

***CORPORATION
OF THE
TOWNSHIP OF HORTON***
ZONING BY-LAW NO. 2010-14

Prepared For:

The Corporation of the
Township of Horton

Prepared By:

County of Renfrew
Development & Property Department
Planning Division
9 International Drive
PEMBROKE, ON K8A 6W5

Passed by Council: May 4, 2010
Consolidated: March 23, 2011

TOWNSHIP OF HORTON

NOTICE OF PASSING OF A COMPREHENSIVE ZONING BY-LAW

TAKE NOTICE that the Council of the Corporation of the Township of Horton passed By-law **2010-14** on the **4th** day of **May, 2010** under Section 34 of the Planning Act.

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 Township of Horton 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. 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. No person or public body shall be added as a party to the hearing of the appeals unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Ontario Municipal Board, there are reasonable grounds to add the person or public body as a party.

AND TAKE NOTICE that an appeal must set out the objection to the By-law, the reasons in support of the objection and be accompanied by the prescribed fee. The prescribed fee is \$125.00 and must be made payable to the Minister of Finance.

An explanation of the purpose and effect of the By-law, describing the lands to which the By-law applies, and a Key Map showing the location of the lands to which the By-law applies are attached. The complete By-law is available for inspection in my office during regular office hours.

EXPLANATORY NOTE

This new zoning by-law repeals the former zoning by-law of the Township of Horton.

The Council of a municipality may, under Section 34 of the Planning Act, pass a Zoning By-law to govern the use of land. The effect of By-law Number **2010-14** is to regulate the use of land and the erection, location and use of buildings and structures within the entire Township of Horton. 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.

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.

As the By-law affects all lands within the Township of Horton, a Key Map has not been provided.

DATED at the Township of Horton this _____ day of _____, 20_____.

Mr. Mackie McLaren, CAO/Clerk
Township of Horton
2253 Johnston Road
R.R. #5
RENFREW, ON K7V 3Z8

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Schedule “A” - Township of Horton

**THE CORPORATION OF THE
TOWNSHIP OF HORTON**

BY-LAW NUMBER _____

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

PREAMBLE

WHEREAS Section 34 of the Planning Act 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 Township of Horton wishes to ensure proper and orderly development within the limits of the Township of Horton;

AND WHEREAS the Council of The Corporation of the Township of Horton 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 Township of Horton 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 Township of Horton.

1.2 SCOPE**1.2.1 Application of By-law**

The provisions of this By-law shall apply to all lands within the Township of Horton, except Crown Lands.

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 of 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.

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, 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 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.

1.4.2 Repeal of Existing By-laws

From the coming into force of this By-law, the previous By-law passed by the Council of the Township of Horton under Section 34 of the Planning Act, or a predecessor thereof, shall be repealed, except to the extent that any of the said By-law 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 enforceability of the other provisions or part of provisions 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 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.

1.5.3 Measurements

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

1.5.4 Road Classification

The road classification is general and is considered as accurate as possible. However, final determination of the status of individual roads rests with the appropriate road authority.

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 customarily incidental, subordinate and exclusively devoted to supporting the principal use, building or structure and located on the same lot therewith. This does not include an accessory residence unless otherwise specified.
- 2.4 ACCESSORY REPAIR GARAGE means a repair garage where major repairs of vehicles may be performed, and is accessory to a licensed aggregate operation.
- 2.5 ADULT ENTERTAINMENT PARLOUR shall mean any premise or part thereof in which, in pursuance of a business, trade, calling, or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations are provided. This definition does not include the exhibition, rental or sale of film or videos approved for distribution pursuant to the Theatres Act, or the sale of magazines or other printed material provided such sale does not contravene any law.
- Services appealing to or designed to appeal to erotic or sexual appetites or inclinations shall mean a performance, exhibition or activity of which a principal feature or characteristic is the nudity or partial nudity of any person.
- 2.6 AGGREGATE means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite and rock other than metallic ores.
- 2.7 AGRICULTURAL COMMERCIAL ESTABLISHMENT means the use of land, buildings or structures for the wholesale or retail sales of goods that are necessary to support agricultural uses and for the processing and sale of products derived from farm uses. Without limiting the generality of the foregoing, these include such goods as farm machinery and equipment, products used for the housing and husbandry of livestock, poultry and fur bearing animals, and materials and equipment for sub-surface drainage and such services as the selling, processing, storage and transportation of seed, feed, crops, milk and eggs and livestock, and the selling of fertilizer and chemical products.
- 2.8 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.

- 2.9 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.
- 2.10 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.
- 2.11 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.
- 2.12 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.
- 2.13 ANSI (AREA OF NATURAL AND SCIENTIFIC INTEREST) means an area of land or water containing natural heritage landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.
- 2.14 ANTIQUE FURNITURE RESTORATION WORKSHOP, CABINET-MAKING SHOP AND SHOWROOM means an establishment engaged in the refinishing and restoration of antique furniture and includes a cabinet-making shop, and a showroom for the storage, and display of the finished product.
- 2.15 ARENA means a building, or part of a building, in which facilities are provided for such purposes as ice skating, roller skating or curling but does not include any other establishment otherwise defined or classified in this By-law.
- 2.16 ARTISAN SHOP OR STUDIO means a building or structure or portion thereof, where an artist or skilled craftsperson creates unique articles and/or offers instruction in an art or skilled craft and where such unique articles may be offered for sale. This may include but is not limited to, a painter, a sculptor, a photographer, a gunsmith, a cabinetmaker, a wood carver, a potter, an ornamental welder or any similar artist or craftsperson whose workplace is not otherwise defined.

- 2.17 ASPHALT MANUFACTURING PLANT means an industrial facility used for the production of asphalt for immediate use in the paving of roads and driveways and the damp-proofing of buildings or structures.
- 2.18 ASPHALT PLANT, PORTABLE 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.
- 2.19 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.
- 2.20 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.
- 2.21 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.
- 2.22 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.
- 2.23 AUTOMOTIVE-COMMERCIAL GARAGE means a building where all functions of an automotive service station may be carried out and where major repairs of vehicles 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.
- 2.24 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.
- 2.25 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.

- 2.26 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.
- 2.27 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.
- 2.28 BANK means an institution where money is deposited, kept, lent or exchanged.
- 2.29 BASEMENT means that portion of a building between two floor levels which is partly underground.
- 2.30 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.
- 2.31 BERM means a landscaped mound of earth.
- 2.32 BOARDING HOUSE means a dwelling in which the proprietor resides and supplies for gain, more than three bedrooms for boarders and may include the provision of meals. Rooming house shall have a corresponding meaning.
- 2.33 BOAT DOCKING OR LAUNCHING FACILITY means a structure for the mooring or launching of boats or watercraft, attached to or forming part of the mainland or used in conjunction with a use on the mainland.
- 2.34 BOAT HOUSE means a detached one-storey, accessory building or structure which is designed or used for the sheltering of a boat or other form of water transportation and the storage of household equipment incidental to the residential use of the property and shall not be used for human habitation nor contain food preparation or sanitary facilities.
- 2.35 BUFFER STRIP means an area to be used only for the purpose of screening land, buildings or other structures by the planting and maintenance of trees or shrubs or the construction and maintenance of a berm.

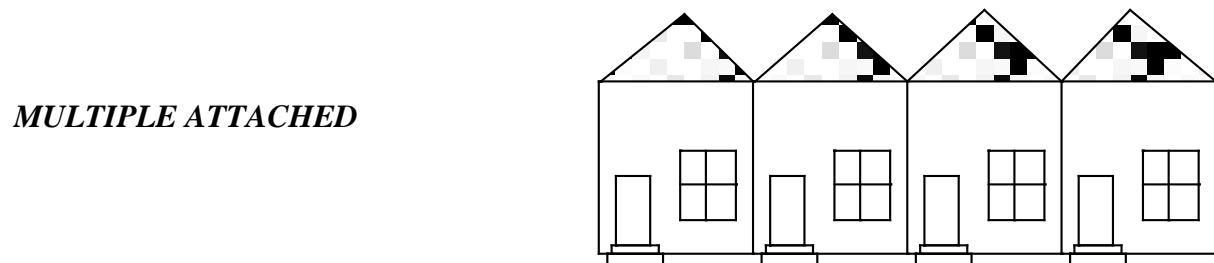
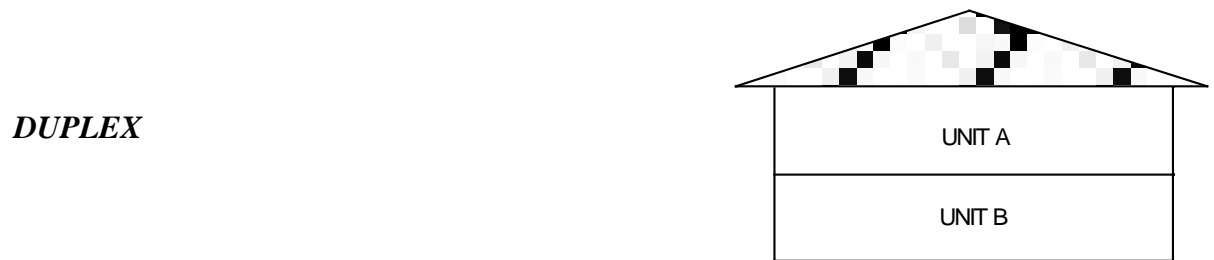
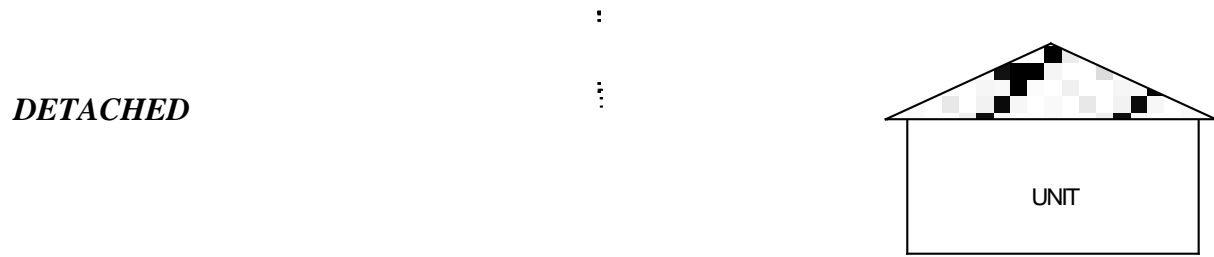
- 2.36 BUILDING means any structure used or designed to be used for shelter, accommodation or enclosure of persons, animals or chattels.
- 2.37 BUILDING ENVELOPE means the buildable area on a lot, defined by the minimum front yard depth, rear yard depth and side yard width requirements and maximum height requirements, within which a building can be erected.
- 2.38 BUILDING SUPPLY STORE means an establishment engaged in the selling of building supplies including lumber, mill work, siding, roofing, electrical, heating, air conditioning, and similar items.
- 2.39 CABIN, SLEEP means a building containing not more than two sleeping rooms, which building shall not include cooking facilities.
- 2.40 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.
- 2.41 CARPORT see GARAGE, PRIVATE OR CARPORT.
- 2.42 CEMETERY means a cemetery, columbarium or mausoleum within the meaning of the Cemetery Act of Ontario.
- 2.43 CHURCH means a building commonly used by any religious organization, as defined in the Religious Organizations' Lands Act, for public worship, and may include a rectory or manse, church hall, auditorium, day nursery or religious school associated with or accessory thereto.
- 2.44 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.
- 2.45 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.
- 2.46 COLD STORAGE LOCKER means a building or part of building used for cold storage.

- 2.47 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.
- 2.48 CONSTRUCT means to do anything in the erection, installation, extension or material alteration or repair of a building and includes the installation of a building unit fabricated or moved from elsewhere and “construction” has a corresponding meaning.
- 2.49 CONTRACTOR'S YARD OR SHOP means an area of land of a contractor of any building or construction 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.
- 2.50 CONVENIENCE STORE means a retail commercial establishment supplying groceries, sundries and other daily household necessities to the immediate surrounding area.
- 2.51 CORPORATION means the Corporation of the Township of Horton.
- 2.52 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.
- 2.53 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.
- 2.54 CRAFT SHOP means a building of part thereof in which a handicraft is conducted for gain of profit and may include sales of such handicraft.
- 2.55 CUSTOM WORK SHOP means a building or structure or part thereof where the manufacturing of small quantities or articles is performed by the tradesman requiring manual or mechanical skills, but does not include machining, stamping or forging of materials.
- 2.56 DAIRY means a building or part of building used for a dairy.

- 2.57 DAY CARE (Private Dwelling) means care provided to five children or fewer under 10 years of age, in a private residence other than the home of the parent/guardian of the child.
- 2.58 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.
- 2.59 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.
- 2.60 DWELLING means a building or part of a building containing one or more dwelling units.
- 2.61 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.
- 2.62 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.
- 2.63 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.
- 2.64 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.
- 2.65 DWELLING, TWO UNIT (THREE UNIT, FOUR UNIT) means a building containing two dwelling units (or three dwelling units or four dwelling units respectively).
- 2.66 DWELLING, MULTIPLE ATTACHED means a building that is divided vertically into more than four (4) 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.
- 2.67 DWELLING, APARTMENT means the whole of a building not otherwise defined herein, which contains more than four (4) 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.

- 2.68 DWELLING, LIMITED SERVICE means a single detached dwelling that:
- (a) has no frontage on a municipally maintained street, and
 - (b) the owner is responsible for services, such as snow clearing and road maintenance, and for ensuring that the road condition is adequate for access by emergency vehicles including fire, ambulance and police;
 - (c) has a means of access to the lot that is not part of the municipal street network.
- 2.69 DWELLING, SEASONAL means a single detached dwelling that is used occasionally for recreation, rest or relaxation, but that is not occupied continuously nor used as a year round permanent dwelling.
- 2.70 DWELLING, MODULAR means a prefabricated single detached dwelling designed to be transported once only to a final location and constructed so as the shortest side of such dwelling is not less than six metres in width.
- 2.71 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.
- 2.72 DWELLING UNIT, ACCESSORY means a dwelling unit accessory to a permitted non-residential use.
- 2.73 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.

ILLUSTRATIONS OF DWELLING TYPES



Note: The above illustrations are for clarification purposes only.

- 2.74 **EATING ESTABLISHMENT** means a building or part of a building where food is offered for sale or sold to the public for consumption either on or off the premises and includes a restaurant, café, cafeteria, ice cream parlour, tea or lunch room, dairy bar, coffee shop, snack bar, but does not include a boarding house.
- 2.75 **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. This includes a mobile food vehicle. No provision is made for consumption of food on the site except for a mobile food vehicle.
- 2.76 **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.
- 2.77 **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 3 dwellings have been built within this area prior to the date of passing of this By-law. Where the established building line is being calculated for water setback, the average distance is to be measured in accordance with the foregoing, except that it will be calculated using the distances between the high water mark and existing buildings.
- 2.78 **EXISTING** means existing as of the date of final passing of this By-law.
- 2.79 **EXTRACTIVE INDUSTRIAL FACILITY** means a building, structure or facility used for processing aggregate and includes the screening, sorting, washing, crushing, storing and other similar operations allied to an extractive industrial operation.
- 2.80 **FACTORY OUTLET** means a building accessory to a permitted industrial use where the products manufactured by that industry are kept and offered for wholesale or retail sale.
- 2.81 **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. A farm use includes a hobby farm.
- 2.82 **FARM BUSINESS** means any gainful occupation, trade or service that is carried on within an operating farm as a means of diversification but which is small in scale and clearly secondary to the main farm use. A farm business may include the storage of vehicles, equipment or commodities within a building or fully enclosed structure, a welding shop, a custom workshop, a general service shop, a

blacksmith, a farm produce sales outlet, the processing of farm produce, an artisan shop or studio, a kennel, a riding stable, the repair of vehicles or farm equipment, a bed and breakfast establishment, or other use of similar character to the foregoing.

- 2.83 FARM LIMITED means land used for growing and harvesting field, bush, vine, forest or tree crops or grazing and does not include a farm dwelling and accessory buildings and uses.
- 2.84 FARM PRODUCE SALES OUTLET means a stand set up as an accessory use on a farm, used for the sale or produce from that same agricultural use.
- 2.85 FINANCIAL INSTITUTION means the premises of a bank, trust company, finance company, mortgage company or investment company.
- 2.86 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.
- 2.87 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.
- 2.88 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.
- 2.89 FLOODPROOFED means the installation of power service metering equipment, major electrical appliances, etc., such that they are not located below the flood plain design elevation but this does not prohibit the installation of electrical wall outlets equipped with ground fault plugs; the design and installation of heating, air conditioning, ventilation, plumbing, sewer and water systems which consider flood susceptibility; sanitary sewer and storm drainage systems having openings below the flood plain elevation which are provided with automatic back flow preventers; water supply systems which are designed to prevent contamination by flood waters; fuel-fired furnaces which are provided with float operated automatic control valves which shut off the fuel supply in the event of flooding; septic systems which are designed to operate during flood conditions and which prevent sewer discharges which could result in a health hazard; and no building openings below the regulatory flood elevation.
- 2.90 FLOODWAY means the channel of a watercourse and the inner 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.

- 2.91 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 two and one-quarter metres (2.25 metres) may be used to calculate floor area.
- 2.92 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.
- 2.93 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.
- 2.94 FOOD CATERING ESTABLISHMENT means any premises where food is prepared for banquets, weddings, etcetera and where such food is prepared for consumption off the premises.
- 2.95 FRONTAGE see LOT FRONTAGE.
- 2.96 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.
- 2.97 FUEL DEPOT means the use of land, structures or buildings for the purpose of distributing fuels from a fuel storage tank on the premises.
- 2.98 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.
- 2.99 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.
- 2.100 FUNERAL HOME means any premises where preparation of a human body for internment or cremation is undertaken.

- 2.101 GARAGE, PRIVATE OR CARPORT means an enclosed or partially enclosed structure in which no business, occupation or service is conducted for profit, and which structure is used primarily for the storage of one or more vehicles and storage of household equipment incidental to the residential occupancy. Carport shall have a corresponding meaning.
- 2.102 GARAGE, PUBLIC means a municipal or provincial facility used for the storage and servicing of road construction and maintenance equipment and materials.
- 2.103 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.
- 2.104 GOLF COURSE means a public or private area operated for the purpose of playing golf including an accessory club house, driving range, miniature course or combination thereof.
- 2.105 GRAVEL PIT means any open excavation made for the removal of any unconsolidated aggregate including earth, clay, sand, and gravel in order to supply material for construction, industrial or manufacturing purposes, but shall not include an excavation incidental to the erection of a building or structure for which a building permit has been granted by the Corporation or an excavation incidental to the construction of any public works.
- 2.106 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.
- 2.107 HAULED SEWAGE means untreated sanitary waste from a septic tank, privy or holding tank.
- 2.108 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;
 - (c) in the case of a gable, hip or gambrel roof, the mean height between the eaves and the ridge; and
 - (d) in the case of any other type of roof, the highest point of the roof surface.

- 2.109 **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.
- 2.110 **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.
- 2.111 **HOME FOR THE AGED** means a "home for the aged" as defined under the Homes for the Aged and Rest Homes Act, as amended from time to time.
- 2.112 **HOME INDUSTRY** means a gainful occupation including a day nursery, carpentry, electrical shop, woodworking, window framing, welding, plumbing, machine or auto repair shop, riding stables and a kennel with a maximum of four outdoor runs; a service shop; blacksmithing; or a storage building for school buses, boats or snowmobiles and conducted in whole or in part in an accessory building to a single detached dwelling or to a permitted farm use.
- 2.113 **HOME OCCUPATION** means any occupation for gain or support which is carried on as an accessory use either within a dwelling or dwelling unit and operated by members of the one family residing in a 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, 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.
- 2.114 **HOSPITAL** means a hospital as defined in the Private Hospitals Act, a sanitarium as defined by the Private Sanitarium Act or a hospital as defined by the Public Hospital Act.
- 2.115 **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.
- 2.116 **HUNTING & FISHING CAMP** means a building or structure intended to provide basic shelter and accommodation on an occasional basis for a person or group of persons engaged in hunting, fishing or other outdoor recreational activities. Such structure may be described as being of light frame construction without any interior finish on its walls and ceiling.

- 2.117 **INSTITUTIONAL USE** means the use of buildings or structures for a public or non-profit purpose and without limiting the generality of the foregoing, may include such uses as schools, places of worship, indoor recreation facilities, community centre, hospitals and government buildings.
- 2.118 **KENNEL** means an establishment in which dogs or other domesticated animals are housed, groomed, boarded, bred or trained for gain or profit.
- 2.119 **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.
- 2.120 **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.
- 2.121 **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.
- 2.122 **LIVESTOCK** means chickens, turkeys, cattle, hogs, mink, rabbits, sheep, horses, goats or any domestic animal used or raised for consumption or for commercial purposes.
- 2.123 **LIVESTOCK FACILITY** means barns, buildings or structures where livestock are housed and shall also include beef feedlots and the associated manure storage facilities.
- 2.124 **LODGE HOUSE** means a building in which bedrooms, common areas, dining areas, games areas and meals are available for the guests of an establishment.
- 2.125 **LOGGING HAULER** means an area of land and/or building of a logging hauler where equipment and materials belonging to the logging hauler are stored and may include repairs to logging equipment belonging to the logging hauler. This definition does not include other logging activities such as a sawmill or the storage of logs on the ground or in storage buildings.
- 2.126 **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.
 - (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.
- 2.127 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 six (6) metres, or less, the lot area of such land shall be calculated as if the lot lines were produced to their point of intersection.
- 2.128 LOT, CORNER means a lot having street frontage adjoining the point of intersection of two or more streets.
- 2.129 LOT COVERAGE means the percentage of the lot area covered by buildings, including accessory buildings.
- 2.130 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 seven and one-half (7.5) metres back from and parallel to the street line.
- 2.131 LOT, INTERIOR means a lot situated between adjacent lots and having access to one street.
- 2.132 LOT LINE means any boundary of a lot or a vertical projection thereof.
- 2.133 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 side 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 .3 metre reserve the lot line so abutting the .3 metre reserve shall be deemed an exterior side 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 the 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; and

- (e) in all other cases, the lot line where the principal access to the lot is approved shall be deemed to be the front lot line.

2.134 LOT LINE, REAR means, in the case of a lot having four or more lot lines, the lot line furthest from and opposite to the front lot line. In the case of a lot with less than four lot lines, there shall be deemed to be no rear lot lines.

2.135 LOT LINE, SIDE means a lot line other than a front or rear lot line.

2.136 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.

2.137 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.

2.138 MANUFACTURING PLANT means a building or structure in which a product is fabricated or materials are processed or assembled and from which such product is shipped to a wholesale or retail outlet.

2.139 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 guidelines.

2.140 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, where boat trips may be offered, and where facilities for the sale of marine fuels and lubricants may be provided.

2.141 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.

2.142 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.

- 2.143 **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 amended from time to time, or any successors thereto.
- 2.144 **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.
- 2.145 **MOBILE HOME SITE** means an area of land which shall be considered a lot 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.
- 2.146 **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, and 2) may or may not have facilities for serving meals.
- 2.147 **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.
- 2.148 **NAVIGABLE WATERWAY** means a navigable body of water or stream as deemed under the Navigable Waters Protection Act.
- 2.149 **NON-CONFORMING** means that which does not conform, comply or agree with the regulations of this Bylaw as of the date of final passing thereof.
- 2.150 **NURSERY** See GARDEN CENTRE.
- 2.151 **NURSING HOME** means a nursing home as defined under the Nursing Home Act, as amended from time to time.
- 2.152 **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 newspaper plant, a radio and television broadcasting studio or theatre.
- 2.153 **OFFICE, PROFESSIONAL** means any office where professionally 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 hospital or any other use defined herein.

- 2.154 OPEN SPACE means a parcel or area of land essentially unimproved or unoccupied by any building, structure or driveway.
- 2.155 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.
- 2.156 OUTDOOR FURNACE means a solid fuel burning appliance located outside of the building it serves and is used for the space heating of buildings and/or domestic water heating and does not include the incineration of waste as defined in Section 25 of the Environmental Protection Act, c.E.19., R.S.O. 1990. This definition also applies to outdoor furnaces located in any accessory building.
- 2.157 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.
- 2.158 PARK, PRIVATE means a park other than a public park.
- 2.159 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.
- 2.160 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.
- 2.161 PARKING SPACE means an area measuring 2.7 metres by 5.5 metres, exclusive of driveways or aisles, for the temporary parking or storage of motor vehicles.
- 2.162 PERMITTED means permitted by this By-law.
- 2.163 PERSON means an individual, an association, a chartered organization, a firm, a partnership or a corporation.
- 2.164 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 or other use otherwise defined or classified in this By-law.
- 2.165 PORTABLE GARAGE means a supporting metal or wood framework with a fabric cover made of canvas, nylon, clear plastic or similar material for the storage of one or more vehicles and storage of household equipment incidental to the residential occupancy.

- 2.166 **PRINTING SHOP** means a building or part of a building used for printing.
- 2.167 **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. New private roads shall have a minimum width of 10 metres (33 feet).
- 2.168 **PRIVATE CLUB** 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.
- 2.169 **PROPANE TANK** shall mean a structure consisting of a tank/cylinder used for the storage of propane gas.
- 2.170 **PROVINCIALY SIGNIFICANT WETLAND** means an area identified as Provincially Significant by the Ministry of Natural Resources using evaluation procedures established by the Province or evaluated by others and approved by the Ministry of Natural Resources.
- 2.171 **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 Township of Horton 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.
- 2.172 **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.
- 2.173 **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.
- 2.174 **QUARRY** means any open excavation made for the removal of any consolidated rock or mineral including limestone, sandstone or shale, in order to supply material for construction, industrial or manufacturing purposes, but shall not include an excavation incidental to the erection of a building or structure for which a building permit has been granted by the Corporation or an excavation incidental to the construction of any public works.

- 2.175 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.
- 2.176 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 playground with activity equipment for children.
- 2.177 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.
- 2.178 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.
- 2.179 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.
- 2.180 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.
- 2.181 REQUIRED means required by this By-law. REQUIREMENT shall have a corresponding meaning.
- 2.182 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.
- 2.183 RESTAURANT see EATING ESTABLISHMENT.

- 2.184 **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.
- 2.185 **ROAD, PUBLIC** see **STREET**.
- 2.186 **ROAD ALLOWANCE** see **STREET ALLOWANCE**.
- 2.187 **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.
- 2.188 **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.
- 2.189 **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.
- 2.190 **SAWMILL** means a building, structure or area where timber is cut or stored, either to finished lumber or as an intermediary step.
- 2.191 **SCHOOL** means a school under the jurisdiction of a Public or Separate 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.
- 2.192 **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.

- 2.193 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.
- 2.194 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 and appliance repair shops, a laundromat, but does not include any automotive uses as defined by this By-law.
- 2.195 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 and photographic studios.
- 2.196 SEWAGE DISPOSAL SYSTEM, PRIVATE means a sanitary disposal system including a septic tank and tile bed disposal system approved by the Township's Sewage System Authority.
- 2.197 SEWAGE SLUDGE means the aqueous suspension of residual solids generated from the treatment of municipal or industrial wastewater.
- 2.198 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.
- 2.199 SHOPPING PLAZA means a group of commercial and service establishments or uses, related in size and type, primarily to the day to day needs of a residential area 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.
- 2.200 STABLE, COMMERCIAL means a building or part of a building in which horses or ponies are boarded or kept for commercial purposes, including riding and show.
- 2.201 STABLE, PRIVATE means a building or part of a building in which horses or ponies are kept for private use and not for remuneration, hire or sale.
- 2.202 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, as amended, but does not include a lane, a driveway or a private road.

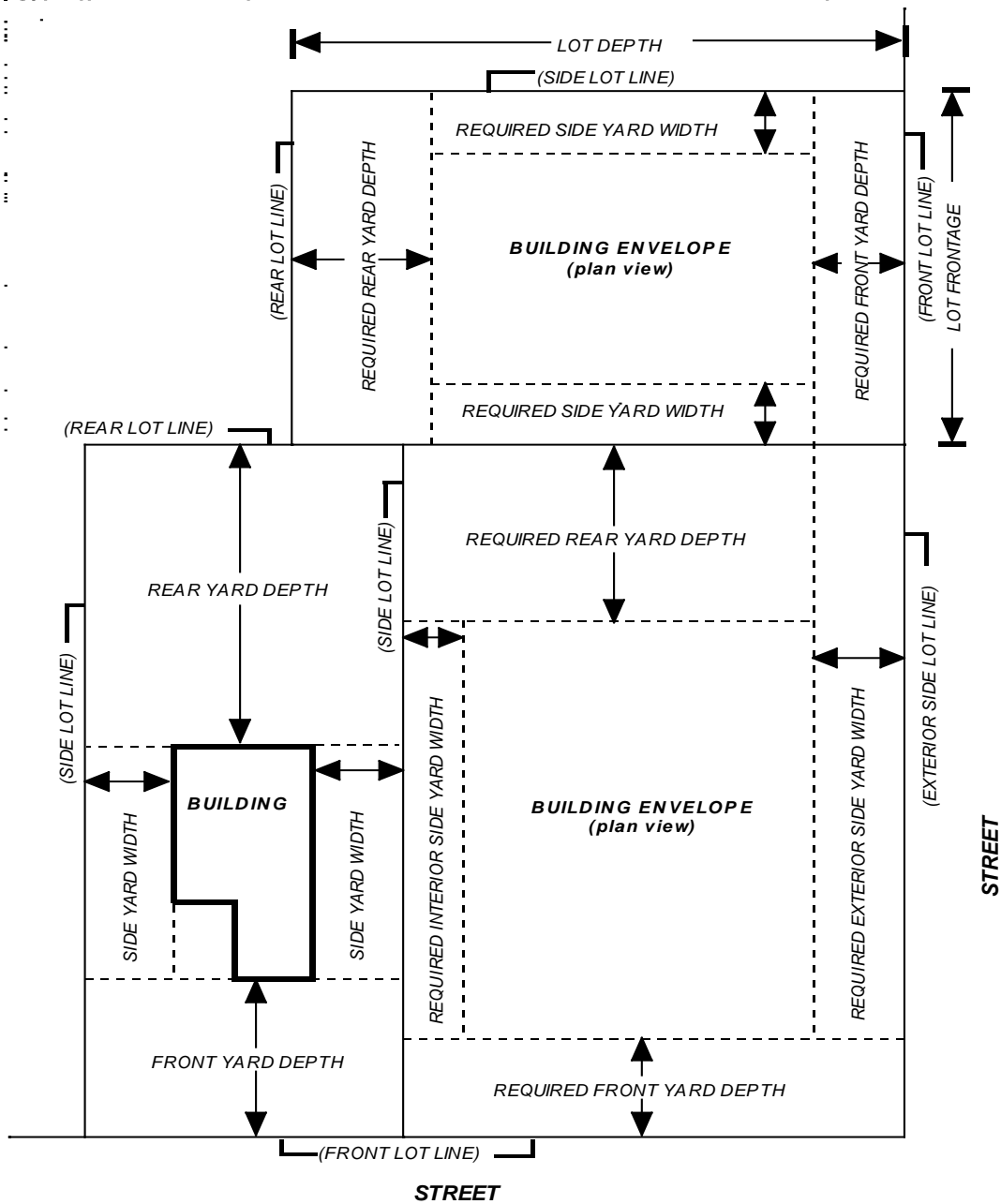
- 2.203 STREET ALLOWANCE (ROAD ALLOWANCE) means land held under public ownership for the purpose of providing a street.
- 2.204 STREET, IMPROVED means a public road which has been constructed in such a manner so as to permit its use by normal vehicular traffic on a year-round basis, and is maintained by the Municipality, including snow ploughing, on a year-round basis.
- 2.205 STREET, MINIMUM MAINTENANCE means a public road that is under the jurisdiction of the Township and that is maintained to a standard acceptable for normal summer use only. STREET, SEASONAL shall have a corresponding meaning.
- 2.206 STREET LINE means the limit of the road or street allowance and is the dividing line between a lot and a street.
- 2.207 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.
- 2.208 SWIMMING POOL, OUTDOOR shall mean a privately owned structure, erected or installed above ground or wholly or partly below ground, capable of being used for swimming, wading, diving, or bathing, and which, when filled, is capable of containing a depth of 0.46 metres or more of water.
- 2.209 TAILINGS AND SLAG PILES means waste material or residue resulting from the reduction of metals from their ores.
- 2.210 TAVERN OR PUBLIC HOUSE means a tavern or public house as defined in the Liquor Licence Act, but does not include a hotel or eating establishment.
- 2.211 TAXI STAND means the permanent location of the taxi business and the source of dispatch.
- 2.212 TOP OF SLOPE means a line delineated at a point where the oblique of the slope meets the horizontal plane.
- 2.213 TOURIST ESTABLISHMENT means a commercial building, structure or area of land designed for the accommodation of travelling or vacationing public.
- 2.214 TOWNSHIP means the Corporation of the Township of Horton.
- 2.215 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.

- 2.216 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. A park model 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.
- 2.217 TRAILER (STORAGE) 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.
- 2.218 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.
- 2.219 TRAILER PARK see RECREATIONAL VEHICLE CAMPGROUND.
- 2.220 TRANSFER STATION means a waste disposal site used for the purpose of transferring waste from one vehicle to another for transportation to another waste disposal site.
- 2.221 TRUCK TERMINAL means a building, structure or place where trucks or transports are rented, leased, kept for hire, or stand or park for remuneration, or from which trucks or transports, stored or parked on the property, are dispatched for hire as common carriers or where goods are stored temporarily for further shipment.
- 2.222 USE means the purpose for which a lot or a building or structure, or any portion thereof, is designed, arranged, intended, occupied or maintained. USED shall have a corresponding meaning.
- 2.223 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.
- 2.224 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.
- 2.225 WASTE DISPOSAL SITE means any land approved by the Ministry of the Environment upon, into, or in which waste may be deposited or processed.

- 2.226 WATERCOURSE means the natural channel for a stream of water.
- 2.227 WATER FRONTAGE means the straight line horizontal distance between the two most widely separated points on any one shoreline of a waterfront lot.
- 2.228 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.
- 2.229 WATER SYSTEM, COMMUNAL means a private water distribution supply system in which water is piped to more than one dwelling or business operation.
- 2.230 WAYSIDE PIT, QUARRY means a temporary gravel pit or quarry opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.
- 2.231 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.
- 2.232 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.
- 2.233 WILDERNESS CENTRE means an establishment that is devoted to providing educational programs and passive recreational experiences relating to the natural environment. The provision of accommodation, in the form of wilderness camping and/or lodge houses, is integral to the experience rather than being the sole purpose of the establishment. A WILDERNESS CENTRE must have a remote setting, a high proportion of open space and/or natural areas, and an overall undeveloped appearance. A WILDERNESS CENTRE may be operated for gain or profit.
- 2.234 WRECKING ESTABLISHMENT means a building and/or lot used for the wrecking or dismantling of vehicles as defined herein, and for the storage and sale of scrap material, salvage and parts obtained therefrom, but shall not include any other automotive use defined herein.
- 2.235 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.

- 2.236 YARD, FRONT means a yard extending across the full width of a lot between the front lot line and the nearest part of any main 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 main building, structure or excavation on the lot.
- 2.237 YARD, REAR means a yard extending across the full width of a lot between the rear lot line and the nearest part of any main 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 main building, structure or excavation on the lot.
- 2.238 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 main 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 main building, structure or excavation on the lot.
- 2.239 YARD, EXTERIOR SIDE means a yard adjacent to a street between the nearest part of any main building, structure or excavation on the lot and a street, a 1-foot reserve or a road allowance, extending from the front yard to the rear lot line. EXTERIOR SIDE YARD WIDTH means the shortest horizontal distance between a side lot line on the flank side yard side and the nearest part of any main building, structure or excavation on the lot.
- 2.240 YARD, INTERIOR SIDE means a side yard other than an exterior side yard.
- 2.241 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.
- 2.242 ZONE means an area delineated on a Zoning Map Schedule and established by this By-law for a specific use or group of uses.
- 2.243 ZONING ADMINISTRATOR means the officer or employee of the Corporation charged with the duty of enforcing the provisions of this By-law.

ILLUSTRATION OF YARDS, REQUIRED YARDS AND RELATED TERMINOLOGY



Note: The above illustration is for clarification purposes only.

SECTION 3.0 - GENERAL PROVISIONS**3.1 APPLICATION**

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

3.2 ACCESS see Subsection 3.14 Lots to Front on Streets.**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 use, building or structure shall be built on a lot until the principal or main use, building or structure has been built on the lot.
- 3.3.2 No accessory building or structure shall be used for human habitation except where a dwelling is a permitted accessory use.
- 3.3.3 The accessory building or structure shall not be located within any minimum required front yard depth or within any minimum required exterior side yard width. This provision shall not apply to a shelter for use by children waiting for a school bus in any Rural (RU) Zone nor to any farm produce sales outlet, provided the structures have less than 9.3 square metres of gross floor area.
- 3.3.4 Where paragraph 3.3.3 preceding does not apply (i.e. interior side yard and rear yard) and unless indicated otherwise in this By-law, no accessory building or structure or use shall be located closer than 1.0 metre to any lot line except:
 - (a) that common semi-detached garages may be centred on the mutual side lot line; and
 - (b) 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.
- 3.3.5 Accessory buildings and structures shall not exceed 5.0 metres in height in any Residential Zone or 7.5 metres in height in any Commercial or Industrial Zone.
- 3.3.6 The coverage of the lot by accessory buildings and structures shall not exceed 10 percent of the total lot area, but a private garage, carport or swimming pool shall be excluded from this calculation.
- 3.3.7 Buildings and structures shall not be considered accessory if attached to the main building.

- 3.3.8 Accessory buildings and structures shall not be constructed on lands subject to slope failure or to flooding. Notwithstanding the preceding, boat docks, boat launching facilities and boat houses are permitted on lands subject to flooding, as are those buildings and structures otherwise specifically permitted on such lands by this By-law.
- 3.3.9 Notwithstanding any other provision of this By-law to the contrary, the following provisions shall apply to outdoor swimming pools:
- (a) No outdoor swimming pool shall be located in any front yard;
 - (b) Outdoor swimming pools shall not be included in the calculation of maximum lot coverage;
 - (c) The minimum rear yard depth for an outdoor swimming pool shall be 1.5 metres; and
 - (d) The minimum side yard width for an outdoor swimming pool shall be 1.5 metres.
 - (e) For a waterfront lot, the following provisions shall apply:
 - i) an outdoor swimming pool may be permitted in the front yard but not the required front yard;
 - ii) an outdoor swimming pool must meet the minimum water setback.
- 3.3.10 One portable garage shall be permitted per lot in all zones and shall be maintained in good repair.

3.4 AUTOMOTIVE SERVICE STATIONS, GASOLINE BARS AND, COMMERCIAL GARAGES

Where service stations, gasoline bars and commercial garages are permitted in this By-law, the following provisions shall apply in addition to Zone provisions:

- 3.4.1 No portion of any pump island shall be located closer than 6 metres from the street line of any street.
- 3.4.2 The minimum distance from the intersection of two street lines or from straight line projections of such, to the nearest ingress or egress ramp shall be not less than 10.0 metres (i.e. entrance or exit point).
- 3.4.3 The maximum width of a ramp at the street line shall be not more than 10.0 metres and the minimum width not less than 7.5 metres.

- 3.4.4 The minimum distance between ramps shall be not less than 9.0 metres.
- 3.4.5 The minimum interior angle of a ramp to a street line shall be 45.0 degrees and the maximum interior angle of a ramp to the street line shall be 90.0 degrees.
- 3.4.6 The minimum distance between any side lot line of the property at the street line and the nearest ramp shall be 3.0 metres.
- 3.4.7 The area included between ramps, or between ramps and a street line or a property line, as required by this By-law, shall be used for landscaped open space only, to a minimum width of 1.0 metre.

3.5 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.

3.6 CROWN LANDS AND COUNTY FORESTS

Regardless of anything else in this By-law, including the Schedules, Crown Lands and County Forests are not subject to the provisions of this By-law.

3.7 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. Refer also to Section 3.32 Temporary Construction Uses Permitted.

3.8 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	All	0.60 metres

or other ornamental structures.

(b) Fire escapes exterior staircases	Side and Rear only	1.5 metres
(c) Balconies, steps, unenclosed porches, sundecks, attached solarium, gazebo	Front and Rear only	3 metres
(d) Uncovered paved patios	All	Unlimited
(e) Gate House in any Industrial Zone	Front and Side only	Unlimited
(f) Fences, Flagpoles, Light Standards, Garden Trellises, Clothes Poles and similar structures and appurtenances	All	Unlimited

3.9 EXCEPTIONS TO HEIGHT LIMITATIONS

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

3.10 GRAVEL PITS, QUARRIES, WAYSIDE PITS AND QUARRIES AND PORTABLE ASPHALT PLANTS

A gravel pit or quarry, with the exception of a wayside pit or quarry, shall be prohibited in all Zones, except in an Extractive Industrial (EM) Zone. Wayside pits or quarries and portable asphalt plants shall be permitted in all Zones except in a Residential Zone, Commercial Zone or an Environmental Protection Zone.

Portable asphalt plants must comply with the Ministry of Environment separation distances and must obtain a Certificate of Approval from the Ministry of Environment.

3.11 GROUP HOMES

- (a) Group homes will be permitted in all zones that allow residential uses with the exception of the Limited Service Residential (LSR) and Mobile Home Park (MHP) Zones.
- (b) A group home may be permitted in any permitted single detached dwelling provided that:

- (i) There is no group home or similar facility within 8.0 kilometres of the proposed facility, whether the Municipality or in an adjacent municipality.

3.12 HOME INDUSTRY

A home industry shall only be permitted in the Rural (RU) Zone provided the following provisions are complied with:

- 3.12.1 No more than two persons, other than a person(s) residing on the premises, shall be employed in the home industry.
- 3.12.2 There shall be no external display or advertising other than a non-illuminated sign not more than 1.0 square metres in area.
- 3.12.3 Such home industry shall not be a hazardous or obnoxious trade, and shall not create or become a public nuisance.
- 3.12.4 Such home industry is clearly secondary to the main use and does not change the residential character of any dwelling, or the agricultural character of any farm unit.
- 3.12.5 The parking requirements of this By-law shall apply to any home industry use.
- 3.12.6 No goods, wares or merchandise shall be offered or exposed for sale or rent on the premises unless such goods, wares and merchandise are either:
 - (a) incidental to the home industry; or
 - (b) arts and crafts produced on the premises; or
 - (c) farm produce resulting from the main use.
- 3.12.7 Not more than 10.0 percent of the gross floor area of the dwelling unit shall be dedicated to the home industry.
- 3.12.8 Accessory buildings may be erected, altered or used for the purpose of a home industry provided that not more than 50 square metres of the gross floor area of all accessory buildings shall be used for the purpose of a home industry.

3.13 HOME OCCUPATIONS

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

- 3.13.1 The use shall be conducted entirely within the dwelling unit and carried on by person(s) residing in the dwelling unit. One employee, other than a resident of the premises, will be permitted to be employed.

- 3.13.2 There shall be no external display or advertising other than a non-illuminated sign not more than .5 of a square metre in area, to indicate to persons outside that any part of the dwelling unit or lot is being used for a purpose other than residential.
- 3.13.3 Not more than 25 percent of the dwelling unit area shall be used for the purpose of home occupation uses.
- 3.13.4 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.
- 3.13.5 There shall be no storage of equipment, vehicles, or supplies associated with the home occupation outside the dwelling.
- 3.13.6 The use shall not require more than 2 off-street parking spaces for clients or customers of the home occupation in addition to the parking requirements for residential use on the property.
- 3.13.7 The use shall not generate additional pedestrian or vehicular traffic beyond that normal to the neighbourhood in which it is located.
- 3.13.8 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.
- 3.13.9 Where instruction is carried on, no more than 6 pupils are in attendance at any one time.

3.14 KARST BEDROCK

For the area identified on Schedule A, the Township may require a geo-technical study prior to the issuance of a building permit.

3.15 LOTS TO FRONT ON STREETS

3.15.1 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.

3.15.2 Exceptions

(a) **Limited Service Residential**

Notwithstanding the provisions of paragraph 3.15.1 of this subsection, a limited service dwelling may be erected or used on a lot in a Limited

Service Residential (LSR) Zone provided such lot fronts along a private road which the subject lot and use are legally entitled to use for access.

(b) Hunting and Fishing Camp

A hunting and fishing camp shall not be required to meet the provisions of paragraph 3.15.1.

3.16 MOBILE HOMES

Mobile homes shall be prohibited on individual lots within the Municipality, except in a Mobile Home Park (MHP).

3.17 NON-CONFORMING USES

3.17.1 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.

3.17.2 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.

3.17.3 Repair of Existing Buildings

If a non-conforming building or structure should be damaged by fire, flood, wind, earthquake or other natural 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 twelve months and completed within twenty-four months of the date on which the damage took place.

3.17.4 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 Ministry of the Environment and Energy and/or its agents; and
- (b) where the development is on private services, the enlargement, reconstruction, repair or renovation satisfies the requirements of the applicable approval authority for the subject private services;
- (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.

3.17.5 Existing Buildings with Inadequate Lot or Yard Size

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

- (a) such enlargement, reconstruction, repair or renovation does not further contravene any other setbacks or 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 for the subject private services; and
- (c) all other applicable provisions of this By-law are complied with.

3.17.6 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.

3.17.7 Undersized Vacant Lots

Where a 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 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;

- (b) written approvals for the water supply and sewage disposal systems are obtained from the applicable approval authority for the proposed services; and

This provision shall not apply to a home industry, a forestry use, a farm or a logging hauler in the RU zone.

3.17.8 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.

3.18 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.

3.19 OCCUPANCY OF INCOMPLETE BUILDINGS

No dwelling shall be occupied before the kitchen, heating and sanitary conveniences have been installed and rendered usable, and before the exterior has been weatherproofed.

3.20 OCCUPANCY OF VEHICLES

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

A recreational vehicle or trailer is permitted on a vacant waterfront lot subject to the following provisions:

- i) it is permitted for a period of 3 years; and
- ii) a sewage system must be approved by the Municipality's Sewage System Authority.

Existing trailers are exempt from these provisions. Documentation may be required to provide evidence of when the trailer was located on the property.

3.21 OPEN STORAGE

Open storage shall be permitted in any Zone except the Environmental Protection (EP) Zone in accordance with the following provisions:

- 3.21.1 Open storage shall be accessory to a permitted or existing non-residential use on the same lot.
- 3.21.2 No open storage shall be permitted in any required minimum front yard or required exterior side yard, except in the case of an agricultural use, nor within any required minimum side or rear yard where the side or rear lot lines abut a property used for residential purposes or a property in the Community Facility (CF) Zone.
- 3.21.3 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. Exceptions to this provision are for open storage accessory to an agricultural use or for outdoor display used in conjunction with a permitted commercial use.
- 3.21.4 A strip of landscaped open space with a minimum width of 3 metres shall be maintained around all open storage areas.
- 3.21.5 Any open storage area shall be surfaced and maintained with stable materials to prevent the raising of dust and particles and shall be properly drained. However, this provision shall not apply where the main use is an agricultural use.
- 3.21.6 No parking spaces or loading spaces required by this By-law shall be used for open storage purposes.

3.22 OTTAWA RIVER FLOODPLAIN

- 3.22.1 For those lands located between County Road No. 1 and the Ottawa River from the lot line between Lots 11 and 12, Concession VIII, and the Horton - McNab Townline, the following provisions shall apply:
 - (i) No Building or Structures, including additions or enlargements to existing structures, with the exception of boat docking or launching facilities shall be permitted on lands located within the Ottawa River Flood Plain and situated below the floodway elevation of 75.5 metres Canadian Geodetic Datum (C.G.D). This elevation shall be calculated prior to the importing of fill or the undertaking of any other flood-proofing measures.
 - (ii) No building permits shall be issued for new developments, including additions or enlargements, on lands located within the Ottawa River Flood Plain and situated above the floodway elevation of 75.5 metres C.G.D. unless such development is flood proofed to the flood plain design elevation of 76.8 metres C.G.D. An

Elevation survey prepared by an Ontario Land Surveyor which identifies the floodway contour and shows that development is to occur in accordance with the requirements of this By-law and shall accompany an application for a building permit.

3.22.2 For those lands located along the Ottawa River between Lots 11 and 12, Concession VIII and the Horton - Ross Townline, the following provisions shall apply.

- (i) No building or structures, with the exception of boat docking or launching facilities shall be permitted on lands located below the floodway elevation of the Ottawa River Floodplain.
- (ii) No building permits shall be issued for new developments including additions or enlargements on lands located within the flood fringe of the Ottawa River Flood Plain unless floodproofed to the flood plain design elevation. An elevation survey prepared by an Ontario Land Surveyor should accompany all applications for building permits.

3.23 OUTDOOR FURNACES

Outdoor furnaces are permitted in all Zones other than the Residential One (R1), Residential Two (R2), Limited Service Residential (LSR) and Mobile Home Park (MHP) Zones. Where outdoor furnaces are permitted, they shall be located a minimum of 100 metres from a lot line.

3.24 PARKING AND LOADING SPACE REQUIREMENTS

3.24.1 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)	Single Detached Dwelling, Semi-Detached Dwelling, Duplex Dwelling and Two Unit Dwelling	1 parking space per dwelling unit
ii)	Triplex Dwelling, Three Unit Dwelling, Apartment Dwelling and Multiple Attached Dwelling	1.5 parking spaces per dwelling unit

iii)	Group Home	1 parking space
iv)	Boarding House	1 parking space plus 1 parking space per every 3 beds
v)	Automotive - Body Shop, Commercial Garage or Service Station	3 parking spaces per service bay
vi)	Bank or Trust Company	1 parking space per 17 square metres gross leasable area
vii)	Bed and Breakfast	2 parking spaces per dwelling unit and 1 parking space for each room rented
viii)	Day Care (private dwelling)	2 parking spaces (which includes 1 parking space for the dwelling)
ix)	Day Nursery	1 parking space per employee and 1 per 5 children
x)	Tavern, Public House	1 parking space per 4 persons design capacity
xi)	Church, Assembly Hall, Community Centre	The greater of 1 parking space per 10 square metres of gross floor area or per every four fixed seats or per every 2.5 metres of bench space
xii)	Mini Storage Establishment	1 parking space per 120 square metres of non- residential floor area
xiii)	Place of Entertainment/ recreation facility including arena, auditorium, recreation centre, theatre, tennis club, stadium, racquet club, cinema, fitness club, fairgrounds	1 parking space per 6 seat capacity
xiv)	Hospital, Nursing Home Home for the Aged, Senior Citizens Home	1 parking space per 83 square metres of gross floor area
xv)	Hotel, Motor Hotel	1 parking space per guest room plus 10 spaces per 100 square metres of public use area

xvi)	Industrial Establishment	1 parking space per each one 100 square metres of gross floor area
xvii)	Clinic	1 parking space per 25 square metres of gross floor area
xviii)	Motel	1 parking space per guest room
xix)	Office (Business/Professional)	1 parking space per 29 square metres of gross leasable area
xx)	Eating Establishment	1 parking space per 20 square metres of gross leasable floor area
xxi)	Eating Establishment, Take Out	4 parking spaces plus 1 parking space per 15 square metres of gross leasable area
xxii)	Retail, General including Convenience Store and Personal Service Shop	1 parking space per 28 square metres of gross leasable area
xxiii)	School	Elementary – 3 parking spaces plus 1.5 spaces per classroom Secondary – 6 parking spaces plus 3 spaces per classroom
xxiv)	Shopping Plaza	1 parking space per 21 square metres of gross leasable area
xxv)	Other Non-Residential Uses	1 parking space per 30 square metres of gross floor area

(b) 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.

(c) 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.

(d) 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>
i) General 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 street line 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.
ii) Extractive Industrial	No yards except for the driveway portion of a parking area.
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 street line. Where the subject zone abuts a Residential zone, the parking area shall be set back 3.0 metres from the lot line.

(e) 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 4.0 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.

(f) 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.

(ii) Access to parking areas for commercial or industrial uses shall not pass through a Residential Zone.

(g) Dimensions of Parking Spaces

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

(h) Barrier-Free Parking

Wherever barrier-free access to a building is required under the *Building Code*, one barrier free parking space shall be provided for every 20 standard parking spaces or part thereof. Every required barrier free parking space shall have minimum rectangular dimensions of 3.7 metres by 6 metres.

3.24.2 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 less total floor area 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.

3.25 PROPANE TANKS

Propane tanks shall be permitted in any Zone but shall be located in the rear yard only and shall be built no closer than 3.0 metres to a side or rear lot line. In the case of a corner lot, the propane tank shall not be permitted in the exterior side yard.

For a waterfront lot, the following provisions shall apply:

- i) a propane tank may be permitted in the front yard but not the required front yard;
- ii) a propane tank must meet the minimum water setback.

3.26 PUBLIC SERVICES

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 a public service by the Municipality or any local board thereof defined by the Municipal Affairs Act, by any telephone, gas, communication company, or by any department or agent of the Government of Ontario or Canada, including Hydro One, 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 or structure 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.

3.27 SEPARATION DISTANCES**(a) Non-Farm Uses**

- i) No dwelling, senior citizens home, nursing home, school, hospital, other institutional uses, commercial uses, industrial uses, agricultural-related uses (e.g., animal husbandry services, produce or grain facilities, and seed dealers), low intensity recreational uses (e.g., open space) or high intensity recreational uses (e.g., golf courses, sports fields, trailer parks, campgrounds and conservation areas with facilities) shall be erected within the minimum distance from a livestock facility required by the Minimum Distance Separation I (MDS I) formula.

- ii) No dwelling shall be erected within 60 metres of any Industrial Zone or Industrial-Holding Zone.
 - iii) No dwelling, senior citizens home, nursing home, school or hospital shall be erected within 150 metres of any Extractive Industrial (EM) or Extractive Industrial Reserve (EMR) Zone. Existing lots of record for a single detached dwelling within 150 metres of an Extractive Industrial (EM) Zone or an Extractive Industrial Reserve (EMR) Zone are exempt.
 - iv) No dwelling, senior citizen home, nursing home, school or hospital shall be erected within 300 metres of a quarry.
 - v) No dwelling shall be erected within 200 metres of a hauled sewage disposal site, as zoned Rural-Exception One in this By-law, unless it is the owner's dwelling in which case the required separation distance shall be 60 metres.
 - vi) No dwelling shall be erected within 60 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.
 - vii) No dwelling shall be erected within 500 metres of either an active or inactive waste disposal site.
- (b) Gravel Pits, Quarries and Associated Extractive and Manufacturing Plants and Facilities
- i) No concrete or asphalt manufacturing plant or extractive industrial facility shall be located within 50 metres of any high water mark.
 - ii) No concrete or asphalt manufacturing plant shall be located within 300 metres of a dwelling, a school, an institution with a residential component or land restricted to residential use in a by-law passed under Section 34 of the Planning Act. Notwithstanding the foregoing, where an operator possesses a valid Certificate of Approval for a particular asphalt plant, the required separation distance shall be as established by that Certificate.
 - iii) No gravel pit shall be located within 150 metres of an existing dwelling.
 - iv) No quarry shall be located within 300 metres of an existing dwelling.
- (c) Livestock Facilities and Manure Storage Areas
- No livestock facilities or manure storage areas shall be located within the minimum distance from lot lines, residential uses, schools, hospitals, other institutional uses or lot line required by the Minimum Distance Separation II (MDS II) formulae.

(d) Animal Hospital, Kennel

No animal hospital or kennel shall locate within 60 metres of any residential building on another lot.

(e) Waste Disposal Site

No waste disposal site shall be located within 200 metres of a residential dwelling or structure.

3.28 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 which is to occur adjacent to a Provincial highway shall be carried out in accordance with the setback requirements, access and building permit controls of the Ministry of Transportation. Any proposed access to the highway will be subject to the prior 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 Public Works and Engineering 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 Township of Horton.

(d) Water Setback

A minimum water setback of 20 metres for all buildings and structures, including private sewage disposal systems from the high water mark shall be provided for lakes and rivers. Accessory boathouses, boat docking or boat launching facilities shall not be required to meet the water setback.

Additions or enlargements are permitted to existing buildings and structures but must not be closer than the water setback of those buildings and structures

existing as of the date of the passing of this By-law. Private sewage disposal systems shall be required to meet the provisions of the Ontario Building Code.

(e) Established Building Line in Built-Up Areas

Notwithstanding the yard and setback provisions of this By-law, where there is an established building line extending on both sides of the lot, a permitted building or structure may be erected closer to the street line and street centre line than required by the yard and setback provisions, provided that such permitted building or structure is not erected closer to the street line than the established building line on the date of passing of this By-law.

3.29 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.

3.30 STORAGE OF LIQUID MANURE, HAULED SEWAGE OR SEWAGE SLUDGE

No facility for the storage of liquid manure, hauled sewage or sewage sludge shall be erected, used or altered except in accordance with all appropriate provincial legislation and regulations.

3.31 STORAGE TRAILERS

Trailers used for storage, such as tractor trailers and shipping containers, shall only be permitted in the following zones: General Industrial (GM), Extractive Industrial (EM), Extractive Industrial Reserve (EMR), Disposal Industrial (DM), and in the Rural (RU) Zone on lots that are 10 hectares or more in area.

3.32 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.

Notwithstanding subsection 3.7 DWELLINGS PER LOT to the contrary, on a lot having a residential use, where new construction of a dwelling is proposed, and where a written agreement between the owner and the Corporation for its removal is implemented, the

existing dwelling may be used as temporary accommodation only for the time period when new construction is in progress. The existing dwelling, used as temporary accommodation, shall be removed from the lot within 30 days of occupancy of the replacement building.

3.33 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.

3.34 VISIBILITY AT INTERSECTIONS

- (a) At the intersection of any two streets, no building, or structure shall be erected, no landscaping materials shall be allowed to grow, no land shall be graded and no vehicle shall be parked above the height of .75 metres above the centreline grade of such streets, so as to materially impede the vision of the operator of a vehicle on the street, within the triangular area bounded by the lot lines to a distance of 6.0 metres from the points of intersection of the corner lot lines, or of the projection of the corner lot lines, or within such area required according to the standards of the Ministry of Transportation.
- (b) At the intersection of a street and a railway right-of-way, the vision of the operator of a motor vehicle shall be unimpeded, as described above, within the triangular area bounded by the lot lines to a distance of 23.0 from the points of intersection of the street lot line and the railway lot line.
- (c) At all intersections involving a Provincial highway, the requirements of the Ministry of Transportation regarding visibility triangles shall apply.

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 Schedules (Zoning Maps) attached to this By-law.

<u>Zones</u>	<u>Zone Symbol</u>
(a) Residential Zones	
i) Residential One	R1
ii) Residential Two	R2
iii) Limited Service Residential	LSR
iv) Mobile Home Park	MHP
(b) Commercial Zones	
i) Commercial	C
ii) Campground Commercial	CC
iii) Tourism Commercial	TC
(c) Industrial Zones	
i) General Industrial	GM
ii) Extractive Industrial	EM
iii) Extractive Industrial Reserve	EMR
iv) Disposal Industrial	DM
(d) Additional Zones	
i) Rural	RU
ii) Community Facility	CF
iii) Environmental Protection	EP
iv) Open Space	OS
v) Provincially Significant Wetlands	PSW
vi) Areas of Natural and Scientific Interest	ANSI

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. Commercial - Exception One (C-E1), Commercial – Exception Two, 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

Any parcel of land zoned for residential, commercial or industrial development where the principle of development has been established (i.e. R1, C, 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, C, etc.) as the case may be would then apply.

The removal of the holding provisions shall require an amendment to this By-law. No public participation with mechanism for appeal shall be required where the principle of development has been established.

SECTION 5.0 - REQUIREMENTS FOR RESIDENTIAL ONE (R1) ZONE**5.1 PERMITTED USES**

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

- (a) Residential Uses
 - single detached dwelling
 - group home
- (b) Non-Residential Uses
 - day care (private dwelling)
 - private park
 - public park

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) | 4050 square metres |
| (b) | Lot Frontage (minimum) | 40 metres |
| (c) | Front Yard Depth (minimum) | 7.5 metres |
| (d) | Interior Side Yard Width (minimum) | 3 metres |
| (e) | Exterior Side Yard Width (minimum) | 7.5 metres |
| (f) | Rear Yard Depth (minimum) | 7.5 metres |
| (g) | Dwelling Unit Area (minimum) | 75 square metres |
| (h) | Lot Coverage (maximum) | 20% |
| (i) | Building Height (maximum) | 10.5 metres |
| (j) | Open Storage: In accordance with the provisions for Open Storage in Section 3 – General Provisions of this By-law. | |
| (k) | Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 – General Provisions of this By-law. | |

- (l) Separation Distances: In accordance with the provisions for Separation Distances in Section 3 – General Provisions of this By-law.
- (m) Setbacks: In accordance with the provisions for Setbacks in Section 3 – General Provisions of this By-law.
- (n) Additional Zone Provisions: In accordance with the provisions for Automotive Uses, Automotive-Commercial Garage, Gasoline Bar, Service Station in Section 3 – General Provisions of this By-law.
- (o) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provisions 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 – General Provisions of this By-law.
- (p) Ottawa River Floodplain: In accordance with the provisions for the Ottawa River Floodplain in Section 3 – General Provisions of this By-law.

5.3 **EXCEPTION ZONES**

(a) Residential One – Exception One (R1-E1) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the R1-E1 Zone within part of Lot 8, Concession 3, Township of Horton, a retail store shall be a permitted use.

(b) Residential One – Exception Two (R1-E2) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the R1-E2 Zone within part of Lot 17, Concession 1, Township of Horton, the following provision shall apply:

- i) Rear yard Depth (minimum)

(c) Residential One – Exception Three (R1-E3) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the R1-E3 Zone within part of Lot 9, Concession 9, Township of Horton, a lot line that abuts a .3 metre reserve bordering an improved street shall be deemed to be the front lot line. A permitted building or structure may be erected on a lot that abuts a .3 metre reserve bordering an improved street.

Additional Provision

No Building or structure shall be erected except in accordance with the Ottawa River Flood Plain requirements in Section 3 - General Provisions of this By-law.

(d) Residential One – Exception Four (R1-E4) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the R1-E4 Zone within part of Lot 10, Concession 9, Township of Horton, and more particularly described as Parts 1,2,6,7 and 8 on reference Plan 49R15758, the following provisions shall apply:

- i) Lot Frontage (minimum) 15 metres
- ii) Water Setback (minimum) 15 metres

(e) Residential One – Exception Five (R1-E5) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the R1-E5 Zone within part of Lot 5, Concession 4, Township of Horton, 1291 Whitton Road, Township of Horton, shall permit an existing garage to be converted into a retail store.

(f) Residential One - Exception Six (R1-E6) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the R1-E6 Zone, within part of Lot 4, Concession 9, Township of Horton, the following provisions shall apply:

- i) Lot area 5000 square metres
- ii) Lot Frontage 50 metres
- iii) Setback from Top of Slope 46 metres

(g) Residential One - Exception Seven (R1-E7) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the R1-E7 Zone within part of Lot 4, Concession 9, Township of Horton, the following provisions shall apply:

- i) Lot Area (minimum) 1900 square metres
- ii) Lot Frontage (minimum) 50 metres

(h) Residential One - Exception Eight (R1-E8) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the R1-E8 Zone within part of Lot 4, Concession 9, Township of Horton, the following provisions shall apply:

- i) Lot Area (minimum) 5000 square metres

- ii) Lot Frontage (minimum) 50 metres
- iii) The Setback from Top of Slope to the nearest part of any excavation, building or structure shall be a minimum of 4.5 metres except that the Setback from Top of Slope to the nearest part of any deck shall be a minimum of 2.0 metres.
- iv) No fill shall be placed on the top of the slope without having the grading plan reviewed and approved by a geotechnical engineer.
- v) The natural vegetation within the 30 metre setback is to be maintained.

(i) Residential One - Exception Nine (R1-E9) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the R1-E9 Zone within part of Lot 4, Concession 9, Township of Horton, the following provisions shall apply:

- i) Lot Area (minimum) 4800 square metres
- ii) Lot Frontage (minimum) 50 metres
- iii) The Setback from Top of Slope to the nearest part of any excavation, building or structure shall be a minimum of 18.0 metres.
- iv) No fill shall be placed on the top of the slope without having the grading plan reviewed and approved by a geotechnical engineer.
- v) The existing drainage channels, which are cut into the slope, cannot be filled.
- vi) Rock rip-rap erosion protection shall be placed at the toe of the slope to prevent undercutting of the steep banks, which exist between the existing drainage channels.

(j) Residential One - Exception Ten (R1-E10) Zone

Notwithstanding any other provisions of this By-law to the contrary for the lands located in the R1-E10 Zone, within part Lot 6, Concession 9, Township of Horton, the following provisions shall apply:

- i) Lot Area (minimum) 7000 square metres
- ii) Lot Frontage (minimum) 55 metres

(k) Residential One - Exception Eleven (R1-E11) Zone

Notwithstanding any other provisions of this By-law to the contrary for the lands located in the R1-E11 Zone with in part of Lot 5, Concession 9 and 10, Township of Horton, the following provisions shall apply:

- i) Lot Area (minimum) 6800 square metres
- ii) Lot Frontage (minimum) 45 metres

(l) Residential One - Exception Twelve (R1-E12) Zone

Notwithstanding any other provisions of this By-law to the contrary for the lands located in the R1-E12 Zone with in part of Lot 6, Concession 9, Township of Horton, the following provisions shall apply:

- i) Lot Area (minimum) 7000 square metres
- ii) Lot Frontage (minimum) 55 metres
- iii) Rear Yard Depth 0 metres
- iv) LOT LINE, REAR means the lot line opposite the front lot line and which corresponds to the 75.5 metre contour elevation line.

(m) Residential One – Exception Thirteen -Temporary (R1-E13-Temporary) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the Residential One – Exception Thirteen Temporary (R1-E13 - Temporary) Zone located at 3670B River Road within Part of Lot 5, Concession 10, Township of Horton, a ‘Bait & Tackle Shop’ operating from the existing garage shall be a permitted as a temporary use. The temporary use of the subject lands for a Bait & Tackle Shop shall be permitted until May 1, 2010. (this date corresponds to two years from the date of passing of this by-law).

(n) Residential One – Exception Fourteen (R1-E14) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the R1-E14 Zone within part of Lot 5, Concession 4, Township of Horton, 1329 Whitton Road, Township of Horton, shall permit an Automotive-Body Shop.

SECTION 6.0 - REQUIREMENTS FOR RESIDENTIAL TWO (R2) ZONE**6.1 PERMITTED USES**

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

(a) Residential Uses

- Single detached dwelling
- Semi detached dwelling
- Duplex dwelling
- Two unit dwelling
- Group home, in accordance with the provisions in Section 3 General Provisions

(b) Non-Residential Uses

- day care (private dwelling)
- private park
- public park

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:

- | | | |
|-----|--|--------------------|
| (a) | Lot Area (minimum) | 4050 square metres |
| (b) | Lot Frontage (minimum) | 40 metres |
| (c) | Front Yard Depth (minimum) | 7.5 metres |
| (d) | Interior Side Yard Width (minimum) | 3 metres |
| (e) | Exterior Side Yard Width (minimum) | 7.5 metres |
| (f) | Rear Yard Depth (minimum) | 7.5 metres |
| (g) | Dwelling Unit Area (minimum) | 65 square metres |
| (h) | Lot Coverage (maximum) | 33% |
| (i) | Building Height (maximum) | 10.5 metres |
| (j) | Open Storage: In accordance with the provisions for Open Storage in Section 3 – General Provisions of this By-law. | |

- (k) **Parking and Loading:** In accordance with the provisions for Parking and Loading in Section 3 – General Provisions of this By-law.
- (l) **Separation Distances:** In accordance with the provisions for Separation Distances in Section 3 – General Provisions of this By-law.
- (m) **Setbacks:** In accordance with the provisions for Setbacks in Section 3 – General Provisions of this By-law.
- (n) **Additional Zone Provisions:** In accordance with the provisions for Automotive Uses, Automotive-Commercial Garage, Gasoline Bar, Service Station in Section 3 – General Provisions of this By-law.
- (o) **Accessory Uses, Buildings and Structures:** Notwithstanding any Zone Provisions 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 – General Provisions of this By-law.
- (p) **Ottawa River Floodplain:** In accordance with the provisions for the Ottawa River Floodplain in Section 3 – General Provisions of this By-law.

6.3 EXCEPTION ZONES

- (a) **Residential Two – Exception One (R2-E1) Zone**
 - i) Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the R2-E1 Zone within part of Lot 6. Concession 4, Township of Horton, and with a civic address of 12 Horton School Road, an apartment dwelling shall be a permitted use. An apartment is defined as the whole of a building not otherwise defined herein, which contains more than four (4) 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. The apartment dwelling shall not exceed 16 dwellings.

SECTION 7.0 - REQUIREMENTS FOR LIMITED SERVICE RESIDENTIAL (LSR) ZONE**7.1 PERMITTED USES**

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

- (a) Residential Uses
 - limited service dwelling
- (b) Non-Residential Uses
 - day care (private dwelling)
 - private park
 - public park

7.2 ZONE PROVISIONS

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

- | | | |
|-----|--|--------------------|
| (a) | Lot Area (minimum) | 4050 square metres |
| (b) | Lot Frontage (minimum) | 40 metres |
| (c) | Water Frontage (minimum) | 45 metres |
| (d) | Front Yard Depth (minimum) | 7.5 metres |
| (e) | Side Yard Width (minimum) | 3 metres |
| (f) | Rear Yard Depth (minimum) | 7.5 metres |
| (g) | Dwelling Unit Area (minimum) | 65 square metres |
| (h) | Lot Coverage (maximum) | 20% |
| (i) | Building Height (maximum) | 10.5 metres |
| (j) | Open Storage: In accordance with the provisions for Open Storage in Section 3 – General Provisions of this By-law. | |
| (k) | Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 – General Provisions of this By-law. | |

- (l) Separation Distances: In accordance with the provisions for Separation Distances in Section 3 – General Provisions of this By-law.
- (m) Setbacks: In accordance with the provisions for Setbacks in Section 3 – General Provisions of this By-law.
- (n) Additional Zone Provisions: In accordance with the provisions for Automotive Uses, Automotive-Commercial Garage, Gasoline Bar, Service Station in Section 3 – General Provisions of this By-law.
- (o) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provisions 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 – General Provisions of this By-law.
- (p) Ottawa River Floodplain: In accordance with the provisions for the Ottawa River Floodplain in Section 3 – General Provisions of this By-law.

7.3 EXCEPTION ZONES

(a) Limited Service Residential - Exception One (LSR-E1) Zone

Notwithstanding any other provisions of this By-law to the contrary for the lands located in the LSR-E1 Zone with in part of Lot 2, Concession 9, Township of Horton, the following provisions shall apply:

- i) Lot Area (minimum) 1500 square metres
- ii) Dwelling per lot (maximum) 2 existing Seasonal Dwellings

(b) Limited Service Residential - Exception Two (LSR-E2) Zone

Notwithstanding any other provisions of this By-law to the contrary for the lands located in the LSR-E2 Zone with in part of Lot 2, Concession 9, Township of Horton, the following provisions shall apply:

- i) Lot Area (minimum) 1500 square metres

(c) Limited Service Residential - Exception Three (LSR-E3) Zone

Notwithstanding any other provisions of this By-law to the contrary for the lands located in the LSR-E3 Zone with in part of Lot 1, Concession 9, Township of Horton, the following provisions shall apply:

- i) Lot Frontage (minimum) 20 metres

(d) Limited Service Residential - Exception Four (LSR-E4) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the LSR-E4 Zone within part of Lot 4, Concession 8, Township of Horton, the following provisions shall apply:

- i) Lot Frontage (minimum) 20 metres
- ii) The setback from the top of slope to the nearest part of any excavation, building or structure be a minimum of 50 metres.

(e) Limited Service Residential - Exception Five (LSR-E5) Zone

Notwithstanding any other provisions to the contrary, for the land located in the Limited Service Residential -Exception Five (LSR-E5) Zone within Part of Lot 9, Concession 9, Township of Horton, and with a civic address of 38 Oakdale Lane the following provisions shall apply:

- i) Lot Area (minimum) 700 square metres
- ii) Lot Frontage (minimum) 20 metres
- iii) Side yard width for a carport (minimum) 0.3 metres

(By-law 2010-32B)

***(f) Limited Service Residential - Exception Six (LSR-E6) Zone**

Notwithstanding any other provision of this By-law to the contrary, for the lands located in the LSR-E6 Zone within Part of Lot 5, Concession 8, in the Township of Horton, the setback from the top of the slope to the nearest part of any excavation, building or structure shall be a minimum of 25 metres.*

(By-law 2011-08)

***(g) Limited Service Residential - Exception Seven (LSR-E7) Zone**

Notwithstanding any other provision of this By-law to the contrary, for the lands located in the LSR-E7 Zone within Part Lot 4, Concession 10, in the Township of Horton, known as 61 Christopher Lane, the following provision shall apply:

- i) Lot Area (minimum) 1863 square metres

(h) Limited Service Residential - Exception Eight (LSR-E8) Zone

Notwithstanding any other provision of this By-law to the contrary, for the lands located in the LSR-E8 Zone within Part Lot 4, Concession 10, in the Township of Horton, known as 59 Christopher Lane, the following provision shall apply:

- i) Side Yard Width (minimum)

for existing buildings and structures 1.5 metres.*

(By-law 2011-10)

SECTION 8.0 - REQUIREMENTS FOR MOBILE HOME PARK (MHP) ZONE**8.1 PERMITTED USES**

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

(a) Residential Uses

- mobile home
- accessory dwelling

(b) Non-Residential Uses

- business office accessory to a mobile home park

Uses, buildings and structures accessory to the foregoing permitted uses.

8.2 ZONE PROVISIONS

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

(a) Mobile Home on communal water system and private sewage disposal:

- | | | |
|------|---|--------------------|
| i) | Mobile Home Site Area (minimum) | 1400 square metres |
| ii) | Mobile Home Site Frontage (minimum) | 30 metres |
| iii) | Mobile Home Site Front Yard Depth (minimum) | 6 metres |
| iv) | Mobile Home Site Side Yard Width (minimum) | 3 metres |
| v) | Mobile Home Site Rear Yard Depth (minimum) | 10.5 metres |

(b) Mobile Home on private wells and private sewage disposal:

- | | | |
|------|---|--------------------|
| i) | Mobile Home Site Area (minimum) | 2025 square metres |
| ii) | Mobile Home Site Frontage (minimum) | 30 metres |
| iii) | Mobile Home Site Front Yard Depth (minimum) | 7.5 metres |
| iv) | Mobile Home Site Side Yard Width (minimum) | 5 metres |
| v) | Mobile Home Site Rear Yard Depth (minimum) | 10.5 metres |

(c) Dwelling Unit Area (minimum)

- | | | |
|-----|------------------------------------|------------------|
| i) | Mobile Home | 55 square metres |
| ii) | Accessory single detached dwelling | 75 square metres |

(d) Mobile Home Park Lot Area (minimum) 1.2 hectares

- (e) Mobile Home Park Lot Frontage (minimum) 90 metres
- (f) Building Height (maximum) 10.5
- (g) Setback from Internal Roads: 9 metres
Minimum for all accessory buildings
- (h) Mobile Home Park Density: Notwithstanding the minimum mobile home site area provisions of subsection 12.2a)i), no Mobile Home Park (MHP) Zone shall have a gross density exceeding a maximum seven (7) mobile homes per hectare.
- (i) Open Storage: In accordance with the provisions for Open Storage in Section 3 – General Provisions of this By-law.
- (j) Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 – General Provisions of this By-law.
- (k) Separation Distances: In accordance with the provisions for Separation Distances in Section 3 – General Provisions of this By-law.
- (l) Setbacks: In accordance with the provisions for Setbacks in Section 3 – General Provisions of this By-law.
- (m) Additional Zone Provisions: In accordance with the provisions for Automotive Uses, Automotive-Commercial Garage, Gasoline Bar, Service Station in Section 3 – General Provisions of this By-law.
- (n) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provisions 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 – General Provisions of this By-law.
- (o) Ottawa River Floodplain: In accordance with the provisions for the Ottawa River Floodplain in Section 3 – General Provisions of this By-law.

8.3 EXCEPTION ZONES

- (a) Mobile Home Park - Exception One (MHP -E1) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the MHP-E1 Zone, within part of Lot 5, Concession 3, Township of Horton, the minimum lot frontage shall be 20 metres.

SECTION 9.0 - REQUIREMENTS FOR COMMERCIAL (C) ZONE**9.1 PERMITTED USES**

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

(a) Residential Uses

- accessory dwelling units, EXCEPT, in the case of an automotive service station or commercial garage, where the accessory dwelling unit shall be one single detached dwelling

(b) Non-Residential Uses

- automotive – store
- automotive – commercial garage
- automotive – gasoline bar
- automotive – service station
- automotive – vehicle sales or rental establishment
- building supply store
- business and professional offices
- convenience store
- day nursery
- eating establishment
- eating establishment, drive-in
- eating establishment, full service
- eating establishment, take-out
- financial institution
- food catering establishment
- furniture workshop, woodworking shop and showroom
- funeral home
- garden centre
- hotel
- kennel
- motel
- motor hotel
- park
- place of entertainment
- post office
- retail store
- service shop, general
- service shop, personal
- shopping centre
- shopping plaza

Uses, buildings and structures accessory to the foregoing permitted uses.

9.2 ZONE PROVISIONS

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

- (a) Lot Area (minimum):
- | | | |
|-----|----------------|--------------------|
| i) | hotel or motel | 1.5 hectares |
| ii) | other uses | 4050 square metres |
- (b) Lot Frontage (minimum):
- | | | |
|-----|---|-----------|
| i) | automobile service station and automobile commercial garage | |
| | - interior lot | 35 metres |
| | - corner lot | 40 metres |
| ii) | hotel or motel | 46 metres |
| ii) | all other permitted uses | 35 metres |
- (c) Lot Depth (minimum):
- | | | |
|----|---|-----------|
| i) | automobile service station and automobile commercial garage | 40 metres |
|----|---|-----------|
- (d) Front Yard Depth (minimum):
- | | | |
|-----|---|------------|
| i) | hotel, motel, automobile service station and automobile commercial garage | 12 metres |
| ii) | all other permitted uses | 7.5 metres |
- (e) Side Yard Width (minimum):
- | | |
|----|---|
| i) | 6 metres provided that where the side lot line abuts a Residential Zone, the minimum side yard width shall be 9 metres. |
|----|---|
- (f) Rear Yard Depth (minimum)
- | | |
|----|---|
| i) | 7.5 metres provided that where the rear lot line abuts a Residential Zone, the minimum rear yard depth shall be 9 metres. |
|----|---|

- | | | |
|-----|--|---|
| (g) | Lot Coverage (maximum) | |
| | i) hotel, motel, automobile service station and automobile commercial garage | 33% |
| | ii) all other permitted uses | 25% |
| (h) | Building Height (maximum): | 10.5 metres |
| (i) | Dwelling Height | 10.5 metres |
| (j) | Dwelling Unit Area (minimum): | |
| | i) single detached dwelling | 65 square metres |
| | ii) accessory dwelling unit | |
| | a) with one bedroom | 51 square metres |
| | b) with more than one bedroom | 51 square metres plus 9 square metres for each additional bedroom |
| (k) | Open Storage: In accordance with the provisions for Open Storage in Section 3 – General Provisions of this By-law. | |
| (l) | Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 – General Provisions of this By-law. | |
| (m) | Separation Distances: In accordance with the provisions for Separation Distances in Section 3 – General Provisions of this By-law. | |
| (n) | Setbacks: In accordance with the provisions for Setbacks in Section 3 – General Provisions of this By-law. | |
| (o) | Additional Zone Provisions: In accordance with the provisions for Automotive Uses, Automotive-Commercial Garage, Gasoline Bar, Service Station in Section 3 – General Provisions of this By-law. | |
| (p) | Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provisions 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 – General Provisions of this By-law. | |
| (q) | Ottawa River Floodplain: In accordance with the provisions for the Ottawa River Floodplain in Section 3 – General Provisions of this By-law. | |

9.3 EXCEPTION ZONES

(a) Commercial – Exception One (C-E1) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the C-E1 Zone within part of Lot 8, Concession 2 (and forming part of Block A, Registered Plan 41), Township of Horton, a single detached dwelling which is not accessory to a commercial use shall be permitted.

(b) Commercial - Exception Two (C-E2) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the C-E2 Zone within part of Lot 15, Concession 1; part of Lot 16, Concession 1; part of Lot 17, Concession 1; and part of Lot 8 Concession 3, Township of Horton the following uses shall be permitted in addition to the other uses permitted in Section 9.1 of the Commercial (C) Zone:

- contractor's yard or shop
- logging hauler
- manufacturing plant
- manufacturing plant, light
- factory outlet
- warehouse
- accessory business office
- welding shop
- mini storage establishment
- automotive storage

(c) Commercial – Exception Three (C-E3) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the C-E3 Zone within part of Lot 5 Concession 3, Township of Horton, the following provisions shall apply:

- | | | |
|-----|---------------------------|-----------|
| i) | Lot frontage (minimum) | 35 metres |
| ii) | Side yard width (minimum) | 2 metres |

(d) Commercial – Exception Four (C-E4) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the C-E4 Zone within part of Lot 5, Concession 3, Township of Horton, a single detached dwelling shall be a permitted use. The following provisions shall also apply:

- | | | |
|-----|---------------------------|-----------|
| i) | Lot frontage (minimum) | 20 metres |
| ii) | Side yard width (minimum) | 2 metres |

(e) Commercial – Exception Five (C-E5) Zone

Notwithstanding any other provisions of this By-law to the contrary, for those lands located in the C-E5 Zone within part of Lot 5, Concession 3, Township of Horton, a septic tank pumping and portable toilet rental business shall be a permitted use in addition to the other uses normally permitted in the C Zone.

(f) Commercial – Exception Six (C-E6) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the C-E6 Zone within part of Lot 2, Concession 5, Township of Horton, the following uses shall be permitted:

- Automotive – store
- Automotive – body shop
- Automotive – car wash
- Automotive – commercial garage
- Automotive – gasoline bar
- Automotive – service station
- Automotive – vehicle sales or retail establishment
- Automotive – storage
- Building supply store
- Park
- Business and professional offices
- Service shop, general
- Service shop, personal
- Retail store
- Convenience store
- Mini-storage establishment
- Garden centre
- Kennel
- Contractor’s yard or shop
- Logging hauler
- Light Industrial Manufacturing Plant
- Factory outlet
- Warehouse
- Accessory business office
- Welding shop

For the purposes of this By-law, ‘Light Industrial Manufacturing Plant’ 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 industry involving stamping presses, furnaces or other industry that emits or discharge liquids, dirt, dust or noxious fumes into the air or that results in noise or vibration beyond the property in excess of 90db at 1,000 feet or Ministry of the Environment guidelines.

All permanent structures and excavations shall be located at least 7 metres from the limits of TransCanada's Pipeline right of way. Accessory structures shall have a minimum setback of 3 metres from the limit of the right of way.

- (f) Accessory Dwelling Area (minimum) 65 square metres
- (g) Building Height (maximum) 10.5 metres
- (h) Lot Coverage (maximum) 35%
- (i) Open Storage: In accordance with the provisions for Open Storage in Section 3 – General Provisions of this By-law.
- (j) Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 – General Provisions of this By-law.
- (k) Separation Distances: In accordance with the provisions for Separation Distances in Section 3 – General Provisions of this By-law.
- (l) Setbacks: In accordance with the provisions for Setbacks in Section 3 – General Provisions of this By-law.
- (m) Additional Zone Provisions: In accordance with the provisions for Automotive Uses, Automotive-Commercial Garage, Gasoline Bar, Service Station in Section 3 – General Provisions of this By-law.
- (n) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provisions 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 – General Provisions of this By-law.
- (o) Ottawa River Floodplain: In accordance with the provisions for the Ottawa River Floodplain in Section 3 – General Provisions of this By-law.

10.3 EXCEPTION ZONES

- (a) Campground Commercial - Exception One (CC-E1) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the CC-E1 Zone, within Lots 24, 25 and 26, Concession 7 and 8, Township of Horton, a camping establishment shall be the only permitted use. The only permitted accessory use shall be a trailer for use as an office.

SECTION 11.0 - REQUIREMENTS FOR TOURISM COMMERCIAL (TC) ZONE**11.1 PERMITTED USES**

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

(a) Residential Uses

- accessory dwelling unit

(b) Non-Residential Uses

- administrative offices
- artisan shops
- auctions
- automobile - gasoline bar
- bed and breakfast establishment
- camping establishment
- craft shops
- eating establishment, full service
- eating establishment, take out
- golf course and chalet
- hotel
- marina
- motel
- park, private
- park, public
- place of entertainment
- recreational use, passive
- recreational use, active
- retail store
- service shop, general
- service shop, personal
- souvenir sales establishment
- storage buildings
- theme park

Uses, buildings and structures accessory to the foregoing.

11.2 ZONE PROVISIONS**(a) Lot Area (minimum)**

- i) motel, hotel, or theme park 1.5 hectares
- ii) camping establishment, recreational, 4050 square metres plus an additional 185 square metres for each campsite in excess of 4 sites.

	iii)	all other permitted uses	4050 square metres
(b)	Lot Frontage (minimum)		
	i)	motel or hotel	46 metres
	ii)	theme park	120 metres
	iii)	all other permitted uses	35 metres
(c)	Front Yard Depth (minimum)		
	i)	motel, hotel, automobile service, gasoline bar	12 metres
	ii)	theme park	10.5 metres
	iii)	all other permitted uses	7.5 metres
(d)	Side Yard Width (minimum)		
	i)	theme park	12 metres
	ii)	all other permitted uses	6 metres provided that where the side lot lines abuts a Residential Zone, the minimum side yard width shall be 9 metres
(e)	Rear Yard Depth (minimum)		
	i)	theme park	15 metres
	ii)	all other permitted uses	7.5 metres provided that where the rear lot line abuts a Residential Zone, the minimum rear yard depth shall be 9 metres.
(f)	Lot Coverage (maximum)		
	i)	motel, hotel, automobile gas bar	33%
	ii)	theme park	40%
	iii)	all other permitted uses	25%
(g)	Building Height (maximum)		
			10.5 metres

- (h) Open Storage: In accordance with the provisions for Open Storage in Section 3 – General Provisions of this By-law.
- (i) Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 – General Provisions of this By-law.
- (j) Separation Distances: In accordance with the provisions for Separation Distances in Section 3 – General Provisions of this By-law.
- (k) Setbacks: In accordance with the provisions for Setbacks in Section 3 – General Provisions of this By-law.
- (l) Additional Zone Provisions: In accordance with the provisions for Automotive Uses, Automotive-Commercial Garage, Gasoline Bar, Service Station in Section 3 – General Provisions of this By-law.
- (m) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provisions 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 – General Provisions of this By-law.
- (n) Ottawa River Floodplain: In accordance with the provisions for the Ottawa River Floodplain in Section 3 – General Provisions of this By-law.

11.3 EXCEPTION ZONES

SECTION 12.0 - REQUIREMENT FOR GENERAL INDUSTRIAL (GM) ZONE**12.1 PERMITTED USES**

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

(a) Residential Uses

- accessory dwelling units, EXCEPT in the case of a body shop or commercial garage, where the accessory dwelling unit may be a single detached dwelling.
- accessory dwelling units are prohibited on lots with a fuel storage tank

(b) Non-Residential Uses

- automotive – body shop
- automotive – commercial garage
- automotive – storage
- contractors yard or shop
- logging hauler
- manufacturing plant
- manufacturing plant, light
- fuel storage tank
- factory outlet
- warehouse
- business office accessory to a permitted use
- sawmill
- mini storage establishment

Uses, buildings and structures accessory to the foregoing permitted uses.

12.2 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) | 4050 square metres |
| (b) | Lot Frontage (minimum) | 35 metres |

- | (c) Yards (minimum): | Abutting an
Industrial
<u>Zone</u> | Abutting
Other
<u>Zone</u> |
|-------------------------------|--|----------------------------------|
| i) Front Yard Depth | 15 metres | 22 metres |
| ii) Interior Side Yard Width | 3 metres | 22 metres |
| iii) Exterior Side Yard Width | 15 metres | 22 metres |
| iv) Rear Yard Depth | 9 metres | 22 metres |
- (d) Lot Coverage (maximum) 50%
- (e) Dwelling Unit Area (minimum) 65 square metres
- (f) Open Storage: In accordance with the provisions for Open Storage in Section 3 – General Provisions of this By-law.
- (g) Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 – General Provisions of this By-law.
- (h) Separation Distances: In accordance with the provisions for Separation Distances in Section 3 – General Provisions of this By-law.
- (i) Setbacks: In accordance with the provisions for Setbacks in Section 3 – General Provisions of this By-law.
- (j) Additional Zone Provisions: In accordance with the provisions for Automotive Uses, Automotive-Commercial Garage, Gasoline Bar, Service Station in Section 3 – General Provisions of this By-law.
- (k) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provisions 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 – General Provisions of this By-law.
- (l) Ottawa River Floodplain: In accordance with the provisions for the Ottawa River Floodplain in Section 3 – General Provisions of this By-law.

12.3 EXCEPTION ZONES

(a) General Industrial – Exception One (GM-E1) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands zoned GM-E1 Zone within Lot 1, Concession 1, Township of Horton, the following provisions shall apply for a mini storage establishment.

- i) Front Yard Depth 12 metres

- ii) Side Yard Width 7.5 metres

(b) General Industrial - Exception Two (GM-E2) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the GM-E2 Zone within Part of Lot 15, Concession 4, Township of Horton, a pet crematorium shall be a permitted use.

For the purposes of this by-law, a pet crematorium means a building fitted with the proper appliances for the purposes of the cremation of animal remains and includes everything incidental or ancillary thereto. Only pets or animals up to a maximum size of 158.75 kg (350 lbs.) shall be processed in the pet crematorium.

The following provisions apply to the building housing the crematorium:

- i) Front yard Depth (minimum) 15 metres
- ii) Side Yard Width (minimum) 20 metres
- iii) Rear Yard Depth (minimum) 6 metres

SECTION 13.0 - REQUIREMENTS FOR EXTRACTIVE INDUSTRIAL (EM) ZONE

13.1 PERMITTED USES

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

(a) Residential Uses

- prohibited

(b) Non-Residential Uses

- concrete manufacturing plant
- extractive industrial facility
- asphalt manufacturing plant*

*provided it is only located within a licensed gravel pit or quarry under the provisions of the *Aggregate Resources Act* and provided it is issued and maintains a valid Certificate of Approval under the provisions of the *Environmental Protection Act* (As approved by Ontario Municipal Board-Decision/Order No: 0668. Issue Date: April 7,1999)

(c) Other permitted Uses

- gravel pit
- quarry
- accessory repair garage

13.2 ZONE PROVISIONS

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

(a)	Lot Frontage (minimum)	30 metres		
(b)	Yards (minimum):			
		<table border="0" style="margin-left: auto; margin-right: auto;"> <tr> <td style="padding-right: 10px;">Abutting Industrial <u>Zone</u></td> <td style="padding-right: 10px;">Abutting Other <u>Zone</u></td> </tr> </table>	Abutting Industrial <u>Zone</u>	Abutting Other <u>Zone</u>
Abutting Industrial <u>Zone</u>	Abutting Other <u>Zone</u>			
i)	Front Yard Depth	22 metres 30 metres		
ii)	Interior Side Yard Width	15 metres 30 metres		
iii)	Exterior Side Yard Width	22 metres 30 metres		
iv)	Rear Yard Depth	15 metres 30 metres		

(c) Landscaped Open Space

No land in an Extractive Industrial (EM) Zone shall be used for any other purpose than landscaped open space within:

- i) 30 metres of any zone other than an Industrial zone
 - ii) 22 metres of any street line
- (d) Open Storage: In accordance with the provisions for Open Storage in Section 3 – General Provisions of this By-law.
- (e) Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 – General Provisions of this By-law.
- (f) Separation Distances: In accordance with the provisions for Separation Distances in Section 3 – General Provisions of this By-law.
- (g) Setbacks: In accordance with the provisions for Setbacks in Section 3 – General Provisions of this By-law.
- (h) Additional Zone Provisions: In accordance with the provisions for Automotive Uses, Automotive-Commercial Garage, Gasoline Bar, Service Station in Section 3 – General Provisions of this By-law.
- (i) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provisions 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 – General Provisions of this By-law.
- (j) Ottawa River Floodplain: In accordance with the provisions for the Ottawa River Floodplain in Section 3 – General Provisions of this By-law.

13.3 EXCEPTION ZONES

SECTION 14.0 - REQUIREMENTS FOR EXTRACTIVE INDUSTRIAL RESERVE (EMR) ZONE**14.1 PERMITTED USES**

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

(a) Residential Uses

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

(b) Non-Residential Uses

- non-residential uses existing on the date of passing of this By-law
- forestry
- farms (excluding new farm dwellings and new accessory farm buildings)
- passive recreation

14.2 ZONE PROVISIONS

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

- | | | |
|-----|--|-------------|
| (a) | Front Yard Depth (minimum) | 10.5 metres |
| (b) | Side Yard Width (minimum) | 3.0 metres |
| (c) | Rear Yard Depth (minimum) | 15.0 metres |
| (d) | Setbacks: In accordance with the provisions for Setbacks in Section 3 – General Provisions of this By-law. | |

SECTION 15.0 - REQUIREMENTS FOR DISPOSAL INDUSTRIAL (DM) ZONE

15.1 PERMITTED USES

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

(a) Residential Uses

- prohibited

(b) Non-Residential Uses

- waste disposal site, including transfer and processing stations and composting sites
- salvage yard

Use, buildings and structures accessory to the foregoing permitted uses

15.2 ZONE PROVISIONS

No person shall use any lot or erect or use any building or structure in a Disposal Industrial (DM) Zone except in accordance with the following provisions:

(a)	Yards (minimum):	<u>Abutting Industrial Zone</u>	<u>Abutting Other Zone</u>
	i) Front Yard Depth	22 metres	30 metres
	ii) Side Yard Width	15 metres	30 metres
	iii) Rear Yard Depth	15 metres	30 metres

(b) Buffer Strip

No land in any DM Zone shall be used for any other purpose than a buffer strip within,

- i) 30 metres of any Zone other than an Industrial zone; and
- ii) 22 metres of any street line.

(c) Abandoned or Rehabilitated

No building shall be erected or constructed in a waste disposal site that has been abandoned or rehabilitated.

(d) Accessory Uses, Buildings and Structures

Notwithstanding any other zone provision to the contrary, with the exception of the Buffer Strip provisions, uses, buildings and structures that are necessary 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

(a) Disposal Industrial – Exception (DM-E1) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the DM-E1 Zone within part of Lot 10, Concession 6, Township of Horton and more particularly described as Part 1 on Reference Plan 49R-15035, a salvage yard shall be the only permitted use. For the purposes of this subsection the notwithstanding subsection 2.190 to the contrary, the following definition shall apply:

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 wood, bicycles, tires, metal and/or other scrap material and salvage includes a junk yard and scrap metal yard.

SECTION 16.0 - REQUIREMENTS FOR RURAL (RU) ZONE**16.1 PERMITTED USES**

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

(a) Residential Uses

- single detached dwelling
- semi-detached dwelling
- duplex
- two unit dwelling
- modular dwelling
- group home, in accordance with the provisions for Group Homes in Section 3 of this By-law

(b) Non-Residential Uses

- bed and breakfast
- day care (private dwelling)
- farm
- farm business
- farm produce sales outlet
- forestry
- garden centre
- home industry
- logging hauler
- private club
- private park
- public park
- transmitter tower
- existing private airfield
- exploratory mineral work, so as to establish a valuable mineral in place, but shall not include a mine or mining as defined elsewhere in this By-law
- stable, commercial
- stable, private

Uses, buildings and structures accessory to the foregoing permitted uses

16.2 ZONE PROVISIONS

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

(a) Lot Area (minimum)

i)	forestry, garden centre, logging hauler, home industry, commercial stable, private stable	2 hectares
ii)	farm, farm business	10 hectares
iii)	all other permitted uses	4050 square metres
(b)	Lot Frontage (minimum)	40 metres
(c)	Front Yard Depth (minimum)	
i)	residential uses	7.5 metres
ii)	all other permitted uses	12 metres
(d)	Side Yard Width (minimum)	
i)	residential uses	3 metres
ii)	all other permitted uses	15 metres
(e)	Rear Yard Depth (minimum)	
i)	farm	7.5 metres
ii)	all other permitted uses	15 metres
(f)	Dwelling Unit Area (minimum)	65 square metres
(g)	Lot Coverage (maximum)	
i)	farm	20%
ii)	all other permitted uses	33%
(h)	Accessory Buildings and Structures associated with Exploratory mineral works (maximum)	9.3 square metres
(i)	Open Storage: In accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law.	
(j)	Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 - General Provisions of this By-law.	

- (k) Separation Distance: In accordance with the provisions for Separation Distance in Section 3 - General Provisions of this By-law.
- (l) Setbacks: In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.
- (m) 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.
- (n) Ottawa River Floodplain: In accordance with the provisions for the Ottawa River Floodplain in Section 3 – General Provisions of this By-law.

16.3 EXCEPTION ZONES

(a) Rural – Exception One (RU-E1) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the RU-E1 Zone within Lot 4 Concession 3, Township of Horton, a septage disposal site shall be permitted.

(b) Rural – Exception Two (RU-E2) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the RU-E2 Zone within part of Part 21, Concession 4, Township of Horton, a building, structure or lot or part thereof used for the cutting and wrapping of meat shall be permitted. The slaughter of livestock or other animals shall not be permitted.

(c) Rural – Exception Three (RU-E3) Zone

Notwithstanding any other provisions of this By-law to the contrary, for lands located in the RU-E3 Zone within Part of lot 19, Concession 1, Township of Horton, an automotive-vehicle sales/rental establishment and a furniture retail store shall be permitted uses.

(d) Rural – Exception Four (RU-E4) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the RU-E4 Zone within parts of Lot 10 and 11, Concession 7 and more particularly described as Part 1 on Reference plan 49R-11061 and part of the municipal road allowance between lots 10 and 11 which was closed and conveyed by Bylaw 94-21, and is described as Parts 2 and 3 on reference Plan 49R-12371, a Young Adult Residential Care Facility shall be a permitted use. The following provisions shall apply:

e) Density

In the case of all permitted dormitory dwellings, the density shall not exceed 48 people calculated as follows: 1 person per 18 square metres of floor area.

DEFINITIONS

DINING HALL means a building or part thereof which is used for the consumption of food by persons seated at booths, counters, tables or a combination thereof.

DORMITORY DWELLING means a single housekeeping unit in a single detached dwelling in which up to 10 students live.

GYMNASIUM means a building or part thereof which is equipped for athletic activities.

STUDENT means a person in full time residence at the young adult residential care facility and receiving spiritual care and guidance. This definition does not include a person in receipt of remuneration from the facility's operators.

YOUNG ADULT RESIDENTIAL CARE FACILITY means a private institutional use consisting of land, buildings and structures for the purpose of providing a learning and spiritual healing and care environment for a maximum of 20 students.

(e) Rural – Exception Five (RU-E5) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the RU-E5 Zone within part of Lots 17 and 18, Concession 7 and 8, Township of Horton, the following provisions shall apply:

- i) No buildings or structures, including additions or enlargements to existing structures, with the exception of boat docking or launching facilities shall be permitted on lands located within the Ottawa River Flood Plain and situated below the floodway elevation of 77.4 metres Canadian Geodetic Datum (C.G.D.)
- ii) Elevation information shall accompany an application for a building permit show that development is to occur above the 77.5 metre elevation.

(f) Rural – Exception Six (RU-E6) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the RU-E6 Zone within part of Lot 2, Concession 8, Township of Horton, no buildings or structures shall be permitted within 30 metres of the top

of the slope. Top of the slope means a line delineated at a point where the oblique of the slope meets the horizontal plan.

(g) Rural – Exception Seven (RU-E7) Zone

Notwithstanding any other provision of this By-law to the contrary, for the lands located in the RU-E7 Zone within Part of Lot 21, Concession 4, Township of Horton, (549 Storyland Road) the only permitted uses shall be the following:

- single detached dwelling
- automotive commercial garage
- contractor's yard or shop

Uses, buildings and structures accessory to the foregoing permitted uses.

(h) Rural – Exception Eight (RU-E8) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the RU-E8 Zone within Lot 13, Concession 5, Township of Horton, the following uses shall be permitted in addition to the normal uses permitted in the RU Zone:

- recreation passive
- eating establishment
- maple syrup interpretive centre

A maple syrup interpretive centre is defined as a commercial establishment centred around a maple syrup theme and shall include structures, buildings, processing equipment and displays to present the theme, petting farm, garden trails, souvenir sales outlets, offices, storage areas, eating establishments, learning areas, artisan and craft shops, and accessory uses.

Additional Provisions:

No permanent structures or excavations shall be permitted within 10 metres of the limit of the TransCanada Pipeline's right-of-way.

(i) Rural – Exception Nine (RU-E9) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the Rural-Exception Nine (RU-E9) Zone within Lot 20, Concession 6, Township of Horton, and more particularly described as Part 3 on Reference Plan 49R-14184 the following provisions shall apply:

- | | | |
|-----|----------------------------|-------------|
| i) | Lot area (minimum) | 10 hectares |
| ii) | Front Yard Depth (minimum) | 70 metres. |

(j) Rural – Exception Ten (RU-E10) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the land located in the RU-E10 Zone, within Part of Lot 18, Concession 2, Township of Horton, an accessory building or structure shall be permitted to be built on the lot before the principal or main building has been built on the lot.

(k) Rural – Exception Eleven (RU-E11) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the RU-E11 Zone within part of Lot 5, Concession 9, Township of Horton, an automotive-commercial garage is a permitted use.

(l) Rural – Exception Twelve (RU-E12) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the RU-E12 Zone within part of Lot 18, Concession 3, Township of Horton, and more particularly described as Part 1 on Reference Plan 49R-15096, a hobby farm is a permitted use and the minimum lot area shall be 1.6 hectares.

(m) Rural – Exception Thirteen (RU-E13) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the RU-E13 Zone within part of Lot 18, Concession 3, Township of Horton, the housing of livestock is not permitted in the existing barn.

(n) Rural – Exception Fourteen (RU-E14) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the RU-E14 Zone with in part of Lot 2, Concession 5, Township of Horton, the following provisions shall apply:

- i) No dwelling shall be erected within 150 metres of the boundary of an area licensed under the Aggregate Resources Act.
- ii) No dwelling shall be erected within 30 metres of the entrance and access road to a gravel pit.

(o) Rural – Exception Fifteen (RU-E15) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the RU-E15 Zone within part of Lot 20, Concession 6, Township of Horton, a processing yard for scrap metal is a permitted use in addition to the uses normally permitted in the RU Zone.

For the purposes of this by-law, a "processing yard for scrap metal" means lands used for the sorting and storage of scrap metal which is then loaded onto trucks

and trailers and delivered to various locations. Parking of trucks and trailers overnight and on weekends is considered accessory to the processing yard.

(p) Rural – Exception Sixteen (RU-E16) Zone

Notwithstanding any other provisions of this By-law to the contrary for the lands located in the RU-E16 Zone within part of Lot 2, Concession 2, Township of Horton, the setback from the boundary of the provincially significant wetland to the nearest part of any excavation, building or structure shall be a minimum of 120 metres.

(q) Rural – Exception Seventeen (RU-E17) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the RU-E17 Zone within part of lots 10 and 11, Concession 7, Township of Horton, a garage/storage building is permitted prior to the establishment of the main building on the lot.

(r) Rural – Exception Eighteen (RU-E18) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the RU-E18 Zone within part of Lot 5, Concession 7, Township of Horton, a permanent, year-round dwelling shall be permitted on a lot without public road frontage and development and site alteration shall be prohibited within 100 metres of the top of slope of the Bonnechere River.

(s) Rural – Exception Nineteen (RU-E19) Zone

Notwithstanding any other provisions of this By-law to the contrary for the lands located in the RU-E19 Zone within part of Lot 8, Concession 4, Township of Horton, a mini storage establishment shall be a permitted use.

(t) Rural – Exception Twenty (RU-E20) Zone

Notwithstanding any other provisions of this By-law to the contrary for the lands located in the RU-E20. Zone within part of Lot 10, Concession 7, Township of Horton, no building or structure shall be erected within 20 metres of the top of the slope.

(u) Rural – Exception Twenty One (RU-E21) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the RU-E21 Zone located at within Lot 10, Concession 5, Township of Horton, two single detached dwellings that are accessory to a farm use shall be permitted.

(v) Rural – Exception Twenty Two (RU-E22) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the Rural – Exception Twenty Two (RU-E22) Zone located within Lot 18, Concession VI, Township of Horton, the water setback shall be a minimum of 11.5 metres.

(w) Rural – Exception Twenty Three (RU-E23) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the Rural – Exception Twenty Three (RU-E23) Zone located within Lot 15, Concession 5, Township of Horton, a towing company shall be a permitted use, and the minimum setback from all lot lines for an outdoor furnace shall be 20 metres.

(x) Rural – Exception Twenty Four (RU-E24) Zone

Notwithstanding Section 3.26(a)(iv) or any other provision of this By-law to the contrary, for the lands located in the Rural - Exception Twenty Four (RU-E24) Zone within Part of Lot 16 & 17, Concession 2, Township of Horton, a single detached dwelling shall be setback 150 metres (minimum) from the boundary of a licensed aggregate pit.

(y) Rural – Exception Twenty Five (RU-E25) Zone

Notwithstanding any other provision of this By-law to the contrary, for the lands located in the Rural - Exception Twenty Five (RU-E25) Zone within Part of Lot 15, Concession 5, Township of Horton, an automotive commercial garage (which includes tire repairs) operating from the existing shop shall be a permitted use.

(z) Rural – Exception Twenty Six (RU-E26) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the Rural – Exception Twenty Six (RU-E26) Zone located at within Part of Lot 14, Concession 7, Township of Horton, a seasonal dwelling or a cabin shall be a permitted use in addition to the other uses permitted in the RU zone.

(aa) Rural – Exception Twenty Seven (RU-E27) Zone

Notwithstanding any other provision of this By-law to the contrary, for the lands located in the Rural - Exception Twenty Seven (RU-E27) Zone within Part of Lot 13, Concession 4, 1256 Castleford Road, Township of Horton, an automotive commercial garage operating from the existing shop shall be a permitted use.

(bb) Rural – Exception Twenty Eight (RU-E28) Zone

Notwithstanding any other provision of this By-law to the contrary, for the lands located in the Rural - Exception Twenty Eight (RU-E28) Zone within Part of Lot

2, Concession 28, 3283 River Road, Township of Horton, a three unit dwelling shall be a permitted use.

(By-law 2010-33B)

***(cc) Rural – Exception Twenty Nine (RU-E29) Zone**

Notwithstanding any other provision of this By-law to the contrary, for the lands located in the RU-E29 Zone within Part Lot 13, Concession 5, in the Township of Horton, and designated as Part 1 & 2 on Reference Plan 49R-16893, one single detached dwelling that crosses the property line between Part 1 and Part 2 is permitted.*

(By-law 2010-42)

***(dd) Rural – Exception Thirty (RU-E30) Zone**

Notwithstanding any other provision of this By-law to the contrary, for the lands located in the RU-E30 Zone within Part of Lot 7, Concession 3, in the Township of Horton, a single detached dwelling is permitted to be constructed on lands that do not front on or have direct access to an improved street being a Provincial Highway, County Road, or Township Road.*

SECTION 17.0 - REQUIREMENTS FOR COMMUNITY FACILITY (CF) ZONE**17.1 PERMITTED USES**

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

(a) Residential Uses

- accessory single detached dwelling

(b) Non-Residential Uses

- assembly hall
- day nursery
- community centre
- clinic
- hospital
- cemetery
- institutional use
- public garage
- public utility
- church
- school
- recreation, active
- recreation, passive
- public park
- private club
- private park
- forestry
- public building

17.2 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) | 4050 square metres |
| (b) | Lot Frontage (minimum) | 30 metres |
| (c) | Front Yard Depth (minimum) | 10.5 metres |
| (d) | Side Yard Width (minimum) | 5 metres or ½ the height of the building whichever is greater |

- | | | |
|-----|--|---|
| (e) | Rear Yard Depth (minimum) | 15 metres |
| (f) | Lot Coverage (maximum) | 40% |
| (g) | Building Height (maximum) | 10.5 metres |
| (h) | Open Storage | in accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law |
| (i) | Parking and Loading Space | in accordance with the provisions for Space Requirements Parking and Loading Space Requirements in Section 3 of this By-law |
| (j) | Separation Distances | in accordance with the provisions for Separation Distances in Section 3 of this By-law |
| (k) | Setbacks | in accordance with the provisions for Setbacks in Section 3 of this By-law |
| (l) | Accessory Uses, Buildings and Structures: | |
| | Notwithstanding any Zone provision of this Zone to the contrary, uses, buildings and structures which 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. | |
| (m) | Ottawa River Floodplain: In accordance with the provisions for the Ottawa River Floodplain in Section 3 – General Provisions of this By-law. | |

17.3 EXCEPTION ZONES

SECTION 18.0 - REQUIREMENTS FOR ENVIRONMENTAL PROTECTION (EP) ZONE**18.1 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

- forestry
- existing farms including forestry but not including an intensive farm as described herein, and excluding any additional dwelling associated with a farm use
- public park
- private park
- recreation, passive
- open space
- accessory uses, buildings and structures provided such accessory buildings and structures shall not exceed 9.3 square metres in area

18.2 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) | Side Yard Width (minimum) | 5 metres |
| (c) | Rear Yard Depth (minimum) | 15 metres |
| (d) | Lot Coverage (maximum) | 1% |
| (e) | Building Height (maximum) | 5 metres |

18.3 EXCEPTION ZONES**(a) Environmental Protection -Exception One (EP-E1) Zone**

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the EP-E1 Zone within Lot 21, Concession 7, Township of Horton, the only permitted residential use shall be a semi-detached seasonal dwelling. A semi-detached seasonal dwelling means a semi-detached dwelling that does not front on a municipally maintained street and which dwelling is used occasionally for

recreation, rest or relaxation, but not occupied continuously nor used as a year-round permanent dwelling. The following provisions shall also apply:

- the minimum side yard width for one unit of a semi detached dwelling on a separate lot shall be 0 where the two units abut.
- the provisions of the Ottawa River Floodplain section of this By-law shall apply.

SECTION 19.0 -REQUIREMENTS FOR OPEN SPACE (OS) ZONE
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19.1 PERMITTED USES

No person shall use land or erect or use a building or structure in an OS Zone, except for:

- (a) Residential Uses
 - prohibited
- (b) Non-residential Uses
 - public park
 - private park
 - cemetery
 - recreation, passive
 - open space
 - golf course

19.2 ZONE PROVISIONS

- (a) Lot Area (minimum) NIL
- (b) Front Yard Depth (minimum) NIL
- (c) Side Yard Width (minimum) NIL
- (d) Rear Yard Depth (minimum) NIL
- (e) Building Height (maximum) 5 metres
- (f) Accessory uses, Buildings and structures; Notwithstanding any zone provisions of this zone to the contrary, uses, buildings and structures which 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

19.3 EXCEPTION ZONES

SECTION 20.0 -REQUIREMENTS FOR PROVINCIALY SIGNIFICANT WETLANDS (PSW) ZONE

20.1 PERMITTED USES

No person shall use land or erect or use a building or structure or do any site alteration in any PSW Zone, except for:

(a) Residential Uses

- a dwelling existing at the time of passing of this by-law

(b) Non-residential Uses

- existing farm

20.2 ZONE PROVISIONS**20.3 EXCEPTION ZONES**

(a) Provincially Significant Wetlands – Exception One (PSW-E1) Zone

Notwithstanding any other provisions of this By-law to the contrary, for those lands delineated as Provincially Significant Wetlands – Exception One (PSW-E1), being a 120 metre buffer from the PSW Zone as shown on the Schedule A, development and site alteration for a single detached dwelling in accordance with the Rural (RU) Zone provisions for a single detached dwelling is permitted subject to the following provision:

The preparation and submission of an Environmental Impact Study (EIS) which demonstrates that there will be no negative impacts on the natural features or the ecological functions for which the area is identified shall be required.

SECTION 21.0 - REQUIREMENTS FOR AREAS OF NATURAL AND SCIENTIFIC INTEREST (ANSI) ZONE**21.1 PERMITTED USES**

No person shall use land or erect or use a building or structure or do any site alteration in any ANSI Zone, except for:

(a) Residential Uses

- a dwelling existing at the time of passing of this by-law

(b) Non-residential Uses

- existing farm

21.2 ZONE PROVISIONS

Notwithstanding any other provisions of this By-law to the contrary, for those lands delineated as Areas of Natural and Scientific Interest (ANSI) on Schedule A, to this By-law, development and site alteration for uses permitted in the Rural (RU) Zone may be permitted in the ANSI zone, if it has been demonstrated that there will be no negative impacts on the natural features or the ecological functions for which the area is identified. Council shall require an Environmental Impact Study (EIS) and consult with the Ministry of Natural Resources and the County of Renfrew regarding development and its possible impacts.

21.3 EXCEPTION ZONES

(a) Areas of Natural and Scientific Interest -Exception One (ANSI -E1)

Notwithstanding any other provisions of this By-law to the contrary, for those lands delineated as Areas of Natural and Scientific Interest -Exception One (ANSI -E1) being a 50 metre buffer from the ANSI Zone as shown on Schedule A, to this By-law, development and site alteration for uses permitted in the Rural (RU) Zone may be permitted, if it has been demonstrated that there will be no negative impacts on the natural features or the ecological functions for which the area is identified. Council shall require an Environmental Impact Study (EIS) and consult with the Ministry of Natural Resources and the County of Renfrew regarding development and its possible impacts.

SECTION 22.0 – ENACTMENT

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

This By-law read a FIRST and SECOND time this _____ day of _____, 20____.

This By-law read a THIRD time and finally passed this _____ day of _____, 20____.

MAYOR

CLERK

IMPERIAL – METRIC CONVERSIONS

SPECIFIC LINEAR CONVERSIONS			
0.3	m	=	0.98 ft.
0.5	m	=	1.64 ft.
0.6	m	=	1.97 ft.
0.7	m	=	2.30 ft.
0.9	m	=	2.95 ft.
1.0	m	=	3.28 ft.
1.5	m	=	4.92 ft.
2.0	m	=	6.56 ft.
2.5	m	=	8.20 ft.
2.7	m	=	8.86 ft.
3.0	m	=	9.84 ft.
4.0	m	=	13.12 ft.
5.0	m	=	16.40 ft.
5.5	m	=	18.04 ft.
6.0	m	=	19.69 ft.
7.5	m	=	24.61 ft.
9.0	m	=	29.53 ft.
10.0	m	=	32.81 ft.
10.5	m	=	34.45 ft.
12.0	m	=	39.37 ft.
15.0	m	=	49.21 ft.
18.0	m	=	59.06 ft.
20.0	m	=	65.62 ft.
22.0	m	=	72.18 ft.
23.0	m	=	75.46 ft.
30.0	m	=	98.43 ft.
35.0	m	=	114.83 ft.
38.0	m	=	124.67 ft.
40.0	m	=	131.23 ft.
45.0	m	=	147.64 ft.
46.0	m	=	150.92 ft.
50.0	m	=	164.04 ft.
53.0	m	=	173.88 ft.
60.0	m	=	196.85 ft.
65.0	m	=	213.25 ft.
75.0	m	=	246.06 ft.
90.0	m	=	295.28 ft.
100.0	m	=	328.08 ft.
120.0	m	=	393.70 ft.
150.0	m	=	492.13 ft.
180.0	m	=	590.55 ft.
200.0	m	=	656.17 ft.
750.0	m	=	2460.63 ft.

SPECIFIC AREA CONVERSIONS			
1	m ²	=	10.76 sq. ft.
9	m ²	=	96.88 sq. ft.
51	m ²	=	548.98 sq. ft.
65	m ²	=	699.68 sq. ft.
75	m ²	=	807.32 sq. ft.
93	m ²	=	1001.08 sq. ft.
185	m ²	=	1991.39 sq. ft.
300	m ²	=	3229.28 sq. ft.
600	m ²	=	6458.56 sq. ft.
700	m ²	=	7534.98 sq. ft.
900	m ²	=	9687.84 sq. ft.
1400	m ²	=	15069.97 sq. ft.
1450	m ²	=	15608.18 sq. ft.
1500	m ²	=	16146.39 sq. ft.
1532	m ²	=	16490.85 sq. ft.
2000	m ²	=	21528.53 sq. ft.
2024	m ²	=	21786.87 sq. ft.
2025	m ²	=	21797.63 sq. ft.
2300	m ²	=	24757.80 sq. ft.
2750	m ²	=	29601.72 sq. ft.
2800	m ²	=	30139.94 sq. ft.
3035	m ²	=	32669.54 sq. ft.
3065	m ²	=	32992.47 sq. ft.
3250	m ²	=	34983.85 sq. ft.
4000	m ²	=	43057.05 sq. ft.
4047	m ²	=	43562.97 sq. ft.
1	ha	=	2.47 ac.
1.2	ha	=	2.97 ac.
1.5	ha	=	3.71 ac.
2.0	ha	=	4.94 ac.
10.0	ha	=	24.71 ac.
20.0	ha	=	49.42 ac.
24.0	ha	=	59.30 ac.
40.0	ha	=	98.84 ac.
80.0	ha	=	197.68 ac.