex Dwelling

Refer to Sections 6.2.2 and 6.2.3.

7.2.3 Zone Provisions for Triplex Dwelling

- | | | |
|-----|------------------------------------|-------------------|
| (a) | Lot Area (minimum) | 720 square metres |
| (b) | Lot Frontage (minimum) | 18 metres |
| (c) | Front Yard Depth (minimum) | 6.0 metres |
| (d) | Flank Yard Width (minimum) | 4.5 metres |
| (e) | Interior Side Yard Width (minimum) | 3.0 metres |
| (f) | Rear Yard Depth (minimum) | 7.5 metres |
| (g) | Dwelling Unit Area (minimum) | 70 square metres |
| (h) | Lot Coverage (maximum) | 38% |

- (i) Building Height (maximum) 15 metres
- (j) General Provisions - In accordance with the provisions of **SECTION 3 - GENERAL PROVISIONS** of this By-law.

7.2.4 **Zone Provisions for Rowhouse, Maisonette Dwellings**

- (a) Lot Area (minimum) 130 square metres per unit
- (b) Lot Frontage (minimum) 4.5 metres per unit
- (c) Front Yard Depth (minimum) 5.0 metres
- (d) Flank Yard Width (minimum) 4.5 metres
- (e) Interior Side Yard Width (minimum) 1.2 metres
(no interior side yard required when lot line(s)
is based on common or party wall)
- (f) Rear Yard Depth (minimum) 7.0 metres
- (g) Dwelling Unit Area (minimum) 60 square metres
- (h) Lot Coverage (maximum) 55%
- (i) Building Height (maximum) 15 metres
- (j) Density (maximum) 75 units per hectare
- (k) General Provisions - In accordance with the provisions of **SECTION 3 - GENERAL PROVISIONS** of this By-law.

7.2.5 **Zone Provisions for Apartment Dwelling**

- (a) Lot Area (minimum)
The minimum lot area shall be the sum of the areas required for each dwelling unit on the lot as follows:
 - (i) 93.0 square metres for each bachelor dwelling unit and each 1-bedroom unit
 - (ii) 140.0 square metres for each 2-bedroom unit plus 46.0 square metres for each additional bedroom over two bedrooms
- (b) Lot Frontage (minimum) 30 metres
- (c) Front Yard Depth (minimum) 6.0 metres
- (d) Flank Yard Width (minimum) 4.5 metres
- (e) Interior Side Yard Width (minimum) 6.0 metres
- (f) Rear Yard Depth (minimum) 10 metres

- | | | |
|-----|-------------------------------|----------------------|
| (g) | Dwelling Unit Area (minimum) | |
| | - 1-bedroom unit | 55.0 square metres |
| | - for each additional bedroom | 9.0 square metres |
| (h) | Lot Coverage (maximum) | 55% |
| (i) | Building Height (maximum) | 15 metres |
| (j) | Density (maximum) | 75 units per hectare |
- (k) General Provisions - In accordance with the provisions of **SECTION 3 - GENERAL PROVISIONS** of this By-law.

7.3 **EXCEPTION ZONES**

- (a) **Residential Three - Exception One (R3-E1)** *Arthur St. – River Ridge Subd.*

Notwithstanding any provisions of this By-law to the contrary, for the lands located in Part of Lots 2 and 3, Concession `B' in the Town of Arnprior and delineated as Residential Three - Exception One (R3-E1) on Schedule “A” (Map 4) to this By-law a building setback from the top of the bank shall be provided in accordance with the following provisions:

Block 129	2 metre setback (minimum)
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- (b) **Residential Three - Exception Two (R3-E2)** *10 Ottawa St. – Sullivan Apts.*

Notwithstanding any provisions of this By-law to the contrary, for the lands located on the southeast corner of Ottawa Street and Albert Street (Lots 13 and 15, Registered Plan 7, part of Reserve `L', Registered Plan 33) and known as 10 Ottawa Street and delineated as Residential Three - Exception Two (R3-E2) on Schedule “A” (Map 8) to this By-law, balconies shall be permitted to project not more than 2.0 metres into the minimum side yard. The following provisions shall also apply:

Lot Area (minimum)	2800 square metres
Yard Requirements (minimum)	
Rear	9.0 metres
Density (maximum)	108 units per hectare

- (c) **Residential Three - Exception Three (R3-E3)** *Hordijczuk – 63 Victoria St.*

Notwithstanding any provision of this by-law to the contrary, for the lands located within part of Lot 15, 16, 17, 18 and 19, Plan 7 and delineated as Residential Three - Exception Three (R3-E3) on Schedule "A"(Map 8) to this By-law, the following uses shall be permitted, in addition to a multiple residential dwelling which is defined below:

- i) **Permitted Residential Uses**

multiple residential dwelling

ii) Permitted Institutional Uses

- assembly hall
- church
- clinic
- day nursery
- private club
- recreational use
- educational facility

iii) Zone Requirements

Number of Dwelling Units (maximum)	3
Dwelling Unit Size (minimum)	60 square metres
Institutional Uses (maximum gross floor area)	162 square metres

Yard Requirements Existing site performance standards for setbacks shall apply for all existing buildings on the property

iii) Multiple Residential Dwelling shall mean an existing building which was originally designed and used as an institutional building which has been converted or altered so as to provide for a maximum of 3 dwelling units.

(d) Residential Three - Exception Four (R3-E4) *John St. North – HDM Investments*

Notwithstanding anything in this By-law to the contrary, for those lands described as part of Block ‘O’, Plan 33, Town of Arnprior and delineated as Residential Three - Exception Four (R3-E4) on Schedule “A”(Map 8) to this By-law, the maximum number of dwelling units permitted shall be 16 and the maximum number of stories for any building shall be two.

(e) Residential Three – Exception Five (R3-E5) *John St. N. – Oblates*

Notwithstanding subsections 5.2, 7.2.2 and 7.2.4 to the contrary, for those lands described as part of Lot 5, Concession “C”, Town of Arnprior and delineated as Residential Three – Exception Five (R3-E5) on Schedule “A”(Map 8) to this By-law, the following provisions shall apply:

- Lot frontage (minimum) for a single detached dwelling shall be 12 metres
- Building Height (maximum) shall be 12 metres
- Number of dwelling units (maximum) shall be 281 units

(f) Residential Three – Exception Six (R3-E6) *Rueckwald – 179 Victoria Street*

Notwithstanding subsections 3.3, 7.1(a) and 7.2.5 to the contrary, for those lands described as Lot 1 and part of Lot 7, Plan 49 and delineated as Residential Three – Exception Six (R3-E6) on Schedule “A” (Map 8) to this By-law, a dwelling unit within an existing detached accessory building shall be a permitted use.

- (g) Residential Three – Exception Seven (R3-E7) *Part Block 3 – Spruce Crescent*

Notwithstanding subsection 7.1(a) to the contrary, for those lands described as part of Block 3, Plan 589 and delineated as Residential Three – Exception Seven (R3-E7) on Schedule “A” (Map 3) to this By-law, an apartment dwelling shall not be a permitted use.

- (5024-02) (h) Residential Three - Exception Eight (R3-E8) *Part Lot 3, Conc C, Jack Crescent*

Notwithstanding subsection 7.1(a) to the contrary, for those lands described as part of Lot 3, Concession C, being Part 1 on Plan 49R-8526, Town of Arnprior, delineated as R3-E8 on Schedule "A" (Map 3) to this By-law, a Senior Citizen's Home shall also be a permitted use, in accordance with the following provisions:

- (i) **Zone Provisions for Senior Citizen's Home:**

Refer to Section 7.2.5

SECTION 8.0 - REQUIREMENTS FOR MIXED USE COMMERCIAL (MUC)

8.1 PERMITTED USES

No person shall use any land or erect or use any building or structure in any MUC Zone except for:

(a) Residential Uses

- an accessory dwelling unit, EXCEPT, in the case of an automobile service station or commercial garage where the accessory dwelling unit shall be a single detached dwelling.
- existing single detached, semi-detached, or duplex dwelling
- converted dwelling
- apartment dwelling
- dwelling units on the upper floors of a commercial building
- group home
- bed and breakfast establishment

(b) Non-Residential Uses

- assembly hall
- amusement arcade
- automotive-car wash
- automotive-commercial garage
- automotive-gasoline bar
- automotive-service station
- automotive-store
- automotive-vehicle sales or rental establishment
- bed and breakfast establishment
- brewing establishment
- business office
- church
- clinic
- convenience store
- day nursery
- eating establishment, drive-in
- eating establishment
- eating establishment, take-out
- educational facility
- farm produce market
- furniture showroom and workshop
- funeral home
- general service shop
- hotel
- laundromat
- motel
- motor hotel
- park

- public building
- private club
- personal service shop
- place of entertainment
- professional office
- retail store including one in which the products are manufactured on the premises, provided that the space devoted to such manufacturing is secondary to the retail use
- shopping plaza
- tavern or public house

8.2 **ZONE PROVISIONS**

No person shall use any lot or erect, alter or use any building or structure in any MUC Zone except in accordance with the following provisions:

- | | | |
|-----|--|---|
| (a) | Lot Area (minimum): | 100 square metres |
| (b) | Lot Frontage (minimum): | 6 metres |
| (c) | Front Yard Depth (minimum): | not required |
| (d) | Side Yard Width (minimum) | not required, provided that where the side lot line abuts land used for residential purposes (excluding accessory dwelling units), the minimum side yard width shall be 3.0 metres. |
| (e) | Flank Yard Width (minimum) | not required |
| (f) | Rear Yard Depth (minimum) | 6 metres |
| (g) | Lot Coverage (maximum) | 70% |
| (i) | Building Height (maximum): | 15 metres |
| (j) | Dwelling Unit Area (minimum): | |
| | (i) accessory single detached dwelling | 75 square metres |
| | (ii) other accessory dwelling unit | 55 square metres, plus 9 square metres for each bedroom over 1 bedroom |
| (k) | General Provisions - In accordance with the provisions of <u>SECTION 3 - GENERAL PROVISIONS</u> of this By-law. | |

8.3 **EXCEPTION ZONES**

- (a) **Mixed Use Commercial - Exception One (MUC-E1)** *MacDonald St. N. – former CN lands – commercial lots*
- Notwithstanding subsection 8.1 (a) and (b) to the contrary, for those lands described as part of Lots 50 and 51, Plan 19 and part of the closed Meehan Street road allowance, Town of Arnprior and delineated as Mixed Use Commercial – Exception One (MUC-E1) on Schedule “A” (Map 8) to this By-law, the residential uses of 8.1 (a) shall not be permitted nor shall a church, funeral home or hotel as listed in subsection 8.1 (b) be permitted. The remaining uses of subsection 8.1 (b) shall be permitted.
- (b) **Mixed Use Commercial – Exception Two (MUC-E2)** *74 Madawaska St. - Wheeler*
- Notwithstanding subsection 8.1 (a) to the contrary, for those lands described as part of Lot 4, Plan 7, Town of Arnprior and delineated as Mixed Use Commercial – Exception Two (MUC-E2) on Schedule “A” (Map 8) to this By-law, a dwelling unit may be permitted in the cellar.
- (c) **Mixed Use Commercial – Exception Three (MUC-E3)** *Hugh St. N. – Majaury (new)*
- Notwithstanding subsections 8.1 (a) or (b) and anything else in this By-law to the contrary, for those lands described as Lot 46, Plan 19 and part of the closed Meehan Street road allowance, Town of Arnprior and delineated as Mixed Use Commercial – Exception Three (MUC-E3) on Schedule “A” (Map 8) to this By-law, the following uses shall not be permitted:- the residential uses of Section 8.1 (a), a church, a funeral home, a hotel and open storage. In addition to the remaining uses of subsection 8.1 (b), light manufacturing wholly enclosed in a building shall be permitted.
- (d) **Mixed Use Commercial – Exception four (MUC-E4)** *Hugh St. N. – Majaury (existing)*
- Notwithstanding any provisions of this By-law to the contrary and in addition to those uses normally permitted in the Mixed Use Commercial Zone, those lands described as Lots 11, 47 and 48, Plan 19, Town of Arnprior and delineated as Mixed Use Commercial – Exception Four (MUC-E4) on Schedule “A” (Map 8) to this By-law, may be used for light manufacturing wholly enclosed in a building and open storage shall not be permitted.
- (e) **Mixed Use Commercial – Exception Five (MUC-E5)** *McGonigal St. – Dupuis (new)*
- Notwithstanding subsections 8.1 (a) and (b) to the contrary for those lands described as part of Lot 53, Plan 19 and part of the closed Meehan Street road allowance, Town of Arnprior and delineated as Mixed Use Commercial – Exception Five (MUC-E5) on Schedule “A” (Map 8) to this By-law, the only permitted use shall be a cartage express or truck transport terminal.

- (f) Mixed Use Commercial – Exception Six (MUC-E6) *McGonigal St. – Dupuis (existing)*

Notwithstanding subsections 8.1 a) and b) to the contrary for those lands described as part of Lot 17 and Part of Lot 53, Plan 19, Town of Arnprior, and delineated as Mixed Use Commercial – Exception Six (MUC-E6) on Schedule “A” (Map 8) to this By-law a cartage express or truck terminal shall be permitted in addition to the uses outlined in subsections 8.1 (a) and (b).

- (g) Mixed Use Commercial – Exception Seven (MUC-E7) *Arthur St. - Glover*

Notwithstanding subsection 8.2 (f) to the contrary, for those lands described as Lot 40, Plan 137, Town of Arnprior and delineated as Mixed Use Commercial - Exception Seven (MUC-E7) on Schedule "A" (Map 4) to this By-law the Rear Yard Depth (minimum) shall be 5.0 metres.

- (h) Mixed Use Commercial – Exception Eight (MUC-E8) *55 Daniel St. S. - Appleby*

Notwithstanding any provisions of this By-law to the contrary and in addition to those uses normally permitted in the Mixed Used Commercial Zone, for those lands described as Part of Lots 3 and 20 and Lot 4, Plan 19, Town of Arnprior and delineated as Mixed Use Commercial - Exception Seven (MUC-E7) on Schedule "A" (Map 8) to this By-law an animal hospital shall be permitted.

(5031-02)

- (i) Mixed Use Commercial - Exception Nine (MUC-E9)

Notwithstanding Section 8.1(a), 8.1(b) and 8.2 to the contrary, for those lands described as Part Harrington Estate Reserve, Plan 32, being Part 1 on Plan 49R-14482, Town of Arnprior and delineated as Mixed Use Commercial - Exception Nine (MUC-E9) on Schedule “A” to this By-law, the following provisions shall apply:

- (a) **Residential Uses Permitted:**
 - an apartment dwelling;
 - dwelling units on the upper floors of a building used for a permitted non-residential use.
- (b) **Non-residential Uses Permitted:**
 - a business office
- (c) **Yard Requirements:** Existing site performance standards for setbacks shall apply for all existing buildings on the property.

- (j) Mixed Use Commercial - Exception Ten (MUC-E10)

Notwithstanding Section 8.1(a), 8.1(b) and 3.17.1(a) to the contrary, for those lands described as Part Harrington Estate Reserve, Plan 32, being part 1 on Plan 49R-14618, Town of Arnprior and delineated as Mixed Use Commercial - Exception Ten (MUC-E10) on Schedule "A" to this By-law, the only permitted use shall be a golf school and accessory eating establishment and the following provisions shall apply:

Parking requirements for a golf school and accessory eating establishment (minimum):

the greater of 1 parking space per 14 square metres of gross floor area, or 1 parking space per 4 persons design capacity of the establishment.

SECTION 9.0 - REQUIREMENTS FOR HIGHWAY COMMERCIAL (HC)

9.1 PERMITTED USES

No person shall use any lot or erect, alter or use any building or structure in any HC Zone except for:

(a) Residential Uses

An accessory dwelling unit, EXCEPT, in the case of an automobile service station or commercial garage where the accessory dwelling unit shall be a single detached dwelling.

(b) Non-Residential Uses

- animal hospital
- automotive - body shop
- automotive - car wash
- automotive - commercial garage
- automotive - gasoline bar
- automotive - service station
- automotive - store
- automotive - vehicle sales or rental establishment
- brewing establishment
- building supply store
- business or professional office
- banks or other financial institutions
- contractor's yard or shop
- convenience store
- eating establishment
- eating establishment - drive-in
- eating establishment - take out
- educational facility
- equipment rental establishment
- farm produce market
- farm produce sales outlet
- furniture shop
- garden centre
- hotel
- kennel
- motel
- motor hotel
- mini storage establishment
- resort
- retail stores involving the sale and/or rental of heavy machinery, fuels, factory equipment, boats, recreational vehicles, motorcycles, snowmobiles
- truck terminal
- welding shop
- wood products shop

9.2 **ZONE PROVISIONS**

No person shall use any lot or erect, alter or use any building or structure in any HC Zone, except in accordance with the following provisions:

- | | | |
|-----|--|--|
| (a) | Lot Area (minimum) | |
| | (i) full municipal services | 450 square metres |
| | (ii) municipal water and private septic | 900 square metres |
| | (iii) private water and municipal sewer | 900 square metres |
| | (iv) private water and private septic | 1400 square metres |
| (b) | Lot Frontage (minimum) | 18 metres |
| (c) | Front Yard Depth (minimum) | 6 metres |
| (d) | Side Yard Width (minimum) | 3.0 metres, provided that where the side lot line abuts lands zoned Residential, the minimum side yard width shall be 9.0 metres |
| (e) | Flank Yard Width (minimum) | 4.5 metres |
| (f) | Rear Yard Depth (minimum) | 6.0 metres provided that where the rear line abuts lands Zoned Residential, the minimum rear yard depth shall be 9.0 metres |
| (g) | Lot Coverage (maximum) | 35% |
| (h) | Building Height (maximum) | 10.5 metres |
| (i) | Dwelling Unit Area (minimum) | |
| | (i) accessory single-detached dwelling | 75 square metres |
| | (ii) other accessory dwelling unit | 55 square metres, plus 9.0 sq metres for each bedroom over 1 bedroom |
| (j) | General Provisions - In accordance with the provisions of <u>SECTION 3 - GENERAL PROVISIONS</u> of this By-law. | |

9.3 EXCEPTION ZONES

- (a) Highway Commercial – Exception One (HC-E1) *Madawaska Blvd. Plaza*

In addition to those uses permitted by subsection 9.1 (a) and (b) for those lands described as Lots 1, 2, 3 and 4, Plan 230, Town of Arnprior and delineated as Highway Commercial-Exception One (HC-E1) on Schedule “A” (Map 2) to this By-law, a shopping plaza not in excess of 1000 square metres of gross floor area shall be permitted.

- (b) Highway Commercial – Exception Two (HC-E2) *396 Madawaska Blvd. – Anas Residence*

Notwithstanding anything in this By-law to the contrary for those lands described as part of Lot 2, Concession 14 (Parts 2 and 4, Plan 49R-12671) and delineated as Highway Commercial-Exception Two (HC-E2) on Schedule “A” (Map 2) to this By-law, a single detached dwelling shall be a permitted use in addition to the uses normally permitted.

- (c) Highway Commercial – Exception Three (HC-E3) *62 McLachlin St. S. - Sullivan*

Notwithstanding anything in this By-law to the contrary, for those lands described as Lots 5 and 6 and part of Harrington Estate Reserve, Plan 32, Town of Arnprior and delineated as Highway Commercial-Exception Three (HC-E3) on Schedule “A” (Map 7) to this By-law the permitted uses shall be limited to an automotive commercial garage.

For the purposes of this subsection, automotive commercial garage shall mean a building where all functions of an automotive service station may be carried out and where major repairs of vehicles may be performed. The following uses shall not be permitted:- automotive body shop, gasoline storage and sales and propane storage and sales.

- (d) Highway Commercial – Exception Four (HC-E4) *640 White Lake Road - Riches*

Notwithstanding anything in this By-law to the contrary, those lands described as part of Lot 3, Concession XII, Town of Arnprior (formerly Township of McNab) and delineated as Highway Commercial – Exception Four (HC-E4) on Schedule “A” (Map 5) to this By-law may be used for a golf driving range and accessory uses in addition to the uses normally permitted in the Highway Commercial (HC) Zone and in compliance with the provisions of the (HC) Zone.

- (e) Highway Commercial – Exception Five (HC-E5) *Staye Court Drive - Scheels*

Notwithstanding subsections 9.1 and 9.2 to the contrary for those lands described as Part Lot 4, Concession XII, Town of Arnprior and delineated as Highway Commercial-Exception Five (HC-E5) on Schedule “A” (Map 6) to this By-law, a retail furniture store shall be a permitted use. The minimum gross floor area for retail purposes shall be 160 square metres.

For the purposes of this subsection, a retail furniture store shall include the storage, display and retail sale of household furniture and large household appliances, but shall not include the sale of lighting fixtures, small appliances or any other products normally associated with hardware or building supply outlet stores.

- (f) Highway Commercial – Exception Six (HC-E6) (720 White Lake Road – Becker’s Plaza)

Notwithstanding anything in this By-law to the contrary for those lands described as Part Lot 4, Concession XII, Town of Arnprior and delineated as Highway Commercial-Exception Six (HC-E6) on Schedule “A” (Map 6) to this By-law, a shopping plaza not exceeding 600 square metres in gross floor area shall be permitted.

SECTION 10.0 - REQUIREMENTS FOR SHOPPING CENTRE

10.1 PERMITTED USES

No person shall use land or erect or use a building or structure in a SCC Zone except for:

(a) Non-Residential Uses

- amusement arcade
- business office
- clinic
- convenience store
- day nursery
- eating establishment
- eating establishment - drive-in
- eating establishment - take out
- general service shop
- laundromat
- place of entertainment
- professional office
- retail store
- shopping centre

10.2 ZONE PROVISIONS

No person shall use any lot or erect, alter or use any building or structure in a (SCC) Zone except in accordance with the following provisions:

- | | | |
|-----|--|---------------------|
| (a) | Lot Area (minimum) | 1,390 square metres |
| (b) | Lot Frontage (minimum) | 90 metres |
| (c) | Front Yard Depth (minimum) | 10.5 metres |
| (d) | Side Yard Width (minimum) | 7.5 metres |
| (e) | Flank Yard Width (minimum) | 10.5 metres |
| (f) | Rear Yard Depth (minimum) | 10.5 metres |
| (g) | Lot Coverage (maximum) | 35% |
| (h) | Building Height (maximum) | 10.5 metres |
| (i) | General Provisions - In accordance with the provisions of <u>SECTION 3 - GENERAL PROVISIONS</u> of this By-law. | |

10.3 **EXCEPTION ZONES**

SECTION 11.0 – REQUIREMENTS FOR GENERAL INDUSTRIAL (GM)

11.1 PERMITTED USES

No person shall use land or erect or use a building or structure in any GM Zone except for:

(a) Non-Residential Uses

- automotive-body shop
- automotive-commercial garage
- automotive-vehicle sales or rental establishment
- concrete manufacturing plant
- contractor's yard or shop
- factory outlet
- fuel storage tank
- manufacturing plant
- manufacturing plant, light
- meat products plant
- public garage
- retail stores involving the sale and/or rental of heavy machinery, fuels, factory equipment, boats, recreational vehicles, motorcycles, snowmobiles, farm equipment
- sawmill
- testing or research laboratory
- truck terminal
- warehouse
- welding shop
- business office accessory to a permitted use
- retail uses accessory to a permitted use

11.2 ZONE PROVISIONS

No person shall use any lot or erect, alter or use any building or structure in any GM Zone except in accordance with the following provisions:

- | | | |
|-----|------------------------|--------------------|
| (a) | Lot Area (minimum) | 2000 square metres |
| (b) | Lot Frontage (minimum) | 30 metres |

(c) Yards (minimum):	Abutting an	Abutting
	Industrial <u>Zone</u>	Other <u>Zone</u>
i) Front Yard Depth	15 metres	30 metres
ii) Side Yard Width	10 metres	30 metres
iii) Flank Yard Width	15 metres	30 metres
iv) Rear Yard Depth	15 metres	30 metres

Except where any side lot line or rear lot line abuts a railroad right-of-way, no minimum side yard or rear yard shall be required.

- (d) Lot Coverage (maximum) 30%
- (e) Building Height (maximum) 20 metres
- (f) General Provisions - In accordance with the provisions of **SECTION 3 - GENERAL PROVISIONS** of this By-law.

11.3 **EXCEPTION ZONES**

- (a) **General Industrial – Exception One (GM-E1)** *490 Didak Dr. – Humane Society*

Notwithstanding anything in this By-law to the contrary, for those lands described as part of Lot 1, Concession XIV, Town of Arnprior and delineated as General Industrial-Exception One (GM-E1) on Schedule “A” (Map 3) to this By-law, a kennel/shelter operated by the Arnprior and District Humane Society for the shelter and care of animals shall be a permitted use, in compliance with the provisions of the General Industrial (GM) Zone, excepting however, that the side yard requirement (minimum) for the western side lot line shall be 6.0 metres.

- (b) **General Industrial - Exception Two (GM-E2)** *476 Didak Dr. - Nych*

In addition to those uses permitted by subsection 11.1(a) for those lands described as part of Lot 1, Concession XIV, Town of Arnprior (Parts 4, 5 and 6, Plan 49R-7247) and delineated as General Industrial-Exception Two (GM-E2) on Schedule “A” (Map 3) to this By-law, a garden centre shall also be a permitted use and the minimum side yard requirement for a garden centre shall be 4.5 metres. For all other uses, the minimum side yard requirement shall remain 10 metres.

- (c) **General Industrial – Exception Three (GM-E3)** *Kenwood Corp. Centre (office & 3-storey)*

Notwithstanding subsection 11.1(a) to the contrary, for those lands described as Lots 1 and 2, Plan 40, Lots 1, 2, 3, 4, 6 and part Lots 5, 7, and 9, Plan 134, Lots 36, 37, 38 and part Lot 39, Plan 31 and part of the closed Bassett Street, Town of Arnprior and

delineated as General Industrial – Exception Three (GM-E3) on Schedule “A” (Map 7) to this By-law the following uses shall be permitted:

- business and professional office
- clinic
- eating establishment
- educational facility
- private club
- general service shop
- personal service shop

(d) General Industrial – Exception Four (GM-E4) *Kenwood Corp. Centre (plant)*

Notwithstanding subsection 11.1(a) to the contrary, for those lands described as part Lot 9 and Lots 8, 9, 10, 11, 12, 13, 14 and 15, Plan 134 and part Lot 39 and Lots 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54 and 55, Plan 31, part of Park Lot 8, Plan 19 and part of the closed Bassett Street, Town of Arnprior and delineated as General Industrial – Exception Four (GM-E4) on Schedule “A” (Map 7) to this By-law the following uses shall be permitted:

- automotive – commercial garage
- automotive – vehicle sales or rental establishment
- factory outlet
- general service shop
- manufacturing plant, light
- meat products plant
- mini-storage
- public garage
- retail stores involving the sale and/or rental of heavy machinery, factory equipment, boats, recreational vehicles, motorcycles, snowmobiles, farm equipment
- small engine repair
- testing or research laboratory
- warehouse
- welding shop
- business office accessory to a permitted use
- retail uses accessory to a permitted use

(e) General Industrial – Exception Five (GM-E5) *McLachlin St. N. - Sullivan*

Notwithstanding subsection 11.2 (c) ii) and iv) to the contrary, for those lands described as part of Lot 54, Plan 19, part of the Harrington Estate Reserve, Plan 32, Part 4, Concession 13 and part of the closed Meehan Street road allowance and delineated as General Industrial – Exception Five (GM-E5) on Schedule “A” (Map 8) to this By-law, the following provisions shall apply:

Interior Side Yard (minimum)

6.0 metres

Rear Yard

1.0 metres

For the purposes of this subsection, the lot line between the lands and Elgin Street West shall be considered the front lot line for the subject lands.

(f) General Industrial – Exception Six (GM-E6) *McLachlin St. N. - Sullivan*

Notwithstanding subsections 11.1(a), 11.2 (c) iv) or 11.2 (d) to the contrary, for those lands described as part of the Harrington Estate Reserve, Plan 32 and delineated as General Industrial – Exception Six (GM-E6) on Schedule “A” (Map 8) to this By-law, the following provisions shall apply:

i) Permitted Uses

- artist/photographic studio
- business or professional office
- bank
- dressmaking or tailor shop
- dry cleaning outlet
- laundry
- merchandise service shop
- parking
- personal service shop
- secondhand shop
- taxi stand

ii) Zone Requirements

Rear Yard Depth (minimum)	Nil
Lot Coverage (maximum)	90%

For the purposes of this subsection a secondhand shop shall mean a building or part of a building in which used goods, merchandise, substances, articles or things are offered or kept for sale at retail and may include such uses as a flea market, an antique store or an opportunity shop.

SECTION 12.0 - REQUIREMENTS FOR LIGHT INDUSTRIAL (LM) ZONE

12.1 **PERMITTED USES**

No person shall use land or erect or use a building or structure in any LM Zone except for:

- (a) **Non-Residential uses**
- automotive - body shop
 - brewing establishment
 - contractor's yard or shop
 - educational facility
 - equipment rental establishment
 - factory outlet
 - manufacturing plant, light
 - public garage
 - public utility
 - testing or research laboratory
 - truck terminal
 - warehouse
 - welding shop
 - business office accessory to a permitted use
 - retail uses accessory to a permitted use

12.2 **ZONE PROVISIONS**

No person shall use any lot or erect, alter or use any building or structure in any LM Zone except in accordance with the provisions of Section 11.2 **GENERAL INDUSTRIAL (GM) ZONE PROVISIONS**.

12.3 **EXCEPTION ZONES**

- (a) **Light Industrial - Exception One (LM-E1)** (*northeast corner of Hwy 17 & Baskin Dr. E*)

Notwithstanding anything in this By-law to the contrary, for those lands described as part of Lots 1 and 2, Concession 13, Town of Arnprior and delineated as Light Industrial – Exception One (LM-E1) on Schedule “A” (Map 4) to this By-law, manufacturing wholly enclosed in a building and business and professional offices with no retail or service directly to the public shall be permitted.

SECTION 13.0 - REQUIREMENTS FOR COMMUNITY FACILITY (CF)

13.1 PERMITTED USES

No person shall use land or erect or use a building or structure in any CF Zone except for:

(a) Residential Uses

- home for the aged
- nursing home
- senior citizens home

(b) Non-Residential Uses

- assembly hall
- cemetery
- church
- clinic
- community centre
- day nursery
- forestry
- hospital
- private park
- private club
- public building
- public garage
- public park
- public utility
- recreation, active
- recreation, passive
- religious education facility
- schools

13.2 ZONE PROVISIONS

No person shall use any lot or erect, alter or use any building or structure in a CF Zone except in accordance with the following provisions:

- | | | |
|-----|----------------------------|--|
| (a) | Lot Area (minimum) | 2025 square metres |
| (b) | Lot Frontage (minimum) | 30 metres |
| (c) | Front Yard Depth (minimum) | 20 metres |
| (d) | Side Yard Width (minimum) | 5 metres or ½ the building height,
whichever is greater |

- (e) Flank Yard Width (minimum) 10.5 metres
- (f) Rear Yard Depth (minimum) 15 metres
- (g) Lot Coverage (maximum) 40%
- (h) Building Height (maximum) 12 metres
- (i) General Provisions - In accordance with the provisions of **SECTION 3 - GENERAL PROVISIONS** of this By-law.

13.3 **EXCEPTION ZONES**

SECTION 14.0 - REQUIREMENTS FOR ENVIRONMENTAL PROTECTION (EP) ZONE

14.1 PERMITTED USES

No person shall use land or erect or use a building or structure in any EP Zone except for:

(a) Residential Uses

- a single detached dwelling existing at the date of passing of this By-law.

(b) Non-Residential Uses

- dam or other water control structure
- erosion control structure
- existing farm
- forestry
- recreation, passive
- no new buildings or structures other than for flood or erosion control

14.2 ZONE PROVISIONS

No person shall use any lot or erect, alter or use any building or structure in any EP Zone except in accordance with the following provisions:

- | | | |
|-----|----------------------------|-------------|
| (a) | Front Yard Depth (minimum) | 10.5 metres |
| (b) | Lot Frontage (minimum) | 20 metres |
| (c) | Side Yard Width (minimum) | 5.0 metres |
| (d) | Flank Yard Width (minimum) | 10.5 metres |
| (e) | Rear Yard Depth (minimum) | 15 metres |
| (f) | Lot Coverage (maximum) | 1% |
| (g) | Building Height (maximum) | 5.0 metres |

14.3 EXCEPTION ZONES

SECTION 15.0 - REQUIREMENTS FOR OPEN SPACE ONE (OS1) ZONE

15.1 PERMITTED USES

No person shall use land or erect or use a building or structure in any OS1 Zone except for:

(a) Residential Uses

- prohibited

(b) Non-Residential Uses

- conservation use
- natural area
- public park
- recreation, passive

15.2 ZONE PROVISIONS

(a) Lot Area (minimum)

NIL

(b) Front Yard Depth (minimum)

NIL

(c) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provision of this Zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this Zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law.

15.3 EXCEPTION ZONES

SECTION 16.0 - REQUIREMENTS FOR OPEN SPACE TWO (OS2) ZONE

16.1 PERMITTED USES

No person shall use land or erect or use a building or structure in any OS2 Zone except for:

- (a) Residential Uses
 - prohibited

- (b) Non-Residential Uses
 - buffer strip
 - conservation use
 - golf course
 - landscaped open space
 - marina
 - private park
 - public park
 - recreation, active
 - recreation, passive

16.2 ZONE PROVISIONS

- (a) Lot Area (minimum) 2025 sq. metres
- (b) Lot Frontage (minimum) 30 metres
- (c) Front Yard Depth (minimum) 10 metres
- (d) Side Yard Width (minimum) 5.0 metres
- (e) Flank Yard Width (minimum) 10 metres
- (f) Rear Yard Depth (minimum) 15 metres
- (g) Lot Coverage (maximum) 1%
- (h) Building Height (maximum) 5.0 metres
- (i) General Provisions - In accordance with the provisions of **SECTION 3 - GENERAL PROVISIONS** of this By-law.

16.3 EXCEPTION ZONES

- (a) Open Space Two – Exception One (OS2-E1) Madawaska Marina
Notwithstanding any provision of subsections 16.1 (a) and (b) to the contrary for those lands described as part of Lot 4, Concession 14 and Block ‘A’, Plan 265, Town of Arnprior and delineated as Open Space Two-Exception One (OS2-E1) on Schedule

“A” (Map 2) to this By-law, a marina, small engine repair shop and accessory dwelling shall be permitted.

SECTION 17 - REQUIREMENTS FOR AIRPORT (A) ZONE

17.1 PERMITTED USES

No person shall use land or erect or use a building or structure in any A Zone except for:

a) Non - Residential Uses

- existing municipal airport
- aircraft assembly and repair plant
- flight school
- public use
- airport terminal
- aircraft sales and rental facility
- accessory eating establishment
- accessory business office
- auxiliary industrial uses dependent upon the aircraft industry.
- fuel tank storage
- airplane hangars
- unserviced campsites for fly-in visitors

17.2 ZONE PROVISIONS

- | | | |
|-----|---|--------------------|
| (a) | Lot Area (minimum) | 2000 square metres |
| (b) | Lot Frontage (minimum) | 30 metres |
| (c) | Front Yard Depth (minimum) | 15 metres |
| (d) | Side Yard Width (minimum) | 10 metres |
| | Side Yard Width (minimum) abutting to Residential Zone | 20 metres |
| (e) | Flank Yard Width (minimum) | 15 metres |
| (f) | Rear Yard Depth (minimum) | 15 metres |
| | Rear Yard Depth (minimum) abutting a Residential Zone | 30 metres |
| (g) | Lot Coverage (maximum) | 30% |
| (h) | Building Height (maximum) | 20 metres |
| (i) | General Provisions - In accordance with the provisions of <u>SECTION 3- GENERAL PROVISIONS</u> of this By-law. | |

17.3 EXCEPTION ZONES

- (a) Airport – Exception One (A-E1)
Notwithstanding any provisions of this By-law to the contrary, for the lands described as part of Lots 1, 2 and 3, Concessions 11 and 12, Town of Arnprior and delineated as Airport-Exception One (A-E1) as shown on Schedule “A” (Map 5) to this By-law, no buildings or structures shall be permitted.
- (b) Airport – Exception Two (A-E2)
Notwithstanding any Sections 17.1 and 17.2 of this By-law to the contrary, for the lands described as part of Lot 2, Concession 12, Town of Arnprior and delineated as Airport-Exception Two (A-E2) as shown on Schedule “A” (Map 5) to this By-law, the following provisions shall apply:
- (i) Permitted Uses
- private individual hangar
 - private cluster hangar
- (ii) Zone Requirements
- | | | |
|---|-----------------------------|-------------------|
| - | Lot Area (minimum) | 330 square metres |
| - | Lot Frontage (minimum) | 18 metres |
| - | Yard Requirements (minimum) | |
| | Front | 3 metres |
| | Rear | 3 metres |
| | Side | 1.8 metres |
| - | Lot Coverage | 50% |

For the purposes of this subsection, lot frontage shall be permitted on a private road.

SECTION 18 - REQUIREMENTS FOR RESIDENTIAL RESERVE (RR) ZONE

18.1 PERMITTED USES

No person shall use land or erect or use a building or structure in a Residential Reserve (RR) Zone except for:

a) Residential Uses

- single detached dwelling existing as of the date of passing of this By-law

b) Non-Residential Uses

- conservation use
- farm existing as of the date of passing of this By-law
- natural area
- public park
- recreation, passive

18.2 ZONE PROVISIONS

No person shall use any lot or erect, alter or use any building or structure in a Residential Reserve (RR) Zone except in accordance with the following provisions:

- | | | |
|----|----------------------------|-------------|
| a) | Front Yard Depth (minimum) | 10.5 metres |
| b) | Side Yard Width (minimum) | 5.0 metres |
| c) | Flank Yard Width (minimum) | 10.5 metres |
| d) | Rear Yard Depth (minimum) | 15 metres |
| e) | Building Height (maximum) | 5.0 metres |

18.3 EXCEPTION ZONES

SECTION 19.0 - ENACTMENT

This By-law shall become effective on the date of passing by Council.

ENACTED AND PASSED in OPEN COUNCIL, this 29th day of October, 2002.

ORIGINAL SIGNED BY LEONARD SHEAN

Leonard Shean, Mayor

ORIGINAL SIGNED BY LARRY DONALDSON

Larry Donaldson, Clerk