TOWNSHIP OF MORRIS

ZONING BY-LAW CONSOLIDATION
EXPLANATORY NOTE

ZONING BY-LAW NO. 22 -1989
OF THE CORPORATION OF
THE TOWNSHIP OF MORRIS

Preamble
The Zoning By-law was passed under Section 34 of The Planning Act, 1983. It implements the Secondary Plan for the Township of Morris which was prepared by the Council of the Township of Morris and adopted by the Council of the County of Huron on June 5, 1986.
The Zoning By-law comprises both text and zoning maps on which are delineated the various zones created in the By-law.

Purpose
The purpose of this By-law is to provide The Corporation of the Township of Morris with regulations which will effect control over all forms of land use or other related matters within the municipality. The zoning by-law implements the planning policies of the Morris Township Secondary Plan.

Basis
Such regulations have been deemed necessary and in the public interest by Council in order that possible conflicts between existing and proposed land uses can be minimized or reduced in the future. Prior to the preparation of this By-law, the Township of Morris operated under the Township of Morris Secondary Plan which provided limited control of land use.

Affected Lands
The lands directly affected by this By-law consist of all lands lying within the corporate limits of the Township of Morris.

Existing By-laws
From the coming into force of this By-law all previous By-laws of the Township of Morris passed pursuant to Section 34 of The Planning Act, 1983, or a predecessory thereof, shall be deemed to have been repealed.

Duration
It is the intention of the Council that this Zoning By-law will be effective until circumstances change to such a degree that a revision and up-dating of the By-law are required. Additional uses for specific lands may be permitted by means of a rezoning or amendment to the zoning by-law, provided that the uses are permitted by the Township of Morris Secondary Plan. It is the intention of the Council to accept and review applications to amend the zoning by-law in order to allow the establishment of uses which are permitted by the Township of Morris Secondary Plan.
Effect
This Zoning By-law is designed to regulate by prohibition all new development, except development which is specifically allowed in the By-law. This By-law will, however, give Council the legal authority to review the merits of any new use which is not specifically allowed by the By-law. If Council, after studying a proposal for a new use, is satisfied that the new use is in the best interests of the Municipality, and in conformity with the Township's Secondary Plan, the new use may be permitted provided that a separate By-law amending this By-law is passed which would permit the new use on the specified parcel of land subject to appropriate regulations.
TOWNSHIP OF MORRIS

Zoning By-law

Consolidation

This document is a consolidation of the Township of Morris Zoning By-law 22-1989 and subsequent amendments made thereto. This compilation is for convience for administrative purposes only and does not represent true copies of the by-laws it contains. Neither the County of Huron nor the Township of Morris is responsible for any errors or omissions which have occurred in the preparation of this consolidated copy. Any legal interpretation of this document should be verified with the Clerk-Treasurer of the Township of Morris.

This Consolidated Zoning By-law contains:

Comprehensive Zoning By-law 22-1989

Plus the following amendments to By-law 22-1989:

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THE
ZONING BY-LAW
OF THE
CORPORATION OF
THE TOWNSHIP OF
MORRIS

BY-LAW NO. 22-1989

BEING A BY-LAW UNDER THE PROVISIONS OF SECTION 34 OF THE PLANNING ACT 1983, TO REGULATE THE USE OF LANDS AND THE CHARACTER, LOCATION AND USE OF BUILDINGS AND STRUCTURES AND TO PROHIBIT CERTAIN BUILDINGS AND STRUCTURES IN VARIOUS DEFINED AREAS OF THE CORPORATION OF THE TOWNSHIP OF MORRIS.

WHEREAS the Municipal Council of the Corporation of the Township of Morris considers it advisable to restrict, prohibit and regulate the use of land situated within the defined areas, as hereinafter designated, for the purpose of preventing any further development which would create an adverse effect on the Corporation, and to prevent the use of lands that would jeopardize future orderly development and expansion, and to protect the natural environment;

NOW THEREFORE the Council of the Corporation of the Township of Morris ENACTS as follows:

SECTION 1
TITLE & SCOPE

1.1. Title
This By-law shall be known as the Zoning By-law of the Corporation of the Township of Morris.

1.2. Application
The provisions of the By-law shall apply to all lands over which the Corporation of the Township of Morris has jurisdiction.

1.3. Administration and Enforcement
This By-law shall be administered by the person designated by the Council of the Township of Morris as the "By-law Enforcement Officer", and no permit for the use of any land, building or structure or approval of any application for any municipal licence within the jurisdiction of the Council shall be issued where the proposed building, structure or use would be in violation of any provisions of this By-law.

1.4. Violation and Penalty
Every person who uses or alters the use of any land or lot or alters or erects or uses any building or structure in a manner contrary to any requirements of this By-law, or who causes or permits such use or erection or alteration, or who violates any provisions of this By-law or causes or permits a violation, is guilty of an offence and upon conviction thereof shall be liable to a fine as set out in Section 66 of the Planning Act (1983) for each offence, and each day of the occurrence of the offence shall be deemed to be a separate occurrence. Every such penalty shall be recoverable under the Provincial Offences Act, as amended from time to time.

1.5. Remedies
Where any building or structure is, or is proposed to be erected, altered, reconstructed, extended or enlarged, or any building or structure or part thereof is or is proposed to be used, or any land is or is proposed to be used, in contravention of the provisions of this By-law, the same may be restrained by action at the instance of any ratepayer, or of the Planning and Development Committee or of the Township pursuant to the provisions of The Planning Act, The Municipal Act, or The Judicature Act, as amended from time to time.

1.6. Litigation
This By-law shall not affect the rights of any party or any land concerned in any action, litigation or other proceeding pending on the date of the final passage thereof, except to the extent to be determined in the final adjudication of such action, litigation or other proceedings.

1.7. Scope
No building, structure or land shall be used, and no building or structure shall be hereafter erected, structurally altered or enlarged or demolished within the limits of the Township except in conformity with the provisions of this By-law.

1.8. Meaning of Use
Unless the context otherwise requires, the expression "use" or "to use" in this By-law shall include anything done or permitted by the owner or occupant of any land, building or structure, directly or indirectly or by or through any trustee, tenant, servant, or agent, acting with the knowledge or consent of such owner or occupant, for the purpose of making use of the said land, building or structure.

1.9. Idem
Unless the contrary intention appears in this By-law, words importing the singular number or the masculine gender only shall include more persons, parties or things of the same kind than one, and females as well as males, and the converse. For the purpose of this By-law, words used in the present tense include the future.

1.10. Shall to be Mandatory
The word "shall" shall always be construed as mandatory in this By-law.
1.11. Severability
If any provision of this By-law, including any part of the zoning as shown on the zoning maps, is for any reason held to be invalid, it is hereby declared to be the intention, that all the remaining provisions shall remain in full force and effect until repealed, notwithstanding that one or more provisions shall have been declared to be invalid.

1.12. Applications for Building Permits

1.12.1. Application in all Zones Other than AG1 and AG2

1.12.1.1. Within all zones, with the exception of AG1 and AG2, every applicant for a building permit for a new building or an addition to a building shall, in addition to all the requirements of the Ontario Building Code, include a site plan drawn to scale showing:

1.12.1.1.1. dimensions of the lot;
1.12.1.1.2. the location and dimensions of all existing and proposed buildings and storage facilities;
1.12.1.1.3. the dimensions of all yards, drives, and parking areas;
1.12.1.1.4. the location of all easements which may be located on the property;
1.12.1.1.5. a statement signed by the owner of the property giving the exact nature of the proposed use of all buildings and lands;

1.12.1.2. In addition, the Chief Building Official may require any or all of the following information:

1.12.1.2.1. the distance to any livestock buildings within 610 metres;
1.12.1.2.2. information concerning curbing, drives, parking areas, retaining wall, or alteration to natural drainage, if applicable;
1.12.1.2.3. the location of all easements which may be located on the property;
1.12.1.2.4. the location of any municipal or private tile drainage which may drain any neighbouring property;
1.12.1.2.5. the location of any municipal services which are available on this property (water, sewage, telephone and gas);
1.12.1.2.6. the location and dimensions of all existing buildings and storage facilities.

1.12.2. Applications in AG1 and AG2 zones

1.12.2.1. Within an AG1 or AG2 zone every applicant for a building permit for a new building or an addition to a building shall, in addition to all requirements of the Ontario Building Code, include a site plan drawn to scale showing:

1.12.2.1.1. dimensions of the lot;
1.12.2.1.2. the location and dimensions of all proposed buildings and storage facilities;
1.12.2.1.3. the dimensions of all yards;
1.12.2.1.4. a statement signed by the owner of the property giving the exact nature of the proposed use of all buildings and lands.

1.12.2.2. Further to the provisions of 1.12.2.1., the Chief Building Official may require any or all of the following information:

1.12.2.2.1. the distance to any livestock buildings within 610 metres;
1.12.2.2.2. information concerning curbing, drives, parking areas, retaining wall, or alteration to natural drainage, if applicable;
1.12.2.2.3. the location of all easements which may be located on the property;
1.12.2.2.4. the location of any municipal or private tile drainage which may drain any neighbouring property;
1.12.2.2.5. the location of any municipal services which are available on this property (water, sewage, telephone and gas);
1.12.2.2.6. the location and dimensions of all existing buildings and storage facilities.

1.12.3. Further to Section 1.12.2.1., applications for all buildings for livestock and all structures for manure storage will provide the following additional information:

1.12.3.1. the location, distance and use of all buildings within 305 metres (in a “General Agriculture (AG1) zone) of the proposed buildings and/or storage facility OR within 610 metres (in a “Restricted Agriculture” (AG2) zone) of the proposed building and/or storage facility;
1.12.3.2. type of livestock; livestock capacity; and the type of manure disposal;
1.12.3.3. Any application for the establishment of a liquid livestock manure storage facility will be required to submit additional information as set out in the Township Liquid Manure Pit by-law;
1.12.3.4. A statement signed by the owner of the property giving the exact nature of the proposed use of all buildings and land.

1.13. Licences and Permits
No Municipal permit, certificate, or licence shall be issued for a use of land that does not conform to this by-law.

1.14. Buildings to be Moved
No building, over 10 sq. metres, residential or otherwise, shall be moved within the limits of the Township or shall be moved into the Township from outside, without a


1.15. Building Inspection
The By-law Enforcement Officer, Chief Building Official or any employee of the Township acting under the direction of the By-law Enforcement Officer or any peace officer having jurisdiction in the Township is hereby authorized to enter with prior notification between the hours of 8:00 o'clock a.m. and 6:00 o'clock p.m. on any day but Sunday upon any property or premises or structure for the purpose of discharging his duties and obligations under this By-law, or if there is reason to believe that the provisions of the By-law are not being complied with in whole or in part. Where the owner or occupier refuses consent, entry may be made under the authority of a search warrant issued under The Provincial Offences Act.

1.16. Repeals
From the coming into force of this By-law all previous By-laws passed by the Township, under Section 34 of the Planning Act or a predecessor thereof, shall be deemed to have been repealed.

1.17. Zones, Symbols, Section Numbers
For the purposes of this By-law the Township is hereby divided into the following use zones:

<table>
<thead>
<tr>
<th>Class</th>
<th>Zone</th>
<th>Symbol</th>
<th>Section Number</th>
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<tbody>
<tr>
<td>Agriculture</td>
<td>General Agriculture</td>
<td>AG1</td>
<td>4</td>
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<tr>
<td></td>
<td>Restricted Agriculture</td>
<td>AG2</td>
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<td></td>
<td>Agricultural Commercial/Industrial</td>
<td>AG3</td>
<td>6</td>
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<td></td>
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<td>AG4</td>
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<td></td>
<td>Rural Golf Course - Status Zone</td>
<td>AG5</td>
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<tr>
<td>Natural Environment</td>
<td>Natural Environment</td>
<td>NE1</td>
<td>9</td>
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<tr>
<td></td>
<td></td>
<td>NE2</td>
<td>10</td>
</tr>
<tr>
<td>Extractive</td>
<td>Extractive Resource</td>
<td>NE5</td>
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<td></td>
<td>Extractive Industrial</td>
<td>ER1</td>
<td>13</td>
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<tr>
<td>Urban</td>
<td>Village Residential (Low Density)</td>
<td>VR1</td>
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<td>Village Residential (Medium Density)</td>
<td>VR2</td>
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<td>Village Residential (Mobile Home)</td>
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<td>Village Industrial</td>
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<td>Village Commercial - General</td>
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1.18. Zoning Map
The Zones set out in 1.17. and the boundaries of such zones are shown upon the maps attached hereto, marked Schedules designated as the Zoning Maps which zones, boundaries and maps form part of this By-law.

1.19. Boundaries of Zones
Where uncertainty exists with respect to the boundaries of the various zones as shown on the Zoning Maps, the following rules shall apply:

1.19.1. Centreline Limits
Where any zone boundary is shown as approximately the centre line of a street, lane, watercourse or any other right-of-way, such zone boundary shall be construed to follow the centre line of the street, lane, watercourse or other right-of-way or the production thereof;

1.19.2. Lot Lines
Where the Zone boundaries are not shown to be roads or lanes, and where indicated boundaries on the zoning maps are approximately lot lines, the said lot lines shall be construed to be the zone boundaries unless the said boundaries are otherwise indicated on the maps;

1.19.3. Schedule Limits
The limit of any map comprising any Schedule forming part of this By-law as shown on the Key Map of such Schedule shall be deemed to be the boundary of the Zone adjoining such limit;

1.19.4. Symbol of Zones
Where one symbol is used on the Zoning Maps to indicate the zone classification of an area divided by a road or lane, the said symbol shall establish the classification of the whole of such area;

1.19.5. Closed Road or Lane
In the event a dedicated road, lane or railway, shown on the maps is closed, the property formerly in said road, lane or railway shall be included within the zone of the adjoining property on either side of the said closed road, lane or railway. In the event the said road, lane or railway was a zone boundary between two or more different zones, the new zone boundary shall be the former centreline of the said closed road, lane or railway;

1.19.6. Boundaries Other Than Roads or Lot Lines
Where a zone boundary is not a road or lane, nor a lot line, and a specific measurement indicating the position...
of the said boundary is not shown on the zone map, or indicated in the text of the By-law, the position thereof shall be determined by scaling from the zone map located in the office of the By-law Enforcement Office.

1.19.7. Zone Abuts Natural Watercourse
Where any zone on the Schedules abuts a natural watercourse, such zone shall be deemed to apply to the natural watercourse and any islands within the watercourse;

SECTION 2
DEFINITIONS

For the purpose of this By-law the definitions and interpretation given in this section shall govern:

2.1. Abattoir
shall mean a building, structure or lot or part thereof used for the slaughter of livestock or other animals for the purpose of processing or rendering.

2.2. Accessory
when used to describe a use, building or structure, means a use, or a detached building or structure, that is naturally and normally incidental, subordinate and exclusively devoted to supporting the principle use, building or structure and located on the same lot therewith. This does not include an accessory residence unless otherwise specified.

2.3. Agricultural Industrial Establishment
shall mean the use of land and/or buildings or structures for the manufacturing and wholesale and/or retail sales of goods that are necessary to support agricultural uses. These include such goods as farm machinery and equipment used for tillage of soil, the planting, spraying, harvesting, transporting, treatment, processing and storage of grain, forage, feed, or forest products, products used for the housing and husbandry of livestock, poultry and fur-bearing animals, and the storage, handling and processing of milk, eggs, and manure and the manufacture of sub-surface drainage materials and equipment.

2.4. Agricultural Processing Establishment
shall mean the use of land and/or buildings or structures for the processing of products derived from agricultural uses, as defined in this By-law. These shall include such products as seed, grain, feed and forage processing, storage and transport, fruit and vegetable storage and treatment, livestock and poultry assembly, sales and transport, a cheese factory, an egg grading station, a saw mill, an abattoir, a dead stock removal facility.

2.5. Agricultural Service Establishment
shall mean the use of land and/or buildings or structures for the purposes of buying or selling commodities and services that are necessary to support agricultural uses as defined in this By-law. These shall include such sales and services as welding and machinery repairs, farm drainage and excavation, agricultural related trucking, well-drilling, contracting and trades related to farm buildings and structures, and custom spray, tillage, planting and harvesting services.

2.6. Agricultural Supply Establishment
shall mean the use of land and/or buildings or structures for the purpose of supply of goods, materials or services that are necessary to support agricultural uses as defined by this By-law. These shall include such goods and
services as sale, processing and storage of seed, feed, fertilizer and chemical products, farm machinery and equipment sales and service, and animal and poultry health and breeding services.

2.7. Agricultural Use, General
means general farming and without limiting the generality of the foregoing shall include such uses as the general cultivation of land and the associated production, conditioning, processing and storing of field crops, vegetables, fruit, horticultural crops and nursery stock and the selling of such produced on the premises, the breeding and care of livestock, fowl, fur-bearing animals and bees, and the selling of such stock or the product of such stock raised on the premises, and the management of forest, and the sale of forest products, including fuel wood, pulp wood, timber, Christmas trees, and maple products, and includes a farm dwelling and accessory buildings and uses.

2.8. Agricultural Use, Intensive
means the raising of livestock and includes a farm dwelling and accessory buildings and uses.

2.9. Agricultural Use, Limited
means the raising and harvesting of field, bush, vine, forest or tree crops, grazing and trapping, and does not include a farm dwelling and accessory buildings and uses.

2.10. Alter
shall mean 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, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise. The words "altered" and "alteration" shall have a corresponding meaning.

2.11. Amenity Area
means an area or areas within the boundaries of a lot intended for use for recreation, aesthetic purposes for a multiple dwelling project and may include landscaped open areas, patios, balconies, communal lounges, swimming pools, recreation facilities and any other areas which may be used for recreational or aesthetic purposes, but shall not include any driveway or parking area.

2.12. Animal and Poultry Health and Breeding Service
shall mean the premises of a veterinary surgeon where animals, birds or other livestock are treated or kept, or the facility used for the insemination of livestock or poultry.


2.14. Assembly Hall
means a building, or part of a building, in which facilities are provided for such purposes as meetings for charitable, civic, cultural, educational, political, religious or social purposes and shall include a banquet hall, private club or fraternal organization, or community centre.

2.15. 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 adjacent building or buildings.

2.16. Automotive Repair Establishment
means a building and/or lot where the rebuilding, repair, or reconditioning of motor vehicles or parts thereof, including collision service, painting and steam cleaning, is carried on but does not include an automobile service station, or wrecking yard.

2.17. Automotive Sales and Service Establishment
shall mean a building and/or lot used for the display and sale of new or used motor vehicles, motorized recreational vehicles, light construction and lawn care equipment, and/or the servicing, repair, cleaning, polishing and greasing of these products, the sale of accessory and related products, the leasing or renting of motor vehicles, the retail sales of automotive lubricants and fuels, but shall not include any other automotive use defined in this By-law.

2.18. Automotive Washing Establishment
shall mean a building and lot used for the washing or cleaning of motor vehicles by automobile washing equipment with a capacity greater than five cars per hour, and may include the sale of fuels to motor vehicles, but shall not include any other automotive use defined in this By-law.

2.19. Automotive Wrecking Establishment
includes all automotive related salvage operations as included within a "Salvage Yard" as defined in this By-law, in which three (3) or more unlicensed derelict vehicles are stored outdoors.

2.20. Basement
shall mean that portion of a building between two floor levels which is partly below finished grade level but which has at least fifty percent of its height from finished floor to finished ceiling above adjacent finished grade level and in which the height from adjacent finished grade level to the ceiling is less than two (2) metres.

2.21. Boarding or Lodging House
means any house or building in which the proprietor resides and occupies at least 10 percent of the floor space used for the purposes of the boarding house as his residence, and supplies for hire or gain to persons other than members of the proprietor's family, lodging with or without meals in rooms furnished by the proprietor with necessary furnishings, but does not include a hotel, motel, apartment dwelling or nursing home.
2.22. Building
includes any structure whether temporary or permanent, used or built for any purpose other than a lawful boundary, wall or fence. Any enclosure, awning, bin, bunk or other container, or platform, used upon any land or in conjunction with or connected to any structure for any purpose shall be deemed a building.

2.23. Building By-law
means any building By-law within the meaning of the Ontario Building Code Act, as amended from time to time.

2.24. Building Height
shall mean the vertical distance from the finished grade level to:

2.24.1. in the case of a flat roof, the highest point of the roof surface or parapet, whichever is the higher;

2.24.2. in the case of a mansard roof, the roof deckline, or

2.24.3. in the case of any other roof, the mean height between the eaves and the ridge; but exclusive of any structure accommodating an elevator, staircase, water tank, ventilating fan, skylight, aerial, steeple, cupola, chimney, firewall, smoke stack or other ornamental or utilitarian structure which rises above the roof level but does not provide habitable living space.

2.25. Building Inspector
means the Chief Building Official or other employees of the Township for the time being charged with the duty of enforcing the provisions of the Building By-law and the Ontario Building Code, which shall mean any By-law of the Township from time to time in force regulating the erection, alteration or repair of building.

2.26. Building Line
shall mean a line, the purpose of which is to establish the closest points to a street at which the building or structures may be located. The location of the building line shall be such that it is parallel to the centre line of the street and offset from the street line, as defined in Section 2.150 of this By-law, a distance equal to the minimum front yard dimension.

2.27. Building, Main
shall mean the building designed and/or intended to accommodate the principal use permitted by this By-law.

2.28. Building Setback
shall mean the minimum horizontal distance between the front lot line and the nearest part of any building, structure or open storage use on the lot.

2.29. Bulk Sales Establishment
means the use of land, a structure or a building for the purposes of buying and selling fuel, oil, wood, coal, nursery stock, but does not include manufacturing, assembling or processing uses.

2.30. Business Office
means any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business brokerage, or labour organization, and shall exclude such uses as retail sale, manufacture, assembly or storage of goods, or places of assembly and amusement.

2.31. By-law Enforcement Officer
means the officer or employee of the Corporation charged with the duty of administering and enforcing the provisions of this By-law.

2.32. Canopy
shall mean a roof free of enclosing walls over an entrance to a building, structure, or gasoline pump island.

2.33. Carport
shall mean a parking space that is enclosed or partially enclosed and has a roof, and is for the purpose of storing one or more private vehicles.

2.33.a. Catastrophe:
An unanticipated, disastrous loss of part or all of a livestock facility, dwelling or other use due to fire, collapse, flood, wind or other such event. (Amended by By-law 22-2007)

2.34. Cellar
shall mean that portion of a building between two floor levels which has more than fifty percent of its height from finished floor to finished ceiling below adjacent finished grade level.

2.35. Cemetery
means a cemetery, columbarium or mausoleum within the meaning of The Cemetery Act of Ontario.

2.36. Church
shall mean a building commonly used by any religious organization as defined in the Religious Organizations land Act, R.S.O., 1980) for public worship, and may include a rectory or manse, church hall, auditorium, day nursery or religious school associated with or accessory thereto.

2.37. Clinic
shall mean 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.
2.38. **Commercial Motor Vehicle**
means any motor vehicle having permanently attached thereto a truck or delivery body and without limiting the generality of the foregoing includes: ambulances, hearses, motor buses and tractors used for hauling purposes.

2.39. **Commercial Use**
shall mean the use of land, structure or building for the purposes of buying or selling commodities and/or supplying services, but does not include an industrial use.

2.40. **Commercial Grouped**
means a planned commercial development consisting of a self-contained group of commercial establishments commonly known as a shopping centre or a shopping mall designed, developed and managed as an interdependent unit using common facilities, including on-site parking. Grouped commercial developments provide a wide range of general commercial uses, and in addition to the primary commercial uses, ancillary grouped commercial uses include an administrative office, used exclusively for the grouped commercial development, private loading, service, refuse disposal, mechanical, electrical, maintenance and storage areas.

2.41. **Conservation**
shall mean the use of land and/or water for the purpose of planned management of natural resources.

2.42. **Corporation**
means the Corporation of the Township of Morris.

2.43. **Council**
means the Council of the Corporation of the Township of Morris.

2.44. **County**
means the Corporation of the County of Huron.

2.45. **Coverage**
means "Lot Coverage" as defined by this By-law.

2.46. **Dangerous Trades**
means a use which is likely to create danger to health or danger from fire or explosion.

2.47. **Day Nursery**
shall mean a "Day Nursery" as defined in the Day Nursery Act, as amended from time to time.

2.48. **Daylight Triangle**
means an area free of buildings or structures and which area is to be determined by measuring from the point of intersection of street lines on a corner lot, the distance required by this By-law along each such street line and joining such points with a straight line and the triangular-shaped land between the intersecting street lines and the straight line joining the points the required distance along the street lines is the daylight triangle.

2.49. **Dry Industry**
shall mean an industry which by nature of its operation, process, or fabrication of raw materials or service rendered does not require a water supply other than that available from within the limits of the lot upon which the use is located, does not discharge effluent from the limits of the lot upon which the use is located or from which the only sewage effluent to be dispersed of within the limits of the said lot will be that produced from normal sanitary and eating facilities required for the employees.

2.50. **Dwelling**
means a building, or part thereof, occupied or capable of being occupied as a home, residence or sleeping place by one or more persons, constructed on-site, or off-site, in parts designed to be transported to a lot and where they are joined as integral units and placed on a permanent foundation over a cellar or basement, but shall not include travel trailers, mobile homes, double-wide mobile homes, tourist trailers, camper and motor vehicles, hotels or boarding or rooming houses, motels, institutions or living quarters for a caretaker, watchman or other persons or persons using living quarters which are accessory to a non-residential building or structure.

2.50.1. **Dwelling, Single Family Detached**
means a completely detached permanent dwelling to which entrance is gained only by a private entrance outside the building.

2.50.2. **Dwelling, Converted**
means a dwelling unit constructed for permanent use which has been converted so as to provide therein up to three additional dwelling units provided the main dwelling unit was erected prior to the passing of this By-law and further that any changes or alterations to convert the dwelling do not increase its area, height or volume or extend beyond the exterior limit of the existing building, with the exception that a stairwell, entrance, vestibule or porch may be established provided that the addition does not increase the total grand floor area by more than 5% and does not change the single family residential character of the building.

2.50.3. **Dwelling, Semi-detached**
means a building that is completely divided vertically into two dwelling units by a party wall of masonry construction, each dwelling unit having independent entrance, either directly from the outside or through a common vestibule.

2.50.4. **Dwelling, Duplex**
means the whole of a dwelling that is divided horizontally into two dwelling units by a party wall of masonry construction, each dwelling unit having independent entrance, either directly from the outside or through a common vestibule.
2.50.5. Dwelling, Group Home
means a residential dwelling for individuals recovering from social, mental, or physical problems operated as a single housekeeping unit in a residential area in which 3 to 10 residents, excluding staff or receiving family live as a family under responsible supervision consistent with the requirements of its residents but excludes a place of detention, correction or probation for individuals with a violent criminal history or record provided the group home is:

2.50.5.1. required to meet a demonstrable local need and has adequate support or service;
2.50.5.2. licensed or approved by the Province of Ontario;
2.50.5.3. registered by the Municipality;
2.50.5.4. meets all of the requirements of all Municipal By-laws;
2.50.5.5. is fully detached and wholly utilized by the group home occupants.

2.50.6. Dwelling, Multiple Attacthed
means a separate building that is divided vertically into three or more dwelling units each of which has a separate and independent entrance at finished grade and separated from the adjoining unit or units by a common unpierced wall with no interior access between each dwelling unit and includes a row house, or townhouse.

2.50.7. Dwelling, Multiple Family
means the whole of a dwelling not otherwise defined herein, which contains three or more dwelling units.

2.50.8. Dwelling, Apartment
means a building or part thereof consisting of three or more dwelling units which units have a common entrance from the street level and the occupants of which have the right to use of common halls and/or stairs and/or elevators and yards but does not include a boarding or lodging house, a motel or a hotel.

2.50.9. Dwelling, Farm
means a dwelling unit that is naturally and normally incidental and subordinate and exclusively used in conjunction with a farm and is situated on the same lot therewith.

2.50.10. Dwelling, Triplex
means a separate building that is not more than two storeys in height and is divided horizontally into three dwelling units each of which has an independent entrance either directly or through a common vestibule.

2.50.11. Dwelling, Quadruplex
means a separate building consisting of four dwelling units with two units at ground level and two units at second floor level.

2.50.12. Dwelling, Enlarged
Shall mean a detached dwelling which is enlarged to accommodate not more than two dwelling units. The enlarged portion of the dwelling must be attached to the existing dwelling by a minimum of 25% common wall. The enlarged dwelling must appear visually as one dwelling unit, and meet the setback provisions of the AG1 zone and the provisions of the Ontario building Code, as amended from time to time. (Amended by By-law 44-2008)

2.51. Equipment Sales & Rental
means a building or part of a building or structure in which heavy machinery equipment is offered for sale or kept for rent, lease or hire under agreement for compensation, but shall not include any other establishment defined or classified in this By-law.

2.52. Erect
includes build, construct, or reconstruct, alter, enlarge and relocate and without limiting the generality of the foregoing, shall be taken to include any associated physical operation such as excavating, grading, berming, piling, cribbing, filling or draining, structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

2.53. Existing
means in existence, being an actuality as of the date of the final passing of this By-law.

2.53.a. Expanded livestock facility:
Any building activity to construct or expand a livestock facility that requires a building permit and results in an increase, or decrease, in Nutrient Unit capacity on a lot, where there already was some existing Nutrient Unit capacity. (Amended by By-law 22-2007)

2.54. Extractive
use shall mean the use of land and/or buildings, or structures for the removal of gravel, stone, sand, earth, clay, fill, mineral or other similar substance for construction, industrial or manufacturing purposes; and includes accessory uses.

2.55. Farm Produce Sales Outlet
means a fruit, vegetable, flower, or farm produce stand set up as an accessory use to an agricultural use on a farm, used for the sale of produce from that same agricultural use.

2.55.a. First livestock facility:
Any building activity to construct a livestock facility that requires a building permit and results in an increase in Nutrient Unit capacity on a lot, where there was no existing Nutrient Unit capacity. (Amended by By-law 22-2007)

2.56. Floor Area
means the sum total area of a floor or floors in the building or buildings on a lot measured from the exterior faces of the exterior walls or from the centre line of the common walls separating two buildings, provided that where a floor area is within a roof structure without
external walls, the floor area shall be measured from the exterior face of the vertical perimeter wall. The floor area does not include basements, cellars, attics, garages, verandahs, porches or other similar appurtenant structures and excludes any floor area with a ceiling height less than 2 metres. Where the terrain permits a walkout basement, twenty-five percent (25%) of the floor area of the walkout basement may be considered as habitable floor area.

2.57. Floor Area, Gross
shall mean in the case of a dwelling, the aggregate of the areas of all habitable rooms measured from the exterior walls, but excluding any detached accessory buildings, a breezeway, unenclosed sunroom, porch and/or verandah, attic, or cellar. In the case of a building other than a dwelling, the aggregate of the area of all floors devoted to retail sales, customer service and/or office use measured from the outside face of exterior walls but excluding storage, mezzanine areas, mechanical rooms, common halls, stairwells, garbage and electrical rooms, parking structures and similar uses ancillary to the main use. The gross floor area in each zone applies only to that portion of such lot that is located within said zone.

2.58. Floor Area, Ground
shall mean the floor area of the lowest storey of a building approximately at or first above the average finished grade level, excluding any basement or cellar, which area is measured between the exterior faces of the exterior walls at the floor level of such storey but:
2.58.1. excludes car parking areas within the building; and
2.58.2. for the purpose of this paragraph the walls of an inner court are and shall be deemed to be exterior walls.

2.59. Floor Area Ratio
means the floor area in square metres of all buildings on a lot, divided by the area of the lot in square metres and expressed as a percentage.

2.60. Floor Area, Retail
shall mean the gross floor area of a commercial building devoted to retail purposes.

2.61. Frontage
means the width of a lot measured along the streetline.

2.62. Garage, Attached
shall mean a private garage, accessory to a dwelling unit on the same lot and attached by a common wall and/or common roof structure and is designed or used for the sheltering of private motor vehicles and the storage of household equipment incidental to residential occupancy and in which there are no facilities for repairing or servicing such vehicles for remuneration or commercial use and is fully enclosed and excludes a carport or other open shelter; provided however, for the purpose of determining lines of setback and side yard, an attached garage shall be considered part of the main building. Also for the purposes of this definition, a wall between a house and an attached garage may be considered "common" as long as at least forty percent (40%) of the length of the attached garage wall is common with the dwelling wall.

2.63. Garage, Detached
shall mean a private garage, accessory to a dwelling unit on the same lot, which is designed or used for the sheltering of private motor vehicles and the storage of household equipment incidental to residential occupancy and in which there are no facilities for repairing, or servicing such vehicles for remuneration or commercial use, and is fully enclosed and excludes a carport or other open shelter.

2.64. Garage, Public
shall mean a municipal or provincial facility used for the storage and servicing of road construction and maintenance equipment and materials.

2.65. Gasoline Bar
shall mean 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.

2.66. Golf Course
means a public or private area operated for the purposes of playing golf and includes a par 3 golf course, driving ranges, miniature courses and associated recreational uses such as a club house, swimming pool and tennis court.

2.67. Grade
shall mean the crown of the road fronting the lot that it serves.

2.67.1. Grade, Finished
means the average elevation of the finished surface of the ground at ground level of a building or structure.

2.68. Greenhouse, Commercial
means a building or structure used for the growing of flowers, plants, shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same lot containing such building or structure, but are sold directly from such lot at wholesale or retail.

2.69. Grouped Commercial
means a building or group of buildings for the use of restricted business establishments, planned, designed, developed and managed as a unit, having off street parking provided on the site.

2.70. Guest Room
means a room or suite of rooms in a dwelling unit used or maintained for the accommodation of the public.

2.71. Habitable Room
shall mean any room within a dwelling unit used or capable of being used for living, eating and sleeping, but excluding a cellar or any portion thereof, bathroom, toilet room, serving or storage pantry, laundry and corridor.
2.72. **Height**

when used with reference to a building or structure shall mean the vertical distance between the finished grade at the front of the building or structure and:

2.72.1. in the case of a flat roof, the highest point of the roof surface or the parapet, whichever is the greater;
2.72.2. in the case of a pitched roof, the point mid-way between the eaves and the ridge.

2.73. **Home For The Aged**

shall mean a "home for the aged" as defined under the Homes for the Aged and Rest Homes Act, as amended from time to time.

2.74. **Home Industry**

shall mean a gainful occupation including an animal kennel, day nursery, carpentry, electrical, woodworking, window framing, welding, plumbing, machine or auto repair shop, service shop, or blacksmith, conducted in whole or in part in an accessory building to a single family detached dwelling by the residents, provided that:

2.74.1. there is no external advertising other than a sign erected in accordance with any By-laws of the Corporation regulating signs;
2.74.2. outside storage of goods, materials or equipment shall occur to the rear of the accessory or main building;
2.74.3. such home industry is not an obnoxious trade, business or manufacture;
2.74.4. such home industry is clearly secondary to the main residential use and does not change the residential character of the dwelling;
2.74.5. not more than 2 persons, other than the owner, are employed therein on a full-time basis; and
2.74.6. the lot shall be an existing lot with not less than 24 metres of frontage and 60 metres of depth and a total area of not less than 1,850 square metres.

2.75. **Home Occupation**

shall mean any occupation which is carried on as an accessory use either within a dwelling or permitted accessory building on the same lot and operated by members of the one family residing in a dwelling or dwelling unit provided that:

2.75.1. not more than one person, other than the owner or a member of the family is employed therein on a full-time basis;
2.75.2. there is no display, other than a legal sign, to indicate to persons outside that any part of the dwelling, dwelling unit or lot is being used for a purpose other than residential.
2.75.3. such home occupation is clearly secondary to the main residential use and does not change the residential character of the dwelling or dwelling unit nor create or become a public nuisance, particularly in regard to noise, noxious odours or emission of smoke, traffic or parking;
2.75.4. such home occupation does not interfere with television or radio reception;
2.75.5. not more than twenty-five percent (25%) of the gross floor area of the dwelling unit is used for the purposes of home occupation uses; and
2.75.6. such home occupation uses may include a service or repair shop, a personal service shop, the office of a doctor; dentist, chiropractor, drugless practitioner, lawyer, or real estate agent, insurance agent, planner, architect, photographer or engineer, but not including a clinic, a hospital, a nursing home, and a tea room. An animal kennel and small internal combustion engine repair shall not be deemed to be a home occupation.

2.76. **Hospital**

shall mean a hospital as defined under the Public Hospitals Act, or under the Private Hospitals Act, as amended from time to time.

2.77. **Hotel**

shall mean a building or part thereof used to accommodate the travelling public for gain or profit, by supplying them with sleeping accommodation (with or without meals) but without private cooking facilities provided that each guest room may only be entered from the interior of the building; does not include boarding houses or guest cabins.

2.78. **Industrial Mall**

means a building or group of buildings designed, developed, owned and managed as a unit containing two or more separated spaces for lease or occupancy by industrial uses as established by this By-law.

2.79. **Industrial Use**

shall mean the use of land, structure or building for each or any of the following operations:

2.79.1. The carrying on of any process or manufacture whether or not a finished article results therefrom;
2.79.2. The dismantling and separating into parts of any article, machinery or vehicle;
2.79.3. The breaking up of any articles, goods, machinery or vehicles;
2.79.4. The treatment of waste materials of all descriptions;
2.79.5. The repairing and servicing of vehicles, machinery and buildings; and may include:
2.79.5.1. the storage of goods used in connection with or resulting from any of the above operations;
2.79.5.2. the provision of amenities for persons engaged solely in such operations;
2.79.5.3. the sale of goods resulting from such operations and provided that the sales area does not occupy more than 30% of the total floor area;
2.79.5.4. any work of administration or accounting in connection with the undertaking; and without limiting the generality of the foregoing, includes any industry particularly defined in this By-law, but does not include industrial uses from which the emission of any air, water or noise pollution creates a nuisance outside of the building or beyond the lot lines or any other use which
consumes large quantities of water or discharges large quantities of effluent or "Home Industry" or "Home Occupation" as defined by this By-law.

2.80. Institutional Use
means the use of land, buildings or other structures for some public or social purpose but not for commercial or industrial purposes and may include governmental, religious, educational, charitable, fraternal, philanthropic, hospital, or other similar uses.

2.81. Kennel
means a place where dogs and other domestic animals other than poultry are bred and raised, and are sold or kept for sale or boarded. In an Urban area, a kennel shall include a place with 20 or more pets, and more specifically, 3 or more dogs. (Amended by By-law 20-1998)

2.82. Landscaped Open Space
shall mean 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.

2.83. Landscaping
means a combination of trees, shrubs, flowers, grass or other horticultural elements, together with decorative stonework, paving, screening or other architectural elements, all of which is designed to enhance the visual amenity of a property and to provide a screen to mitigate any objectionable aspects that may detrimentally affect adjacent land but does not include parking areas, patios, walkways, driveways, traffic aisles or ramps.

2.84. 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.

2.85. Livestock:
Includes dairy, beef, swine, poultry, horses, goats, sheep, ruminants, fur-bearing animals, deer and elk, game animals, birds, and other animals identified in Table 1 of the Minimum Distance Separation formulae. (Amended by By-law 22-2007)

2.86. Livestock facility:
One or more barns or permanent structures with livestock-occupied portions, intended for keeping or housing livestock. A livestock facility also includes all manure or material storages and anaerobic digesters. (Amended by By-law 22-2007)

2.87. Livestock Housing capacity:
Maximum livestock capacity for all facilities on a lot at any time, even if currently empty but able to house livestock. (Amended by By-law 22-2007)

2.88. Livestock Unit
Deleted by By-law 22-2007.

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

2.90. Lot
shall mean a parcel of land, described in a registered deed or shown on a registered plan of subdivision, including any of its parts which are subject to right-of-way or easement, that is capable of being legally conveyed.

2.90.1. Lot Area
is the total horizontal area within the limits of a lot, and for the purpose of this definition the lot area in each zone shall apply only to that portion of such lot which is located within said zone unless otherwise specified.

2.90.2. Lot, Corner
means a lot situated at the intersection of, or abutting upon, two or more public roads, provided that the angle of intersection of such streets is not more than 135 degrees.

2.90.3. Lot Coverage
shall mean the percentage of the lot area, covered by all buildings above ground level, and shall not include that portion of such lot area which is occupied by a building or portion thereof which is completely below ground level, and for the purpose of this definition the lot coverage in each zone shall be deemed to apply only to that portion of such lot which is located within said zone.

2.90.4. Lot Depth
means the horizontal distance between the front and rear lot lines. Where these lines are not parallel, it shall be the length of a line joining the mid-points of the front and rear lot lines; for lots with curved front lot lines, the measurement shall be taken from a line drawn parallel to the chord of the arc of the curve constituting the front lot line, lying midway between said chord and a line drawn parallel to said chord and tangent to said arc,

2.90.5. Lot Frontage
shall mean the horizontal distance between the side lot lines measured at right angles. 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 by a line seven and one-half (7.5) metres back from and parallel to the chord of the lot frontage. (For the purpose of this By-law the chord of the lot frontage is a straight line joining the two points where the side lot lines intersect the front lot lines.)

2.90.6. Lot, Interior
means a lot other than a corner lot.
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2.90.7. Lot Line
means any boundary of a lot or a vertical projection thereof.

2.90.8. Lot Line, Exterior
means the side lot line which abuts the street on a corner lot.

2.90.9. Lot Line, Front
means the lot line that abuts the street except that, 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 flankage lot line. In addition:

2.90.9.1. 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 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 Municipality may designate either street line as the front lot line;
2.90.9.2. in the case of a corner lot abutting a .3 metre reserve the lot 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 line;
2.90.9.3. in the case of a through lot, the longer boundary dividing the lot from the street shall be deemed to be the front line and opposite shorter boundary shall be deemed to be the rear lot line. In case each of such lot lines should be of equal length the Municipality may designate either street line as the front lot line.

2.90.10. Lot Line, Rear
means the lot line furthest from or opposite the front lot line.

2.90.11. Lot Line, Side
means a lot line other than a front or rear lot line.

2.90.12. Lot, Through
shall mean 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.

2.90.13. Lot, Width
means the shortest horizontal distance between the side lot lines.

2.91. Lot of Record
shall mean a lot or parcel of land that can legally be conveyed and which includes lots on a registered plan of subdivision, parcels created by consent in accordance with the Planning act or any other distinct and separate holding, the deed to which is registered in the Land Registry Office and which lot or parcel of land was legally created prior to the date of passing of this By-law.

For the purposes of this definition, lots of record shall not include those lots on a registered plan of subdivision which has been deemed not to be a registered plan of subdivision for the purposes of Section 49(4) of the Planning Act, 1983.

2.92. Main Building
means the building designed or used for the principal use on the lot.

2.93. Main Wall
shall mean the exterior front, side or rear wall of a building or structural members essential to the support of a fully enclosed space or roof (where such members are nearer to a lot line than the said exterior wall).

2.94. Manure, Liquid Facility
means a building or structure in which animal waste is stored in a liquid state.

2.95. Manure, Solid Facility
means a building or structure in which animal waste is stored in a liquid state.

2.95.a. Minimum Distance Separation (MDS I):
Is a tool to determine a required distance for new development from existing livestock facilities as determined by the Minimum Distance Separation (MDS) Formulae approved by the Province of Ontario (as amended from time to time). (Amended by By-law 22-2007)

2.95.b. Minimum Distance Separation (MDS II):
Is a tool to determine a required distance for a new or expanding livestock facility from an existing use or approved development area as determined by the Minimum Distance Separation (MDS) Formulae approved by the Province of Ontario (as amended from time to time). (Amended by By-law 22-2007)

2.96. Mobile Home
shall mean a pre-fabricated dwelling unit occupied or designed for occupancy by one or more persons on a permanent basis, having a floor area of not less than fifty (50) square metres, designed to be towed on its own chassis (notwithstanding that its running gear is or may be removed), placed or designed to be placed on permanent foundations, and connected or designed to be connected to public utilities, but shall not include a travel trailer, tent trailer or a trailer otherwise designed.

2.97. Mobile Home, Double Wide
shall mean a prefabricated dwelling unit occupied or designed for occupancy by one or more persons on a permanent basis, towed or designed to be towed in two or more separate sections with each section towed or designed to be towed on its own chassis and joined together to form one dwelling unit and placed on a permanent foundation, and connected or designed to be connected to public utilities, but shall not include a travel trailer, or single-family detached dwellings constructed in
parts, designed to be transported to a lot and where they are joined as integral units and placed on a permanent foundation.

2.98. Mobile Home Park
shall mean 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 mobile home park.

2.99. Mobile Home Site
shall mean a parcel of land within a mobile home park occupied by or intended for occupancy by one mobile home together with all yards and open space required by this By-law.

2.100. Motel
means a separate building of two or more connected or detached buildings designed and used for the purpose of catering to the needs of the travelling public by furnishing sleeping accommodation with or without supplying food and/or other refreshments, and without limiting the generality of the foregoing shall include a motor court, auto court and tourist home, within the meaning of the Tourist Establishment Act.

2.101. Motor Home
shall mean a self-propelled dwelling unit.

2.102. Motor Vehicle
shall mean an automobile, truck, motorcycle or motorized snow vehicle, or all terrain vehicle but does not include the cars of electric or steam railways, or other vehicles running only on rails, or a traction engine, farm tractor, self-propelled instrument of husbandry or road building machine.

2.103. Municipal Drain
shall mean a drainage works as defined by The Drainage Act, as amended from time to time.

2.104. Municipality
shall mean the Corporation of the Township of Morris.

2.105. Navigable Waterway
shall mean a navigable body of water or stream as deemed under the Beds of Navigable Waters Act.

2.106. Non-Complying
means a use, building or structure, permitted by the provisions of the zone in which such use, building or structure is located, which does not meet the zone provisions with respect to yards, lot area, frontage, parking, setback, or any other provisions of this By-law applicable to that zone.

2.107. Non-Conforming
means a use, building or structure not permitted by the permitted use provisions of this By-law for the zone in which such use, building or structure is located, as of the date of passing of this By-law.

2.108. Nursing Home
shall mean a nursing home as defined under the Nursing Home Act, as amended from time to time.

2.108.a. Nutrient Unit (NU):
An amount of nutrients that give a fertilizer replacement value of the lower of 43 kilograms of nitrogen, or 55 kilograms of phosphate as nutrient (as defined in Ontario Regulation 267/03 made under the Nutrient Management Act, 2002) and as provided by the Minimum Distance Separation (MDS) Formulae approved by the Province of Ontario (as amended from time to time). (Amended by By-law 22-2007).

2.109. Obnoxious Use
shall mean an offensive use or trade within the meaning of The Public Health Act or any use which is a nuisance by reason of emission of airborne or waterborne odours, gases, dirt, smoke, noise, vibration, fumes, cinders, soot or waste, or the depositing or leaving of unsightly objects or chattels on land, which may be hazardous or injurious as regards health or safety or which prejudices the character of the surrounding area or interferes with or may interfere with the normal enjoyment of any use of land, building or structure.

2.110. Office
means any building or part of a building in which business may be transacted, a service performed or consultation given, but excludes such uses as retail sale, repair, manufacture, assembly or storage of goods, or places of assembly and amusement.

2.111. Open Space, Usable
shall mean an area of land on the site which is suitable for landscaping, including any part of the site occupied by recreational accessory buildings, any surfaced walk, patio or similar area, any sports or recreational area, any ornamental or swimming pool, and the roof or other part of a building or structure open to the air and suitable for landscaping and used as a recreational area but excluding any driveway or ramp, whether surfaced or not, any curb, retaining wall, motor vehicle parking area, or loading space.

2.112. Outside Amenity Area
means an outdoor rear yard amenity area within the boundaries of a lot for aesthetic and recreational use and may include landscaped open areas, patios and swimming pools but shall not include any driveway or parking area.

2.113. Outside Storage
means the storage of goods, merchandise or equipment in the open air and in unenclosed portions of buildings which are open to the air on the sides.

2.114. Park, Private
means a non-commercial recreational area other than a
public park used by the owner and his guests, and may include therein one or more swimming pools, wading pools, picnic areas, refreshment rooms, tent camping areas, tennis courts, bowling greens, or similar open space uses.

2.115. Park, Public
means a recreational area owned or controlled by the Corporation or by any Board, Commission or other Authority established under any statute of the Province of Ontario, or any religious, charitable or philanthropic organizations.

2.116. Parking Lot or Parking Area
shall mean an area of land which is provided and maintained upon the same lot or lots upon which the principal use is located and which area:
2.116.1.comprises all parking spaces of at least the minimum number required according to the provisions of this By-law, and all driveways, aisles, maneuvering areas, entrances, exists, and similar areas used for the purpose of gaining access to and egress from the said parking spaces, but shall not include any part of a highway, street or road; and
2.116.2.is provided and maintained in accordance with all applicable provisions of this By-law.

2.117. Parking Space
means an area of land which is provided and maintained for parking and in which area:
2.117.1.is provided for the temporary parking or storage of one motor vehicle other than for the purpose of offering commodities for sale or display;
2.117.2.is adequate for the temporary parking or storage of one motor vehicle and may be located within a private garage, building, carport or open area;
2.117.3.is not less than 2.7 metres in width nor less than 6 metres in length, exclusive of any land used for access, maneuvering, driveway or a similar purpose except as noted elsewhere in this by-law; and
2.117.4.has adequate access to permit ingress and egress of a motor vehicle from a street by means of driveways, aisles, maneuvering areas or similar areas, no part of which access is to be used for the temporary parking or storage of any motor vehicle.

2.118. Permitted
shall mean permitted by this By-law.

2.119. Person
includes any individual, association, partnership, corporation, Municipal Corporation, agent or trustee and the heirs, executors or other legal representative of a person to whom the context can apply according to law.

2.119.a. Pet
means a domesticated animal kept for pleasure or companionship. A pet does include rabbits, but does not include other livestock. (Amended by By-law 20-1998)

2.120. Pit
shall mean a place where consolidated gravel, stone, earth, clay, fill, mineral, consolidated rock, or other material is being or has been removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes.

2.121. Pit, Wayside
shall mean a temporary pit opened and used by a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

2.122. Place of Entertainment
means a motion picture amusement arcade or other theatre, auditorium, billiard or pool room, bowling alley, ice or roller skating rink, curling rink, or dance hall, but does not include any place of entertainment or recreation otherwise defined or classified in this By-law.

2.123. Plant, Hot Mix
means a building or structure used for the manufacturing of asphalt in a form suitable for the immediate use in the paving of roads or driveways and the damp proofing of buildings and structures.

2.124. Plant, Ready Mix
means a building or structure used for the manufacturing of concrete in a form suitable for the immediate use in the construction of buildings, structures, roads or driveways.

2.125. Planting Strip
shall mean an area which shall be used for no purpose other than planting a row of trees or a continuous unpierced hedgerow of evergreens or shrubs not less than 1.75 metres high, immediately adjacent to the lot line or portion thereof along which such planting strip is required.

2.126. Private Club
shall mean a building or part of a building used as a meeting place for members of a chartered organization, and shall include a lodge a fraternity or sorority house, hostel, and a labour union hall.

2.127. Professional Office
means any office where professionally qualified persons, technical assistants and clerical staff are employed and where clients or patients go for advice, consultation or treatment.

2.128. Public Authority
shall mean 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 Morris 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
2.129. Public Building
shall mean any building or structure owned or leased by a
municipal corporation the County of Huron, Province of
Ontario or the Government of Canada and in which
government activities are carried out.

2.130. Public Utility
shall mean 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, a
transportation system or a telephone system, and includes
any lands, buildings or equipment required for the
administration or operation of any such system.

2.131. Recreation, Active
shall mean the use of land, water and/or building for the
purpose of organized active leisure activities and shall
include an arena, a golf course and a sports field, and
motorized vehicle trails.

2.132. Recreation, Passive
shall mean 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 playlot with activity equipment for children.

2.133. Renovation
means the repair and restoration of a building to good
condition within existing external walls but shall not
include its replacement.

2.134. Residential Use
means the use of a building or structure or parts thereof as
a private dwelling.

2.135. Restaurant
shall mean a building or part thereof where food is
offered for sale or sold to the public for immediate
consumption and includes such uses as a cafe, cafeteria,
ic cream parlour, tea or lunch room, diary bar, coffee
shop or snack bar, but does not include a drive-in
restaurant.

2.136. Restaurant, Drive-in
shall mean premises consisting of a building or structure,
together with a parking lot, from which food,
refreshments, dairy products or beverages are offered for
sale or sold to the public for consumption either in
automobiles parked on the parking lot or for consumption
elsewhere but not necessarily within such building or
structure on the premises, and does not include a building
or structure where food, refreshments, diary products or
beverages are offered for sale or sold to the public only
for consumption within the building or structure.

2.137. Retail Store
means a building or part of a building in which goods,
wares, merchandise, substances or articles are kept for
sale, but does not include any manufacturing, processing
or construction uses.

2.138. Retail Sales or Service Area
shall mean floor area where goods and services are made
available for sale but shall not include storage areas.

2.139. Right-of-Way
shall mean a private road which affords access to abutting
lots and does not include a lane, road or street.

2.140. Road, Street or Highway (Public)
means a road which has been assumed by the Ministry of
Transportation and Communications, the County of
Huron or the Township of Morris and shall mean such
public highway, street or road as affords the main means
of access to any lots abutting thereon.

2.141. Salvage Yard
includes 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 and includes a junk yard, scrap metal yard and an
automotive wrecking establishment (as defined in Section
2.19.), including ancillary automotive sales and service
establishment and premises.

2.142. School
means a school under the jurisdiction of a Public,
Separate or High School Board, a college or a university
or any other school established and maintained either
wholly or partially at public or private expense whether or
not the same is also a boarding school, and includes any
dormitory building accessory to a school.

2.143. Separation Distance
means the horizontal distance between buildings or
structures measured from the closest point on the exterior
wall of such buildings or structures.

2.144. Service Industry
means an establishment set up to perform cleaning,
maintenance, renovation or repair on an existing product,
but does not include any automotive uses as defined by
this By-law.

2.145. Service Shop

2.145.1. Personal
means a building or part of a building not otherwise
defined or classified herein, for the performance of
personal services such as health studios, a barber shop or
beauty parlor.

2.145.2. 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,
Township of Morris Consolidated Zoning By-law

television and appliance repair shops, a laundromat, but does not include any automotive uses as defined by this By-law.

2.146. Service Station
means a building and/or lot used for the service and repair of motor vehicles and may include the sale of fuels, lubricants and parts for motor vehicles.

2.147. Setback
See Building Setback (2.28.)

2.148. Sewage Disposal Facilities
shall mean a system of underground pipes or conduits and related pumping and treatment appurtenances operated by the Township of Morris and/or the Ontario Ministry of the Environment for public use for the treatment and disposal of storm and/or sanitary sewage and also includes a septic tile bed disposal area.

2.149. Sign
means a name, identification, description, device, display, or illustration which is affixed to, or represented directly or indirectly upon a building, structure or lot and which directs attention to an object, product, place, activity, person, institution, organization or business.

2.150. Site Plan
shall mean a scaled drawing showing the relationship between the lot lines and the uses, buildings or structures existing or proposed on a lot, including such details as parking areas, driveways, walkways, landscaped areas, building areas, minimum yards, building heights, floor areas, densities and areas for special uses.

2.151. Storey
shall mean that portion of a building between any floor and the floor, ceiling or roof next above, provided that any portion of a building partly below grade level shall not be deemed a storey unless its ceiling is at least one and eight-tenths (1.8) metres above average finished grade and provided also that any portion of a storey exceeding four (4.0) metres in height shall be deemed an additional storey for each four (4.0) metres or fraction thereof of such excess.

2.152. Storey, Half
shall mean the portion of a building located wholly or partly within a sloping roof having a floor area of not less than one-third or more than two-thirds of the floor area of the storey next below, sidewalls not less than 1.2 metres in height and a ceiling with a minimum height of 2.3 metres over an area equal to at least fifty percent (50%) of its floor area.

2.153. Street Line
means the boundary line between a street and a lot.

2.154. Structure
shall mean anything that is erected, built or constructed of parts joined together or any such erection fixed to or supported by the soil and/or any other structure. For the purposes of this By-law "structure" does not include a fence, retaining wall, hedge, light standards, signs or a swimming pool.

2.155. Swimming Pool
means any body of water located outdoors, contained by artificial means, and having a depth of greater than .3 metres at any point, and used and maintained for the purpose of swimming, wading, diving or bathing, not including an existing or new pond built for agricultural purposes.

2.156. Tavern
shall mean tavern as defined by the Liquor License Act, as amended from time to time.

2.157. Temporary Building
shall mean a building or structure intended for removal or demolition within a prescribed time not exceeding two years as set out in a building permit including manure storage facilities. (As amended by By-law 29-2002).

2.158. Temporary Use
means the use of land, building or structure for a construction office, tool shed, or for the storage of scaffolds, equipment and material which is incidental to and necessary for construction work in progress for so long as the same are necessary for the construction work which has neither been finished nor abandoned on the same lot.

2.159. Tillable Hectares
means the total area of land including pasture that can be cultivated.

2.160. Top-of-Bank
means a line delineated at a point where the oblique plane of the slope meets the horizontal plane.

2.161. Tourist Home
means a single family dwelling in which rooms or lodging are provided for pay and does not include a farm vacation home.

2.162. Township
means the Corporation of the Township of Morris, or land included within the Township of Morris as appropriate.

2.163. Travel Trailer Sales Establishment
shall mean a building, structure or lot used for the display and sale of travel trailers and includes the servicing or repair of said travel trailers.

2.164. Urban
means those land uses designated for residential, recreational, commercial, industrial, institutional or developmental within a recognized Town, Village, Hamlet or other recognized urban area.

2.165. Use
shall mean the purpose for which any land, building,
structure, or premises, or part thereof, is arranged, designed or intended to be used, or is or may be occupied or maintained and the words 'used', 'to use' and 'uses' have a corresponding meaning.

2.166. Warehouse
shall mean a building used or intended to be used for the bulk storage of goods, merchandise or materials and shall include wholesale establishments.

2.167. Waste Disposal Site
shall mean any land approved by the Ministry of the Environment upon, into or in which waste may be deposited or processed.

2.168. Water Supply
shall mean a distribution system of underground piping and related storage, including pumping and purification appurtenances owned and operated by the Township of Morris and/or the Ontario Ministry of the Environment for public use.

2.169. Water System, Communal
shall mean a private water distribution supply system in which water is piped to more than one dwelling or business operation.

2.170. Watercourse
shall mean a natural channel for a stream and, for the purpose of this By-law, includes a natural channel for an intermittent stream and all watercourses shown on Schedule "B" of the Township of Morris Secondary Plan.

2.171. Wholesale Use
means any establishment which sells merchandise to others for resale and/or to industrial or commercial users.

2.172. Yard
means an open area of land, unoccupied and unobstructed except as otherwise provided for or required by this By-law, located on the same lot or zone within a lot with a main building or structure.

2.172.1. Yard, Front
means a yard extending across the full width of the lot or zone within the lot between the front line of the lot and the nearest part of any building or structure on the lot, or the nearest open storage use on the lot. "Front Yard Depth" means the least horizontal dimension between the front lot line of the lot and the nearest part of any building or structure on the lot, or the nearest open storage use on the lot.

2.172.2. Yard, Rear
means a yard extending across the full width of the lot or zone within the lot between the rear lot line of the lot or rear zone boundary and the nearest open storage use on the lot. "Rear Yard Depth" means the least horizontal dimension between the rear lot line of the lot or rear zone boundary and the nearest part of any building or structure on the lot, or the nearest open storage use on the lot or zone.

2.172.3. Yard, Side
means a yard extending from the front yard to the rear yard and from the side lot line of the lot or side zone boundary to the nearest part of any building or structure on the lot, or the nearest open storage use on the lot. "Side Yard Depth" means the least horizontal dimension between the side lot line of the lot or side zone boundary and the nearest part of any building or structure on the lot or zone, or the nearest open storage use on the lot or zone.

2.172.4. Yard, Side, Exterior
means a side yard immediately adjoining a public street.

2.173. Zone
means an area delineated on the Zoning Map or Zoning Map Schedules and established by this By-law for a specific use.
### Township of Morris Consolidated Zoning By-law

#### SECTION 3
**GENERAL PROVISIONS**

**3.1. Application**
The provision of this section shall apply to all zones except as otherwise indicated in the applicable zone provisions.

**3.2. Application of Other By-laws, Regulations, Legislation**
Nothing in this By-law shall operate to relieve any person from the obligation to comply with the requirements of the Ontario Building Code Act or any other By-law of the Municipality in force from time to time or the obligation to obtain any other license, permit, authority or approval lawfully required by a governmental authority having jurisdiction to make such restrictions. This includes where appropriate, regulations and permits as administered by the Maitland Valley Conservation Authority.

**3.3. Lots to Front on Public Road**
Unless otherwise specified by this By-law, no lots shall be created and no person shall erect a building or structure and no person shall use any land, building, or structure unless the lot to be so used or upon which the building or structure is situated, erected or proposed to be erected abuts or fronts on a public road of satisfactory construction and maintenance, including winter maintenance, to permit the reasonable and safe passage of motor vehicles, provided that:

- **3.3.1.a** building or structure may be erected upon a lot within a registered plan of subdivision in accordance with the provisions of a Subdivision Agreement in respect of such plan of subdivision notwithstanding that the roads within such plan of subdivision have not been assumed and are not being maintained by the Municipality;

- **3.3.2.** an agricultural building or structure, not including a residence, may be erected upon a lot which fronts on a public road designated on Schedule 'B' as "no winter maintenance" provided that such agricultural building or structure does not require year-round daily access.

**3.4. Non-Complying Uses**
Where a use, building or structure was legally established prior to the date of the passing of this By-law, and is permitted by the provisions of the zone in which such use, building or structure is located, but does not meet the zone provisions with respect to yards, lot area, frontage, parking, setback or any other provisions of this By-law applicable to that zone, the said building or structure shall be deemed to comply with the By-law and may be enlarged, extended, reconstructed, repaired or renovated provided that:

- **3.4.1.** The enlargement, extension, reconstruction, repair or renovation does not further reduce the compliance of that use, building or structure, with the provision(s) of the By-law to which it does not comply; and,

- **3.4.2.** where a non-complying building is removed or destroyed, such building may only be reestablished or reconstructed, within 2 years from the date of destruction. Following this period of time the building may only be reestablished in conformity with the provisions of the By-law;

- **3.4.3.** Where a house or barn which has been destroyed or intentionally removed is to be reestablished within a period of 2 years the establishment of a different house or barn on a neighbouring lot shall be subject to the separation distances included within Minimum Distance Separation Formulae as if the house or barn which was removed or destroyed was still present. (Amended by By-law 22-2007)

- **3.4.4.** All other applicable provisions of this By-law are complied with.

- **3.4.5. MDS and Catastrophes:**

- **3.4.5.1.** Notwithstanding any other provisions of this By-law to the contrary, where a building or structure is destroyed in whole or in part, by a catastrophe, MDS I will not be applied when the building or structure is rebuilt provided that it is built no closer to livestock facilities than before the catastrophe. (Amended by By-law 22-2007)

- **3.4.5.2.** Notwithstanding any other provisions of this By-law to the contrary, where a livestock facility is destroyed in whole or in part, by a catastrophe, MDS II will not be applied when the livestock facility is rebuilt, provided it is built no closer to surrounding land uses and lot lines than before the catastrophe, and the values of Factor A, B and/or D have not been increased for the livestock facility. (Amended by By-law 22-2007)

**3.5. Non-Conforming Lands, Buildings, Structures and Uses**

**3.5.1. Continuation of Existing Uses**
The provisions of this By-law shall not apply to prevent the use of any lot, building or structure for any purpose prohibited by this By-law if such lot, building or structure was lawfully established and used for such purpose on the date of passing of this By-law, and provided that it continues to be used for that purpose.

**3.5.2. Building Permit Issued**
The provisions of this By-law shall not apply to prevent the erection or use for a purpose prohibited by this By-law of any building or structure, the plans for which have prior to the date of passing of this By-law been approved by the Building Inspector, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the erection of such building or structure is commenced within 1 year after the date of the passing of this By-law; and such building or structure is completed within a reasonable time after the construction thereof is commenced.
3.5.3. Strengthening, Repair or Renovation of Non-Conforming Buildings and Structures
Nothing in this By-law shall prevent the strengthening to a safe condition of any building or structure or part of any such building or structure which does not comply with the provisions of this By-law, provided:
3.5.3.1. such alteration or repair does not increase the height, size or volume of such building or structure;
3.5.3.2. the alteration, repair or renovation does not involve any alteration of use and the building or structure continues to be used for the same purpose; and
3.5.3.3. all other applicable provisions of this By-law are complied with.

3.5.4. Change in Use, Extension or Enlargement
No change in use, including the extension or enlargement of a non-conforming building or structure shall be permitted except as may be allowed under Section 44 of The Planning Act, following an application to the Committee of Adjustment. In reviewing such application the Committee will have regard for the provisions of The Planning Act and the principles of the Township Secondary Plan.

3.5.5. Discontinued Non-Conforming Use
Where a use, building or structure which was lawfully established prior to the day of the passing of this By-law has been used for a purpose not permitted in the use zone in which it is situated but the said use has been discontinued for a period of 2 years or longer, the said building or structure may only be used again for a use that conforms to this By-law.

3.5.6. Replacement of Non-conforming Uses
Where a building or structure has been purposely demolished or accidentally destroyed to the extent of more than seventy-five (75) percent of its value (inclusive of walls below grade) as at the date of damage and which does not conform with the requirements of this By-law in respect to use, lot occupancy or height, shall not be replaced except as permitted by the regulations of the zone in which the said structure or building is located.

3.5.7. Status Zoning
Notwithstanding the provisions of Section 3.5.6, where an otherwise existing non-conforming use, building or structure has been recognized through status zoning by this by-law as a permitted use any significant change or expansion will only be permitted through an amendment to the zoning by-law. In considering any such amendment Council will have regard to the provisions of the Township Secondary Plan. Where a use is status zoned and accidentally destroyed, it may be reestablished to its prior size, dimensions and use.

3.6. Permitted Encroachments in Yards
Every part of any yard required by this By-law shall be open and unobstructed by any structure from the ground to the sky provided however, that fences and hedges in accordance with the provisions of Subsection 3.24. of this By-law shall be permitted and that those structures listed in the following table shall be permitted to project into the minimum yards indicated for the distances specified below:

<table>
<thead>
<tr>
<th>Structure</th>
<th>Yards in which projection is permitted</th>
<th>Maximum Projection from main wall permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sills, Belt courses, cornices, eaves, gutters, chimneys, or pilasters.</td>
<td>Any Yard</td>
<td>0.75 metres</td>
</tr>
<tr>
<td>Fire escapes and exterior staircases</td>
<td>Rear yard or Side yard</td>
<td>1.5 metres</td>
</tr>
<tr>
<td>Window bays</td>
<td>Front, rear &amp; exterior side only</td>
<td>1 metre over a width of 3 metres</td>
</tr>
<tr>
<td>Balconies</td>
<td>Front, rear &amp; exterior side yards only for single-family detached dwellings.</td>
<td>1.5 metres</td>
</tr>
<tr>
<td>Open, roofed porches not exceeding one storey in height, uncovered terraces</td>
<td>All yards</td>
<td>2.5 metres including eaves and cornices provided that no porch or terrace extends closer than within 1.0 metres of any lot line or prevents access to any rear yard.</td>
</tr>
</tbody>
</table>

3.7. Exceptions to Height Limitations
The height limitations of this By-law shall not apply to Church spires, clock towers, water tanks, elevator enclosures, flag poles, television or radio antennae, ventilators, silos, sky-lights, chimneys, windmills or grain elevators.

3.8. Accessory Buildings
Private garages or other accessory buildings or structures:

3.8.1. shall not be used for human habitation except where a dwelling is a permitted accessory use;

3.8.2. shall not be built in a front yard. Where an accessory building or structure is built on a corner lot, it shall be located in the side yard which is not adjacent to the flanking street or in the rear yard and not closer to a street than the setback required for the main building, except that this provision does not apply in AG1 or AG2 Zones.
3.8.3. when detached, shall not exceed six (6) metres in height nor contain more than two storeys;
3.8.4. shall not exceed ten (10) percent coverage of the total lot area;
3.8.5. shall not be built closer than 1.25 metres to a lot line except for semi-detached garages which may be centred on a mutual side lot line;
3.8.6. shall not be considered for the purposes of calculating lot coverage even if attached to the main building in any way, except for accessory residential uses.

3.9. Parking Area Regulations
Parking spaces and areas required under this By-law shall be provided in accordance with the following provisions:

### 3.9.1. Parking Area Regulations
Notwithstanding any yard requirements set out elsewhere in this By-law there shall be provided for every building or part thereof, erected after the date of enactment of this By-law in any zone, an area of automobile parking. Adequate provisions for access to a street or public lane from each individual parking space unobstructed by any other parking space shall be provided and unless otherwise stated, the parking shall be provided on the same or nearby lot as the building it is intended to serve. Such parking space shall be provided as follows:

<table>
<thead>
<tr>
<th>Type of Building</th>
<th>Minimum Parking Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>For each dwelling except apartments and multi-family</td>
<td>One (1) Space</td>
</tr>
<tr>
<td>For each apartment or multi-family dwelling and group homes</td>
<td>One (1) space for each dwelling unit plus visitor parking on the basis of one (1) space for every two (2) dwelling units or part thereof.</td>
</tr>
<tr>
<td>For each group home</td>
<td>One (1) space per each 3 people included within the licenced or approved capacity of the group home.</td>
</tr>
<tr>
<td>Any Commercial use in a Commercial Zone except those uses specifically listed elsewhere in this Section</td>
<td>One (1) parking space for each forty (40) sq. metres or fraction thereof of commercial floor space within the building.</td>
</tr>
<tr>
<td>Auditorium, arena, church, hall, restaurant, theatre, club and other places of assembly</td>
<td>Where there are fixed seats one (1) parking space for every four (4) seats or two &amp; one-half (2.5) m of bench space of its maximum seating capacity. Where there are no fixed seats one (1) parking space for each ten (10) sq. m or fraction thereof of floor area devoted to public use.</td>
</tr>
<tr>
<td>Social, Service or Country Club</td>
<td>1 per 10 sq. m of floor area devoted to public use of all club buildings plus: 2 per golfing green; 2 per lawn bowling green; 2 per tennis or racquet ball court; 4 per curling ice sheet. Where any one club provides seasonal recreational facilities such as golf (summer), or curling (winter), parking spaces for these activities shall only be provided for the season requiring the greatest number of parking spaces.</td>
</tr>
<tr>
<td>Automotive washing Establishments (Automatic)</td>
<td>Space for the storage &amp; movement of at least ten (10) automobiles in advance of and three (3) automobiles at the terminus of each wash line.</td>
</tr>
<tr>
<td>Automotive washing Establishments (Self-Serve)</td>
<td>Space for the storage &amp; movement of at least three (3) automobiles in advance of and one (1) automobile at the terminus of each wash stall.</td>
</tr>
<tr>
<td>Bowling Alleys</td>
<td>Three per bowling lane &amp; 1 per 10 sq. m. of floor area devoted to public use not including the actual bowling lanes.</td>
</tr>
<tr>
<td>Miniature Golf Course &amp; Golf Driving Range</td>
<td>One (1) space for each hole of the miniature golf course &amp; 1 space for each golf driving lane.</td>
</tr>
<tr>
<td>Drive-In Restaurant</td>
<td>Ten (10) spaces plus one (1) space for every four (4) seats.</td>
</tr>
<tr>
<td>Funeral Homes</td>
<td>One (1) parking space for each five (5) seats capacity of the Funeral Home.</td>
</tr>
<tr>
<td>Grouped Commercial</td>
<td>Six (6) spaces for each one hundred (100) sq. m. of gross floor area.</td>
</tr>
<tr>
<td>Hospital, Sanitarium, Nursing Home</td>
<td>One (1) parking space for each two (2) beds.</td>
</tr>
<tr>
<td>Hotels, Motels &amp; Taverns</td>
<td>One (1) parking space for each guest room or suite of a motel; one (1) parking space for each ten (10) sq. m or fraction thereof of floor area within the hotel, motel or tavern devoted to public uses.</td>
</tr>
<tr>
<td>Industrial Establishments</td>
<td>One (1) parking space for each ninety (90) sq. m or fraction thereof of building on the lot.</td>
</tr>
<tr>
<td>Libraries</td>
<td>Minimum three (3) parking spaces.</td>
</tr>
</tbody>
</table>
### Township of Morris Consolidated Zoning By-law

#### Offices and Government Buildings
One (1) parking space for each forty (40) sq. m or fraction thereof of floor space in the building.

#### Auction Sale Facility, Flea Market
Minimum 40 parking spaces.

#### Retail Store, Department Store, Service Shop
One (1) space for each twenty (20) sq. m of gross floor area.

#### Schools
One (1) parking space for each staff member or school employee and one(1) parking space for each 10 student’s capacity in an elementary school and 1 parking space for each 5 student’s capacity in a secondary school.

#### Supermarket, Groceteria
One (1) space for each ten (10) sq. m of gross floor area.

#### 3.9.2. Calculation of Spaces

3.9.2.1. When a building or lot accommodates more than one use or purpose the required parking spaces shall be the sum of the required parking spaces for the separate uses or purposes.

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

#### 3.9.3. Use of Parking Spaces and Areas

Any area where off-street parking is required under this By-law shall be used for no other parking purpose than for the parking of operative passenger vehicles and commercial vehicles used in operations incidental to the permitted uses on the lot, all bearing currently valid license plates.

For the purposes of this subsection "commercial motor vehicle" shall mean any commercial vehicles as defined in the Highway Traffic Act.

Notwithstanding the foregoing, no person shall use any lot, building or structure in a Residential Zone for the parking or storage of any commercial motor vehicle unless he or she is the owner or occupant of such lot, building or structure, the vehicle is accessory to the dwelling unit, and not more than one commercial motor vehicle is stored in accordance with this section. Further, however, a trailer-tractor or any commercial motor vehicle shall not be stored or parked in a Residential Zone if such vehicle exceeds 9 metres in length. No person shall use any lot, building or structure in a Residential Zone for the parking or storage of a tractor trailer. This provision shall not include commercial motor vehicles or tractor trailers which attend at residential premises for the purposes of delivery and service. (Amended by By-law 20-1998)

#### 3.9.4. Existing Buildings
The parking area requirement referred to in this By-law shall not apply to any building lawfully in existence at the date of passing of this By-law so long as:

3.9.4.1. the building is used for a permitted use;

3.9.4.2. the floor area as it existed at such date is not increased;

3.9.4.3. any change of occupancy is to a use having the same or a lesser parking requirement according to this By-law;

3.9.4.4. all parking spaces existing at the date of passing of the By-law are retained.

#### 3.9.5. Additions to an Existing Building
If an addition is made to a building or structure lawfully existing at the date of passing of this By-law, then parking spaces in addition to those already existing shall be provided to the number required for such addition or change of use.

#### 3.9.6. Parking Area Location on Lot
Notwithstanding the yard and setback provisions of this By-law to the contrary, uncovered surface parking areas shall be permitted in the required yards or in the area between the street line and the required setback as follows:

<table>
<thead>
<tr>
<th>Zone</th>
<th>Yards in which Required Parking Area Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural</td>
<td>All yards provided that no part of any parking area, other than a driveway, is located closer than one (1) metre to any street line;</td>
</tr>
<tr>
<td>Residential</td>
<td>Interior side and rear yard provided that a parking area for a Residential use containing three or more dwelling units is located in the rear yard only;</td>
</tr>
</tbody>
</table>
3.9.7. Parking Area Design Standards
All parking areas required under this By-law in Commercial, Industrial and Institutional Zones, shall conform with the following minimum standards:

| Parking Space Width: 2.7 metres |
| Parking Space Depth: 5.5 metres |
| Parking Aisle Width: 5.5 metres |

For angle parking, the parking aisle width shall be not less than 4 metres.

3.10. Loading Space Regulations

3.10.1. Loading Space Requirements
The owner or occupant of any lot, building or structure in a Commercial, Institutional, or Industrial Zone, erected or used for any purpose involving the receiving, shipping, loading or unloading of persons, animals, goods, wares, merchandise and raw materials, shall provide and maintain at the premises, on the lot occupied by the building or structure and not forming part of a street or lane, within the zone in which such use is located, loading or unloading facilities comprising one or more loading or unloading spaces 9.0 metres long, 3.5 metres wide and having a vertical clearance of at least 4.0 metres, and in accordance with the following schedule:

<table>
<thead>
<tr>
<th>Total Floor Area of Building or Structure</th>
<th>Minimum Number of Loading Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 200 sq. m.</td>
<td>0</td>
</tr>
<tr>
<td>Exceeding 200 sq. m.</td>
<td>1</td>
</tr>
</tbody>
</table>

3.10.2. Access
Access to loading or unloading spaces shall be by means of a driveway at least 4.0 metres wide contained within the lot on which the spaces are located and leading to a street or lane located within or adjoining the Commercial, Community Facility or Industrial Zone.

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

3.10.4. Additions to Buildings
The loading space requirements referred to herein shall not apply to any building in existence at the date of passing of this By-law so long as the floor area as it existed as such date is not increased. If an addition is made to the building or structure which increases the floor area, then additional loading space shall be provided for each addition or change of use as required by subsection 3.10.1. of this By-law for such addition or change of use.

3.11. Building Per Lot
Unless otherwise specified within the By-law, only one main building per lot is allowed.

3.12. Addition to Building or Structure
When a building or structure has insufficient parking or loading area at the date of passing of this By-law to comply with the requirements herein, this By-law shall not be construed to require that the deficiency be made up prior to the construction of any addition. No addition may be built, however, and no change of use may occur the effect of which would be to increase that deficiency.

3.13. Corner Lots
On a corner lot, side yard requirements may be substituted for rear yard requirements.

3.14. Daylight Triangle
Notwithstanding any other provisions of this By-law no building, shrub, foliage, or fence above the grade of the road with a height exceeding three-quarters (.75) metres shall be erected or planted within the triangular space:

3.14.1. formed by lot lines, or the straight line projections of lot lines where such lot lines are connected by a curved line closer than seven and one-half (7.5) metres from their point of intersection;

3.14.2. included between a street line and a railway right-of-way for a distance of thirty (30) metres from their point of intersection.

-This provision does not apply to the planting of field crops.

3.15. Mobile Home Prohibited in Certain Zones
It shall be prohibited to locate and use a mobile home in any zone for the purposes of residential, business, industrial or institutional uses, temporarily or permanently, unless the use of a mobile home for such purpose is listed specifically in this By-law as a permitted use with a particular use zone.

3.16. Pits and Quarries
As from the date of passing of the By-law no land within the Township shall be used for pits or quarries, unless the land is within an Extractive Resources (ER1) or (ER2) Zone, with the exception of wayside pits or quarries, as defined in the Pits & Quarries Control Act.

3.17. Obnoxious Uses Prohibited
No use shall be permitted within the Township which from its nature or the material used therein is, under the Public Health Act or Regulations thereunder, declared to be a noxious trade, business or manufacture.
3.18. **Dangerous Uses**
No land, building or structure except automobile service stations, and duly licensed installations for the bulk storage of gasoline, lubricating oil, fuel oils and propane may be used for commercial or industrial purposes which are likely to create danger to health, or danger from fire or explosion which without limiting the generality of the foregoing shall include storage or manufacture of coal oil, water oil, rock oil, fuel oil, burning fluid, gas, naptha, benzene, gasoline, dynamite, dualine, nitro-glycerine, gunpowder, petroleum and petroleum products.

3.19. **Truck or Coach Bodies**
No truck bus, coach, or streetcar body, railway car or caboose shall be used for permanent human habitation within the Township, whether or not the same is mounted on wheels.

3.20. **Temporary Accommodation for Workmen**
Where a shack, shanty, bunk-house or other temporary structure is used for the accommodation of workmen engaged in work of a temporary or seasonal nature, such building or structure:

3.20.1. shall be so used only for the duration of the work and removed when work is complete;

3.20.2. shall be locked or boarded up and not be used as accommodation when the work in connection with which they were constructed is terminated.

3.21. **Occupancy Incomplete Building**
No new building or structure intended for human occupancy or use shall be occupied before the main side walls and roof have been erected and the external siding and roofing have been completed and, where applicable, kitchen, heating and sanitary conveniences have been installed and are in satisfactory working order.

3.22. **Derelict Automobiles**
No lot shall be used for the keeping of more than 2 derelict motor vehicles that are in a wrecked, discarded, dismantled, unlicensed, inoperative or abandoned condition except as may be provided for in an appropriately zoned salvage yard.

3.23. **Permitted Public Uses**
3.23.1. The provisions of this By-law shall not apply to prevent the use of any land as a street or to prevent the installation of a watermain, sanitary sewer main, storm sewer main, gas distribution main, telephone line, or other communication lines and accessory structures and facilities, provided that:
3.23.1.1. no goods, material, or equipment shall be stored in the open in a Residential Zone;
3.23.1.2. any building or structure erected in a Residential Zone under the authority of this paragraph shall be designed and maintained in general harmony with buildings of the type permitted in the Zone.
3.23.1.3. any microwave communication tower must only be established in a General Agriculture (AG1) zone, must be no closer than 500 metres from the nearest residence, and no closer than 300 metres from a structure housing animals. In addition, all microwave communication towers must have a minimum setback from all lot lines equal to the height of the tower plus 10%.
3.23.2. Electric power facilities which are subject to the provisions of The Environmental Assessment Act are permitted uses in all zones, and are not affected by the provisions of this By-law. Electric power facilities which are not approved under the Environmental Assessment Act are permitted uses in all zones and are subject to the provisions of Subsection 3.23.1.

3.24. **Planting Strip Requirements**
3.24.1. Planting Strip shall be provided:
3.24.1.1. on lands zoned or used for multiple dwellings where they abut (including along an exterior or rear lot line) lands zoned or used for one or two family dwellings;
3.24.1.2. On lands zoned or used for any general commercial, highway commercial, agricultural-commercial-industrial, recreational commercial or industrial purpose where the interior or rear lot line abuts lands zoned or used for residential purposes or any public park;
3.24.1.3. On lands upon which a residential use or institutional use is being newly established where such lands abut (including along an exterior or rear lot line) an existing non-residential use, which is not maintaining a plant strip in accordance with Section 3.24.1.2. above;
3.24.1.4. Around the perimeter of outside open storage areas that may be established in the Industrial Zone, where such areas are adjacent to a building line;
3.24.1.5. Around the perimeter of an area zoned for salvage yard purposes;
3.24.1.6. On lands zoned for Institutional uses where they abut (including along an exterior or rear lot line) lands zoned for residential purposes.
3.24.1.7. Where a planting strip is required adjacent to a municipal drain it shall be located in accordance with the Drainage Regulations.

3.24.2. Such planting strip shall have a width throughout of not less than one (1) metre and shall be in advance to any other required yard.
3.24.3. Such planting strip shall be contained within the zone or on the lands for which it is a requirement, and shall run the entire length of the zone or property line or lines separating it from the abutting zone or use except that no planting strip shall be located between the street line and the building line in such a manner or of such a height as to obscure the vision of the operator of a motor vehicle travelling on a public street.
3.24.4. Such planting strip shall consist of a continuous unpierced planting of trees or shrubs, and shall be maintained at an ultimate height of not less than 1.75 metres.
3.24.5. Such planting strip shall be planted and maintained by the owner or owners of the land on which the planting strips are required.

3.24.6. Subject to the site plan approval, a solid fence or wall, of equivalent height, may be considered as an alternative to a planting strip. In any site plan agreement under Section 40 of The Planning Act using a fence or wall as an alternative to a buffer strip, the following aspects relating to the fence or wall shall be considered: location, height, porosity, materials and finishing.

3.25. Swimming Pools
Notwithstanding anything contained in this By-law, a swimming pool is permitted as an accessory use in any zone, provided that the side and rear yard provisions of that zone are maintained:

3.25.1. in the side yard of any lot if:
3.25.1.1. no part of such pool is located closer to any lot line than the minimum distance required for the principal building located on such lot.

3.25.2. in the rear yard of any lot if no part of such pool is located closer to any lot line than the minimum distance required for an accessory building located on such lot;

3.25.3. every privately owned outdoor swimming pool shall be enclosed by a fence of at least 1.5 metres in height as set out in the Township of Morris Swimming Pool Fence By-law.

3.25.4. no swimming pool or part thereof shall be located above a septic tank or septic tank tile bed without a letter of approval from the local Health Authority.

3.26. Established Front Yard
Where this By-law requires a front yard of greater than 6 metres, and where on the day of passing of this By-law, more than one-half of the frontage on any side of any one block is built upon, there shall be established a minimum required front yard as being the average of the front yards of all existing buildings in that block; provided, however, that in no case shall the established front yard be less than six (6) metres.

3.27. Group Homes
Group homes are considered to be residential uses and they are permitted in the following zones: General Agriculture (AG1), Restricted Agriculture (AG2), Agricultural Small Holding (AG4), Village Residential (Low Density) (VR1) and Village Residential (Medium Density) (VR2). A group home is subject to the provisions of Section 2.50.5. and the following shall apply:
3.27.1. Separation Distance Between Group Homes - Minimum, 300 metres;
3.27.2. Parking - Minimum - 1 parking space per 3 beds;
3.27.3. Outside Amenity Area - Minimum - 18.5 sq. m per resident.

3.28. Setback of Buildings and Structures along Municipal Drains and Natural Watercourses
3.28.1. No building or structure shall be erected closer than 7.5 metres from the centreline of a closed municipal drain or from the top-of-bank of a natural watercourse or open municipal drain having a top width of less than 4.5 metres from top-of-bank to top-of-bank;

3.28.2. No building or structure shall be erected closer than 15 metres from the top-of-bank of a natural watercourse or open municipal drain having a width of between 4.5 metres and 7.5 metres from top-of-bank to top-of-bank;

3.28.3. No building or structure shall be erected closer than 30 metres from the top-of-bank of a natural watercourse or open municipal drain which is more than 7.5 metres in width from top-of-bank to top-of-bank;

3.28.4. Notwithstanding the provisions of Section 3.28.1. to the contrary, in an urban zone the setback from a closed municipal drain may be reduced to 4 metres;

3.28.5. The provisions of Section 3.28. shall not apply to prohibit, in a Natural Environment Zone (NE1), the structures permitted in such zone.

3.29. Status Zoning
Where in this by-law a zone provides for the status zoning of existing lots, the yards and building dimensions established by the structure or site plan agreement shall be deemed to be the required yards and building dimensions for the lot in that status zone.

3.30. Setback of Liquid Livestock Manure Storage Facilities from Wells and Watercourses
3.30.1. Notwithstanding Section 3.28., covered steel, covered concrete, earthen, open concrete and open steel manure storage facilities shall be located in accordance with the following setbacks:

<table>
<thead>
<tr>
<th>setback from:</th>
<th>covered steel or covered concrete</th>
<th>earthen</th>
<th>open steel or open concrete</th>
</tr>
</thead>
<tbody>
<tr>
<td>drilled well</td>
<td>15 m</td>
<td>50 m</td>
<td>20 m</td>
</tr>
<tr>
<td>dug well</td>
<td>30</td>
<td>100 m</td>
<td>40 m</td>
</tr>
<tr>
<td>communal well</td>
<td>100 m</td>
<td>250 m</td>
<td>100 m</td>
</tr>
<tr>
<td>watercourse</td>
<td>60 m</td>
<td>250 m</td>
<td>60 m</td>
</tr>
<tr>
<td>closed municipal drain</td>
<td>15 m</td>
<td>50 m</td>
<td>20 m</td>
</tr>
</tbody>
</table>
3.30.2. Where the distance is less than 150 metres from any watercourse, there must be a combination of winding grassed spillway and distance totaling 150 metres including at least the minimum required distance from a watercourse.

3.30.3. Where the slope exceeds five percent (5%) the manure storage facility must be located a minimum of 150 metres from the nearest watercourse. Beyond 150 metres distance from the watercourse, no spillway or minimum slope is required.

3.31. **Setback of Structures for the Housing of Livestock from Drains and Watercourses**

3.31.1. Notwithstanding Section 3.28., any structure housing animals must maintain a minimum separation distance of 60 metres from any open Municipal Drain or natural watercourse.

3.32. **Keeping of Livestock, Reptiles or Exotic Animals Prohibited in Urban Areas**

The keeping of reptiles, exotic animals that are by nature dangerous to human health, livestock or stinging insects is prohibited in the following zones:

- All Village Residential zones (VR1, VR2, and VR3)
- Village Industrial (VM1)
- All Village Commercial zones (VC1 and VC2), and
- Institutional (I1) (Amended by By-law 20-1998)

3.33. **Lot Enlargement, Minor**

Where lands are severed and merged on title with abutting lands, the zoning on the abutting lands property shall apply to the lands to be merged on title. This provision applies only where a consent is granted for the purpose of a minor lot enlargement. (Amended by By-law 44-2008)

3.34. **Lot Size, Agricultural Severance**

Where a new agricultural lot is created by consent and conforms with the Official Plan and has a minimum lot area between 18 and 38 hectares, the said lot is deemed to comply with the minimum lot area provisions of the By-law (Section 4). This provision applies to both the severed and retained lot area. (Amended by By-law 44-2008)
SECTION 4
GENERAL AGRICULTURE (AG1)

4.1. Permitted Uses:
4.1.1. agricultural use;
4.1.2. conservation;
4.1.3. forestry use;
4.1.4. a farm produce sales outlet;
4.1.5. a wayside pit or quarry;
4.1.6. exploration, drilling for and production of oil and natural gas;
4.1.7. uses accessory to the permitted uses.

4.2. Accessory Uses:
4.2.1. home industry accessory to an agricultural use;
4.2.2. home occupation accessory to an agricultural use;
4.2.3. one mobile home accessory to an agricultural use (A mobile home may be used as a primary or supplementary residential unit provided that a supplementary mobile home shall be removed when it is no longer required in the farm operation.);
4.2.4. a single family dwelling accessory to an agricultural use;
4.2.5. converted dwelling unit.
4.2.6. enlarged dwelling (Amended by By-law 44-2008)

4.3. Permitted Structures:
4.3.1. one single family dwelling, converted dwelling units and/or a mobile home accessory to an agricultural use;
4.3.2. more than one main building per lot is allowed;
4.3.3. buildings and structures for the permitted uses;
4.3.4. other buildings and structures, not including residences, accessory to the permitted uses.
4.3.5. enlarged dwelling (Amended by By-law 44-2008)

4.4 Zone Regulations
4.4.1. Lot Area (minimum) - 38 hectares
Areas of the lot zoned "Natural Environment" may be included in the calculation of the lot area.
4.4.2. Lot Frontage (minimum) - 150 metres.
4.4.3. Yard Requirements (minimum):
4.4.3.1. for buildings and structures used for livestock, poultry and fur bearing animal housing and waste storage:
4.4.3.1.1. front yard depth- 60 metres;
4.4.3.1.2. rear yard depth- 20 metres;
4.4.3.1.3. side yard depth- 20 metres;
4.4.3.1.4. exterior side yard depth- 60 metres.
4.4.3.2. other permitted buildings and structures, and accessory structures:
4.4.3.2.1. front yard depth- 20 metres;
4.4.3.2.2. rear yard depth- 7.5 metres;
4.4.3.2.3. side yard depth- 7.5 metres;
4.4.3.2.4. exterior side yard depth- 20 metres;
4.4.4. Building Regulations - Residential
Building Height (max.) 9 m;
Total Floor Area (min)
1 storey 84 sq. m.
1 1/2 storey & split level 112 sq. m.
2 or 2 1/2 storey 140 sq. m.

4.4.5. The maximum number of nutrient units must not exceed four (4) nutrient units per tillable acre or 9.8 nutrient units per tillable hectare.

4.5. Separation Distance (Agricultural)
Notwithstanding any yard and setback requirement of this by-law to the contrary, no livestock housing facility shall be established or enlarged unless it complies with the Minimum Distance Separation (MDS) Formulae.

For Closed or Inactive Cemeteries:
Notwithstanding any other provision of this by-law to the contrary, for the purposes of calculating MDS II for a first or expanding livestock facility, cemeteries located within an I1 Zone shall be treated as a Type A land use. (Amended by By-law 22-2007)

4.5.1. Minimum Distance Separation (MDS) for Expansion
Where a livestock facility is to be expanded and such livestock facility:
- was established or expanded after the coming into force of this provision (July 2, 2002), and
- will equal or exceed a total of 100 nutrient units after expansion, the minimum distance separation shall be calculated using the percent expansion based on the total of any nutrient units established or added during the previous 3 year period plus the proposed expansion. In all cases, (including expansions beyond a 3 year period) the minimum distance separation shall be the distance calculated for the original facility or calculated for the proposed expansion, whichever is greater. (Amended by by-law 29-2002)

4.6. Separation Distance (Residential)
Notwithstanding any other provision of this by-law to the contrary, no residential, institutional, commercial, industrial or recreational building or structure, located on a separate lot shall be established unless it complies with the Minimum Distance Separation (MDS) Formulae. (Amended by By-law 22-2007)

4.7. Existing Agricultural Uses:
Notwithstanding the provisions for Section 4.4., where an existing lot has a lesser lot area and/or frontage than required under this by-law and is developed for an agricultural use, and contains existing farm buildings and accessory structures, additional farm buildings and structures may be erected, or existing farm structures may be altered providing all other requirements of this by-law are complied with.

4.8. Existing Farm Holdings
Where an existing lot developed for agricultural uses, exists on the date of passage of this By-law, but does not meet the zone provisions with respect to minimum lot area and minimum lot frontage, the farm holding will be deemed to comply with the By-law with respect to the minimum lot area and minimum lot frontage provisions.
4.9. Nutrient Management Plan and Manure Storage Requirements

No livestock operation or manure storage facility shall be established or enlarged until a Nutrient Management Plan is completed and all manure storage requirements are complied with as required by the municipality’s manure management by-law or by provincial legislation/regulation (Amended by By-law 29-2002)

4.10. Status Zones

4.10.1. AG1-1
Notwithstanding the provisions of Section 4.1. to the contrary, the area zoned AG1-1 may also be used for an existing care facility for senior citizens. All other applicable provisions shall apply.

4.10.2. AG1-2
Notwithstanding the provisions of Section 4.1. to the contrary, the area zoned AG1-2 may also be used for a non-commercial church sponsored camping area subject to the provisions of Section 20 of this By-law.

4.10.3 AG1-3
Notwithstanding the provisions of Section 4.1 and 4.2 to the contrary, the area zoned AG1-3 includes a single family residence as a permitted use. All other applicable provisions shall apply.

4.11. Special Zones

4.11.1. AG1-4
Notwithstanding the provisions of Section 4.4.3.2. to the contrary, the minimum front and side yard setback for structures existing at the date of adoption of this by-law shall be 2 metres.

4.11.2. AG1-5
Notwithstanding the provisions of Sections 4.1., 4.2. and 4.3.1. to the contrary, in the area zoned AG1-5 a single family dwelling is a permitted structure and use.

Notwithstanding the provisions of Section 4.4.1. to the contrary, the area zoned AG1-5 the minimum lot area shall be 20 hectares. Areas of the lot zoned “Natural Environment” may be included in the calculation of lot area.

4.11.3. AG1-6
Notwithstanding the provisions of By-law 22-1989 of the Township of Morris to the contrary, the provisions of Section 3.4. of By-law 22-1989 shall apply to the area zoned AG1-6 as at the date this amendment is adopted (February 14, 1995).

4.11.4. AG1-7
Notwithstanding the provisions of By-law 22-1989 of the Township of Morris to the contrary, the provisions of Section 3.4. of By-law 22-1989 shall apply to the area zoned AG1-7 as at the date this amendment is adopted (June 22, 1995).

4.11.5. AG1-8
Notwithstanding the provisions of By-law 22-1989 of the Township of Morris to the contrary, in the area zoned AG1-8, the minimum lot area shall be 15.5 hectares.

4.11.6. AG1-9
Notwithstanding the provisions of By-law 22-1989 of the Township of Morris to the contrary, in the area zoned AG1-9, the minimum lot area shall be 29.5 hectares.

4.11.7. AG1-10
Notwithstanding the provisions of Section 4.5. of By-law 22-1989 of the Township of Morris to the contrary, in the area zoned AG1-10, one 30 nutrient unit addition to the livestock barn as existed on September 17, 1996 is permitted at a reduced minimum separation distance of 152.4 metres from the nearest residence.

4.11.8 AG1-11
Notwithstanding the provisions of Sections 4.1., 4.2., and 4.3. to the contrary, a single family residence and accessory buildings shall be permitted on the lands zoned AG1-11.

Notwithstanding the provisions of Section 4.4.1., to the contrary, the minimum lot area for the lands zoned AG1-11 shall be 8 hectares (20 acres). (Amended by By-Law 15-2000).

4.11.9. AG1-12
Notwithstanding the provisions of Section 2.74 the maximum number of persons employed on a full-time basis, other than the owner, shall not exceed 6 for any accessory welding and machine shop and office only. (As amended by By-law 36-2000)

4.11.10. AG1-13
Notwithstanding the provisions of Section 4.2 to the contrary, the area zoned AG1-13 is permitted a single family residence that is not accessory to agriculture.

The minimum lot area of the property having a zone AG1-13 shall be 40.5 hectares. Area of the lot zoned AG1 and NE1 may be included in the calculation of lot area. All other provisions of By-law 22-1989 shall continue to apply. (As amended by By-law 41-2005)

4.11.11. AG1-14 (General Agriculture – Special Provisions)
Notwithstanding the provisions of Sections 4.1 and 4.2 to the contrary, on the lands zoned AG1-14, livestock assembly, sales and transport, and accessory uses are permitted, in addition to the uses permitted in the AG1 zone. (Amended by By-law 46-2007)

4.11.12. AG1-15
Notwithstanding the provisions of Section 4.2 to the contrary, a residence is prohibited on the lands zoned AG1-15. The lot area of the lands zoned AG1-15 is deemed to comply. All other provisions of By-law 22-1989 shall continue to apply. (Amended by By-law 93-2007)
4.11.13. AG1-16
Notwithstanding the provisions of Sections 4.1, 4.2 and 4.3 to the contrary, a residence is prohibited on the lands zoned AG1-16. All other provisions of By-law 22-1989 shall continue to apply. (Amended by By-law 26-2009)

SECTION 5

REstricted AGRICULTURE (AG2)

5.1. Permitted Uses:
Uses permitted in AG1 Zone.

5.2. Accessory Uses:
Accessory uses permitted in AG1 zone.

5.3. Permitted Structures:
Structures permitted in AG1 zone.

5.4. Zone Regulations:
Regulations as stated in AG1 zone.

5.5. Separation Distance (Agricultural)
Notwithstanding any yard and setback requirement of this by-law to the contrary, no livestock housing facility shall be established or enlarged unless it complies with the Minimum Distance Separation (MDS) Formulæ.

For Closed or Inactive Cemeteries:
Notwithstanding any other provision of this by-law to the contrary, for the purposes of calculating MDS II for a first or expanding livestock facility, cemeteries located within an I1 Zone shall be treated as a Type A land use. (Amended by By-law 22-2007)

5.5.1. Minimum Distance Separation (MDS) for Expansion
Where a livestock facility is to be expanded and such livestock facility:
- was established or expanded after the coming into force of this provision (i.e. insert date), and
- will equal or exceed a total of 100 nutrient units after expansion, the minimum distance separation shall be calculated using the percent expansion based on the total of any nutrient units established or added during the previous 3 year period plus the proposed expansion. In all cases, (including expansions beyond a 3 year period) the minimum distance separation shall be the distance calculated for the original facility or calculated for the proposed expansion, whichever is greater. (Amended by by-law 29-2002)

5.6. Separation Distance (Residential)
Notwithstanding any other provision of this by-law to the contrary, no residential, institutional, commercial, industrial or recreational building or structure, located on a separate lot shall be established unless it complies with the Minimum Distance Separation (MDS) Formulæ. (Amended by By-law 22-2007)

5.7. Existing Agricultural Uses:
Uses permitted in AG1 zone.

5.8. Existing Farm Holdings:
Regulations as stated in AG1 zone.
5.9. Nutrient Management Plan and Manure Storage Requirements:
Regulations as stated in AG1 zone. (Amended by Amendment 29-2002)

5.10. AG2-1
Notwithstanding the provisions of Section 5.1. to the contrary, one single-family residence is permitted in the area zoned AG2-1. The minimum lot area for the AG2-1 zone is 70 acres. Areas of the Lot zoned “Natural Environment” shall be included in the calculation of the area. (As amended by By-law 22-2008)

5.11. AG2-2
Notwithstanding the provisions of Sections 5.1. and 5.2. to the contrary, the area zoned AG2-2 may also be used for a parking lot as an accessory use to the baseball diamond to the north. A residence is not permitted in the area zoned AG2-2.

(Temporary Use By-law 20-1997, By-law expires May 12, 2000):
Notwithstanding the provisions of Section 5 of By-law 22-1989 to the contrary, the lands to which this temporary use by-law applies may be used for the purpose of a tractor pull meet once per calendar year. The tractor pull meet shall not last longer than three consecutive days. In addition, basketball courts and playground equipment may be erected and used on these lands year round.

5.12. AG2-3

5.12.1. Notwithstanding the provisions of Section 5.2. to the contrary, in the area zoned AG2-3 neither a single family dwelling nor a mobile home are permitted accessory uses.
5.12.2. Notwithstanding the provisions of Section 5.4. to the contrary, in the area zoned AG2-3 the minimum lot area shall be 19 hectares.
5.12.3.2. Deleted by By-law 11-2003.
5.12.4. Deleted by By-law 11-2003

5.13. AG2-4
Notwithstanding the provisions of Section 2.74. (Home Industry) to the contrary, the processing of meat and food products, and accessory retail sales shall be permitted on the lands zoned AG2-4, in addition to those uses permitted in the AG2 zone. The maximum floor area for the home industry use shall be 297 square metres (3,200 square feet). All other provisions of By-law 22-1989 apply. (Amended by By-law 10-2000)

5.14. AG2-5
Notwithstanding the provisions of Section 5.1. (Permitted Uses) to the contrary, the existing barn in the area zoned AG2-5 shall not be used for the housing of livestock. (Amended by By-law 51-2001)

5.15. AG2-6
Notwithstanding the provisions of Section 5 to the contrary, on land zoned AG2-6, the minimum lot area and lot frontage are deemed to comply with Zoning By-law 22-1989. On the lands zoned AG2-6, a single detached dwelling and accessory buildings are permitted in addition to those used currently permitted in the AG2 zone. All other provisions of By-law 22-1989 shall continue to apply. (Amended by By-law 81-2006)

5.16. AG2-7
Notwithstanding the provisions of Sections 5.1, 5.2 and 5.3 to the contrary, a residence is prohibited on the lands zoned AG2-7. All other provisions of By-law 22-1989 shall continue to apply. (Amended by By-law 45-2009)
SECTION 6
AGRICULTURAL COMMERCIAL-INDUSTRIAL (AG3)

6.1. Permitted Uses:
6.1.1. an agricultural industrial establishment;
6.1.2. an agricultural processing establishment;
6.1.3. an agricultural service establishment;
6.1.4. an agricultural supply establishment;
6.1.5. a bulk sales establishment;

6.2. Permitted Structures:
6.2.1. an accessory dwelling unit or a mobile home detached from or part of the non-residential structure;
6.2.2. buildings and structures for the permitted uses;
6.2.3. buildings and structures accessory to the permitted uses;

6.3. Zone Regulations:
6.3.1. Lot Area (minimum) - 1400 sq. m Agricultural Commercial-Industrial uses requiring a septic tank disposal system shall have a lot of sufficient size to accommodate a sewage disposal system as approved by the Medical Officer of Health;
6.3.2. Frontage (minimum) - 30 metres;
6.3.3. Front Yard Depth (minimum) - 20 m;
6.3.4. Side Yard Depth (min.) - 7.5 m or 1/2 of the building height, whichever is greater;
6.3.5. Notwithstanding the provisions of Section 6.3.4. all “Agricultural Processing” uses will require a minimum side yard of 15 metres and such buildings shall maintain a minimum separation distance of 100 metres from the nearest residence, other than a residence located on the same lot as the agricultural processing use;
6.3.6. Exterior Side Yard Depth (min.) - 20 m;
6.3.7. Rear Yard Depth (min.) - 7.5 metres;
6.3.8. Lot Coverage (maximum) - 30%;
6.3.9. All lighting and illuminated signs shall be arranged so as to deflect light away from adjacent properties.

6.4. Regulations for Accessory Residential Uses
6.4.1. Lot Area (to be added to the minimum lot area for the Agricultural Commercial-Industrial Use) - minimum:
6.4.1.1. detached residence - 700 sq. m;
6.4.1.2. attached dwelling unit 350 sq. m;
6.4.2. Minimum floor area per dwelling unit shall be in accordance with the following:
6.4.2.1. Fully detached residence - 84.0 square metres;
6.4.2.2. A residence as part of the non-residential building or structure - 70.0 square metres;
6.4.2.3. mobile home - 50 square metres.

6.5. Separation Distance (Residential)
Notwithstanding any other provision of this by-law to the contrary, no residential, institutional, commercial, industrial or recreational building or structure, located on a separate lot shall be established unless it complies with the Minimum Distance Separation (MDS) Formulae. (Amended by By-law 22-2007)

6.6. Buffer Strip
Notwithstanding the provisions of Section 6.3., a buffer strip of landscaped open space, five (5) metres wide shall be provided between storage and/or display areas and side and/or rear lot lines. Where an AG3 zone abuts an AG1 or AG2 zone, the required buffer strip need not be landscaped.

6.7. Loading Spaces
All loading facilities must be provided within the lot and no loading may take place on a public right-of-way.

6.8. Parking
All parking and storage of vehicles will be contained on the lot and no parking or storage of vehicles is permitted on a public right-of-way.

6.9. Special Zones
6.9.1. AG3-1
Notwithstanding the provisions of Section 6.1. to the contrary, the area zoned AG3-1 includes as a permitted use a motel and accessory uses, subject to the provisions of Section 6

6.9.2. AG3-6 (See Key Map 30)
Notwithstanding the provisions of Section 6.2. to the contrary, buildings or structures are not permitted in the area zoned AG3-6.

6.10. Status Zone
6.10.1. AG3-2
6.10.1.1. Notwithstanding the provisions of Section 6.1. to the contrary, the area zoned AG3-2 may be used for the purpose of an existing restaurant.
6.10.1.2. Notwithstanding the provisions of Section 6.1. to the contrary, the area zoned AG3-2 the existing restaurant may include a retail sales area provided the retail sales area does not exceed 25% of the gross floor area.

6.10.2. AG3-3
Notwithstanding the provisions of section 6.1. to the contrary, the area zoned AG3-3 may be used for the purpose of an existing auto repair facility, including rust-proofing, accessory automotive sales, and the storage of antique automobiles. It is recognized that an auto repair facility will include the accessory parking and storage of unlicensed vehicles.

6.10.3. AG3-4
Notwithstanding the provisions of section 6.1. to the contrary, the area zoned AG3-4 may be used for the purpose of a warehouse/shop for an existing building construction firm.

6.10.4 AG3-5
Notwithstanding the provisions of Section 6.1. to the contrary, the property zoned AG3-5 may also include as a permitted use the sale and repair of vehicles and...
accessory uses including gasoline retail.

6.11. **Special Zones**

6.11.1. **AG3-6 (See Key Map 12)**
Notwithstanding the provisions of Sections 6.1 and 6.2, to the contrary, the permitted uses on the lands zoned AG3-6 shall be an agriculturally related trucking firm and accessory uses, buildings and structures, including buildings for office maintenance and washing for the truck terminal subject to the provisions of the AG3 zone. (Amended by By-law 59-2012)

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**SECTION 7**

**AGRICULTURAL SMALL HOLDING (AG4)**

7.1. **Permitted Uses:**
- 7.1.1. one single family detached dwelling including a mobile home, double wide or single wide on a permanent foundation;
- 7.1.2. a home occupation use;
- 7.1.3. a home industrial use;
- 7.1.4. agricultural use, limited;
- 7.1.5. uses accessory to the permitted uses.

7.2. **Permitted Structures:**
- 7.2.1. one single family detached dwelling unit or one converted dwelling unit, or a mobile home, double wide or a mobile home, single wide;
- 7.2.2. buildings and structures for the permitted uses;
- 7.2.3. buildings and structures accessory to the permitted uses.

7.3. **Zone Regulations**
- 7.3.1. Lot Area (minimum) - the lot area existing on the date of passage of this by-law;
- 7.3.2. Lot Area (maximum) - 4 hectares;
- 7.3.3. Lot Frontage (min.) - 23 metres;
- 7.3.4. Front Yard (min.) - 20 metres;
- 7.3.5. Side Yard (min.) - 5 metres;
- 7.3.6. Exterior Side Yard (min.)-20 metres;
- 7.3.7. Rear Yard (min.) - 7.5 metres;
- 7.3.8. Lot Coverage (max.)- 30 percent.

7.4. **Building Regulations**
- 7.4.1. Building Height (max.) 12 metres;
- 7.4.2. Dwelling unit floor area (min.) - 84 sq. m.

7.5. **Regulations for Home Industries**
- 7.5.1. Minimum lot size when the home industry is located in whole or in part in an accessory structure -1600 sq. m;
- 7.5.2. Area of accessory structure used for home industry (maximum) - 25% of the total floor area of the residential use or 55 sq. m, whichever is greater.
- 7.5.3. Where motor vehicle body repair is to establish as a home industry, such body repair shall be conducted in an enclosed building having a minimum separation distance of 100 metres from the nearest residence, other than a residence located on the same lot as the home industry.

7.6. **Separation Distance (Residential)**
Notwithstanding any other provision of this by-law to the contrary, no residential, institutional, commercial, industrial or recreational building or structure, located on a separate lot shall be established unless it complies with the Minimum Distance Separation (MDS) Formulae. (Amended by By-law 22-2007)
7.7. Special Provisions
Notwithstanding the provisions of Sections 7.1. and 7.2., to the contrary, an existing barn may be used or a new barn may be established subject to the following table:

<table>
<thead>
<tr>
<th>Min. Lot Area (Hectares)</th>
<th>Max. Number of Nutrient Units Permitted</th>
<th>Minimum Distance Separation Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.4</td>
<td>1</td>
<td>85 metres</td>
</tr>
<tr>
<td>0.8</td>
<td>2</td>
<td>85 metres</td>
</tr>
<tr>
<td>1.2</td>
<td>3</td>
<td>85 metres</td>
</tr>
<tr>
<td>1.6+</td>
<td>4</td>
<td>85 metres</td>
</tr>
</tbody>
</table>

(Amended by By-law 22-2007)

7.8. Deleted

7.9. Status Zones

7.9.1. AG4-1
Notwithstanding the provisions of Section 7.7.1. and 7.3.4. to the contrary, the minimum lot area for building a residence is 950 sq. metres and the minimum front yard setback is 10 metres. Development of the subject lot also requires compliance with the provisions of the Conservation Authority, Health Unit and Huron County Engineer. The property zoned AG4-1 may also include as a permitted use the storage, repair and sale of automobiles and the sale of carpet, subject to the home industry provisions.

7.10. Special Zones

7.10.1. AG4-2
Notwithstanding the provisions of Section 7.4. to the contrary, the structures located on the area zoned AG4-2 are deemed to conform with the minimum front, side and rear yard provisions of the AG4 zone.

7.10.2. AG4-3
7.10.2.1. Notwithstanding the provisions of Section 7.3. to the contrary, the setbacks of existing buildings are recognized as they exist at the date of passage of this by-law. The expansion or addition of new buildings shall comply with the provisions of by-law 22-1989.
7.10.2.2. Notwithstanding the provisions of section 7.6. to the contrary, for the area zoned AG4-3, the minimum separation distance shall be the distance calculated in Section 24 multiplied by 1.5 (one decimal five). All other applicable provisions shall apply.

7.10.3. AG4-4
Notwithstanding the provisions of Section 7.8. of By-law 22-1989 to the contrary, the maximum number of nutrient units permitted in the existing barns on the property zoned AG4-4 is 7.

7.10.4. AG4-5
Notwithstanding the provisions of Section 7.3. to the contrary, the area zoned AG4-5 shall have a minimum front yard of 12 metres.

7.10.5. AG4-6
Notwithstanding the provisions of By-law 22-1989 of the Township of Morris to the contrary, the provisions of Section 3.4. of By-law 22-1989 shall apply to the property subject to this amendment as at the date of adoption of the By-law. (May 7, 1991)

7.10.6. AG4-7
7.10.6.1. Notwithstanding the provisions of By-law 22-1989 of the Township of Morris to the contrary, the provisions of Sections 3.4. and 7.3.1. of By-law 22-1989 shall apply to the area zoned AG4-7 as at the date this amendment is adopted (October 5, 1993). For the purposes of this section “lot” shall refer to the area zoned AG4-7.
7.10.6.2. Notwithstanding the provisions of Section 7.8. to the contrary, in the area zoned AG4-7 the housing of livestock is prohibited.

7.10.7. AG4-8
7.10.7.1. Notwithstanding the provisions of By-law 22-1989 of the Township of Morris to the contrary, the provisions of Sections 3.4. and 7.3.1. of By-law 22-1989 shall apply to the area zoned AG4-8 as at the date this amendment is adopted (July 5, 1994). For the purposes of this section “lot” shall refer to the area zoned AG4-8.

7.10.8. AG4-9
Notwithstanding the provisions of By-law 22-1989 of the Township of Morris to the contrary, the provisions of Sections 3.4. and 7.3.1. of By-law 22-1989 shall apply to the area zoned AG4-9 as at the date this amendment is adopted (February 14, 1995). For the purposes of this section “lot” shall refer to the area zoned AG4-9.

7.10.9. AG4-10
7.10.9.1. Notwithstanding the provisions of By-law 22-1989 to the contrary, the provisions of Section 7.3.1. shall apply to the area zoned AG4-10 as at the date this amendment is adopted (November 21, 1995).
7.10.9.2. Notwithstanding the provisions of Section 7.6 to the contrary, the required separation distance shall be 256 metres between a newly establishing residence and an existing building or structure used for the housing of livestock, poultry or fur bearing animals, or the waste products from such a building or structure. For the purpose of the separation distance, feedlots and waste storage facilities shall be considered as structures.

7.10.10. AG4-11
7.10.10.1. In addition to the permitted uses listed in Section 7.1., in the area zoned AG4-11, a fish hatchery is also a permitted use.
7.10.10.2. Notwithstanding the provisions of Section 7.4. to the contrary, in the area zoned AG4-11 the required minimum separation distance between a residential dwelling and manure storage or a livestock barn shall be 185 metres.
7.10.11. AG4-12

7.10.11.1. Notwithstanding the provisions of By-law 22-1989 of the Township of Morris to the contrary, the provisions of Sections 3.4. and 7.3.1. of By-law 22-1989 shall apply to the area zoned AG4-12 as at the date this amendment is adopted (September 17, 1996). For the purposes of this section “lot” shall refer to the area zoned AG4-12.

7.10.11.2. Notwithstanding the provisions of Section 7.8. to the contrary, in the area zoned AG4-12 the housing of livestock equivalent to four nutrient units is permitted in an existing livestock barn.

7.10.11. AG4-13

Notwithstanding the provisions of Section 7.8. to the contrary, an existing livestock barn in the area zoned AG4-13 may contain a maximum of six livestock nutrient units.

7.10.14. AG4-14

Notwithstanding the provisions of By-law 22-1989 of the Township of Morris to the contrary, the provisions of Sections 3.4. and 7.3.1. of By-law 22-1989 shall apply to the area zoned AG4-14 as at the date this amendment is adopted (July 8, 1997). For the purposes of this section “lot” shall refer to the area zoned AG4-14.

7.10.15. AG4-15

Notwithstanding the provisions of Section 7.8. to the contrary, the existing barn on the lands zoned AG4-15 shall be restricted to a maximum of 3 nutrient units. The existing buildings on the subject property shall be deemed to comply with the setback provisions of the AG4 zone. (Amended by By-law 19-2000)

7.10.16. AG4-16

Notwithstanding the provisions of Section 7.3.3. to the contrary, the lands zoned AG4-16 are deemed to comply with Section 7.3.3. All other provisions shall apply. (Amended by By-law 24-2000)

7.10.17. AG4-17

Notwithstanding the provisions of Section 7.3. (Zone Regulations) and 7.8. (Special Provisions-Existing Livestock Barns), to the contrary, on lands zoned AG4-17, the existing buildings shall be deemed to comply with the setback provisions of the AG4 zone and the existing barn shall be limited to a maximum of 20 nutrient units. (Amended by By-law 46-2001)

7.10.18. AG4-18

Notwithstanding the provisions of Section 7.8. (Special Provisions-Existing Livestock Barns) to the contrary, livestock shall be prohibited on the lands zoned AG4-18. (As amended by By-law 51-2001).

7.10.19. AG4-20

Notwithstanding the provisions of Section 7.8. (Special Provisions-Existing Livestock Barns) to the contrary, on the lands zoned AG4-20; the subject property including the existing barn shall be limited to two (2) nutrient units per acre. (Amended by By-law 21-2002)

7.10.20. AG4-21

Notwithstanding the provisions of Section 7.8. (Special Provisions-Existing Livestock Barns) to the contrary, on the lands zoned AG4-21; the subject property including the existing barn shall be limited to two (2) nutrient units per hectare. (Amended by By-law 35-2002)

7.10.21. AG4-22

Notwithstanding the provisions of Section 7.8 (Special Provisions-Existing Livestock Barn) to the contrary, on the lands zoned AG4-22; the subject property including the existing barn shall be limited to one and a half (1.5) nutrient units per acre. All other provisions of By-law 22-1989 shall apply. (Amended by By-law 82-2003)

7.10.22. AG4-23

Notwithstanding the provisions of Section 7.3.2 to the contrary, the area zoned AG4-23 shall have a minimum lot area of 6.8 hectares. The area of the lot zoned NE1 may be included in the calculation of the lot area. 7.10.22.1. The minimum rear yard setback between the NE1 zone and any structure in the AG4-23 zone will be 30 metres. 7.10.22.2. The minimum side yard setback between the NE1 zone and any structure in the AG4-23 zone will be 10 metres. All other provisions of By-law 22-1989 shall continue to apply. (Amended by By-law 40-2005)

7.10.23. AG4-24

Notwithstanding the provisions of Section 7.6 (Separation Distance-Non Agricultural) to the contrary, in the area zoned AG4-24 the required minimum distance separation distance between a residential dwelling and manure storage or livestock barn on the south part of Lot 59, Concession 1 shall be 240 metres. All other provisions of By-law 22-1989 shall continue to apply. (Amended by By-law 56-2005)

7.10.24. AG4-25

Notwithstanding the provisions of Section 7.6 and 24.2 to the contrary, on the lands zoned AG4-25 the Minimum Distance Separation for a residence shall be calculated using a Type "A" land use. All other provisions of By-law 22-1989 shall continue to apply. (Amended by By-law 34-2006)

7.10.25. AG4-26

Notwithstanding the provisions of Section 7 to the
contrary, on land zoned AG4-26; the maximum lot area shall be 4.65 hectares (11.5 acres). In addition to those uses currently permitted in the AG4 zone, a shed is permitted to be constructed, subject to the setback provisions for a main building, prior to the construction of the main residence. All other provisions of by-law 22-1989 shall continue to apply. (Amended by By-law 80-2006)

7.10.26. AG4-27
Notwithstanding any provisions of By-law 22-1989 to the contrary, on the land zoned AG4-27, the existing buildings are deemed to comply. All other provisions of By-law 22-1989 shall continue to apply. (Amended by By-law 23-2007)

7.10.27. AG4-28
Notwithstanding the provisions of Section 7.7 to the contrary, a maximum of 7 nutrient units shall be permitted on the lands zoned AG4-28. The Minimum Distance Separation requirements shall continue to apply. All other provisions of By-law 22-1989 shall continue to apply. (Amended by By-law 70-2008)

7.10.28. AG4-29
Notwithstanding the provisions of Sections 7.3 and 7.4 to the contrary, the existing buildings on lands zoned AG4-29 are deemed to comply. All other provisions of By-law 22-1989 shall continue to apply. (Amended by By-law 07-2009)

7.10.29. AG4-30
Notwithstanding any provisions of this By-law to the contrary, the lands zoned AG4-30 and the existing buildings are deemed to comply. (Amended by By-law 26-2009)

7.10.30. AG4-31
Notwithstanding the provisions of Section 7.6 of this By-law, to the contrary, on the lands zoned AG4-31, the existing residence is deemed to comply with the Minimum Distance Separation requirements. All other provisions of By-law 22-1989 shall continue to apply. (Amended by By-law 45-2009)

7.10.31. AG4-32
Notwithstanding the provisions of Section 7.3 to the contrary, the lands zoned NE1 (Natural Environment) shall be included in the calculation for lot area, lot frontage and front yard setback for the lands zoned AG4-32. All other provisions of By-law 22-1989 shall continue to apply. (Amended by By-law 54-2009)

7.10.32. AG4-33
Notwithstanding the provisions of Sections 3.8 and 7.3 to the contrary, one accessory structure is permitted in the front yard (towards Cranbrook Road) at a minimum distance of 11.9 metres. All other applicable provisions shall apply. (Amended by By-law 40-2010)

7.10.33. AG4-34
Notwithstanding the provisions of Section 7.4.1 (Building Height Maximum), to the contrary, the height of the existing silo on the lands zoned AG4-34 is deemed to comply. All other provisions of By-law 22-1989 shall continue to apply. (Amended by By-law 82-2010)

7.10.34. AG4-35
Notwithstanding the provisions of By-law 22-1989 to the contrary, the existing buildings on the lands zoned AG4-35 are deemed to comply. All other provisions of By-law 22-1989 shall continue to apply. (Amended by By-law 92-2010)

7.10.35. AG4-36
Notwithstanding the provisions of Section 7.3 to the contrary, in the AG4-36 zone, a minimum lot frontage of 8.5 metres is permitted; notwithstanding the provisions of Section 7.6 to the contrary, the residence is deemed to comply with the Minimum Distance Separation requirements. All other provisions of By-law 22-1989 shall continue to apply. (Amended by By-law 03-2012)

7.10.36. AG4-37
Notwithstanding the provisions of Section 7.6 to the contrary, the existing residence is deemed to comply with the Minimum Distance Separation requirements. All other provisions of By-law 22-1989 shall continue to apply. (Amended by By-law 38-2012)

7.10.37. AG4-38
Notwithstanding the provisions of Section 7.7 to the contrary, a maximum of 6 nutrient units shall be permitted on the lands zoned AG4-38. The Minimum Distance Separation requirements shall continue to apply. All other provisions of By-law 22-1989 shall continue to apply. (Amended by By-law 29-2012)

7.10.38. AG4-39
Notwithstanding the provisions of Sections 7.2 and 3.8 the existing accessory frame shed is permitted in the front yard and is deemed to comply. All other provisions of By-law 22-1989 shall apply. (Amended by By-law 64-2012)
SECTION 8
RURAL GOLF COURSE (AG5)

8.1. Permitted Uses:
8.1.1.a golf course and/or driving range and associated recreational uses including swimming pool, tennis courts, and country club facility.
8.1.2.an accessory dwelling unit detached from or part of any non-residential building or structure.
8.1.3.agricultural use, limited;

8.2. Permitted Structures:
8.2.1. buildings and structures for the permitted uses;
8.2.2. buildings or structures accessory to permitted uses.

8.3. Zone Regulations
8.3.1. Lot Size (minimum) - 4.0 hectares.
8.3.2. Frontage (minimum) - 75.0 metres.
8.3.3. Setbacks for buildings or structures (minimum):
8.3.3.1. Front Yard - 30 metres;
8.3.3.2. Side Yard - 8.0 metres;
8.3.3.3. Rear Yard - 8.0 metres;
8.3.4. Lot Coverage (maximum) - 10%.
8.3.5. Parking - see Section 3.12.
8.3.6. All lighting and illuminating signs shall be arranged so as to deflect light away from adjacent properties.

8.4. Building Regulations
8.4.1. Building Height (maximum) - 12 metres.

8.5. Regulations for Accessory Residential Uses
8.5.1. Minimum floor area per dwelling unit shall be in accordance with the following:
8.5.1.1. fully detached residence - 84 sq. metres;
8.5.1.2. a residence as part of the non-residential building or structure - 70 square metres.
8.5.2. A separate access to the dwelling unit independent of the commercial establishment shall be provided for the exclusive use of the dwelling.

8.6. Separation Distance (Residential)
Notwithstanding any other provision of this by-law to the contrary, no residential, institutional, commercial, industrial or recreational building or structure, located on a separate lot shall be established unless it complies with the Minimum Distance Separation (MDS) Formulae. (Amended by By-law 22-2007)

8.7. Special Provisions
8.7.1 AG5-1
Notwithstanding the provisions of Section 8.3 (Zone Regulations), to the contrary, the existing lot frontage is deemed to comply. The lands zoned NE1 (Natural Environment) shall be included in this calculation. Notwithstanding any provisions of this By-law the existing buildings are deemed to comply. All other applicable provisions of By-law 22-1989 shall apply. (Amended by By-law 6-2011)

SECTION 9
NATURAL ENVIRONMENT ZONE (NE1)

9.1. Permitted Uses:
9.1.1. agricultural uses (including crop rotation), as they existed on the date of passage of the by-law;
9.1.2. conservation;
9.1.3. recreation, passive;
9.1.4. a private park;
9.1.5. a public park;
9.1.6. a wayside pit;
9.1.7. uses accessory to the permitted uses.

9.2. Permitted Structures:
9.2.1. a class 1 sewage disposal facility as approved by the Medical Officer of Health;
9.2.2. a maple syrup evaporating facility;
9.2.3. accessory buildings and structures for trails and footpaths, such as stiles, stairways, bridges, benches.
9.2.4. buildings and structures accessory to use as a public park;
9.2.5. buildings and structures necessary for flood and/or erosion control prevention;
9.2.6. buildings and structures accessory to the permitted uses.

9.3.1. The placing or removal of fill or the alteration of water courses will not be permitted without the consent of the Maitland Valley Conservation Authority.
9.3.2. Clearing of areas within the Natural Environment Zone (NE1) will be prohibited with the exception of cutting as permitted in accordance with County By-law No. 23-1986, or amendments thereto.
9.3.3. Drainage of Areas within the Natural Environment Zone will be prohibited with the exception of those drains constructed in accordance with the Drainage Act and Tile Drainage Act.

9.4. Special Zones - Non Sensitive Natural Environment
The following special zones are permitted through rezoning in accordance with policies included within the Township Secondary Plan.

9.4.1. NE1-1
Notwithstanding the provisions of Section 9.1. and 9.2. to the contrary the area zoned NE1-1 may include a single family dwelling accessory to an agricultural use, as defined in Section 4 (AG1) or Section 5 (AG2) subject to the following:
9.4.1.1. The establishment of the residence is subject to the zone regulations of Section 4 (AG1);
9.4.1.2. the residence is located on the same lot as the agricultural use.
9.4.2. NE1-2
Notwithstanding the provisions of Section 9.1. and 9.2. to the contrary the area zoned NE1-2 may include a single family dwelling accessory to an agricultural commercial use as defined in Section 6 (AG3) subject to the following:
9.4.2.1. The establishment of the residence is subject to the zone regulations of Section 6 (AG3);
9.4.2.2. The residence is located on the same lot as the agricultural commercial use.

9.4.3. NE1-3
Notwithstanding the provisions of Section 9.1. and 9.2. to the contrary the area zoned NE1-3 may be used for the expansion of existing buildings or structures accessory to an agricultural use or forestry, as defined in Section 4 or 5, subject to the following:
9.4.3.1. If the agricultural buildings are within 610 metres of an urban area as defined on Schedule B of the Township Secondary Plan, any expansion of agricultural buildings is subject to the provisions of Section 5 (AG2) or alternatively if the agricultural buildings are not located within this area any expansion of agricultural buildings is subject to the provisions of Section 4 (AG1).

9.4.4. NE1-4
Notwithstanding the provisions of Section 9.1. and 9.2. to the contrary, the area zoned NE1-4 may include institutional buildings or structures related to the protection, maintenance or public use of the natural environment (not including a campground or trailer park) subject to the provisions of Section 20 (II).

9.4.5 NE1-6
Notwithstanding the provisions of Section 9.1. and 9.2. to the contrary, the area zoned NE1-6 may be used for an expansion to the south of the existing residence with a maximum floor area of 139 sq. m. The special provisions also recognize an existing accessory structure with a total floor area of 12 sq. m and permits a secondary accessory structure to the west of the existing residence with a maximum floor area of 119 sq. m. Both accessory structures are limited to non-commercial uses and the provisions of Section 14.5.1 and 14.5.3 shall apply. The Huron County Health Unit requirements and the construction regulations of the Maitland Valley Conservation Authority also apply. (Amended by By-Law 52-1998)

9.4.6 NE1-7
9.4.6.1. In addition to the permitted uses listed in Section 9.1 the area zoned NE1-7 may include a single family dwelling and storage shed.
9.4.6.2. The NE1-7 zone is subject to the zone regulations of Section 4 General Agriculture (AG1) except as noted in Sections 9.4.6.3., 9.4.6.4 and 9.4.6.5.
9.4.6.3. The exterior side yard setback for the area zoned NE1-7 is 7.5 metres.
9.4.6.4. The minimum lot area for the subject property shall be 22.6 hectares. Area of lot zoned NE1 may be included in the calculation of the lot area.
9.4.6.5. The required minimum distance between a residential dwelling and manure storage or livestock barn shall be 205 metres.
9.4.6.6. The minimum distance between the NE1 zone and any structure in the NE1-7 zone shall be 50 metres. All other provisions of By-law 22-1989 shall continue to apply. (Amended by By-law 38-2004)

9.5. Status Zone
9.5.1. NE1-5
Notwithstanding the provisions of Section 9.1. and 9.2. to the contrary, the area zoned NE1-5 includes an existing golf course.
## Natural Environment Zone (NE4)

### 10.1. Permitted Uses:
- 10.1.1. one single family residential use;
- 10.1.2. a home industrial use;
- 10.1.3. a home occupation use;
- 10.1.4. conservation use;
- 10.1.5. a private park;
- 10.1.6. uses accessory to the permitted uses.

### 10.2. Permitted Structures:
- 10.2.1. one single family residential dwelling;
- 10.2.2. buildings or structures for the permitted uses;
- 10.2.3. buildings or structures accessory to the permitted uses.

### 10.3. Zone Provisions
- 10.3.1. Lot Area (Minimum)- the lot area existing on the date of passing of this by-law
- 10.3.2. Lot Frontage (minimum) - 23 metres
- 10.3.3. Front Yard (minimum) - 5 metres
- 10.3.4. Side Yard (minimum) - 20 metres
- 10.3.5. Exterior Side Yard (min.) - 20 metres
- 10.3.6. Rear Yard (minimum) - 7.6 metres
- 10.3.7. Lot Coverage (maximum) - 30%

### 10.4. Separation Distance (Residential)
Notwithstanding any other provision of this by-law to the contrary, no residential, institutional, commercial, industrial or recreational building or structure, located on a separate lot shall be established unless it complies with the Minimum Distance Separation (MDS) Formulae. (Amended by By-law 22-2007)

### 10.5. Special Provisions
- 10.5.1. Notwithstanding the provisions of Section 10.3. to the contrary, the establishment of a residence shall require a minimum lot area of 1400 sq. metres.
- 10.5.2. Notwithstanding Section 9.1. and 9.2., permitted structures shall only be established in accordance with the fill and construction regulations of the Maitland Valley Conservation Authority.
- 10.5.3. NE4-1
  Notwithstanding the provisions of Section 10.1 and 10.2 to the contrary, the provisions of Section 7.7. shall apply to the property zoned NE4-1.
- 10.5.4. NE4-2
  Notwithstanding the provisions of Sections 10.1. and 2.50.2. to the contrary, the area zoned NE4-2 may be used for a converted dwelling containing a maximum of two dwelling units.

## Natural Environment Zone (NE5)

### 11.1. Permitted Uses:
- 11.1.1. Natural Environment, sensitive use

### 11.2. Permitted Structures:
- 11.2.1. Structures accessory to the maintenance of the Natural Environment, sensitive areas.

### 11.3. Special Provisions
- 11.3.1. The placing or removal of fill or the alteration of water courses will not be permitted;
- 11.3.2. Clearing of areas within the Natural Environment (NE5) Zone will not be permitted;
- 11.3.3. Drainage of areas within the Natural Environment (NE5) Zone will not be permitted;
- 11.3.4. Notwithstanding Sections 11.3.1., 11.3.2., and 11.3.3. to the contrary, the placing and removal of fill, the clearing of areas, and the drainage of areas, within the NE5 Zone will only be permitted for the maintenance of the Natural Environment, sensitive areas.
SECTION 12
EXTRACTIVE RESOURCE ZONE (ER1)

12.1. Permitted Uses:
12.1.1. all classes of pits and quarries as defined and licensed by the Pits and Quarries Control Act;
12.1.2. the processing of extracted materials from the site including crushing, screening, washing, sorting and storing of materials, and a temporary hot mix plant, but not including a permanent hot mix plant or a ready mix plant;
12.1.3. agricultural uses as they existed on the date of passage of this by-law and the expansion of existing agricultural buildings subject to the zone provisions, regulations and separation distances of Section 4, or where the agricultural use is within 600 metres of an urban area, Section 5.
12.1.4. accessory uses.

12.2. Permitted Structures:
12.2.1. an office and service building or structure;
12.2.2. storage and maintenance buildings or structures;
12.2.3. other buildings and structures accessory to the permitted uses, but not including a permanent dwelling unit.
12.2.4. a dwelling unit existing on the date of passage of this by-law and the reestablishment of same in the event of accidental destruction.

12.3. Zone Regulations
12.3.1. Lot Area - No minimum required.
12.3.2. For permanent buildings and structures, the following minimum yards apply:
12.3.2.1. Front Yard - 17 metres;
12.3.2.2. Side Yard - 17 metres;
12.3.2.3. Rear Yard - 17 metres;
12.3.3. Lot Coverage (max.) - 10%

12.4. Special Provisions:
12.4.1. the site shall be mined, managed and rehabilitated in accordance with the Regulations of the Pits and Quarries Control Act as amended, and site plan approved by the Ministry of Natural Resources.
12.4.2. Setback of Pit or Quarry
No pit or quarry shall be extracted or expanded within thirty (30) metres of any road limit, top-of-bank of stream or within one hundred and fifty (150) metres of any dwelling, (excluding dwellings within the same ownership as the Pit or Quarry and excluding those situations where this provision may be violated as a result of previously approved site plans under the Pits & Quarries Act), or within fifteen (15) metres of any property line, or within fifteen (15) metres of any Natural Environment zone. Where two extractive operations abut, this property line restriction may be waived conditional upon a signed agreement being registered against the deeds of both properties.
12.4.3. Following rehabilitation an AG1, AG2, or NE1 use is permitted, subject to the provisions of these respective zones.

12.5. Status Zone
12.5.1. ER1-1
Notwithstanding the provisions of Section 12.1. to the contrary, the area zoned ER1-1 may include an existing residence, subject to the provisions of Section 7.

12.6. Special Zone
12.6.1. ER1-2
In the area zoned ER1-2, the provisions of Section 3.4. of By-law 22-1989 shall apply as at the date this amendment is adopted (February 1, 1994).

12.6.2. ER1-3
Notwithstanding the provisions of Section 12.1. to the contrary, the area zoned ER1-3 may include an existing residence subject to the provisions of Section 7.

In the area zoned ER1-3, the provisions of Section 3.4. of By-law 22-1989 shall apply as at the date this amendment is adopted (February 1, 1994).

12.6.3. ER1-4
Notwithstanding the provisions of Section 12.1. to the contrary, in the area zoned ER1-4 existing agricultural uses and expansions of such agricultural uses are permitted subject to the provisions of Section 4, or where the agricultural use is within 600 metres of an urban area, Section 5.

12.6.4. ER1-5
Notwithstanding the provisions of Section 12.1. to the contrary, on lands zoned ER1-5, the recycling of asphalt and concrete is a permitted use, in addition to those uses currently permitted in the ER1 zone. All other provisions of By-law 22-1989 shall continue to apply. (Amended by By-law 92-2007)
SECTION 13
EXTRACTIVE INDUSTRIAL (ER2)

13.1 Permitted Uses:
13.1.1. a hot mix asphalt plant;
13.1.2. a ready mix concrete plant;
13.1.3. uses permitted in an ER1 Zone.

13.2 Permitted Structures:
13.2.1. buildings and structures for the permitted uses;
13.2.2. buildings and structures accessory to the permitted uses, not including a permanent dwelling unit.

13.3 Zone Regulations:
13.3.1. Lot Area (min.) -2 hectares;
13.3.2. Yards (minimum)
   13.3.2.1. Front Yard -17 metres;
   13.3.2.2. Side Yard -17 metres;
   13.3.2.3. Rear Yard -17 metres;
13.3.3. Lot Coverage (max.) -20%.

13.4 Special Provisions
13.4.1. Location
   An extractive industrial zone is only permitted within an area licensed as a pit or quarry in accordance with the Regulations of the Pits and Quarries Control Act, as amended.

13.4.2. Setback for Industrial Building or Structure
   An extractive industrial (ER2) building or structure shall be located a minimum distance of three hundred (300) metres from any permanent dwelling unit.

SECTION 14
VILLAGE RESIDENTIAL – LOW DENSITY (VR1)

14.1 Permitted Uses:
14.1.1. single family residential use;
14.1.2. a converted dwelling;
14.1.3. a duplex dwelling;
14.1.4. a home occupation;
14.1.5. a group home;
14.1.6. uses accessory to the permitted uses.

14.2. Permitted Structures:
14.2.1. one single family dwelling on one lot;
14.2.2. buildings and structures for the permitted uses;
14.2.3. buildings and structures accessory to the permitted uses.

14.3. Zone Regulations:
14.3.1. Lot Area (minimum) - 1400 sq. metres
14.3.2. Lot Frontage (minimum) - 23 metres
14.3.3. Lot Depth (minimum) - 40 metres
14.3.4. Front Yard Depth (min.) - 7.5 metres
14.3.5. Side Yard Depth (min.) - 3 metres
14.3.6. Exterior Side Yard (min.) - 7.5 metres
14.3.7. Rear Yard Depth (min.) - 8 metres
14.3.8. Lot Coverage (maximum) -30 percent
14.3.9. Landscaped Open Space (min.) -30 %

14.4. Building Regulations
14.4.1. Building Height (max.) - 9 m;
14.4.2. Total Floor Area (minimum)
   One storey - 84 sq. m;
   1 1/2 storey & Split level -112 sq. m;
   2 or 2 1/2 storey - 140 sq. m

14.5. Regulations for Accessory Buildings & Structures
14.5.1. Yard Requirements
   14.5.1.1. No accessory building or structure shall be located in a front yard.
   14.5.1.2. No accessory building or structure shall be located closer than 4.5 metres to an abutting street (exterior side lot line).
   14.5.1.3. No accessory building or structure shall be located closer than 1.5 metres to an interior side lot line or rear lot line. However, an attached garage or attached carport with no rooms above may be erected at a distance of not less than one (1) metre from a side lot line.
14.5.2. Floor Area, Ground - The total floor area of all accessory buildings shall not exceed 90 sq. metres.
14.5.3. Building Height (maximum) – 4.5 metres. (As amended by By-law 37-2009)

14.6 Special Provisions
14.6.1. Existing Buildings, Structures & Developed Lots
   The lot area, lot frontage, lot depth, all yards, gross floor area of the main building, lot coverage, and building height of existing permitted buildings, structures and lots, where lower than the foregoing minimum or higher than the foregoing maximum requirements, shall apply as they
lawfully exist on the day of the passing of this By-law.

14.6.2. Existing Undeveloped Lots
Where a lot having an area and/or frontage or depth less than the minimum requirement stated in Section 14.3. is held under distinct and separate ownership from abutting lots as shown by a registered conveyance in the records of the Registry Office, at the date of the passing of the By-law, such lot may be used and a single-family detached dwelling erected on the lot provided:
14.6.2.1. Minimum lot frontage: 18 m;
14.6.2.2. Minimum lot area: 1,000 sq. m;
14.6.2.3. All relevant regulations made under The Public Health Act and all relevant requirements of the relevant Health Authority are fulfilled.

14.6.3. Fence Material
Fences in a VR1 Zone shall not include barb wire or other hazardous materials, except where a VR1 Zone abuts an AG2 Zone.

14.7. Special Zone
14.7.1. VR1-1
Notwithstanding the provisions of Section 14.3.1. to the contrary, the following shall apply to those lands zoned VR1-1:
Lot Area (minimum) - the lot area existing on the date of passing of this by-law.

14.7.2. VR1-2
Notwithstanding the provisions of Sections 14.3.4. and 14.5.1.3. to the contrary, the area zoned VR1-2 shall have a minimum front yard depth of 3.8 metres and no accessory building or structure shall be located closer than 1.2 metres to an interior side lot line.

14.7.3. VR1-3
Notwithstanding the provisions of Section 14.1, to the contrary, an automotive repair establishment shall be permitted on the lands zoned VR1-3, in addition to those uses permitted in the VR1 zone. The automotive repair is limited to cars and pick-up trucks. The maximum floor area of the existing building used for automotive repair shall be limited to its current size with a maximum floor area of 71.3 square metres (768 square feet). The lands zoned VR1-3 shall be subject to the provisions of Section 2.74. (Home Industry) All other provisions of By-law 22-1989 apply. (Amended by By-law 8-2000)

14.7.4. VR1-4-H
Notwithstanding the provisions of Section 14.3, to the contrary, the following shall apply to the area zoned VR1-4:
Lot Area – not less than 1.15 hectares (2.8 acres), which includes lands zoned VR1-4 and NE1;
Lot frontage – not more than 92 metres (301.84 ft.)
Easterly side yard – 42 metres (137.79 ft.) which includes the lands zoned NE1;
Westerly side yard – 15 metres (50 feet).
(Amended by By-law 36-2002)

14.7.4.1. VR1-4 (Village Residential-Special Provisions)
Notwithstanding any provisions of this by-law as amended to the contrary, on the lands zoned VR1-4 the use of the existing barn shall be limited to dry storage. (Amended by By-law 11-2003)

14.7.5. VR1-5
Notwithstanding the provisions of Section 14.1 to the contrary, for the area zoned VR1-5, a home industry is a permitted use in a VR1-5 zone. In addition to the occupations defined in 2.74 (Home Industry), farm equipment repair and the retail sale of small engines such as chain saws and lawn mowers and including used ATV's and snowmobiles is permitted. Retail sales of accessory or related products is also permitted. Retail sales of farm equipment, car and trucks is not permitted. Products will not be displayed in the front yard. All other provisions of By-law 22-1989 shall continue to apply. (Amended by By-law 80-2005)

14.7.6. VR1-6
14.7.6.1. Notwithstanding the provisions of Sections 14.3 and 14.4, to the contrary, the lot area, frontage and the setbacks, lot coverage and height of the existing building on the lands zoned VR1-6 are deemed to comply.
14.7.6.2. Notwithstanding the provisions of Section 14.5, to the contrary, the east side yard setback for all buildings and structures including accessory buildings shall be 3 metres to allow access for future maintenance of the septic system. All other provisions of By-law 22-1989 shall continue to apply. (Amended by By-law 13-2009)
SECTION 15
VILLAGE RESIDENTIAL – MEDIUM DENSITY (VR2)

15.1. Permitted Uses
15.1.1. uses permitted in a VR1 zone;
15.1.2. dwelling, semi-detached;
15.1.3. a nursing home
15.1.4. a home for the aged;
15.1.5. a day nursery;
15.1.6. a converted dwelling;
15.1.7. a quadruplex;
15.1.8. uses accessory to the permitted uses.

15.2. Permitted Structures
15.2.1. one single family dwelling, duplex dwelling or semi-detached dwelling on a lot;
15.2.2. a nursing home or home for the aged;
15.2.3. buildings and structures for the permitted uses;
15.2.4. buildings and structures accessory to the permitted uses.

15.3. Zone Regulations
Section 14.3. applies.

15.4. Building Regulations
15.4.1. Building Height (max.) 9 metres
15.4.2. Total Dwelling Unit Floor Area (minimum) 55 square metres

15.5. Regulations for Accessory Buildings & Structures
15.5.1. Yard Requirements
15.5.1.1. Section 14.5.1.1. applies.
15.5.1.2. Section 14.5.1.2. applies.
15.5.1.3. No accessory building or structure shall be located closer than 1.5 metres to an interior side lot line or rear lot line, except for semi-detached garages which may be centered on a mutual side lot line.

15.5.2. Lot Coverage (maximum)
Section 14.5.2. applies.
15.5.3. Building Height (maximum) 6 metres

15.6.1. Existing Buildings, Structures & Developed Lots
The lot area, lot frontage, all yards, gross floor area of the main building, lot coverage and building height of existing permitted buildings, structures and lots, where lower than the foregoing minimum or higher than the foregoing maximum requirements, shall apply as they lawfully exist on the day of passing of this By-law.

15.6.2. Additional Lot Area Required
Notwithstanding the provisions of Section 15.3. where more than one dwelling unit exists on the lot, the minimum lot areas shown shall be increased by 450 square metres for each additional dwelling unit (with the exception that for a nursing home or home for the aged the minimum lot size shall increase by 75 sq. metres for each unit above 5).

15.6.3. Semi-Detached Side Yard
Notwithstanding the provisions of Section 15.3. the abutting side yard requirements for one unit of a semi-detached dwelling on a separately titled lot shall be 0.

15.6.4. Title Separation of Attached Dwellings
Semi-detached dwellings may be separated to give distinct ownerships to the various dwelling units by lot lines in projection of the lines of party walls providing the aggregate continues to comply with the requirements of this By-law and each unit has a minimum of 10 metres frontage on a street and each unit has the required parking on the parcel containing the unit.

15.6.5. FENCE MATERIAL
Fences in a VR1 Zone shall not include barb wire or other hazardous materials, except where a VR1 Zone abuts an AG2 Zone.

15.6.6. VR2-1
Notwithstanding the provisions of Section 15.1. to the contrary, the permitted uses on the property zoned VR2-1 also includes a senior citizens apartment building.
**SECTION 16**  
**VILLAGE RESIDENTIAL – MOBILE HOME (VR3)**

16.1. **Permitted Uses**
16.1.1. uses permitted in the VR1 zone;
16.1.2. residential use;
16.1.3. uses accessory to the permitted use.

16.2. **Permitted Structures**
16.2.1. a mobile home, double wide, and a mobile home single wide, as defined in Section 2.94. on a permanent foundation;
16.2.2. buildings and structures for the permitted uses;
16.2.3. buildings and structures accessory to the permitted uses.

16.3. **Zone Regulations**
Section 14.3. applies.

16.4. **Building Regulations**
16.4.1. Building Height (max.)- 9 metres;
16.4.2. Total Floor Area (minimum)- 55 sq. m.

16.5. **Regulations for Accessory Buildings & Structures**
Section 14.5. applies.

16.6. **Special Provisions**
Section 14.6. applies.

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**SECTION 17**  
**VILLAGE INDUSTRIAL (VM1)**

17.1. **Permitted Uses**
17.1.1. all permitted uses shall be dry industries as defined in Section 2.49.;
17.1.2. an agricultural industrial establishment;
17.1.3. an agricultural processing establishment not including dead stock removal;
17.1.4. an automotive body shop;
17.1.5. a contractor or tradesman's shop or yard;
17.1.6. a garage, public;
17.1.7. an accessory retail or wholesale outlet;
17.1.8. an office accessory to a permitted use;
17.1.9. a storage industry or warehouse;
17.1.10. a transport terminal or yard;
17.1.11. uses accessory to the permitted uses.

17.2. **Permitted Structures**
17.2.1. buildings and structures for the permitted uses;
17.2.2. buildings and structures accessory to the permitted uses.

17.3. **Zone Regulations**
17.3.1. Lot Area (minimum):1400 square metres
17.3.2. Lot Frontage (minimum):25 metres
17.3.3. Front Yard Depth (minimum):
17.3.3.1. adjacent to Provincial or County Road: 15 metres
17.3.3.2. adjacent to Township Road:10 metres
17.3.4. Side Yard Depth (minimum):4.5 metres
(except where abutting a Residential, Institutional or Recreational Zone or Park Use, in which case - 7.5 metres).
17.3.5. **Exterior Side Yard Depth (minimum):**
17.3.5.1. adjacent to a Provincial or County Road: 15 metres
17.3.5.2. adjacent to a Township Road:10 metres
17.3.6. Rear Yard Depth (minimum):7.5 metres
17.3.7. Lot Coverage (maximum):40%
17.3.8. Landscaped Open Space (minimum):10%

17.4. **Special Provisions**
17.4.1. **Planting Strips**
Shall be provided in accordance with the provisions of Section 3.24.

17.4.2. **Open Storage**
The outdoor storage of goods or materials shall be permitted to the side or rear of the main building provided that:
17.4.2.1. such outdoor storage is accessory to the use of the main building on the lot;
17.4.2.2. such outdoor storage complies with the yard and setback requirements of this Zone;
17.4.2.3. such open storage does not cover more than 75% of the lot area;
17.4.2.4. any portion of the area used for outdoor storage,
where it does not adjoin the outside wall of a building is completely concealed from view from the street or from an adjacent non-industrial zone by a fence, planting strip or decorative masonry wall or a combination thereof in conformity with Section 3.24.

17.4.3. Existing Buildings, Structures & Lots
The lot area, lot frontage, all yards, gross floor area of the main building, lot coverage, and building height of existing permitted buildings, structures and lots, where lower than the foregoing minimum or higher than the foregoing maximum requirements, shall apply as they lawfully exist on the day of passing of this By-law.

17.4.4 VM1-1

17.4.4.1. Notwithstanding the provisions of Section 17.1. to the contrary, Section 17.1.1. (all permitted uses shall be dry industries) shall not apply to the lands zoned VM1-1, upon the provision of municipal water and sewage.

17.4.4.2. Notwithstanding the provisions of Section 17.1. to the contrary, the following uses shall be permitted on the lands zoned VM1-1, in addition to those uses permitted in the VM1 zone:
An assembly, manufacturing, fabricating, packaging, printing, publishing plant or warehouse conducted and wholly contained within an enclosed building. (Amended by By-law 14-1998)
SECTION 18
VILLAGE COMMERCIAL – GENERAL (VC1)

18.1. Permitted Uses
18.1.1. an agricultural supply establishment, except those dealing with heavy machinery, fuels, factory equipment or building materials;
18.1.2. a bank or a financial institution;
18.1.3. a clothing store;
18.1.4. a day nursery;
18.1.5. dwelling unit(s) accessory to a permitted use;
18.1.6. a food store;
18.1.7. a general store;
18.1.8. a greenhouse, commercial;
18.1.9. a hotel;
18.1.10. an office use or clinic;
18.1.11. a parking area;
18.1.12. a private club;
18.1.13. a restaurant;
18.1.14. a service shop;
18.1.15. a funeral home;
18.1.16. a hardware store;
18.1.17. a retail store except those dealing with heavy machinery, fuels, factory equipment, building materials, new or used automobiles, boats, trailers, motorcycles or snowmobiles;
18.1.18. a gasoline bar;
18.1.19. uses accessory to the permitted use.

18.2. Permitted Structures
18.2.1. buildings and structures for the permitted uses;
18.2.2. buildings and structures accessory to the permitted uses;

18.3. Zone Regulations:
18.3.1. Lot Area (minimum): 1400 square metres
18.3.2. Lot Frontage (minimum): 30 metres
18.3.3. Front Yard Depth (minimum): 3 metres
18.3.4. Side Yard Depth (minimum): 3 metres
18.3.5. Exterior Side Yard (minimum): 3 metres
18.3.6. Rear Yard Depth (minimum): 7.5 metres
18.3.7. Lot Coverage (maximum): 40 percent
18.3.8. Landscaped Open Space (minimum): 10 %

18.4. Building Regulations
18.4.1. Building Height (maximum): 10 metres

18.5. Regulations for Accessory Residential Use
18.5.1. Location - other than in basement or cellar.
18.5.2. Minimum Floor Area per dwelling unit shall be in accordance with the following:
18.5.2.1. Fully detached residence: 84 square metres
18.5.2.2. A residence as part of the non-residential building or structure: 70 square metres;
18.5.3. Access to dwelling units from the adjacent street shall be provided for the exclusive use of the dwelling.

18.6. Existing Buildings, Structures and Lots
The lot area, lot frontage, all yards, gross floor area of the main building, lot coverage, and building height of existing permitted buildings, structures and lots, where lower than the foregoing minimum or higher than the foregoing maximum requirements, shall apply as they lawfully exist on the day of passing of this By-law.

18.7. Status Zone
18.7.1. VC1-1
Notwithstanding the provisions of Section 18.1. to the contrary, the property zoned VC1-1 also includes as a permitted use a service station. All other applicable provisions shall apply.

18.8. Special Zones
18.8.1. VC1-2
The provisions of Section 18.6. of By-law 22-1989 shall apply to the area zoned VC1-2 as at the date this amendment is adopted (November 21, 1995) (Amended by By-law 75-1995)
SECTION 19
VILLAGE COMMERCIAL – HIGHWAY (VC2)

19.1. Permitted Uses
19.1.1. an agricultural service establishment;
19.1.2. an agricultural supply establishment;
19.1.3. an animal and poultry health and breeding clinic;
19.1.4. an auction sale facility;
19.1.5. an automotive sales and service establishment;
19.1.6. an automotive repair establishment;
19.1.7. a rust proofing establishment;
19.1.8. an automotive washing establishment;
19.1.9. a boat or motorized recreational vehicle sales establishment;
19.1.10. drive-in restaurant;
19.1.11. a drive-in theatre;
19.1.12. a motel
19.1.13. a permanent fruit or vegetable stand;
19.1.14. one dwelling unit within the rear portion or second storey of a commercial building or an accessory dwelling unit in a detached residence;
19.1.15. service station;
19.1.16. funeral home;
19.1.17. uses accessory to the permitted uses.
19.1.18. building supply sales & storage.

19.2. Permitted Structures
19.2.1. buildings and structures for the permitted uses;
19.2.2. buildings and structures accessory to the permitted uses.

19.3. Zone Regulations
19.3.1. Lot Area (minimum) - 1400 sq. m;
19.3.2. Lot Frontage (min.) - 25 metres;
19.3.3. Front Yard Depth (min.) - 10 metres;
19.3.4. Side Yard Depth (min.) - 4.5 metres (except where abutting an Institutional, Residential or Recreational Zone or a Park Use, in which case, 7.5 metres).
19.3.5. Exterior Side Yard (min.) - 10 metres.
19.3.6. Rear Yard (min.) - 7.5 metres.
19.3.7. Lot Coverage (max.) - 25 percent.

19.4. Building Regulations
19.4.1. Building Height (max.) - 10 metres.
19.4.2. Minimum Dwelling Unit Area - for dwelling units located within a commercial building - 70 square metres.

19.5. Regulations for Accessory Residential Use
19.5.1. Location - other than in basement or cellar.
19.5.2. Minimum Floor Area per dwelling unit shall be in accordance with the following:
19.5.2.1. Fully detached residence - 84 square metres;
19.5.2.2. A residence as part of the non-residential building or structure - 70 square metres.
19.5.3. A separate access to dwelling units independent of the commercial establishment shall be provided for the exclusive use of the dwelling.

19.6. Regulations for Automotive Sales and Service Use
Where an automotive sales and service use includes retail fuel sales, the following provisions shall apply:
19.6.1. the maximum width of a driveway measured along the sidewalk, where such exists, and along the street line shall be 10 metres;
19.6.2. the minimum distance between driveways measured along the street line intersected by such driveways shall be 7.5 metres.
19.6.3. the minimum distance between a driveway and an intersection of street lines, measured along the street line intersection by such driveway shall be 6 metres;
19.6.4. the minimum distance between an interior side lot line and any driveway shall be 3 metres;
19.6.5. the interior angle formed between the street line and the centreline of any driveway shall be not less than 60 degrees;
19.6.6. points of access and egress must be clearly identified.

19.7 Special Provisions
19.7.1. Off Street Parking
No parking space or part thereof shall be located and no stand shall be used as parking for a motor vehicle or for equipment within three (3) metres of any street line.

19.7.2. Open Storage Regulations
The minimum setback from any front, side or rear lot line of any open storage area in this zone shall be no less than seven and one-half (7.5) metres for the front yard depth and three (3) metres for the side yard width and rear yard depth respectively.

19.8 Status Zone
19.8.1. VC2-1
Notwithstanding the provisions of Section 19.1 to the contrary, the following uses are also permitted on the property zoned VC2-1 - bulk sales establishment, petroleum and propane sales and storage. All other applicable provisions shall apply.

19.8.2. VC2-2
Notwithstanding the provisions of Section 19.1 to the contrary, the following use shall be permitted on the lands zoned VC2-2, in addition to those uses permitted in the VC2 zone:
-a contractor or tradesman shop or yard which would permit the storage, sale and repair of heavy machinery, equipment and trucks, and the retail sale of lubricants and fuels for trucks, and the performance of shop or assembly work or the storage of building and construction materials and equipment. All other provisions of By-law 22-1989 shall apply. (Amended by By-law 17-1999)

19.8.3. VC2-3
Notwithstanding any provisions of this by-law as amended to the contrary, on the lands zoned VC2-3, a communications tower is considered accessory to the permitted use. All other provisions of By-law 22-1989
shall apply. (Amended by By-law 22-2003)
### SECTION 20  
**INSTITUTIONAL (I1)**

#### 20.1. Permitted Uses

- 20.1.1. an arena;
- 20.1.2. an art gallery;
- 20.1.3. an assembly hall;
- 20.1.4. a cemetery;
- 20.1.5. a church or religious institution;
- 20.1.6. a clinic (public);
- 20.1.7. a community centre;
- 20.1.8. a day nursery;
- 20.1.9. a fire hall;
- 20.1.10. a grandstand;
- 20.1.11. a hospital;
- 20.1.12. a library;
- 20.1.13. a museum;
- 20.1.14. a police station;
- 20.1.19. a post office;
- 20.1.20. public buildings and uses (municipal government, county, and area provincial and federal offices);
- 20.1.20. a public swimming pool;
- 20.1.22. a sanitorium;
- 20.1.20. a school;
- 20.1.20. utility buildings;
- 20.1.20. home for the aged;
- 20.1.22. nursing home;
- 20.1.19. garage, public;
- 20.1.20. a park, public;
- 20.1.20. uses accessory to the permitted uses.

#### 20.2. Permitted Structures

- 20.2.1. buildings and structures for the permitted uses;
- 20.2.2. buildings and structures accessory to the permitted uses;

#### 20.3. Zone Regulations

- 20.3.1. Lot Area (minimum): 1400 square metres.
- 20.3.2. Lot Frontage (minimum): 25 metres.
- 20.3.3. Front Yard Depth (minimum): 15 metres.
- 20.3.4. Side Yard Depth (minimum): 7.5 metres, except where an Institutional use abuts a Residential Zone, a 9 metre side yard is required.
- 20.3.5. Exterior Side Yard Depth (min.): 9 metres.
- 20.3.6. Rear Yard Depth (minimum): 7.5 metres.
- 20.3.7. Lot Coverage (maximum): 40 percent.
- 20.3.8. Landscaped Open Space (min.): 10 percent.

#### 20.4. Building Regulations

- 20.4.1. Building Height (maximum): 18 metres

#### 20.5. Special Provisions

- 20.5.1. Notwithstanding the provisions of Sections 20.3.4. and 20.3.6., where an Institutional use abuts a Residential Zone, a nine (9) metre side yard and/or rear yard (including the planting strip) shall be required.

- 20.5.2. Separation Distance (Residential)

Notwithstanding any other provision of this by-law to the contrary, no residential, institutional, commercial, industrial or recreational building or structure, located on a separate lot shall be established unless it complies with the Minimum Distance Separation (MDS) Formulae. (Amended by By-law 22-2007)
Township of Morris Consolidated Zoning By-law

SECTION 21
DISPOSAL ZONE (DS)

21.1. Permitted Uses
21.1.1. municipal or private solid waste disposal sites;
21.1.2. sewage treatment works or collection facilities;
21.1.3. water treatment, supply or storage facilities;
21.1.4. garbage transfer station.

21.2. Permitted Structures
21.2.1. Buildings and structures for the permitted uses;
21.2.2. Buildings and structures accessory to the permitted uses;

21.3. Zone Regulations
21.3.1. Lot Area (minimum) - 1850 sq. m.

21.4.1. All disposal sites shall develop according to the applicable regulations of the Ontario Ministry of Health and/or Ontario Ministry of the Environment.
21.4.2. Subject to an agreement pursuant to site plan control Council may require the establishment of a fence or planting strip.

SECTION 22
COMMUNICATIONS & UTILITY (U)

22.1. Permitted Uses
22.1.1. agriculture;
22.1.2. conservation;
22.1.3. a radio, television, microwave, or similar communications tower or towers;
22.1.4. railway tracks and stations;
22.1.5. a pipeline;
22.1.6. an electrical distribution or transformer station
22.1.7. accessory buildings and structures.

22.2 Special Provisions
Subject to an agreement pursuant to site plan control Council may require the establishment of a fence or planting strip.

SECTION 23
DEVELOPMENT ZONE (D)

23.1. Permitted Uses
23.1.1. uses existing on the date of the passing of this By-law;
23.1.2. uses accessory to the permitted uses;
23.1.3. agricultural use, limited;

23.2. Permitted Structures
23.2.1. buildings and structures existing on the date of passage of this By-law;
23.2.2. buildings and structures accessory to the permitted uses, not including the establishment of new livestock buildings.

23.3. Subdivisions
Final approval of subdivision of land in a Development Zone will not be permitted prior to rezoning to the applicable zone.

23.4. Zone Provisions for Accessory Buildings
Front yard depth (minimum) 10 metres
Rear yard depth (minimum): 7.5 metres
Side yard depth (minimum): 7.5 metres
Exterior side yard depth (min.): 10 metres
SECTION 23b
SALVAGE YARD - RECYCLING (C4)

23b.1. Permitted Uses
23b.1.1.a ‘salvage yard’ and notwithstanding the provisions of Section 2.138 of By-law 22-1989 to the contrary, it shall include a lot and/or premises for the storage and/or handling and/or sale of scrap or used materials, which are non-hazardous in nature including wood, concrete, brick and asphalt pavement. It shall not include a junk or scrap metal yard or an automotive wrecking establishment;
23b.1.2. uses accessory to the permitted uses;

23b.2. Permitted Structures
23b.2.1.an accessory residence to be owned and occupied by the manager of the permitted commercial operation;
23b.2.2. a storage shed;
23b.2.3. buildings and structures for permitted uses;
23b.2.4. buildings and structures accessory to the permitted uses.

23b.3. Zone Regulations
23b.3.1. Zone Area (minimum):2 hectares;
23b.3.2. Lot Area (including adjacent areas zoned NE1 and located on the same lot - min.)
40 hectares
23b.3.3. Lot Frontage (including areas zoned NE1 and located on the same lot) min. 45 metres
23b.3.4. Front Yard Depth (minimum)50 metres
23b.3.5. Side Yard Depth (minimum)15 metres
23b.3.6. Rear Yard Depth (minimum)15 metres
23b.3.7. Lot Coverage (maximum)20 percent

23b.4. Building Regulations
23b.4.1. Building Height (minimum):10 metres.

23b.5. Regulations For Accessory Residential Uses
23b.5.1. Minimum floor area per dwelling unit - fully detached residence: 84.0 square metres.

23b.6. Separation Distance (Non-Agricultural)
Notwithstanding any other provision of this by-law to the contrary, no residential, institutional, commercial, industrial or recreational building or structure, located on a separate lot shall be established unless it complies with the Minimum Distance Separation (MDS) Formulae. (Amended by By-law 22-2007)

23b.7. Special Provisions
23b.7.1. Planting Strips
A treed buffer shall be required around the perimeter of the area zoned C4. This buffer shall comply with the provisions of Section 3.24 subject to an ultimate height of 3 metres.

23b.7.2. Ministry of Environment Approvals
The use shall only be permitted following the receipt of all required Ministry of Environment approvals. (Amended by By-law 16-1991)
SECTION 24.

ENACTMENT

This By-law shall come into effect pursuant to Subsection 19 of Section 34 of The Planning Act, 1983.

READ a First Time on the

READ a Second Time on the

READ A Third Time and Passed on this

____________________
Douglas Fraser, Reeve

CORPORATE SEAL

____________________
Nancy Michie, Clerk
### Morris

**ZONES and SYMBOLS**

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SCHEDULE 'A'
KEY MAP LEGEND
TOWNSHIP OF MORRIS

ROADS - Provincial Highways, County and Township Roads

TOWNSHIP BOUNDARY ROADS

PROPERTY LINE

LOT LINE

SEE DESIGNATED KEY MAP

ZONE BOUNDARY

AG1 ZONE SYMBOL

Con 1 CONCESSION NUMBER

1 LOT NUMBER
TOWNSHIP OF MORRIS

SCHEDULE 'A'

KEY MAP 2

1 Amended by By-law 14-1998
2 Amended by By-law 36-2000
3 Amended by By-law 36-2001
4 Amended by By-law 82-2003
5 Amended by By-law 34-2006
6 Amended by By-law 92-2007
7 Amended by By-law 93-2007
8 Amended by By-law 03-2012
SCHEDULE 'A'
KEY MAP 3
TOWNSHIP OF MORRIS

1 Amended by By-law 39-1998
2 Amended by By-law 40-2005
3 Amended by By-law 41-2005
SCHEDULE 'A'

KEY MAP 7

MUNICIPALITY OF
MORRIS - TURNBERRY
MORRIS WARD

1 Amended by By-law 10-2000
2 Amended by By-law 25-2001
Belgrave
R. P. No. 161 (lots 1-23)
R. P. No. 162 (lots 24-57)

See Key Map 7A

SCHEDULE 'A'
KEY MAP 7B
TOWNSHIP OF MORRIS

See Key Map 13

Lot 1 Con. 5

Lot 2 Con. 5

AG2-1

* Amended by By-law 41-1998 (Temporary Use expires November 20, 2001)
1 Amended by By-law 27-1996
2 Amended by By-law 36-2002
3 Amended by By-law 22-2008
4 Amended by By-law 01-2011
5 Amended by By-law 22-2012
SCHEDULE 'A'
KEY MAP 14
TOWNSHIP OF MORRIS

1 Amended by By-law 26-2009
2 Amended by By-law 38-2012
SCHEDULE 'A'
KEY MAP 22
TOWNSHIP OF MORRIS

AG4
See Key Map 16
AG4
AG1
AG1
See Key Map 21
AG1
AG1
NE1
Con. 7
AG4
AG1
AG1
NE1
NE1
16 17 18 19 20
NE1
Con. 8
AG1
AG1
AG1
AG1
NE1
NE1
NE1
See Key Map 28
AG4 - 29
AG1 - 15

See Key Map 23

0 100 200 400 metres

0 500 1000 1500 feet
SCHEDULE 'A'
KEY MAP 28
TOWNSHIP OF MORRIS

See Key Map 22

See Key Map 27

See Key Map 29

County Road No. 25

Township of Hullett

1 Amended by By-law 87-2003 & 17-2004
SCHEDULE 'B'
ROADS PLAN
TOWNSHIP OF MORRIS

- Provincial Highway
- County / Collector
- Township / Local
- Local - no winter maintenance
### APPENDIX I

#### METRIC CONVERSION INFORMATION*

1. **Units of Length**
   
   1 kilometer = 1,000 metres

2. **Units of Area**
   
   1 hectare = 10,000 square metres
   1 square kilometer = 100 hectares

3. **Conversion Factors**
   
   **Length:**
   - 1 metre = 3.2808 feet
   - 1 foot = 0.3048 metres

   **Area:**
   - 1 sq. metre = 10.763991 sq. feet
   - 1 sq. foot = 0.0929034 sq. m
   - 1 acre = 0.4046856 hectares
   - 1 hectare = 1.471054 acres

4. **Conversions of commonly used values**

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* The metric conversion information is for convenience purposes only and does not form part of this by-law. Additional and more detailed metric conversion tables are available from the Township.
APPENDIX 2 - ILLUSTRATION OF CELLAR AND BASEMENT DEFINITIONS

APPENDIX 2

ILLUSTRATION OF CELLAR AND BASEMENT DEFINITIONS*

CELLAR
HAS MORE THAN ONE HALF OF ITS HEIGHT, FROM FINISHED FLOOR TO FINISHED CEILING, BELOW ADJACENT FINISHED GRADE.

BASEMENT
HAS LESS THAN ONE HALF OF ITS HEIGHT, FROM FINISHED FLOOR TO FINISHED CEILING, BELOW ADJACENT FINISHED GRADE.

*THE ILLUSTRATION OF CELLAR AND BASEMENT DOES NOT FORM PART OF THIS BY-LAW, BUT IS PROVIDED FOR CONVENIENCE.
APPENDIX 3 » ILLUSTRATION OF HEIGHTS OF BUILDINGS

APPENDIX 3

ILLUSTRATION OF HEIGHTS OF BUILDINGS*

*The illustrations are for convenience only and do not form part of this By-Law.
APPENDIX 4 » ILLUSTRATION OF LOT DEFINITIONS

The illustrations are for convenience only and do not form part of this By-Law.
BUILDING "B" VOLUNTARILY INCREASED FRONT YARD, SIDE YARD, REAR YARD AND SETBACK ON CORNER LOT

*The illustrations are for convenience only and do not form part of this By-Law.*
TURNBERRY TOWNSHIP

ZONING BY-LAW
(Consolidated Copy)

Prepared by
COUNTY OF HURON
DEPARTMENT OF PLANNING & DEVELOPMENT
FOR THE
TOWNSHIP OF TURNBERRY
TOWNSHIP OF TURNBERRY

ZONING BY-LAW CONSOLIDATION

This document is a consolidation of the Township By-law 14-1987 and subsequent amendments made thereto. This compilation is for convenience for administrative purposes and does not represent true copies of the By-laws it contains.

Zoning By-law 14-1987 plus the following amendments to By-law 14-1987:

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Schedules

Key Map Legend
Key Map Index
Key Maps
THE ZONING BY-LAW OF THE CORPORATION OF THE TOWNSHIP OF TURNBERRY
BY-LAW NO. 14 - 1987

BEING A BY-LAW UNDER THE PROVISIONS OF SECTION 34 OF THE PLANNING ACT 1983, TO REGULATE THE USE OF LANDS AND THE CHARACTER, LOCATION AND USE OF BUILDINGS AND STRUCTURES AND TO PROHIBIT CERTAIN BUILDINGS AND STRUCTURES IN VARIOUS DEFINED AREAS OF THE CORPORATION OF THE TOWNSHIP OF TURNBERRY.

WHEREAS the Municipal Council of the Corporation of the Township of Turnberry considers it advisable to restrict, prohibit and regulate the use of land situated within the defined areas, as hereinafter designated, for the purpose of preventing any further development which would create an adverse effect on the Corporation, and to prevent the use of lands that would jeopardize future orderly development and expansion, and to protect the natural environment.

NOW THEREFORE the Council of the Corporation of the Township of Turnberry ENACTS as follows:

SECTION
1. TITLE AND SCOPE
1.1. TITLE
This By-law shall be known as the Zoning By-law of the Corporation of the Township of Turnberry.

1.2. APPLICATION
The provisions of the By-law shall apply to all lands over which the Corporation of the Township of Turnberry has jurisdiction.

1.3. ADMINISTRATION AND ENFORCEMENT
This By-law shall be administered by the person designated by the Council of the Township of Turnberry as the "By-law Enforcement Officer", and no permit for the use of any land, building or structure or approval of any application for any municipal licence within the jurisdiction of the Council shall be issued where the proposed building, structure or use would be in violation of any provisions of this By-law.

1.4. VIOLATION AND PENALTY
Every person who uses or alters the use of any land or lot or alters or erects or uses any building or structure in a manner contrary to any requirements of this By-law, or who causes or permits such use or erection or alteration, or who violates any provisions of this By-law or causes or permits a violation, is guilty of an offence and upon conviction thereof shall be liable to a fine as set out in Section 66 of the Planning Act (1983) for each offence, and each day of the occurrence of the offence shall be deemed to be a separate occurrence. Every such penalty shall be recoverable under the Provincial Offences Act, as amended from time to time.

1.5. REMEDIES
Where any building or structure is, or is proposed to be erected, altered, reconstructed, extended or enlarged, or any building or structure or part thereof is or is proposed to be used, or any land is or is proposed to be used, in contravention of the provisions of this By-law, the same may be restrained by action at the instance of any ratepayer, or of the Planning and Development Committee or of the Township pursuant to the provisions of The Planning Act, The Municipal Act, or The Judicature Act, as amended from time to time.

1.6. LITIGATION
This By-law shall not affect the rights of any party or any land concerned in any action, litigation or other proceeding pending on the date of the final passage thereof, except to the extent to be determined in the final adjudication of such action, litigation or other proceedings.

1.7. SCOPE
No building, structure or land shall be used, and no building or structure shall be hereafter erected, structurally altered or enlarged or demolished within the limits of the Township except in conformity with the provisions of this By-law.

1.8. MEANING OF USE
Unless the context otherwise requires, the expression "use" or "to use" in this By-law shall include anything done or permitted by the owner or occupant of any land, building or structure, directly or indirectly or by or through any trustee, tenant, servant, or agent, acting with the knowledge or consent of such owner or occupant, for the purpose of making use of the said land, building or structure.

1.9. IDEM
Unless the contrary intention appears in this By-law, words importing the singular number or the masculine gender only shall include more persons, parties or things of the same kind than one, and females as well as males, and the converse. For the purpose of this By-law, words used in the present tense include the future.

1.10. SHALL TO BE MANDATORY
The word "shall" shall always be construed as mandatory in this By-law.

1.11. SEVERABILITY
If any provision of this By-law, including any part of the zoning as shown on the zoning maps, is for any reason held to be invalid, it is hereby declared to be the intention, that all the remaining provisions shall remain in full force and effect until repealed, notwithstanding that one or more provisions shall have been declared to be invalid.

1.12. APPLICATIONS FOR BUILDING PERMITS
1.12.1 APPLICATION IN ALL ZONES OTHER THAN AG1 AND AG2
1.12.1.1. With all zones, with the exception of AG1 and AG2, every applicant for a building permit for a new building or an addition to a building shall, in addition to all the requirements of the Ontario Building Code, include a site plan drawn to scale showing:
1.12.1.1.1. dimensions of the lot;
1.12.1.1.2. the location and dimensions of all existing and proposed buildings and storage facilities;
1.12.1.1.3. the dimensions of all yards, drives, and parking areas;
1.12.1.1.4. the location of all easements which may be located on the property;
1.12.1.1.5. any application for the establishment of a private outdoor swimming pool will be required to submit additional information as set out in the Township Swimming Pool By-law;
1.12.1.1.6. a statement signed by the owner of the property giving the exact nature of the proposed use of all buildings and lands;
1.12.1.2. In addition, the Chief Building Official may require any or all of the following information:
1.12.1.2.1. the distance to any livestock buildings within 610 metres;
1.12.1.2.2. information concerning curbing, retaining wall, or alteration to natural drainage, if applicable;
1.12.1.2.3. the location of any municipal or private tile drainage which may drain any neighbouring property;
1.12.1.2.4. the location of any municipal services which are available on this property (water, sewage, telephone and gas);

1.12.2. APPLICATIONS IN AG1 AND AG2 ZONES

1.12.2.1. Within an AG1 or AG2 zone every applicant for a building permit for a new building or an addition to a building shall, in addition to all requirements of the Ontario Building Code, include a site plan drawn to scale showing:

1.12.2.1.1. dimensions of the lot;
1.12.2.1.2. the location and dimensions of all proposed buildings and storage facilities;
1.12.2.1.3. the dimensions of all yards;
1.12.2.1.4. any application for the establishment of a private outdoor swimming pool will be required to submit additional information as set out in the Township Swimming Pool By-law;
1.12.2.1.5. a statement signed by the owner of the property giving the exact nature of the proposed use of all buildings and lands.

1.12.2.2. Further to the provisions of 1.12.2.1., the Chief Building Official may require any or all of the following information:
1.12.2.2.1. the distance to any livestock buildings within 610 metres;
1.12.2.2.2. information concerning curbing, drives, parking areas, retaining wall, or alteration to natural drainage, if applicable;
1.12.2.2.3. the location of all easements which may be located on the property;
1.12.2.2.4. the location of any municipal or private tile drainage which may drain any neighbouring property;
1.12.2.2.5. the location of any municipal services which are available on this property (water, sewage, telephone and gas);
1.12.2.2.6. the location and dimensions of all existing buildings and storage facilities.

1.12.3. Further to Section 1.12.2.1., applications for all buildings for livestock and all structures for manure storage will provide the following additional information:
1.12.3.1. distances to all lot lines, proposed buildings, and/or storage facilities;
1.12.3.2. the location, distance and use of all buildings within 305 metres (in a "General Agriculture" (AG1) zone) of the proposed buildings and/or storage facility OR within 610 metres (in a "Restricted Agriculture" (AG2) zone) of the proposed building and/or storage facility;
1.12.3.3. type of livestock; livestock capacity; and the type of manure disposal;
1.12.3.4. Any application for the establishment of a liquid livestock manure storage facility will be required to submit additional information as set out in the Township Liquid Manure Pit by-law;
1.12.3.5. A statement signed by the owner of the property giving the exact nature of the proposed use of all buildings and land.

1.13. LICENCES AND PERMITS

No Municipal permit, certificate, or licence shall be issued for a use of land that does not conform to this by-law.

1.14. BUILDINGS TO BE MOVED

No building, over 10 sq. metres, residential or otherwise, shall be moved within the limits of the Township or shall be moved into the Township from outside, without a permit from the Chief Building Official.

1.15. BUILDING INSPECTION

The By-law Enforcement Officer, Chief Building Official or any employee of the Township acting under the direction of the By-law Enforcement Officer or any peace officer having jurisdiction in the Township is hereby authorized to enter with prior notification between the hours of 8:00 o'clock a.m. and 6:00 o'clock p.m. on any day but Sunday upon any property or premises or structure for the purpose of discharging his duties and obligations under this By-law, or if there is reason to believe that the provisions of the By-law are not being complied with in whole or in part. Where the owner or occupier refuses consent, entry may be made under the authority of a search warrant issued under The Provincial Offences Act.

1.16. REPEALS

From the coming into force of this By-law all previous By-laws passed by the Township, under Section 34 of the Planning Act or a predecessor thereof, shall be deemed to have been repealed.

1.17. ZONES, SYMBOLS, SECTION NUMBERS

For the purposes of this By-law the Township is hereby divided into the following use zones:

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1.18. ZONING MAP
The Zones set out in 1.17. and the boundaries of such zones are shown upon the maps attached hereto, marked Schedules designated as the Zoning Maps which zones, boundaries and maps form part of this By-law.

1.19. BOUNDARIES OF ZONES
Where uncertainty exists with respect to the boundaries of the various zones as shown on the Zoning Maps, the following rules shall apply:

1.19.1. CENTRELINE LIMITS
Where any zone boundary is shown as approximately the centre line of a street, lane, watercourse or any other right-of-way, such zone boundary shall be construed to follow the centre line of the street, lane, watercourse or other right-of-way or the production thereof;

1.19.2. LOT LINES
Where the Zone boundaries are not shown to be roads or lanes, and where indicated boundaries on the zoning maps are approximately lot lines, the said lot lines shall be construed to be the zone boundaries unless the said boundaries are otherwise indicated on the maps;

1.19.3. SCHEDULE LIMITS
The limit of any map comprising any Schedule forming part of this By-law as shown on the Key Map of such Schedule shall be deemed to be the boundary of the Zone adjoining such limit;

1.19.4. SYMBOL OF ZONES
Where one symbol is used on the Zoning Maps to indicate the zone classification of an area divided by a road or lane, the said symbol shall establish the classification of the whole of such area;

1.19.5. CLOSED ROAD OR LANE
In the event a dedicated road, lane or railway, shown on the maps is closed, the property formerly in said road, lane or railway shall be included within the zone of the adjoining property on either side of the said closed road, lane or railway. In the event the said road, lane or railway was a zone boundary between two or more different zones, the new zone boundary shall be the former centreline of the said closed road, lane or railway;

1.19.6. BOUNDARIES OTHER THAN ROADS OR LOT LINES
Where a zone boundary is not a road or lane, nor a lot line, and a specific measurement indicating the position of the said boundary is not shown on the zone map, or indicated in the text of the By-law, the position thereof shall be determined by scaling from the zone map located in the office of the By-law Enforcement Officer;

1.19.7. ZONE ABUTS NATURAL WATERCOURSE
Where any zone on the Schedules abuts a natural watercourse, such zone shall be deemed to apply to the natural watercourse and any islands within the watercourse;
SECTION 2. DEFINITIONS

For the purpose of this By-law the definitions and interpretation given in this section shall govern:

2.1. ABBATTOIR shall mean a building, structure or lot or part thereof used for the slaughter of livestock or other animals for the purpose of processing or rendering.

2.2. ACCESSORY when used to describe a use, building or structure, means a use, or a detached building or structure, that is naturally and normally incidental, subordinate and exclusively devoted to supporting the principle use, building or structure and located on the same lot therewith. This does not include an accessory residence unless otherwise specified.

2.3. AGRICULTURAL INDUSTRIAL ESTABLISHMENT shall mean the use of land and/or buildings or structures for the manufacturing and wholesale and/or retail sales of goods that are necessary to support agricultural uses. These include such goods as farm machinery and equipment used for tillage of soil, the planting, spraying, harvesting, transporting, treatment, processing and storage of grain, forage, feed, or forest products, products used for the housing and husbandry of livestock, poultry and fur-bearing animals, and the storage, handling and processing of milk, eggs, and manure and the manufacture of sub-surface drainage materials and equipment.

2.4. AGRICULTURAL PROCESSING ESTABLISHMENT shall mean the use of land and/or buildings or structures for the processing of products derived from agricultural uses, as defined in this By-law. These shall include such products as seed, grain, feed and forage processing, storage and transport, fruit and vegetable storage and treatment, livestock and poultry assembly, sales and transport, a cheese factory, an egg grading station, a saw mill, an abattoir, a dead stock removal facility.

2.5. AGRICULTURAL SERVICE ESTABLISHMENT shall mean the use of land and/or buildings or structures for the purposes of buying or selling commodities and services that are necessary to support agricultural uses as defined in this By-law. These shall include such sales and services as welding and machinery repairs, farm drainage and excavation, agricultural related trucking, well-drilling, contracting and trades related to farm buildings and structures, and custom spray, tillage, planting and harvesting services.

2.6. AGRICULTURAL SUPPLY ESTABLISHMENT shall mean the use of land and/or buildings or structures for the purpose of supply of goods, materials or services that are necessary to support agricultural uses as defined by this By-law. These shall include such goods and services as sale, processing and storage of seed, feed, fertilizer and chemical products, farm machinery and equipment sales and service, and animal and poultry health and breeding services.

2.7. AGRICULTURAL USE, GENERAL means general farming and without limiting the generality of the foregoing shall include such uses as the general cultivation of land and the associated production, conditioning, processing and storing of field crops, vegetables, fruit, horticultural crops and nursery stock and the selling of such produced on the premises, the breeding and care of livestock, fowl, fur-bearing animals and bees, and the selling of such stock or the product of such stock raised on the premises, and the management of forest, and the sale of forest products, including fuel wood, pulp wood, timber, Christmas trees, and maple products, and includes a farm dwelling and accessory buildings and uses.

2.8. AGRICULTURAL USE, INTENSIVE means the raising of livestock and includes a farm dwelling and accessory buildings and uses.

2.9. AGRICULTURAL USE, LIMITED means the raising and harvesting of field, bush, vine, forest or tree crops, grazing and trapping, and does not include a farm dwelling and accessory buildings and uses.

2.10 ALTER shall mean 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, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise. The words "altered" and "alteration" shall have a corresponding meaning.

2.11. AMENITY AREA, means an area or areas within the boundaries of a lot intended for use for recreation, aesthetic purposes for a multiple dwelling project and may include landscaped open areas, patios, balconies, communal lounges, swimming pools, recreation facilities and any other areas which may be used for recreational or aesthetic purposes, but shall not include any driveway or parking area.

2.12. ANIMAL AND POULTRY HEALTH AND BREEDING SERVICE shall mean the premises of a veterinary surgeon where animals, birds or other livestock are treated or kept, or the facility used for the insemination of livestock or poultry.

2.13. ANIMAL UNIT (Deleted by By-law 22-2007)

2.14. ASSEMBLY HALL means a building, or part of a building, in which facilities are provided for such purposes as meetings for charitable, civic, cultural, educational, political, religious or social purposes and shall include a banquet hall, private club or fraternal organization, or community centre.

2.15. 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 adjacent building or buildings.

2.16. AUTOMOTIVE REPAIR ESTABLISHMENT means a building and/or lot where the rebuilding, repair, or reconditioning of motor vehicles or parts thereof, including collision service, painting and steam cleaning, is carried on but does not include an automobile service station, or wrecking yard.

2.17. AUTOMOTIVE SALES AND SERVICE ESTABLISHMENT shall mean a building and/or lot used for the display and sale of new or used motor vehicles, motorized recreational vehicles, light construction and lawn care equipment, and/or the servicing, repair, cleaning, polishing and greasing of these products, the sale of accessory and related products, the leasing or renting of motor vehicles, the retail sales of automotive lubricants and fuels, but shall not include any other automotive use defined in this By-law.

2.18. AUTOMOTIVE WASHING ESTABLISHMENT shall mean a building and lot used for the washing or cleaning of motor vehicles by automobile washing equipment with a capacity greater than five cars per hour, and may include the sale of fuels to motor vehicles, but shall not include any other automotive use defined in this By-law.
2.19. AUTOMOTIVE WRECKING ESTABLISHMENT includes all automotive related salvage operations as included within a "Salvage Yard" as defined in this By-law, in which three (3) or more unlicensed derelict vehicles are stored outdoors.

2.20. BASEMENT shall mean that portion of a building between two floor levels which is partly below finished grade level but which has at least fifty percent of its height from finished floor to finished ceiling above adjacent finished grade level and in which the height from adjacent finished grade level to the ceiling is less than two (2) metres.

2.21. BOARDING OR LODGING HOUSE means any house or building in which the proprietor resides and occupies at least 10 percent of the floor space used for the purposes of the boarding house as his residence, and supplies for hire or gain to persons other than members of the proprietor's family, lodging with or without meals in rooms furnished by the proprietor with necessary furnishings, but does not include a hotel, motel, apartment dwelling or nursing home.

2.22. BUILDING includes any structure whether temporary or permanent, used or built for any purpose other than a lawful boundary, wall or fence. Any enclosure, awning, bin, bunk or other container, or platform, used upon any land or in conjunction with or connected to any structure for any purpose shall be deemed a building.

2.23. BUILDING BY-LAW means any building By-law within the meaning of the Ontario Building Code Act, as amended from time to time.

2.24. BUILDING HEIGHT shall mean the vertical distance from the finished grade level to:

2.24.1. in the case of a flat roof, the highest point of the roof surface or parapet, whichever is the higher;
2.24.2. in the case of a mansard roof, the roof deckline, or
2.24.3. in the case of any other roof, the mean height between the eaves and the ridge; but exclusive of any structure accommodating an elevator, staircase, water tank, ventilating fan, skylight, aerial, steeple, cupola, chimney, firewall, smoke stack or other ornamental or utilitarian structure which rises above the roof level but does not provide habitable living space. (See Illustrations at end of Section 2)

2.25. BUILDING INSPECTOR means the Chief Building Official or other employees of the Township for the time being charged with the duty of enforcing the provisions of the Building By-law and the Ontario Building Code, which shall mean any By-law of the Township from time to time in force regulating the erection, alteration or repair of building.

2.26. BUILDING LINE shall mean a line, the purpose of which is to establish the closest points to a street at which the building or structures may be located. The location of the building line shall be such that it is parallel to the centre line of the street and offset from the street line, as defined in Section 2.151 of this By-law, a distance equal to the minimum front yard dimension.

2.27. BUILDING, MAIN shall mean the building designed and/or intended to accommodate the principal use permitted by this By-law.

2.28. BUILDING SETBACK shall mean the minimum horizontal distance between the front lot line and the nearest part of any building, structure or open storage use on the lot.

2.29. BULK SALES ESTABLISHMENT means the use of land, a structure or a building for the purposes of buying and selling fuel, oil, wood, coal, nursery stock, but does not include manufacturing, assembling or processing uses.

2.30. BUSINESS OFFICE means any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business brokerage, or labour organization, and shall exclude such uses as retail sale, manufacture, assembly or storage of goods, or places of assembly and amusement.

2.31. BY-LAW ENFORCEMENT OFFICER means the officer or employee of the Corporation charged with the duty of administering and enforcing the provisions of this By-law.

2.32. CANOPY shall mean a roof free of enclosing walls over an entrance to a building, structure, or gasoline pump island.

2.33. CARPORT shall mean a parking space that is enclosed or partially enclosed and has a roof, and is for the purpose of storing one or more private vehicles.

2.33a. CATASTROPHE An unanticipated, disastrous loss of part or all of a livestock facility, dwelling or other use due to fire, collapse, flood, wind or other such event. (Amended by By-law 22-2007)

2.34. CELLAR shall mean that portion of a building between two floor levels which has more than fifty percent of its height from finished floor to finished ceiling below adjacent finished grade level.

2.35. CEMETERY means a cemetery, columbarium or mausoleum within the meaning of The Cemetery Act of Ontario.

2.36. CHURCH shall mean a building commonly used by any religious organization as defined in the Religious Organizations Act, (R.S.O., 1980) for public worship, and may include a rectory or manse, church hall, auditorium, day nursery or religious school associated with or accessory thereto.

2.37. CLINIC shall mean 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.

2.38. COMMERCIAL MOTOR VEHICLE means any motor vehicle having permanently attached thereto a truck or delivery body and without limiting the generality of the foregoing includes: ambulances, hearses, motor buses and tractors used for hauling purposes.

2.39. COMMERCIAL USE shall mean the use of land, structure or building for the purposes of buying or selling commodities and/or supplying services, but does not include an industrial use.

2.40. COMMERCIAL GROUPED means a planned commercial development consisting of a self-contained group of commercial establishments commonly known as a shopping centre or a shopping mall designed, developed and managed as an interdependent unit using common facilities, including on-site parking. Grouped commercial developments provide a wide range of general commercial uses, and in addition to the primary commercial uses, ancillary grouped commercial uses include an
administrative office, used exclusively for the grouped commercial development, private loading, service, refuse disposal, mechanical, electrical, maintenance and storage areas.

2.41. CONTRACTOR’S YARD OR SHOP, TYPE A, means land or buildings used for the non-offensive performance of shop or assembly work or the non-offensive storage of building and construction materials and equipment.

2.42. CONTRACTORS YARD OR SHOP, TYPE B, means land or buildings used for the storage of heavy machinery, plant or equipment such as cranes, ploughs, tractors and road making equipment and building and construction materials.

2.43. CONSERVATION shall mean the use of land and/or water for the purpose of planned management of natural resources.

2.44. CORPORATION means the Corporation of the Township of Turnberry.

2.45. COUNCIL means the Council of the Corporation of the Township of Turnberry.

2.46. COUNTY means the Corporation of the County of Huron.

2.47. COVERAGE means "Lot Coverage" as defined by this By-law.

2.48. DANGEROUS TRADES means a use which is likely to create danger to health or danger from fire or explosion.

2.49. DAY NURSERY shall mean a "Day Nursery" as defined in the Day Nursery Act, as amended from time to time.

2.50. DAYLIGHT TRIANGLE means an area free of buildings or structures and which area is to be determined by measuring from the point of intersection of street lines on a corner lot, the distance required by this By-law along each such street line and joining such points with a straight line and the triangular-shaped land between the intersecting street lines and the straight line joining the points the required distance along the street lines is the daylight triangle.

2.51. DRY CLEANER'S DISTRIBUTION STATION means a building used for the purpose of receiving articles or goods of fabric to be subjected to the process of dry cleaning, dry dyeing or cleaning elsewhere and for the distribution of any such articles or goods which have been subjected to any such process.

2.52. DRY INDUSTRY shall mean an industry which by nature of its operation, process, or fabrication of raw materials or service rendered does not require a water supply other than that available from within the limits of the lot upon which the use is located, does not discharge effluent from the limits of the lot upon which the use is located or from which the only sewage effluent to be dispersed of within the limits of the said lot will be that produced from normal sanitary and eating facilities required for the employees.

2.53. DWELLING means a building, or part thereof, occupied or capable of being occupied as a home, residence or sleeping place by one or more persons, constructed on-site, or off-site, in parts designed to be transported to a lot and where they are joined as integral units and placed on a permanent foundation over a cellar or basement, but shall not include travel trailers, mobile homes, double-wide mobile homes, tourist trailers, camper and motor vehicles, hotels or boarding or rooming houses, motels, institutions or living quarters for a caretaker, watchman or other persons or persons using living quarters which are accessory to a non-residential building or structure.

2.53.1. DWELLING, SINGLE FAMILY DETACHED means a completely detached permanent dwelling to which entrance is gained only by a private entrance outside the building.

2.53.2. DWELLING, CONVERTED means a dwelling unit constructed for permanent use which has been converted so as to provide therein up to three additional dwelling units provided the main dwelling unit was erected prior to the passing of this By-law and further that any changes or alterations to convert the dwelling do not increase its area, height or volume or extend beyond the exterior limit of the existing building, with the exception that a stairwell, entrance, vestibule or porch may be established provided that the addition does not increase the total grand floor area by more than 5% and does not change the single family residential character of the building.

2.53.3. DWELLING, SEMI-DETACHED means a building that is completely divided vertically into two dwelling units by a party wall of masonry construction, each dwelling unit having independent entrance, either directly from the outside or through a common vestibule.

2.53.4. DWELLING, DUPLEX means the whole of a dwelling that is divided vertically into two dwelling units by a party wall of masonry construction, each dwelling unit having independent entrance, either directly from the outside or through a common vestibule.

2.53.5. DWELLING, GROUP HOME, means a residential dwelling for individuals recovering from social, mental, or physical problems operated as a single housekeeping unit in a residential area in which 3 to 10 residents, excluding staff or receiving family live as a family under responsible supervision consistent with the requirements of its residents but excludes a place of detention, correction or probation for individuals with a violent criminal history or record provided the group home is: 2.53.5.1. required to meet a demonstrable local need and has adequate support or service; 2.53.5.2. licensed or approved by the Province of Ontario; 2.53.5.3. registered by the Municipality; 2.53.5.4. meets all of the requirements of all Municipal By-laws; 2.53.5.5. is fully detached and wholly utilized by the group home occupants.

2.53.6. DWELLING, MULTIPLE ATTACHED means a separate building that is divided vertically into three or more dwelling units each of which has a separate and independent entrance at finished grade and separated from the adjoining unit or units by a common unpierced wall with no interior access between each dwelling unit and includes a row house, or townhouse.

2.53.7. DWELLING, MULTIPLE FAMILY means the whole of a dwelling not otherwise defined herein, which contains three or more dwelling units.

2.53.8. DWELLING, APARTMENT means a building or part thereof consisting of three or more dwelling units which units have a common entrance from the street level and the occupants of which have the right to use of common halls and/or stairs and/or elevators and yards but does not include a boarding or lodging house, a motel or a hotel.

2.53.9. DWELLING, FARM means a dwelling unit that is naturally and normally incidental and subordinate and exclusively used in conjunction with a farm and is situated on the same lot therewith.
2.53.10. DWELLING, TRIPLEX means a separate building that is not more than two storeys in height and is divided horizontally into three dwelling units each of which has an independent entrance either directly or through a common vestibule.

2.53.11. DWELLING, QUADRUPLEX means a separate building consisting of four dwelling units with two units at ground level and two units at second floor level.

2.53.12. DWELLING, ENLARGED shall mean a detached dwelling which is enlarged to accommodate not more than two dwelling units. The enlarged portion of the dwelling must be attached to the existing dwelling by a minimum of 25% common wall. The enlarged dwelling must appear visually as one dwelling unit, and meet the setback provisions of the AG1 zone and the provisions of the Ontario Building code, as amended from time to time. (Amended by By-law 44-2008)

2.54. EQUIPMENT SALES AND RENTAL means a building or part of a building or structure in which heavy machinery and equipment is offered for sale or kept for rent, lease or hire under agreement for compensation, but shall not include any other establishment defined or classified in this By-law.

2.55. ERECT includes build, construct, or reconstruct, alter, enlarge and relocate and without limiting the generality of the foregoing, shall be taken to include any associated physical operation such as excavating, grading, berming, piling, cribbing, filling or draining, structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

2.56. EXISTING means in existence, being an actuality as of the date of the final passing of this By-law.

2.56.a. EXPANDED LIVESTOCK FACILITY Any building activity to construct or expand a livestock facility that requires a building permit and results in an increase, or decrease, in Nutrient Unit capacity on a lot, where there already was some existing Nutrient Unit capacity. (Amended by By-law 22-2007)

2.57. EXTRACTIVE use shall mean the use of land and/or buildings, or structures for the removal of gravel, stone, sand, earth, clay, fill, mineral or other similar substance for construction, industrial or manufacturing purposes; and includes accessory uses.

2.58. FARM PRODUCE SALES OUTLET means a fruit, vegetable, flower, or farm produce stand set up as an accessory to a dwelling unit on the same lot, which is designed and maintained solely for the sale of produce from that same agricultural use.

2.58.a. FIRST LIVESTOCK FACILITY Any building activity to construct a livestock facility that requires a building permit and results in an increase in Nutrient Unit capacity on a lot, where there was no existing Nutrient Unit capacity. (Amended by By-law 22-2007)

2.59. FLOOR AREA means the sum total area of a floor or floors in the building or buildings on a lot measured from the exterior faces of the exterior walls or from the centre line of the common walls separating two buildings, provided that where a floor area is within a roof structure without external walls, the floor area shall be measured from the exterior face of the vertical perimeter wall. The floor area does not include basements, cellars, attics, garages, verandahs, porches or other similar appurtenant structures and excludes any floor area with a ceiling height less than 2 metres. Where the terrain permits a walkout basement, twenty-five percent (25%) of the floor area of the walkout basement may be considered as habitable floor area.

2.60. FLOOR AREA, GROSS shall mean in the case of a dwelling, the aggregate of the areas of all habitable rooms measured from the exterior walls, but excluding any detached accessory buildings, a breezeway, unenclosed sunroom, porch and/or verandah, attic, or cellar. In the case of a building other than a dwelling, the aggregate of the area of all floors devoted to retail sales, customer service and/or office use measured from the outside face of exterior walls but excluding storage, mezzanine areas, mechanical rooms, common halls, stairwells, garbage and electrical rooms, parking structures and similar uses ancillary to the main use. The gross floor area in each zone applies only to that portion of such lot that is located within said zone.

2.61. FLOOR AREA, GROUND shall mean the floor area of the lowest storey of a building approximately at or first above the average finished grade level, excluding any basement or cellar, which area is measured between the exterior faces of the exterior walls at the floor level of such storey but:

2.61.1. excludes car parking areas within the building; and
2.61.2. for the purpose of this paragraph the walls of an inner court are and shall be deemed to be exterior walls.

2.62. FLOOR AREA RATIO means the floor area in square metres of all buildings on a lot, divided by the area of the lot in square metres and expressed as a percentage.

2.63. FLOOR AREA, RETAIL shall mean the gross floor area of a commercial building devoted to retail purposes.

2.64. FRONTAGE means the width of a lot measured along the streetline.

2.65. 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.

2.66. GARAGE, ATTACHED shall mean a private garage, accessory to a dwelling unit on the same lot and attached by a common wall and/or common roof structure and is designed or used for the sheltering of private motor vehicles and the storage of household equipment incidental to residential occupancy and in which there are no facilities for repairing or servicing such vehicles for remuneration or commercial use and is fully enclosed and excludes a carport or other open shelter; provided however, for the purpose of determining lines of setback and side yard, an attached garage shall be considered part of the main building. Also for the purposes of this definition, a wall between a house and an attached garage may be considered "common" as long as at least forty percent (40%) of the length of the attached garage wall is common with the dwelling wall.

2.67. GARAGE, DETACHED shall mean a private garage, accessory to a dwelling unit on the same lot, which is designed or used for the sheltering of private motor vehicles and the storage of household equipment incidental to residential occupancy and in which there are no facilities for repairing, or servicing such vehicles for remuneration or commercial use, and is fully enclosed and excludes a carport or other open shelter.

2.68. GARAGE, PUBLIC shall mean a municipal or provincial facility used for the storage and servicing of road construction and maintenance equipment and materials.
2.69. GASOLINE BAR shall mean 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.

2.70. GOLF COURSE means a public or private area operated for the purposes of playing golf and includes a par 3 golf course, driving ranges, miniature courses and associated recreational uses such as club house, swimming pool and tennis courts.

2.71. GRADE shall mean the crown of the road fronting the lot that it serves.

2.72. GRADE, FINISHED means the average elevation of the finished surface of the ground at ground level of a building or structure.

2.73. GRAIN ELEVATOR means a facility for the storage, processing and marketing of grain.

2.74. GREENHOUSE, COMMERCIAL means a building or structure used for the growing of flowers, plants, shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same lot containing such building or structure, but are sold directly from such lot at wholesale or retail.

2.75. GROUPED, COMMERCIAL means a building or group of buildings for the use of restricted business establishments, planned, designed, developed and managed as a unit, having off street parking provided on the site.

2.76. GUEST ROOM means a room or suite of rooms in a dwelling unit used or maintained for the accommodation of the public.

2.77. HABITABLE ROOM shall mean any room within a dwelling unit used or capable of being used for living, eating and sleeping, but excluding a cellar or any portion thereof, bathroom, toilet room, serving or storage pantry, laundry and corridor.

2.78. HEIGHT when used with reference to a building or structure shall mean the vertical distance between the finished grade at the front of the building or structure and:

2.78.1. in the case of a flat roof, the highest point of the roof surface or the parapet, whichever is the greater;
2.78.2. in the case of a pitched roof, the point mid-way between the eaves and the ridge.

2.79. HOME FOR THE AGED shall mean a "home for the aged" as defined under the Homes for the Aged and Rest Homes Act, as amended from time to time.

2.80. HOME INDUSTRY shall mean a gainful occupation including an animal kennel, day nursery, carpentry, electrical, woodworking, window framing, welding, plumbing, machine or auto repair shop, service shop, or blacksmith, conducted in whole or in part in an accessory building to a single family detached dwelling by the residents, provided that:

2.80.1. there is no external advertising other than a sign erected in accordance with any By-laws of the Corporation regulating signs;
2.80.2. outside storage of goods, materials or equipment shall occur to the rear of the accessory or main building;
2.80.3. such home industry is not an obnoxious trade, business or manufacture;
2.80.4. such home industry is clearly secondary to the main residential use and does not change the residential character of the dwelling;
2.80.5. Not more than 2 persons, other than the owner, are employed therein on a full-time basis; and
2.80.6. the lot shall be an existing lot with not less than 24 metres of frontage and 60 metres of depth and a total area of not less than 1,850 square metres.

2.81. HOME OCCUPATION shall mean any occupation which is carried on as an accessory use either within a dwelling or permitted accessory building on the same lot and operated by members of the one family residing in a dwelling or dwelling unit provided that:

2.81.1. not more than one person, other than the owner or a member of the family is employed therein on a full-time basis;
2.81.2. there is no display, other than a legal sign, to indicate to persons outside that any part of the dwelling, dwelling unit or lot is being used for a purpose other than residential.
2.81.3. such home occupation is clearly secondary to the main residential use and does not change the residential character of the dwelling or dwelling unit nor create or become a public nuisance, particularly in regard to noise, noxious odours or emission of smoke, traffic or parking;
2.81.4. such home occupation does not interfere with television or radio reception;
2.81.5. not more than twenty-five percent (25%) of the gross floor area of the dwelling unit is used for the purposes of home occupation uses; and,
2.81.6. such home occupation uses may include a service or repair shop, a personal service shop, the office of a doctor; dentist, chiropractor, drugless practitioner, lawyer, or real estate agent, insurance agent, planner, architect, photographer or engineer, but not including a clinic, a hospital, a nursing home, and a tea room. An animal kennel and small gas engine repair shall not be deemed to be a home occupation.

2.82. HOSPITAL shall mean a hospital as defined under the Public Hospitals Act, or under the Private Hospitals Act, as amended from time to time.

2.83. HOTEL shall mean a building or part thereof used to accommodate the travelling public for gain or profit, by supplying them with sleeping accommodation (with or without meals) but without private cooking facilities provided that each guest room may only be entered from the interior of the building; does not include boarding houses or guest cabins.

2.84. INDUSTRIAL USE shall mean the use of land, structure or building for each or any of the following operations:

2.84.1. The carrying on of any process or manufacture whether or not a finished article results therefrom;
2.84.2. The dismantling and separating into parts of any article, machinery or vehicle;
2.84.3. The breaking up of any articles, goods, machinery or vehicles;
2.84.4. The treatment of waste materials of all descriptions;
2.84.5. The repairing and servicing of vehicles, machinery and buildings; and may include:
2.84.5.1. The storage of goods used in connection with or resulting from any of the above operations;
2.84.5.2. The provision of amenities for persons engaged solely in such operations;
2.84.5.3. The sale of goods resulting from such operations and provided that the sales area does not occupy more than 30% of the total floor area;
2.84.5.4. Any work of administration or accounting in connection with the undertaking; and without limiting the generality of the foregoing, includes any industry particularly defined in this By-law, but does not include industrial uses from which the emission of any air, water or noise pollution creates a nuisance outside of the building or beyond the lot lines or any other use which consumes large quantities of water or discharges large quantities of effluent or "Home Industry" or "Home Occupation" as defined by this By-law.

2.85. INDUSTRIAL MALL means a building or group of buildings designed, developed, owned and managed as a unit containing two or more separated spaces for lease or occupancy by industrial uses as established by this By-law.

2.86. INSTITUTIONAL USE means the use of land, buildings or other structures for some public or social purpose but not for commercial or industrial purposes and may include governmental, religious, educational, charitable, fraternal, philanthropic, hospital, or other similar uses.

2.87. KENNEL means a place where dogs and other domestic animals other than poultry are bred and raised, and are sold or kept for sale or boarded.

2.88. LANDSCAPED OPEN SPACE shall mean 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.

2.89. LANDSCAPING means a combination of trees, shrubs, flowers, grass or other horticultural elements, together with decorative stonework, paving, screening or other architectural elements, all of which is designed to enhance the visual amenity of a property and to provide a screen to mitigate any objectionable aspects that may detrimentally affect adjacent land but does not include parking areas, patios, walkways, driveways, traffic aisles or ramps.

2.90. 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.

2.91. LIVESTOCK includes dairy, beef, swine, poultry, horses, goats, sheep, ratites, fur-bearing animals, deer and elk, game animals, birds, and other animals identified in Table 1 of the Minimum Distance Separation formulae. (Amended by By-law 22-2007)

2.91.a. LIVESTOCK FACILITIES One or more barns or permanent structures with livestock-occupied portions, intended for keeping or housing livestock. A livestock facility also includes all manure or material storages and anaerobic digesters. (Amended by By-law 22-2007)

2.91.b. LIVESTOCK HOUSING CAPACITY Maximum livestock capacity for all facilities on a lot at any time, even if currently empty but able to house livestock. (Amended by By-law 22-2007)

2.91.c. LIVESTOCK UNIT (Deleted by By-law 22-2007).

2.92. LOADING SPACE means an off-street space on the same lot as the building or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, lane or other appropriate means of access.

2.93. LOT shall mean a parcel of land, described in a registered deed or shown on a registered plan of subdivision, including any of its parts which are subject to right-of-way or easement, that is capable of being legally conveyed.

2.93.1. Lot Area is the total horizontal area within the limits of a lot, and for the purpose of this definition the lot area in each zone shall apply only to that portion of such lot which is located within said zone unless otherwise specified.

2.93.2. Lot, Corner means a lot situated at the intersection of, or abutting upon, two or more public roads, provided that the angle of intersection of such streets is not more than 135 degrees.

2.93.3. Lot Coverage shall mean the percentage of the lot area, covered by all buildings above ground level, and shall not include that portion of such lot area which is occupied by a building or portion thereof which is completely below ground level, and for the purpose of this definition the lot coverage in each zone shall be deemed to apply only to that portion of such lot which is located within said zone.

2.93.4. Lot Depth means the horizontal distance between the front and rear lot lines. Where these lines are not parallel, it shall be the length of a line joining the mid-points of the front and rear lot lines; for lots with curved front lot lines, the measurement shall be taken from a line drawn parallel to the chord of the arc of the curve constituting the front lot line, lying midway between said chord and a line drawn parallel to said chord and tangent to said arc.

2.93.5. Lot Frontage shall mean the horizontal distance between the side lot lines measured at right angles. Where the front lot line is not a straight line, or where the side lot lines are not parallel, the front lot line shall be measured by a line seven and one-half (7.5) metres back from and parallel to the chord of the lot frontage. (For the purpose of this By-law the chord of the lot frontage is a straight line joining the two points where the side lot lines intersect the front lot lines.)

2.93.6. Lot, Interior means a lot other than a corner lot.

2.93.7. Lot Line means any boundary of a lot or a vertical projection thereof.

2.93.8. Lot Line, Exterior means the side lot line which abuts the street on a corner lot.

2.93.9. Lot Line, Front means the lot line that abuts the street except that, 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 flankage lot line. In addition:
2.93.9.1. 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 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 Municipality may designate either street line as the front lot line;
2.93.9.2. in the case of a corner lot abutting a .3 metre reserve...
the lot 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 line;

2.93.9.3. In the case of a through lot, the longer boundary dividing the lot from the street shall be deemed to be the front line and opposite shorter boundary shall be deemed to be the rear lot line. In case each of such lot lines should be of equal length the Municipality may designate either street line as the front lot line.

2.93.10. Lot Line, Rear means the lot line furthest from or opposite the front lot line.

2.93.11. Lot Line, Side means a lot line other than a front or rear lot line.

2.93.12. Lot, through shall mean 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 herein before defined, such lot shall be deemed a "Lot, Corner" for the purpose of this By-law.

2.93.13. Lot, Width means the shortest horizontal distance between the side lot lines. (See Illustrations at end of Section 2)

2.94. LOT OF RECORD shall mean a lot or parcel of land that can legally be conveyed and which includes lots on a registered plan of subdivision, parcels created by consent in accordance with the Planning act or any other distinct and separate holding, the deed to which is registered in the Land Registry Office and which lot or parcel of land was legally created prior to the date of passing of this By-law. For the purposes of this definition, lots of record shall not include those lots on a registered plan of subdivision which has been deemed not to be a registered plan of subdivision for the purposes of Section 49(4) of the Planning Act, 1983.

2.95. MAIN BUILDING means the building designed or used for the principal use on the lot.

2.96. MAIN WALL shall mean the exterior front, side or rear wall of a building or structural members essential to the support of a fully enclosed space or roof (where such members are nearer to a lot line than the said exterior wall).

2.97. MANURE, LIQUID FACILITY means a building or structure in which animal waste is stored in a liquid state.

2.98. MANURE, SOLID FACILITY means a building or structure in which animal waste is stored in a liquid state.

2.98.a. MINIMUM DISTANCE SEPARATION (MDS I) Is a tool to determine a required distance for new development from existing livestock facilities as determined by the Minimum Distance Separation (MDS) Formulae approved by the Province of Ontario (as amended from time to time). (Amended by By-law 22-2007)

2.98.b. MINIMUM DISTANCE SEPARATION (MDS II) Is a tool to determine a required distance for a new or expanding livestock facility from an existing use or approved development area as determined by the Minimum Distance Separation (MDS) Formulae approved by the Province of Ontario (as amended from time to time). (Amended by By-law 22-2007)

2.99. MOBILE HOME shall mean a transportable single family dwelling unit occupied or designed for occupancy by one or more persons on a permanent basis, having a floor area of not less than fifty (50) square metres. It may contain parts that can be folded, collapsed for telescoped when being towed and expanded later to provide additional floor space. It may also be two or more separate towable units that are joined on the chosen site. It shall be placed or designed to be placed on permanent foundations, and connected or designed to be connected to public utilities, but shall not include a travel trailer, tent trailer or a trailer otherwise designed.

2.100. MOBILE HOME, DOUBLE WIDE shall mean a prefabricated dwelling unit occupied or designed for occupancy by one or more persons on a permanent basis, towed or designed to be towed in two or more separate sections with each section towed or designed to be towed on its own chassis and joined together to form one dwelling unit and placed on a permanent foundation, and connected or designed to be connected to public utilities, but shall not include a travel trailer, or single-family detached dwellings constructed in parts, designed to be transported to a lot and where they are joined as integral units and placed on a permanent foundation.

2.101. MOBILE HOME PARK shall mean 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 mobile home park.

2.102. MOBILE HOME SITE shall mean a parcel of land within a mobile home park occupied by or intended for occupancy by one mobile home together with all yards and open space required by this By-law.

2.103. MOTEL means a separate building of two or more connected or detached buildings designed and used for the purpose of catering to the needs of the travelling public by furnishing sleeping accommodation with or without supplying food and/or other refreshments, and without limiting the generality of the foregoing shall include a motor court, auto court and tourist home, within the meaning of the Tourist Establishment Act.

2.104. MOTOR HOME shall mean a self-propelled dwelling unit.

2.105. MOTOR VEHICLE shall mean an automobile, truck, motorcycle or motorized snow vehicle, or all terrain vehicle but does not include the cars of electric or steam railways, or other vehicles running only on rails, or a traction engine, farm tractor, self-propelled instrument of husbandry or road building machine.

2.106. MUNICIPAL DRAIN shall mean a drainage works as defined by The Drainage Act, as amended from time to time.

2.107. MUNICIPALITY shall mean the Corporation of the Township of Turnberry.

2.108. NAVIGABLE WATERWAY shall mean a navigable body of water or stream as deemed under the Beds of Navigable Waters Act.

2.109. NON-COMPLYING means a use, building or structure, permitted by the provisions of the zone in which such use, building or structure is located, which does not meet the zone provisions with respect to yards, lot area, frontage, parking, setback, or any other provisions of this By-law applicable to that zone.

2.110. NON-CONFORMING means a use, building or structure not permitted by the permitted use provisions of this By-law for
the zone in which such use, building or structure is located, as of the date of passing of this By-law.

2.111. NURSING HOME shall mean a nursing home as defined under the Nursing Home Act, as amended from time to time.

2.111.a. NUTRIENT UNIT (NU) An amount of nutrients that give a fertilizer replacement value of the lower of 43 kilograms of nitrogen, or 55 kilograms of phosphate as nutrient (as defined in Ontario Regulation 267/03 made under the Nutrient Management Act, 2002) and as provided by the Minimum Distance Separation (MDS) Formulae approved by the Province of Ontario (as amended from time to time). (Amended by By-law 22-2007)

2.112. OBNOXIOUS USE shall mean an offensive use or trade within the meaning of The Public Health Act or any use which is a nuisance by reason of emission of airborne or waterborne odours, gases, dirt, smoke, noise, vibration, fumes, cinders, soot or waste, or the depositing or leaving of unsightly objects or chattels on land, which may be hazardous or injurious as regards health or safety or which prejudices the character of the surrounding area or interferes with or may interfere with the normal enjoyment of any use of land, building or structure.

2.113. OFFICE means any building or part of a building in which business may be transacted, a service performed or consultation given, but excludes such uses as retail sale, repair, manufacture, assembly or storage of goods, or places of assembly and amusement.

2.114. OPEN SPACE, USABLE shall mean an area of land on the site which is suitable for landscaping, including any part of the site occupied by recreational accessory buildings, any surfaced walk, patio or similar area, any sports or recreational area, any ornamental or swimming pool, and the roof or other part of a building or structure open to the air and suitable for landscaping and used as a recreational area but excluding any driveway or ramp, whether surfaced or not, any curb, retaining wall, motor vehicle parking area, or loading space.

2.115. OUTSIDE AMENITY AREA means an outdoor rear yard amenity area within the boundaries of a lot for aesthetic and recreational use and may include landscaped open areas, patios and swimming pools but shall not include any driveway or parking area.

2.116. OUTSIDE STORAGE means the storage of goods, merchandise or equipment in the open air and in unenclosed portions of buildings which are open to the air on the sides.

2.117. PARK, PRIVATE means a non-commercial recreational area other than a public park used by the owner and his guests, and may include therein one or more swimming pools, wading pools, picnic areas, refreshment rooms, tent camping areas, tennis courts, bowling greens, or similar open space uses.

2.118. PARK, PUBLIC means a recreational area owned or controlled by the Corporation or by any Board, Commission or other Authority established under any statute of the Province of Ontario, or any religious, charitable or philanthropic organizations.

2.119. PARKING LOT OR PARKING AREA shall mean an area of land which is provided and maintained upon the same lot or lots upon which the principal use is located and which area: 2.119.1. comprises all parking spaces of at least the minimum number required according to the provisions of this By-law, and all driveways, aisles, maneuvering areas, entrances, exists, and similar areas used for the purpose of gaining access to and egress from the said parking spaces, but shall not include any part of a highway, street or road; and

2.119.2. is provided and maintained in accordance with all applicable provisions of this By-law.

2.120. PARKING SPACE means an area of land which is provided and maintained for parking and in which area:

2.120.1. is provided for the temporary parking or storage of one motor vehicle other than for the purpose of offering commodities for sale or display;

2.120.2. is adequate for the temporary parking or storage of one motor vehicle and may be located within a private garage, building, carport or open area;

2.120.3. is not less than 2.7 metres in width nor less than 6 metres in length, exclusive of any land used for access, maneuvering, driveway or a similar purpose except as noted elsewhere in this by-law; and

2.120.4. has adequate access to permit ingress and egress of a motor vehicle from a street by means of driveways, aisles, maneuvering areas or similar areas, no part of which access is to be used for the temporary parking or storage of any motor vehicle.

2.121. PERMITTED shall mean permitted by this By-law.

2.122. PERSON includes any individual, association, partnership, corporation, Municipal Corporation, agent or trustee and the heirs, executors or other legal representative of a person to whom the context can apply according to law.

2.123. PIT, shall mean a place where consolidated gravel, stone, earth, clay, fill, mineral, consolidated rock, or other material is being or has been removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes.

2.124. PIT, WAYSIDE shall mean a temporary pit opened and used by a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

2.125. PLACE OF ENTERTAINMENT means a motion picture amusement arcade or other theatre, auditorium, billiard or pool room, bowling alley, ice or roller skating rink, curling rink, or dance hall, but does not include any place of entertainment or recreation otherwise defined or classified in this By-law.

2.126. PLANT, HOT MIX means a building or structure used for the manufacturing of asphalt in a form suitable for the immediate use in the paving of roads or driveways and the dampproofing of buildings and structures.

2.127. PLANT, READY MIX means a building or structure used for the manufacturing of concrete in a form suitable for the immediate use in the construction of buildings, structures, roads or driveways.

2.128. PLANTING STRIP shall mean an area which shall be used for no purpose other than planting a row of trees or a continuous unpierced hedgerow of evergreens or shrubs not less than 1.5 metres high, immediately adjacent to the lot line or portion thereof along which such planting strip is required.

2.129. PRIVATE club shall mean a building or part of a building used as a meeting place for members of a chartered organization, and shall include a lodge a fraternity or sorority house, hostel, and a labour union hall.
2.130. PROFESSIONAL OFFICE means any office where professionally qualified persons, technical assistants and clerical staff are employed and where clients or patients go for advice, consultation or treatment.

2.131. PUBLIC AUTHORITY shall mean 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 Turnberry 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.

2.132. PUBLIC BUILDING shall mean any building or structure owned or leased by a municipal corporation the County of Huron, Province of Ontario or the Government of Canada and in which government activities are carried out.

2.133. PUBLIC UTILITY shall mean 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, a transportation system or a telephone system, and includes any lands, buildings or equipment required for the administration or operation of any such system.

2.134. RECREATION, ACTIVE shall mean the use of land, water and/or building for the purpose of organized active leisure activities and shall include an arena, a golf course and a sports field, and motorized vehicle trails.

2.135. RECREATION, PASSIVE shall mean 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 playlot with activity equipment for children.

2.136. RENOVATION means the repair and restoration of a building to good condition within existing external walls but shall not include its replacement.

2.137. RESIDENTIAL USE means the use of a building or structure or parts thereof as a private dwelling.

2.138. RESTAURANT shall mean a building or part thereof where food is offered for sale or sold to the public for immediate consumption and includes such uses as a cafe, cafeteria, ice cream parlour, tea or lunch room, diary bar, coffee shop or snack bar, but does not include a drive-in restaurant.

2.139. RESTAURANT, DRIVE-IN shall mean premises consisting of a building or structure, together with a parking lot, from which food, refreshments, dairy products or beverages are offered for sale or sold to the public for consumption either in automobiles parked on the parking lot or for consumption elsewhere but not necessarily within such building or structure on the premises, and does not include a building or structure where food, refreshments, dairy products or beverages are offered for sale or sold to the public only for consumption within the building or structure.

2.140. RETAIL STORE means a building or part of a building in which goods, wares, merchandise, substances or articles are kept for sale, but does not include any manufacturing, processing or construction uses.

2.141. RETAIL SALES OR SERVICE AREA shall mean floor area where goods and services are made available for sale but shall not include storage areas.

2.142. RIGHT-OF-WAY shall mean a private road which affords access to abutting lots and does not include a lane, road or street.

2.143. ROAD, STREET OR HIGHWAY (PUBLIC) means a road which has been assumed by the Ministry of Transportation and Communications, the County of Huron or the Township of Turnberry and shall mean such public highway, street or road as affords the main means of access to any lots abutting thereon.

2.144. SALVAGE YARD includes 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 and includes a junk yard, scrap metal yard and an automotive wrecking establishment (as defined in Section 2.19.), including ancillary automotive sales and service establishment and premises.

2.145. SCHOOL means a school under the jurisdiction of a Public, Separate or High School Board, a college or a university or any other school established and maintained either wholly or partially at public or private expense whether or not the same is also a boarding school, and includes any dormitory building accessory to a school.

2.146. SEPARATION DISTANCE means the horizontal distance between buildings or structures measured from the closest point on the exterior wall of such buildings or structures.

2.147. SERVICE INDUSTRY means an establishment set up to perform cleaning, maintenance, renovation or repair on an existing product, but does not include any automotive uses as defined by this By-law.

2.148. SERVICE SHOP

2.148.1. Personal, means a building or part of a building not otherwise defined or classified herein, for the performance of personal services such as health studios, a barber shop or beauty parlor.

2.148.2. 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.

2.149. SERVICE STATION means a building and/or lot used for the service and repair of motor vehicles and may include the sale of fuels, lubricants and parts for motor vehicles.

2.150. SETBACK, See Building Setback (2.28.)

2.151. SEWAGE DISPOSAL FACILITIES shall mean a system of underground pipes or conduits and related pumping and treatment appurtenances operated by the Township of Turnberry and/or the Ontario Ministry of the Environment for public use for the treatment and disposal of storm and/or sanitary sewage and also includes a septic tile bed disposal area.

2.152. SIGN means a name, identification, description, device, display, or illustration which is affixed to, or represented directly or indirectly upon a building, structure or lot and which directs attention to an object, product, place, activity, person, institution, organization or business.
2.153. SITE PLAN shall mean a scaled drawing showing the relationship between the lot lines and the uses, buildings or structures existing or proposed on a lot, including such details as parking areas, driveways, walkways, landscaped areas, building areas, minimum yards, building heights, floor areas, densities and areas for special uses.

2.154. STOREY shall mean that portion of a building between any floor and the floor, ceiling or roof next above, provided that any portion of a building partly below grade level shall not be deemed a storey unless its ceiling is at least one and eight-tenths (1.8) metres above average finished grade and provided also that any portion of a storey exceeding four (4.0) metres in height shall be deemed an additional storey for each four (4.0) metres or fraction thereof of such excess.

2.155. STOREY, HALF shall mean the portion of a building located wholly or partly within a sloping roof having a floor area of not less than one-third or more than two-thirds of the floor area of the storey next below, sidewalks not less than 1.2 metres in height and a ceiling with a minimum height of 2.3 metres over an area equal to at least fifty percent (50%) of its floor area.

2.156. STREET LINE means the boundary line between a street and a lot.

2.157. STRUCTURE shall mean anything that is erected, built or constructed of parts joined together or any such erection fixed to or supported by the soil and/or any other structure, including manure storage facilities. For the purposes of this By-law, "structure" does not include a fence, retaining wall, hedge, light standards, signs or a swimming pool. (Amended by By-law 28-2002)

2.158. SWIMMING POOL means any body of water located outdoors, contained by artificial means, and having a depth of greater than .3 metres at any point, and used and maintained for the purpose of swimming, wading, diving or bathing, not including an existing or new pond built for agricultural purposes.

2.159. TAVERN shall mean tavern as defined by the Liquor License Act, as amended from time to time.

2.160. TEMPORARY BUILDING shall mean a building or structure intended for removal or demolition within a prescribed time not exceeding two years as set out in a building permit.

2.161. TEMPORARY USE means the use of land, building or structure for a construction office, tool shed, or for the storage of scaffolds, equipment and material which is incidental to and necessary for construction work in progress for so long as the same are necessary for the construction work which has neither been finished nor abandoned on the same lot.

2.161.a. TILLABLE HECTARES means the total area of land including pasture that can be cultivated. (Amended by By-law 28-2002)

2.162. TOP-OF-BANK means a line delineated at a point where the oblique plane of the slope meets the horizontal plane.

2.163. TOURIST HOME means a single family dwelling in which rooms or lodging are provided for pay and includes a farm vacation home.

2.164. TOWNSHIP means the Corporation of the Township of Turnberry, or land included within the Township of Turnberry as appropriate.

2.165. TRAVEL TRAILER SALES ESTABLISHMENT shall mean a building, structure or lot used for the display and sale of travel trailers and includes the servicing or repair of said travel trailers.

2.165.a. URBAN means those land uses designated for residential, recreational, commercial, industrial, institutional or developmental within a recognized Town, Village, Hamlet or other recognized urban area. (Amended by By-law 28-2002)

2.166. USE shall mean the purpose for which any land, building, structure, or premises, or part thereof, is arranged, designed or intended to be used, or is or may be occupied or maintained and the words 'used', 'to use' and 'uses' have a corresponding meaning.

2.167. WAREHOUSE shall mean a building used or intended to be used for the bulk storage of goods, merchandise or materials and shall include wholesale establishments.

2.168. WASTE DISPOSAL SITE shall mean any land approved by the Ministry of the Environment upon, into or in which waste may be deposited or processed.

2.169. WATER SUPPLY shall mean a distribution system of underground piping and related storage, including pumping and purification appurtenances owned and operated by the Township of Turnberry and/or the Ontario Ministry of the Environment for public use.

2.170. WATER SYSTEM, COMMUNAL shall mean a private water distribution supply system in which water is piped to more than one dwelling or business operation.

2.171. WATERCOURSE shall mean a natural channel for a stream and, for the purpose of this By-law, includes a natural channel for an intermittent stream and all watercourses shown on Schedule "B" of the Township of Turnberry Secondary Plan.

2.172. WHOLESALE USE means any establishment which sells merchandise to others for resale and/or to industrial or commercial users.

2.173. YARD means an open area of land, unoccupied and unobstructed except as otherwise provided for or required by this By-law, located on the same lot or zone within a lot with a main building or structure.

2.173.1 Yard, Front means a yard extending across the full width of the lot or zone within the lot between the front line of the lot and the nearest part of any building or structure on the lot, or the nearest open storage use on the lot. "Front Yard Depth" means the least horizontal dimension between the front lot line of the lot and the nearest part of any building or structure on the lot, or the nearest open storage use on the lot.

2.173.2 Yard, Rear means a yard extending across the full width of the lot or zone within the lot between the rear lot line of the lot or rear zone boundary and the nearest open storage use on the lot. "Rear Yard Depth" means the least horizontal dimension between the rear lot line of the lot or rear zone boundary and the nearest part of any building or structure on the lot or zone, or the nearest open storage use on the lot or zone.

2.173.3 Yard, Side means a yard extending from the front yard to the rear yard and from the side lot line of the lot or side zone boundary to the nearest part of any building or structure on the lot, or the nearest open storage use on the lot. "Side Yard
Depth" means the least horizontal dimension between the side lot line of the lot or side zone boundary and the nearest part of any building or structure on the lot or zone, or the nearest open storage use on the lot or zone.

2.173.4. **Yard, Side, Exterior** means a side yard immediately adjoining a public street.
(See Illustrations at end of Section 2)

2.174. **ZONE** means an area delineated on the Zoning Map or Zoning Map Schedules and established by this By-law for a specific use.

2.175. **SELF SERVICE STORAGE FACILITY** means any real property designed and used for the purpose of renting or leasing individual storage spaces to tenants who have access to such space for the purpose of storing and removing personal property and shall not include a warehouse or wholesale use. (Amended by By-law 007-88)
SECTION 3 GENERAL PROVISIONS
3.1. APPLICATION
The provision of this section shall apply to all zones except as otherwise indicated in the applicable zone provisions.

3.2. APPLICATION OF OTHER BY-LAWS, REGULATIONS LEGISLATION
Nothing in this By-law shall operate to relieve any person from the obligation to comply with the requirements of the Ontario Building Code Act or any other By-law of the Municipality in force from time to time or the obligation to obtain any other license, permit, authority or approval lawfully required by a governmental authority having jurisdiction to make such restrictions.

3.3. LOTS TO FRONT ON PUBLIC ROAD
Unless otherwise specified by this By-law, no lots shall be created and no person shall erect a building or structure and no person shall use any land, building, or structure unless the lot to be so used or upon which the building or structure is situated, erected or proposed to be erected abuts or fronts on a public road of satisfactory construction and maintenance to permit the reasonable and safe passage of motor vehicles, provided that a building or structure may be erected upon a lot within a registered plan of subdivision in accordance with the provisions of a Subdivision Agreement in respect of such plan of subdivision notwithstanding that the roads within such plan of subdivision have not been assumed and are not being maintained by the Municipality.

3.4. NON-COMPLYING USES
Where a use, building or structure was legally established prior to the date of the passing of this By-law, and is permitted by the provisions of the zone in which such use, building or structure is located, but does not meet the zone provisions with respect to yards, lot area, frontage, parking, setback or any other provisions of this By-law applicable to that zone, the said building or structure shall be deemed to comply with the By-law and may be enlarged, extended, reconstructed, repaired or renovated provided that:

3.4.1. The enlargement, extension, reconstruction, repair or renovation does not further reduce the compliance of that use, building or structure, with the provision(s) of the By-law to which it does not comply; and,
3.4.2. All other applicable provisions of this By-law are complied with.

3.4.3. MDS AND CATASTROPHES:
3.4.3.1. Notwithstanding any other provisions of this By-law to the contrary, where a building or structure is destroyed in whole or in part, by a catastrophe, MDS I will not be applied when the building or structure is rebuilt provided that it is built no closer to livestock facilities than before the catastrophe.
3.4.3.2. Notwithstanding any other provisions of this By-law to the contrary, where a livestock facility is destroyed in whole or in part, by a catastrophe, MDS II will not be applied when the livestock facility is rebuilt, provided it is built no closer to surrounding land uses and lot lines than before the catastrophe, and the values of Factor A, B and/or D have not been increased for the livestock facility. (Amended by By-law 22-2007)

3.5. NON-CONFORMING LANDS, BUILDINGS, STRUCTURES AND USES
3.5.1. CONTINUATION OF EXISTING USES
The provisions of this By-law shall not apply to prevent the use of any lot, building or structure for any purpose prohibited by this By-law if such lot, building or structure was lawfully established and used for such purpose on the date of passing of this By-law, and provided that it continues to be used for that purpose.

3.5.2. BUILDING PERMIT ISSUED
The provisions of this By-law shall not apply to prevent the erection or use for a purpose prohibited by this By-law of any building or structure, the plans for which have prior to the date of passing of this By-law been approved by the Building Inspector, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the erection of such building or structure is commenced within 1 year after the date of the passing of this By-law; and such building or structure is completed within a reasonable time after the construction thereof is commenced.

3.5.3. STRENGTHENING, REPAIR OR RENOVATION OF NON-CONFORMING BUILDINGS AND STRUCTURES
Nothing in this By-law shall prevent the strengthening to a safe condition of any building or structure or part of any such building or structure which does not comply with the provisions of this By-law, provided:
3.5.3.1. such alteration or repair does not increase the height, size or volume of such building or structure;
3.5.3.2. the alteration, repair or renovation does not involve any alteration of use and the building or structure continues to be used for the same purpose; and
3.5.3.3. all other applicable provisions of this By-law are complied with.

3.5.4. CHANGE IN USE, EXTENSION OR ENLARGEMENT
No change in use, including the extension or enlargement of a non-conforming building or structure shall be permitted except as may be allowed under Section 44 of The Planning Act, following an application to the Committee of Adjustment. In reviewing such application the Committee will have regard for the provisions of The Planning Act and the principles of the Township Secondary Plan.

3.5.5. DISCONTINUED NON-CONFORMING USE
Where a use, building or structure which was lawfully established prior to the day of the passing of this By-law has been used for a purpose not permitted in the use zone in which it is situated but the said use has been discontinued for a period of within 2 years from the date of destruction. Following this period of time the building may only be reestablished in conformity with the provisions of the by-law. The said building or structure may only be used again for a use that conforms to this By-law.

3.5.6. REPLACEMENT OF NON-CONFORMING USES
Where a building or structure has been purposely demolished or accidentally destroyed to the extent of more than seventy-five (75) percent of its value (inclusive of walls below grade) as at the date of damage and which does not conform with the requirements of this By-law in respect to use, lot occupancy or height, shall not be replaced except as permitted by the regulations of the zone in which the said structure or building is located.
3.5.7. STATUS ZONING
Notwithstanding the provisions of Section 3.5.6., where an otherwise existing non-conforming use, building or structure has been recognized through status zoning by this by-law as a permitted use any significant change or expansion will only be permitted through an amendment to the zoning by-law. In considering any such amendment Council will have regard to the provisions of the Township Secondary Plan.

3.6. PERMITTED ENCROACHMENTS IN YARDS
Every part of any yard required by this By-law shall be open and unobstructed by any structure from the ground to the sky provided however, that fences and hedges in accordance with the provisions of Subsection 3.24. of this By-law shall be permitted and that those structures listed in the following table shall be permitted to project into the minimum yards indicated for the distances specified below:

<table>
<thead>
<tr>
<th>Structure</th>
<th>Yards in which projection is permitted</th>
<th>Maximum Projection from main wall permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sills, Belt courses, cornices, eaves,</td>
<td>Any Yard</td>
<td>.75 metres</td>
</tr>
<tr>
<td>gutters, chimneys, or pilasters.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire escapes and exterior staircases</td>
<td>Rear yard</td>
<td>1.5 metres</td>
</tr>
<tr>
<td>or Side yard</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Window bays</td>
<td>Front, rear &amp; exterior side only</td>
<td>1 metre over a width of 3 metres</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Balconies</td>
<td>Front, rear &amp; exterior side yards only for single-family detached dwellings.</td>
<td>1.5 metres</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Open, roofed porches not exceeding one</td>
<td>All yards</td>
<td>2.5 metres including eaves and cornices provided that no porch or terrace extends closer than within 1.0 metres of any lot line or prevents access to any rear yard.</td>
</tr>
<tr>
<td>storey in height uncovered terraces</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3.7. HEIGHT RESTRICTIONS

3.7.1. EXCEPTIONS TO HEIGHT LIMITATIONS
The height limitations of this By-law shall not apply to Church spires, clock towers, water tanks, elevator enclosures, flag poles, television or radio antennae, ventilators, silos, sky-lights, chimneys, windmills or grain elevators. Notwithstanding these provisions, the height restrictions apply to windmills in all Urban zoning categories.

3.7.2. ADDITIONAL MAXIMUM HEIGHT RESTRICTIONS
There are two specially defined areas shown on Key Map 2A in which additional maximum height regulations are in force. These additional maximum height regulations are in addition to the height regulations of the specific zone and apply to all buildings and structures, notwithstanding the provisions of Section 3.7.1., to the contrary.

3.7.2.1. In Defined Area 1 (D.A. 1), as shown on Key Map 2A, no building or structure may be higher than a height calculated based on the ratio of 1:7 from the side perimeter of an AL1 Zone, or the height restriction of the zone in which the land lies, whichever is the lesser. (That is, for every 7 metres calculated at a right angle to the side plane of the AL1 Zone, building or structure height may be increased by 1 metre, until the prescribed maximum height restriction for the zone is reached).

3.7.2.2. In Defined Area 2 (D.A. 2), as shown on Key Map 2A, no building or structure may be higher than a height calculated based on the ratio of 1:50 from the take-off threshold, or the height restriction of the zone in which the land lies, whichever is the lesser. (That is, for every 50 metres calculated at a right angle to the end horizontal plane of the take-off threshold, building height may be increased by 1 metre, until the prescribed maximum height restriction for the zone is reached).

3.8. ACCESSORY BUILDINGS
Private garages or other accessory buildings or structures:
3.8.1. shall not be used for human habitation except where a dwelling is a permitted accessory use;
3.8.2. shall not be built in a front yard. Where an accessory building or structure is built on a corner lot, it shall be located in the side yard which is not adjacent to the flanking street or in the rear yard and not closer to a street than the setback required for the main building, except that this provision does not apply in AG1 or AG2 Zones.
3.8.3. when detached, shall not exceed six (6) metres in height nor contain more than two storeys;
3.8.4. shall not exceed ten (10) percent coverage of the total lot area;
3.8.5. shall not be built closer than 1.25 metres to a lot line nor contain more than two storeys;
3.8.6. shall not be considered for the purposes of calculating lot coverage even if attached to the main building in any way, except for accessory residential uses.

3.9. PARKING AREA REGULATIONS
Parking spaces and areas required under this By-law shall be provided in accordance with the following provisions:

3.9.1. PARKING AREA REQUIREMENTS
Notwithstanding any yard requirements set out elsewhere in this By-law there shall be provided for every building or part thereof, erected after the date of enactment of this By-law in any zone, an area of automobile parking. Adequate provisions for access to a street or public lane from each individual parking space unobstructed by any other parking space shall be provided and unless otherwise stated, the parking shall be provided on the same or nearby lot as the building it is intended to serve. Such parking space shall be provided as follows:

<table>
<thead>
<tr>
<th>Type of Building</th>
<th>Minimum Parking Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>For each dwelling</td>
<td>Two (2) Spaces</td>
</tr>
<tr>
<td>except apartments,</td>
<td></td>
</tr>
<tr>
<td>multi-family and</td>
<td></td>
</tr>
<tr>
<td>group homes</td>
<td></td>
</tr>
</tbody>
</table>
For each apartment - or multi-family dwelling

<table>
<thead>
<tr>
<th>Type of Building</th>
<th>Minimum Parking Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grouped Commercial</td>
<td>Six (6) spaces for each one hundred (100) sq. m. of gross floor area.</td>
</tr>
<tr>
<td>Hospital, Sanitarium, Nursing Home</td>
<td>One (1) parking space for each two (2) beds.</td>
</tr>
<tr>
<td>Hotels, Motels &amp; Taverns</td>
<td>One (1) parking space for each guest room or suite of a motel; one (1) parking space for each ten (10) sq. m. or fraction thereof of floor area within the hotel, motel or tavern devoted to public uses.</td>
</tr>
<tr>
<td>Industrial Establishments</td>
<td>One (1) parking space for each ninety (90) sq. m. or fraction thereof of building on the lot.</td>
</tr>
<tr>
<td>Libraries</td>
<td>Minimum three (3) parking spaces.</td>
</tr>
<tr>
<td>Offices</td>
<td>One (1) parking space for each forty (40) sq. m. or fraction thereof of rentable floor space in the building.</td>
</tr>
</tbody>
</table>

**For each group home**

- One (1) space per each 3 people included within the licenced or approved capacity of the group home.

**Any Commercial use in a Commercial Zone except those uses specifically listed elsewhere in this Section**

- One (1) parking space for each forty (40) sq. metres or fraction thereof of commercial floor space within the building.

**Auditorium, arena, church, hall, restaurant, theatre, club and other places of assembly**

Where there are fixed seats one (1) parking space for every four (4) seats or two & a half (2.5) m. of bench space of its maximum seating capacity. Where there are no fixed seats one (1) parking space for each ten (10) sq. m. or fraction thereof of floor area devoted to public use.

**Social, Service or Country Club**

1 per 10 sq. m. of floor area devoted to public use of all club buildings plus: 2 per golfing green; 2 per lawn bowling green; 2 per tennis or racquet ball court; 4 per curling ice sheet. Where any one club provides seasonal recreational facilities such as golf (summer), or curling (winter), parking spaces for these activities shall only be provided for the season requiring the greatest number of parking spaces.

**Automotive washing Establishments (Automatic)**

Space for the storage & movement of at least ten (10) automobiles in advance of and three (3) automobiles at the terminus of each wash line.

**Automotive washing Establishments (Self-Serve)**

Space for the storage & movement of at least three (3) automobiles in advance of and one (1) automobile at the terminus of each wash stall.

**Bowling Alleys**

Three per bowling lane & 1 per 10 sq. m. of floor area devoted to public use not including the actual bowling lanes.

**Auction Facilities & Flea Markets**

One(1) parking space for each thirty seven (37) Square metres or fraction thereof of Commercial Space within the building, and in the case of outdoor facilities, two (2) spaces per vending booth.

**Miniature Golf Course & Golf Driving Range**

One (1) space for each hole of the miniature golf course & 1 space for each golf driving lane.

**Drive-In Restaurant**

Ten (10) spaces plus one (1) space for every four (4) seats.

**Funeral Homes**

One (1) parking space for each five (5) seats capacity of the Funeral Home.

**Type of Building**

Minimum Parking Required
### 3.9.4. EXISTING BUILDINGS

- **Government Buildings**: One (1) parking space for each four (4) employees plus a parking area for visitors with a minimum capacity of ten (10) parking spaces.

- **Retail Store, Department Store, Service Shop**: One (1) space for each twenty (20) sq. m. of gross floor area.

- **Schools**: One (1) parking space for each staff member or school employee.

- **Supermarket, Groceteria**: One (1) space for each ten (10) sq. m. of gross floor area.

#### 3.9.2. CALCULATION OF SPACES

- **3.9.2.1.** When a building or lot accommodates more than one use or purpose the required parking spaces shall be the sum of the required parking spaces for the separate uses or purposes.
- **3.9.2.2.** If calculation of the required parking spaces results in a fraction, the required parking spaces shall be the next higher whole number.

#### 3.9.3. USE OF PARKING SPACES AND AREAS

Any area where off-street parking is required under this By-law shall be used for no other parking purpose than for the parking of operative passenger vehicles and commercial vehicles used in operations incidental to the permitted uses on the lot, all bearing currently valid license plates.

For the purposes of this subsection "commercial motor vehicle" shall mean any commercial vehicles as defined in the Highway Traffic Act.

Notwithstanding the foregoing, no person shall within any Residential Zone use any part of any front yard except the driveway for the parking or temporary storage of tent trailers, motor homes, land cruisers, truck campers, boats or motorized snow vehicles and no person shall use any part of a front yard in a hamlet for the parking or storage of a house trailer.

No person shall, in any Zone use any tourist or travel trailer for the purpose of providing temporary or permanent living or eating accommodation. Sleeping accommodation may be provided in a tourist or travel trailer, truck camper or motor home for a period not exceeding fourteen (14) days annually, notwithstanding that such trailer is jacked up or that its running gear is removed.

#### 3.9.4. EXISTING BUILDINGS

The parking area requirement referred to in this By-law shall not apply to any building lawfully in existence at the date of passing of this By-law so long as:
- **3.9.4.1.** the building is used for a permitted use;
- **3.9.4.2.** the floor area as it existed at such date is not increased;
- **3.9.4.3.** any change of occupancy is to a use having the same or a lesser parking requirement according to this By-law;
- **3.9.4.4.** all parking spaces existing at the date of passing of the By-law are retained.

#### 3.9.5. ADDITIONS TO AN EXISTING BUILDING

If an addition is made to a building or structure lawfully existing at the date of passing of this By-law, then parking spaces in addition to those already existing shall be provided to the number required for such addition or change of use.

#### 3.9.6. PARKING AREA LOCATION ON LOT

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

<table>
<thead>
<tr>
<th>ZONE</th>
<th>YARDS IN WHICH REQUIRED</th>
<th>PARKING AREA PERMITTED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural</td>
<td>All yards provided that no part of any parking area, other than a driveway, is located closer than one (1) metre to any street line;</td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td>Interior side and rear yard provided that a parking area for a Residential use containing three or more dwelling units is located in the rear yard only;</td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td>All yards provided that no part of any parking area, other than a driveway, is located closer than one (1) metre to any street line;</td>
<td></td>
</tr>
<tr>
<td>Industrial</td>
<td>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 one (1) metre to any street line;</td>
<td></td>
</tr>
</tbody>
</table>

#### 3.9.7. PARKING AREA DESIGN STANDARDS

All parking areas required under this By-law, in Commercial, Industrial and Institutional Zones, shall conform with the following minimum standards:

- **3.9.7.1. Parking Aisles**
  - **3.9.7.1.1.** for 30 degree parking, the aisle shall not be less than 3.4 metres in perpendicular width;
  - **3.9.7.1.2.** for 45 degree parking, the aisle shall not be less than 3.7 metres in perpendicular width;
  - **3.9.7.1.3.** for 55 degree parking, the aisle shall not be less than 4.3 metres in perpendicular width;
  - **3.9.7.1.4.** for 60 degree parking, the aisle shall not be less than 4.9 metres in perpendicular width;
  - **3.9.7.1.5.** for 65 degree parking, the aisle shall not be less than 5.2 metres in perpendicular width;
  - **3.9.7.1.6.** for 70 degree parking, the aisle shall not be less than 5.5 metres in perpendicular width;
  - **3.9.7.1.7.** for 90 degree parking, the aisle shall not be less than 6.7 metres in perpendicular width;
  - **3.9.7.1.8.** for parallel parking, the aisle shall not be less than 3 metres in perpendicular width for one way traffic and 6 metres in perpendicular width for two way traffic;
  - **3.9.7.1.9.** for parking at an angle other than those listed above, the aisle width shall not be less than the requirements for the angle of parking which is next greater than the angle of parking being provided;
3.9.7.2. WIDTH OF PARKING
for cars parked side by side - 2.7 metres;
for cars parked with wall or fence adjacent - 3 metres.

3.9.7.3. DEPTH OF PARKING SPACES
3.9.7.3.1. for 30 degree parking - 4.6 m.
3.9.7.3.2. for 45 degree parking - 5.5 m.
3.9.7.3.3. for 55 - 70 degree parking - 5.8 m.
3.9.7.3.4. for 90 degree parking - 5.5 m.
3.9.7.3.5. for parallel parking - 6.5 m.
3.9.7.3.6. for parking at an angle other than those listed above, the depth of the parking space shall meet the requirements for the angle of parking which is next greater than the angle of parking being provided.

3.10. LOADING SPACE REGULATIONS

3.10.1. LOADING SPACE REQUIREMENTS
The owner or occupant of any lot, building or structure in a Commercial, Institutional or Industrial Zone, erected or used for any purpose involving the receiving, shipping, loading or unloading of persons, animals, goods, wares, merchandise and raw materials, shall provide and maintain at the premises, on the lot occupied by the building or structure and not forming part of a street or lane, within the zone in which such use is located, loading or unloading facilities comprising one or more loading or unloading spaces 9.0 metres long, 3.5 metres wide and having a vertical clearance of at least 4.0 metres, and in accordance with the following schedule:

<table>
<thead>
<tr>
<th>TOTAL FLOOR AREA</th>
<th>MINIMUM NO. OF LOADING SPACES REQUIRED</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 200 sq. m.</td>
<td>0</td>
</tr>
<tr>
<td>Exceeding 200 sq. m.</td>
<td>1</td>
</tr>
</tbody>
</table>

3.10.2. ACCESS
Access to loading or unloading spaces shall be by means of a driveway at least 4.0 metres wide contained within the lot on which the spaces are located and leading to a street or lane located within or adjoining the Commercial, Institutional Facility or Industrial Zone.

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

3.10.4. ADDITIONS TO BUILDINGS
The loading space requirements referred to herein shall not apply to any building in existence at the date of passing of this By-law so long as the floor area as it existed as such date is not increased. If an addition is made to the building or structure which increases the floor area, then additional loading space shall be provided for each addition or change of use as required by subsection 3.10.1. of this By-law for such addition or change of use.

3.11. BUILDING PER LOT
Unless otherwise specified, within the By-law, only one main building per lot is allowed.

3.12. ADDITION TO BUILDING OR STRUCTURE
When a building or structure has insufficient parking or loading area at the date of passing of this By-law to comply with the requirements herein, this By-law shall not be construed to require that the deficiency be made up prior to the construction of any addition. No addition may be built, however, and no change of use may occur the effect of which would be to increase that deficiency.

3.13. CORNER LOTS
On a corner lot, side yard requirements may be substituted for rear yard requirements.

3.14. DAYLIGHT TRIANGLE
Notwithstanding any other provisions of this By-law no building, shrub, foliage, or fence above the grade of the road with a height exceeding three-quarters (.75) metres shall be erected or planted within the triangular space:

3.14.1. formed by lot lines, or the straight line projections of lot lines where such lot lines are connected by a curved line closer than seven and one-half (7.5) metres from their point of intersection;
3.14.2. included between a street line and a railway right-of-way for a distance of thirty (30) metres from their point of intersection.

-This provision does not apply to the planting of field crops.

3.15. MOBILE HOME PROHIBITED IN ALL ZONES
It shall be prohibited to locate and use a mobile home in any zone for the purposes of residential, business, industrial or institutional uses, temporarily or permanently, unless the use of a mobile home for such purpose is listed specifically in this By-law as a permitted use with a particular use zone.

3.15.1. Where a mobile home is specifically listed as a permitted use within a particular use zone, each mobile home unit shall be placed on a permanent pad, substructure or permanent foundation support. All mobile homes shall be provided with durable skirting, with access where necessary, to screen the view of the undercarriage or foundation supports and any accessory structure shall be so designed to harmonize with the mobile home. (Amended by By-law 006-91)

3.16. PITS AND QUARRIES
As from the date of passing of the By-law no land within the Township shall be used for pits or quarries, unless the land is within an Extractive Resources (ER1) or (ER2) Zone, with the exception of wayside pits or quarries, as defined in the Pits & Quarries Control Act.

3.17. OBNOXIOUS USES PROHIBITED
No use shall be permitted within the Township which from its nature or the material used therein is, under the Public Health Act or Regulations thereunder, declared to be a noxious trade, business or manufacture.

3.18. DANGEROUS USES
No land, building or structure except automobile service stations, and duly licensed installations for the bulk storage of gasoline, lubricating oil, fuel oils and propane are permitted for commercial or industrial purposes which are likely to create danger to health, or danger from fire or explosion which without limiting the generality of the foregoing shall include storage or manufacture of coal oil, water oil, rock oil, fuel oil, burning fluid, gas, naphtha, benzene, gasoline, dynamite, duraline, nitroglycerine, gunpowder, petroleum and petroleum products.

3.19. TRUCK OR COACH BODIES
No truck, bus, coach, or streetcar body, railway car or caboose shall be used for permanent human habitation within the Township, whether or not the same is mounted on wheels.
3.20. TEMPORARY ACCOMMODATION FOR WORKMEN
Where a shack, shanty, bunk-house or other temporary structure is used for the accommodation of workmen engaged in work of a temporary or seasonal nature, such building or structure:

3.20.1. shall be so used only for the duration of the work and removed when work is complete;
3.20.2. shall be locked or boarded up and not be used as accommodation when the work in connection with which they were constructed is terminated.

3.21. OCCUPANCY INCOMPLETE BUILDING
No new building or structure intended for human occupancy or use shall be occupied before the main side walls and roof have been erected and the external siding and roofing have been completed and, where applicable, kitchen, heating and sanitary conveniences have been installed and are in satisfactory working order.

3.22. DERELICT AUTOMOBILES
No lot shall be used for the keeping of derelict motor vehicles that are in a wrecked, discarded, dismantled, unlicensed, inoperative or abandoned condition except as maybe provided for in 'Salvage Yard' (C4) Zone.

3.23. PERMITTED PUBLIC USES

3.23.1. The provisions of this By-law shall not apply to prevent the use of any land as a street or to prevent the installation of a watermain, sanitary sewer main, storm sewer main, gas distribution main, telephone line, or other communication lines and accessory structures and facilities, provided that:
3.23.1.1. the lot coverage, setback and yard requirements prescribed for the Institutional (I) or Communication & Utilities (U) Zone are complied with;
3.23.1.2. no goods, material, or equipment shall be stored in the open in a Residential Zone;
3.23.1.3. any building or structure erected in a Residential Zone under the authority of this paragraph shall be designed and maintained in general harmony with buildings of the type permitted in the Zone.

3.23.2. Electric power facilities which are subject to the provisions of The Environmental Assessment Act are permitted uses in all zones, and are not affected by the provisions of this By-law. Electric power facilities which are not approved under the Environmental Assessment Act are permitted uses in all zones and are subject to the provisions of Subsection 3.23.1.

3.24. PLANTING STRIP REQUIREMENTS

3.24.1. Planting Strip shall be provided:
3.24.1.1. on lands zoned or used for multiple dwellings where they abut (including along an exterior or rear lot line) lands zoned or used for one or two family dwellings;
3.24.1.2. on lands zoned or used for any general commercial, highway commercial, agricultural-commercial-industrial, or industrial purpose where the interior or rear lot line abuts lands zoned or used for residential purposes, or any public park within an NE zone;
3.24.1.3. on lands upon which a residential use or institutional use is being newly established where such lands abut (including along an exterior or rear lot line) an existing non-residential use, which is not maintaining a plant strip in accordance with Section 3.24.1.2. above;
3.24.1.4. around the perimeter of outside open storage areas that may be established in the Industrial Zone, where such areas are adjacent to a building line;
3.24.1.5. around the perimeter of an area zoned Salvage Yard C4;
3.24.1.6. on lands zoned for Institutional uses where they abut (including along an exterior or rear lot line) lands zoned for residential purposes.
3.24.1.7. where a planting strip is required adjacent to a municipal drain it shall be located in accordance with the Drainage Regulations.

3.24.2. Such planting strip shall have a width throughout of not less than one(1) metre and shall be in addition to any other required yard.
3.24.3. Such planting strip shall be contained within the zone or on the lands for which it is a requirement, and shall run the entire length of the zone or property line or lines separating it from the abutting zone or use except that no planting strip shall be located between the street line and the building line in such a manner or of such a height as to obscure the vision of the operator of a motor vehicle travelling on a public street.

3.24.4. Such planting strip shall consist of a continuous unpierced planting of trees or shrubs, and shall be maintained at an ultimate height of not less than 1.75 metres.

3.24.5. Such planting strip shall be planted and maintained by the owner or owners of the land on which the planting strips are required.
3.24.6. Subject to the site plan approval, a solid fence or wall, of equivalent height, may be considered as an alternative to a planting strip. In any site plan agreement under Section 40 of The Planning Act using a fence or wall as an alternative to a buffer strip, the following aspects relating to the fence or wall shall be considered: location, height, porosity, materials and finishing.

3.25. SWIMMING POOLS
Notwithstanding anything contained in this By-law, a swimming pool is permitted as an accessory use in any zone, provided that the side and rear yard provisions of that zone are maintained:

3.25.1. in the side yard of any lot if:
3.25.1.1. no part of such pool is located closer to any lot line than the minimum distance required for the principal building located on such lot.
3.25.2. in the rear yard of any lot if no part of such pool is located closer to any lot line than the minimum distance required for an accessory building located on such lot,
3.25.3. every privately owned outdoor swimming pool shall be enclosed by a fence of at least 1.5 metres in height as set out in the Township of Turnberry Swimming Pool Fence By-law.
3.25.4. no swimming pool or part thereof shall be located above a septic tank or septic tank tile bed without a letter of approval from the local Health Authority.

3.26. ESTABLISHED FRONT YARD
Where this By-law requires a front yard of greater than 6 metres, and where on the day of passing of this By-law, more than one-half of the frontage on any side of any one block is built upon, there shall be established a minimum required front yard as being the average of the front yards of all existing buildings in that block; provided, however, that in no case shall the established front yard be less than six (6) metres.
3.27. **GROUP HOMES**  
Group homes are considered to be residential uses and they are permitted in the following zones: General Agriculture (AG1), Restricted Agriculture (AG2), Agricultural Small Holding (AG4), Village Residential (Low Density) (VR1) and Village Residential (Medium Density) (VR2). A group home is subject to the provisions of Section 2.53.5. and the following shall apply:

3.27.1. **Separation Distance Between Group Homes - Minimum, 300 metres;**

3.27.2. **Parking - Minimum - 1 parking space per 3 beds;**

3.27.3. **Habitable Room Area Per Resident Minimum 18.5 square metres.**

3.27.4. **Bedroom Accommodation Minimum - 4.65 square metres of floor space and 11.3 cubic metres of air space for each resident under 16 years of age and;**
- **7.0 square metres of floor space and 17.0 cubic metres of air space for each resident 16 years of age or over;**
- **with beds so placed that no bed overlaps a window or radiator and no bed is nearer to any other bed than .75 metres.**

3.27.5. **Outside Amenity Area - Minimum - 18.5 sq. m. per resident.**

3.28. **SETBACK OF BUILDINGS AND STRUCTURES ALONG MUNICIPAL DRAINS & NATURAL WATERCOURSES**

3.28.1. No building or structure shall be erected closer than 7.5 metres from the centreline of a closed municipal drain or from the top-of-bank of a natural watercourse or open municipal drain having a top width of less than 4.5 metres from top-of-bank to top-of-bank;

3.28.2. No building or structure shall be erected closer than 15 metres from the top-of-bank of a natural watercourse or open municipal drain having a width of between 4.5 metres and 7.5 metres from top-of-bank to top-of-bank;

3.28.3. No building or structure shall be erected closer than 30 metres from the top-of-bank of a natural watercourse or open watercourse or open municipal drain which is more than 7.5 metres in width from top-of-bank to top-of-bank;

3.28.4. Notwithstanding the provisions of Section 3.28.1. to the contrary, in an urban zone the setback from a closed municipal drain may be reduced to 4 metres;

3.28.5. The provisions of Section 3.28. shall not apply to prohibit, in the Natural Environment Zones, the structures permitted in such zone.

3.29 **STATUS ZONING**  
Where in this by-law a zone provides for the status zoning of existing lots, the yards and building dimensions established by the structure or site plan agreement shall be deemed to be the required yards and building dimensions for the lot in that status zone.

3.30 **FENCES**  
No fence more than two (2) metres in height shall be allowed in VR1, VR2, with the exception of fences surrounding pools, the maximum height which shall be 2.5 metres.

3.31 **FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS**  
The Maitland Valley and Saugeen Valley Authorities’ Fill, Construction and Alteration to Waterways Regulation, Ontario Regulation 544/84 affects certain areas such as floodplains, steep slopes, wetlands and watercourses within its watershed limits. Lands adjacent to these physical features may lie within a regulated area and a permit from the Maitland Valley or the Saugeen Valley Conservation Authority may be required for construction of buildings or structures, the placing, dumping or removal of fill of any kind, or the alteration of waterways. It is recommended that prior to the commencement of any of the above activities, the Conservation Authority be contacted to determine if their Regulations apply to the lands. Further information regarding these Regulations is available at the Municipal Office and the Maitland Valley or Saugeen Valley Conservation Authority Offices.

3.32. **ADDITIONAL USE RESTRICTIONS**  
Notwithstanding any other provision of this By-law, no bird sanctuary is permitted in Defined Area 1 (D.A. 1) or Defined Area 2 (D.A. 2).

3.33 **RESIDENTIAL SETBACKS FROM RAILWAY RIGHT-OF-WAYS**  
The minimum distance between the nearest wall of the residential building and the boundary of a Canadian National (CN) rail-line shall be 15 metres. (OMB File R880328)

3.34 **EXISTING AGRICULTURAL LOTS**  
Notwithstanding the provisions of Section 4 to the contrary, all lots zoned AG1 (General Agriculture) which are between 10 and 49 acres in size, and existed on the date of passing of the Township Zoning By-law, are permitted one single family residence which is not accessory to agriculture subject to the following siting provisions:

3.34.1. The residence complies with Section 23 (Minimum Distance Separation);

3.34.2. The residence has access to an open public road;

3.34.3. There is suitable on site sewage disposal and potable water supply.

3.35. **SETBACK OF LIQUID MANURE TANKS FROM WELLS AND WATERCOURSES**  
Notwithstanding any other provision of this by-law to the contrary, covered concrete, open concrete and open steel manure storage facilities shall be located in accordance with the following:

<table>
<thead>
<tr>
<th>Minimum setback from</th>
<th>Covered concrete (metres)</th>
<th>Open tank/open steel (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>drilled well</td>
<td>15 (50')</td>
<td>20 (66')</td>
</tr>
<tr>
<td>dug well</td>
<td>30 (100')</td>
<td>40 (132')</td>
</tr>
<tr>
<td>communal well</td>
<td>100 (328')</td>
<td>100 (328')</td>
</tr>
<tr>
<td>watercourse</td>
<td>60 (200')</td>
<td>60 (200')</td>
</tr>
<tr>
<td>open drain or ditch</td>
<td>60 (200')</td>
<td>60 (200')</td>
</tr>
<tr>
<td>closed municipal drain</td>
<td>15 (50')</td>
<td>20 (66')</td>
</tr>
</tbody>
</table>

3.35.1. Where the distance is less than 150 metres from any watercourse, there must be a combination of winding grassed spillway and distance totaling 150 metres including at least the minimum required distance from a watercourse.

3.35.2. Where the slope exceeds five percent (5%) the manure pit must be located a minimum of 150 metres from the watercourse. Beyond 150 metres (492') distance from the watercourse, no spillway or minimum slope is required. (Amended by By-law 28-2002)
3.36. LOT ENLARGEMENT, MINOR
Where lands are severed and merged on title with abutting lands, the zoning on the abutting lands property shall apply to the lands to be merged on title. The provision applies only where a consent is granted for the purpose of a minor lot enlargement.

3.37. LOT SIZE, AGRICULTURAL SEVERANCE
Where a new agricultural lot is created by consent and conforms with the Official Plan and has a minimum lot area between 18 and 38 hectares, the said lot is deemed to comply with the minimum lot area provisions of the by-law (Section 4). This provision applies to both the severed and retained lot area. (Amended by By-law 44-2008)
SECTION
4  GENERAL AGRICULTURE (AG1)
4.1.  PERMITTED USES:
4.1.1. agricultural use;
4.1.2. conservation;
4.1.3. forestry use;
4.1.4. a farm produce sales outlet;
4.1.5. a wayside pit or quarry;
4.1.6. Exploration, drilling for and production of oil and natural gas;
4.1.7. uses accessory to the permitted uses.
4.2.  ACCESSORY USES:
4.2.1. home industry accessory to an agricultural use;
4.2.2. home occupation accessory to an agricultural use;
4.2.3. one mobile home (single wide) accessory to an agricultural use (A mobile home may be used as a primary or supplementary residential unit.); (Amended by By-law 006-91)
4.2.4. a single family dwelling accessory to an agricultural use;
4.2.5. converted dwelling unit.
4.2.6. enlarged dwelling (Amended by By-law 44-2008)
4.3.  PERMITTED STRUCTURES:
4.3.1. one single family dwelling, converted dwelling units, enlarged dwelling and/or a mobile home (single wide) accessory to an agricultural use; (Amended by By-laws 06-91 & 44-2008)
4.3.2. more than one main building per lot is allowed;
4.3.3. buildings and structures for the permitted uses;
4.3.4. other buildings and structures, not including residences, accessory to the permitted uses.
4.4  ZONE REGULATIONS
4.4.1. Lot Area (minimum) - 20.2 hectares (50 ac.)
Areas of the lot zoned "Natural Environment" may be included in the calculation of the lot area.
4.4.2. Lot Frontage (minimum) - 150 metres.
4.4.3. Yard Requirements (minimum):
4.4.3.1. for buildings and structures used for livestock, poultry and fur bearing animal housing and waste storage:
4.4.3.1.1. front yard depth - 90 metres;
4.4.3.1.2. rear yard depth - 60 metres;
4.4.3.1.3. side yard depth - 60 metres;
4.4.3.1.4. exterior side yard depth - 90 metres.
4.4.3.2. other permitted buildings and structures, and accessory structures:
4.4.3.2.1. front yard depth - 17 metres;
4.4.3.2.2. rear yard depth - 7.5 metres;
4.4.3.2.3. side yard depth - 7.5 metres;
4.4.3.2.4. exterior side yard depth - 17 metres;
4.4.3.2.5. minimum setback from the top of bank of any open ditch, or open drain natural watercourse - 60 metres
(Amended by By-law 28-2002)
4.4.4. Maximum Number of Nutrient Units
The maximum number of nutrient units must not exceed four (4) nutrient units per tillable acre or twelve (12) nutrient units per tillable hectare on sites 20 hectares (50 acres) or less for liquid manure type operations. (Amended by By-law 28-2002)
4.5.  SEPARATION DISTANCE (AGRICULTURAL)
Notwithstanding any yard and setback requirement of this by-law to the contrary, no livestock housing facility shall be established or enlarged unless it complies with the Minimum Distance Separation (MDS) Formulae. For Closed or Inactive Cemeteries:
4.6. SEPARATION DISTANCE (RESIDENTIAL)
Notwithstanding any other provision of this by-law to the contrary, for the purposes of calculating MDS II for a first or expanding livestock facility, cemeteries located within an I1 Zone shall be treated as a Type A land use. (Amended by By-law 22-2007)
4.7.  EXISTING AGRICULTURAL USES:
Notwithstanding the provisions for Section 4.4., where an existing lot has a lesser lot area and/or frontage than required under this by-law and is developed for an agricultural use, and contains existing farm buildings and accessory structures, additional farm buildings and structures may be erected, or existing farm structures may be altered providing all other requirements of this by-law are complied with.
4.8.  EXISTING FARM HOLDINGS
Where an existing lot developed for agricultural uses, exists on the date of passage of this By-law, but does not meet the zone provisions with respect to minimum lot area and minimum lot frontage, the farm holding will be deemed to conform with the By-law with respect to the minimum lot area and minimum lot frontage provisions.
4.9.  LIQUID MANURE STORAGE FACILITIES
The establishment or expansion of any liquid livestock manure storage facility shall occur in accordance with the provisions of the Township's Liquid Manure Pit By-law.
4.9.1. Nutrient Management Plan and Manure Storage Requirements
No livestock operation or manure storage facility shall be established or enlarged until a Nutrient Management Plan is completed and all manure storage requirements are complied with as required by the municipality’s manure management by-law or by provincial legislation/regulation. (Amended by By-law 28-2002)
4.10.  SPECIAL ZONES
4.10.1. AG1-1
Notwithstanding the provisions of Section 4 to the contrary, the area zoned AG1-1 may be used for one single family residence. The lot area existing at the date of passing of this amending by-law, including areas zoned Natural Environment, shall be the minimum required lot area. All other applicable provisions shall apply. (Amended by By-law 005-1989)
4.10.2. AG1-2
4.10.2.1. Notwithstanding the provisions of Section 4 to the contrary, the area zoned AG1-2 may be used for one single family residence, subject to the separation distance provisions of Section 7.6.
4.10.2.2. The lot area existing at the date of passing of this amending by-law, including areas zoned NE2 and NE3, shall be the minimum required lot area. 4.10.2.3. Notwithstanding the provisions of Subsection 4.4.3.2. to the contrary, the minimum front yard depth shall be 183 metres (600 feet); and the side yard depths shall be as follows:
-a minimum easterly side yard depth of 61 metres (200 feet);
-a minimum westerly side yard depth of 106 metres (348 feet);
These front and rear yard depths reflect the separation distance requirement of Section 7.6.
4.10.2.4. All other applicable provisions shall apply. (Amended by By-law 007-1990)

4.10.3. AG1-3
4.10.3.1. Notwithstanding the provisions of Section 4 to the contrary, the area zoned AG1-3 may be used for one single family residence, subject to the separation distance provisions of Section 7.6.
4.10.3.2. The lot area existing at the date of passing of this amending by-law, including areas zoned NE2 and NE3, shall be the minimum required lot area.
4.10.3.3. All other application provisions shall apply. (Amended by By-law 010-1990)

4.10.4. AG1-4
Notwithstanding the provisions of Section 4.6. to the contrary, one farm-related residence may be established on Lot 20, Concession 8, at a separation distance of 140.0 metres (459.3 feet) from the existing barn located on Lot 21, Concession 8. All other applicable provisions shall apply. (Amended by By-law 22-1990)

4.10.5. AG1-5
Notwithstanding the fact that the actual distance between the barn located on Lot 21, Concession 8 and the residence located on Lot 20, Concession 8 is 140 metres (459.3 feet), this by-law permits a calculation under Section 4.5 of the by-law, to allow for expansion of the agricultural operation on Lot 21, Concession 8, based on a distance of 158 metres (517 feet) to the nearest residence in a different ownership. All other applicable provisions of this by-law shall apply. (Amended by By-law 22-1990)

4.10.6. AG1-6
4.10.6.1. Notwithstanding the provisions of Section 4.4.3.1.3. to the contrary, on the lands zoned AG1-6, the side yard depth for the existing livestock, poultry or fur bearing animal building shall be recognized at 10.5 metres.
4.10.6.2. The provisions of Section 3.4. (non-complying use) shall apply except that the operative date for the purpose of Section 3.4. shall be the date of passing of this amending by-law which establishes the AG1-6 zone.
4.10.6.3. All other applicable sections shall apply (Amended by By-law 003-1991)

4.10.7. AG1-7 (part of lots 12-14, Con 4)
Notwithstanding the provisions of Section 4 to the contrary, the area zoned AG1-7 may be used for one single family residence as an accessory building to an agricultural use, subject to the separation distance provisions of Section 4.5 and 4.6

The lot area existing at the date of passing of this amending by-law, including areas zoned NE2 shall be the minimum required lot area. All other applicable provisions shall apply. (Amended by By-law 25-1993)

4.10.8. AG1-8
4.10.8.1. Notwithstanding the provisions of Section 4 to the contrary, the area zoned AG1-8 may be used for one single family residence, subject to the separation distance provisions of Section 4.6. The lot area existing at the date of passing of this amending by-law, shall be the minimum required lot area. All other applicable provisions shall apply. (Amended by By-law 22-1996)

4.10.9. AG1-9
Notwithstanding the provisions of Section 4.4 to the contrary, the lot area existing at the date of passing of this amending by-law shall be the minimum required lot area for the lands zoned AG1-9. (Amended by By-law 7-1998)

4.10.10 AG1-10
Notwithstanding the provisions of Section 4.4 to the contrary, the lot area existing at the date of passing of this amending by-law, including the areas zoned NE1 and AG2-2, shall be the minimum required lot area for the lands zoned AG1-10. (Amended by By-law 16-1999)

4.10.11 AG1-11
Notwithstanding the provisions of Section 4.4 to the contrary, the minimum lot frontage for the lands zoned AG1-11 shall be 109 metres (357 feet). (Amended by By-law 22-1999)

4.10.12 AG1-12
Notwithstanding the provisions of Section 4.5. to the contrary, the minimum distance separation requirement for the barn on the lands zoned AG1-12 shall be 145 metres (475.7 feet). All other provisions of this by-law shall apply. (Amended by By-law 6-2000)

4.10.13. AG1-13
(General Agriculture Special Provisions)
Notwithstanding the provisions of Section 4.1 (Permitted uses) and 4.4 (Zone Regulations) to the contrary, on the lands zoned AG1-13 livestock shall be prohibited in the existing barn. All other provisions of this by-law shall apply. (Amended by By-law 4-2002)

4.10.14. AG1-14
In order to lift the Holding zone on the area zoned AG1-14-H, Council will be satisfied that the applicable authority is able to issue a septic permit. This may require soil or other tests to be completed. All other provisions of this by-law shall apply. (Amended by By-law 21-2005)

4.10.15. AG1-15
Notwithstanding the provisions of Sections 4.2 and 4.3 to the contrary, a residence is prohibited on the lands zoned AG1-15. (Amended by By-law 25-2009)
SECTION
5 RESTRICTED AGRICULTURAL USES (AG2)

5.1. PERMITTED USES:
Uses permitted in AG1 Zone.

5.2. ACCESSORY USES:
Accessory uses permitted in AG1 zone.

5.3. PERMITTED STRUCTURES:
Structures permitted in AG1 zone.

5.4. ZONE REGULATIONS:
Regulations as stated in AG1 zone.

5.5. SEPARATION DISTANCE (AGRICULTURAL)
Notwithstanding any yard and setback requirement of this by-law to the contrary, no livestock housing facility shall be established or enlarged unless it complies with the Minimum Distance Separation (MDS) Formulae.

For Closed or Inactive Cemeteries:
Notwithstanding any other provision of this by-law to the contrary, for the purposes of calculating MDS II for a first or expanding livestock facility, cemeteries located within an I1 Zone shall be treated as a Type A land use. (Amended by By-law 22-2007)

5.6. SEPARATION DISTANCE (RESIDENTIAL)
Notwithstanding any other provision of this by-law to the contrary, no residential, institutional, commercial, industrial or recreational building or structure, located on a separate lot shall be established unless it complies with the Minimum Distance Separation (MDS) Formulae. (Amended by By-law 22-2007)

5.7. EXISTING AGRICULTURAL USES:
Uses permitted in AG1 zone.

5.8. EXISTING FARM HOLDINGS:
Regulations as stated in AG1 zone.

5.9. NUTRIENT MANAGEMENT PLAN AND MANURE STORAGE REQUIREMENTS
Regulations as stated in AG1 zone.

5.10. SPECIAL ZONES

5.10.1. AG2-1
5.10.1.1. Notwithstanding the provisions of Section 5.4. and 4.4.3.1.2 to the contrary, on the lands zoned AG2-1, the minimum rear yard depth for the existing livestock, poultry, or fur bearing animal building shall be recognized as 22.2 metres. 5.10.1.2. All other applicable sections shall apply. (Amended by By-law 011-1991)

5.10.2. AG2-2
Notwithstanding the provisions of Section 5.4. to the contrary, the lot area existing at the date of passing of this amending by-law, including the areas zoned NE1 and AG1-10, shall be the minimum required lot area for the lands zoned AG2-2. (Amended by By-law 16-1999)

5.10.3. AG2-3 (Restricted Agriculture-Special Provisions)
Notwithstanding the provisions of Section 5, to the contrary, on lands zoned AG2-3, a Mennonite Parochial School is also a permitted use subject to the setback requirements of the AG1 (General Agriculture) zone. For the purposes of calculating Minimum Distance Separation requirements, the school shall be treated as a Type A land use and the distance will be measured from building to building. There shall be no requirement for Minimum Distance Separation from the school to the existing barn on the subject property. (Amended by By-law 58-2007)

5.10.4. AG2-4
Notwithstanding the provisions of Sections 5.2 and 5.3, to the contrary, a residence is prohibited on the lands zoned AG2-4. (Amended by By-law 40-2009)

5.10.5. AG2-5
The AG2-5 zone permits agricultural uses as a main use on the property including a grain elevator and storage bins. Notwithstanding the provisions of Section 5.4 to the contrary, lot area and the setbacks for the existing buildings are deemed to comply. New agricultural storage bins shall be located no closer to the rear lot line than the existing bins on the property. On lands zoned AG2-5, livestock and livestock buildings are subject to the provisions of Section 7.7 (Special Provisions-New and Existing Livestock Barns). All other provisions of the Turnberry Zoning By-law shall apply. (Amended by By-law 07-2010)

5.10.6. AG2-6
Notwithstanding the provisions of Sections 4.4.2 and 4.5, to the contrary, the lot frontage for the lands zoned AG2-6 shall be 30 metres. (Amended by By-law 34-2010)
SECTION

6. AGRICULTURAL COMMERCIAL-INDUSTRIAL (AG3)

6.1. PERMITTED USES:

6.1.1. an agricultural industrial establishment;
6.1.2. an agricultural processing establishment;
6.1.3. an agricultural service establishment;
6.1.4. an agricultural supply establishment;
6.1.5. a bulk sales establishment;

6.2. PERMITTED STRUCTURES:

6.2.1. an accessory dwelling unit or a mobile home detached from or part of the non-residential structure;
6.2.2. buildings and structures for the permitted uses;
6.2.3. buildings and structures accessory to the permitted uses;

6.3. ZONE REGULATIONS:

6.3.1. Lot Area (minimum - 1850 sq. m. Agricultural Commercial-Industrial uses requiring a septic tank disposal system shall have a lot of sufficient size to accommodate a sewage disposal system as approved by the Medical Officer of Health;
6.3.2. Frontage (minimum) - 30 metres;
6.3.3. Front Yard Depth (minimum) - 20 m.;
6.3.4. Side Yard Depth - 7.5 m. or 1/2 of the building height, whichever is greater;
6.3.5. Notwithstanding the provisions of Section 6.3.6. all "Agricultural Processing" uses will require a minimum side yard of 15 metres;
6.3.6. Exterior Side Yard Depth (minimum) - 20 metres;
6.3.7. Rear Yard Depth - 7.5 metres;
6.3.8. Lot Coverage shall not exceed 30%;
6.3.9. Lot Coverage shall not exceed 30%.
6.3.10. All lighting and illuminating signs shall be arranged so as to deflect light away from adjacent properties.

6.4. REGULATIONS FOR ACCESSORY RESIDENTIAL USES

6.4.1. Lot Area (to be added to the minimum lot area for the Agricultural Commercial-Industrial Use) - minimum;
6.4.1.1. detached residence - 700 sq. m.;
6.4.1.2. attached dwelling unit-350 sq. m.;
6.4.2. Minimum floor area per dwelling unit shall be in accordance with the following:
6.4.2.1. Fully detached residence - 84.0 square metres;
6.4.2.2. A residence as part of the non-residential building or structure - 70.0 square metres;
6.4.2.3. mobile home - 50 square m.
6.4.2.4. A residence as part of the non-residential building or structure - 70.0 square metres;

6.5. SEPARATION DISTANCE:

Notwithstanding any other provision of this by-law to the contrary, any residential, institutional, commercial, industrial or recreational building or structure, located on a separate lot shall be established unless it complies with the Minimum Distance Separation (MDS) Formulae. (Amended by By-law 22-2007)

6.6. BUFFER STRIP

Notwithstanding the provisions of Section 6.3., a buffer strip of landscaped open space, five (5) metres wide shall be provided between storage and/or display area and side and/or rear lot lines. Where an AG3 zone abuts an AG1 or AG2 zone, the required buffer strip need not be landscaped.

6.7. PROPERTY ABUTTING RAILWAY:

Notwithstanding any other provisions of Section 6.3., along that portion of any lot line which abuts a railway right-of-way, no interior side or rear yard shall be required.

6.8. LOADING SPACES:

All loading facilities must be provided within the lot and no loading may take place on a public right-of-way.

6.9. PARKING:

All parking and storage of vehicles will be contained on the lot and no parking or storage of vehicles is permitted on a public right-of-way.

6.10. STATUS ZONING

6.10.1. AG3-1

Notwithstanding the provisions of Section 6.1 to the contrary, the lands zoned AG3-1 may also be used for the sale and service of motorcycles.

6.10.2. AG3-2

Notwithstanding the provisions of Section 6.1 to the contrary, the lands zoned AG3-2 may also be used for a restaurant.

6.11. SPECIAL ZONES

6.11.1. AG3-3

Notwithstanding the provisions of Sections 6.1. and 6.3. to the contrary, the area zoned AG3-3 may be used for the storage and repair of construction equipment and materials; and accessory offices. Notwithstanding the provisions of Section 6.3.6. the established exterior side yard minimum shall be 12 metres (39 feet). Notwithstanding the provisions of Section 6.3.3. the established front yard depth minimum shall be 16.2 metres (53 feet). (Amended By-law 018-89)

6.11.2. AG3-4

6.11.2.1. Notwithstanding the provisions of Sections 6.1 and 6.2 to the contrary, on the lands zoned AG3-4, the permitted structures shall not include accessory residential units.
6.11.2.2. All other provisions shall apply. (Amended By-law 13-93)

6.11.3. AG3-5-H

Notwithstanding the provisions of Section 6.1 to the contrary, on the lands zoned AG3-5, an automotive repair and sales establishment is a permitted use, in addition to those uses currently permitted in the AG3 zone. Notwithstanding the provisions of Section 6.3.2 to the contrary, the minimum front yard depth shall be 11.8 metres (39feet). All other provisions of By-law 14-1987 shall continue to apply. The Holding (-H) provisions will be lifted when the requirements of the Huron County Highways Department have been met, including a lot grading and drainage plan, paving the commercial entrance, and the required permit has been obtained. (Amended By-law 86-2006)

6.11.4. AG3-6

Notwithstanding the provisions of Sections 6.1 and 6.2, to the contrary, the permitted uses on the lands zoned AG3-6 shall be a seed processing plant and accessory uses, buildings and structures subject to the provisions of the AG3 zone. (Amended By-law 34-2010)

6.11.5. AG3-7

Notwithstanding the provisions of Sections 6.1 and 6.2 to the contrary, the permitted use on the lands zoned AG3-7 are limited to an agricultural supply establishment, an accessory
residence and accessory structures. All other provisions of By-law 14-1987 shall continue to apply. (Amended by By-law 13-2013)

SECTION 7. AGRICULTURAL SMALL HOLDING
(AG4)

7.1. PERMITTED USES:

7.1.1. a home industrial use;
7.1.2. a home occupation use;
7.1.3. one single family detached dwelling including a mobile home;
7.1.4. agricultural use, limited;
7.1.5. uses accessory to the permitted uses.

7.2. PERMITTED STRUCTURES:

7.2.1. one single family detached dwelling unit or one converted dwelling unit, or a double wide mobile home; (Amended by By-law 006-91)
7.2.2. buildings and structures for the permitted uses;
7.2.3. buildings and structures accessory to the permitted uses.

7.3. ZONE REGULATIONS

7.3.1. Lot Area (minimum) - 1850 sq. m.;
7.3.2. Lot Area (maximum) - 4 hectares;
7.3.3. Lot Frontage (min.) - 23 metres;
7.3.4. Front Yard (min.) - 17 metres;
7.3.5. Side Yard (min.) - 5.0 metres;
7.3.6. Exterior Side Yard (min.) - 17 metres;
7.3.7. Rear Yard (min.) - 7.5 metres;
7.3.8. Lot Coverage (max.) - 30 percent.

7.4. BUILDING REGULATIONS

7.4.1. Building Height (max.) - 12 m
7.4.2. Dwelling unit floor area (Minimum) - 84 sq. m.
7.4.3. Mobile Home (minimum) - 50 sq. m.

7.5. REGULATIONS FOR HOME INDUSTRIES

7.5.1. Minimum lot size when the home industry is located in whole or in part in an accessory structure - 2034 sq. m.;
7.5.2. Area of accessory structure used for home industry (maximum) - 25% of the total floor area of the residential use or 55 sq. m., whichever is greater.

7.6. SEPARATION DISTANCE (RESIDENTIAL)
Notwithstanding any other provision of this by-law to the contrary, no residential, institutional, commercial, industrial or recreational building or structure, located on a separate lot shall be established unless it complies with the Minimum Distance Separation (MDS) Formulae. (Amended by By-law 22-2007)

7.7. SPECIAL PROVISIONS – NEW AND EXISTING LIVESTOCK BARNS
Notwithstanding the provisions of Sections 7.1. and 7.2., to the contrary, an existing barn may be used or a new barn may be established subject to the following table:

<table>
<thead>
<tr>
<th>Min. Lot Area (Hectares)</th>
<th>Max. Number of Nutrient Units Permitted</th>
<th>Minimum Distance Separation Requirement</th>
</tr>
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<tr>
<td>0.4</td>
<td>1</td>
<td>85 metres</td>
</tr>
<tr>
<td>0.8</td>
<td>2</td>
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<td>3</td>
<td>85 metres</td>
</tr>
<tr>
<td>1.6+</td>
<td>4</td>
<td>85 metres</td>
</tr>
</tbody>
</table>

(Amended by By-law 22-2007)

7.8. SPECIAL PROVISIONS – EXISTING LIVESTOCK BARNS (Deleted by By-law 22-2007).
7.9. STATUS ZONES

7.9.1. AG4-1
Notwithstanding the provisions of Sections 7.3.2. and 7.3.3. to the contrary, the maximum lot area of lands zoned AG4-1 shall be 9.1 hectares and the minimum lot frontage as afforded by a laneway shall be 6.0 metres.

7.10. SPECIAL PROVISIONS

7.10.1. AG4-2
Notwithstanding the provisions of Section 7.3.1. and Section 7.3.2. to the contrary, the minimum lot area shall be 13 hectares and the maximum lot area shall be 14 hectares. Areas of the lot zoned NE2 and NE3 shall be included in the calculation of the lot area. (Amended by By-law 017-88)

7.10.2. AG4-3
Notwithstanding the provisions of Section 7.3.1. and Section 7.3.2. to the contrary, the minimum lot area shall be 21 hectares and the maximum lot area shall be 23.5 hectares. Areas of the lot zoned NE2 and NE3 shall be included in the calculation of the lot area. (Amended by By-law 028-89)

7.10.3. AG4-4
Notwithstanding the provisions of Section 7.3.1. and Section 7.3.2. to the contrary, the minimum lot area shall be 10.7 hectares and the maximum lot area shall be 12.6 hectares. Areas of the lot zoned NE2 and NE3 shall be included in the calculation of the lot area. The lot frontage shall be a minimum of 18 metres. (Amended by By-law 003-90)

7.10.4. AG4-5 Deleted by By-law 47-2007

7.10.5. AG4-6
The provisions of Section 3.4. (non-complying uses) shall apply except that the operative date for the purpose of Section 3.4. shall be the date of passing of the amending by-law which establishes the AG4-6 zone. All other applicable sections shall apply. (Amended by By-law 27-92)

7.10.6 AG4-7
The provisions of Section 3.4. (non-complying uses) shall apply except that the operative date for the purpose of Section 3.4. shall be the date of passing of the amending by-law which establishes the AG4-7 zone. All other applicable sections shall apply. (Amended by By-law 27-92)

7.10.7 AG4-8
Notwithstanding the provisions of Section 7, to the contrary, the existing buildings on the lands zoned AG4-8 shall be deemed to comply with the provisions of Section 7, as of the date of passing of this by-law. (Amended by By-law 5-1998)

7.10.8 AG4-9
Notwithstanding the provisions of Sections 7.3 and 7.6 to the contrary, the existing buildings on the lands zoned AG4-9 are deemed to comply with the zone provisions of the AG4 zone, as of the date of passing of this by-law. (Amended by By-law 16-1999)

7.10.9. AG4-11
7.10.9.1. Notwithstanding the provisions of Section 7.1. and 7.5. to the contrary, a farm machinery repair and machine shop with a total floor area of 580 square metres shall be permitted on the lands zoned AG4-11, in addition to those uses currently permitted in the AG4 zone. The home industry shall also permit the retail sale of farm related hardware.

7.10.9.2. Notwithstanding the provisions of Section 7.3. to the contrary, the location of the existing buildings on the lands zoned AG4-11 shall be deemed to comply with the setback provisions. (Amended by By-law 9-2000)

7.10.10 AG4-12
Notwithstanding the provisions of this by-law as amended to the contrary, on the lands zoned AG4-12, the maximum lot area shall be 8.09 hectares (20 acres); the existing apartment unit in the accessory building shall be permitted according to the provisions of Section 3.5; and the subject property shall be limited to two (2) nutrient units per acre. All other provisions of By-law 14-1987 shall apply. (Amended by By-law 41-2002)

7.10.11. AG4-13
Notwithstanding the provisions of this by-law as amended to the contrary, the lands zoned AG4-13 shall be limited to two (2) nutrient units per acre. All other provisions of By-law 14-1987 shall apply. (Amended by By-law 40-2002)

7.10.12. AG4-14
Notwithstanding the provisions of Section 7.6 to the contrary, in the area zoned AG4-14 a residence may be established at a separation distance of not less than 245 metres from the livestock buildings located on Lot 5, Concession 3, Ward T, Municipality of Morris-Turnberry. All other provisions of By-law 14-1987 shall continue to apply. (Amended by By-law 44-2004)

7.10.13. AG4-15
Notwithstanding the provisions of Section 7.6 to the contrary, in the area zoned AG4-15 a residence may be established at a separation distance of not less than 58 metres from the livestock buildings located on Lot 19, Concession 6, Ward T, Municipality of Morris-Turnberry. All other provisions of By-law 14-1987 shall continue to apply. (Amended by By-law 19-2005)

7.10.14. AG4-16
Notwithstanding the provisions of Section 7.6 to the contrary, in the area zoned AG4-16 a residence may be established at a separation distance of not less than 90 metres from the livestock buildings located on Lot 24, Concession C, Ward T, Municipality of Morris-Turnberry. All other provisions of By-law 14-1987 shall continue to apply. (Amended by By-law 65-2005)

7.10.15. AG4-17
Notwithstanding any provisions of this by-law to the contrary, the lands zoned AG4-17 and the existing buildings are deemed to comply. (As amended by By-law 25-2009)

7.10.16. AG4-18
Notwithstanding the provisions of Section 7.6 to the contrary, the residence is deemed to comply with the Minimum Distance Separation requirements. All other provisions of By-law 22-1989 shall continue to apply. (Amended by By-law 11-2012)

7.10.16. AG4-19
Notwithstanding the provisions of Section 7.6 to the contrary, the residence is deemed to comply with the Minimum Distance Separation requirements. Notwithstanding the provisions of Sections 7.3 and 3.8.2, accessory structures are permitted in the front yard no closer than 45 metres to the front lot line. All other provisions of By-law 14-1987 shall continue to apply. (Amended by By-law 14-2013)
SECTION

8. NATURAL ENVIRONMENT
ZONE (NE1)

8.1. PERMITTED USES:

8.1.1. agricultural uses, as they existed on the date of passage of the by-law;
8.1.2. conservation;
8.1.3. recreation, passive;
8.1.4. a private park;
8.1.5. a wayside pit;
8.1.6. a public park;
8.1.7. uses accessory to the permitted uses.

8.2. PERMITTED STRUCTURES:

8.2.1. a class 1 sewage disposal facility as approved by the Medical Officer of Health;
8.2.2. a maple syrup evaporating facility;
8.2.3. accessory buildings and structures for trails and footpaths, such as stiles, stairways, bridges, benches.
8.2.4. buildings and structures accessory to use as a public park;
8.2.5. buildings and structures necessary for flood and/or erosion control prevention;
8.2.6. buildings and structures accessory to the permitted uses.

8.3. SPECIAL PROVISIONS

8.3.1. The placing or removal of fill or the alteration of water courses will not be permitted without the consent of the Maitland Valley Conservation Authority or the Saugeen Valley Conservation Authority.
8.3.2. Clearing of areas within the Natural Environment Zone (NE1) will be prohibited except as permitted in accordance with the County Tree Cutting By-law.
8.3.3. Drainage of Areas within the Natural Environment Zone will be prohibited with the exception of those drains constructed in accordance with the Drainage Act and Tile Drainage Act.

8.4. STATUS ZONES

8.4.1. NE1-1
Notwithstanding the provisions of Section 8.1. to the contrary, the area zoned NE1-1 may be used for one single family residence. (Amended by By-law 016-88)

8.5. SPECIAL ZONES

8.5.1. NE1-2
Notwithstanding the provisions of Section 8.1 to the contrary, in the area zoned NE1-2 permitted uses include:
- a mushroom growing facility
- a commercial greenhouse
- retail sales related to a mushroom growing facility and a commercial greenhouse
- a single family dwelling
- uses accessory to the permitted use
In the zone NE1-2 the zone regulations of Section 19.3 Village Commercial -Highways (VC2) shall apply. All other provisions of By-law 14-1987 shall continue to apply. (Amended by By-law 19-2006)
SECTION 9.  NATURAL ENVIRONMENT ZONE (NE2)

9.1.  PERMITTED USES:
9.1.1.  all NE1 permitted uses;

9.1.2.  one single family residential use accessory to a permitted agricultural use, subject to the provisions, zone regulations and separation distances of Section 4;

9.1.3.  one single family residential use accessory to a permitted agricultural-commercial or agricultural-industrial use, subject to the provisions and separation distances of Section 6;

9.1.4.  uses accessory to the permitted uses;

9.1.5.  agricultural uses as they existed on the date of passage of this by-law and the expansion of existing agricultural buildings subject to the zone provisions, regulations and separation distances of Section 4 or where the agricultural operation is within 600 metres of an urban area, Section 5.

9.2.  PERMITTED STRUCTURES

9.2.1.  buildings or structures accessory to the permitted uses.

9.2.2.  structures as permitted under Section 9.1.

9.3.  ZONE REGULATIONS

9.3.1.  No regulations with the exception of appropriate provisions under Section 9.1.

9.4.  SPECIAL PROVISIONS

9.4.1.  Notwithstanding Section 9.1., permitted structures under Sections 9.1. and 9.2. shall only be permitted in accordance with the fill and construction regulations of the Maitland Valley Conservation Authority or the Saugeen Valley Conservation Authority.

9.4.2.  Clearing of areas within the Natural Environment (NE2) Zone will be prohibited except in accordance with the County Tree Cutting By-law.

9.4.3.  Drainage of areas within the Natural Environment (NE2) zone will be prohibited, other than for drainage required for permitted structures, and excepting those drains constructed in accordance with the Drainage Act and the Tile Drainage Act.

9.5.1.  NE2-1
Notwithstanding the provisions of Section 9.1. to the contrary, all uses permitted in the Agricultural Commercial Industrial (AG3) zone, including a welding and repair shop and an accessory residence shall be permitted on the lands zoned NE2-1. the existing building on the lands zoned NE2-1 shall be deemed to comply with the setback provisions of the AG3 zone.  
(Amended by By-law 12-2000)

9.5.2.  NE2-2
Notwithstanding the provisions of Sections 9.1 and 9.2 to the contrary, a residence is prohibited on the lands zoned NE2-2.  
(As amended by By-law 25-2009)

SECTION 10.  NATURAL ENVIRONMENT ZONE (NE3)

10.1.  PERMITTED USES:
Uses permitted in NE2 zone.

10.2.  PERMITTED STRUCTURES:
Structures permitted in NE2 zone.

10.3.  SPECIAL PROVISIONS

10.3.1.  Clearing of areas within the Natural Environment (NE3) Zone will be prohibited except in accordance with the County Tree Cutting By-law.

10.3.2.  Drainage of areas within the Natural Environment (NE3) zone will be prohibited, other than for drainage required for permitted structures, and excepting those drains constructed in accordance with the Drainage Act and the Tile Drainage Act.
SECTION 11. NATURAL ENVIRONMENT ZONE (NE4)

11.1. PERMITTED USES:

11.1.1. one single family residential use;
11.1.2. a home industrial use;
11.1.3. a home occupation use;
11.1.4. conservation use;
11.1.5. a private park;
11.1.6. uses accessory to the permitted uses.

11.2. PERMITTED STRUCTURES:

11.2.1. one single family residential dwelling;
11.2.2. buildings or structures for the permitted uses;
11.2.3. buildings or structures accessory to the permitted uses.

11.3. ZONE PROVISIONS

11.3.1. Lot Area (Minimum) - the lot area existing on the date of passing of this by-law
11.3.2. Lot Frontage (minimum)-23 metres
11.3.3. Front Yard (minimum)-17 metres
11.3.4. Side Yard (minimum)-5 metres
11.3.5. Exterior Side Yard (minimum)-17m.
11.3.6. Rear Yard (minimum)-7.6 metres
11.3.7. Lot Coverage (maximum)-30 percent

11.4. SEPARATION DISTANCE (RESIDENTIAL)

Notwithstanding any other provision of this by-law to the contrary, no residential, institutional, commercial, industrial or recreational building or structure, located on a separate lot shall be established unless it complies with the Minimum Distance Separation (MDS) Formulae. (Amended by By-law 22-2007)

11.5. SPECIAL PROVISIONS

11.5.1 Notwithstanding the provisions of Section 11.3. to the contrary, the establishment of a residence shall require as minimum lot area of 1850 sq. metres.

11.5.2. Notwithstanding Section 9.1. and 9.2., permitted structures shall only be established in accordance with the fill and construction regulations of the Maitland Valley Conservation Authority or the Saugeen Valley Conservation Authority.

11.5.3. NE4-1

Notwithstanding the provisions of Section 11.3.1. to the contrary, the lot area existing at the date of passing of this amending by-law shall be the minimum required lot area for the lands zoned NE4-1. (Amended by By-law 3-1999)

11.5.4. NE4-2

Notwithstanding the provisions of Sections 11.1 and 11.3, to the contrary, the establishment of any new barn must be in compliance with Section 7.7 (AG4, Special Provisions – New and Existing Livestock Barns). All other applicable provisions shall apply. (Amended by By-law 35-2010)

SECTION 12. NATURAL ENVIRONMENT (NE5) ZONE

12.1. PERMITTED USES:

12.1.1. Natural Environment, sensitive use

12.2. PERMITTED STRUCTURES:

12.2.1. Structures accessory to the maintenance of the Natural Environment, sensitive areas.

12.3. SPECIAL PROVISIONS

12.3.1. The placing or removal of fill or the alteration of water courses will not be permitted;
12.3.2. Clearing of areas within the Natural Environment (NE5) Zone will not be permitted;
12.3.3. Drainage of areas within the Natural Environment (NE5) Zone will not be permitted;
12.3.4. Notwithstanding Sections 12.3.1., 12.3.2., and 12.3.3. to the contrary, the placing and removal of fill, the clearing of areas, and the drainage of areas, with the NE5 Zone will only be permitted for the maintenance of the Natural Environment, sensitive areas.
SECTION 13. EXTRACTIVE RESOURCE ZONE (ER1)

13.1. PERMITTED USES:

13.1.1. agricultural use, limited;

13.1.2. all classes of pits and quarries as defined and licensed by the Pits and Quarries Control Act;

13.1.3. the processing of extracted materials from the site including crushing, screening, washing, sorting and storing of materials, and a temporary hot mix plant, but not including a permanent hot mix plant or a ready mix plant;

13.1.4. accessory uses.

13.2. PERMITTED STRUCTURES:

13.2.1. an office and service building or structure;

13.2.2. storage and maintenance building or structure;

13.2.3. other buildings and structures accessory to the permitted uses, but not including a permanent dwelling unit.

13.3. ZONE REGULATIONS

13.3.1. Lot Area - No minimum required.

13.3.2. For permanent buildings and structures, the following minimum yards apply:

13.3.2.1. Front Yard - 17 metres;
13.3.2.2. Side Yard - 17 metres;
13.3.2.3. Rear Yard - 17 metres;
13.3.3. Lot Coverage (max.) - 10 percent.

13.4. SPECIAL PROVISIONS:

13.4.1. the site shall be mined, managed and rehabilitated in accordance with the Regulations of the Pits and Quarries Control Act as amended, and site plan approved by the Ministry of Natural Resources.

13.4.2. SETBACK OF PIT OR QUARRY

No pit or quarry shall be extracted or expanded within thirty (30) metres of any road limit, top of bank of stream, pond, lake or other body of water, excluding those bodies of water created by the extractive operation or within one hundred and fifty (150) metres of any dwelling, or within fifteen (15) metres of any property line, or within fifteen (15) metres of any Natural Environment zone. Where two extractive operations abut, this property line restriction may be waived conditional upon a signed agreement being registered against the deeds of both properties.

13.4.3. Following rehabilitation an AG1, AG2, or NE1 use is permitted, subject to the provisions of these respective zones.

SECTION 14. EXTRACTIVE INDUSTRIAL (ER2)

14.1. PERMITTED USES:

14.1.1. a hot mix asphalt plant;

14.1.2. a ready mix concrete plant;

14.1.3. uses permitted in an ER1 Zone.

14.2. PERMITTED STRUCTURES:

14.2.1. buildings and structures for the permitted uses;

14.2.2. buildings and structures accessory to the permitted uses, not including a permanent dwelling unit.

14.3. ZONE REGULATIONS:

14.3.1. Lot Area (min.) - 2 hectares;

14.3.2. Yards (minimum)

14.3.2.1. Front Yard - 17 metres;
14.3.2.2. Side Yard - 17 metres;
14.3.2.3. Rear Yard - 17 metres;
14.3.3. Lot Coverage (max.) - 20 percent.

14.4 SPECIAL PROVISIONS

14.4.1. LOCATION

An extractive industrial zone is only permitted within an area licensed as a pit or quarry in accordance with the Regulations of the Pits and Quarries Control Act, as amended.

14.4.2. SETBACK FOR INDUSTRIAL BUILDING OR STRUCTURE

An extractive industrial (ER2) building or structure shall be located a minimum distance of three hundred (300) metres from any permanent dwelling unit.

14.5. SPECIAL ZONES

14.5.1. ER1-1

On lands zoned ER1-1, area where extraction is occurring shall be fenced with snow fencing. All other provisions shall apply. (Amended by By-law 67-2001)
SECTION 15. VILLAGE RESIDENTIAL (LOW DENSITY) (VR1)

15.1. PERMITTED USES:

15.1.1. a day nursery;
15.1.2. a duplex dwelling;
15.1.3. a group home;
15.1.4. a home for the aged;
15.1.5. a home occupation;
15.1.6. a nursing home;
15.1.7. single family residential use;
15.1.8. the conversion of dwellings in existence on the day of passing of this By-law;
15.1.9. a double wide mobile home as defined in Section 2.100. (Amended by By-law 006-91)
15.1.10. uses accessory to the permitted uses.

15.2. PERMITTED STRUCTURES:

15.2.1. one single family dwelling or duplex dwelling on one lot;
15.2.2. buildings and structures for the permitted uses;
15.2.3. buildings and structures accessory to the permitted uses.

15.3. ZONE REGULATIONS:

<table>
<thead>
<tr>
<th>With Public Water</th>
<th>Without Public Water</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area (minimum)</td>
<td>796 square metres</td>
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<tr>
<td>Lot Frontage (minimum)</td>
<td>23 metres</td>
</tr>
<tr>
<td>Lot Depth (minimum)</td>
<td>37 metres</td>
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<tr>
<td>Front Yard Depth (min.)</td>
<td>7.5 metres</td>
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<tr>
<td>Side Yard Depth (min.)</td>
<td>3 metres</td>
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<tr>
<td>Exterior Side Yard (minimum)</td>
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<td>Rear Yard Depth (min.)</td>
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<td>Lot Coverage (maximum)</td>
<td>30 percent</td>
</tr>
<tr>
<td>Landscaped Open Space (minimum)</td>
<td>30 percent</td>
</tr>
</tbody>
</table>

15.4. BUILDING REGULATIONS

15.4.1. Building Height (max.) - 9 m.;
15.4.2. Total Floor Area (minimum):
- One storey - 84 sq. m.;
- 1 1/2 storey & Split level - 112 sq. m.;
- 2 or 2 1/2 storey - 140 sq. m.

15.5. REGULATIONS FOR ACCESSORY BUILDINGS & STRUCTURES

15.5.1. YARD REQUIREMENTS
15.5.1.1. No accessory building or structure shall be located in a front yard.
15.5.1.2. No accessory building or structure shall be located closer than 4.5 metres to an abutting street (exterior side lot line).
15.5.1.3. No accessory building or structure shall be located closer than 1.5 metres to an interior side lot line or rear lot line. However, an attached garage or attached carport with no rooms above may be erected at a distance of not less than one (1) metre from a side lot line.

15.5.2. Floor Area, Ground (maximum) – The total ground floor area of all accessory buildings shall not exceed 90 square metres. (As amended by By-law 37-2009)

15.5.3. Building Height (maximum) - 4.5 metres.

15.6 SPECIAL PROVISIONS

15.6.1. EXISTING BUILDINGS, STRUCTURES AND DEVELOPED LOTS
The lot area, lot frontage, all yards, gross floor area of the main building, lot coverage, and building height of existing permitted buildings, structures and lots, where lower than the foregoing minimum or higher than the foregoing maximum requirements, shall apply as they lawfully exist on the day of the passing of this By-law.

15.6.2. EXISTING UNDEVELOPED LOTS
Where a lot having an area and/or frontage less than the minimum requirement stated in Section 11.3. is held under distinct and separate ownership from abutting lots as shown by a registered conveyance in the records of the Registry Office, at the date of the passing of the By-law, such lot may be used and a single-family detached dwelling erected on the lot provided:

15.6.2.1. Minimum lot frontage:
- With public water - 18 metres;
- Without public water - 18 metres.

15.6.2.2. Minimum lot area:
- With public water - 604 sq. m.;
- Without public water - 1,000 sq. m.

15.6.2.3. All relevant regulations made under The Public Health Act and all relevant requirements of the relevant Health Authority are fulfilled

15.7. STATUS ZONES

15.7.1. VR1-1
Notwithstanding the provisions of Section 15.1. to the contrary, the area zoned VR1-1 may be used for a transport truck yard and a contractor's yard or shop, type B, including the repair of such equipment and materials. The yards and building dimensions established at the date of passage of by-law 4-1994 and according to the site plan (Schedule 3) attached to this by-law, shall constitute the required yards within the VR1-1 status zone. All other applicable provisions shall apply. (Amended by By-law 4-94)
15.8. SPECIAL ZONES

15.8.1. VR1-2
Pursuant to Section 3.5.5.3.2. (v)(c) of the Secondary Plan, and notwithstanding the provisions of Section 15.1. to the contrary, the area zoned VR1-2 may also be used for an automotive repair establishment subject to the provisions of Section 19.3. The provisions of Section 3.4. (non-complying uses) shall apply except that the operative date for the purpose of Section 3.4. shall be the date of passing of the amending by-law which establishes the VR1-2 Zone. All other applicable provisions shall apply. (Amended by By-law 019-88)

15.8.2. VR1-3
Notwithstanding the provisions of Section 15.3.2. to the contrary, the minimum lot frontage shall be 21.3 metres (70 ft.). (Amended by By-law 012-89)

15.8.3. VR1-4
Notwithstanding the provisions of Section 15.1. to the contrary, the area zoned VR1-3 may also be used for a mobile home as defined in Sections 2.99 and 2.100. All other applicable provisions shall apply. (Amended By-law 024-89)

15.8.5. VR1-6
On lands zoned VR1-6 the following provisions shall apply:

15.8.5.1. Notwithstanding the provisions of Section 3.9., Subsection 3.9.6., to the contrary, on the lands zoned VR1-6, the parking area location may be permitted in the west interior side yard, and front yard. No part of any parking area shall be located closer than one (1) metre to any street line. For the purpose of this rezoning, the front of the subject lot shall be deemed to be Josephine Street and the Road Allowance between Concessions 8 and 9, Township of Turnberry;

15.8.5.2. Notwithstanding the provisions of Section 3.11. to the contrary, two main buildings shall be permitted on the subject lands. These main buildings may be joined by a covered walkway;

15.8.5.3. Notwithstanding the provisions of Section 15.1. to the contrary, the existing nursing home building may be converted to a privately operated retirement residence. The following provisions shall apply:

15.8.5.3.1. The parking provisions for a nursing home, hospital and sanatorium shall apply;
15.8.5.3.2. All other applicable provisions of By-law 14-1987, as amended, shall apply;
15.8.5.4. The provisions of Section 3.4. (Non-complying Uses) shall apply except that the operative date for the purpose of Section 3.4. shall be the date of passing of the amending by-law which establishes the VR1-6 Zone;
15.8.5.5. Notwithstanding the provisions of Section 3.24, subsection 3.24.1.1. to the contrary, the area zoned VR1-6 shall only provide for a planting strip as follows:
15.8.5.5.1. The westerly and southerly property lines of Part 1, 2 and 3, 22R727 (area adjacent to proposed parking lot);
15.8.5.5.2. The northerly 72.5 metres (238 feet) of the eastern property line;
15.8.5.5.3. The provisions of subsection 3.24.2., 3.24.3., 3.24.4., 3.24.5., 3.24.6., and all other applicable provisions shall apply to the establishment of the planting strip;
15.8.5.6. All other applicable provisions of By-law 14-1987, as amended, shall apply on those lands zoned VR1-6. (Amended by By-law 005-91)

15.8.6. VR1-7
Notwithstanding the provisions of Section 3.28.3. to the contrary, on the lands zoned VR1-7 a minimum top-of-bank setback of 8 metres shall be required for the establishment of all buildings and structures on the subject lands. All other applicable provisions of By-law 14-1987 continue to apply. (Amended By-law 13-1992)

15.8.7. VR1-8
Notwithstanding the provisions of Section 15.3.2. to the contrary, the lot frontage of Lot 1, at the boundary adjacent to Street ‘A’ shall be a minimum of 20 metres. All other applicable provisions of By-law 14-1987 continue to apply. (Amended By-law 13-1992)

15.8.8. VR1-9
Notwithstanding the provisions of Section 15.3. to the contrary, on lands zoned VR1-9 the minimum lot area shall be 1150 sq. metres and the minimum lot depth shall be 20 metres

The provisions of Section 3.4. (non-complying uses) shall apply except that the operative date for the purpose of Section 3.4. shall be the date of passing of the amending by-law which establishes the VR1-9 zone.

Notwithstanding the provisions of Section 3.7.2. to the contrary, the maximum height of building shall be 9 metres. All other applicable provisions of By-law 14-1987 shall apply. (Amended by By-law 24-93)

15.8.10. VR1-10
15.8.10.1 Notwithstanding the provisions of Section 15.3.1. to the contrary, the area zoned VR1-10 shall have a minimum lot area of 3.96 hectares (9.8 acres). All other provisions shall comply. (Amended by By-law 52-2001)

15.8.11. VR1-11
Notwithstanding the provisions of Section 15 to the contrary, on the lands zoned VR1-11 the existing structures shall be deemed to comply with the provisions of Section 15. (Amended by By-law 13-1999)

15.8.12. VR1-12
Notwithstanding the provisions of Section 2.81 to the contrary, for the area VR1-12 the entire 2400 square foot accessory building may be used for a home occupation for storing and servicing office machines and furniture accessory to the dwelling in the VR1 zone. Retail sales are not permitted. The following provisions shall apply:
15.8.12.1 Front Yard Depth (minimum)    24 m
15.8.12.2 Side Yard Depth (minimum)     17.5 m
15.8.12.3 Side Yard Depth for laneway (minimum)  48 m
15.8.12.4 The loading area shall be located on the north east side of the building facing Hwy 86
15.8.12.5 A buffer strip of trees shall be planted and maintained along the North West lot line and north east of the municipal road access to the accessory building

All other provisions of By-law 14-1987 shall continue to apply. (Amended by By-law 50-2004)

15.8.13 VR1-13
Notwithstanding the provisions of Section 15.3.2., to the contrary, the minimum lot frontage on the lands zoned VR1-13 is 20 meters. All other provisions of By-law 14-1987 shall continue to apply. (Amended by By-law 87-2007)

15.8.14 VR1-14
Notwithstanding the provisions of Sections 15.5.1, 15.5.2 and 15.5.3, to the contrary, a detached accessory building is permitted to be constructed in the front yard subject to the setback requirements for a main building. All existing buildings

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are deemed to comply. All other applicable provisions of this By-law shall continue to apply. (Amended by By-law 44-2008)

15.8.15 VR1-15
Notwithstanding the provisions of Sections 15.3 and 15.4 to the contrary, the lot frontage, the lot area and setbacks and height of the existing building on the lands zoned VR1-15 are deemed to comply. All other provisions of By-law 14-1987 shall continue to apply. (Amended by By-law 08-2009 and By-law 60-2010)

15.8.16 VR1-16
Notwithstanding the provisions of Section 15.3 to the contrary, the lot frontage, lot area and setbacks of the existing building on the lands zoned VR1-16 are deemed to comply. All other provisions of By-law 14-1987 shall continue to apply. (Amended by By-law 60-2010)

15.8.17 VR1-17
Notwithstanding the provisions of Sections 15.3, 15.5 and 3.8 to the contrary, the lot frontage, lot area on the lands zoned VR1-7 are deemed to comply; the existing shed is permitted. All other provisions of By-law 14-1987 shall continue to apply. (Amended by By-law 60-2010)

15.8.18 VR1-18
Notwithstanding the provisions of Section 15.5 to the contrary, in the VR1-18 zone, an accessory building is allowed with a minimum floor area to not exceed 357 square metres and a maximum building height to not exceed 6.1 metres. All other provisions of By-law 14-1987 shall continue to apply. (Amended by By-law 82-2011)

15.8.19 VR1-19
Notwithstanding the provisions of Section 15.5 to the contrary, in the VR1-19 zone, an accessory building is allowed with a maximum floor area to not exceed 180 square metres and a maximum building height to not exceed 6.1 metres. All other provisions of By-law 14-1987 shall continue to apply. (Amended by By-law 82-2011)

15.8.20 VR1-20
Notwithstanding the provisions of Sections 15.3 and 15.4 to the contrary, the lot area, setbacks and height of the existing buildings on the lands zoned VR1-20 are deemed to comply. All other applicable provisions shall apply. (Amended by By-law 65-2012)

SECTION
16. VILLAGE RESIDENTIAL (MEDIUM DENSITY) (VR2)

16.1. PERMITTED USES
16.1.1. uses permitted in a VR1 zone;
16.1.2. multiple residential use;
16.1.3. the conversion of dwellings in existence on the day of the passing of this By-law;
16.1.4. uses accessory to the permitted uses.

16.2. PERMITTED STRUCTURES
16.2.1. any multiple residential structure (up to 6 dwelling units) on a lot;
16.2.2. buildings and structures for the permitted uses;
16.2.3. buildings and structures accessory to the permitted uses.

16.3. ZONE REGULATIONS
Section 15.3. applies.

16.4. BUILDING REGULATIONS
16.4.1. Building Height (max.) - 9 metres;
16.4.2. Total Dwelling Unit Floor Area (minimum) - 55 sq. m.

16.5. REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES
16.5.1. YARD REQUIREMENTS
16.5.1.1. Section 11.5.1.1. applies.
16.5.1.2. Section 11.5.1.2. applies.
16.5.1.3. No accessory building or structure shall be located closer than 1.5 metres to an interior side lot line or rear lot line, except for semi-detached garages which may be centered on a mutual side lot line.

16.5.2. LOT COVERAGE (maximum) Section 15.5.2. applies.
16.5.3. BUILDING HEIGHT (maximum) 4.5 metres

16.6 SPECIAL PROVISIONS
16.6.1. EXISTING BUILDINGS, STRUCTURES AND DEVELOPED LOTS
The lot area, lot frontage, all yards, gross floor area of the main building, lot coverage and building height of existing permitted buildings, structures and lots, where lower than the foregoing minimum or higher than the foregoing maximum requirements, shall apply as they lawfully exist on the day of passing of this By-law.

16.6.2. Notwithstanding the provisions of Section 15.3, where more than one dwelling unit exists on the lot, the minimum lot areas shown shall be increased by 450 square metres for each additional dwelling unit.

16.6.3. Notwithstanding the provisions of Section 15.3, the abutting side yard requirements for one unit of a semi-detached dwelling on a separately titled lot shall be 0.

16.6.4. TITLE SEPARATION OF ATTACHED DWELLINGS
Semi-detached dwellings may be separated to give distinct ownerships to the various dwelling units by lot lines in production of the lines of party walls providing the aggregate continues to comply with the requirements of this By-law and each unit has a minimum of 10 metres frontage on a street and each unit has the required parking on the parcel containing the unit.
SECTION 17. MOBILE HOME PARK (R4)

17.1. PERMITTED USES;
   17.1.1. a home occupation;
   17.1.2. a mobile home park;
   17.1.3. passive and active recreation;
   17.1.4. uses accessory to the permitted use.

17.2. PERMITTED STRUCTURE
   17.2.1. an administrative or rental office;
   17.2.2. a convenience retail store or a personal service store to serve the day-to-day commercial needs of the mobile home park residents;
   17.2.3. mobile homes;
   17.2.4. mobile homes - double wide;
   17.2.5. a mobile home sales office;
   17.2.6. a recreational or community centre;
   17.2.7. one dwelling unit within the rear portion or second storey of the main office or sales facility;
   17.2.8. a swimming pool;
   17.2.9. buildings and structures for the permitted uses;
   17.2.10. buildings and structures accessory to the permitted use.

17.3. REGULATIONS FOR MOBILE HOME PARK:
   17.3.1. Lot Area (Min.) - 4.0 hectares
   17.3.2. Lot Frontage (Min.) - 100 metres
   17.3.3. Front Yard (Min.) - 9 metres
   17.3.4. Side Yard (Min.) - 2 metres
   17.3.5. Rear Yard (Min.) - 7.5 metres
   17.3.6. Building Height (Max.) - 9 metres

17.4. REGULATIONS FOR MOBILE HOME SITE:
   17.4.1. Site Area (min.) - 420 sq. metres
   17.4.2. Lot Frontage (min.) - 13.5 metres
   17.4.3. Front Yard (min.) - 3 metres
   17.4.4. Side Yard (min.) - 2 metres
   17.4.5. Rear Yard (min.) - 3 metres
   17.4.6. Unit Floor Area (min.) - 55 sq. m.
   17.4.7. Site Coverage (max.) - 35 %

17.5. SPECIAL PROVISIONS FOR MOBILE HOME PARKS:
   17.5.1. Density
   The maximum density of mobile home units in a mobile home park shall be 20 units per gross hectare.

   17.5.2. Services
   Each mobile home located within a mobile home park shall be provided with a piped water supply, sewage disposal facilities, solid waste disposal, storm drainage, hydro, street lighting, telephone and road maintenance.

   17.5.3. Access
   Each mobile home site within a mobile home park shall be located on an internal access road which shall have a dust free surface and shall be a minimum traveled width of four (4) metres for one-way traffic flow and six (6) metres for two-way traffic flow.

   17.5.4. Unit Per Site
   Not more than one mobile home unit shall be placed on any mobile home site.

17.5.5. Parking
   In addition to the provisions of Section 3.9. each mobile home site shall be provided with at least one (1) car parking space and visitor parking shall be provided on the basis on one (1) space for every two (2) mobile home sites, and shall be dispersed throughout the mobile home park at locations convenient to the site which it is intended to serve. Such visitor parking shall not be used for the storage of boats or trailers.

17.5.6. Recreation Space
   Not less than ten percent (10%) of the gross area of a mobile home park shall be used as recreation space, placed in locations convenient to all residents. Such space shall be free of traffic hazards and shall not include areas designated as planting strips. Where recreation space exceeds five hundred (500) square metres, two (2) or more such areas shall be provided.

17.5.7. Separation
   Mobile homes and any part thereof shall be separated from each other or from any other building by not less than four (4) metres. Any porch, carport or addition to a mobile home shall be regarded as part of the mobile home for the purpose of separation.

17.5.8. Storage
   There shall be no outside storage of any furniture, domestic equipment or seasonally used equipment on the mobile home site. Adequate open storage shall be provided within a special communal storage area provided within the mobile home park. Adequate covered storage shall be provided and located either at the individual mobile home site or within a special communal storage each provided within the mobile home park. Structures containing accessory covered storage facilities shall be located and designated so that each building provides storage space for a minimum of 8 mobile home units on the basis of 3.5 cubic metres of storage space per unit, and no mobile home site is more than 60 metres from its storage facility.

17.5.9. Skirting and Accessory Structures
   Each mobile home unit located on a mobile home site shall be placed on a continuous permanent substructure and permanent foundation supports. All mobile homes shall be provided with durable skirtings, with access where necessary, to screen the view of the undercarriage or foundation supports and any accessory structure shall be so designed to harmonize with the mobile homes.

17.5.10. Commercial Buildings
   Accessory commercial buildings shall not occupy more than one percent (1%) of the mobile home park area. The required parking spaces shall be calculated on the basis of one (1) parking space for each ten (10) square metres of gross floor area.

17.6. SPECIAL PROVISIONS

17.6.1. R4-1
   Notwithstanding the definition of Mobile Homes in Section 2.99. and 2.100. to the contrary, on the lands zoned R4-1, mobile home units may be erected on the site provided that the ability to be transported is maintained.
SECTION 18. VILLAGE COMMERCIAL
-GENERAL (VC1)

18.1. PERMITTED USES

18.1.1. an agricultural supply establishment, except those dealing with heavy machinery, fuels, factory equipment or building materials;
18.1.2. a bank or a financial institution;
18.1.3. a clothing store;
18.1.4. a day nursery;
18.1.5. dwelling unit(s) accessory to a permitted use;
18.1.6. a food store;
18.1.7. a general store;
18.1.8. a greenhouse, commercial;
18.1.9. a hotel;
18.1.10. an office use or clinic;
18.1.11. a parking area;
18.1.12. a private club;
18.1.13. a restaurant;
18.1.14. a service shop;
18.1.15. a funeral home;
18.1.16. a hardware store;
18.1.17. a retail store except those dealing with heavy machinery, fuels, factory equipment, building materials, new or used automobiles, boats, trailers, motorcycles or snowmobiles;
18.1.18. uses accessory to the permitted use.

18.2. PERMITTED STRUCTURES

18.2.1. buildings and structures for the permitted uses;
18.2.2. buildings and structures accessory to the permitted uses;

18.3. ZONE REGULATIONS

<table>
<thead>
<tr>
<th>With Public Water</th>
<th>Without Public Water</th>
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<tr>
<td>Lot Area (minimum)</td>
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<td>Lot Coverage (maximum)</td>
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<tr>
<td>Landscaped Open Space (min.)</td>
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<td>10 percent</td>
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</table>

18.4. BUILDING REGULATIONS

18.4.1. Building Height (max.) - 10 m.

18.5. REGULATIONS FOR ACCESSORY RESIDENTIAL USE

18.5.1. Location - other than in basement or cellar.
18.5.2. Minimum Floor Area per dwelling unit shall be in accordance with the following:
18.5.2.1. Fully detached residence - 84 square metres;
18.5.2.2. A residence as part of the non-residential building or structure - 70 square metres;
18.5.3. Access to dwelling units from the adjacent street shall be provided for the exclusive use of the dwelling.

18.6. EXISTING BUILDINGS, STRUCTURES AND LOTS

The lot area, lot frontage, all yards, gross floor area of the main building, lot coverage, and building height of existing permitted buildings, structures and lots, where lower than the foregoing minimum or higher than the foregoing maximum requirements, shall apply as they lawfully exist on the day of passing of this By-law.
19.1. PERMITTED USES
19.1.1. an agricultural service establishment;
19.1.2. an agricultural supply establishment;
19.1.3. an animal and poultry health and breeding clinic;
19.1.4. an auction sale facility;
19.1.5. an automotive sales and service establishment;
19.1.6. an automotive repair establishment;
19.1.7. a rust proofing establishment;
19.1.8. an automotive washing establishment;
19.1.9. a boat or motorized & other recreational vehicle sales establishment;
19.1.10. drive-in restaurant;
19.1.11. a drive-in theatre;
19.1.12. a motel;
19.1.13. a permanent fruit or vegetable stand;
19.1.14. one dwelling unit within the rear portion or second storey of a commercial building;
19.1.15. service station;
19.1.16. a funeral home;
19.1.17. large retail store;
19.1.18. a contractor or tradesman shop;
19.1.19. uses accessory to the permitted uses.

19.2. PERMITTED STRUCTURES
19.2.1. buildings and structures for the permitted uses;
19.2.2. buildings and structures accessory to the permitted uses.

19.3. ZONE REGULATIONS
19.3.1. Lot Area (minimum) - 1850 sq. m.;
19.3.2. Lot Frontage (min.) - 25 metres;
19.3.3. Front Yard Depth (min.) - 20 metres;
19.3.4. Side Yard Depth (min.) - 4.5 metres (except where abutting an Institutional, Residential or a Park Use, in which case, 7.5 metres);
19.3.5. Exterior Side Yard (min.) - 20 metres.
19.3.6. Rear Yard (min.) - 7.5 metres.
19.3.7. Lot Coverage (max.) - 25 percent.

19.4. BUILDING REGULATIONS
19.4.1. Building Height (max.) - 10 metres.
19.4.2. Minimum Dwelling Unit Area - for dwelling units located within a commercial building - 47 square metres.

19.5. REGULATIONS FOR ACCESSORY RESIDENTIAL USE
19.5.1. Location - other than in basement or cellar.
19.5.2. Minimum Floor Area per dwelling unit shall be in accordance with the following:
19.5.2.1. Fully detached residence - 84 square metres;
19.5.2.2. A residence as part of the non-residential building or structure - 70 square metres.
19.5.3. A separate access to dwelling units independent of the commercial establishment shall be provided for the exclusive use of the dwelling.

19.6. REGULATIONS FOR AUTOMOTIVE SALES AND SERVICE USE
Where an automotive sales and service use includes retail fuel sales, the following provisions shall apply:
19.6.1. the maximum width of a driveway measured along the sidewalk, where such exists, and along the street line shall be 10 metres;
19.6.2. the minimum distance between driveways measured along the street line intersected by such driveways shall be 7.5 metres;
19.6.3. the minimum distance between a driveway and an intersection of street lines, measured along the street line intersection by such driveway shall be 6 metres;
19.6.4. the minimum distance between an interior side lot line and any driveway shall be 3 metres;
19.6.5. the interior angle formed between the street line and the centreline of any driveway shall be not less than 60 degrees;
19.6.6. points of access and egress must be clearly identified.

19.7 SPECIAL PROVISIONS
19.7.1. OFF STREET PARKING
No parking space or part thereof shall be located and no stand shall be used as parking for a motor vehicle or for equipment within three (3) metres of any street line.

19.7.2. OPEN STORAGE REGULATIONS
The minimum setback from any front, side or rear lot line of any open storage area in this zone shall be no less than seven and one-half (7.5) metres for the front yard depth and three (3) metres for the side yard width and rear yard depth respectively.

19.7.3. VC2-3
Notwithstanding the provisions of Section 19.1. to the contrary, the lands zoned VC2-3 may be used for a Self Service Storage Facility and notwithstanding the provisions of Section 3.11. to the contrary, more than one main building is allowed provided that the Self Service Storage Facility includes no more than five units and provided that these units will be the same as those established as of the date of the passing of By-law 14-1987. (Amended by By-law 007-88)

19.7.4. VC2-4
Notwithstanding the provisions of Section 3.11. and 19.1. to the contrary, the area zoned VC2-4 may be used only for the display of model homes; and accessory offices. Notwithstanding the provisions of Section 19.3.6., the minimum rear yard shall be 3 metres. All other applicable provisions shall apply. (Amended by By-law 006-89)

19.7.5. VC2-5
Notwithstanding the provisions of Section 19.1. to the contrary, lands zoned VC2-5 may be used for a self service public storage facility. Notwithstanding the provisions of Section 3.11. to the contrary, a second main building is permitted. (Amended by By-law 029-89)

Notwithstanding the provisions of this by-law as amended to the contrary, on the lands zoned VC2-5, the front yard depth shall be 4.11 metres (13.5 feet), from the front lot line adjacent to the site triangle, and 14.93 metres (49 feet) from the front lot line adjacent to Josephine Street. The minimum exterior side yard setback for the store entrance addition shall be 1.3 metres (4.3 feet). The public parking in the exterior side yard shall be deemed to comply with Section 3.9. (Amended by By-laws 13-2002 & 24-2009)
Notwithstanding the provisions of Section 19.3.2. to the contrary, the lands zoned VC2-6 shall have a minimum lot frontage of 20 metres (66 feet). For the purpose of this rezoning, the front of the subject lot shall be deemed to be the road allowance known as North Street (the road allowance between the Town of Wingham and the Township of Turnberry). All other applicable provisions of By-law 14-198, as amended, shall apply. (Amended by By-law 007-91)

19.7.7. VC2-7 (Pt of Lots 9 and 10, Con.1)
Notwithstanding the provisions of Section 19.1. to the contrary, the area zoned VC2-7 shall not permit the establishment of a dwelling unit, or a dwelling unit within the rear portion or second storey of a commercial building. Further, the regulations of Section 19.5. or an accessory residential use do not apply as such use is hereby prohibited on lands zoned VC2-7. All other applicable provisions continue to apply. (Amended by By-law 3-93)

19.7.8 VC2-8 (Part Lot 6, Concession 1)
19.7.8.1. Notwithstanding the provisions of Sections 19.1 and 19.2 to the contrary, on lands zoned VC2-7 the permitted uses shall include the establishment of a heliport to be used only for emergency use of air ambulances to service the Wingham and District Hospital.

19.7.8.2. This property also includes an existing motorcycle sales and service establishment.

19.7.8.3 All other applicable sections shall apply. (Amended by By-law 12-93)

19.7.9. VC2-9
19.7.9.1. Notwithstanding the provisions of Section 19.1. to the contrary, on lands zoned VC2-9 the permitted uses shall include one single family residential dwelling.
19.7.9.2. The provisions of Section 3.4 (non-complying uses) shall apply except that the operative date for the purpose of Section 3.4 shall be the date of passing of the amending by-law which establishes the VC2-9 zone on the subject property.
19.7.9.3. All other applicable sections shall apply. (Amended by By-law 20-93)

19.7.10. VC2-10
Notwithstanding the provisions of Section 19.3. to the contrary, on lands zoned VC2-10, the side yard depth for the existing automobile repair garage shall be recognized at 1.8 metres and the rear yard at 0 metres (top of bank).

The provisions of Section 3.4 (non-complying uses) shall apply except that the operative date for the purpose of Section 3.4 shall be the date of passing of the amending by-law which establishes the VC2-10 zone.

All other applicable provisions of By-law 14-1987 shall apply. (Amended by By-law 3-94)

19.7.11. VC2-11
19.7.11.1. Notwithstanding the provisions of Section 19.1. to the contrary, the permitted uses on the lands zoned VC2-11 are: 19.7.11.1.1. an automotive sales and service establishment; 19.7.11.1.2. an automotive repair establishment; 19.7.11.1.3. a rust proofing establishment; 19.7.11.1.4. a boat or motorized & other recreational vehicle sales establishment; 19.7.11.1.5. drive-in restaurant; 19.7.11.1.6. restaurant; 19.7.11.1.7. service station; 19.7.11.1.8. retail store; 19.7.11.1.9. financial institution; 19.7.11.1.10. home and auto supply store; 19.7.11.1.11. uses accessory to the permitted uses.

19.7.11.2. Notwithstanding the provisions of Section 19.3. And 19.4. to the contrary, the gross floor area for building on lands zoned VC2-11 shall be:
19.7.11.2.1. Retail Store Max.: 2,787 sq. m. Min.: 465 sq. m.
19.7.11.2.2. Home & Auto Supply Store Max.: 2,787 sq. m. Min.: 465 sq. m.
19.7.11.2.3. Other permitted uses Max.: 929 sq. m. Min.: 465 sq. m.

19.7.11.3. Notwithstanding the provisions of Section 19.7.11.2. to the contrary, the total gross floor area for all buildings on the lands zoned VC2-11 shall be a maximum of 6,503 square metres.

19.7.11.4. The lands zoned VC2-11 total 4.8 hectares. The maximum number of lots which can be created from this 4.8 hectare parcel shall be 6. Individual uses will be located in separate and detached buildings with one main use per building.

19.7.11.5. Development will be staged to require development of one larger anchor store (2,787 square metres) prior to smaller stores (929 sq. m.) being permitted.

19.7.11.6. All other provisions of the VC2 zone shall continue to apply.

19.7.11.7. All other provisions of Zoning By-law 14-1987, as amended, shall continue to apply to the extent that they do not conflict with the provisions of the VC2-11 zone. These provisions include, but are not limited to Section 3.9. Parking Areas Regulation; 3.10. Loading Space Regulation; 3.11. One Main Building Per Lot; 3.24. Planting Strip Requirements. (Amended by By-law 8-2000)

19.7.11.7.1. VC2-11 (VC2-11: Village Commercial Highway – Special Zone) Sections 3.4 (Non Complying) and 3.5 (Non-Conforming Lands, Buildings, Structures and Uses) shall continue to apply at the date of passing of this amending By-law. (Amended by By-law 72-2010)

19.7.11.8 VC2-11
Notwithstanding the provision of this by-law as amended to the contrary, the lands zoned VC2-11 shall include the following additional permitted uses: a truck transport terminal and yard, repair shop, and an accessory residence. The accessory residence may locate to the front of a permitted use. Out-door parking and storage areas associated with the commercial use shall be located no closer than 80 metres from the front of the lot line. All other provisions shall apply.
All other provisions of By-law 14-1987 shall apply. (Amended by By-law 6-2002)

19.7.12. VC2-12
Notwithstanding the provisions of Section 19.1 (Permitted Uses) and 19.2 (Permitted Structures) to the contrary, on the lands zoned VC2-12, the existing residential building and barn are recognized as permitted structures. The permitted uses of the property shall be limited to the existing residence, a truck transport terminal and yard, and repair shop. In the event the main residential use and/or barn cease to exist, the permitted uses and structures of Section 19.1 and 19.2 shall apply in addition to a permitted truck transport terminal and yard. All other provisions shall comply. (Amended by By-law 43-2002)

19.7.13. VC2-13
On lands zoned VC2-13;
- Notwithstanding the provisions of Section 19.1 (permitted uses), the subject lands may be used for a large retail appliance store, accessory warehouse, and accessory uses;
- The provisions of Section 3.4 (Non-complying uses) shall
apply except that the operative date for the purpose of Section 3.4 shall be the date of passing of the amending By-law which establishes the VC2-13 zone;
- Notwithstanding the provisions of Section 3.9 (parking), to the contrary, a minimum of 31 parking spaces are required;
- All other applicable provisions shall apply. (Amended by By-law 21-2012)

19.8 STATUS ZONES

19.8.1. VC2-1
Notwithstanding the provisions of Section 19.2 to the contrary, the lands zoned VC2-1 may be used for an existing detached single family dwelling.

19.8.2 VC2-2
Notwithstanding the provisions of Section 19.1 to the contrary, the lands zoned VC2-2 may be used as a restaurant.

SECTION

20. VILLAGE INDUSTRIAL (VM1)

20.1. PERMITTED USES

20.1.1. all permitted uses shall be dry industries as defined in Section 2.52.
20.1.2. an agricultural industrial establishment;
20.1.3. an agricultural processing establishment not including dead stock removal;
20.1.4. an automotive body shop;
20.1.5. a contractor or tradesman's shop or yard;
20.1.6. a garage, public;
20.1.7. a retail outlet, a wholesale outlet or office accessory to a permitted use;
20.1.8. a storage industry or warehouse;
20.1.9. a transport terminal or yard;
20.1.10. uses accessory to the permitted uses.

20.2. PERMITTED STRUCTURES
20.2.1. one dwelling unit or one double wide mobile home detached from or part of the non-residential structure for the owner or manager of the operation; (Amended by By-law 006-91)
20.2.2. buildings and structures for the permitted uses;
20.2.3. buildings and structures accessory to the permitted uses.

20.3. Zone Regulations for Automotive Wrecking Establishments;
The provisions of Section 21, SALVAGE YARD (C4), apply for automotive wrecking establishments.

20.4. Zone Regulations for All Other Permitted Uses:

20.4.1. Lot Area (minimum) 1850 sq. m.;
20.4.2. Lot Frontage (min.) 30 metres;
20.4.3. Front Yard Depth (minimum);
20.4.3.1. adjacent to Provincial or County Road - 10 metres;
20.4.3.2. adjacent to Township Road - 15 metres.
20.4.4. Side Yard Depth (min.) - 4.5 metres;
(except where abutting a Recreational Zone or Park Use, in which case - 7.5 metres).
20.4.5. Exterior Side Yard Depth (minimum):
20.4.5.1. adjacent to a Provincial or County Road- 10 metres;
20.4.5.2 adjacent to a Township Road - 20 metres.
20.4.6. Rear Yard Depth (minimum) - 7.5 m.;
20.4.7. Lot Coverage (maximum) - 40%;
20.4.8. Landscaped Open Space (min.) - 10%.

20.5. Building Regulations
20.5.1. Building Height (Max) - 12 metres

20.6. SPECIAL PROVISIONS
20.6.1. Planting Strips
Where an Industrial Zone abuts any Residential, Institutional or Commercial Zone, a planting strip with a minimum width of one and one-half (1.5) metres and in accordance with the provisions of Section 3.24. shall be provided along with abutting side and/or rear yards of the Industrial Zone.

20.6.2. Open Space
20.6.2.1. Any part of any lot used for a permitted open storage purpose shall be suitably screened by a solid fence not less than two (2) metres in height;

20.6.2.2. No storage will be permitted outside of the building or buildings on the lot in the front, side or rear yard opposite to or abutting a Residential, Institutional or Recreational Zone.
20.6.3. Property Abutting a Railway:
Notwithstanding any other provisions of Section 20.4.4. and 20.4.6., along that portion of any lot which abuts a railway right-of-way, no interior yard or rear yard shall be required.

20.6.4. Existing Buildings, Structures & Lots
The lot area, lot frontage, all yards, gross floor area of the main building, lot coverage, and building height of existing permitted buildings, structures and lots, where lower than the foregoing minimum or higher than the foregoing maximum requirements, shall apply as they lawfully exist on the day of passing of this By-law.

20.7 Special Zones

20.7.1. VM1-1
Notwithstanding the provisions of Section 20.1. to the contrary, the area zoned "VM1-1" may also be used for an automotive repair establishment with a limited amount of sales and service. The sales and service component shall be limited to motor vehicles repaired on the subject lands, and for this purpose must be accessory to the automotive repair function. (Amended by By-law 018-91)

20.7.2. VM1-2
20.7.2.1 Notwithstanding the provisions of Section 20.1. to the contrary, Section 20.1.1 (all permitted uses shall be dry industries) shall not apply to the lands zoned VM1-2, upon the provision of municipal water and sewage.
20.7.2.2 Notwithstanding the provisions of Section 20.1. to the contrary, the following uses shall be permitted on the lands zoned VM1-2, in addition to those uses permitted in the VM1 zone:
An assembly, manufacturing, fabricating, packaging, printing, publishing plant or warehouse conducted and wholly contained within an enclosed building.
(Amended by By-law 15 and 24-1998)

SECTION

21. SALVAGE YARD (C4)

21.1. PERMITTED USES:
21.1.1. an automotive wrecking establishment as defined in Section 2.19;
21.1.2. a 'salvage yard' as defined in Section 142 of this By-law;
21.1.3. uses accessory to the permitted uses;

21.2. PERMITTED STRUCTURES:
21.2.1. an accessory residence to be owned and occupied by the manager of the permitted commercial operation;
21.2.2. a storage shed;
21.2.3. buildings and structures for permitted uses;
21.2.4. buildings and structures accessory to the permitted uses.

21.3. ZONE REGULATIONS:
21.3.1. Zone Area (min.) - 2 hectares
21.3.1.1. Zone Area (max.) - 6 hectares
21.3.2. Lot Frontage (min.) - 45 hectares
21.3.3. Front Yard Depth (min.) - 30 metres
21.3.4. Side Yard Depth (min.) - 3 metres, except:
21.3.4.1. 15 metres minimum where any side lot line abuts any Non-Industrial Zone;
21.3.4.2. 1 metre minimum where any side lot line abuts any railway right-of-way.
21.3.5. Exterior Side Yard Depth (min.) - 30 m.
21.3.6. Rear Yard Depth (min.) - 3 metres, except:
21.3.6.1. 15 metres minimum where any rear lot line abuts any Non-Industrial Zone;
21.3.6.2. 1 metre minimum where any rear lot line abuts a railway right-of-way.
21.3.7. Lot Coverage (max.) - 20 percent.

21.4. BUILDING REGULATIONS:
21.4.1. Building Height (max.) - 10 metres

21.5. REGULATIONS FOR ACCESSORY RESIDENTIAL USES
21.5.1. Lot Area (to be added to the minimum lot area for the Salvage Yard Use) minimum:
21.5.1.1. detached residence - 700 sq. m.
21.5.1.2. attached dwelling unit - 350 sq. m.
21.5.2. Minimum floor area per dwelling unit shall be in accordance with the following:
21.5.2.1. fully detached residence - 84 sq. m.
21.5.2.2. a residence or structure of the non-residential building or structure - 70.0 sq. m.
21.5.3. Access to dwelling units from the adjacent street shall be provided for the exclusive use of the dwelling units.

21.6. SEPARATION DISTANCE (RESIDENTIAL):
Notwithstanding any other provision of this by-law to the contrary, no residential, institutional, commercial, industrial or recreational building or structure, located on a separate lot shall be established unless it complies with the Minimum Distance Separation (MDS) Formulae. (Amended by By-law 22-2007)
21.7. SPECIAL PROVISIONS

21.7.1. Planting Strip
Notwithstanding the provisions of Section 3.24, the height of the planting strip shall be 3 metres;

21.7.1.1. where the side or rear lot line is adjacent to a Residential, Recreational or Institutional Zone, or a public roadway, and subject to site plan control;
21.7.1.2. a fence of equal height may be required in conjunction with or in replacement of a planting strip.

21.7.2. Open Storage
No open storage, with the exception of the storage of derelict vehicles enclosed by the required fence or planting strip, will be permitted in the front, side or rear yards with the exception of parking of motor vehicles in accordance with Section 3.9. of this By-law.

21.7.3. Maximum Vehicle Storage Height
No vehicles shall be piled in excess of the required planting strip or required fence.

SECTION

22. INSTITUTIONAL (II)

22.1. PERMITTED USES

22.1.1. an arena;
22.1.2. an art gallery;
22.1.3. an assembly hall;
22.1.4. a cemetery;
22.1.5. a church or religious institution;
22.1.6. a clinic (public);
22.1.7. a community centre;
22.1.8. a day nursery;
22.1.9. a fire hall;
22.1.10. a grandstand;
22.1.11. a hospital;
22.1.12. a library;
22.1.13. a museum;
22.1.14. a police station;
22.1.15. a post office;
22.1.16. public buildings and uses (municipal government, county, and area provincial and federal offices);
22.1.17. a public swimming pool;
22.1.18. a sanatorium;
22.1.19. a school;
22.1.20. utility buildings;
22.1.21. home for the aged;
22.1.22. County Nursing Home;
22.1.23. uses accessory to the permitted uses.

22.2. PERMITTED STRUCTURES

22.2.1. buildings and structures for the permitted uses;
22.2.2. buildings and structures accessory to the permitted uses;

22.3. ZONE REGULATIONS

22.3.1. Lot Area (minimum) - 1400 sq. m.;
22.3.2. Lot Frontage (min.) - 25 metres;
22.3.3. Front Yard Depth (min.) - 15 metres;
22.3.4. Side Yard Depth (min.) - 7.5 metres, except where an Institutional use abuts a Residential Zone, a 9 metre side yard is required.
22.3.5. Exterior Side Yard Depth (min) - 9 metres;
22.3.6. Rear Yard Depth (min.) - 7.5 metres;
22.3.7. Lot Coverage (max.) - 40 percent;
22.3.8. Landscaped Open Space (min) - 10 percent.

22.4. BUILDING REGULATIONS

22.4.1. Building Height (max.) - 18 metres.

22.5. SPECIAL PROVISIONS

22.5.1. Notwithstanding the provisions of Sections 22.3.4. and 22.3.6., where an Institutional use abuts a Residential Zone, a nine (9) metre side yard and/or rear yard (including the planting strip) shall be required.

22.5.2. Separation Distance (Residential):
Notwithstanding any other provision of this by-law to the contrary, no residential, institutional, commercial, industrial or recreational building or structure, located on a separate lot shall be established unless it complies with the Minimum Distance Separation (MDS) Formulae. (Amended by By-law 22-2007)
22.6. STATUS ZONES

22.6.1. I1-1
Notwithstanding the provisions of Section 22.1, to the contrary, the lands zoned I1-1 may be used as a fish and game club, including a club house.

22.6.2. I1-2
Notwithstanding the provisions of Section 22, to the contrary, the lands zoned I1-2 shall revert back to an AG1 (General Agriculture) zoning at the time that the lands cease to be used as a school. (Amended by By-law 6-97)

22.6.3. I1-3
Notwithstanding the provisions of Section 22.1 and 22.3 to the contrary, a Municipal Shed shall be a permitted use and the lot frontage shall be 20 metres (66 feet) along North Street for the lands zoned I1-3. (Amended by By-law 13-2000)

22.7. INSTITUTIONAL SPECIAL PROVISIONS

22.7.1. I1-4
Notwithstanding the provisions of Section 22.1, (Institutional Permitted Uses) to the contrary, playing fields and parking lots are permitted uses accessory to the school uses located on the abutting lands in the Township of North Huron.

Notwithstanding the provisions of Section 22.3, (Institutional Zone Regulations) to the contrary, the abutting lands zoned CF-4 and the abutting lands zoned CF shall be included for each lot in the calculations for lot area, parking, frontage and setbacks for the purpose of meeting the requirements of the Turnberry Zoning By-law.

In the I1-4 zone, no setback for the parking lot that abuts the CF-4 zone or the CF zone in the Township of North Huron is required; the parking area may be located abutting a street line provided that no part of the parking area, other than a driveway, is located closer than one (1) metre to any street line.

Notwithstanding the provisions of Section 3.9.1 (Parking Area Requirements), the existing high school parking area within the I1-4 zone shall contain not fewer than 70 parking spaces. All other applicable provisions of By-law 14-1987 shall apply. (Amended by By-law 72-2010)
SECTION 23. DISPOSAL ZONE (DS)

23.1. PERMITTED USES

23.1.1. municipal or private solid waste disposal sites;
23.1.2. sewage treatment works or collection facilities;
23.1.3. water treatment, supply or storage facilities;
23.1.4. garbage transfer station.

23.2. PERMITTED STRUCTURES

23.2.1. Buildings and structures for the permitted uses;
23.2.2. Buildings and structures accessory to the permitted uses;

23.3. ZONE REGULATIONS

23.3.1. Lot Area (minimum) - 1850 sq. m.

23.4. SPECIAL PROVISIONS

23.4.1. All disposal sites shall develop according to the applicable regulations of the Ontario Ministry of Health and/or Ontario Ministry of the Environment.
23.4.2. Subject to an agreement pursuant to site plan control Council may require the establishment of a fence or planting strip.

SECTION 24. COMMUNICATIONS & UTILITY (U)

24.1. PERMITTED USES

24.1.1. agriculture;
24.1.2. conservation;
24.1.3. a radio, television, microwave, or similar communications tower or towers;
24.1.4. railway tracks and stations;
24.1.5. a pipeline;
24.1.6. accessory buildings and structures.

24.2 SPECIAL PROVISIONS

Subject to an agreement pursuant to site plan control Council may require the establishment of a fence or planting strip.

SECTION 25. DEVELOPMENT ZONE (D)

25.1. PERMITTED USES

25.1.1. uses existing on the date of the passing of this By-law;
25.1.2. uses accessory to the permitted uses;
25.1.3. agricultural use, limited;

25.2. PERMITTED STRUCTURES

25.2.1. buildings and structures existing on the date of passage of this By-law;
25.2.2. buildings and structures accessory to the permitted uses, not including the establishment of new livestock buildings.
25.2.3. The expansion, enlargement or reconstruction in case of destruction, of an existing residence subject to the zone and building regulations of Section 15 (Village Residential Low Density) and approval from the Huron County Health Unit and the Maitland Valley Conservation Authority. (As amended by By-law 37-2009)

25.3. SUBDIVISIONS

Final approval of subdivision of land in a Development Zone will not be permitted prior to rezoning to the applicable zone.

25.4. ZONE REGULATIONS FOR ACCESSORY BUILDINGS

In accordance with the provisions of Section 15.5 (Regulations for Accessory Buildings and Structures) of the VR1 zone. (Amended by By-law 37-2009)

25.5. SPECIAL PROVISIONS

25.5.1. D-1
Notwithstanding the provisions of Section 25.1 to the contrary those lands zoned D-1 may be used for restricted agricultural uses subject to the following:
25.5.1.1. maximum 10 nutrient Units
25.5.1.2. dry litter waste disposal
25.5.1.3. minimum separation distance provisions of Section 5.5.

25.5.2. D-2
Notwithstanding the provisions of Section 25.1 to the contrary those lands zoned D-2 may be used for one single family residence per holding and may be used for restricted agricultural uses subject to the following:
25.5.2.1. establishment of a residence will be subject to the zone provisions of the VR1 zone;
25.5.2.2. maximum 10 nutrient Units
25.5.2.3. dry litter waste disposal
25.5.2.4. minimum separation distance provisions of Section 5.5.

25.5.3. D-3
Notwithstanding the provisions of Section 25.1 to the contrary, the lands zoned "D-3" shall permit the establishment of an addition to the existing residence on the subject property. All other provisions of this by-law shall apply. (Amended by By-law 23-92)

25.5.4. D-4
25.5.4.1. Notwithstanding the provisions of Section 25, to the contrary, an existing residence and shed shall be permitted on the lands zoned D-4 and shall be deemed to comply with the provisions of the VR1 zone, as of the date of passing of this by-law.
25.5.4.2 Notwithstanding the provisions of Section 25, to the contrary, a maximum of 8 nutrient units with dry litter waste disposal shall be permitted on the lands zoned D-4. (Amended by By-law 6-1998)

25.5.5. D-5
Notwithstanding the provisions of Section 25.1, 25.2 and 25.4 to the contrary, on the lands zoned D-5, a single detached dwelling, an addition to the dwelling and accessory buildings are permitted subject to the setback requirements of the Village Residential – Low density (VR1) zone. All other provisions of By-law 14-1987 shall continue to apply. (Amended by By-law 87-2006)

SECTION
26. OUTER FLOOD PLAIN (OFP)

26.1. USES PERMITTED
In accordance with the zones found within the OFP Zone.

26.2. SPECIAL PROVISIONS
Notwithstanding any other provisions of Section 26 to the contrary, in the area zoned OFP the placing or removal of fill will be subject to the approval of the Maitland Valley Conservation Authority and the construction of permitted buildings and structures will be subject to the flood damage reduction measures determined in consultation with the Maitland Valley Conservation Authority.

SECTION
27. AIRPORT LANDS FACILITIES (AL1)

27.1. PERMITTED USES
27.1.1 aircraft runways and taxiways;
27.1.2. aircraft tie-down areas;
27.1.3. aircraft navigational equipment;
27.1.4. uses accessory to a permitted use.

27.2. PERMITTED STRUCTURES
27.2.1. buildings and structures required for navigational equipment;
27.2.2. buildings and structures accessory to a permitted use.

(for explanation of height restrictions surrounding Airport Lands -D.A.1. and D.A.2., refer to Section 3.7.2.)
SECTION 28.

ENACTMENT

This By-law shall come into effect pursuant to Subsection 19 of Section 34 of The Planning Act, 1983.

READ a first time on the day of 1991.

READ a second time and provisionally adopted on the day of , 1991.

Brian McBurney, Reeve

Kelly, Clerk

READ a third time and passed on this day of , 1991.

Brian McBurney, Reeve

CORPORATE SEAL

Dorothy Kelly, Clerk
SCHEDULE "A"
KEY MAP LEGEND
TOWNSHIP OF TURNBERRY

Base Map Legend

---
Roads—Provincial, County, or Township

---
Canadian National Railway or Canadian Pacific Railway

---
Watercourse: rivers, creeks, ponds, etc.

---
Lot line

---
Township Boundary

Zone Legend

---
Zone Boundary

AG1

Zone Symbol

See Designated Key Map

/////\\\\
OFP—Outer Flood Plain Zone Limit

---
DA1—Defined Area 1

---
DA2—Defined Area 2
SCHEDULE "A"

KEY MAP 2B
LOWER TOWN
TOWNSHIP OF TURNBERRY

Scale:

0 50 100 150 200
FEET

0 10 20 30 40
METRES

* Added by Bylaw 13-1992
SCHEDULE "A"
KEY MAP 3
TOWNSHIP OF TURNBERRY
SCALE:

feet

metres

KING'S HIGHWAY NO. 86
TOWNSHIP OF EAST WAWANOSH

Outer Flood Plain (OFP)
(see Section 26)
SCHEDULE "A"
KEY MAP 3B
TOWNSHIP OF TURNBERRY
SCALE:
0 200 400 600 800
0 50 100 150 200 250
feet
metres

1 Amended by By-Law 12-1989
1 Amended by By-Law 19-1988
2 Amended by By-Law 14-1989
3 Amended by By-Law 15-1998
4 Amended by By-law 24-1998
5 Amended by By-law 50-2008
SCHEDULE "A"
KEY MAP 3G
TOWNSHIP OF TURNBERRY

SCALE:

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1 Amended by By-law 20-1993
2 Amended by By-law 3-1994
SCHEDULE "A"
KEY MAP 8
TOWNSHIP OF TURNBERRY
Scale:

0 150 300 450 600 FEET
0 50 100 150 200 METRES

See Key Map 12

AG1
AG1
AG1
AG1
AG1
AG1

NE3
NE3
NE3
NE3
NE3
NE3

AG4
AG4
AG4
AG4
AG4
AG4

AG3-7
AG3-7
AG3-7
AG3-7
AG3-7
AG3-7

AG4-6
AG4-6
AG4-6
AG4-6
AG4-6
AG4-6

AG4-7
AG4-7
AG4-7
AG4-7
AG4-7
AG4-7

TOWNSHIP OF MORRIS

1 Amended by By-law 27-1992
2 Amended by By-law 03-2013
3 Amended by By-law 13-2013
KEY MAP 9
TOWNSHIP OF TURNBERRY

Scale:

0 150 300 450 600 FEET
0 50 100 150 200 METRES

1 As amended by By-law 35-2010
AG2 ZONE IS A RESULT OF THE PROXIMITY OF WROXETER

1 As amended by By-law 40-2009
Schedule "A"

Key Map 15
TOWNSHIP OF TURNBERRY

Scale:

0 400 800 1200 1600 feet

0 100 200 300 400 metres
1 Amended by By-law 65-2005
Schedule "A"

Key Map 19
TOWNSHIP OF TURNBERRY

Scale:
0  400  800  1200  1600  feet
0   100  200  300  400  metres

Key Map 19
TOWNSHIP OF TURNBERRY

Scale:
0  400  800  1200  1600  feet
0   100  200  300  400  metres
Schedule "A"

Key MAP 22

TOWNSHIP OF TURNBERRY

Scale:

0 400 800 1200 1600 feet

0 100 200 300 400 metres

1 Amended by By-law 23-1989
2 Amended by By-law 14-2013
Key Map 23
TOWNSHIP OF TURNBERRY

Scale:
0 400 800 1200 1600
feet
0 100 200 300 400
metres

1 Amended by By-law 6-1997
SCHEDULE "A"
KEY MAP 24B
TOWNSHIP OF TURNBERRY

SCALE:

*AMENDED BY BY-LAW 007-1988
**AMENDED BY BY-LAW 29-1989
***AMENDED BY BY-LAW 5-1991
****AMENDED BY BY-LAW 7-1991
5 AMENDED BY BY-LAW 13-2000
6 AMENDED BY BY-LAW 13-2002
7 AMENDED BY BY-LAW 19-2006
8 AMENDED BY BY-LAW 24-2009
Schedule "A"

Key Map 27
TOWNSHIP OF TURNBERRY

Scale:

0 400 800 1200 1600 feet

0 100 200 300 400 metres

AG3-4

AG4-18

AG1-15

AG1

AG1

AG1

AG1

C.P.R.

CON.8

RIVER

CON.7

AG4

NE3

NE2

NE1

NE1

1 Amended by By-law 13-1993
2 Amended by By-law 11-2012
Schedule "A"

Key Map 31
TOWNSHIP OF TURNBERRY

Scale:

1000
2000
3000
4000
feet

0
100
200
300
400
metres

1 AMENDED BY BY-LAW 11-1991
2 AMENDED BY BY-LAW 7-1998
Schedule "A"
Key Map 33
TOWNSHIP OF TURNBERRY
Scale:
0 400 800 1200 1600
feet
0 100 200 300 400
metres

Map 41

NE3
AG1
NE2
AG1-14-H
AG1-13
CON. 10
CON. 9
AG1
NE2
NE1
NE3

Canadian Pacific
Rwy.
MAITLAND RIVER

1 Amended by By-law 04-2002
2 Amended by By-law 21-2005
APPENDIX I

Metric Conversion Information

1. Units of Length

1 kilometer = 1,000 metres

2. Units of Area

1 hectare = 10,000 sq. metres
1 square kilometer = 100 hectares

3. Conversion Factors

Length
1 metre = 3.2808 feet
1 foot = .3048 metres

Area
1 square metre = 10.763911 square feet
1 square foot = .0929034 square metres
1 acre = .404686 hectares
1 hectare = 2.471054 acres

4. Conversions of commonly used values

<table>
<thead>
<tr>
<th>Length</th>
<th>1 metre = 3.28 feet</th>
<th>2 metres = 6.56 &quot;</th>
<th>3 &quot; = 9.84 &quot;</th>
<th>4 &quot; = 13.12 &quot;</th>
<th>4.5 &quot; = 14.76 &quot;</th>
<th>5 &quot; = 16.4 &quot;</th>
<th>7.5 &quot; = 24.6 &quot;</th>
<th>8 &quot; = 26.24 &quot;</th>
<th>9 &quot; = 29.22 &quot;</th>
<th>12 &quot; = 39.36 &quot;</th>
<th>17 &quot; = 55.76 &quot;</th>
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<th>23 &quot; = 73.44 &quot;</th>
<th>30 &quot; = 98.4 &quot;</th>
<th>60 &quot; = 196.8 &quot;</th>
<th>90 &quot; = 295.2</th>
<th>100 &quot; = 328</th>
<th>610 &quot; = 2000.8</th>
</tr>
</thead>
</table>

| Area | 1 hectare = 2.47 acres | 2 " = 4.94 " | 4 " = 9.88 " | 6 " = 14.82 " | 36 " = 93.66 |

Square Metres
- 55 sq. metres = 582 sq. ft.
- 70 " = 773 "
- 84 " = 904 "
- 112 " = 1,206 "
- 140 " = 1,507 "
- 150 " = 1,615 "
- 250 " = 2,787 "
- 420 " = 4,531 "
- 604 " = 6,501 "
- 700 " = 7,535 "
- 796 " = 8,568 "
- 1,000 " = 10,763 "
- 1,400 " = 15,069 "
- 1,850 " = 19,913 "

* The metric conversion information is for convenience purposes only and does not form part of this by-law. Additional and more detailed metric conversion tables are available from the Township.

APPENDIX II

EXPLANATION OF NATURAL ENVIRONMENT ZONES

The areas designated "Natural Environment" in the Turnberry Township Secondary Plan are separated into one of the five Natural Environment Zones included in this by-law. The primary purpose behind the "Natural Environment" policies in Turnberry Township is the conservation and management of natural areas to ensure that they continue to provide a supportive role for agriculture and enjoyment by the residents of Turnberry Township.

In this respect, the Natural Environment zones are classified as follows:

NE1 ZONE: these include flood prone lands, river valleys, important water resource areas and buffers along permanently flowing watercourses and municipal drains;

NE2 ZONE: these are wetlands containing standing water on a seasonal or permanent basis which may have some significance as water retention, recharge or discharge areas;

NE3 ZONE: these are areas of upland forest not containing standing water;

NE4 ZONE: these are single family residential uses permitted in a natural environment area;

NE5 ZONE: these are environmentally sensitive areas of local or regional significance, which have been deemed worthy of a high level of protection.

In particular, agriculturally related uses are permitted uses in the NE1, NE2, and NE3 Zones. The NE4 Zone does not permit agriculturally related uses since this zone primarily recognizes a single family residence only, but also includes a hobby farm.
APPENDIX 1

Metric Conversion Information*

1. Units of Length:
   1 kilometer = 1,000 metres

2. Units of Area:
   1 hectare = 10,000 sq. metres
   1 sq. kilometer = 100 hectares

3. Conversion Factors:

   **Length**
   - 1 metre = 3.2808 feet
   - 1 foot = .3048 metres

   **Area**
   - 1 sq. metre = 10.763991 sq. ft.
   - 1 sq. foot = .0929034 sq. metres
   - 1 acre = .4046856 hectares
   - 1 hectare = 1.471054 acres

4. Conversions of commonly used values:

   **Length**
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   **Square Metres**
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*THE METRIC CONVERSION INFORMATION IS FOR CONVENIENCE PURPOSES ONLY AND DOES NOT FORM PART OF THIS BY-LAW. ADDITIONAL AND MORE DETAILED METRIC TABLES ARE AVAILABLE FROM THE TOWNSHIP.*
APPENDIX 2
The Rezoning Process*

In order to change the zoning on your property from one zoning category to another, the owner/agent must make application to the Township for a rezoning; application forms will be available from the Township Clerk.

A public meeting will be held in order to determine the opinion of surrounding property owners on the rezoning. Council will either approve or not approve the zoning by-law after this public meeting.

If the rezoning by-law is approved, a copy of the by-law will be circulated to all surrounding property owners and government agencies. These people will have the opportunity to support or object to the by-law. If there are no objections, the approved rezoning will take approximately three months to obtain.

If the rezoning by-law is not approved by Council, the applicant will be notified and will have the opportunity to appeal to the Ontario Municipal Board (OMB). The OMB will hold a hearing in the local municipality and its decision is final. If anyone objects to the approved by-laws as mentioned earlier, an OMB hearing will also be scheduled. Where an objections and a subsequent OMB hearing are involved the rezoning process may take approximately 9 months.

*THIS EXPLANATORY NOTE IS FOR INFORMATION PURPOSES ONLY AND DOES NOT FORM PART OF THIS BY-LAW.
APPENDIX 3

Illustration Of Cellar
And Basement Definitions*

CELLAR
HAS MORE THAN ONE HALF OF
ITS HEIGHT, FROM FINISHED
FLOOR TO FINISHED CEILING,
BELOW ADJACENT FINISHED
GRADE.

BASEMENT
HAS LESS THAN ONE HALF OF
ITS HEIGHT, FROM FINISHED
FLOOR TO FINISHED CEILING,
BELOW ADJACENT FINISHED
GRADE.

*THE ILLUSTRATIONS ARE FOR CONVENIENCE
ONLY AND DO NOT FORM PART OF THIS BY-LAW.
APPENDIX 4

Illustration Of Heights Of Buildings*

*THE ILLUSTRATIONS ARE FOR CONVENIENCE ONLY AND DO NOT FORM PART OF THIS BY-LAW.
APPENDIX 5

Illustration Of Lot Definitions*

"LOT, CORNER"
Corner Lot, Straight Sides

"LOT, CORNER"
Corner Lot, Curved Side

"LOT FRONTAGE"
Lot Lines are not parallel

"LOT DEPTH"
Front and Rear Lot Lines are Parallel

"LOT FRONTAGE"
No Rear Lot Line

"LOT DEPTH"
No Rear Lot Line

*THE ILLUSTRATIONS ARE FOR CONVENIENCE ONLY AND DO NOT FORM PART OF THIS BY-LAW.
Illustration Of Yard Definitions*

BUILDING "B" VOLUNTARILY INCREASED FRONT YARD, SIDE YARD, REAR YARD AND SETBACK ON CORNER LOT

*THE ILLUSTRATIONS ARE FOR CONVENIENCE ONLY AND DO NOT FORM PART OF THIS BY-LAW.