

## Section 16: Exceptions

This Section outlines exceptions to the permitted uses and provisions of this By-law as it relates to individual properties located throughout the Municipality. In many instances, the exceptions listed in this Section reflect certain Zoning By-law Amendments, which were processed under former Zoning By-laws. This Section should not be interpreted or construed as granting any other rights than those specifically applying to the individually identified properties.

This Section is also intended to act as a log of Zoning By-law Amendments, which may be granted by the Municipality in the future.

### a) Comprehensive Exceptions (the exception number applies to a number of parcels of land).

- 16.1 Notwithstanding any setback provisions to the contrary, on lands identified with a (-1) exception number, the construction of buildings and structures within 300 metres of the high water mark is not permitted.
- 16.2 In addition to the uses permitted on lands identified with a (-2) exception number, a small-scale commercial/industrial woodworking shop/sawmill is permitted subject to the definitions and general provisions of this By-law.
- 16.3 In addition to the uses permitted on lands identified with a (-3) exception number, a small-scale commercial/industrial metal works shop is permitted subject to the definitions and general provisions of this By-law.
- 16.4 Notwithstanding the provisions of Section 5.6 (Accessory Uses) as defined in the General Provisions of this By-law, on lands identified with a (-4) exception number, an accessory structure may be constructed closer to the front lot line than the main building.
- 16.5 Notwithstanding any setback provisions to the contrary, on lands identified with a (-5) exception number, the minimum rear yard setback for all buildings and structures shall be 30 metres.
- 16.6 The following Temporary Use By-laws have been passed by the Municipality

By-law	Duration/Purpose	Location	Lapsing Date
2004-48	<b>2 years – Superior Wind Energy</b> <ul style="list-style-type: none"> <li>• Meteorological tower is a permitted use</li> <li>• Tower shall be removed by November 2006, unless a by-law to extend the temporary use has been approved by Council</li> <li>• Minimum setback from all public roads shall equal the height of the tower</li> <li>• Maximum height of the tower shall be 80 metres</li> <li>• Subject to site plan control approval</li> </ul>	Part of Lot 26, Concession 6, former Osprey	Nov. 2006

- 16.7 The construction of all buildings and structures on lands identified with a (-7) exception number shall be in the building envelope on the Schedules to this By-law. For the purposes of the (-7) exception number, building envelopes have been demarcated in black on the applicable properties. All lands zoned with a (-7) exception number are subject to site plan control approval.
- 16.8 Permitted uses on lands with a (-8) exception number shall be limited to an outdoor recreation area, a boat launching ramp and a picnic area. Any rezoning proposed to expand the list of uses shall require reports to determine the suitability of the lot to support the proposed use (i.e. preparation of technical, engineering, and/or environmental studies to address grading, drainage, servicing, access, lot size, setbacks, or any other obstacles to development).
- 16.9 A maximum of 1 livestock unit per 0.4 hectares is permitted on lands identified with a (-9) exception number.
- 16.10 A golf course is a permitted use on lands identified with a (-10) exception number.
- 16.11 Non-habitable buildings located on lands identified with a (-11) exception number shall be used for dry storage only. In the context of a rural or rural residential property, “Dry Storage” shall mean the storage of materials in accordance with a permitted use on the property, but excludes the housing of livestock and any animal waste. In the context of a commercial or industrial operation, “Dry Storage” shall mean the storage of materials incidental to the operation, but excludes any processing or manufacturing uses, or any like uses, which require water and sanitary disposal systems.
- 16.12 On lands identified with a (-12) exception number permitted uses are limited to semi-detached and duplex residential dwellings in addition to uses permitted according to the Residential (R) Zone.
- 16.13 Notwithstanding the provisions of Section 5.2 (Lot Development Requirements) and Section 5.3 (Non-Complying Lots, Buildings and Structures) as defined in the General Provisions of this By-law, on lands identified with a (-13) exception number which have frontage on a private road, the lands may be used, and buildings thereon may be erected, enlarged, repaired or renovated provided all other provisions of the By-law are complied with.

**b) Site Specific Exceptions (the exception number applies to a specific parcel of land).**

- 16.20 Notwithstanding the permitted uses on lands identified with a (-20) exception number, and described as Lots 41 through 43, Concession 3 NDR, former Township of Osprey, no residential uses or hog facilities are permitted.
- 16.21 Notwithstanding any provisions of this By-law to the contrary, on lands identified with a (-21) exception number, and described as Part of Lot 43, Concession 2 NDR, former Township of Osprey, the following provisions shall apply:
- Permitted uses are restricted to a single-family detached dwelling, and uses, buildings and structures accessory thereto
  - Prior to any construction or issuance of a building permit or septic permit, the proponent shall obtain a permit from the Nottawasaga Valley Conservation Authority, pursuant to the Conservation Authorities Act.
- 16.22 Permitted uses on lands identified with a (-22) exception number, and described as Lot 20, Concession 13, former Township of Osprey shall be limited to a Water Bottling Facility, subject to the following definition and provisions (Reference: Ice River Springs – Aquafarms).
- A ‘Water Bottling Facility’ shall mean premises where water is bottled in bottles, which may be manufactured on site, and from which bottled water is shipped to a wholesale or retail outlet.
  - Maximum lot coverage shall be 6,400 square metres
  - Maximum building height shall be 11 metres
  - Minimum Front Yard shall be 15 metres
  - Loading spaces may be situated within the front yard, but shall not be situated any closer to the street line than 15 metres.
  - Open air operations, storage and display are not permitted
- 16.23 Permitted uses on lands identified with a (-23) exception number, and described as Part of Lot 1, Concession 7, former Township of Artemesia, on Irish Lake, shall be limited to Passive Recreational Uses.
- 16.24 Permitted uses on lands identified with a (-24) exception number and described as Lots 115 and 116, Concession 1 SWTSR, former Township of Artemesia, shall include an Operational Base for a Carnival Amusement Operation subject to the following definition and provisions (Reference By-law 24-1996 – Robertson):
- i) A ‘Operational Base’ for a Carnival Amusement Operation shall mean a rural commercial establishment where facilities are provided for the purpose of maintenance and storage of a carnival or similar exhibition such as a circus, midway show or sideshow, and where one or more of the following classes of amusement or recreation are also provided: mechanically or electrically operated rides and amusement rides for the purpose of physically moving people. The Operational Base shall also include storage for various equipment related to and necessary for the Carnival operation and the necessary areas or buildings for the maintenance and repair of the equipment.
  - ii) Seasonal accommodation of employees and their families is permitted in the form of a maximum of five mobile homes or trailers. For the purposes of this sub-section, ‘seasonal’ means the temporary use of land, buildings or structures for not more than six and one half consecutive months in any calendar year.

- iii) The Operational Base for the Carnival Amusement Operation shall not be open to the public nor will it provide commercial entertainment to the public.
  - iv) All new or expanded development on the property is subject to Site Plan Control approval.
- 16.25 Permitted uses on lands identified on lands identified with a (-25) exception number, and described as Part of Lot 11, Concession 5, former Township of Osprey, shall include a commercial greenhouse. (Reference: Ezra Martin)
- 16.26 Permitted uses on lands with a (-26) exception number and described as Part of Lot 1, Concession 7, former Township of Artemesia, on Irish Lake, shall be limited to a Private Recreational Resort in accordance with the following definitions and provisions:
- All development shall be subject to Site Plan Control Approval
  - A 'Private Recreational Resort' shall mean premises used by a private club (or organization) for recreational purposes, where members may be temporarily accommodated in seasonal dwellings (or cottages). No other form of living or sleeping accommodation shall be permitted on the premises. One (1) Clubhouse Facility shall be permitted for the exclusive use of the club members.
  - A 'Seasonal Dwelling or Cottage' means one of a group of buildings in a recreational Resort equipped with sanitary and culinary facilities and designed for human habitation on a temporary or occasional basis.
  - A 'Temporary or Occasional' basis shall mean a maximum occupancy of 120 days per calendar year
  - Regulations for a Private Recreational Resort:
    - i. Maximum number of Seasonal Dwellings shall be 21
    - ii. Minimum gross floor area for Seasonal Dwellings shall be 62.5 square metres
    - iii. Maximum gross floor area for Seasonal Dwellings shall be 82.5 square metres
    - iv. Seasonal dwellings which existed on or before April 26, 1999, which exceed the maximum floor area provided above, may be altered, reconstructed or restored provided the alteration, reconstruction or restoration will not increase the height, size or volume of the Dwelling
    - v. Maximum height for a Seasonal Dwelling shall be 1.5 stories
    - vi. Maximum gross floor area for the Clubhouse shall be 110 square metres
    - vii. Site Regulation: Each Seasonal Dwelling and the Clubhouse must be situated within an individual Building Envelope as delineated on Schedule E-2, Map A of this By-law
    - viii. Permitted Accessory Uses, Buildings and Structures shall include one (1) Accessory Building per building envelope, and unenclosed Picnic Areas
    - ix. Maximum gross floor area for each Accessory Building shall be 9.25 square metres
    - x. Water supply and/or sewage disposal shall not be installed, connected or provided to any Accessory Buildings or Structure
    - xi. Lands identified with a (-26) exception number, are hereby subject to a holding provision established under Section 36 of the Planning Act, R.S.O, 1990, as amended. The holding symbol shall only be removed once an engineering report has been prepared to the satisfaction of the County of Grey, Ministry of the

Environment and the Municipality, which demonstrates the adequacy of all existing and proposed water and sanitary sewage systems on-site.

- 16.27 Permitted uses on lands identified with a (-27) exception number and described as Part of Lot 121, Concession 1 SWTSR, former Township of Artemesia, shall be limited to the following (Reference: Markdale Tractor):
- Farm supply outlet
  - Farm produce outlet
  - Farm implement and equipment sales and service
  - Snowmobile and All Terrain Vehicle sales
  - Veterinary clinic
  - Open Storage
  - Retail nursery
  - Accessory Buildings
  - Greenhouse
- 16.28 Permitted uses on lands identified with a (-28) exception number and described as Part of Lots 39 and 40, Concession 11, former Township of Artemesia, shall include a small-scale commercial use comprising a cooking school and fly fishing school and related accommodation for guests and staff subject to the following definitions and provisions: (Reference: Silver Springs)
- i) A cooking and fly fishing school shall mean a place where people receive instruction on food preparation and fishing activities, and shall include associated temporary accommodation and meeting facilities, but does not include a restaurant or a motel/hotel.
  - ii) Maximum lot coverage for all buildings and structures associated with the cooking school and fly fishing school shall not exceed 400 square metres).
  - iii) A maximum of 8 rooms for guest accommodation is permitted.
  - iv) A maximum of 16 guest occupants are permitted at any one time.
  - v) The existing barn may be used for two staff accommodation rooms and a meeting room. The staff accommodation rooms shall not be available for remuneration.
  - vi) The maximum number of full time employees shall be three (3) in addition to the owner(s).
  - vii) The meeting room shall only be used for the purpose of the cooking school, and fly-fishing school, and shall not be available to the general public.
  - viii) All new development relating to the commercial use is subject to Site Plan Control approval.
- 16.29 Permitted uses on lands identified with a (-29) exception number and described as Part of Lot 122, Concession 1, SWTSR, former Township of Artemesia, shall be limited to a transport terminal and warehousing uses, and the maximum lot coverage permitted shall be 30%. (Reference: Chapmans Ice Cream)
- 16.30 Permitted uses on lands identified with a (-30) exception number and described as Part of Lot 22, Concession 7, former Township of Euphrasia, shall include a Private School subject to the following definition. A 'Private School' shall include classrooms and related educational and living accommodations for a maximum of 25 students, and their instructors, and residential facility managers or supervisors. (Reference: Rocklyn Academy)
- 16.31 Permitted uses on lands identified with a (-31) exception number, and described as Part of Lot 29, Concession 11, former Township of Osprey, shall include a cooking school and a

farm dining operation as a secondary use to the principal agricultural use of the property, subject to the following definition and provisions: (Reference: Stadtklander)

- A cooking school and farm dining operation shall mean a place where people receive instruction on food preparation, and where meals are served on a limited basis primarily utilizing the products generated by the principal farming activity on the property, and shall also include accommodation for cooking apprentices and temporary farm labour.
- The cooking school and farm dining operation shall only be permitted as a secondary use to the principal agricultural use of the property.
- The cooking school and farm dining operation shall occupy only the house and one outbuilding to a maximum of 250 square metres.
- The accommodation for cooking apprentices and temporary farm labour shall be limited to sleeping quarters and washroom facilities and shall not include any kitchen facilities.
- A maximum of 18 guest occupants are permitted at any one time.
- Guest and/or staff rooms shall not be made available for remuneration.
- The maximum number of full time employees associated with the cooking school or farm-dining operation shall be five (5) in addition to the owner.
- Outdoor storage shall be limited to a maximum of 750 square metres and shall be situated behind the front or exterior wall of the principal building facing the front lot line, and complies with all other yard requirements of the By-law.
- Any area of the lot used for open storage shall be screened from public exposure by buildings and/or a planting strip and/or a fence.
- All development on the property is subject to Site Plan Control Approval.

16.32 Permitted uses on lands identified with a (-32) exception number, and described as Lot 21, Con 7, former Township of Osprey, shall include a kennel as an accessory use to a single family dwelling, subject to the following definition and provisions:

A 'kennel' shall mean a building, structure and/or chain link enclosures where dogs are kept, boarded, and bred for the purpose of sale and/or pets, and

- The maximum area of any buildings and/or structures used for the kennel shall be 116 m<sup>2</sup>
- The minimum front yard setback shall be 170 metres
- The minimum side yard setback shall be 30 metres
- All buildings structures and/or chain link enclosures, shall be subject to the following:
  - i) such kennel units (buildings, structures and chain link enclosures) shall not cover an area greater than 464 m<sup>2</sup>.
  - ii) the chain link kennel area is situated behind the front or exterior wall of the principal dwelling facing the front lot line, and complies with all other yard requirements of the By-law.
  - iii) any area of the lot used for the kennel shall be screened from public exposure and adjacent rural residential uses by buildings and/or a planting strip and/or privacy fence.

- iv) Maximum number of adult dogs permitted shall be twenty (20). An adult dog is defined as being older than one calendar year, and does not include puppies.
  - v) for the purpose of this By-law, the pedigree of dogs in the described kennel shall be of Bigion, Shitzu, and Yorkshire Terrier breeding only.
- 16.33 Notwithstanding other provisions in this By-law to the contrary, the following provisions apply to lands identified with a (-33) exception number, and described as Part of Lot 38, Concession 7, former Township of Artemesia (Reference: Serbec/Irwin):
- The construction of buildings, structures, septic systems, and any other site alteration within 50 metres of the Wetland (W) Zone can only occur based on the recommendation of a Scope Environmental Impact Study, which has been reviewed to the satisfaction of the County and the Municipality. The only exception to this is that in the areas identified by a black hatching, which have previously been assessed, attached a 10-metre setback from the Wetland (W) Zone is required.
  - New accessory buildings and structures may be located in front of the principle building
  - A maximum of one livestock unit per 0.4 hectares of agricultural lands is permitted.
- 16.34 Permitted uses on lands identified with a (-34) exception number and described as Lot 4, Concession 13, former Township of Osprey, shall include the running of Horse Shows subject to the following definition and provisions. A ‘Horse Show’ shall mean the use of lands, buildings, or structures for the purpose of the staging of equestrian events, and the temporary boarding of horses in association with these events, but does not include the racing of horses. During the horse shows only, food and beverage sales to participants and spectators is also permitted. (reference: Russell Smith).
- 16.35 Permitted uses on lands identified with a (-35) exception number and described as Part of Lot 145, Concession 1 NETSR, former Township of Artemesia, shall be limited to the following (Reference: former Artemesia Municipal Office):
- Retail Stores
  - Service Shops
  - Studios
  - Personal Service Shops
  - Medical Centre
  - Business and Professional offices
  - Food Catering Shop: A ‘Food Catering Shop’ is defined as the use of land, buildings or structures for the purposes of food preparation which shall be transported and sold off-site, and shall not include a restaurant.
  - Equipment sales and rental
  - Plumbing Shops
  - Electrical Shops
  - Banks or financial institutions
  - Recreational uses
- 16.36 Permitted uses on lands identified with a (-36) exception number, and described as Part of Lot 146, Concession 1 SWTSR, former Township of Artemesia, shall be limited to the following (Reference: Bernard):
- Retail Stores
  - Service Shops
  - Studios
  - Personal Service Shops
  - Equipment sales and rental
  - Plumbing Shops
  - Electrical Shops
  - Banks or financial institutions

- Medical Centre
  - Business and Professional offices
  - Recreational uses
- 16.37 Permitted uses on lands identified with a (-37) exception number and described as Part of Lot 18, Concession 6, former Township of Osprey, shall be limited to the following uses as listed and defined below (Reference: Maxwell Landscaping):
- Wholesaling
  - Dry Industrial
  - Public Garage
  - Horticultural Nursery and Landscaping Centre
  - Sawmill
  - Uses accessory to the foregoing, including retail sales
- 16.38 Permitted uses on lands identified with a (-38) exception number and described as Part of Lot 18, Concession 6, former Township of Osprey, shall be limited to a Transport Terminal (Reference: Plantt Brothers):
- 16.39 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-39) exception number and located on Part of lot 30, Concession 10, former Township of Osprey, a driveway may be located a minimum of 50 metres away from the provincially significant wetland (Reference: Stoklas).
- 16.40 Permitted uses on lands identified with a (-40) exception number and described as Part of Lot 122, Concession 1 SWTSR, former Township of Artemesia, shall be limited to the following (Reference: Huron Bay Co-op):
- Farm supply outlet
  - Farm implement and equipment sales and service
  - Veterinary clinic
  - Retail nursery
  - Greenhouse
  - Farm produce outlet
  - Snomobile and All Terrain Vehicle sales
  - Open Storage
  - Accessory Buildings
- 16.41 Permitted uses on lands identified with a (-41) exception number, and described as Lots 5 and 6, Concession 3 NDR, former Township of Osprey, shall include a Welding Shop subject to a following definition and provisions: A 'Welding Shop' shall mean the use of land, building, or structures for the purpose of repairing agriculturally related machinery, vehicles, and equipment directly supportive and related to agricultural operations. The welding shop may include as a secondary use the fabrication of parts for agricultural equipment, as well as the making of wrought iron products for agricultural use. The maximum area of any buildings and structures used for the Welding Shop shall not exceed 750 square metres, and all other General Provisions of this By-law pertaining to Small-Scale Commercial and Industrial Uses detailed in Section 5.13 apply. (Reference: Owen Frey)
- 16.42 Notwithstanding any provisions of this By-law to the contrary, on lands identified with a (-42) exception number, and located in the Hamlet of Kimberley, in the former Township of Euphrasia, a single family residential use is permitted, provided such use is not located in a building separate from any commercial use on the property (Reference: Cats).
- 16.43 In addition to the uses permitted, on lands identified with a (-43) exception number, and described as Lot 33, concession 13, former Township of Artemesia, the following uses are permitted subject to Site Plan Control Approval (Reference: Doug Vanry):
- Health Spa

- A maximum of 4 trailer campsites
  - One Single-family dwelling
- 16.44 Permitted uses on lands identified with a (-44) exception number, and described as Part of Lot 30, Concession 7, former Township of Osprey, and further described as Lot 16, Registered Plan 843, shall be limited to single family detached dwellings, and buildings and structures accessory thereto. (Reference: Brewster's Lake)
- 16.45 Permitted uses on lands identified with a (-45) exception number, and described as Part of Lots 58, 59 and 60, Concession 1 and 2, NDR, former Township of Osprey, shall include a small-scale commercial sawmill is permitted subject to the following provisions:
- i) All new development relating to the small-scale commercial sawmill will be subject to Site Plan Control approval, which will make specific reference to maintaining the agricultural landscape (i.e. buffering and landscaping).
  - ii) Maximum lot coverage for all buildings and structures associated with the sawmill shall not exceed 560 square metres.
  - iii) All other General Provisions of this By-law pertaining to Small-Scale Commercial and Industrial Uses detailed in Section 5.13 apply.
- 16.46 Permitted uses on lands identified with a (-46) exception number at the Talisman Mountain Resort, shall be limited to the following and are subject to Site Plan Control Approval.
- A ski center including associated day use base lodges, maintenance facilities and parking facilities, and resort, hotel, motel and related commercial and recreational uses and facilities.
  - Ski chalets and commercial development such as lodges, retail stores and service establishments associated with the centre
  - Resort/tourist development and related recreational uses and facilities such as golf courses, tennis courts, public or private parks, trail uses, and attractions.
  - Recreational facilities, which require the slope for the proper functioning of the operation, such as snowboard runs, ski runs, ski lifts and slides.
  - Passive open space uses, and conservation, forestry and wildlife uses.:
- 16.47 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-47) exception number, and described as Part of Lot 181, Concession 1, NETSR, former Township of Artemesia, the following additional uses are permitted
- Driving range
  - Miniature golf course
  - Retail golf pro shop, subject to a maximum gross floor area of 135 square metres.
- 16.48 Permitted uses on lands identified with a (-48) exception number, and described as Part of Lot 145 and 146, Concession 1 SWTSR, former Township of Artemesia and Village of Flesherton, shall be limited to the following:
- A sewage treatment facility
  - A commercial communications tower.
  - Accessory buildings and structures to a permitted use.

- 16.49 Permitted uses on lands identified with a (-49) exception number, and located west of Pioneer Drive to the limits of the toe of the Prominent Escarpment Slope at the Beaver Valley Ski Club, former Township of Euphrasia, shall be limited and subject to the following:
- Expansion of the existing clubhouse, the development of new accessory structures, and the development of other structures incidental to the ski operation.
  - Recreational facilities which require the slope for the proper functioning of the operation, such as snowboard runs, ski runs, ski lifts and slides.
  - Passive open space uses, and conservation, forestry and wildlife uses.
  - Maximum Gross Floor Area of all buildings and structures shall be 700 square metres.
  - Maximum height of all buildings and structures shall be 7 metres.
  - All development is subject to Site Plan Control approval.
- 16.50 Permitted uses on lands identified with a (-50) exception number, and located in the vicinity of the existing Clubhouse, west of Pioneer Drive at the Beaver Valley Ski Club, former Township of Euphrasia, shall be limited to the following and are subject to Site Plan Control Approval.
- Clubhouse
  - Accessory structures
  - Recreational facilities which require the slope for the proper functioning of the operation, such as snowboard runs, ski runs, ski lifts and slides.
  - Passive open space uses, and conservation, forestry and wildlife uses.
- 16.51 Permitted uses on lands identified with a (-51) exception number in the former Village of Flesherton, shall include a Funeral Home and uses, buildings and structures accessory thereto.
- 16.52 Notwithstanding any provisions in this By-law to the contrary, on lands identified with a (-52) exception number, and located north of Main Street and west of Wellington Street in the former Village of Markdale, the maximum lot coverage shall be 65%, and the maximum gross floor area shall be 85%. (Reference: Chapman's Ice Cream)
- 16.53 Permitted uses on lands identified with a (-53) exception number in the Hamlet of Eugenia, shall include a salvage yard and uses, buildings and structures accessory thereto.
- 16.54 Permitted uses on lands identified with a (-54) exception number in the Village of Markdale, shall include a building supply centre and yard shall.
- 16.55 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-55) exception number, and described as (i) Parcel One: Part of Lot 36, Concession 13, former Township of Osprey and (ii) Parcel Two: Part of Lot 2, Concession 12, former Township of Osprey, the barns existing on each property as of 2002, shall be used for dry storage purposes only. (Reference: McQueen & Unison)
- 16.56 Notwithstanding any provisions of this By-law to the contrary, on lands identified with a (-56) exception number, and described as Part of Lot 35, Concession 11, former Township of Osprey, all buildings and structures must be located in the defined building envelope, and a maximum of 6 livestock units are permitted. The building envelope has been demarcated in black on the applicable Schedule to this By-law (Reference: Edwards).

- 16.57 Notwithstanding any provisions of this By-law to the contrary, on lands identified with a (-57) exception number, and described as Lot 26, Concession 13, former Township of Osprey, a small-scale water bottling operation is permitted to a maximum gross floor area of 150 square metres. A ‘Small-Scale Water Bottling Operation’ shall mean the processing, bottling, storage, and transportation of bottled water for the purpose of producing a beverage for human consumption. (Reference: By-law 40-1998). This property is subject to site plan control approval.
- 16.58 Permitted uses on lands identified with a (-58) exception number, and described as Part of Lot 5, Concession 11, former Township of Euphrasia, shall include a Non-Profit Bible Camp and ancillary uses subject to the following definition and provisions (Reference: Campfire):
- i) A ‘Non-Profit Bible Camp’ shall mean a place where non-profit religious groups gather year round for collective learning and relaxation”
  - ii) The maximum number of employee’s shall be 35
  - iii) The maximum number of buildings on site shall be 25
  - iv) The maximum gross floor area of all buildings shall be 2044 square metres
  - v) Ancillary uses shall be limited to the following:
    - One chapel/recreation/meeting room
    - One communal dining room and kitchen facility
    - One Warden’s residence
    - Supply and craft cabins
    - Sleeping cabins
    - Outdoor recreational facilities such as a soccer pitch, baseball and softball diamond, swimming pool
    - Parking facilities
    - Games room
    - One male and one female washroom facility.
  - vi) All development is subject to Site Plan Control Approval.
- 16.59 Notwithstanding any provisions of this By-law to the contrary, on lands identified with a (-59) exception number, and described as Lot 28, Concession 2, and Parts 1, 2 and 3 on Plan 16R-4741, former Township of Euphrasia, the minimum rear yard setback for all buildings and structures from the Hazard Zone boundary shall be 7.5 metres.
- 16.60 Notwithstanding any provisions of this By-law to the contrary, on lands identified with a (-60) exception number, and located in the Hamlet of Feversham, the maximum lot coverage shall be 17.4 per cent. In addition the maximum lot coverage for accessory buildings shall be 5.4 per cent, provided that the lot coverage of all buildings on the lot does not exceed the maximum lot coverage of 17.4 per cent (Reference: Miller)
- 16.61 Permitted uses on lands identified with a (-61) exception number, and located in the Hamlet of Feversham, shall be limited to a farm implement and equipment sales and service establishment.
- 16.62 Permitted uses on lands identified with a (-62) exception number, located in the Hamlet of Maxwell, former Township of Osprey, shall be limited to the following (Reference: Former Osprey Municipal Offices)

- Bakery Shops
  - Banks or financial institutions
  - Business or professional offices
  - Personal service shops
  - Service shops
  - Studios
- 16.63 Permitted uses on lands identified with a (-63) exception number, located in the Hamlet of Maxwell, former Township of Osprey, shall be limited to the following uses. In addition, any open storage shall be completely screened from public exposure through the use of landscaping in the form of vegetation or fencing, as determined by the Municipality. (Reference: Lisanti)
- Animal Clinic
  - Custom Workshop
  - Restaurant
  - Building Supply
  - Hotel
  - Motel
  - Cold Storage Lockers
  - Vehicle Sales
  - Public Storage Facility
  - Retail Sales
  - Garden Centre
  - Farm Implement Equipment Sales and Service Establishment
- 16.64 Permitted uses on lands identified with a (-64) exception number, located in the Hamlet of Rocklyn, in the former Township of Euphrasia, shall be limited to the following: (Reference former Euphrasia Municipal Office)
- retail stores
  - boutiques
  - business and professional offices
  - service shops
  - small-scale craft shops
- 16.65 Notwithstanding any other provisions of this By-law, the maximum lot coverage on lands identified with a (-65) exception number, located in the Hamlet of Ceylon, shall be 420 square metres.
- 16.66 Permitted uses on lands identified with a (-66) exception number, and located on Lake Eugenia shall be limited to recreational tourist cabins, a restaurant with a maximum floor area of 40 square metres and a single family dwelling. In addition, a maximum of 8 recreational tourist cabins are permitted. All development on lands identified with a (-66) exception number are subject to Site Plan Control Approval.
- 16.67 Permitted uses on lands identified with a (-67) exception number, and located on Lake Eugenia, shall be limited to a tent and trailer campground containing a maximum of 25 tent and trailer sites and a maximum of 9 recreational tourist cabins, a two storey administration centre containing a registration area, games room, fast food service, a convenience store/gift shop and an accessory dwelling in the second storey, as well as those uses, buildings and structures accessory to the permitted uses including a miniature putting golf course. All development on lands identified with a (-67) exception number are subject to Site Plan Control Approval. (Reference: By-law 32-1989)
- 16.68 Permitted uses on lands identified with a (-68) exception number, and described as Part of Lot 26, Concession 6, former Township of Artemesia, are limited to a convenience store and a butcher shop (Reference: Maxwell Meats).
- 16.69 Notwithstanding any other provisions in this By-law to the contrary, on lands identified with a (-69) exception number, and located in the Hamlet of Feversham, former Township of Osprey, the following provisions apply (Reference: Williams):

- Minimum front yard setback shall be 5.9 metres
  - Minimum side yard setback shall be 0.9 metres
  - Minimum setback from County Road 2 shall be 11.8 metres
  - An accessory building may be constructed in front of the main use building
- 16.70 Permitted uses on lands identified with a (-70) exception number, and located in the Hamlet of Maxwell, shall be limited to the following:
- Retail stores
  - Personal service shops
  - Agricultural Equipment Sales and Service Establishment. Shall mean the use of lands, buildings and structures for the display and sale of new and/or used farm equipment and may include servicing, repair, and lubrication of farm or heavy equipment, the sale of farm equipment accessories and related products and the leasing or renting of farm equipment.
  - Open Storage Area. Shall mean a portion of a lot where goods, materials, and farm implement equipment may be kept or stored, and which is only permitted in the rear yard.
  - Uses, buildings and structures accessory thereto.
- 16.71 Notwithstanding any provisions of this By-law to the contrary, on lands identified with a (-71) exception number, and described as Part of Lot 151, Concession 2, SWTSR, former Township of Artemesia the use of tourist cabins is permitted. "Tourist Cabins" shall mean a recreational establishment where families are temporarily accommodated in cabins, but does not include a tent and/or trailer campground or mobile home park. This property is subject to site plan control approval.
- 16.72 Permitted uses on lands identified with a (-72) exception number, and described as Part of Lot 136, Concession 1 NETSR, former Township of Artemesia, shall be limited to the following (Reference: Hutchison):
- Motor vehicle sales, service and washing establishment
  - Chip wagon: maximum size of 14 square metres
  - Enclosed & open storage
  - Motor vehicle body shop
  - Accessory uses and structures
- This property is subject to site plan control approval.
- 16.73 Permitted uses on lands identified with a (-73) exception number, and described as Part of Lot 136, Concession 1 NETSR, former Township of Artemesia, shall be limited to a Retail Store and Model Show Home Sales Establishment, which shall mean a building or structure to be used as an exhibit in which one or more persons are employed in the conducting of retail sales of homes. This property is subject to site plan control approval.
- 16.74 Notwithstanding any provisions of this By-law to the contrary, on lands identified with a (-74) exception number, and described as Lot 117, Concession 1 SETSR, former Township of Artemesia, an automobile and equipment repair establishment comprising not more than 250 square metres of an accessory building is permitted (Reference: Jim Turnbull). This property is subject to site plan control approval.
- 16.75 Notwithstanding any provisions of this By-law to the contrary, on lands identified with a (-75) exception number, and described as Lot 1, Concession 8, former Township of

Artemesia, the storage and sale of carpets and flooring materials is permitted (Reference: Paul's Carpeting). This property is subject to site plan control approval.

- 16.76 Permitted uses on lands identified with a (-76) exception number, and described as Part of Lot 190, Concession 1 NETSR, former Township of Artemesia, shall be limited to One Single Family Detached Dwelling, a Motor Vehicle Sales Establishment and a Motor Vehicle and Small Engine Repair Shop subject to the following definitions:

A 'Motor Vehicle Sales Establishment' shall be restricted to a maximum of four (4) vehicles and these vehicles must have been certified by the Ministry of Transportation.

A 'Motor Vehicle and Small Engine Repair Shop' shall mean any lands, buildings, or structure where the exclusive service performed or executed on motor vehicles and small engines, for compensation, shall include the installation of the exhaust system, repair of the electrical system, transmission repair, brake repair, radiator repair, tire repair and installation, rustproofing, motor vehicle diagnostic centre, major and minor mechanical repairs or similar uses.

This property is subject to site plan control approval.

- 16.77 Notwithstanding any provisions of this By-law to the contrary, on lands identified with a (-77) exception number, and described as Part of Lot 77 and 78, Concession 2 SDR, former Township of Artemesia, a salvage yard and uses, buildings and structures accessory thereto is permitted (Reference: Exception 15 in By-law 50-1981). This property is subject to site plan control approval.

- 16.78 Permitted uses on lands identified with a (-78) exception number, and described as Part of Lot 24, Concession 1, former Township of Euphrasia, shall be limited to Equipment Sales and Rental and a Custom and Craft Workshop. This property is subject to site plan control approval.

- 16.79 Notwithstanding any provisions of this By-law to the contrary, on lands identified with a (-79) exception number, and described as Lot 11 and 12, Concession 4, former Township of Osprey, a boys and girls campground is permitted. A 'Boys and Girls Campground' shall mean a recreational establishment operated by a private or public organization where children or adults are temporarily accommodated in tents, cabins, cottages or lodges and shall include a day camp or scout camp but does not include a tent and trailer campground or a mobile home park. This property is subject to site plan control approval. (Reference: By-law 7-1982).

- 16.80 Notwithstanding any provisions of this By-law to the contrary, on lands identified with a (-80) exception number, and described as Part of Lot 6, Concession A, former Township of Osprey, the welding, repair, sales and storage of small engines and farm machinery is permitted (Reference: By-law 10-1986). This property is subject to the Small-Scale Commercial and Industrial provisions defined in Section 5.13 of this By-law.

- 16.81 Notwithstanding any provisions of this By-law to the contrary, on lands identified with a (-81) exception number, and described as Lot 36 and 37, Concession 12, former Township of Osprey, a woodworking and retail picture frame store is permitted to a maximum of 115 square metres (Reference: By-law 5-1987). This property is subject to site plan control approval.

- 16.82 Notwithstanding any provisions of this By-law to the contrary, on lands identified with a (-82) exception number, and described as Lot 27, Concession 14, former Township of Osprey, a log home construction operation is permitted (Reference: By-law 20-1991). This property is subject to site plan control approval.

- 16.83 Permitted uses on lands identified with a (-83) exception number, and described as Part of Lot 5, Concession 6, former Township of Euphrasia, Hamlet of Kimberley, shall be limited to the following:
- Retail store
  - Convenience store
  - Business or Professional office
  - Personal Service Shop
  - Dwelling unit in second storey
- 16.84 Notwithstanding any provisions of this By-law to the contrary, on lands identified with a (-84) exception number, and described as Part of Lot 15, Concession 12, former Township of Osprey, a Butcher Shop shall be permitted as a home industry use subject to the following definition and provisions (Reference: Routheut).
- A Butcher Shop shall mean the cutting and butchering of meat and may include the package of same, but shall not include the use of any portion of the property for an abattoir or for the slaughtering of meat. The Owner may charge for butchering services, but may not sell butchered or other products from this property.
  - A Butcher Shop is subject to the provisions of Section 5.12 of this By-law.
  - May be located in an accessory structure which shall be permitted in front of the residential dwelling on the property.
  - The use of any buildings or structures for the Butcher Shop is subject to site plan control, which will address matters such as the need for a secondary septic system, disposal of waste products, signage, and inspections for compliance with the Food Premise Regulation.
- 16.85 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-85) exception number, and described as Part of Lot 1, Concession 10, former Township of Osprey, the trailer, as modified existing on the property on October 27, 2003 is considered a permanent residential dwelling unit for the purposes of this By-law. (Reference: Bourdeau).
- 16.86 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-86) exception number, and described as Part of Lot 161, Concession 3 NETSR, former Township of Artemesia, a landscaping and construction business is permitted as home occupation use accessory to a permitted single-family residential use. All provisions of this By-law pertaining to Home Industry uses apply to the landscaping and construction business, except that the maximum area of an accessory building to be used for the home industry shall be 110 square metres.
- 16.87 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-87) exception number, located on the west side of Toronto Street, village of Markdale, the sale of antiques and a funeral home are also permitted. This property is subject to site plan control approval.
- 16.88 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-88) exception number, and described as Part of Lot 45 and all of Lot 46, Concession 1 SDR, former Township of Osprey, small-scale commercial uses are subject to the following provisions (Reference John Martin):
- Must be located within the existing structure.
  - Maximum area of all buildings and structures used for the small-scale use shall be 371 square metres.

- 16.89 Permitted uses on lands identified with a (-89) exception number, and described as Part of Lot 31, Concession 5, Hamlet of McIntyre, former Township of Osprey, shall be limited to the following (Reference: By-law 2005-06 Edwin Martin):
- Small-scale welding and steel fabricating shop subject to the provisions of Section 5.13 of this By-law
  - One single-detached dwelling
  - Uses, buildings and structures existing on the date of adoption of this by-law
  - Uses, buildings and structures accessory to a permitted use
- 16.90 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-90) exception number, and described as Part of Lot 56 and 57, Concession 2 NDR former Township of Osprey, an ‘Accessory Farm Residence’ shall be a permitted use subject to the following definition and provisions (Reference: Samuel Martin):
- An ‘Accessory Farm Residence’ shall mean a secondary single-detached dwelling used as a residence for persons employed or otherwise engaged in active farm operations on the property.
  - The secondary single-detached dwelling containing the farm residence shall be removed from the property when it no longer required to house farm help. The exception to this is that the owner will have the option of converting the dwelling to a non-habitable structure to the satisfaction of the Municipality.
- 16.91 Permitted uses on lands identified with a (-91) exception number, and described as Part of Lot 11, Concession 1 NDR, former Township of Osprey, shall be limited to the following (Reference: Soloman Hoover):
- Place of worship
  - Cemetery
  - Accessory uses, buildings and structures
- 16.92 Permitted uses on lands identified with a (-92) exception number, and described as Part of Lot 101, Concession 1 SWTSR, former Village of Markdale, shall be limited to the following (Reference: Chapmans):
- A motor vehicle parking lot for use by area businesses and trail users.
- 16.93 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-93) exception number, and described as Part of Lots 145, 146 and 147, Concession 1 SWTSR, former Township of Artemesia, are considered to have frontage on a municipal road through abutting lands described as Part 3, Plan 16R-5439. Lands zoned C2-93 are subject to site plan control approval. (Reference: Ron Miller)
- 16.94 Permitted uses on lands identified with a (-94) exception number, and described as Lot 8 and 9, Plan 39, and known municipally as 24 Beachell Street in the village of Flesherton, include a single-detached, semi-detached or duplex dwelling. The following provisions shall apply to a duplex (Reference: Armstrong/Allen):
- The minimum lot frontage for development on municipal sanitary sewers and private water shall be 21 metres.
  - The minimum lot area for a duplex dwelling with municipal sanitary sewers and private water shall be 940 square metres.

16.95 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-95) exception number, and described as Part of Lots 33 and 34, Concession 9 on Peter's Crescent at Lake Eugenia, permitted uses shall be limited to the following:

- Public or private park and playground
- Passive recreational uses