

Municipality of Grey Highlands

Amalgamated former Townships of Artemesia, Euphrasia, Osprey, and the Village of Markdale

Comprehensive Zoning By-law 2004-50

(Office Consolidation)

(October 24, 2005 through January 1, 2022)



Prepared by
The Jones Consulting Group Ltd.

Adopted by Council October 24, 2005



JONES

CONSULTING GROUP LTD.

PLANNERS, ENGINEERS, SURVEYORS

Municipality of Grey Highlands

By-law No. 2004 – 50 (Office Consolidation)

NOTE: This document is an Office Consolidation of all approved amendments to By-law 2004-50 between October 24, 2005 and January 1, 2022. Any subsequent amendments approved since this date are not included in this document. While the Planning Department attempts to deliver the most accurate information regarding the Zoning by-law, the reader is advised that this publication is susceptible to amendments and may not be fully updated. In situations where legal accuracy is important, the By-law itself and any amending by-laws thereto must be consulted.

Readers are directed to refer to the original Site Specific Zoning By-law Amendment(s).

Being a By-law to prohibit the use of land and the erecting, locating or using of buildings or structures for or except for such purposes as may be set out in this By-law, and including lands that are subject to flooding or on land with steep slopes, or that is rocky, low-lying, marshy, unstable, hazardous, subject to erosion or to natural or artificial perils, that is contaminated, that is a sensitive ground water recharge area or head-water area or on land that contains a sensitive aquifer, or that is a significant wildlife habitat, wetland, woodland, ravine, valley or area of natural and scientific interest (ANSI), that is a significant corridor or shoreline of a lake, river or stream, or that is a natural corridor; and for regulating the type of construction and the height, bulk, location, size, floor area, spacing, character and use of buildings or structures, and to define and regulate the minimum frontage, depth, and area on the parcel of land and the density of development, and the proportion of the area thereof that any building or structure may occupy; and to require owners or occupants of buildings to provide and maintain loading and parking facilities, and to prohibit the use of land, buildings or structures unless such municipal services as may be set out in this By-law are available to service the lands, buildings and structures, as the case may be.

WHEREAS the Council of the Corporation of the Municipality of Grey Highlands deems it in the public interest to prohibit and regulate the use of land, buildings and structures.

AND WHEREAS pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990, as amended, By-laws may be enacted and amended by Councils of Municipalities;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF GREY HIGHLANDS ENACTS AS FOLLOWS:

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Section 1: Introduction

1.1 Title

This By-law shall be cited as the “Municipality of Grey Highlands Comprehensive Zoning By-law”.

1.2 Components

This By-law consists of all textual components and schedules contained herein.

1.3 Application

The provisions of this By-law shall apply to all lands within the boundaries of the Corporation of the Municipality of Grey Highlands, save and except for those lands under the Development Control Regulations of the Niagara Escarpment Commission.

1.3 Scope

No lands shall be used and no buildings or structures shall be erected, altered, enlarged or used within the Municipality except in conformity with the provisions of this By-law. Uses not listed as permitted or otherwise provided for in this By-law shall be prohibited.

1.4 Repeal of Existing By-laws

From the date of the coming into force of this By-law, all previous By-laws passed under Section 34 of the Planning, R.S.O. 1990, or predecessor thereof, shall be deemed to have been repealed. More specifically, By-law 10-1978 of the former Township of Osprey, By-law 50-1981 of the former Township of Artemesia, By-law 400-83 of the former Village of Flesherton, By-law 45-1990 of the former Township of Euphrasia, and By-law 96-8 of the former Village of Markdale, and all amendments thereto, are hereby repealed insofar as they affect the lands covered by this By-law.

1.5 Validity

Every provision of this By-law is declared to be severable from the remainder of this By-law and, if any provision of this By-law shall be declared invalid by a court of competent jurisdiction, such declaration shall not affect the validity, effectiveness, or enforceability of the remainder thereof.

1.6 Effective Date

This By-law shall come into force and take effect on the day it is passed by Council subject to any approval necessary pursuant to The Planning Act, R.S.O., 1990, as amended from time to time.

1.7 Components of the By-law

Section 1:	Introduction
Section 2:	Administration and Interpretation
Section 3:	Definitions
Section 4:	Establishment of Zones
Section 5:	General Provisions
Section 6 - 14:	Zones
Section 15:	Zone Standards Summary
Section 16:	Exceptions
Section 17:	Enactment

Section 2: Administration and Interpretation

2.1 Responsibility

The responsibility of administering this By-law shall be vested in the By-law Enforcement Officer for the Municipality of Grey Highlands or such other administrative official of the Municipality, as Council shall designate from time to time.

2.2 Inspection of Property and Premises

The By-law Enforcement Officer or any designated employee of the Municipality of Grey Highlands acting under his direction may, at any reasonable hour and upon producing property identification, enter and inspect any property but shall not enter any building or structure used as a dwelling unit without:

- i) the consent of the occupier, or
- ii) the authority of a Search Warrant issued pursuant to the provisions of Section 142 of the Provincial Offences Act, R.S.O. 1990, as amended.

2.3 Licences and Permits

- i) In addition to fulfilling the requirements of this By-law, no person shall commence to erect, alter or repair any building or structure without first a building permit from the Municipality, where necessary.
- ii) No municipal permit or license shall be issued where said permit is required for a proposed use of land or the proposed erection, alteration, enlargement, or use of any building or structure that is in violation of any provision of this By-law.
- iii) 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 Municipality, into any zone, shall be considered as being a new building or structure and shall comply with the provisions of this By-law.

2.4 Violations, Penalties, and Remedies

- i) Pursuant to the provisions of Section 67 of The Planning Act, R.S.O., 1990, as amended from time to time, any person who breaches any provision of this By-law is guilty of an offence and, on conviction, is liable:
 - a) On a first conviction to a fine of not more than \$25,000.00; and
 - b) On a subsequent conviction, to a fine of not more than \$10,000.00 for each day, or part thereof, upon which the contravention has continued after the day on which he was convicted.
- ii) Where a Corporation breaches any provision of this By-law and is found guilty of an offence on conviction is liable:
 - a) On a first conviction, a fine of not more than \$50,000.00; and
 - b) On a subsequent conviction, a fine of not more than \$25,000.00 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted

Where a conviction is entered, in addition to any other remedy or any penalty provided by law, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person and/or Corporation convicted.

2.5 Application for Permits

- i) Every application for a permit to use lands, or to erect, alter, enlarge, or use any buildings or structures shall be accompanied by plans drawn to scale, showing:
 - a) the actual shape and dimensions of the lot to be used or upon which it is proposed to erect, alter enlarge, or use buildings or structures;
 - b) the proposed location, height, and dimensions of the buildings or structures in respect of which the permit is applied for;
 - c) the location of every building or structure already erected on or partly on such lots;
 - d) the location of proposed parking spaces, loading spaces, driveways and landscaping areas;
 - e) the location of any landscaping, curbing drainage, retaining walls and other physical additions to the site; and
 - f) such other information as the Chief Building Official or the By-law Enforcement Officer considers necessary to determine whether every such building, structure, or work conforms with the requirements of this By-law.
- ii) The application shall be accompanied by a statement by the owner or his duly authorized agent specifying the use to which the lands are intended or the use to which the buildings or structures to be erected, altered or enlarged are intended to determine if such use conforms with the requirements of this By-law.
- iii) The lot and the location of every building or structure to be erected thereon is to be staked out on the grounds before construction is commenced.
- iv) The lack of a survey, or a mistake or an error or omission by any person required to comply with the provisions of this By-law does not relieve that person from liability for failure to comply with the provisions of this By-law.
- v) The Chief Building Official or the By-law Enforcement Officer may require that any plans accompanying an application be prepared by an Ontario Land Surveyor, Professional Engineer, or Architect where, in their opinion, such plans are necessary to determine the exact extent to which a variance or amendment is required.

2.6 Relationship with Other By-laws

Nothing in this By-law shall operate to relieve any person from the requirements of the Building Code or any By-law or requirements of the Municipality in force from time to time, or the obligation to obtain any license, permit, authority, or approval required under any By-law or law of the Municipality or other government authority. Any use established in violation of a predecessor of this By-law will be deemed to have been established unlawfully.

2.7 General Interpretation and Application

- i) In their interpretation and application, the provisions of this By-law shall be held to be the minimum requirements adopted for the promotion of the public health, safety, convenience, or general welfare. Whenever the requirements of this By-law are at variance with the requirements of any other By-law, the most restrictive, or the By-law imposing the higher standards shall govern and apply. Nothing in this By-law shall be construed to exempt any person from complying with the requirements of any By-law of the Municipality or the Corporation of the County of Grey or from any law of the Province of Ontario or of Canada, or any regulations under the provisions of the Conservation Authorities Act, R.S.O. 1990, as amended from time to time.
- ii) In this By-law the word “shall” is mandatory and directory; words used in the present tense include the future; words in the singular include the plural and words in the plural include the singular. Words imparting the masculine gender shall include the feminine and the converse.
- iii) In the event that an obvious grammatical or graphical error has been made in the preparation of this By-law, the Administrator of this By-law may interpret the intent of this By-law in a reasonable manner without amendment to this By-law.

2.8 Conversion Table

Metric units of measurement identify length, distance and area within this By-law. To assist in the review of this By-law, the following conversion factors are provided:

- To convert inches to centimetres, multiply by 2.54
- To convert centimetres to inches, multiply by 0.39
- To convert feet to metres, multiply by 0.3
- To convert metres to feet, multiply by 3.28
- To convert square feet to square metres, multiply by 0.093
- To convert square metres to square feet, multiply by 10.764
- To convert yards to metres, multiply by 0.91
- To convert metres to yards, multiply by 1.09
- To convert miles to kilometers, multiply by 1.61
- To convert kilometers to miles, multiply by 0.62
- To convert acres to hectares, multiply by 0.4
- To convert hectares to acres, multiply by 2.47

Section 3: Definitions

For the purposes of this By-law, the definitions and interpretations given in this Section shall govern.

Abattoir

Shall mean a building or structure designed for the slaughter and semi-processing of live animals, which may include the packing, treating, storing, and sale of the product on the premise.

Accessory Apartment

Shall mean a dwelling that is permitted on a lot in addition to the principal dwelling in line with the provisions specified in section 5.28 of the Zoning By-law.

Accessory Building or Structure

Shall mean a detached building or structure that is not used for human habitation, the use of which is naturally and normally incidental to, subordinate to and exclusively devoted to a principal use and located on the same lot.

Accessory Use

Shall mean a use naturally and normally incidental to, subordinate to, or exclusively devoted to a principal use and located on the same lot. Accessory uses do not include new uses of land, buildings or structures that involve taking more than 10,000 litres per day of ground or surface water, except for agricultural uses up to 50,000 litres per day.

Adverse Effects

Shall mean one or more of the following: impairment of the quality of the natural environment for any use that can be made of it, injury or damage to property or plant or animal life, harm or material discomfort to a person, an adverse effect on the health of any person, impairment of the safety of any person, rendering any property or plant or animal life unfit for human use, loss of enjoyment of normal use of property and interference with normal conduct of business.

Agricultural Bulk Sales 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 in this By-law. These shall include such goods and services as sale, processing and storage of seed, feed, fertilizer, and chemical products and animal and poultry health and breeding services.

Agricultural Equipment Sales/Services Establishment

Shall mean a building and lot used for the display and sale of new and/or used farm equipment and may include the servicing, repair and lubrication of farm equipment, the sale of farm equipment accessories and related products and the leasing or renting of farm equipment.

Agricultural Produce Outlet/Roadside Stand

Shall mean the use of lands, buildings or structure or part thereof for the purpose of selling agricultural produce grown in the agricultural community.

Agricultural use

Means the use of land, buildings or structures for the purpose of animal husbandry, horticulture, dairying, fallow, and/or forestry, and shall include field crops and pasturage, and any other farming use excluding intensive or specialty agriculture; and includes: the growing, raising, packing, treating, storing and sale of produce produced on the premises and other similar uses customarily carried on in the field of general agriculture, and shall include non-commercial greenhouses, and exclude kennels.

Agricultural Operation, Intensive

Shall mean an agricultural use in which the predominant economic use of land, buildings, or structures includes the growing of mushrooms, a commercial greenhouse, Concentrated Animal Feeding Operations (such as poultry operations and feedlots), or large scale cash crops, or as otherwise defined in the Nutrient Management Act SO 2002.

Intensive agricultural operations shall include any or all of the types listed below:

i. Concentrated Animal Feeding Operations (CAFO's):

Where the number of livestock units on the farm is 100 or more and the ratio of livestock units to tillable acres on the farm unit is 2 or greater., OR, the number of livestock units on the farm unit is 150 or more and the ratio of livestock units to tillable acres is greater than one. (Livestock unit equivalency is defined in Table 4, Section 5.26 of this By-law).

ii. Large Scale Cash Crops:

Where the farm acreage exceeds 2,000 hectares

iii. Mushroom Operations and Commercial Greenhouses

Where the area devoted to the operation (land and buildings) exceeds 6 hectares or greater than 2 hectares of the land used for the operation is covered by buildings and structures.

Agriculture, Specialty

Shall mean the use of land buildings or structures for the purpose of specialized agricultural activities such as; an apiary, fruit farming, market gardening, organic farming, and nursery uses.

Airport

Shall mean the use of land licensed by Transport Canada for the landing and take-off of commercial and /or private aircraft and will include any building accessory thereto.

Alter

When used in reference to a building or part thereof, means any modification to the structural component of a building or structure that results in a change of use or an increase or decrease in the floor area.

When used in reference to a lot, the word 'alter' means to increase or decrease the width, depth, or area of any required yard, setback, or 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.

Alternative Energy System

Shall mean sources of energy or energy conversion process that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when compared to conventional systems.

Arena

Shall mean a building or structure used for indoor sporting or community activities.

Assembly Hall

Shall mean premises used for the purposes of hosting meetings for civic, educational, charity, religious or social purposes.

Basement

Shall mean a story that has 50% or more of its height/volume above the average level of the ground surrounding the building.

Bed & Breakfast Establishment

Shall mean sleeping accommodation for the traveling or vacationing public within a single dwelling which is the principal residence of the proprietor, to a maximum of four guest rooms, and may include the provision of breakfast and other meals and services, facilities or amenities for the exclusive use of the occupants. The guest rooms shall not have kitchen facilities, nor in any other way resemble a motel or Inn, and guests should not have access to kitchen facilities

A bed and breakfast establishment shall be permitted in any zone in which a single-family residential dwelling is a permitted use; however, is not permitted in combination with any other type of accommodation such as roomers and boarders and accessory apartments. In addition, bed and breakfast establishments are considered a home occupation and governed according to the General Provisions of this By-law.

Biomass Energy System

Means a renewable electrical generation facility using renewable biomass resources and/or waste products that produces electrical power for needs of a user or to feed into the transmission or local distribution grid.

“Biomass” means (a) peat, (b) wood, other than woodwaste, or (c) organic materials that are grown or harvested for the purpose of being burned to generate electricity.

“Waste Biomass” means agricultural waste, sewage, woodwaste and gases generated from the decomposition of organic materials, but does not include biogas or landfill gas.

A biomass energy system includes all components, supporting infrastructure, and outbuildings. A biomass energy system includes anaerobic digesters used principally for the generation of electricity.

Boat House

Shall mean a detached accessory building or structure which is designed or used for the sheltering of a boat or other forms of water transportation, and does not have a dwelling located above it. A Boat House may be

considered permanent or portable or floating in nature. To be considered portable or floating in nature, the Boat House must be seasonal or temporary in nature, and removed prior to the winter months. Examples of portable or floating boathouses are those structures which sit on-top of the ground or sand in the water, and are not permanently fastened.

Boarding or Rooming House

Shall mean a dwelling in which lodging with or without meals is supplied for economic gain to three or more persons other than the lessee, tenant, or owner of said dwelling, or any member of his/her family, but excludes a motel, hotel, hospital or bed and breakfast establishment.

Building

Shall mean a structure, whether temporary or permanent, as defined within the Building Code, used or intended to be used for the shelter, accommodation or enclosure of persons, goods or chattels.

Building Envelope

Shall mean the buildable area of a lot located outside a Wetland Zone, Hazard Zone or Constraint Area (See Figure 1), defined by all required setbacks and maximum height requirements, within which a building can be erected, as established in this By-law.

Building Official/Inspector

Means the officer or employee of the corporation charged with the duty of enforcing the provisions of the Ontario Building Code.

Building Supply Establishment

Shall mean a building and lot for the sale and storage of building materials and equipment, and may include the incidental assembly/fabrication for the purpose of sales and service only.

Building Setback

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

Built Heritage Resources

Shall mean one or more significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community. These resources may be identified through designation or heritage conservation easement under the Ontario Heritage Act, or listed by local, provincial or federal jurisdictions.

Bulk Fuel Sales Establishment

Shall mean the use of lands or buildings for the purpose of buying and selling fuel, oil, wood, and coal, and allied commodities but does not include any manufacturing, assembling, or processing uses.

Cabin

Shall mean a building or structure used for temporary human habitation that may or may not contain heating facilities or sanitary facilities and shall not contain cooking facilities.

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, or recreational vehicles.

Carport

Shall mean a building where at least 40% of the area of the perimeter face is open and unobstructed by any wall, door, post, or pier. Is used for temporary parking or storage of motor vehicles (1 ton max.), and where no servicing is carried on for profit.

Cellar

Means a storey that has more than 50% of its height or volume below the average level of the ground surrounding the building or structure.

Cemetery

Means a cemetery within the meaning of the Cemetery Act, R.S.O. 1992.

Clinic, Medical

Shall mean building or part thereof used by qualified medical practitioners, dentists, chiropractors, or other drugless practitioners, for public or private medical, surgical, physio therapeutic or other human health purposes, except when included within or accessory to a private or public hospital.

Clinic, Veterinary

Shall mean building, or part thereof, used by a veterinary surgeon for the treatment and care of animals, birds, or other livestock.

Club, Commercial

Shall mean any club other than a private club.

Club, Private

Shall mean a building, or part of a building, used as a meeting place for members of an organization and includes, amongst others, a lodge, a fraternity or sorority house, and a labour union hall, such as a Legion, Lion's Club, Kiwanis, etc.

Commercial

Shall mean the use of lands, buildings, or structures, for the purpose of buying and selling commodities, and supplying of services, as distinguished from such uses as manufacturing or assembling of goods, warehousing, transport terminals, construction and other similar uses.

Commercial, Small-Scale

Shall mean a commercial activity which is located on agricultural or rural lands, and which exceeds the provisions for a Home Industry use. In the case of agricultural lands, the small-scale commercial use shall be directly supportive and related to the agricultural operation and located in close proximity to farm operations in the area. In the case of rural lands, the small-scale use shall serve the needs of the immediate area and the agricultural/rural community, and the location poses no operating constraints to an existing farm. Refer to the General Provisions of this By-law for regulations pertaining to small-scale commercial uses.

Commercial Water Taking

Shall mean a use of land where water is extracted from surface or ground water and where some or all of such extracted water is transported from the site for commercial sale.

Community Centre

Shall mean a building in which facilities are provided for such purposes as meetings for civic, educational, political, religious, or social functions, but does not include any continuous commercial use.

Condominium

Shall mean an individual ownership in a multiple unit development with common elements, as defined by the Condominium Act, R.S.O., 1998.

Conservation

Shall mean the use of land for the purpose of maintaining or enhancing the natural environment and shall include the provision of proper environmental conditions.

Contractor's Yard

Shall mean a yard of any building trade or contractor where equipment and material are stored or where a contractor or tradesman performs shop or assembly work.

Convenience Store

Shall mean a retail store servicing the daily or occasional needs of the residents in the immediate area with a variety of household items such as groceries, patent medicines, sundries, tobacco, stationary, and hardware.

Convention Facility

Shall mean a building in which facilities are provided for such purposes as meetings for large groups of civic, educational, political, religious or social purposes, and may or may not include a kitchen facility.

Council

Means the Council of the Corporation of the Municipality of Grey Highlands.

County

Means the Corporation of the County of Grey.

Court Yard

Shall mean an uncovered area bounded on all sides by buildings and used for such uses as a passive recreational area, swimming pool, deck, or children's play area.

Cultural Heritage Landscape

Shall mean a defined geographical area of heritage significance which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; and the village, parks, gardens, battlefields, main streets and neighbourhoods, cemeteries, trailways and industrial complexes of cultural heritage value.

Custom Workshop

Shall mean a building or structure, or part thereof, where the manufacturing of small quantities of articles is performed by a tradesman requiring manual or mechanical skills, but does not include machining, stamping, or forging of materials.

Day Care Center

Shall mean a premise that receives more than five 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 twenty four hours where the children are: a) under eighteen years of age in the case of a day nursery for children with a developmental handicap and b) under ten years of age in all other cases, but does not include: c) part of a public school, separate school, private school, or a school for the trainable handicap children under the Education Act R.S.O. 1990, as amended from time to time.

Development

Shall mean the construction, erection, or placing of one or more buildings on land or the making of an addition or alteration to a building.

Development, New

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, but does not include activities that create or maintain infrastructure authorized under an Environmental Assessment process or works subject to the Drainage Act.

Dock

Shall mean a structure in the form of a platform used for loading or unloading passengers and equipment into a boat. To be considered portable or floating in nature, the dock must be seasonal or temporary in nature, and removed prior to the winter months. Examples of portable or floating docks are those structures, which sit on-top of the ground or sand in the water, and are not permanently fastened.

Dry Cleaning Distribution Outlet

Shall mean a building used for the purpose of receiving articles or goods or fabric to be subjected to the process of dry cleaning, dry dyeing, or cleaning elsewhere, and for the pressing and distribution of any such articles or any such process.

Dry Cleaning Establishment

Shall mean a building in which the business of dry cleaning, dye drying, cleaning, or pressing of articles or goods of fabric is carried on in which only noncombustible and non-flammable solvents are used which emits no odours, fumes, noises, etc.

Dwelling

Shall mean one or more rooms capable of supporting continuous year-round domestic use of one or more individuals living as a single house-keeping unit and contains heating, cooking, living, sleeping and sanitary facilities. A dwelling shall not include any mobile home, travel trailer, camper, hotels/motels, a home for the aged, nursing home, or hospital.

Dwelling, Apartment House

Shall mean a separate building of two or more storeys consisting of 3 or more dwelling units with shared access and exit from a common entrance at street level.

Dwelling, Converted

Shall mean a building, because of size or design, has been converted by partition and the addition of sanitary and cooking facilities into more than one dwelling unit.

Dwelling, Duplex

Shall mean a building that is divided horizontally into 2 dwelling units, each of which has an independent entrance; directly from the outside or through a common vestibule.

Dwelling, Farm

Shall mean a single family detached dwelling that is naturally and normally incidental, subordinate, or exclusively used in conjunction with a farm and is on the same lot.

Dwelling, Mobile Home

Shall mean a factory-built, single-family dwelling designed to be towed on its own chassis (notwithstanding that its running gear is or may be removed), placed on permanent foundations and connected to public utilities, equipped for year-round occupancy and containing therein facilities for cooking or for the installation of cooking equipment as well as sanitary facilities including a flush toilet and a shower or bathtub. This definition shall not include a tourist trailer or modular home as defined herein.

Dwelling, Modular Home

Shall mean a factory-built, single-family dwelling which is transported in two sections or more, to the site, placed on a full basement and connected to public utilities, equipped for year-round occupancy, and containing therein facilities for cooking or for the installation of cooking equipment as well as sanitary facilities including a flush toilet and shower or bathtub. This definition shall not include a tourist trailer or mobile home as defined herein.

Dwelling, Multi-Attached

Shall mean a building consisting of 3 or more dwelling units that are horizontally attached, each which may be entered from an exterior yard and/or from an internal common space, access hallway or walkway.

Dwelling, Semi-Detached

Shall mean a separate building divided vertically in whole or in part into not more than 2 separate and distinct dwelling units, and may be held in separate ownership, each of which has an independent entrance.

Dwelling, Single Detached

Shall mean a completely detached permanent dwelling occupied as a single dwelling unit, and to which entrance is gained only by a private entrance outside the building, but shall not include a mobile home, tourist trailer, or camper.

Dwelling, Split-level

Shall mean a dwelling containing 3 or more sections at different levels, where the difference in elevation is not less than 1 m, or more than 2 m between any such section.

Dwelling, Townhouse

Shall mean the whole of a dwelling house divided vertically into 2 or more dwelling units, each having an independent entrance directly from outside the building.

Dwelling Unit

Shall mean a room or suite of rooms occupied or capable of being occupied as an independent and separate housekeeping establishment and having self-contained culinary and sanitary features.

Easement

Shall mean the right of use over the property of another land owner. This may include the right to enter and exit upon the property of another.

Eating Establishment

See restaurant.

Energy from Waste

Means the incineration of municipal solid waste (garbage), or the gasification or production of methane gas from municipal or County landfill sites, to produce electricity. Energy from waste is primarily to provide a

means for waste reduction and disposal. Electrical generation is a secondary consideration of this process. This definition includes facilities that use waste in a raw/untreated form or that is pre-processed.

Equestrian Centre

Shall mean the use of lands, buildings or structures for the purpose of boarding of horses, the training of horses and riders, the staging of equestrian events, but does not include the racing of horses.

Equipment Sales and Rentals

Shall mean the use of lands, buildings and structures, in which machinery and equipment are offered for sale or kept for rent, lease, or hire under agreement for compensation.

Erect

Shall mean with reference to a building or structure, to build, construct, reconstruct or enlarge, and includes: a) any physical operations such as excavate-filling, grading, or drawing preparatory to building construction or reconstruction; b) the moving of a building or structure from one location to another; and c) any work which requires a building permit.

Established Building Line

The average distance of the building line existing on one side of a block where more than one half of the lots having street access upon the said side of the block have been built upon. Refer to Section 5.5a) of this By-law for additional information.

Existing or Existed

Shall mean in existence on the effective date of the passing of this By-law.

Family

Means one person, or two or more persons related by blood, legal adoption or marriage, or a group of not more than five persons not so interrelated living together as a single housekeeping unit.

Farmers Market

Shall mean a building or structure in which farm produce comprises the major portion of goods offered or kept for sale directly to the public in either indoor or outdoor venues.

Financial Institution/Bank

Means a building designed for the purpose of lending, borrowing, exchanging, issuing, or safeguarding money.

Finished Grade

Shall mean the average elevation of the finished surface of the ground at base of a structure, which abuts a front yard, exclusive of any embankment in lieu of steps.

Flood Plain

Shall mean the horizontal area bordering a lake, river, stream or watercourse, which is subject to flooding and the limits of such flood plain as defined by the applicable Conservation Authority having jurisdiction.

Floor Area

Means, with reference to a building, the total habitable floor area within a building as measured between the exterior faces of the exterior walls or from the centre line of a common party wall, but excluding any private garage, breezeway, porch, veranda, balcony, sunroom, attic, basement or cellar.

Floor Area, Gross (Dwelling)

Shall mean, in the case of a dwelling, the aggregate of the areas of all habitable rooms measured from the exterior faces of the exterior walls but excluding any detached accessory buildings, a breezeway, unenclosed sunroom, porch, and/or verandah, attic, cellar, or basement.

Floor Area, Gross (Building)

In the case of a building other than a dwelling, it shall mean the aggregate of the area of all floors devoted to retail sales, customer service and/or office use, face of exterior walls but shall not include mezzanine areas, mechanical rooms, common walls, stairwells, garbage and electrical rooms, parking structures and similar uses ancillary to the main use.

Floor Area, Ground

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

Floor Area, Manufacturing

Shall mean that portion of the gross floor area of an establishment, which is used for manufacturing purposes, but does not include areas of storage or offices.

Forestry

Shall mean the use of land for the purpose of conservation and/or the growing and cutting of trees for the purpose of producing commercial/non-commercial wood products but shall not include the manufacturing or processing of such products.

Fuel Storage Tank

Means a tank for the bulk storage of flammable liquids or fluid sold at retail or wholesale, but does not include a container for flammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use of the premises where such tank is located.

Funeral Home

Shall mean a building designed for the purpose of furnishing funeral supplies and services to the public, including preparation for interment or cremation.

Garage, Attached

Means a private garage accessory to a dwelling unit on the same lot and attached by a common wall and/or common roof structure and is designed or used for the sheltering of private motor vehicles and the storage of household equipment incidental to residential occupancy and in which there are no facilities for repairing or servicing such vehicles for remuneration or commercial use and is fully enclosed and excludes a carport or other open shelter; provided, however, for the purpose of determining lines of setback and side yard, an attached garage shall be considered part of the main building.

Garage, Detached

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

Garden Suite

Means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and is designed either to be portable, or the habitable space is easily removed or altered to a use permitted by the By-law, after expiry of the use.

Golf Course

Shall mean the use of public or private lands for the purpose of playing golf, including clubhouse facilities, but excluding driving ranges, miniature golf courses, and similar commercial uses.

Golf Driving Range

Shall mean the commercial use of lands, buildings, or structure for the purpose of practicing the driving of golf balls in a manner which does not require a golf course.

Greenhouse, Commercial

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

Greenhouse, Farm

Means a building for the growing of plants, shrubs, trees and similar vegetation, which are primarily transplanted outdoors on the same lot containing such greenhouse, and includes no retail sales directly from the lot.

Gross Vehicle Weight

Shall mean the total weight of a motor vehicle plus the licensed capacity of such motor vehicle as rated by the Ministry of Transportation and Communication.

Group Home

Means a single housekeeping unit in a residential dwelling in which three to ten persons, excluding supervisory staff or receiving family, live as a family under responsible supervision consistent with the particular needs of its residents. The home is licensed and approved under Provincial Statutes.

Guest

Shall mean a person who contracts for accommodation in a motel or hotel or other similar accommodation, and includes all members of the persons' party.

Guest Room

Shall mean a room, suite, or rooms used or maintained for the accommodation of the public.

Habitable Room

Means a room in a dwelling used or intended to be used primarily for human occupancy, but does not include a bathroom, toilet room, serving or storage pantry, laundry and corridor.

Hazard Lands

Shall mean lands having inherent environmental hazards severe enough to pose a risk of loss of life, property damage, and social disruption if developed upon.

Height

Means, with reference to a building, the vertical distance measured from the average finished grade level of such building to:

- (i) in the case of a flat roof, the highest point of the roof surface, or the parapet, whichever is the greater, and
- (ii) in the case of a pitched roof, to the peak.

High Water Mark

Shall mean the mark made by the action of water under natural conditions on the shore or bank of a body of water, which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark. The high water mark in the context of Lake Eugenia shall be further defined as the 434.23 Canadian Geodetic Datum (649.0 feet), which is also the maximum operating elevation of the dams.

Home Industry

Means an occupation accessory to a permitted agricultural or rural use or rural residential use, which may include; a carpentry shop, welding shop, plumbing shop, electrical shop, small appliance repair; however, a public garage shall not be considered a home industry. Refer to the General Provisions of this By-law (Section 5.12) for regulations pertaining to Home Occupations.

Home Occupation

Means an accessory use conducted within a legally established residential dwelling unit. Refer to the General Provisions of this By-law (Section 5.11) for regulations pertaining to Home Occupations.

Horticultural Nursery

Shall mean the use of land, buildings or structures for the purpose of growing and/or selling trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, paving, screening or other architectural elements associated with landscaping, and shall include outdoor storage in the front yard.

Hospital

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

Hotel

Shall mean an establishment that consists of 1 building, or 2 or more connected, that caters to the need of the public by furnishing sleeping accommodation, including permanent staff accommodation, may or may not supply food, and is licensed under the Liquor License Act and operating under the Tourism Act.

Industrial Uses, General

Shall mean the use of land, buildings or structures for the manufacturing, assembly, and prefabrication of goods or materials and shall include warehousing and wholesaling and transport terminals.

Industrial, Dry

Shall mean the use of land or buildings for the manufacturing, assembly, and prefabrication of goods or materials in which large quantities of water are not consumed, and effluent not discharged. Dry industrial uses may use, but do not require the use of municipal sanitary or water services for the principal operation of the use.

Industrial, Extractive

Shall mean a sand, gravel, stone, earth, clay, fill or mineral pit as defined and licensed by the Aggregate Resources Act, and shall include the processing of natural materials extracted from the subject site including screening, sorting, washing, crushing, storing and other similar operations allied to an extractive industrial operation but shall not include a ready mix plant or hot mix plant.

Industrial, Light

Means the use of land, building, or structure for the manufacturing, assembly, storage, or processing of component parts of finished products suitable for wholesale or retail trade but does not include food, beverage, tobacco, rubber, leather, textile and knitting, printing, metal fabrication, or similar industries if these industries involve stamping, presses, furnaces, machinery, or the emission of any air, water, or noise pollution that creates a nuisance outside of the building or structure or beyond the limits of the lot. Light industrial uses may use, but do not require the use of municipal sanitary or water services for the principal operation of the use.

Industrial, Small-Scale

Shall mean an industrial activity which is located on agricultural or rural lands, and which exceeds the provisions for a Home Industry use. In the case of agricultural lands, the small-scale industrial use shall be directly supportive and related to the agricultural operation and located in close proximity to farm operations in the area. In the case of rural lands, the small-scale use shall serve the needs of the immediate area and the agricultural/rural community, and the location poses no operating constraints to an existing farm. Refer to the

General Provisions of this By-law for regulations pertaining to small-scale industrial uses.

Institutional

Shall mean the use of land, buildings, or structures, for non-commercial purposes by an organization, group, or association for religious, charitable, educational, health, or public purposes but not including lands used as a tent and trailer campground, or lands containing sleeping cabins or housekeeping cottages.

Karst Topography

Shall mean a depth of soil generally less than one metre over fractured bedrock.

Kennel

Shall mean lands or buildings where dogs and other domestic animals, other than poultry or livestock are bred and raised and are sold or kept for sale or boarded.

Land Fill Site

Shall mean an area of land where solid waste is disposed of on land under controlled conditions for the purpose of waste management.

Landscaped Open Space

Shall mean open space comprised of lawn and ornamental shrubs, flowers, and trees, and may include space occupied by paths, walks, courts and patios.

Lane

Shall mean a public thoroughfare, which affords only a secondary means of access for vehicular traffic to abutting lots.

Laundry Shop/Establishment

Shall mean a building in which the business is conducted on the ground floor by means of one or more washers, having a capacity not exceeding 30 kg. Only water and detergents are used.

Livestock

Shall mean chickens, turkeys, cattle, hogs, horses, mink, rabbits, sheep, goats, or any other domestic animal used for human consumption.

Livestock Housing Capacity

Means the maximum number of livestock that can be accommodated in a livestock facility at any one time.

Livestock Facilities

Shall mean livestock barns, buildings or structures where animals or poultry are housed and shall also include beef feedlots and the associated manure storage facilities.

Livestock Unit

Means the equivalent values for various types of animals and poultry based upon manure production and production cycles, as defined in the Minimum Distance Separation Formulae (as listed in Table 4 of Section 5.26 of this By-law) and as defined in the Nutrient Management Act.

Loading Space

An off-street space on the same lot as the building for temporary parking of a commercial vehicle while loading or unloading merchandise or materials.

Long Term Care Facility

Shall mean a lot, building, or structure where living accommodation is provided to residents in private or semi-private rooms or wards and where culinary facilities and social and recreational areas are available.

Lot

Shall mean a parcel of land that may be legally conveyed.

Lot, Area

Shall mean the total horizontal area within the lot lines of a lot.

Lot, Corner

Shall mean a lot situated at the intersection of and abutting upon two or more streets, provided that the angle of intersection of such streets is not more than 135 degrees.

Lot, Coverage

Shall mean the percentage of the total lot area at or above grade that is covered by all buildings and/or structures, and does not include overhanging eaves. Decks, porches, and in-ground and above-ground permanent pools shall constitute lot coverage

Lot, Depth

Shall mean the horizontal distance between the front and rear lot lines. Where such lot lines are not parallel, the lot depth shall be the mean distance between them.

Lot, Frontage

Shall mean the horizontal distance between the side lot lines measured at right angles. Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be measured from a line 7m back from and parallel to the chord of the lot frontage. For the purpose of this by-law, the chord is a straight line joining the two points where the side lot line intersects the front lot lines.

Lot, Interior

Shall mean a lot, which has street access other than a corner lot.

Lot Line

Shall mean any boundary of a lot or the vertical projection thereof.

Lot Line, Exterior Side

Shall mean the lot line of a corner lot, other than the front lot line, which abuts a street but

- (a) In the case of a corner lot abutting a 0.3 metre (1 foot) reserve, the lot line abutting the 0.3 metre (1 foot) reserve shall be deemed an exterior side lot line and the other line abutting the street shall be deemed the front lot line.
- (b) In the case of a lot abutting more than 1 private street, the shortest lot line abutting the private street shall be deemed the front lot line, and all other lot lines abutting private streets shall be considered exterior side lot lines.

Lot Line, Front

Shall mean the lot line that divides the lot from the street but

- (a) In the case of a corner lot, the shorter lot line that abuts the street shall be deemed the front lot line and the longer lot line that abuts the street shall be deemed the side lot line;
- (b) In the case of a corner lot with two street lines of equal lengths, the lot line that abuts the wider street or abuts a Provincial Highway shall be deemed to be the front lot line, and if similar, the Municipality may designate either street line as the front lot line;
- (c) In the case of a lot abutting one or more private streets, the shortest lot line abutting the private street shall be deemed the front lot line;
- (d) In the case of a through lot, two front lines shall exist;

Lot Line, Interior Side

Shall mean a lot line, other than a front or rear lot line.

Lot Line, Rear

Shall mean the lot line furthest from and opposite to the front lot line.

Lot, Through

Shall mean a lot bounded on two opposite sides by a street.

Manse

Shall mean a single detached dwelling for the housing of a church clergy and family.

Manufacturing Plant

Shall mean a building or structure in which a product is fabricated and from which such product is shipped to a wholesale or retail outlet.

Manure, Liquid Facility

Shall mean a building or structures in which animal waste is stored in a liquid state.

Manure, Solid Facility

Shall mean a building or structure or area of land where animal waste is stored in a solid state.

Marina

Shall mean a building containing docking facilities and located on a navigable waterway, where boats and boat accessories are stored serviced, repaired or kept for sale, and where the sale of marine fuels and/or lubricants may be provided.

Market Garden

Shall mean an area of land that is used for the growing of vegetables and/or berry fruit crops and/or flowers that are then sold at retail on the lot to customers who either purchase the product after it has been picked or pick the product themselves.

Metal Works Shop, Small-Scale Commercial/Industrial

Shall mean a building, structure or area where metal is stored, sanded, welded, and worked for use in the production of agricultural components, and includes metal cutting, welding, brazing, facilities for metal working, and the distribution of such metal worked agricultural products on a wholesale basis. Refer to General Provisions of this By-law for regulations governing small-scale commercial/industrial uses.

Minimum Distance Separation (MDS)

Shall mean the formula used to determine a recommended distance between a livestock facility and another land use in order to prevent land use conflicts and minimize nuisance complaints from farming odour. The Minimum Distance Separation formula is included in the General Provisions (Section 5.26) of this By-law.

Definitions associated with, and applicable to MDS include the following:

- a) **Active Recreational Use:** means a recreational use usually with buildings and/or with a concentration of uses such as golf courses, other playing fields, trailer parks, campgrounds and conservation areas with facilities.
- b) **Agriculturally Related Commercial/Industrial uses:** means uses directly related to agriculture and necessary in close proximity to farm operations, such as animal husbandry services, produce or grain storage facilities, or farm machinery outlets.
- c) **Animal Group:** means livestock and poultry grouped according to manure production.
- d) **Housing Capacity:** means the total maximum livestock capacity for the facility at any one time.
- e) **Livestock Facilities:** means livestock barns where animals or poultry are housed, including beef feedlots, and the associated manure storage.
- f) **Livestock Units:** means the equivalent values for various types of animals and poultry based on manure production and production cycles.
- g) **Multiple Residential:** means three or more residential units in the same building.

- h) **Passive Recreational Use:** means a recreational use not requiring buildings and not altering the soil or topography, such as open space and environmental areas.
- i) **Rural Residential Cluster:** means four or more adjacent rural residential lots, generally 1 hectare or less in size, sharing a common boundary. Lots located directly across the road from one another shall be considered as having a common boundary.
- j) **Separation Distance:** means the horizontal distance measured between the closed point of the exterior wall of the livestock facility (i.e. buildings, manure storage tank, pad or stacker) and the closed point of the neighbouring incompatible use, which in the case of a vacant lot, shall mean the building envelope established through setback requirements.
- k) **Tillable Hectares:** means land including pasture that can be worked or cultivated.
- l) **Urban Expansion:** means outward expansion of towns, villages, and hamlets for such uses as residential, recreational, institutional, and commercial and industrial.

Mobile Home

Shall mean a detached structural unit which is designed to be and is capable of being transported after fabrication, either on its own wheels, on detachable wheels, on a flat bed or other trailer, to a lot, and which is suitable for year round occupancy in similar fashion as a dwelling unit, except for minor and incidental unpacking and assembly operations, placement on defined supporting structures and connection to utilities.

Mobile Sign

Shall mean a sign mounted on a trailer or other structure, which is designed in such a manner to facilitate its movement from place to place.

Model Home

A building that is used temporarily as a displace model but that will eventually be occupied as a dwelling unit

Motel

Shall mean a building consisting of a number of individual rental units, used for catering to the needs of the traveling public by furnishing sleeping accommodation, with or without food.

Motor Home (Recreational Vehicle)

Shall mean a self-propelled vehicle designed, intended, and used for travel recreation or vacation and, in addition, used for living, sleeping, and eating on a temporary basis.

Motor Vehicle Sales and Service Establishment

Shall mean a building or lot used for the display and sale of new and/or used motor vehicles including motor homes and may include the servicing, repair, cleaning, polishing, lubrication, and painting of motor vehicles, the sale of automotive parts and the leasing or renting of motor vehicles.

Motor Vehicle Service Station

Means a retail place of business, the prime function of which is the sale of automotive fuels and products and/or providing repair service and maintenance to motor vehicles, excluding body and fender work.

Municipal Drain

Shall mean drainage works as defined by the Ontario Drainage Act, as amended from time to time.

Municipal Recycling Depot

Shall mean a premise on which household materials such as paper products, glassware, plastics, metal cans, and other items included in a municipality's recycling program, which are separated prior to shipment but does not include any processing of the material, salvage yard, or automobile wrecking establishment.

Nameplate Generating Capacity

Means, with respect to a generation facility, the total of the design electricity generating capacities of all the generation units in the facility.

Non-Complying

Means a building or structure, which is a permitted use at the date of the passage of this by-law, but does not comply with the provisions of the respective zone.

Non-Conforming

Means land, building or structures legally existing at the date of the passage of this by-law, which is used for purposes prohibited by this by-law.

Nursery School

Means a day nursery operated for pre-school age children within the meaning of the Day Nurseries Act, R.S.O. 1990, as amended from time to time.

Nursing Home

A building where persons are housed or lodged or furnished with meals, nursing, medical or similar care and treatment, as licensed by the Ministry of Health.

Obnoxious

Means when used with reference to any use of land, building or structure, a use from its nature or from the manner of carrying on the same, creates or is liable to create by reason of destructive gas fumes, dust, objectionable odour, noise, vibration, unsightly storage of goods, wares, merchandise salvage, junk, waste, or other material, a condition which may become hazardous or injurious regarding 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.

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, or organization, but excludes such uses as retail sale, manufacture, assembly or storage of goods, or places of assembly and amusement.

Office, Professional

Means a building or part of a building in which professionally qualified persons such as doctors, lawyers, or engineers, and their staff, serve clients or patients who seek advice, consultation or treatment.

Open Storage Area

Shall mean a portion of a lot where goods and/or materials are stored or kept for future manufacture or assembly and/or sale by retail or wholesale, outdoor display area not included.

Outdoor Display Area

Shall mean a portion of a lot used for exhibiting in an orderly manner, completely assembled or finished products sold by a retail business on the same lot.

Park, Private

Means a recreational area other than a public park and may include therein one or more swimming pools, wading pools, picnic areas, refreshment rooms, tent camping areas, boating facilities, tennis courts, bowling greens, golf courses or 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.

Parking Area

Shall mean an area provided for the parking of motor vehicles and may include aisles, parking spaces and related ingress and egress lanes, and a private garage.

Parking Lot

Shall mean any parking area other than a parking area required under the provisions of this by-law.

Parking Space

Shall mean an area of land, not being part of a highway or street and having unobstructed access to a public street or lane, used for temporary parking or storage of motor vehicles.

Person

Means an individual, association, firm partnership, corporation, trust, incorporated company, organization, trustee, or agent, and the heirs, executors, or other legal representatives of a person to whom the same can apply according to the law.

Personal Service Shop

Means a building or part of a building, not otherwise defined or classified herein, for the performance of personal services such as a barber shop, beauty parlour, or Laundromat, or for the servicing or repairing of articles, goods or materials, and in which no product is manufactured and includes radio, television and appliance repair shops but does not include a motor vehicle repair shop.

Place of Entertainment

Means a motion picture amusement arcade or other theatre, auditorium, billiard or pool room, bowling alley, ice or roller skating rink, curling rink, or dance hall.

Place of Worship

Shall mean a building dedicated to religious worship and shall include a church hall, church auditorium, Sunday School, parish hall, day nursery, convent, monastery, manse or rectory or parish hall.

Plant, Hot Mix

Shall mean a building used for the manufacturing of asphalt and aggregate in a form suitable for immediate use in paving of roads or driveway, and damp proofing.

Plant, Ready Mix

Shall mean a building used for the manufacturing of concrete in a form suitable for the immediate use in the construction of buildings, structures, roads, or driveways.

Planting Strip

Shall mean an area that shall be used for no other purpose other than planting a row(s) of trees or a continuous unpierced hedgerow of evergreens or shrubs not less than 1.5 metres high, and immediately adjacent to the lot line.

Playground

Shall mean any land used for the purpose of recreation or field games and not operated for profit.

Point of Reception

Means any point on the premises of a person within 30 metres of a dwelling or a camping area, where sound, vibration or shadow flicker originating from other than those premises is received. For the purpose of approval of new sources, including verifying compliance with Section 9 of the Environmental Protection Act, the Point of Reception may be located on any of the following existing or zoned for future use premises: permanent or seasonal residences, hotels/motels, nursing/retirement homes, rental residences, hospitals, camp grounds, and noise sensitive buildings such as schools and places of worship. For equipment/facilities proposed on premises such as nursing/retirement homes, rental residences, hospitals and schools, the point of Reception may be located on the same premises.

Post Office

Shall mean a building that is used for the sorting, storage, handling, and delivering of letters, parcels, and packages. Also includes the sale of stamps.

Prefabricated Home

Means a building, which is capable of being occupied exclusively as a dwelling and which is comprised of prefabricated components, which are manufactured off-site, transported to and erected on an acceptable foundation on a lot.

Processing Plant

Means the use of lands, buildings, or structures, where agricultural produce, including meat and poultry products, is washed, cleaned, dusted, waxed, or otherwise prepared or packaged and from which such produce is shipped to a wholesale or retail outlet.

Public Building

Means any building or structure owned or leased by the Municipality, Corporation of the County of Grey, the Province of Ontario, or the Government of Canada.

Public Garage

Shall mean premises where motor vehicles and agricultural and heavy equipment are kept or stored for repair and/or maintenance, but does not include an automatic car washing establishment, a motor vehicle sales and service establishment, motor vehicle service station, or a Transport Terminal.

Quarry

Shall mean a place licensed under the Aggregate Resources Act, where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial, or man-made purposes.

Recreational Use (Active and Passive)

Means the active use of land, buildings or structures where facilities are provided for recreational purposes and may include a curling rink, mini golf course, billiard hall, bowling alley, lawn bowling greens, arena, gymnasium, skating rink, playgrounds, parks, athletic fields, tennis courts, picnic areas, swimming pools, day camps, and community centres, but does not include any use requiring the operation of motorized vehicles, the racing of animals, tourist cabins or campgrounds, golf courses or golf driving ranges.

Where a Passive Recreational use has been referred to in this By-law, it shall mean an activity or use of land carried out for recreational purposes, which does not require the construction of buildings or the alteration of soil or topography and uses shall be limited to open space, trails, environmental areas, and picnic areas.

Renewable Energy System

Shall mean the production of electrical power from an energy source that is renewed by natural processes including, but not limited to, wind, water, a biomass resource or product, or solar and geothermal energy. The scales of renewable energy systems follow:

- i) Micro Scale: Shall mean any renewable energy system that:
 - 1. Is classified as a “Category A’ project as defined by Ontario Regulation 116/01 for Electricity Projects printed in the Ontario Gazette May 12, 2001; and
 - 2. Has 10kW or less of nameplate generating capacity; and,
 - 3. Does not exceed 17 metres in height.
- ii) Small Scale: Shall mean any renewable energy system that:
 - 1. Is a Wind Energy System that:
 - a. Is classified as a “Category A’ project as defined by Ontario Regulation 116/01 for Electricity Projects printed in the Ontario Gazette May 12, 2001; and
 - b. Has 50kW or less of nameplate generating capacity; and,

- c. Does not exceed 38 metres in height.
 - 2. Is a Solar Energy System that is mounted to an existing building or any ground installed facilities that occupy a maximum lot coverage of 10% up to a maximum of 1 hectare, or
 - 3. Is a Biomass Energy System with a nameplate generating capacity of less than 5 megawatts associated with a principal permitted use.
- iii) Medium Scale: Shall mean any renewable energy system that:
- 1. Is classified as a “Category A’ project as defined by Ontario Regulation 116/01 for Electricity Projects printed in the Ontario Gazette May 12, 2001; and
 - 2. Exceeds 50kW of nameplate generating capacity; and,
 - 3. Does not exceed 60 meters in height.
- iv) Large Scale: Shall mean any renewable energy system that meets any of the following criteria:
- 1. Is a Wind Energy System that:
 - a. Is classified as a “Category B’ or ‘Category C’ project as defined by Ontario Regulation 116/01 for Electricity Projects printed in the Ontario Gazette May 12, 2001. These projects are subject to an environmental screening process (Category B) or an individual Environmental Assessment (Category C) according to the Environmental Assessment Act, as amended.
 - b. Exceeds 61 metres in height, or
 - 2. Is a Solar Energy System with ground installed facilities that occupy greater than 1 hectare or more of land.
 - 3. Is a Biomass Energy System with a nameplate generating capacity of 5 megawatts or greater.

Renovation

Means the repair and restoration of a building to good condition but shall not include its replacement.

Resource Based Recreational Uses

Shall mean those recreational uses where the prime reason for location by their very nature, require certain natural attributes for their location including the availability of large lots or land areas. Uses permitted may include passive and active recreational facilities and associated commercial uses. Such uses shall be defined to include water based recreation, recreation vehicle and/or tent and trailer campgrounds, and skiing/snowboarding facilities. Any associated commercial lodging is recognized to be for over-night or short term accommodation only.

Restaurant

Shall mean a building, or part thereof, used for the serving of foods or refreshments to the public, with the serving and consumption of food taking place within the building, except for a terrace or patio or other open areas adjacent to the building where the serving and consumption of food and refreshments may take place on a temporary or seasonal basis.

Retail Store

Shall mean a building or part of a building in which goods, wares, merchandise, substances, articles, things or services are offered or kept for sale at retail or on a rental basis, and would include supermarkets and food stores, but does not include any establishment otherwise defined or classified herein, or any manufacturing, processing, construction uses, or outdoor storage.

Retirement Home

Means any home for senior citizens sponsored and administered by any public agency or any service club, church or non-profit organization, either of which obtains its financing from federal, provincial, or municipal governments or agencies, or by public subscription or donation, or by any combination thereof, and such homes shall include auxiliary uses such as club and lounge facilities, usually associated with the senior citizen's development.

Salvage Yard

Shall mean a lot and/or premises for the storage and/or handling of scrap materials, which without limiting the generality of the foregoing, shall include waste paper, rags, bones, bottles, bicycles, vehicles, tires, metal and/or scrap material and salvage and includes a junk yard, scrap metal yard and an automobile wrecking yard or premises.

Sawmill and Woodworking Shop

Shall mean a building, structure or area where lumber is stored, cut, sawed or planed, and includes woodturning, facilities for kiln drying of lumber, and the distribution of such products on a wholesale basis. Also permitted is the storage of both raw materials (logs) and finished products (timber).

Refer to General Provisions of this By-law for regulations governing small-scale commercial/industrial uses such as sawmills or woodworking shops.

School, Commercial

Shall mean a school conducted for gain, such as a secretarial school, model school, language school, dance school, or driving school.

School, Private

Shall mean a school, other than a public school, operated by a non-profit organization and supported by private means.

School, Public

Shall mean any elementary or secondary school established and maintained either wholly or partially at public expense and includes any playing fields, recreational facilities, or dorm building.

Secondary Uses

Shall mean uses secondary to the principal use of the property, including home occupations, home industry, and uses that produce value-added agricultural products from the farm operation on the property.

Sensitive Land Uses

Shall mean buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built up environment. Examples of sensitive land uses may include, but are not limited to: residences, day care centres, and educational and health facilities.

Separation Distance

Shall mean the Minimum Distance Separation formulae I and II developed by the Province to separate uses so as to reduce incompatibility concerns about odour from livestock facilities. MDS I relates to the establishment of new non-farm uses, while MDS II relates to new livestock buildings in rural and agricultural areas.

Services, Communal

Means sewage works and sewage systems, and water works that provide for the distribution, collection or treatment of sewage or water but which are (i) not connected to full municipal sewage and water services, (ii) are assumed by the municipality, and (iii) the design and type has been approved by Council and validated by an acceptable Servicing Options Study.

Services, Full Municipal

Means piped sewage and water services that are connected to a centralized water and wastewater treatment facility.

Services, Partial

Means individual autonomous water supply and sewage disposal systems, that are owned, operated and managed by the owner of the property upon which the system is located and which do not serve more than five residential units/lots.

Service Shop

Shall mean a building for the sale or repair of household articles, and includes radio, TV, and appliance repair shops but does not include industrial or manufacturing uses or motor vehicle repair shops.

Setback

Shall mean the horizontal distance from the lot line of the lot, measured at right angles to such lot line, to the nearest part of any building or structure on the lot.

Setback (Wind Energy System)

Shall mean the distance between the closest edge of the turbine base and the lot line or feature.

Shopping Centre

Shall mean a group of two or more commercial uses designed, developed, and managed as a unit by a single owner or tenant, or group of tenants, and has an off-street parking area provided on the site.

Sight Triangle

Shall mean the triangular space formed by the street lines of a corner lot and a line drawn from a point in one street line to a point in the other street line or railway line, each such point being nine metres from the point of intersection of the street lines.

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.

Site Alteration

Shall mean activities, such as filling, grading and excavation that would change the landform and natural vegetative characteristics of a site.

Site Alteration (Renewable Energy System)

Shall mean activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

Site Plan

Means a scaled drawing showing lot lines, buildings or structures existing and/or proposed on a lot, and including such details as parking areas, access point, landscaped areas, building areas, setbacks from lot lines, building heights, floor area, lot coverage, lighting, septic tank tile fields, utility lines, site servicing details, grading and drainage and stormwater management.

Solar Energy System

Shall mean a renewable electrical generation facility that produces power from the sun using photovoltaic technology to provide all, or a portion of, the electrical power needs for a user or to feed into the transmission or local distribution grid. A solar energy system includes all arrays, supporting infrastructure, and outbuildings.

Storage Industry

Shall mean the use of lands or buildings for storing materials, goods, or produce to preserve them in a condition that makes them usable at a later date.

Storey

Shall mean that portion of a building (other than basement and attic) which is included between one floor level and the next highest, and which is not less than 2.3 metres and no higher than 4.3 metres.

Storey, Half

Shall mean that portion of a building situated within the roof, or having its floor level not less than 1.2 metres below the line where the roof and interior enclosing walls meet, and having a roof not steeper than sixty degrees above the horizontal.

Street, Public Improved

Shall mean a Highway, which has been assumed for public use and is maintained year-round by the municipality or any other public authority.

Structure

Shall mean anything that is erected, built, or constructed of parts joined together or requiring a foundation to hold it erect, but shall not include free standing walls, fences, or hedges.

Swimming Pool

Shall mean an artificial body of water, excluding ponds, of more than 9 square metres in area, and having a depth in excess of 1.3 metre used for swimming, bathing, or diving.

Tavern

Shall mean a building where beverages are offered for sale to the public for immediate consumption, which require a License under the Liquor License Act, R.S.O. 1990, as amended from time to time.

Temporary Farm Help Accommodation

Shall mean a separate building or trailer used or intended to be used for seasonal accommodation of workers employed by the owner or operator of the farm.

Temporary Sales Office

The use of a temporary building for the purpose of marketing a land development proposal.

Temporary Use

Means the use of land, buildings, or structures 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.

Tent/Trailer Campground

Means the use of land for the provision of overnight or short term accommodation for trailers, motor homes, and tents but not mobile homes and includes services and facilities normally incidental and subordinate to such a use including washroom and bathing facilities, active and/or passive recreational uses, and an entrance kiosk.

Tent

Shall mean every kind of temporary shelter for sleeping that is not permanently affixed to the site and is capable of being easily moved, and is not considered a structure, vehicle, or trailer.

Top-of-Bank

Shall mean a line delineated at a point where the oblique plane of the slope meets the horizontal plane.

Trailer

Shall mean a structural unit designed, intended, and used for travel, recreation, or vacation, and which is capable of being drawn by a motor vehicle, and shall include tent trailers or similar transportable accommodation used for living, sleeping, or eating on a temporary or occasional basis, and does not include a mobile home.

Transport Terminal

Shall mean the use of land, buildings or structures for the purpose of storing, servicing, repairing, or loading of trucks, transport trailers and/or buses, but does not include a motor vehicle sales or service establishment, or transportation sales or rental outlets.

Turbine Height

The height of a renewable energy system shall be measured from the base of the structure to the highest point of the structure. For instance, in the case of a typical horizontal axis wind turbine, the height is measured from the average ground level upon which the base/foundation sits to the tip of the rotor blade at its highest point.

Use

Shall mean the purpose for which any land, buildings, structures, or premises is arranged, designed, or intended to be used, or is or may be occupied or maintained; the word 'used', 'to use', and 'uses' have a corresponding meaning.

Utility Building

Shall mean a building used in conjunction with the supplying of local utility services, including a water or sewage pumping station, a water storage reservoir, a gas regulator building, a hydro substation, a telephone building for exchange, long distance, or repeater services.

Volt

Shall mean the amount of 'pressure' required to transport electricity and push electrical energy through a wire. A measure of the Potential Difference between two points of an electrical field.

Warehouse

A building used for the storage and distribution of goods, wares, merchandise, substances, or things, and may include facilities for a wholesale and/or retail outlet.

Watercourse

Shall mean the natural or altered channel for a stream or water body and, for the purpose of this By-law, includes the channel for intermittent streams.

Water Taking, Commercial

Shall mean the use of land where water is extracted from surface or ground water and where some or all of such extracted water is transported from the site for commercial sale.

Watt

Shall mean a unit to describe the size of an electrical generation system. One megawatt (1,000 kilowatts or 1,000,000 watts), of electrical energy can supply the instantaneous power needs of about 500 homes. Watts of energy is the amount of electricity produced.

Wayside Pit & Quarry

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

Wholesale Use

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

Wind Energy System

Shall mean a renewable electrical generation facility that produces power from wind primarily to provide all or a portion of the electrical power needs for a user or to feed into the transmission or local distribution grid. A wind energy system includes all supporting infrastructure, outbuildings and access roads.

Yard

Shall mean an open, uncovered space on the same lot with a building, structure or use.

Yard, Front

Shall mean a yard extending across the full width of the lot between the front lot line and the nearest part of any building, structure, or open storage use on the lot.

Yard, Rear

Shall mean a yard extending across the full width of the lot between the rear lot line and the nearest point of any building, structure, or open space use on the lot.

Yard, Side

A yard extending from the front yard to the rear yard and from the side lot line to the nearest part of any building, structure, or open storage on the lot.

Yard, Exterior Side

Shall mean a side yard immediately adjoining an improved public street.

Yard, Interior Side

Shall mean a side yard other than an exterior side yard.

Zone

Shall mean an area delineated on a Zoning Map Schedule and established by this By-law for a specific use.

Section 4: Establishment of Zones

4.1 Incorporation of Zoning Maps

The locations and boundaries of the Zones established by this By-law are attached to and form part of this By-law.

4.2 Zone Boundaries

When determining the boundary of any Zone as shown on any Schedule forming part of this By-law, the following provisions shall apply:

- a) A boundary indicated as approximately following lot lines shown on a registered plan of subdivision, or as otherwise registered in the local registry office or land titles office, or on the original municipal survey shall follow such lot lines.
- b) A boundary indicated as following a watercourse, public highway or private street, or a right-of-way of a railway, electric, gas or oil transmission line shall be the center line of such watercourse, highway, street, or right-of-way.
- c) The Municipal Boundary shall serve as a zone boundary for all zones extending to the limits of the Municipality of Grey Highlands.
- d) The Schedules forming part of this By-law are drawn to scale and shall be used to determine distances not specified on the Schedules.

4.3 Zones

For the purposes of this By-law, the Municipality of Grey Highlands is divided into the following Zones:

A1	AGRICULTURE
A2	RESTRICTED AGRICULTURE
RU	RURAL
R	RESIDENTIAL
RM	RESIDENTIAL MULTIPLE
RUR	RURAL RESIDENTIAL
RS	RESIDENTIAL SHORELINE
C1	DOWNTOWN COMMERCIAL
C2	HIGHWAY & SERVICE COMMERCIAL
C3	NEIGHBOURHOOD & CONVENIENCE
C4	RURAL COMMERCIAL
M1	LIGHT INDUSTRIAL
M2	HEAVY INDUSTRIAL
MEX	EXTRACTIVE INDUSTRIAL
I	INSTITUTIONAL
D	DEVELOPMENT
ND	NO DEVELOPMENT
H	HAZARD
W	WETLAND
OS	OPEN SPACE
REC	RECREATIONAL RESORT

4.4 Use of Zone Symbols

The symbols listed in subsection 4.3 may precede the word “Zone” (i.e. A1 Zone) in place of the “Zone Name” and shall have the same meaning. The symbols, when used within the Schedules of this By-law, shall refer to the Zone in which the lands are situated and the provisions of such Zone shall apply.

4.5 Application of Zones

No person within any Zones defined in this By-law and delineated on the Zoning Schedules attached hereto, shall erect, alter, enlarge, or use any building or structure, or use land in whole or in part, except in conformity with the provisions of this By-law.

4.6 Discrepancies

In the event that there is a discrepancy between regulations in the “General Provisions” of this By-law and a specific Zone, the most restrictive provisions shall apply.

4.7 Exceptions to Zones

Where a Zone symbol on the Schedules attached to this By-law is followed by a hyphen and a number (i.e. A1-4), the number following the hyphen refers to the Exceptions Section of this By-law.

Section 5: General Provisions

5.1 Application of By-law

No person shall within “the defined areas” change the use of any building, structure or land or erect or use any building or structure except in conformity with the provisions of this By-law.

5.2 Lot Development Requirements

a) Requirement of a Lot

No building or structure shall be erected, altered, extended or enlarged except upon a lot nor shall any land be used for any permitted use unless it comprises a lot. This provision shall not prevent the use of any parcel or tract of land for agricultural purposes excluding the erection or enlargement of any building or structure except a fence.

b) Frontage on Improved Street

i) No person shall erect any building or structure or use any lot in any zone unless the property fronts directly onto an improved public street, except for the following:

- Where a building has been legally erected prior to the date of the passage of this By-law, and continues to be a permitted use according to this By-law, the said building may be enlarged, reconstructed, repaired or renovated provided all other applicable provisions of this By-law are complied with. If the building is not considered a permitted use, then the non-conforming provisions of this By-law apply.
- A lot accessible only by water provided access to the water is obtained directly by an improved public street.
- A lot in a registered plan of subdivision where a subdivision agreement has been entered into, but the streets and services have not yet been assumed until the end of the maintenance period.

ii) Where access to a lot of record is obtained over a private road or a right-of-way, as defined above, the lot line adjacent to the private road shall be considered lot frontage, and in the case of a corner lot, shall be considered an exterior side yard for setback purposes.

c) More Than One Use or One Zone On a Lot

When a lot contains more than one use, each use shall conform to the provisions of this By-law for such use in the zone where it is located. When a lot is divided into more than one zone, each such portion of the lot shall be used in accordance with the provisions of this By-law for the applicable zones.

d) Restrictions on Changes

- i) The purpose for which any land or building is used shall not be changed, no new building or addition to any existing building shall be erected and no land shall be severed from a lot, if such change, erection or severance creates a situation that contravenes any of the provisions of this By-law applicable to each individual remaining building, accessory building or lot.
- ii) Notwithstanding the provisions of clause (i) of this Subsection, no person shall be deemed to have contravened any provisions of this By-law if only a part or parts of any lot or parcel has or have been conveyed to or acquired by the Municipality, the County of Grey, Her Majesty in the Right of Ontario or Canada.

e) Movement of Buildings

No building shall be moved without a permit from the Chief Building Official and approval of the road authority having jurisdiction, if required.

5.3 Non-Complying Lots, Buildings & Structures

a) Non-Complying Lots

Notwithstanding anything contained in this By-law, a lot in existence prior to the passage of this By-law, which lot lacks either the required frontage and/or area, for a lot in the respective zone, may be used and buildings thereon may be erected, enlarged, repaired or renovated provided that:

- i) The description of such parcel is the same as in a deed registered on or prior to the date of passing of this By-law;
- ii) All relevant provisions of The Planning Act, R.S.O. 1990, have been complied with;
- iii) Such parcel has a frontage of 10 metres minimum to a public highway;
- iv) The lot is adequately sized to accommodate a means of water supply and sanitary waste disposal. The determination of adequacy may require an on-site servicing report prepared by a qualified professional; and
- v) The use conforms with the By-law and any erection, enlargement, repair or renovation complies with all other provisions of this By-law.

b) Non-Complying buildings and structures

Nothing in this By-law shall prevent the enlargement or extension of a building or structure which, at the date of the passing of this By-law is used for a purpose specifically permitted within the Zone in which such building or structure is located, but which does not comply with one or more of the zone provisions provided such enlargement or extension does not further contravene any of the provisions of this By-law. Examples of such contraventions may include the further encroachment into a required yard, an increase in floor area or volume in a required yard, or in any other way increasing a situation of non-compliance.

5.4 Non-Conforming Uses, Buildings and Structures

The provisions of this By-law shall not apply to prevent the use of any lot, building, or structure for any purpose prohibited by the By-law if such lot, building, or structure was lawfully used and legally established for such purposes on the date of the passing of this By-law, so long as it continues to be used for that purpose.

a) Building Permit Issued

Nothing in this By-law shall 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 Chief Building Official, so long as the building or structure when erected is used and continues to be used for the purpose for which it was approved.

b) Change in Use

No change in the use of any land, building or structure shall be permitted, unless such change in use complies with the permitted uses within the zone in which such land, building, or structure is located or unless such change has been approved through an amendment to this By-law.

c) Exterior Extension, Permitted

No building or structure, which at the date of passing of this By-law was used for a purpose not permitted within the zone in which it is located, shall be enlarged or extended unless such building is thereafter to be used for a purpose permitted within such Zone and complies with all requirements of this By-law or the granting of a minor variance.

d) Interior Alterations, Permitted

Nothing in this By-law shall prevent the reconstruction or alteration of the interior of any building or structure which, at the date of passing of this By-law was used for a purpose not permitted in the Zone in which it is located, in order to render such interior more convenient or commodious for the same purpose for which, at the passing of this By-law, such building or structure was used.

e) Reconstruction of Damaged Buildings or Structures

Nothing in this By-law shall prevent the reconstruction of any building or structure that is damaged by causes beyond the control of the owner, subsequent to the date of the passing of this By-law, provided the reconstruction of such building or structure does not increase the height, size, or volume of the building or structure, change the use of the building or structure, or reduce or eliminate any parking spaces, loading spaces, or landscaped open space area which existed prior to said damage, except where such increase in height, size, or volume, change of use or decrease in parking space, loading spaces, or landscaped open space areas complies with the provisions of the Zone in which such building or structure is located.

f) Restoration to a Safe Condition

Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any building or structure or part thereof lawfully used at the date of passing of this By-law, whether or not the use of such building or structure at the date of passing of this By-law is

permitted within the Zone in which such building or structure is located, provided that the strengthening or restoration does not increase the building height, size, or volume, or change the use of such building or structure or part thereof, except where an increase in height, size, or volume, or change of use would comply with the provisions of the Zone in which the building or structure is located.

5.5 Setback Requirements

a) Setbacks in Built-up Areas

Notwithstanding the yard and setback provisions of this By-law to the contrary, where a building is to be erected within a defined settlement area where there is an established building line, such building may be erected closer to the street line than required by this By-law, provided such building is not erected closer to the street line than the average setback of the buildings on the lots immediately adjacent on each side, providing such adjacent buildings are not more than 30 metres apart. At no time shall the established front yard be less than 4 metres in any other zone.

For the purposes of this By-law, a defined settlement area shall include all Urban and Hamlet areas in the Municipality, and shall not include any rural subdivisions, rural residential lots or shoreline residential areas.

b) Setbacks and Side Yard Setbacks on Major Roads

Notwithstanding any other provisions of this By-law, where a building or structure is located adjacent to a provincial Highway or County Road, setbacks shall be provided and maintained in accordance with the following provisions:

<u>Road</u>	<u>Distances in Metres from Center Line of Road</u>
Provincial Highway No. 10	35 metres*
All Grey County Roads	22.9 metres*

***Exceptions:**

- i) That such greater setbacks as required by the Ministry of Transportation or the County of Grey shall be provided and maintained.
- ii) County Road setbacks are determined from the center line of the traveled portion of the road, rather than the center line of the County Right-of-way.
- iii) All lands within defined Settlement Areas are exempt from Section 5.5 b) requirements.

c) Setbacks from Lakes, Watercourses, Slopes, Floodplains and Hazard Lands

Notwithstanding any yard provision of this By-law to the contrary, the greater of the following setbacks apply to all lands in all zones:

- i) Except where specifically defined by this by-law, no building or structure shall be constructed, and no site alteration shall occur closer than 30 metres from the high water mark of a Cold or Warm Water Stream or Lake.
- ii) No building or structure shall be constructed in any Zone, which is Closer than 15 metres from the edge of an open municipal drain.

- iii) No building or structure shall be constructed closer than 15 metres of any top of bank or the escarpment brow, the slope of which is greater than 33% or 3:1, unless a geotechnical soils report is prepared to the satisfaction of the Municipality in consultation with the Conservation Authority.

Refer to the County of Grey Official Plan Appendix B: Constraint Mapping *Map 2* to determine the location of Streams/Rivers, Lakes and other Wetlands; however in the event that any streams/rivers or lakes are apparent near the subject lands yet have not been mapped on Appendix B, the provisions stated above will still apply. Additional information is available at applicable Conservation Authority offices.

d) Setbacks from Provincially Significant Wetlands

All lands located within 120 metres of a Provincially Significant Wetland, as defined by the Wetland (W) Zone on the Schedules to this By-law, are subject to a holding provision in accordance with Section 36.(1) of the Planning Act, RSO, 1990, as amended. No building or structure shall be erected and no site alteration shall occur within 120 metres of a Provincially Significant Wetland unless the holding provision is removed. Removal of the holding provision will require the preparation of an Environmental Impact Study to the satisfaction of the appropriate approval authority, which demonstrates that there will be no negative impacts on the natural features or the ecological functions for which the area is defined.

e) Setbacks from Threatened and Endangered Species Habitat

Notwithstanding any yard provision of this By-law to the contrary, no building or structure shall be constructed, and no site alteration shall be permitted within Threatened and Endangered Species habitat.

f) Setbacks from Existing and Abandoned Landfill Sites

All lands located within 500 metres of an existing or abandoned landfill site are subject to a holding provision in accordance with Section 36.(1) of the Planning Act, RSO, 1990, as amended. No building or structure shall be erected and no site alteration shall occur within 500 metres of an existing or abandoned landfill site unless the holding provision is removed. Removal of the holding provision will require the preparation of an Environmental Impact Study to the satisfaction of the appropriate approval authority, indicating that the lands to be developed are secure from potential methane gas and/or leachate migration from the landfill site. The requirement for an Environmental Impact Study may not be required if Provincial monitoring has occurred, or Provincial policy and guidelines have been met which addresses methane gas and/or leachate migration.

Please refer to Figure 1: General Provisions – Setbacks & Special Constraint Areas to determine the location of Existing and Abandoned Landfill Sites. Additional information is also available in the Municipality of Grey Highlands Official Plan.

g) Through Lots

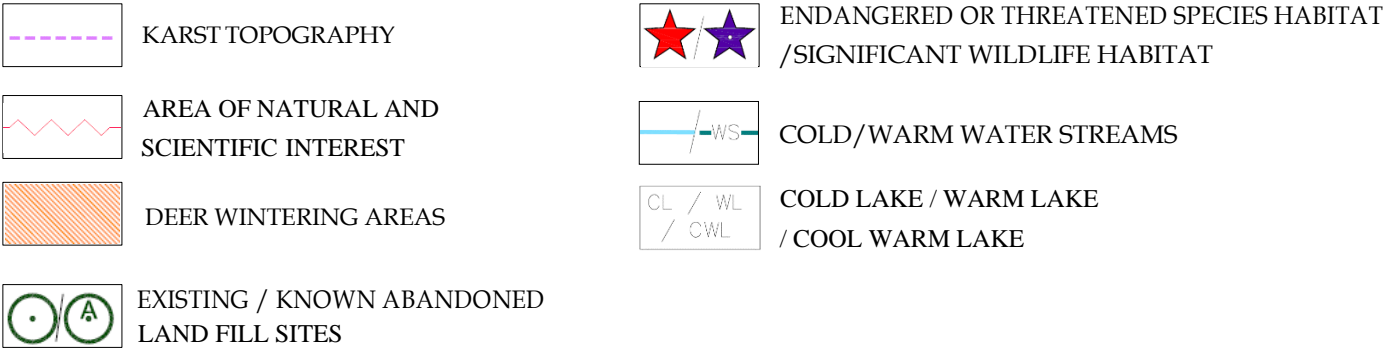
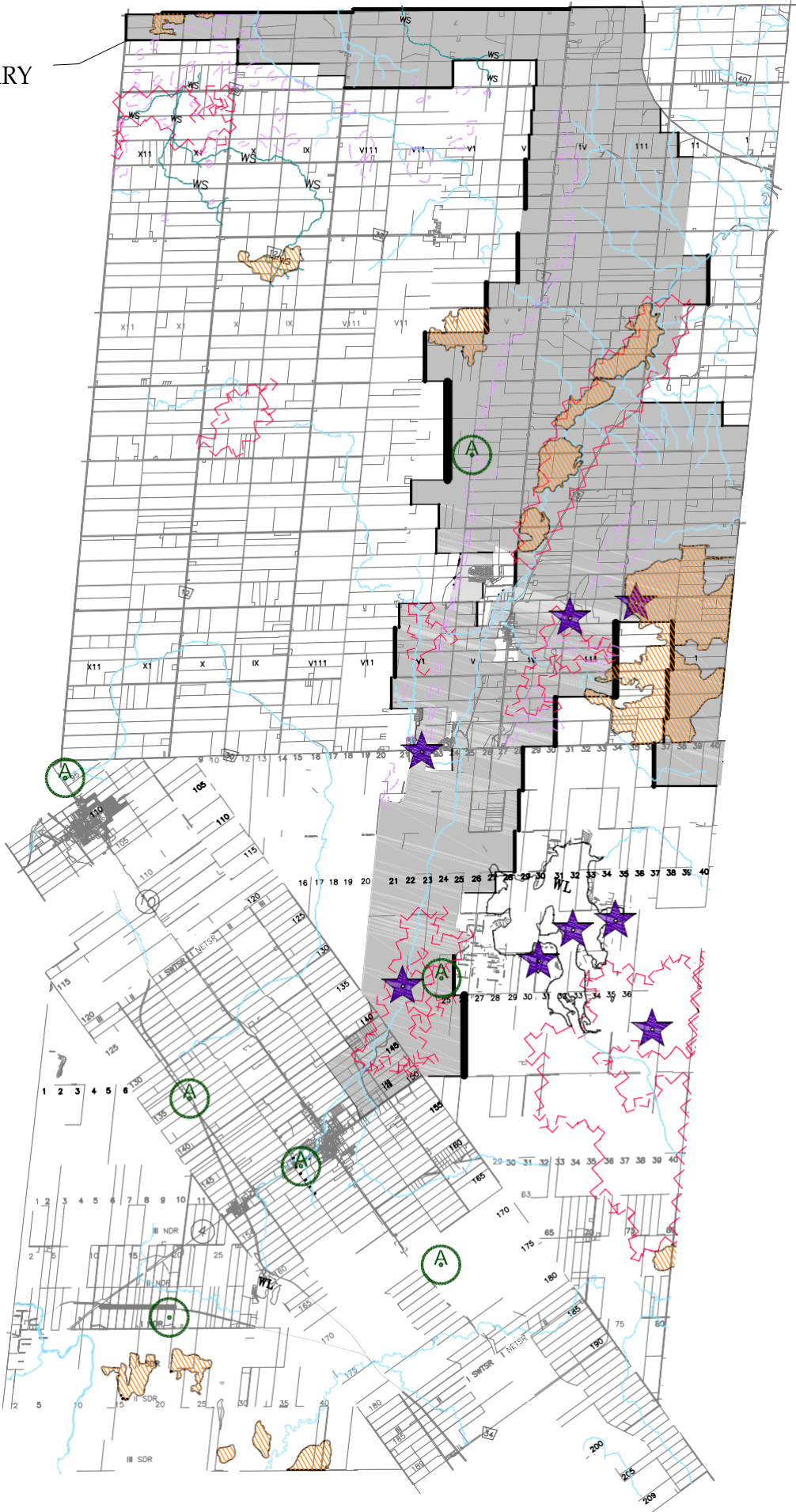
Where a lot which is not a corner lot has frontage on more than one street, the setback and front yard requirements contained herein shall apply on each street in accordance with the provisions of the Zone or Zones in which such lot is located.

NOTE: Figure 1: General Provisions – Setbacks & Special Constraint Areas is located on the following two pages. The holding constraints applied by features in Figure 1 have been incorporated into the consolidated schedules A-F. Viewers of Figure 1 are advised to also review the zone schedules in combination with the constraint schedule to achieve the most accurate information. The Grey Highlands Planning Department strives to provide the most up to date information possible, however the viewer is advised to carry out thorough research and consult the planning staff.

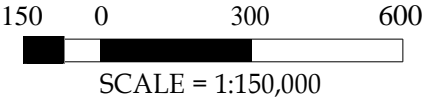
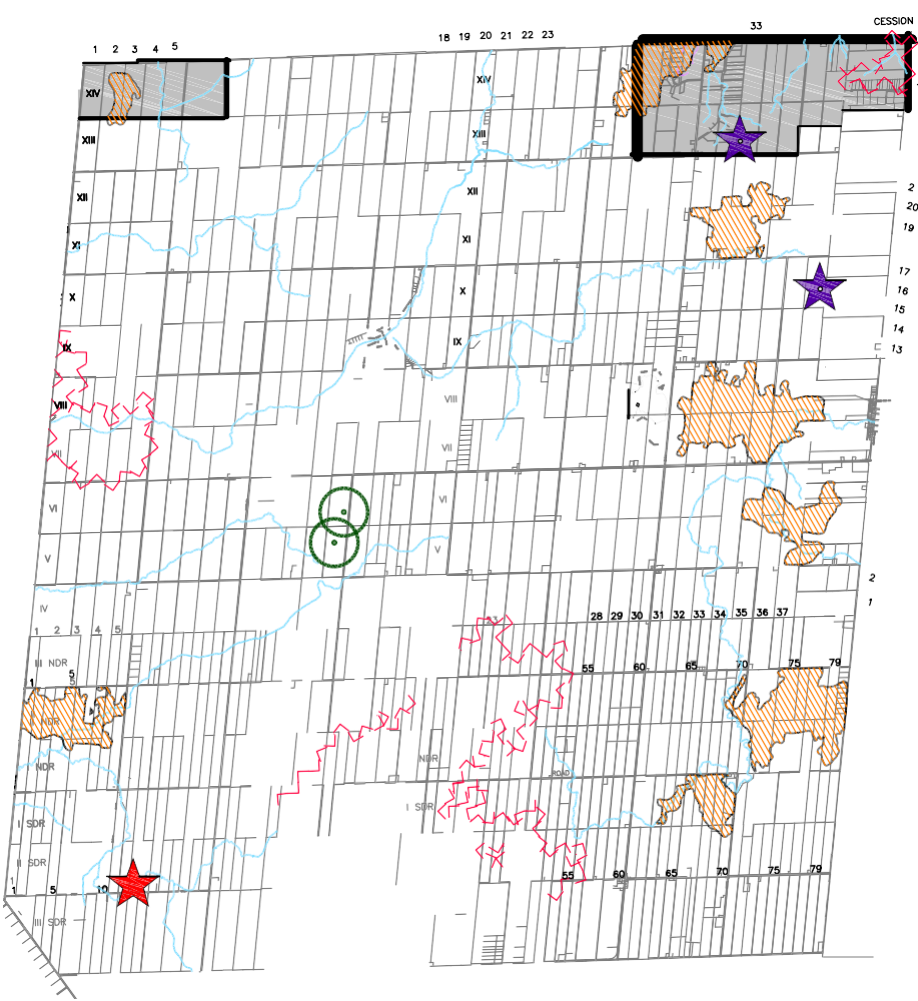
THE MUNICIPALITY OF GREY HIGHLANDS
COMPREHENSIVE ZONING BY-LAW

FIGURE 1
TO
BY-LAW 2004-50
GENERAL PROVISIONS – SETBACKS
SPECIAL CONSTRAINT AREAS

N.E.P. BOUNDARY



N.E.P. BOUNDARY



5.6 Accessory Uses

a) Permitted Uses

Accessory uses, buildings or structures shall be permitted only where they have been identified as a permitted use in a respective zone within the Municipality of Grey Highlands, and shall not:

- i) be used for human habitation;
- ii) be used for the purposes of a Home Occupation;
- iii) exceed 5% of the lot area up to the maximum lot coverage permitted;
- iv) not include the open storage of goods or materials, except where specifically permitted in this By-law;
- v) be considered an accessory structure or building if attached to the main building in any way, or if located completely underground;
- vi) be erected prior to the main building, except as permitted in Section 5.17 – Permitted Uses in any Zone of this By-law.
- vii) exceed 7.0 metres in height in a Residential or Commercial Zone;
- viii) be built within 1.5 metres of the main building;
- ix) be built closer to the front lot line (within the front yard) than the main building on the lot except:
 - 1. Accessory buildings or structures may be located in the front yard of the lot provided that the said lot has frontage upon either Lake Eugenia, Irish Lake, Wilcox Lake, or Brewster's Lake.
 - 2. Accessory buildings and structures may be located in the front yard within the Agriculture (A1), Restricted Agriculture (A2), and Rural (RU) Zones, provided such buildings or structures meet the minimum front yard setback requirements and the property comprises a minimum of 15 hectares.

b) Setbacks for Accessory Buildings and Structures

Notwithstanding any other provisions of this By-law to the contrary, an accessory building or structure, including a detached private garage, shall be permitted to be erected and used in accordance with the following provisions:

- i) Where an accessory building or structure is to be located in an interior side yard or rear yard, it shall not be closer than 1.5 metres (4.9 feet) to the interior side lot line, or the rear lot line, except for the following:
 - a) that such other setbacks as may be defined for accessory buildings or structures within a specific Zone in this By-law shall apply.
 - b) that a portable or floating boathouse, dock or boat lift, may be located on the rear lot line provided that the approval of any other authority having jurisdiction has been obtained.
 - c) that common or mutual semi-detached garages, erected simultaneously on both sides of the lot line as one building, may be centered on the mutual side and/or rear lot line, with respect to the common or dividing wall of said building.

- ii) all accessory buildings and structures, whether located in a rear yard or side yard, shall comply with the setback provisions applicable to the principle or main building on the lot where such rear or side yard abuts a public street.
- iii) Notwithstanding the yard and setback provisions of this By-law to the contrary, awnings, clothes poles, flag poles, garden trellises, retaining walls, permitted signs, or similar uses shall be permitted in any required yard or in the area between the street line and the required setback.

5.7 Swimming Pools

Notwithstanding any other provisions of this By-law to the contrary, a swimming pool shall be considered lot coverage and shall be permitted as an accessory use to any permitted residential use.

- a) In the side yard of any lot if, no part of such pool or associated deck is located closer to any lot line than the minimum distance required for the principal building on such lot, and
- b) In the rear yard of any lot if no part of such pool or associated deck is located closer to any lot line than the minimum distance required for any accessory building located on such lot.
- c) Every swimming pool shall be enclosed by a fence with a lockable gate in accordance with all Municipal By-laws and shall have a minimum height of 1.5 metres above average grade level.
- d) Any building or structure, other than a dwelling, required for changing clothing or for pumping or filter facilities, or other similar uses, complies with the provisions of this By-law respecting accessory buildings on such lot.

5.8 Yard Encroachments Permitted

Every part of any yard required to be provided in any Zone shall be open and unobstructed by any structure from the ground to the sky, except that:

- a) Ornamental Structures such as; sills, chimneys, cornices, eaves, gutters, parapets, pilasters, overhangs, or gutters may project into any required yard or setback a maximum of 0.5 metres.
- b) Unenclosed porches, balconies, steps, and patios, may project into any required yard or setback a maximum of 1.5 metre provided that, in the case of porches, steps, or patios, such uses are not more than 1 metre above grade. The exception is that where the required setback is only 1.5 metres, then the permitted encroachment shall be limited to 1 metre.
- c) Fences, freestanding walls, flagpoles, antennae, light standards and similar structures and appurtenances, and hedges, trees and shrubs are permitted in any yard except that:
 - i. no structure, hedge or obstruction that is more than 0.75 metres in height is permitted within 3 metres of any street line; and
 - ii. no structure, hedge or other obstruction is permitted in a sight triangle except as provided for.

5.9 Dwelling Units

No dwelling unit shall, in its entirety, be located below grade, except where one wall of the dwelling unit is completely exposed to the exterior and contains a door and windows for the dwelling unit below grade.

5.10 Height Restrictions

- a) No building or structure shall exceed a height of 11 metres or 2.5 stories except as otherwise provided for in this By-law. However, height restrictions included in this by-law do not apply to the following buildings and structures provided the use is a permitted use within the Zone in which it is located:
- agricultural buildings and structures
 - air conditioner duct
 - belfry
 - bridge
 - chimney
 - church spire
 - clock tower
 - flag pole
 - grain elevator or feed mill
 - communications tower or antenna
 - water tower
- b) No fence shall exceed 1.8 metres in height in the Residential (R), Residential Multiple (RM), Rural Residential (RUR) or Residential Shoreline (RS) zones, except where such a fence would directly enclose a tennis court, or where a fence encloses an above ground swimming pool, provided such fencing is a maximum of 2.5 metres in height, and located 3 meters from the lot line.

5.11 Home Occupations

No home occupation shall be permitted in any zone unless defined as a permitted use and conforms to the following provisions:

- i) Shall not be located in an outbuilding or accessory building or structure;
- ii) Not more than 25% of the gross floor area of the dwelling house or unit is used for the purpose of home occupation uses, except in the case of a Bed and Breakfast which shall be limited to 4 guest rooms. In addition, where a Bed and Breakfast establishment and a separate home occupation exist in the same dwelling, a maximum of 25% of the gross floor area of the dwelling shall be used for these purposes;
- iii) Only persons residing in the dwelling operate the home occupation;
- iv) There is no display visible from outside the premises, other than a legal sign no larger than 1 square metre, to indicate that any part of the dwelling house, unit or lot is being used for a purpose other than residential, and shall not illuminate;
- v) Such home occupation is clearly secondary to the main residential use and does not change the residential character of the dwelling house or unit nor create or become a public nuisance, particularly in regard to traffic, parking, noise, noxious odours, or emission of smoke;
- vi) One additional off-street parking space is provided for every 24 square metres of floor space occupied for business or professional purposes, OR, in the case of a bed and breakfast establishment, one additional off-street parking space for each guest room. Refer to Table 2 in Section 5.14 a) of this By-law.

- vii) Such home occupation uses may include a business or professional office, a domestic or household art, a medical or drugless practitioner, however, a health clinic, day nursery, day care centre, nursing home, private hospital, veterinary clinic, and an animal kennel shall be deemed not to be a home occupation;
- viii) The operation of a barber or beauty shop shall be limited to one operator at any one time; and;
- ix) No outdoor storage or display of materials or goods in support of such home occupation shall be permitted.

5.12 Home Industry

No home industry shall be permitted in any zone unless defined as a permitted use and conforms to the following provisions:

- a) Not more than 60 square metres (646 square feet) of an accessory building is used for the home industry.
- b) Persons residing in the dwelling operate the home industry;
- c) Only one outside employee that does not reside in the residence shall be permitted;
- d) There is not more than one non-luminous business identification sign advertising the business, other than a legal sign no larger than 1 square metre (11 square feet), to indicate to persons outside, that any part of the lot is being used for home industry purposes;
- e) There shall be no retail sales from the property.
- f) Such home industry is clearly secondary to the main residential use of the lot and does not change the residential character of the dwelling house or unit nor create or become a public nuisance, particularly in regard to traffic, parking, noise, noxious odours, or emission of smoke;
- g) Such home industry uses may include a carpentry shop, welding shop, plumbing shop, electrical shop, and small appliance repair; however, a public garage shall not be considered a home industry.
- h) One additional off-street parking space is provided for every 24 square metres of floor space occupied for business or professional purposes;
- i) No outdoor storage or display of materials or goods in support of such home industry shall be permitted;
- j) The use of noxious chemicals, as outlined by the policies and guidelines of the Ministry of the Environment, shall not be permitted in the home industry in order to protect groundwater resources.

5.13 Small-Scale Commercial & Industrial

No small-scale commercial or industrial use shall be permitted in any zone unless defined as a permitted use and conforms to the following provisions:

- a) May be located in an outbuilding or accessory structure, provided the maximum area of all buildings and or structures used for the small-scale use does not exceed 250 square metres (2,691 square feet)
- b) No portion of a lot shall be used for the open display, storage or sale of products or materials, commodities or stock-in-trade unless the following provisions are complied with:
 - such open storage does not cover an area greater than 750m²;
 - the storage area is situated behind the front or exterior wall of the principle 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.
- c) Maximum number of employees: Equivalent of five full time positions in addition to the owner.
- d) All waste by-products of the operation must be properly disposed of off-site, and in particular, the organic waste by-products may not be placed on-site or within any Hazard Land areas as defined in this By-law.
- e) The use of noxious chemicals, as outlined by the policies and guidelines of the Ministry of the Environment, shall not be permitted in the small-scale use in order to protect groundwater resources.

5.14 Parking and Loading Space Standards

a) Parking Space Requirements:

The owner of every building or structure erected or used for any of the purposes hereinafter set forth shall provide and maintain for the sole use of the owner, occupant or other person entering upon or making use of the said premises from time to time, parking spaces and areas as set out in Table 2.

Table 2: Parking Space Requirements	
A. Residential	
Apartment, triplex, fourplex	1.25 per dwelling unit, plus 1 visitor parking space per 2 dwelling units or part thereof
Bed and Breakfast	2 per dwelling unit plus 1 for each guest room
Dwellings – Detached, semi-detached, duplex, converted	2 per dwelling unit plus additional spaces as may be required for any home occupation/industry uses.
Dwelling other than those listed herein	2 per dwelling unit
Home Occupation	2 per dwelling unit plus 1 for each 24 square metres of floor spaced occupied by the home occupation
Rooming/boarded house	2 per dwelling unit plus 1 for each room for rent
Senior Citizens Apartment	1 per dwelling unit plus 1 visitor parking space per 5 dwelling units or part thereof
B. Institutional	
Auditoriums, Theatres, Arenas, Convention Centres, Stadium, Clubs	1 per 5 seats, or 1 per 4 square metres of gross floor area, whichever is the greater of the two

Fire Hall	5 per bay
Hospitals	1 per 2 beds, or 40 square metres of gross floor area, whichever is greater of the two
Library	1 per 40 square metres of gross floor area
Medical, dental, or drugless practitioners office or clinic	1 per 18.5 square metres
Place of worship	1 per each 5 persons of maximum design capacity
Rest Home or Nursing Home	1 per each 4 persons of maximum design capacity
Schools, Elementary	1.5 per each teaching classroom
Schools, Secondary	4 per each teaching classroom
<i>C. Commercial & Industrial</i>	
Bowling alley or curling rink	1 per each 4 persons of maximum design capacity of the establishment
Car Wash – automatic	10 in advance of and 3 at the terminus
Car Wash – self serve	2 per wash stall
Funeral Home	1 per 5 seats with a minimum of 10 spaces, or 1 per 20 square metres of gross floor area, whichever is greater
Golf Course	2 per golf green or 25 per 9 holes, whichever is greater
Grocery Stores & Large-Scale Retail	1 per 20 square metres of gross floor area
Hotels and Motels	1 per guest room or suite
Manufacturing, Service Industrial	1 per each 40 square metres of gross floor area up to 3,000 square metres and 1 space per each 200 square metres of gross floor area above 3,000 square metres.
Marina	1 per 20 square metres of total retail floor area plus 1 for each boat slip provided
Motor Vehicle Repair Establishment/Service Station	3 per repair bay
Motor Vehicle Sales & Service Establishment	1 per 10 square metres of gross floor area and 3 per repair bay
Motor Vehicle Washing Establishment	2 per washing bay or stall
Office, including government buildings	1 per 30 square metres of gross floor area
Restaurant (eat-in or take-out)	1 per each 4 persons of maximum design capacity or 1 per 20 square metres of gross floor area, whichever is the greater
Retail Establishments, Service Shops	1 per 20 square metres of gross floor area
Shopping Mall/Plaza	5 per 100 square metres of leasable floor space
Social or Service Club	1 per 10 square metres of gross floor area of all habitable club buildings plus: 4 per lawn bowling green; 4 per tennis or racquet ball court.
Sports Field	1 per 5 seats or 3 metres of bench space of maximum seating capacity, or 1 per 800 square metres of gross field/floor area, whichever is the greater of the two
Tavern, Pub, Bar, Drinking Establishment	1 per 4 seats of a maximum seating capacity
Wholesale, warehousing, and storage	1 per each 100 square metres of gross floor area up to 3,000 square metres and 1 space per each 200 square metres of gross floor area above 3,000 square metres.
<i>D. Other Uses</i>	
Uses permitted by this By-law other than those listed herein	1 per 40 square metres of gross floor area

b) Loading Space Requirements

The owner or occupant of any lot, building or structure erected or used for any purpose, other than a farm, involving the receiving, shipping, loading or unloading of persons, animals, goods, wares, merchandise or raw materials, shall provide and maintain at the premises, facilities comprising one or more loading spaces, in accordance with the following:

Table 3: Loading Space Requirements	
Gross Floor Area of Building	Minimum Loading Facilities Required
<i>A. Commercial Uses</i>	
175 square metres or less	None
176 square metres to 1,000 square metres	1 loading space*
over 1,000 square metres	2 loading spaces plus a minimum of 1 additional loading space for each 500 square metres or fraction thereof in excess of 1,000 square metres*
<i>B. Industrial Uses</i>	
500 square metres or less	1 loading space*
501 square metres to 2,000 square metres	2 loading spaces*
2,001 square metres to 7,500 square metres	3 loading spaces*
over 7,500 square metres	3 loading spaces, plus 1 additional loading space for each additional 1,000 square metres of gross floor area or fractional part thereof*

*In addition to the above number of loading spaces, space shall be provided for the parking of vehicles awaiting access to loading spaces.

c) Uses Not Specified

In the case of a use not specifically mentioned in Clause a) of this Subsection, the requirements for off-street parking shall be based on the requirement for the most comparable use specified therein.

d) Access to Parking and Loading Spaces

- i) Access to the required parking spaces and parking areas shall be provided by means of unobstructed driveways or passageways at least 3 metres but not more than 9 metres in width. Access to the required loading spaces shall be provided by means of a driveway at least 6 metres wide contained within the lot on which the spaces are located and leading to a street or land located within or adjoining the zone in which the use is located.
- ii) The aisles between parking spaces within a parking area shall have a minimum width of 6 metres.

- iv) The maximum width of any combined ingress and egress driveway, measured along the street line shall be 9 metres.
- iv) No driveway shall be established closer than 1 metre to a side lot line, provided this shall not apply to prevent the establishment of abutting driveways along a common lot line if their combined width does not exceed 9 metres.

e) Cash-in-lieu of Parking

Notwithstanding the parking requirements of this By-law, the Municipality, at its sole discretion, may accept cash-in-lieu of parking. In accordance with Section 40.(1) of the Planning Act, RSO, 1990, as amended, where an owner must provide parking facilities, Council may enter into an agreement exempting the owner or occupant from the requirement of providing or maintaining parking facilities. The agreement, and the acceptance of cash-in-lieu of parking shall only be considered by Council for lands designated Downtown Area or Hamlet according to the Municipality of Grey Highlands Official Plan.

f) Changes in Use / Additions to Existing Use

- i) Whenever a use is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise as would require an additional number of parking space or loading spaces, then such additional parking and loading shall be provided on the same basis as Subsection 5.13 a) and b).
- ii) When a building or structure has insufficient loading spaces on the date of passing of this By-law to comply with the requirements herein, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition. However, no addition may be built and not change of use may occur, if the effect of which would be to increase that deficiency.

g) Illumination of Parking and Loading Areas and Driveways

When parking and loading areas and/or driveways are illuminated, lighting fixtures shall be so arranged to divert the light away from adjacent lots and/or streets.

h) Location on Other Lots

The required parking and loading areas shall not form a part of any street or lane. The required areas shall be provided on the lot occupied by the building, structure, or use, for which the said area is required. Unless otherwise provided for herein, parking spaces may be located in any yard but not closer than 1.5 metres to any lot line. Parking may not be located any closer than 3 metres from a public street.

i) Mixed Occupancies

In the case of two or more uses in the same building or on the same lot, the total requirements for off-street parking and loading spaces shall be the sum of the requirements for the several uses computed separately. Parking and loading facilities for one use shall not be considered as providing required parking or loading for any other use.

j) Parking and Loading Space Dimensions

- i. A parking space shall have a minimum length of 5.8 metres and a minimum width of 2.75 metres measured at right angles to the length.
- ii. A loading space shall have a minimum length of 9 metres, a minimum width of 3.75 metres, and a minimum vertical clearance of at least 4 metres,

k) Use of Parking Areas

Where a parking area or parking space is required by the By-law in any Zone, no person shall use such parking area or parking space for parking any motor vehicle unless such motor vehicle bears a motor vehicle license plate or sticker which is currently valid.

l) Surface

The required driveways and loading spaces shall be provided and maintained with a concrete, asphalt, or bituminous double surface treatment, or such other surface as approved by the Municipality.

5.15 Outdoor Storage

- a) The open storage of goods and materials shall be permitted in a side or rear yard only and shall be screened by a landscaping strip or a fence, not less than 2 metres (6.5 feet) in height.
- b) Notwithstanding the provisions of clause (a) above, no side yard setback or rear yard setback abutting a residential or institutional use or zone shall be used for open storage.

5.16 Outside Display and Sale of Goods and Materials

Where outside display and sale of goods and materials is permitted the following provisions shall be complied with:

- a) Such outside display and sale is accessory to a commercial use carried on in an enclosed building, or portion thereof, on the same lots;
- b) The area used for outside display and sale shall not be more than twice the floor area above grade of the commercial building, or portion of any such building constructed upon the lot, and used for the commercial purposes for which outside display and sale is permitted, and in any event, such area for outside display and sale shall not be more than thirty-five (35) percent or the lot area.
- c) Where lighting facilities are provided they shall be so arranged as to deflect the light onto the outside display and sale area, and away from adjoining properties and streets;
- d) The area used for outside display and sale shall provide side and rear yards in accordance with the provisions for the zone in which the land is situated, but in any event shall not be closer to any side or rear lot line than 3.0 metres (9.8 feet);
- e) The area used for outside display and sale shall be surfaced and maintained with either concrete, asphalt, crushed stone and other hard surface and dust free materials, or maintained as a lawn;

5.17 Permitted Uses In All Zones

Nothing in this By-law shall prevent the following:

- a) The use of any land as a public street or public park.
- b) The use of any land for the erection of buildings or structures, or the installation of other facilities essential to the operation of public utilities, provided that any such use, building or structure shall be in substantial compliance with the relevant provisions of this By-law and shall not adversely affect the character or amenity of the neighbourhood in which same is located.
 - i) Any above ground non-recreational public use, which is located in a Residential Zone, shall be enclosed in a building designed, located and maintained in general harmony with the permitted Residential buildings in such zone.
- c) The use of any land, or the erection or use of any building or structure for a temporary construction camp, work camp, tool shed, scaffold, or other building or structure incidental to and necessary for the construction work on the premises, but only for as long as such use, building or structure is necessary for such construction work which has not been finished or abandoned.
- d) Any building, structure, use, service or utility of any department of the Corporation of the Municipality of Grey Highlands, the Corporation of the County of Grey, or the Provincial or Federal Government, provided any buildings erected or used shall be designed and used in a manner compatible with the area in which it is located.
- e) An undertaking of Hydro One Inc. (as defined in subsection 2(1) of the Electricity Act, 1998) or Ontario Power Generation (as defined in subsection 2(1) of that Act) that has been approved under the Environmental Assessment Act, provided such undertaking is not located within a Provincially Significant Wetland. A reference to a corporation is deemed to include a subsidiary of that corporation.

5.18 Prohibited Uses in all Zones

- a) All uses of land and the erection or use of any building or structure for a purpose not permitted under the “Permitted Use” Subsection of one or more Zones established by this By-law are and shall be deemed to be prohibited in each Zone, except for those uses of land and the erection or use of any building or structure for a purpose expressly permitted under the applicable provision of Section 5 hereof.
- b) Any use declared under the Public Health Act, or any regulations adopted there under to be a noxious trade, business or manufacture by reason of its nature or the materials used therein is prohibited. In addition, no land building or structure shall be used for any purpose, which is obnoxious, which creates or is likely to become a nuisance or offensive or both:
 - i) By the creation of noise or vibration;
 - ii) By reason of the emission of gas, fumes, smoke, dust, or objectionable odour;
 - iii) By reason of the unsightly storage of goods, wares, merchandise, salvage, refuse

matter, motor vehicles, trailers, or parts of vehicles or trailers, machinery or other such material; or

- iv) By any combination of these things described in clauses (i), (ii), and (iii) of this Subsection.

c) Dangerous Uses Prohibited

No land, building or structure, except automobile service stations and duly licensed installations for the bulk storage of gasoline, lubricating and fuel oil, is permitted for commercial or industrial purposes which are likely to create danger to health, or danger from fire or explosion which without limiting the generality of the foregoing shall include storage or manufacture of coal oil, water oil, rock oil, fuel oil, burning fluid, gas, naphtha, benzene, gasoline, dynamite, dualine, nitro-glycerin, gunpowder, petroleum and petroleum products, unless protected by adequate fire fighting and fire prevention equipment and by such safety devises as required for the safe handling of such material.

d) Truck, Bus and Trailer Occupation

No person shall, in any Zone, use any travel trailer, motor home, mobile home, park model trailer, truck camper, truck, bus, coach, streetcar body, railway car body, or similar structure of any kind, for the purpose of a residence. No such structure shall be considered a dwelling unit, or be used for human habitation, whether or not the same is mounted on wheels or other form of mounting or foundation.

5.19 Pits and Quarries

Except for wayside pits, the making or establishment of pits and quarries is prohibited in any zone other than an Extractive Industrial MEX Zone. Temporary wayside pits or quarries may be permitted in any Rural or Agriculture Zone subject to the provisions of the relevant Zone.

5.20 Landscaping Strip

Where a commercial, institutional, or industrial use is established opposite a residential zone or abuts a side or rear lot line in a Residential Zone, then a planting strip and/or fence adjoining such abutting lot line, or portion thereof, shall be provided on the commercial, industrial, or institutional lot, in the case of a planting strip with a minimum width of 3 metres (9.8 feet).

5.21 Residential Use Restrictions

- a) No person shall erect or use any building as a dwelling or cottage upon any lot whereon there then exists, or is in the course of construction, or for which a building permit has been issued, for another residential dwelling.
- b) Notwithstanding anything contained in this By-law, no person shall use or occupy any building for residential purposes unless such building is serviced with a municipal water supply or by a pressure or gravity fed water supply system, where hydro is available on the frontage or flankage, and with a municipal sanitary sewer system or an approved septic disposal system.

5.22 Sight Triangles

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

- a) A building, structure or use, which would obstruct the vision of drivers of motor vehicles;
- b) A fence, tree, hedge, bush, or other vegetation, the top of which exceeds 1 metre in height above the elevation of the street line; or
- c) A finished grade, which exceeds the elevation of the street line by more than 1 metre.

5.23 Signs

Nothing in this By-law shall apply to prevent the erection, alteration or use of any sign, provided such sign complies with the By-laws and requirements of the Municipality of Grey Highlands, County of Grey and Ministry of Transportation for regulating signs and provided such sign complies with the provisions of this By-law regarding sight triangles. In the absence of a Municipal Sign By-law, signs may be permitted in any yard, subject to Site Plan Control Approval which will consider such issues as; setbacks, safety considerations (i.e. sight lines, distracting nature of sign to passing motorists), impacts on adjacent properties and access.

5.24 Storage of Special Vehicles

No person shall use any lot, which is zoned Residential (R) or Residential multiple (RM) for the purpose of parking or storing a boat, snowmobile, recreational trailer or recreational vehicle in the front or exterior side yard.

5.25 Storage of Unlicensed Vehicles, Trailers and Commercial Vehicles

- a) The parking or storage of an unlicensed motor vehicle or an unlicensed trailer shall be prohibited unless it is stored in an enclosed garage or other accessory building.
- b) No lot, building or structure in any Residential Zone shall be used for the parking or storage of any commercial vehicle (licensed or unlicensed), unless:
 - i) The vehicle is owned or used by the owner or occupant of such lot, building or structure;
 - ii) The commercial vehicle has a maximum carrying capacity of 2000 kilograms; and
 - iii) Provided that not more than one commercial vehicle is stored in accordance with this Section.

5.26 Renewable Energy Systems

5.26 Renewable Energy Systems

No renewable energy system shall be permitted in any zone unless defined as a permitted use and conforms to the following provisions:

- a) All renewable energy systems shall be subject to site plan control approval. Refer to the Municipality of Grey Highlands Site Plan Control Manual for details on how site plan control will be applied to renewable energy systems.
- b) A maximum of one (1) renewable energy system exceeding micro scale shall be permitted per property. Multiple micro scale systems are permitted on a single property.
- c) No renewable energy system is permitted within lands operating under a mineral/aggregate extraction license. The Municipality may consider an application for a micro or small scale renewable energy system in a licensed area subject to either a minor variance or Zoning By-law Amendment

application that would consider the tests of the Official Plan.

- d) This Section must be read in conjunction with additional reference and requirements found in Section 3: Definitions, and Section 5.5 Setback Requirements
- e) Prior to the approval of a new renewable energy system, the proponent shall ensure that where there is a vacant lot of record in the vicinity of the project upon which a point of reception could be built in accordance with the local zoning for the property, the proponent must model and demonstrate that the receptor could be built on the property without being subjected to adverse effects. This shall be accomplished by demonstrating that a one hectare building envelope exists on a portion of the property that would reasonably be expected to contain the use and which conforms to the following provisions. Where a one hectare building envelope is not available due to existing site constraints or lot size, then the actual available building envelope should be modeled.
 - i) Located outside of natural heritage constraints (i.e. Provincially Significant Wetlands, Significant Woodlots); and
 - ii) Located outside of obvious site constraints such as steep topography, karst topography, or other natural hazard lands; and
 - iii) Located such that safe and reasonable access is available; and
 - iv) Is consistent with the typical building pattern in the area or recognizes unique site attributes that would relate to building location such as amenity areas or significant viewsheds from the property; and
 - v) Conforms to all other provisions of By-law 2004-50.
 - vi) Where vacant lots of record comprise less than one hectare, or where less than one hectare of building envelope is available on the property, then the modeling must demonstrate that the building envelope is reasonable.

5.26.1 Wind Energy Systems

The following general provisions apply to all wind energy systems:

- a) Building permits for all small, medium and large scale wind energy systems shall be referred to Transport Canada for obstacle and lighting clearance.
- b) Building permits for wind energy systems shall be referred to the Ontario Ministry of Transportation, whose area of permit control extends 45 metres from the limit of a King's Highway or controlled access highway or within 395 metres of the centre point of an intersection with a King's Highway.
- c) No advertising sign or logo shall be visible on any wind turbine.
- d) The minimum setback from any Provincial Highway, County Road or local road shall be 1.25 times the turbine height.
- e) The minimum interior side yard setback to any wind turbine shall be equal to the length of the turbine blade plus 10 metres.
- f) The minimum rear yard setback to any wind turbine shall be equal to the length of the turbine blade plus 10 metres.
- g) Shadow flicker experienced at any Point of Reception shall not exceed 30 hours per year, modeled based on the astronomically worst case conditions, as a result of the operation of a wind energy system.

5.26.1.1 Micro Scale Wind Energy Systems

The following provisions apply to micro scale wind energy systems. A micro scale wind energy system:

- a) Shall be permitted in Residential (R, RM, RUR, RS), Agricultural (A1, A2), Rural (RU), Commercial (C1, C2, C3, C4), Institutional (I), Industrial zones (M1, M2), and any other zone where a dwelling is a permitted use.
- b) Shall not exceed 17 metres in height or 10 kilowatts in nameplate generating capacity.
- c) Shall be directly attached to a building except in the Agricultural (A1, A2) and Rural (RU) zones where they may be free standing structures.
- d) Building mounted micro wind energy systems shall be sited so that all parts of the system are located within the yard setbacks or a minimum of 1 metre from any side or rear lot line, whatever is greater.
- e) Free standing micro wind energy systems shall be setback a minimum of the height of the turbine from any interior side yard or rear yard.
- f) Shall not exceed a sound level limit of 45 dBA at the property limit within all settlement areas and 40 dBA at the property limit outside of settlement areas.

5.26.1.2 Small Scale Wind Energy Systems

The following provisions apply to small scale wind energy systems. A small scale wind energy system:

- a) Shall be permitted in Agricultural (A1, A2), Rural (R), Rural Residential (RUR), Industrial (M1, M2) and Development (D) zones.
- b) Shall require a minimum lot size of 0.6 hectares.
- c) Shall be setback a minimum of the height of the turbine from any interior side yard or rear yard.
- d) Shall not exceed a height of 38 metres and have a maximum nameplate generating capacity of 50 kilowatts.
- e) Shall not exceed a sound level limit of 45 dBA at the property limit within all settlement areas and 40 dBA at the property limit outside of settlement areas.

5.26.1.3 Medium Scale Wind Energy Systems

Medium scale wind energy systems are not permitted in any zone without a site specific zoning by-law amendment subject to the following minimum setbacks:

- a) The minimum setback to off-site Points of Reception & Sensitive Land Uses shall be 300 metres from any turbine.
- b) The minimum setback to on-site Points of Reception & Sensitive Land Uses from any turbine shall be a distance equal to the height of the turbine.
- c) The minimum setback to a Rural Residential Cluster shall be 500 metres from any turbine. A Rural Residential Cluster shall mean four (4) or more rural residential lots with an average area of 0.8 hectares or less that share a common boundary including lots located directly across a roadway from one another. Measurements shall be taken as the shortest distance between the lot line of the closest lot to a proposed turbine.

5.26.1.4 Large Scale Wind Energy Systems

The following provisions apply to large scale wind energy systems.

- a) Large scale wind energy systems are not permitted in any zone without a site specific zoning by-law amendment.
- b) Notwithstanding the requirements of 5.26.1 e) and f) of this By-law, a zero (0) metre setback is permitted to the common boundary of participating properties forming part of a multiple large scale wind energy system proposal. For clarity purposes, properties must contain a large scale wind energy system to be considered a participating property.
- c) The minimum setback to off-site Points of Reception & Sensitive Land Uses shall be 300 metres from any turbine.
- d) The minimum setback to on-site Points of Reception & Sensitive Land Uses from any turbine shall be a distance equal to the height of the turbine.
- e) The minimum setback to a Rural Residential Cluster shall be 500 metres from any turbine. A Rural Residential Cluster shall mean four (4) or more rural residential lots with an average area of 0.8 hectares or less that share a common boundary including lots located directly across a roadway from one another. Measurements shall be taken as the shortest distance between the lot line of the closest lot to a proposed turbine.

5.26.2 Solar Energy Systems

No solar energy system shall be permitted in any zone unless defined as a permitted use and conforms to the following provisions. Large scale solar energy systems are not permitted in any zone without a site specific zoning by-law amendment.

The following provisions apply to small scale solar energy systems:

- a) Small scale solar energy systems shall be permitted in Agricultural (A1, A2), Rural (R), Residential (R, RM, RUR, RS), Recreational Resort (REC), Commercial (C1, C2, C3, C4), Institutional (I) and Industrial (M1, M2) zones.
- b) Shall be building mounted in all Residential (R, RM, RUR, RS) zones.
- c) Shall be building mounted in all zones in settlement areas.
- d) Maximum lot coverage for free standing small scale solar systems shall be 10%.
- e) Maximum height shall be:
 - i. Building height plus 2 metres in all Residential (R, RM, RUR, RS) and the Recreational Resort (REC) zones.
 - ii. Height of building mounted systems in all non-residential permitted zones shall be the permitted building height plus 3 metres.
 - iii. Height of ground mounted systems in all non-residential permitted zones shall be 11 metres.
- f) Interior side yard setback for all ground mounted small scale solar energy systems shall be the principal building setback in the underlying zone less 1 metre.

5.26.3 Provisions for Biomass Energy Systems

No Biomass energy system shall be permitted in any zone unless defined as a permitted use and conforms to the following provisions:

- a) All biomass energy systems require a site specific zoning by-law amendment.
- b) General standards for sites containing a biomass facility include:
 - i. Minimum lot frontage shall be 150 metres.
 - ii. Minimum lot area shall be 20 hectares.
 - iii. Maximum lot coverage shall be 10%.
 - iv. Minimum front yard setback (including outdoor material storage) shall be 55 metres.
 - v. Minimum interior side yard setback (including outdoor material storage) shall be 14m.
 - vi. Minimum exterior side yard setback (including outdoor material storage) shall be 20m.
 - vii. Minimum rear yard setback shall be 15 metres.
 - viii. Maximum building Height shall be 14 metres except where adjacent to a Point of Reception the maximum height shall be 9 metres.
- c) Outdoor storage areas are subject to the following provisions:
 - i. Maximum outdoor storage shall be 5% of property area.
 - ii. No outdoor storage areas shall be located within the front or exterior side yard.
 - iii. Outdoor storage areas shall maintain the same setbacks as required under the general provisions.
 - iv. The maximum height of outdoor storage shall be restricted to 6 metres.
 - v. Outdoor storage areas will be screened from public exposure by a continuous 2 metre high tight board fence.
 - vi. Outdoor storage areas will be constructed with a stable surface of compacted gravel, asphalt, concrete or other binder and treated to prevent the raising of dust and loose particles.
 - vii. Outdoor storage areas shall not be used for parking.
 - viii. Lighting from outdoor storage areas will be directed away from Points of Reception, roads and public right-of-ways.
 - ix. Stormwater from outdoor storage areas shall be collected and treated in accordance with an approved servicing plan to the satisfaction of the municipality, the Ministry of the Environment and the Conservation Authority. Certificate(s) of Approval will be sought from the Ministry of the Environment under Section 53 of the Ontario Water Resources Act, if applicable.
 - x. Anaerobic digestate storage are subject to MDS setbacks.
 - xi. Certain Biomass systems, such as anaerobic digestion systems are also subject to the requirements of Ontario Regulation 267/03 of the Nutrient Management Act, 2002, which provides specific requirements for the receipt and storage of off-farm materials, the treatment of materials, the storage of outputs (i.e. digestate), and the land application output materials.

5.27 Model Homes

Model homes may be constructed in advance of the construction of the main building or main use, subject to the following provisions:

- a) All model homes must be located within a Residential (R) zone or Residential Multiple (RM) zone.
- b) Model homes must be located on lands that are subject to a draft approved or a registered plan of subdivision, plan of condominium or an approved site plan control agreement under the Planning Act.
- c) Model homes may be constructed temporarily without connection to a municipal sanitary system and a municipal water supply system, however, the connections must be in place prior to gaining approval of future occupancy permits.
- d) No model home shall be constructed on a lot until Council or its delegate has passed an authorization by-law to enter into a model homes agreement for the model homes, or must otherwise approve the model home agreement. The number of model homes permitted and the time period for the removal of the model homes, if removal is required, shall be set out in the model home agreement.

5.28 Temporary Sales Office

A temporary sales office may be constructed in advance of the construction of the main building or main use, subject to the following provisions:

- a) The temporary sales office must be located on lands that are subject to either a draft approved or a registered plan of subdivision, plan of condominium or an approved site plan control agreement under the Planning Act.
- b) At any given time the number of temporary sales offices on a lot shall be a maximum of one (1).
- c) Parking Requirements shall be a minimum of five (5) spaces per 100 square metres of GFA.
- d) A temporary sales office shall be constructed on a lot with minimum required yards in accordance with the following required yards:
 - Required Minimum Yards
 - i. Front Yard – 7.5 m
 - ii. Exterior Side Yard – 3.0 m
 - iii. Interior Side Yard – 1.5 m
 - iv. Rear Yard – 7.0 m
- e) The height of a temporary sales office shall be a maximum of 11.0 m.
- f) The maximum ground floor area of a temporary sales office shall be 200 m².
- g) A temporary sales office may be constructed without connection to a municipal sanitary system and a municipal water supply system, however, the connections must be in place prior to gaining approval of future occupancy permits.
- h) No temporary sales office shall be constructed on a lot until Council or its delegate has passed an authorization by-law to enter into a temporary sales office agreement for the temporary sales office, or must otherwise approve the temporary sales office agreement. The removal of the temporary sales office shall be set out in the temporary sales office agreement.

5.29 Accessory Apartments

1. **Attached Units** - One accessory apartment is permitted within or attached to any detached dwelling, semi-detached dwelling, duplex building, or townhouse in the Downtown Commercial (C1), Residential (R), Residential Multiple (RM), Rural (RU), Rural Residential (RUR), Residential Shoreline (RS), Agriculture (A1), and Restricted Agriculture (A2) zones subject to the following conditions:
 - a. There is a maximum of one (1) accessory apartment per lot
 - b. The accessory apartment shall be situated entirely within or attached to the principal dwelling;
 - c. Notwithstanding any provision in the By-law, accessory apartments shall not require any additional parking requirements, however, an accessory apartment shall not be permitted unless a minimum of two (2) parking spaces in total exist on the lot.
 - d. The yard setback, lot coverage, and height requirements that apply to a main use shall apply to accessory apartments.
 - e. An accessory apartment is not permitted on a lot that is non-conforming with respect to lot frontage or lot area unless the lot has a frontage of at least 50 metres and an area of at least 0.4 hectares.
 - f. Accessory apartments must be connected to public services where such services are available.
 - g. Accessory apartments must be connected to adequate private services where public services are not available. Section 5.21 of the Zoning By-law provides guidance on the minimum servicing requirements.
 - h. In the case of an accessory apartment, home occupations are permitted where already a permitted use in the zone, although a home-based daycare is not permitted. The provisions regulating Home Occupations shall treat the main dwelling and the accessory apartment as separate and independent units regarding the maximum number of employees and the maximum amount of gross floor area that can be dedicated to the use. There shall be no additional parking requirements for a Home Occupation in an accessory apartment.
 - i. Accessory apartments within the principal dwelling unit are not permitted where the principal dwelling is located within a Hazard zone.
 - j. Accessory apartments within the principal dwelling unit are not permitted where the principal dwelling is accessed by traversing a Hazard zone unless safe access during flooding or other emergencies is demonstrated to the satisfaction of the Conservation Authority.
2. **Detached Units** - One accessory apartment is permitted in an accessory structure in the Residential (R), Residential Multiple (RM), Rural (RU), Rural Residential (RUR), Residential Shoreline (RS), Agriculture (A1), and Restricted Agriculture (A2) zones subject to the following conditions:
 - a. There is a maximum of one (1) accessory apartment per lot. An accessory apartment is not permitted where a temporary garden suite already exists.
 - b. The accessory apartment is located within 75 metres of the principal detached dwelling.
 - c. The accessory apartment utilizes the same driveway entrance as the principal detached dwelling.
 - d. Notwithstanding any provision in the By-law, accessory apartments shall not require any additional parking requirements, however, an accessory apartment shall not be permitted unless a minimum of two (2) parking spaces in total exist on the lot.

- e. In the A1, A2, RU, and RUR zones, the yard setback, lot coverage, and height requirements that apply to a main use shall also apply to accessory apartments. In the R, RM, and RS zones, the yard setback, lot coverage, and height requirements that pertain to accessory uses per section 5.6 of the Zoning by-law shall apply.
 - f. For clarity, accessory apartments and the related structure in which they are located may be situated nearer to the front lot line than the main dwelling in the A1, A2, RU, and RUR zones.
 - g. The accessory apartment is designed to be a permanent, year-round dwelling as per the Ontario Building Code.
 - h. Notwithstanding any other provision of the Zoning By-law, on lots that are not located within a Settlement Area identified in the Official Plan, the accessory apartment must comply with Provincial Minimum Distance Separation requirements.
 - i. An accessory apartment is not permitted on a lot that is non-conforming with respect to lot frontage or lot area unless the lot has a frontage of at least 50 metres and an area of at least 0.4 hectares.
 - j. Accessory apartments must be connected to public services where such services are available.
 - k. Accessory apartments must be connected to adequate private services where public services are not available. Section 5.21 of the Zoning By-law provides guidance on the minimum servicing requirements.
 - l. In the case of an accessory apartment, home occupations are permitted where already a permitted use in the zone, although a home-based daycare is not permitted. The provisions regulating Home Occupations shall treat the main dwelling and the accessory apartment as separate and independent units regarding the maximum number of employees and the maximum amount of gross floor area that can be dedicated to the use. There shall be no additional parking requirements for a Home Occupation in an accessory apartment.
 - m. Accessory apartments within the principal dwelling unit are not permitted where the principal dwelling is located within a Hazard zone.
 - n. Accessory apartments within the principal dwelling unit are not permitted where the principal dwelling is accessed by traversing a Hazard zone unless safe access during flooding or other emergencies is demonstrated to the satisfaction of the Conservation Authority.
3. **Cabins** - As per the definition of Cabin, Cabins are to be used as casual sleeping quarters that are accessory to the residential use and are therefore not permitted to be used as a residence.
- a. A Cabin shall not be considered as an accessory apartment.
 - b. One (1) Cabin is permitted per lot in the Rural (RU), Rural Residential (RU), Agriculture (A1), and Restricted Agriculture (A2) zones provided a main dwelling also exists on the lot.
 - c. One (1) Cabin is permitted per lot in the Residential Shoreline (RS) zone provided:
 - i. A main dwelling also exists on the lot.
 - ii. No accessory apartment exists on the lot.
 - iii. The lot meets the minimum lot size requirement for the Residential Shoreline zone.
 - d. A Cabin shall be treated as an accessory use regarding setback and lot coverage requirements.
 - e. A Cabin shall have a maximum floor area of 20 square metres.
 - f. A Cabin shall have a maximum height of 4.5 metres.
 - g. A Cabin shall not be permitted in a Hazard zone.
 - h. A Cabin shall be equipped with a smoke detector.

5.30 Minimum Distance Separation (MDS)

Minimum Distance Separation (MDS) is a tool to determine a distance between a livestock facility and another land use. The objective is to prevent land use conflicts and minimize nuisance complaints from odour. MDS does not account for noise and dust. MDS will vary depending upon the type of livestock, size of the farm operation, type of manure system, and the form of development present or proposed.

Please refer to Section 3 of this By-law for definitions under Minimum Distance Separation.

MDS I provides minimum distance separation for new development from existing livestock facilities.

MDS II provides minimum distance separation for new or expanding livestock facilities from existing or approved development.

a) Minimum Distance Separation I (MDS I)

Notwithstanding any setback requirements to the contrary, the minimum allowable distance between a new or expanding residential, commercial, recreational, industrial or institutional use and existing livestock and manure facilities is calculated based upon the following steps in conjunction with Tables 1 through 3, save and except for the following:

- i) MDS 1 does not apply to lands located within any urban areas or hamlets within the Municipality where such areas are defined in the Official Plan.
- ii) MDS 1 does not apply to lots existing as of the date of passing of this By-law.

The proposal would meet the MDS I formulae if both the distance between the existing agricultural livestock facility and existing manure facility and the proposed non-agricultural use is greater than the distance required according to the following steps.

ASSESSMENT OF THE LIVESTOCK FACILITY

To calculate Livestock Units, complete Step 1 based on information in Table 1 below.

STEP 1. TOTAL LIVESTOCK UNITS

Column 1 TYPE OF LIVESTOCK	Column 2 HOUSING CAPACITY	Column 3 NUMBER OF ANIMALS PER LIVESTOCK UNIT (From Table 1)	Column 4 NUMBER OF LIVESTOCK UNITS (Col. 2/Col.3)
(A) = TOTAL LIVESTOCK UNITS (sum of Column 4)			(A)

If there are more than 300 livestock units, reference must be made to a full set of tables available from the Ontario Ministry of Agriculture, Food and Rural Affairs

TABLE 1. ANIMAL GROUPS

ANIMAL GROUP 1	ANIMAL GROUP 2	ANIMAL GROUP 3	ANIMAL GROUP 4	ANIMAL GROUP 5
1 Livestock Unit equals	1 Livestock Unit equals	1 Livestock Unit equals	1 Livestock Unit equals	1 Livestock Unit equals
200..Chicken Broilers 1....Horse ³	4.....Adult Sheep ³ 1....Beef Cow ¹ Confinement 10...Feeder Lambs 100..Ducks 5.....Emu 4.....Adult Goats ³ 10...Feeder Goats 3....Ostrich 500..Pullets 50...Turkeys (>10kg) 75...Turkeys (5-10kg) 100..Turkeys (<5kg)	1....Beef Cow ¹ Yard/Barn 2....Beef Feeder Yard/Barn 1....Dairy Cow ^{1,2} 2....Dairy HeiferYard/Barn 40...Adult Rabbits ⁴ 3....Red Veal <300kg 125..Chicken Breeder Layers 75...Turkey Breeder Layers	80.....Adult Mink ⁴ 40.....Adult Fox ⁴ 125....Caged Layers	4....Feeder Hogs 5....Sows/Boars 20..Weaners 4-30kg 6....White Veal

¹ Includes calf to 150 kg, ² Multiply the number of milking cows by 1.5 to account for dry cows, heifers and calves on the same farm,

³ Includes offspring until weaned, ⁴ Includes offspring to market size.

Select Animal Group 1 2 3 4 or 5, depending on type of animals on farm. If there are animals from different groups, select the highest group number. The group number is used when referring to Table 2.

STEP 2. LAND BASE ASSESSMENT (B)

Number of tillable hectares* on site _____ x 5 = _____ (B) Potential Livestock Units

*Maximum (B) is 150 Livestock Units.

STEP 3.

Enter the GREATER OF (A) Total Livestock Units OR (B) Potential Livestock Units _____

Use this figure to enter Column 1 of Table 2.

STEP 4. TABLE 2. MINIMUM DISTANCE SEPARATION FROM LIVESTOCK FACILITY

Read across appropriate line from Column 1 to respective Animal Group and Land Use Type. This number is the Minimum Distance Separation requirement in metres from a livestock facility.

COLUMN 1	TYPE "A" LAND USE					TYPE "B" LAND USE				
	To permit:					To permit:				
	<ul style="list-style-type: none"> • The creation of up to 3 new lots • The severance of an existing dwelling • Passive recreational, including golf course lands • Building of a dwelling on an existing lot of record • Agriculturally related commercial • Industrial • Cemeteries 					<ul style="list-style-type: none"> • The creation of 4 or more new lots • Active recreational • Golf course buildings (lands portion is a Type 'A') • Institutional • Commercial • Urban expansion • Multiple residential 				
Greater of Livestock Units (A) or Potential Livestock Units (B)	Animal Group					Animal Group				
	(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
1-5	39	42	48	60	85	73	78	90	112	160
10	55	60	68	85	98	104	112	128	160	183
15	65	70	80	100	115	122	132	151	188	215
20	72	78	89	111	127	135	146	167	208	238
25	78	84	95	119	136	146	157	179	224	256
30	82	88	101	126	144	154	166	189	237	271
35	86	92	106	132	151	161	173	198	247	283
40	89	96	110	137	157	167	180	206	257	294
45	92	99	113	142	162	173	186	213	266	304
50	95	102	117	146	167	178	192	219	274	313
55	98	105	120	150	172	183	197	225	282	322
60	100	108	123	154	176	188	202	231	289	330
65	102	110	126	158	180	192	207	236	295	338
70	105	113	129	161	184	196	211	241	302	345
75	107	115	131	164	188	200	215	246	308	352
80	109	117	134	167	191	204	219	251	313	358
85	111	119	136	170	194	207	223	255	319	364
90	112	121	138	173	198	211	227	259	324	370
95	114	123	140	176	201	214	230	263	329	376
100	116	125	143	178	204	217	234	267	334	382
110	119	128	146	183	209	223	240	275	343	392
120	122	131	150	188	214	229	246	281	352	402
130	125	134	154	192	219	234	252	288	360	411
140	127	137	157	196	224	239	257	294	368	420
150	130	140	160	200	228	244	262	300	375	428
160	133	143	164	205	234	250	269	307	384	439
170	136	147	168	210	240	256	275	314	393	449
180	139	150	172	214	245	262	282	322	402	460
190	143	154	175	219	251	268	288	329	411	470
200	146	157	179	224	256	273	294	336	420	480
210	149	160	183	229	262	279	301	344	429	491
220	152	164	187	234	267	285	307	351	439	501
230	155	167	194	239	273	291	313	358	448	512
240	158	171	195	244	278	297	320	365	457	522
250	162	174	199	248	284	303	326	373	466	532
260	165	177	203	253	290	309	332	380	475	543
270	168	181	207	258	295	315	339	387	484	553
280	171	184	210	263	301	321	345	395	493	564
290	174	188	214	268	306	327	352	402	502	574
300	177	191	218	273	312	333	358	409	511	584

Continue to TABLE 3 (next page).

STEP 5 TABLE 3. MINIMUM DISTANCE SEPARATION FROM MANURE STORAGE

The following table is used to calculate MDS requirements in metres from manure storages associated with livestock facilities.

Using the resulting MDS distance from Table 2, read across the appropriate line to Column 1, 2, 3 or 4. Select the distance under the appropriate Land Use Type.

This is the MINIMUM DISTANCE SEPARATION REQUIREMENT from the manure storage of a livestock facility for the establishment of a non-farm use.

- Column 1: Roofed or covered storages for manure, runoff, and milkhouse washwater. Includes any covered or roofed concrete, steel or earthen storages, in-barn solid manure packs, and storages under fully slatted floors.
- Column 2: Open solid manure pile on concrete slab. Includes the runoff storages (concrete or earthen) used for capturing seepage liquids from solid manure storage or runoff liquids from yards. If yards are scraped into runoff storage, use column 3 when runoff storage is a concrete or steel tank and column 4 when runoff storage is earthen. Milkhouse washwater may be added to runoff storage.
- Column 3: Open concrete or steel tanks used for storing liquid manure, milkhouse washwater, or yard runoff where yard is scraped into storage.
- Column 4: Open earth-sided or earth-sided storage with concrete floor to be used for storing liquid manure or yard runoff when yard is scraped into storage or milkhouse washwater.

MANURE STORAGE DISTANCE

Distance for Livestock Facility from Table 2 (Step 4). (m)	Column 1		Column 2		Column 3		Column 4	
	Covered Storage Systems (m)		Open Solid and Runoff Storage Systems (m)		Open Liquid Tank and Runoff Storage Systems (m)		Earthen Liquid and Runoff Storage Systems (m)	
	Type "A" Land Use	Type "B" Land Use	Type "A" Land Use	Type "B" Land Use	Type "A" Land Use	Type "B" Land Use	Type "A" Land Use	Type "B" Land Use
40	40	—	55	—	119	—	324	—
45	45	—	60	—	123	—	326	—
50	50	—	65	—	127	—	328	—
55	55	—	70	—	132	—	331	—
60	60	—	74	—	136	—	333	—
65	65	—	79	—	140	—	335	—
70	70	70	84	103	144	241	337	686
75	75	75	89	107	149	246	339	689
80	80	80	94	112	153	250	342	691
85	85	85	99	117	157	254	344	693
90	90	90	103	122	161	258	346	695
95	95	95	108	127	165	263	348	698
100	100	100	113	132	170	267	351	700
110	110	110	123	141	178	275	355	704
120	120	120	133	151	187	284	359	709
130	130	130	142	161	195	292	364	713
140	140	140	152	171	203	301	368	717
150	150	150	162	180	212	309	373	722
160	160	160	172	190	220	318	377	726
170	170	170	181	200	229	326	382	731
180	180	180	191	209	237	335	386	735
190	190	190	201	219	246	343	390	740
200	200	200	210	229	254	351	395	744
210	210	210	220	239	263	360	399	749
220	220	220	230	248	271	368	404	753
230	230	230	239	258	280	377	408	757
240	240	240	249	268	288	385	413	762
260	260	260	268	287	305	402	421	771
280	280	280	288	307	322	419	430	780
300	300	300	307	326	339	436	439	788
320	320	320	327	346	356	453	448	797
340	340	340	346	365	372	470	457	806
360	360	360	366	385	389	487	466	815
380	380	380	385	404	406	504	475	825
400	400	400	404	423	423	521	483	833
450	450	450	453	472	465	563	506	855
500	500	500	501	520	508	605	528	877
550	550	550	550	569	550	648	550	899

Notwithstanding the distance requirements of Tables 2 and 3, where new development proposes the creation of a new lot for non-farm purposes as outlined in both Type “A” Land Use or Type “B” Land Use above, then the greater of the number of Livestock Units (A) or Potential Livestock Units (B) shall be multiplied by 20% to allow for increased livestock facility expansion on adjacent properties (example: 100 horses = 100 livestock units x 20% = 120 livestock units, and this number is used to determine the appropriate separation distance by either Type “A” or Type “B” land uses). This increased amount shall also be used in calculating the requirements of Table 3.

b) Minimum Distance Separation II (MDS II)

Notwithstanding any setback requirements to the contrary, no new or expanding livestock facility shall be permitted unless it maintains the required MDS II separation distance to all existing residential, commercial, industrial or recreational buildings or structures, as calculated using the following steps in conjunction with Tables 4 through 7.

The proposal would meet the MDS II formulae if both the distance between the existing agricultural livestock facility and existing manure facility and the proposed non-agricultural use is equal to or greater than the distance required according to the following steps.

MINIMUM DISTANCE SEPARATION II CALCULATION FORM

Farm Name/Owner _____

Type of Livestock/Poultry	Existing Barn Capacity	Livestock Units	Additional Barn Capacity	Livestock Units	Total Barn Capacity	Livestock Units
Total 1			Total 2		Total 3	

Calculation of Percentage Increase: $\frac{\text{Total 2} \rightarrow [\quad]}{\text{Total 1} \rightarrow [\quad]} \times 100 = [\quad] \%$

Factor A: Livestock/poultry to be added. Table 1 Factor A: []
 Factor B: Total number of livestock units. Table 2 Factor B: []
 Factor C: Percentage increase. Table 3 Factor C: []
 Factor D: Type of manure system (Solid=0.7, Liquid=0.8) Factor D: []

Building Base distance (A x B x C x D) Base Distance 'F': []
 Manure Storage Base Distance Table 4 Base Distance 'S': []

MINIMUM DISTANCE SEPARATION SUMMARY:

		BUILDING: 'F' Base Distance [] metres		MANURE STORAGE: 'S' Base Distance [] metres	
Column 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6
Neighbouring land use or boundary	Factor	Distance "F" x Col. 2 (m)	Actual Distance (m)	Distance "S" x Col. 2 (m)	Actual Distance (m)
Nearest Neighbour's Dwelling	1.0				
Areas zoned or designated: Residential (other than lots exist) Designated Agricultural Institutional (excluding cemeteries) Related Commercial Use Passive Recreational or Industrial	1.0				
Areas zoned or designated: Designated Residential Institutional (including golf course and theatres) Active Recreational or Commercial Urban Areas	2.0				
Nearest Side or Rear Lot Line	0.2				
Nearest Road Allowance (Side or Front Lot Line)	0.25				

TABLE 4: FACTOR 'A' (Barn Odour Potential).
and Animals per Livestock Unit (based on housing capacity).

Animals per Livestock Unit		Factor A:	
BEEF	1	Beef Cow ¹	(barn confinement) 0.7
	1	" "	(barn with yard) 0.8
	2	Beef Feeders	(barn confinement) 0.7
	2	" "	(barn with yard) 0.8
CHICKEN	125	Caged Layers	(manure stored in barn) 1.0
	125	Caged Layers	(daily manure removal) 0.8
	125	Chicken Breeder Layers	0.8
	200	Chicken Broilers/Roasters	0.65
	500	Pullets (replacement layers)	0.7
DAIRY	1	Milking Cow ^{1,2}	(tie-stall) 0.65
	1	" "	(free-stall) 0.7
	2	Dairy Heifers	(barn confinement) 0.7
	2	" "	(barn with yard) 0.8
DUCK	100	Ducks	0.7
EMU	5	Emu	0.7
FOX	40	Adult Fox ⁴	1.1
GOAT	4	Adult Goats ³	0.7
	10	Feeder Goats (>20 kg)	0.7
HORSE	1	Horse ³	0.65
MINK	80	Adult Mink ⁴	1.1
OSTRICH	3	Ostrich	0.7
RABBIT	40	Adult Rabbits ⁴	0.8
SHEEP	4	Adult Sheep ³	0.7
	10	Feeder Lambs (>20 kg)	0.7
SWINE	5	Sows/Boars	1.0
	20	Weaners (4-30 kg) ⁵	1.0
	4	Feeder Hogs (30-120 kg)	1.0
TURKEY	50	Meat Turkeys (>10 kg)	0.7
	75	Meat Turkeys (5-10 kg)	0.7
	75	Turkey Breeder Layers	0.8
	100	Meat Turkeys (<5 kg)	0.7
	500	Pullets (replacement breeders)	0.7
VEAL	6	White Veal	1.0
	3	Red Veal (<300 kg)	0.8

Notes: For all other animals/poultry use 1 livestock unit per 450 kg housed at one time (A=0.8).

¹Includes calf to 150 kg.

²A dairy farm usually has milking cows, dry cows, heifers and calves. Multiply the number of milking cows by 1.5 to account for the followers when they are all kept on the same farm.

³Includes offspring until weaned.

⁴Includes offspring to market size.

⁵Multiply number of sows by 2.4 to determine the number of weaners.

TABLE 2: FACTOR 'B' (Final Livestock Units).

Livestock Units			Factor B			Livestock Units			Factor B			Livestock Units			Factor B		
5	—	107	95	—	313	500	—	578	1600	—	821						
6	—	119	100	—	318	520	—	585	1650	—	829						
7	—	129	110	—	327	540	—	592	1700	—	836						
8	—	138	120	—	335	560	—	598	1750	—	844						
9	—	145	130	—	343	580	—	605	1800	—	851						
10	—	152	140	—	350	600	—	611	1850	—	858						
12	—	164	150	—	357	620	—	617	1900	—	865						
14	—	175	160	—	366	640	—	623	1950	—	872						
16	—	183	170	—	374	660	—	629	2000	—	879						
18	—	191	180	—	383	680	—	635	2100	—	892						
20	—	198	190	—	392	700	—	640	2200	—	905						
22	—	205	200	—	400	720	—	646	2300	—	917						
24	—	210	210	—	409	740	—	651	2400	—	929						
26	—	216	220	—	418	760	—	656	2500	—	941						
28	—	221	230	—	426	780	—	661	2600	—	952						
30	—	225	240	—	435	800	—	666	2700	—	963						
32	—	230	250	—	444	850	—	679	2800	—	974						
34	—	234	260	—	452	900	—	690	2900	—	985						
38	—	241	280	—	470	1000	—	713	3200	—	1015						
40	—	245	290	—	478	1050	—	723	3400	—	1034						
45	—	253	300	—	487	1100	—	733	3600	—	1053						
50	—	261	320	—	501	1150	—	743	3800	—	1071						
60	—	275	360	—	522	1250	—	762	4200	—	1105						
65	—	281	380	—	531	1300	—	771	4400	—	1121						
70	—	287	400	—	540	1350	—	780	4600	—	1136						
75	—	293	420	—	548	1400	—	789	4800	—	1152						
80	—	298	440	—	556	1450	—	797	5000	—	1166						
85	—	304	460	—	564	1500	—	805	7500	—	1326						
90	—	309	480	—	571	1550	—	813	10000	—	1455						

TABLE 6: FACTOR 'C' (Percentage Increase).

Percentage Increase			Factor C			Percentage Increase			Factor C		
0-50	—	0.70	120	—	0.86	280	—	1.03			
55	—	0.72	130	—	0.88	300	—	1.04			
60	—	0.73	140	—	0.90	325	—	1.05			
65	—	0.75	150	—	0.91	350	—	1.06			
70	—	0.76	160	—	0.92	375	—	1.07			
75	—	0.77	170	—	0.94	400	—	1.08			
80	—	0.78	180	—	0.95	425	—	1.09			
85	—	0.79	190	—	0.96	450	—	1.10			
90	—	0.81	200	—	0.97	500	—	1.11			
95	—	0.82	220	—	0.99	550	—	1.12			
100	—	0.83	240	—	1.00	650	—	1.13			
110	—	0.85	260	—	1.02	700	—	1.14			

Note: For new livestock farms or if the % increase is greater than 700 per-cent, use Factor C = 1.14

TABLE 7: SITING DISTANCES FOR MANURE STORAGE (metres).

- Column 1: Roofed or covered storages for manure, runoff, and milkhouse washwater. Includes any covered or roofed concrete, steel or earthen storages, in-barn solid manure packs, and storages under fully slatted floors.
- Column 2: Open solid manure pile on concrete slab. Includes the runoff storages (concrete or earthen) used for capturing seepage liquids from solid manure storage or runoff liquids from yards. If yards are scraped into runoff storage, use column 3 when runoff storage is a concrete or steel tank and column 4 when runoff storage is earthen. Milkhouse washwater may be added to runoff storage.
- Column 3: Open concrete or steel tanks used for storing liquid manure, milkhouse washwater, or yard runoff where yard is scraped into storage.
- Column 4: Open earth-sided or earth-sided storage with concrete floor to be used for storing liquid manure or yard runoff when yard is scraped into storage or milkhouse washwater.

Minimum Base Distance 'F' for the Building (m)	MANURE STORAGE BASIC DISTANCE 'S'			
	Column 1 Covered Storage Systems (m)	Column 2 Open Solid and Runoff Storage Systems (m)	Column 3 Open Liquid Tank and Runoff Storage Systems (m)	Column 4 Earthen Liquid and Runoff Storage Systems (m)
40	40	55	119	324
45	45	60	123	326
50	50	65	128	328
55	55	70	132	331
60	60	74	136	333
65	65	79	140	335
70	70	84	144	337
75	75	89	149	340
80	80	94	153	342
85	85	99	157	344
90	90	104	161	346
95	95	108	166	348
100	100	113	170	351
105	105	118	174	353
110	110	123	178	355
115	115	128	182	357
120	120	133	187	360
125	125	138	191	362
130	130	142	195	364
135	135	147	199	366
140	140	152	204	368
145	145	157	208	371
150	150	162	212	373
160	160	172	220	377
170	170	181	229	382
180	180	191	237	386
190	190	201	246	391
200	200	210	254	395
210	210	220	263	399
220	220	230	271	404
230	230	239	280	408
240	240	249	288	413
260	260	269	305	422
280	280	288	322	430
300	300	307	339	439
320	320	327	356	448
360	360	366	389	466
380	380	385	406	475
400	400	404	423	484
420	420	424	440	492
440	440	443	457	501
480	480	482	491	519
500	500	502	508	528
550	550	550	550	550

c) Structures Used for Mushroom or Commercial Greenhouse

Notwithstanding any yard or setback provisions of the Rural Zone of this By-law to the contrary, no building or structure used for the growing of mushrooms or a commercial greenhouse shall be erected or enlarged within 230 metres of a “Non-Farm Dwelling, Farm Dwelling on a separated lot, or a Commercial, Recreational, Institutional or Industrial Building.”

d) Nutrient Management Plans

Prior to the issuance of a building permit for any new or expanded livestock facility, the proposed use must meet the applicable provisions of any County or Municipal Nutrient Management By-laws and Bill 81, the Nutrient Management Act SO 2002.

Section 6: Agriculture & Rural Zones

Within an Agriculture (A1) Zone, Restricted Agriculture (A2) Zone, and Rural (RU) Zone, no person shall use any land, or erect, locate or use any building or structure for or except such purposes and according to such provisions as may be set out in the following sub-sections.

All other provisions of this By-law also apply. This Section must be read in conjunction with the additional reference and requirements found in Section 3: Definitions, and Section 5: General Provisions.

6.1 Agriculture (A1) Zone

6.1.1 A1 - Permitted Uses

- a) All agricultural uses, including intensive agricultural uses
- b) One single detached dwelling and one residence for temporary farm help accommodation
- c) Home occupation
- d) Forestry
- e) Market gardening
- f) One home industry
- g) Wayside pits, quarries (excluding the stockpiling of sand/salt mixtures)
- h) Existing electric power generation facilities and accessory uses, buildings and structures
- i) Uses, buildings and structures accessory to a permitted use (refer to Sections 3 and 5.6)

6.1.2 A1 – Zone Provisions

a) Minimum Lot Frontage	200 metres
b) Minimum Lot Area	40 hectares
c) Maximum Lot Coverage	5 %
d) Minimum Front Yard Setback - for residential and residential accessory buildings and structures	30 metres
e) Minimum Front Yard Setback - for agricultural buildings and agricultural accessory buildings and structures	55 metres
f) Minimum Interior Side Yard Setback	15 metres
g) Minimum Exterior Side Yard Setback	20 metres
h) Minimum Rear Yard Setback	15 metres
i) Maximum Height	2.5 stories

6.1.3 A1 - Special Provisions for Temporary Farm Help Accommodation

Temporary accommodations for farm help will be permitted within the Agricultural designation as defined in the Official Plan subject to the following policies:

- a) Accommodation may be in the form of an existing permanent building, but shall not be used as a permanent residence. The use of mobile homes, park model trailers, and trailers for farm help accommodation may be permitted subject to the approval of a Temporary Use By-law by Council.
- b) Accommodation shall not be permitted within any agricultural or livestock building.
- c) Accommodation shall not be permitted within the front yard and shall be located nearby existing farm buildings, or where it would not interfere with nor remove lands from agricultural production.
- d) Accommodation shall be screened from neighbouring properties.
- e) Temporary farm help accommodation is also subject to the following standards and requirements:
 - i. The farmer shall live in the principal farm residence, if any, with farming as his/her principal occupation, and in the case of seasonal farming work part-time on the farm.
 - ii. the dwelling unit shall be located on the same property as the principal farm house;
 - iii. farm help must be necessary on a seasonal or full-time basis on the farm;
 - iv. farm help accommodation shall be removed when no longer required for farm help purposes. In some cases, it may be possible to convert a permanent building used for temporary farm help accommodations to another permitted use;
 - v. Council may require an Agreement, including securities where appropriate, to ensure compliance the above; and

6.1.4 A1 - Special Provisions for New Non-farm Uses

New non-farm recreational uses, institutional uses (churches, schools, cemeteries, community halls, public uses) and small-scale commercial and industrial uses (including retail and wholesale activities) will require a Zoning By-law Amendment and are subject to Site Plan Control Approval. All Zoning By-law Amendments must be consistent with Provincial Policy, and conform to the County of Grey Official Plan, and the Municipality of Grey Highlands Official Plan..

6.1.5 A1 - Special Provisions for Lots Having Less than 1 Hectare of Lot Area

The regulations of Section 7.3, Rural Residential (RUR) Zone shall apply to all existing lots of record as of the date of passage of this By-law, within the Agriculture (A1) and Restricted Agriculture (A2) Zones with lot areas less than one hectare.

6.2 Restricted Agriculture (A2) Zone

6.2.1 A2 - Permitted Uses & Zone Provisions

The uses and provisions of the Agriculture (A1) Zone detailed in Section 6.1 apply to all lands zoned Restricted Agriculture (A2), except that intensive agricultural operations are not permitted.

6.3 Rural (RU) Zone

6.3.1 RU - Permitted Uses

- a) Non-intensive agricultural uses
- b) A single detached dwelling
- c) Forestry
- d) Market gardening
- e) Home occupation
- f) One Home Industry
- g) Uses connected with the conservation of water, soil, wildlife and other natural resources
- h) Wayside pits, quarries (excluding the stockpiling of sand/salt mixtures)
- i) Existing electric power generation facilities and accessory uses, buildings and structures
- j) Uses, buildings and structures accessory to a permitted use (refer to Sections 3 and 5.6)

6.3.2 RU – Zone Provisions

a)	Minimum Lot Frontage	150 metres
b)	Minimum Lot Area	20 hectares
c)	Maximum Lot Coverage	10 %
d)	Minimum Front Yard Setback - for residential and residential accessory buildings and structures	30 metres
e)	Minimum Front Yard Setback - for agricultural buildings and agricultural accessory buildings and structures	55 metres
f)	Minimum Interior Side Yard Setback	15 metres
g)	Minimum Exterior Side Yard Setback	20 metres
h)	Minimum Rear Yard Setback	15 metres
i)	Maximum Height	2.5 stories

6.3.3 RU - Special Provisions for New Non-farm Uses

New non-farm recreational uses, institutional uses (churches, schools, cemeteries, community halls, public uses), and small-scale commercial and industrial uses (including retail and wholesale activities) will require a Zoning By-law Amendment and are subject to Site Plan Control Approval. All Zoning By-law Amendments must be consistent with Provincial Policy, and conform to the County of Grey Official Plan, and the Municipality of Grey Highlands Official Plan.

6.3.4 RU - Special Provisions for Lots Having Less than 1 Hectare of Lot Area

The regulations of Section 7.3, Rural Residential (RUR) Zone shall apply to all existing lots of record as of the date of passage of this By-law, within the Agriculture (A1) and Restricted Agriculture (A2) Zones with lot areas less than one hectare.

Section 7: Residential Zones

Within a Residential (R) Zone, Residential Multiple (RM) Zone, Rural Residential (RUR) Zone and Residential Shoreline (RS) Zone, no person shall use any land, or erect, locate or use any building or structure for or except such purposes and according to such provisions as may be set out in the following sub-sections.

All other provisions of this By-law also apply. This Section must be read in conjunction with the additional reference and requirements found in Section 3: Definitions, and Section 5: General Provisions.

7.1 Residential (R) Zone

7.1.1 R - Permitted Uses

- a) One single detached dwelling
- b) Home Occupation
- c) Uses, buildings and structures accessory to a permitted use (refer to Sections 3 and 5.6)

7.1.2 R – Zone Provisions

	Full Services	Municipal Sanitary Only	Municipal Water Only	Private Services
a) Minimum Lot Frontage	15 metres	20 metres	30 metres	30 metres
b) Minimum Lot Area	500 m ²	1,400 m ²	4,000 m ²	4,000 m ²
c) Maximum Lot Coverage	30 %	30 %	20 %	20 %
d) Minimum Front Yard Setback	7.5 metres	7.5 metres	7.5 metres	7.5 metres
e) Minimum Interior Side Yard Setback	1.5 metres	1.5 metres	3.0 metres	3.0 metres
f) Minimum Exterior Side Yard Setback	3.0 metres	6.0 metres	6.0 metres	6.0 metres
g) Minimum Rear Yard Setback	7.0 metres	9.0 metres	9.0 metres	9.0 metres
h) Maximum Height	11 metres	11 metres	11 metres	11 metres

7.2 Residential Multiple (RM) Zone

7.2.1 RM - Permitted Uses

- a) Single detached dwelling
- b) Semi-detached dwelling
- c) Duplex dwelling
- d) Multi-attached dwelling units
- e) Apartments
- f) Home Occupation
- g) Uses, buildings and structures accessory to a permitted use (refer to Sections 3 and 5.6)

7.2.2 RM – Zone Provisions for Single-Detached Dwellings

The uses and provisions of the Residential (R) Zone detailed in Section 7.1 apply to all lands zoned Residential Multiple (RM) where the development of a single-detached dwelling exists or is proposed.

7.2.3 RM – Zone Provisions for Attached Dwellings

	Full Services Only			
	Semi-detached	Multiple-attached	Duplex	Apartment
a) Minimum Lot Frontage	9 metres per unit	6 metres per unit	18 metres	30 metres
b) Minimum Lot Area	300 m ²	200 m ²	500 m ²	1,200 m ²
c) Maximum Lot Coverage	35 %	35 %	35 %	35 %
d) Minimum Front Yard Setback	7.5 metres	7.5 metres	7.5 metres	9.0 metres
e) Minimum Interior Side Yard Setback	1.5 metres	1.5 metres	3.0 metres	4.5 metres
f) Minimum Exterior Side Yard Setback	3.0 metres	3.0 metres	6.0 metres	7.0 metres
g) Minimum Rear Yard Setback	7.0 metres	7.0 metres	9.0 metres	9.0 metres
h) Maximum Height	11 metres	11 metres	11 metres	15 metres

7.2.4 RM - Special Provisions for Attached/Duplex/Apartment Dwellings

- a) The maximum number of attached townhouse units permitted in a row is eight (8)
- b) The minimum number of attached townhouse units permitted in a row is three (3)
- c) Notwithstanding the side yard setback requirements of Section 7.2.3, the common wall of semi-detached and multiple-attached dwellings may be centered on the mutual lot line
- d) A maximum of 40 units per hectare of townhouse or apartment development is permitted.

- e) Where development is proposed by Plan of Condominium or rental by Site Plan Control Approval, the following additional standards apply:
 - i. A minimum outdoor amenity area of 15 square metres per unit in consolidated form is required.
 - ii. Block/cluster townhouse units require a minimum driveway length of 6 metres.
 - iii. Block/cluster townhouse units require a rear yard amenity area of 7 square metres.
- f) All Residential Multiple (RM) uses, excluding single detached dwellings and accessory buildings and structures, are subject to Site Plan Control approval.
- g) New or expanded development of Residential Multiple uses that are not serviced with full municipal services (sanitary and water), requires the preparation of a Servicing Options Study which addresses the requirements of the servicing policies of the Municipality of Grey Highlands Official Plan and shall be consistent with the Provincial Policy Statement. Any zoning by-law amendments proposing to rezone lands to Residential Multiple (RM), will require the preparation of the Servicing Options Study prior to Council's consideration of the amendment.

7.3 Rural Residential (RUR) Zone

7.3.1 RUR - Permitted Uses

- a) One single detached dwelling
- b) Home occupation
- c) One Home Industry
- d) Uses, buildings and structures accessory to a permitted use (refer to Sections 3 and 5.6)

7.3.2 RUR – Zone Provisions

a) Minimum Lot Frontage	100 metres
b) Minimum Lot Area	0.8 hectares
c) Maximum Lot Coverage	10 %
d) Minimum Front Yard Setback	17 metres
e) Minimum Interior Side Yard Setback	6.0 metres
f) Minimum Exterior Side Yard Setback	10 metres
g) Minimum Rear Yard Setback	15 metres
h) Maximum Height	11 metres

7.4 Residential Shoreline (RS) Zone

7.4.1 RS - Permitted Uses

- a) One single detached dwelling
- b) Home occupation
- c) Public uses
- d) Existing electric power generation facilities and accessory uses, buildings and structures
- e) Uses, buildings and structures accessory to a permitted use (refer to Sections 3 and 5.6)

7.4.2 RS – Zone Provisions

a) Minimum Lot Frontage	30 metres
b) Minimum Lot Area	4,000 m ²
c) Maximum Lot Coverage	15 % for single-family dwelling, plus 5% for accessory buildings and structures
d) Minimum Front Yard Setback	10 metres
e) Minimum Interior Side Yard Setback	2.0 metres
f) Minimum Exterior Side Yard Setback	3.0 metres
g) Minimum Rear Yard Setback	30 metres measured from the average high water mark ^① or 9 metres from the rear property line, whichever is greater
h) Maximum Height	11 metres

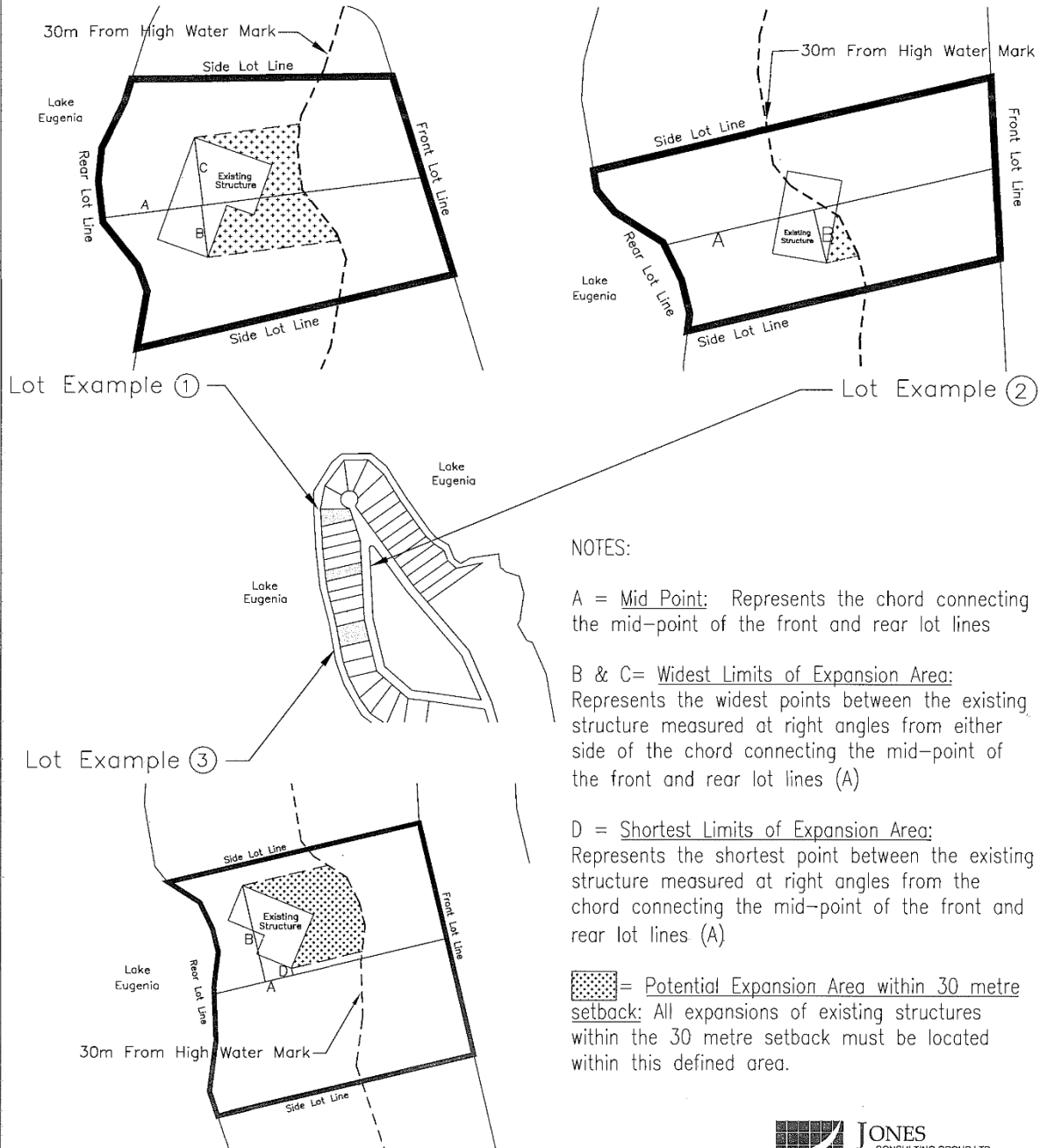
^① Note: The average high water mark for Lake Eugenia is defined as the 197.8 metre (649 foot) local datum elevation

7.4.3 RS - Special Provisions in the Residential Shoreline Zone

- a) Prior to the issuance of any building permits for properties zoned Residential Shoreline, the owner must provide confirmation that the septic system servicing the property conforms to current standards.
- b) Lands Zoned Residential Shoreline (RS-h) are subject to a holding provision in accordance with Section 36(1) of the Planning Act, RSO, 1990. Removal of the holding symbol by Council, shall be required for the creation of more than one new lot or a commercial use proposed on any lands abutting Lake Eugenia. This shall require the approval of an Environmental Impact Study prepared in accordance with Section 3.4 of the Grey Highlands Official Plan, in addition to the following matters:
 - Final determination of any hazard lands
 - Refuse disposal
 - Boating conditions in areas of convergence
 - Health and safety factors including emergency services
 - Access, parking and docking
 - Measures to mitigate impact on scenic attributes as assessed by a qualified professional

- c) Notwithstanding the 30 metre setback requirement from the high water mark as defined in Section 7.4.2 g) above, where a building or structure has legally been erected prior to the passage of this By-law, and which does not comply with the 30 metre setback requirement, such building or structure may be enlarged (including the construction of a basement) to dimensions which equal the width of the existing building or structure, and which is proposed to be situated away from the lake but within the 30 metre setback, subject to the following:
 - i. All other provisions of this By-law are complied with;
 - ii. Such enlargement shall increase the height of the existing building a maximum of 0.9 metres (3 feet) from the highest point of the peak;
 - iii. Such enlargement shall be located immediately in-line with and abutting the existing building or structure (see Figure 2: Residential Shoreline – 30 metre Setback, for illustrations)
- d) For Residential Shoreline lots, the front yard is defined as the lot line abutting the public or private road, and the rear yard is that portion of the property abutting the lake. Where access is obtained over a private road, refer to Section 5.2.b) ii) of this By-law.

FIGURE 2: RESIDENTIAL SHORELINE - 30m SETBACK



REVISION DATE: JULY 30, 2004

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Section 8: Commercial Zones

Within a Downtown Commercial (C1) Zone, Highway and Service Commercial (C2) Zone, Neighbourhood and Convenience Commercial (C3) Zone, no person shall use any land, or erect, locate or use any building or structure for or except such purposes and according to such provisions as may be set out in the following sub-sections.

All other provisions of this By-law also apply. This Section must be read in conjunction with the additional reference and requirements found in Section 3: Definitions, and Section 5: General Provisions.

8.1 Downtown Commercial (C1) Zone

8.1.1 C1 - Permitted Uses

- a) Professional and business offices
- b) Retail commercial
- c) Restaurants
- d) Financial institutions
- e) Cultural, entertainment and tourist uses (such as hotel/motel and conference centre)
- f) Single detached and multi-attached residential uses
- g) Light industrial uses (such as assembly, processing, repairing, wholesale establishment)
- h) Motor vehicle sales and service establishment
- i) Personal service shop
- j) Service shop
- k) Uses, buildings and structures accessory to a permitted use (refer to Sections 3 and 5.6)

8.1.2 C1 – Zone Provisions

	Full Services	Municipal Sanitary Only	Municipal Water Only	Private Services
a) Minimum Lot Frontage	4.5 metres	4.5 metres	30 metres	30 metres
b) Minimum Lot Area	50 m ²	250 m ²	3,000 m ²	3,000 m ²
c) Maximum Lot Coverage	80 %	50 %	25 %	15 %
d) Minimum Front Yard Setback	0 metres	0 metres	9 metres	9 metres
e) Minimum Interior Side Yard Setback	0 metres	0 metres	3 metres	3 metres
f) Minimum Exterior Side Yard Setback	3 metres	3 metres	3 metres	3 metres
g) Minimum Rear Yard Setback	3 metres	3 metres	7 metres	7 metres
h) Maximum Height	11 metres	11 metres	11 metres	11 metres

8.1.3 C1 - Special Setback Provisions for Downtown Commercial Uses

- a) All Downtown Commercial (C1) uses are subject to Site Plan Control approval.

8.2 Highway and Service Commercial (C2) Zone

8.2.1 C2 - Permitted Uses

- a) Professional and business offices
- b) Retail commercial
- c) A residential use accessory to the principal commercial use
- d) Restaurants
- e) Financial institutions
- f) Passive and active recreational uses
- g) Hotel, motel or conference centre
- h) Motor vehicle sales and service establishment, and motor vehicle service station
- i) Medical clinics
- j) Funeral homes
- k) Public and private clubs
- l) Personal service shop
- m) Service shop
- n) Bulk fuel sales
- o) Uses, buildings and structures accessory to a permitted use (refer to Sections 3 and 5.6)

8.2.2 C2 – Zone Provisions

	Full Services	Municipal Sanitary Only	Municipal Water Only	Private Services
a) Minimum Lot Frontage	15 metres	15 metres	30 metres	30 metres
b) Minimum Lot Area	1,000 m ²	1,000 m ²	3,000 m ²	3,000 m ²
c) Maximum Lot Coverage	50 %	50 %	25 %	15 %
d) Minimum Front Yard Setback	9 metres	9 metres	15 metres	15 metres
e) Minimum Interior Side Yard Setback	5 metres	5 metres	5 metres	5 metres
f) Minimum Exterior Side Yard Setback	6 metres	6 metres	6 metres	6 metres
g) Minimum Rear Yard Setback	9 metres	9 metres	9 metres	9 metres
h) Maximum Height	11 metres	11 metres	11 metres	11 metres

8.2.3 C2 - Special Provisions for Highway and Service Commercial Uses

- a) Notwithstanding the setback requirements of Section 8.2.2, the minimum setback from an abutting residential zone shall be 6 metres, or the amount set out in the Table in Section 8.2.2, whichever is greater.
- b) All Highway and Service Commercial (C2) uses are subject to Site Plan Control approval.

- c) All parking areas, access driveways and laneways must be buffered from adjacent uses by a continuous 3 metre landscape strip.
- d) Outdoor storage shall be prohibited in any yard adjacent to a residential zone.

8.2.4 C2 - Special Provisions for Residential Uses Permitted in Section 8.2.1

- a) A maximum of one residential unit may be permitted on a lot
- b) Any residential use permitted in Section 8.2.1, must be accessory to the principal commercial use on the property.

8.3 Neighbourhood and Convenience Commercial (C3) Zone

8.3.1 C3 - Permitted Uses

- a) Commercial uses intended to service the daily needs of immediate area residents (i.e. convenience stores, dry cleaning, hair salon)
- b) One single detached dwelling
- c) Passive recreational uses
- d) Uses, buildings and structures accessory to a permitted use (refer to Sections 3 and 5.6)

8.3.2 C3 – Zone Provisions

	Full Services	Municipal Sanitary Only	Municipal Water Only	Private Services
a) Minimum Lot Frontage	15 metres	15 metres	30 metres	30 metres
b) Minimum Lot Area	600 m ²	600 m ²	4,000 m ²	4,000 m ²
c) Maximum Lot Coverage	50 %	50 %	35 %	35 %
d) Minimum Front Yard Setback	7.5 metres	7.5 metres	9 metres	9 metres
e) Minimum Interior Side Yard Setback	3 metres	3 metres	6 metres	6 metres
f) Minimum Exterior Side Yard Setback	7.5 metres	7.5 metres	9 metres	9 metres
g) Minimum Rear Yard Setback	9 metres	9 metres	9 metres	9 metres
h) Maximum Height	11 metres	11 metres	11 metres	11 metres

8.3.3 C3 - Special Provisions for Neighbourhood & Convenience Commercial Uses

- a) Notwithstanding the setback requirements of Section 8.3.2, the minimum setback from an abutting residential zone shall be 6 metres, or the amount set out in the Table in Section 8.3.2, whichever is greater.
- b) All Neighbourhood and Convenience Commercial (C3) uses are subject to Site Plan Control approval.
- c) All parking areas, access driveways and laneways must be buffered from adjacent uses by a continuous 3 metre landscape strip.
- d) Outdoor storage shall be prohibited in any yard adjacent to a residential zone.

8.3.4 C3 - Special Provisions for Residential Uses Permitted in Section 8.3.1

- a) A maximum of one dwelling unit may be permitted on a lot

8.4 Rural Commercial (C4) Zone

8.4.1 C4 - Permitted Uses

- a) Small-scale commercial/industrial sawmill and woodworking shop
- b) Small-scale commercial/industrial metal works shop
- c) Uses permitted according to the Rural (RU) Zone (Section 6.3)

8.4.2 C4 – Zone Provisions

a)	Minimum Lot Frontage	100 metres
b)	Minimum Lot Area	20 hectares
c)	Maximum Lot Coverage	10 %
d)	Maximum outdoor storage for small-scale commercial/industrial related uses	750 square metres
e)	Minimum Front Yard Setback - for residential and residential accessory buildings and structures	30 metres
f)	Minimum Front Yard Setback - for agricultural buildings and agricultural accessory buildings and structures, and small-scale commercial/industrial buildings	55 metres
g)	Minimum Interior Side Yard Setback	15 metres
h)	Minimum Exterior Side Yard Setback	20 metres
i)	Minimum Rear Yard Setback	15 metres
j)	Maximum Height	2.5 stories
k)	Maximum Gross Floor Area for small-scale commercial/industrial related uses	250 square metres
l)	Minimum Gross Floor Area (Dwelling)	90 square metres

8.4.3 C4 - Special Provisions for Rural Commercial Uses

- a) The provisions of Section 5.13 of this By-law apply to all small-scale commercial/industrial uses.
- b) Where more than one small-scale commercial/industrial use is located on a property, the combined uses shall not exceed the size and use maximums for one small-scale commercial/industrial use as defined in Section 5.13 of this By-law.
- c) All Rural Commercial (C4) uses are subject to Site Plan Control approval..

Section 9: Industrial Zones

Within a Light Industrial (M1) Zone, Heavy Industrial (M2) Zone, Space Extensive Commercial/Industrial (M3) Zone, and Extractive Industrial (MEX) Zone, no person shall use any land, or erect, locate or use any building or structure for or except such purposes and according to such provisions as may be set out in the following sub-sections.

All other provisions of this By-law also apply. This Section must be read in conjunction with the additional reference and requirements found in Section 3: Definitions, and Section 5: General Provisions.

9.1 Light Industrial (M1) Zone

9.1.1 M1 - Permitted Uses

- a) Warehousing and wholesaling uses
- b) Assembly and manufacturing uses in accordance with the definition of Light Industrial in Section 3 of this By-law
- c) Open storage uses
- d) One residence for security/care taking purposes
- e) Equipment sales
- f) Building Supply centres and yards
- g) Transportation terminal
- h) Business offices accessory to a permitted use
- i) Uses, buildings and structures accessory to a permitted use (refer to Sections 3 and 5.6)

9.1.2 M1 – Zone Provisions

	Full Services	Municipal Sanitary Only	Municipal Water Only	Private Services
a) Minimum Lot Frontage	30 metres	30 metres	60 metres	60 metres
b) Minimum Lot Area	1,000 m ²	2,000 m ²	8,000 m ²	8,000 m ²
c) Maximum Lot Coverage	50 %	50 %	35 %	25 %
d) Minimum Front Yard Setback	15 metres	15 metres	15 metres	15 metres
e) Minimum Interior Side Yard Setback	7.5 metres	7.5 metres	7.5 metres	7.5 metres
f) Minimum Exterior Side Yard Setback	7.5 metres	12 metres	12 metres	12 metres
g) Minimum Rear Yard Setback	7.5 metres	7.5 metres	15 metres	15 metres
h) Maximum Height	11 metres	11 metres	11 metres	11 metres

9.1.3 M1 - Special Provisions for Light Industrial Uses

- a) Notwithstanding the setback requirements of Section 9.1.2, the minimum setback from an abutting residential zone shall be 20 metres, or the amount set out in the Table in Section 9.1.2, whichever is greater.
- b) All Light Industrial (M1) uses are subject to Site Plan Control approval and notwithstanding the setback requirements of Section 9.2.2, increased minimum setbacks may be required as defined in the Ministry of the Environment Guideline D-6 (Compatibility Between Industrial Facilities and Sensitive Land Uses).
- c) All parking areas and access driveways and laneways must be buffered from adjacent uses by a 3 metre landscape strip.
- d) Outdoor storage shall be prohibited in any yard adjacent to a residential zone.

9.1.4 M1 - Special Provisions for Residential Uses Permitted in Section 9.1.1

- a) A maximum of one residential unit may be permitted on a lot
- b) Any residential use permitted in Section 9.1.1, must be accessory to the principal industrial use on the property and utilized only for accommodation for security/care taking personnel.

9.2 Heavy Industrial (M2) Zone

9.2.1 M2 - Permitted Uses

- a) Assembly and manufacturing uses
- b) Food or beverage production
- c) Foundry
- d) Concrete Production
- e) Public works uses
- f) Motor vehicle sales and service establishment
- g) Uses, buildings and structures accessory to a permitted use (refer to Sections 3 and 5.6)

9.2.2 M2 – Zone Provisions

a) Minimum Lot Frontage	60 metres
b) Minimum Lot Area Maximum	8,000 m ²
c) Lot Coverage Minimum	20 %
d) Front Yard Setback	15 metres
e) Minimum Interior Side Yard Setback	7.5 metres
f) Minimum Exterior Side Yard Setback	7.5 metres
g) Minimum Rear Yard Setback	7.5 metres

9.2.3 M2 - Special Provisions for Heavy Industrial Uses

- a) All Heavy Industrial (M2) uses are subject to Site Plan Control approval and notwithstanding the setback requirements of Section 9.2.2, increased minimum setbacks may be required as defined in the Ministry of the Environment Guideline D-6 (Compatibility Between Industrial Facilities and Sensitive Land Uses).
- b) All parking areas and access driveways and laneways must be buffered from adjacent uses by a 3 metre landscape strip.
- c) Outdoor storage shall be prohibited in any yard adjacent to a residential zone.

9.3 Extractive Industrial (MEX) Zone

9.3.1 MEX - Permitted Uses

- a) Aggregate extraction and accessory and incidental uses such as crushing, screening, blending, washing, stockpiling, and recycling, all of which occur above the water table.
- b) Agriculture
- c) Forestry
- d) Wildlife and fisheries management
- e) Portable asphalt plant and wayside pit and quarry
- f) Uses, buildings and structures accessory to a permitted use (refer to Sections 3 and 5.6)

9.3.2 MEX – Zone Provisions

a) Minimum Lot Frontage	100 metres
b) Minimum Lot Area	--
c) Maximum Lot Coverage	10%
d) Minimum Front Yard Setback	30 metres
e) Minimum Interior Side Yard Setback	30 metres
f) Minimum Exterior Side Yard Setback	30 metres
g) Minimum Rear Yard Setback	30 metres
h) Maximum Height	2.5 stories

9.3.3 MEX - Special Provisions Extractive Industrial Uses

- a) Notwithstanding the setback requirements of Section 9.4.2, agricultural buildings, and agricultural accessory buildings and structures require a minimum front yard setback of 55 metres.

Section 10: Institutional Zone

Within an Institutional (I) Zone, no person shall use any land, or erect, locate or use any building or structure for or except such purposes and according to such provisions as may be set out in the following sub-sections.

All other provisions of this By-law also apply. This Section must be read in conjunction with the additional reference and requirements found in Section 3: Definitions, and Section 5: General Provisions.

10.1 I – Permitted Uses

- a) Place of worship
- b) Public school
- c) Long-term care facility, hospital, medical clinic
- d) Library, fire hall, municipal buildings
- e) Museum
- f) Cemetery and Crematorium
- g) Uses, buildings and structures accessory to a permitted use (refer to Sections 3 and 5.6)

10.2 I – Zone Provisions

	Full Services	Municipal Sanitary Only	Municipal Water Only	Private Services
a) Minimum Lot Frontage	15 metres	15 metres	30 metres	30 metres
b) Minimum Lot Area	550 m ²	1,000 m ²	3,000 m ²	3,000 m ²
c) Maximum Lot Coverage	50 %	50 %	25 %	20 %
d) Minimum Front Yard Setback	7.5 metres	7.5 metres	15 metres	15 metres
e) Minimum Interior Side Yard Setback	6 metres	6 metres	6 metres	6 metres
f) Minimum Exterior Side Yard Setback	6 metres	6 metres	9 metres	15 metres
g) Minimum Rear Yard Setback	7.5 metres	7.5 metres	12 metres	12 metres
h) Maximum Height	11 metres	11 metres	11 metres	11 metres

10.3 I – Special Provisions for a Manse or Rectory

- a) A maximum of one residential unit may be permitted on a lot
- b) Any residential use permitted in Section 10.1, must be accessory to the place of worship on the property and utilized only for accommodation for church clergy and their family.

10.4 I – Special Provisions for Institutional Uses

- a) All Institutional (I) uses are subject to Site Plan Control approval and notwithstanding the setback requirements of Section 10.2, increased setbacks may be required to ensure land use capability. Examples include, but are not limited to, low density residential uses, industrial development and environmental areas.

Section 11: Development & No Development Zones

Within a Development (D) Zone, and No Development (ND) Zone, no person shall use any land, or erect, locate or use any building or structure for or except such purposes and according to such provisions as may be set out in the following sub-sections.

All other provisions of this By-law also apply. This Section must be read in conjunction with the additional reference and requirements found in Section 3: Definitions, and Section 5: General Provisions.

11.1 Development (D) Zone

11.1.1 D - Permitted Uses

- a) One single detached dwelling
- b) Uses existing on the date of adoption of the Zoning By-law
- c) Uses, buildings and structures accessory to a permitted use (refer to Sections 3 and 5.6)

11.1.2 D – Zone Provisions

a) Minimum Lot Frontage	Existing on the date of adoption of this By-law
b) Minimum Lot Area	Existing on the date of adoption of this By-law
c) Maximum Lot Coverage	30 %
d) Minimum Front Yard Setback	7.5 metres
e) Minimum Interior Side Yard Setback	6.0 metres
f) Minimum Exterior Side Yard Setback	7.5 metres
g) Minimum Rear Yard Setback	12 metres
h) Maximum Height	11 metres

11.2 No Development (ND) Zone

11.2.1 ND - Permitted Uses

- a) Forestry in the form of reforestation, regeneration and managed woodlots, and excluding commercial logging
- b) Uses connected with the conservation of water, soil, wildlife and other natural resources

Section 12: Hazard and Wetland Zones

Within a Hazard (H) Zone, and Wetland (W) Zone, no person shall use any land, or erect, locate or use any building or structure for or except such purposes and according to such provisions as may be set out in the following sub-sections.

All other provisions of this By-law also apply. This Section must be read in conjunction with the additional reference and requirements found in Section 3: Definitions, and Section 5: General Provisions.

12.1 Hazard (H) Zone

12.1.1 H - Permitted Uses

- a) Forestry
- b) Uses connected with the conservation of water, soil, wildlife and other natural resources.
- c) Non-intensive agriculture
- d) Passive recreational uses
- e) Public utilities and essential municipal services
- f) Flood and erosion/sediment control structures
- g) Portable or floating docks and boathouses only where the hazard area is associated with a Cold or Warm Water Lake.
- h) Existing electric power generation facilities and accessory uses, buildings and structures

12.1.2 H – Zone Provisions

- a) Buildings structures within the Hazard zone are prohibited except for flood and erosion/sedimentation control structures
- b) New development or construction requiring access through Hazard lands may require a fill permit from the appropriate Conservation Authority
- c) Written permission may be required from the applicable Conservation Authority pursuant to Ontario Regulation 151/06 – Development, Interference with Wetlands and Alterations to Shorelines and Watercourses where development or site grading is proposed within a Regulated Area as shown on schedules filed with the Conservation Authority, where such mapping exists, or otherwise generally within or near the Hazard Zones.
- d) Prior to the placement of a portable or floating dock or boathouse, approval must be obtained from the appropriate approval authority (i.e. Municipality, County, Conservation Authority, Niagara Escarpment Commission) and Ontario Power Generation (where the dock or boathouse is located on Ontario Power Generation lands).
- e) The Hazard (H) Zone boundaries identified on the Schedules to this By-law are intended to generally identify areas of existing or potential natural hazards. Notwithstanding Section 4.2, the boundaries of the Hazard (H) Zone are subject to minor changes without formal amendment to this By-law or Schedules to this By-law when approved by the appropriate approval authority (i.e. Municipality, County, Conservation Authority, Niagara Escarpment Commission). This may occur where detailed resources mapping and/or site inspection results in a minor re- interpretation of the limits of the Hazard zone boundary.

The word ‘minor’ in the context of this Section is intended to represent a technical exercise of reviewing a site-specific property in greater detail than was undertaken as part of the preparation of this By-law. A minor adjustment must maintain the intent of the Hazard zone as established in this By-law.

Changes to the Hazard Zone boundary shall be incorporated in subsequent consolidations of this By-law.

12.2 Wetland (W) Zone

12.2.1 W - Permitted Uses

- a) Forestry in the form of reforestation and regeneration, including sustainable forest management practices such as improvement operations, and excluding commercial logging and managed woodlots.
- b) Uses connected with the conservation of water, soil, wildlife and other natural resources.

12.2.2 W – Zone Provisions

- a) Written permission may be required from the applicable Conservation Authority pursuant to Ontario Regulation 97/04 – Development, Interference with Wetlands and Alterations to Shorelines and Watercourses where development or site grading is proposed within a Regulated Area as shown on schedules filed with the Conservation Authority, where such mapping exists, or otherwise generally within or near the Wetland Zones.

Section 13: Open Space Zone

Within an Open Space (OS) Zone, no person shall use any land, or erect, locate or use any building or structure for or except such purposes and according to such provisions as may be set out in the following sub-sections.

All other provisions of this By-law also apply. This Section must be read in conjunction with the additional reference and requirements found in Section 3: Definitions, and Section 5: General Provisions.

13.1 OS - Permitted Uses

- a) Public park and playground
- b) Institutional uses
- c) Passive recreational and Resource Based Recreational uses
- d) Public buildings and uses
- e) Forestry
- f) Uses, buildings and structures accessory to a permitted use (refer to Sections 3 and 5.6)

13.2 OS – Zone Provisions

a) Minimum Lot Frontage	20 metres
b) Minimum Lot Area	Nil
c) Maximum Lot Coverage	5 %
d) Minimum Front Yard Setback	6.0 metres
e) Minimum Interior Side Yard Setback	6.0 metres
f) Minimum Exterior Side Yard Setback	6.0 metres
g) Minimum Rear Yard Setback	6.0 metres
h) Maximum Height	11 metres

13.3 OS – Special Provisions for Institutional Uses

- a) All Open Space (OS) uses are subject to Site Plan Control approval and notwithstanding the setback requirements of Section 13.2, increased setbacks may be required to ensure land use capability. Examples include, but are not limited to, low density residential uses, industrial development and environmental areas.

13.4 Resource Based Recreational Uses

- a) All Resource Based Recreational Uses will only be permitted through a site specific Zoning Bylaw Amendment that will include, but not be limited to:
 - a general description of the use including main use,
 - Location and number of sites/units if applicable, amenities and accessory uses,
 - special provision regarding environmental, infrastructure and sensitive receptor requirements.

Additional studies may also be required to support the use addressing archaeological resources, environmental impacts, lake capacity, noise, servicing and traffic;

- b) All Resource Based Recreational Uses shall be subject to Site Plan Approval.
- c) Special Provisions for Campground Uses. No person shall use any land or erect, alter or use any building or structure for a campground, except in accordance with the following provisions:
 - (i) Permitted Uses shall include a campground and uses buildings and structures accessory thereto, and one single detached dwelling and uses buildings and structures accessory thereto for one gatekeeper or caretaker of the campground;
 - (ii) Zone Provisions for Campground Uses. The following provisions shall apply in addition to the zone provisions contained in Section 13.2.
 - (1) Minimum Lot Frontage 60 metres
 - (2) Minimum Lot Area 2 hectares
 - (3) No tent, trailer or recreational vehicle shall be permitted except on a Camp Site.
 - (4) No tent, trailer, recreational vehicle or building or structure shall be located within 9 metres of any public street.
 - (5) No tent, trailer, recreational vehicle or building or structure shall be located with 7.5 metres of a side or rear lot line that does not abut a public street, or within 15 metres of any residential zone.
 - (6) Minimum Camp Site area 150 square metres, but in no case shall the number of Camp Sites exceed 36 site per hectare.
 - (7) Minimum Camp Site Frontage 7.5 metres
 - (8) Required Access - Each Camp site shall be accessible by means of a driveway of at least 3.5 metres in width for one-way traffic or at least 7.5 metres in width for two-way traffic.

Section 14: Recreational Resort Zone

Within a Recreational Resort (REC) Zone, no person shall use any land, or erect, locate or use any building or structure for or except such purposes and according to such provisions as may be set out in the following sub-sections.

All other provisions of this By-law also apply. This Section must be read in conjunction with the additional reference and requirements found in Section 3: Definitions, and Section 5: General Provisions.

14.1 REC - Permitted Uses

- a) Detached, attached and multi-attached residential dwelling units
- b) Resort/tourist development and related recreational uses and facilities such as golf courses, tennis courts, public or private parks, trail uses, attractions, and other similar uses provided the impact on Escarpment is minimal
- c) A ski centre including associated day use base lodges, maintenance facilities and parking facilities
- d) Ski chalets and commercial development such as lodges, retail stores and service establishments associated with the centre
- e) Resort, hotel, motel and related commercial and recreational uses and facilities
- f) Bed and breakfast establishments
- g) Home occupations
- h) Conservation, forestry and wildlife management practices
- i) Passive recreational uses, conservation, forestry, wildlife areas
- j) Snowmobile and pedestrian trails for both summer and winter use, in addition to toboggan runs and slide rides
- k) Ski facilities such as runs, lifts, snowboard runs
- l) Uses, buildings and structures accessory to a permitted use (refer to Sections 3 and 5.6)

14.2 REC – Zone Provisions

	Full Services	Municipal Sanitary Only	Municipal Water Only	Private Services
a) Minimum Lot Frontage	15 metres	20 metres	30 metres	30 metres
b) Minimum Lot Area	500 m ²	1,400 m ²	4,000 m ²	4,000 m ²
c) Maximum Lot Coverage	30 %	30 %	15 %	15 %
d) Minimum Front Yard Setback	7.5 metres	7.5 metres	9 metres	9 metres
e) Minimum Interior Side Yard Setback	3 metres	3 metres	6 metres	6 metres
f) Minimum Exterior Side Yard Setback	7.5 metres	7.5 metres	9 metres	9 metres
g) Minimum Rear Yard Setback	9 metres	9 metres	9 metres	9 metres
h) Maximum Height	11 metres	11 metres	11 metres	11 metres

14.3 REC – Special Provisions

- a) All development within the REC Zone is subject to Site Plan Control Approval

Section 15: Zone Standards Summary

This Section summarizes the standards for each Zone within the Municipality of Grey Highlands; however, reference should always be made to the appropriate Section and the General Provisions of the By-law for complete information on zone provisions and standards. In the case of conflict between this summary Section and standards in the applicable Zone Section, the standards in the Zone Section will prevail.

15.1 Agricultural (A1), Restricted Agricultural (A2), Rural (RU) Zone Standards Summary

ZONE		Min. Lot Frontage	Min. Lot Area	Max. Lot Coverage	Min. Front Yard	Min. Interior Side Yard	Min. Exterior Side Yard	Min. Rear Yard	Max. Height
A1	Private Services	200 m	40 ha.	5%	30/55 m	15 m	20 m	15 m	2.5 sty.
A2	Private Services	200 m	40 ha.	5%	30/55 m	15 m	20 m	15 m	2.5 sty.
RU	Private Services	150 m	20 ha.	10%	30/55 m	15 m	20 m	15 m	2.5 sty.

15.2 Residential (R), Residential Multiple (RM), Rural Residential (RUR), Residential Shoreline (RS) Zone Standards Summary

ZONE			Min. Lot Frontage	Min. Lot Area	Max. Lot Coverage	Min. Front Yard	Min Interior SideYard	Min. Exterior Side Yard	Min. Rear Yard	Max. Height
R	Full Services		15 m	500 m ²	30%	7.5 m	1.5 m	3.0 m	7.0 m	11 m
	Sanitary Only		20 m	1,400 m ²	30%	7.5 m	1.5 m	6.0 m	9.0 m	11 m
	Water Only		30 m	4,000 m ²	20%	7.5 m	3.0 m	6.0 m	9.0 m	11 m
	Private Services		30 m	4,000 m ²	20%	7.5 m	3.0 m	6.0 m	9.0 m	11 m
RM	Multi-Attached	Full Services	6-18 m	200 - 500 m ²	35%	7.5 m	1.5 m – 3.0 m	3.0 m	7.0 m	11 m
	Apartment	Full Services	30 m	1,200 m ²	35%	9.0 m	4.5 m	7.0 m	9.0 m	15 m
RUR	Private Services		100 m	8,000 m ²	10%	17 m	6 m	10 m	15 m	11 m
RS	Private Services		30m/9m	4,000 m ²	15%+5% ⁽ⁱ⁾	10 m	2 m	3 m	30 m ⁽ⁱⁱ⁾	11 m

Note: ⁽ⁱ⁾ The maximum lot coverage in the RS Zone is 15% for dwellings plus an additional 5% for accessory buildings and structures

⁽ⁱⁱ⁾ The minimum rear yard setback for the RS Zone is 30 metres measured from the average high water mark or 9 metres from the rear property line, whichever is greater.

15.3 Downtown Commercial (C1), Highway & Service Commercial (C2), Neighbourhood & Convenience Commercial (C3) Zone Standards Summary

ZONE		Min. Lot Frontage	Min. Lot Area	Max. Lot Coverage	Min. Front Yard	Min. Interior Side Yard	Min. Exterior Side Yard	Min. Rear Yard	Max. Height
C1	Full Services	4.5 m	50 m ²	80%	0 m	0 m	3 m	3 m	11 m
	Sanitary Only	4.5 m	250 m ²	50%	0 m	0 m	3 m	3 m	11 m
	Water Only	30 m	3,000 m ²	25%	9 m	3 m	3 m	7 m	11 m
	Private Services	30 m	3,000 m ²	15%	9 m	3 m	3 m	7 m	11 m
C2	Full Services	15 m	1,000 m ²	50%	9 m	5 m	6 m	9 m	11 m
	Sanitary Only	15 m	1,000 m ²	50%	9 m	5 m	6 m	9 m	11 m
	Water Only	30 m	3,000 m ²	25%	15 m	5 m	6 m	9 m	11 m
	Private Services	30 m	3,000 m ²	15%	15 m	5 m	6 m	9 m	11 m
C3	Full Services	15 m	600 m ²	50%	7.5 m	3.0 m	7.5 m	9.0 m	11 m
	Sanitary Only	15 m	600 m ²	50%	7.5 m	3.0 m	7.5 m	9.0 m	11 m
	Water Only	30 m	4,000 m ²	35%	9.0 m	6.0 m	9.0 m	9.0 m	11 m
	Private Services	30 m	4,000 m ²	35%	9.0 m	6.0 m	9.0 m	9.0 m	11 m
C4	Private Services	100 m	20 ha.	10%	30/55 m	15 m	20 m	15 m	2.5 sty.

15.4 Light Industrial (M1), Heavy Industrial (M2), Space Extensive Commercial/Industrial (M3), Extractive Industrial (MEX) Zone Standards Summary

ZONE		Min. Lot Frontage	Min. Lot Area	Max. Lot Coverage	Min. Front Yard	Min. Interior Side Yard	Min. Exterior Side Yard	Min. Rear Yard	Max. Height
M1	Full Services	30 m	1,000 m ²	50%	15 m	7.5 m	7.5 m	7.5 m	11 m
	Sanitary Only	30 m	2,000 m ²	50%	15 m	7.5 m	12 m	7.5 m	11 m
	Water Only	60 m	8,000 m ²	35%	15 m	7.5 m	12 m	15 m	11 m
	Private Services	60 m	8,000 m ²	25%	15 m	7.5 m	12 m	15 m	11 m
M2	Full Services	60 m	8,000 m ²	20%	15 m	7.5 m	7.5 m	7.5 m	Nil
MEX	Private Services	100 m	4.0 ha.	20%	30 m	30 m	30 m	30 m	2.5 sty

15.5 Institutional (I) Zone Standards Summary

ZONE		Min. Lot Frontage	Min. Lot Area	Max. Lot Coverage	Min. Front Yard	Min. Interior Side Yard	Min. Exterior Side Yard	Min. Rear Yard	Max. Height
I	Full Services	15 m	550 m ²	50%	7.5 m	6.0 m	6.0 m	7.5 m	11 m
	Sanitary Only	15 m	1,000m ²	50%	7.5 m	6.0 m	6.0 m	7.5 m	11 m
	Water Only	30 m	3,000 m ²	25%	12 m	6.0 m	9.0 m	12 m	11 m
	Private Services	30 m	3,000 m ²	20%	15 m	6.0 m	15.0 m	12 m	11 m

15.6 Development and No Development Zone Standards Summary

ZONE		Min. Lot Frontage	Min. Lot Area	Max. Lot Coverage	Min. Front Yard	Min. Interior Side Yard	Min. Exterior Side Yard	Min. Rear Yard	Max. Height
D		Existing	Existing	30%	7.5 m	6.0 m	7.5 m	12 m	11 m
ND		Existing	Existing	0%	Nil	Nil	Nil	Nil	Nil

15.7 Hazard and Wetland Zone Standards Summary

ZONE		Min. Lot Frontage	Min. Lot Area	Max. Lot Coverage	Min. Front Yard	Min. Interior Side Yard	Min. Exterior Side Yard	Min. Rear Yard	Max. Height
H		Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
W		Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil

15.8 Open Space Zone Standards Summary

ZONE		Min. Lot Frontage	Min. Lot Area	Max. Lot Coverage	Min. Front Yard	Min. Interior Side Yard	Min. Exterior Side Yard	Min. Rear Yard	Max. Height
OS		20 m	Nil	5%	6 m	6 m	6 m	6 m	11 m

15.9 Recreational Resort Zone Standards Summary

ZONE		Min. Lot Frontage	Min. Lot Area	Max. Lot Coverage	Min. Front Yard	Min. Interior Side Yard	Min. Exterior Side Yard	Min. Rear Yard	Max. Height
REC	Full Services	15 m	500 m ²	30%	7.5 m	1.5 m	3.0 m	7.0 m	11 m
	Sanitary Only	20 m	1,400 m ²	30%	7.5 m	1.5 m	6.0 m	9.0 m	11 m
	Water Only	30 m	4,000 m ²	20%	7.5 m	3.0 m	6.0 m	9.0 m	11 m
	Private Services	30 m	4,000 m ²	20%	7.5 m	3.0 m	6.0 m	9.0 m	11 m

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	2 years – Superior Wind Energy <ul style="list-style-type: none"> Meteorological tower is a permitted use Tower shall be removed by November 2006, unless a by-law to extend the temporary use has been approved by Council Minimum setback from all public roads shall equal the height of the tower Maximum height of the tower shall be 80 metres Subject to site plan control approval 	Part of Lot 26, Concession 6, former Osprey	Nov. 2006
2005-81	3 years - Lube Centre <ul style="list-style-type: none"> A Shipping Container (for storage purposes) is a permitted use for 3 years. A Shipping Container is defined as a welded steel container, typically used to transport goods via sea, air and rail. The container will be permitted for storage purposes on the subject lands on a temporary basis only. Upon lapsing the zoning will revert to the previous Institutional (I) Zone The minimum side yard setback for the Shipping Container shall be 18m Placement of the Shipping Container shall be subject to Site Plan Control 	Part Lot 145 Concession 1 NETSR former Artemesia	Dec 2008

2006-25	10 years – Garden Suite <ul style="list-style-type: none"> • A Garden Suite is a permitted use for a period of not more than ten (10) years from March 27, 2006 subject to the following additional provisions: • Upon lapsing of the By-law, the zoning of the property will revert to the underlying Agricultural zone (A1). • Upon lapsing of the by-law, the habitable space associated with the Garden Suite will be removed or altered to a use permitted under the By-law. • The location of the Garden Suite shall be subject to Site Plan Control. 	Lot 124, Concession 3 SWTSR former Artemesia	March 27, 2016
2006-99	2 years – Shipping Container for fire training and storage. <ul style="list-style-type: none"> • Permitted uses shall be limited to the placement of One (1) shipping container for the purposes of fire training and storage for a period of three (3) years from November 10, 2006. • For the purposes of this By-law a shipping container shall be defined as a welded steel container, typically used to transport goods via sea, air and rail. The container will be permitted for fire training and storage purposes on the lands on a temporary basis only. • Council may by By-law grant a further one time extension of a period not more than three (3) years during which the temporary use is authorized. • Upon lapsing of the By-law, the zoning of the property will revert to the previous Institutional Zone (or such new zoning in effect for the Municipality). • Upon lapsing of the Bylaw, the shipping container shall be removed from the property, and the property reinstated to its previous condition. • The minimum rear yard setback for the shipping container shall be 6.1 metres. • The Placement of the shipping container shall be subject to Site Plan Control Approval. 	Part Lot 58, Registrar's Compiled Plan 823, former Township of Artemesia	Nov. 10, 2009.
2006-94	3 years – Meteorological Lattice Tower <ul style="list-style-type: none"> • A Meteorological lattice tower is a permitted use for a period of three (3) years from November 10, 2006. • Council may by By-law grant a further periods of not more than three years each during which the temporary use is authorized. • Upon lapsing of the By-law, the zoning of the property will revert to the previous Rural (RU) Zone (or such new zoning in effect for the Municipality). • Upon lapsing of the Bylaw, the Meteorological Lattice Tower shall be removed. • The minimum setback for the Meteorological Lattice Tower from all public roads shall be equal to the height of the tower. • The maximum height for the Meteorological Lattice Tower shall be 80 metres. • Construction of the Meteorological Lattice Tower shall be subject to Site Plan Control Approval. 	Part Lot 1, Concession 9, former Township of Osprey	Nov. 10, 2009

2007-23	3 years - Marine Service Shop <ul style="list-style-type: none"> A marine service shop is permitted and defined as a home industry, which includes the service and repair of boats (including winterizing). The subject lands and accessory building may be used for the purposes of a marine service shop for three years from March 26, 2007. Council may by By-law grant a further one time extension of a period not more than three (3) years during which the temporary use is authorized. Upon lapsing of the By-law, the zoning of the property will revert to the previous Residential Shoreline Zone (or such new zoning in effect for the Municipality). Upon lapsing of the Bylaw, the property shall be reinstated to its previous condition. A maximum of 60 square metres (646 square feet) of the existing accessory building can be used for the purposes of a marine service shop. There shall be no retail sales from the property. One additional off-street parking space is provided for every 24 square metres of floor space occupied for business or professional purposes. No outdoor storage or display of materials or goods in support of such a home industry shall be permitted except for the temporary storage of boats. A maximum of six (6) boats may be located on the site at any one time. That the running of motors, hammering, grinding or any other repair related noise be limited to the hours of 9:00am to 5:00pm, Monday to Saturday and 12:00pm to 5:00pm on Sundays. The use of noxious chemicals, as outlined by the policies and guidelines of the Ministry of the Environment, shall not be permitted in the home industry in order to protect groundwater resources. The property will be subject to Site Plan Control approval. 	Lot 34, Concession 8, former Township of Artemesia	March 26, 2010
2008-65	Meteorological Test Tower A meteorological test tower is a permitted use for a period of three (3) years from August 22, 2008 subject to the following provisions: <ul style="list-style-type: none"> Council may by By-law, grant further periods of not more than three years each during which the temporary use is authorized. Upon lapsing of the By-law, the zoning of the property will revert to the previous Agriculture (A1) zone (or such new zoning as in effect for the Municipality of Grey Highlands). Upon lapsing of the by-law, the Meteorological tower shall be removed. The maximum height of the Meteorological tower shall be 82.3 metres. Construction of the meteorological tower shall be subject to Site Plan Control Approval. 	Lot 13 and 14, concession 3 SDR former Township of Osprey	August 22, 2011
2009-63	Second Dwelling The temporary placement of a second single detached dwelling unit is permitted until August 10, 2011, subject to the following provisions: <ul style="list-style-type: none"> Upon lapsing of the By-law or once final occupancy has been granted by the Chief building Official for the new single detached dwelling unit, whichever occurs first, the original single detached dwelling unit shall be removed from the subject lands. Council may by By-law grant further periods of not more than three years each during which the temporary use is authorized. Upon lapsing of the by-law, the zoning of the property will revert to the Previous Agriculture (A1), Hazrd (H), Wetland (W) and Rural Commercial (C4-165) Zones (or such new zoning as in effect for the Municipality of Grey Highlands). The lands are subject to Site Plan Control. 	Lot 16, Concession 2 NDR, former Township of Osprey	August 10, 2011

#?	Second Dwelling Notwithstanding the provisions of By-law No. 2004-50 to the contrary, the following provisions, in addition to any other provisions pertaining to the Agricultural (A1) zone, shall apply to those lands zoned Agricultural (A1-172) <ul style="list-style-type: none"> • The placement of a second single detached dwelling unit is permitted on the subject lands for a period of not more than two years. • Upon lapsing of the By-law or once final occupancy has been granted by the Chief building Official for the new single detached dwelling unit, whichever occurs first, the original single detached dwelling unit shall be removed from the subject lands. • Council may by By-law grant further periods of not more than three years each during which the temporary use is authorized. • Upon lapsing of the by-law, the zoning of the property will revert to the Previous Agriculture (A1), Hazrd (H), Wetland (W) and Rural Commercial (C4-165) Zones (or such new zoning as in effect for the Municipality of Grey Highlands). • The lands are subject to Site Plan Control. 	Lot 16, Concession 9, former Township of Euphrasia	March 22, 2012
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- 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 proposes 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.

16.13 Notwithstanding any other provisions of this By-law to the contrary, on lands identified as Part of Lot 34, Concession 11, former Township of Artemesia a garage is permitted in the front yard.

Note: By-law 2008-35 amended comprehensive amendment 13 to a garage in the front yard. This is the first instance in the Municipality where the -13 exception number has additional site specific provisions.

16.13 Notwithstanding any other provisions of this By-law to the contrary, on lands identified as Part of Lot 31, Concession 8, former Township of Artemesia, and known municipally as part of Parcels 13 through 18 on Magee Lane, the deficient lot area of the newly enlarged lots is recognized as follows:

- Part 1 and 13 (422 square metres).
- Part 3 and 14 (1003 square metres).
- Part 5 and 15 (1186 square metres).
- Part 7 and 16 (966 square metres).
- Part 9 and 17 (740 square metres)
- Part 11 and 18 (1057 square metres).

Note: By-law 2008-40 amended comprehensive amendment 13 to recognize site specific lot areas for lots on Magee Lane. This is the second instance in the Municipality where the -13 exception number has additional site specific provisions.

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: Stadtlander)

- 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 employee's 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 m²
- 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 m².
 - 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
 - Equipment sales and rental

- Service Shops
 - Studios
 - Personal Service Shops
 - Medical Centre
 - Business and Professional offices
 - Plumbing Shops
 - Electrical Shops
 - Banks or financial institutions
 - 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 | • Enclosed & open storage |
| • Chip wagon: maximum size of 14 square metres | • 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: Solomon 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
- 16.96 Notwithstanding any other provisions of this By-law to the contrary, the minimum lot frontage on lands identified with a (-96) exception number, and described as Part of Lot 6, Plan 441 in the Hamlet of Kimberley, former Township of Euphrasia, shall be 16.2 metres.
- 16.97 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-97) exception number, and described as Part of Lot 6, Plan 441 in the Hamlet of Kimberley, former Township of Euphrasia, the minimum lot area shall be 0.13 hectares and the minimum lot frontage shall be 13.7 metres.
- 16.98 Temporary Use By-law 2005-81, Temporary Lube Centre for three years. By-law lapses December 2008.
- 16.99 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-99) exception number, and described as Part of Lots 69 and 70, Concession 3 SDR, former Township of Osprey, the existing barn may be used for dry storage purposes only and subject to the following provisions:
- Dry Storage shall mean the storage of materials incidental to an agricultural operation, but excludes the housing of livestock and any animal waste.
 - The existing barn is considered an accessory structure, and may be located in the front yard of the single detached dwelling on the property.
 - The minimum front yard setback for the existing detached accessory structure (former barn) shall be 0.0 metres.
- 16.100 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-100) exception number, and described as Part of Lots 69 and 70, Concession 3 SDR, former Township of Osprey, the following additional provisions shall apply:
- The number of livestock units permitted will be based on a livestock to land ratio, and shall be a maximum of one (1) livestock unit per 0.4 hectares of land.
 - The minimum lot area shall be 8.6 hectares.
 - The minimum front yard setback of the existing single detached dwelling shall be 17.0 metres.
 - The minimum side yard setback of the existing single detached dwelling unit shall be 8.0 metres.
 - The future expansion of any existing buildings or structures on the subject lands will be subject to the applicable zone provisions for the property.
- 16.101 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with

a (-101) exception number, and described as Part Lot 12, Concession 6, former Township of Euphrasia, the minimum lot frontage shall be 100 metres.

16.102 Not approved

16.103 Not approved

16.104 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-104) exception number, and described as Lot 124, Concession 3 SWTSR former Township of Artemesia, a Garden Suite is a permitted use for a period of not more than ten (10) years from March 27, 2006 subject to the following additional provisions:

- Upon lapsing of the By-law, the zoning of the property will revert to the underlying Agricultural zone (A1).
- Upon lapsing of the by-law, the habitable space associated with the Garden Suite will be removed or altered to a use permitted under the By-law.
- The location of the Garden Suite shall be subject to Site Plan Control.

16.105 Permitted uses on lands identified with a (-105) exception number, and described as Part Block 2, Plan 850, and Part Lot 34, Concession 9, former Township of Artemesia, shall include a portable or floating dock.

16.106 Permitted uses on lands identified with a (-106) exception number, and described as Lots 18 and 19 Registrars Compiled Plan 828 and Part Lot 33, Concession 11, former Township of Artemesia, shall include a portable or floating dock.

16.107 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-107) exception number, and described as Lot 27, Concession 8, former Township of Osprey, the minimum lot frontage shall be 85 metres.

16.108 Permitted uses on lands identified with a (-108) exception number, and described as Part Lot 1, Concession 9, former Township of Osprey, shall include the temporary erection of a Meteorological Lattice Tower subject to the following provisions:

- A Meteorological lattice tower is a permitted use for a period of three (3) years from November 10, 2006.
- Council may by By-law grant a further periods of not more than three years each during which the temporary use is authorized.
- Upon lapsing of the By-law, the zoning of the property will revert to the previous Rural (RU) Zone (or such new zoning in effect for the Municipality).
- Upon lapsing of the Bylaw, the Meteorological Lattice Tower shall be removed.
- The minimum setback for the Meteorological Lattice Tower from all public roads shall be equal to the height of the tower.
- The maximum height for the Meteorological Lattice Tower shall be 80 metres.
- Construction of the Meteorological Lattice Tower shall be subject to Site Plan Control Approval.

16.109 Permitted uses on lands identified with a (-109) exception number, and described as Part Lot 101, Concession 1 SWTSR, and Part Lot 13, Block E Plan 582, former Village of Markdale, shall be limited to the following:

- Professional and Business Offices

- Retail Commercial
 - Single detached and multi-attached residential uses
 - Personal Service Shops
 - Service shops
 - A wine making establishment. For the purposes of this By-law, a wine making establishment shall mean the use of a building for the purposes of processing fruit to create wine and shall include storage of wine, fermentation, stabilization, aging and bottling.
 - Uses, buildings and structures accessory to a permitted use.
- 16.110 Permitted uses on lands identified with a (-110) exception number, and described as Part Lot 16, Concession 9, former Township of Osprey, shall be limited to the following:
- Professional and Business Offices
 - Retail Commercial
 - A residential use accessory to the principal commercial use
 - Financial Institutions
 - Passive and Active Recreational uses
 - Medical Clinics
 - Personal Service Shops
 - Service Shops
 - Uses, buildings and structures accessory to a permitted use.
- 16.111 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-111) exception number, and described as Part Lot 22, Concession 6, former Township of Euphrasia, the following additional provisions shall apply:
- The existing barn may be used for dry storage purposes only.
 - For the purposes of this By-law, dry storage shall mean the storage of materials incidental to an agricultural operation, but excludes the housing of livestock and any animal waste.
 - For the purposes of this By-law, the barn is considered an accessory building, permitted to be located on the lands prior the main building. (Reference: Seidle)
- 16.112 n/a.
- 16.113 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-113) exception number, and described as Part Lot 4, concession 1 SDR and Lot 17, Plan 817, former Township of Artemesia (Hamlet of Priceville), the following additional provisions shall apply:
- The existing barn may be used for dry storage purposes only.
 - For the purposes of this By-law, dry storage shall mean the storage of materials incidental to an agricultural operation, but excludes the housing of livestock and any

animal waste.

- For the purposes of this By-law, the barn is considered an accessory building, permitted to be located on the lands prior the main building.

16.114 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-114) exception number, and described as Part of Lots 69 and 70, Concession 2 NDR, former Township of Artemesia, the minimum front yard setback shall be 26 metres. (Reference: Abraham Sherk).

16.115 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-115) exception number, and described as Part of Lots 52 and 53, Concession 1 NDR, former Township of Osprey, the subject lands are considered to have frontage on a municipal road through abutting lands described as Instrument No. 33551.

16.116 Not used.

16.117 Permitted uses on lands identified with a (-117) exception number, and described as Part of lot 12, Concession 7, former Township of Euphrasia shall include a kennel as an accessory use to a single detached dwelling unit. All buildings, structures and/or chain link enclosures, shall be subject to the following provisions:

- Such kennel units (buildings, structures and chain link enclosures) shall not cover an area greater than 198 square metres.
- The chain link kennel area is situated behind the front or exterior wall of the principle dwelling unit facing the front lot line, and complies with all other requirements of the By-law.
- 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 a privacy fence.
- The 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.
- For the purposes of this By-law exception, the pedigree of dogs permitted in the kennel shall be Shih Tzu breeding only.

16.118 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-118) exception number, and described as Part Lot 58, Registrar's Compiled Plan 823, former Township of Artemesia , the temporary placement of a shipping container for trainage and storage is permitted subject the following provisions:

- Permitted uses shall be limited to the placement of One (1) shipping container for the purposes of fire training and storage for a period of three (3) years from November 10, 2006.
- For the purposes of this By-law a shipping container shall be defined as a welded steel container, typically used to transport goods via sea, air and rail. The container will be permitted for fire training and storage purposes on the lands on a temporary basis only.
- Council may by By-law grant a further one time extension of a period not more than three (3) years during which the temporary use is authorized.
- Upon lapsing of the By-law, the zoning of the property will revert to the previous Institutional Zone (or such new zoning in effect for the Municipality).

- Upon lapsing of the Bylaw, the shipping container shall be removed from the property, and the property reinstated to its previous condition.
 - The minimum rear yard setback for the shipping container shall be 6.1 metres.
 - The Placement of the shipping container shall be subject to Site Plan Control Approval.
- 16.119 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-119) exception number, and described as Lot 34, Concession 8, former Township of Artemesia , the temporary use of the lands and the accessory building existing on March 26, 2007 is permitted subject the following provisions:
- A marine service shop on the subject property is defined as a home industry, which includes the service and repair of boats (including winterizing).
 - The subject lands and accessory building may be used for the purposes of a marine service shop for three years from March 26, 2007.
 - Council may by By-law grant a further one time extension of a period not more than three (3) years during which the temporary use is authorized.
 - Upon lapsing of the By-law, the zoning of the property will revert to the previous Residential Shoreline Zone (or such new zoning in effect for the Municipality).
 - Upon lapsing of the Bylaw, the property shall be reinstated to its previous condition.
 - A maximum of 60 square metres (646 square feet) of the existing accessory building can be used for the purposes of a marine service shop.
 - There shall be no retail sales from the property.
 - One additional off-street parking space is provided for every 24 square metres of floor space occupied for business or professional purposes.
 - No outdoor storage or display of materials or goods in support of such a home industry shall be permitted except for the temporary storage of boats.
 - A maximum of six (6) boats may be located on the site at any one time.
 - That the running of motors, hammering, grinding or any other repair related noise be limited to the hours of 9:00am to 5:00pm, Monday to Saturday and 12:00pm to 5:00pm on Sundays.
 - The use of noxious chemicals, as outlined by the policies and guidelines of the Ministry of the Environment, shall not be permitted in the home industry in order to protect groundwater resources.
 - The property will be subject to Site Plan Control approval.
- 16.120 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-120) exception number, and described as Part of Lot 15, Concession 9, former Township of Osprey, a minimum of 100 parking spaces required for the site.
- 16.121 Permitted uses on lands identified with a (-121) exception number, and described as Lots 8, 9 and 10, Concession 3 SDR, former Township of Osprey, shall include a small-scale commercial/industrial plastic welding shop for farm related purposes. For the purposes of this By-law, Plastic Welding shall be defined as the bonding of thermoplastics such as polyethylene, polypropylene, polycarbonate, polyamides, ABS, polystyrene and others.

- 16.122 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-122) exception number, and described as Part of Lot 10, Concession 7, former Township of Euphrasia, the existing barn may be used for dry storage purposes only subject to the following additional provisions:
- Dry Storage shall mean the storage of materials incidental to an agricultural operation, but excludes the housing of livestock and any animal waste.
 - The barn existing on March 26, 2007 shall be considered accessory building, with a minimum rear yard setback of 14.8 metres.
- 16.123 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-123) exception number, and described as Lot 9, Concession 6, former Township of Osprey, the minimum lot area shall be 38.42 hectares.
- 16.124 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-124) exception number, and described as Lot 18, Concession 14 NDR, former Township of Osprey, the minimum lot frontage shall be 91.44 metres.
- 16.125 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-125) exception number, and described as Lot 18, Concession 14 NDR, former Township of Osprey, the following provisions shall apply:
- The minimum lot frontage shall be 140.4 metres.
 - The lands shall be used on a livestock to land ratio only.
 - For the purposes of this By-law exception, the term “livestock to land ratio” is defined as 1 Livestock Unit per 0.4 hectares of 1 Nutrient Unit per 0.4 hectares.
 - For the purposes of this By-law exception, the term “Nutrient Units” is further defined as an amount of nutrients that give a fertilizer replacement value as the lower of 43 kilograms of nitrogen, or 55 kilograms of phosphate as nutrient (as defined in Ontario Regulation 267/03 made under the Nutrient Management Act, 2002).
- 16.126 Permitted uses on lands identified with a (-126) exception number, and described as Lot 9, Concession 6, former Township of Osprey, shall be limited to the following:
- Warehousing and Wholesaling uses.
 - Assembly and manufacturing uses in accordance with the definition of Light Industrial in Section 3 of By-law No. 2004-50.
 - Open Storage Uses.
 - One residence for security/care taking purposes.
 - Equipment sales.
 - Building Supply centres and yards.
 - Business offices accessory to a permitted use.
 - Uses, buildings and structures accessory to a permitted use.
- 16.127 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-127) exception number, and described as Part Lot 21, Concession 14, former Township of Artemesia, the minimum lot frontage shall be 20.0 metres.

- 16.128 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-128) exception number, and described as Part Lot 21, Concession 14, former Township of Artemesia, any rezoning proposed to expand the list of uses permitted in the No Development Zone 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 other obstacles to development.
- 16.129 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-129) exception number, and described as the East Part of Lots 1, 2, and 3 Registered Plan 17, former Township of Artemesia, an accessory building shall be permitted to be used for the purposes of a home occupation subject to the following provisions:
- The front yard setback of the accessory structure shall be equal to that of the existing dwelling unit on the property.
 - The maximum gross floor area of the accessory building shall not exceed 14 square metres.
 - One (1) sign indicating that the accessory building is being used for the purposes of a home occupation is permitted on the property provided such sign is no larger than one (1) square metres and maintains a minimum front yard setback of 3.0 metres. The sign shall not illuminate.
 - The subject land shall be subject to Site Plan Control approval.
- 16.130 Permitted uses on lands identified with a (-130) exception number, and described as Part Lot 12, Concession 7, former Township of Osprey, shall be limited to the following:
- Warehousing and Wholesaling uses.
 - Assembly and manufacturing uses in accordance with the definition of Light Industrial in Section 3 of By-law No. 2004-50.
 - 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.
 - Equipment sales.
 - Business offices accessory to a permitted use.
 - The sale of goods manufactured on the premises.
- 16.131 Talisman – Not approved
- 16.132 By-law Rescinded.
- 16.133 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-133) exception number, and described as Part Lot 23, Concession 14, former Township of Osprey, the minimum lot frontage shall be 100.0 metres.
- 16.134 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-134) exception number, and described as the Lot 160 and 161, Concession 3 SWTSR, former Township of Artemesia, an uninhabitable shed is permitted to a maximum size of 2 x 4 metres, one-storey high, and setback a minimum of 15 metres from the high water mark of Lake Wilcox.
- 16.135 Permitted uses on lands identified with a (-135) exception number, and described as Lots

176-177, Concession 2 SWTSR, former Township of Artemesia shall include a kennel as an accessory use to a single detached dwelling unit. All buildings, structures and/or chain link enclosures for the kennel shall be subject to the following provisions:

- The kennel house shall be limited to an area of 5m x 7.5m.
- Overnight kennels shall be a maximum size of 0.6m x 1.2m x 0.6m high.
- The dog runs shall be limited to 2 dog runs with an area of 9m x 15m each.
- All kennel structures shall be set back from the front lot line a minimum of 150 m.
- The maximum number of adult dogs permitted shall be twenty-five (23) of the Yorkshire Terrier or Komondor breed only.
- The lands are subject to Site Plan Control approval.

16.136 Permitted uses on lands identified with a (-136) exception number, and described as Lot 5 Concession 7, former Township of Euphrasia shall include a kennel subject to the following provisions:

- Dog runs shall be limited to 1 dog run with an area of 3.7 m x 3.7 metres and 1 dog run with an area of 1.8m x 3m.
- The maximum number of adult dogs permitted shall be twelve (12) of the English Mastiff breed only.
- The lands are subject to Site Plan Control approval.

16.137 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-137) exception number, and described as Part Lot 18, Concession 6, former Township of Osprey, a Firewood Processing Operation and Garden Centre shall be permitted subject to the following provisions:

- A Firewood Processing Operation shall be defined as the processing of wood, which may or may not have been harvested from the subject lands, for home heating purposes, which may be stored for sale to the General Public on the subject lands. The processing of wood shall include the cutting and storage of the raw wood product and the finished material.
- The proposed operation will maintain a minimum landscape buffer of 22.3 and 23 metres from Grey Road 2 and Grey Road 31 respectively.
- Outdoor storage associated with the Firewood Processing Operation shall be limited to 15,000 m².
- Retail sales associated with the Firewood Processing Operation shall be limited to Monday through Saturday.
- For the purposes of this By-law exception, a Garden Centre shall be considered a Market Garden. (Reference: Gott)

16.138 Best Pit – Subject to OMB Appeal

16.139 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-139) exception number, and described as Lot 34, Concession 9, former Township of Osprey, all buildings and structures shall be within an identified building envelope approved by the Conservation Authority.

16.140 Permitted uses on lands identified with a (-140) exception number, and described as Part of Lot 117, Concession 3 NETSR, former Township of Artemesia shall include a kennel subject to the following provisions:

- The maximum number of dogs and/or domestic animals permitted shall be fifteen (15).
- Minimum Lot Frontage shall be 42 metres.
- Minimum Lot Area shall be 0.45 hectares.

16.140 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (RS-140) exception number, and described as Part of Lot 31, Concession 8, former Township of Artemesia, permit Magee Lane (Parts 2,4,6,8,10 & 12) for use as a private road with no buildings or structures permitted.

Note: By-law 2008-40 duplicated the use of exception # 140.

16.141 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-141) exception number, and described as Lots 185 and 186, Concession 1 SWTSR, former Township of Artemesia, the following additional provisions shall apply:

- Minimum Setbacks and Side yard Setbacks on Major Roads (Provincial Highway No. 10) shall be 28 metres.
- Minimum Lot Area shall be 39.2 hectares (96.9 acres).
- Minimum Distance Separation from nearest Neighbours Dwelling and Type A Land uses shall be 149 metres.

16.142 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-142) exception number, and described as Part of Lots 3, Concession 1 SDR and Part 1, Registered Plan 10 and Part 2, Reference Plan 72279, former Township of Artemesia, a Post Office is a permitted use subject to the following provisions:

- Minimum Lot frontage shall be 20 metres.
- Minimum Lot Area shall be 1004 square metres.
- Maximum Lot Coverage shall be 45%.
- Minimum Front Yard Setback shall be 5.0 metres.
- Minimum Interior Side Yard Setback shall be 3 metres.
- Minimum setback from an abutting residential dwelling shall be 3 metres.
- The land are subject to Site Plan Control approval.

16.143 n/a.

16.144 Application withdrawn.

16.145 Temporary Use By-law. Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-145) exception number, and described as Lot 13 and 14, Concession 3 SDR, former Township of Osprey, a meteorological test tower is a permitted use for a period of three (3) years from August 22, 2008 subject to the following provisions:

- Council may by By-law, grant further periods of not more than three years each during which the temporary use is authorized.

- Upon lapsing of the By-law, the zoning of the property will revert to the previous Agriculture (A1) zone (or such new zoning as in effect for the Municipality of Grey Highlands).
 - Upon lapsing of the by-law, the Meteorological tower shall be removed.
 - The maximum height of the Meteorological tower shall be 82.3 metres.
 - Construction of the meteorological tower shall be subject to Site Plan Control Approval.
- 16.146 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-146) exception number, and described as Part Lot 27, Concession 1, former Township of Euphrasia, temporary farm help accommodation is a permitted use until August 11, 2011 subject to the following provisions:
- Council may by by-law grant further periods of not more than three years each during which the temporary use is authorized.
 - Upon lapsing of the by-law, the zoning of the property will revert to the previous Hazard (H) and Rural (RU) Zone (or such new zoning as in effect for the Municipality of Grey Highlands).
 - Upon lapsing of the by-law, the temporary farm help accommodation shall be removed.
 - The lands are subject to Site Plan Control approval.
- 16.146 Notwithstanding the provisions of By-law No. 2004-50 to the contrary, the following provisions, in addition to any other provisions pertaining to the Rural (RU) zone, shall apply to those lands zoned Rural (RU-146):
- Seasonal Farm Help Accommodation is a permitted use.
 - For the purposes of this By-law Seasonal Farm Help Accommodation is defined as a structure utilized for housing purposes for seasonal farm works required to assist in the farm production on the subject lands on a temporary basis each calendar year.
 - A maximum of two (2) structures for seasonal farm help purposes may be permitted on the property at any one time.
 - Accommodation may be in the form of an existing permanent building, mobile home or park model trailer but shall not be used as a permanent residence.
 - Accommodation shall not be permitted within any agricultural or livestock building.
 - Structures devoted to Seasonal Farm Help Accommodation shall not be used for any other purpose than Seasonal Farm Help Accommodation or storage.
 - That the lands be subject to Site Plan Control.

Note: Duplicate use of exception # 146 for two different properties.

16.147 Beaver Valley Village Subdivision – Not approved.

16.148 Beaver Valley Village – Not approved.

16.149 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-149) exception number, and described as Part of Lots 11 and 12, Concession 1 NDR, former Township of Osprey, the minimum front yard setback shall be 29.3 metres.

- 16.150 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-150) exception number, and described as Lot 63 and 64, Concession 3 NDR, former Township of Artemesia, the minimum lot area shall be 16.2 hectares.
- 16.151 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-151) exception number, and described as Lot 24, Concession 13, former Township of Osprey, the following additional provisions apply:
- The existing barn may only be used for dry storage purposes.
 - Dry Storage shall mean the storage of materials incidental to an agricultural operation, but excludes the housing of livestock and any animal waste.
 - The barn is considered an accessory building.
- 16.152 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-152) exception number, and described as Part of Lot 12, Concession 6, former Township of Osprey, the following additional provisions apply:
- The existing barn may only be used for dry storage purposes.
 - Dry Storage shall mean the storage of materials incidental to an agricultural operation, but excludes the housing of livestock and any animal waste.
 - The barn is considered an accessory building.
- 16.153 Permitted uses on lands identified with a (-153) exception number, and described as Part of Lot 18, Concession 6, former Township of Osprey shall be limited and subject to the following:
- a) Permitted uses in this zone shall be limited to the following:
 - Agricultural Bulk Sales
 - Dry Manufacturing Plants
 - Equipment Sales and Rental
 - Farm Machinery Sales and Rental
 - Business Offices accessory to a permitted use
 - Transport Terminal.
 - b) Agricultural Bulk Sales shall not include animal and poultry health and breeding services or the sale of agricultural fertilizers and chemicals.
 - c) Farm Machinery Sales and Service shall be considered in the same manner as Equipment Sales and Service.
 - d) Dry Manufacturing includes assembly, repair and storage services.
 - e) A maximum of one (1) permitted use may be located within the M1-153 Zone at any one time.
 - f) The maximum combined gross floor area shall not exceed 735 square metres.
- 16.154 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-154) exception number, and described as Part of Lot 124, Concession 3 NETSR, former Township of Artemesia, the livestock units on the property shall be limited to six (6) horses.

- 16.155 Talisman – Not approved.
- 16.156 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-156) exception number, and described as Part of Lots 31 and 32, Concession 5, former Township of Artemesia, the minimum lot area shall be 36 hectares.
- 16.157 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-157) exception number, and described as Part of Lot 5, Concession 5, and Lot 32, Registered Plan No. 441 (Kimberley), former Township of Euphrasia, the following provisions shall apply:
- The minimum rear yard setback associated with the dwelling units on the subject lands shall be 6.53 metres.
 - The minimum rear yard setback associated with the placement of a deck or patio on the subject lands shall be 3.53 metres.
- 16.158 Permitted uses on lands identified with a (-158) exception number, and described as Part of Lot 5, Concession 5, and Lot 32, Registered Plan No. 441 (Kimberley), former Township of Euphrasia, shall be limited and subject to the following:
- a) Permitted uses in this Zone shall be limited to the following:
 - Professional and Business Offices
 - Retail Commercial
 - A residential use accessory to the principal commercial use
 - Restaurants
 - Passive and Active Recreational uses
 - Medical Clinics
 - Public and Private Clubs
 - Personal Service Shops
 - Service Shop
 - Uses, buildings and structures accessory to a permitted use.
 - b) Restaurant uses shall be limited to not more than seven (7) tables.
 - c) Retail commercial uses shall not include supermarkets or foot stores, but shall permit convenience stores.
 - d) Lot frontage and area shall not be less than 13.9 metres and 0.06 hectares respectively.
- 16.159 Not approved.
- 16.160 Permitted uses on lands identified with a (-160) exception number, and described as Part of Lot 7, Concession 5, former Township of Euphrasia, shall be limited to a Golf course. Structures shall not be permitted.
- 16.161 Permitted uses on lands identified with a (-161) exception number, and described as Part of Lots 4 and 5, Concession 3 SDR, former Township of Osprey, shall include a small-scale commercial/industrial plastic welding shop for farm related purposes. For the purposes of this By-law exception, Plastic Welding shall be defined as the bonding of thermoplastics such as polyethylene, polypropylene, polycarbonate, polyamides, ABS, polystyrene and others.

16.162 Permitted uses on lands identified with a (-162) exception number, and described as Part of Lot 18, Concession 6, former Township of Osprey shall be limited and subject to the following:

- a) Permitted uses in this Zone shall be limited to the following:
 - Arts and Craft Studio/Store
 - Recreational Vehicle Sales and Service
 - Business Offices accessory to a permitted use
- b) Recreational Vehicle Sales and Service shall be considered in the same manner as Equipment Sales and Service.
- c) An Arts and Craft Studio/Store shall be defined as a Retail Store but shall not include supermarkets and food stores.
- d) A maximum of one (1) permitted use may be located in this zone at any one time.
- e) The maximum combined gross floor area shall not exceed 227 square metres.

16.163 Permitted uses on lands identified with a (-163) exception number, and described as Part of Lots 16 and 17, Concession 9 and Part 2 on Reference Plan 17R-1070, former Township of Osprey, shall be limited and subject to the following:

- a) Permitted uses shall be limited to the following:
 - Professional and Business Office
 - Retail Commercial
 - A residential use accessory to the principal commercial use
 - Financial Institutions
 - Passive and Active Recreational uses.
 - Motor Vehicle Service Station
 - Medical Clinics
 - Personal Service Shops
 - Service Shops
 - Uses, buildings and structures accessory to a permitted use.
- b) At a minimum, a tertiary septic system is required with a minimum of 42% nitrate reduction and maximum sewage volume of 1690 litres per day to serve the development on each lot.

16.164 Notwithstanding any other provisions of this by-law to the contrary, on lands identified with a (-164) exception number, and described as Part of Lot 3, Concession 1 SDR, former Township of Artemesia (Hamlet of Priceville), the following provisions shall apply:

- Permitted uses shall also include a Post Office.
- The Minimum lot frontage shall be 18.9 metres.
- The Minimum lot area shall be 850m².

- 16.165 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-165) exception number, and described as Lot 16, Concession 2 NDR, former Township of Osprey, the minimum front yard setback associated with the proposed Rural Commercial (C4) shop shall be 30 metres.
- 16.166 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-166) exception number, and described as Part of Lot 31, Concession 9, and further described as Lot 13, Registrar's Compiled Plan No. 834, former Township of Artemesia, the following provisions shall apply:
- That the subject lands, despite having frontage on a private road, may be used and buildings thereon may be erected, enlarged, repaired or renovated.
 - The minimum front yard setback associated with the proposed accessory building shall be not less than 1.5 metre.
 - The minimum side yard setback associated with the accessory building shall be not less than 1.5 metres.
 - The westerly extension of the existing deck footprint shall be not less than 10m from the high water mark.
 - The southerly extension of the existing deck footprint shall be not less than 26.0 metres from the high water mark and 15.0 metre from the interior side yard.
 - The minimum rear yard setback associated with the dwelling units on the subject lands shall be 6.53 metres
- 16.167 Temporary Use By-law. Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-167) exception number, and described as Part of Lot 16, Concession 2 NDR, former Township of Osprey, the temporary placement of a second single detached dwelling unit is permitted until August 10, 2011, subject to the following provisions:
- Upon lapsing of the By-law or once final occupancy has been granted by the Chief building Official for the new single detached dwelling unit, whichever occurs first, the original single detached dwelling unit shall be removed from the subject lands.
 - Council may by By-law grant further periods of not more than three years each during which the temporary use is authorized.
 - Upon lapsing of the by-law, the zoning of the property will revert to the Previous Agriculture (A1), Hazard (H), Wetland (W) and Rural Commercial (C4-165) Zones (or such new zoning as in effect for the Municipality of Grey Highlands).
 - The lands are subject to Site Plan Control.
- 16.168 Not approved.
- 16.169 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-169) exception number, and described as Lots 156, Concession 1 NETSR, former Township of Artemesia, the minimum lot area shall be 20.9 hectares.
- 16.170 Notwithstanding any other provision of this By-law to the contrary, on lands identified with a (-170) exception number, and described as Part of Lot 33, Concession 12, now designated as Lot 28, Registrar's Compiled Plan No. 828 former Township of Artemesia, subject to the following provisions;
- That the subject lands, despite having frontage on a private road, may be used and buildings thereon may be erected enlarged, repaired or renovated.

- The minimum front yard setback associated with the renovated/enlarged single detached dwelling unit shall be not less than 8.5 metres.
 - The minimum site yard setback associated with the renovated/enlarged single detached dwelling unit shall be not less than 1.5 metres.
 - Schedule 'E-1' of By-law No. 2004-50 and the corresponding text reference under Section 5.5(d) are further hereby amended by removing the holding provision from the property to specifically permit the following:
 - a. The reconstruction and expansion of the existing single detached dwelling unit, including the placement of a new septic system on the subject lands.
- 16.171 Notwithstanding any other provision of this By-law to the contrary, on lands identified with a (-171) exception number, and described as Part of Lots 1 and 2, Concession 6, former Township of Euphrasia, the following provisions shall apply:
- The minimum front yard setback shall not be less than 20 metres;
 - The maximum height of the dwelling units shall not exceed 7.65 metres.
- 16.172 Temporary Use By-law. Notwithstanding any other provision of the By-law to the contrary, on lands identified with a (-172) exception number, and described as Part Lot 16, Concession 9, former Township of Euphrasia, the temporary placement of a second single detached dwelling unit on the subject lands is permitted until March 22nd, 2012.
- 16.173 Not used.
- 16.174 Not used.
- 16.175 Not used.
- 16.176 Notwithstanding any other provision of this By-law to the contrary, on lands identified with a (-176) exception number, and described as Lot 59 and Part of Lot 60, Concession 3 NDR, former Township of Osprey, subject to the following provisions;
- Recognizes a reduced MDS arc from 280 metres to 278 metres;
 - Permit a rural commercial shop on the subject lands.
 - Subject to Site Plan Control.
- 16.177 Notwithstanding any other provision of the By-law to the contrary, on lands identified with a (-177) exception number, and described as Lot 36 and Lot 37, Concession 2 NDR, former Township of Osprey, the following provisions apply:
- A minimum side yard setback of 6 metres shall be permitted.
 - Removal of the holding provision shall permit the construction of a small-scale rural commercial / industrial shop with associated outdoor storage and parking facilities on the subject lands.
- 16.178 Notwithstanding any other provision of the By-law to the contrary, on lands identified with a (-178) exception number, and described as Part of Lot 32, Concession 9, now designated as Lot 31, Registered Plan 834, former Township of Artemesia, the following provisions apply:
- Minimum front yard setback associated with the detached garage shall not be less than 8.0 metres;
 - Permit the construction of a new detached garage on lands which lack frontage on an

- open and maintained municipal road;
- Remove the holding provision from a portion of the property to permit the construction of an addition to an existing dwelling and a new detached garage.
- 16.179 Notwithstanding any other provision of the By-law to the contrary, on lands identified with a (-179) exception number, and described as Part of Lots 22 and 23, Concession 10, former Township of Osprey, the following provisions apply:
 - No temporary or permanent asphalt or ready mix plant will be permitted.
- 16.180 Notwithstanding any other provision of the By-law to the contrary, on lands identified with a (-180) exception number, and described as Lot 36, Concession 9, form Township of Osprey, the following provisions apply:
 - All development shall be restricted to the building envelope
 - Subject to Site Plan Control.
- 16.181 Not Approved.
- 16.182 Notwithstanding any other provision of the By-law to the contrary, on lands identified with a (-182) exception number, and described as Part of Lot 4, Concession 7, former Township of Euphrasia, the following provisions shall recognize the reduced lot frontage and reduced lot area of the retained parcel; and limit the number of animal units to be kept and/or housed on the retained parcel, based on an animal unit to tillable acres ratio. Details include:
 - Lot Area = 4.45 hectares;
 - Lot Frontage = 121.9 metres;
 - Number of animal units to be kept and/or housed = 11
- 16.183 Not used.
- 16.184 Notwithstanding any other provisions of the By-law to the contrary, on lands identified with a (-184) exception number, and described as Lot 19, Concession 3 NDR, former Township of Osprey, shall permit a small-scale commercial / industrial shop on the subject property with an intended use to have a water jet cutting machine, to be used for custom cutting of material to be used in the agricultural, forestry and communication tower industries.
- 16.185 Notwithstanding any provisions of the By-law to the contrary, on lands identified with a (-185) exception number, and described as Lot 1 and 2, Concession 6, former Township of Euphrasia, the following provisions in addition to any other provision within the Development (D) zone, shall apply to those lands zoned Development (D-185):
 - i. Additional permitted uses will include one storage building.
 - ii. Lands are subject to Site Plan Control.
- 16.186 Application under consideration.
- 16.187 Notwithstanding any provisions of the By-law to the contrary, on lands identified with a (-187) exception number, and described as Part Lot 30, Concession 1 NDR, former Township of Artemesia, a reduced setback from the high-water mark as follows:
 - Minimum Rear Yard Setback: 18.9 metres in order to permit an addition to the existing residence and accessory structure.
 - The limited permitted additions will measure a total area of 18.6 square metres to the existing residence and 31.6 square metres onto the existing accessory structure and will

be one storey and will be located with a setback in excess of 18.9 metres of the high water mark of Lake Wilcox.

- 16.188 Notwithstanding any provisions of the By-law to the contrary, on lands identified with a (-188) exception number, and described as Part Lots 126 & 127, Concession 1 NETSR, former Township of Artemesia, the following provisions pertaining to the Agricultural (A1), shall apply to those lands zoned Agriculture (A1-188):
- a) Additional permitted Use: Retail sales relating to artisan products not to exceed 200 square metres.
- 16.189 Notwithstanding any provisions of the By-law to the contrary, on lands identified with a (-189) exception number, and described as Part Lots 4, 5, and 7, Plan 31, in the former Village of Flesherton, former Township of Artemesia, the following provision in addition to any other provisions pertaining to the Residential (R) Zone, shall apply to those lands zoned R-189):
- a) Recognizes the existing lot area of 1,100 m²
- 16.190 Notwithstanding any provisions of By-law No.10-1978 to the contrary, the following provisions, in addition to any other provisions pertaining to the Commercial (C3) Zone, shall apply to those lands zoned Commercial (C3-190).
- a) Permitted uses shall be limited to the following:
- Small-scale welding/steel fabricating shop;
 - One one-family detached dwelling on one lot;
 - Uses, buildings and structures existing on the date of adoption of this By-law;
 - Uses, buildings and structures accessory to a permitted use;
- b) Use of the land as a small-scale welding and steel fabricating shop shall be subject to the following provisions:
- Maximum area of all buildings and structures used for the small scale use shall not exceed 250 square metres;
 - Open storage is limited to a maximum of 750 square metres, located behind the front or exterior wall of the principal building facing the front lot line, and shall be screened from public exposure by buildings and/or a planting strip and/or a fence;
 - Maximum number of employees shall be the equivalent of five full time positions in addition to the owner;
 - All waste by-products of the operation must be properly disposed of off-site, and in particular, the organic waste by-products may not be placed on-site or within any Hazard Land areas;
 - The use of noxious chemicals, as outlined by the policies and guidelines of the Ministry of the Environment, shall not be permitted in the small-scale use in order to protect groundwater resources.
- 16.191 Notwithstanding any provisions of By-law NO.10-1978 to the contrary, the following provisions, in addition to any other provisions pertaining to the Rural (A1) Zone, shall apply to those lands zoned Rural (A1-191).
- a) Permitted uses shall be limited to the following:
- Non-intensive agricultural uses, buildings and structures;

- One single-family detached dwelling per lot, except that one residence for temporary farm help accommodation is also permitted;
- Home occupation;
- Uses, buildings and structures accessory thereto.

b) For the purposes of this By-law, an intensive agricultural operation is an operation where the number of livestock units on the farm is 100 or more and the ratio of livestock units to tillable acres on the farm unit is 2 or greater, OR, the number of livestock units on the farm is 150 or more and the ratio of livestock units to tillable acres is greater than one (livestock unit equivalency is defined in the Municipality's Minimum Distance Separation By-law).

16.192 Notwithstanding any provisions of By-law No. 10-1978 to the contrary, the following provisions, in addition to any other provisions pertaining to the Rural (A2) Zone, shall apply to those lands zoned Rural (A1-192):

a) Permitted uses shall include the following:

- Small-scale metal works shop subject to the following definition and regulations
- Small-scale woodworking shop subject to the following definition and regulations
- All uses permitted in the Rural (A2) Zone

b) The following definitions apply to a metal works shop and woodworking shop. For the purposes of this By-law, a small-scale metal works shop shall mean a Building, structure or area where metal is stored, sanded, welded, and worked for use in the production of agricultural components, and includes metal cutting, welding, brazing, facilities for metal working, and the distribution of such metal worked agricultural products on a wholesale basis. For the purposes of this By-law, a small-scale woodworking shop shall mean a Building, structure or area where lumber is stored, sawed or planed, and including woodturning, facilities for kiln drying of lumber, and the distribution of such woodworks on a wholesale basis.

c) Special regulations applicable to a small-scale metal works or woodworking shop:

- Maximum area of any buildings and/or structures used for the metal works shop shall be 250 m²
- No portion of a lot shall be used for the open display, storage or sale of products or materials, commodities or stock-in-trade unless the following provisions are complied with:

i) such open storage does not cover an area greater than 750 m²;

ii) the storage area is situated behind the front or exterior wall of the principle building facing the front lot line, and complies with all other yard requirements of the By-law;

iii) 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.

d) Maximum number of employees shall be the equivalent of five (5) full time positions in addition to the owner.

d) All waste by-products of the operation must be properly disposed of off-site.

e) No portion of the Hazard Zone may be filled, and the storage of material or by-products shall not be permitted in the Hazard Zone.

f) The use of noxious chemicals, as outlined by the policies and guidelines of the Ministry of the Environment, shall not be permitted in the small-scale metal works shop in order to protect groundwater resources.

g) Schedule "A-1" and all other notations thereon are hereby declared to form part of this By-law.

h) This By-law shall come into force and take effect upon being passed by Council subject to any approval necessary pursuant to the Planning Act R.S.O. 1990, as amended.

16.193 Notwithstanding any provisions of By-law No. 10-1978 to the contrary, the following provisions, in addition to any other provisions pertaining to the Rural (A2) Zone, shall apply to those lands zoned Rural (A2-193).

a) Permitted uses shall include the following:

- Small-scale metal works shop subject to the following definition and regulations
- Small-scale woodworking shop subject to the following definition and regulations
- All uses permitted in the Rural (A2) Zone

b) The following definitions apply to a metal works shop and woodworking shop.

For the purposes of this By-law, a small-scale metal works shop shall mean a building, structure or area where metal is stored, sanded, welded, and worked for use in the production of agricultural components, and includes metal cutting, welding, brazing, facilities for metal working, and the distribution of such metal worked agricultural products on a wholesale basis.

For the purposes of this By-law, a small-scale woodworking shop shall mean a building, structure or area where lumber is stored, sawed or planed, and including woodturning, facilities for kiln drying of lumber, and the distribution of such woodworks on a wholesale basis.

c) Special regulations applicable to a small-scale metal works or woodworking shop:

- Maximum combined area of any buildings and/or structures used for the metal works and/or woodworking shop shall be 250 m²
- No portion of a lot shall be used for the open display, storage or sale of products or materials, commodities or stock-in-trade unless the following provisions are complied with:
 - i) such open storage does not cover an area greater than 750 m²;
 - ii) the storage area is situated behind the front or exterior wall of the principle building facing the front lot line, and complies with all other yard requirements of the By-law;
 - iii) 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.
- Maximum number of employees shall be the equivalent of five (5) full time positions in addition to the owner.
- All waste by-products of the operation must be properly disposed of off-site.
- The use of noxious chemicals, as outlined by the policies and guidelines of the Ministry of the Environment, shall not be permitted in the small-scale metal works shop in order to protect groundwater resources.

16.194 Notwithstanding any provisions of By-law No.10-1978 to the contrary, the following provisions, in addition to any other provisions pertaining to the Residential (R) Zone, shall apply to those lands zoned Residential (R194).

a) The minimum lot frontage for lots on Registered Plan No. 837 shall be as follows:

- Lot 1, 2, 3, and 4 shall be 23 metres
- Lots 5 shall be 25 metres

- Lots 6,7,8,9, 10, 11, 13, 14, and 15 shall be 22 metres
 - Lot 16 shall be 21 metres
 - Lots 17, 18, 19 shall be 23 metres
- b) The minimum lot area for Lots on Registered Plan No. 837 shall be as follows:
- Lots 1, 2, 3, and 4 shall be 1,200 square metres
 - Lots 13, and 14 shall be 950 square metres
 - Lot 15 shall be 1,300 square metres
 - Lot 17, 18, and 19 shall be 1,100 square metres
- c) The maximum lot coverage for lots 1-11 and 13-19 plan 837 shall be 15%.
- 16.195 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential Zone, shall apply to those lands zoned Agriculture (R-195):
- a) To permit a dwelling unit with a gross floor area of 46 square meters16-196
- Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential Shoreline (RS), shall apply to those lands zoned Residential Shoreline (RS-196):
- To permit development of lands with frontage on a private road;
 - To permit a lot coverage of 19%.
- 16.196 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential Shoreline (RS), shall apply to those lands zoned Residential Shoreline (RS-196):
- 16.197 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Rural Commercial (C4) zone, shall apply to those lands zoned Rural Commercial (C4-197):
- The permitted uses on the subject property shall be expanded to include a small-scale commercial/ industrial electrical contractors shop and related uses.
- 16.198 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential Shoreline (RS), shall apply to those lands zoned Residential Shoreline (RS-198):
- Setback for Accessory Buildings and Structures shall have a front yard setback of 3m.
- 16.199 Notwithstanding the provisions of Section 7.3.1, the following provisions, in addition to any other provisions of this By-law pertaining to the Rural Residential (RUR) Zone, shall apply to those lands zoned Rural Residential (RUR-199) as shown on Schedule "A" affixed hereto:
- Additional Permitted Use shall include a Secondary Kitchen.
- 16.200 Notwithstanding the provisions of By-law No. 2004-50 to the contrary, the following provisions, in addition to any other provisions pertaining to the Rural (RU) zone, shall apply to those lands zoned Rural (RU-200)
- Interior Side Yard shall be 10 meters, as existing on the date of passage of this by-law.
- 16.201 Notwithstanding the provisions of By-law No. 2004-50 to the contrary, the following provisions, in addition to any other provisions pertaining to the Rural (RU) zone, shall apply to those lands zoned

Rural (RU-201):

- Lot Area shall be 19.0 hectares.

16.202 Notwithstanding any provisions of By-law 10-1978 to the contrary, the following provisions in addition to any other provisions pertaining to the Rural Zone, shall apply to those lands zoned Rural (A2-202).

For the purposes of this By-law a small scale commercial / industrial shop is defined as a building, structure or use that is in close proximity to the agricultural operation and directly supportive of the surrounding agricultural operations. Such uses may include a metal works shop, woodworking shop or a sawmill.

The maximum area of all buildings and or structures used for the small-scale use shall not exceed 250 m²

- No portion of a lot shall be used for the open display, storage or sale of products or materials, commodities or stock-in-trade unless the following provisions are complied with:
 - i) such open storage does not cover an area greater than 750 m²;
 - ii) the storage area is situated behind the front or exterior wall of the principle building facing the front lot line, and complies with all other setback requirements;
 - iii) 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.
- A maximum of five (5) employees, in addition to the Owner, are permitted.
- All waste by-products of the operation must be properly disposed of off-site, and in particular, the organic waste byproducts may not be placed on-site or within any Hazard Land areas.
- The use of noxious chemicals, as outlined by the policies and guidelines of the Ministry of the Environment, shall not be permitted in the small-scale use in order to protect groundwater resources

16.203 Notwithstanding any provisions of By-law 10-1978 to the contrary, the following provision in addition to any other provisions pertaining to the Rural Zone, shall apply to those lands zoned Rural (A2-203).

- For the purposes of this By-law small-scale commercial / industrial uses are defined as those which are located in close proximity to the farm operation and are directly supportive of the farm operations in the area.
- For the purposes of this By-law small-scale commercial / industrial uses shall include metal works, woodworking or a sawmill.
- The maximum area of all buildings and or structures used for the small-scale use shall not exceed 250 m²
- No portion of a lot shall be used for the open display, storage or sale of products or materials, commodities or stock-in-trade unless the following provisions are complied with:
 - i) such open storage does not cover an area greater than 750 m²;
 - ii) the storage area is situated behind the front or exterior wall of the principle building facing the front lot line, and complies with all other setback requirements;

iii) 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.

- A maximum of five (5) employees, in addition to the Owner, are permitted.
- All waste by-products of the operation must be properly disposed of off-site, and in particular, the organic waste byproducts may not be placed on-site or within any Hazard Land areas.
- The use of noxious chemicals, as outlined by the policies and guidelines of the Ministry of the Environment, shall not be permitted in the small-scale use in order to protect groundwater resources.

Notwithstanding the provisions of By-law No. 2004-50 to the contrary, the following provisions, in addition to any other provisions pertaining to the Rural Residential zone, shall apply to those lands zoned Rural (RUR-203): Additional Permitted Use - Animal Boarding Establishment

- Animal Boarding Establishment shall be defined as the use of land or building, where dogs, cats, and other domesticated animals, excluding livestock are groomed, trained or kept for a fee on a temporary basis and may include outdoor runs.
- The maximum number of animals permitted within the animal board establishment at any one time shall be sixteen (16).
- There is not more than one non-luminous business identification sign advertising the business, other than a legal sign no larger than 1 square metre to indicate to persons outside, that any part of the lot is being used for commercial purposes.
- One additional off-street parking space is provided for every 24 square meters of floor space occupied for the business.
- All buildings, structures and/or chain link enclosures shall be subject to the following:
- The chain link kennel area is situated behind the front wall of the principle dwelling facing the front lot line, and complies with all other yard requirements. Any area of the lot used for the animal boarding establishment shall be screened from the public exposure and adjacent rural residential uses by building and/or planting strip and/or privacy fence.

16.204 Notwithstanding the provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential Shoreline Zone, shall apply to those lands zoned Residential Shoreline (RS-204):

- a) 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, the subject lands having frontage on a private road, may be used and buildings thereon may be erected enlarged, repaired or renovated provided all other provisions of the by-law are complied with; and,
- b) Maximum Lot Coverage shall be 20% for a single family dwelling.
- c) Maximum Lot Coverage shall be 0% for accessory structures.

16.205 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential Shoreline Zone, shall apply to those lands zoned Residential Shoreline (RS-205):

- a) 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, the subject lands having frontage on a private road, 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) Minimum Lot Area - 2750 square meters.

16.206 Notwithstanding any provisions of By-Law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential Shoreline Zone, shall apply to those lands zoned Residential Shoreline (RS-206):

a) Shoreline Buffer minimum of 30 meters with a 15 meters naturalized (no mow) buffer;

b) Vegetated buffer of 30 meters on both side yard setbacks;

c) All development is to be 30 meters from measured high water mark.

16.207 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Agriculture (A1) zone, shall apply to those lands zoned Agriculture (A1-207):

- Additional Permitted Use being a small scale commercial or industrial use:

- A small scale commercial or industrial use must conform to the following provisions:

a) May be located in an outbuilding or accessory structure, provided the maximum area of all buildings and or structures used for the small-scale use does not exceed 250 square metres (2,691 square feet);

b) No portion of a lot shall be used for the open display, storage or sale of products or materials commodities or stock-in-trade unless the following provisions are complied with:

i. Such open storage does not cover an area greater than 750m²;

ii. the storage area is situated behind the front or exterior wall of the principle building;

iii. Facing the front lot line, and complies with all other yard requirements of the By-law;

iv. 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.

c)Maximum number of employees: equivalent of five full time positions in addition to the owner;

d) All waste by-products of the operation must be properly disposed of off-site, and in particular; the organic waste by-products may not be placed on-site or within any Hazard Land areas as defined in this By-law: and,

e) The use of noxious chemicals, as outlined by the policies and guidelines of the Ministry of the Environment, shall not be permitted in the small-scale use in order to protect groundwater resources.

f) The lands are subject to Site Plan Approval as per Section 41 of the Planning Act, RSO, 1990.

16.208 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions, in addition to any other provisions pertaining to the Agricultural (A1-208) zone, shall apply to those lands zoned Agricultural (A1-208) Exception (A1-208):

i. Lot Frontage : 100 meters

ii. Lot Area: 4 hectares

iii. A maximum pf per livestock unit per 0.4 hectares of tillable agricultural lands is permitted. 16-208

Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions, in addition to any other provisions pertaining to the Agricultural (A1-208) zone, shall apply to those lands zoned Agricultural (A1-208) Exception (A1-208):

- i. Lot Frontage : 100 meters
 - ii. Lot Area: 4 hectares
 - iii. A maximum pf per livestock unit per 0.4 hectares of tillable agricultural lands is permitted.
- 16.209 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential Shoreline (RS-209) zone, shall apply to those lands zoned Residential Shoreline (RS-209):
- Minimum Lot Area shall be 0.50 ha (1.23ac)
 - The lands within the RS-209 zone shall be deemed to be a lot of record with respect to Section 5.2 (b)(ii) of the municipality of Grey Highlands Zoning By-law 2004-50
- 16.210 N/A
- 16.211 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential (R), shall apply to those lands zoned Rural Commercial Exception (C4-211):
- a reduced lot area of 15.6 hectares (38.5 acres).
- 16.212 N/A
- 16.213 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential ®, shall apply to those lands zoned Residential Exception (R-213):
- The location of an existing two storey building shall be deemed to conform to this by-law, the Minimum Lot Frontage shall be 80 meters, and the Minimum Lot area shall be 0.4 hectares.
- 16.214 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Rural (RU) zone, shall apply to those lands zoned Rural (RU-214) zone:
- No building or structure shall be permitted on site save and except within the identified building envelope as per Schedule "A" attached hearto.
- 16.215 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions within the Rural Residential (RUR) zone, shall apply to those lands zoned Rural Residential (RUR-215) zone:
- Minimum Distance Separation - 100 meters
 - All buildings and structures on the lands existing as the date of passage of this By-law shall be deemed to comply with the MDS requirements.
- 16.216 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Residential (RS) zone, shall apply to those lands zoned Residential Shoreline (RS-216) zone:
- a. Lands 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. A reduced rear setback from the high water mark from the 30 meters setback requirement to 15 meters from the high water mark on the subject property.
- 16.217 N/A
- 16.218 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in

addition to any other provisions pertaining to Agricultural (A1) Zone, shall apply to those lands zoned Agricultural (A1-218):

a) Minimum Lot Area of 39.7 hectares.

16.219 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Rural (RU) Zone, shall apply to those lands zoned Rural (RU-219):

a) Minimum Front Yard Setback of 15.68 meters.

b) The existing livestock facility shall be utilized for dry storage purposes only

16.220 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Rural Residential (RUR) zone, shall apply to those lands zoned Rural Residential (RUR-220):

a) Minimum Rear Yard Setback of 5 meters.

16.221 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Rural Residential (RUR) Zone, shall apply to those lands zoned Rural Residential (RUR-221):

- Minimum Rear Yard Setback of 9.6 metres.

16.222 N/A

16.223 N/A

16.224 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Downtown Commercial (C1) zone, shall apply to those lands zoned Downtown Commercial (C1-224)

a) Maximum Height: 12 metres.

16.225 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Rural Residential (RUR) zone, shall apply to those lands zoned Rural Residential (RUR-225):

- The minimum lot area shall be 4.6 hectares.
- The minimum lot frontage shall be 210 metres.
- The livestock to land ratio permitted shall be 0 livestock units.
- An additional permitted use shall include non-intensive agricultural uses.

16.226 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the residential Shoreline (RS) zone, shall apply to those lands zoned Residential Shoreline, (RS-226):

- 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 the subject lands 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.
- Notwithstanding the provisions of Section 7.4.3 (c) to allow the footprint of the existing deck structure to be calculated in with the width of the existing building

- Notwithstanding the provisions of Section 7.4.3 (c)(ii) to allow the increase of new building height from 0.9 metres to a maximum of 2 metres from the highest point of the peak.
- 16.227 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Rural Commercial (C4-227) zone, shall apply to those lands zoned Rural Commercial (C4-227):
- Additional Permitted use shall be limited to:
- to permit the production of dairy products including such products as cheese and yogurt;
- All buildings and structures legally existing as of the date of passage of this by-law are deemed to comply;
- 16.228 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Rural Residential (RUR) zone, shall apply to those lands zoned Rural Residential (RUR-228):
- The minimum lot area shall be 2.6 hectares.
 - The minimum lot frontage shall be 115 metres.
 - The livestock to land ratio permitted shall be 0 livestock units.
 - An additional permitted use shall include non-intensive agricultural uses.
- 16.229 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Rural Residential (RUR) zone, shall apply to those lands zoned Rural Residential (RUR-229):
- The minimum lot area shall be 6.0 hectares.
 - The minimum lot frontage shall be 278 metres.
 - The livestock to land ratio permitted shall be 0 livestock units.
 - An additional permitted use shall include non-intensive agricultural uses.
- 16.230 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential Shoreline (RS) zone, shall apply to those lands zoned Residential Shoreline (RS-230):
- 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 the subject lands 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.
 - Notwithstanding the provisions of Section 7.4.3 (c) (ii) to permit an enlargement that will increase the height of the existing building a maximum of 2 metres from the highest point of the peak.
- 16.231 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Downtown Commercial (C1) zone, shall apply to those lands zoned Downtown Commercial (C1-231):
- i. Minimum Lot Frontage: 9.2 metres;
 - ii. Minimum Lot Area: 415 square metres; and,
 - iii. To recognize location of buildings and structures existing on the date of adoption of this by-law.”

- 16.232 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Downtown Commercial (C1) zone, shall apply to those lands zoned Downtown Commercial (C1-232):
- i. Minimum Lot Area: 1820 square metres; and,
 - ii. To recognize location of buildings and structures existing on the date of adoption of this by-law.”
- 16.233 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Rural Commercial (C4-233) zone, shall apply to those lands zoned Rural Commercial (C4-233):
- Permitted uses shall be limited to:
- 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
- The Minimum Front Yard Setback - for small scale commercial buildings shall be 20 metres;
- The Minimum Rear Yard Setback - for small scale commercial buildings shall be 8.2 metres;
- The Minimum Side Yard Setback - for small scale commercial buildings shall be 23 metres (west) and 8.2 metres (East), respectively;
- The Maximum area of all buildings and or structures used for the small scale use does not exceed 550 square metres;
- 16.234 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Rural (RU) and Agriculture (A1) zone, shall apply to those lands zoned Rural (RU-234) and Agriculture (A1-234):
- The Minimum Lot Area shall be 19.7 hectares;
 - The Minimum Lot Frontage shall be 60.96 metres; and,
 - The Minimum Front Yard Setback shall be 14 metres.”
- 16.235 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Highway & Service Commercial (C2) zone, shall apply to those lands zoned Highway & Service Commercial (C4-235):
- a) Minimum Lot Area shall be 1,930 square metres;
 - b) All buildings and structures legally existing as of the date of passage of this by-law are deemed to comply; and
 - c) The property is subject to site plan control approval.”
- 16.236 N/A
- 16.237 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential Shoreline (RS) zone, shall apply to those lands zoned Residential Shoreline (RS-237):
- 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 the subject lands 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.

- Notwithstanding the provisions of Section 7.4.2 (g) to allow a new structure with a rear yard setback of 18 metres.

16.238 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Development (D) zone, shall apply to those lands zoned Development (D-238-h):

i. Lot Frontage: 30.48 metres

ii. Lot Area: 4.36 hectares

iii. In accordance with Section 36(1) of the Planning Act, RSO 1990 a holding symbol is hereby placed on the subject lands due to access and frontage onto Windy Lane being a road that is privately maintained. The removal of the holding provision is subject to the Municipality of Grey Highlands being satisfied of a suitable Development Agreement being entered into between the Owner and the Municipality to deal with future road upgrades and maintenance based on a future development proposal.

16.239 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Development (D) zone, shall apply to those lands zoned Development (D-239):

i. Lot Frontage: 279 metres

ii. Lot Area: 43 hectares

16.240 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Rural Commercial (C4) zone, shall apply to those lands zoned Rural Commercial (C4-240):

i. MDS shall be 225 metres (to 42.08.180.008.01300.0000).

16.241 N/A

16.242 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Rural Commercial (C4-242) zone, shall apply to those lands zoned Rural Commercial (C4-242):

a. Minimum Lot Area: 10 ha

b. The property is subject to site plan control approval.

16.243 N/A

16.244 Notwithstanding any provisions of provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Rural Residential (RUR) zone, shall apply to those lands zoned Residential (RUR-244):

- Lot Area: 1600 square metres
- Lot Frontage: 26 metres

16.245 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Rural (RU) zone, shall apply to those lands zoned Rural (RU-245):

- Residential development shall only be permitted within the Building Envelope as defined on the attached Schedule A.

- 16.246 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Agricultural (A1) zone, shall apply to those lands zoned Agricultural (A1-246):
- Lot Area: 29 hectares.
- 16.247 N/A
- 16.248 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Rural (RU-248) zone, shall apply to those lands zoned Rural (RU-248):
- Minimum Lot Frontage shall be 125 metres.
- 16.249 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Rural Residential (RUR) Zone, shall apply to those lands zoned Rural Residential (RUR-249):
- a) Minimum Lot Frontage - 94 metres
- 16.250 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential Multiple (RM) Zone, shall apply to those lands zoned Residential Multiple (RM-250):
- a) Minimum Lot Frontage of 17.6 metres
- b) Minimum Front Yard Setback of 5 metres
- c) Minimum Interior Side Yard Setback of 1.5 metres
- d) Minimum Parking Spaces of 2 spaces
- 16.251 N/A
- 16.252 N/A
- 16.253 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Rural Residential (RUR-253) zone, shall apply to those lands zoned Rural Residential (RUR253):
- Minimum Lot Frontage shall be 85 metres.“
- 16.254 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Rural (RU-254) zone, shall apply to those lands zoned Rural (RU-254):
- Minimum Lot Frontage shall be 122 metres.
 - Minimum Lot Area shall be 19.64 hectares.”
- 16.255 N/A
- 16.256 N/A
- 16.257 N/A
- 16.258 N/A
- 16.259 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Hazard (H) zone, shall apply to those lands zoned Hazard (H-259):
- i. Additional permitted use includes the following:

A Commercial use relating to the operation of a recreational based business and is limited to the parking and storing of boats including canoes and kayaks; and the congregation of patrons as a base for the business prior to leaving the site on organized off site tours.ii. Parking Requirements (S. 5.14(a)) - 5 parking spaces are required.

iii. Loading Space Requirements (S. 5.14(b)) - No loading space is required.

iv. Buildings and structures existing on the date of passage of this By-law are deemed to conform.

v. no commercial storage or parking may occur within the 100 year flood designated area.

vi. No overnight occupancy of this site is permitted as part of the commercial use.

vii. A maximum lot coverage of 3.5% is permitted.

viii. Lands are subject to Site Plan Control.

16.260 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Downtown Commercial (C1) zone, shall apply to those lands zoned Downtown Commercial (C1-260-h):

i. All structures existing as of the date of passage of the By-law shall be deemed to conform.

ii. Parking on site shall be 6 parking spaces. (S.5.14(a))

iii. Zero (0) loading spaces shall be provided. (S5.14(b))

iv. Access to parking shall be deemed to conform. (S5.14(d))

v. Existing driveway surface shall be deemed to conform. (5.14(d)(iv))

vi. Parking on adjacent lands shall be permitted. (S.5.14(h))

vii. The lands are subject to a holding provision (h) in accordance with Section 36(1) of the Planning Act, R.S.O. 1990, as amended. Removal of the holding provision will require the completion of a stormwater management plan and servicing plan to the satisfaction of the Municipality of Grey Highlands.

Lands are subject to Site Plan Control.”

16.261 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Downtown Commercial (C1) zone, shall apply to those lands zoned Downtown Commercial (C1-261-h):

i. All structures existing as of the date of passage of the By-law shall be deemed to conform.

ii. Parking on site shall be 8 parking spaces. (S.5.14(a))

iii. Zero (0) loading spaces shall be provided. (S5.14(b))

iv. Access to parking shall be deemed to conform. (S5.14(d))

v. Existing driveway surface shall be deemed to conform. (5.14(d)(iv))

vi. Parking on adjacent lands shall be permitted. (S.5.14(h))

vii. An exterior side yard setback of 0 metres shall be permitted. (S8.1.2(f))

viii. The lands are subject to a holding provision (h) in accordance with Section 36(1) of the Planning Act, R.S.O. 1990, as amended. Removal of the holding provision will require the completion of a stormwater management plan and servicing plan to the satisfaction of the Municipality of Grey Highlands.

Lands are subject to Site Plan Control.”

- 16.262 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Rural (RU) zone, shall apply to those lands zoned Rural (RU-262) zone:
- Minimum Lot Area - 15 hectares.No buildings or structures as defined within the MDSI Guidelines within the MDS arcs as identified on Schedule A attached hereto.-All buildings and structures on the lands existing as of the date of passage of this By-law shall be deemed to comply with the MDS requirements.
- 16.263 N/A
- 16.264 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Development (D) Zone, shall apply to those lands zoned Development (D-264):
- a) Minimum Lot Area shall be 3.4 hectares.
- 16.265 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Development (D) Zone, shall apply to those lands zoned Development (D-265):
- a) Minimum Lot Area shall be 2.0 hectares
- 16.266 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential Shoreline Zone, shall apply to those lands zoned Residential Shoreline (RS-266):
- a) Minimum Lot Area shall be 1550 square metres.
 - b) All existing buildings and structures existing at the date of passage of this by-law shall be deemed to conform.
- 16.267 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential Shoreline (RS), shall apply to those lands zoned Residential Shoreline (RS-267):
- a) Minimum Lot frontage shall be 16 hectares.
 - b) Minimum Lot Area shall be 1125 square metres.
 - c) All existing buildings and structures existing at the date of passage of this by-law shall be deemed to conform.
- 16.268 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Rural Residential (RUR-268) Zone, shall apply to those lands zoned Rural Residential (RUR-268)
- a) Minimum Lot Area - 3300 square metres
 - b) Minimum Lot Frontage - 50 metres
 - c) Those lands which have frontage on a private road may be used, and buildings thereon erected, enlarged, repaired or renovated provided all other provisions of the by-law are complied with.
- 16.269 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential (R-269) Zone, shall apply to those lands zoned Residential (R-269):
- a) Minimum Lot Area - 2000 square metres
- 16.270 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential (R-270) Zone, shall apply to those

lands zoned Residential (R-270):

a) Minimum Lot Area - 1400 square metres

b) All buildings and structures legally existing as the date of passage of this by-law are deemed to comply

16.271 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Rural Residential (RUR-271) Zone, shall apply to those lands zoned Rural Residential (RUR-271):

a) Additional Permitted use being a Kennel subject to the following conditions:

- The maximum area of any buildings and/or structures used for the kennel shall not exceed 5% of the aggregate accessory buildings and/or structures on site.
- Buildings and/or structures for the kennel use shall not be built closer to the front lot line (within the front yard) than the main buildings on the lot.
- All chain link enclosures shall be situated behind the front wall of the principal dwellings facing the front line, and complies with all other yard requirements of the By-law
- Any area of the lot used for the kennel shall be screened from public exposure and adjacent rural residential uses by buildings and/or planting strip and/or privacy fence.

b) The lands are subject to Site Plan Approval.

16.272 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Agricultural (A1) zone, shall apply to those lands zoned Agricultural (A1-272):

i. Lot Area 31 hectares.

16.273 N/A

16.274 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Downtown Commercial (C1) zone, shall apply to those lands zoned Downtown Commercial (C1-274):

i. Additional permitted uses to include the following:

- Residential Apartment Units.

Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Development (D) zone, shall apply to those lands zoned Development (D-274):

i. Lot Area: 1.5 hectares

16.275 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Development (D) zone, shall apply to those lands zoned Development (D-275):

i. Lot Area: 1.5 hectares

16.276 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Rural Commercial (C4) zone, shall apply to those lands zoned Rural Commercial (C4-276):

i. Permitted uses shall be limited to:

a. Small Scale Retail Commercial.

16.277 N/A

16.278 N/A

16.279 N/A

16.280 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Highway & Service Commercial (C2) zone, shall apply to those lands zoned Highway & Service Commercial (C2-280):

a) Minimum Front Yard Setback of 3 metres

b) Minimum Exterior Side Yard Setback of 3 meters.

c) Minimum Loading Space required to be planted along southerly boundary within required continuous 3 metre landscape strip to the satisfaction of the Municipality

16.281 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Rural (RU) zone, shall apply to those lands zoned Rural (RU-281):

Additional Permitted use shall include:

a) Therapeutic Riding Facility

Additional Definition:

Therapeutic Riding Facility shall be defined as encompassing a range of treatments that includes activities with horses and other equines to promote physical, occupational and emotional growth in persons with neurological diseases or disordered and physical disabilities.

16.282 N/A

16.283 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Institutional (I), shall apply to those lands zoned Institutional (I-283):

Permitted uses shall be limited to:

a) Private School including playing fields

b) Place of worship

c) Uses, buildings and structures accessory to a permitted use

Exemption from Section 5.14(I) in order to permit a gravel surface parking area.

16.284 N/A

16.285 N/A

16.286 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Rural (RU) Zone, shall apply to those lands zoned Rural (RU-286):

A) Permitted Uses shall be limited to private open space, forestry, uses connected with conservation of water, soil, wildlife and other natural resources and use, buildings and structures accessory to a permitted use;

B) Maximum lot frontage shall be 60 metres; and

C) Maximum Lot Area shall be 1.0 hectare.

16.287 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential Multiple (RM) zone, shall apply to

those lands zoned Residential (RM-287):

a) Maximum lot coverage required shall be not more than 53%

16.288 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential Multiple (RM) zone, shall apply to those lands zoned Residential (RM-288):

a) Maximum lot coverage required shall be not more than 59%

b) Minimum front yard setback of 2.2 metres.

16.289 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential Multiple (RM) zone, shall apply to those lands zoned Residential (RM-289):

c) Maximum lot coverage required shall be not more than 53%.

d) Minimum front yard setback of 2.2 metres.

16.290 N/A

16.291 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Rural Commercial (C4) zone, shall apply to those lands zoned Rural Commercial (C4-291):

i. Additional Permitted Use- Manufacturing of Corrugated Plastics.

16.292 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential (R) zone, shall apply to those lands zoned Residential (R-292):

a) Minimum lot area required shall be not less than 200m^2

b) Minimum lot frontage shall be not less than 25 metres.

c) Maximum height of 8 metres.

d) The height shall be defined as "with reference to a building, the vertical distance measured from the average finished grade level of such building to:

i. In the case of a flat roof, the highest point of the roof surface or the parapet, whichever is the greater, and

ii. In the case of a pitched roof, to the peak.

e) Minimum front yard setback of 25 metres.

16.293 Notwithstanding any provision of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential (R) zone, shall apply to those lands zoned Residential (R-293-Holding):

a) Minimum lot area required shall be not less than 200m^2

b) Maximum height of 8 metres.

c) The height shall be defined as with reference to a building, the vertical distance measured from the average finished grade level of such building to:

i. In the case of a flat roof, the highest point of the roof surface, or the parapet, whichever is the greater, and

ii. In the case of a pitched roof, to the peak.

16.294 Notwithstanding any provisions of By-law No. 2004-50 to the contrary, the following provisions in

addition to any other provisions pertaining to the Open Space (OS) zone, shall apply to those lands zoned Open Space (IS-294):

a) Permitted uses on the subject lands shall include a Stormwater Management Facility.

16.295 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision pertaining to the Residential Multiple (RM) zone, shall apply to those lands zoned Residential (RM-295-h):

a) Permitted uses shall be limited to fourteen (14) multi-attached dwellings units and uses, buildings, structures accessory to the permitted use

b) Minimum Front Yard Setback shall be 6.0 metres.

c) A private road shall be considered an improved street for the purposes of the by-law. (S5.2(b)

e) Site Plan Approval shall apply.

16.296 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Open Space (OS) zone, shall apply to those lands zoned Open Space (OS-296):

a) Permitted Uses shall include a private golf course and a stormwater management facility.

16.297 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Rural Commercial (C4) zone, shall apply to those lands zoned Rural Commercial (C4-297):

i. Additional Permitted Use- Fabrication of Plastics.

16.298 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Restricted Agricultural (A2) zone, shall apply to those lands zoned Restricted Agriculture (A2-298):

i. The minimum lot area shall be 36 hectares.

ii. The minimum lot frontage shall be 20 metres.

16.299 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Restricted agricultural (A2) zone, shall apply to those lands zoned Restricted Agriculture (A2-299):

i. The minimum lot area shall be 32 hectares.

ii. The minimum lot frontage shall be 125 metres.

iii A development envelope comprising a maximum of 0.4 hectares to minimize tree canopy impacts shall be permitted within the area zoned A2-299 for the purposes of constructed a detached dwellings, outbuildings, a well and septic system.

iv. Tree clearing within the development area shall not occur between April 15th and July 15th in any given year.

Development or site alteration shall not be permitted outside of the 0.4 hectare development envelope, on lands zoned A2-299 or A2-299-h, unless it have been demonstrated to the satisfaction of the Municipality of Grey Highlands and the Grey Sauble Conservation Authority that such development or site alteration would not negatively impact the natural heritage features existing on the subject property and adjacent lands.

Removal of the Holding Symbol shall be subject to the completion of an Environmental Impact Study to the satisfaction of the Municipality of Grey Highlands, the county of Grey and the Grey Sauble Conservation Authority.

- 16.300 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Rural (RU) zone, shall apply to those lands zoned Rural (RU-300):
- Lot Frontage - 120 metres
- 16.301 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Rural Residential (RUR) zone, shall apply to those lands zoned Rural Residential (RUR-301):
- Lot Area - .79 hectares
 - Lot Frontage - 75 metres
- 16.302 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to other provision within the Residential Shoreline (RS-302) zone, shall apply to those lands zoned Residential Shoreline (RS-302)
- i. 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.
 - ii. A minimum rear yard setback of 18 metres to permit the construction of a deck addition measuring 3 metres by 10 metres and including stairs to ground level.
- 16.303 N/A
- 16.304 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Development (D) Zone, shall apply to those lands zoned Development (D-304):
- Additional Permitted use shall be a small scale commercial use being a nature retreat operation including related accommodation for guests and staff subject to the followings provisions:
- i) A nature retreat shall mean a place where people receive instructions and shall include temporary gathering locations and walking trails but does not include restaurant hotel or motel.
 - ii) A maximum of twelve (12) cabins shall be permitted for guest accommodation.
 - iii) A maximum of twenty four (24) guests are permitted at any given time.
 - iv) The existing residence may be used for staff accommodation rooms and a meeting room. The staff accommodation rooms shall not be available for remuneration.
 - v) The meeting room and gathering areas shall only be used for the purpose of the nature retreat and ancillary uses, and shall not be available to the general public.
 - vi) All new development relating to the commercial use is subject to Site Plan Approval
- 16.305 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Rural (RU) Zone, shall apply to those lands zoned Rural (RU-305)
- a) Additional Permitted use being a Kennel subject to the following conditions:
 - The maximum area of any buildings and/or structures used for the kennel shall not exceed 5% of the aggregate accessory buildings and/or structures on site.
 - Buildings and/or structures for the kennel use shall not be built closer to the front lot line

(within the front yard) than the main buildings on the lot.

- All chain link enclosures shall be situated behind the front wall of the principal dwellings facing the front line, and complies with all other yard requirements of the By-law
- Any area of the lot used for the kennel shall be screened from public exposure and a adjacent rural residential uses by buildings and/or plantings trip and/or privacy fence.

b) The lands are subject to Site Plan Approval.

16.306 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within Rural Commercial (C4) zone, shall apply to those lands zoned Rural Commercial (C4-306):

a) Required MDS Arc of 132 metres.

16.307 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Restricted Agricultural (A2) zone, shall apply to those lands zoned Restricted Agriculture (A2-307):

a) Minimum Lot Frontage Shall be 0 metres (S 5.2B)i))

16.308 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Rural Commercial (C4) zone shall apply to those lands zoned Rural Commercial (C4-308):

Additional permitted uses:

- Agricultural Equipment Repair limited to the repair of skid steer units.
- The manufacturing, storage, and sale of garden sheds.

16.309 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Rural (RU) zone, shall apply to those lands zoned Rural (RU-309):

- Minimum Lot Area: 2.5 hectares
- Minimum Front Yard Setback for residential and residential accessory buildings and structures: 25 metres
- Minimum Front Yard Setback for agricultural buildings and agricultural accessory buildings and structures: 25 metres.

16.310 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Residential Shoreline (RS) zone, shall apply to those lands zoned Residential Shoreline (RS-310):

- i. S7.4.2(c) - shall be 20% lot coverage for single detached dwelling, plus 0% for accessory buildings and structures;
- ii. S7.4.2(g) - Minimum Rear Yard Setback shall be 24 metres;

Notwithstanding the provisions of Section 5.2 and 5.3 as defined in the General Provisions of this By-law, on lands identified have frontage on a private road, the lands may be used, and buildings thereon may be erected, enlarged, repair or renovated provided all other provisions of the By-law are complied with.

16.311 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential Shoreline (RS) zone, shall apply to

those lands zoned Residential Shoreline (RS-311):

a. For the purposes of the By-law, the lot is deemed to have frontage on an open and maintained municipal road as per Section 5.2 of the Comprehensive Zoning By-law 2004-50

16.312 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential Shoreline (RS) zone, shall apply to those lands zoned Residential Shoreline (RS-312):

i. Maximum Lot Coverage for Accessory Structures shall be 5.8%.

ii. Minimum Rear Yard setback shall be 19 metres.

iii. The lands are deemed to have frontage on an improved street and may be used, and buildings thereon may be erected, enlarged, repaired or renovated provided all other provisions of the By-law are complied with.

16.313 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Rural (RU) zone, shall apply to those lands zoned Rural (RU-313):

i. Minimum Lot Frontage - 104 metres

ii. Minimum Lot Area - 19 hectares

16.314 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential Shoreline (RS) zone, shall apply to those lands zoned Residential Shoreline (RS-314):

i. Maximum increase in height to 2.2 metres.

ii. All buildings/structures existing as of the date of passage of this by-law are deemed to conform.

iii. The lands are deemed to have frontage on an improved street and may be used, and buildings thereon may be erected, enlarged, repaired or renovated provided all other provisions of the By-law are complied with.

16.315 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions in addition to any other provisions pertaining to Residential (R) zone, shall apply to those lands zoned Residential (R-315)

a) Maximum lot coverage required shall be not more than 55%

b) Minimum front yard setback shall be not less than 6.0 m.

c) Minimum Interior Side Yard Setback shall be not less than 1.2 m.

16.316 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential (R) zone, shall apply to those lands zoned Residential (R-316):

a) Minimum lot frontage shall be not less than 12.2 m.

b) Minimum lot area shall be not less than 414.8 m.

c) Maximum lot coverage required shall be not more than 55%.

d) Minimum front yard setback shall be not less than 6.0m.

e) Minimum Interior Side Yard Setback shall be not less than 1.2 m.

16.317 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential Multiple (RM) zone, shall apply to those lands zoned Residential (RM-317):

- a) Maximum lot coverage required shall be not more than 55%
 - b) Minimum front yard setback shall not be less than 6.0m
- 16.318 Notwithstanding any provision of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to Open Space (OS) zone, shall apply to those lands zoned Open Space (OS-318)
 - a) Stormwater Management is permitted.
- 16.319 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions in addition to any other provisions pertaining to Residential Multiple (RM) zone, shall apply to those lands zoned Residential Multiple (RM-319)
 - a) Maximum lot coverage required shall be not more than 55%
- 16.320 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential Multiple (RM) zone, shall apply to those lands zoned Residential Multiple (RM-320):
 - a) Maximum lot coverage required shall be not more than 50%.
 - b) Minimum Exterior Side Yard Setback shall be 0 m.
- 16.321 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential Multiple (RM) zone, shall apply to those lands zoned Residential Multiple (RM-321):
 - a) Maximum lot coverage required shall be not more than 50%.
 - b) Minimum front yard setback shall be not less than 2.26 m.
- 16.322 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential Multiple (RM) zone, shall apply to those lands zoned Residential Multiple (RM-322):
 - a) Maximum lot coverage required shall be not more than 70%.
 - b) Minimum front yard setback shall be not less than 2.26 m.
- 16.323 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential (R-323) Zone, shall apply to those lands zoned Residential (R-323):
 - a) Minimum Lot Area shall be 2050 square metres.
- 16.324 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential Shoreline (RS) Zone, shall apply to those lands zoned Residential Shoreline (RS-324):
 - a) Lot Frontage and Lot Area shall be deemed to comply.
 - b) S 7.4.2(d) and S 5.6(b)(ii) - Accessory Structure shall have a front yard setback of 9 metres.
 - c) S 7.4.2(g) - Minimum Rear Yard Setback shall be 23 metres.
 - d) 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 that 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 this By-law are complied with.

- 16.325 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Residential (R-325) zone, shall apply to those lands zoned Residential (R-325):
- For the purposes of the By-law, all buildings and structures existing as of the date of passage of the By-law shall be deemed to comply.
- For the purposes of the By-law the existing lot area as of the date of passage of the By-law shall be deemed to comply
- 16.326 Notwithstanding any provisions of By-law No. 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Rural Residential (RUR) Zone, shall apply to those lands zoned Rural Residential (RUR-326):
- a) For the purposes of the By-law the existing lot area and lot frontage as of the date of passage of the By-law shall be deemed to comply.
 - b) A 30 metre wooded buffer be maintained from the rear property boundary for no development and site alteration. An Environmental Impact Study is required to justify any reduction in this setback.
 - c) Tree removal be limited to only what is necessary to accommodate the proposed development and be no greater than 0.4 ha.
- 16.327 N/A
- 16.328 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential Multiple (RM) zone, shall apply to those lands zoned Residential Multiple (RM-328):
- a) Maximum lot coverage required shall be not more than 60%
- 16.329 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Institutional (I) zone, shall apply to those lands zoned Institutional (I-329):
- a) Public School
 - b) Uses, buildings and structures accessory to the public school use.
- 16.330 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Rural (RU) Zone, shall apply to those lands zoned Rural (RU-330):
- Minimum Lot Frontage: 140 metre
 - Minimum Lot Area: 5.26 hectares
- 16.331 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Rural (RU) Zone, shall apply to those lands zoned Rural (RU-331):
- Minimum Lot Frontage: 60 metre
 - Minimum Lot Area: 15.6 hectares
- 16.332 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential (R) Zone, shall apply to those lands zoned Residential (R-332):
- Minimum Lot Frontage: 25 metre

- Minimum Lot Area: 0.1 hectares

All buildings and structures existing on the date of passing of this By-law are deemed to comply for the purposes of the By-law.

16.333 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Residential (R) Zone, shall apply to those lands zoned Residential (R-333):

- Minimum Lot Frontage: 40 metres
- Minimum Lot Area: 0.2 hectares

16.334 notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Agricultural (A1) Zone, shall apply to those lands zoned Agricultural (A1-334):

- Minimum Lot Frontage: 570 metres
- Minimum Lot Area: 39 hectares

16.335 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provisions pertaining to the Agricultural (A1) Zone, shall apply to those lands zoned Agricultural (A1-335):

- Minimum Lot Frontage: 100 metres
- Minimum Lot Area: 1.8 hectares

16.336 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Residential Shoreline (RS) zone, shall apply to those lands zoned Residential Shoreline (RS-336):

- Front Yard Setback shall be 6.1 metres.

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 (-336) 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.

16.337 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions in addition to any other provisions pertaining to Residential Multiple (RM) zone, shall apply to those lands zoned Residential Multiple (RM-337)

Exception 337 - Section 7.2.3 c) Maximum Lot Coverage from 35% to 55%

16.338 N/A

16.339 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provision in addition to any other provision within the Residential Shoreline (RS-339) zone, shall apply to these lands:

- 7.4.2 Lot Area shall be a minimum of 0.29 ha.

16.340 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions in addition to any other provisions pertaining to the Rural Residential (RUR) zone, shall apply to those lands zoned Rural Residential (RUR-340):

- The existing barn shall only be used for dry storage purposes only (no housing of livestock or animal waste);

- ii. Uses, buildings and structures existing on the date of the passing of this by-law.
- 16.341 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions shall apply to those lands zoned Agricultural (A1-341):
- i. Agricultural uses only will be permitted on the subject lands.
- 16.342 Notwithstanding any provisions of By-law 2004-50 to the contrary the following provision in addition to any other provisions pertaining to Agricultural (A1) and Rural (RU) zone, shall apply to those lands zoned Agricultural (A1-342) and Rural (RU-342):
- a) Minimum Lot Area- 7.7 Hectares
 - b) For the purposes of Section 5.2(b) of the By-law the lands shall be deemed to have frontage on an improved street.
 - c) For the purposes of Section 5.2(b) of the By-law the lands shall be deemed to comply with the lot frontage requirements.
 - d) Existing livestock facility shall be used for dry storage purposes only.
- Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions in addition to any other provisions pertaining to the Rural (RU) zone, shall apply to those lands zoned Rural (RU-342)
- Exception 342 - A dog breeding kennel for the breeding and keeping of Bichon Frise dogs is permitted as an accessory use. The kennel use is subject to site plan control.
- i. Such kennel (buildings and structures and chain link enclosures) shall not cover an area greater than 1260 square meters;
 - ii. Any area of the property used for the kennel shall be screened from public exposure and adjacent properties by buildings an/or earthen berms and planting strips
 - iii. The maximum number of adult dogs permitted shall be twenty-four (24). An adult dog is defined as being older than one calendar year and does not include puppies;
- 16.343 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions in addition to any other provisions pertaining to the Institutional (I) zone, shall apply to those lands zoned Institutional (I-343)
- a) Exception 343 - Section 10.2 f) Minimum Exterior Side Yard Setback from 6 metres to 4.5 metres.
- 16.344 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions in addition to any other provisions pertaining to the Open Space (OS) zone, shall apply to those lands zoned Open Space (OS-344)
- a) Exception 344 in addition to the uses permitted in Section 13.1, OS-Permitted Uses, one single detached dwelling in uses, buildings and structures accessory to the single detached dwelling will also be permitted on the subject lands
- Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions in addition to any other provisions pertaining to the Rural (RU) zone, shall apply to those lands zoned Rural (RU-344):
- i. Exception 344 - 6.3.2(b) Minimum Lot Area of 10.1 hectares where 20 hectares is required.
- 16.345 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions in addition to any other provisions pertaining to the Rural (RU) zone, shall apply to those lands zoned Rural (RU-345):

- a) Exception 345 – to require that the on-site barn shall only be permitted to be used for storage purposes only.
- 16.346 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions in addition to any other provisions pertaining to the Rural (RU) zone, shall apply to those lands zoned Rural (RU-346):
- a) Exception 346 – That a 15 metre rear yard setback in the Rural Residential (RUR) zone is required from the Wetland (W) zone.
- 16.347 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions in addition to any other provisions pertaining to the Highway and Service Commercial (C2) zone, shall apply to those lands zoned Highway and Service Commercial (C2-347):
- Section 8.2.2.b) a minimum lot area from 1000 square metres to 557.4 square metres;
 - Section 8.2.2.d) a front yard setback from 9 metres to 2 metres;
 - Section 8.2.2.e) an interior side yard setback from 5 metres to 3.5 metres;
 - Section 8.2.2.f) an exterior side yard setback from 6 metres to 5.5 metres.
- 16.348 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions in addition to any other provisions pertaining to the Agricultural (A1) zone, shall apply to those lands zoned Agricultural (A1-348)
- permit a small-scale metal machine shop on the subject property with a maximum gross floor area of 250 square metres and maximum outdoor storage of 750 square metres.
- 16.349 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions in addition to any other provisions pertaining to the Rural (R) zone, shall apply to those lands zoned Rural (C2-349):
- Exception 349
- Section 6.3.2.b) a minimum lot area from 50 hectares to 13.58 hectares.
- 16.350 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions in addition to any other provisions pertaining to the Residential Shoreline (RS) zone shall apply to those lands zoned Residential Shoreline (RS-350):
- Section 7.4.2.c) maximum lot coverage from 5% for accessory buildings and structures to 7% for accessory buildings and structures.
- 16.351 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions in addition to any other provisions pertaining to the Residential Shoreline (RS) zone, shall apply to those lands zoned Residential Shoreline (RS- 351):
- Section 7.4.2.g) minimum rear yard setback from 30 metres to 3 metres.
- 16.352 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions in addition to any other provisions pertaining to the Agricultural (A1) zone, shall apply to those lands zoned Agricultural (A1-352):
- To permit agricultural uses only on the subject lands and a reduced lot area of 39.08 hectares.
- 16.353 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions in addition to any other provisions pertaining to the Rural Residential (RUR) zone, shall apply to those lands zoned Rural Residential (RUR-353):
- Minimum Lot Frontage shall be 50 metres.

- Minimum Lot Area from shall be 0.35 hectares.
- 16.354 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions in addition to any other provisions pertaining to the Residential Shoreline (RS) zone, shall apply to those lands zoned Residential Shoreline (RS- 354):
- Minimum lot area shall be 1393.5 sq. metres.
- 16.355 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions in addition to any other provisions pertaining to the Rural Residential (RUR) zone, shall apply to those lands zoned Rural Residential (RUR-355):
- Minimum lot frontage shall be 30 meters.
 - Minimum front yard setback shall be 220 meters“
- 16.356 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions in addition to any other provisions pertaining to the Agricultural (A1) zone, shall apply to those lands zoned Agricultural (A1-356)”
- Exception 356 – permit a small-scale commercial metal shop, sawmill, or woodworking shop, or any combination of the above, with a maximum gross floor area of 250 square meters and a maximum outdoor storage of 750 square meters.
- 16.357 N/A
- 16.358 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions in addition to any other provisions pertaining to the Residential (R) zone, shall apply to those lands zoned Residential (R-358)
- 7.1.2(a) Minimum Lot Frontage of 20.1 metres where 30 metres is required,
 - 7.1.2(b) Minimum Lot Area of 925 square metres where 3,000 square metres is required,
 - recognize all buildings and structures as of the date of passing of this by-law.
- 16.359 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions in addition to any other provisions pertaining to the Rural Residential (RUR) zone, shall apply to those lands zoned Rural Residential (RUR-359):
- i. Exception 359 - 7.3.2(a) Minimum Lot Frontage of 73 metres where 100 metres is required.
- 16.360 N/A
- 16.361 N/A
- 16.362 N/A
- 16.363 N/A
- 16.364 N/A
- 16.365 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions in addition to any other provisions pertaining to the Rural (RU) zone, shall apply to those lands zoned Rural Residential (RU-365):
- Exception 365 - 6.3.2(a) Minimum Lot Frontage of 66
- 16.366 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions in addition to any other provisions pertaining to the Residential (R) zone, shall apply to those lands zoned Residential (R-366):
- Exception 366 - recognize all buildings and structures as of the date of passing of this by-law.

- 16.367 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions in addition to any other provisions pertaining to the Rural Commercial (C4) zone, shall apply to those lands zoned Rural Commercial (C4-367):
- Exception 367 - 8.4.2(f) Minimum front yard setback of 41 metres where 55 metres is required;
- 16.368 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions in addition to any other provisions pertaining to the Rural Commercial (C4) zone, shall apply to those lands zoned Rural Commercial (C4-368):
- Exception 368 - 8.4.2(f) Minimum front yard setback of 38 metres where 55 metres is required.
- 16.369 Exception 369 would recognize all buildings and structures as noted on Schedule "A" attached hereto.
- 16.370 Exception 370 would permit a bakery with a maximum gross floor area of 250 square meters and two residential accessory units as noted on Schedule "A" attached hereto.
- 16.371 Exception 371 would recognize a lot area of 1962 square meters whereas the by-law requires 4000 square meters.
- 16.372 Exception 372 would recognize a lot area of 18.7 hectares, a lot frontage of 60.96 meters, and a front yard setback of 14 meters.
- 16.373 Exception 373 would permit motor vehicle sales, service and washing establishment, enclosed and open storage, a motor vehicle body shop, and a maximum gross floor area of 550 square metres for all buildings and structures.
- 16.374 Exception 374 would would permit a reduced lot area of 37.7 hectares.
- 16.375 Exception 375 would permit a reduced lot area of 37.8 hectares.
- 16.376 Exception 376 will permit agricultural uses only on the subject lands.
- 16.377 Exception 377 would recognize the building envelope shown on Schedule 'A'
- 16.378 Exception 378 will recognize a lot frontage of 7.5 meters, a minimum front yard setback of 3 meters, and a minimum exterior side yard setback of 7.5 meters, a minimum rear yard setback of 1.5 meters and a minimum interior side yard setback of 7 meters.
- 16.379 N/A
- 16.380 N/A
- 16.381 Exception 381 will recognize the building envelope and restrict all development on the subject property to the building envelope; and
All yard setbacks shall reflect the extent of the building envelope.
- 16.382 Exception 382 will permit and regulate the small engine repair and outdoor firewood processing yard.
- The small engine repair shop shall have a maximum gross floor area of 250 square meters and and maximum outdoor storage area of 750 square meters. All rural commercial uses are subject to site plan control.
 - The outdoor firewood processing yard shall be an agricultural related use with an maximum outdoor area of 1600 square meters.
- 16.383 Exception 383 will recognize an increased lot coverage of 41%, whereas the Residential Multiple Zone permits 35%. All Residential Multiple uses are subject to Site Plan Control approval.

- 16.384 Exception 384 will recognize all existing structures as of the date of passing of the by-law.
- 16.385 Exception 385 will recognize an increased lot coverage of 44.2% and a reduced rear yard setback of 5.2m, whereas the Residential Zone permits 30% and 7m respectively. The exception will also recognize all existing structures as of the date of passing of the by-law.
- 16.386 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-386) exception number, the following additional provisions apply:
- Area be limited to .8 hectares
 - Maximum Number of Guests – 195 per event
 - Events to be held between May 1 – October 31 annually
 - Weekend Hours of Operation – Friday and Saturday – ending at 12:00am
 - Weekday Hours of Operation – Sunday thru Thursday – ending at 10:00pm
 - Exception to noise requirements for Hours of Operation
 - Parking Spaces to be provided – 57
 - Existing building as of the date of passage of this bylaw shall be deemed to comply.
- 16.387 N/A
- 16.388 That section 16 of By-law No. 2004-50 is hereby amended by adding the following subsection:
- i: Exception 388 will recognize a reduced frontage of 103 metres and a reduced lot area of 18.25 hectares.
- ii: The holding provision shall prevent any site alteration or the erecting of any building or structure. The holding provision may be removed subject to the completion of an environmental impact study that appropriately addresses any potential impacts to the Significant Woodlands in alignment with applicable policies of the Official Plan and the Provincial Policy Statement. Good Forestry Practices that are approved by the Grey County Forest Management By-law are permitted without removal of the holding provision.
- 16.389 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions in addition to any other provisions pertaining to the Agricultural (A2) zone, shall apply to those lands zoned Agricultural (A2-389)
- Exception 389 - permit a small-scale commercial shop to produce plastic moldings with a maximum gross floor area of 250 square meters and a maximum outdoor storage of 750 square meters.
- 16.390 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions in addition to any other provisions pertaining to the Residential (R) zone, shall apply to those lands zoned Residential (R-390). Exception 390 – permit a home occupation for the purposes of growing market flowers and vegetables. The following regulations apply to such home occupation:
- The planting, growing, maintenance, storage, processing, and sale of crops shall constitute a home occupation.
 - The gross indoor floor area used for the storage, processing, and sale of crops shall not be more than 25% of the dwelling OR not more than 60 square meters of an accessory building. This limitation shall not be applied to the growing of crops in hoop houses.
 - A single 37.16 square metre (400 square feet) hoop house is permitted and may be used for growing crops.

- Uncovered garden beds (raised or otherwise) are permitted and shall not constitute lot coverage.
 - Signage for the home occupation is permitted and shall not be larger than 1 square meter and shall not be illuminated.
 - Employees shall be limited to persons living in the dwelling on the property.
 - On-street parking is not permitted.
 - A road-side market stand is not permitted.
 - Retail sales of produce from the residence and accessory building are permitted.
 - The outdoor area shall be landscaped and not create or become a public nuisance, particularly regarding traffic, parking, noise, noxious odors, or emission of smoke.
- 16.391 On lands identified with a (-391) exception number the minimum lot frontage shall be 60 metres.
- 16.392 Notwithstanding any other provision of the By-law to the contrary, on lands identified with a (-392) exception number the following provisions:
- i. A lot area of 3.1 hectares
 - ii. The number of animal units to be kept and/or housed on the subject lands shall be 10 (based on an animal unit to tillable acres ratio).
- 16.393 New dwellings on lands identified with a (-393) exception number must satisfy MDS 1 requirements.
- 16.394 Notwithstanding any other provision of the By-law to the contrary, on lands identified with a (-394) exception number the following provisions apply:
- The minimum lot frontage shall be 50 metres.
 - The minimum rear yard setback shall be 14 metres
- 16.395 Notwithstanding any other provision of the By-law to the contrary, on lands identified with a (-395) exception number following provisions apply:
- a. The existing barn and shed may be used for dry storage purposes only.
 - b. Dry storage shall mean the storage of materials incidental to an agricultural operation, but excludes the housing of livestock and any animal waste.
 - c. The barn and shed are considered accessory buildings that are permitted to exist on the lot prior to any potential future main building.
- 16.396 N/A
- 16.397 Notwithstanding any provisions of By-law 2004-50 to the contrary, the following provisions in addition to any other provisions pertaining to the Rural (Ru) zone, shall apply to those lands zoned Rural (Ru-397). Exception 397 – deem the parcel, having PIN 372470096, as one that has frontage on an open and maintained municipal road as per Section 5.2 of the Comprehensive Zoning By-law 2004-50.
- 16.398 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-398) exception number, the following additional provisions apply:
- The minimum lot area shall be 3,750 square metres.
 - The minimum lot frontage shall be 60 metres.
- 16.399 Notwithstanding any other provision of the By-law to the contrary, on lands identified with a (-399) exception number the following provisions apply:

- a) Lands with frontage on a private road 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) The minimum rear-yard setback shall be 9 metres.
- 16.400 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-401) exception number, the following additional provisions apply:
- Buildings and structures are prohibited until the subject lands are rezoned through a zoning by-law amendment in order to ensure that new development meets the requirements of the land use designation in the Municipality of Grey Highlands Official Plan.
- 16.401 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-401) exception number, the following additional provisions apply:
- No building or structure shall be erected unless the holding provision is removed. Removal of the holding provision will require that the following be demonstrated to the satisfaction of the Municipality of Grey Highlands
 - The proposed development will be situated in an area of the property that does not jeopardize the future development potential of the lot as per the underlying Municipality of Grey Highlands Official Plan designation, and;
 - The proposed development meets the requirements of the underlying Municipality of Grey Highlands Official Plan designation
- 16.402 Exception 402 will recognize a reduced lot area of 15 hectares.
- 16.403 Exception 403 will recognize a reduced lot area of 25.8 hectares.
- 16.404 Notwithstanding any other provision of the By-law to the contrary, on lands identified with a (-404) exception number, the minimum lot frontage shall be 60 metres.
- 16.405 Notwithstanding any other provision of the By-law to the contrary, on lands identified with a (-405) exception number, the minimum lot frontage shall be 139 metres and the minimum lot area shall be 19.4 hectares.
- 16.406 Notwithstanding any other provision of the By-law to the contrary, on lands identified with a (-406) exception number, the following provisions shall apply:
- Minimum lot frontage of 70 metres.
 - All accessory structures that are existing as of January 8th, 2021 are permitted in the front yard.
- 16.407 Notwithstanding any other provision of the By-law to the contrary, on lands identified with a (-407) exception number, the following provisions shall apply:
- Minimum lot frontage of 135 metres
 - Lands identified with an “h” symbol may not be developed unless compliance with Minimum Distance Separation requirements and safe access due to flooding hazards can be demonstrated. These lands may be used for agricultural purposes and a lane may be built through these lands to access the identified building envelope (the RU area without an “h” symbol) without removing the hold.
- 16.408 Notwithstanding any other provision of the By-law to the contrary, the following provisions shall apply to lands identified with a -408 exception number:
- permit an interior side yard setback of 5.7 metres whereas the by-law requires 15 metres.
- 16.409 Notwithstanding any other provisions of this By-law to the contrary, on lands identified with a (-

409) exception number, the following additional provisions apply:

- Development is permitted on a lot lacking frontage on an improved public street.
- The minimum rear yard setback shall be 15.6 metres.

16.410 Notwithstanding any other provision of the By-law to the contrary, the following provisions shall apply to lands identified with a -410 exception number:

- i. Lands that do not have an “h” symbol applied to them in schedule A-1 shall not be subject to a holding provision in relation to the proximal wetland.
- ii. The minimum lot size shall be 9.1 hectares.

16.411 Notwithstanding any other provision of the By-law to the contrary, on lands identified with a (-411) exception number, the minimum lot area shall be 2,300 square metres.

16.412 Notwithstanding any other provision of the By-law to the contrary, on lands identified with a (-412) exception number, the minimum lot frontage shall be 28 metres and the minimum lot area shall be 1,350 square metres.

16.413 The following provisions shall apply to those lands zoned Agriculture (A1-413):

The provisions of section 8.4 – Rural Commercial Zone shall apply.

The provisions of section 5.13 – Small-Scale Commercial & Industrial shall apply.

16.414 For additional clarity to the No Development designation, lands with the 414 exception are intended to remain naturally vegetated and structures and site alteration are prohibited.

16.415 Notwithstanding any provisions of this By-law to the contrary, on lands identified with a (415) exception number, the following provisions apply:

- The maximum height shall be 7.65 metres from the finished grade at the front of the lot to the peak of the roof. Any variance to this maximum will require the completion of a visual impact study that satisfies the requirements of the Niagara Escarpment Commission
- Structures shall not be permitted until the holding provision is removed, however, grading and landscaping may occur in advance of removing the hold.
- The holding provision may be removed after (1) rough grading has been implemented to the satisfaction of the Municipality of Grey Highlands and the Grey Sauble Conservation Authority, and (2) vegetated landscaping has been implemented along the frontage of the subject property to the satisfaction of the Niagara Escarpment Commission.

16.416 Notwithstanding any provisions of this By-law to the contrary, on lands identified with a (416) exception number,

the following provisions apply:

- Structures are prohibited.
- The area is to be maintained as a vegetative buffer consisting primarily of native coniferous trees and native deciduous trees.
- A driveway is permitted provided it has a maximum

16.417 Notwithstanding any other provision of the By-law to the contrary, on lands identified with a 417 exception number the following provisions shall apply:

- Activities that generally relate to the regular operations of a landscaping business. Permitted uses include:

- The construction and use of administrative office buildings.
 - The construction of storage buildings.
 - Indoor and outdoor storage of landscaping materials including but not limited to stone, soil, gravel, and mulch.
 - Storage of landscaping vehicles and equipment.
 - Occasional sales of landscaping materials directly from the property.
 - Occasional cutting of stone on-site to facilitate the transportation of materials to off-site locations. For clarity, the by-law does not intend to permit business activities that involve consistent and extensive daily use of stone-cutting saws on-site.
- 16.418 Notwithstanding any other provision of the By-law to the contrary, on lands identified with a 418 exception number a daycare centre shall be permitted.
- 16.419 Notwithstanding any other provision of the By-law to the contrary, on lands identified with a 419 exception number the following provisions shall apply:
- A dog kennel/breeding operation comprising a maximum floor area of 90 square metres is permitted.
 - A maximum of 24 adult Shih Tzus are permitted
- 16.420 Notwithstanding any other provision of the By-law to the contrary, on lands identified with a 420 exception number the following provisions shall apply:
- Permitted uses are as follows:
- One single detached dwelling
 - Uses, buildings and structures accessory to a residential use
 - The production of horticultural crops within hoop houses and outdoor gardens
 - The sale of horticultural crops
 - Five hoop houses, four of which having a maximum floor area of 300 square metres, and one of which having a maximum floor area of 100 square metres
 - A single workshop building with a maximum floor area of 90 square metres
- 16.421 Notwithstanding any other provision of the By-law to the contrary, on lands identified with a 421 exception number the following provisions shall apply:
- A greenhouse structure with a maximum Floor Area of 155 square metres is permitted to be located 19 metres from the front lot line.
 - A farm building with a maximum Floor Area of 80 square metres is permitted to be located 26 metres from the front lot line.
 - A related picnic area is permitted and is to be located a minimum of 20 metres from the front lot line.
 - Related parking facilities shall be provided and are to be located a minimum of 26 metres from the front lot line.
 - A pavilion with a maximum Floor Area of 85 square metres is permitted generally 45 metres from the eastern interior lot line and 80 metres from the front lot line.

- The activities that are to be permitted in the farm building and the pavilion are considered commercial uses and the construction of these structures is therefore subject to site plan control. The commencement of these uses is not permitted prior to site plan approval. The construction of the greenhouse and the related greenhouse activities are not considered commercial uses and are therefore not subject to site plan control.
 - All uses permitted by the A1 zone are permitted.
 - The following uses shall be permitted in the farm building:
 - The processing and storage of food.
 - The preparation and sale of meals.
 - Retail sales of artisan materials such as: food boxes, freeze dried foods, bees wax products, live edge furniture, and crafts
 - The following uses shall be permitted in the pavilion:
 - Occasional special events and dinners with a maximum of 20 guests. The guest maximum may be exceeded provided a special events permit is obtained.
- 16.422 Notwithstanding any other provisions of this by-law to the contrary, the following provisions shall apply to those lands zoned Rural Commercial (C4-422):
- The minimum front yard setback shall be 30 metres.
- 16.423 Notwithstanding any other provision of the By-law to the contrary, on lands identified with a 423 exception number the following provisions shall apply:
- An apartment building is a permitted use.
- 16.424 Notwithstanding any other provision of the By-law to the contrary, on lands identified with a 424 exception number the following uses are permitted in addition to all uses permitted in the A1 zone:
- The preparation of baked goods.
 - The storage of baked goods and agricultural products.
 - The sale of baked goods and agricultural products produced on-site.
- 16.425 N/A
- 16.426 Notwithstanding any provisions of this By-law to the contrary, on lands identified with a (426) exception number, the following provisions apply:
- That the lands may be developed on partial municipal services whereas Section 7.2.3 of the By-law requires full municipal services;
 - That the minimum frontage per dwelling unit shall be 5.35 metres whereas the By-law requires 9 metres;
 - That the holding provision may be removed after:
 - A Servicing Study has been approved and implemented to the satisfaction of the Municipality of Grey Highlands;
 - A Stormwater Management Study has been approved and implemented to the satisfaction of the Municipality of Grey Highlands and the Grey Sauble Conservation Authority; and
 - A Road Improvement Plan noting the urbanization of Levitta Street and Margaret Street

fronting the lands owned by Barnyard Builders has been approved by the Municipality of Grey Highlands.

- 16.427 Notwithstanding any other provision of this By-law to the contrary, a restaurant that serves a maximum of 20 guests is a permitted use.
- 16.428 N/A
- 16.429 Notwithstanding any other provision of the By-law to the contrary, 3 horses may be kept on lands identified with the 429 exception number.
- 16.430 Notwithstanding any provisions of this By-law to the contrary, on lands zoned RM-430 the following provisions shall apply:
- All uses permitted in the RM zone are permitted.
 - A maximum of ten (10) multi-attached/apartment dwelling units that are serviced by municipal wastewater in combination with private on-site well water are permitted.
 - The zone provisions for attached dwellings are as follows:
 - Minimum lot frontage – 40 metres
 - Minimum lot area – 2,600 square metres
 - Maximum lot coverage – 49%
 - Minimum front yard setback – 2.8 metres
 - Minimum interior side yard setback – 12 metres
 - Minimum exterior side yard setback – 3 metres
 - Minimum rear yard setback – 1.4 metres
 - Maximum height – 11 metres
 - The minimum number of on-site parking spaces shall be 1.5 per dwelling unit.
 - A 6 metre wide laneway that provides internal access to the driveways of individual units is permitted to have a 0 metre setback from the interior lot line.
 - There shall be no maximum unit density per hectare.
 - There shall be no minimum outdoor amenity area requirement.
 - Townhome/multi-attached dwellings that are oriented towards Ellen Street shall have a minimum on-site driveway length of 3 metres.
- 16.431 Notwithstanding any other provision of the By-law to the contrary, on lands identified with a 431 exception number, the minimum lot frontage shall be 80 metres.
- 16.432 Notwithstanding any provisions of this By-law to the contrary, on lands identified with a (426-h) exception number, the following provisions apply:
- That the lands may be developed on partial municipal services whereas Section 7.2.3 of the By-law requires full municipal services;
 - The holding provision may be removed after:
 - A Servicing Study has been approved and implemented to the satisfaction of the Municipality of Grey Highlands;

- A Stormwater Management Study has been approved and implemented to the satisfaction of the Municipality of Grey Highlands and the Grey Sauble Conservation Authority, and;
 - A Road Improvement Plan noting the urbanization of Margaret Street fronting the lands owned by Barnyard Builders has been approved by the Municipality of Grey Highlands
- 16.433 Notwithstanding any other provisions of this by-law to the contrary, in addition to all uses permitted in the RUR zone, the following use shall be permitted:
- A single ground-mounted solar panel that is located a minimum of 15 m from the front lot line.
 - The ground-mounted solar panel may be nearer to the front lot line than the main building.
- 16.434 16.434 On lands identified with the 434 exception number, the manufacturing, storage, and wholesale of garbage bins shall be permitted in addition to all uses permitted in the Rural Commercial (C4) zone.
- 16.435 On lands identified with the 435 exception number, the following definitions shall apply to “Sawmill and Woodworking Shop”:
- “Sawmill and Woodworking Shop” shall mean a building, structure or area where lumber is stored, cut, sawed or planed, and includes woodturning, facilities for kiln drying of lumber, and the distribution of such products on a wholesale basis. The assembly of wood furniture products is also permitted, as is the storage of both raw materials and finished products. Refer to General Provisions of this By-law for regulations governing small-scale commercial/industrial uses.
- 16.436 On lands identified with the 436 exception number, the following definitions shall apply to “Metal Works Shop, Small-Scale Commercial/Industrial” and “Sawmill and Woodworking Shop”:
- “Metal Works Shop, Small-Scale Commercial/Industrial” shall mean a building, structure or area where metal is stored, sanded, welded, and worked for use in the production of agricultural and/or automotive components, and includes metal cutting, welding, brazing, facilities for metal working, and the distribution of such metal worked products on a wholesale basis. Refer to General Provisions of this By-law for regulations governing small-scale commercial/industrial uses.
 - “Sawmill and Woodworking Shop” shall mean a building, structure or area where lumber is stored, cut, sawed or planed, and includes woodturning, facilities for kiln drying of lumber, and the distribution of such products on a wholesale basis. The assembly of wood furniture products is also permitted, as is the storage of both raw materials and finished products. Refer to General Provisions of this By-law for regulations governing small-scale commercial/industrial uses.
- 16.437 Notwithstanding any other provision of this By-law to the contrary, a restaurant that serves a maximum of 20 guests is a permitted use.
- 16.438 N/A

Section 17: Enactment

Schedule “A-1” and all other notations thereon are hereby declared to form part of this By-law. All current schedules have been updated with information to match the current state of The Municipality Of Grey Highlands Zoning Structure. These Schedules are high level, static and provide a general location of various zones. For detailed information, the reader is advised to visit the Grey County GIS mapping and view the Zoning Map.

This By-law shall come into force and take effect upon being passed by Council subject to any approval necessary pursuant to the Planning Act R.S.O. 1990, as amended.

This By-law read a first time this 8th day of October, 2004.

This By-law read a second time this 8th day of October, 2004.

This By-law read a third time and finally passed this 24th day of October, 2005.

Mayor, Brian Mullin

Clerk, Debbie Robertson

