

# TOWNSHIP OF NORTH HURON

## Zoning By-law

### **Draft Zoning By-law Amendment 2023 Update and Review**

### **Proposed Text Changes**

**Last Revised: March 24, 2023**

Please note:

- Proposed additions are noted in ***Bold Italic*** text
- Proposed deletions are noted in ~~strikeout~~ text

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# TOWNSHIP OF NORTH HURON

## CONSOLIDATION

This document is a consolidation of the Township of North Huron Zoning By-law 82-2008 and subsequent amendments thereto. This compilation is for convenience for administrative purposes and does not represent true copies of the by-laws it contains. Any legal interpretation of this document should be verified with the CAO/Clerk. This consolidated zoning by-law contains:

Zoning By-law 82-2008;  
plus the following amendments to By-law 82-2008

By-law: 18-2009	Consent File B48-2016
By-law: 65-2009	By-law: 57-2017 (Temporary Use-expires 2037)
By-law: 81-2009	By-law: 81-2017
By-law: 11-2010	By-law: 11-2018
By-law: 12-2010	By-law: 16-2019
By-law: 33-2010	By-law: 29-2019
By-law: 34-2010	Consent File C20-2018
By-law: 46-2010	By-law: 57-2019
By-law: 48-2010	By-law: 77-2019 (Temporary Use expires 2039)
By-law: 50-2010	By-law: 98-2019 (Housekeeping)
By-law: 20-2011	Consent File C29-2019
By-law: 49-2011	Consent File C88-2019
By-law: 52-2012	Consent File C42-2020
By-law: 61-2012	Consent File C89-2019
By-law: 64-2012	By-law: 60-2020
By-law: 52-2013	By-law: 61-2020
By-law: 22-2014	Consent File C30-2020
By-law: 62-2014	By-law: 04-2022
By-law: 63-2014	By-law: 11-2022
Consent File B36-2014	By-law: 02-2021
By-law: 59-2015	By-law: 17-2021
By-law: 61-2015	By-law: 37-2021
By-law: 62-2015	By-law: 53-2021
By-law: 64-2015	By-law: 58-2021
By-law: 73-2015	Consent File C39-2021
Consent File B40-2014	By-law: 92-2021 (Temporary Use expires 2024)
By-law: 77-2015	By-law: 04-2022
By-law: 83-2015	By-law: 12-2022
By-law: 07-2016	By-law: 65-2022
By-law: 79-2016	Consent File C05-2022
By-law: 04-2017	Consent File C62-2021
By-law: 79-2016	Consent File C24-2022
By-law: 04-2017	
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Consent File B58-2016	
Consent File B40-2016	
Consent File B38-2016	
Consent File B31-2016	

# SUMMARY OF MINOR VARIANCES

## Township of North Huron

File No.	Location	Decision	Conditions/Reasons	Key Map	Applicant
A1/08	Block J Lot 9, Plan 171 Blyth Ward, 235 Hamilton St	Approved by C/A: To reduce the east interior side yard setback to 2 metres from the required 3 metres.		Blyth	Brent Pryce
A2/08	Part Lot 19, R.P. 430, Wingham Ward 145 Patrick St	Approved by C/A: To reduce the exterior side yard to 1.8 metres from the required 6 metres to permit the construction of an attached garage onto the existing residence.		Wingham	Aubin Ross
A3/08	Lots 6 & 7, Block H, R.P. 170 Blyth Ward 283 Wellington St	Approved by C/A: To increase the height of an accessory building to 4.8 metres (15.75 feet) from the permitted maximum height of 4 metres (13.3 feet)		Blyth	Bruce Howson
A1/09	Part Lots 7 & 8, R.P. 424, Wingham Ward 164 Josephine St	Approved by C/A: Allow for the extension or enlargement of a non-conforming use and canopy structure under Section 45 (2)(a)(i) of the Planning Act, RSO, 1990.		Wingham	Steve MacTavish
A2/09	Part Lot 18, R.P. 437, Wingham Ward 20 George St	Approved by C/A: To recognize a reduced lot frontage of 12.8 metres from the required 15 metres for the retained parcel. To recognize a reduced rear yard setback of 7.2 metres from the required 8 metres for the semi-detached dwelling on the severed parcel. To recognize interior side yard setbacks of 1.5 metres from the required 3 metres for the semi-detached dwelling on the severed parcel.		Wingham	Erika During
A3/09	Lot 14 Part Lot 12, 13 & 15 Plan 413, Wingham Ward, 32 Victoria St W	Approved by C/A: To recognize a reduced east interior side yard setback of 1.5 metres from the required 3 metres. To recognize a reduced rear yard setback of 3 metres from the required 8 metres. To recognize the lot coverage (maximum) of 43% from the required 40%.		Wingham	Beldman Construction
A1/14	Part of Lots 4 & 5, Concession 1, Wingham Ward, 225 Cornyn Street	Approved by C/A: To seek relief from a front yard setback of 7.5m to 2.7m from the front lot line in order to permit the construction of an	The proposed addition to the structure be located within the footprint contained on the sketch that accompanied the application;	Wingham	Huron Perth Catholic District School Board

File No.	Location	Decision	Conditions/Reasons	Key Map	Applicant
		addition on the west end of the existing school to include four (4) new classrooms	Municipal approval of a site plan be obtained; and this variance approval is valid for a period of 18 months from the date of the Committee's decision.		
A2/14	Lot 3, RP 444, 320 Summit Dr., Wingham, Wingham Ward	Approved by C/A Request relief from the required rear yard setback of an accessory building to 0.25 m where a minimum of 1 m is required. To vary Section 3.2.2.3. to decrease the rear yard setback of an accessory building to 0.25 m where a minimum of 1 m is required	The structure be located within the footprint contained on the sketch that accompanied the application, and the variance approval is valid for a period of 18 months from the date of the Committee's decision	Wingham	Meith—McConnel & Tracey Steen
A1/16	S Pt Lot 40, Conc 5, 39732 Westfield Rd., East Waw Ward	Approved by C/A To seek relief to construct a dairy barn in conjunction with the existing operation on the south of the property. The provisions set out in the NH ZBL require a front yard setback in the AG1 Zone for a structure to be a minimum of 60 metres (197 ft). The minor variance seeks relief for 20 metres (67 ft) as the applicant requests to build the dairy barn at a front yard setback of 40 metres (130 ft.)	No conditions	E. Waw.	Hallahan (Marfrar Farms)
A2/16	Plan 410, Part Block B, Plan 413, Part Lot 21, Wingham Ward, 78 Victoria St West	Approved by C/A: To seek relief from for 1 metre (3.2 feet) for the interior yard setback as the applicant requests to build the semi-detached structure at -an interior yard setback of 2 metres (6.56 feet). The proposed Minor Variance To seeks relief for 2.25 square metres (24 square feet) for one of the residential units total floor area and 20.83 square metres (224 square feet) for the second residential unit floor area, as the applicant is proposing the unit floor area will be 81.75 square metres (880 square feet) for -one unit and 63.17 square metres (680 square feet) for the second unit.	No Conditions	Wingham	John Frieburger/ 1347706 Ontario Inc.

File No.	Location	Decision	Conditions/Reasons	Key Map	Applicant
A01/17	Plan 451, Lot 12 (445 Carling Terr) Wingham	Approved C/A To seek relief for 5.7 meters for the exterior yard setback required to satisfy Section 3.3.4. of the General Provisions for Accessory Structures section of the ZBL, as the applicant proposes to construct the pool at a setback of 0.3 metres (1 ft) from the exterior side lot line.	The pool be located within the footprint contained on the sketch that accompanied the application; The pool maintains a distance of 1 metre from the fence; The fence is either removed to the satisfaction of the Chief Building Official or an Encroachment Agreement is entered into with the Township of North Huron; and the variance approval is valid for a period of 18 months from the date of the Committee's decision.	Wingham	DeVries
A03/17	Plan 410, Pt Blk B, Plan 413, Pt Lot 24 (78 Victoria St, W)	Approved by C/A To allow for development on an infill residential lot in a Primary Settlement Area.	The residence be located within the footprint contained on the sketch that accompanied the application; the residence be as shown in the elevation drawings that accompanied the application; the driveway is maintained at 1 metre away from the east property line; and the variance approval is valid for a period of 18 months from the date of the Committee's decision.	Wingham	1347706 Ont Ltd/ Frieburger
A04/17	38917 Westfield Rd Pt N. Pt of Lot 31, Pt of Lot 32, Conc. 4, E. Wawanosh	Approved by C/A To allow the new barn to be constructed at a setback of 15 metres from the eastern property line, rather than the 30 metres that would otherwise be required by the Zoning By-law. Specifically, this request requires a Minor Variance of: a) the side yard requirement for livestock barns (Sect. 4.4) from 30 metres to 15 metres; and b) the Minimum Distance Separation (MDS) setback from side lot lines (Sect. 4.5) from 26 metres to 15 metres. (For clarity, the new barn will still be required to meet MDS distances from nearby buildings.)		E, Waw	VanHittersum Tonnie & Anita
MV-01-19	82 Kerr Drive, Plan 414, Pt Park Lots 1 & 2, RP 22R4967, Pts 1 & 2	To seek relief from Zoning By-law 82-2008. The subject property is designated Highway Commercial in the North Huron Official Plan and zoned C3-1 (Highway Commercial Special Zone) in the North Huron Zoning By-	Approved with the condition as noted in the Planners Report	Wingham	D.C. McCloskey Engineering/ KRS Holding Wingham Inc.

File No.	Location	Decision	Conditions/Reasons	Key Map	Applicant
		law. A new gas bar with canopy and pumps, convenience store and drive-through eating establishment is seeking relief from the minimum required landscaped open space and the maximum width for driveway entrances. There are no existing structures and the property is 1.76 acres in size. Seeking relief from the minimum area required to be landscaped open space, and relief from the maximum width for a driveway entrance. A reduction in the minimum landscaped open space area requirement (Section 10.3) from 20% to 16%; and an increase in the maximum width for a joint entrance/exit driveway (Section 3.26.14.5) from 9 metres to 10 metres			
MV 03-19	258 Summit Drive, Plan 442, South Part Lot 2, Conc. 1, Part Lot 4	To seek relief from Zoning By-law 82-2008 to construct a one and a half storey detached garage to replace the existing detached garage and to seek relief from the maximum accessory building height of 4.5 metres to build at 5.3 metres.	The detached garage be as shown in the exterior drawings; variance approval is valid for a period of 18 months from the Committee's decision April 15/2019	Wingham Ward	Steven Clark/ Steven Clark & Linda Arthur-Fitzgerald
MV 04-19	83748 Currie Line, Conc. 3, Pt Lt 40, E. Wawanosh Ward	For construction of a new livestock barn for finisher hogs in the northwest corner of the property —to seek relief from the calculated Minimum distance Separation and from the exterior side yard setback minimum provisions	Approved with the condition as noted in the Planners Report	East Wawanosh Ward	Henry Bos / Adrienne and Cornelia Bos
MV 05-19	105 Diagonal Rd. Plan 418, Pt Lt 1, Pt Lt 70 & 71, Subject to Right of Way	To seek relief from Zoning By-law 82-2008 — this is a condition of severance application C68-18, which severed off a portion of the subject property along the southern lot line to accommodate an encroaching garage and merged the severed portion with the abutting property, 109 Diagonal Rd. The minor variance seeks relief from the interior side yard setback and the encroachment of the eaves in the side yard due to the existing house on 105	Approved with the condition as noted in the Planners Report	Wingham Ward	Diane Jarvis & John Schenk/ Leonard & Tamara Scarborough

File No.	Location	Decision	Conditions/Reasons	Key Map	Applicant
		Diagonal Road not being able to meet the minimum setback from the new lot line.			
MV 07-19	766 Queen St., Blyth Ward	To seek relief from Zoning By-law 82-2008 to construct two self-storage buildings and seek relief from the minimum exterior side yard setback distance from the north lot line and the minimum interior side yard setback distance from the south lot line.	Approved with the conditions as noted in the Planners Report	Blyth Ward	D-Campbell/ Diamond Concrete
MV01-20	Lot 42, Conc. 2, 685 Queen St.	seek 1.5 meters relief from the maximum height requirement	Approved with the condition as noted in the Planners Report	Blyth	Municipally owned
MV 02-20	Pt West Lot 30, Conc 14, 38707 Amberley Rd.	To seek relief from Zoning By-law 82-2008 to build a new accessory building and to seek 1.5 meters relief from the maximum height requirement	Approved with the condition as noted in the Planners Report	E Waw. Ward	McCormick
MV 03-20	Lt 4, 291 Rutledge St	To seek relief from the minimum rear yard setback requirement to build a new single detached home	Approved with the condition as noted in the Planners Report	Blyth	Gary Rutledge
MV 04-20	Pt Lot 8, Plan 168 413 Queen t.	To seek relief from Zoning By-law 82-2008 to build a new accessory building and to seek relief to permit fewer than required parking spaces because the hotel only needs 5 and also seeking relief from the definition "Hotel" in order to permit an exterior door allowance for an accessible guest room	Approved with the condition as noted in the Planners Report	Blyth Ward	1960910 Ont. Inc (Yerema)
MV 05-20	Reduce MDS from storage tank and barn respectively	To seek relief from the provisions of Section 4.6 of the zoning by-law to permit the construction of a house closer to a neighbouring livestock operation than the required MDS setbacks. The required MDS setback from the neighbouring livestock barn to the east is 375 metres (1230 feet) and the setback from the manure storage tank is 439 metres (1440 feet). The proposed minor variance reduces the setback from the barn to 344 metres (1129 feet) and the setback from the manure storage to 334 metres (1096 feet)	Approved with the condition as noted in the Planners Report	E Waw	Howatt
MV01-21	Lt 1 & 2, Plan 414, 81 Kerr Dr.	To seek relief to reduce the required number of vehicle spaces in a drive through	Approved with the condition as noted in the Planners Report	Wingham	Gary Singh

File No.	Location	Decision	Conditions/Reasons	Key Map	Applicant
		stacking lane from 10 spaces to 5 spaces			
MV02-21	Lot W ½ 30, Conc 2, 38689 Moncrieff Rd	Construction of a porch on an existing house and reduce the front yard setback	Approved with the condition as noted in the Planners Report	E. Waw	Steele
MV03-21	Lot 3, Conc 1 133 Charles St., Wingham	Allow for an existing dwelling that was constructed without meeting the required minimum interior side yard setbacks for the main dwelling and exterior stairs, and without meeting the required rear yard setback	Approved with the condition as noted in the Planners Report	Wingham	Baker
MV04-21	648 Gloria St., Blyth, Lt 14	To seek relief to allow for the construction of a new single detached residence with a reduced exterior side yard setback of 3.5 metres	Approved with the condition as noted in the Planners Report	Blyth	Rutledge/ Rutling Holdings
MV05-21	W Pt Lt 38, Conc 1	To seek relief to allow for the construction of an accessory building with a reduced rear yard setback and eaves encroachment	Approved with the condition as noted in the Planners Report	East Wawanosh	Walsh
MV06-21	Pt Block B, Wingham Ward	To seek a variance to allow for an additional permitted use of a pet supply store.	Approved with the conditions as noted in the Planners Report	Wingham	2441716 Ontario Inc.
MV07-21	Part Park Lot 12, Wingham Ward	To seek a variance to seek relief to reduce the interior side yard setback to 2 metres and 2.5 metres for the end dwelling units respectively, for a total reduction of 1 metres and 0.5 metre respectively from the required 3 metres	Approved with the conditions as noted in the Planners Report	Wingham	Mennon Home; Schmidt
MV01-22	Plan 22M12, Block 3 Lot 1, Blyth Ward	To seek a variance to allow for an increase to permitted maximum lot coverage.	Approved with the conditions as noted in the Planners Report	Blyth	Rutling Holdings Ltd. D
MV02-22	Plan 171, Block J, Pt of Park Lot 8 216 Blyth Road	To seek a variance to allow for a reduced minimum rear yard depth of 6.0 metres from the required 7.5 metres.	Approved with the conditions as noted in the Planner's Report	Blyth	WVRH Holdings Inc.



# EXPLANATORY NOTE

## ZONING BY-LAW NO. 82 - 2008 OF THE CORPORATION OF THE TOWNSHIP OF NORTH HURON

### **Preamble**

The Zoning By-law was passed on December 1st, 2008 under Section 34 of The Planning Act. It implements the Official Plan for the Township of North Huron which was adopted by the Council of the Township of North Huron on December 20th, 2004.

The Zoning By-law comprises both text and zoning maps on which is 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 North Huron with regulations which will affect control over all forms of land use or other related matters within the Township.

### **Basis**

Such regulations have been deemed necessary and in the public interest by local Council in order that possible conflicts between existing and proposed land uses can be minimized or reduced in the future.

### **Affected Lands**

The lands directly affected by this By-law can be described as consisting of all properties lying wholly or partly within the corporate limits of the Township of North Huron.

### **Existing By-Laws**

From the coming into force of this By-law, all previous by-laws of the Township, passed pursuant to Section 34 of The Planning Act, R.S.O. 1990, as amended or a predecessor 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 updating of the By-law is required. Additional uses for specific lands may be permitted by means of a rezoning or amendment to the Zoning By-law. 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 North Huron Official Plan.

### **Effect**

This Zoning By-law is designed to regulate by prohibition all new development except that specifically allowed in the By-law. This By-law will, however, give Township 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 Township, 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.

THE ZONING BY-LAW  
OF THE CORPORATION  
OF THE TOWNSHIP OF NORTH HURON  
BY-LAW NO. 82 - 2008

BEING A BY-LAW, UNDER THE PROVISIONS OF SECTION 34 OF THE PLANNING ACT, R.S.O., 1990, AS AMENDED 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 NORTH HURON.

WHEREAS the Council of the Corporation of the Township of North Huron considers it advisable to 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 North Huron ENACTS as follows:

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## **SECTION 1 APPLICATION, ADMINISTRATION, ENFORCEMENT, INTERPRETATION AND SCHEDULES**

### **1.1 TITLE**

This By-law shall be known as the Zoning By-law of the Corporation of the Township of North Huron.

### **1.2 ACTS**

All Acts as stated in this By-law are in accordance with the most recent Revised Statutes of Ontario (R.S.O.)

### **1.3 APPLICATION**

- 1.3.1 The provisions of this By-law shall apply to all lands within the boundaries of the Corporation of the Township of North Huron.
- 1.3.2 No person shall use any land, or erect, alter or use any building, structure or part thereof within the limits of the Corporation of the Township of North Huron except in conformity with the provisions of this By-law.
- 1.3.3 No person shall use any building, structure or part thereof, erected or altered in contravention of this By-law so long as such building, structure or part thereof, continues to contravene the provisions of this By-law.
- 1.3.4 No lot shall be reduced in area by the conveyance, mortgage or other alienation of a part thereof so that any remaining yard or other open space is less than that required by this By-law. If any such reduction occurs, such lot and any building or structure thereon shall not thereafter be used by any person unless and until the said yard or requirements of this By-law are complied with.
- 1.3.5 The preceding subsection shall not apply to a lot reduced in area by the conveyance to or expropriation by the Corporation of the Township of North Huron or any other authority having the powers of expropriation.
- 1.3.6 No person shall change the purpose for which any lot, building or structure is used, or erect, alter, or use any building or structure, or sever any lands from any existing lot, if the effect of such action is to cause the original, adjoining, remaining or new building, structure or lot to be in contravention of this By-law.

### **1.4 ADMINISTRATION AND ENFORCEMENT**

This By-law shall be administered and enforced by such person or persons as shall be appointed from time to time by By-law of the Corporation of the Township of North Huron, and no permit for the use of any land, building or structure or approval of any application for any municipal license 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.

### **1.5 ZONING COMPLIANCE OR BUILDING INSPECTION**

The Zoning Administrator, Building Inspector, or any employee of the Township acting under the direction of the Zoning Administrator or any peace officer having jurisdiction in the Township is hereby authorized to enter, with prior notification and the consent of the owner, 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 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*.

## **1.6 LICENCES AND PERMITS**

No Township permit, certificate, or license shall be issued where the said permit is required for a proposed use of land or a proposed erection, alteration, enlargement or use of any building or structure that is in violation of any provisions of this By-law.

## **1.7 CERTIFICATE OF ZONING COMPLIANCE**

No change may be made in the type of use of any land covered by this By-law or any building or structure on any such land until a Certificate of Zoning Compliance has been issued by the Township to the effect that the proposed use is not contrary to the By-law.

## **1.8 BUILDINGS TO BE MOVED**

In all zones, any building or structure which is moved from one location to another, whether within the zone or from one zone to another, or from any location beyond the boundary of the Township, into any zone, shall be considered as being a new building or structure and shall comply with the provisions of this By-law. No building, 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 Zoning Administrator.

## **1.9 SIGN PERMITS**

A sign permit shall be required for the erection of any sign upon private or public property which shall only be issued if such sign is in conformity with the Township and County Sign By-laws.

## **1.10 APPLICATIONS FOR BUILDING PERMITS**

### **1.10.1 APPLICATION IN ALL ZONES**

Within all zones, 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:

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

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

- the distance to any livestock buildings within 610
- information concerning curbing, retaining wall, or alteration to natural drainage, if applicable
- the location of any municipal or private tile drainage which may drain any neighbouring property

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- the location of any municipal services which are available on this property (water, sewage, telephone and gas)
- A permit from the County of Huron may be required for lands adjacent to a County Highway
- a permit may be required from the Conservation Authority with respect to adjacent lands

### 1.10.2 APPLICATIONS IN AG1 ZONES

In addition to the above, applications for all buildings for livestock and all structures for manure storage will provide the following additional information:

- distances to all lot lines, proposed buildings, and/or storage facilities;
- the location, distance and use of all buildings within 610 metres (in a "General Agriculture (AGI)" zone) of the proposed building and/or storage facility
- type of livestock, livestock capacity, and the type of manure disposal
- will be required to submit additional information as set out in the Nutrient Management Act.
- A statement signed by the owner of the property giving the exact nature of the proposed use of all buildings and land

## 1.11 APPLICATION FOR REZONING, MINOR VARIANCE AND EXPANSION OF LEGAL NON-CONFORMING USE

Applications are available at the Municipal Office.

In addition to all the requirements of the Corporation's Building By-law, or any other By-law of the Corporation, every application shall be accompanied by a plan, in duplicate, (a copy of which shall be retained by the Zoning Administrator), drawn to scale, and showing the following:

- The true dimensions of the lot to be built upon or otherwise used
- The proposed location, height, and dimensions of any building, structure or use proposed for such lot
- The proposed location and dimensions of any yards, setback, landscaped open space, off-street parking spaces or off-street loading facilities required by this By-law
- The location of all existing buildings or structures on the lot shown on the plan
- Information showing landscaping, curbing, drainage, retaining walls and any other physical addition to the site
- An affidavit signed by the owner, indicating the exact use proposed for each aforesaid building, structure or use, and giving all information necessary to determine if such proposed or existing building, structure or use conforms with the requirements of this By-law
- Notwithstanding the provisions of any other By-law of the Corporation, no building permit shall be issued where the proposed building, structure or use would be in violation of any of the provisions of this By-law

## 1.12 INFORMATION AS TO CONFORMITY

1.12.1.1 Any person requiring written information as to whether a lot or any building erected thereon is situated in conformity with the provisions of this By-law, shall present to the Zoning Administrator or the authorized alternate:

- an application fee in an amount established by Council by resolution from time to time
- a current plan of survey signed by an Ontario Land Surveyor showing the boundaries of the lot and the location of all buildings and structures thereon
- any other information as the Zoning Administrator or the authorized alternate may require.

## Township of North Huron Zoning By-law

- 1.12.2 Information as to conformity issued hereunder is subject to the condition that the Corporation of the Township of North Huron shall not be bound by any information issued in error.
- 1.12.3 Where information as to conformity is issued with respect to a non-conforming use such information shall so state.
- 1.12.4 If an application for information as to conformity does not comply with the above Section 1.12.1, the Zoning Administrator or the authorized alternate may issue such information notwithstanding such non-compliance, if he/she is satisfied as to the correctness and adequacy of the application made.

## **1.13 ERRORS AND OMISSIONS - OBLIGATION TO COMPLY**

The lack of a survey or adequate information or an error or omission does not relieve the applicant from responsibility for complying with the provisions of this By-law.

## **1.14 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 provision 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 67 of *the Planning Act, as amended*, 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.

## **1.15 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.

## **1.16 REMEDIES**

1.16.1 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 County of Huron, or of the Township pursuant to the provisions of *The Planning Act, The Municipal Act, or The Administration of Justice Act*, as amended from time to time.

1.16.2 Where a person, guilty of an offence under this By-law has been directed to remedy any violation and is in default of doing any matter or thing required, such matter or thing shall be done at his/her expense.

1.16.3 Where a person has refused or neglected to reimburse the Corporation for the cost of such work, thing or matter done, the same may be recovered by the Corporation in like manner as municipal taxes.

## **1.17 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.



## **1.18 UNLAWFUL USES**

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

## **1.19 REPEALS**

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

## **1.20 MEANING OF TERMS**

### **1.20.1 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.

### **1.20.2 TENSE, PLURALITY AND GENDER**

For the purposes of this By-law, words used in the present tense include the future; words in the singular number include the plural and words in the plural include the singular number. Words imparting the masculine gender shall include the feminine and the converse.

### **1.20.3 SHALL**

The word "shall" will always be construed as mandatory in this By-law.

### **1.20.4 ALTER**

For the purposes of this By-law, the word "alter" when used in reference to a building or part thereof, means to change any one or more of the internal or external dimensions of such building or to change the type of construction of the exterior walls or roof thereof. When used in reference to a lot, the word "alter" means to decrease/increase the width, depth or area thereof or to decrease/increase 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 public highway or laneway, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise; the words "altered" and "alteration" shall have the same corresponding meaning.

### **1.20.5 PERSON**

The word "person" means any human being, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executors, or other legal representatives of an individual to whom the context can apply according to law.

## **1.21 LICENCES AND PERMITS**

No Township permit, certificate, or license shall be issued for a use of land that does not conform to this By-law.

## **1.22 BUILDINGS TO BE MOVED**

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

## 1.23 ZONES, SYMBOLS, SECTION NUMBERS

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

<b>Class</b>	<b>Zone</b>	<b>Symbol</b>	<b>Section No.</b>
<b>Agriculture</b>	General Agriculture	(AG1)	4
	Restricted Agriculture	(AG2)	5
	Agricultural Commercial Industrial	(AG3)	6
	Agricultural Small Holding	(AG4)	7
<b>Commercial</b>	Village Commercial	(C1)	8
	Radio Television Commercial	(C2)	9
	Highway Commercial	(C3)	10
	Core Commercial	(C4)	11
	Fringe Core Area Commercial	(C5)	12
<b>Community Facility</b>	Community Facility	(CF)	13
<b>Disposal</b>	Disposal	(DS)	14
<b>Extractive</b>	Extractive Resource	(ER1)	15
	Extractive Industrial	(ER2)	16
<b>Development</b>	Future Development	(FD)	17
<b>Flood</b>	Flood Fringe	(FF)	18
	Floodway	(FW)	19
<b>Industrial</b>	Light Industrial	(IND1)	20
	General Industrial	(IND2)	21
<b>Environment</b>	Natural Environment- Full Protection	(NE1)	22
	Natural Environment- Limited Protection	(NE2)	23
	Natural Environment- Development Permitted	(NE3)	24
<b>Urban Natural Environment</b>	Urban Natural Environment and Open Space	(OS)	25
<b>Urban</b>	Residential Low Density	(R1)	26
	Residential Medium Density	(R2)	27
	Residential High Density	(R3)	28
	Mobile Home Park	(R4)	29
	Professional Office	(R5)	30
<b>Recreation</b>	Golf Course	(RC1)	31
	Recreational Trailer Park and Campground	(RC2)	32

Class	Zone	Symbol	Section No.
Salvage	Salvage Yard	(SY)	33
Holding	Holding	(-h)	34

1.23.1 The permitted uses, the minimum size and dimensions of lots, the minimum size of yards, the maximum lot coverage, the minimum setback, the minimum landscaped open space, the maximum height of buildings and all other zone provisions are set out herein for the respective zones.

1.23.2 The extent and boundaries of all the said zones are shown on Schedule "A" which Schedule forms part of this By-law and is attached hereto.

1.23.3 The symbols/zones listed in the subsection above may be used to refer to buildings and structures, the uses of lots, buildings and structures permitted by this By-law in the said zones, and whenever in this By-law the word "Zone" is used, preceded by any of the said symbols, such zones shall mean any area within the Corporation within the scope of this By-law, delineated on Schedule "A" and designated thereon by the said symbol.

1.23.4 Where the Zone symbol designating certain lands as shown on Schedule "A" is followed by a dash and a number, (for example R2-1), then special provisions apply to such lands and such special provisions will be found by reference to that section of the By-law which deals with that particular zone. Lands designated in this manner shall be subject to all the restrictions of the zone except as otherwise provided by the special provisions.

## 1.24 ZONING MAP SCHEDULES

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

Natural Environment Adjacent Lands and/or Conservation Authority Regulated Lands

The Provincial Policy Statement and Conservation Authorities Act require that development on lands adjacent to natural environment areas, and land which may be subject to natural environment hazards, such as erosion or flooding, be reviewed by the Conservation Authority. In some cases an Environmental Impact Study or Conservation Authority permit is required. This area is shown on the map schedules and identified as "Conservation Authority Regulated Lands" for information only. It is not a zone.

## 1.25 BOUNDARIES OF ZONES

Zone boundaries, are construed to be property lines, lot lines, street lines, railway right-of-way, or boundaries of Registered Plans as interpreted in accordance with Schedule "A", Map Legend. Where uncertainty exists with respect to the boundaries of the various zones as shown on the Zoning Maps, the following rules shall apply:

- **Right-of-way Limits** Unless otherwise indicated, the boundaries of a zone as shown on the Zone Maps are the street right-of-way lines or lane right-of-way lines and the productions thereof. Any street rights-of-way wholly within the boundary of a zone as

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shown on the Zone Maps are deemed not to be zoned but are to be used for public highway purposes.

- **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
- **Lot Lines** Where the Zone boundaries are not shown to be streets, 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
- **Schedule Limits** The limit of any map comprising any Schedule forming part of this By-law as shown on the Zone Maps of such Schedule shall be deemed to be the boundary of the Zone adjoining such limit
- **Symbol of Zones** Where one symbol is used on the Zoning Maps to indicate the zone classification of an area divided by a street, road or lane, the said symbol shall establish the classification of the whole of such area
- **Closed Street, Road, Lane, Railway or Highway Right-of-Way** In the event a street, lane, railway or highway right-of-way, shown on the Zone Map schedules is closed, the property formerly in said street, lane, railway or highway right-of-way shall be included within the zone of the adjoining property on either side of the said closed street, lane, railway or highway right-of-way.

In the event the said street, lane, railway or highway right-of-way 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 right-of-way.

Where the land formerly included in such street, lane, railway or highway right-of-way is purchased in its entirety by an abutting landowner, the said land shall be included in the same zone as that of the abutting landowner purchasing said land; or

Where the land formerly included in such street, lane, and railway or highway right-of-way is purchased in its entirety by a person or persons other than an abutting landowner, the said land shall be included in the abutting zone which is the most restrictive in terms of use or density.

- **Boundaries Other Than Streets, Roads or Lot Lines** Where a zone boundary is not a street, 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 Bylaw Enforcement Officer. The centre line of the boundary line shall be used for the purposes of scaling.
- **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.

## 1.26 MINIMUM REQUIREMENTS

In interpreting and applying the provisions of this By-law, they are held to be the minimum requirements for the orderly, economic and attractive development of the Township.

## **1.27 USES NOT LISTED AS PERMITTED**

Uses not listed as permitted in a zone or otherwise provided for in this By-law shall be prohibited in such zone except as provided for under Non-Conforming Uses Section of this By-law.

## **1.28 USE OF EXAMPLES**

Where examples are provided to explain a by-law provision, these examples are illustrative only.

## **1.29 EFFECTIVE DATE**

This By-law shall take effect from the date of passing by Council and shall come into force upon approval under the *Planning Act*, as amended from time to time.

## **SECTION 2 DEFINITIONS**

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

### **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.

### **ACCESSORY**

when used to describe a use, building or structure, 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.

### **ADJACENT LANDS**

means those lands abutting a specific natural heritage feature or area where it is likely that development or site alteration may have a negative impact on the feature or area. Examples of natural heritage features include: a wetland, water course, sinkhole or a woodlot.

### **ADULT DAY CENTRE**

see 'DAY CENTRE, ADULT'

### **ADULT ENTERTAINMENT PARLOUR**

shall mean a building used for the purpose of a live performance, exhibition or activity and/or goods and services designed to appeal to erotic or sexual desires or interests:

- of which a principal feature or characteristic is the nudity or partial nudity of any person; and;
- in respect of which the word 'nude', 'naked', 'topless', 'bottomless', 'sexy', or any other word or any picture, symbol or representation having like meaning or implication may be used in any sign, advertisement, or advertisement device; and without restricting the generality of the foregoing, includes any performance, exhibition, or activity involving striptease dancers, go-go dancers, exotic dancers, table dancers, wet clothing contests or best body parts contests.

### **AGGREGATE**

shall mean gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other prescribed material.

### **AGRICULTURAL INDUSTRIAL ESTABLISHMENT**

shall mean the use of land and/or building or structures for the manufacturing and wholesale and/or retail sale 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.

## **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 and a dead stock removal facility.

## **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, auction sales facility including livestock, 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 and agriculturally related trucking.

## **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, fertilizers and chemical products, farm machinery and equipment sales and service, and animal and poultry health and breeding services.

## **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 storage 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, ***provided that they are cultivated and produced on-site***, including fuel wood, pulp wood, timber, Christmas trees, and maple products, and includes a farm dwelling and accessory buildings and uses.

## **AGRICULTURAL USE, LIMITED**

means the planting and harvesting of field, bush, vine, forest, or tree crops and grazing not including an accessory residence or livestock building.

## **AGRICULTURAL ZONES**

defined as: AG1, AG2, AG3, and AG4.

## **AIR FIELD**

any land, lot or building used for the purpose of landing, storing, taxiing or taking off of private aircraft as an accessory use, but not an airport under the regulations of the Ministry of Transport.

## **AIRPORT**

shall mean land used for the purpose of the landing, storing, taxiing or taking-off of private or commercial aircraft, pursuant to the regulations of Transport Canada.

## **AIR TREATMENT CONTROL**

shall mean the functional use of industrial grade multi-stage carbon filtration system, or similar technology, to reduce and/or treat the emission of pollen, dust and odours expelled from a facility and sized accordingly in comparison to the facility it serves as designed by a qualified person.

## **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 the 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.

## **AMBULANCE STATION**

shall mean the use of land, buildings or structures for the storage, maintenance and dispatching of ambulance vehicles and which may include amenities for staff.

## **AMENITY AREA**

means the area situated within the boundaries of a multiple dwelling project and intended for recreational purposes, which may include landscaped open space, patios, balconies, communal lounges, swimming pools and similar uses, but shall not include the area occupied at grade by the buildings, service areas, parking and driveways.

## **ANIMAL GROUP**

Livestock and poultry grouped according to their manure production.

## **ANTENNA, FREE STANDING**

means the use of land, buildings or structures for the purpose of sending or receiving electromagnetic waves. Any antenna over 16.6 metres (54 feet) above grade level is considered a structure.

## **APPROACH SURFACE**

shall mean an inclined plan beyond the end of a runway and preceding the threshold of a runway.

## **ARCADE ESTABLISHMENT**

shall mean a place of business where an individual, association, partnership or corporation, maintains as its primary use, 4 or more amusement devices for public use.

## **ART GALLERY**

shall mean a building or part thereof where works of art such as paintings, sculptures, pottery, glass and weaving are displayed for public viewing and may include sales of art and/or art supplies and art instruction.



## **ASPHALT/CONCRETE/READY MIX BATCHING PLANT**

means an individual establishment used for the production of asphalt, concrete, ready mix or products used in building or construction and includes facilities for the administration and management of the business, the stockpiling of bulk materials used in the production process or a finished product manufactured on the premises and the storage and maintenance required equipment.

## **ASPHALT PLANT, PORTABLE**

shall mean a temporary asphalt batching plant established for a public road project.

## **ASSEMBLY HALL**

shall mean 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 center.

## **ATTACHED**

shall mean a building otherwise complete in itself, which depends for structural support of complete enclosure, upon a division wall or walls shared in common with adjacent building or buildings.

## **AUTOMOTIVE SALES FACILITY**

see 'MOTOR VEHICLE SALES AND/OR SERVICE ESTABLISHMENT'

## **AUTOMOTIVE**

see 'MOTOR VEHICLE'

## **AUCTION SALES FACILITY**

means a building or land used for the occasional sale of items excluding livestock.

## **AUCTION SALES FACILITY, LIVESTOCK**

means a building or land used for the occasional sale of livestock and related agricultural items.

## **BAKE SHOP**

means a building for producing, mixing, compounding, or baking bread, biscuits, cakes, or other baked products, including the sale of baked goods.

## **BASEMENT**

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

## **BED AND BREAKFAST ESTABLISHMENT**

means a single detached dwelling, in which the proprietor resides, where no more than 4 guest rooms are made available by the residents of the dwelling to travelers or vacationers for temporary accommodation and their guest's meals. Parking requirements are noted in the

## Township of North Huron Zoning By-law

General Provisions Section of this By-law. This definition does not include a hotel, motel, boarding/lodging house or restaurant.

In certain commercial zones, a bed and breakfast establishment may be permitted in conjunction with the attached or detached accessory dwelling unit as permitted in this Zoning By-law.

## **BREWERY/ DISTILLERY/ WINERY**

Means a building or part thereof used for the manufacturing of alcoholic or non-alcoholic beverages. A brewery/distillery/winery may include a cidery or meadery. (as amended by By-law 98-2019)

## **BREWING ESTABLISHMENT**

means a commercial establishment where individuals produce beer, wine and/or cider, for personal consumption off the premises; and where beer, wine and/or cider ingredients and materials are purchased. Equipment and storage area is used for a fee by the same individuals.

## **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.

## **BUILDING BY-LAW**

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

## **BUILDING ENVELOPE**

means the buildable area on a lot, defined by the minimum front yard depth, rear yard depth and side yard width requirements and maximum height requirements, within which a building can be erected.

## **BUILDING HEIGHT**

shall mean the vertical distance from the finished grade level to:

- a) in the case of a flat roof, the highest point of the roof surface or parapet, whichever is the higher
- b) in the case of a mansard roof, the roof deck line; or,
- c) 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 APPENDIX)

## **BUILDING INSPECTOR**

means an employee 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.

## **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, a distance equal to the minimum front yard dimension.

## **BUILDING, MAIN OR PRINCIPLE**

shall mean the building designed and/or intended to accommodate the principle use(s) permitted by this By-law.

## **BUILDING SETBACK**

shall mean the minimum horizontal distance between the lot line and the nearest part of any building or structure. See 'YARD, DEPTH

## **BUILDING SUPPLY AND SALES ESTABLISHMENT**

see 'LUMBER YARD'

## **BULK SALES ESTABLISHMENT**

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

## **BUS DEPOT**

means a facility for the boarding and debarking of passengers from inter-municipal buses and may include a public washroom or rest area, bus ticket sales and ancillary office.

## **BUSINESS OFFICE**

see 'OFFICE, BUSINESS'

## **BY-LAW ENFORCEMENT OFFICER**

shall mean the officer or employee of the Corporation charged with the duty of administering and enforcing the provisions of this By-law.

## **CAMPGROUND**

shall mean a recreational establishment operated by a private or public organization where children and adults are temporarily accommodated in tents, cabins, cottages or lodges and shall include a day camp or scout camp, but does not include a trailer campground or a mobile home park.

## **CANNABIS**

Means the marijuana plant in the family Cannabaceae, or parts of the plant. (as amended by By-law 98-2019)

## **CANNABIS PRODUCTION FACILITY**

Means lands, buildings or structures used for producing, processing, testing, destroying, packaging and/or shipping of cannabis authorized by an issued license or registration by the federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successors thereto. (as amended by By-law 98-2019)

## **CANOPY**

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

## **CARPORT**

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

## **CAR WASH**

shall mean an establishment where vehicles are washed mechanically or manually or both.

## **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.

## **CEMETERY**

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

## **CHIEF BUILDING OFFICIAL (CBO)**

means a chief building official appointed by the Township under Section 3 or 4 of the *Building Code Act*. The CBO may also be the Municipal Building Inspector.

## **CHURCH OR PLACE OF WORSHIP**

shall mean a building commonly used by any recognized religious organization for public worship, and may include a rectory or manse, church hall, auditorium, monastery, convent, day nursery or religious school associated with or accessory thereto.

## **CLINIC**

shall mean a building or part thereof, used exclusively by physicians, dentists, drugless practitioners, their staff and their patients for the purpose of consultation, diagnosis and office treatment. A clinic may also 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.

## **COMMERCIAL STORAGE WAREHOUSE (Rental units)**

shall mean an enclosed building used for the storage of household, business and recreational goods on a rental basis; the rental units may be singular or multiple.

## **COMMERCIAL USE**

means the land, building or structures for the purpose of buying, renting or selling commodities and/or supplying services, but does not include an Industrial Use.

## **COMMERCIAL, CORE AREA**

means the traditional and established central business district of the Township and with its tightly built up urban form and compact nature which is connected by a system of sidewalks, roads, and parking areas provides for the general commercial requirements of the Township and particularly the multi-purpose pedestrian comparison shopping trade. The core area is the most intensive, diversified, and dominant centre of community activity in the Township providing a broad spectrum of retail, business, financial, personal and professional services, offices and studios, hotels and restaurants, places of entertainment, culture, habitation and recreation, institutional, judicial, civic and administrative uses.

### **COMMERCIAL, FRINGE CORE**

in defined areas of Blyth a fringe core commercial zone is a transition area with a mixture of permitted core commercial and residential uses.

## **COMMERCIAL, HIGHWAY**

means a commercial use oriented to a highway-related function including the following:

- a) those which are essential to the operation of the highway system such as works yards, police facilities
- b) those which are oriented to or economically reliant on serving vehicular traffic and the traveling public such as service stations, motels and eating establishments, and therefore require exposure on a major road
- c) those which require large tracts of land for large buildings, extensive parking, and loading operations, such as motor vehicle sales, service, and repair establishments, building supply yards, fuel dealers, marine and trailer sales, farm implement dealers
- d) those which require access to a major road for efficient operation such as bus depots

## **COMMERCIAL SHOPPING CENTRE**

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, secondary grouped commercial uses include an administrative office, used exclusively for the grouped commercial development, private and public washrooms, parking areas, truck loading, service, refuse disposal, mechanical, electrical, maintenance and storage areas.

## **COMMUNITY CENTRE**

Means any building or part thereof, and its land, which is used for activities shared in by the general public. A community centre may be operated by a private group of persons, provided that the operation will not be carried on for the purpose of gain to its members; or by the Corporation of the Township of North Huron or another public authority. A community centre may be used for, but is not limited to, activities such as arts, charitable, crafts, educational, and social activities, and the administration of these activities. A community centre may also be used by a public authority for emergency management and service provision. Occasional temporary commercial

activities which are clearly secondary in nature to the primary community facility use may be permitted. (as amended by By-law 98-2019)

## **COMMUNITY FACILITY**

means a land use which provides facilities for public service and public use which are owned or operated by public, semi-public or private enterprise or regulations for the health, protection and welfare of the community. Community facilities include but are not limited to:

- a) Public utilities such as a waterworks system, sewage works system, electric power, gas, communications facilities, roads and railway networks, flood and erosion control works
- b) Government buildings such as administration offices, court houses, post offices, assessment and registry offices
- c) Cultural facilities such as libraries, museums, auditoriums, theaters, historic sites, and civic and convention centres
- d) Sport facilities such as arenas, race tracks, fair grounds, and stadiums, health and recreation facility
- e) Public service facilities such as police and fire stations, cemeteries, works yards and garages
- f) Institutions such as churches, schools, hospitals, day care centres, group homes, fraternal or other non-profit organizations

## **CONDOMINIUM**

shall mean a building in which each individual unit is held in separate private ownership and all floor space, facilities and outdoor areas used in common by all tenants, are owned, administered and maintained by a corporation created pursuant to the provisions of the appropriate statute.

## **CONDOMINIUM ACT**

means the Condominium Act, 1998, S.O. 1998, c. 19, as amended from time to time and includes the former Condominium Acts of Ontario as in force from time to time.

## **CONSERVATION**

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

## **CONSERVATION AREA**

shall mean an area of land owned or leased by a public authority and used for flood and erosion control purposes and/or day use recreational purposes.

## **CONSERVATION AUTHORITY REGULATED LANDS (CARL)**

shall mean lands regulated by the local Conservation Authority and include fill regulated areas and/or adjacent lands (as defined) to significant natural environment areas.

## **CONTRACTORS YARD**

shall mean a lot, building or structure where mechanical, electrical, structural, plumbing or general contractors conduct their business and may include office space and outdoor storage of heavy equipment and building materials.

## **CONSTRUCT**

means to do anything in the erecting, installation or extension or material alteration or repair of a building and includes the installation of a building unit fabricated or moved from elsewhere.

## **CORPORATION**

shall mean the corporation of the Township of North Huron.

## **COUNCIL**

shall mean the Municipal Council of the Corporation of the Township of North Huron.

## **COUNTY**

means the Corporation of the County of Huron.

## **COVERAGE**

see 'LOT COVERAGE'

## **DAIRY**

Shall mean a building or part thereof used for the storage, processing, and distribution of milk or milk products. (as amended by By-law 98-2019)

## **DANGEROUS GOODS**

means explosives, flammable or combustible liquids or gases, toxic substances, radioactive material, corrosive or any other product or substance that is considered dangerous to life when handled or transported.

## **DAY NURSERY**

means a premises that receives more than 5 children who are not of common parentage, primarily for the purpose of providing temporary care, or guidance, or both temporary care and guidance, for a continuous period not exceeding 24 hours, where the children are,

- Under 18 years of age in the case of a day nursery for children with a developmental disability, and
- Under 10 years of age in all other cases,

But does not include part of a public school, separate school or private school under the Education Act.

## **DAY CENTRE, ADULT**

shall mean a facility providing activities, programs and services for adults not including residential accommodation.

## **DAYLIGHT OR SIGHT 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. (See Section 3.35)

## **DETACHED**

shall mean totally separate and in no way connected.

## **DEVELOPMENT**

shall mean the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under *The Planning Act*, as amended from time to time.

## **DRIVEWAY**

shall mean a vehicular passageway having at least one end thereof connected to a public thoroughfare, and providing ingress to and/or egress from a lot.

## **DRY CLEANING ESTABLISHMENT**

shall mean a building, or part thereof, in which the business of dry cleaning, dye drying, cleaning, or pressing of articles or goods of fabric is carried on, in which only non-combustible and non-flammable solvents are used, which emits no odours, fumes, noise, or vibration causing a nuisance or inconvenience within or outside the premises. A dry-cleaning establishment may include a self-service dry-cleaning establishment.

## **DRY INDUSTRY**

see 'INDUSTRY, DRY'

## **DWELLING**

shall mean a building or part thereof, occupied or capable of being occupied as a home, residence or sleeping place by 1 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, tourist trailers, camper and motor vehicles, hotels or boarding or rooming houses, motels, or institutions.

### **a) ACCESSORY DWELLING**

means a dwelling which is accessory to a building or use as permitted by this By-law.

### **b) ADDITIONAL RESIDENTIAL UNIT**

*means an accessory dwelling unit with its own kitchen, sanitary facilities and bedroom(s)/sleeping area in a single detached dwelling, semi-detached, rowhouse or accessory building to a single detached dwelling, converted dwelling, semi-detached dwelling, triplex, quadraplex or rowhouse.*

### **~~c) APARTMENT DWELLING DWELLING, MULTIPLE UNIT~~**

~~means a building or part thereof consisting of 5 or more dwelling units which units have a common entrance from the street level and the occupants of which have the right to use common halls and/or stairs and/or elevators and yards, but does not include a boarding or lodging house, a motel or a hotel.~~

*Means a residential building divided horizontal and/or vertically into five (5) or more dwelling units which may have shared entrances, halls, stairs and/or elevators or may*



***feature private entrances, and is not considered to be a rowhouse dwelling for the purpose of this bylaw.***

**d) BED AND BREAKFAST**

see 'BED AND BREAKFAST ESTABLISHMENT'

**e) BOARDING, LODGING OR ROOMING HOUSE**

means a building, a portion of which is used as the residence of the lessee, tenant or owner, in which sleeping accommodation with or without meals is provided for consideration to persons other than such lessee, tenant, or owner or members of his family, and which is not open to the public on an equal basis, and does not include a hotel, motel or multiple-family dwelling/nursing home or home for the aged.

**f) CONVERTED DWELLING**

means a dwelling erected prior to the passing of this By-law which because of size and design the interior has been or can be converted to provide one or more additional dwelling units, to a maximum of 4 dwelling units.

**g) DETACHED DWELLING**

means a completely detached permanent dwelling to which entrance is gained only by a private entrance outside the building, and containing only one dwelling.

**h) DUPLEX DWELLING**

means the whole of a dwelling that is divided horizontally into 2 separate dwelling units each of which has an independent entrance either directly from the outside or through a common vestibule.

**i) FARM DWELLING**

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.

**j) GROUP HOME**

means a residential dwelling licensed by the Government for individuals with 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. A Group Home is fully detached and wholly utilized by the group home occupants.

**k) HOME FOR THE AGED, DWELLING**

shall mean a "home for the aged" as defined under the *Long-Term Care Homes Act*, as amended from time to time.

## **I) MODULAR HOME**

shall mean a pre-fabricated single detached dwelling designed to be transported once only to a final location and constructed so as the shortest side of such dwelling is not less than 6.0 metres in width.

## **m) 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 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, constructed in conformity with CSAZ240 Series, and connected or designed to be connected to public utilities, but shall not include a travel trailer, tent trailer or a trailer otherwise designed.

## **n) ~~MULTIPLE ATTACHED ROWHOUSE DWELLING~~**

*shall mean a building that is completely divided into 3 or more dwelling units by vertical party walls of masonry construction, each dwelling unit having independent entrance either directly from the outside or through a common vestibule*

~~shall mean a building containing 3 or more dwelling units including a "triplex" or "quadruplex" having 4 dwelling units and an "apartment" having more than 4 dwelling units but does not include a rooming house, boarding house, hotel or motel.~~

## **o) NURSING HOME DWELLING**

shall mean a nursing home as defined under the *Long-Term Care Homes Act* as amended from time to time.

## **p) PARK MODEL TRAILER**

*shall mean a manufactured building used or intended to be used for residential occupancy designed and constructed in conformity with CAN/CSA-Z241 Series – M, "Park Model Trailers".*

~~shall mean a recreational unit that meets the following criteria:~~

- ~~• built on a single chassis mounted on wheels;~~
- ~~• designed to facilitate relocation from time to time;~~
- ~~• designed as living quarters for seasonal camping and may be connected to those utilities necessary for the operation of installed fixtures and appliances;~~
- ~~• has a floor area, including lofts, not exceeding 65 metres square; and~~
- ~~• designed and constructed in accordance with CSA Z241 Series Park Model Trailers.~~

## **q) QUADRUPLEX DWELLING**

shall mean the whole of a building originally designed for and divided into 4 separate dwelling units with at least one of the units having an independent floor and each unit having an independent entrance either directly from the outside or through a common vestibule.

## **r) SEMI-DETACHED DWELLING**

shall mean a building that is completely divided vertically into 2 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.

## **s) TRIPLEX**

shall mean the whole of a building that is divided into 3 separate dwelling units, each of which has an independent entrance either directly from the outside or through a common vestibule.

## **t) DWELLING WITH SUPPORTS**

*means a residence for the short- or long-term accommodation of persons who, by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their well-being. This shall include, for example, a group home, transitional housing, hospice, respite care, crisis care facility but shall not include a hotel or motel. A dwelling with supports may be located in any building type including in combination with another land use such as a community facility or commercial.*

## **DWELLING UNIT**

means one or more habitable rooms constituting self-contained living quarters for use of one or more individuals including the provision of kitchen and sanitary facilities and sleeping accommodation for the exclusive use of such individual or individuals, and having a private entrance from outside the building or from a common hallway or stairway inside the building.

## **EASEMENT**

shall mean a right or privilege to use another person's land for a specified purpose, registered on title to the said lands under the *Registry Act*, R.S.O. 1990, Chap. R.20, as amended, and may pertain to access rights above, below or on the said lands.

## **EATING ESTABLISHMENTS**

### **a) EATING ESTABLISHMENT, RESTAURANT**

Means a building or structure or part thereof used to prepare food or drinks, which may include alcohol where appropriately licensed. A restaurant may include offering for sale and consumption said food or drinks within the building or structure or an accessory outdoor space. Food preparation shall be entirely within the building or structure. A restaurant may include an accessory take out service. (as amended by By-law 98-2019)

### **b) DRIVE-THROUGH RESTAURANT**

shall mean an element of a restaurant use associated with ordering and serving food and beverages to patrons where they remain within a Motor Vehicle, and includes any associated speaker system and order board. Refer to 'STACKING LANES' in General Provisions.

### **c) TAKE-OUT RESTAURANT**

shall mean a building or structure or part thereof where food is prepared and offered for sale to the public to be taken out and/or delivered for consumption off the premises.

### **d) PORTABLE FOOD OUTLET**

shall mean a trailer, tent or vehicle that is designed to be made mobile, from which food is prepared and offered for sale to the public for consumption outside. A portable food outlet may only be permitted in accordance with the corporation licensing By-law.

## **EQUIPMENT SALES AND 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.

## **ERECT OR ERECTING**

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

## **ESTABLISHED BUILDING LINE**

see 'GENERAL PROVISIONS' SECTION

## **ESTABLISHED GRADE**

see 'GRADE, ESTABLISHED'

## **EXISTING**

shall mean in existence, being an actuality as of the date of the final passing of this By-law.

## **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.

## **EXTERNAL DESIGN**

means the type colour, arrangement, shape, texture or pattern of material forming the exterior of a building.

## **EXTRACTIVE USE**

shall mean the use of land and/or buildings, or structures for the removal of gravel, stone, sand, earth, clay, fill, mineral, commercial scale water-taking or other similar substances for construction, industrial or manufacturing purposes; and includes accessory uses.

## **FARM**

shall mean a parcel of land together with its dependent buildings including all associated on-farm buildings and structures held for the purpose of agricultural use.

## **FARM BREWERY/DISTILLERY/ WINERY**

shall mean a building or structure or part thereof associated with an agricultural use(s) on the same farm lot where alcohol is produced primarily, **but not exclusively**, from materials/crops grown on the lot and may include storage, display, processing, alcohol tasting, an outdoor patio area, and limited retail sales. The area used for alcohol tastings and retail sales shall not exceed 75m<sup>2</sup> or 25% of the total above ground floor area, whichever is least. Alcohol tasting does not include a restaurant, banquet facility, or commercial kitchen. Overnight accommodation is not

part of a farm winery/brewery/distillery use. A farm winery/brewery/distillery may also include a meadery or cidery. (as amended by By-law 98-2019)

## **FARM PRODUCE SALES OUTLET**

shall mean a fruit, vegetable, flower, plant and/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.

## **FARMERS MARKET**

shall mean a building, part of a building, or an open outdoor area where agricultural produce, food items, plants, and craft items are offered or temporarily stored for occasional retail sale on the site by more than one vendor, but does not include a flea market.

## **FENCE**

shall mean a barrier, comprised of wooden, metal or plastic posts, wire mesh or hedge, for example, used as a boundary or means of enclosure. For the purpose of this By-law, a fence shall not be considered as a structure.

## **FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS**

shall mean the regulations as defined by the Maitland Valley Conservation Authority or the Ausable Bayfield Conservation Authority.

## **FINANCIAL OFFICE OR INSTITUTIONS**

shall mean any building used for the premises of a bank, trust company, finance company, mortgage company or investment company.

## **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.

## **FLEA MARKET**

means an occasional or periodic market held in an open area or in a building or structure, where groups of individual sellers display and offer goods for sale to the public, but does not include a private garage sale or farmers market.

## **FLOOD DEFINITIONS**

(See APPENDIX 6)

## **FLOOD, REGULATORY**

shall mean the standard of the said Conservation Authority used to define the limit of the flood plain for regulatory purposes.

## **FLOODLINE, REGULATORY**

shall mean the limits of the floodplain in the Township, based on a storm centred event equivalent to Hurricane Hazel of 1954.

## **FLOOR AREA**

shall mean the area of a floor of a building measured from the outside of all exterior walls exclusive of any attic, basement, private garage, veranda, enclosed porch or sunroom unless such enclosed porch or sunroom is an integral part of the building and habitable in all seasons, and excluding any floor area with a ceiling height of less than 2 metres.

## **FLOOR AREA, TOTAL**

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, 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 total floor area in each zone applies only to that portion of such lot that is located within said zone.

## **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:

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

## **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.

## **FLOWPATH**

shall mean a surface channel or depression that conducts liquids away from the facility, site or area.

## **FORESTRY**

shall mean the use of land for the growth and management of trees.

## **FRONTAGE**

see 'LOT FRONTAGE'

## **FUEL STORAGE**

shall mean a building or structure or depot designed and used exclusively as a storage facility for combustible liquids.

## **FUNERAL HOME**

shall mean a commercial use for the purpose of furnishing funeral supplies and services to the public and includes facilities for the preparation of deceased human bodies for interment or cremation and may include a chapel for funeral purposes.

## **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 is fully enclosed and excludes a carport or other open shelter. 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 40% of the length of the attached garage wall is common with the dwelling wall.

## **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 is fully enclosed and excludes a carport or other open shelter.

## **GARAGE, GOVERNMENT**

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

## **GARAGE, MUTUAL**

shall mean a private garage which:

- a) contains sufficient space for the parking of not less than 2 permitted vehicles
- b) is situated astride a common side lot line between 2 adjacent lots
- c) is accessory to a main use on each of such lots

## **GARAGE SALE**

shall mean an occasional sale held by the occupants of a dwelling unit on their own premises, of household goods and not merchandise which was purchased for resale or obtained on consignment. No person shall conduct more than 6 garage sales per year at one location, with a maximum duration of one weekend per sale.

## **GARDEN CENTRE**

shall mean the use of land, buildings or structures for the purpose of selling and raising plants, shrubs and trees and includes the storage and sale of products generally used for landscaping and gardening purposes.

## **GARDEN SUITE**

shall mean a one unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable and permitted in accordance with the Provisions (Section 39) of *The Planning Act*, as amended from time to time.

## **GAS COMPRESSION STATION**

shall mean the use of land, buildings or structures for the storage, regulation of flow and distribution of natural gas.

## **GAS STATION**

see 'MOTOR VEHICLE SALES & SERVICES'

## **GASOLINE (FUEL) BAR**

shall mean one or more pump islands, each consisting of one or more gasoline or fuel pumps, and shelter having a floor area of not more than 10 square metres, excluding washrooms, which shall not be used for the sales 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.

## **GOLF COURSE**

shall mean 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, restaurant, swimming pool and tennis courts.

## **GOLF DRIVING TEE OR RANGE**

shall mean a use which provides facilities designed and operated primarily for the practicing of golf shots but does not include a Golf Course as defined herein.

## **GOVERNMENT USE**

shall mean a property, building, or part thereof owned, rented, or leased by the Township of North Huron, County of Huron, Province of Ontario or Government of Canada.

## **GRADE, ESTABLISHED**

means the average elevation of the surface of the ground at the base of a building at the front wall exclusive of any embankment in lieu of steps. On streets where a sidewalk is provided by the Township of North Huron it is the elevation of the sidewalk grade as fixed by the Township.

## **GRAIN ELEVATOR**

shall mean a building or structure used for the commercial storage and/or transshipment of grain.

## **GREENHOUSE, COMMERCIAL**

means a building or group of buildings used for the growing of flowers, plants, shrubs, trees and similar vegetation, which are planned, designed, developed and managed as a unit, having off-street parking provided on the site. The products produced from such buildings or structures are wholesaled from the site.

## **GUESTROOM**

shall mean a room or suite of rooms in a dwelling unit used or maintained for the accommodation of the public.



## **HABITABLE ROOM**

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

## **HAZARD LANDS, NATURAL**

shall include: flooding, erosion, unstable slopes, sinkholes, and lands adjacent to ravines, river valleys, streams and water bodies.

## **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 the highest point of the roof surface or parapet, whichever is the higher, 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.

## **HERITAGE CONSERVATION DISTRICT**

shall mean a district as defined under Section V of the *Ontario Heritage Act*, as amended from time to time.

## **HISTORIC SITE**

shall mean an area containing buildings or places in which historic events occurred, or having special public value because of notable architecture or features relating to the cultural or artistic heritage of the community.

## **HOME FOR THE AGED**

as defined under the *Homes for the Aged and Rest Homes Act*, as amended from time to time.

## **HOME INDUSTRY**

Shall mean a gainful occupation including an animal kennel, carpentry, day nursery, service and repair shop, electrical, woodworking, window framing, welding, plumbing, machine, farm machinery or motor vehicle repair shop, brewery/distillery/winery, small scale manufacturing, small engine repair or blacksmith, conducted in whole or in part in an accessory building to a single detached dwelling by the residents, provided that:

- a) There is no external advertising other than a sign erected in accordance with any By-laws of the corporation regulating signs
- b) There is no outside storage of goods, materials or equipment unless fully enclosed by a fence or other
- c) enclosure which provides visual screening;
- d) Such home industry is not noxious trade, business or manufacture;
- e) Such home industry is clearly secondary to the main residential or agricultural use and does not change the residential character of the dwelling;
- f) Not more than 2 persons, other than the owner, are employed therein on a full-time basis;
- g) There shall be no retailing of items not created on the site except for the minor retail of products which are essential and accessory to the provided service. Retailing of items

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crafted or fabricated on the site shall be allowed provided that the operation complies with all other requirements;

- h) The maximum area for retail space is 10 square metres;
- i) 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;
- j) The maximum size of an accessory home industry (including building and outdoor storage) shall be a maximum of 10% of the lot area or 2 acres, whichever is less;
- k) such home industry shall not result in significant volumes of vehicular traffic or on-street parking which cause the disruption of normal activities of adjacent residential properties or negatively impact on the operating viability and safety of the highway. (as amended by By-law 98-2019)

## HOME OCCUPATION

means a gainful activity and/or profession conducted entirely within a dwelling or permitted accessory buildings on the same lot only by the occupant(s) of the dwelling subject to the following conditions:

- a) such home occupation is clearly secondary to and compatible with the principal use of the dwelling for residential purposes
- b) no external alteration of the dwelling shall be permitted other than what is required by a dwelling unit as a private residence
- c) there shall be no external display of goods, materials, wares or merchandise, or exterior advertising other than a legal sign to indicate to persons outside that the dwelling, accessory building or lot is being used for other than residential purposes
- d) such home occupation shall not create a significant nuisance or hazard to neighbours by reason of noise emission, vibration, smoke, dust, fumes, odour, heat, humidity, glare, debris, refuse, smoke, fire, lighting, interference with radio or television reception, or hours of operation
- e) such home occupation shall not result in significant volumes of vehicular traffic or on-street parking which cause the disruption of normal activities of adjacent residential properties or negatively impact on the operating viability and safety of the highway
- f) no outdoor storage of materials or goods in support of such home occupation shall be permitted
- g) the total area used for the home occupation cannot exceed 25% of the total floor area of the dwelling; when calculating the total floor area for a home occupation total floor area of the dwelling excludes: basement, cellar, attic, porch/verandah, attached garage and accessory buildings. A finished habitable basement may be included in the calculation of total floor area if the dwelling is a single storey dwelling.
- h) an animal kennel, small engine repair and automotive repair shall not be deemed to be home occupations
- i) there shall be no use of municipal services such as roads, sanitary and storm services, water supply and utilities such as hydro, and gas or the generation of waste and refuse beyond that normal to the use of property for residential purposes.
- j) no unreasonable use of lights or night-time operations will be permitted
- k) there shall be no retailing of items not created on the site except for the minor retail of products which are essential and accessory to the provided service. Retailing of items crafted or fabricated on the site shall be allowed provided that the operation complies with all other requirements
- l) for greater clarity, a home occupation may mean and not be limited to:
  - an office or consulting room for a professional person or agent

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- an office and shop for a trade such as a builder, painter, plumber or electrician
- an office for a charitable organization
- a personal service shop such as a hairdresser, dressmaker or tailor
- a service and repair shop
- a studio for a teacher of music, art or academic subjects, a photographer, or commercial artists, or a wholly enclosed workshop, and any other use of a similar nature which conforms to the criteria above; but does not include or permit a rooming or boarding house, convalescent home, clinic, retail shop, or any storage yard or plant for any trade

## **HOSPICE**

means a residential facility where terminally ill patients receive palliative care treatment in a home-like setting with a maximum of ten patient beds. (as amended by By-law 98-2019)

## **HOSPITAL**

as defined under the *Public Hospitals Act*, or under the *Private Hospitals Act*, as amended from time to time.

## **HOSTEL**

shall mean an establishment providing accommodation for the traveling public and may include communal spaces such as a kitchen.

## **HOTEL**

shall mean a building or part thereof used to accommodate the traveling 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. A hotel may include public rooms licensed under the *Liquor Licensing Act*, as amended from time to time. This does not include a boarding house or guest cabins.

## **INDUSTRY, DRY**

shall mean an industry which by nature of its operation, process, or fabrication of raw materials or services rendered does not require a water supply for processing. The only sewage effluent will be that produced from normal sanitary and eating facilities required for the employees.

## **INDUSTRIAL USE, GENERAL**

Means the use of land, buildings or structures or any part thereof for the purpose of altering, assembling, fabricating, finishing, growing, making, manufacturing, ornamenting, packaging, producing, repairing, treating, or warehousing of any goods, substance, article or thing; including the storage of building and construction equipment and materials; but shall not include any obnoxious industry. (as amended by By-law 98-2019)

## **INDUSTRIAL USE, LIGHT**

Means the inoffensive use of land, buildings or structures or any part thereof for the purpose of altering, assembling, fabricating, finishing, growing, making, manufacturing, ornamenting, packaging, producing, repairing, treating, or warehousing of any goods, substance, article or thing; but shall not include any obnoxious industry. (as amended by By-law 98-2019)

## **INDUSTRIAL MALL**

means a building or group of buildings designed, developed, owned and managed as a unit containing 3 or more separated spaces for lease or occupancy by industrial uses as established by this By-law.

## **INSTITUTIONAL USE**

see 'COMMUNITY FACILITY'

## **KENNEL**

means any lot, building or structure where domesticated animals are commercially housed, groomed, bred, boarded, trained or sold and which may offer provisions for minor medical treatment.

## **LABORATORY**

shall mean a building, or part thereof, used for scientific, medical and/or research purposes.

## **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.

## **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.

## **LANE**

shall mean a public thoroughfare which affords only a secondary means of access to abutting lots and which is not intended for general traffic circulation.

## **LAUNDROMAT**

shall mean an establishment containing one or more washers and could include drying, ironing, finishing and incidental equipment, provided that only water, soaps and detergents are used and provided that no such operation shall emit any noise or vibrations which cause a nuisance or inconvenience within or without the premises. This definition may include a self-service coin operated Laundromat.

## **LIBRARY**

shall mean a library, branch library or distribution station to which the provisions of the *Public Libraries Act*, as amended from time to time, apply.

## **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.

## **LIVESTOCK HOUSING 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.

## **LIVESTOCK HOUSING CAPACITY**

maximum livestock capacity for all facilities on a lot at any time, even if currently empty but able to house livestock.

## **LOADING SPACE**

shall mean 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.

## **LOT**

In this by-law lot shall mean a contiguous parcel of land which is owned by one person, or by more persons than one as tenants in common as to the whole parcel, or as joint tenants as to the whole parcel, and which parcel of land is also:

- a) a whole of a lot or block on a registered Plan of Subdivision;
  - b) a whole of a unit on a Vacant Land Condominium Plan;
  - c) the whole of a contiguous parcel of common elements within a Vacant Land Condominium Plan or within a Common Elements Condominium Plan;
  - d) the whole of the lands within a Standard Condominium Plan; or
  - e) a parcel which may otherwise be conveyed separately without contravening the Planning Act, provided that the sub-paragraph (e) shall not apply to a unit within a Standard Condominium Plan. (See Lot Definition illustration in APPENDIX)
- **LOT, CORNER** – shall mean 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.
  - **LOT, INTERIOR** - shall mean a lot other than a corner lot.
  - **LOT, THROUGH** - shall mean a lot bounded on two opposite sides by a street. If any lot qualifies as being both a “Corner Lot” and a “Through Lot”, as herein before defined, such lot shall be deemed a “Corner Lot” for the purpose of this By-law.

## **LOT AREA**

shall mean the total horizontal area within the limits of a lot, unless otherwise specified.

## 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. ***Patios, unenclosed swimming pools, awnings, and ground-mounted solar energy collectors are not included in the calculation of zone coverage; however, decks, balconies, and tennis courts are included.***

## LOT DEPTH

shall mean 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 cord and tangent to said arc. When there is no rear lot line, "lot depth" means the length of a straight line joining the middle of the front lot line with the apex of the triangle formed by the side lot lines.

## 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, the lot frontage shall be measured by a line set at a maximum of 7.5 metres back from and parallel to the chord of the lot frontage or a line parallel to the said chord and tangent to the arc. (For the purposes 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.).

## LOT LINE

shall mean any boundary of a lot or a vertical projection thereof.

### a) FRONT LOT LINE

shall mean 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 or unopened road allowance shall be deemed the exterior side lot line.

In addition:

- **FRONT LOT LINE, CORNER LOT**

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 Township may designate either street line as the front lot line.

- **FRONT LOT LINE, THROUGH LOT**

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

b) **REAR LOT LINE**-shall mean the longest lot line opposite to the front lot line.

c) **SIDE LOT LINE**-shall mean a lot line other than a front or rear lot line.

- **EXTERIOR SIDE LOT LINE**-shall mean any lot line other than a front lot line or rear lot line abutting a public street/road/lane.
- **INTERIOR SIDE LOT LINE**-shall mean a side lot line other than an exterior side lot line.

## **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*, as amended from time to time, 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*, as amended from time to time.

## **LUMBER YARD**

shall mean a place of business which retails lumber and related materials and may include open storage and warehousing.

## **MAIN BUILDING**

see 'BUILDING, MAIN'

## **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.

## **MANURE LIQUID STORAGE FACILITY**

shall mean a building or structure in which animal waste is stored in a liquid state.

## **MANURE SOLID STORAGE FACILITY**

shall mean a building or structure in which animal waste is stored in a solid state.

## **MICRO-BREWERY/DISTILLERY/WINERY**

Means a building or structure or part thereof used for the small-scale manufacturing, processing, retail sale, and distribution of beverages and alcoholic substances. A micro-brewery/distillery/winery may include a cidery or meadery. A micro-brewery/distillery/winery may also include the preparation, offering for sale, and consumption of food or drinks including alcoholic drinks; entertainment and hosting of events; and tours of the facility. (as amended by By-law 98-2019)

## **MINERAL AGGREGATE OPERATION** – shall mean:

- a) lands under license or permit, other than for wayside pits and quarries, issued in accordance with the *Aggregate Resources Act*, or successors thereto;
- b) for lands not designated under the *Aggregate Resources Act*, established pits and quarries that are not in contravention of this by-law including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
- c) associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.

## **MINIATURE GOLF COURSE**

shall mean a use which provides facilities designed and operated primarily for what is commonly known as miniature golf but does not include a Golf Driving Tee or Range or a Golf Course as defined herein.

## **MINIMUM DISTANCE SEPARATION**

is a tool to determine a required distance for new development from existing livestock facilities, or for a new or expanding livestock facility from an existing use or proposed development as determined by the Minimum Distance Separation (MDS) Formulae approved by the Province of Ontario (as amended from time to time) and includes any MDS Implementation Guideline issued by the Province of Ontario.

## **MOBILE HOME**

see 'DWELLING, MOBILE HOME'

## **MOBILE HOME PARK**

shall mean a lot containing 2 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.

## **MOBILE HOME & RECREATIONAL VEHICLE SALES & SERVICE ESTABLISHMENT**

shall mean land, building or structure used for the sale and service of Mobile Homes, Modular Homes, and Travel/Tent Trailers.

## **MOTORIZED RECREATIONAL VEHICLE SALES AND SERVICE**

shall mean land, building or structure used for the sale and service of motorized recreational vehicles such as: boats, motorcycles, snowmobiles and all terrain vehicles.

## **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.

## **MODULAR HOME**

see 'DWELLING, MODULAR HOME'

## **MOTEL**

shall mean a separate building or a group of 2 or more connected or detached buildings designed and used mainly for the purpose of catering to the needs of the traveling public by furnishing sleeping accommodation with or without supplying food for guests. The motel may include accessory recreational facilities and each guest room may be entered directly from the exterior of the building. A motel shall not include a boarding or rooming house or a hotel.



## **MOTOR HOME**

see 'TRAVEL TRAILER'

## **MOTOR VEHICLE**

shall mean an automobile, truck, motorcycle or motorized snow 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 farm machinery or road building machine.

## **MOTOR VEHICLE BODY SHOP**

shall mean a building and/or lot used for the repair and painting of motor vehicles but does not include any other motor vehicle uses.

## **MOTOR VEHICLE, DERELICT**

shall mean a motor vehicle that is in a wrecked, discarded, dismantled, inoperative or abandoned condition; and does not have a current license plate.

## **MOTOR VEHICLE REPAIR SHOP**

shall mean a building and/or land used for the servicing, repair, cleaning, polishing, lubrication and greasing of Motor Vehicles and may include minor vehicular body repair and re-painting, but shall not include any other Motor Vehicle Use defined in this By-law.

## **MOTOR VEHICLE RUST PROOFING ESTABLISHMENT**

a building used for the application of rust proofing materials on motor vehicles.

## **MOTOR VEHICLE SALES AND/OR SERVICE ESTABLISHMENT**

shall mean a building and/or lot used for the display and sale of new or used motor vehicles, and/or the servicing, repair, cleaning, polishing and greasing of these products, the sale of accessories and related products, the leasing or renting of motor vehicles and the retail sales of motor vehicle lubricants and fuels. This establishment may also include such minor body repair that may be incidental to the mechanical servicing and repair of motor vehicles.

## **MOTOR VEHICLE WRECKING ESTABLISHMENT**

see 'SALVAGE YARD'

## **MULTIPLE ATTACHED DWELLING**

Means a building that is completely divided vertically into 3 or more dwelling units by a party wall of masonry construction, each dwelling unit having independent entrance directly from the outside. (as amended by By-law 98-2019)

## **MUNICIPAL DRAIN CLOSED**

shall mean "drainage works" as defined by *The Drainage Act*, as amended from time to time, located entirely within the ground.

## **MUNICIPAL DRAIN OPEN**

shall mean "drainage works" as defined by *The Drainage Act*, as amended from time to time.

## **NATURAL ENVIRONMENT**

shall mean areas of wetlands, woodlands, watercourses, valleys, and/or environmentally sensitive areas (ESAs); ESAs may include: life science areas of natural and scientific interest (ANSIs); habitat for threatened or endangered species; wildlife habitat; earth science areas of natural and scientific interest (ANSIs).

## **NON-COMPLYING**

shall mean a legally existing lot, building or structure that is permitted by the provisions of the applicable zone as of the date of passing of this By-law, which does not meet the zone provisions with respect to yards, lot area, frontage, parking, setback, or any other provision of this By-law applicable to that zone.

## **NON-CONFORMING**

shall mean a legally existing use, as of the date of passing of this By-law that is not permitted in the Zone in which it is located.

## **NOXIOUS USE / CONTAMINANT**

shall mean an offensive use or trade or contaminant within the meaning of the *Environmental Protection Act*, as amended from time to time, 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.

## **NURSING HOME**

shall mean any building maintained and operated where lodging, meals and nursing care are provided for 2 or more persons, licensed under the *Long-Term Care Homes Act*, as amended from time to time.

## **~~NUTRIENT UNIT (NU)~~**

~~shall mean the equivalent value for various types of livestock based on manure nutrient production, as provided by the Minimum Distance Separation Formulae (MDS).~~

## **OBSTACLE LIMITATION SURFACES**

shall mean a surface that establishes the limit to which objects may project into the airspace associated with an aerodrome so that aircraft operations at the aerodrome may be conducted safely. The Obstacle Limitation Surface includes an Approach Surface, a Transitional Surface and an Outer Surface

## **OCCUPANCY**

shall mean to reside in as owner or tenant on a permanent or temporary basis.

## **OFFICE**

shall mean 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 or amusement.

## **OFFICE, BUSINESS**

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.

## **OFFICE, PROFESSIONAL**

means any office where professionally qualified persons, technical assistants and associated clerical staff are employed and where clients or patients go for advice, consultation or treatment. Without limiting the generality of the forgoing, professional office uses may include: business providing qualified professional services such as physicians, lawyers, drugless practitioners, and planners; and any other use of a similar nature which conforms to the criteria above; but shall not include the uses of a Personal Service Shop or Service Shop.

## **OFFICIAL PLAN**

shall mean the Official Plan for the Township of North Huron, including amendments thereto as adopted by Municipal Council and as approved by the County of Huron.

## **ON-FARM DIVERSIFIED USE**

***Means uses that are secondary to the principal agricultural use of the property and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses and uses that produce value-added agricultural products. Ground-mounted solar facilities may be considered an on-farm diversified use. On-farm diversified uses may include accessory retail of goods produced on the property or goods produced on farms located within a 50km radius to a limited scale.***

## **OPEN SPACE USEABLE**

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.

## **OUTER SURFACE**

shall mean a surface located in a horizontal plan above the Richard LeVan Airport and its environs. The Outer Surface at the Richard LeVan Airport is 45 metres above aerodrome elevation and extends to 4000 metres from the geographic centre (middle of main runway).

## **OUTDOOR DISPLAY**

shall mean the open-air display of goods or merchandise for sale.

## **OUTDOOR STORAGE**

shall mean 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.

## **OWNER**

shall mean the person who holds legal title to a piece of property.

## **PARK MODEL TRAILER**

see 'Dwelling, Park Model Trailer'

## **PARK, PRIVATE**

means a non-commercial recreation area other than a public park used by the owner and their guests and may include therein a swimming pool, wading pool, picnic area, tennis courts, a bowling green, a country club, and similar open space uses.

## **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 organization. The Township may consider including a 'naturalization' component to all parks within Natural Environment zones.

## **PARKING AISLE**

shall mean a portion of a parking area which abuts on one or more sides parking spaces to which it provides access and which is not used for the parking of vehicles.

## **PARKING AREA, REQUIRED**

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;

- a) comprises all parking spaces of at least the minimum number required according to the provisions of this By-law, and all driveways, aisles, manoeuvring areas, entrances, exits, and similar areas used for the purpose of gaining access to and egress from the said parking spaces; and
- b) is provided and maintained in accordance with all applicable provisions of this By-law.

## **PARKING LOT**

shall mean a lot used or intended for the temporary parking of 2 or more motor vehicles and may include aisles, parking spaces and related entrance and exit lanes, but shall not include any part of a road.

## **PARKING SPACE**

shall mean a space on which a motor vehicle may be temporarily parked. For 'PARKING AREA REGULATIONS' see General Provisions.

## **PERMITTED**

shall mean permitted by this By-law.

## **PERSON**

shall include 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 accordingly to law.

## **PERSONAL SERVICES SHOP**

shall mean a building or part of a building for the performance of personal services; for greater clarity a personal services shop may include a barber shop, beauty parlour, spa services, and dress-making.

## **PETROLEUM WORK**

shall mean as defined by the *Oil, Gas and Salt Resources Act*, as amended from time to time, a Pipeline or Petroleum Well and every part thereof and adjunct thereto that is used in the drilling for or the production or storage of oil or gas.

## **PIT**

shall mean a place where unconsolidated aggregate or other material is being or has been removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes.

## **PIT, WAYSIDE**

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

## **PLACE OF ENTERTAINMENT**

Means a building or structure or part thereof used for recreational activities including an arcade, auditorium, billiard or pool room, bowling alley, cinema, dance hall, gaming facility, ice or roller skating rink, or theatre. A place of entertainment may also include the offering for sale, serving and consumption of food or drinks, which may include alcohol where appropriately licensed. (as amended by By-law 98-2019)

## **PLANNING ACT**

shall mean the Planning Act of Ontario, R.S.O. 1990, c P.13, as amended from time to time and includes the former Planning Acts of Ontario as in force from time to time.

## **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.

## **PLAYGROUND**

shall mean an area of landscaped open space, equipped with children's equipment, such as slides, swings or wading pools.

## **POINT OF RECEPTION**

“Point of reception” is a definition that is used by the Ministry of Environment in assessing an application for a Certificate of Approval for wind energy facilities. A point of reception includes the following structures/uses on separately titled lots: a dwelling; recreational residence; hotel; motel; nursing home; retirement home; hospital; campground; school; or place of worship on a separately titled lot.

## **PORTABLE ASPHALT PLANT**

means a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process. It is not of permanent construction, but is designed to be dismantled at the completion of the construction project.

## **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.

## **PRIVATE GARAGE OR CARPORT**

means an attached or detached accessory building or portion of a dwelling house which is designed or used for the sheltering of private motor vehicles and storage of household equipment incidental to the residential occupancy.

## **PRIVACY FENCE**

shall mean a solid and continuous fence constructed of suitable material to a height of not less than 1.5 metres (5.0 feet) so as to provide a year-round visual barrier.

## **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, or other board or commission or committee of the Township of North Huron 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 Township or a portion thereof, and includes any committee or local authority established by By-law of the Township. The Federal Government of Canada and the Government of the Province of Ontario and any boards, departments, commission or agencies thereof may also be considered as public authorities.

## **PUBLIC BUILDING**

shall mean any building or structure owned or leased by a municipal corporation, or County Corporation, Province of Ontario, or the Government of Canada and in which government activities are carried out.

## **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.

## **PUMP ISLAND**

means that portion of an automobile service station, public garage or portion of a non-residential use for the retail sale of automotive fuels, which includes the gas pumps, concrete base, overhead canopy and kiosk, but shall not include any part of any building for the repair or service of vehicles.

## **RECONSTRUCTION**

shall mean to construct again.

## **RECREATION, ACTIVE**

shall mean the use of land, water and/or building for the purpose of organized active leisure activities and shall include such uses as an arena, a pool and a sports field.

## **RECREATION, PASSIVE**

shall mean the use of land and/or water for the purpose of passive leisure activity and shall include such uses as a park, a garden, a picnic area and the like, hiking trails, as well as a playground with activity equipment for children.

## **RECREATIONAL VEHICLE SALES & SERVICE ESTABLISHMENT**

see 'MOBILE HOME & RECREATIONAL VEHICLE SALES & SERVICE ESTABLISHMENT'

## **RECYCLING CENTRE**

shall mean a building or an area where materials, excluding motor vehicles and farm machinery, are collected, separated and processed.

## **REDEVELOPMENT**

means development subsequent to the total or partial removal of buildings from land

## **REGULATED AREA**

see 'Conservation Authority Regulated Lands, CARL'

## **REGULATORY FLOOD**

see 'FLOOD, REGULATORY'

## **REGULATORY FLOODLINE**

see 'FLOODLINE, REGULATORY'

## **RENOVATION**

shall mean the repair and restoration of a building to good condition within existing external walls.

## **REPLACEMENT**

shall mean when used in reference to a building or structure or part thereof, and the rebuilding, repairing or restoring of more than 25% of the total building or structure.

## **RESEARCH AND DEVELOPMENT FACILITY/LABORATORY**

shall mean a building or group of buildings in which are located facilities for scientific research, investigations, testing or experimentation.

## **RESIDENCE**

see 'DWELLING'

## **RESIDENTIAL USE**

shall mean the use of a building or structure or parts thereof as a ~~private~~ dwelling.

## **RESTAURANT**

see 'EATING ESTABLISHMENT'

## **REST HOME**

shall mean a building or portion of a building other than a public or private hospital operated under the provisions of the *Homes for the Aged and Rest Homes Act*, as amended from time to time.

## **RETAIL FLOOR AREA**

shall mean the aggregate of the areas of all rooms where goods and services are made available for sale but shall not include storage areas or other commercial uses.

## **RETAIL STORE**

Means a building or structure or part thereof in which goods, wares, merchandise, substances, or articles are kept for hire, lease, rent, or sale to the public; and accessory uses thereto. (as amended by By-law 98-2019)

## **RETIREMENT HOME**

shall mean a building for the accommodation of senior citizens, within single or double rooms or suites which do not contain kitchens, and where central kitchen, dining and laundry facilities are provided for the residents, together with other communal facilities, under the supervision of resident and other staff, but which shall not include a Nursing Home, licensed under the *Nursing Homes Act*, as amended from time to time.

## **RIGHT-OF-WAY**

shall mean a legal agreement which affords access to abutting lots.

## **ROAD (Private)**

shall mean a road which is not assumed by the Ministry of Transportation, the County of Huron or the Township and shall provide private access to any lots abutting thereon.



## **ROAD, STREET OR HIGHWAY (PUBLIC)**

shall mean a road which has been assumed and maintained by the Ministry of Transportation, the County of Huron or the Township and shall mean such public highway, streets or roads as affords the main means of access to any lots abutting thereon.

For the purpose of setbacks, an unopened or unassumed road allowance shall also be considered a road, street or highway (public).

- a) **ROAD, ARTERIAL** - are designed to facilitate through traffic. These roads will be developed, where possible, on a 100-foot road allowance and direct access will be limited so as not to impede the efficient flow of through traffic. In North Huron, all King's Highways are arterial roads.
- b) **ROAD, Collector** - have the dual function of carrying moderate volumes of traffic and providing land access. Collector roads distribute traffic between local and arterial roads and carry lighter volumes for shorter trips than an arterial road. These roads will be developed, where possible, on a 100-foot road allowance. In North Huron, all County Roads are collector roads.
- c) **ROAD, Local** - provide localized access and minimize through traffic. These roads will be developed, where possible, on a 66-foot road allowance. In North Huron, all Municipal roads are local roads.

## **RURAL AREA**

means lands located outside of settlement areas, including natural environment and agricultural areas.

## **RURAL BREWERY/DISTILLERY/WINERY**

shall mean one or more buildings, structures or parts thereof associated with an agricultural use(s) on the same farm lot, where the lot contains a minimum of 4 hectares planted to produce materials/crops to be used in the production of alcohol. A rural brewery/distillery/winery may include storage, display, processing, alcohol tasting, an outdoor patio area, and limited retail sales. The area used for alcohol tastings and retail sales shall not exceed 150m<sup>2</sup>. Alcohol tasting does not include a restaurant, banquet facility, or commercial kitchen. Overnight accommodation is not part of a rural winery/brewery/distillery use. A rural brewery/distillery/winery with a minimum of 8 hectares planted to produce materials/crops to be used in the production of alcohol is also permitted a service kitchen and related dining area. A rural brewery/distillery/winery may also include a meadery or cidery. (as amended by By-law 98-2019)

## **SALVAGE YARD**

shall include 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 including secondary motor vehicle sales and service establishment and premises.

## **SAWMILL**

shall mean the use of land, building or structure for the purpose of processing logs or other unfinished wood into lumber, shingles, pallets, sawdust, firewood or related products.

## **SCHOOL**

means a school under the jurisdiction of a Board as defined in the *Education Act* or the *Universities or Colleges Act*, as amended from time to time.

- a) **COMMERCIAL SCHOOL** means a school operated by one or more persons for gain or profit.
- b) **PRIVATE SCHOOL** means a school other than a public school or commercial school under the jurisdiction of a private non-profit board of trustees or governors, a religious organization, or a charitable institution.
- c) **PUBLIC SCHOOL** means a public school under the jurisdiction of a public agency.

## **SECOND UNIT**

shall mean an accessory dwelling unit with its own kitchen, sanitary facilities, and bedroom(s)/sleeping area in a single detached dwelling, semi-detached dwelling, multiple attached dwellings, or accessory structure thereto that meets the following requirements:

- The main dwelling with the second unit is the principal residence of the owner.
- Any additional exterior stairways provided for the second unit leading to a full floor above the first storey are not located in the front yard
- Access to the second unit is by an entrance from the side or rear yard.
- One additional on-site parking space is provided for the second unit in addition to the parking for the main dwelling.
- There is only one driveway on the property.

## **SENIORS HOME**

see 'HOMES FOR THE AGED, DWELLING'

## **SEPARATION DISTANCE**

shall mean the horizontal distance between buildings or structures measured from the closest point on the exterior wall of such buildings or structures.

## **SERVICE AND REPAIR SHOP**

shall mean an establishment wherein articles of goods such as appliances, furniture or similar items may be repaired or serviced. This definition shall not include any manufacturing operation, small engine repair or establishment used for the service or repair of motor vehicles.

## **SERVICE KITCHEN**

shall mean the portion of a building used for the preparation of food cooked or prepared off-site into serving portions for consumption on-site.

## **SERVICES, FULL**

*means municipal water services and municipal sewage services.*

## **SERVICES, PARTIAL**

*means municipal water services and private sewage services including either private individual sewage services or private communal sewage services.*

## **SERVICES, PRIVATE**

*shall mean private individual water services or private communal water services and private individual sewage services or private communal sewage services.*

## **SERVICES SHOP, PERSONAL**

see 'PERSONAL SERVICES SHOP'

## **SETBACK**

see 'BUILDING SETBACK'

## **SETTLEMENT AREAS**

means towns, villages and hamlets where development is concentrated, and the surrounding land has been designated for urban development in the Official Plan.

## **SEWAGE TREATMENT PLANT**

shall mean the use of land and/or buildings for the purposes of treatment and disposal of sanitary sewage and includes accessory transfer stations and pumping stations.

## **SHOPPING CENTRE**

shall mean a group of commercial establishments conceived, designed, developed and managed as an interdependent and inter-related unit whether by a single owner or tenant or by a group of owners or tenants, acting in collaboration and shall include a parking lot.

## **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. A sign permit may be required for the erection of any sign upon private or public property in accordance with the Township Sign By-law.

## **SINKHOLE**

Sinkholes are closed depressions that form by the dissolution of underlying soluble bedrock and they function as connections between surface and groundwater.

## **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 area, driveways, walkways, landscaped areas, building areas, minimum yards, building heights, floor areas, densities and areas for special uses.

## **SOLAR COLLECTOR**

shall mean a device or combination of devices and/or structures that transform solar energy into thermal, chemical or electrical energy.

## **SOLAR ENERGY SYSTEM**

shall mean a system designed for the collection, storage and distribution of solar energy.

## **SOURCE PROTECTION PLAN**

*shall mean a document passed under the Clean Water Act, 2006 for the protection of water resources that are used as a source of municipal drinking water, including the Maitland Valley Source Protection Plan.*

## **SPECIAL POLICY AREA**

shall mean an area within a community that has historically existed in the flood plain and where site-specific policies are intended to provide for the continued viability of existing uses and address the hardships concerning development.

## **SPORTS AND RECREATION FACILITY**

shall mean land, buildings or structures used for the purpose of active leisure activities and shall include such uses as an arena, swimming pool, community centre, curling rink, outdoor ice rink, a sports field and uses accessory thereto.

## **STOCKYARD**

shall mean the use of land, a building or a structure for the temporary containment of livestock.

## **STORAGE (COMMERCIAL) WAREHOUSE**

see 'COMMERCIAL STORAGE WAREHOUSE'

## **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 1.8 metres above average grade and provided also that any portion of a storey exceeding 4 metres in height shall be deemed an additional storey for each 4 metres or fraction thereof of such excess.

## **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 2/3 of the floor area of the storey next below, sidewalls not less than 1.2 metres of height and a ceiling with a minimum height of 2.3 metres over an area equal to at least 50% of its floor area.

## **STREET**

see 'ROAD, STREET, OR HIGHWAY (PUBLIC)'

## **STREET LINE**

shall mean the boundary line between a street and a lot.

## **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, hedge, light standards, tomb stones, sports screening, septic systems or signs.

## **SWIMMING POOL**

shall mean a structure, basin, chamber or tank containing or capable of containing water, and designed to be used for swimming or wading.

## **TAKE-OUT RESTAURANT**

see 'EATING ESTABLISHMENT'

## **TAVERN**

shall mean tavern as defined by *The Liquor License Act*, as amended from time to time.

## **TEMPORARY BUILDING**

shall mean a building or structure intended for removal or demolition within a prescribed time not exceeding 2 years as set out in a building permit.

## **TEMPORARY USE**

shall mean 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. "Abandoned" means the failure to proceed expeditiously with the construction of a work.

## **TENANT**

means a person or group who occupies a building, structure or land by rental agreement.

## **TERMS**

all terms used in this By-Law, which are not otherwise specifically defined, shall have the meanings given to them by the *Planning Act* and the *Condominium Act* at the relevant point in time.

## **THEATRE**

shall mean an establishment which produces/performs plays, films and live theatre productions along with any appropriate accessory uses used in performance productions and management; in addition, an accessory art gallery and food concession may be permitted.

## **TILLABLE HECTARES**

shall mean the total area of land including pasture that can be cultivated.

## **TOP-OF-BANK**

Shall mean the point at which the slope of a valley or shoreline meets the horizontal plane of the adjacent table-land. (as amended by By-law 98-2019)

## **TOWNSHIP**

shall mean the Corporation of the Township of North Huron.

## **TRAILER**

A trailer may include a trailer for the transport of vehicles, equipment and materials or any vehicle constructed to be attached and propelled by a motor vehicle and that is capable of being used by persons for living, sleeping or eating, even if the vehicle is jacked-up or its running gear is removed.

## **TRAILER AND TENT PARK**

shall mean any land upon which overnight, short term or seasonal accommodation for 2 or more tents, travel trailers, or park model trailers used or intended to be used for human occupation, which shall not include permanent year-round human occupation of permitted tents or trailers, and includes on-site ancillary commercial, laundry, social, and recreational facilities.

## **TRANSITIONAL SURFACE**

means a complex surface along the side of the runway strip at the Richard LeVan Airport and part of the side of the approach surface that slopes upwards and outwards up to the outer surface.

## **TRAVEL TRAILER**

shall mean a structure or vehicle designed, intended, and used exclusively for the temporary or seasonal living, sleeping, or eating accommodation for persons therein during travel, recreation and vacation and is either capable of being drawn by a passenger vehicle or is self-propelled and shall include tent trailers, vans, motor homes and similar transportable accommodation but not a mobile home. Travel trailers are built to CSA Z240 RV Species specifications.

## **TRAVEL TRAILER SALES ESTABLISHMENT**

see 'MOBILE HOME & RECREATIONAL VEHICLE SALES & SERVICE ESTABLISHMENT'

## **TRUCK TRANSPORT TERMINAL**

shall mean a building or structure, or lot used for the parking, repairing or dispatching of Commercial motor Vehicles or trailers, as defined by the *Highway Traffic Act*, as amended from time to time.

## **UNIT IN A PLAN OF CONDOMINIUM**

means a part of the property designated as a unit by the description and includes the space enclosed by its boundaries and all of the land, structures and fixtures within this space in accordance with the declaration and description.

## **URBAN**

means those land uses designated for residential, recreational, commercial, industrial, or community facility within a recognized Town, Village, Hamlet or other recognized urban area.

## **URBAN EXPANSION**

means the outward expansion of settlement areas for such uses as residential, recreational, institutional, commercial and industrial.

## **URBAN ZONES**

defined as: R1, R2, R3, R4, CF, IND1, IND2, C1, C2, C3, C4, C5, DS, FD, and OS.

## **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.

## **UTILITY SERVICE BUILDING**

shall mean a building used in connection with the supplying of local utilities services including a water or sewage pumping station, a water storage reservoir, a gas regulator building, a hydro sub-station, a telephone building for exchange, long distance or repeater purposes (but does not include major hydro transmission lines and transformer stations of 230kv or more).

## **VETERINARY CLINIC**

shall mean a building or part thereof wherein animals of all kinds are treated or kept for treatment by a registered veterinarian, and where such animals can be temporarily boarded.

## **VULNERABILITY SCORE**

***shall mean an assigned score representing the susceptibility of an area to contamination, as set out in the Maitland Valley Source Protection Plan passed under the Clean Water Act, where 10 is the most vulnerable and 2 is the least vulnerable.***

## **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.

## **WASTE DISPOSAL SITE**

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

## **WATER SUPPLY / WATER TREATMENT PLANT**

shall mean the water source and related storage including pumping and purification appurtenances owned and operated by the Township for public use.

## **WATERCOURSE**

shall mean a natural/artificial channel for a stream and, for the purpose of this By-law, includes a channel for an intermittent stream.

## **WAYSIDE PIT**

see 'PIT, WAYSIDE'

## **WELLHEAD PROTECTION AREA (WPHA)**

*shall mean an area susceptible to groundwater contamination around a municipal drinking water well as identified in the Maitland Valley Source Protection Plan passed under the Clean Water Act. WHPAs are categorized from A to E based on the distance from wellhead or length of time a potential contaminant could take to reach a well*

## **WHOLESALE USE**

shall mean an establishment, which sells merchandise to others for resale and/or to industrial or commercial users.

## **WIND ENERGY FACILITY**

shall mean any device and related equipment that is used, or designed to be used, for the production of electrical power where wind is the energy source, including wind turbines, vertical axis wind turbines and horizontal axis wind turbines.

## **WINE**

shall mean an alcoholic beverage made from fermented grapes or other fruits/plants as well as honey. Also referred to as beer, hard cider, mead, or spirits.

## **YARD**

shall mean 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. See the APPENDIX for all yard related definition diagrams.

## **YARD, FRONT**

shall mean 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.

- **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.

## **YARD, REAR**

shall mean 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 part of any building or structure on the lot.

- **Rear Yard Depth** shall mean 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.



## **YARD, SIDE**

shall mean a yard extending from the front yard to the rear yard and from the side lot line of the lot to the nearest part of any main building or structures on the lot.

- **Side Yard Depth** shall mean the least horizontal dimension between the side lot line of the lot and the nearest part of any main building or structure on the lot.
- **Side Yard Exterior** shall mean a side yard immediately adjoining a public street.
- **Side Yard Interior** shall mean a side yard immediately adjoining a lot and does not include an exterior side yard.

## **YARD SALE**

see 'GARAGE SALE'

## **ZONE**

shall mean an area delineated on the Zoning Map or Zoning Map Schedules and established by this By-law for a specific use.

## **ZONING ADMINISTRATOR**

shall mean the officer or employee of the Corporation charged with the duty of administering and enforcing the provisions of this By-law.

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## SECTION 3 GENERAL PROVISIONS

### APPLICATION

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

### 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*, as amended from time to time, Conservation Authority regulations, or any other By-law of the Township 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.

#### 3.1 ACCESSIBILITY

All new buildings, with the exception of residences, should have regard to accessibility. Accessibility issues will be considered in accordance with the *Ontarians with Disabilities Act*, *Ontario Building Code*, and/or Municipal legislation regarding accessibility.

#### 3.2 ADDITIONAL MAXIMUM HEIGHT RESTRICTIONS FOR AIRPORT ADJACENT LANDS

Notwithstanding Section 3.12, there are specially defined areas shown on Appendix 10 in which there are maximum height restrictions for properties in proximity to the Richard W. LeVan Airport to protect the flightpath for the airport. The Richard W. LeVan Airport is located at Part Lot 7-14, Concession 1, Municipality of Morris-Turnberry.

#### 3.3 ACCESSORY BUILDINGS, STRUCTURES & USES

##### 3.3.1 Use

Where this By-law provides that a lot may be used or a building or structure may be erected, altered or used for a purpose, that purpose shall include any accessory building or structure or accessory use, but shall not include:

- Any occupation for gain or profit except as may be permitted by this By-law
- Any building used for human habitation except where a dwelling is a permitted accessory use

##### 3.3.2 Establishment

In all zones except AG1, no accessory building, structure, or use shall be established on any site or lot until and unless the main building or use to which it is accessory is established.

##### 3.3.3 Height

The building height for all accessory buildings in Settlement Areas shall be as follows:

Residential zone	4.5 5 metres (max)
Commercial, Open Space and Community Facility zones	8 metres (max)
All other zones	10 metres (max), but not more than 2 storeys

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- For all non-Residential zones, when an accessory building is located in a yard that abuts a Residential zone, the building height shall not exceed 6 metres. (as amended by By-law 98-2019)

### 3.3.4 Location

Except in Agricultural and Natural Environment zones, any accessory building or structure or swimming pool which is not an integral part of the main building shall be erected in the rear yard and/or in the interior side yard and shall comply with the yard and setback requirements of the zone in which such building or structure is situated.

An accessory building or structure shall not be located closer to a street than the setback required for the main building. ***This Section does not apply in AG1 Zones.***

In a Residential Zone, a detached private garage, carport, satellite dish, swimming pool or other accessory building or structure shall be erected and used in the rear yard and/or in the interior side yard only, provided that such accessory building or uses shall be no closer than 1.5 metre to a ***rear or interior side*** lot line and shall not be located closer to a street than the setback required for the main building.

In all other zones, no accessory building or structure shall be erected closer than 1.5 metre to a rear or interior lot line. Semi-detached garages or carports may be centered on a mutual side lot line.

Accessory buildings shall not be structurally attached to the main building in any way.

Buildings or structures solely devoted to and forming an integral part of a septic system and that are less than 10 square metres are permitted in any yard. (as amended by By-law 98-2019)

#### **3.3.4.1 Accessory Building Containing Additional Residential Unit (ARU):**

***Refer to the parent zone Section of this By-law for provisions for an accessory building containing an Additional Residential Unit (ARU).***

### 3.3.5 Lot Coverage

In Settlement Areas, the total lot coverage of all accessory buildings on a lot shall not exceed ~~40~~**15**% of the lot area. The area of an unenclosed swimming pool and solar energy collectors shall not be included in the calculation of lot coverage.

## 3.4 BED & BREAKFAST

### 3.4.1 With an accessory Tearoom or Dining Room

A tearoom or dining room in conjunction with an approved Bed and Breakfast shall be allowed in any zone permitting a Bed and Breakfast, under the following conditions:

No commercial fat fryers or commercial exhaust fans will be allowed. Only appliances and fixtures normally used in a residence will be allowed.

A maximum of 30 % of the floor area of the house may be used for seating area for the tearoom or dining room.

The hours of operation shall be between the hours of 7:00 a.m. and 10:00 p.m.

The required parking for a tearoom or dining room shall be the same as for an 'Eating establishment, Restaurant' in the Parking Area Regulations, General Provisions. This parking will be required in addition to the parking required for the dwelling and the bed and breakfast.

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All parking for the tearoom or dining room shall be totally located on the property and shall not be located in the front yard or exterior side yard. All other provisions of the parking regulations shall be complied with.

No sign except a small sign to recognize the business shall be allowed. Any sign for a bed and breakfast and a tearoom or dining room shall be approved by the Township prior to installation. No exterior signs with interior lighting shall be allowed.

Huron County Health Unit approvals are obtained prior to starting the business.

### 3.4.2 Servicing

Huron County Health Unit certificate approvals will be required prior to the establishment of a bed and breakfast on a septic system.

## 3.5 BUILDING LINE IN SETTLEMENT AREAS, ESTABLISHED

Notwithstanding the yard and setback provisions of this By-law to the contrary, a building may be erected closer to the street line than required by the zone provisions provided that the proposed building may not be established closer to the street than the average setback of the 2 nearest buildings on the same side of the street within 200 metres.

## 3.6 COMMUNITY GARDENS

A community garden is a permitted use in all zones except the Disposal, Salvage Yard, and Natural Environment Zones.

## 3.7 CONSERVATION AUTHORITY REGULATED LANDS & ADJACENT LANDS

No development is permitted in Conservation Authority Regulated Lands until it has been determined that the proposed development meets the requirements of all applicable laws regulated by the Maitland Valley Conservation Authority. Technical studies as required by the Conservation Authority may be required to determine if development shall be permitted.

***An Environmental Impact Study (EIS) may be required on lands adjacent to a natural feature within the distances as defined below. If the lands to be developed are within the determined adjacent area, the Township will consult with the Huron County Biologist and Conservation Authority to determine the need for an EIS. Such EIS shall be completed to the satisfaction of, and approved by, the Township, County and the applicable Conservation Authority prior to development being permitted.***

<b><i>Natural Feature</i></b>	<b><i>Adjacent Lands (metres)</i></b>
<b><i>Provincially significant wetland</i></b>	<b><i>120</i></b>
<b><i>Other natural features, including: Locally Significant Wetland; Significant Wildlife Habitat; Significant ANSI; Significant Valley Land; Significant Woodlands; Habitat Area of Threatened and Endangered Species.</i></b>	<b><i>50</i></b>

### 3.8 ENCROACHMENTS IN YARDS, PERMITTED

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, planting strips and hedges in accordance with the provisions of Subsection 3.28 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:

Structure	Yards in which Projection is Permitted	Maximum Projection into Minimum Required Yard
Sills, belt courses, cornices, eaves, gutters, chimneys, pilasters	All Yards	0.75 metres provided that no part of the structure extends closer than 0.75 metres to any lot line.
Fire Escapes & Exterior Staircases	Rear Yard or Side Yard	1.5 metres provided that no part of the structure extends closer than 1.5 metres to any lot line.
Window bays	Front, rear & exterior side only	1 metre over a width of 3 metres provided that no part of the structure extends closer than 1.5 metres to any lot line.
Balconies	Front, rear & exterior side yards only for single-family detached dwellings	1.5 metres provided that no part of the structure extends closer than 1.5 metres to any lot line.
Open, Roofed Porches, Decks not exceeding one storey in height	All Yards	2.5 metres including eaves and steps provided that no porch deck or patio extends closer than 1.5 metres to any lot line.
Closed-in Porch	All Yards	1.5 metres including eaves and steps provided that no closed in porch extends closer than 1 metre to any lot line.
Retaining walls, or similar accessory structures	All Yards	No maximum or minimum requirements, provided that no part of the structure extends beyond the property line.

#### 3.8.1 Encroachment of Awnings, Canopies, Balconies, and Signs in Commercial Zones

Awnings, Canopies, Balconies and Signs may extend over municipal property in Commercial Zones a maximum distance of 1.5 metres provided:

- that no portion of the awning, canopy, balcony or sign is closer than 1 metre (one metre) from a parking area or from the traveled portion of a street;
- that no portion of the awning, canopy, balcony, or sign obstructs the view at any intersection;
- that a vertical clearance of 2.9 metres be maintained from the surface of the sidewalk to the lowest portion of the awning, canopy, balcony, or overhanging sign;
- that the owner obtain from the appropriate authority all permits required prior to starting construction, and;
- that the owner of such awning, canopy, balcony or sign may enter into an encroachment agreement with the Township of North Huron.

### 3.8.2 Encroachment Exception

Where a building or structure is established and believed to be in compliance with the Zoning By-law but is subsequently shown, by an Ontario Land Surveyor's legal survey, not to comply with the provisions of the Zoning By-law, an encroachment of 0.25 metres is permitted into any yard.

## 3.9 EXTERIOR, LIGHTING

The type, location, height, intensity and direction of lighting shall be designed to ensure that lighting is confined to the building face, parking area and vicinity of the site and does not cast glare onto adjacent properties adversely affecting the use of the property or onto an adjacent public street which would pose a vehicular safety hazard. Energy conservation measures should be considered to ensure the site is not illuminated more than necessary.

## 3.10 EXTERNAL BUILDING MATERIALS

The following building materials shall not be used for the exterior vertical facing on any wall of any building or structure within the Township:

- tar paper or building paper;
- asphalt roll type siding or insul-brick;
- plain concrete or plain cinder block in Residential or Recreational zones; or galvanized steel in Residential or Recreational zones.

## 3.11 GARDEN SUITES

Garden Suites are permitted in the Township of North Huron in accordance with the provisions of the Planning Act, Section 39.1. ***Garden Suites are also considered a temporary dwelling in agricultural zones in accordance with the North Huron Official Plan.***

As a condition to passing a by-law authorizing the temporary use of a garden suite under the *Planning Act*, the Municipal Council may require the owner of the suite or any other person to enter into an agreement with the Township dealing with such matters related to the temporary use of the garden suite as the council considers necessary or advisable, including:

- The installation, maintenance and removal of the garden suite;
- The period of occupancy of the garden suite by any of the persons named in the agreement; and
- The monetary or other form of security that the council may require for actual or potential costs to the Township related to the garden suite.

***Garden Suites will be counted towards the maximum number of dwellings per property. Garden Suites are permitted to transition to permanent Additional Residential Units provided they meet the requirements of this Zoning By-law.***

## 3.12 HAZARD LAND REQUIREMENTS

In addition to the zone provisions of the applicable zones and general provisions, no buildings or structures are permitted on hazard lands or adjacent to hazard lands within the area subject to regulation by the Maitland Valley Conservation Authority, unless the permission of the Maitland Valley Conservation Authority has been obtained or until a required Environmental Impact Study or other required studies have been completed to the satisfaction of, and approved by the Township of North Huron and the Conservation Authority.. Hazard lands include those lands that are susceptible



to flooding or erosion, have steep slopes or soil instability or other environmental or human made hazard.

Hazard lands may be zoned OS, Floodway (FW) or Flood Fringe (FF). Conservation Authorities are the provincially designated responsibility for commenting on proposed development in hazard land areas.

### **3.13 HEIGHT LIMITATIONS, EXCEPTIONS**

The height limitations of this By-law shall not apply to church spires, belfry, clock towers, water towers, elevator enclosures, flag poles, television or radio tower or antennae, cell tower, solar collector, electric power facilities, ventilators, skylights, chimneys, air conditioner ducts, windmills, wind turbines, silos or grain elevators.

### **3.14 LOADING SPACE REGULATIONS**

#### **3.14.1 Loading Space Requirements**

The owner or occupant of any lot, building or structure in a Commercial, Community Facility 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 loading or unloading facilities.

Loading facilities shall be on the lot, occupied by the building or structure and not form part of a street or lane, and be in the same zone in which such use is located. A loading space shall be 9 metres long, 3.5 metres wide and have a vertical clearance of at least 4 metres.

#### **3.14.2 Access**

Access to loading spaces shall be by means of a driveway at least 6 metres wide and lead to a street or lane located within or adjoining the commercial, community facility or industrial zone.

#### **3.14.3 Surface**

The driveways and loading spaces shall be maintained with a stable surface which is treated so as to prevent the raising of dust. They shall, before being used, be constructed of crushed stone, slag, gravel, crushed brick (or tile), cinders, asphalt or concrete and with adequate drainage facilities.

#### **3.14.4 Location**

The required loading space or spaces shall be located in the interior side or rear yard. If the set back from the street line is a minimum distance of 18 metres, the loading space may be located in the exterior side yard or the front yard.

### **3.15 LOT ENLARGEMENT, MINOR**

Where lands are severed and merged on title with abutting lands, the zoning on the existing property shall automatically apply to the lands to be merged on title. This provision applies ~~only~~ where a severance is granted for the purpose of minor lot enlargement. ***This section also applies when lands are closed and conveyed or created by the Municipality (e.g. in the event of a road closure).***

As an administrative amendment, the appropriate Zone Map shall be amended to reflect this zone change with such changes being permitted from time to time without further public notice or Council approval. The resulting lot area of the retained parcel is deemed to comply with the provisions of this Zoning By-law.

### **3.16 LOT SIZE, AGRICULTURAL SEVERANCE**

Where a new agricultural lot is created by severance and conforms to 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 pertains to both the severed and retained lot area.

### **3.17 LOTS, THROUGH**

Where a lot, which is not a corner lot, has frontage on two streets, the front yard setback requirements shall apply on each street in accordance with the provisions of the zone or zones in which such lot is located. This setback provision does not apply to a through lot between a street and a lane.

### **3.18 LOTS, TWO OR MORE**

Where 2 or more lots in a Plan of Subdivision are used together as a single parcel on which a building or structure exists or is to be established, yards, setbacks, and other applicable provisions shall be calculated as they apply to the parcel as a whole containing such building or structure. Where the building or structure does not meet the zoning provisions with respect to setback from the common lot line between the lots being developed as a single parcel, the lots being developed must first be deemed, pursuant to section 50(4) of *The Planning Act*, as amended from time to time.

### **3.19 LOTS TO FRONT ON PUBLIC ROAD**

3.19.1 Unless otherwise specified by this by-law, no lots shall be created, no person shall erect a building or structure on a lot and no person shall use any land, building, or structure on a lot unless, in each case:

- a) the lot to be created or used abuts or fronts on a public road; and
- b) such public road is of satisfactory construction and maintenance as to permit the reasonable and safe passage of motor vehicles.

3.19.2 Notwithstanding the provisions of Section 3.19.1 above:

- a) lots may be created on a registered Plan of Subdivision, and buildings and structures erected thereon where compliance with the requirements of sub-section 3.19.1(b) are provided for by an agreement with the Township entered into in connection with the registration of such Plan of Subdivision pursuant to the Planning Act of Ontario; and
- b) lots may be created, and buildings and structures erected thereon, on a Vacant Land Condominium Plan or on a Common Element Condominium Plan.

3.19.3 Notwithstanding any other provisions of this by-law, for the purpose of this by-law, no plan shall be considered to be a Plan of Subdivision unless:

- a) access to the plan is provided by a public road satisfying the requirements of sub-section 3.19.1(b); and
- b) any road to be dedicated as a public road on such plan abuts and connects, subject only to reserves in the ownership of the Township, to an existing public road satisfying the terms of sub-section 3.19.1.(b).

3.19.4 Notwithstanding any other term of this by-law, no plan shall be considered to be a Plan of Condominium unless:

- a) access to the plan is provided by a public road satisfying the requirements of sub-section 3.19.1(b); or

- b) the lands within the condominium plan have legally enforceable access to a public road meeting the requirements of sub-section 3.19.1(b) through lands entirely within one or more other condominium plans.

### **3.20 MAIN BUILDINGS / MAIN USES PER LOT**

No person shall erect more than 1 main building on a lot or establish more than 1 main use on a lot except permitted buildings and uses in a General Agriculture Zone, Agricultural Commercial Industrial, Industrial, Commercial, Community Facility, or Parks & Open Space Zone and grouped buildings located in the **Medium Density Residential (R2) Zone** and High Density Residential (R3) Zone.

In those zones where more than 1 main use or 1 main building is permitted, the requirements of this By-law for each use and building must be satisfied.

### **3.21 NON-COMPLYING BUILDINGS AND STRUCTURES**

Where a 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 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:

#### **3.21.1 Measurement**

The enlargement, extension, reconstruction, repair or renovation does not further reduce the compliance of that building or structure, with the provision(s) of the By-law to which it does not comply and all other applicable provisions of this By-law are complied with.

#### **3.21.2 Legal Non-Complying Status & Rezoning/Severances**

In the case of a rezoning or severance the permitted and legally established existing building or structure shall be deemed to comply with any applicable zoning provisions, except parking requirements, resulting from such rezoning.

#### **3.21.3 Location of Reconstructed Building**

Where a non-complying building is removed or destroyed, such building may be reconstructed in a different location than the original building, provided that the new location does not further reduce the compliance with the provisions of the By-law to which the original building did not comply.

#### **3.21.4 Time Limit**

Where a non-complying building is removed or destroyed, such building may only be reconstructed within 24 months from the date of destruction. After this period of time, the building may only be reconstructed in compliance with the provisions of the By-law.

#### **3.21.5 MDS and Catastrophes**

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, Minimum Distance Separation (MDS) formulae 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 and it is rebuilt in 24 months of the catastrophe.

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, Minimum Distance Separation (MDS) formulae 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, the capacity of the livestock facility (expressed in

nutrient units) is not being increased by the replacement livestock facility, and the replacement livestock facility is rebuilt within 24 months of the catastrophe.

### **3.22 NON-COMPLYING LOTS, EXISTING UNDERSIZED**

Notwithstanding anything contained in this By-law, an existing legal non-complying lot which lacks the required frontage and/or area and/or depth for a lot in the respective zone, shall be deemed to be a lot that complies with the area, frontage, and depth requirements.

### **3.23 NON-CONFORMING USES**

#### **3.23.1 Continuation of Existing Use**

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 and all other applicable provisions of this By-law are complied with.

#### **3.23.2 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 continued to be used for the purpose for which it was erected and provided the erection of such building or structure is commenced within 24 months 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.

#### **3.23.3 Strengthening, Repairing or Renovating of Buildings or Structures Used for Non-Conforming Uses**

Nothing in this By-law shall prevent the strengthening to a safe condition, the repair or renovation of any building or structure or part of any building or structure which use does not conform with the provisions of this By-law, provided such strengthening, repair or renovation:

- does not further reduce the compliance with the provisions of the By-law to which the building or structure does not comply, if any; and
- does not involve any alteration of use and the building or structure continues to be used for the purpose.

#### **3.23.4 Replacement of Buildings or Structures for Non-Conforming Uses**

If a building or structure used for a non-conforming use is removed or destroyed, it may be replaced provided the non-conforming use has continued and the replacement building or structure does not further reduce the compliance with the provisions of the By-law to which the removed or destroyed building did not comply, if any.

### **3.24 OUTDOOR SOLID FUEL COMBUSTION APPLIANCES**

No outdoor solid fuel combustion appliances shall be installed at less than 30 metres from any property line or less than 150 metres from any residence on a separate lot. No outdoor solid fuel combustion appliance shall be installed less than 10 metres from any combustible materials or fuel tanks.

No outdoor solid fuel combustion appliances shall be used for the incineration of waste.

Prior to the installation of any outdoor solid fuel combustion appliance, each appliance shall be approved by the Chief Building Official and permit fees shall be as set out in the Township Building

By-law. All outdoor solid fuel combustion appliances shall have a CSA or UL approval rating and be installed in accordance with the manufacturer's instructions. Prior to the use of and following installation of any outdoor solid fuel combustion

### 3.25 OUTDOOR STORAGE OF WASTE

Where waste intended for landfill is stored outdoors (excluding manure), it shall be contained in a receptacle specifically designed for such reason and having walls and sides and a lid. The receptacle shall be located in the rear yard not closer than 2 metres from side or rear lot line.

### 3.26 PARKING REGULATIONS

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

#### 3.26.1 Number of Parking Spaces Required

The minimum number of parking spaces required for the uses and purposes set out in this By-law are provided as follows:

Type of Use	Minimum Parking Requirements
Arena, Assembly Hall, Community Centre, Sports Field, Theatre	1 per 4 persons of maximum designed capacity of the facility
Bowling (indoor) Establishment	3 per bowling lane
Business or Professional Office	1 per 20 square metres of office floor area
Church	1 per 4 persons of maximum designed capacity of the sanctuary
Clinic or Veterinary Clinic	6 per practitioner
Dwelling, Apartment and other multiple unit dwellings	<del>1.5 per dwelling unit</del> <b>1 uncovered parking space per dwelling unit</b>
Dwelling, Bed and Breakfast establishment	<del>2 per dwelling unit plus 1 per guest room for rent</del> <b>1 uncovered parking space per dwelling unit</b>
Dwelling, <b>with supports</b> Group home	<del>2 per dwelling unit plus 1 per 4 group home residents</del> <b>1 uncovered parking space per dwelling unit</b>
Dwelling, Home for the aged, nursing homes, retirement homes	1 per 3 beds
Dwelling, Single-detached, semi-detached, duplex, converted, and accessory dwellings	<b>1 uncovered parking space per dwelling unit</b>
Eating establishment, Restaurant, Tavern	1 per 4 persons of maximum designed capacity
Eating establishment, take-out or drive-through	6 plus 1 per 4 persons of maximum designed capacity
Fire Hall	5 per bay
Funeral Home	1 per 5 seats capacity of the Funeral Home
Furniture store,	1 per 90 square metres of retail floor area

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Type of Use	Minimum Parking Requirements
Wholesale establishment	
Hospice	2 plus 1 per patient bed (as amended by By-law 98-2019)
Hospital	3 per 4 beds
Hotel or Motel	2 plus 1 per guest room
Industrial establishment	3 for every 4 employees on the largest shift, including office staff
Micro-brewery/distillery/winery	1 per 4 seats of maximum seating capacity; or a minimum of 5 (as amended by By-law 98-2019)
Motor Vehicle repair establishment, Motor Vehicle service station, Motor Vehicle sales and service establishment	4 plus 1 per repair bay (gas bar only without service shop – 1)
Motor Vehicle Washing establishment	2 per washing bay for self-serve 5 parking spaces for automatic
Public Building except where specifically identified	1 per 30 square metres of total floor area
Retail store, Personal service shop	1 per 20 square metres of retail and/or customer service floor area
School, Nursery	The greater of 3 per classroom or nursery or 1 per 60 square metres of gross floor area
School, Elementary	The greater of 1.5 per classroom or 1 per 3 square metres of auditorium assembly area
School, Secondary	The greater of 5 per classroom or 1 per 3 square metres of auditorium assembly area
Social Club, Service Club, Golf Country Club, Curling Club	1 per 10 square metres of total floor area of all common club buildings excluding ice surface, plus: 2 per golfing green, 4 per lawn bowling green, 4 per tennis or racquetball court, 6 per curling ice sheet
Supermarket, grocery store	1 per 15 square metres of retail floor area
Warehouse	1 per 185 square metres of total floor area
Winery	1 per 20 square metres of ground floor area
Uses permitted by this By-law other than those referred to above	1 per 40 square metres of total floor area

Where the application of the above parking space requirements results in a number that is not a whole number, the number shall be rounded-up to the next whole number (e.g. 7.3 spaces would be rounded-up to 8).

***Notwithstanding any provision to the contrary, for units owned and operated by the Huron County Housing Corporation, 0.25 spaces per dwelling unit shall be provided.***

### 3.26.2 More Than One Use in a Building

Where a building or structure accommodates more than one type of use, the parking space requirement for the whole building shall be the sum of the requirements of the separate parts of the building occupied by the separate types of use.

### 3.26.3 Multiple Use of Parking Area

Where two or more uses utilizing the same parking area will never occur simultaneously, the parking requirements of the use having the highest parking requirements shall govern.

### 3.26.4 Commercial Zone Parking Space Requirements

The provisions of the Parking Requirement section shall not apply to require the establishment of parking spaces for a non-residential use other than a motel or hotel in the Village Commercial (C1) and Core Commercial (C4) zones.

### 3.26.5 Existing Buildings and Changes in Use

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:

- the building is used for a permitted use
- the floor area is not increased
- any change of occupancy is to a use having the same or a lesser parking requirement according to this By-law
- all parking spaces existing at the date of passing of the By-law are retained

#### 3.26.5.1 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. This section shall not apply to require the establishment of parking spaces and areas for an addition to a single detached dwelling.

### 3.26.6 Parking Spaces for Individuals with Special Needs

Accessible parking spaces shall be provided to accommodate a varying range of abilities including those in wheelchairs, limited mobility and those caring for small children.

Accessible parking spaces shall be provided in the following zones: Highway Commercial, Industrial, & Community Facility zones, as well as for the following uses: apartment building, hotel, long-term care home, motel, and retirement home.

***Accessible and Limited Mobility Parking Spaces shall be provided in addition to required parking spaces which are not accessible or limited mobility, at a ratio as follows:***

Automobile Parking Spaces	Accessible Parking Spaces	Limited Mobility Parking Spaces
1-50	1	1
51-100	2	2
101-200	4	2
201-300	5	3
301-500	6	4
501 and over	6 plus 1 for each 100 over 500	4 plus 1 for each 100 over 500

The number of parking spaces required may not be sufficient for some facilities (e.g. senior's centres) where increased numbers of persons with disabilities may be expected.

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Designated accessible parking spaces shall:

- Be located on an accessible route that provides a safe path of travel from the parking area to the accessible entrance of the building. Where possible, the parking area should be located within 30m of the accessible entrance.
- Level and firm surface and be designated by painting a sign on the pavement and erecting a post mounted sign that displays the international symbol for accessibility.
- Have a minimum vertical clearance of 2.75 metres,
- Have a minimum width of 2.7 metres, and a length of 5.5 metres.
- Have an adjacent access aisle of a minimum of 2 metres, clearly indicated by markings.

Designated limited mobility & caregivers only parking spaces shall:

- Have a minimum width of 3.4m wide and a length of 5.5m
- All limited mobility & caregivers only parking spaces shall be designated by erecting a post mounted sign that displays the international symbol for accessibility, as illustrated in Appendix 7.

Accessible parking spaces and limited mobility/caregivers only parking spaces shall be designed in accordance with the illustrations included in Appendix 7.

### 3.26.7 Use of Parking Areas and Spaces

Any area where off-street parking is required under this By-law shall be used for no other 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 purpose of this subsection "commercial motor vehicle" shall mean any commercial vehicles as defined in the *Highway Traffic Act*, as amended from time to time.

### 3.26.8 Commercial Motor Vehicles and Tractor Trailers in Residential Zones

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/she is the owner or occupant of such lot, building or structure, and provided that said vehicle shall not exceed 4,000 kilograms per axel and provided that not more than one commercial vehicle is stored in accordance with this section.

No person shall use any lot, building or structure in a residential zone for the parking or storage of any truck trailer or van body or part thereof.

This provision shall not include commercial motor vehicles or tractor trailers which attend at residential premises for the purposes of delivery and service.

### 3.26.9 Storage or Parking of Travel Trailers, Motor Homes and Personal Recreational Vehicles

No person shall within any Residential zone use any lot for the outdoor parking or outdoor storage of more than a total of 2 travel trailers, motor homes or personal recreational vehicles, provided that these items are owned by the owner or occupant of the subject lands.

The outdoor parking or storage shall be permitted in:

- a carport
- an open driveway exclusive of any area covered by a site triangle
- an interior side yard or rear yard

This By-law shall not restrict the number of travel trailers, motor homes and personal recreational vehicles that are fully enclosed within a garage.

### 3.26.10 Occupancy of Travel Trailers and Motor Homes

No person shall, in any zone, unless permitted, use any travel trailer or motor home for the purpose of primary residential, permanent living. Occasional short-term temporary non-commercial use is



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permitted for a cumulative maximum of 2 weeks annually, provided there is a building on the main property.

### 3.26.11 Parking Area Location on a Lot

No parking lot or required parking area shall be located on a septic tank or tile bed area.

Outdoor parking areas shall be permitted in the required yards or in the area between the street line and the required setback as follows:

ZONE	YARDS IN WHICH REQUIRED PARKING AREA PERMITTED
Residential	Driveway Interior side and rear yard
For all other zones	Parking areas are permitted in all yards. The minimum setbacks for a parking area, other than a driveway, shall be: 3 metres from any lot line abutting a residential zone and 1 metre from the street line.

***Tandem parking spaces are acceptable for residential parking areas.***

### 3.26.12 Off-Site Parking

All required parking spaces are to be provided on the same property as the use for which they are provided. Off-site parking ~~for a non-residential use~~ may be located within 150 metres provided that parking is a legal permitted use in that zone and that total parking requirements are met for all uses. All off-site parking areas shall require a site plan agreement.

### 3.26.13 Access to Parking Area Through Residential Zones

No person shall use any land in a residential zone for motor vehicle access to any parking space or parking area located in any other zone.

### 3.26.14 Parking Area Design Standards

All parking areas required under this By-law shall conform with the following minimum standards. See Appendix 7 for illustration.

#### 3.26.14.1 Parking Aisles

Angle of Parking	In perpendicular width, the parking aisle shall not be less than
30 degree	3.4 metres
45 degree	3.7 metres
55 degree	4.3 metres
60 degree	4.9 metres
65 degree	5.2 metres
70 degree	5.5 metres
90 degree	6.7 metres
parallel parking	3.0 metres for one-way traffic 6.0 metres for two-way traffic
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

#### 3.26.14.2 Width of Parking Space

For cars parked:

- side by side - 2.7 metres
- with wall or fence adjacent - 3.0 metres

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### 3.26.14.3 Depth of Parking Space

<b>Parking</b>	<b>in perpendicular width the aisle shall not be less than</b>
30 degree	4.6 metres
45 degree	5.5 metres
55 degree	5.8 metres
60 degree	5.8 metres
65 degree	5.8 metres
70 degree	5.8 metres
90 degree	5.5 metres
parallel parking	6.5 metres
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

### 3.26.14.4 Parking Area Surface and Drainage

All parking areas are to be constructed so as to be usable in all seasons and shall have a granular base, and surface of crushed stone, concrete, asphalt pavement or other similar hard and dust inhibiting surface.

All parking areas shall be so graded and drained so as to ensure that surface water will not escape to neighbouring lands as a result of the construction or use of such parking areas.

### 3.26.14.5 Entrances and Exits (as amended by By-law 98-2019)

The minimum distance between a driveway and an intersection of a street shall be 7.5 metres.

The minimum angle of intersection between a driveway and a street line shall be 60 degrees.

The minimum distance between a driveway and an interior side lot line shall be:

- Residential zones: 1 metre with the exception of multiple attached units where no minimum applies
- All other zones: 3 metres

Maximum number of driveways per lot:

- Agriculture zones: 2 driveways
- Residential zones: 1 driveway

2 driveways will be allowed for residential zones for the following circumstances:

1. Lot, corner
  2. Lot, through
- Commercial/ Industrial zones: 2 driveways
  - All other zones: 1 driveway

## 3.27 PERMITTED USES, ONE OR MORE

Where one or more uses are permitted in any zone, land may be used and buildings may be erected and used thereon for one or more of the uses so permitted, provided the requirements of this By-law are satisfied for each such use.

## 3.28 PLANTING STRIP REQUIREMENTS

3.28.1 A planting strip shall be provided:

- on lands zoned or used for multiple unit dwellings where they abut lands zoned or used for single detached dwellings or duplex / semi-detached dwellings

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- on lands zoned or used for any 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, or open space purposes
- on lands upon which a residential use or community facility use is being newly established by rezoning or plan of subdivision where such lands abut an existing commercial or industrial use, which is not maintaining a planting strip in accordance with section 3.28.
- for use of cannabis production facilities on lands zoned General Industrial Zone (IND2) or Light Industrial Zone (IND1) abutting lands that are otherwise not zoned or used for industrial or utilities along the interior or rear lot line.

### 3.28.2

such planting strip shall have an ultimate width of 1.5 metres and may be included as part of the required yard.

### 3.28.3

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(s) separating it from the abutting zone or use which requires the planting strip. The height and location of the planting shall not pose a traffic hazard

### 3.28.4

such planting strip shall consist of a continuous planting of trees or shrubs, and shall be maintained at an ultimate height of not less than 1.5 metres.

### 3.28.5

such planting strip shall be planted and maintained by the owner(s) of the land on which the planting strips are required.

### 3.28.6

subject to site plan approval, a fence or wall height may be considered as an alternative to a planting strip. The following shall be considered: location, height, porosity, materials and finishing.

## 3.29 PROHIBITED USES

All uses, including the following uses, shall be prohibited unless otherwise provided for:

### 3.29.1 Adult Entertainment Parlour

An adult entertainment parlour, whether consisting of a main use or an accessory use, is not permitted within the Township.

### 3.29.2 Dangerous Uses

No land, building or structure, unless licensed, is permitted to be used for the storage or manufacture of dangerous products for commercial or industrial purposes.

### 3.29.3 Derelict Motor Vehicles

Other than in a Salvage Yard (SY) Zone, no person shall use any lot in any zone for the parking or storage of any derelict vehicle except that such vehicles may be stored inside a private garage.

### 3.29.4 Livestock in Settlement Areas

It shall be prohibited to keep livestock in Settlement Areas unless specifically permitted as in Section 3.28.4.1 (Exceptions to Keeping Livestock). The regulations, restrictions and prohibitions of all the other applicable By-laws continue to apply.

#### 3.29.4.1 Exceptions to Keeping Livestock

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Notwithstanding subsection 3.28.4 (Livestock in Settlement Areas) above and any other provision of this By-law to the contrary, any lot containing a dwelling unit may be used for the keeping of 2 horses, provided:

- such horse provides the primary means of transportation for the occupants of the dwelling unit
- all manure shall be contained in an enclosed building and manure shall be removed from the property at regular intervals to a suitable location in an Agricultural Zone
- the building or structure in which the horse is kept or in which the manure is enclosed shall be set back from the interior side and rear lot lines the distance required for accessory structures
- the minimum distance separation (MDS) requirements shall not apply in Settlement Areas

### **3.29.5 Mobile Homes**

It shall be prohibited to locate or use a mobile home in any zone unless specifically provided for in that zone.

### **3.29.6 Noxious Uses / Contaminants**

No use shall be permitted within the Township which from its nature or the material used therein is, under the Environmental Protection Act, as amended from time to time, or Regulations hereunder, declared to be a noxious trade, business or manufacture, or a contaminant.

### **3.29.7 Outdoor Solid Fuel Combustion Appliance**

Outdoor solid fuel combustion appliances shall not be permitted in Residential and Commercial Zones.

### **3.29.8 Reptiles or Exotic Animals**

It shall be prohibited within all zones to keep reptiles or exotic animals which are by their nature dangerous to human health.

### **3.29.9 Salvage Yards/Sanitary Landfill Sites**

The use of any land or the erection or use of any building or structure for the purposes of salvage yards or sanitary landfill, shall be prohibited in all zones in a Settlement Area.

### **3.29.10 Stinging Insects in Settlement Areas**

It shall be prohibited to keep stinging insects in Settlement Areas.

### **3.29.11 Vending From a Vehicle**

No lands, streets or lanes in the Township shall be used for the sale of food, goods or wares from the confines of a motor vehicle unless the necessary permit has been issued by the Township.

## **3.30 SETBACKS FROM AN ABATTOIR, RESIDENTIAL**

No residential dwelling shall be erected within 183 metres of an abattoir.

## **3.31 SETBACKS FROM LANES AND RIGHT OF WAYS**

Where a lot abuts a lane or right-of-way, any building or structure shall be a minimum distance of 5 metres from the centreline of such lane or right-of-way or the required side or rear yard stipulated in this By-law whichever is the greater.

### **3.32 SETBACKS OF BUILDINGS & STRUCTURES ALONG MUNICIPAL DRAINS, SINKHOLES AND NATURAL WATERCOURSES**

#### **3.32.1 Watercourse up to 4.5 metres in width or a Close Municipal Drain**

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. In a settlement area, the setback for a building or structure from the centreline of a closed municipal drain may be reduced to 4 metres.

#### **3.32.2 Watercourse or Open Municipal Drain between 4.5 metres and 7.5 metres in width**

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 top width of between 4.5 metres and 7.5 metres from top-of-bank to top-of-bank.

#### **3.32.3 Watercourse or Open Municipal Drain over 7.5 metres in width**

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 from top-of-bank to top-of-bank, or from a sinkhole.

#### **3.32.4**

The lands identified on Schedule B, Land Use Plan, Ward of Wingham, Township of North Huron Official Plan must also satisfy the requirements of Section 6.4.3.4 Special Policy Area of the North Huron Official Plan;

#### **3.32.5**

Notwithstanding the above provisions to the contrary, no livestock housing facility or manure storage facility shall be constructed except in compliance with the following minimum setbacks.

<b>Minimum Set Back From:</b>	<b>To Covered, Open or Earthen Manure Storage, Livestock housing facility (metres)</b>
Drilled Well	15
Dug Well	30
Municipal Well	100
Watercourse	50 metre flowpath
Open ditch	50 metre flowpath
Closed Municipal Drain	15
Field Tile	15
Sink Hole	50 metre flowpath

### **3.33 SETBACK FROM A SEWAGE TREATMENT PLANT, FOR RESIDENTIAL USES**

No residential dwelling shall be erected within 100 metres of a building or treatment component of a sewage treatment plant.

No ~~residential~~ dwelling shall be erected within 200 metres of the property boundary of the Sewage Treatment Plant located at Part Lot 41, Concession 14, East Wawanosh Ward.

### **3.34 SETBACKS FROM ESTABLISHED COMMERCIAL WIND ENERGY FACILITIES**

No dwelling, recreational residence, hotel, motel, nursing home, retirement home, hospital, campground, school, or place of worship on a separately titled lot shall be established closer to a wind energy facility than the distance established in the Ministry of Environment's Renewal Energy Approval.

### **3.35 SIGHT TRIANGLES (See Appendix 8)**

On a corner lot within the triangular space formed by the street lines and a line drawn from a point in one street line to a point in the other street line, each such point being 7.5 metres measured along the street line from the point of intersection of the street lines, no building, structure, fence, or planting, in excess of 0.75 metres in height which would obstruct the vision of drivers of motor vehicles shall be erected with the exception of the Core Area Commercial (C4) Zone. Such triangular space may hereinafter be called a "sight triangle".

Where the 2 street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

### **3.36 SPECIAL POLICY AREA – WINGHAM WARD**

Lands identified as part of the Special Policy Area in the Wingham Ward shall satisfy the requirements of Section 6.4.3.4 of the Township of North Huron Official Plan.

### **3.37 STACKING LANES**

Car Wash

Every car wash shall be provided with a minimum of 3 vehicle waiting spaces measuring 2.5 metres in width and 6 metres in length for each washing bay or 5 vehicle waiting spaces for a car wash.

Eating Establishments with Drive-Throughs

Every eating establishment with a drive-through shall provide a stacking lane with adequate numbers of spaces to facilitate traffic movement. Drive through lanes shall comply with the following:

- no part of any drive through lane may be located within a parking area;
- no part of any drive through lane may be located within a parking aisle;
- drive through lanes must not obstruct parking spaces and cannot affect on-site circulation;
- drive through lanes must have a minimum storage capacity of 10 parking spaces.

### **3.38 SURPLUS FARM DWELLING SEVERANCES**

Where the County of Huron or its delegate has approved the severance of a surplus farm dwelling property, the appropriate Zone Map in this By-law shall be amended to change the AG1 (General Agricultural) Zone to AG2 (Restricted Agricultural Zone) for the farm parcel, and AG4-9 (Agricultural Small Holding Zone) for the residential parcel, as applicable. These administrative amendments are permitted from time to time without further public notice or Council approval.

### **3.39 SWIMMING POOLS**

For location of pools on lots, see General Provisions, Accessory Buildings Section.

The height of a swimming pool fence shall be a ~~minimum of 1.52 metres and also be in accordance with all provisions of~~ **in accordance with** the Swimming Pool Fence By-law of the Township of North Huron.

### **3.40 TEMPORARY BUILDINGS AND USES FOR CONSTRUCTION SITES**

In all zones, the use of land or a building 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 is permitted for so long as the same are necessary for construction which has neither been finished nor abandoned.

In all residential and commercial zones “temporary use” shall also include the continued use of an existing building on a site during the construction of a building intended to replace such building provided that:

- in no case may such existing building remain undemolished on the site for longer than 60 days after the building intended to replace such existing building is ready in whole or in part for occupancy, or 2 years after the date of issue of the building permit for the building intended to replace such existing building, whichever comes first
- safety and emergency access are provided and maintained to the satisfaction of the Chief Building Official and Fire Chief of the Township
- the minimum parking requirements for use of the existing building continue on the site until the existing building is vacated; and
- there may be deposited with the Chief Building Official of the Township a sum sufficient in the opinion of the Chief Building Official to cover the costs of such demolition of such existing building by the Township in the event it is not demolished within the time above stipulated.

### ~~**3.41 TEMPORARY ACCOMMODATION FOR WORKERS**~~

~~Outside of Settlement Areas, where a shack, shanty, bunkhouse or other temporary structure is used for the accommodation of workers engaged in work of a temporary or seasonal nature, provided such building or structure has obtained the approval of the Township for such use and:~~

~~**3.41.1** shall be used only for the duration of the work and removed when work is complete, or~~

~~**3.41.2** shall be locked or boarded up and not to be used as accommodation when the work in connection with which they were constructed is terminated.~~

### **3.42 TRUCK OR COACH BODIES**

No truck, bus, coach, or streetcar body, railway car, caboose, or shipping container shall be used for temporary or permanent human habitation within the Township, whether or not the same is mounted on wheels.

Truck bodies and similar structures may be used only for storage outside of a Settlement Area.

Truck bodies and similar structures accessory to a permitted use may only be used for temporary storage in an Industrial Zone.

Within a Settlement Area, shipping containers may be used for storage in a commercial, community facility, or industrial zone if identified on an approved site plan.

***Nothing in this section applies to shipping containers or similar structures which are disassembled and utilized as building materials which comply with the Ontario Building Code.***

### **3.43 UTILITY SERVICES FOR THE PUBLIC**

**3.43.1** 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 public services and utilities such as water mains, storm and sanitary sewers, gas distribution mains, railway lines, electrical sub-stations and transmission lines of 230 kv or less, pumping stations, flood and erosion control works, telephone and cable lines, and accessory utility service buildings and structures provided that:

- the approval of the Township has been obtained
- approval has been obtained under *The Environmental Assessment Act*, R.S.O. 1980, as amended from time to time, as required.
- ~~• utility service buildings in a residential areas will require a rezoning to a Community Facility Zone;~~
- ***Within a Plan of Subdivision or Condominium, ancillary uses such as parks, stormwater management or infrastructure are permitted without an amendment to this the Zoning By-law to recognize the specific location;***
- no goods, material, or equipment shall be stored in the open in a Residential area or zone;
- any building or structure shall be designed and maintained in general harmony with buildings of the type permitted in the Zone.
- any excessive noise or fumes resulting from such utility service shall be mitigated to reduce compliance issues with abutting residences

**3.43.2** 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 3.45 (Utility Services for the Public).

**3.43.3** Notwithstanding any other provision of this by-law, wind energy facilities are not considered a utility service for the public.

### **3.44 WATER SUPPLY AND SANITARY SEWERS**

#### **3.44.1 Serviced Settlement Areas**

In serviced Settlement Areas, no land shall be used or built upon and no building or structure shall be erected, used or expanded for any purpose unless all municipal services (sanitary sewers and water mains) are available and adequate. Notwithstanding the foregoing, in serviced Settlement Areas, the following may be permitted without full municipal services:

- additions to and accessory buildings for existing residential dwellings are permitted if the said additions and/or accessory buildings comply with all other regulations of the zone in which the dwelling unit is located
- at such time as it is feasible to extend municipal sanitary sewers, all lands shall be required to connect to the municipal sanitary sewer system as soon as it becomes operative.
- a permitted residential use in an R1 zone, provided with private services (where municipal services are not available), subject to approval from the Huron County Health Unit.



### **3.44.2 Rural Areas or Partially Serviced/ Unserviced Settlement Areas**

In Rural Areas or partially serviced or unserviced Settlement Areas, development may occur by private or municipal wells and / or septic disposal systems. Any uses requiring a septic tank disposal system shall have a lot of sufficient size to accommodate a sewage disposal system as approved by the appropriate authority.

## **3.45 WASTE DISPOSAL SITES, RESTRICTIONS AROUND ACTIVE AND CLOSED**

No new building or structure, used for residential or livestock purposes shall be erected within 500 metres from the perimeter of the fill area of any licensed waste disposal site (Lot 35, Concession 3 and Lot 39, Concession 12, East Wawanosh Ward), or any closed waste disposal site until it has been determined by a qualified professional to the satisfaction of the Township and the Ministry of the Environment, that there will be no adverse off-site impacts. The assessment of impacts shall include the presence of methane/leachate and the potential for noise, odour, dust and litter complaints during operation.

If there is a licensed disposal site or a closed landfill site located in an adjacent Municipality, similar provisions shall apply.

## **3.46 CANNABIS PRODUCTION FACILITY**

Notwithstanding any other provision of this By-law, any Cannabis Production Facility shall be subject to the following provisions:

- a) No lands, building or structure or portion thereof used for Cannabis Production Facility purposes that is equipped with air treatment control situated in the General Industrial Zone (IND2), Light Industrial Zone (IND1), General Agricultural Zone (AG1), and Agricultural Commercial/Industrial Zone (AG3) may be located any closer than 150 metres to a Residential Zone, Community Facility Zone, commercial recreational facility, park or similar recreational use, dwelling, public school, private school, place of worship, community centre, or a day care.
- b) No lands, building or structure or portion of thereof used for Cannabis Production Facility purposes that is not equipped with air treatment control situated in the General Agricultural Zone (AG1) and Agricultural Commercial/Industrial Zone (AG3) may be located any closer than 300 metres to a Residential Zone, Community Facility Zone, commercial recreational facility, park or similar recreational use, dwelling, public school, private school, place of worship, community centre, or a day care.
- c) No lands, building or structure or portion thereof used for Cannabis Production Facility purposes that is not equipped with air treatment control situated in General Industrial Zone (IND2) or Light Industrial Zone (IND1) shall be permitted.
- d) Cannabis Production Facilities must be entirely contained within wholly enclosed buildings or structures or portions thereof in the General Industrial Zone (IND2) or Light Industrial Zone (IND1).
- e) Accessory buildings or structures used for security purposes for Cannabis Production Facilities may be located in any yard. The minimum setback for an accessory building used for security purposes from a front, side or rear lot line shall be 1.5 metres, but it shall not be located in the sight triangle.
- f) Outdoor storage is prohibited on the property in which a Cannabis Production Facility is located.
- g) A Cannabis Production Facility shall only be permitted within the zones as explicitly indicated in this Zoning By-law.

- h) Setback requirements do not apply to dwellings located on the same parcel as the Cannabis Production Facility.
- i) All development in relation to the establishment of or the expansion to a Cannabis Production Facility shall be subject to Site Plan Control. (As amended by By-law 04-2022)

### **3.47 ON-FARM DIVERSIFIED USES**

***Notwithstanding any other provision of this By-law, any On-Farm Diversified Use(s) shall be subject to the following provisions:***

- a) ***Are secondary to the principal agricultural use of the property, are operated by the persons residing on the farm and do not interfere with the farm operation and do not conflict with the surrounding uses.***
- b) ***Do not cause a traffic or safety concern and provide safe access onto an open public road.***
- c) ***Obtain relevant permits from the Health Unit.***
- d) ***Agri-tourism uses and Value Added agricultural uses under 1 hectare in size are permitted in the AG1 zone. Uses larger than 1 hectare shall be permitted in the AG3 zone.***
  - i. ***The area calculation should consider the total area of buildings, structures, outdoor storage, landscaped areas, wells and septic systems, berms, laneways and parking areas but discount those areas which are shared between the agricultural uses and the on-farm diversified use.***
- e) ***Buildings can occupy a maximum of 20% of the allowable area calculation. Where a building is proposed to accommodate for on-farm events, the maximum is 120 persons seated capacity or 20% of the allowable area calculation, whichever is less.***
- f) ***25% of the floor area of a building containing an agri-tourism or value added agricultural uses be used for retailing products grown/produced on the farm and goods produced on farms within a 50km radius.***
- g) ***Servicing (e.g. private and/or public water & sewage services) for the agri-tourism and value added agricultural uses must be located within the maximum 1 hectare area.***
- h) ***Buildings for agri-tourism uses & value added agricultural uses shall be clustered together with buildings for the principle agricultural use of the property.***
- i) ***MDS shall apply not apply to on-farm diversified uses and thus are encouraged to cluster with the on-farm dwelling.***

***Site Plan Control will apply to all agri-tourism on-farm diversified uses***

### **3.48 WELLHEAD PROTECTION AREAS**

***The following special provisions apply as required by the Maitland Valley Source Protection Plan:***

***Lands located within a wellhead protection area with a vulnerability score of 10 that are serviced by an on-site sewage system shall have a minimum lot size in accordance with Provincial Guideline D-5-4 and the County Terms of Reference for Nitrate Studies.***

***In Wellhead Protection Areas A to C where the vulnerability score is 8 or greater, the following is prohibited:***

- a. ***The disposal of industrial and commercial waste by means of a well; and***
- b. ***The establishment of a municipal waste disposal site greater than 10 hectares and with the potential of discharging vinyl chloride.***

## SECTION 4 GENERAL AGRICULTURE ZONE (AG1)

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

### 4.1 PERMITTED USES

- agricultural use, general
- conservation
- exploration, drilling for and production of oil and natural gas
- forestry uses, not including commercial forestry processing uses
- cannabis production facility ***subject to provisions of Section 3.46 and Section 4*** (as amended by By-law 98-2019)
- group home
- pit, wayside, required by road authority
- uses accessory to the permitted uses

### 4.2 ACCESSORY USES

- bed and breakfast establishment
- commercial greenhouse ***under 2 acres covered by greenhouse***
- farm produce sales outlet
- farm brewery/distiller/winery (as amended by By-law 98-2019)
- home industry
- home occupation
- one mobile home accessory to agricultural use
- one single detached residential dwelling or converted dwelling accessory to an agricultural use
- ***One Main Dwelling, Accessory to an agricultural use and Additional Residential Units(s) (total of 2) with one (1) within the main dwelling and/or one (1) within a detached structure***
- ***Residential Units for farm labour, accessory to agriculture***
- ***On-farm diversified uses subject to provisions of Section 3.47***

### 4.3 PERMITTED STRUCTURES

- buildings and structures ***for the permitted uses***, ~~not including residences, accessory to the permitted uses as per Section 3.3 (as amended by By-law 98-2019)~~
- ~~• one single detached residential dwelling, or converted dwelling accessory to an agricultural use~~
- ~~• one mobile home accessory to an agricultural use~~
- ~~• second unit in a single detached dwelling~~
- ***one detached main dwelling (which may take the form of a mobile home) which may contain an Additional Residential Unit and a maximum of one (1) detached Additional Residential Unit***
- ***one multi-unit residential building for farm labour including a rowhouse***
- more than one main agricultural building per lot is allowed
- other buildings and structures, ~~not including residences~~, accessory to the permitted uses

## 4.4 ZONE PROVISIONS

LOT AREA (minimum)-38 hectares and areas of the lot zoned "Natural Environment" may be included in the calculation of the lot area

LOT FRONTAGE (minimum)-150 metres

YARD REQUIREMENTS (minimum)-For buildings and structures used for livestock, poultry and fur bearing animal housing and waste storage, setbacks will be in accordance with the following provisions or MDS requirements (whichever is greater):

FRONT YARD DEPTH-60 metres

REAR YARD DEPTH-30 metres

INTERIOR SIDE YARD DEPTH-30 metres

EXTERIOR SIDE YARD DEPTH-60 metres

YARD REQUIREMENTS (minimum)-Other permitted buildings and structures, and accessory structures:

FRONT YARD DEPTH-17 metres from a municipal road or ~~25 metres from a County Highway~~

REAR YARD DEPTH-7.5 metres

INTERIOR SIDE YARD DEPTH-7.5 metres

EXTERIOR SIDE YARD DEPTH-17 metres from a municipal road or ~~25 metres from a County Highway~~

### **ADDITIONAL RESIDENTIAL UNIT IN ACCESSORY STRUCTURE**

- ***Permitted with a maximum separation of 60m measured from the main dwelling;***
- ***Must utilize the same laneway as the main dwelling;***
- ***Comply with setbacks as listed in 4.4;***
- ***Must comply with Minimum Distance Separation Formulae to livestock facilities on separately titled lots.***

## 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. ***New and expanding barns are not required to apply MDS to AG3 uses or On-Farm Diversified Uses.***

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, closed or inactive cemeteries located within a CF Zone shall be treated as a Type A land use.

## 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.

## **4.7 ~~NUTRIENT MANAGEMENT PLAN AND MANURE STORAGE REQUIREMENTS~~**

~~If required by provincial legislation, no livestock operation or manure storage facility shall be established or enlarged until a nutrient management plan is completed and all the manure storage requirements are complied with as required by Provincial Legislation / Regulation.~~

## **FARM LABOUR HOUSING**

*Where additional residential accommodation is demonstrated to be required by commercial scale farms, on-farm labour housing is permitted provided it:*

- *Be located such that the farm labour dwelling is a maximum distance of 60 metres of the main dwelling or if no main dwelling exists, a maximum distance of 60 metres from the largest building (e.g. Livestock barn, greenhouse, etc.);*
- *Utilizes the same laneway as the dwelling and/or barn;*
- *Complies with the setbacks as listed in 4.4; and*
- *Complies with the Minimum Distance Separation Formulae to livestock facilities on separately titled lots.*

*Farm labour housing is not considered an Additional Residential Unit for the purpose of this by-law.*

## **4.8 EXISTING AGRICULTURAL HOLDINGS with reduced lot area (less than 38 hectares) and/or reduced frontage (less than 150 metres)**

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, with or without 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. 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 NEW AGRICULTURAL HOLDINGS**

Where a new agricultural lot is created by severance and conforms to 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 pertains to both the severed and retained lot area.

## **4.10 CLEARING OF AREAS**

Clearing of areas is prohibited except as permitted in accordance with the County of Huron Forestry Conservation By-law No. 10-2006 or amendments thereto.

## **4.11 SPECIAL ZONE**

### **4.11.1 AG1-1:**

Notwithstanding the provisions of Section 4.1. to the contrary an existing put and take fishery is recognized as a permitted use.

#### **4.11.2 AG1-2**

Notwithstanding the provisions of Section 4.4. to the contrary, the minimum yard setbacks for buildings housing livestock, poultry or fur bearing animals shall be 30 metres. The minimum lot size of lands zoned AG1-5 shall be 4.0 hectares. ~~Notwithstanding Section 4, the total number of livestock permitted to be housed on the subject property shall not exceed 17 nutrient units.~~ All other provisions of this By-law shall continue to apply. (By-law 07-2000-East Wawanosh).

#### **4.11.3 AG1-3**

Notwithstanding the provisions of Section 4, on lands zoned AG1-3, one single detached residence and accessory buildings shall be permitted in the absence of a main viable agricultural use on the subject lands. The minimum lot area for lands zoned AG1-3 shall be 14 hectares and shall include lands zoned NE2. All other provisions of this By-law continue to apply. (By-law 15-2001-East Wawanosh)

#### **4.11.4 AG1-4**

Notwithstanding the provisions of Section 4, to the contrary, on lands zoned AG1-4, one single family residence and accessory buildings shall be permitted in the absence of a main viable agricultural use on the subject lands. The minimum lot area for lands zoned AG1-4 shall be 26.2 hectares and shall include lands zoned NE1. All other provisions of this By-law continue to apply. (By-law 41-2003-East Wawanosh)

#### **4.11.5 AG1-5**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned AG1-5, the existing barn shall be used for storage purposes only, and the lot area, existing yard and building setbacks are deemed to comply with the zoning by-law. (By-law 13-2006-East Wawanosh).

#### **4.11.6 AG1-6**

Notwithstanding Section 4.2 and 4.3 to the contrary, on lands zoned AG1-6 one single detached dwelling may be a permitted use and structure. The permitted dwelling shall not be required to be accessory to agriculture. The dwelling shall be located in the north east corner of lands zoned AG1-6 in proximity to existing residences on neighbouring properties. All other provisions of this by-law continue to apply. (By-law 66-2001-East Wawanosh).

#### **4.11.7 AG1-7**

~~Notwithstanding Section 4 of this By-law to the contrary, on lands zoned AG1-7, the existing livestock barn, which may house not more than 40 nutrient units shall be deemed non-intensive. A new barn shall comply with the provisions of Section 4.5 and the applicable Nutrient Management requirements. The agricultural use on lands zoned AG1-7 shall operate in accordance with a nutrient management plan and proper berming between the barn/barn yard to the satisfaction of North Huron and Maitland Valley Conservation Authority. All other provisions of this By-law continue to apply. (By-law 22-2002-East Wawanosh).~~

#### **4.11.8 AG1-8**

Notwithstanding the provisions of Section 4, to the contrary, in the area zoned AG1-8 one single detached dwelling, accessory buildings and a home industry shall be permitted in the absence of a main viable agricultural use. The single detached dwelling and all accessory buildings will meet the following minimum requirements:

- setback from the wetland boundary-65 metres
- setback from the eastern woodland edge-50 metres
- setback from the southern woodland boundary-15 metres

## Township of North Huron Zoning By-law

These setbacks shall be established by the Maitland Valley Conservation Authority. The minimum lot area for the subject lands shall be 36.5 hectares including areas zoned Natural Environment. All other provisions of this by-law continue to apply. (By-law 32-2004-East Wawanosh)

### **4.11.9 AG1-9**

Notwithstanding the home industry definition, the existing home industry on the lands zoned AG1-9 is deemed to comply with this By-law.

### **4.11.10 AG1-10**

Notwithstanding the provisions of Section 3.19, to the contrary, on lands zoned AG1-10, a residence, accessory buildings and structures, and existing buildings are permitted subject to access to an open public road by a right-of-way. On the lands zoned AG1-10, the lot frontage is deemed to comply with the requirements of the Zoning By-law. All other provisions of By-law 82-2008 continue to apply. (Amended by By-law 81-2009)

### **4.11.11 AG1-11**

Notwithstanding the provisions of Section 4, to the contrary, a single detached dwelling and accessory building(s) are permitted on the lands zoned AG1-11, subject to the provisions of the AG4 zone. All other provisions of By-law 82-2008 continue to apply. (Amended by By-law 20-2011)

### **4.11.12 AG1-12**

Notwithstanding the provisions of Section 4.1, 4.2, and 4.3, to the contrary, the area zoned AG1-12 may permit a school to service the surrounding horse-drawn community. For the purposes of calculating Minimum Distance Separation requirements, the school shall be treated as a Type A land use. There shall be no requirement for Minimum Distance Separation from the school to the existing barn on the property. (Amended by By-law 29-2019)

### **4.11.13 AG1-13**

Notwithstanding the provisions of Section 4.1., 4.2., and 4.3. of By-law 82-2008, to the contrary, the lands temporarily zoned AG1-13 to which this Temporary Use By-law applies may also be used for a temporary dwelling unit in addition to the existing main dwelling for the person(s) named in the agreement with the Township of North Huron, subject to the setback provisions of Section 4.4. The temporary dwelling unit must be either a mobile home or modular home, designed to be moveable, and will have a maximum floor area of 130 sq. metres (1400 sq. feet). The temporary dwelling will be clustered with the existing buildings. The temporary dwelling will not be entitled to a severance from the farm parcel. All other provisions of By-law 82-2008 continue to apply. (As amended by By-law 61-2020)

## **SECTION 5 RESTRICTED AGRICULTURE ZONE (AG2)**

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

### **5.1 PERMITTED USES**

- agricultural use, general, excluding new residential dwellings
- conservation
- exploration, drilling for and production of oil and natural gas
- forestry uses, not including commercial forestry processing uses
- pit, wayside, required by road authority
- uses accessory to the permitted uses

### **5.2 ACCESSORY USES**

- commercial greenhouse under 2 acres covered by greenhouse
- farm brewery/distillery/winery (as amended by By-law 98-2019)
- farm produce sales outlet
- wind energy facility, small-scale or solar energy production

### **5.3 PERMITTED STRUCTURES**

- buildings and structures for the permitted uses, not including a residence
- buildings and structures, not including residences, accessory to the permitted uses as per Section 3.3 (as amended by By-law 98-2019)
- more than one main agricultural building per lot is allowed

### **5.4 ZONE PROVISIONS**

The General Agriculture (AG1) Zone Provisions contained in Section 4.4. shall apply.

The following Sections apply to the AG2 zone:

Section:

4.5 Separation Distance (Agricultural)

4.6 Separation Distance (Residential)

4.7 Nutrient Management Plan and Manure Storage Requirements

4.8 Existing Agricultural Holdings

4.9 New Agricultural Holdings

4.10 Clearing of Areas

### **5.5 SPECIAL ZONES**

#### **5.5.1 AG2-1**

Notwithstanding the provisions of Section 5 to the contrary, on the lands zoned AG2-1, the existing barn and shed shall be used for storage purposes only, and the residence is permitted under the provisions of the AG1 Zone. All other provisions of By-law 82-2008 shall continue to apply.



## SECTION 6 AGRICULTURAL COMMERCIAL / INDUSTRIAL ZONE (AG3)

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

### 6.1 PERMITTED USES

- agricultural industrial establishment
- agricultural processing establishment
- agricultural service establishment
- agricultural supply establishment
- bulk sales establishment
- cannabis production facility ***subject to provisions of Section 6 and Section 3.46*** (as amended by By-law 98-2019)
- commercial greenhouse operation greater than 0.8 hectare covered by greenhouse
- licensed medical marihuana facility
- rural brewery/distillery/winery (as amended by By-law 98-2019)

### 6.2 PERMITTED STRUCTURES

- an accessory dwelling unit or a mobile home detached from or part of the non-residential structure
- ***farm labour housing***
- buildings and structures for the permitted uses
- buildings and structures accessory to the permitted uses as per Section 3.3. (as amended by By-law 98-2019)

### 6.3 ZONE PROVISIONS

LOT AREA (minimum)-4,000 square metres

FRONTAGE (minimum)-30 metres

FRONT YARD DEPTH (minimum) -20 metres from a municipal road or ~~25 metres from a County Highway~~

INTERIOR SIDE YARD DEPTH (minimum) -15 meters or 1/2 of the building height, whichever is greater

EXTERIOR SIDE YARD DEPTH (minimum) 20 metres from a municipal road or ~~25 metres from a County Highway~~

REAR YARD DEPTH-7.5 metres

LOT COVERAGE (maximum)-30 %

LIGHTING AND ILLUMINATING SIGNS shall be arranged so as to deflect light away from adjacent properties

### 6.4 REGULATIONS FOR ACCESSORY RESIDENTIAL USES

~~Minimum floor area per dwelling unit shall be in accordance with the following:~~

~~fully detached residence-84 square metres~~

~~a residence as part of the non-residential building or structure 70 square metres~~  
~~mobile home 50 square metres~~

## 6.5 MINIMUM DISTANCE SEPARATION

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. ***Minimum Distance Separation (I and II) does not apply to Agricultural Commercial Industrial (AG3) uses.***

## 6.6 BUFFER STRIP

Notwithstanding the General Provisions 'Planting Strip' Section, a buffer strip of landscaped open space, 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 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 is permitted on a public right-of-way.-

## 6.9 SPECIAL ZONES

### 6.9.1 AG3-1:

Notwithstanding the provisions of Section 6.2. to the contrary, an accessory dwelling shall not be permitted on the property zoned AG3-1.

### 6.9.2 AG3-2

Notwithstanding the provisions of Section 6.1 to the contrary, the main building may be used for the storage, distribution and servicing of household appliances and their parts. All other provisions of the By-law shall continue to apply

## SECTION 7 AGRICULTURAL SMALL HOLDING ZONE (AG4)

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

### 7.1 PERMITTED USES

- ~~• group home in a single detached dwelling~~
- one single detached residential dwelling
- uses accessory to the permitted uses

### 7.2 ACCESSORY USES

- agricultural use, limited
- bed and breakfast establishment
- dwelling, converted
- ***dwelling with supports***
- farm produce sales outlet
- home industry
- home occupation
- ~~• limited scale livestock use in accordance with Section 7.7~~
- ~~• second unit in a single detached dwelling~~
- ***one (1) additional residential unit within/attached to main dwelling or within an accessory building***
- ***ground-mounted solar facilities***
- uses accessory to the permitted uses

### 7.3 PERMITTED STRUCTURES

- one single detached dwelling, converted dwelling, or a mobile home on a solid masonry foundation wall
- buildings and structures for the permitted uses
- buildings and structures accessory to the permitted uses as per Section 3.3 (as amended by By-law 98-2019)
- ~~• barns in accordance with Section 7.7~~ ***barns in accordance with Section 7.4.1***
- ***Additional residential unit in a detached dwelling, within a detached accessory building not containing livestock, or a modular home dwelling or mobile home***

### 7.4 ZONE PROVISIONS

LOT AREA (minimum)-4,000 square metres

LOT AREA (maximum)-4 hectares

LOT FRONTAGE (minimum)-23 metres

FRONT YARD (minimum)-17 metres from a municipal road or ~~25 metres from a County Highway~~

INTERIOR SIDE YARD (minimum)-5 metres

EXTERIOR SIDE YARD (minimum) -17 metres from a municipal road or ~~25 metres from a County Highway~~

REAR YARD (minimum)-7.5 metres

LOT COVERAGE (maximum)-30 %

## **7.4.1 ACCESSORY STRUCTURES**

### **7.4.1.1 Accessory Building Containing Livestock**

***Notwithstanding the provisions of this by-law to the contrary, an accessory building containing livestock may be established subject to the following:***

***FRONT YARD (minimum)-17 metres from a municipal road or a County Highway***

***INTERIOR SIDE YARD (minimum)-10 metres***

***EXTERIOR SIDE YARD (minimum) -17 metres from a municipal road or a County Highway***

***REAR YARD (minimum)-10 metres***

***BUILDING HEIGHT (maximum) – 9 metres***

- ***Must be located in rear or interior side yard***
- ***Minimum Distance separation Formulae – where the yard setbacks as required by MDS are not the same as above, the larger of the two setbacks applies***

### **7.4.1.2 Accessory Structure Containing Additional Residential Unit**

- ***A single ARU is permitted within an accessory building;***
- ***The accessory building containing the ARU must be located a maximum distance of 60 metres measured from the main dwelling or the shared well;***
- ***Must utilize the same laneway as the main dwelling;***
- ***Comply with setbacks as listed in 7.4;***
- ***Must located in the rear or interior side yard;***
- ***Must comply with the Minimum Distance Separation Formulae to livestock facilities on separately titled lots***

### **7.4.1.3 Accessory Structure Not Containing Livestock or Additional Residential Unit**

***Accessory buildings not containing livestock or an ARU are required to meet the following interior side and rear yard minimum setbacks:***

- ***For buildings 10 square metres or less: 1 metre***
- ***For buildings greater than 10 square metres but less than 100 square metres: 3 metres***
- ***For buildings 100 square metres or greater: 5 metres***

## **7.5 BUILDING REGULATIONS**

**BUILDING HEIGHT (maximum)-12 metres**

**Existing Agricultural buildings-30 metres**

**~~DWELLING UNIT FLOOR AREA (minimum)-84 square metres~~**

## **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.**

## **~~7.7 ACCESSORY BARN~~**

~~Notwithstanding the provisions of Section 7.1 and 7.2 to the contrary, an accessory barn may be established or an existing barn may be used subject to the following table:~~

<b><del>Lot Size (hectares)</del></b>	<b><del>Maximum number of Livestock Units</del></b>	<b><del>Minimum separation distance from the barn to the nearest residential, commercial, institutional building or structure excluding uses within the same property</del></b>
<del>.4</del>	<del>1</del>	<del>85 metres</del>
<del>.8</del>	<del>2</del>	<del>85 metres</del>
<del>1.2</del>	<del>3</del>	<del>85 metres</del>
<del>1.6+</del>	<del>4</del>	<del>85 metres</del>

- ~~Any newly established structure to house animals must maintain the setbacks from an open municipal drain, sinkhole, municipal wells or natural watercourse as set out in General Provisions Section of this By-law.~~
- ~~and provided that all other provisions of this By-law are complied with.~~

## **7.8 SPECIAL ZONES**

### **7.8.1 AG4-1**

Notwithstanding the provisions of Section 7.1 to the contrary, the area zoned AG4-1 may include one single-wide mobile home. Notwithstanding the permitted structures identified in Section 7.2. a single-wide mobile home shall be a permitted structure on lands zoned AG4-1.

Notwithstanding the provisions of this by-law to the contrary, the existing old schoolhouse building may be located in the front yard of the proposed single-wide mobile home unit. All other accessory buildings shall conform to this by-law. All other provisions of this By-law continue to apply. (By-law 8-1995-East Wawanosh)

### **7.8.2 AG4-2**

Notwithstanding the provisions of Section 7.1. to the contrary, the area zoned AG4-2 may include one single-wide mobile home. Notwithstanding the permitted structures identified in Section 7.2. a single-wide mobile home shall be a permitted structure on lands zoned AG4-2. All other provisions of this By-law continue to apply. (By-law 22-1995-East Wawanosh)

### **7.8.3 AG4-3**

Notwithstanding the provisions of this By-law to the contrary, the following special provisions apply to lands zoned AG4-3:

**7.8.3.1**

Notwithstanding Section 7.1 and the home industry definition to the contrary, up to 605 sq. m. of the existing main building may be used for home industry purposes.

**7.8.3.2**

Notwithstanding the home industry definition on lands zoned AG4-3; mini-storage units shall be considered a home industry.

**7.8.3.3**

Notwithstanding the above, at all times, not less than 92 sq. m. of the existing main building must be used for single detached residential purposes.

**7.8.3.4**

Any home industry use may only be permitted provided the residential use exists. The accessory building provisions shall continue to apply to all existing and new accessory buildings on lands zoned AG4-3. Further, the storage of motorized vehicles, recreational vehicles, farm equipment and other similar vehicles and/or equipment may be permitted to the rear of the main building on the subject lands as an accessory home industry use. Such storage shall be of a temporary nature, shall not contravene Section 3.28.3 (Derelict Motor Vehicles) and shall satisfy the parking requirements of this Zoning By-law.

**7.8.3.5**

All other provisions of this By-law continue to apply. (By-law 05-2004-East Wawanosh).

**7.8.4 AG4-4**

The lands zoned AG4-9 were created by the approval of consent file B75/01 which required that the existing shed in the rear yard be relocated. Notwithstanding the provisions of Section 7 and Section 3.2, to the contrary, no buildings or structures shall be permitted to the rear of the existing residence on the lands zoned AG4-4 to ensure that a contingency tile bed area is available in accordance with the requirements of the Ontario Building Code and the Huron County Health Unit. All other provisions of this By-law continue to apply. (By-law 20-2002-East Wawanosh).

**7.8.5 AG4-5**

Notwithstanding the provisions of Section 7, to the contrary, lands zoned AG4-5 may be used for one mobile home, as an accessory residential use, in addition to the permanent residence. The mobile home will not be located closer to the neighbouring barn (to the northwest) than the existing residence on the subject parcel. The mobile home may be used as required by members of the family owning the lands zoned AG4-5 and shall be removed once no longer required for this purpose. All other provisions continue to apply. (By-law 54-2002-East Wawanosh).

**7.8.6 AG4-6**

The Special Zone AG4-6 is not applicable to lands within the Township of North Huron.

**7.8.7 AG4-7**

Notwithstanding the Definition of Home Industry (Section 2) to the contrary, on the lands zoned AG4-7, the sale and outdoor display of travel trailers and/or towable trailers, and the retail of travel trailer parts and components is permitted accessory to a travel trailer repair business. At any one time, a maximum of 10 travel trailers and/or towable trailers may be displayed for sale in the front yard on the south side of the existing driveway and an additional 10 travel or towable trailer units may be displayed for sale, repair, or storage behind a visual screen in the rear yard of the existing dwelling.

Notwithstanding the provisions of Section 7.4 to the contrary, on the lands zoned AG4-7, the minimum front yard setback for the outdoor display of travel or towable trailers is 3 metres.

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Notwithstanding the provisions of Section 7.4 to the contrary, on the lands zoned AG4-7, the buildings are deemed to comply with the Zone Regulations.

All other provisions of this By-law continue to apply.

### **7.8.8 AG4-8**

Notwithstanding the provisions of Section 7.4 to the contrary, on the lands zoned AG4-8, the minimum lot frontage is deemed to comply with the Zone Regulations.

### **7.8.9 AG4-9**

Notwithstanding provisions 7.4, 7.5, and 7.6 to the contrary, in the area zoned AG4-9 both the property and any legally established existing buildings are deemed to comply with the AG4 Zone provisions and the Minimum Distance Separation requirements of this By-law.

### **7.8.10 AG4-10**

Notwithstanding the provisions of Section 7.4 to the contrary, on the lands zoned AG4-10, a minimum setback of 20 metres is required from the existing NE2 Zone boundary (*By-law #79-2016*)

## **SECTION 8 VILLAGE COMMERCIAL ZONE (C1)**

All settlement areas except Wingham and Blyth

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except one or more of the following uses:

### **8.1 PERMITTED USES**

- agricultural service establishment
- agricultural supply establishment
- ambulance station
- art gallery
- artist, dance, exercise or photographic studio
- assembly hall, located to the rear or above a main commercial use
- auction sale facility excluding the sale of livestock
- bake shop
- bank or a financial institution
- bed and breakfast establishment
- bottle depot
- brewers retail outlet
- building supply and sales establishment
- bus depot
- business or professional office
- clinic
- commercial storage warehouse (rental units)
- convenience store
- dress making or tailor shop
- dwelling, converted
- dwellings existing on the date of passage of this By-law and their strengthening, repair renovation, enlargement or replacement subject to the provisions of the R21 Section
- dwelling unit secondary to a commercial use within the rear portion or upper stories of a commercial building
- eating establishment, restaurant
- eating establishment, drive-through restaurant
- eating establishment, take-out restaurant
- eating establishment, portable food outlet, in accordance with any municipal By-laws
- farm equipment sales, service and supply establishment
- farm produce sales outlet
- farmers market
- fire hall
- food store
- funeral home
- gasoline bar
- general store
- government office
- group home, in a single detached residence
- hardware store
- health club



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- home occupation in any permitted dwelling
- hotel
- landscaping and garden supply establishment
- liquor store
- mobile home and/or recreational vehicle sales and service establishment
- motor vehicle repair shop
- motor vehicle rust proofing
- motor vehicle sales and/or service establishment
- motor vehicle washing establishment
- motorized recreational vehicle sales and service establishment
- parking area, accessory
- parking lot
- personal service shop
- place of entertainment
- post office
- printing establishment
- private club
- public building
- public library
- park, public in accordance with the Open space (OS) Section
- retail store except those dealing with heavy machinery, fuels, factory equipment, building materials, new or used automobiles, boats, trailers, motorcycles or snowmobiles
- sports and recreation facility
- service and repair shop
- taxi stand
- tire sales establishment
- veterinarians' clinic
- wholesale or warehouse use accessory to any of the foregoing permitted uses
- Uses accessory to the permitted use

## 8.2 PERMITTED STRUCTURES

- buildings and structures for the permitted uses
- buildings and structures accessory to the permitted uses as per Section 3.3. (as amended by By-law 98-2019)

## 8.3 ZONE PROVISIONS

	<b><i>Partial Services (Public Water and Private Septic)</i></b>	<b><i>Private Services (Private Water and Private Septic)</i></b>
Lot Area (minimum)	1,650 square metres	1,850 square metres
Lot Frontage (minimum)	30 metres	30 metres
Lot Depth (minimum)	46 metres	46 metres
Front Yard Depth (minimum)	3 metres	3 metres

	<b><i>Partial Services (Public Water and Private Septic)</i></b>	<b><i>Private Services (Private Water and Private Septic)</i></b>
Interior Side Yard Depth (minimum)	3 metres	3 metres
Exterior Side Yard Depth (minimum)	3 metres	3 metres
Rear Yard Depth (minimum)	7.5 metres	7.5 metres
Lot Coverage (maximum)	40 %	40 %
Landscaped Open Space (minimum)	20 %	20 %

## **8.4 BUILDING REGULATIONS**

Building Height (maximum)-12 metres

## **8.5 BUILDING REGULATIONS FOR ACCESSORY RESIDENTIAL USE**

- Location: other than in basement or cellar.
- ~~Minimum dwelling unit area for dwelling units located within a commercial unit : 70 square metres~~
- Access to dwelling units from the adjacent street shall be provided for the exclusive use of the dwelling.
- Minimum depth within the building of the non-residential use shall be 7 metres

## **8.6 RE-ESTABLISHMENT OF A RESIDENTIAL USE**

Any building which has been used as a residence and subsequently converted to a commercial use may be returned to a residential use subject to the provisions of the R21 zone.

## **8.7 ESTABLISHMENT OF A NEW RESIDENTIAL USE IN A COMMERCIAL BUILDING**

Any existing commercial building which has been used for a commercial use may be converted to a new residential use subject to the provisions of the R2 zone.

## **8.8 SPECIAL PROVISIONS**

### **8.8.1 Outdoor Display and Storage Regulations**

The minimum setback from any front, side or rear lot line of any outside display or storage area in this zone shall be no less than 3 metres.

## **8.9 SPECIAL ZONES**

### **8.9.1 C1-1**

Notwithstanding the provisions of Sections 3 and 8, to the contrary, the subject property zoned C1-1 may contain two main buildings. Notwithstanding the permitted uses of Section 8.1 to the contrary, a contractor's or tradesman's shop or yard may be a permitted use on lands zoned C1-1. All other provisions of this By-law continue to apply. (By-law 19-1999, East Wawanosh)

### **8.9.2 C1-2**

The lands described as being Part Lots 155, 156, 157, 167, and 168, R.P. 291 and more specifically being of Lots 156, 157, and 167, R.P. 291 located south of the lands described on Huron County Highway Plan 1601 and the northerly 5.38 metres of Lots 155 and 168, R.P. 291 are hereby zoned C1-2. The rear yard and side yard setback provisions of Section 8 do not apply to the property boundary which is situated 14.4 metres easterly from and parallel to the easterly limit of James St. within Lots 155 and 156, R.P. 291. (By-law 24 2002, East Wawanosh)

### **8.9.3 C1-3**

Notwithstanding, and in addition to, the permitted uses of Section 8.1., on lands zoned C1-3 the fabrication and retail of steel roof shingles and accessory uses including the retail of associated building materials shall be permitted. Notwithstanding the zone regulations of Section 8.3., the setbacks established by the existing building shall be deemed the minimum requirements for lands zoned C1-3 where deficient from the provisions of Section 8.3. All other provisions of this By-law continue to apply. (By-law 14-1997, East Wawanosh)

### **8.9.4 C1-4**

Notwithstanding the permitted uses of 8.1 to the contrary, a “truck transport terminal” as defined in Section 2 may be permitted on lands zoned C1-4 including the dispatch, repair, inspection and parking of school buses as well as other ‘commercial motor vehicles’ as defined in the Highway Traffic Act. Further, a former special provision on the subject lands permitted a ‘contractors yard’ as defined in Section 2, which continues to be permitted on the lands zoned C1-4, notwithstanding Section 8.1 to the contrary. (By-law 52-2013, Hutton Heights)

## **SECTION 9 RADIO TELEVISION COMMERCIAL ZONE (C2)**

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

### **9.1 PERMITTED USES**

- uses in existence on the date of passage of this By-law;
- uses accessory to the permitted uses.

### **9.2 PERMITTED STRUCTURES**

- buildings and structures for the permitted uses.
- buildings and structures accessory to the permitted uses as per Section 3.3. (as amended by By-law 98-2019)

### **9.3 PROVISIONS**

LOT FRONTAGE (minimum)-60 metres

LOT AREA (minimum)-5000 square metres

LOT DEPTH (minimum)-90 metres

FRONT YARD DEPTH (minimum)-7.5 metres

INTERIOR SIDE YARD DEPTH (minimum)-3 metres except where the interior lot line abuts a Residential Zone the minimum interior side yard shall be: 7.5 metres

EXTERIOR SIDE YARD (minimum) -7.5 metres

REAR YARD DEPTH (minimum)-8 metres

LOT COVERAGE (maximum)-40%

LANDSCAPED OPEN SPACE (minimum)-20%

HEIGHT OF MAIN BUILDINGS (maximum)-11 metres

### **9.4 Parking, Accessory Buildings, Planting Strips, etc.**

In accordance with the provisions of the General Provisions Section.

### **9.5 SPECIAL ZONES**

## SECTION 10 HIGHWAY COMMERCIAL (C3)

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

### 10.1 PERMITTED USES

- agricultural service establishment
- agricultural supply establishment
- ambulance station
- artist, dance, exercise or photographic studio
- assembly hall, located to the rear or above a main commercial use
- auction sale facility excluding the sale of livestock
- bake shop
- bed and breakfast establishment
- bottle depot
- brewers retail outlet
- bus depot
- building supply and sales establishment
- business or professional office
- car wash
- commercial storage warehouse (rental units)
- convenience store
- dwelling, converted
- dwellings existing on the date of passage of this By-law and their strengthening, repair renovation, enlargement or replacement subject to the provisions of the R2 Section
- dwelling unit secondary to a commercial use within the rear portion **and/or** upper stories of a commercial building
- eating establishment, restaurant
- eating establishment, drive-through restaurant
- eating establishment, take-out restaurant
- eating establishment, portable food outlet, in accordance with any municipal By-laws
- farm equipment sales, service and supply establishment
- farm produce sales outlet
- farmers market
- fire hall
- funeral home
- gasoline bar
- greenhouse, commercial
- group home, in a single detached residence
- hardware store
- health club
- home occupation in any permitted dwelling
- hotel
- kennel
- landscaping and garden supply establishment
- laundromat
- liquor store

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- micro-brewery/distillery/winery (as amended by By-law 98-2019)
- miniature golf course
- motel
- mobile home and/or recreational vehicle sales and service establishment
- motor vehicle repair shop
- motor vehicle rust proofing
- motor vehicle body shop
- motor vehicle sales and/or service establishment
- motorized recreational vehicle sales and service establishment
- parking area, accessory
- parking lot
- place of entertainment
- police facility
- printing establishment
- private club
- public building
- park, public in accordance with the Urban Natural Environment and Open space (OS) Section
- research and development facility / laboratory
- sports and recreation facility
- service and repair shop
- tavern
- taxi stand
- tire sales establishment
- veterinarians' clinic
- wholesale or warehouse use accessory to any of the foregoing permitted uses
- Uses accessory to the permitted use

### **10.2 PERMITTED STRUCTURES**

- buildings and structures for the permitted uses.
- buildings and structures accessory to the permitted uses as per Section 3.3 (as amended by By-law 98-2019)

### **10.3 ZONE PROVISIONS**

LOT AREA (minimum)-1500 square metres

LOT FRONTAGE (minimum)-30 metres

LOT DEPTH (minimum)-45 metres

FRONT YARD DEPTH (minimum)-7.5 metres from a Municipal Road or 10 metres from a County or Provincial Highway

INTERIOR SIDE YARD DEPTH (minimum)-3 metres except where the interior lot line abuts a Residential Zone, the minimum interior side yard shall be: 7.5 metres

EXTERIOR SIDE YARD (minimum) -7.5 metres from a Municipal Road or 10 metres from a County or Provincial Highway

REAR YARD DEPTH (minimum)-7.5 metres

LOT COVERAGE (maximum)-40%

## **10.4 OUTDOOR STORAGE**

The outdoor storage of goods or materials shall be permitted only to the rear or side of the main building provided that:

- such outdoor storage is accessory to the use of the main building on the lot
- such outdoor storage shall be set back 3 metres from the side or rear lot line
- such outdoor storage does not cover more than 35% of the lot area nor exceed twice the ground floor area of the main building on the lot

## **10.5 OUTSIDE DISPLAY AREAS**

An outdoor display area shall be permitted in all yards provided:

- Such outdoor display area is for merchandise kept for sale on the premises
- Such outdoor display area is set back a minimum of 1 metre from any side or rear lot line; 3 metres from any front lot line; and 3 metres from any lot line which abuts a Residential zone
- Such outdoor display area does not cover more than 35% of the lot area
- Such outdoor display area is kept in a neat and attractive manner

## **10.6 PARKING, ACCESSORY BUILDINGS, PLANTING STRIPS, ETC.**

In accordance with the General Provisions Section.

## **10.7 RE-ESTABLISHMENT OF A RESIDENTIAL USE**

Any building which has been used as a residence and subsequently converted to a commercial use may be returned to a residential use subject to the provisions of the R2 Medium Density Residential zone.

## **10.8 ZONE PROVISIONS FOR EXISTING DWELLINGS & ACCESSORY DWELLING UNITS COMBINED WITH COMMERCIAL USE**

- An existing dwelling may be converted to create one or more additional dwelling units subject to the provisions of the R Zone of this By-law.
  - A group home may be established in an existing dwelling subject to the provisions of the R2 Zone.
  - Either a portion or all of an existing dwelling may be used for a permitted commercial use
  - Any portion of the existing dwelling which is retained as an accessory unit(s) or new dwelling unit(s) accessory to a commercial use shall be subject to the following:
    - any dwelling unit or units shall form part of the main building and shall be to the rear of the commercial use or on the second or higher floor of a commercial building
    - the minimum depth within the building of the non-residential use shall be 7 metres
    - the dwelling unit or units shall be completely self-contained and have separate and direct access to a yard or street
    - ~~-the minimum floor area of an accessory dwelling unit shall be as follows:~~
- ~~Bachelor Unit 37 square metres~~  
~~One Bedroom Unit 55 square metres~~  
~~Two Bedroom Unit 65 square metres~~

## **10.9 SPECIAL ZONES**

### **10.9.1 C3-1**

The lands zoned C3-1 shall comply with the Special Policy Area provisions of the General Provisions Section. Existing automobile service stations shall be considered non-conforming uses and shall be permitted to continue in accordance with the non-conforming provisions of Section 3. All other provisions of this By-law shall apply. (By-law 2295(1995), Wingham)

### **10.9.2 C3-2**

Notwithstanding the provisions of Section 10, the permitted uses for lands zoned C3-2 shall be those permitted on lands zoned C3-1 plus the contractors' yard, Type B presently situated on the subject lands. The lands zoned C3-2 shall comply with the Special Policy Area provisions of the General Provisions Section. All other provisions of this By-law shall apply. (By-law 2295(1995), Wingham)

### **10.9.3 C3-3**

Notwithstanding the provisions of Section 10, to the contrary, on lands zoned C3-3, the minimum front yard setback shall be 1.8 metres (6 feet). This shall permit the enlargement of the showroom of the existing building, and shall be measured from the edge of the existing 12.2 metre (40 feet) strip of land which is considered part of a Josephine Street road widening (40 ft. widening by Plan 421).

The lands zoned C3-3 shall comply with the Special Policy Area provisions of the General Provisions Section. All other provisions of this By-law continue to apply. (By-law 2295(1995), Wingham).

### **10.9.4 C3-4**

The lands zoned C3-4 shall comply with the Special Policy Area provisions of the General Provisions Section. A retail store may be permitted on lands zoned C3-4. A minimum of 30 parking spaces shall be provided and shall be deemed to conform to Section 3 for the use of the existing building.

All other provisions of this By-law shall apply. (By-law 53-2002, Wingham)

### **10.9.5 C3-5**

The lands zoned C3-5 shall comply with the Special Policy Area provisions of the General Provisions Section. A bank or financial institution may be permitted on lands zoned C3-5 in addition to the uses permitted by Section 10.1. Existing automobile service stations shall be considered non-conforming uses and shall be permitted to continue in accordance with the non-conforming provisions of Section 3. A department store may be permitted on the lands zoned C3-5, in addition to the uses permitted in Section 10. Notwithstanding any provisions of this by-law, to the contrary, the front lot line shall be the longer lot line that abuts the street, and the outdoor refuse storage shall be permitted in the exterior side yard. All other provisions of this By-law shall apply. (By-law 17-2005, Wingham) (By-law 53(2008), Wingham).

### **10.9.6 C3-6**

The C3-6 zone has been replaced by a C4 zone with special provision and is currently considered surplus to the needs of this By-law. It therefore does not apply to any lands in the Township of North Huron until such time as the bylaw may be amended. It has been reserved in this manner to maintain the ordered numbering within Section 10.9 and so that it may be used again in the future. (Amended by By-law 52-2012)



### **10.9.7 C3-7**

Notwithstanding and in addition to the provisions of Section 10.1. to the contrary, the area zoned C3-7 may be used for a truck transport terminal and repair establishment and enlargements to same, and one accessory detached single family residence on Lot 13 and on Lot 14; the re-establishment of these buildings in the event of destruction is permitted.

### **10.9.8 C3-8**

In addition to the uses permitted in Section 10.1 the area zoned C3-8 permits a church in the existing building. A detached residence currently exists on the property and is permitted. All other applicable provisions of Section 10 shall apply. (By-law 07-2000, Blyth).

### **10.9.9 C3-9**

Notwithstanding the provisions of Section 10.1 to the contrary, a transport truck terminal yard including the washing and maintenance of trucks, and accessory uses and buildings are also permitted uses on the lands zoned C3-9. All other provisions of this By-law apply. (as amended by By-law 98-2019)

### **10.9.10 C3-10**

#### **10.9.10.1**

Notwithstanding the provisions of Section 10, to the contrary, lands zoned C3-10 are part of the Special Policy Area of the Town of Wingham;

#### **10.9.10.2**

Notwithstanding the provisions of Section-10.1 to the contrary, on lands zoned C3-10 the following uses are not permitted: firehall, medical clinic, ambulance facility, police facility and municipal garage and works garage. All other uses of Section 10.1 are permitted;

#### **10.9.10.3**

No building permit or occupancy permit for an addition, enlargement or new building or structure shall be issued until such time as all appropriate approvals have been obtained. This shall include the approval of the Maitland Valley Conservation Authority where they have jurisdiction. Detailed provisions are included in the Official Plan and must be satisfied prior to the construction of additions or the enlargement of existing buildings or before a new building is constructed on the subject lands;

#### **10.9.10.4**

There shall be no storage of hazardous substances unless located within buildings that have been flood proofed to the Regulatory Flood Elevation. The exterior storage of hazardous substances shall not be permitted;

#### **10.9.10.5**

One automobile service station may be permitted on lands zoned C3-10;  
All other provisions of this by-law shall apply. (By-law 2500-2000, Wingham).

### **10.9.11 C3-11**

Notwithstanding the provisions to the contrary, on the lands zoned C3-11 the minimum lot frontage, lot depth, lot area and existing buildings are deemed to comply as per the Non-Complying Buildings and Structures section of the General Provisions. All other provisions of this By-law shall apply. (By-law 83-2015)

### **10.9.12 C3-12**

Notwithstanding the provisions of Section 10.1 to the contrary, a pharmacy is also a permitted use on the lands zoned C3-12. The lands zoned C3-12 will also continue to be subject to the provisions of the C3-1 zone in Section 10.9.1. All other provisions of this By-law shall apply. (By-law 65-2022)

## **SECTION 11 CORE COMMERCIAL-WINGHAM / BLYTH ZONE (C4)**

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with one or more of the following uses:

### **11.1 PERMITTED USES**

- art gallery
- artist, dance, exercise or photographic studio
- assembly hall, located to the rear or above a main commercial use
- bake shop
- bank or a financial institution
- bed and breakfast establishment
- brewers retail outlet
- bus depot
- business or professional office
- clinic
- convenience store
- dress making or tailor shop
- dry cleaning establishment
- dwelling, converted
- dwellings existing on the date of passage of this By-law and their strengthening, repair renovation, enlargement or replacement subject to the provisions of the R2 Section
- dwelling unit secondary to a commercial use within the rear portion **and/or** upper stories of a commercial building
- eating establishment, restaurant
- eating establishment, take-out restaurant
- farmers market
- food store
- general store
- government office
- hardware store
- health club
- home occupation in any permitted dwelling
- hotel
- laundromat
- liquor store
- micro-brewery/distillery/winery (as amended by By-law 98-2019)
- parking area, accessory
- parking lot in accordance with the parking provisions below
- personal service shop
- place of entertainment
- police facility
- post office
- printing establishment
- private club
- public building

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- park, public in accordance with the Urban Natural Environment and Open space (OS) Section
- retail store except those dealing with heavy machinery, fuels, factory equipment, building materials, new or used automobiles, boats, trailers, motorcycles or snowmobiles
- **sports and recreation facility**
- service and repair shop
- tavern
- taxi stand
- theatre (as amended by By-law 98-2019)
- u-brew
- video rental store
- Uses accessory to the permitted use

## 11.2 ZONE PROVISIONS

LOT AREA (minimum)-No minimum

LOT FRONTAGE (minimum)-No minimum

LOT DEPTH (minimum)-No minimum

FRONT YARD DEPTH (minimum)-No minimum

INTERIOR SIDE YARD DEPTH (minimum)-No minimum except where the interior lot line of a C4 use abuts a Residential Zone the minimum interior side yard shall be: 3 metres

EXTERIOR SIDE YARD DEPTH (minimum)-No minimum

REAR YARD DEPTH (minimum)-8 metres

LOT COVERAGE (maximum)-No maximum

LANDSCAPED OPEN SPACE (minimum)-No minimum

SET BACK FROM A LANE OR RIGHT OF WAY-No minimum

### 11.2.1 Height of Main Building

Minimum-7.6 metres which shall include 2 storeys when abutting at least one 2 storey or higher building.

Minimum-3.8 metres which shall include 1 storey when abutting a 1 storey building and not abutting a 2 storey building on either side.

Maximum-12 metres

Notwithstanding the above, the existing one storey buildings may re-establish to a minimum height of one storey, subject to site plan control requirements.

## 11.3 RE-ESTABLISHMENT OF A RESIDENTIAL USE

Any building which has been used as a residence and subsequently converted to a commercial use may be returned to a residential use subject to the provisions of the R2 zone.

## 11.4 EXISTING DWELLINGS

- An existing dwelling is permitted subject to the provisions of the R2 Zone of this By-law.
- An existing dwelling may be converted to create one or more additional dwelling units subject to the provisions of the R2 Zone of this By-law.

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- A group home may be established in an existing dwelling subject to the provisions of the R2 Zone.
- All or a portion of an existing dwelling may be used for a permitted commercial use subject to the provisions of the Section below. Any portion of the existing dwelling which is retained as an accessory unit shall be subject to the following:
  - the dwelling unit/s shall form part of the main building and shall be to the rear of the commercial use or on the second or higher floor of a commercial building
  - the dwelling unit/s shall be completely self-contained and have separate and direct access to a yard or street
  - ~~- the minimum floor area of an accessory dwelling unit shall be as follows:~~

~~Bachelor Unit 37 square metres~~

~~One Bedroom Unit 55 square metres~~

~~Two Bedroom Unit 65 square metres~~

~~Three Bedroom Unit 84 square metres~~

~~plus 9.3 square metres for every bedroom in excess of 3 (as amended by By-law 98-2019)~~

## **11.5 ACCESSORY DWELLING UNITS COMBINED WITH COMMERCIAL USE**

A building which is used for a Commercial use may also contain one or more dwelling units in combination with a permitted use provided:

- the dwelling unit/s shall form part of the main building and shall be to the rear of the commercial use or on the second or higher floor of a commercial building
- the minimum depth within the building of the non-residential use shall be 7 metres
- the dwelling unit shall be completely self-contained and have separate and direct access to a yard or street
- ~~• the minimum floor area of an accessory dwelling unit shall be as follows:~~

~~Bachelor Unit 37 square metres~~

~~One Bedroom Unit 55 square metres~~

~~Two Bedroom Unit 65 square metres~~

~~Three Bedroom Unit 84 square metres~~

~~plus 9.3 square metres for every bedroom in excess of 3 (as amended by By-law 98-2019)~~

### **11.5.1 Parking, Accessory Buildings, Planting Strips, Etc.**

In accordance with the provisions of the General Provisions Section.

### **11.5.2 CORE AREA PARKING**

Off-street parking areas shall be prohibited from occupying any street frontage in the Core Area Commercial (C4) Zone so as not to create a void in the built-up streetscape.

## **11.6 SPECIAL ZONES**

### **11.6.1 C4-1**

The lands zoned C4-1 shall comply with the Special Policy Area provisions of the General Provisions Section. Notwithstanding the provisions of Section 11 to the contrary, on lands zoned C4-1 the permitted uses include those noted in Section 11.1 but does not include any form of residential development, an automobile service station, or a public building. Dwelling units are prohibited and Section 11.2.4 does not apply. Existing automobile service stations shall be considered non-conforming uses and shall be permitted to continue in accordance with the provisions of Section 3 (Non-Conforming). All other provisions of this By-law continue to apply.

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(By-law 2332(1996) and 2295(1995), Wingham)

### **11.6.2 C4-2**

Notwithstanding the provisions of Section 11, the following additional use is permitted on lands zoned C4-2. A retirement home not exceeding accommodations for 14 residents shall be permitted. Such use shall satisfy all local and provincial requirements relating to retirement homes and shall be designed and constructed in accordance with the Ontario building Code. Notwithstanding the Parking provisions of Section 3, a written agreement with the neighbouring property owner will be required to provide for overnight parking to the satisfaction of the Township. All other provisions of this By-law continue to apply. (By-law 28-2004, Wingham).

### **11.6.3 C4-3**

Notwithstanding the provisions of Section 11.1, to the contrary, the sale of automobiles to a maximum of 5 at one time is also a permitted use on the lands zoned C4-3.

### **11.6.4 C4-4**

Notwithstanding the provisions of Section 11.1, to the contrary, the boarding of small animals is permitted as an accessory use to the pet supply store.

### **11.6.5 C4-5**

Notwithstanding and in addition to the provisions of Section 11.1 to the contrary, the area zoned C4-5 may be used for:

- Storage and sale of gas and diesel fuels
- Truck and car repair
- Construction vehicle repair shop
- Welding/Fabricating of metal
- Painting of equipment and cars
- Small equipment tool rental

The re-establishment of same in the event of accidental destruction is permitted.

### **11.6.6 C4-6**

Notwithstanding the provisions of Section 11 to the contrary, on the lands zoned C4-6, the existing lot, buildings and setbacks are deemed to comply with the provisions of the C4 zone. The existing lot is exempt from the requirements of Section 3.19 (Lots to Front on an Open Public Road) and access to the existing lot will continue to be by a registered right-of-way. All other provisions of this by-law continue to apply. (By-law 62-2007, Wingham)

### **11.6.7 C4-7**

#### **11.6.7.1**

Notwithstanding the provisions of Section 11.1 to the contrary, on the lands zoned C4-7, rental storage units, a Food Bank, and a non-commercial automotive repair establishment are permitted uses, in addition to those uses permitted in the C4 zone. The non-commercial automotive repair establishment shall be operated by an incorporated non-profit organization. The additional uses shall be located to the rear or above a main commercial use.

#### **11.6.7.2**

Notwithstanding the provisions of Section 3.20 and 11.2 to the contrary, more than one main building is permitted on the subject property and the existing buildings are deemed to comply with the setback provisions of the by-law. All other provisions of this by-law continue to apply. (By-law 65 (2008), Wingham)

**11.6.8 C4-8**

Notwithstanding the provisions of Section 11.2.1 to the contrary, on the lands zoned C4-8, the west interior side yard setback (min.) shall be a minimum of 1.22 metres. Notwithstanding the provisions of Section 3.2.4 to the contrary, the rear yard setback (min.) shall be a minimum of 0.53 metres for accessory buildings. Notwithstanding the provisions of Section 3.28.2 to the contrary, the planting strip requirement shall be reduced from 1.5 metres (4.92 ft.) to 1.22 metres (4 ft.) wide on the west interior side yard and 0.53 metres (1.74ft.) on the north rear yard. Notwithstanding the provisions of Section 3.26.1.4 to the contrary, two driveways shall be permitted within the first 30 metres of lot frontage. All other provisions of By-law 82-2008 continue to apply. (Amended by By-law 50-2010)

**11.6.9 C4-9**

Notwithstanding the provisions of Section 11.1 to the contrary, on the lands zoned C4-9 a church and its associated parking are also permitted uses. All other provisions of By-law 82-2008 shall apply. (Amended by By-law 52-2012)

**11.6.10 C4-10**

Notwithstanding the provisions of Section 11.1 and 11.2 to the contrary, on the lands zoned C4-10, an assembly hall is also permitted without a main commercial use and the minimum rear yard depth is deemed to comply with the Zone Regulations. (Amended by By-law 62-2015)

## **SECTION 12 FRINGE CORE AREA COMMERCIAL (C5)**

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with one or more of the following uses:

### **12.1 USES PERMITTED**

- antique sales facility
- art, dance or photograph office
- bed and breakfast establishment
- boutique
- business and professional offices
- converted dwellings
- craft and gift shop
- existing dwellings
- personal service shop
- single detached dwelling
- a fraternal lodge or association
- a public park
- residential dwelling unit to rear or on second floor

### **12.2 ZONE PROVISIONS**

LOT AREA (minimum)-600 square metres

LOT FRONTAGE (minimum)-20 metres

LOT DEPTH (minimum)-30 metres

FRONT YARD DEPTH (minimum)-6 metres

INTERIOR SIDE YARD DEPTH (minimum)-3 metres except where the interior lot line of a C5 use abuts a Residential Zone the minimum interior side yard shall be: 4.5 metres

EXTERIOR SIDE YARD DEPTH (minimum)-6 metres

REAR YARD DEPTH (minimum)-6 metres except where the rear lot line of a C5 use abuts a Residential Zone the minimum interior side yard shall be: 10 metres

LOT COVERAGE (maximum)-35%

LANDSCAPED OPEN SPACE (minimum)-20%

HEIGHT OF BUILDING (maximum)-12 metres

### **12.3 PARKING, ACCESSORY BUILDINGS, PLANTING STRIPS, ETC**

In accordance with the General Provisions Section.

### **12.4 EXISTING DWELLINGS, DWELLINGS COMBINED WITH COMMERCIAL USE**

The provisions of Sections 26.2.3 and 26.2.4(Low Density Residential) shall apply.

### **12.5 SINGLE DETACHED DWELLINGS**

The provisions of Section 26 shall apply.

## **12.6 SPECIAL ZONES**



## **SECTION 13 COMMUNITY FACILITY ZONE (CF)**

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

### **13.1 PERMITTED USES**

- ambulance station
- arena
- art or cultural facility
- art gallery
- assembly hall
- cemetery
- church
- clinic
- community centre
- day care facility
- day centre
- fair grounds
- fire hall
- government office
- garage, government, warehouse or storage yard
- health club
- hospice (as amended by By-law 98-2019)
- home for the aged
- hospital
- library
- municipal parking lot
- museum
- nursery school
- park, public
- police facility
- post office
- public utility
- race track
- school
- sewage treatment plant
- sports and recreation facility
- sports field, public
- swimming pool
- theatre
- utility service building
- water tower or reservoir
- water treatment plant
- accessory uses
- uses permitted in the OS Zone

## **13.2 PERMITTED STRUCTURES**

- buildings and structures for the permitted uses
- buildings and structures accessory to the permitted uses as per Section 3.3. (as amended by By-law 98-2019)

## **13.3 ZONE PROVISIONS**

LOT FRONTAGE (minimum)-20 metres

LOT AREA (minimum)-600 square metres

LOT DEPTH (minimum)-30 metres

LOT COVERAGE (maximum)-40%

FRONT YARD (minimum) - 7.5 metres in an urban settlement area; 20 metres from a municipal road or ~~25 metres from a County Highway~~ in a rural area

REAR YARD (minimum)-10 metres

INTERIOR SIDE YARD (minimum)-5 metres

EXTERIOR SIDE YARD (minimum) 7.5 metres in an urban settlement area; 20 metres from a municipal road or ~~25 metres from a County Highway~~ in a rural area

LANDSCAPED OPEN SPACE (minimum)-30%

HEIGHT OF BUILDING (maximum)-11 metres

### **13.3.1 Parking, Accessory Buildings, Planting Strips, etc.**

In accordance with the General Provisions Section.

## **13.4 SEPARATION DISTANCE**

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.

These provisions shall not apply in an urban designation.

## **13.5 SPECIAL ZONES**

### **13.5.1 CF-1**

Notwithstanding the provisions of Section 13.1 to the contrary, the area zoned CF-1 permits a public park which includes special event camping.

### **13.5.2 CF-2**

The Special Zone CF-2 is not applicable to lands within the Township of North Huron

### **13.5.3 CF-3**

Notwithstanding the provisions of Section 13.3 to the contrary, the lands zoned CF-3 are deemed to comply, with the exception of the Parking Provisions which continue to apply.

All other provisions of this by-law continue to apply. (By-law 61(2008), Wingham)

### **13.5.4 CF-4**

On land zoned CF-4, the permitted uses are a school, parking lot, playing fields, and accessory buildings, structures and uses.

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Notwithstanding the provisions of Section 3.26 to the contrary, parking areas shall be provided as follows:

- a redeveloped parking area containing a bus unloading area and not fewer than 70 parking spaces, which may be located in whole or in part on the abutting lands to the west of the CF-4 zone: and
- a parking area containing not fewer than 45 additional parking spaces, which shall be located within the CF-4 zone and/or on the abutting lands to the west of the CF-4 zone.

The lands zoned CF-1 located to the south in the municipality of Morris-Turnberry may be included in the lot area, coverage and setback requirements for the Township of North Huron Zoning By-law. All other applicable provisions of By-law 82-2008 shall apply. (Amended by By-law 48-2010)

### **13.5.5 CF-5**

Deleted by By-law 52-2012

### **13.5.6 CF-5**

Deleted by By-law No. 57-2019

## **SECTION 14 DISPOSAL ZONE (DS)**

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

### **14.1 PERMITTED USES**

- recycling centre
- waste disposal facility as approved by the Ministry of Environment, including a sewage treatment plant and landfill site
- uses accessory to the permitted uses

### **14.2 PERMITTED STRUCTURES**

- buildings and structures for the permitted uses
- buildings and structures accessory to the permitted uses, not including a dwelling unit

### **14.3 SPECIAL PROVISIONS**

#### **14.3.1 Other Regulations**

All permitted uses shall develop according to the applicable regulations of the Ontario Ministry of the Environment and/or Ministry of Health.

#### **14.3.2 Site Plan Control**

Subject to an agreement pursuant to site plan control, the Township may require the establishment of a fence or planting strip.

### **14.4 RESTRICTIONS IN AREAS ADJACENT TO NON-OPERATING DISPOSAL SITES**

Where technical controls for leachate or leachate and gas are required surrounding a fill area, no new building or structure may take place within 30 metres of its perimeter. This distance may be reduced to 20 metres in cases where only gas controls are necessary.

### **14.5 SPECIAL ZONE**

## **SECTION 15 EXTRACTIVE RESOURCE ZONE (ER1)**

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

### **15.1 PERMITTED USES**

- agricultural use, limited
- agricultural uses as they existed at the date of passage of this by-law and the expansion of existing agricultural buildings subject to the zone provisions of the AG1 Zone
- extractive use licensed under the *Oil, Gas and Salt Resources Act*
- mineral aggregate operation or any other operation licensed under the *Aggregate Resources Act*
- the processing of extracted materials from the site including crushing, screening, washing, sorting and storing of materials, and a portable asphalt plant, but not including a permanent asphalt/concrete/ready mix batching plant
- uses permitted in the NE1 Zone
- uses accessory to the permitted uses

### **15.2 PERMITTED STRUCTURES**

- buildings and structures for the permitted uses, including an office, service, storage, and maintenance building or structure
- other buildings and structures accessory to the permitted uses, but not including a dwelling unit

### **15.3 ZONE PROVISIONS**

LOT AREA-no minimum required

FRONT YARD DEPTH-25 metres

EXTERIOR SIDE YARD DEPTH-25 metres

INTERIOR SIDE YARD DEPTH-17 metres

REAR YARD DEPTH-17 metres

### **15.4 SPECIAL PROVISIONS**

#### **15.4.1 Rehabilitation**

The site shall be mined, managed and rehabilitated in accordance with the Regulations of the *Aggregate Resources Act* as amended, and a site plan as approved by the Ministry of Natural Resources.

#### **15.4.2 No Excavation Can Occur or be Expanded Within:**

Minimum set backs

15 metres of the boundary of the site

30 metres from any road limit

30 metres of land in use for residential purposes

30 metres of land designated as a settlement area

30 metres from the top of bank of any body of water or water course that is not the result of excavation below the water table

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Setbacks from the Natural Environment Zone shall be in accordance with the General Provisions Section (CONSERVATION AUTHORITY REGULATED LANDS AND ADJACENT LANDS) of this By-law.

### ***15.4.2.1 Exception to Setback from Boundary of Site***

Where 2 extractive operations abut and are operated at the same time thus permitting a more efficient use of the available aggregate, the setback of 15 metres from the boundary of the site may be waived conditional upon a signed agreement being registered against the deeds of both properties and upon Ministry of Natural Resources approval.

### ***15.4.2.2 Exception to Setback from Any Road Limit***

Where an extractive operation abuts a municipal road and a reduced setback would permit a more efficient use of aggregate, the setback from the road may be reduced conditional upon a signed agreement between the Township and the owner/licensee and upon Ministry of Natural Resources approval.

### **15.4.3 Future Uses Following Rehabilitation**

Following rehabilitation a General Agriculture (AG1) or Natural Environment (NE1 **or** NE2) use is permitted subject to the provisions of the respective zone.

### **15.4.4 Repair, Renovation, Expansion of Existing Buildings**

Where a residence, accessory storage structure or barn was erected prior to the date of passing of this By-law the said building or structure may be repaired, renovated or expanded in accordance with the provisions of the General Agriculture AG1 Zone

## **15.5 SPECIAL ZONES**

### **15.5.1 ER1-1**

Notwithstanding the provisions of Section 15.4 to the contrary, the area zoned ER1-1 may have a setback from a dwelling of 60 metres. (By-law 18-1996, East Wawanosh)

### **15.5.2 ER1-2**

Notwithstanding the provisions of Section 15.4 to the contrary, the area zoned ER1-2 shall permit extraction within four metres of any road limit. Further, along the rest of the East limit of the subject property, on lands zoned ER1-2, the setback for extraction shall be 0 metres. (By-law 3-1997, East Wawanosh)

## **SECTION 16 EXTRACTIVE INDUSTRIAL ZONE (ER2)**

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

### **16.1 PERMITTED USES**

- permanent asphalt/concrete/ready mix batching plant
- uses permitted in the ER1 zone
- uses accessory to the permitted uses

### **16.2 PERMITTED STRUCTURES**

- buildings and structures for the permitted uses
- buildings and structures accessory to the permitted uses, not including a dwelling unit

### **16.3 ZONE PROVISIONS**

LOT AREA (minimum)-no minimum

LOT COVERAGE-20 %

Minimum setbacks for buildings or structures for permanent asphalt/concrete/ready mix batching plant:

FRONT YARD-90 metres

EXTERIOR SIDE YARD-90 metres

INTERIOR SIDE YARD-17 metres

REAR YARD-17 metres

Setback from any off-site dwelling unit-300 metres

Minimum setbacks for other permitted structures including accessory:

FRONT YARD-25 metres

EXTERIOR SIDE YARD-25 metres

INTERIOR SIDE YARD-17 metres

REAR YARD-17 metres

### **16.4 SPECIAL PROVISIONS**

The special provisions of the ER1 Zone shall apply.

### **16.5 SPECIAL ZONES**

## **SECTION 17 FUTURE DEVELOPMENT ZONE (FD)**

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

### **17.1 PERMITTED USES**

- uses, buildings and structures lawfully in existence on the date of passing of this By-law
- agricultural use, limited
- park, public
- uses accessory to permitted uses, not including the establishment of new livestock buildings

### **17.2 PERMITTED STRUCTURES**

- buildings and structures existing on the date of passing of this By-law
- buildings and structures accessory to existing uses

### **17.3 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 (minimum)-10 metres

### **17.4 SPECIAL PROVISIONS**

Subdivision of land by consent or registered plan of subdivision will not be permitted in a Future Development Zone prior to rezoning to the appropriate zone.

Existing Residences

Existing residences will be allowed to expand, enlarge or re-establish provided that the provisions of the R1 or R2 zone are complied with and the number of dwelling units not increased.

### **17.5 SPECIAL ZONES**

#### **17.5.1 FD-1**

Notwithstanding the provisions of Section 17.1 to the contrary, in the area zoned FD-1, a greenhouse and market gardening operation with one accessory residence and storage buildings is permitted, in accordance with the provisions of Section 8. (By-law 18-1994, Blyth).



## **SECTION 18 FLOOD FRINGE ZONE (FF)**

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

### **18.1 PERMITTED USES**

- in accordance with the zones found within the flood fringe area

### **18.2 PERMITTED STRUCTURES**

- in accordance with the zones found within the flood fringe area

### **18.3 ZONE PROVISIONS**

The flood fringe is a second zone layered on top of underlying zone(s) and extends from the limit of the flood way (zoned FW) to the limit of the flood plain (zoned FF).

Zone provisions in the FF Zone are in accordance with the underlying zone(s) found within the flood fringe area.

In addition, 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 flood damage reduction measures determined in consultation with the Maitland Valley Conservation Authority.

### **18.4 SPECIAL ZONES**

## **SECTION 19 FLOODWAY ZONE (FW)**

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

### **19.1 PERMITTED USES**

- conservation
- forestry
- passive recreation
- uses accessory to the permitted uses

### **19.2 PERMITTED STRUCTURES**

- accessory structures for the maintenance of the permitted uses as well as trails and footpaths, including stiles, stairs, bridges and benches, subject to the approval of the Maitland Valley Conservation Authority
- structures for flood and/or erosion control prevention, subject to the approval of the Maitland Valley Conservation Authority

### **19.3 ZONE PROVISIONS**

New and expanding structures shall be established and constructed in accordance with the requirements of the Maitland Valley Conservation Authority, including flood damage reduction measures.

***Existing buildings, structures, and uses established prior to the date of passing of this By-law continue to be permitted.***

***Existing buildings and/or structures may be replaced in constructed in accordance with the requirements of the Maitland Valley Conservation Authority, including flood damage reduction measures. The replacement structure shall not be larger than the dimensions of the existing structure and shall not affect flood control, erosion or any other natural hazard consideration or have been destroyed as a result of flooding or erosion.***

The placing or removal of fill will be subject to the approval of the Maitland Valley Conservation Authority.

### **19.4 SPECIAL ZONES**

## **SECTION 20 LIGHT INDUSTRIAL ZONE (IND 1)**

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

### **20.1 PERMITTED USES**

- agricultural industrial establishment
- agricultural processing establishment not including dead stock removal
- agricultural service establishment
- agricultural supply establishment
- assembly, manufacturing, fabricating, packaging, printing, publishing plant or warehouse conducted and wholly contained within an enclosed building
- bottle depot
- cannabis production facility (as amended by By-law 98-2019)
- catering service or light equipment rentals
- commercial storage warehouse (rental units)
- communications facility
- contractor's yard
- dry cleaning establishment
- fire hall
- furniture refinishing, woodworking or upholstery shop
- indoor sports and recreational facility
- industrial mall
- laboratory or research facility
- licensed medical marihuana facility
- machine shop
- motor vehicle body shop
- motor vehicle repair shop
- municipal water tower or water reservoir
- parking lot
- public park in accordance with the Urban Natural Environment and Open space (OS) Section
- public works yard, garage, warehouse or storage yard
- recycling centre
- service industrial use
- textile plant
- warehouse
- wholesale outlet
- window and plate glass establishment
- accessory use subordinate to and located on the same lot as a permitted main use including an office, showroom, retail outlet, cafeteria, or a wholesale outlet

### **20.2 PERMITTED STRUCTURES**

- buildings or structures for the permitted uses
- buildings and structures accessory to the permitted uses as per Section 3.3. (as amended by By-law 98-2019)

## 20.3 ZONE PROVISIONS

	<b>Full Services (Municipal Water &amp; Sewer)</b>	<b>Partial / Private Services (Private Water &amp; Septic)</b>
Lot Frontage (minimum)	20 metres	25 metres
Lot Area (minimum)	450 square metres	1400 square metres
Lot Depth (minimum)	30 metres	30 metres
Lot Coverage (maximum)	50%	50%

FRONT YARD DEPTH (minimum)-15 metres abutting a County Road; 10 metres abutting a local municipal road

REAR YARD DEPTH (minimum)-7.5 metres, or 15 metres provided the rear yard line is the boundary line between an IND Zone and a Residential Zone

INTERIOR SIDE YARD DEPTH (minimum)-3 metres, or 10 metres provided the interior side lot line is the boundary line between an IND Zone and a Residential Zone

EXTERIOR SIDE YARD DEPTH (minimum)-15 metres abutting a County Road; 10 metres abutting a local municipal road

LANDSCAPED OPEN SPACE (minimum)-10%

HEIGHT OF BUILDING (maximum)-12 metres however, any portion of a building or structure erected above a height of 12 metres, must be set back from the front, side or rear lot lines, a further distance of 0.5 metres for each metre by which such building or structure is erected above a height of 12 metres, to a maximum of 30 metres.

## 20.4 SPECIAL PROVISIONS

### 20.4.1 Property Subject to Utility Right-of-Way or Easement

Where any industrial lot is subject to a utility right-of-way or easement, the building set-backs shall be in accordance with the applicable utility's requirements.

### 20.4.2 Outdoor Storage

The outdoor storage of goods or materials shall be permitted to the side or rear of the main building provided that:

- such outdoor storage is accessory to the use of the main building on the lot
- such open storage does not cover more than 75% of the lot area
- no storage will be permitted outside of a building on an industrial zoned lot in the front, side or rear yard abutting or across the street from a non-industrial zone unless enclosed, to a minimum height of 1.8m, by a fence, planting strip or decorative masonry wall, or has a site plan approved under the Planning Act for outdoor storage.

### 20.4.3 Showroom or Retail Sales

A maximum of 25% of the gross floor area of a permitted industrial building may be used for showroom or retail sale of products manufactured or assembled on the premises.

#### **20.4.4 Industrial Effluent and Waste**

No industrial effluent or waste shall be permitted which is unsuitable for the sewage treatment plant, unless it is permitted by special agreement with the Township. All waste shall be disposed of in a Ministry of the Environment approved facility.

#### **20.4.5 Gate House**

In an Industrial Zone, a gate house shall be permitted to the front or side of the main building, in accordance with the minimum front and side yard setbacks for the main building.

#### **20.4.6 Buildings per Lot**

More than one main building per lot is permitted.

#### **20.4.7 Parking, Accessory Buildings, Planting Strips, Etc.**

In accordance with the General Provisions Section.

### **20.5 SPECIAL ZONES**

#### **20.5.1 IND1-1**

Notwithstanding the provisions of this By-law to the contrary, the following special provisions apply to lands zoned IND1-1:

Notwithstanding 20.1 to the contrary, lands zoned IND1-1 may also be used for a truck transport terminal and accessory uses including: truck repair, truck wash and office uses.

Notwithstanding any of the permitted uses or provisions of this By-law, livestock and livestock wastes, including manure shall not be permitted on site.

Notwithstanding Section 20.3 to the contrary, the rear yard setback for parking and storage purposes only may be reduced to 5 metres from lands zoned Residential. All other uses shall continue to satisfy the required setback of 15 metres. Access driveways shall be permitted within the 3 metre interior side yard setback. All areas of the property shall be of a surface or ground cover approved by the Municipality through the site plan control process.

All other provisions of this By-law continue to apply. (By-law 22-2005, Wingham).

## **SECTION 21 GENERAL INDUSTRIAL ZONE (IND 2)**

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

### **21.1 PERMITTED USES**

- any use permitted in an IND 1 Zone
- cartage, express or truck transport terminal or yard
- dairy
- feed or flour mill
- fuel storage tank or supply yard
- grain elevator
- lumber yard
- planing or saw mill
- plant, ready mix
- radio or television tower
- foundry for casting of metals

### **21.2 PERMITTED STRUCTURES**

- buildings or structures for the permitted uses
- buildings and structures accessory to the permitted uses as per Section 3.3. (as amended by By-law 98-2019)

### **21.3 ZONE PROVISIONS**

In accordance with Sections 20.3 and 20.4 plus the following:

Notwithstanding the lot coverage provision of Section 20.3 to the contrary, the maximum lot coverage shall be 70%.

### **21.4 SPECIAL ZONES**

## **SECTION 22 NATURAL ENVIRONMENT ZONE – FULL PROTECTION ZONE (NE1)**

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

### **22.1 PERMITTED USES**

- agricultural uses as existed on the date of passing of this zoning by-law
- forestry
- conservation
- natural environment
- passive recreation
- uses accessory to the permitted uses

### **22.2 PERMITTED STRUCTURES**

- buildings and structures existing on the date of the passing of this By-law
- accessory buildings and structures for the maintenance of the permitted uses as well as trails and footpaths, such as stiles, stairways, bridges and benches subject to the approval of the Maitland Valley Conservation Authority
- buildings and structures necessary for flood and/or erosion control prevention subject to the approval of the Maitland Valley Conservation Authority

### **22.3 ZONE PROVISIONS**

#### **Existing Buildings and Structures**

- The minimum front, rear, side yards, existing on the date of passing of this By-law shall constitute the minimum
- The maximum lot coverage and height of buildings and structures existing on the date of passing of this By-law shall constitute the maximum requirements.

#### **New and Expanding Buildings and Structures**

- The minimum front, rear and side yards of new and expanding buildings and structures will be established and constructed in accordance with the requirements of the relevant approval authority and required studies. The Conservation Authority may recommend that the Township require an Environmental Impact Study be completed.
- New buildings and structures are subject to Site Plan Control.

### **22.4 SPECIAL PROVISIONS**

#### **22.4.1 The Placement or Removal of Fill**

The placement or removal of fill or the alteration of water courses is permitted only for the maintenance of the permitted uses and in accordance with the applicable regulations of the Maitland Valley Conservation Authority

#### **22.4.2 Clearing of Areas**

Clearing of areas is prohibited except as permitted in accordance with the County of Huron Forestry Conservation By-law No. 10-2006 or amendments thereto.

### **22.4.3 Drainage**

Drainage is prohibited, other than for a direct agricultural drainage outlet, drainage required for permitted structures, and drains constructed in accordance with the Drainage Act and the Tile Drainage Act, as amended from time to time.

## **22.5 SPECIAL ZONES**



## **SECTION 23 NATURAL ENVIRONMENT —~~LIMITED~~ ~~PROTECTION~~ ZONE (NE2)**

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

### **23.1 PERMITTED USES**

- all NE1 permitted uses
- dwelling unit in existence at the date of passage of this By-law subject to the provisions of the AG4 zone and the re-establishment of a dwelling unit in existence at the date of passage
- passive recreation
- a park, public
- maple syrup production
- uses accessory to the permitted uses

### **23.2 ACCESSORY USES to an existing residence**

- home industrial use
- home occupation use

### **23.3 PERMITTED STRUCTURES**

- buildings and structures existing on the date of the passing of this By-law
- buildings and structures accessory to an existing residence may be subject to the consent of the Maitland Valley Conservation Authority
- buildings and structures accessory to the permitted uses including trails and footpaths, such as stiles, stairways, bridges and benches may be subject to the consent of the Maitland Valley Conservation Authority
- buildings and structures necessary for flood and/or erosion control prevention may be subject to the consent of the Maitland Valley Conservation Authority
- a class 1 sewage disposal facility as approved by the appropriate authority
- a maple syrup evaporating facility

### **23.4 ZONE PROVISIONS**

#### **Existing Buildings and Structures**

- The minimum front, rear, side yards, existing on the date of passing of this By-law shall constitute the minimum
- The maximum lot coverage and height of buildings and structures existing on the date of passing of this By-law shall constitute the maximum requirements.

#### **New and Expanding Buildings and Structures**

- The minimum front, rear and side yards of new and expanding buildings and structures will be established and constructed in accordance with the requirements of the relevant approval authority and required studies. The Conservation Authority may recommend that the Township require an Environmental Impact Study be completed.

## **23.5 SPECIAL PROVISIONS**

### **23.5.1 The Placement or Removal of Fill**

The placement or removal of fill or the alteration of water courses for the permitted uses and structures of the Natural Environment-Limited Protection (NE2) zone is permitted in accordance with the Natural Environment-Limited Protection policies of the Township of North Huron Official Plan, as amended, and the applicable regulations of the Maitland Valley Conservation Authority, or the appropriate authority.

### **23.5.2 Clearing of Areas**

Clearing of areas is prohibited except as permitted in accordance with the County of Huron Forestry Conservation By-law No. 10-2006 or amendments thereto

### **23.5.3 Drainage**

Drainage is prohibited, other than for direct agricultural drainage outlet, drainage required for permitted structures, and drains constructed in accordance with the Drainage Act and the Tile Drainage Act.

## **23.6 SPECIAL ZONES**

### **23.6.1 NE2-1**

Notwithstanding the provisions of Section 23 to the contrary, the area zoned NE2-1 shall permit one single family residential unit. The minimum lot area shall be 16 hectares and shall include those portions of the subject property zoned NE2 (Natural Environment Zone) and AG1 (General Agriculture). Notwithstanding the provisions of Section 3.32 to the contrary, no building or structure shall be erected closer than 16.4 meters from top-of-bank of the Maitland River. (By-law 17-1996)

### **23.6.2 NE2-2**

Notwithstanding the permitted uses of 23.1 and 23.3 to the contrary, a "single detached dwelling" may be permitted on lands zoned NE2-2 provided that the approval of the Maitland Valley Conservation Authority is obtained in the form of a development permit and that a permit for a suitable septic system has been provided by the appropriate authority (which is the Huron County Health Unit at the time this by-law is passed). No basement for the dwelling shall be permitted. (Amended by By-law 22-2014)

### **23.6.3 NE2-3**

Notwithstanding the provisions of Section 23.1 to the contrary, the area zoned NE2-3 may include an existing public campground.

### **23.6.4 NE2-4**

Notwithstanding the provisions of Section 23.1 to the contrary, the area zoned NE2-4 may include existing tanks for the purpose of a fish hatchery and fish production. Notwithstanding the provisions of Sections 23.1, 23.3, and 23.4 to the contrary, a single detached dwelling may be permitted on lands zoned NE2-4.

### **23.6.5 NE2-5**

Notwithstanding the provisions of Section 23.1, 23.2, and 23.3 to the contrary, the area zoned NE2-5 is permitted to be used for a 223 square metre bank barn and barn yard. The area of the NE2-5 zone is to be fenced in order to protect the adjacent natural environment areas from disturbance by livestock. (As amended by By-law No. 60-2020)

## **SECTION 24 NATURAL ENVIRONMENT – DEVELOPMENT PERMITTED ZONE (NE3)**

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

### **24.1 PERMITTED USES**

- all NE2 permitted uses
- home occupation use
- one single detached dwelling
- uses accessory to the permitted uses

### **24.2 PERMITTED STRUCTURES**

- buildings and structures existing on the date of the passing of this By-law
- buildings and structures for the permitted uses
- buildings and structures accessory to the permitted uses as per Section 3.3. (as amended by By-law 98-2019)
- buildings and structures permitted in the NE2 Zone

### **24.3 ZONE PROVISIONS**

The Agricultural Small Holding AG4 Zone Provisions shall apply.

#### **Existing Buildings and Structures**

- The minimum front, rear, side yards, existing on the date of passing of this By-law shall constitute the minimum requirements
- The maximum lot coverage and height of buildings and structures existing on the date of passing of this By-law shall constitute the maximum requirements.

#### **New and Expanding Buildings and Structures**

- The minimum front, rear and side yards of new and expanding buildings and structures will be established and constructed in accordance with the requirements of the relevant approval authority and required studies. The Conservation Authority may recommend that the Township require an Environmental Impact Study be completed.

### **24.4 RESIDENTIAL SEPARATION DISTANCE**

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.

### **24.5 SPECIAL PROVISIONS**

#### **24.5.1 Permitted Structures Establishment**

Permitted structures and uses shall only be established in accordance with the applicable regulations of the Maitland Valley Conservation Authority

#### **24.5.2 Clearing of Areas**

Clearing of areas is prohibited except as permitted in accordance with the County of Huron Forestry Conservation By-law No. 10-2006 or amendments thereto

### **24.5.3 Drainage**

Drainage is prohibited, other than for direct agricultural drainage outlet, drainage required for permitted structures, and drains constructed in accordance with the Drainage Act and the Tile Drainage Act.

## **24.6 SPECIAL ZONES**

## **SECTION 25 URBAN NATURAL ENVIRONMENT AND OPEN SPACE ZONE (OS)**

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

### **25.1 PERMITTED USES**

- conservation
- forestry use
- park, public
- park, private
- passive recreation
- lawn bowling club
- tennis court
- sports field
- uses accessory to the permitted uses

### **25.2 PERMITTED STRUCTURES**

- buildings and structures existing on the date of the passing of this By-law
- buildings and structures accessory to the permitted uses subject to the consent of the Maitland Valley Conservation Authority or the appropriate authority
- buildings and structures necessary for flood and/or erosion control prevention subject to the consent of the Maitland Valley Conservation Authority or appropriate authority
- a class 1 sewage disposal facility as per the Ontario Building Code

### **25.3 ZONE PROVISIONS**

LOT FRONTAGE (minimum)-no minimum

LOT AREA (minimum)-no minimum

LOT DEPTH (minimum)-no minimum

LOT COVERAGE (maximum)-20%

FRONT YARD DEPTH (minimum)-6 metres from a Municipal Road or 10 metres from a County Highway

REAR YARD DEPTH (minimum)-8 metres

INTERIOR SIDE YARD DEPTH (minimum)-7.5 metres

EXTERIOR SIDE YARD DEPTH (minimum)-6 metres from a Municipal Road or 10 metres from a County Highway

HEIGHT OF BUILDING (maximum)-11 metres

#### **25.3.1 Parking, Accessory Buildings, Planting Strips, Etc.**

In accordance with the General Provisions Section.

## **25.4 SPECIAL ZONES**

### **25.4.1 OS-1**

Notwithstanding and in addition to the provisions of Section 25 to the contrary, the area zoned as OS-1 may be used for an existing residence and accessory uses. The right to reconstruct these structures to a similar proportion if destroyed is recognized. Any alteration of an existing building must be in accordance with the fill and construction regulations through approval of the Maitland Valley Conservation Authority.

### **25.4.2 OS-2**

Notwithstanding the provisions of Section 25 to the contrary, the area zoned OS1-2 includes as a permitted use, an existing commercial structure and accessory buildings to the existing commercial use. The right to reconstruct these structures to a similar proportion if destroyed is recognized. Any alteration of an existing building must be in accordance with the fill and construction regulations through approval of the Maitland Valley Conservation Authority.

### **25.4.3 OS-3**

Notwithstanding the provisions of Section 25, to the contrary, the OS-3 zone recognizes a campground as it existed on the date of passing of this Zoning By-law.

### **25.4.4 OS-4**

Notwithstanding the provisions of Section 25 to the contrary, the lands zoned OS-4, on Part of Gore Lot may be used for an existing single family residence and established accessory bed & breakfast operation.

### **25.4.5 OS-X**

#### **25.4.5.1**

Notwithstanding the provisions of Section 25.1 to the contrary, the following additional uses shall be permitted on lands zoned OS-X:

- Stormwater Management Facilities
- Public Uses
- Public Utilities
- Trails

#### **25.4.5.2**

The provisions of Section 25.3 shall not apply to Stormwater Management Facilities on lands zoned OS-X."

#### **25.4.5.3**

Hazard lands may be zoned OS1-x. All hazards are subject to Section 3.12 (Hazard Land Requirements) of this Bylaw. (Amended by By-law 63-2014)

## SECTION 26 RESIDENTIAL LOW DENSITY ZONE (R1)

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

### 26.1 PERMITTED USES

- single detached dwelling
- semi-detached dwelling **with full services**
- duplex dwelling **with full services**
- **triplex dwelling with full services subject to Section 27.6**
- **quadraplex dwelling with full services dwelling subject to Section 27.6**
- **dwelling with supports with full services**
- **converted dwelling with full services subject to Section 27.9**
- **rowhouse dwelling with full services (maximum of 4 units)**
- ~~group home in a single detached dwelling~~
- ~~hospice (as amended by By-law 98-2019)~~

### 26.2 ACCESSORY USES

- bed and breakfast in a single detached or semi-detached dwelling **with full services**
- home occupation
- ~~second unit in a single detached dwelling, semi-detached dwelling, or accessory structure thereto~~
- **Additional Residential Unit(s) subject to Section 26.12**
- uses accessory to the permitted uses

### 26.3 PERMITTED STRUCTURES

- buildings and structures for the permitted uses
- buildings and structures accessory to the permitted uses as per Section 3.3. (as amended by By-law 98-2019)
- **mobile home for purposes of Additional Residential Unit**

### 26.4 ZONE PROVISIONS FOR SINGLE DETACHED DWELLING, CONVERTED DWELLING & DWELLING WITH SUPPORTS

	Full Services (Public Water and Public Sewer)	Partial Services (Public Water and Private Septic)	Private Services (Private Water and Private Septic)
Interior Lot Area (minimum)	450 square metres	<del>1,650 square metres</del>	<del>1,850 square metres</del>
Corner Lot Area (minimum)	540 square metres	<b>2,000 square metres</b>	<b>2,000 square metres</b>
Interior lot frontage (minimum)	15 metres	23 metres	23 metres
Corner Lot Frontage (minimum)	18 metres	23 metres	23 metres
Lot Depth (minimum)	<del>30 metres</del> <b>N/A</b>	46 metres	46 metres

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	<b>Full Services (Public Water and Public Sewer)</b>	<b>Partial Services (Public Water and Private Septic)</b>	<b>Private Services (Private Water and Private Septic)</b>
Front Yard Depth (minimum)	6 metres from a Municipal Road or 10 metres from County Highway	6 metres from a Municipal Road or 10 metres from County Highway	6 metres from a Municipal Road or 10 metres from County Highway
Interior Side Yard Depth (minimum)	<del>1.5 metres on one side and 3 metres on the other side*; OR 1.5 metres on both sides when there is a garage or carport attached to the main building*;</del>  *Provided that the minimum distance to any abutting residence (including attached garages) is a minimum of 3 metres	1.5 metres on one side and 3 metres on the other side*; OR <b>1.5 metres where the lot is a corner lot;</b> <b>OR</b> 1.5 metres on both sides when there is a garage or carport attached to the main building  *Provided that the minimum distance to any abutting residence (including attached garages) is a minimum of 3 metres	1.5 metres on one side and 3 metres on the other side*; OR <b>1.5 metres where the lot is a corner lot;</b> <b>OR</b> 1.5 metres on both sides when there is a garage carport attached to the main building*;  *Provided that the minimum distance to any abutting residence (including attached garages) is a minimum of 3 metres
Exterior Side Yard (minimum)	6 metres from a Municipal Road or 10 metres from County Highway	6 metres from a Municipal Road or 10 metres from County Highway	6 metres from a Municipal Road or 10 metres from County Highway
Rear Yard Depth (minimum)	8 metres	8 metres	8 metres
Lot Coverage (maximum)	<del>35 %</del> <b>Where lot frontage is 15 m or less, maximum lot coverage is: 40%</b>  <b>Where lot frontage is greater than 15 metres, lot coverage is 35%</b>	35 %	35 %
Landscaped Open Space (minimum)	30 %	30 %	30 %
Main Building Height (maximum)	11 metres	11 metres	11 metres



## ~~26.5 BUILDING REGULATIONS FOR SINGLE DETACHED~~

~~Main Building Height (maximum)-11 metres~~

~~Total Ground Floor Area (minimum):~~

~~One Storey-84 sq. metres~~

~~1 ½ storey or more-55 sq. metres~~

## 26.6 SEMI-DETACHED AND DUPLEX DWELLINGS ZONE PROVISIONS (Full Service Areas)

	Semi-Detached	Duplex
Interior Lot Area (minimum)	270 square metres per unit	540 square metres
Corner Lot Area (minimum)	360 square metres per unit	720 square metres
Interior Lot frontage (minimum)	10 metres per unit	18 metres
Corner Lot Frontage (minimum)	12 metres per unit	19.5 metres
Lot Depth (minimum)	30 metres	30 metres
Front Yard Depth (minimum)	6 metres from a Municipal Road or County Highway	6 metres from a Municipal Road or County Highway
Interior Side Yard Depth (minimum)	3 metres	3 metres on one side, 1.5 metres on the other side
Attached side	0 metres <b>1.5 metres</b>	<b>1.5 metres</b>
Exterior Side Yard (minimum)	6 metres from a Municipal Road or County Highway	6 metres from a Municipal Road or County Highway
Rear Yard Depth (minimum)	8 metres	8 metres
Lot Coverage (maximum)	40 %	40 %
Landscaped Open Space (minimum)	30%	30%
Main Building Height (maximum)	11 metres	11 metres

## ~~26.7 DUPLEX DWELLINGS - BUILDING REGULATIONS~~

~~Main Building Height (maximum)-11 metres~~

~~Total Floor Area per dwelling unit (minimum)-84 sq. metres~~

## 26.8 SEMI-DETACHED DWELLINGS - BUILDING REGULATIONS (as amended by By-law 98-2019)

~~Main Building Height (maximum)-11 metres~~

~~Total Ground Floor Area per dwelling unit (minimum)~~

~~84 sq. metres (if one-storey)~~

~~55 sq. metres (if multi-storey)~~

## 26.9 TITLE SEPARATION OF ATTACHED DWELLINGS

Semi-detached dwellings may be separated to give distinct ownership to each dwelling unit by lot lines in line with the party wall, providing both units continue to comply with the requirements of this

By-law except that the side yard along the party wall shall be 0 metres. Each unit must have a minimum of 10 metres frontage ***for interior lots and a minimum of 13 metres frontage for corner lots*** on a street and the required parking on the parcel containing the unit.

## **26.10 PARKING REGULATIONS**

Refer to GENERAL PROVISIONS Section 3.3.

## **26.11 ACCESSORY BUILDINGS AND STRUCTURES REGULATIONS**

Refer to GENERAL PROVISIONS Section 3.26.

## **26.12 ADDITIONAL RESIDENTIAL UNITS (ARU)**

### **26.12.1 Additional Residential Units on Full Services (Public Water and Public Sewer)**

***The following provisions apply:***

***26.12.1.1. A maximum of two (2) additional residential units shall be permitted per fully serviced lot with the ARUs either being located:***

- ***Both within or attached to the main dwelling or***
- ***One (1) within or attached to the main dwelling and one (1) within a detached accessory structure.***
- ***A maximum of one (1) ARU is permitted in a single, detached accessory building.***

***26.12.1.2. One (1) on-site parking space shall be required per ARU in addition to standard residential parking space requirements of this By-law.***

***26.12.1.3. Where a single detached dwelling unit, semi-detached dwelling unit, or rowhouse dwelling unit contains an additional residential unit, a home occupation is permitted in the additional residential unit.***

***26.12.1.4. Where an additional residential unit is contained within an accessory building, notwithstanding the provisions to the contrary, the following applies:***

- ***Must be located in the rear or interior side yard;***
- ***Rear Yard (minimum): 3 metres***
- ***Interior Side Yard (minimum): 3 metres***
- ***Building Height (maximum): 6 metres***
- ***Building size (maximum): no greater than 75% of the gross area of the main floor of the dwelling including attached garages provided the total buildings do not exceed the maximum lot coverage.***

### **26.12.2 Additional Residential Units on Partial or Private Services**

***The following provisions apply:***

***26.12.2.1. Where the property is 2 acres in size or larger, a single ARU is permitted either within the main dwelling or in an accessory building provided:***

- ***It utilizes the same laneway as the main dwelling***
- ***One (1) on-site parking space shall be required per ARU in addition to standard residential parking space requirements of this By-law***

***Where a property is less than 2 acres, an ARU may be permitted subject to re-zoning with a supportive hydrogeological nitrate study, completed in accordance with Provincial Guideline D-5-4 and the County Terms of Reference for Nitrate Studies.***

***26.12.2.2. Where an additional residential unit is contained within an accessory building, notwithstanding the provisions to the contrary, the following applies:***

- Must be located in the rear or interior side yard;***
- Rear Yard (minimum): 3 metres***
- Interior Side Yard (minimum): 3 metres***
- Building Height (maximum): 6 metres***
- Building size (maximum): no greater than 75% of the gross area of the main floor of the dwelling including attached garages provided the total buildings do not exceed the maximum lot coverage.***

## **26.13 Special zones**

### ***R1-FW***

***The following provisions apply to lands zoned “R1-FW”. These lands are located in the floodway. This zone does not include lands located in the flood fringe (FF) as this is applied as an overlay.***

***New and expanding structures shall be established and constructed in accordance with the requirements of the Maitland Valley Conservation Authority, including flood damage reduction measures.***

***Existing buildings, structures, and uses established prior to the date of passing of this By-law continue to be permitted.***

***Existing buildings and/or structures may be replaced in constructed in accordance with the requirements of the Maitland Valley Conservation Authority, including flood damage reduction measures. The replacement structure shall not be larger than the dimensions of the existing structure and shall not affect flood control, erosion or any other natural hazard consideration or have been destroyed as a result of flooding or erosion.***

***New residential units, including additional residential units, shall not be permitted.***

***The placing or removal of fill will be subject to the approval of the Maitland Valley Conservation Authority.***

### **26.13.1 R1-1**

Notwithstanding the provisions of Section 26.4 to the contrary, the lands zoned R1-1 shall have a minimum lot area of 2550 square metres and a minimum lot frontage of 60 metres. Lots 14 & 15, R.P. 135, shall be developed as one residential building lot. (By-law 18-1995, East Wawanosh)

### **26.13.2 R1-2**

Notwithstanding Section 26.1 to the contrary, lands zoned R1-2 being lot 154, R.P. 291 may permit indoor storage of dry materials in the existing building. Such use to be accessory to the commercial use on lands zoned C1-2, being part of lots 155, 156, 157, 167 and 168, R. P. 291. (By-law 24-2002 & OMB PL020455, East Wawanosh).

**~~26.13.3 R1-3~~**

~~In addition to a single family residence, an existing dwelling unit above an existing accessory garage is permitted in the area zoned R1-3. A minimum of three off-street parking spaces is required. (Blyth)~~

**~~26.13.4 R1-4~~**

~~Notwithstanding and in addition to the provisions of Section 26.1 to the contrary, the area zoned R1-4 may be used for a personal service shop. (Blyth)~~

**~~26.13.5 R1-5~~**

~~Notwithstanding and in addition to the provisions of Section 26.1 to the contrary, the area zoned R1-5 permits a community facility parking lot. (By-law 26-1992, Blyth).~~

**~~26.13.6 R1-6~~**

~~Notwithstanding the provisions of Section 3.2., the location of the accessory building (garage) on the west lot line is recognized. All other applicable provisions of Section 26 shall apply. (By-law 7-1997, Blyth)~~

**~~26.13.7 R1-7~~**

~~Notwithstanding the provisions of Section 26.1., to the contrary, on the lands zoned R1-7, a kennel and/or dog training facility and accessory buildings and structures are permitted in addition to those uses currently permitted in the R1 zone. All existing buildings and structures are deemed to comply. (By-law 46-2007, Blyth)~~

**~~26.13.8 R1-8~~**

~~This zone has been deleted.~~

**~~26.13.9 R1-9~~**

~~Notwithstanding the provisions of Section 26.6 to the contrary, on the lands zoned R1-9, the west interior side yard setback (min.) shall be 2 metres and the east interior side yard setback (min.) shall be 1.3 metres. The lot frontage is deemed to comply with the minimum lot frontage requirements of Section 26. All other provisions of this by-law continue to apply.~~

**~~26.13.10 R1-10~~**

~~Notwithstanding any provisions of this by-law to the contrary, the lot and the existing buildings on the lands zoned R1-10 are deemed to comply.~~

**~~26.13.11 R1-11~~**

~~Notwithstanding the provisions of Section 26.2, to the contrary, the lot frontage and the setbacks of the existing building are deemed to comply. All other provisions of this by-law shall apply. (By-law 58(2008), Blyth)~~

**~~26.13.12 R1-12~~**

~~Notwithstanding the provisions of Section 3.2.3, to the contrary, on the lands zoned R1-12, the maximum height for an accessory building shall be 4.8 metres. All other provisions of this by-law shall apply.~~

**~~26.13.13 R1-13~~**

~~Notwithstanding the provisions of Section 26.4 to the contrary, on lands zoned R1-13, the minimum lot depth shall be 26 metres. All other provisions of By-law 82-1008 continue to apply. (Amended by By-law 11-2010)~~

### 26.13.14 R1-14

Notwithstanding the provisions to the contrary, on lands zoned R1-14, the minimum rear yard shall be 6.0 metres. All other provisions of By-law 82-1008 continue to apply. (Amended by By-law 53-2021)

### 26.13.15 R1 (-h)-X

The following uses shall be permitted in the R1(-h)-X Zone:

- A single detached dwelling
- A semi-detached dwelling
- A duplex dwelling
- A group home in a single detached dwelling
- A quadruplex
- A tri-plex
- A multiple attached dwelling (maximum of 4 units)

The following accessory uses shall be permitted in the R1(-h)-X Zone:

- A home occupation
- A bed and breakfast in a single detached or semi-detached dwelling
- Uses accessory to the permitted uses

The following permitted structures shall be permitted in the R1(-h)-X Zone:

- Buildings and structure for the permitted uses
- Buildings and structures accessory to the permitted uses

#### 26.12.14.1.

All permitted uses within the R1(-h)-X Zone shall be developed on full municipal services.

#### 26.12.14.2.

No person shall within the R1(-h)-X Zone use any lot, erect or use any building or structure for any purpose except in accordance with Schedule "B" – Wingham Creek Zoning Performance Table, as applicable.

#### 26.12.14.3.

Multiple attached dwelling units shall be located on a major street and no two blocks of townhouse units may be adjacent to one another and must be separated by four other dwelling types.

#### 26.12.14.4.

ZONE PROVISIONS FOR R1(-h)-X

Zone	Permitted Uses	Lot Requirements MIN. LOT AREA INTERIOR LOT (square metres)	MIN. AREA EXTERIOR LOT (square metres)	MIN LOT FRONTAGE INTERIOR LOT (metres)	MIN LOT FRONTAGE EXTERIOR LOT (metres)	MIN. LOT DEPT H (metres)
R1-x	Single-Detached Dwelling	364	453	12.2	15	30(i)
	Semi-Detached Dwelling	300	360	10	12	30

Township of North Huron Zoning By-law

Zone	Permitted Uses	Lot Requirements: MIN. LOT AREA INTERIOR LOT (square metres)	MIN. LOT AREA EXTERIOR LOT (square metres)	MIN LOT FRONTAGE INTERIOR LOT (metres)	MIN LOT FRONTAGE EXTERIOR LOT (metres)	MIN. LOT DEPT H (metres)
	Duplex Dwelling	300	360	12.2	15	30
	Tri-plex	640	760	20	24	30
	Quadruplex	720	600	20	24	30
	Multiple Attached Dwelling	200 per unit	300 per unit	7 per unit	10 per unit	30

MINIMUM YARDS (M)

Zone	Permitted Uses	FRONT (TO DWELLING) (metres)	FRONT (TO GARAGE) (metres)	SIDE (INTERIOR) (metres)	SIDE (EXTERIOR) (metres)	REAR (metres)
R1-x	Single-Detached Dwelling	4.5	6	1.2	3 (ii)	7
	Semi-Detached Dwelling	4.5	6	1.2	3 (ii)	7
	Duplex Dwelling	4.5	6	1.2	3 (ii)	7
	Tri-plex	4.5	6	3 on one side 0 on attached side	3 (ii)	7
	Quadruplex	4.5	6	3 on one side 0 on attached side	3 (ii)	7
	Multiple Attached Dwelling	4.5	6	3 on one side 0 on attached side	3 (ii)	7

Township of North Huron Zoning By-law

Zone	Permitted Uses	MAX HEIGHT (M)	MAX. LOT COVERAGE (M)	#OF UNITS PER DWELLING (MAX)	MIN. LANDSCAPED OPEN SPACE (%)
R1-x	Single-Detached Dwelling	11	35	-	30
	Semi-Detached Dwelling	11	40	-	30
	Duplex Dwelling	11	40	-	30
	Tri-plex	11	40	-	30
	Quadruplex	11	40	-	30
	Multiple Attached Dwelling	11	40	4	30

- (i) Minimum lot depth shall be 28 metres
  - (ii) Minimum exterior side yard setback of 6 metres to garage door
- (Amended by By-law 62-2014)

## SECTION 27 RESIDENTIAL MEDIUM DENSITY ZONE (R2)

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

### 27.1 PERMITTED USES

- *Uses permitted in the R1 zone, subject to the provisions of Section 26 and 27*
- ~~converted dwelling (maximum of 4 units)~~
- ~~duplex dwelling~~
- ~~group home in a single detached dwelling on full municipal services~~
- ~~hospice (as amended by By-law 98-2019)~~
- ~~quadruplex~~
- ~~semi-detached dwelling~~
- ~~single detached dwelling~~
- ~~triplex~~
- multiple attached **rowhouse** dwelling (maximum of 4 units)
- **multiple unit dwelling**
- **retirement home**

### 27.2 ACCESSORY USES

- bed and breakfast in a single detached or semi-detached dwelling
- boarding, lodging or rooming house containing not more than 4 additional bedrooms for that use
- home occupation
- ~~second unit in a single detached dwelling, semi-detached dwelling, multiple attached dwellings, or accessory structure thereto~~ **Additional Residential Unit(s)**
- uses accessory to the permitted uses

### 27.3 PERMITTED STRUCTURES

- buildings and structures for the permitted uses
- buildings and structures accessory to the permitted uses as per Section 3.3. (as amended by By-law 98-2019)
- **mobile home for purposes of Additional Residential Unit**

### 27.4 SINGLE DETACHED RESIDENCE - ZONE PROVISIONS

The Residential Low Density (R1) ZONE PROVISIONS FOR SINGLE DETACHED DWELLINGS (Section 26.4 and 26.5) apply.

### 27.5 SEMI DETACHED AND DUPLEX RESIDENCES - ZONE PROVISIONS (*Full Service Areas*)

The Residential Low Density (R1) ZONE PROVISIONS FOR SEMI DETACHED AND DUPLEX DWELLINGS (Section 26.6, 26.7, 26.8 and 26.9) apply.



## 27.6 TRIPLEX AND QUADRUPLEX - ZONE PROVISIONS (*Full Service Areas*)

	Triplex	Quadruplex
Interior Lot Area (minimum)	810 square metres	940 square metres
Corner Lot Area (minimum)	1,080 square metres	1,260 square metres
Lot frontage (minimum)	20 metres	20 metres
Lot depth (minimum)	34 metres	34 metres
Front yard (minimum)	6 metres from a Municipal Road or 10 metres from a County	6 metres from a Municipal Road or 10 metres from a County
Interior side yard (minimum)	<del>3 metres</del> <b>1.5 metres</b>	
Attached side	0 metres	
Exterior side yard (minimum)	6 metres from a Municipal Road or 10 metres from a County Highway	6 metres from a Municipal Road or 10 metres from a County Highway
Rear yard (minimum)	8 metres	8 metres
Lot coverage (maximum)	40 %	40 %
Landscaped open space (minimum)	30 %	30 %
Main Building Height (maximum)	11 metres	11 metres

## ~~27.7 Triplex and Quadruplex - BUILDING REGULATIONS~~

~~Main Building Height (maximum)-11 metres~~

~~Total Floor Area per dwelling unit (minimum)-84 square metres (if one storey)~~

~~Total Ground Floor Area per dwelling unit (minimum)-55 square metres (if multi-storey)~~

## 27.8 BOARDING, LODGING OR ROOMING HOUSE PROVISIONS (*Full Service Areas*)

A single detached, a semi-detached or a duplex dwelling, on full services, may be converted to a boarding, lodging or rooming house provided that:

~~Ground floor area (minimum)-110 square metres of dwelling area~~

~~Floor area per boarder (minimum)-25 square metres~~

~~Floor area for provider (minimum)-55 square metres~~

~~Parking spaces per room for rent (minimum)-4.5 spaces~~ **1 space**

in addition to the parking spaces required for the dwelling

- such dwelling is certified by the Building Inspector and Fire Chief to be suitable for such use
- such dwelling maintains an external residential appearance and character
- any additional exterior stairways provided for such converted units, leading to a full floor above the first storey shall not be located in the front yard
- all other requirements of this By-law are complied with

## 27.9 CONVERSIONS OF EXISTING DWELLINGS (*Full Service Areas*)

Any single detached dwelling lawfully existing on the date of passing of this By-law ~~and containing a minimum floor area of 110 square metres of dwelling area~~ may be altered to a converted dwelling, provided:

- ~~there is a minimum of 55 square metres for each dwelling unit~~
- such dwelling is certified by the Building Inspector and Fire Chief to be suitable for such alteration
- the external residential appearance and character of the dwelling is preserved
- any additional exterior stairways provided for such dwelling units, leading to a full floor above the first storey shall not be located in the front yard

<b>Converted dwelling floor area per dwelling unit (minimum)</b>	<b><del>1 bedroom unit-5 square metres</del> <del>2 bedroom unit-65 square metres</del> <del>3 bedroom unit-84 square metres</del> <del>plus 9.3 sq. metres for every additional bedroom over 3</del></b>
<del>Outdoor landscaped amenity area (unobstructed by buildings or outdoor parking) for each dwelling unit in a converted dwelling,</del>	<del>1 bedroom unit-18 square metres</del> <del>2 bedroom unit-53 square metres</del> <del>3 bedroom unit-65 square metres</del>

## 27.10 ~~MULTIPLE ATTACHED ROWHOUSE DWELLING~~ - ZONE PROVISIONS (*Full Service Areas*)

<b>Lot frontage for each dwelling unit (minimum)</b> For a unit with 2 walls attached to adjoining units For a unit with only 1 wall attached to an adjoining unit For a unit on a corner lot	5 metres 8 metres 11 metres
<b>Lot Area for each dwelling unit (minimum)</b> Minimum for a unit with 2 walls attached to adjoining units For a unit with only 1 wall attached to an adjoining unit For a unit on a corner lot	190 square metres per unit 304 square metres per unit 418 square metres per unit
<del>Lot depth (minimum)</del>	<del>38 metres</del>
Lot coverage (maximum)	40% <b>45%</b>
Front yard (minimum)	6 metres from a Municipal Road or 10 metres from County Highway
Rear yard (minimum)	40 metres <b>7.5 metres</b>
Interior side yard for end dwelling units (minimum) Attached side	3 metres <b>1.5 metres</b> 0 metres
Exterior side yard (minimum)	6 metres from a Municipal Road or 10 metres from County Highway
Landscaped open space (minimum)	30 %
Main building height (maximum)	11 metres

## **~~27.11 MULTIPLE ATTACHED DWELLING - BUILDING REGULATIONS~~**

<b>Number of dwelling units per building (maximum)</b>	<b>4</b>
<b>Height of building (maximum)</b>	<b>11 metres</b>
<b>Floor area per dwelling unit (minimum)</b>	<b>1 bedroom unit-55 square metres 2 bedroom unit-65 square metres 3 bedroom unit-84 square metres</b>

### **Privacy Yards**

Each dwelling unit in a multiple attached dwelling shall be provided with a privacy yard clear of any walkway, building, communal amenity areas, or parking provided adjacent to each dwelling unit for the use of the occupants of the dwelling unit as follows:

- the privacy yard shall extend the entire width of the dwelling unit
- the minimum privacy yard depth shall be 6 metres from any exterior wall containing a habitable room window and 3 metres in front of a blank wall
- within the privacy yard there shall not be a public pedestrian walkway.

## **27.12 MULTIPLE UNIT DWELLING AND RESIDENTIAL WITH SUPPORTS ZONE PROVISIONS (Full Service Areas)**

<b>Lot frontage (minimum)</b>	<b>20 metres</b>
<b>Lot Area (minimum)</b>	<b>730 square metres</b>
<b>Lot coverage (maximum)</b>	<b>45%</b>
<b>Front yard (minimum)</b>	<b>6 metres from a Municipal Road or 10 metres from County Highway</b>
<b>Rear yard (minimum)</b>	<b>7.5 metres</b>
<b>Interior side yard (minimum)</b>	<b>3 metres</b>
<b>Exterior side yard (minimum)</b>	<b>6 metres from a Municipal Road or 10 metres from County Highway</b>
<b>Landscaped open space (minimum)</b>	<b>30%</b>
<b>Main Building Height (maximum)</b>	<b>3 storeys</b>

*A triplex, fourplex, rowhouse and/or multiple unit dwelling which is further subdivided in accordance with Section 50 or 51 of the Planning Act is deemed to comply with provisions of Section 27.*

## **27.13 PARKING REGULATIONS**

Parking shall be provided in accordance with the General Provisions Section 3.26 Parking Regulations.

## **27.14 SPECIAL ZONES**

### **R2-FW**

*The following provisions apply to lands zoned “R2-FW”. These lands are located in the floodway. This zone does not include lands located in the flood fringe (FF) as this is applied as an overlay.*

***New and expanding structures shall be established and constructed in accordance with the requirements of the Maitland Valley Conservation Authority, including flood damage reduction measures.***

***Existing buildings, structures, and uses established prior to the date of passing of this By-law continue to be permitted.***

***Existing buildings and/or structures may be replaced in constructed in accordance with the requirements of the Maitland Valley Conservation Authority, including flood damage reduction measures. The replacement structure shall not be larger than the dimensions of the existing structure and shall not affect flood control, erosion or any other natural hazard consideration or have been destroyed as a result of flooding or erosion.***

***New residential units, including additional residential units, shall not be permitted.***

***The placing or removal of fill will be subject to the approval of the Maitland Valley Conservation Authority.***

#### **~~27.14.1 R2-1~~**

~~Notwithstanding the provisions of Section 27.1 to the contrary, the area zoned R2-1 may be used as a storage area for the existing municipal works garage. The zone provisions of Section 20 shall apply.~~

#### **27.14.2 R2-2**

Notwithstanding the provisions of Section 27.1 to the contrary, the area zoned R2-2 may also be used for a funeral home subject to the provisions of section 27.6.

Further, notwithstanding the maximum lot coverage provision of Section 27.6, on lands zoned R2-2, the maximum lot coverage shall not exceed 44%. Notwithstanding the exterior side yard setback requirements, on lands zoned R2-3, the minimum exterior side yard setback shall not be less than 3 metres. Parking, as provided on an adjacent property zoned R2-3, shall constitute the required parking in accordance with Section 3 of this By-law. Notwithstanding the provisions of Section 3, not more than two main buildings shall be permitted on lands zoned R2-2. All other provisions of this By-law continue to apply. (By-law 29-2005, Wingham).

#### **27.14.3 R2-3**

Notwithstanding the provisions of Section 27.2 to the contrary, lands zoned R2-3, may only be used as a parking area accessory to the existing use of the neighbouring R2-2 zone. No minimum setback for the parking area shall be required from the property line. All other provisions of this By-law continue to apply. (By-law 29-2005, Wingham).

#### **27.14.4 R2-4**

##### **27.13.4.1.**

Notwithstanding the provisions of Section 27.1 to the contrary, the lands zoned R2-4 may contain an existing single family residence and existing accessory commercial buildings. The commercial buildings are used for the growing and sale of flowers, spring bedding plants and accessory uses.

##### **27.13.4.2.**

The existing commercial buildings may be altered, repaired, or renovated in accordance with the provisions of Section 3.2 and the following.

**27.13.4.3.**

A new roof may be erected over the existing buildings and a new support wall maybe built immediately adjacent to the existing south side wall to support the roof.

**27.13.4.4.**

The area at the southwest corner of the existing commercial buildings may also be covered by a roof and enclosed, provided the enclosure does not extend beyond the established front of the commercial building (part of building located furthest west on property) or further into the south side yard than the new support wall for the new roof.

**27.13.4.5.**

All other applicable provisions of this By-law continue to apply. (By-law 2219-1993, Wingham).

**27.14.5 R2-5**

On lands zoned R2-5, the following additional provisions apply:

**27.13.5.1.**

Notwithstanding the provisions of Section 27.1 to the contrary; lands zoned R2-5 shall permit a maximum of two separate buildings containing dwelling units with the maximum number of dwelling units on the site not to exceed three. The permitted dwelling units shall include: a single family dwelling in the front building; and a converted dwelling containing 2 dwelling units to the rear of the single family dwelling. The dwelling units within the converted dwelling shall include two (2) two bedroom units.

**27.13.5.2.**

Notwithstanding the provisions of Section 3.19 of this By-law to the contrary, lands zoned R2-5 shall permit a maximum of two main buildings. Notwithstanding the provisions of 26.8 to the contrary, the established yards and setbacks created by the location of the existing main buildings shall be recognized as follows:

<b>Converted Dwelling</b>	<b>Setbacks (Minimum requirements)</b>
Front yard	29.0m
South side yard	1.0m
North side yard	13.7m
Rear yard	0.0m

<b>Single Detached Dwelling</b>	<b>Setbacks (minimum requirements)</b>
Front yard	7.0m
South side yard	1.5m
North side yard	5.7m
Rear yard	28.0m

**27.13.5.3.**

Notwithstanding Section 3.28 (Planting Strip Requirements) and 3.26 (Parking) to the contrary, existing fencing along the south lot line and the existing parking location to the rear of the single family dwelling, as existing on the date of passage of this by-law, shall be deemed to comply and shall be established as the minimum requirements for the subject property.

**27.13.5.4.**

Notwithstanding the provisions of Section 3.2, one existing accessory building with dimensions not exceeding 3.7m x 3.7m shall be permitted behind the single family dwelling.

**27.13.5.5**

Section 27.8 shall apply except as amended above, including a minimum amount of amenity area equal to 177 square metres. All other relevant provisions of this By-law continue to apply. (By-law 13-2002, Wingham).

**27.14.6 R2-6**

The Special Zone R2-6 is not applicable to lands within the Township of North Huron

**27.14.7 R2-7**

Notwithstanding the provisions of Section 27.5 to the contrary, on the lands zoned R2-7, the front lot line shall be along Centre St., the minimum lot size for the interior lot shall be 229 sq. metres and the corner lot shall be 283 sq. metres, the lot depth shall be 17.9 metres, the front yard setback shall be 3.5 metres for the garage, the rear yard setback shall be 1.5 metres and the maximum lot coverage shall be 42%. All other provisions of this By-law continue to apply. (By-law 41-2006, Wingham).

**27.13.8 R2-8**

Notwithstanding the provisions of Section 27 to the contrary, on the lands zoned R2-8, a multiple attached dwelling containing a maximum of 4 dwelling units shall be permitted subject to the following:

<b>Lot Frontage (Min.)</b>	<b>7 metres</b>
Lot Area (Min.)	300 sq. metres
Lot Depth (Min.)	35 metres
Lot Coverage (Min.)	45%
Front Yard (Min.)	8 metres
Interior Side Yard (Min.)	3 metres
Unattached side (Min.)	3 metres
Attached side (Min.)	0 metres
Landscaped Open Space (Min.)	30%
Building Height (Max.)	9 metres
Gross Floor Area (Min.)	90 sq. metres
Parking (Min.)	1 space per unit and may be located in the front yard

Accessory Buildings, Planting Strips, etc. in accordance with Section 3

All other permitted R2 uses shall continue to be subject to the zone provisions of Section 27. The – H (Holding Zone) will be lifted when a development agreement is signed to the satisfaction of the Township of North Huron.

All other provisions of this By-law continue to apply. (By-law 51-2007, Wingham)

**27.13.9 R2-9**

Notwithstanding the provisions of Section 27.5. to the contrary, on the lands zoned R2-9, the west interior side yard setback (min.) shall be 2 metres and the east interior side yard setback (min.) shall be 1.3 metres. The lot frontage is deemed to comply with the minimum lot frontage requirements of Section 26. All other provisions of this by-law continue to apply. (By-law 07-2008, Wingham)

**27.13.10 R2-10**

Notwithstanding the provisions of Section 27.4, to the contrary, on the lands zoned R2-10, the exterior side yard setback shall be a minimum of 1.8 metres for an attached garage.

**27.13.11 R2-11**

Notwithstanding the provisions of Section 3.2, to the contrary, on the lands zoned R2-11, accessory buildings shall be permitted in the front yard with a maximum height of 5 metres

**27.13.12 R2-12**

Notwithstanding the definition of Lot Line, Front, the front lot line shall be deemed to be the lot line abutting Elm Street. Notwithstanding the provisions of Section 27.10 to the contrary, on the lands zoned R2-12, the minimum lot depth shall be 28 metres, the lot coverage maximum for the interior unit shall be 50%, and the rear yard setback shall be 8 metres. All other provisions of By-law 82-2008 continue to apply. (Amended by By-law 18-2009)

**27.13.13 R2-13**

Notwithstanding the provisions of Section 27.10 to the contrary, on the lands zoned R2-13, the minimum lot depth shall be 36 metres, the lot coverage maximum for the interior unit shall be 45% and the maximum number of dwelling units in a multiple attached dwelling shall be 3. All other provisions of By-law 82-2008 continue to apply. (Amended by By-law 65-2009)

**27.13.14 R2-14**

Notwithstanding the provisions of Section 27.10 to the contrary, on the lands zoned R2-14, the north interior side yard setback (min.) shall be a minimum of 1.5 metres and the south interior side yard setback (min.) shall be a minimum of 1.5 metres. The existing lot depth of 37.82 metres is deemed to comply with the By-law. All other provisions of By-law 82-2008 continue to apply. (Amended by By-law 46-2010)

**27.13.15 R2-15**

Notwithstanding the provisions of Section 27, to the contrary, on lands zoned R2-15 the interior side yard setback (min) shall be 1.91 metres, and the rear yard setback (min) shall be 5.5 metres. Six parking spaces shall be permitted in the front yard. All other provisions of By-law 82-2008 continue to apply. (Amended by By-law 49-2011)

**27.13.16 R2(-h)-X**

The following uses shall be permitted in the R2(-h)-X Zone:

- A single detached dwelling
- A duplex dwelling a group home in a single detached dwelling
- A semi-detached dwelling
- A quadruplex
- A triplex
- A multiple attached dwelling (maximum of 6 units)
- Apartment
- Home for the aged
- Nursing home
- Retirement home

The following accessory uses shall be permitted in the R2(-h)-X Zone:

- A home occupation
- A bed and breakfast in a single detached or semi-detached dwelling
- Uses accessory to the permitted uses
- Dwelling converted containing not more than 4 additional dwelling units

The following permitted structures shall be permitted in the R2(-h)-X Zone:

- Buildings and structure for the permitted uses
- Buildings and structures accessory to the permitted uses

## Township of North Huron Zoning By-law

### 27.13.16.1

All permitted uses within the R2(-h)-X Zone shall be developed on full municipal services.

### 27.13.16.2

No person shall within the R2(-h)-X Zone use any lot, erect or use any building or structure for the purpose except in accordance with Schedule "B" – Wingham Creek Zoning Performance Table, as applicable.

### 27.13.16.3

#### ZONE PROVISIONS FOR R2(-h)-X

Zone	Permitted Uses	Lot Requirements: MIN. LOT AREA INTERIOR LOT (square metres)	MIN. AREA EXTERIOR LOT (square metres)	MIN LOT FRONTAGE INTERIOR LOT (metres)	MIN LOT FRONTAGE EXTERIOR LOT (metres)	MIN. LOT DEPT H (metres)
R2-x	Single-Detached Dwelling	300	453	12.2	15	30(i)
	Semi-Detached Dwelling	300	360	10	12	30
	Duplex Dwelling	300	360	12.2	15	30
	Tri-plex	640	760	20	24	32
	Quadruplex	720	800	20	24	32
	Multiple Attached Dwelling Apartment/ home for the aged	200 per unit	300 per unit	7 per unit	10 per unit	30
	nursing home/ retirement home	700	820	20	26	32

#### MINIMUM YARDS (M)

Zone	Permitted Uses	FRONT (TO DWELLING) (metres)	FRONT (TO GARAGE) (metres)	SIDE (INTERIOR) (metres)	SIDE (EXTERIOR) (metres)	REAR (metres)
R2-x	Single-Detached Dwelling	4.5	6	1.2	3 (ii)	7
	Semi-Detached Dwelling	4.5	6	1.2	3 (ii)	7
	Duplex Dwelling	4.5	6	1.2	3 (ii)	7
	Tri-plex	4.5	6	3on one side 0 on attached side	3 (ii)	7
	Quadruplex	4.5	6	3on one side	3 (ii)	7



Township of North Huron Zoning By-law

Zone	Permitted Uses	FRONT (TO DWELLING) (metres)	FRONT (TO GARAGE) (metres)	SIDE (INTERIOR) (metres)	SIDE (EXTERIOR) (metres)	REAR (metres)
				0 on attached side		
	Multiple Attached Dwelling	4.5	6	3 on one side 0 on attached side	3 (ii)	7
	Apartment/ home for the aged nursing home/ retirement home	4.5	6	6	6	7

Zone	Permitted Uses	MAX HEIGHT (M)	MAX. LOT COVERAGE (M)	#OF UNITS PER DWELLING (MAX)	MIN. LANDSCAPED OPEN SPACE (%)
R2-x	Single-Detached Dwelling	11	35	-	30
	Semi-Detached Dwelling	11	40	-	30
	Duplex Dwelling	11	40	-	30
	Tri-plex	11	40	-	30
	Quadruplex	11	40	-	30
	Multiple Attached Dwelling	11	40	6 (As amended by By-law 4-2022)	30
	Apartment/home for the aged nursing home/retirement home	4 storeys	40	-	35

(i) Minimum lot depth shall be 28 metres

(ii) Minimum exterior side yard setback of 6 metres to garage door

(Amended by By-law 62-2014)

### 27.13.17 R2-17

For the lands zoned R2-17, Queen Street is recognized as the exterior side lot line for a corner lot. Notwithstanding Section 27.10 to the contrary, the lands zoned R2-17 permit a minimum lot depth of 32 metres.

(As amended by By-law No. 11-2018)

### 27.13.18 R2-18

Notwithstanding Section 27.10 to the contrary, the lands zoned R2-18 permit a rear yard setback of 5 metres, a minimum lot depth of 24 metres and a maximum lot coverage of 54%. (As amended by By-law 11-2018)

### **27.13.19 R2-19**

For the lands zoned R2-19, Mill Street is recognized as the front lot line for a corner lot. Notwithstanding the provisions of Section 27.10 to the contrary, the lands zoned R2-19 permit a minimum lot depth of 34 metres. This Special Zone exclusively permits multiple attached dwellings, up to a maximum of four (4) units. *(As amended by By-law 57-2019)*

### **27.13.20 R2-20**

For the lands zoned R2-20, this Special Zone exclusively permits multiple attached dwellings, up to a maximum of four (4) units. *(As amended by By-law 57-2019)*

### **27.13.21 R2-21**

Notwithstanding their R2 zoning, those lands zoned R2-21 shall be used in accordance with the R2 zone provisions excepting, however, that:

- i. The 'minimum lot area' for a multiple attached dwellings building shall be 700 square metres;
- ii. The 'minimum lot frontage' for a multiple attached dwellings building shall be 20 metres;
- iii. The 'minimum lot depth' for a multiple attached dwellings building shall be 35 metres;
- iv. The 'minimum front yard' for a multiple attached dwellings building shall be as existing on the day of passing of this By-law;
- v. The 'minimum rear yard' for a multiple attached dwellings building shall be as existing on the day of the passing of this By-law;
- vi. The 'minimum exterior side yard' for a multiple attached dwellings building shall be as existing on the day of passing of this By-law; and,
- vii. The parking requirements for a multiple attached dwellings building shall be 1.0 spaces per unit. *(As amended by By-law 11-2022)*

### **27.13.22 R2-22**

Notwithstanding their R2 zoning, those lands zoned R2-22 shall be used in accordance with the R2 zone provisions excepting, however, that:

- i. The 'minimum interior side yard' for a semi-detached dwelling shall be 1.5 metres, except that the side yard along a common wall shall be 0 metres. *(As amended by By-law 11-2022)*

### **27.13.22 R2-23**

***On lands zoned R2-3, a professional office is a permitted use and shall be conducted entirely within the primary structure. Parking for the professional office use shall be located to the rear of the main building or in the side yard of the lot and located behind the front of the main building. Outdoor storage of materials or goods for the professional office use is prohibited.***

## SECTION 28 RESIDENTIAL HIGH DENSITY ZONE (R3)

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

### 28.1 PERMITTED USES

- multiple-attached **Rowhouse** dwelling
- apartment building **Multiple unit dwelling**
- **Dwelling with supports subject to section 28.6**
- retirement home or home for the aged
- **Community facility within multiple unit residential dwelling**
- ~~hospice (as amended by By-law 98-2019)~~
- nursing home

### 28.2 ACCESSORY USES

- **Additional Residential Unit within a rowhouse subject to Section 26.12**
- home occupation
- uses accessory to the permitted uses

### 28.3 PERMITTED STRUCTURES

- buildings and structures for the permitted uses
- buildings and structures accessory to the permitted uses as per Section 3.3. (as amended by By-law 98-2019)

### 28.4 ~~MULTIPLE ATTACHED ROWHOUSE DWELLING - ZONE~~ **PROVISIONS (Full Service Areas)**

The Medium Density Residential, R2 Zone provisions for ~~multiple-attached rowhouse~~ dwellings (Section 27.10 & 27.11) apply with the following modifications and additions:

#### ~~28.4.1 Dwelling Units per Building~~

~~Maximum number of dwelling units per building: 8~~

#### ~~28.4.2 Outdoor Common Amenity Area~~

~~Every building containing more than 4 dwelling units shall have an outdoor common amenity area with a minimum size of 25 square metres per dwelling unit. The common area shall have access from the dwelling and shall be located with regards to safety concerns.~~

#### ~~28.4.2.1 Multiple Attached Rowhouse Dwellings on a Lot~~

More than 1 multiple attached dwelling unit may be established on a lot provided the dwellings also have the following minimum separation between the buildings:

an exterior wall containing a habitable window-18 metres

all other exterior walls-3 metres

### 28.5 Parking and Planting Strip Regulations

Refer to the General Provisions Section —Parking Regulations and Planting Strip Regulations

## **28.6 ~~APARTMENT BUILDING MULTIPLE UNIT DWELLING AND DWELLING WITH SUPPORTS~~ - ZONING PROVISIONS**

Lot frontage (minimum)	20 metres
Lot area (minimum)	730 square metres
<del>Lot depth (minimum)</del>	<del>38 metres</del>
Lot coverage (maximum)	40 % <b>45%</b>
Front yard (minimum)	6 metres from a Municipal Road or 10 metres from County Highway
Rear yard (minimum)	10 metres
Interior side yard (minimum)	6 metres
Exterior side yard (minimum)	6 metres from a Municipal Road or 10 metres from County Highway
Landscaped open space (minimum)	35 %

## **28.7 ~~APARTMENT BUILDING MULTIPLE UNIT DWELLING AND DWELLING WITH SUPPORTS~~ - BUILDING REGULATIONS**

Height of building (maximum)	<del>3 storeys</del> <b>6 storeys</b>
Floor area per dwelling unit (minimum)	Bachelor unit-37 square metres <del>1 bedroom unit-55 square metres</del> <del>2 bedroom unit-65 square metres</del> <del>3 bedroom unit-84 square metres</del>  Plus 9.3 square metres for every bedroom in excess of 3

~~No common walkway shall be located within 3 metres of a wall with a window~~

~~Balconies for apartment building dwelling units above grade shall be a minimum of 1.5 metres deep and 2.4 metres long and enclosed by a privacy screen or wall on the 2 sides which abut the building.~~

### **Privacy Yards**

~~Each ground floor dwelling unit in an apartment dwelling shall be provided with a privacy yard clear of any walkway, building, communal amenity area, or parking as follows:~~

~~the minimum depth of the privacy yard measured at right angles from the wall it adjoins shall be a minimum of 6 metres from any exterior wall containing a habitable room window and 3 metres in front of a blank wall within the privacy yard there shall not be a public pedestrian walkway.~~

### **Outdoor Common Amenity Area**

~~Every apartment containing more than 4 apartment units shall have an outdoor common amenity area with a minimum size of 25 square metres per dwelling unit. The common area shall have unobstructed access from the dwelling and shall be located with regards to safety concerns. A communal amenity area of no less than 100 square metres with a square or rectangular orientation shall be provided.~~

### **More than One Apartment Dwelling on a Lot**

The provisions of Section 28.4.3 Multiple Attached Dwellings on a Lot, shall apply.

### **Title Separation of Dwelling Units**

***A rowhouse or multiple unit dwelling which is further subdivided in accordance with Section 50 or 51 of the Planning Act is deemed to comply with provisions of Section 20.***

### **28.7.1 Parking and Planting Strip Regulations**

Refer to the General Provisions Section —Parking Regulations and Planting Strip Regulations

## **28.8 NURSING HOME, RETIREMENT HOME, HOSPICE, AND HOME FOR THE AGED - ZONE PROVISIONS (*Full Service Areas*)**

(as amended by By-law 98-2019)

Lot frontage (minimum)	20 metres
Lot area (minimum)	For the first 5 units: 550 square metres and 75 square metres for each unit above 5
Lot coverage (maximum)	40 %
Front yard depth (minimum)	6 metres from a Municipal Road or 10 metres from County Highway
Rear yard depth (minimum)	10 metres
Interior side yard (minimum)	3 metres
Exterior side yard (minimum)	6 metres from a Municipal Road or 10 metres from County Highway
Landscaped open space (minimum)	30 %
Height of Building (maximum)	<del>3 storeys</del> <b>6 storeys</b>
Amenity area (minimum per unit)	14 square metres

### **28.9 Parking and Planting Strip Regulations**

Refer to the General Provisions Section —Parking Regulations and Planting Strip Regulations

## **28.10 SPECIAL ZONES**

### ***R3-FW***

***The following provisions apply to lands zoned “R3-FW”. These lands are located in the floodway. This zone does not include lands located in the flood fringe (FF) as this is applied as an overlay.***

***New and expanding structures shall be established and constructed in accordance with the requirements of the Maitland Valley Conservation Authority, including flood damage reduction measures.***

***Existing buildings, structures, and uses established prior to the date of passing of this By-law continue to be permitted.***

***Existing buildings and/or structures may be replaced in constructed in accordance with the requirements of the Maitland Valley Conservation Authority, including flood damage reduction measures. The replacement structure shall not be larger than the dimensions of the existing structure and shall not affect flood control, erosion or any other natural hazard consideration or have been destroyed as a result of flooding or erosion.***

***New residential units, including additional residential units, shall not be permitted.***

***The placing or removal of fill will be subject to the approval of the Maitland Valley Conservation Authority.***

### **28.10.1 R3-1**

Notwithstanding the provisions of Section 28.4 to the contrary those lands zoned R3-1 shall provide:

- an amenity area of 28 sq. metres per unit;
- the minimum separation distance between habitable room windows shall be 4.6 metres measures at right angles to the habitable room window.

The minimum separation distance measured at right angles, from a habitable room window and a public road allowance or parking area shall be 4.6 metres with the provision that a 3.0 metre buffered privacy zone is provided

The minimum separation distance measured at right angles, from a habitable room window and a walkway shall be 3.0 metres.

A buffering strip shall be provided on the lands that abut the commercial zone.

### **28.10.2 R3-2**

Notwithstanding the zone provisions of Section 28.4, on lands zoned R3-2, the following standards shall apply:

minimum lot frontage-40 metres

minimum lot depth-36 metres

minimum lot area-1180 square metres

minimum front yard setback-4 metres

minimum south interior side yard -3.4 metres

minimum rear yard setback-8 metres

minimum north side yard setback-6 metres

Parking shall be in accordance with Section 3. (Amended by By-law 30-2002).

Notwithstanding the provisions of Section 28, to the contrary, on lands zoned R3-2 one apartment may be permitted within the cellar of the existing building. Notwithstanding Section 3, one dwelling unit, in its entirety, may be located in the cellar of the existing building. The finished floor level shall not be below the level of any sanitary or storm sewer servicing for the building or structure in which the dwelling is located. Proper storm water drainage shall be provided. All other applicable building code, fire code and servicing requirements shall be satisfied. (By-law 2409-1998, Wingham)

### **28.10.3 R3-3**

Notwithstanding the provisions of Section 28.1 to the contrary, a maximum four (4) four-plex residential dwellings shall be permitted on lands zoned R3-3. Development shall be permitted in accordance with the following zone regulations:

Maximum number of buildings per lot-4 buildings

Maximum number of dwelling units per building-4 units

Minimum lot frontage-53.6 metres

Minimum lot depth-43 metres

Minimum lot area-2600 square metres

Minimum front yard depth-7.6 metres

Minimum rear yard depth-4.5 metres

Minimum side yard depth-3 metres

Landscaped open space (Minimum)-35%

Parking and accessory buildings shall be in accordance with Section 3

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Planting strip requirements of Section 3.28 shall apply along each side lot line adjacent to any newly constructed building containing dwelling units. All other applicable provisions of this By-law continue to apply. (By-law 2461(1999), Wingham)

### **28.10.4 R3-4**

Notwithstanding the provisions of Section 28.1 and 28.4 to the contrary, the following special provisions apply to lands zoned R3-4:

Lot Frontage for each dwelling unit (min)	
unit with 2 walls attached to adjoining units	9 metres
unit with 1 wall attached to adjoining unit	10 metres
for unit on a corner lot	10 metres
Lot area for each dwelling unit (min.)	
unit with 2 walls attached to adjoining units	200 square metres
unit with 1 wall attached to adjoining unit	250 square metres
for unit on a corner lot	400 square metres
Lot depth (min.)	26.7 metres
Lot coverage (max)	
unit with 2 walls attached to adjoining units	50%
unit with 1 wall attached to adjoining unit (Amended by By-law 2490-2000)	50%
Front yard (min.)	6 metres
Rear yard (min.)	5.9 metres
Interior side yard	
min. for centre unit	0 metres
min. for end dwelling unit	1.2 metres
Exterior side yard	3 metres
Max. number dwelling units per building	3 units
Max. dwelling height	5 metres
Min. floor area per unit	98 square metres
Parking (min.) spaces	1 per dwelling unit

Planting strips in accordance with Section 3.28

One permitted accessory building not exceeding 9.3 metres square. The Privacy Yards and Outdoor Common Amenity Area requirements shall not apply. All other applicable provisions of this By-law continue to apply. (By-law 2453(1999), Wingham)

### **28.10.5 R3-5**

Notwithstanding the provisions of Section 28, of this By-law to the contrary, on lands zoned R3-5 the following special provisions shall apply:

Lot Frontage-20 metres

Minimum setback of main building to street allowance-8 metres

Minimum setback of main building to any lot line-5 metres

Minimum setback of parking spaces and aisle to any lot line-1 metre

Maximum number of main buildings-3 buildings

Maximum number of dwelling units-12 units

Minimum number of parking spaces-18 spaces

A minimum space of 15 metres shall be maintained between the front exterior walls of buildings

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A minimum space of 5 metres shall be maintained between the end exterior walls of the buildings  
Access shall only be permitted to Frances Street  
Access to Junction Place road shall be prohibited  
Planting strip provisions of Section 3.28 continue to apply  
Parking area location provisions and parking area design standards of Section 3 continue to apply  
All other provisions continue to apply. (By-law 33-2005, Wingham).

### **28.10.6 R3-6**

Notwithstanding the provisions of Section 28 to the contrary, the following provisions shall apply to lands zoned R3-6:

#### **28.10.6.1.**

The lands zoned R3-6 shall not be used for residential purposes except in accordance with a plan of condominium creating a standard condominium corporation (as defined by the Condominium Act, 1998).

#### **28.10.6.2**

The whole of the lands within a standard condominium plan registered against the lands zoned R3-6 shall be a lot for the purposes of this By-law

#### **28.10.6.3.**

The lands zoned R3-6 shall permit one building with a maximum of 23 dwelling units subject to the following:

Lot area (minimum)	5000 square metres
Lot Frontage (minimum)	67 metres
Front yard adjacent to Shuter St. (min.)	17.5 metres
Rear yard (minimum)	29 metres
Side yard (minimum)	7 metres
Minimum outdoor parking spaces	12 spaces
Lot coverage (maximum)	30 %
Landscaped open space (minimum)	30 %
Building Height (maximum)	14 metres or 4 storeys

All other provisions of this By-law continue to apply. (By-law 6-2006, Wingham).

### **28.10.7 R3-7**

Notwithstanding the provisions of Section 28 to the contrary, on the lands zoned R3-7 a maximum of 9 residential dwelling units are permitted within the existing building. Notwithstanding the provisions of Section 3 one dwelling unit in its entirety, may be located in the basement of the existing building. All applicable building code, fire code and servicing requirements shall be satisfied. Notwithstanding the provisions of Section 3.26 a minimum of 12 parking spaces shall be provided with a portion of the existing spaces along Carling Terrace extending onto the Municipal Road allowance. (By-law 34-2006, Wingham).

### **28.10.8 R3-8 (A)**

Notwithstanding the provisions to the contrary, the minimum exterior side yard shall be a 4.0 metres, the minimum rear yard shall be 8.0 metres and the minimum lot depth shall be 32.3 metres (As amended by By-law 52-2021)

### **28.10.9 R3-8 (B) R3-9**

Notwithstanding the provisions of Section 3.26 to the contrary, a minimum of 1.2 parking spaces shall be provided per dwelling unit, in addition to visitor parking. Notwithstanding the provisions in



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subsection 3.32.3 of the by-law, buildings may be located closer than 30 metres from the top-of-bank of the watercourse, on the lands zoned R3-~~8~~**9**. The setbacks for buildings and structures located closer than 30 metres from the top-of-bank will be established and addressed through the site plan control process (As amended by By-law 12-2022)

## **SECTION 29 MOBILE HOME PARK ZONE (R4)**

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

### **29.1 PERMITTED USES**

- mobile home park

### **29.2 ACCESSORY USES**

- home occupation
- passive and active recreation
- uses accessory to the permitted uses

### **29.3 PERMITTED STRUCTURES**

- administrative, sales or rental office
- one dwelling unit within the rear portion or second storey of the main office or sales facility
- one single detached residence accessory to the mobile home park use
- mobile home
- mobile home - double wide
- park or playground
- recreational or community centre
- swimming pool
- buildings and structures for the permitted uses
- buildings and structures accessory to the permitted uses as per Section 3.3. (as amended by By-law 98-2019)

### **29.4 ZONE PROVISIONS FOR MOBILE HOME PARK**

LOT AREA (minimum)-1 hectare

LOT FRONTAGE (minimum)-75 metres

FRONT YARD DEPTH (minimum)-6 metres from a Municipal Road or 10 metres from a County Highway

SIDE YARD DEPTH (minimum)-3 metres

EXTERIOR SIDE YARD DEPTH (minimum)-6 metres from a Municipal Road or 10 metres from a County Highway

REAR YARD DEPTH (minimum)-8 metres

BUILDING HEIGHT (maximum)-11 metres

### **29.5 ZONE PROVISIONS FOR A MOBILE HOME SITE**

SITE AREA (minimum)-420 square metres

SITE FRONTAGE (minimum)-13.5 metres

FRONT YARD (minimum)-3 metres from interior road

INTERIOR SIDE YARD (minimum)-2 metres

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EXTERIOR SIDE YARD (minimum)-3 metres from interior road

REAR YARD (minimum)-3 metres

UNIT FLOOR AREA (minimum)-55 square metres

SITE COVERAGE (maximum)-35 %

## **29.6 SPECIAL PROVISIONS FOR MOBILE HOME PARKS**

### **29.6.1 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 3 metres for one-way traffic and 6 metres for two-way traffic.

### **29.6.2 Additions and Accessory Structures**

Additions to mobile homes (such as a porch, sunroom, deck, or deck cover) shall be permitted provided that the yard setback and lot coverage provisions for the lot are maintained.

Buildings and structures accessory to a mobile home on a mobile home site shall be permitted in accordance with the General Provisions Accessory Building Section. No more than 2 accessory buildings or structures shall be permitted on a mobile home site.

### **29.6.3 Density**

The maximum density of mobile home units in a mobile home park shall be 20 units per gross hectare.

### **29.6.4 Parking**

Each mobile home site shall be provided with at least 2 car parking spaces per site.

Parking for other uses shall be in accordance with Section 3.25 General Provisions.

### **29.6.5 Recreation Space / Open Space**

Not less than 10% of the gross area of a mobile home park shall be used as recreation space, placed in locations convenient to all residents.

### **29.6.6 Separation**

Mobile homes and any part thereof shall be separated from each other by not less than 4 metres. Mobile homes and any part thereof shall be separated from any main or accessory building for the mobile home park by not less than 4 metres.

### **29.6.7 Services**

Each mobile home located within an urban area mobile home park shall be provided with a municipal piped water supply and municipal sewage disposal facilities, solid waste disposal, storm drainage, hydro, street lighting, telephone and road maintenance.

In existing mobile home parks, without full services, expansions will be permitted based on the approval of the appropriate authority.

### **29.6.8 Skirting and Foundation for Mobile Homes**

Each mobile home unit shall be placed on a permanent substructure or permanent foundation supports and shall be provided with durable skirtings, with access where necessary, to screen the view of the undercarriage or foundation supports.

### **29.6.9 Outdoor Storage**

There shall be no outside storage of any furniture, domestic equipment or seasonally used equipment on the mobile home site.

Outside storage may occur within a special communal storage area provided by the mobile home park. The communal storage area may be located in the rear or side yard in accordance with the General Provisions Section, Accessory Structures.

### **29.6.10 Units per Site**

Not more than one mobile home unit shall be placed on any mobile home site.

## **29.7 SPECIAL ZONES**

## **SECTION 30 ~~PROFESSIONAL OFFICE ZONE~~ RESIDENTIAL GREENFIELD ZONE (R5)**

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

### **30.1 PERMITTED USES**

- ~~• dwelling units, maximum of 2~~
- ~~• professional office~~
- ~~• uses accessory to permitted uses~~

### **30.2 ZONE PROVISIONS**

- ~~• Zone provisions shall be in accordance with the Section 26 R1 RESIDENTIAL LOW DENSITY ZONE~~

### **30.3 DWELLING UNITS ZONE PROVISIONS**

Type of Dwelling	Minimum Floor Area (Per Dwelling Unit)
Bachelor Dwelling Unit	37 square metres
1 Bedroom Dwelling Unit	55 square metres
2 Bedroom Dwelling Unit	65 square metres
3 Bedroom Dwelling Unit	84 square metres, plus 10 square metres for each bedroom in excess of 3

### **30.4 PARKING**

~~Shall be located to the rear of the main building or in the side yard of the lot and located behind the front of the main building. The number of parking spaces for each permitted use shall be in accordance with the Parking Provisions of the General Provisions Section.~~

### **30.5 ACCESSORY BUILDING**

~~A professional office shall be conducted entirely within the primary structure.~~

### **30.6 OUTDOOR STORAGE**

~~Outdoor storage of materials or goods is prohibited.~~

### **30.7 FRONT YARD**

~~The front yard shall be maintained for landscaping and open space.~~

### **30.8 FENCING**

~~Any yard abutting a Residential Zone shall be screened by a fence, a minimum of 1.8 metres in height above ground level and kept in a neat and attractive manner.~~

### **30.9 SIGNS**

~~All signs shall be erected in accordance with the Township of North Huron Sign By-law.~~

**~~30.10 SPECIAL ZONES~~**

## **SECTION 31 GOLF COURSE ZONE (RC1)**

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

### **31.1 PERMITTED USES**

- a golf course and/or driving range and associated recreational uses including restaurant, swimming pool, tennis courts, miniature golf course and country club facility
- an accessory dwelling unit detached from or part of any non-residential building or structure
- agricultural use, limited

### **31.2 PERMITTED STRUCTURES**

- buildings and structures for the permitted uses
- buildings and structures accessory to the permitted uses as per Section 3.3. (as amended by By-law 98-2019)

### **31.3 ZONE PROVISIONS**

LOT SIZE (minimum)-3 hectares

LOT FRONTAGE (minimum)-75 metres

For buildings and structures the following minimum setbacks shall apply:

FRONT YARD-30 metres, except that a driving range booth less than 15 square metres in area may have a front yard setback of 10 metres

INTERIOR SIDE YARD-8 metres

EXTERIOR SIDE YARD-30 metres, except that a driving range booth less than 15 square metres in area may have an exterior side yard setback of 10 metres

REAR YARD-8 metres

LOT COVERAGE (maximum)-10 %

PARKING - see GENERAL PROVISIONS Section

LIGHTING-All lighting and illuminated signs shall be arranged so as to deflect light away from adjacent properties.

### **31.4 BUILDING REGULATIONS**

BUILDING HEIGHT (maximum)-12 metres

### **31.5 Regulations for Accessory Residential Uses**

- ~~• Minimum floor area per dwelling unit shall be in accordance with the following:~~
  - ~~— fully detached residence 84 square metres~~
  - ~~- a residence as part of the non-residential building or structure 70 square metres~~
- The dwelling unit is completely self-contained and has direct access to the outside.

### **31.6 SPECIAL ZONES**

## **SECTION 32 RECREATIONAL TRAILER PARK AND CAMPGROUND ZONE (RC2)**

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

### **32.1 PERMITTED USES**

- campground
- conservation
- forestry
- miniature golf course
- park, private
- recreation, active
- recreation centre
- recreation, passive
- recreational trailer and tent park
- uses accessory to the trailer park and campground use including recreational vehicle sales and service

### **32.2 PERMITTED STRUCTURES**

- buildings and structures for the permitted uses
- buildings and structures for the permitted uses including recreational trailers, park model trailers, but not including a mobile home
- one accessory dwelling unit for the owner or manager of the trailer park and campground, either detached or attached to a permitted structure
- one accessory dwelling unit attached to a permitted structure for staff accommodation
- buildings and structures accessory to the permitted uses as per Section 3.3. (as amended by By-law 98-2019)

### **32.3 ZONE PROVISIONS**

LOT SIZE (minimum)-4 hectares

LOT FRONTAGE (minimum)-40 metres

For buildings and structures the following minimum setbacks shall apply:

FRONT YARD-20 metres

INTERIOR SIDE YARD-7.5 metres

EXTERIOR SIDE YARD-20 metres

REAR YARD-7.5 metres

TRAILER SITE AREA (minimum)-150 square metres

LOT COVERAGE (maximum)-30 %

**PARKING**

Each trailer or campground site shall be provided with at least 1 car parking space.



## **32.4 BUILDING REGULATIONS**

BUILDING HEIGHT (maximum)-9 metres

## **32.5 REGULATIONS FOR ACCESSORY RESIDENTIAL USE FOR THE MANAGER/OWNER/STAFF**

- Minimum floor area for the dwelling unit shall be in accordance with the following:
  - fully detached residence-84 square metres
  - a residence as part of the non-residential building or structure-70 square metres
- A separate direct pedestrian access to the dwelling unit shall be provided

## **32.6 SPECIAL PROVISIONS**

### **32.6.1 Recreational Space**

Not less than 10% of the gross area of the lot shall be used as communal recreational area. Natural areas such as ravines, swamps or open water shall not be included in the calculation of recreational space

### **32.6.2 Natural Area Open Space**

Not less than 20% of the gross area of the lot shall be used as communal open space which can include ravines, swamps or open water.

### **32.6.3 Density of Development**

Overall density of the entire development shall not exceed 15 recreational vehicle/trailer sites or camp sites per gross hectare.

### **32.6.4 Additions to Trailers**

Structures, in the form of additions to trailers, are permitted to be established in the RC2 zone as an accessory "add-on" provided that the total floor area for the addition(s) does not exceed the floor area of the trailer.

### **32.6.5 Lighting**

All lighting and illuminated signs shall be arranged so as to deflect light away from adjacent properties.

## **32.7 SPECIAL ZONES**

## **SECTION 33 SALVAGE YARD ZONE (SY)**

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

### **33.1 PERMITTED USES**

- motor vehicle wrecking establishment
- salvage yard
- uses accessory to the permitted uses including the sale of motor vehicles and an accessory motor vehicle repair shop

### **33.2 PERMITTED STRUCTURES**

- accessory residence to be owned and occupied by the owner/staff of the permitted uses
- storage shed
- buildings and structures for permitted uses
- buildings and structures accessory to the permitted uses as per Section 3.3. (as amended by By-law 98-2019)

### **33.3 ZONE PROVISIONS**

ZONE AREA (maximum)-6 hectares

LOT FRONTAGE (minimum)-45 metres

FRONT YARD DEPTH (minimum)-20 metres from a municipal road, 25 metres from a County or Provincial Highway

SIDE YARD DEPTH (minimum)-3 metres, except:

- 15 metres minimum where any side lot line abuts any Non-Industrial Zone
- 1 metre minimum where any side lot line abuts any railway right-of-way

EXTERIOR SIDE YARD DEPTH (minimum) -20 metres from a municipal road, 25 metres from a County or Provincial Highway

REAR YARD DEPTH (minimum)-3 metres, except:

- 15 metres minimum where any rear lot line abuts any Non-Industrial Zone
- 1 metre minimum where any rear lot line abuts a railway right-of-way

### **33.4 BUILDING REGULATIONS**

BUILDING HEIGHT (maximum)-12 metres

### **33.5 REGULATIONS FOR ACCESSORY RESIDENTIAL USES**

LOT AREA (minimum)-4 000 square metres

FRONT YARD DEPTH (minimum)-20 metres from a municipal road, 25 metres from a County or Provincial Highway

~~MINIMUM FLOOR AREA PER DWELLING UNIT~~

~~Fully detached residence-84 square metres~~

~~A residence as part of the non-residential building or structure-70 square metres~~

## **33.6 SEPARATION DISTANCE**

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.

These provisions shall not apply in an urban designation.

## **33.7 SPECIAL PROVISIONS**

### **33.7.1 Planting Strip**

Notwithstanding the General Provisions, the open storage of all salvage yards shall be surrounded by a solid fence and a planting strip with a minimum height of 3 metres.

### **33.7.2 Site Plan Control**

The lands zoned SY may be subject to Site Plan Control and/or Development Agreement.

### **33.7.3 Open Storage and Display**

- No open storage or display will be permitted in the required front yard or required exterior side yard.
- With the exception of the required front yard and the required exterior side yard, open storage or display is permitted in the front yard if enclosed by the required fence or planting strip.
- No open storage shall be permitted higher than the planting strip or fence.

### **33.7.4 Accessory Sale of Motor Vehicles**

The motor vehicles to be sold are accessory to a motor vehicle repair shop on the property and may include the sale of other used motor vehicles. The display area for the sale of motor vehicles shall be limited to 10 vehicles and may be located in the required yard at a setback of 10 metres from the exterior side or front property line.

This display area for the accessory sale of motor vehicles shall not include vehicles which are derelict.

## **33.8 SPECIAL ZONES**

### **33.8.1 SY-1**

Notwithstanding the provisions of Section 33.3 to the contrary, in the area zoned SY-1, the existing east side yard for the existing shed is the permitted side yard. Any proposed buildings or structures will require a westerly side yard of 150 metres. The salvage yard does not permit the storage and/or handling and/or sale of waste paper, rags, wood or bottles. No severances within or along the SY-1 line will be permitted. (By-law 11-1992, East Wawanosh)

## **SECTION 34 HOLDING ZONE (-h)**

Within this ZONE, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

### **34.1 PERMITTED USES**

- uses buildings and structures lawfully in existence on the date of passing of this By-law  
uses, buildings and structures accessory to permitted uses

### **34.2 SPECIAL PROVISIONS**

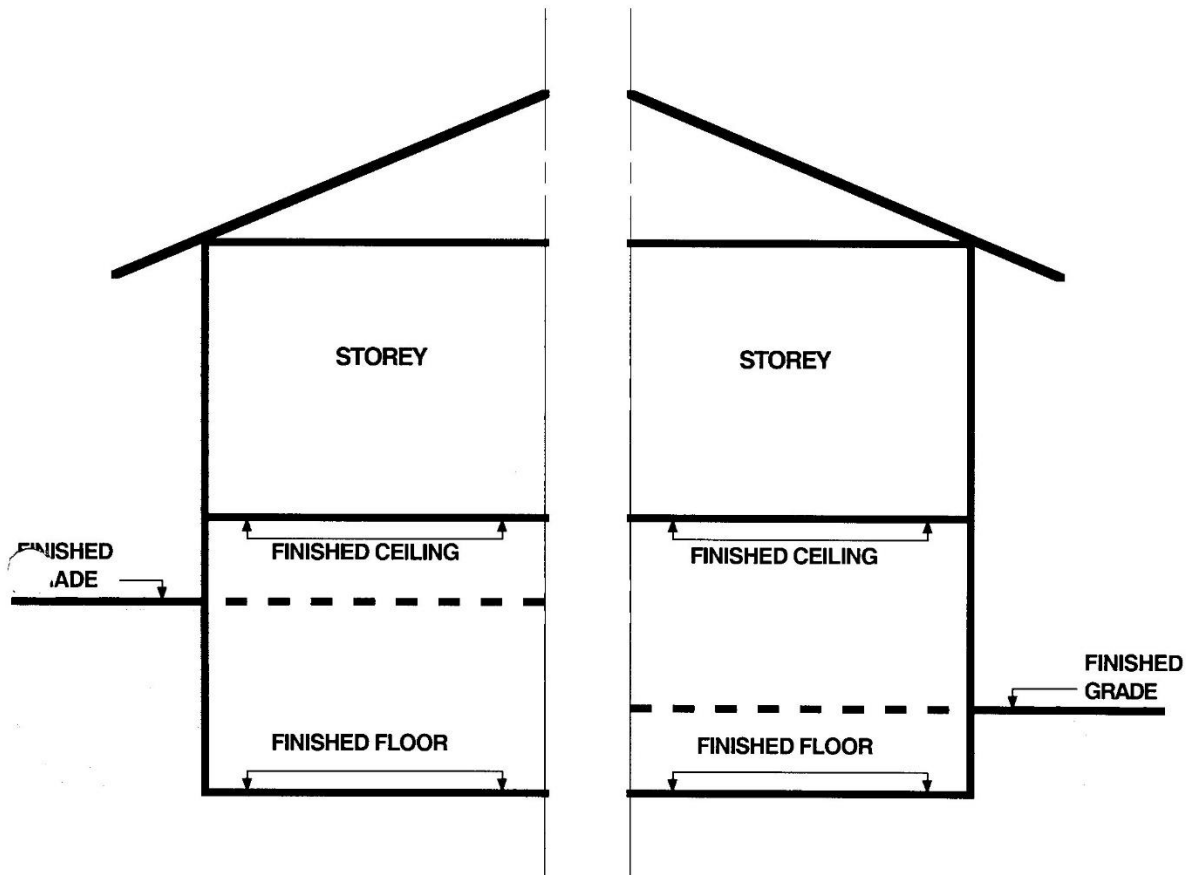
#### **34.2.1 New Development**

No new development of land will be permitted in a Holding (-h) Zone, until such time as Council has passed a By-law removing the holding symbol.

#### **34.2.2 Existing Residences**

Existing residences will be allowed to expand, enlarge or re-establish provided that the provisions of the R1 or R2 zone are complied with and the number of dwelling units is not increased.

**APPENDIX 1  
ILLUSTRATION OF CELLAR  
AND BASEMENT DEFINITIONS\***

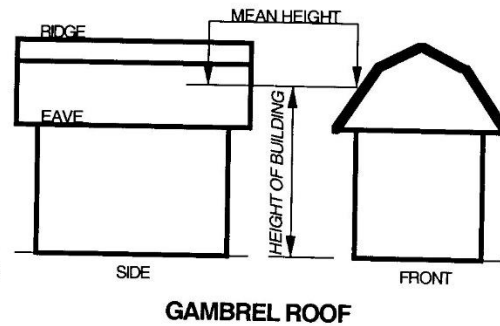
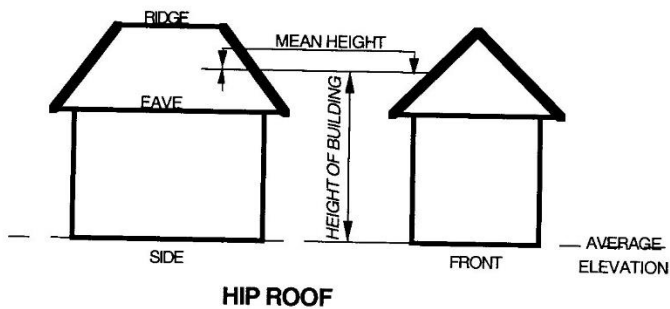
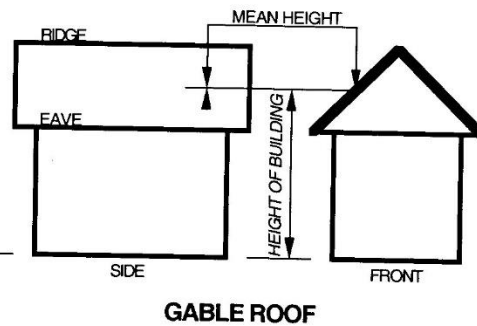
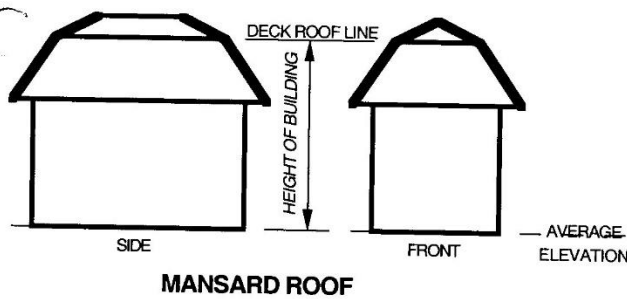
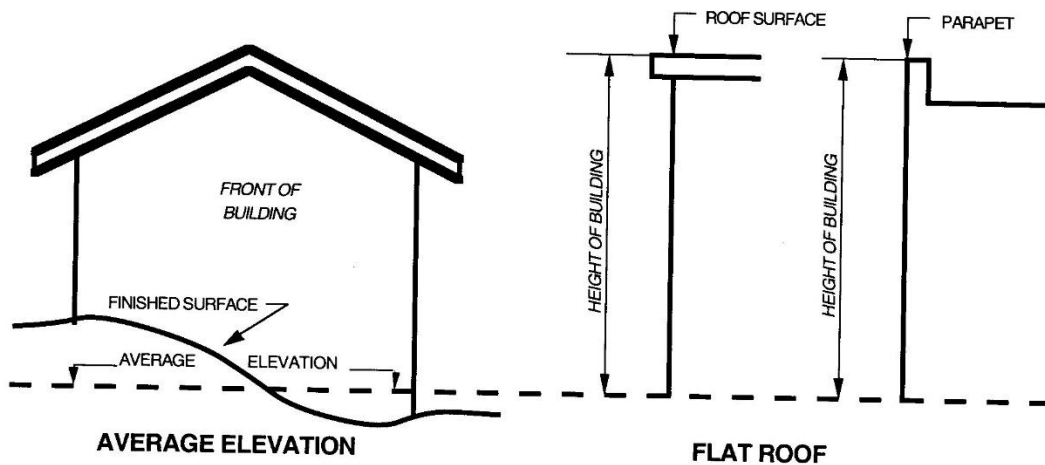


**CELLAR**  
HAS *MORE* THAN ONE HALF OF  
ITS HEIGHT, FROM FINISHED  
FLOOR TO FINISHED CEILING,  
BELOW ADJACENT FINISHED  
GRADE.

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

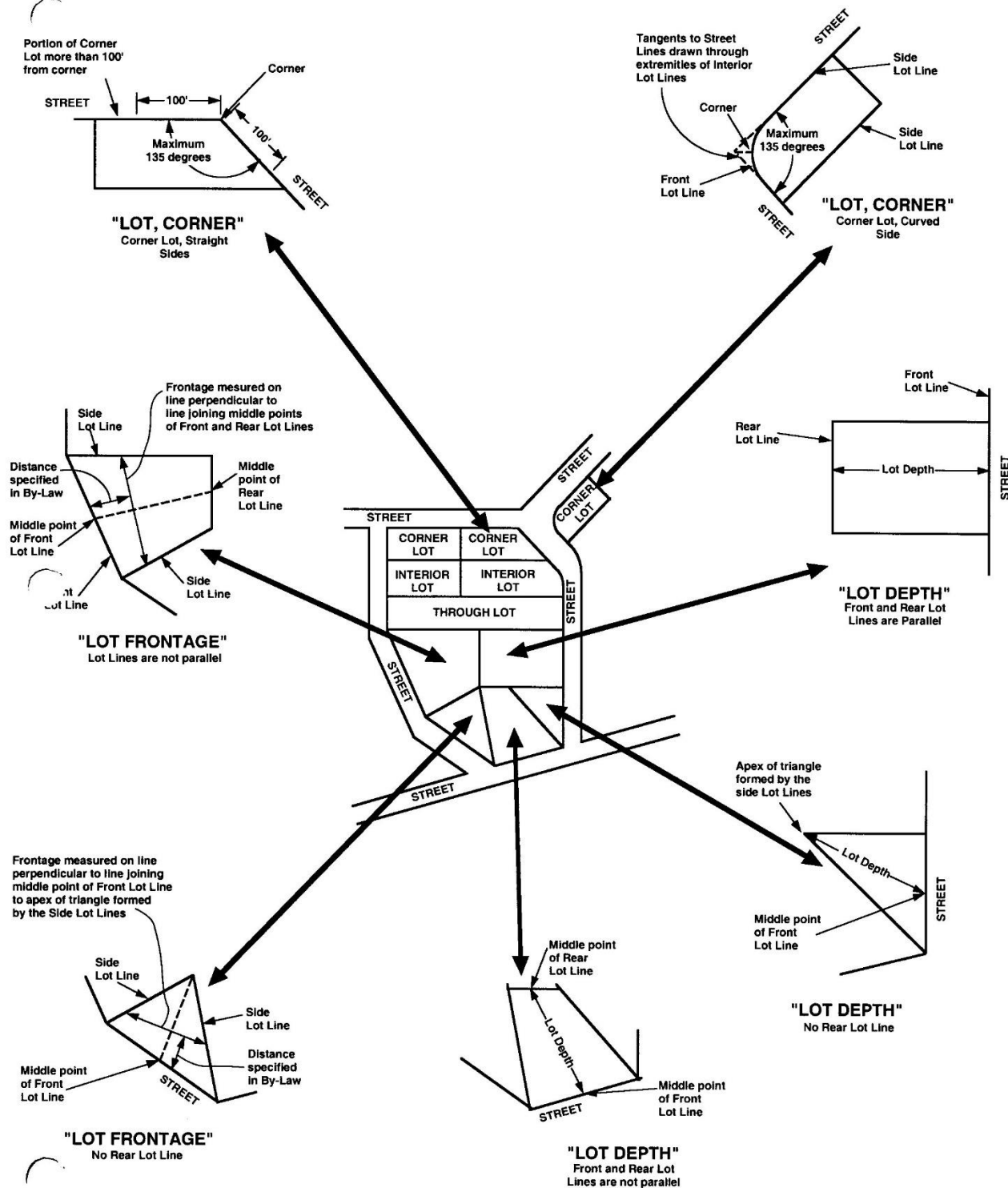
\*THE ILLUSTRATION OF CELLAR  
AND BASEMENT DOES NOT FORM  
PART OF THIS BY-LAW, BUT IS  
PROVIDED FOR CONVENIENCE.

## Appendix 2 Illustration Of Heights Of Buildings\*



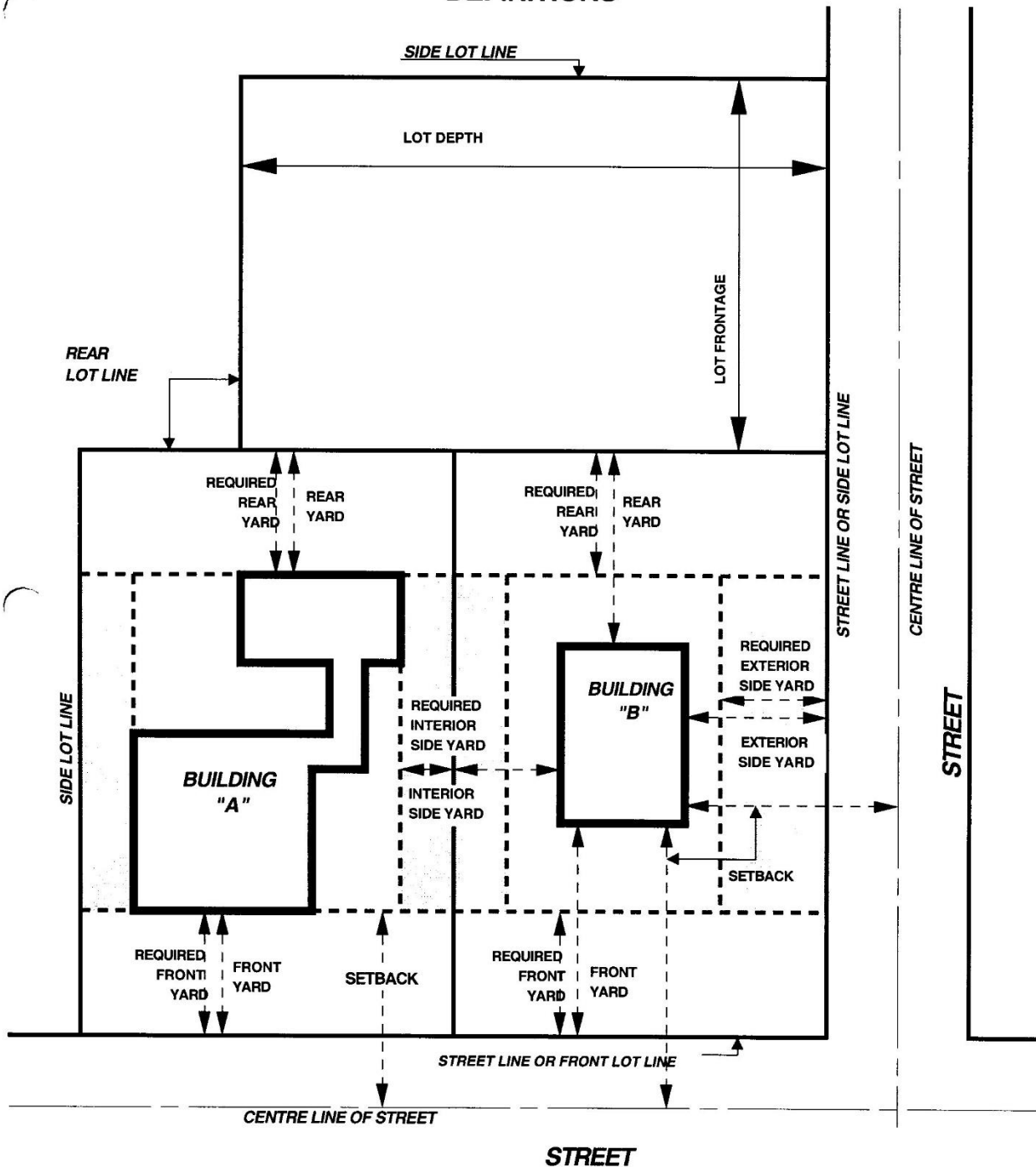
\*THE ILLUSTRATIONS ARE FOR CONVENIENCE ONLY AND DO NOT FORM PART OF THIS BY-LAW.

### APPENDIX 3 ILLUSTRATION OF LOT DEFINITIONS\*



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

# **APPENDIX 4 ILLUSTRATION OF YARD DEFINITIONS\***

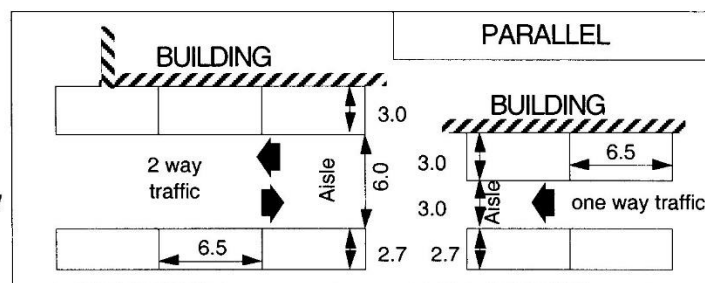
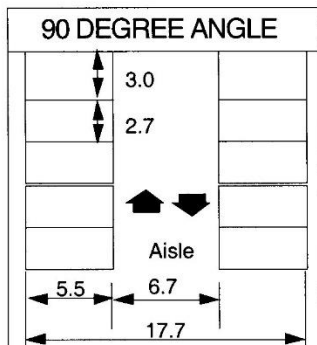
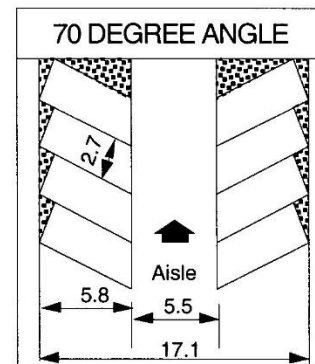
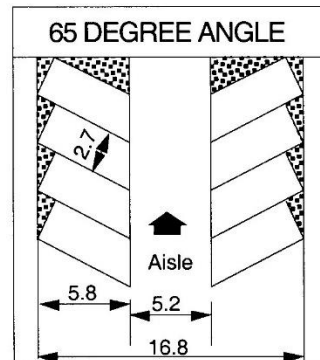
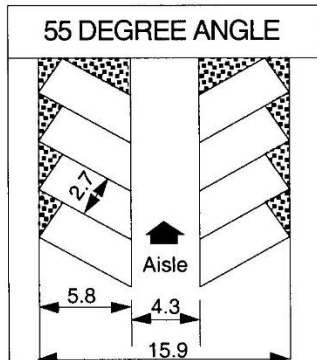
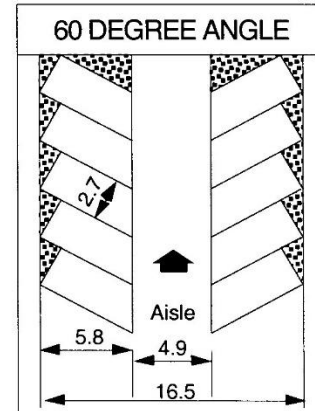
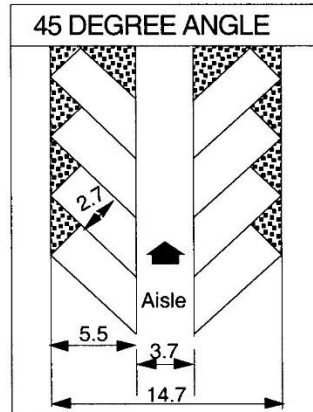
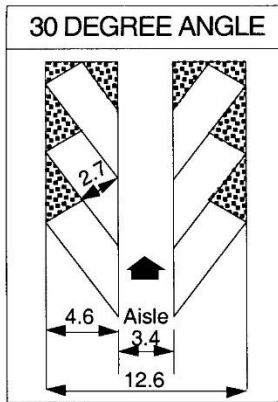


BUILDING "B" VOLUNTARILY INCREASED FRONT YARD, SIDE YARD, REAR YARD AND SETBACK ON CORNER LOT

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



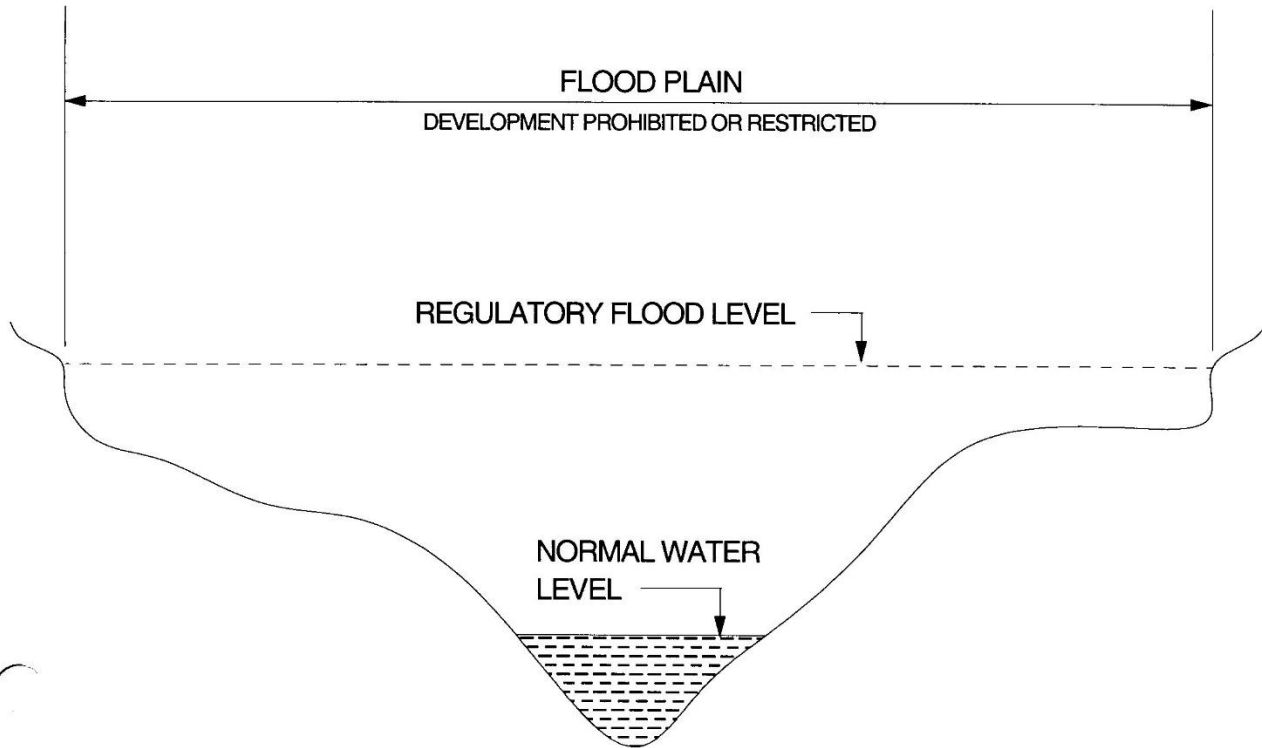
APPENDIX 5  
Illustration Of Parking Area Regulations  
Requirements by Configuration\*



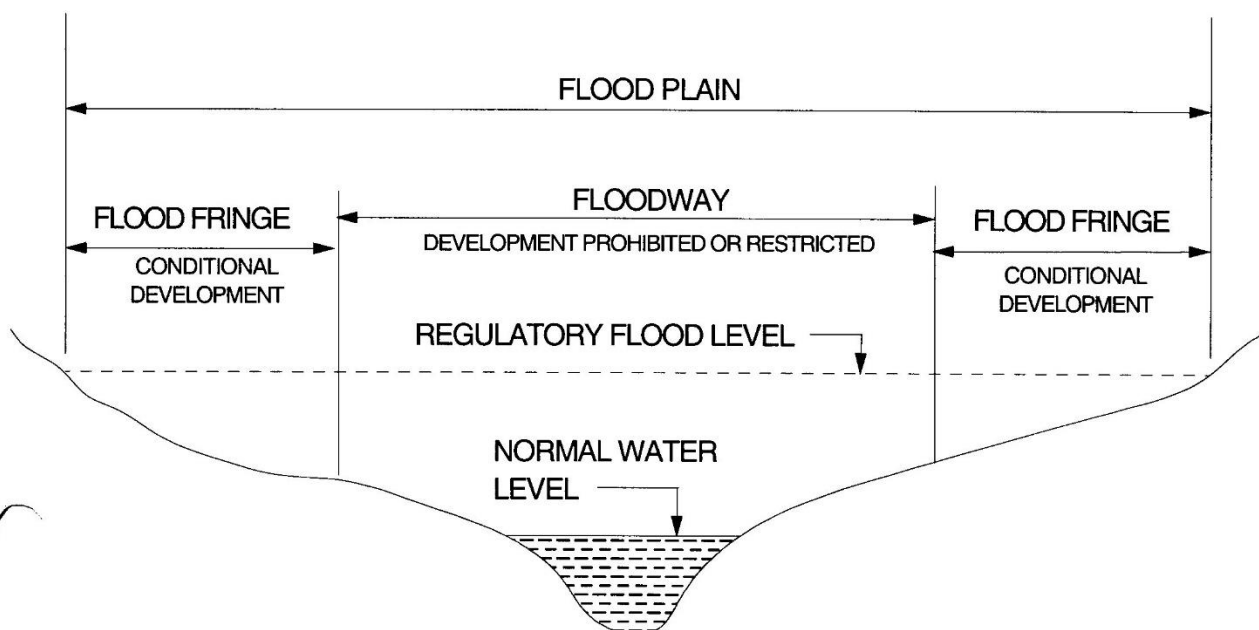
\* THE ILLUSTRATIONS ARE FOR CONVENIENCE ONLY AND DO NOT FORM PART OF THIS BY-LAW

**APPENDIX 6**

**ONE ZONE CONCEPT**

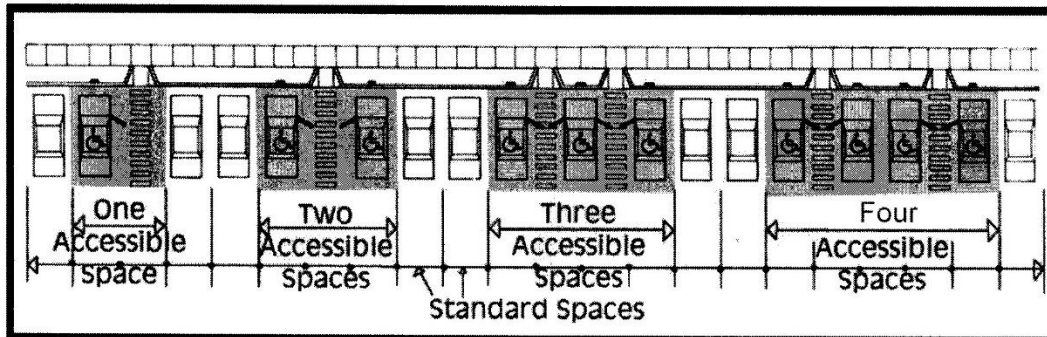


**TWO-ZONE FLOODWAY - FLOOD FRINGE CONCEPT**



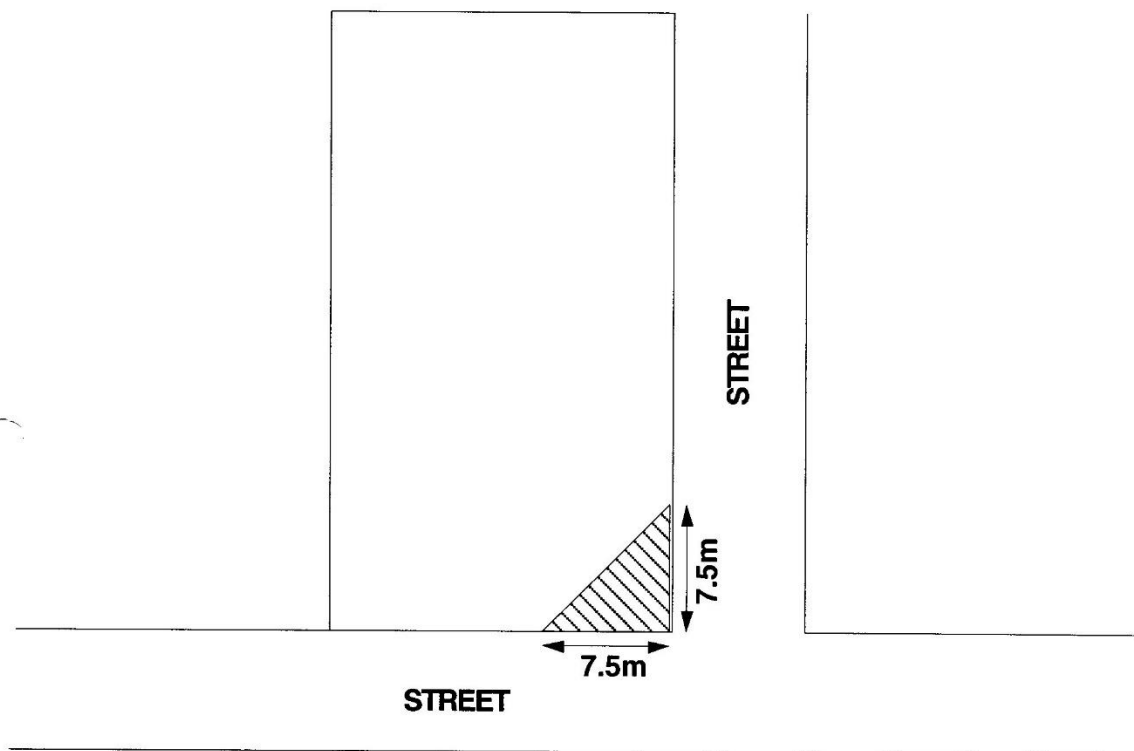
Source: City of London 2006 Facility Accessibility Design Standards

Figure 3: Design of Multiple Side-by-side Parking Spaces



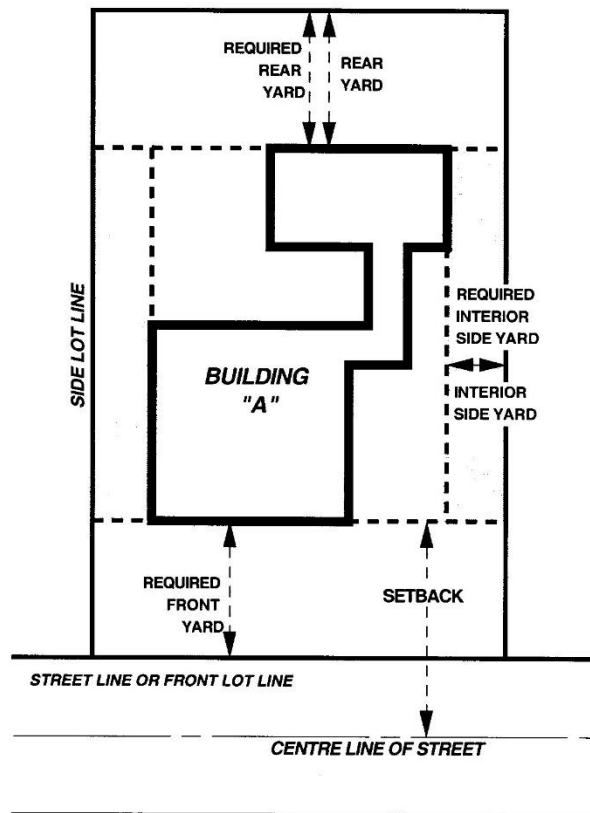
Source: City of Peterborough 2002 Access Guidelines, 3<sup>rd</sup> Edition

## APPENDIX 8 SIGHT TRIANGLES



**APPENDIX 9**

**\*ENCROACHMENTS IN  
YARDS, PERMITTED**



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