



— TOWNSHIP OF —
ASHFIELD - COLBORNE - WAWANOSH

Council Agenda **January 5, 2021**

Township of Ashfield-Colborne-Wawanosh Council will meet in regular session on the 5th day of January 2021, at 9:00 a.m. through Zoom, an online video conferencing platform.

This meeting is being held electronically as per By-Law #52-2020, Section 3.10 which allows for Electronic Participation of Council Meetings.

1.0 CALL TO ORDER

Video/Audio Approval – if applicable

2.0 DISCLOSURE OF PECUNIARY INTEREST / POTENTIAL CONFLICT OF INTEREST

3.0 ADOPTION OF PREVIOUS MEETING MINUTES

3.1 Council Meeting Minutes – December 11, 2020

Moved by
Seconded by

ADOPT
COUNCIL
MINUTES

THAT Ashfield-Colborne-Wawanosh Township Council hereby adopts the December 11, 2020 Council Meeting Minutes as written.

3.2 Council Meeting Minutes – December 15, 2020

Moved by
Seconded by

ADOPT
COUNCIL
MINUTES

THAT Ashfield-Colborne-Wawanosh Township Council hereby adopts the December 15, 2020 Council Meeting Minutes as written.

3.3 Council Meeting Minutes – December 17, 2020

Moved by
Seconded by

ADOPT
COUNCIL
MINUTES

THAT Ashfield-Colborne-Wawanosh Township Council hereby adopts the December 17, 2020 Council Meeting Minutes as written.

4.0 OPEN FORUM (items pertaining to the agenda)

5.0 DELEGATIONS

5.1 9:00 a.m. – Celina Whaling-Rae / County of Huron Planner – Housekeeping Amendment

Zoning Housekeeping By-Law Amendment
Township of Ashfield-Colborne-Wawanosh

Moved by
Seconded by

ADJOURN
COUNCIL
MEETING

THAT Ashfield-Colborne-Wawanosh Township Council hereby adjourns their regular Council Meeting.

Moved by
Seconded by

OPEN
PUBLIC
MEETING

THAT Ashfield-Colborne-Wawanosh Township Council hereby opens the Planning Advisory Committee Public Meeting to deal with Zoning By-Law Amendment that was submitted by the Township of Ashfield-Colborne-Wawanosh.

We have provided Council with the report prepared by the County Planner, Celina Whaling-Rae, in regards to this Zoning By-Law Amendment. Ms. Whaling-Rae will review the report with the Planning Advisory Committee.

The purpose of the Housekeeping Amendment is to update general and zone provisions, permitted uses and definitions in the Zoning By-law. The proposed Housekeeping Amendment proposes primarily text changes to the Zoning By-law and does not introduce widespread mapping changes.

TOWNSHIP OF ASHFIELD-COLBORNE-WAWANOSH PLANNING ADVISORY COMMITTEE MEETING

Call to order

Declaration of Pecuniary Interests

Purpose

The purpose of the Housekeeping Zoning By-law Amendment is to make a number of minor changes to numerous definitions and provisions which will result in increased clarity with regard to the intent of the by-law. The Amendment primarily proposes text changes to the Zoning By-law and does not introduce widespread mapping changes.

Requirement

This Public Meeting is being held under The Planning Act, which requires that Council hold at least one Public Meeting and that proper notice be given.

Application Process

An application was submitted by the Township of Ashfield-Colborne-Wawanosh.

Notice of the Public Meeting was advertised by the municipality.

Comments:

- 1) Huron County Planner
- 2) Applicant and/or Agent
- 3) Others
- 4) Council's Questions and/or Comments.

NOTE: If a person or public body that files an appeal of a decision of ACW Township in respect to the proposed rezoning, but does not make written or oral submissions before the proposed rezoning is adopted, the Local Planning Appeal Tribunal (LPAT) may dismiss all or part of the appeal.

Zoning By-law Procedure Following Public Meeting

- This is a Public Meeting, not a Council Meeting; therefore, a decision of Council may or may not be made later this morning.
- If the By-law is passed, the Clerk must send Notice of the Passing of the By-law to all persons notified of this meeting and to any person or public body that has requested it.
- There is a 20-day objection period from the time Notice of Passing has been mailed, where submissions will be received by the Clerk.
- If an objection is received, an appeal is lodged with the Local Planning Appeal Tribunal (LPAT) and the Municipality no longer has jurisdiction of the file and/or the processing time. You may only file an appeal if you have submitted oral or written comments prior to the decision of Council.
- The fee for filing an appeal is \$1100.00 payable by Certified Cheque or Money Order in Canadian funds, made out to the Minister of Finance, and must be accompanied by Appellant Form (A1).
- If Council does not pass the by-law, the applicant may appeal to the LPAT.
- If the By-law is passed and no objections are received within the 20-day appeal period, the Clerk will certify that the By-law is in force and effect as of the date of its passing and Notice is forwarded to the Planning Department and to the applicant.

Recommendation of the Huron County Planner

It is recommended that the zoning by-law amendment be approved.

Recommendation of the Planning Advisory Committee

Effect of Public and Agency Comments on Decision of Council to the Application

Adjournment

That there being no further business, the Public Meeting be hereby closed at _____ a.m.

Moved by
Seconded by

CLOSE
PUBLIC
MEETING

THAT Ashfield-Colborne-Wawanosh Township Council hereby closes the Planning Advisory Committee Public Meeting.

5.2 9:15 a.m. – Celina Whaling-Rae / County of Huron Planner - Consent Application

William (Bill) Vanstone - Consent File C90/2020

We have provided Council with a copy of the report prepared by Celina Whaling-Rae in regard to the application for consent received from the Mr. Vanstone. Ms. Whaling-Rae will review the application with Council.

STAFF COMMENTS: We seek your direction.

6.0 ACCOUNTS

No items scheduled.

7.0 DEPARTMENT / COMMITTEE REPORTS

7.1 Water Department

No items scheduled.

7.2 Building Department

No items scheduled.

7.3 Cemetery Department

No items scheduled.

7.4 Drainage Department

7.4.1 Drainage Superintendent New Appointment – Jeremy Taylor, P Eng.

In December, staff was advised by R.J. Burnside that Jeff Dickson, who has been ACW's lead Drainage Superintendent for many years has moved offices, and thus will be letting go of these responsibilities in the area. Jeremy Taylor, engineer at R.J. Burnside has offered to take on this role to replace Mr. Dickson, to which staff is agreeable. Should Council concur, the Consolidated Appointment By-law has been updated in this regard for your adoption.

STAFF COMMENTS: That Council agrees with the appointment of Jeremy Taylor and adopts the amended Consolidated Appointment By-Law.

7.5 Administration Department

7.5.1 Borrowing By-Law 2021

A new year is amongst us and Council need to adopt a borrowing by-law for 2021 to cover current expenditures if needed, until such time revenues are received.

STAFF COMMENTS: That Council adopts the by-law in Section 14.

7.5.2 Consolidated Appointment By-Law

As a follow-up from the last meeting, we have provided Council with a copy of the amended Consolidated Appointment By-Law adding Anita Snobelen to the Huron County Community Safety and Well Being Plan Advisory Committee. This amended version also updates the Drainage Superintendent appointment, as mentioned in item 7.4.1.

STAFF COMMENTS: That Council adopt the amended by-law in Section 14.

7.5.3 Animal Control By-Law Amendment

We have provided Council with a copy of the report prepared by Clerk Florence Witherspoon along with a copy of the proposed by-law amendment. Ms. Witherspoon will be available this morning.

STAFF COMMENTS: That Council adopts the by-law amendment in Section 14.

7.5.4 Marriage Commissioner Report

The following is an update on the activities of the marriage commissioners since we began this service in 2010.

Year	Total	Mark Becker	Rob McGregor
2010-2020	122	48	74
2021 Booked		5	2

STAFF COMMENTS: For your information purposes.

7.5.5 Year End Summary – 2020 Council Members Remuneration Report

We have provided you with a report as of the year-end Council Members Remuneration report for 2020.

STAFF COMMENTS: For your information purposes.

7.5.6 Phase 2 - Safe Restart Operating Stream

We have provided Council with a copy of the letter received from the Ministry of Municipal Affairs and Housing with respect to the above noted allocation for ACW which is \$38,000 for 2021 COVID-related operating pressures. Staff will incorporate the amount into the draft 2021 Budget.

STAFF COMMENTS: For your information purposes.

7.6 **Public Works Department**

7.6.1 Public Works Activity Report

We have provided Council with a copy of the report prepared by Public Works Superintendent Brian Van Osch. Mr. Van Osch will be available this morning.

STAFF COMMENTS: For your information purposes.

7.7 **Environmental Services**

No items scheduled.

7.8 **Committee Reports**

8.0 **NEW BUSINESS**

(items to be brought forward to a future meeting)

No items scheduled.

9.0 **CORRESPONDENCE / DIRECTION REQUIRED**

No items scheduled.

10.0 **CORRESPONDENCE / FOR INFORMATION PURPOSES**

10.1 AMO 2021 Virtual Conference – August 15-18, 2021

10.2 Huron Perth Public Health Unit Letter – Recommendation for Rentals

10.3 Mid-Huron Landfill Site Board – Minutes

10.4 Goderich Fire Department – 2021 Budget

11.0 **CORRESPONDENCE / ON COUNCIL TABLE**

No items scheduled.

12.0 **UNFINISHED BUSINESS**

12.1 Official Plan 5 Year Review / Natural Environment Update – Special Meeting

January 12, 2021 at 10:00 a.m.

STAFF COMMENTS: Reminder only.

12.2 ROMA 2021 Virtual Conference – January 25-26, 2021

Deputy Mayor Watt, Councillor Miltenburg, Fisher, Snobelen, Forster, and Vanstone are registered for the conference.

STAFF COMMENTS: Reminder only.

12.3 Maitland Conservation Authority Recommended Resolution – Changes to Act

As a follow-up from the last meeting, we have provided Council with the correspondence received in this regard as well as the following resolution for your consideration.

STAFF COMMENTS: None.

Moved by
Seconded by

MVCA
SUPPORT
CHANGES TO
THE
CONSERVATION
ACT

WHEREAS the Province has introduced Bill 229, Protect, Support and Recover from COVID 19 Act - Schedule 6 – Conservation Authorities Act

WHEREAS the Legislation introduces a number of changes and new sections that could remove and/or significantly hinder the conservation authorities' role in regulating development, permit appeal process and engaging in review and appeal of planning applications

WHEREAS we rely on the watershed expertise provided by local conservation authorities to protect residents, property and local natural resources on a watershed basis by regulating development and engaging in reviews of applications submitted under the *Planning Act*

WHEREAS the changes allow the Minister to make decisions without CA watershed data and expertise

WHEREAS the Legislation suggests that the Minister will have the ability to establish standards and requirements for non-mandatory programs which are negotiated between the conservation authorities and municipalities to meet local watershed needs

WHEREAS municipalities believe that the appointment of municipal representatives on CA Boards should be a municipal decision; and the Chair and Vice Chair of the CA Board should be duly elected

WHEREAS the changes to the 'Duty of Members' contradicts the fiduciary duty of a CA board member to represent the best interests of the conservation authority and its responsibility to the watershed

WHEREAS conservation authorities have already been working with the Province, development sector and municipalities to streamline and speed up permitting and planning approvals through Conservation Ontario's Client Service and Streamlining Initiative

WHEREAS changes to the legislation will create more red tape and costs for the conservation authorities, and their municipal partners, and potentially result in delays in the development approval process

AND WHEREAS municipalities value and rely on the natural habitats and water resources within our jurisdiction for the health and well-being of residents; municipalities value the conservation authorities' work to prevent and manage the impacts of flooding and other natural hazards; and municipalities value the conservation authority's work to ensure safe drinking water

THEREFORE, BE IT RESOLVED THAT the Province of Ontario repeal Schedule 6 of the Budget Measures Act (Bill 229)

THAT the Province continue to work with conservation authorities to find workable solutions to reduce red tape and create conditions for growth

THAT the Province respect the current conservation authority/municipal Relationships

AND THAT the Province embrace their long-standing partnership with the conservation authorities and provide them with the tools and financial resources they need to effectively implement their watershed management role.

13.0 IN-CAMERA / CLOSED SESSION

No items scheduled.

14.0 BY-LAWS

14.1 Borrowing By-Law

Moved by
Seconded by

BORROWING
BY-LAW

THAT leave be given to introduce By-Law #01-2021 being a by-law to authorize the borrowing of money to meet current expenditures, and that it now be read severally a first, second, and third time, and finally passed this 5th day of January 2021.

14.2 Consolidated Appointment By-Law

Moved by
Seconded by

CONSOLIDATED
APPOINTMENT
BY-LAW

THAT leave be given to introduce By-Law #02-2021 being a by-law to appoint members to various Township Committees and Positions, and that it now be read severally a first, second, and third time, and finally passed this 5th day of January 2021.

14.3 Zoning Housekeeping By-Law

Moved by
Seconded by

HOUSEKEE
PING
ZONING BY-
LAW
AMENDMEN
T

THAT leave be given to introduce By-Law #03-2021 being a by-law to amend zoning by-law #32-2008 of the Township of Ashfield-Colborne-Wawanosh as amended, and that it now be read severally a first, second, and third time, and finally passed this 5th day of January 2021.

14.4 Animal Control By-Law Amendment

Moved by
Seconded by

ANIMAL
CONTROL
AMENDMEN
T BY-LAW

THAT leave be given to introduce By-Law #04-2021 being a by-law to amend by-law 57-2015, being a by-law to regulate animal care and control within the Township of Ashfield-Colborne-Wawanosh, and that it now be read severally a first, second, and third time, and finally passed this 5th day of January 2021.

14.5 Confirmation By-Law

Moved by
Seconded by

CONFIRMAT
ION BY-LAW

THAT leave be given to introduce By-Law #05-2021 being a by-law to confirm the proceedings of the Township of Ashfield-Colborne-Wawanosh meeting held on January 5, 2021, and that it now be read severally a first, second, and third time, and finally passed this 5th day of January 2021.

~

15.0 ADJOURNMENT

Moved by
Seconded by

ADJOURN

THAT Ashfield-Colborne-Wawanosh Township Council does now adjourn to meet again on January 12, 2021 at 10:00 a.m. or at the Call of the Mayor.

~



Council Minutes December 11, 2020

Township of Ashfield-Colborne-Wawanosh Council met in special session on the 11th day of December 2020, at 9:00 am through Zoom, a video conferencing platform.

This meeting was held electronically as per By-Law #52-2020, Section 3.10 which allows for Electronic Participation of Council Meetings.

The following individuals were participants during the special Council meeting:

Mayor
Deputy Mayor
Councillors

Glen McNeil
Roger Watt
Gloria Fisher
Wayne Forster
Jennifer Miltenburg
Anita Snobelen

CAO/Deputy Clerk
Clerk
Treasurer
Chief Building Official
Public Works Superintendent
Planner

Mark Becker
Florence Witherspoon
Ellen McManus
Brett Pollock
Brian Van Osch
Celina Whaling-Rae

OTHERS PRESENT: Kelly Vader and Dale Erb, BM Ross and Associates

1.0 **CALL TO ORDER**

This meeting has been called to review the proposal from BM Ross for the Port Albert Servicing Master Plan, as well as to set a date to continue the preliminary review of the Official Plan, notably the Natural Environment Update.

2.0 **DISCLOSURE OF PECUNIARY INTEREST / POTENTIAL CONFLICT OF INTEREST**

None disclosed.

3.0 **PORT ALBERT SERVICING MASTER PLAN**

3.1 Dale Erb & Kelly Vader / B.M. Ross and Associates

We have provided Council with a copy of the presentation that will be shared with Council this morning with respect to the Port Albert Servicing Master Plan proposal.

Mr. Erb and Ms. Vader presented their findings and recommendations.

STAFF COMMENTS: None.

ACTION: BM Ross will discuss and consider financial implications on the different options with staff before returning to Council to set a public meeting date.

4.0 **OFFICIAL PLAN PRELIMINARY REVIEW**

4.1 Mayor McNeil, in consultation with staff, has decided that today's meeting would not have had enough time meeting to adequately discuss both the Official Plan – Natural Environment Update, as well as the Port Albert Servicing Master Plan. Staff requests that Council schedule an additional Special Council meeting, ideally before the Christmas Holiday, to review a presentation on the Natural Environment Update.

STAFF COMMENTS: We seek your direction.

ACTION: Council will meet in special session on Thursday, December 17th 2020 at 9:00am to discuss the Official Plan – Natural Environment Update.

5.0 ADJOURNMENT

Moved by Forster
Seconded by Snobelen

ADJOURN

THAT Ashfield-Colborne-Wawanosh Township Council does now adjourn to meet again on December 15, 2020 at 9:00 a.m. or at the Call of the Mayor.
Carried.

~

Mayor, Glen McNeil

Clerk, Florence Witherspoon



Council Minutes December 15, 2020

Township of Ashfield-Colborne-Wawanosh Council met in regular session on the 15th day of December 2020, at 9:00 a.m. through Zoom, an online video conferencing platform.

This meeting is being held electronically as per By-Law #52-2020, Section 3.10 which allows for Electronic Participation of Council Meetings.

The following individuals were participants during the Council Meeting:

Mayor
Deputy Mayor
Councillors

Glen McNeil
Roger Watt
Gloria Fisher
Wayne Forster
Jennifer Miltenburg
Anita Snobelen
Bill Vanstone

Staff Present

CAO/Deputy-Clerk
Treasurer
Chief Building Official
Public Works Superintendent
Clerk

Mark Becker
Ellen McManus
Brett Pollock
Brian Van Osch
Florence Witherspoon

OTHERS PRESENT VIA ZOOM (Viewing and Observing Only): Dan Fritz, and Celina Whaling-Rae.

1.0 **CALL TO ORDER**

The municipality will be recording this meeting to “ensure meetings can be open to the public”.

2.0 **DISCLOSURE OF PECUNIARY INTEREST / POTENTIAL CONFLICT OF INTEREST**

None disclosed.

3.0 **ADOPTION OF PREVIOUS MEETING MINUTES**

3.1 Council Meeting Minutes – December 1, 2020

Moved by Miltenburg
Seconded by Forster

ADOPT
COUNCIL
MINUTES

#1

THAT Ashfield-Colborne-Wawanosh Township Council hereby adopts the December 1, 2020 Council Meeting Minutes as written.

Carried.

4.0 **OPEN FORUM (items pertaining to the agenda)**

None.

5.0 **DELEGATIONS**

5.1 9:00 a.m. – Celina Whaling-Rae / County of Huron Planner - Consent Applications

a) Steven Scott - Consent File C87/2020

We have provided Council with a copy of the report prepared by Celina Whaling-Rae in regard to the application for consent received from the Steven Scott. Ms. Whaling-Rae reviewed the application with Council.

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed to recommend to the County of Huron that this application for consent be granted subject to the conditions as outlined in the Planner's Report.

b) Jos & Lize Rommens - Consent File C88/2020

We have provided Council with a copy of the report prepared by Celina Whaling-Rae in regard to the application for consent received from Jos & Lize Rommens. Ms. Whaling-Rae reviewed the application with Council.

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed to recommend to the County of Huron that this application for consent be granted subject to the conditions as outlined in the Planner's Report.

6.0 **ACCOUNTS**

6.1 Payment of Current Accounts

Moved by Vanstone
Seconded by Snobelen

APPROVE #2 THAT Ashfield-Colborne-Wawanosh Township Council hereby
ACCOUNTS authorizes the payment of the December 2020 accounts as presented. Carried.
~

6.2 Payment of Previous Month Actual Accounts

Moved by Watt
Seconded by Fisher

APPROVE #3 THAT Ashfield-Colborne-Wawanosh Township Council hereby
ACTUAL approves the payment of the November 2020 accounts in the amount
PAYMENTS of \$ 976,971.74. Carried.
~

6.3 Summary Revenue/Expenditure Reports

Reports for the Township, Lucknow & District Fire Department, Lucknow & District Medical Centre, and Lucknow & District Recreation from January to November 2020.

Moved by Vanstone
Seconded by Miltenburg

REVENUE #4 THAT Ashfield-Colborne-Wawanosh Township Council adopts the
EXPEND- summary revenue/expenditure reports of the Treasurer as written. Carried.
ITURE
REPORT

7.0 **DEPARTMENT / COMMITTEE REPORTS**

7.1 **Water Department**

7.1.1 Century Heights Water Treatment Facility – UV System Replacement

We have provided Council with a copy of the report prepared by B.M. Ross & Associates with respect to the request for quotations received.

STAFF COMMENTS: That Council adopt the following resolution and accept the bid received from H2Ontario Inc. in the amount of \$231,000 plus H.S.T.

ACTION: Council agreed to accept the bid from H2Ontario Inc. and adopt the following resolution.

Moved by Miltenburg
Seconded by Forster

CENTURY #5

HEIGHTS

WATER

SYSTEM UV

SYSTEM

REPLACEMENT

NT

THAT Ashfield-Colborne-Wawanosh Township Council hereby accepts the request for quotation received from H2Ontario Inc. in the amount of \$231,000 plus H.S.T. for the UV System Replacement and control and monitoring upgrade work proposed at the Century Heights well and treatment building.

Carried.

7.2 **Building Department**

7.2.1 Chief Building Official's Report

We have provided Council with a copy of Mr. Pollock's report. Mr. Pollock was available this morning.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and filed.

7.3 **Cemetery Department**

No items scheduled.

7.4 **Drainage Department**

No items scheduled.

7.5 **Administration Department**

7.5.1 ACW Mayor Glen McNeil – Elected as Huron County Warden 2021-2022

We have provided Council with a copy of the Press Release and Introduction from the County of Huron. We at ACW are very privileged to have Mayor McNeil as the County of Huron Warden.

STAFF COMMENTS: Congratulations Glen!

ACTION: Congratulations Glen!

7.5.2 Consolidated Appointment By-Law

We have provided Council with a copy of the existing Consolidated Appointment By-Law for review. Council had requested that we review the appointment once a year and make any necessary changes if required.

STAFF COMMENTS: None.

ACTION: No changes required at this time.

7.5.3 Employees Years of Service

The Township of Ashfield-Colborne-Wawanosh recognizes the value of long service employees and acknowledges their contribution of years of service at increments of five years of service.

Employees are recognized by receiving a small gift to be presented to the employee at the annual Christmas Banquet. Since the Christmas Banquet was cancelled this year, the following employees received their recognition and gift:

<u>5 Years</u>	<u>Full Time</u> Florence Witherspoon	<u>10 Years</u>	<u>Part Time</u> Eric Miller
	<u>Part Time</u> Armand Forgett Louis Sloetjes		

<u>20 Years</u>	<u>Full Time</u> Larry Brindley Henry Sloetjes	<u>30 Years</u>	<u>Full Time</u> Doug Kuik
	<u>Part Time</u> Neil MacKenzie		
<u>Retirement</u>	<u>Full Time</u> Mike Wildgen – November 2020		

STAFF COMMENTS: For your information purposes.

ACTION: Congratulations to all!

7.5.4 2021 Insurance Renewal

We have provided Council with a copy of the insurance renewal received from Marsh Canada Limited for the year 2021. The 2020 premium was \$ 65,510 plus applicable taxes for a Limit of Loss on a Blanket Limit of \$ 12,643,651. The renewal for 2021 premium is for \$ 78,789 plus applicable taxes for a Limit of Loss on a Blanket Limit of \$12,670,499. The increase works out to \$ 13,279 or 20.3%. The Blanket Limit has increased slightly as a result of new purchases as well as an increase in inflationary values. The increase comes as no surprise as insurance premiums for municipalities this year has seen dramatic increases. Much of the increase (12.3%) is for “Liability”.

Since the posting of the agenda, the insurance company came back with a revised quote in the amount of \$ 79,109 plus applicable taxes (\$ 320 increase) as they had indicated that one of the policies were “quote still pending”. This is now the final number which reflects a 20.8% increase

STAFF COMMENTS: That we accept the renewal of Marsh Canada Limited in the amount of \$ 79,109 plus applicable taxes and adopt the following resolution.

ACTION: Council agreed to accept the renewal and adopt the following resolution.

Moved by Miltenburg
Seconded by Vanstone

ACCEPT INSURANCE PROPOSAL 2021	#6	THAT Ashfield-Colborne-Wawanosh Township Council accepts the Insurance Renewal for 2021 from Marsh Canada Limited for General Insurance and Risk Management Services for the 2021 calendar year in the amount of \$ 79,109 plus applicable taxes.
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Carried.

7.5.5 Huron County 2021 Annual Accessibility Plan and Multi-Year Update

We have provided Council with a copy of the report prepared by Clerk Florence Witherspoon along with a copy of the Huron County 2021 Annual Accessibility Plan and Multi-Year Update. Ms. Witherspoon was present this morning.

STAFF COMMENTS: That Council adopts the plan as presented and adopt the following resolution.

ACTION: Council agreed to adopt the plan as presented by adopting the following resolution.

Moved by Miltenburg
Seconded by Forster

HURON COUNTY ACCESSIBIL ITY PLAN	#7	THAT Ashfield-Colborne-Wawanosh Township Council hereby adopts the 2021 Annual Accessibility Plan.
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Carried.

7.5.6 Community Safety and Well Being Plan – United Way Agreement

We have provided Council with a copy of the report prepared by Clerk Florence Witherspoon with respect to the Community Safety and Well Being Plan. Ms. Witherspoon was present this morning.

STAFF COMMENTS: That Council adopts the authorizing by-law as presented in Section 14 and that Council adopts the following resolution.

ACTION: Council agreed to authorize the signing of the agreement by by-law in Section 14. Council further agreed to appoint Anita Snobelen to represent the Township on this committee and adopt the following resolution.

Moved by Miltenburg
Seconded by Vanstone

CSWBP
ADVISORY
COMMITTEE
REPRESENT
ATIVE

#8

THAT Ashfield-Colborne-Wawanosh Township Council hereby appoints Anita Snobelen to the Huron County Community Safety and Well Being Plan Advisory Committee to represent the Township of Ashfield-Colborne-Wawanosh.

Carried.

7.5.7 Short Term Rentals / Noise and Sound By-law Review

We have provided Council with a copy of the report prepared by Clerk Florence Witherspoon. Ms. Witherspoon was present this morning.

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed to amend the set fines for the Noise By-Law. Staff will bring the amending by-law to a subsequent meeting. The changes proposed are as follows:

- 7.2 Persons
- a) first minimum \$175 to \$750
- b) subsequent minimum \$500 to \$1500
- 7.3 Corporation
- a) first minimum \$175 to \$1500
- b) subsequent minimum \$1000 to \$3000

7.5.8 Dissolution of Wards / At-Large System of Electoral Representation

As a follow-up from our last meeting, we have provided Council with a copy the By-law to consider the dissolution of the Ward System and to implement an At-Large System of electoral representation. Ms. Witherspoon was present this morning.

STAFF COMMENTS: That Council adopts the by-law as presented in Section 14.

ACTION: Council agreed to adopt the by-law as presented in Section 14.

7.6 **Public Works Department**

7.6.1 Speed Signs

Councillor Wayne Forster requested that the topic of a possible purchase of a Speed Sign be added to the agenda for consideration. Coalition for Huron Injury Prevention (CHIP) used to have one to rent, however they have sold the unit. We have provided Council with a copy of a quotation along with the applicable specifications.

STAFF COMMENTS: None.

ACTION: Council agreed to defer this item to the Budget 2021.

7.7 **Environmental Services**

No items scheduled.

7.8 **Committee Reports**

8.0 **NEW BUSINESS**
(items to be brought forward to a future meeting)

No items scheduled.

9.0 **CORRESPONDENCE / DIRECTION REQUIRED**

9.1 Maitland Valley Conservation Authority – Changes to Conservation Authorities Act

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed to support the authorities request. Staff will bring forward to their next meeting the resolution for consideration.

10.0 **CORRESPONDENCE / FOR INFORMATION PURPOSES**

10.1 Lucknow & District Joint Recreation Board – Minutes

10.2 Auburn Hall Board - Minutes

11.0 **CORRESPONDENCE / ON COUNCIL TABLE**

No items scheduled.

12.0 **UNFINISHED BUSINESS**

12.1 Official Plan 5 Year Review / Natural Environment Update – Special Meeting

December 17, 2020 at 9:00 a.m.

STAFF COMMENTS: Reminder only.

ACTION: Noted.

12.2 ROMA 2021 Virtual Conference – January 25-26, 2021

Deputy Mayor Watt, Councillor Miltenburg, Fisher, Snobelen, Forster, and Vanstone are registered for the conference.

STAFF COMMENTS: Reminder only.

ACTION: Noted.

13.0 **IN-CAMERA / CLOSED SESSION**

No items scheduled.

14.0 **BY-LAWS**

14.1 United Way Agreement / Community Safety and Well Being Plan

Moved by Fisher
Seconded by Forster

UNITED #9
WAY
AGREEMENT
T

THAT leave be given to introduce By-Law # 88-2020 being a by-law to authorize the Mayor and Clerk to execute a service agreement between the Corporation of the Township of Ashfield-Colborne-Wawanosh and all lower tier municipalities in the County of Huron and the Social Research and Planning Council of the United Way Perth-Huron and that it now be read severally a first, second, and third time, and finally passed this 15th day of December 2020.

Carried.
~

14.2 Dissolution of Wards / At Large System of Electoral Representation

Moved by Miltenburg
Seconded by Watt

DISSOLUTION #10
OF
WARDS AND
AT-LARGE
ELECTORAL
SYSTEM

THAT leave be given to introduce By-Law # 89-2020 being a by-law to for the dissolution of the Ward System of electoral representation for the Corporation of the Township of Ashfield-Colborne-Wawanosh and to institute an At-Large System of electoral representation and that it now be read severally a first, second, and third time, and finally passed this 15th day of December 2020.

Carried.
~

14.3 Confirmation By-Law

Moved by Snobelen
 Seconded by Vanstone

CONFIRMAT #11
 ION BY-LAW

THAT leave be given to introduce By-Law # 90-2020 being a by-law to confirm the proceedings of the Township of Ashfield-Colborne-Wawanosh meeting held on December 15, 2020, and that it now be read severally a first, second, and third time, and finally passed this 15th day of December 2020.

Carried.

~

15.0 ADJOURNMENT

Moved by Miltenburg
 Seconded by Snobelen

ADJOURN #12

THAT Ashfield-Colborne-Wawanosh Township Council does now adjourn to meet again on December 17, 2020 at 9:00 a.m. or at the Call of the Mayor.

Carried.

~



Council Minutes December 17, 2020

Township of Ashfield-Colborne-Wawanosh Council met in special session on the 17th day of December 2020, at 9:00 am through Zoom, a video conferencing platform. This meeting was held electronically as per By-Law #52-2020, Section 3.10 which allows for Electronic Participation of Council Meetings.

The following individuals were participants during the special Council meeting:

Mayor
Deputy Mayor
Councillors

Glen McNeil
Roger Watt
Gloria Fisher
Wayne Forster
Jennifer Miltenburg
Anita Snobelen

CAO/Deputy Clerk
Clerk
Treasurer
Chief Building Official
Public Works Superintendent
Planner

Mark Becker
Florence Witherspoon
Ellen McManus
Brett Pollock
Brian Van Osch
Celina Whaling-Rae

OTHERS PRESENT: Denise Van Amersfoort, Senior Planner, Huron County Planning Department

1.0 **CALL TO ORDER**

Deputy Mayor Watt called the meeting to order and chaired until Mayor McNeil arrived, being previously committed. This meeting was called to continue the preliminary review of the Township's Official Plan.

2.0 **DISCLOSURE OF PECUNIARY INTEREST / POTENTIAL CONFLICT OF INTEREST**

None disclosed.

3.0 **TOWNSHIP OFFICIAL PLAN PRELIMINARY REVIEW**

3.1 Denise Van Amersfoort & Celina Whaling-Rae, Planners / Huron County Planning Department

We have provided Council with a copy of the following:

- Workshop Schedule
- Presentation on Natural Environment Update
- Secondary Farm Residences Report
- Land Evaluation and Area Review
- Official Plan Review Process Initiation Report

STAFF COMMENTS: None.

ACTION: Council will meet again in Special Session on Tuesday, January 12th at 10:00 a.m. to further discuss the Natural Environment Update.

5.0 **ADJOURNMENT**

Moved by Forster
Seconded by Fisher

ADJOURN

THAT Ashfield-Colborne-Wawanosh Township Council does now adjourn to meet again on January 5th, 2021 at 9:00 a.m. or at the Call of the Mayor.
Carried.

~



PLANNING & DEVELOPMENT

57 Napier Street, Goderich, Ontario N7A 1W2 CANADA

Phone: 519.524.8394 Ext. 3 Fax: 519.524.5677

Toll Free: 1.888.524.8394 Ext. 3

www.huroncounty.ca

5.1

To: Township of Ashfield-Colborne-Wawanosh, Mayor, and Members of Council
From: Celina Whaling-Rae, Planner
Date: December 30th, 2020

Re: Housekeeping for Comprehensive Zoning By-law 32-2008

This report is submitted to Ashfield-Colborne-Wawanosh (ACW) Council for the Council Meeting on January 5th, 2021.

RECOMMENDATION

It is recommended that Council adopt the proposed housekeeping by-law for the Comprehensive Zoning By-law.

PURPOSE

The purpose of the proposed zoning by-law amendment is to enhance the clarity of certain provisions within the Zoning By-law and to modify provisions which, in the opinion of staff, are not producing the intended outcomes. This amendment applies to the Zoning By-law and, therefore, across the Township.

BACKGROUND

At the November 17th meeting of Council, Council concurred with staff's recommendation to initiate a housekeeping for Comprehensive Zoning By-law 32-2008. Today's Public Meeting provides residents with an opportunity to comment on proposed changes, which are summarized below.

Section	Nature of Change Proposed	Additional Comment(s)
2. Definitions 3.16 Parking Requirements 4.2 General Agricultural (AG1) Zone Accessory Uses 5.1 Agricultural Commercial/Industrial (AG3) Zone Permitted Uses	Adding provisions to introduce regulations for breweries/distilleries/wineries. The use is proposed to be defined as: - 'Brewery/Distillery/Winery' (general definition) - 'Rural Brewery/Distillery/Winery' (Permitted as a main use in an AG3 zone) - 'Farm Brewery/Distillery/Winery' (Permitted in as an accessory use in an AG1 zone)	The proposed differences between a 'farm' and rural' brewery/distillery/brewery: - A farm brewery/distillery/winery must be accessory to a main agricultural use within one building - A rural brewery/distillery/winery may operate in multiple buildings and would be permitted as a primary use. - A farm brewery/distillery/winery would be smaller in scale than a rural brewery/distillery/winery, based on being an accessory use. Both must be used for the production of alcohol from crops partially grown on-site.
2. Definitions	Moving the general provisions for 'Temporary Dwelling' listed in the definitions	

	section and moving them to Section 3.4.3 (Temporary Dwelling provisions).	
2. Definitions	Moving the general provisions for 'Second Unit' listed in the definitions section and moving them to Section 3.4 (Second Unit provisions).	
2. Definitions	Clarifying the definition of 'Attached Garage' to stipulate that a common wall between a dwelling and an attached garage must be constructed above grade.	
2. Definitions	Modifying the definition of 'Park, Public' to allow for the Township to dedicate Natural Environment areas to parkland allocation.	This would essentially allow a portion of a Natural Environment area within a larger development to be used for park space, rather than a portion of the developable area being used for parkland and/or having the developer pay cash-in-lieu of parkland fees.
3.4.2 Location of Accessory Buildings	Allowing accessory structures to be constructed in the front or exterior side yard on corner lots in VR1, LR1, LR2, and AG4 zones equal to or less than 0.8 hectares in size.	
3.4.2 Location of Accessory Buildings	Allowing accessory structures in an AG4 zone to be constructed in the rear yard or interior side yard, provided it is no closer than 1.5 metres from a lot line.	
3.4.3 Height of Accessory Buildings	Allowing accessory structures in an AG4 zone to be constructed at a greater height, provided they are constructed at a greater setback.	
3.4.7 Accessory Structures Adjacent to Top-of-Bank and/or Lakefront Lots	A new section is proposed to allow for, and regulate decks in the front yards of lakeshore lots.	Detached decks are currently not permitted in the front yards of lakeshore lots (i.e. the lake side of the lots).
3.15 Garden Suites	Changing the provision to reference Temporary Dwellings as opposed to Garden Suites.	
3.26.13 Parking Area Design Standards	A new section is proposed to regulate the minimum size of parking aisles required for new developments.	
3.35 Truck or Coach Bodies	Changing the provision to account for sea containers and other similar structures. Further clarifying that said structures may not be used for human habitation and that they may be used for storage purposes in certain zones.	
3.43 Wellhead Protection Areas	Adding Section 3.43 to ensure that the zoning by-law contains provisions regulating wellhead protection areas and source water protection.	Mandated by the province that the Township include source water protection policies within the Official Plan & Zoning By-law.
4 through 29	Re-arranging the sections to be in alphabetical order.	
4.5 General Agriculture (AG1)	Updating provisions to stipulate that all open and closed cemeteries shall be	

Zone Separation Distance (Agricultural)	treated as a Type A land use in the calculation of Minimum Distance Separation (MDS)	
6.7 Agricultural Small Holding (AG4) Zone Separation Distance (Agricultural)		
6.8 Agricultural Small Holding (AG4) Zone MDS for Closed or Inactive Cemeteries		
6.2 Agricultural Small Holding (AG4) Zone Accessory Uses	Adding a provision to allow a second dwelling unit subject to the general 'Second Unit' provisions.	
7.4.5 Natural Environment (NE1) Zone Vacant Lots in Hazard Areas	Adding a provision to provide an explanation for as to why a holding may be placed on NE1-1 lots to control development along the lakeshore.	NE1-1 lots are subject to the provisions of the LR1 (Lakeshore Residential – Seasonal) Zone and are located along the lakeshore.
18.8.6 Village/Hamlet Residential – Low Density (VR1) Zone Second Unit	Clarifying that both the main dwelling and second unit must be served by the same water and septic services.	
22.5 Village Commercial (VC1) Zone Building Regulations for Accessory Residential Use	Clarifying that an accessory residential use is not permitted below grade level.	
Various	Changing the term 'Municipality' to 'Township' to achieving consistency when referencing the Township throughout the by-law.	
Various	Correcting provisions which reference the Huron County Health Unit as the approval authority for septic servicing to now reference the Township.	
Various	Minor grammatical changes	
Mapping	Amending the zoning on well blocks across the Township to reflect their Utility use.	Prompted by approval of consent application C63/20.

COMMENTS

It is of staff's opinion that these changes will clarify the intent of the provisions of the by-law, and are concurrent with Council's direction as it pertains to planning and development.

Respectfully,

Celina Whaling-Rae
Planner

**NOTICE OF A PUBLIC MEETING
REGARDING A HOUSEKEEPING AMENDMENT TO THE ASHFIELD-COLBORNE-WAWANOSH
ZONING BY-LAW**

TAKE NOTICE that the Corporation of the Township of Ashfield-Colborne-Wawanosh (ACW) will hold a Public Meeting under Sections 34 of the Planning Act to consult with the public about a Housekeeping Amendment to the ACW Zoning By-law.

PUBLIC MEETING will be held:

9:00am
Tuesday, January 5th, 2020
Via Zoom

ANY PERSON may attend the Open House and Public Meeting and/or make written or verbal representation.

PURPOSE AND EFFECT The purpose of the Housekeeping Amendment is to update general and zone provisions, permitted uses and definitions in the Zoning By-law. The proposed Housekeeping Amendment proposes primarily text changes to the Zoning By-law and does not introduce widespread mapping changes. A summary of the proposed changes to the Huron Zoning By-law is as follows:

- Add new definitions including: farm and micro-brewery/distillery/winery;
- Revise existing definitions , including temporary dwelling, second unit, attached garage, public park, and garden suites;
- Revise Section 3.4.2 for location of accessory structures;
- Revise Section 3.4.3 for height of accessory structures;
- Introduce Section 3.4.7 to permit and regulate decks in the front yard of lakeshore lots;
- Introduce Section 3.26.13 to regulate parking aisles;
- Revise Section 3.35 to account for similar structures to truck and coach bodies;
- Add Source Water Protection provision and definitions;
- Update Minimum Distance Separation (MDS) sections regarding distances for livestock barns from cemeteries;
- Add second dwelling units as a permitted use in the AG4 zone;
- Clarify why a –h holding may be applied to lots zoned NE1-1;
- Clarify that second units in the VR1 zone must be serviced by the same services as the main dwelling;
- Clarify that an accessory residential use is not permitted below grade level in the VC1 zone; and
- Other minor grammatical changes.

Changes to the zones maps or zone text for the following properties to correct specific mapping errors:

- 85337E MACKENZIE CAMP ROAD NORTH: zone change from NE-1 to U on portion of property severed for well-block.
- PLAN 22M14 BLOCK 6 & PLAN 22M14 BLOCK 7: zone change from LR2-3 to U.
- 83825B DICKSON ST: zone change from NE1-15 to U.
- PLAN 584 PART LOT 18 RP22T190 PART 2: zone change from NE1-1 to U.
- 82703 GRAHAM STREET: zone change from NE1 to U.
- 82703 GRAHAM ST: zone change from NE1 to U.

- 84036 LAKEVIEW DRIVE: zone change from NE1 to U.
- PLAN 291 PART NORTH PART LOT 82: zone change from CF to U.
- PLAN 626 BLOCK 15: zone change from LR2-5 to U.
- ASHFIELD CON FRONT NTP PT LOT 11 RP 22R6192 PARTS 1 AND 2: zone change from NE1 to U.

The text amendment applies to all the lands within the Township of Ashfield-Colborne-Wawanosh

A copy of the draft changes may be accessed on the ACW website at: www.acwtownship.ca.

IF you wish to be notified of the decision of the Township on the proposed Amendments, you must make a written request to 82133 Council Line, RR5 Goderich ON N7A 3Y2 or to clerk@acwtownship.ca

IF a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Ashfield-Colborne-Wawanosh before the by-laws are passed, the person or public body is not entitled to appeal the decision of the Council of the Township of Ashfield-Colborne-Wawanosh to the Local Planning Appeal Tribunal.

IF a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Ashfield-Colborne-Wawanosh before the by-law is passed the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal there are reasonable grounds to do so.

Florence Witherspoon, Clerk
Township of Ashfield-Colborne-Wawanosh
82133 Council Line, RR5 Goderich ON N7A 3Y2
519-524-4669



THE CORPORATION OF THE TOWNSHIP OF
ASHFIELD-COLBORNE-WAWANOSH

BY-LAW NUMBER 3-2021

BEING A BY-LAW to amend Zoning By-law 32-2008 for the Corporation of the Township of Ashfield-Colborne-Wawanosh

WHEREAS the Council of the Corporation of the Township of Ashfield-Colborne-Wawanosh considers it advisable to amend Zoning By-law 32-2008, as amended;

NOW THEREFORE the Council of the Corporation of the Township of Ashfield-Colborne-Wawanosh enacts as follows:

1. This by-law shall apply to all lands within the Township of Ashfield-Colborne-Wawanosh.
2. By-law 32, 2008, being a by-law to adopt a comprehensive Zoning By-law, is hereby amended by the changes shown in the attached Schedules 1, 2, & 3, as shown by the following:

Deletions to the text are shown as ~~strikethroughs~~
Additions to the text are shown as underlined

3. This by-law may be cited as the "Zoning By-law Housekeeping Amendment 2021".

Read a first and second time this 5th day of January 2021.

Read a third time and finally passed this 5th day of January 2021.

Mayor, Glen McNeil

CAO/Deputy Clerk, Mark Becker

THE CORPORATION OF THE TOWNSHIP OF
ASHFIELD-COLBORNE-WAWANOSH

BY-LAW NUMBER 3-2021

SCHEDULE 1

1. By-Law 3-2021 has the following purpose and effect:

The purpose of the Zoning By-law Amendment is to make a number of minor changes to numerous definitions and provisions which will result in increased clarity with regard to the intent of the by-law. Provisions are also to be introduced with regards to farm and micro-breweries/distilleries/wineries, decks on lakeshore properties, parking aisles source water protection legislation, and second units in the AG3 zone. In addition, zone changes are proposed to reflect the Utility use of various properties throughout the Township.

The following is a summary of the changes:

- Add new definitions including farm and micro-brewery/distillery/winery;
- Revise existing definitions, including temporary dwelling, second unit, attached garage, public park, and garden suites;
- Revise Section 3.4.2 for location of accessory structures;
- Revise Section 3.4.3 for height of accessory structures;
- Introduce Section 3.4.7 to permit and regulate decks in the front yard of lakeshore lots;
- Introduce Section 3.26.13 to regulate parking aisles;
- Revise Section 3.35 to account for similar structures to truck and coach bodies;
- Add Source Water Protection provision and definitions;
- Update Minimum Distance Separation (MDS) sections regarding distances for livestock barns from cemeteries;
- Add second dwelling units as a permitted use in the AG4 zone;
- Clarify why a –h holding may be applied to lots zoned NE1-1;
- Clarify that second units in the VR1 zone must be serviced by the same services as the main dwelling;
- Clarify that an accessory residential use is not permitted below grade level in the VC1 zone; and
- Other minor grammatical changes.

Changes to the zones maps or zone text for the following properties to correct specific mapping errors:

- 85337E MACKENZIE CAMP ROAD NORTH: zone change from NE-1 to U on portion of property severed for well-block.
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- 82703 GRAHAM ST: zone change from NE1 to U.
- 84036 LAKEVIEW DRIVE: zone change from NE1 to U.
- PLAN 291 PART NORTH PART LOT 82: zone change from CF to U.
- PLAN 626 BLOCK 15: zone change from LR2-5 to U.
- ASHFIELD CON FRONT NTP PT LOT 11 RP 22R6192 PARTS 1 AND 2: zone change from NE1 to U.

2. This By-Law amends Zoning By-law 32-2008.

THE CORPORATION OF THE TOWNSHIP OF
ASHFIELD-COLBORNE-WAWANOSH

BY-LAW 3-2020

SCHEDULE 2

**ZONING BY-LAW
FOR ASHFIELD-COLBORNE-WAWANOSH
As Amended**



By-law 32-2008

Consolidated October 2019

Summary of Zoning By-law Amendments / Auto Rezoning / Minor Variances

<u>Name</u>	<u>Ward</u>	<u>Property Location</u>	<u>Zone Map #</u>	<u>Zone Change</u>	<u>Amending By-Law # /Severance #</u>
Devries	Ashfield	Pt of Lots 33 & 34, Front Conc.	1	From AG1 to AG1-29	40 / 08
Bashellier	Ashfield	Pt of Lot 7, Conc. 13	2	From NE1 to NE1-31	46 / 08
Homan	Colborne	Lot 10, RP 626	13B	From LR2-5 to LR2-14	
Goud	Colborne	Pt of Lots 10 & 11, Maitland Conc.	16	From NE5-3 to NE5 & AG1-30	53 / 08
Furst	Ashfield	Lot 20, RP 584	11C	MV A1/08's: side yard, front yard & daylight triangle	MV A1/08
Brown	Colborne		12B	From NE1 to NE1-32	
Grierson	Wawanosh	Lot 21, Conc. 8	6	added road to zone map	
Stutzman et al	N/A	N/A	N/A	change to definition of Enlarged Dwelling	
Steckley	Ashfield	Lot 19, RP 585	11c	MV A3/08 for top of bank setback	MV A3/08
Buffinga	Ashfield	RP 141	5b	AG1 & VM1-h to VR1 & AG1-31	03 / 09
Lavis	Colborne	East Pt Lot 4 Conc. 4 ED Colborne	14	AG1-h & NE1 to ER1-2	05 / 09
Maaskant	Colborne	Lots 19, 20 & 21, Maitland Conc.	16	NE1 to NE1-33	16 / 09
Heggie	Ashfield	Lot 16, RP 585, Cedar Grove Beach	11C	MV A3/08 for top of bank setback	MV A3/08
Alton	Wawanosh	Pt Lot 13, Conc. 9	6	MV A1/09 for front yard setback	MV A1/09
Schuttel	Colborne	Lot 5 Conc. 6 Colborne, WD	13	MV A2/09 for exterior side yard	MV A2/09
Housekeeping	N/A	N/A	N/A	Change Section 7.6 from Type B to Type A	
Amish Parochial School	Ashfield	Lot 9, Conc. 11 Eastern Division	5	AG1 to AG1-32	36 / 09
Knapp	Ashfield	Pt Lot 4, Front Conc.	11E	NE1 to NE1-34	53 / 09
Bruce Woods Construction	Wawanosh	Pt Lot 14, Conc. 10	6	AG1 to AG4-17	58 / 09
Wattam	Wawanosh	Pt of Lot 27, Conc. 14	7	AG1 to AG4-18	12 / 10
Dietz	Ashfield	Pt of Lot 29 & Lot 30, Pt of Huron St, Port Albert, RP 136	11D	VR1 to VR1-14	18 / 10
O'Rourke	Ashfield	Lot 60, RP 580	01A	LR2 to LR2-15	29 / 10
Brown	Colborne	Pt of Block 15, RP 609	12A	NE1-1 to NE1-35	31 / 10
Shetler	Wawanosh	Lots 5 to 20, RP 300	6A	VR1 & VR1-h to VR1-15	57 / 10
Widmeyer	Ashfield	Pt of Lt 28, Front Conc. NTP	1	MV A2/10 for setback of R.O.W.	MV A2/10
Tong	Ashfield	Pt of Lots 40, 41, 42, Front Conc. NTP	1	MV A3/10 allow accessory storage building	MV A3/10
Foster	Ashfield	Park Lot 11, RP 136, Port Albert	11D	MV-A4/10 allow the construction of a detached garage	MV A4/10
Reinhardt	Wawanosh	Pt of South Pt of Lot 13, RP 22R739 Pt 1, Conc. 14	5A	VR1 to VR1-16	23 / 11
Shetler	Wawanosh	Lot 24, Conc. 11	7	AG1 to AG1-33	40 / 11
Van Diepenbeek	Ashfield	Pt of Lot 1, Front Conc NTP	11C	LR2-11 to LR2-11-h	41 / 11
Brindley	Wawanosh	Pt of Lot 13, Conc. 5	09A	VM1-H to VM1	42 / 11
Baines	Ashfield	Lot 27, RP 581	11C	NE1 to NE1-36	43 / 11
Knight	Ashfield	Lot 15, RP 594	1A	LR2-h to LR2	52 / 11
Knight	Ashfield	Pt of Lot 45, Front Conc.	1A	LR2-h to LR2-16	53 / 11
ACW	Colborne	Provision for Undersized Lots		VR1	54/11

<u>Name</u>	<u>Ward</u>	<u>Property Location</u>	<u>Zone Map</u>	<u>Zone Change</u>	<u>Amending By-Law # /Severance #</u>
Jennison	Colborne	Pt of Lots 16 & 17, Maitland Conc.	16	NE1, NE5 & AG1-h to ER1-3	OMB
Miller	Wawanosh	Pt of South Pt of Lot 27, Conc. 9	7	AG1 to AG3-1	4 / 12
Yoder	Wawanosh	North half Lot 22, Conc. 12	7	AG1 to AG1-34	65 / 12
MacDonald	Ashfield	Pt of Lot 12, Conc. 14	2	AG1 to AG4	62 / 11
Ireland	Ashfield	Lots 7 & 8, RP 137, Port Albert	11D	VR1-13-h to VR1-13	63 / 11
Deeming By-law	Ashfield	Park Lot 1, RP136		Removal of Deeming By-law	17/12
Ireland	Ashfield	Lots on Anne St, RP 137, Port Albert	11D	VR1-13-h to VR1-13	30 / 12
Ennett	Ashfield	Pt of Lot 1, Front Conc., RP 22R3443, Lot 1, Front Conc., 33729 South St	11E	LR1 to LR1-10	66 / 12
Dickson	Colborne	Block H, RP 180, Saltford	13C	VR1-h to VR1	29 / 12
Miller	Wawanosh	North Half Lot 21, Conc. 11	50	CF1 to AG-34	26/ 13
Marshall	Ashfield	Lot 27, Front Conc., NTP, RP 22R3409, Pt 5	3A	LR1 & LR1-h to LR1-11	42 / 13
Schlegel	Ashfield	Pt of Lot 2 & Lot 3, Conc. 12, Western Division & Pt Lot 6, Conc. 12, Western Division	2 & 4	AG1-h to AG1	55 / 13
MacInnis	Colborne	Lots 46, 47 & Pt of Block C, Plan 180, Colborne	13C	VR1-h to VR1	56 / 13
Lucknow District Co-Op Inc	Wawanosh	Pt of North Pt of Lot 12, Conc. 13	5	AG1 & AG1-h to AG3 & AG3-h	63 / 13
Tradicon	Colborne	Pt of Lot 6, Conc. 2	15	AG1-h to AG3-2	
Snobelen	Ashfield	Pt Lot, Conc. 5 & 6 & Pt Lot 2, Conc. 5, Western Division	11	AG1 & AG2-1 to AG4 & AG1-35	32 / 14
Lavolit	Ashfield	Pt of Lot 37, Front Conc.	1	RC1 to LR1 & AG1	33 / 14
Goderich Port Mgt. Corp	Colborne	Pt of Pt 1, Plan 22R-4452	13B	Creation of new zone HMI-1	49 / 14
Barnim	Colborne	Pt of Lot 1, Conc. 6, Eastern Division	14	CF to AG1-36 & CF-3	57 / 14
Housekeeping				Amendments to Sections 3.44, 4.10.37 and 7.8.19	66 / 14
Miller	Wawanosh	Lot 23, Conc. 13	7	NE5 to NE5-4	05 / 15
Benmiller United Church	Colborne	Pt of Lot 1, Conc. 2, Eastern Division	15A	CF to VR1	06 / 15
Esteem Farms Ltd	Ashfield	Pt of South Pt of Lot 6, Conc. 10, Eastern Division	5	AG1 to AG1-38	10 / 15
Stutzman	Wawanosh	North half of Lot 19, Conc. 11	6	AG1 to AG1-39	46 / 15
Rutledge	Wawanosh	Lot 13, Conc. 1	9	AG1 to AG1-37 & AG4-19	Auto Rezoning B39-14
Laidlaw	Wawanosh	Lots 26, 27, Conc. 14	7	AG1 to AG1-37 & AG4-19	Auto Rezoning B40-14
Alton	Wawanosh	East Pt Lot 21, Conc. 7	9	AG1 to AG1-37 & AG4-19	Auto Rezoning B47-14
Brown	Ashfield	Pt Lot 6 RP 22R6241; Pt 1, Conc. 3, Eastern Division	10	AG1 to AG1-37 & AG4-19	Auto Rezoning B55-14
McKenzie	Ashfield	Pt Lot 8, Conc. 13, Western Division	2	AG1 to AG1-37 & AG4-19	Auto Rezoning B53-14
Staehli	Ashfield	Pt Lot 11, Conc. 13, Eastern Division	5	AG1 to AG1-37 & AG4-19	Auto Rezoning B56-14
Rogers	Colborne	Lot 2, Conc. 6, Western Division	13	AG1 to AG1-37 & AG4-19	Auto Rezoning B5-15

Township of Ashfield-Colborne-Wawanosh Consolidated Zoning By-law 32-2008, As Amended

<u>Name</u>	<u>Ward</u>	<u>Property Location</u>	<u>Zone Map #</u>	<u>Zone Change</u>	<u>Amending By-Law # /Severance #</u>
Devitt	Ashfield	Pt Lot 6, Conc. 14	4	AG1 to AG1-37 & AG4-19	Auto Rezoning B20-15
Schilder	Colborne	Lot 2, Conc. 9, Eastern Division	14	AG1 to AG1-37 & AG4-19	Auto Rezoning B22-15
Vander Sluis	Wawanosh	Lot 24, Conc. 2	8	AG1 to AG1-37 & AG4-19	Auto Rezoning B30-15
Snobelen	Ashfield	Pt Lot: 5, Conc. 8, Western Division	4	AG1 to AG1-37 & AG4-19	Auto Rezoning B47-15
Vanstone	Colborne	Pt of Lot 1, Conc. 1, Western Division	13C	FD to VR1, VR1-h & NE1	Auto Rezoning B75-15
Boyes	Wawanosh	Pt of Lot 13, Conc. 5	9	AG1 to AG1-37 & AG4-19	Auto Rezoning B34-15
Van Dewetering	Colborne	Pt Lot 16, Lake Road West Conc.	12A	AG1 to AG1-37 & AG4-19	Auto Rezoning B58-15
Sinclair	Wawanosh	Pt Lot 26 & 27, Conc. 8	7	AG1 to AG1-37 & AG4-19	Auto Rezoning B69-15
Dykstra	Colborne	Pt Lot 17 & 18, BFC & LRW Conc.	12A	AG1 to AG1-37 & AG4-19	Auto Rezoning B76-15
Van Gaalen	Colborne	Pt Lot 7, Conc. 1 & 2, Western Division	13	AG1 to AG1-37 & AG4-19	Auto Rezoning B80-15
Andrew	Ashfield	Pt Lot 4, Conc. 10, Eastern Division	5	AG1 to AG1-37 & AG4-19	Auto Rezoning B15-16
Phillips	Wawanosh	EPT Lot 14, Conc. 11	6	AG1 to AG1-37 & AG4-19	Auto Rezoning B17-16
ACW housekeeping	Ashfield, Colborne, Wawanosh	Various	All Key Maps updated	Various zoning changes	13-2016
Priestap	Wawanosh	Pt of Lots 40, 41, 42, Front Conc. NTP	6	MV A1/16 maximum building height	MV A1/16
Ashfield-Colborne-Wawanosh	Ashfield	Pt Lot 4, Pt Lot 5, Conc. 9	5	MV A2/16 Rear and Front Yard setbacks	MV A2/16
Crane	Colborne	Pt Lot 3, Plan 180	13C	MV A3/16 Height of Accessory Buildings and Lot Coverage	MV A3/16
Grundy	Ashfield	Pt Lot 38 as RP22R442 Pt 3, Front NTP Conc.	1	MV A4/16 Height of Accessory Buildings	MV A4/16
MacAuley	Ashfield	Pt Lot 15, Front NTP, Ashfield	11A	VM1 to VC1	17-2016
Davidson	Colborne	Pt Lots 7, 8, 9 & 10, Conc. 5	14	AG1 & NE1 to ER1	32-2016
Donnelly	Colborne	Plan 572, Lot 11&12	12B	Enlarge existing cottage at a 1.5 metre side yard setback	MV05/16
Goulet	Colborne	Falls Reserve Eat Pt as RP 22R4491 Pt 2	15A	MV A6/16 Height of Accessory Building in Settlement Areas	MV 06/16
Carmount	Ashfield	Pt of West Pt Lot 45, Front Conc. NTP	1A	MV 07/16 increase maximum Lot coverage from 25 % to 35 %	MV 07/16
Alton	Ashfield	Pt Lot 12, Conc. 9 WD	5	AG1 to AG4	B74-15
Squeals N' Wheels	Colborne	Lot 3, Conc. 9	12	AG1 to AG4-19 & AG1-37	B36-16
Desmarais/Hickey	Ashfield	Pt. Lot 41 (19 Melbourne St. Pt A) Plan 136	11D	MV A01/17 Maximum Building Height	MV 01/17
Schramm	Wawanosh	Lot 26, Conc. 2	08	MV A02/17 Front Yard Setback	MV 02/17
Motiu	Ashfield	Lot 27, Plan 584	11C	MV 03/17 Rear Yard Setback	MV 03/17

<u>Name</u>	<u>Ward</u>	<u>Property Location</u>	<u>Zone Map #</u>	<u>Zone Change</u>	<u>Amending By-Law # /Severance #</u>
Brunskill	Ashfield	Lot 15, Front Conc. Plan 585	11C	MV 04/17 Front Yard Setback	MV 04/17
HCM Farms Ltd.	Colborne	Lot 14, Maitland Conc.	16	AG1 to ER1	53-2016
PBG Farms Inc.	Ashfield	Front Conc. NTP Pt Lt25	3A	MV05/17 Rear Yard Setback	MV05/17
Pegg	Wawanosh	Pt Lot 13, ASRP, Conc. 14 Pt S	05A	FD to VR1-18 and VR1-18-H	56-2016
Boucher	Ashfield	Pt. Lot 7, Conc. 7 WD	11A	VR1 to VC1	57-2016
Brooks	Wawanosh	Temp Use Lot 42, Plan 302	06A	Temp Use VR1	05-2017
McCabe	Colborne	Lot 1, Conc. 1 WD, Plan 22R-420	13C	Allow construction of an addition to an existing non-complying cottage	MV06-2017
Mullin	Ashfield	Lot 5, Plan 580	01A	Relief from 16.4 Interior Side Yard Relief from 16.4 Rear Yard	MV07-2017
Parkbridge Lifestyles	Colborne	Lot 3, LRW Conc.	12B	LR3 to LR3-2	08-2017
Hill	Colborne	Pt. Falls Reserve WD, Benmiller	15A	FD, NE1, NE5 to VR1	27-2017
Elphick Farms Ltd	Ashfield	Pt Lot 1, Conc. 14 WD	4	AG1 to AG4-19 & AG1-37	Auto-Rezoning B38-17
Willert	Ashfield	Lot 1, Conc 3	11	NE1 to NE1-40	43-2017
Philips	Wawanosh	Lot 16, Conc 12	6	AG1 to AG4	B53-16
Simpson	Ashfield	Pt Lot 21, Front conc. NTP	3	AG1 to AG4-19 & AG1-37	Auto Rezoning B47-16
Chamney	Wawanosh	SE Corner Lot 82; Pt SW Pt Lot 82, Pt N Pt Lot 82, Auburn	8B	VR1 to VC1-6; CF to VC1; VR1 to CF	Z58-2017
Terpstra	Ashfield	Pt Lot 15, Conc Front NTP Kingsbridge	11A	VC1 to VR1	Z63-2017
Parker	Ashfield	Pt Lot 10, Conc 7 ED	10	NE1-2 to NE1-41 and NE1 to NE1-4	Z67-2017
Deuschle	Colborne	W Pt Blk F, WD	13	AG1 to AG1-40	Z08-2018
511414 Ont. Ltd.(Elliott)	Ashfield	Pt Lt18, Conc 14	1B	VR1 to VC1-6-H	Z19-2018
McDonald	Ashfield	Pt Lots 3-6, W/S Front Pt Reserve RP 22R2218 Pts 1 & 2, RP22R2137	12B	Relief from Section 3.4.2. to allow an accessory use in front yard; relief from 3.3.1.7. to permit a residence to be built within 100 yr erosion hazard area; relief from 18.4 for rear yard depth to allow a residence to be built with a rear yard depth of 3 m	MV01-18
Richard & Waud	Ashfield	Lot 22, RP 594	1A	Removal of Holding Symbol	Z26-18
Gross/Allen	Colborne	Lot 14, Plan 604	13C	Relief from 18.4 Interior Side Yard	MV 02-18
Sproul/McKercher	Wawanosh	W Pt Lt 17, Conc 5 E Pt Lt 17, Conc 5 W Pt Lt 18, Conc 5	09	AG1 to AG1-41 NE1 to NE1-42-h NE1 to NE1-42-h	Z40-2018
Merner Aggregates Ltd.	Colborne	Pt Lt 5, Conc 5 ED	14	ER1 to ER1-4	Z50-2018
Caesar, Gary	Ashfield	Con 6, ED Pt W Pt Lot 11 Pt E; Pt Lt 11	10	Relief from AG1 Section 4.4.3.1. front Yard Depth for livestock facility and Manure or material storage requirements to allow construction of addition to and existing livestock barn with a reduced minimum front yard depth setback of 53 metres	MV03-18
Patti & Joe Bernier	Ashfield	Con Front NTP TP Lot 26 as RP 14	3A	Relief to permit an addition to the west side of an existing residence to be built within the 100 yr erosion hazard area.	MV04-18
Sophie Burdan	Ashfield	Con 1, Pt Lot 7	10	AG1 to AG4-19 & AG1-37	Auto Rezoning C15-18

<u>Name</u>	<u>Ward</u>	<u>Property Location</u>	<u>Zone Map #</u>	<u>Zone Change</u>	<u>Amending By-Law #</u>
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Township of Ashfield-Colborne-Wawanosh Consolidated Zoning By-law 32-2008, As Amended

					<u>/Severance #</u>
Vulcanescu	Ashfield	11 Apple Lane, Port Albert, Plan 579, Lot 11	11D	Relief from Section 3.31.3 General Provisions, to allow an addition to a residence to be built with a minimum setback from the top-of-bank of a natural watercourse of 4.5 metres; to grant relief from Section 15.4 Zone Regulations to allow an addition to a residence to be built with a minimum rear yard setback of 0.9 metres.	MV05-18
Place	Ashfield	Conc Front NTP Pt Lot 26, 84841A Shamrock Beach Rd.	n/a	Relief from Section 15.4 zone regulations for Side Yard Depth in the LR1Zone to allow an addition to a residence to be built with a minimum side yard setback of 1.19 metres. To also grant relief from Section 15.4 Zone Regulations for Rear Yard Depth in the LR1 Zone to allow a minimum rear yard depth of 2.2 metres	MV06-18
Peet	Ashfield	Plan 589, Lot 1 84575 Pine Needle Row	11B	To allow the construction of an accessory structure in the exterior side yard; to acknowledge and allow the existing cottage rear yard setback of 6.7 metres; to allow the construction of an accessory structure with a minimum side yard setback of .3 metres; to allow the construction of an accessory structure with a minimum rear yard setback of .3 metres; to allow the construction of an accessory structure with a maximum height of 6.9 metres.	MV07-18
Merner Aggregates Ltd.	Colborne	Lot 5, Conc. 5ED 81727 Sharpes Creek Ln	14	ER1 to ER1-4	Z50-18
Matthew Sproul	West Wawanosh	Lt 17, Pt Lt 18, Conc 5	9	AG1 to AG1-41 NE1 to NE1-42h	Z40-18
HCM Farms Ltd	Colborne	Pt Lot 21, Maitland Conc	16	AG1 to ER1	Z79-18
Daters Deeming By-law	Colborne	Lots 1 and 2, Plan 626		Deems that Lots 1 & 2 of Plan 626 to not be part of a plan of subdivision, consolidating the lots into one parcel of land.	Z82-18
Auburn Riverside Retreat	Wawanosh	Conc. 1, Pt Lot 16 and Pt Lot 27 38382 Blyth Rd.	8	NE1-43 permits a Recreational Trailer Park and Campground subject to special provisions	Z08-19
ACW/Hollander Properties-Windmill Inc	Wawnosh	Conc. 1, Pt Lot 16 and Pt Lot 27 38382 Blyth Rd.	8	Site Plan Control Agreement	Z10-19
Podlesny, Jakub & Pameal	Ashfield	Plan 582, Blk A, Pt Blk E (83439 B Cedar Bank Drive)	11E	To grant relief from Section 3.31.1. Setbacks of buildings and structures along municipal drains, to allow for an addition to an existing residence and deck addition to be built with a minimum setback of 3.5 metres from the centerline of a closed municipal drain.	MV01-19
Franken	Ashfield	Conc 2, ED Pt N Pt Lot 4 36173 Hawkins Rd.	10	To grant relief from Section 3.41.g to allow a home industry on an AG4 zoned property to have a storage shed with a maximum size of 930 square metres.	MV02-19

<u>Name</u>	<u>Ward</u>	<u>Property Location</u>	<u>Zone Map #</u>	<u>Zone Change</u>	<u>Amending By-Law # /Severance #</u>
Lang	Ashfield	Conc. Front NTP Pt Lot 24 - 85373 MacKenzie Camp Road North	3A	To grant relief from Section 3.31.7 to permit the reconstruction of an existing residence to be built within the 100-year erosion hazard area and to grant relief from Section 7.5.1 and Section 15.4 Minimum Rear Yard Setback to allow a residence with a minimum rear yard setback of 0.45 meters.	MV03-19
Jones	Ashfield	Plan 136, Lots 1 – 6 West Sydenham St, 35 South St, Port Albert	11D	To grant relief from Section 3.4.2a) Location of Accessory Structures: To allow the construction of one accessory structure in the front yard and exterior side yard AND to grant relief from Section 3.4.3 Height of Accessory Structures in Settlement Areas: To allow the construction of an accessory structure with a maximum height of 5.6 meters.	MV04-19
Hansen	Ashfield	Con Front NTP, Pt Lot 23 85323 MacKenzie Camp Road	3A	To grant relief from Section 7.5.1 and Section 15.4 Minimum Rear Yard Setback to allow a residence with a minimum rear yard setback of 6.4 meters.	MV05-19
Dobbie	Ashfield	Plan 581, Lot 7 84025 Lakeview Drive	11C	To grant relief from Section 15.4 Zone Regulations for minimum rear yard setbacks of buildings to allow for the reconstruction of the existing recreational residence to be built with a minimum setback of 1.9 metres from the rear yard lot line of Lakeview Drive; and to grant relief from Section 15.4 Zone Regulations for minimum interior side yard setbacks of buildings to allow for the reconstruction of the existing recreational residence to be built with a minimum interior yard setback of 0.4 metre from the south lot line.	MV06-19
Meyer	Colborne	Pt Lt 17, Conc 7, ED N 81936 Pinery Ln	14	To changes the zoning on a portion of the subject property from Natural Environment (NE1) to Natural-Environment-Special (NE1-44) to permit a residence and accessory structures subject to the provisions of Section 16 (LR2 Zone). The zoning change applies to 0.5 hectares of this 18.4 hectares parcel. The owners are removing the existing residence and replacing it with a larger residence in the same general location. All lot grading, servicing and structures must be located inside the NE1-44 zoned lands.	Z49-19
Fitzpatrick	Ashfield	Lot 16, Front Concession	11B	AG1 to AG4-19 & AG1-37	Auto Rezoning C62-18
Kragerer	Ashfield	Pt Lt 11, Front Concession 33814 Birch Beach Rd.	11B	To grant relief from Section 3.4.2. Location of Accessory Structures to allow the construction of one accessory structure in the exterior side yard.	MV07-19
Barton	Wawanosh	Conc 7 Pt E Pt Lt 18, Conc 8 Pt E Pt Lt 18 84853 St. Helen's Line	9	To grant relief from Section 6.4 to allow the construction of a garage with loft space to an existing residence 11 metres from the front lot line.	MV08-19
Barber	Colborne	Conc. BF, Pt. Lot 16	12A	The minor variance seeks relief for 6.5 metres from the rear yard setback as the applicant proposes to relocate the cottage as close as possible to the lot line at a 1 metre setback; the proposes minor variance seeks relief of 1.5 metres for the interior side yard setback; and seeks relief to permit development within the 100 year erosion hazard, the top of bank setback for Lake Huron	MV09-19

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SCHEDULE "A" – Zoning Key Maps

EXPLANATORY NOTE

ZONING BY-LAW NO. 32-2008

OF THE

CORPORATION OF THE TOWNSHIP OF ASHFIELD-COLBORNE-WAWANOSH

Preamble

The Zoning By-law was passed on June 3rd, 2008 under Section 34 of ~~t~~The Planning Act. It implements the Official Plan for the Township of Ashfield-Colborne-Wawanosh which was adopted by the Council of the Township of Ashfield-Colborne-Wawanosh on October 7, 2003.

The Zoning By-law comprises both text and zoning maps on which is delineated the various zones created in the By-law.

Purpose

The purpose of this By-law is to provide the Corporation of the Township of Ashfield-Colborne-Wawanosh with regulations which will affect control over all forms of land use or other related matters within the Township.

Basis

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

Affected Lands

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

Existing By-Laws

From the coming into force of this By-law, all previous by-laws of the Township, passed pursuant to Section 34 of ~~t~~The Planning Act, R.S.O. 1990, as amended or a predecessor thereof, shall be deemed to have been repealed.

Duration

It is the intention of the Council that this Zoning By-law will be effective until circumstances change to such a degree that a revision and updating of the By-law is required. Additional uses for specific lands may be permitted by means of a rezoning or amendment to the Zoning By-law. It is the intention of the Council to accept and review applications to amend the Zoning By-law in order to allow the establishment of uses which are permitted by the Township of Ashfield-Colborne-Wawanosh ~~Township~~ Official Plan.

Effect

This Zoning By-law is designed to regulate by prohibition all new development except that specifically allowed in the By-law. This By-law will, however, give Township Council the legal authority to review the merits of any new use which is not specifically allowed by the By-law. If Council, after studying a proposal for a new use, is satisfied that the new use is in the best interests of the Township, the new use may be permitted provided that a separate By-law amending this By-law is passed which would permit the new use on the specified parcel of land subject to appropriate regulations.

**THE ZONING BY-LAW
OF THE CORPORATION
OF THE TOWNSHIP OF ASHFIELD-COLBORNE-WAWANOSH

BY-LAW NO. 32-2008**

BEING A BY-LAW, UNDER THE PROVISIONS OF SECTION 34 OF THE PLANNING ACT, R.S.O., 1990, AS AMENDED TO REGULATE THE USE OF LANDS AND THE CHARACTER, LOCATION AND USE OF BUILDINGS AND STRUCTURES AND TO PROHIBIT CERTAIN BUILDINGS AND STRUCTURES IN VARIOUS DEFINED AREAS OF THE CORPORATION OF THE TOWNSHIP OF ASHFIELD-COLBORNE-WAWANOSH.

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

NOW THEREFORE the Council of the Corporation of the Township of Ashfield-Colborne-Wawanosh ENACTS as follows:

SECTION 1

TITLE AND SCOPE

1.1 TITLE

This By-law shall be known as the Zoning By-law of the Corporation of the Township of Ashfield-Colborne-Wawanosh.

1.2 APPLICATION

The provisions of this By-law shall apply to all lands over which the Corporation of the Township of Ashfield-Colborne-Wawanosh has jurisdiction.

1.3 ADMINISTRATION AND ENFORCEMENT

This By-law shall be administered and ~~may be~~ enforced by such person or persons appointed as the Zoning Administrator, which may include the Chief Building Official, and a By-law Enforcement Officer appointed by Council.

1.4 VIOLATION AND PENALTY

Every person who uses or alters the use of any land or lot or alters or erects or uses any building or structure in a manner contrary to any requirements of this By-law, or who causes or permits such use or erection or alteration, or who violates any provisions of this By-law or causes or permits a violation, is guilty of an offence and upon conviction thereof shall be liable to a fine as set out in Section 67 of ~~t~~The Planning Act, R.S.O. 1990, as amended for each offence, and each day of the occurrence of the offence shall be deemed to be a separate occurrence. Every such penalty shall be recoverable under ~~t~~The Provincial Offences Act, as amended from time to time.

1.5 REMEDIES

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

1.6 LITIGATION

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

1.7 SCOPE

No building, structure or land shall be used, and no building or structure shall be hereafter erected, structurally altered or enlarged or demolished within the limits of the Township except in conformity with the provisions of this By-law. Nothing in this section shall prevent the repair of a building.

1.8 MEANING OF USE

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

1.9 IDEM

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

1.10 SHALL TO BE MANDATORY

The word “shall” shall always be construed as mandatory in this By-law.

1.11 SEVERABILITY

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

1.12 LICENCES AND PERMITS

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

1.13 BUILDINGS TO BE MOVED

No building over 10 square metres shall be moved within the Township or into the Township without a building permit.

1.14 BUILDING INSPECTION

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

1.15 REPEALS

From the coming into force of this By-law all previous By-laws passed by the Township, under Section 34 of ~~t~~The Planning Act, R.S.O. 1990, as amended or a predecessor thereof, shall be deemed to have been repealed.

1.16 ZONES, SYMBOLS, SECTION NUMBERS

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

<u>Class</u>	<u>Zone</u>	<u>Symbol</u>	<u>Section</u>
Agricultural Areas	General Agriculture Zone	AG1	4
	Agricultural Commercial/ Industrial Zone	AG3	56
	Agricultural Small Holding Zone	AG4	67
Natural Environment	Natural Environment	NE1	188
	Natural Environment	NE5	19
Extractive Resources	Extractive Resource Zone	ER1	1340
	Extractive Industrial Zone	ER2	124
Recreational	Recreational Golf Course Zone	RG1	2142
	Recreational Campground Zone	RC1	2043
	Recreational Trailer Park & Campground	RC2	2244
	Recreational – Commercial Facility Zone	RC3	2345
Settlement Areas	Village/ Hamlet Residential - Low Density	VR1	2849
	Village Commercial Zone	VC1	263
	Village Industrial Zone	VM1	274
	Lakeshore Residential- Seasonal	LR1	16
	Lakeshore Residential - Year Round	LR2	17
	Residential Park Zone	LR3	240
	Community Facility Zone	CF	1026
	Urban Natural Environment & Open Space	OS	2924
Other	Salvage Yard	C4	25
	Disposal Zone	DS	118
	Future Development	FD	1422
	Communications and Utility	U	927
	Airport Lands Facilities	AL1	728
	Airport Lands – Related Uses	AL2	829

1.17 ZONING MAP

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

1.18 BOUNDARIES OF ZONES

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

1.18.1 CENTRELINE LIMITS

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

1.18.2 LOT LINES

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

1.18.3 SCHEDULE LIMITS

The limit of any map comprising any schedule forming part of this By-law as shown on the Key Map of such schedule shall be deemed to be the boundary of the zone adjoining such limit.

1.18.4 SYMBOL OF ZONES

- a) Where one symbol is used on the Zoning Maps to indicate the zone classification of an area divided by a road or lane, the said symbol shall establish the classification of the whole of such area.
- b) Where both zone shading and alpha-numeric zone symbols (e.g. NE1-1) are used to indicate the zone classification of an area the alpha-numeric zone symbol shall be deemed to be the applicable zone, except NE1, NE5 and AG1-h zone shading within an AG1 Zone is deemed to be the applicable zone.

1.18.5 CLOSED ROAD OR LANE

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

1.18.6 BOUNDARIES OTHER THAN ROADS OR LOT LINES

Where a zone boundary is not a road or lane, nor a lot line, and a specific measurement indicating the position of the said boundary is not shown on the zone map, or indicated in the text of the By-law, the position of the zone line shall be determined by the scale of the zone map in the municipal offices of the Township of Ashfield-Colborne-Wawanosh and a site inspection.

1.18.7 ZONE ABUTS NATURAL WATERCOURSE

Where any zone on the Schedules abuts a natural watercourse, such zone shall be deemed to apply to the natural watercourse and any islands within the watercourse.

SECTION 2

DEFINITIONS

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

100 YEAR EROSION HAZARD – See Erosion Hazard, 100 year.

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

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

ADJACENT LANDS - shall mean those lands abutting a specific natural heritage feature or area. Examples of natural heritage features include: a wetland, water course, sinkhole or a woodlot.

ADULT DAY CARE CENTRE – See ‘Day Centre Adult’

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

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

AGRICULTURAL AREA – shall mean those areas designated Agriculture in the Ashfield-Colborne-Wawanosh Official Plan.

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

AGRICULTURAL PROCESSING ESTABLISHMENT – shall mean the use of land and/or buildings or structures for the processing of products derived from agricultural uses, as defined in this By-law. These shall include such products as seed, grain, feed and forage processing, storage and transport, fruit and vegetable storage and

treatment, livestock and poultry assembly, sales and transport, a cheese factory, an egg grading station, a saw mill, an abattoir and a dead stock removal facility.

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

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

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

AGRICULTURAL USE, LIMITED - shall mean the planting and harvesting of field, bush, vine, forest, or tree crops and grazing not including an accessory residence, livestock building or cannabis production facility.

AIRFIELD – shall mean land used for the purpose of landing, storing, taxiing or taking off of private aircraft as an accessory use, but not an airport under the regulations of Transport Canada.

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

AIRPORT TAKE-OFF THRESHOLD – shall mean the limit of the runway which may be used by aircraft for take-off as determined by Transport Canada Regulations.

ALTER – shall mean any alteration in a bearing wall or partition or column, beam, girder or other supporting member of a building or structure or any increase in the area or volume of a building or structure. When used in reference to a lot, the word 'alter' means to decrease the width, depth or area of any required yard, setback, landscaped open space or parking area, or to change the location of any boundary of such lot with respect to a street or lane, whether such alteration is made by conveyance or alienation

of any portion of said lot, or otherwise. The words “altered” and “alteration” shall have a corresponding meaning.

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

AMENITY AREA – means the area situated within the boundaries of a multiple dwelling project^[CW1] and/or a land lease community and intended for recreational purposes, which may include landscaped open space, patios, balconies, communal lounges, swimming pools and similar uses, but shall not include the area occupied at grade by the buildings, service areas, parking and driveways.

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

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

ARIST’S STUDIO/ GALLERY – shall mean gainful occupation via artistic expression including such media as pottery, glass, wood, leather, weaving, painting, clothing, metal, conducted wholly or in part of a structure or building, or part of a building in which exhibitions and sales of articles of artistic or crafted production are offered to the public, provided that there is no external advertising other than a sign erected in accordance with any by-laws of the Corporation regulating signs; there is no outside storage of goods, materials or equipment unless fully enclosed by a fence or other enclosure which provides visual screening; such studio work is not an obnoxious trade, business or manufacture; and not more than 2 persons , other than the owners, are employed therein on a full time basis.

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

ASPHALT PLANT, PORTABLE – shall mean a temporary asphalt batching plant established for a public road project.

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

ATTACHED – shall mean a building otherwise complete in itself, which depends for structural support or complete enclosure, upon an above grade-division wall or above grade walls shared in common with adjacent building or buildings.

AUTOMOTIVE SALES FACILITY – see ‘MOTOR VEHICLE SALES AND/OR SERVICE ESTABLISHMENT’

AUTOMOTIVE – see ‘MOTOR VEHICLE’

AUCTION SALES FACILITY – means a building or land used for the occasional sale of items excluding livestock.

AUCTION SALES FACILITY, LIVESTOCK – means a building or land used for the occasional sale of livestock and related agricultural items.

BALCONY – means a partially enclosed platform attached to or extending horizontally from one or more main walls, from the second storey or higher, of a building.

BASEMENT – shall mean that portion of a building between two floor levels which is partly below finished grade level but which has at least fifty percent (50%) of its height from finished floor to finished ceiling above adjacent finished grade level and in which the height from adjacent finished grade level to the ceiling is less than two (2) metres.

BED AND BREAKFAST ESTABLISHMENT - means an existing single detached dwelling, in which the proprietor resides, where no more than 3 guest rooms are made available by the residents of the dwelling to travelers or vacationers for temporary accommodation and their guest’s meals. Parking requirements are noted in the General Provisions Section of this By-law. This definition does not include a hotel, motel, or restaurant.

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

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

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

BUILDING HEIGHT – See HEIGHT, BUILDING

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

BUILDING LINE – shall mean a line, the purpose of which is to establish the closest points to a street at which the building or structures may be located. The location of the building line shall be such that is parallel to the centre line of the street and offset from the street line, a distance equal to the minimum front yard dimension.

BUILDING, MAIN OR PRINCIPAL – shall mean the building designed and/or intended to accommodate the principal use(s) permitted by this By-law.

BUILDING SETBACK – shall mean the minimum horizontal distance between a given point such as the front lot line and the nearest part of any building, structure or open storage use on the lot. See ‘YARD, DEPTH’.

BUILDING SUPPLY AND SALES ESTABLISHMENT – see ‘LUMBER YARD’

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

BUSINESS OFFICE – see ‘OFFICE, BUSINESS’

BREWERY/DISTILLERY/WINERY – shall mean a building or part thereof used for the manufacturing of alcoholic or non-alcoholic beverages. A brewery/distillery/winery may include a cidery or meadery.

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

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

CANNABIS – shall mean the plant hemp and marijuana in the family Cannabaceae.

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

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

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

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

CATASTROPHE – An unanticipated, disastrous loss of part or all of a livestock facility, dwelling or other use due to fire, collapse, flood, wind or other such event.

CELLAR – shall mean that portion of a building between two floor levels which has more than fifty percent (50%) of its height from finished floor to finished ceiling below adjacent finished grade level.

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

CHIEF BUILDING OFFICIAL (CBO) – means a chief building official appointed by the Township under Section 3 or 4 of the Building Code Act. The CBO may also be the Municipal Building Inspector.

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

CLINIC - shall mean a building or part thereof, used exclusively by physicians, dentists, drugless practitioners, their staff and their patients for the purpose of consultation, diagnosis and office treatment. A clinic may also include administrative offices, waiting rooms, treatment rooms, laboratories, pharmacies and dispensaries directly associated with the clinic, but shall not include accommodation for in-patient care or operating rooms.

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

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

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

COMMUNITY GARDEN – means the use of land for the purpose of growing fruit and/ or vegetables for community purposes and may include one structure for the storage of equipment that is no larger than 10 square metres in floor area.

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

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

CONDOMINIUM, VACANT LAND – shall mean land in which each individual unit or lot is held in separate private ownership and all roads, facilities and outdoor areas used in common by all tenants, are owned, administered and maintained by a corporation created pursuant to the provisions of the appropriate statute.

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

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

CONSERVATION AUTHORITY REGULATED LANDS (CARL) AND ADJACENT LANDS – shall mean regulated areas and/or lands in or adjacent to natural hazards, and significant natural features, which are regulated by the Maitland Valley Conservation Authority and commented on by the County of Huron. Conservation Authority Regulated Lands are shown on the Zoning Key Maps provided in Schedule “A”.

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

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

CORPORATION – shall mean the Corporation of the Township of Ashfield-Colborne-Wawanosh.

COUNCIL – shall mean the Council of the Corporation of the Township of Ashfield-Colborne-Wawanosh.

COUNTY – means the Corporation of the County of Huron.

COVERAGE – see ‘LOT COVERAGE’

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

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

DAY NURSERY - shall mean a ‘Day Nursery’ as defined in the Day Nursery Act, as amended from time to time.

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

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

DEEMED – when used in reference to lots in a plan of subdivision, shall mean lots which have been deemed not to be a registered subdivision, pursuant to section 50(4) of The Planning Act.

DETACHED – shall mean totally separate and in no way connected.

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

DWELLING – shall mean a building or part thereof, occupied or capable of being occupied as a home, residence or sleeping place by one or more persons, constructed on-site, or off-site in parts designed to be transported to a lot and where they are joined as integral units and placed on a permanent foundation over a cellar or basement, but shall not include travel trailers, tourist trailers, camper and motor vehicles, hotels or, motels, or institutions.

- 1) **ACCESSORY DWELLING** – means a dwelling which is accessory to a building or use as permitted by this By-law.

2) **APARTMENT DWELLING** – means a building or part thereof consisting of 3 or more dwelling units which units have a common entrance from the street level and the occupants of which have the right to use in common halls and/or stairs and/or elevators and yards, but does not include a motel or a hotel.

3) **BED AND BREAKFAST** – see 'BED AND BREAKFAST ESTABLISHMENT'

~~3~~4) **BOARDING, LODGING, OR ROOMING HOUSE** – means a building a portion of which is used as the residence of the lessee, tenant, or owner, in which sleeping accommodation with or without meals is provided for consideration to persons other than such lessee, tenant, or owner or members of his/her family, and which is not open to the public on an equal basis, and does not include a hotel, motel, or multiple family dwelling/nursing home or home for the aged.

4)5) **CONVERTED DWELLING** – means a dwelling unit constructed for permanent use, which has been converted so as to provide therein up to three additional dwelling units provided the main dwelling unit was erected prior to the passing of the By-law and further that any changes or alterations to convert the dwelling do not increase its area, height or volume or extend beyond the exterior limit of the existing building.

5)6) **DETACHED DWELLING** – means a completely detached permanent dwelling to which entrance is gained only by a private entrance from outside the building, and containing only one dwelling.

6)7) **DUPLEX DWELLING** – means the whole of a dwelling that is divided horizontally into 2 separate dwelling units each of which has an independent entrance either directly from the outside or through a common vestibule.

7)8) **ENLARGED DWELLING** – means a detached dwelling which will be enlarged so as to provide one more additional dwelling unit. The enlarged portion of the dwelling must be attached to the main dwelling, and must meet the provisions of the Ontario Building Code as amended from time to time. Where a two or more storey second dwelling is attached to a two or more storey existing dwelling by a single storey connection, the maximum length of the single storey connection shall be 4 metres and the minimum width of the connection shall be 2 metres, and such connection shall be enclosed.

8)9) **GROUP HOME** – means a residential dwelling licensed by the Government for individuals with social, mental or physical disabilities operated as a single housekeeping unit in a residential area, in which 3 to 10 residents, excluding staff or receiving family, live as a family under responsible supervision consistent with the requirements of its residents, but excludes a place of detention, correction or probation for individuals. A Group Home is fully detached and wholly utilized by the group home occupants.

9)10) **HOME FOR THE AGED, DWELLING** – shall mean a "home for the aged" as defined under the Homes for the Aged and Rest Homes Act, as amended from time to time.

~~10~~11) **MODULAR HOME** - shall mean a pre-fabricated single detached dwelling designed to be transported once only to a final location and constructed so as the shortest side of such dwelling is not less than 6.0 metres in width.

- ~~11)~~12) **MOBILE HOME** – shall mean a pre-fabricated dwelling unit occupied or designed for occupancy by one or more persons on a permanent basis, having a floor area of not less than fifty (50) square metres, designed to be towed on its own chassis (notwithstanding that its running gear is or may be removed), placed or designed to be connected to public utilities, but shall not include a travel trailer, tent trailer or a trailer otherwise designed.
- ~~12)~~13) **MOBILE HOME, DOUBLE WIDE** – shall mean a pre-fabricated dwelling unit occupied or designed for occupancy by one or more persons on a permanent basis, towed or designed to be towed in two or more separate sections with each section towed or designed to be towed on its own chassis and joined together to form one dwelling unit and placed on a permanent foundation with a basement or cellar, and connected or designed to be connected to public utilities, but shall not include a travel trailer, or single-family detached dwellings constructed in parts, designed to be transported to a lot and where they are joined as integral units and placed on a permanent foundation over a cellar or basement.
- ~~13)~~14) **MULTIPLE DWELLING** – shall mean a building containing 3 or more dwelling units including a “triplex” or “quadruplex” having 4 dwelling units and an “apartment” having more than 4 dwelling units but does not include a hotel or motel.
- ~~14)~~15) **NURSING HOME DWELLING** – shall mean a nursing home as defined under The Nursing Home Act, as amended from time to time.
- ~~15)~~16) **PARK MODEL TRAILER** – shall mean a manufactured building used or intended to be used for residential occupancy designed and constructed in conformity with CAN/CSA-Z241 Series – M, “Park Model Trailers”.
- ~~16)~~17) **QUADRUPLEX DWELLING** – shall mean a pair of 2 attached duplex dwelling houses or 4 attached single dwelling units.
- ~~17)~~18) **RECREATIONAL RESIDENCE** – means a dwelling used for recreational purposes and/or seasonal occupancy, but which is not for permanent habitation, and is not supplied with the full complement of available municipal services.
- ~~18)~~19) **SEMI-DETACHED DWELLING** – shall mean a building that is completely divided vertically into 2 dwelling units by a party wall of masonry construction, each dwelling unit having independent entrance either directly from the outside or through a common vestibule.
- ~~19)~~20) **TEMPORARY DWELLING** - shall mean a one unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure that is permitted by Section 4 of this By-Law. A temporary dwelling may also be referred to as a Garden Suite in accordance with Section 39(1) of the Planning Act. Township Council will require the owner of the temporary dwelling or any other person to enter into an agreement with the Township dealing with such matters related to the temporary use of the temporary dwelling as the council considers necessary or advisable, including:
- ~~• The installation, maintenance and removal of the temporary dwelling;~~
 - ~~• The period of occupancy of the temporary dwelling by any of the persons named in the agreement; and~~

- ~~• The monetary or other form of security that the council may require for actual or potential cost to the Township related to the temporary dwelling.~~
- ~~• The temporary dwelling will be subject to the following development standards.~~
 - ~~a. Maximum square footage of ground floor. 1500 sq. ft.~~
 - ~~b. No basement is permitted~~
 - ~~c. Maximum of one storey~~
 - ~~d. 20) Located no further than 100m from the main dwelling.~~

20)21) **TOURIST HOME** – means a single family dwelling in which rooms or lodging are provided for pay.

21)22) **TRIPLEX** - shall mean the whole of a building that is divided into 3 separate dwelling units, each of which has an independent entrance either directly from the outside or through a common vestibule.

22)23) **DWELLING, SECOND UNIT** – See 'SECOND UNIT'~~Second Unit~~

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

EASEMENT – shall mean a right or privilege that one has over the lands of another, registered on title to the said lands under the Registry Act, R.S.O. 1990, Chap. R.20, as amended, and may pertain to access rights above, below or on the said lands.

EATING ESTABLISHMENTS

- 1) **RESTAURANT** – shall mean a building or structure or part thereof used to prepare food and offer for sale and sell food for immediate consumption within the building or structure, or adjacent patio and may include an accessory take-out or drive through service.
- 2) **DRIVE-IN RESTAURANT** – shall mean premises consisting of a building or structure, together with a parking lot, from which food, refreshments, dairy products or beverages are offered for sale or sold to the public for consumption either in automobiles parked on the parking lot or for consumption elsewhere but not necessarily within such building or structure on the premises, and does not include a building or structure where food, refreshments, dairy products or beverages are offered for sale or sold to the public only for consumption within the building or structure.
- 3) **TAKE-OUT RESTAURANT** - shall mean a building or structure or part thereof where food is prepared and offered for sale to the public to be taken out and/or delivered for consumption off the premises.
- 4) **PORTABLE FOOD OUTLET** - shall mean a trailer, tent or vehicle that is designed to be made mobile, from which food is prepared and offered for sale to the public for consumption outside.

ERECT - includes build, construct or re-construct, alter, enlarge and relocate and without limiting the generality of the foregoing, shall be taken to include any associated

physical operation such as piling, cribbing, and structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

EROSION HAZARD, 100 YEAR – shall mean the area defined by the Maitland Valley Conservation Authority as being subject to natural hazards from erosion along the shoreline of Lake Huron.

EROSION HAZARD, GULLY – shall mean the area defined by the Maitland Valley Conservation Authority as being subject to natural hazards from erosion along the gullies located between Bluewater Highway 21 and Lake Huron.

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

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

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

FARM BREWERY/DISTILLERY/WINERY – shall mean a building or structure or part thereof associated with an agricultural use(s) on the same farm lot where alcohol is produced primarily from materials/crops grown on said lot and may include storage, display, processing, alcohol tasting, an outdoor amenity area, and limited retail sales. The area used for alcohol tastings and retail sales shall not exceed 75 square metres or 25% of the total above ground floor area; whichever is least. Alcohol tasting does not include a restaurant, banquet facility, or commercial kitchen. Overnight accommodation is not part of a farm winery/brewery/distillery. A farm winery/brewery/distillery may also include a cidery or meadery.

FARM PRODUCE SALES OUTLET - means a fruit, vegetable, flower or farm produce stand set up as an accessory use to an agricultural use on a farm, used for the sale of produce from that same agricultural use.

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

FEEDLOT – includes an enclosed or fenced area in which livestock are maintained at a density of more than 20 nutrient units per hectare.

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

FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS - shall mean the regulations as defined by the Maitland Valley Conservation Authority.

FINANCIAL OFFICE OR INSTITUTIONS – shall mean any building used for the premises of a bank, trust company, finance company, mortgage company or investment company.

FINISHED GRADE – See Grade, Finished

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

FLOOR AREA – shall mean the area of a floor of a building measured from the outside of all exterior walls exclusive of any attic, basement, cellar, private garage, veranda, enclosed porch or sunroom unless such enclosed porch or sunroom is an integral part of the building and habitable in all seasons, and excluding any floor area with a ceiling height of less than 2 metres. Where the terrain permits a walk-out basement, twenty-five percent (25%) of the floor area of the walk-out basement may be considered as habitable floor area.

FLOOR AREA, TOTAL - shall mean in the case of a dwelling, the aggregate of the areas of all habitable rooms measured from the exterior walls, but excluding any detached accessory buildings, a breezeway, unenclosed sunroom, porch and/or veranda, attic or cellar.

In the case of a building other than a dwelling, the aggregate of the area of all floors devoted to retail sales, customer service and/or office use measured from the outside face of exterior walls but excluding storage, mezzanine areas, mechanical rooms, common halls, stairwells, garbage and electrical rooms, parking structures and similar uses ancillary to the main use. The total floor area in each zone applies only to that portion of such lot that is located within said zone.

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

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

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

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

FRONTAGE – see ‘LOT FRONTAGE’

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

GARAGE, ATTACHED – shall mean a private garage, accessory to a dwelling unit on the same lot and attached by an an above grade common wall and/or common roof structure and is designed or used for the sheltering of private motor vehicles and the storage of household equipment incidental to residential occupancy and is fully enclosed and excludes a carport or other open shelter. For the purpose of determining lines of setback and side yard, an attached garage shall be considered part of the main building.

Also for the purposes of this definition, a wall between a house and an attached garage may be considered “common” as long as it is above grade and at least 40% of the length of the attached garage wall is common with the dwelling wall.

GARAGE, DETACHED – shall mean a private garage, accessory to a dwelling unit on the same lot, which is designed or used for the sheltering of private motor vehicles and the storage of household equipment incidental to residential occupancy and is fully enclosed and excludes a carport or other open shelter.

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

GARDEN SUITE – ~~shall mean a one unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable and permitted subject to a Temporary Use By-Law and agreement with the Township in accordance with the Provisions (Section 39) of The Planning Act, as amended from time to time see ‘TEMPORARY DWELLING’~~

GAS STATION – see ‘MOTOR VEHICLE SALES & SERVICES’

GASOLINE (FUEL) BAR - shall mean one or more pump islands, each consisting of one or more gasoline or fuel pumps, and shelter having a floor area of not more than 10 square metres, excluding washrooms, which shall not be used for the sales of any product other than liquids and small accessories required for the operation of motor vehicles and shall not be used for repairs, oil changes, or greasing.

GOLF COURSE – shall mean a public or private area operated for the purposes of playing golf and includes a par 3 Golf Course, driving ranges, miniature courses and associated recreational uses such as a club house, restaurant, swimming pool and tennis courts.

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

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

GREENHOUSE, COMMERCIAL – means a building or structure, having off-street parking provided on the site, used for the growing of flowers, plants, shrubs, trees and similar vegetation, which are not necessarily planted outdoors on the same lot containing such building or structure, but are sold directly from such lot at wholesale or retail but does not include a cannabis production facility.-

GUEST CABIN – means a building for guest accommodation accessory to a permitted dwelling, and a guest cabin shall be used for sleeping accommodations only, shall not contain washroom facilities, shall not contain kitchen or food preparation facilities, and shall not exceed 23 square metres of total floor area.

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

HABITABLE SPACE – shall mean any space within a dwelling unit used or capable of being used for living, eating and sleeping, but excluding a bathroom, toilet room, serving or storage pantry, laundry, corridor, garage, deck, porch, unfinished attic or unfinished basement.

HEIGHT, BUILDING – shall mean the vertical distance from the finished grade level to:

- a) in the case of a flat roof, the highest point of the roof surface or parapet, whichever is the higher; or
- b) in the case of a mansard roof, the roof deck line; or,
- c) in the case of any other roof, the mean height between the eaves and the ridge; but exclusive of any structure accommodating an elevator, staircase, water tank, ventilating fan, skylight, aerial, steeple, cupola, chimney, firewall, smoke stack or other ornamental or utilitarian structure which rises above the roof level but does not provide habitable living space. (see Appendix 2)

HOLDING ‘-H’ SYMBOL, HOLDING ZONE – shall mean a zone symbol or zoning which has been applied to a property in accordance with Section 9.7 of the Official Plan and Section 36 of the Planning Act to prohibit new development until such time as the Holding Symbol has been removed. No new development of land will be permitted in a holding zone until such time as Council has passed a by-law removing the holding symbol.

HOME FOR THE AGED – as defined under the Homes for the Aged and Rest Homes Act, as amended from time to time.

HOME INDUSTRY – shall mean a gainful occupation including an animal kennel, carpentry, day nursery, service and repair shop, electrical, woodworking, window framing, welding, plumbing, machine, farm machinery or motor vehicle repair shop, small-scale manufacturing, small engine repair or blacksmith, conducted in whole in an accessory building to a single detached dwelling by the residents of the subject property, subject to the provisions of Section 3.41.

HOME OCCUPATION - means an occupation and/or profession conducted entirely within a dwelling or permitted accessory building on the same lot only by the occupant(s) of the dwelling subject to the provisions of Section 3.42.

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

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

HOTEL – shall mean a building or part thereof used to accommodate the travelling public for gain or profit, by supplying them with sleeping accommodation (with or without meals), but without private cooking facilities provided that each guest room may only be entered from the interior of the building. A hotel may include public rooms licensed under the Liquor Licensing Act, as amended from time to time.

INDUSTRIAL USE, GENERAL - shall mean the use of land, buildings or structures for the purpose of manufacturing, assembling, making, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, warehousing, or storing or adapting for sale of any goods, substances, articles or things, including the storage of building and construction equipment and materials, but not including any noxious industry, pit, quarry or oil well.

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

KENNEL – means a place where dogs and other domestic animals other than poultry are bred and raised, and are sold or kept for sale or boarded in accordance with Township by-law(s).

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

LANDSCAPED OPEN SPACE – shall mean open space comprised of lawn and/or ornamental shrubs, flowers and trees and may include space occupied by paths, walks, courts and patios, but shall not include parking areas, traffic aisles, driveways, ramps, or storage of equipment, vehicles or other materials.

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

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

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

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

LIVESTOCK – shall mean dairy, beef, swine, poultry, horses, goats, sheep, ratites, fur-bearing animals, deer and elk, game animals, birds, and other animals.

LIVESTOCK FACILITY – shall mean one or more barns or permanent structures with livestock-occupied portions, intended for keeping or housing livestock. A livestock facility also includes all manure or material storages and anaerobic digesters.

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

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

- a) a whole of a lot or block on a registered Plan of Subdivision;
- b) a whole of a unit on a Vacant Land Condominium Plan;
- c) the whole of a contiguous parcel of common elements within a Vacant Land Condominium Plan or within a Common Elements Condominium Plan;
- d) the whole of the lands within a Standard Condominium Plan; or
- e) a parcel which may otherwise be conveyed separately without contravening the Planning Act, provided that the sub-paragraph (e) shall not apply to a unit within a Standard Condominium Plan. (See Lot Definition illustration in Appendix 3)

- 1) **LOT, CORNER** – shall mean a lot situated at the intersection of, or abutting upon, two or more public roads, provided that the angle of intersection of such streets is not more than 135 degrees.
- 2) **LOT, INTERIOR** - shall mean a lot other than a corner lot.
- 3) **LOT, THROUGH** - shall mean a lot bounded on two opposite sides by a street. If any lot qualifies as being both a “corner Lot” and a “Through Lot”, as herein before defined, such lot shall be deemed a “Corner Lot” for the purpose of this By-law.

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

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

LOT DEPTH – shall mean the horizontal distance between the front and rear lot lines. Where these lines are not parallel, it shall be the length of a line joining the mid-points of the front and rear lot lines. For lots with curved front lot lines, the measurement shall be taken from a line drawn parallel to the chord of the arc of the curve constituting the front lot line, lying midway between said chord and a line drawn parallel to said cord and tangent to said arc. When there is no rear lot line, "lot depth" means the length of a straight line joining the middle of the front lot line with the apex of the triangle formed by the side lot lines.

LOT FRONTAGE – shall mean the horizontal distance between the side lot lines measured at right angles. Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be measured by a line set at a maximum of 7.5 metres back from and parallel to the chord of the lot frontage or a line parallel to the said chord and tangent to the arc. (For the purposes of this By-law the chord of the lot frontage is a straight line joining the two points where the side lot lines intersect the front lot lines.)

LOT LINE – shall mean any boundary of a lot or a vertical projection thereof. (See Appendix 4)

- 1) **FRONT LOT LINE** – shall mean the lot line that abuts the street except that, in the case of a corner lot, the shorter lot line that abuts the street shall be deemed the front lot line and the longer lot line that abuts the street or unopened road allowance shall be deemed the exterior side lot line. In addition:
 - a) **FRONT LOT LINE, CORNER LOT** - in the case of a corner lot with two street lines of equal lengths, the lot line that abuts the wider street or abuts a Provincial Highway shall be deemed to be the front lot line, and in the case of both streets being under the same jurisdiction, or of the same width, the Township may designate either street line as the front lot line. In the case of a corner lot abutting a .3 metre reserve, the lot boundary so abutting the .3 metre reserve shall be deemed an exterior side lot line and the other line abutting the street shall be deemed the front lot line;

- b) **FRONT LOT LINE, THROUGH LOT** - in the case of a through lot the longer boundary dividing the lot from the street shall be deemed to be the front line and the opposite shorter boundary shall be deemed to be the rear lot line. In the case where one road is unopened, the lot line which fronts onto an open road shall be the front lot line. In case each of such lot lines should be of equal length, the Township may designate either street line as the front lot line.
- 2) **REAR LOT LINE** – shall mean the longest lot line opposite to the front lot line.
- 3) **SIDE LOT LINE** – shall mean a lot line other than a front or rear lot line.
- 4) **EXTERIOR SIDE LOT LINE** – shall mean any lot line other than a front lot line or rear lot line abutting a public street/road/lane.
- 5) **INTERIOR SIDE LOT LINE** – shall mean a side lot line other than an exterior side lot line.

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

MAIN BUILDING – see ‘BUILDING, MAIN’

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

MANURE OR MATERIAL STORAGE – shall mean permanent storages, which may or may not be associated with a livestock facility containing liquid manure (< 18% dry matter), solid manure (> 18% dry matter), or digestate (< 18% dry matter). Permanent storages may come in a variety of:

- locations (under, within, nearby, or remote from barn)
- materials (concrete, earthen, steel, wood)
- coverings (open top, roof, tarp, or other materials)
- configurations and shapes
- elevations (above, below or partially above grade)

MARKET GARDEN, PRIVATE – means a use accessory to a residential use for on-site growing and selling fruit and/or vegetables and is composed of gardens located in an interior side yard or rear yard and may include a private market garden sales shop, ~~in accordance with the provisions of Section 3.42, Home Occupation.~~

MAPLE SYRUP FACILITY- means buildings and structures associated with the collection and processing of sap from maple trees in order to manufacture maple syrup.

MINERAL AGGREGATE OPERATION – shall mean:

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

MINIATURE GOLF COURSE – shall mean a use which provides facilities designed and operated primarily for what is commonly known as miniature golf but does not a Golf Course as defined herein.

MINIMUM DISTANCE SEPARATION (MDS I) – is a tool to determine a required distance for new development from existing livestock facilities as determined by the Minimum Distance Separation (MDS) Formulae approved by the Province of Ontario (as amended from time to time).

MINIMUM DISTANCE SEPARATION (MDS II) – is a tool to determine a required distance for a new or expanding livestock facility from an existing use or approved development area as determined the Minimum Distance Separation (MDS) Formulae approved by the Province of Ontario (as amended from time to time).

MOBILE HOME – see ‘DWELLING, MOBILE HOME’

MOBILE HOME PARK – shall mean a lot containing 2 or more mobile home sites and which is under single management and ownership, used for the siting of mobile homes together with commercial-recreational and service uses for Mobile Home Park residents, including any building, structure or enclosure forming a part of such mobile home park.

MOBILE HOME & RECREATIONAL VEHICLE SALES & SERVICE ESTABLISHMENT – shall mean land, building or structure used for the sale and service of Mobile Homes, Modular Homes, and Travel/Tent Trailers.

MOTORIZED RECREATIONAL VEHICLE SALES AND SERVICE – shall mean land, building or structure used for the sale and service of motorized recreational vehicles such as: boats, motorcycles, snowmobiles and all-terrain vehicles.

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

MODULAR HOME – see ‘DWELLING, MODULAR HOME’

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

MOTOR HOME – see ‘TRAVEL TRAILER’

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

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

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

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

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

MOTOR VEHICLE WASHING ESTABLISHMENT – shall mean a building and lot used for the washing or cleaning of motor vehicles by automobile washing equipment and may include the sale of fuels to motor vehicles, but shall not include any other automotive use defined in this By-law.

MOTOR VEHICLE WRECKING ESTABLISHMENT – see ‘SALVAGE YARD’

MUNICIPAL DRAIN CLOSED – shall mean “drainage works” as defined by The Drainage Act, as amended from time to time, located entirely within the ground.

MUNICIPAL DRAIN OPEN – shall mean all “drainage works” defined by The Drainage Act, as amended from time to time, other than those located entirely within the ground.

MUNICIPALITY – shall mean the Township of Ashfield-Colborne-Wawanosh.

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

NON-COMPLYING – shall mean a use, building or structure, permitted by the provisions for the zone in which such use, building or structure is located, which does not meet the zone provisions with respect to yards, lot area, frontage, parking, setback, or any other provisions of this By-law applicable to that zone. (*Note: See Section 3.23*)

NON-CONFORMING – means a use, building or structure not permitted by the permitted use provisions of this By-law for the zone in which such use, building or structure is located as of the date of passing of this By-law. (Note: See Section 3.24)

NON-INDUSTRIAL ZONE – means all zones except the Village Industrial Zone (VM1).

NOXIOUS USE / CONTAMINENT – shall mean an offensive use or trade or contaminant within the meaning of the Environmental Protection Act, as amended from time to time, or any use which is a nuisance by reason of emission of airborne or waterborne odours, gases, dirt, smoke, noise, vibration, fumes, cinders, soot or waste, or the depositing or leaving of unsightly objects or chattels on land, which may be hazardous or injurious as regards health or safety or which prejudices the character of the surrounding area or interferes with or may interfere with the normal enjoyment of any use of land, building or structure.

NURSING HOME – shall mean any building maintained and operated where lodging, meals and nursing care are provided for 2 or more persons, licensed under the Nursing Homes Act, as amended from time to time.

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

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

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

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

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

OFFICIAL PLAN – shall mean the Official Plan for the Township of Ashfield-Colborne-Wawanosh, including amendments thereto as adopted by Township Council and as approved by the County of Huron.

OUTDOOR SOLID FUEL COMBUSTION APPLIANCE – shall mean a solid fuel burning appliance/furnace used for the space heating of buildings, the heating of water or other such purpose; and which is located in a separate building or on the exterior of the building, which it serves.

OUTDOOR DISPLAY – shall mean the display of goods or merchandise for sale outdoors.

OUTDOOR STORAGE – shall mean the storage of goods, merchandise or equipment in the open air and in unenclosed portions of buildings, which are open to the air on the sides.

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

PARK MODEL TRAILER – see ‘Dwelling, Park Model Trailer’

PARK, PRIVATE – means a non-commercial recreation area other than a public park used by the owner and their guests and may include therein one or more swimming pools, wading pools, picnic areas, tent camping areas, boating facilities, tennis courts, bowling greens, or similar open space uses, but shall not include any enclosed building or enclosed part thereof with a floor area exceeding 10 square metres in a Natural Environment zone.

PARK, PUBLIC – means a recreational area owned or controlled by the Corporation or by any Board, Commission or other Authority established under any statute of the Province of Ontario or any religious charitable or philanthropic organization. The Township may consider including a ‘naturalization’ component to all parks within Natural Environment zones.

PARKING AREA, REQUIRED – shall mean an area of land which is provided and maintained upon the same lot or lots upon which the principal use is located and which area;

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

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

PARKING SPACE – shall mean a space on which a motor vehicle may be temporarily parked. For ‘PARKING AREA REGULATIONS’ see General Provisions Section 3.26.

PERMITTED – shall mean permitted by this By-law.

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

PERSONAL RECREATIONAL VEHICLES – shall mean motorized and non-motorized vehicles and includes but is not limited to land cruisers, boats, motorized snow vehicles, tent trailers and motor homes.

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

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

PLACE OF ENTERTAINMENT – shall mean a motion picture or other theatre, auditorium, billiard or pool room, curling club, bowling alley, ice or roller skating rink, or dance hall, but does not include any place of entertainment or recreation otherwise defined or classified in this By-law.

PLAN OF SUBDIVISION – shall mean a plan of subdivision as defined by the Planning Act. A plan of subdivision is a plan prepared by an Ontario Land Surveyor that complies with the Registry & Planning Act. The plan sets out all lots, blocks, streets, street widening, lanes and reserves and the bearings of all boundaries and dimensions for each lot.

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

PLANTING STRIP – shall mean an area which shall be used for no purpose other than planting a row of trees or a continuous unpierced hedgerow of evergreens or shrubs not less than 1.5 metres high, immediately adjacent to the lot line or portion thereof along which such planting strip is required.

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

PLANT, HOT MIX – means a building or structure used for the manufacturing of asphalt in a form suitable for the immediate use in paving of roads or driveways and the damp-proofing of buildings and structures.

PLANT, READY MIX – means a building or structure used for the manufacturing of concrete in a form suitable for the immediate use in the construction of buildings, structures, roads, or driveways.

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

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

PRIVATE MARKET GARDEN – See Market Garden, Private.

PRIVACY FENCE – shall mean a solid and continuous fence constructed of suitable material to a height of not less than 1.53 metres so as to provide a year round visual barrier.

PUBLIC AUTHORITY – shall mean the Council and any School Board, Public Utility Commission, Transportation Commission, Public Library Board, Board of Parks Management, Board of Health, or other board or commission or committee of the Township of Ashfield-Colborne-Wawanosh established or exercising any power or authority under any general or special statutes of Ontario with respect to any of the affairs or purposes of the Township or a portion thereof, and includes any committee or

local authority established by By-law of the Township. The Federal Government of Canada and the Government of the Province of Ontario and any boards, departments, commission or agencies thereof may also be considered as public authorities.

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

PUBLIC UTILITY – shall mean a waterworks, a water supply system, sewage works, electrical power line or energy generating, transmission or distribution system, street lighting system, natural or artificial gas works or supply system, a transportation system or a telephone or data communication system, and includes any lands, buildings or equipment required for the administration or operation of any such system.

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

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

RECONSTRUCTION – shall mean to construct again with the same floor area, same height and number of stories.

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

RECREATION, PASSIVE – shall mean the use of land and/or water for the purpose of passive leisure activity and may include such uses as, swimming, and trails for hiking and horseback riding.

RECREATIONAL RESIDENCE – means a dwelling used for recreational purposes and/or seasonal occupancy, but which is not for permanent habitation, and is not supplied with the full complement of available municipal services.

RECREATIONAL TRAILER AND TENT PARK – shall mean any land upon which overnight, short term or seasonal accommodation for 2 or more travel trailers used or intended to be used for human occupation is provided and includes ancillary commercial laundry, social and recreational facilities.

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

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

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

REFERENCE PLAN – means a survey prepared by an Ontario Land Surveyor showing boundaries of a parcel of land registered at the Land Registry Office. A reference plan is not a plan of subdivision within the meaning of the Planning Act.

RENOVATION – shall mean the repair and restoration of a building to good condition within existing external walls but shall not include its replacement.

REPLACEMENT – shall mean the removal and restoration of more than 25% of a building or structure or the removal and restoration of an existing external wall of a building or structure.

RESEARCH AND DEVELOPMENT FACILITY/LABORATORY – shall mean a building or group of buildings in which are located facilities for scientific research, investigations, testing or experimentation.

RESIDENTIAL USE – shall mean the use of a building or structure or parts thereof as a private dwelling.

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

RESTAURANT – see ‘EATING ESTABLISHMENT’

RETAIL FLOOR AREA – see ‘FLOOR AREA, RETAIL’

RETAIL STORE – shall mean a building or part of a building where goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, articles or things sufficient only to service such stores but does not include any manufacturing, processing or construction uses.

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

RIGHT-OF-WAY – shall mean a private road which affords access to abutting lots and does not include a lane, road or street as shown on a registered plan of subdivision.

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

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

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

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

RURAL BREWERY/DISTILLERY/WINERY – shall mean one or more buildings, structures, or parts thereof associated with an agricultural use(s) on the same farm lot, where the lot contains a minimum of 4 hectares planted to produce materials/crops to be used in the production of alcohol. A rural brewery/distillery/winery may include

storage display, processing, alcohol tasting, an outdoor patio area, and limited retail sales. The area used for alcohol tastings and retail sales shall not exceed 150 square metres. Alcohol tasting does not include a restaurant, banquet facility, or commercial kitchen. Overnight accommodation is not part of a rural brewery/distillery/winery use. A rural brewery/distillery/winery with a minimum of 8 hectares planted to produce materials/crops to be used in the production of alcohol is also permitted a service kitchen and related dining area. A rural brewery/distillery/winery may also include a cidery or meadery.

SALVAGE YARD – includes a lot and/or premises for the storage and/or handling and/or sale of scrap or used materials, which without limiting the generality of the foregoing, shall include waste paper, rags, wood, bottles, bicycles, vehicles, tires, metal and/or other scrap material and salvage and includes a junk yard, scrap metal yard including secondary motor vehicle sales and service establishment and premises.

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

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

SECOND UNIT – shall mean an accessory dwelling unit with its own kitchen, sanitary facilities and bedroom(s)/sleeping area in a single detached dwelling or accessory building that meets the following requirements:

- a. ~~A~~any additional exterior stairways provided for the second unit leading to a full floor above the first storey in a single detached dwelling are not located in the front yard;
- b. ~~O~~ne additional on-site parking space is provided for the second unit in addition to the parking for the main dwelling; ~~and~~
- c. ~~T~~here is only one driveway on the property.

~~6. Prior to permit issuance for a second unit, any existing sewage system on the subject property shall be reviewed to the satisfaction of the Township.~~

SENIORS HOME – see ‘HOMES FOR THE AGED, DWELLING’

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

SEPARATION DISTANCE, MINIMUM – see ‘MINIMUM DISTANCE SEPARATION I (MDS I)’ and ‘MINIMUM DISTANCE SEPARATION II (MDS II)’

SERVICE SHOP – means a buildings or part of a building not otherwise defined or classified herein, for the performance of personal services such as health studios, 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 any automotive uses as defined by this By-law.

SETBACK – see ‘BUILDING SETBACK’

SETTLEMENT AREA – shall mean lands designated as Settlement Areas in the Ashfield-Colborne-Wawanosh Official Plan and zoned for Settlement Area uses or Future Development in this By-law.

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

SIGHT TRIANGLE – shall mean the triangular space on a corner property formed by the street lines and a line drawn from a point on one street line to a point on the other street line, each such point being 7.5 metres measured along the street line from the point of the intersection of the street line. Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection from the straight portion 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. A sign permit may be required to be obtained from the appropriate authority.

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

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

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

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

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

STORAGE (COMMERCIAL) WAREHOUSE – see ‘COMMERCIAL STORAGE WAREHOUSE’

STOREY – shall mean that portion of a building between any floor and the floor, ceiling or roof next above, provided that any portion of a building partly below grade level shall not be deemed a storey unless its ceiling is at least 1.8 metres above average grade and provided also that any portion of a storey exceeding 4 metres in height shall be deemed an additional storey for each 4 metres or fraction thereof of such excess.

STOREY, HALF – shall mean the portion of a building located wholly or partly within a sloping roof having a floor area of not less than one-third or more than 2/3 of the floor area of the storey next below, sidewalls not less than 1.2 metres of height and a ceiling with a minimum height of 2.3 metres over an area equal to at least 50% of its floor area.

STREET – see ‘ROAD, STREET, OR HIGHWAY (PUBLIC)’

STREET LINE – shall mean the boundary line between a street and a lot.

STRUCTURE – shall mean anything that is erected, built or constructed of parts joined together or any such erection fixed to or supported by the soil and/or any other structure. For the purposes of this By-law, “structure” does not include a fence, hedge, light standards, tomb stones, sports screening, septic systems or signs but does include manure or material storage.

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

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

TEMPORARY BUILDING – shall mean a building or structure intended for removal or demolition within a prescribed time as set out in a building permit and/or development agreement or as otherwise specified in this by-law.

TEMPORARY USE – shall mean the use of land, building or structure for a prescribed time as set out in a building permit, development agreement, temporary use by-law or as otherwise specified in this by-law.

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

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

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

TOP-OF-BANK – shall mean a line delineated at a point where the oblique plane of the slope meets the horizontal plane.

TOURIST HOME – see ‘DWELLING – TOURIST HOME’

TOWNSHIP – shall mean the Corporation of the Township of Ashfield-Colborne-Wawanosh.

TRAILER – A trailer may include a trailer for the transport of vehicles, equipment and materials.

TRAVEL TRAILER – shall mean a structure or vehicle designed, intended, and used exclusively for the temporary or seasonal living, sleeping or eating accommodation of persons therein, during travel, recreation and vacation and which is either capable of being drawn by a passenger vehicle or is self-propelled and shall include tent trailers, vans, motor homes, and similar transportable accommodation excepting a mobile home.

TRAVEL TRAILER SALES ESTABLISHMENT – see ‘MOBILE HOME & RECREATIONAL VEHICLE SALES & SERVICE ESTABLISHMENT’

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

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

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

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

VILLAGE/ HAMLET AREAS – shall mean areas designated Village/Hamlet in the Ashfield-Colborne-Wawanosh Official Plan.

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

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

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

WATER SUPPLY / WATER TREATMENT PLANT – shall mean the water source and related storage including pumping and purification appurtenances owned and operated by the Township for public use.

WATER SYSTEM, COMMUNAL – shall mean a private water distribution supply system in which water is piped to more than one dwelling or business operation.

WATERCOURSE – shall mean a natural channel for a stream and, for the purpose of this By-law, includes a natural channel for an intermittent stream and all watercourses shown on Schedule “B” of the Official Plan.

WAYSIDE PIT OR QUARRY – see ‘PIT, WAYSIDE’

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

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

WIND ENERGY FACILITY – shall mean any devices and related equipment that is used, or designed to be used, for the production of electrical power where wind is the energy source, including one or more wind turbines, vertical axis wind turbines and horizontal axis wind turbines. For the purposes of this by-law, power poles, power lines, data lines and equipment related to the transmission or distribution of power from a Wind Energy Facility, such as transformers and switching stations, shall not be considered part of the Wind Energy Facility.

- a) **Wind Energy Facility, Small-Scale** – shall mean one or more turbines and related equipment, which are intended to generate electricity to use on site or for sale off site. A small-scale wind energy facility in a Village/Hamlet area is defined as having a maximum nameplate capacity of 50 kW (.05MW). A small-scale wind energy facility in an agricultural area is defined as having a maximum nameplate capacity of 500 kW (.5MW).
- b) **Wind Energy Facility, Commercial Scale** – shall mean one or more turbines and related equipment, which have a collective nameplate capacity exceeding 500 kW (.5MW) and are intended to generate electricity for commercial purposes.

WIND ENERGY TESTING FACILITIES – shall mean towers and testing equipment designed to measure wind energy, which do not generate electricity for the purposes servicing the power grid.

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

- 1) **YARD, FRONT** – shall mean a yard extending across the full width of the lot or zone within the lot between the front line of the lot and the nearest part of any building or structure on the lot or the nearest open storage use on the lot.
 - a) **Front yard depth** means the least horizontal dimension between the front lot line of the lot and the nearest part of any building or structure on the lot or the nearest open storage use on the lot.
- 2) **YARD, REAR** – shall mean a yard extending across the full width of the lot or zone within the lot between the rear lot line of the lot or rear zone boundary and the nearest building or structure or open storage use on the lot.
 - a) **Rear Yard Depth** shall mean the least horizontal dimension between the rear lot line of the lot or rear zone boundary and the nearest part of any building or structure or open storage use on the lot or zone.
- 3) **YARD, SIDE** – shall mean a yard extending from the front yard to the rear yard and from the side lot line of the lot to the nearest part of any main building or structures or nearest open storage use on the lot or zone.
 - a) **Side Yard Depth** shall mean the least horizontal dimension between the side lot line of the lot and the nearest part of any main building or structure or nearest open storage use on the lot or zone.
- 4) **Side Yard Exterior** shall mean a side yard immediately adjoining a public street.
- 5) **Side Yard Interior** shall mean a side yard immediately adjoining a lot and does not include an exterior side yard.

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

ZONING ADMINISTRATOR – shall mean the officer or employee of the Corporation charged with the duty of administering and enforcing the provisions of this By-law, which may include the Chief Building Official.

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SECTION 3

GENERAL PROVISIONS

3.1 APPLICATION

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

3.2 APPLICATION OF OTHER BY-LAWS, REGULATIONS, LEGISLATION

Nothing in this By-law shall operate to relieve any person from the obligation to comply with the requirements of the Ontario Building Code Act, as amended from time to time, Conservation Authority regulations, or any other By-law of the Township in force from time to time or the obligation to obtain any other license, permit, authority or approval lawfully required by a governmental authority having jurisdiction to make such restrictions.

3.3 ACCESSIBILITY

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

3.4 ACCESSORY USES

3.4.1 Use of Accessory Buildings

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

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

3.4.2 Location

- a) Except as otherwise provided herein, any accessory building or structure or swimming pool which is not an integral part of the main building shall only be erected in the rear yard and/or in the interior side yard.
- b) In a VR1, LR1 or LR2 zone, a detached private garage, swimming pool or other accessory building or structure shall be erected and used in the rear yard and/or in the interior side yard only, provided that such accessory building or uses shall be no closer than 1.25 metres to a lot line. In all other zones, no accessory building or structure shall be erected closer than 1 metre to a rear or interior lot line. Semi-detached garages or carports may be centred on a mutual side lot line.
- c) Accessory buildings shall not be structurally attached to the main building in any way.
- d) On a corner lot in a VR1, LR1, or LR2 zone, and in an AG4 zone equal to or less than 0.8 hectares in size, an accessory building or structure or swimming pool may be built in the front or exterior side yard, provided it meets the setbacks of the applicable zone.

~~ed~~) Sections 3.4.2 a) and 3.4.2 b) do not apply in the Agriculture and Natural

Environment zones.

- f) Buildings or structures solely devoted to and forming an integral part of a septic system that are less than 10 square metres in size are permitted in any yard.
- f) An accessory building or structure in an AG4 zone may be constructed in the rear yard or interior side yard provided it is no closer than 1.5 metres from a lot line, subject to the provisions of Section 3.4.3.

3.4.3 Height of Accessory Buildings in Settlement Areas

The ~~maximum building~~ height for all accessory buildings in Settlement Areas shall not exceed: ~~be as follows~~:

- a) All residential zones, VR1, LR1, LR2, LR3: 4.5 metres.
- b) All commercial, open space & community facility zones, VC1, CF, OS: 8 metres
- c) All other zones: 10 metres; but in no case shall an accessory building contain more than 2 storeys
- d) When an accessory building in a zone other than the VR1, LR1 or LR2 zone is located in a yard which abuts a residential zone, the building height shall not exceed 6 metres.
- e) An accessory building may be constructed in the AG4 zone at an interior side yard setback of 1.25 metres, provided said building is constructed at a maximum height of
- f) When an accessory building is constructed in the AG4 zone at an interior side yard setback less than 5 metres, but no more than 1.5 metres, the maximum height shall be 6 metres.

3.4.4 Lot Coverage of Accessory Buildings

In the LR1, LR2, LR3 and VR1 zones, the total lot coverage of all accessory buildings shall not exceed the lesser of 6% coverage of the total lot area or the lot coverage of the main building.

In all other zones, accessory buildings shall not exceed 10% coverage of the total lot area.

In all zones, the area of unenclosed decks, which are not more than 2 metres above grade, shall not be included in the calculation of lot coverage or the calculation of the total lot coverage of all accessory buildings. The area of an unenclosed swimming pool and solar energy collectors shall not be included in the calculation of lot coverage.

3.4.5 Establishment of an Accessory Building or Use

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

3.4.6 Accessory Building Setbacks from Natural Watercourses

Notwithstanding the provisions of Section 3.31 to the contrary, a detached accessory building may be erected closer to the top-of-bank than the required setback, provided that such accessory building is no closer to the top-of-bank than the main building and provided that the accessory building complies with all other applicable requirements of this by-law.

3.4.7 Accessory Structures Adjacent to Top-of-Bank and/or on Lakefront Lots

For lots fronting onto Lake Huron or the Maitland River, and/or lots abutting or including top-of-bank, a deck no larger than 20 square metres in size and an accessory structure no larger than 10 square metres in size shall be permitted in the front yard and/or below of top-of-bank.

a) Said accessory structures shall not have plumbing and shall be used for storage only.

b) Said structures shall be subject to the front yard setback of 1.5 metres and a side yard setback of 1.25 metres.

3.5 ADDITIONAL MAXIMUM HEIGHT RESTRICTIONS

There are two specially defined areas shown on Appendix 7 in which additional maximum height regulations are in force. These additional maximum height regulations are in addition to the height regulations of the specific zone and apply to all buildings and structures, notwithstanding the provisions of Section 3.17 to the contrary

3.5.1 In Defined Area 1 (D.A. 1), as shown on Appendix 7, no building or structure may be higher than a height calculated based on the ratio of 1:7 from the side perimeter of an AL1 Zone, or the height restriction of the zone in which the land lies, whichever is the lesser. (That is, for every 7 metres calculated a right angle to the side plane of the AL1 Zone, building or structure height may be increased by 1 metre, until the prescribed maximum height restriction for the zone is reached.)

3.5.2 In Defined Area 2 (D.A. 2), as shown on Appendix 7, no building or structure may be higher than a height calculated based on the ratio of 1:50 from the take-off threshold, or the height restriction of the zone in which the land lies, whichever is the lesser. (That is, for every 50 metres calculated at a right angle to the end horizontal plane of the take-off threshold, building height may be increased by 1 metre, until the prescribed maximum height restriction for the zone is reached).

3.5.3 Additional Use Restrictions

Notwithstanding any other provision of this by-law, no bird sanctuary is permitted in Defined Area 1 (D.A. 1) or Defined Area 2 (D.A. 2).

3.6 BED & BREAKFAST SPECIAL PROVISIONS

3.6.1 Servicing

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

3.6.2 With An Accessory Tearoom Or Dining Room

A tearoom or dining room in conjunction with an approved Bed and Breakfast shall be allowed in any zone permitting a B&B, provided:

- a) No commercial fat fryers or commercial exhaust fans will be allowed. Only appliances and fixtures normally used in a residence will be allowed.
- b) A maximum of 30% of the floor area of the house may be used for seating area for the tearoom or dining room.
- c) The hours of operation shall be between the hours of 7:00 a.m. and 10:00 p.m.
- d) The required parking for a tearoom or dining room shall be the same as for an 'Eating Establishment, Restaurant' in the Parking Area Regulations, General Provisions. This parking will be required in addition to the parking required for the dwelling and the bed and breakfast.

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

- of the parking regulation shall be complied with.
- e) No sign except a small sign to recognize the business shall be allowed. Any sign for a bed and breakfast and a tearoom or dining room shall be approved by the Township prior to installation. No exterior signs with interior lighting shall be allowed.
- f) ~~Huron County Health Unit-Septic~~ approvals are obtained prior to starting the business.

3.7 “CARL” CONSERVATION AUTHORITY REGULATED LANDS & ADJACENT LANDS

No development is permitted in Conservation Authority Regulated Lands or adjacent lands, which are defined as lands within 120 metres of a Provincially Significant wetland or within 50 metres of all other significant natural features until it has been determined that the proposed development does not result in negative impacts on the natural environment features or functions of the significant natural environment feature. In areas zoned AG1 adjacent lands will be 15 metres from all significant natural features, except for Provincially Significant wetlands, which require 120 metres. No adjacent land is applied around woodlots smaller than 4 hectares that are otherwise not deemed to be a significant natural feature. An Environmental Impact Study, (EIS) may be required to determine if development shall be permitted. In lake-bank or valley properties the provisions of Section 3.16 shall also apply.

3.8 CORNER LOTS

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

3.9 DETERMINATION OF NATURAL ENVIRONMENT ZONE BOUNDARIES

Where a natural environment zone boundary in this by-law is to be determined, the person authorized by Council to enforce this by-law shall determine such zone boundary by reference to the zone limits shown on this by-law and by a site inspection of the subject property.

3.10 ENCROACHMENT EXCEPTION

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

3.11 ENCROACHMENTS IN YARDS, PERMITTED

Every part of any yard required by this By-law shall be open and unobstructed by any structure from the ground to the sky provided however, that fences, planting strips and hedges in accordance with the provisions of Subsection 3.27 of this By-law shall be permitted and that those structures listed in the following table shall be permitted to project into the minimum yards indicated for the distances specified below:

Structure	Yards in Which Projection is Permitted	Maximum Projection Into Minimum Required Yard
Sills, belt courses,	All Yards	0.75 metres provided that no part of the

cornices, eaves, gutters, chimneys, pilasters		structure extends closer than 0.75 metres to any lot line.
Fire Escapes & Exterior Staircases	Rear Yard or Side Yard	1.5 metres provided that no part of the structure extends closer than 1.5 metres to any lot line.
Window bays	Front, rear & exterior side only	1 metre over a width of 3 metres provided that no part of the structure extends closer than 1.5 metres to any lot line.
Balconies	Front, rear & exterior side yards for residential uses	1.5 metres provided that no part of the structure extends closer than 1.5 metres to any lot line.
Open or Roofed Porches, Decks not exceeding one storey in height	Front, rear & exterior side only	1.5 metres including eaves and steps provided that no porch deck or patio extends closer than 1.5 metres to any lot line.
Retaining walls, or similar accessory structures	All Yards	No maximum or minimum requirements.

3.12 ESTABLISHED FRONT YARD

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

3.13 EXTERIOR LIGHTING

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

3.14 EXTERNAL BUILDING MATERIALS

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

- tar paper or building paper
- asphalt roll type siding or insul brick
- plain concrete or plain cinder block in Residential areas
- galvanized steel in VR1, VC1, LR1 and LR2 zones.

~~3.15 GARDEN SUITES~~

~~Garden Suites, also known as granny flats, are permitted in the Township of Ashfield-Colborne-Wawanosh in accordance with the provisions of the Planning Act, Section 39.1.~~

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

advisable, including:

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

3.15 TEMPORARY DWELLING

Where permitted by this by-law Township Council will require the owner of a temporary dwelling or any other person to enter into an agreement with the Township dealing with such matters related to the temporary use of the temporary dwelling as the council considers necessary or advisable, including:

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

Temporary dwellings will be subject to the following development standards:

- a. 1500 square feet as the maximum ground floor square footage.
- b. No basement being permitted
- c. Maximum of one storey
- d. Located no further than 70 metres from the main dwelling.

Septic certificates will be required prior to the establishment of a Second Unit to ensure the suitability of the existing system in supporting said unit.

3.16 HAZARD LAND REQUIREMENTS

In addition to the zone provisions of the applicable zones, this By-law shall regulate development on and adjacent to Hazard lands. Hazard lands include those lands that are susceptible to flooding or erosion, have steep slopes or soil instability or other environmental or human made hazard as defined in section 2 of this by-law.

No development shall be permitted on hazard lands or adjacent to hazard lands until required studies have been completed to the satisfaction of, and approved by, the Township of Ashfield-Colborne-Wawanosh and the Maitland Valley Conservation Authority. All hazard lands are subject to this general provision. Development on vacant Lakeshore Residential (LR1 and LR2) lots and Natural Environment (NE1-1) lots subject to LR1 provisions within the 100 year erosion hazard area along the shore of Lake Huron and within the gully erosion hazard will be controlled with a holding zone (-h). The holding symbol may be lifted when necessary studies are completed and approved in accordance with the requirements of this regulated area under the Conservation Authority jurisdiction.

3.17 HEIGHT LIMITATIONS, EXCEPTIONS

3.17.1

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

3.17.2

The height limitation provisions of zones in Agricultural areas shall not apply to small scale wind energy facilities permitted in those zones.

3.18 LOT ENLARGEMENT, MINOR

Where lands are severed and merged on title with abutting lands, the zoning on the abutting lands property shall apply to the lands to be merged on title. This provision applies only where a severance is granted for the purpose of a minor lot enlargement.

3.19 LOT AREA, AGRICULTURAL SEVERANCE

Where a new agricultural lot is created by severance and conforms with the Official Plan and has a minimum lot area between 18 and 38 hectares, the said lot is deemed to comply with the minimum lot area provisions of the By-law, Section 4. This provision pertains to both the severed and retained lot area.

3.20 LOTS, THROUGH

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

3.21 LOTS TO FRONT ON A PUBLIC ROAD

3.21.1

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

- a) ~~T~~he lot to be created or used abuts or fronts on a public road;
- b) ~~S~~uch public road is of satisfactory construction and maintenance as to permit the reasonable and safe passage of motor vehicles; and
- c) ~~A~~n assumed public road is required in Village/Hamlet areas.
- d) Existing Lots in the VR1 zone without frontage on a public road will be controlled with a holding zone (-h). The holding zone may be lifted subject to a development agreement with the Township to construct a public road.

3.21.2

Notwithstanding the provisions of Section 3.21.1 above:

- a) ~~L~~ots may be created on a registered Plan of Subdivision, and buildings and structures erected thereon where compliance with the requirements of sub-Section 3.21.1(b) are provided for by an agreement with the Township entered into in connection with the registration of such Plan of Subdivision pursuant to the ~~Planning Act of Ontario~~; and
- b) ~~L~~ots may be created, and buildings and structures erected thereon, on a Vacant Land Condominium Plan or on a Common Element Condominium Plan; ~~and~~

- c) ~~B~~building or structure may be erected upon an existing lot shown on a reference plan which was registered in the Registry Office during or before 1970, provided that the road is of satisfactory construction and maintenance to permit the reasonable and safe passage of motor vehicles; ~~and-~~
- d) ~~N~~otwithstanding the provisions of 3.21.1 a), a building or structure may be erected on an existing lot in a Lakeshore Residential zone (LR1, LR2, NE1-1 or NE1-2) provided that the road is of satisfactory construction and maintenance to permit the reasonable and safe passage of motor vehicles.

3.21.3

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

- a) ~~A~~ccess to the lands within the plan is provided by a public road satisfying the requirements of sub-section 3.21.1(b); and
- b) ~~A~~ny road to be dedicated as a public road on such plan abuts and connects, subject only to reserves in the ownership of the Township, to an existing public road satisfying the terms of sub-section 3.21.1.(b).

3.21.4

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

- a) ~~A~~ccess to the plan is provided by a public road satisfying the requirements of sub-section 3.21.1(b); or
- b) ~~T~~he lands within the condominium plan have legally enforceable access to a public road meeting the requirements of sub-section 3.21.1(b) through lands entirely within one or more other condominium plans.

3.22 MAIN BUILDINGS / MAIN USES PER LOT

No person shall erect more than 1 main building on a lot or establish more than 1 main use on a lot except permitted buildings and uses in a ~~General Agriculture~~ AG1, AG3, VM1, CF, or OS Zone, Agricultural Commercial Industrial, Industrial, Community Facility, or Open Space Zone.

3.23 NON-COMPLYING BUILDINGS AND STRUCTURES

3.23.1 Where a building or structure was legally established and is permitted by the provisions of the zone in which such building or structure is located but does not meet the zone provisions with respect to yards, lot area, frontage, parking, setback or any other provisions of this By-law applicable to that zone, the said building or structure shall be deemed to comply with the By-law and may be enlarged, extended, repaired, renovated or reconstructed in the same location or a new location provided that:

- a) The enlargement, extension, reconstruction, repair, renovation, or new location does not further reduce the compliance of that building or structure, with the provision(s) of the By-law to which it does not comply; and
- b) All other applicable provisions of this By-law are complied with; and
- c) Any enlargement or extension of an existing or reconstructed building complies with the required minimum yard setbacks and does not change the use of such building or structure.

3.23.2 Effective Date for Existing Buildings

For the purpose of Section 3.23, a non-complying building or structure which existed on January 1, 2001 shall be considered legally established.

3.23.3 Continuation of Legal Non-Complying Status

- a) In the case of a rezoning or severance these provisions shall continue to apply such that the said building or structure shall be deemed to comply with any applicable zoning provisions, except parking requirements, resulting from such rezoning or severance.
- b) Notwithstanding any other regulations of this By-law, where a use, building or structure was legally established on a lot, and such lot was subsequently altered as a result of a project of a public authority (such as a road construction project) or by expropriation of municipal, provincial or federal acquisition thereby causing the use, building or structure to contravene any regulations of the By-law, the said use, building or structure shall be deemed to comply with the By-law and may be enlarged, extended, reconstructed, repaired or renovated provided that any regulations which are currently not met, are not further contravened and that all regulations which are complied with, are not contravened by any works undertaken.

3.23.4 Time Limit

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

3.23.5 MDS I and Catastrophes

Notwithstanding any other provisions of this By-law to the contrary, where a dwelling or commercial facility is destroyed in whole or in part, by a catastrophe, MDS I will not be applied when the structure is rebuilt provided that it is built no closer to livestock facilities than before the catastrophe.

3.23.6 MDS II and Catastrophes

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

3.24 NON-CONFORMING USES

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

3.24.2 Where a building or structure which was erected prior to the day of the passing of this By-law is used for a purpose not permitted in the use zone in which it is situated, the said building or structure may be renovated or repaired or reconstructed provided:

- a) If a building or structure used for a non-conforming use is purposefully removed the subject lot can only be used for a purpose permitted by the By-law.

- b) Where a non-conforming use has been discontinued for a period of 24 months or longer, the property, building or structure may only be used for a use that conforms with this By-law.
- c) If a building or structure used for a non-conforming use is accidentally destroyed, such building or structure and its non-conforming use may only be re-established or reconstructed for that non-conforming use within 6 months from the date of destruction.
- d) A mobile home, which is not a permitted use in the zone in which it is situated, shall not be replaced or re-established.

3.24.3 Building Permit Issued

The provisions of this By-law shall not apply to prevent the erection or use for a purpose prohibited by this By-law of any building or structure, the plans for which have prior to the date of passing of this By-law been approved by the Building Inspector, so long as the building or structure when erected is used and continued to be used for the purpose for which it was erected and provided the erection of such building or structure is commenced within 2 years after the date of the passing of this By-law and such building or structure is completed within a reasonable time after the construction thereof is commenced.

3.24.4 Strengthening, Repairing or Renovating of Buildings or Structures Used for Non-Conforming Uses

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

- a) Such strengthening, repair or renovation does not increase the size or volume of such building.
- b) The strengthening, repair or renovation does not involve any alteration of use and the building or structure continues to be used for the purpose.

3.24.5 Enlargement, Extension or Replacement of Non-Conforming Uses

The extension, enlargement or replacement of a non-conforming use, or building or structure for a non-conforming use, will require an amendment to the Zoning By-law.

3.24.6 Change of Non-Conforming Uses

Where any land, building or structure on the day that the By-law was passed was lawfully used for a purpose prohibited by the By-law, the Committee of Adjustment may permit, by the authority of Section 34(10) or 45(2) of ~~t~~the Planning Act, as amended from time to time, the use of such land, building or structure for a purpose that, in the opinion of the Committee, is similar to the purpose which it was used for on the day the By-law was passed~~-~~.

The Committee of Adjustment may, by the authority of Section 34(10) or 45(2) of ~~t~~the Planning Act, as amended from time to time, also permit a use that is more compatible with the uses permitted by the By-law other than the purpose for which it was used on the day the By-law was passed.

The prohibited use must be in place until the date of application to the Committee of Adjustment.

3.24.7 Comply with Other Provisions

All other applicable provisions of this By-law shall be complied with.

3.25 OUTDOOR SOLID FUEL COMBUSTION APPLIANCES

3.25.1 Setbacks

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

3.25.2 No Incineration of Waste

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

3.25.3 Approvals

Prior to the installation of any outdoor solid fuel combustion appliance each appliance shall be approved by the Chief Building Official and permit fees shall be as set out in the Township Building By-law. All outdoor solid fuel combustion appliances shall bear a C.S.A. or U.L. approval rating and be installed in accordance with the manufacturer's instructions. Prior to the use of and following installation of any outdoor solid fuel combustion appliance each appliance shall be inspected and approved by the Chief Building Official or his/her designate.

[General Provisions Continued on the Next Page]

3.26 PARKING AREA REGULATIONS

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

Type of Use	Minimum Parking Requirements
Assembly Hall, Community Centre, Arena, Theatre, Sports Field	1 per 5 persons of designed capacity of the facility
Bowling (indoor) Establishment	3 per bowling lane
Business or Professional Office	1 per 30 square metres of office floor area
<u>Brewery/Distillery/Winery</u>	<u>1 per 20 square metres of ground floor area</u>
Church	1 per 4 persons of designed capacity of the sanctuary
Clinic or Veterinary Clinic	6 per practitioner
Multiple unit dwellings e.g. Apartment	1.5 per dwelling unit
Dwelling, Bed and Breakfast	2 per dwelling unit plus 1 per guest room
Dwelling, Group home	2 per dwelling unit plus 1 per 4 residents
Dwelling, Home for the Aged	1 per 3 beds
Dwelling, Single-detached, semi-detached, duplex, converted, and accessory dwellings	1 per dwelling unit
Eating establishment, Restaurant, Tavern	1 per 4 persons of designed capacity
Eating establishment take-out or drive-through	6 plus 1 per 4 seats
Funeral Home	1 per 5 seats capacity of the Funeral Home
Hospital	1 per 2 beds
Hotel or Motel	2 plus 1 per guest room
Industrial	3 for every 4 employees on the largest shift, including office staff
Motor Vehicle repair establishment, service station, sales and service establishment	4 plus 1 per repair bay
Motor Vehicle Washing establishment	2 per washing bay for self-serve 5 parking spaces for automatic
Public Building except where specifically identified	1 per 30 square metres of total floor area
Retail store, Personal service shop	1 per 20 square metres of retail and/or customer service floor area
School, Elementary	The greater of 1.5 per classroom or 1 per 3 square metres of auditorium assembly area
Social Club, Service Club, Golf Country Club, Curling Club	1 per 10 square metres of total floor area of all common club buildings excluding ice surface, plus: 2 per golfing green, 4 per lawn bowling green, 4 per tennis or racquetball court, 4 per curling ice sheet
Supermarket, grocery store	1 per 15 square metres of retail floor area
Uses permitted by this By-law other than those referred to above	1 per 40 square metres of total floor area

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

3.26.2 More Than One Use in a Building

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

3.26.3 Multiple Use of Parking Area

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

3.26.4 Existing Buildings and Changes in Use

- a) The parking area requirement referred to in this By-law shall not apply to any building lawfully in existence at the date of passing of this By-law so long as:
 - i) The building is used for a permitted use
 - ii) The floor area is not increased
 - iii) Any change of occupancy is to a use having the same or a lesser parking requirement according to this By-law
 - iv) All parking spaces existing at the date of passing of the By-law are retained

- b) Additions to an Existing Building

If an addition is made to a building or structure lawfully existing at the date of passing of this By-law, then parking spaces in addition to those already existing shall be provided to the number required for such addition or change of use. This section shall not apply to require the establishment of parking spaces and areas for an addition to a single detached dwelling.

3.26.5 ~~Parking Spaces for Individuals with Special Needs~~ Accessible Parking Spaces

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

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

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

- b) Designated accessible parking spaces shall:
 - Be located on an accessible route that provides a safe path of travel from the parking area to the accessible entrance of the building. Where possible, the parking area should be located within 30m of the accessible entrance.
 - Level and firm surface.
 - Have a minimum vertical clearance of 2.75m

- Have a minimum width of 2.7m and a length of 5.5m
- Have an adjacent access aisle of a minimum of 2m, clearly indicated by markings.
- Be designed in accordance with
- All accessible parking spaces shall be designated by painting a sign on the pavement and erecting a post mounted sign that displays the international symbol for accessibility, as illustrated in Appendix 5.

c) Designated limited mobility & caregivers only parking spaces shall:

- Have a minimum width of 3.2m wide and a length of 5.5m
- All limited mobility & caregivers only parking spaces shall be designated by erecting a post mounted sign that displays the international symbol for accessibility, as illustrated in Appendix 5

Accessible parking spaces and limited mobility/caregivers only parking spaces shall be designed in accordance with the illustrations included in Appendix 5.

3.26.6 Use of Parking Areas and Spaces

Any area where off-street parking is required under this By-law shall be used for no other parking purpose than for the parking of operative passenger vehicles and commercial vehicles used in operations incidental to the permitted uses on the lot, all bearing currently valid license plates. For the purpose of this subsection "commercial motor vehicle" shall mean any commercial vehicles as defined in the Highway Traffic Act, as amended from time to time.

3.26.7 Commercial Motor Vehicles and Tractor Trailers in Residential Zones

- a) No person shall use any lot, building or structure in a Residential Zone for the parking or storage of any commercial motor vehicle unless he/she is the owner or occupant of such lot, building or structure, and provided that said vehicle shall not exceed 4,000 kilograms per axel and provided that not more than one commercial vehicle is stored in accordance with this section.
- b) No person shall use any lot, building or structure in a Residential Zone for the parking or storage of any truck trailer or van body or part thereof.
- c) This provision shall not include commercial motor vehicles or tractor trailers which attend at residential premises for the purposes of delivery and service.

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

a) OUTDOOR

Up to a total of 3 vehicles (travel trailers, motor homes, boats or personal recreational vehicles) may be parked or stored outdoors provided that these items are owned by the owner or occupant of the subject lands and provided the outdoor parking or storage shall be in:

- a carport
- an interior side yard or rear yard

Up to a total of 3 vehicles (travel trailers, motor homes, boats or personal recreational vehicles) may be parked or stored in an open driveway exclusive of any area covered by a sight triangle on a temporary basis for up to 2 weeks per year.

b) **FULLY ENCLOSED**

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

3.26.9 Occupancy of Travel Trailers and Motor Homes

No person shall, in any zone, use any tourist trailer, motor home or travel trailer for the purpose of providing temporary or permanent living or eating accommodation. Sleeping accommodation may be provided in a tourist or travel trailer for a period not exceeding 2 weeks per year. Trailers that are jacked up or with running gear removed are equally subject to this condition.

3.26.10 Parking Area Location on a Lot

- a) No parking lot or required parking area shall be located on a septic tank or tile bed area.
- b) Outdoor parking areas shall be permitted in the required yards or in the area between the street line and the required setback as follows:

ZONE	YARDS IN WHICH REQUIRED PARKING AREA PERMITTED
Residential VR1, LR1 and LR2	Driveway Interior side and rear yard
For all other zones	Parking areas are permitted in all yards. The minimum setbacks for a parking area, other than a driveway, shall be 3 metres from any lot line abutting a residential zone and 1 metre from the street line.

3.26.11 Off-Site Parking

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

3.26.12 Access to Parking Area Through Residential Zones

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

3.26.13 Parking Area Design Standards

All parking areas required under this By-law shall conform with the following minimum standards:

3.26.13.1 PARKING AISLES

3.26.13.1.1 For 30 degree parking, a one-way traffic aisle shall not be less than 3.4 metres in perpendicular width;

3.26.13.1.2 For 45 degree parking, a one-way traffic aisle shall not be less than 4 metres in perpendicular width;

3.26.13.1.3 For 55 degree parking, a one-way traffic aisle shall not be less than 5.4 metres in perpendicular width;

3.26.13.1.4 For 60 degree parking, a one-way traffic aisle shall not be less than 5.5 metres in perpendicular width;

3.26.13.1.5 For 65 degree parking, a one-way traffic aisle shall not be less than 5.6 metres in perpendicular width;

3.26.13.1.6 For 70 degree parking a one-way traffic aisle shall not be less than 5.8 metres in perpendicular width;

3.26.13.1.7 For 90 degree parking, a one-way or two-way traffic aisle shall not be less than 7.5 metres in perpendicular width;

3.26.13.1.8 For parallel parking, the aisle shall not be less than 3 metres in perpendicular width for one-way traffic, and no less than 6 metres in perpendicular width for two-way traffic;

3.26.13.1.9 For parking at any angle where the width of a two-way traffic aisle is not given, the aisle shall be the lesser of the required width of a one-way traffic aisle for that angle plus three metres of additional width, or 7.5 metres of total perpendicular width.

3.26.13.1.10 For parking at an angle other than those listed above, the aisle width shall not be less than the requirements for the angle of parking which is next greater than the angle of parking being provided.

3.26.13.2 WIDTH OF PARKING

3.26.13.2.1 For cars parked side by side, the width of a parking space shall be 2.8 metres.

3.26.13.2.2 For cars parked adjacent to a wall or a fence, the width of a parking space shall be 3 metres.

3.26.13.3 DEPTH OF PARKING SPACES

<u>PARKING ANGLE</u>	<u>SIZE</u>
<u>30 degree</u>	<u>5.3 metres</u>
<u>45 degree</u>	<u>6.0 metres</u>
<u>55 degree</u>	<u>6.4 metres</u>
<u>60 degree</u>	<u>6.4 metres</u>
<u>65 degree</u>	<u>6.4 metres</u>
<u>70 degree</u>	<u>6.4 metres</u>
<u>90 degree parking which does not front onto other parking spaces</u>	<u>5.7 metres</u>
<u>90 degree parking which fronts onto other parking spaces</u>	<u>6.0 metres</u>
<u>Parallel parking</u>	<u>7.3 metres</u>
<u>Parking at an angle other than those listed above</u>	<u>The depth of the parking space shall meet the requirements for the angle of parking which is next greater than the angle of parking being provided</u>

3.27 PLANTING STRIP REQUIREMENTS

3.27.1 A Planting Strip shall be provided:

- Open lands zoned or used for multiple dwellings where they abut lands zoned or used for single detached dwellings or duplex / semi-detached dwellings;
- Open lands zoned or used for any commercial, highway commercial, agricultural - commercial - industrial, recreational commercial or industrial purpose where the interior or rear lot line abuts lands zoned or used for residential, or open space

purposes;

- c) ~~A~~round the perimeter of outside storage areas that may be established in the Industrial Zone, VM1, where such areas are adjacent to a building line or can be viewed from a public street;
- d) ~~O~~en lands upon which a residential use or community facility use is being newly established by rezoning or plan of subdivision where such lands abut an existing commercial or industrial use, which is not maintaining a planting strip in accordance with Section 3.29.1b) above.

3.27.2 Planting Strip Standards

Planting strips where required by this by-law:

- a) ~~S~~hall have an ultimate width of 1.5 metres and may be included as part of the required yard;
- b) ~~S~~hall be contained within the zone or on the lands for which it is a requirement, and shall run the entire length of the zone or property line(s) separating it from the abutting zone or use which requires the planting strip. The height and location of the planting shall not pose a traffic hazard;
- c) ~~S~~hall consist of a continuous planting of trees or shrubs, and shall be maintained at an ultimate height of not less than 1.5 metres;
- d) ~~S~~hall be planted and maintained by the owner(s) of the land on which the planting strips are required; and;
- e) ~~S~~ubject to site plan approval, a fence or wall height may be considered as an alternative to a planting strip. The following shall be considered: location, height, porosity, materials and finishing.

3.28 PROHIBITED USES

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

3.28.1 Dangerous Uses

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

3.28.2 Derelict Motor Vehicles

No land shall be used for the keeping of derelict motor vehicles except as provided for in the ~~“Salvage Yard”~~ (C4) zone and except that such vehicles may be stored inside a private garage.

3.28.3 Livestock in Settlement Areas

It shall be prohibited to keep livestock in Settlement Areas unless specifically permitted as in Section 3.28.3 a) (Exceptions to Keeping Livestock). The regulations, restrictions and prohibitions of all the other applicable By-laws continue to apply.

- a) Exceptions to Keeping Livestock

Notwithstanding Subsection 3.28.3 (Livestock in Settlement Areas) above and any other provision of this By-law to the contrary, any lot containing a dwelling unit may be used for the keeping of 1 horse, provided:

- a) ~~S~~uch horse provides the only means of transportation for all the occupants of the dwelling unit;

- b) ~~A~~ll manure shall be contained in an enclosed building and manure shall be removed from the property at regular intervals to a suitable location in an Agricultural Zone;
- c) ~~T~~he building or structure in which the horse is kept or in which the manure is enclosed shall be located to the rear of the main building and shall be set back from the interior side and rear lot lines a minimum distance of 15 metres, or the applicable setbacks of the zone in which the building is situated, whichever is the greater;
- d) ~~I~~n no case should such building or structure be permitted in the front yard or exterior side yard;
- e) ~~T~~he minimum distance separation (MDS II) requirements shall not apply in Settlement Areas; and
- f) ~~A~~ll fencing shall comply with the Township Fence By-Law.

3.28.4 Mobile Homes

It shall be prohibited to locate or use a mobile home in any zone except in the General Agriculture Zone (AG1) and Residential Park Zone (LR3) for any purpose unless otherwise permitted by this by-law.

3.28.5 Noxious Uses / Contaminants

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

3.28.6 Pits and Quarries

No land shall be used for pits and quarries, unless the land is within an extractive resources ER1 or ER2 zone, with the exception of wayside pits, portable asphalt plants and portable concrete plants as defined in the Aggregate Resources Act, which may be located in all zones except NE1, NE5 and VR1 zones.

3.28.7 Reptiles or Exotic Animals

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

3.28.8 Stinging Insects in Settlement Areas

It shall be prohibited to keep stinging insects in the VR1, VC1, LR1, LR2 and NE1-1 zones.

3.28.9 Motorized Vehicle Racing Track

No land shall be used for the establishment of a track for the racing of any motorized vehicle.

3.28.10 Vending From a Vehicle

No lands, streets or lanes in the Township shall be used for the sale of food, goods or wares from the confines of a motor vehicle or trailer or cart unless the necessary permits have been issued by the Township ~~and the Huron County Health Unit.~~

3.28.11 Outdoor Solid Fuel Combustion Appliance

Outdoor solid fuel combustion appliances shall not be permitted in the VR1, VC1, LR1,

LR2, LR3 and NE1-1 zones

3.28.12 Travel Trailers on Vacant Residential Lots

It is prohibited to use vacant lots in any zone except the RC2 zone for the parking or residential occupancy of travel trailers.

3.29 SETBACK FROM AN ACTIVE OR CLOSED WASTE DISPOSAL SITE, FOR RESIDENTIAL AND/ OR LIVESTOCK BUILDING USES

No new building or structure, used for residential habitable space or livestock purposes shall be erected within 500 metres of the fill area of a Municipal landfill site or a closed landfill site until it has been determined by a qualified professional to the satisfaction of the Township and the Ministry of the Environment, that there will be no adverse off-site impacts. The assessment of impacts shall include the presence of methane/leachate and the potential for noise, odour, dust and litter complaints during operation. If there is a licensed disposal site located in an adjacent municipality, the same setback shall apply to the lands in Ashfield-Colborne-Wawanosh.

3.30 SETBACK FROM EXISTING WIND ENERGY FACILITIES

No new buildings or structures shall be established except in accordance with the following provisions.

3.30.1 Setbacks from Commercial Scale Turbines For Separately Titled Lots

- a) No new dwelling, recreational residence, hotel, motel, nursing home, retirement home, hospital, campground, school or place of worship on a separately titled lot shall be established within 450 metres of a commercial scale wind energy facility or within the distance established in the Ministry of Environment's Certificate of Approval for Noise.
- b) No new building or structure on a separately titled lot shall be established within 1 times the height of an existing commercial scale wind energy facility including the height of any rotor blades.

3.30.2 Setbacks From Commercial Scale Turbines on the Same Lot

No new building or structure on the same lot shall be established within the distance of 1 times the height of a commercial scale wind energy facility including the height of any rotor blades.

3.30.3 Setbacks From Small Scale Wind Turbines for Separately Titled Lots

No new dwelling, recreational residence, hotel, motel, nursing home, retirement home, hospital, campground, school, or place of worship on a separately titled lot shall be established closer to a small scale wind energy facility than 3 times the height, including the blades, of the small scale wind energy facility.

3.31 SETBACKS OF BUILDINGS AND STRUCTURES ALONG MUNICIPAL DRAINS, SINKHOLES AND NATURAL WATERCOURSES

3.31.1

No building or structure shall be erected closer than 7.5 metres from the centerline of a closed municipal drain or from the top-of-bank of a natural watercourse or open municipal drain having a top width of less than 4.5 metres from top-of-bank to top-of-bank;

3.31.2

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

3.31.3

No building or structure shall be erected closer than 15 metres from the top-of-bank of: a sinkhole, a natural watercourse, open watercourse or open municipal drain which is more than 7.5 metres in width from top-of-bank to top-of-bank;

3.31.4

Development on vacant Lakeshore Residential (LR1 and LR2) lots within the 100 year erosion hazard area along the shore of Lake Huron will be controlled with a holding zone (-h). The holding symbol may be lifted when necessary studies are completed and approved in accordance with the requirements of this regulated area under the jurisdiction of the Conservation Authority.

3.31.5

Notwithstanding the provisions of Section 3.31.1. to the contrary, in a VR1, VC1, VM1 or CF zone the minimum setback from a closed municipal drain is 3 metres;

3.31.6

Section 3.31 shall not apply to prohibit, in a Natural Environment Zone (NE1), the structures permitted in such zone.

3.31.7

The top of bank setback from Lake Huron for all new development and reconstruction of existing development shall be established as the 100 year erosion hazard.

3.31.8

For existing lots located below the top-of-bank, the minimum top-of-bank setback does not apply to buildings or structures permitted by this By-Law to be constructed below the top-of-bank.

3.31.9

Notwithstanding the provisions of Section 3.31 to the contrary, a detached accessory building may be erected closer to the top-of-bank than the required setback, provided that such accessory building is no closer to the top-of-bank than the main building and provided that the accessory building complies with all other applicable requirements of this by-law.

3.31.10

Accessory structures may be permitted below top-of-bank in accordance with Section 3.4.7.

3.32 SIGHT TRIANGLES

3.32.1

On a corner lot within the triangular space formed by the street lines and a line drawn from a point in one street line to a point in the other street line, each such point being 7.5 metres measured along the street line from the point of intersection of the street

lines, no building, structure, or planting, in excess of 0.75 metres in height which would obstruct the vision of drivers of motor vehicles shall be erected. Such triangular space may hereinafter be called a “sight triangle”.

3.32.2

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

3.32.3

In addition, where a street line and a railway line intersect, the resulting “sight triangle” shall be, from their point of intersection:

- 7.5 metres in settlement areas
- ~~30 metres in rural areas~~
- This provision does not apply to field crops

3.33 STATUS ZONING

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

3.34 TEMPORARY BUILDINGS AND USES FOR CONSTRUCTION SITES

In all zones, the use of land or a building for a construction office, tool shed, or for the storage of scaffolds, equipment and material which is incidental to and necessary for construction work in progress is permitted for so long as the same are necessary for construction which has neither been finished nor abandoned.

3.35 TRUCK OR COACH BODIES OR STORAGE CONTAINERS

3.35.1

No truck, bus, coach, ~~or~~ streetcar body, railway car, ~~or~~ caboose, storage container, or similar structure(s) shall be used for temporary or permanent human habitation within the Township, whether or not the same is mounted on wheels.

3.35.2

Truck bodies, storage containers, and similar structures may be used only for storage accessory to a permitted use in an AG1, AG3, AG4, ER1, ER2, VM1 or C4 Zone.

3.35.3

~~Truck bodies and similar structures may only be used for temporary storage in a VM1, Industrial Zone, accessory to a permitted use.~~

3.36 USE OF EXISTING BUILDING DURING CONSTRUCTION

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

- a) In no case may such existing building remain undemolished on the site for longer than 60 days after the building intended to replace such existing building is ready in whole or in part for occupancy, or 1 year after the date of issue of the building permit for the building intended to replace such existing building, whichever comes first

- b) Safety and emergency access are provided and maintained to the satisfaction of the Chief Building Official and Fire Chief
- c) The minimum parking requirements for use of the existing building continue on the site until the existing building is vacated.

3.37 UTILITY SERVICES FOR THE PUBLIC

3.37.1

The provisions of this By-law shall not apply to prevent the use of any land as a street or to prevent the installation of public services and utilities such as water mains, storm and sanitary sewers, gas distribution mains, railway lines, electrical sub-stations and transmission lines of 230 kv or less, pumping stations, flood and erosion control works, telephone and cable lines, wind energy testing facilities and accessory utility service buildings and structures provided that:

- a) ~~T~~he approval of the Township has been obtained;
- b) ~~A~~pproval has been given under The Environmental Assessment Act, R.S.O. 1980, as amended from time to time, as required;
- c) ~~U~~tility service buildings will require a rezoning to a Community Facility (CF) or communication & Utilities (U) Zone, whichever is most restrictive;
- d) ~~A~~ny building or structure shall be designed and maintained in general harmony with buildings of the type permitted in the Zone;
- e) ~~A~~ny excessive noise or fumes resulting from such utility service shall be mitigated to reduce compliance issues with abutting residences;
- f) ~~E~~lectric power facilities which are subject to the provisions of The Environmental Assessment Act, as amended from time to time, are permitted uses in all zones, and are not affected by the provisions of this By-law. Electric power facilities which are not approved under the Environmental Assessment Act are permitted uses in all zones and are subject to the provisions of Subsection 3.37.1 (Utility Services for the Public).
- g) Wind energy testing facilities are required to be set back from any lot line a minimum of one times the height of the structure.

3.38 SMALL SCALE WIND ENERGY FACILITIES

3.38.1 Small Scale Wind Energy Facility Siting Provisions

Small scale wind energy facilities with a maximum collective name plate capacity of 50kW are permitted as an accessory use in VR1, VC1, VM1, CF, LR1, LR2, AG1, AG3 and AG4 zones and special NE1 zones where a residence is a permitted use, subject to the following provisions

- a) Small scale wind energy facilities shall not be permitted in the front yard.
- b) Small scale wind energy facilities shall not be permitted to be mounted to the façade of a building or structure.
- c) Small scale wind energy facilities shall be setback a minimum of 1.2 times the height of the structure, including the height of any rotor blades, from any lot line.
- d) Small scale wind energy facilities shall be sited in such a way to ensure that the turbine is a minimum of 3 times the height of the structure, including the blades, from a point of reception on a separately titled lot.
- e) For the purposes of Section 3.38.1 c) and 3.38.1 d), for determining setbacks, height shall be measured from the highest point of the turbine, including the

blades, to the ground, or if the turbine is mounted on top of another structure (i.e. roof of a dwelling), height is measured from the highest point of the turbine, including the blades, to the point where the turbine is attached to the structure.

- f) Where a small scale wind energy facility is required to obtain a Ministry of Environment Certificate of Approval for Noise and the required separation distance, between a wind energy facility and a point of reception, established by a Certificate of Approval for Noise is greater than the setback established in the by-law, the wind energy facility must be sited in accordance with the Ministry of Environment Certificate of Approval.
- g) The provisions of this by-law shall not apply to wind energy facilities that are subject to a Renewable Energy Approval from the Ministry of the Environment.

3.38.2 Height Limitation

- a) Small scale wind energy facilities shall be subject to the height requirements of the zone in which it is situated.
- b) Notwithstanding Section 3.38.2 a) to the contrary the height limitation provisions of zones in Agricultural areas shall not apply to small scale wind energy facilities permitted in those zones.

3.38.3 Signage on Wind Energy Facilities

No signage is permitted on small scale wind energy facilities in settlement areas.

3.39 WATER EXTRACTION AND COMMERCIAL WATER TAKING

Commercial water-taking operations are prohibited except where approved through an amendment to this zoning by-law.

3.40 SURPLUS FARM RESIDENCE SEVERANCE

Where the County of Huron or its delegate has approved the severance of a surplus farm residence property the appropriate Zone Map in this by-law shall be amended to change the AG1 Zone to AG1-37 for the retained farm parcel and AG4-19 for the severed residential parcel, as applicable. These administrative amendments are permitted from time to time without further public notice or Council approval.

(By-law 66-2014)

3.41 HOME INDUSTRY

Where permitted by this by-law a home industry will be subject to the following provisions:

- a) ~~No~~ external advertising other than a sign erected in accordance with any By-laws of the corporation regulating signs
- b) ~~No~~ outside storage of goods, materials or equipment unless fully enclosed by a fence or other enclosure which provides visual screening
- c) ~~Such~~ home industry is not noxious trade, business or manufacture
- d) ~~Such~~ home industry is clearly secondary to the main residential or agricultural use and does not change the residential character of the dwelling
- e) ~~No~~ more than 2 persons, other than the owner, are employed therein on a full-time basis
- f) ~~The~~ lot shall be an existing lot with not less than 24 metres of frontage and 60 metres of depth and a total area of not less than 1,850 square metres; and
- g) ~~The~~ maximum size of an accessory home industry (including building and outdoor storage) shall be a maximum of 10% of the lot area or .8 hectares, whichever is

less; except in an AG4 zone the maximum size shall be 50% of the total floor area of the dwelling

- h) A retail store is not permitted. Minor low-volume sales of items accessory to the home industry may be permitted. Items manufactured as a home industry may be sold from the premises
- i) ~~Ce~~conducted in whole in an accessory building to a single detached dwelling
- j) ~~T~~he home industry must be conducted by the residents of the subject property

3.42 HOME OCCUPATION

- a) ~~N~~o person other than a member of the family is engaged in canvassing, delivering or as a go-between in distributing merchandise to customers
- b) ~~S~~uch home occupation is clearly secondary to and compatible with the principal use of the dwelling for residential purposes and is wholly conducted within the dwelling
- c) ~~N~~o external alteration of the dwelling shall be permitted other than what is required by a dwelling unit as a private residence
- d) ~~T~~here shall be no external display of goods, materials, wares or merchandise, or exterior advertising other than a legal sign to indicate to persons outside that the dwelling, accessory building or lot is being used for other than residential purposes
- e) ~~S~~uch home occupation shall not create a significant nuisance or hazard to neighbours by reason of noise emission, vibration, smoke, dust, fumes, odour, heat, humidity, glare, debris, refuse, smoke, fire, lighting interference with radio or television reception, or hours of operation
- f) ~~S~~uch home occupation shall not result in volumes of vehicular traffic or on-street parking which cause the disruption of normal activities of adjacent residential properties
- g) ~~N~~o outdoor storage of materials or goods in support of such home occupation shall be permitted
- h) ~~T~~he home occupation cannot be more than 25% of the total floor area of the dwelling
- i) ~~A~~an animal kennel shall not be deemed to be a home occupation
- j) ~~S~~uch home occupation shall meet all of the requirements of this By-law including the parking provisions of Section 3.26.
- k) ~~T~~here shall be no retailing of items not created on the site. Retailing of items crafted, grown or fabricated on the site shall be allowed provided that the operation complies with all other requirements; and
- l) ~~F~~or greater clarity, such use shall mean:
 - ~~A~~an office or consulting room for a professional person or agent
 - ~~A~~an office and shop for a trade such as a builder, painter, plumber or electrician
 - ~~A~~an office for a charitable organization
 - ~~A~~a personal service shop such as a hairdresser, dressmaker or tailor
 - ~~A~~a service and repair shop
 - ~~A~~a studio for a teacher of music, art or academic subjects, a photographer, or commercial artists
 - ~~A~~a private market garden sales shop
 - ~~A~~a day nursery
 - ~~and A~~any other use of a similar nature which conforms to the criteria above;

but does not include or permit a convalescent home, clinic, retail shop, or any ~~storage yard or plant for any trade~~

~~3.43 TEMPORARY DWELLING~~

~~Where permitted by this by-law Township Council will require the owner of a temporary dwelling or any other person to enter into an agreement with the Township dealing with such matters related to the temporary use of the temporary dwelling as the council considers necessary or advisable, including:~~

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

3.43 WELLHEAD PROTECTION AREAS

3.44.1 Source Water Protection

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

- Lands located within a wellhead protection area with a vulnerability score of 10 that are serviced by an on-site sewage system shall have a minimum lot size as set out by the most current version of the Ministry of the Environment, Conservation, and Parks (MECP) Guidelines for Individual Onsite Sewage Systems.

3.43.2

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

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

SECTION 4

GENERAL AGRICULTURE ZONE (AG 1)

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

4.1 PERMITTED USES

- ~~A~~gricultural use, general
- ~~C~~onservation
- ~~E~~xploration, drilling for and production of oil and natural gas
- ~~F~~orestry uses, not including a sawmill
- ~~W~~ayside pit by public road authority
- ~~U~~ses accessory to the permitted uses

4.2 ACCESSORY USES

- One detached residential dwelling, accessory to an agricultural use, or
- One converted dwelling, accessory to an agricultural use, or
- One ~~e~~nlarged ~~d~~dwelling, and
- One temporary dwelling for farm labour, a retiring farmer or an elderly person
- ~~B~~ed and breakfast establishment, in an existing residence
- ~~C~~ommercial greenhouse
- Farm Brewery/Distillery/Winery
- ~~F~~arm produce sales outlet
- ~~H~~ome industry
- ~~H~~ome occupation
- ~~W~~ind energy facility, small-scale

4.3 PERMITTED STRUCTURES

- Buildings and structures for the permitted uses
- One detached residential dwelling, and/or one temporary dwelling for farm labour, a retiring farmer or an elderly person
- Other buildings and structures, not including residences, accessory to the permitted uses

4.3.1 A second permanent dwelling will not be permitted. More than one main agricultural building per lot is ~~allowed~~permitted.

4.4 ZONE REGULATIONS

4.4.1 LOT AREA (minimum)

38 hectares

~~and~~ ~~A~~reas of the lot zoned "Natural Environment" may be included in the calculation of the lot area

~~4.4.24.4.2~~ LOT FRONTAGE (minimum)

150 metres

4.4.34.3 YARD REQUIREMENTS (minimum)

4.4.3.1 For livestock facilities and manure or material storage, setbacks will be in accordance with the following provisions or MDS requirements (whichever is greater):

FRONT YARD DEPTH	60 metres
REAR YARD DEPTH	30 metres
INTERIOR SIDE YARD DEPTH	30 metres
EXTERIOR SIDE YARD DEPTH	60 metres

4.4.3.2 Other permitted buildings and structures, and accessory structures:

FRONT YARD DEPTH	17 metres from a municipal <u>Township Road</u> or 25 metres from a County or Provincial Highway
REAR YARD DEPTH	7.5 metres
INTERIOR SIDE YARD DEPTH	7.5 metres
EXTERIOR SIDE YARD DEPTH	17 metres from a municipal <u>Township Road</u> or 25 metres from a County or Provincial Highway

4.5 SEPARATION DISTANCE (AGRICULTURAL)

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

Notwithstanding any other provision of this by-law to the contrary, for the purposes of calculating MDS II for a first or expanding livestock facility, ~~closed or inactive~~ cemeteries located within a Community Facility Zone (CF Zone) shall be treated as a Type A land use.

4.6 SEPARATION DISTANCE (RESIDENTIAL)

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

4.7 NUTRIENT MANAGEMENT PLAN AND MANURE STORAGE REQUIREMENTS

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

4.8 EXISTING AGRICULTURAL HOLDINGS

Notwithstanding the provisions of Section 4.4.1 and 4.4.2 where an existing lot has a lesser lot area and/or frontage than required under this By-law and is developed for an agricultural use, with or without existing farm buildings and accessory structures, additional farm buildings and structures may be erected, or existing farm structures may be altered providing all other requirements of this By-law are complied with. The farm holding will be deemed to conform with the By-law with respect to the minimum lot area and minimum lot frontage provisions.

4.9 NEW AGRICULTURAL HOLDINGS

Where a new agricultural lot is created by severance and conforms with the Official Plan and has a minimum lot area between 18 and 38 hectares, the said lot is deemed to comply with the minimum lot area provisions of the By-law (Section 4.4.1). This provision pertains to both the severed and retained lot area.

4.10 TREE PROTECTION

Clearing of areas will be prohibited. Selective cutting will be permitted in accordance with Huron County Tree Cutting By-law No. 38-2013.

~~4.11~~ 4.11 SPECIAL ZONES

4.11.1. AG1-1

Notwithstanding any provision of this by-law to the contrary, the area zoned as AG1-1 shall not permit a residential building to be erected. All other applicable provisions of this by-law, as amended, shall apply. *(By-law 85-2001)*

4.11.2. AG1-2

Notwithstanding any provision of this by-law to the contrary, the area zoned as AG1-2 may also be used for a private park, the keeping of exotic animals and birds, and one residence. A minimum lot area of 3 hectares is permitted. All other applicable provisions shall apply. *(By-law 18-1996)*

4.11.3 AG1-3

Notwithstanding the provisions of Section 4 to the contrary, the area zoned AG1-3 may be used for one single family residence, subject to the separation distance provisions of Section 6.6 (AG4). All other applicable provisions shall apply. *(By-law 14-1989)*.

4.11.4 AG1-4

Notwithstanding the provisions of Section 4.1 to the contrary, the area zoned AG1-4 may be used to operate a Farmer's Market and/or a Flea Market and may also include the sale of agricultural implements, agricultural manufactured goods and second hand items. Buildings accessory to the permitted uses are permitted. Operations are only permitted during the daylight hours (sunrise to sunset). All other applicable provisions shall apply.

4.11.5 AG1-5

Notwithstanding the provisions of Section 4.1 to the contrary, the area zoned AG1-5 may be used for a recreational residence subject to the provisions of Section 6 (AG4).

4.11.6 AG1-6

Notwithstanding Sections 4.1, 4.3, 4.4 and 4.2.4 to the contrary, the area zoned AG1-6 shall have a minimum lot area of 10 hectares, and may be used for one single detached dwelling and accessory buildings and structures. All other applicable provisions of this By-law, as amended, shall apply.

4.11.7 AG1-7

Notwithstanding any provision of this by-law to the contrary, the area zoned AG1-7 shall have a minimum lot area of 22 hectares. The lot shall not be accessed from Provincial Highway 21. All other provisions of this by-law, as amended, shall apply. *(By-law 10-2000)*

4.11.8 AG1-8

Notwithstanding the provisions of Section 4.1 to the contrary, the area zoned AG1-8 may be used for an antique retail facility.

4.11.9 AG1-9

Notwithstanding the provisions of Section 4.1 to the contrary, the area zoned AG1-9 may be used for a retail store and residential dwelling unit(s). *(By-law 20-1997)*

4.11.10 AG1-10

Notwithstanding the provisions of Section 4.1 to the contrary, the area zoned AG1-10 may be used for a drive-in restaurant subject to the zone regulations of the Agricultural-Commercial-Industrial zone (AG3, Section 5.3).

4.11.11 AG1-11

Notwithstanding the provisions of Section 4.1 to the contrary, the area zoned AG1-11 may be used for a service station, restaurant, and an accessory residence subject to the zone regulations of the Agricultural-Commercial-Industrial zone (Section 5.3). *(By-law 21-1983, 28-2002)*

4.11.12 AG1-12

Notwithstanding any provisions of this by-law to the contrary, the area zoned AG1-12 may be used for a contractor's yard and shop and accessory uses. The provisions of Section 5.3 (AG3 zone regulations) shall apply. All other applicable provisions shall apply. *(By-law 18-1984)*

4.11.13 AG1-13

Notwithstanding Section 4.3 to the contrary, the area zoned AG1-13 permits one single detached dwelling or converted dwelling unit accessory to an agricultural use and two mobile homes accessory to an agricultural use. *(By-law 40-2005)*

4.11.14 AG1-14

4.11.14.1

Notwithstanding any provisions of Section 3.22 and 3.24 to the contrary, in the area zoned AG1-14, the existing second single detached dwelling shall not exceed 150 square metres in total floor area. All other applicable provisions of this By-law, as amended, shall apply.

4.11.14.2

For the purpose of this by-law the second single detached dwelling is defined as the single detached building existing on the property that was constructed in or around 1934 and located north east of the other structures on Lot 9, Concession 7, Eastern Division in the Colborne Ward.

4.11.15 AG1-15

Notwithstanding the provisions for this by-law to the contrary, the lands zoned AG1-15 shall only be used for a residence, livestock assembly yard and transport terminal and service area, subject to the provisions of Section 5.3 (AG3 zone regulations). All other applicable provisions shall apply. *(By-law 24-1998)*

4.11.16 AG1-16

Notwithstanding the provisions of Section 4.1 to the contrary, the area zoned AG1-16 may be used for an existing service shop for the repair of motor vehicles and farm equipment, machine shop, welding, woodworking, and indoor storage.

4.11.16.1. Outside storage:

There shall be no outside storage of goods or materials ancillary to a service shop.

4.11.16.2 Hours of Operation:

The subject auto body repair shop shall only operate between the hours of 7:00 a.m. to 8:00 p.m. on Monday to Saturday, inclusive. *(By-law 20-1986)*

4.11.17 AG1-17

Notwithstanding the provisions of Section 4.1 to the contrary, the area zoned AG1-17 may be used for a commercial use consisting of an existing hotel, riding stable and cross-country ski club.

4.11.18 AG1-18

Notwithstanding Section 4.3 to the contrary, the area zoned AG1-18 permits one single detached dwelling, which may be converted or enlarged to accommodate not more than two dwelling units. For the purposes of this by-law enlarged shall mean increased in size by means of an addition to the existing structure.

4.11.19 AG1-19

Notwithstanding the provisions of Section 4 to the contrary, on lands zoned AG1-19 an existing building with dimensions of 9.1 metres (30ft) by 25.6 metres (84ft) may not be used for animal housing. The existing building has historically been used for animal housing but recently has been used for storage. This building shall not be re-converted for animal housing purposes. All other applicable provisions of this by-law continue to apply. *(By-law 05-1998)*

4.11.20 AG1-20

Notwithstanding and in addition to the provisions of Sections 4.1 and 4.2 to the contrary, the area zoned AG1-20 recognizes and permits one single detached dwelling. *(OMB NO. R 9200250)*

4.11.21 AG1-21

Notwithstanding any provision of this by-law to the contrary, the area zoned AG1-21 may also be used for a sawmill operation, including one main building with a maximum floor area of 790 square metres, a lumber storage building with a maximum floor area of 465 square metres, accessory sheds, and accessory uses related to the sawmill use, including a planing mill and office building. All buildings and structures are subject to the provisions of Sections 4.4 and 4.6. All other provisions of this by-law, as amended, shall apply. *(By-law 29-2002)*

4.11.22 AG1-22

4.11.22.1 Notwithstanding the provisions of Section 4.1 to the contrary, the area zoned AG1-22 may be used for a truck sales and service establishment subject to Section 5.3 (AG3 zone regulations). All other applicable provisions of this by-law, as amended, shall apply.

4.11.22.2 Notwithstanding any provision of this by-law to the contrary, in the area zoned AG1-22 a warehouse/ storage building is permitted to be constructed with a minimum rear yard setback of 3 metres and a minimum side yard setback of 3 metres. *(By-law 17 2005, MV A1-07)*

4.11.23 AG1-23

Notwithstanding and in addition to the provisions of Section 4.1 and 4.2 to the contrary, the area zoned AG1-23 permits a converted dwelling and an auto body repair shop.

4.11.24 AG1-24

Notwithstanding the provisions of Section 4.4.1 to the contrary, the area zoned AG1-24 shall have a minimum lot area of 20 hectares. In addition to the provisions of Section 4.5, the area zoned AG1-12 shall be limited to a maximum of 175 nutrient units. All other applicable provisions shall apply. *(By-law 7-1996)*

4.11.25 AG1-25

Notwithstanding the provisions of Section 4 to the contrary, the area zoned AG1-25 shall have a minimum lot area of 10 hectares, and may be used for one single detached dwelling and accessory buildings and structures. All other applicable provisions of this By-law, as amended, shall apply.

4.11.26 AG1-26

Notwithstanding the provisions of Section 4.1 to the contrary, the area zoned AG1-26 may be used for an existing motel.

4.11.27 AG1-27

Notwithstanding the provisions of Section 4.4.1 to the contrary, the minimum lot area of the area zoned AG1-27 shall be 20 hectares. All other applicable provisions of this by-law, as amended, shall apply.

4.11.28 AG1-28

Notwithstanding the provisions of Section 4.4.1 to the contrary, lots in the area zoned AG1-28 shall have a minimum lot area of 20 hectares and areas of the lots zoned "Natural Environment" may be used in the calculation of lot area. Notwithstanding Section 4.3 to the contrary, each lot in the area zoned AG1-28 is permitted a residence and accessory buildings. All other uses permitted in Section 4 (AG1) are permitted.

4.11.29 AG1-29

Notwithstanding the provisions of Section 3.21 *(Lots to front on a public road)* to the contrary, the area zoned AG1-29 permits a residence and other buildings accessory to agriculture to be constructed with access to the lot provided by a right of way. The lot frontage and area of this lot is deemed to comply with zoning by-law 32-2008. All other provisions of by-law 32-2008 continue to apply. *(By-law 40-2008)*

4.11.30 AG1-30

Notwithstanding the provisions of Sections 4.1, 4.2, 4.3 and 4.4 to the contrary, the area zoned AG1-30 permits a single detached residence and accessory buildings including a guest cabin. The lot frontage and area of this lot is deemed to comply with zoning by-law 32-2008. All other provisions of by-law 32-2008 continue to apply. *(By-law 53-2008)*

4.11.31 AG1-31

Notwithstanding the provisions of Section 4.1, 4.2, 4.3, 4.4 and 7.7 to the contrary, the area zoned AG1-31 permits a barn accessory to a residential use on the same property in the VR1 zone subject to the provisions of Section 6 (AG4), except that the AG1-31 zone permits an accessory barn with a maximum of 2 nutrient units and a minimum

setback of 60 metres from a residence on a separate lot and a minimum setback of 60 metres from a vacant lot zoned Village Residential (VR1 or VR1-Special Zones). A residence is not permitted in the AG1-31 zone. All other provisions of by-law 32-2008 continue to apply. *(By-law 03-2009)*

4.11.32 AG1-32

Notwithstanding the provisions of Section 4 to the contrary, on the lands zoned AG1-32 an Amish Parochial School with a maximum floor area of 100 square metres is also a permitted use subject to the setback requirements of the AG1 (General Agriculture) zone. For the purposes of calculating Minimum Distance Separation requirements, the school shall be treated as a Type A land use and the distance will be measured from building. The minimum Distance Separation from barns on neighbouring properties will be 125 metres. The Minimum Distance Separation from the school to the existing barn on the subject property shall be a minimum of 20 metres. *(By-law 36-2009)*

4.11.33 AG1-33

Notwithstanding the provisions of Section 2 to the contrary, in the area zoned AG1-33 an enlarged dwelling shall be permitted with the enlarged portion of the building being closer to the street than the existing dwelling. The maximum length of the connection between the two buildings is permitted to be 6 metres. *(By-law 40-2011)*

4.11.34 AG1-34

Notwithstanding the provisions of Sections 4.4.3. to the contrary, in the area zoned AG1-34 a detached dwelling accessory to an agricultural use is permitted with a front yard setback of 10 metres and a small livestock barn is permitted with a front yard setback of 15 metres. All other applicable provisions apply. *(By-law 26-2013)*

4.11.35 AG1-35

Notwithstanding Section 4.2 to the contrary, in the area zoned AG1-35 the construction of a new dwelling is prohibited. All other provisions of this by-law shall apply. *(By-law 32-2014)*

4.11.36 AG1-36

In the area zoned AG1-36 a livestock barn and a residence accessory to agriculture are permitted. Notwithstanding Section 4.4 to the contrary, in the area zoned AG1-36 the minimum lot frontage shall be 80 m, the minimum lot area shall be 1 hectare, the interior side yard setback for a new livestock building and a new residence shall be 10 metres, the front yard setback for the residence shall be 10 metres and the front yard setback for the livestock barn shall be 20 metres. The permitted livestock facility may only be used for aquaculture, also known as fish farming. The minimum lot area of the lands zoned AG1-36 shall be 2.5 hectares and include lands zoned CF-3. All other applicable provisions of this zoning by-law shall continue to apply. *(By-law 57-2014)*

4.11.37 AG1-37 RETAINED PARCEL FROM A SURPLUS FARM RESIDENCE SEVERANCE

Notwithstanding any provisions to the contrary, in the area zoned AG1-37 a residence is not permitted and all legally established existing buildings are deemed to comply. *(By-law 66-2014)*

4.11.38 AG1-38

Notwithstanding the provisions of Sections 4.4 and 4.5 to the contrary, in the area zoned AG1-38 the existing lot area of 2 hectares, the existing lot frontage of 110 metres and all setbacks of existing buildings are deemed to comply with the lot area, frontage, minimum yard and minimum distance separation requirements of this by-law. In the AG1-38 zone the number of livestock in the two existing barns is limited to 65 nutrient units. All other provisions of this by-law will apply. *(By-law 10-2015)*

4.11.39 AG1-39

Notwithstanding the provisions of Sections 4.1 and 4.2 to the contrary, in the area zoned AG1-39 an Amish Parochial School is permitted. The school shall be treated as a Type A land use for the purposes of Minimum Distance Separation from nearby barns on separate properties. No Minimum Distance Separation is required from the livestock barns on the same property. All other provisions of this by-law will apply. *(By-law 46-2015)*

4.11.40 AG1-40

Notwithstanding the provisions of Sections 4.4 to the contrary, in the area zoned AG1-40 permits one livestock barn to be built with a front yard setback of 48 metres. All other provisions of this by-law will apply. *(By-law 08-2018)*

4.11.41 AG1-41

Notwithstanding the provisions of Sections 4.1, 4.2 and 4.3 to the contrary, on the West Part of Lot 17, Concession 5, (Wawanosh) any buildings and accessory structures will be located in the area zoned AG1-41. All other applicable provisions shall apply. *(By-law 40-2018)*

SECTION 5

AGRICULTURAL COMMERCIAL / INDUSTRIAL ZONE (AG 3)

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

5.1 PERMITTED USES

- ~~Aa~~gricultural industrial establishment
- ~~Aa~~gricultural processing establishment
- ~~Aa~~gricultural service establishment
- ~~Aa~~gricultural supply establishment
- ~~Aa~~ licensed medical marihuana facility
- ~~Bb~~ulk sales establishment
- ~~Aa~~griculture related transport terminal or yard
- ~~Rural brewery/distillery/winery~~
- ~~Uu~~ses accessory to the permitted uses

~~5.25.2~~ ACCESSORY USES

- ~~Aa~~ccessory residence

5.3 PERMITTED STRUCTURES

- ~~Aa~~ single detached dwelling, mobile home or a dwelling as part of the non-residential structure
- ~~Bb~~uildings and structures for the permitted uses
- ~~Oe~~ther buildings & structures, not including residences, accessory to the permitted uses.

5.4 ZONE REGULATIONS

LOT AREA (minimum)	4,000 square metres
LOT AREA (maximum)	4 hectares
FRONTAGE (minimum)	30 metres
FRONT YARD DEPTH (minimum)	20 metres from a municipal road or 25 metres from a c County or p Provincial h Highway
INTERIOR SIDE YARD DEPTH (minimum)	15 meteres or half 1/2 of the building height, whichever is _____greater
EXTERIOR SIDE YARD DEPTH (minimum)	

R oad	20 metres from a municipal <u>Township</u>
REAR YARD DEPTH	or 25 metres from a County or Provincial Highway 7.5 metres
LOT COVERAGE (maximum)	30 %
LIGHTING AND ILLUMINATING SIGNS shall be arranged so as to deflect light away from adjacent properties.	

5.5 REGULATIONS FOR ACCESSORY RESIDENTIAL USES

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

F ully detached residence	84 square metres
Aa residence as part of the non-residential building or structure	70 square metres
M obile home	50 square metres

5.6 SEPARATION DISTANCE (RESIDENTIAL)

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

5.7 BUFFER STRIP

Notwithstanding ~~the General Provisions 'Planting Strip'~~ Section 3.27, a buffer strip of landscaped open space, 5 metres wide, shall be provided between storage and/or display area and side and/or rear lot lines. Where an AG-3 zone abuts an AG-1 zone, the required buffer strip need not be landscaped.

5.8 LOADING SPACES

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

5.9 PARKING

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

5.10 SPECIAL ZONES

5.10.1 AG3-1

Notwithstanding the provisions of Section 5.2 to the contrary, in the AG3-1 zone an accessory residence is prohibited. A sawmill is permitted in the AG3-1 zone as an agricultural processing establishment as provided in Section 5.1. All other applicable provisions of this by-law, as amended, shall apply. (By-law 04-2012)

5.10.2 AG3-2

Notwithstanding Section 5.4 to the contrary, the area zoned AG3-2 shall have a maximum lot area of 8.5 hectares. All other provisions of this by-law shall apply. (By-law 04-2014)

5.11 HOLDING ZONE

5.11.1 AG3-h

In the area zoned AG3-h on Part of the North Part of Lot 12, Concession 13 Ashfield Ward no development is permitted until By-Law 32-2008 is amended to remove the holding zone. Prior to the holding zone being removed the Township shall pass a site plan control by-law for the subject property to address compatibility and site design issues. All other applicable provisions of this by-law, as amended, shall apply. *(By-law 63-2013)*

SECTION 6

AGRICULTURAL SMALL HOLDING ZONE (AG 4)

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

6.1 PERMITTED USES

- ~~O~~ne residential dwelling
- ~~U~~ses accessory to the permitted uses

6.2 ACCESSORY USES

- ~~H~~ome industry
- ~~H~~ome occupation
- ~~A~~gricultural use, limited
- ~~A~~ccessory livestock use
- ~~B~~ed and breakfast establishment
- ~~F~~arm produce sales outlet

6.3 PERMITTED STRUCTURES

- ~~O~~ne detached dwelling
- ~~B~~uildings and structures for the permitted uses
- ~~B~~uildings and structures accessory to the permitted uses, in accordance with Section 3.4
- ~~E~~xisting barns or one new barn accessory to a residential use
- A second unit accordance with Section 28.8.6
- ~~D~~welling, converted
- ~~O~~ther buildings and structures, not including residences, accessory to the permitted uses, in accordance with Section 3.4

6.4 ZONE REGULATIONS

LOT AREA (minimum)	4,000 square metres
LOT AREA (maximum)	4 hectares
LOT FRONTAGE (minimum)	23 metres
FRONT YARD (minimum)	17 metres from a <u>Township</u> municipal R oad <u>h</u> Highway or 25 metres from a County or Provincial
INTERIOR SIDE YARD (minimum)	5 metres
EXTERIOR SIDE YARD (minimum)	17 metres from a municipal road or 25 metres from a c County or p Provincial <u>h</u> Highway

REAR YARD (minimum)	7.5 metres
LOT COVERAGE (maximum)	30 %

6.5 BUILDING REGULATIONS

6.5.1 BUILDING HEIGHT (maximum)	12 metres
Existing Agricultural buildings	30 metres

6.5.2 DWELLING UNIT FLOOR AREA (minimum)	84 square metres
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6.6 SEPARATION DISTANCE (RESIDENTIAL)

Notwithstanding any other provision of this by-law to the contrary, no residential, institutional, commercial, industrial or recreational building or structure, located on a separate lot shall be established unless it complies with the Minimum Distance Separation (MDS) Formulae. The proposed residence shall be treated as a "Type A" land use.

6.7 SEPARATION DISTANCE (AGRICULTURAL)

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

6.8 MDS FOR ~~CLOSED OR INACTIVE~~ CEMETERIES

Notwithstanding any other provision of this by-law to the contrary, for the purposes of calculating MDS II for a first or expanding livestock facility, ~~closed or inactive~~ cemeteries located within a Community Facility Zone (CF Zone) shall be treated as a Type A land use.

6.9 NUTRIENT MANAGEMENT PLAN AND MANURE STORAGE REQUIREMENTS

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

6.10 SPECIAL PROVISIONS FOR EXISTING OR NEW BARNs

6.10.1 An accessory barn may be established or an existing barn may be used provided that such use is accessory to the residential use and is incidental and subordinate to supporting the residential use and subject to the following table:

Lot area (hectares)	Maximum number of Nutrient units	Minimum separation distance from the barn to the nearest residential, commercial, institutional, community facility building or structure excluding uses on the same property
.4	1	40 metres
.8	2	60 metres
1.2	3	80 metres
1.6 +	4	100 metres

6.10.2 Any newly established structure to house animals must maintain the setbacks from an open municipal drain, sinkhole, municipal wells or natural watercourse as set out in the

“setback of buildings from municipal drains or natural watercourses” section in the general provisions of this By-law; must not be located in a front yard; and provided that all other provisions of this By-law are complied with.

6.11 SPECIAL ZONES

6.11.1 AG4-1

Notwithstanding the provisions of Section 6.6 hereof to the contrary, for the area zoned AG4-1, the separation distance required shall be the separation distance according to Section 6.6 multiplied by 1.5. All other applicable provisions shall apply. *(By-law 17-1986)*

6.11.2 AG4-2

Notwithstanding the provisions of Sections 6.1 and 6.2 to the contrary, the area zoned AG4-2, may be used for one mobile home. All other applicable provisions shall apply. *(By-law 13-1988)*

6.11.3 AG4-3

Notwithstanding Section 6 hereof to the contrary, the lands zoned AG4-3, may be used for a general commercial store and residential use. All other provisions of this by-law shall apply.

6.11.4 AG4-4

Notwithstanding the provisions of Sections 6.1 and Sections 6.2 to the contrary, the area zoned AG4-4 may be used for one mobile home accessory to the existing non-conforming use (retirement/ seniors home) and in addition to the existing permitted residence. All other applicable provisions shall apply. *(By-law 40-1992)*

6.11.5 AG4-5

Notwithstanding any provision of this by-law to the contrary, the area zoned AG4-5 may also be used for an accessory building containing a maximum of 7 nutrient units. All other applicable provisions of this by-law, as amended, shall apply. *(By-law 54-2001)*

6.11.6 AG4-6

Notwithstanding the provisions of Section 6.1 to the contrary, the area zoned AG4-6 may be used for a general store, gasoline bar, take-out restaurant, propane sales and a miniature golf course facility.

Also, in the area zoned AG4-6 (Agricultural Small Holding) Zone, the following uses are also permitted: the sale of alcohol in the General Store; one portable food outlet establishment, at a minimum of 30 metres setback from the front lot line and 30 metres setback from a side lot line. *(As amended by By-law No. 45-2019)*

6.11.7 AG4-7

Notwithstanding any provision of this by-law to the contrary, the area zoned AG4-7 may contain accessory buildings for the keeping of not more than 3 nutrient units. All other provisions of this by-law, as amended, shall apply. *(By-law 10-2000)*

6.11.8 AG4-8

Notwithstanding the provisions of Section 3.4 and Section 3.41 to the contrary, the area zoned AG4-8 may be used for a detached accessory building for a home industry with a maximum height of 6.7 metres (22 feet) and a total floor area of 223 square metres (2,400 square feet). All other provisions shall apply. *(By-law 6-1990)*

6.11.9 AG4-9

Notwithstanding any provision of this by-law to the contrary, in the area zoned AG4-9, the maximum area used for a home industry will be 41% of the total floor area of the structures on the subject property. The AG4-9 zone will permit a maximum of 12 persons, other than the owner, to be employed on a full-time basis. The accessory buildings will have a combined total floor area of 552 square metres. All other provisions of this by-law, as amended, will apply. *(By-law 74-2003)*

6.11.10 AG4-10

Notwithstanding the provisions of Section 6.1 to the contrary, the area zoned AG4-10 may be used for a residence and service station.

6.11.11 AG4-11

Notwithstanding any provisions of this by-law to the contrary, in the area zoned AG4-11, the minimum setback for a residence from the AG1-15 zone shall be 30 metres.
(By-law 24-1998)

6.11.12 AG4-12

Notwithstanding the provisions of Section 6 to the contrary, on lands zoned AG4-12 a greenhouse operation and accessory buildings and structures shall be permitted. The greenhouse operation shall be accessory to the residential use and shall be located on the same property. A farm produce sales outlet shall also be a permitted use. Notwithstanding the permitted structures and zone regulations, buildings and structures for the greenhouse operation shall be permitted to the rear of the front yard setback established by the residence and shall satisfy the requirements of Section 3.4 for Accessory Buildings. The provisions of Section 6.5 do not apply to a greenhouse operation on lands zoned AG4-12. The Home Industry Definition in Section 2 and the provisions of Section 3.41 of this by-law shall not apply to the greenhouse operation in the AG4-12 zone. All other applicable provisions of this by-law shall apply. *(By-law 3-1999)*

6.11.13 AG4-13

Notwithstanding any provisions of this by-law to the contrary, the area zoned AG4-13 may also be used for an accessory building containing a maximum of 8 nutrient units. All other applicable provisions of this by-law, as amended, shall apply. *(By-law 32-2003)*

6.11.14 AG4-14

Notwithstanding the provisions of Section 6.1 to the contrary, the area zoned AG4-14 may be used for an existing second hand retail store.

6.11.15 AG4-15

Notwithstanding the provisions of Section 6 to the contrary, on lands zoned AG4-15 an existing storage building and communications tower are hereby recognized and permitted to continue in the absence of a main use. Both uses will be permitted to continue and the provisions of Section 3.4 shall apply. The setbacks, established by the location of the existing buildings, where deficient from the requirements of this by-law, shall be deemed to be the minimum requirements for those buildings or structures. All other applicable provisions of this by-law shall apply. *(By-law 16-1998)*

6.11.16 AG4-16

Notwithstanding the provisions of Section 6.4 to the contrary, the area zoned AG4-16 shall have a maximum lot area of 5 hectares. Notwithstanding the provisions of Section ~~86~~6 to

the contrary, a separation distance of 225 metres is required from the barn to the north. All other applicable provisions of this by-law shall apply. *(By-law 12-1997)*

6.11.17 AG4-17

Notwithstanding the provisions of Section 6.4 to the contrary, in the area zoned AG4-17 the maximum lot area within the AG4-17 zone shall be 6 hectares and all buildings and structures shall be set back a minimum of 30 metres from the Natural Environment Zone (NE5). All other applicable provisions shall apply. *(By-law 58-2009)*

6.11.18 AG4-18

Notwithstanding the provisions of Section 6.4 to the contrary, in the area zoned AG4-18 the maximum lot area within the AG4-18 zone shall be 5 hectares. All buildings and structures shall be set back a minimum of 30 metres from the Natural Environment Zones (NE5, NE1). Notwithstanding the provisions of Section 6.7 to the contrary, a maximum of 12 livestock units are permitted within the AG4-18 zone subject to the provisions of the Province of Ontario Minimum Distance Separation Guidelines. All other applicable provisions shall apply. *(By-law 12-2010)*

6.11.19 AG4-19 SEVERED PARCEL FROM A SURPLUS FARM RESIDENCE SEVERANCE

Notwithstanding any provisions to the contrary, in the area zoned AG4-19 both the property and any legally established existing buildings are deemed to comply with the AG4 zone provisions and the minimum distance separation requirements of this By-law. *(By-law 66-2014)*

SECTION 7

AIRPORT LANDS FACILITIES (AL1)

7.1 PERMITTED USES

- Aircraft runways and taxiways;
- Aircraft tie-down areas;
- Aircraft navigational equipment;
- Uses accessory to the permitted uses

7.2 PERMITTED STRUCTURES

- Buildings and structures required for navigational equipment;
- Other buildings and structures, not including residences, accessory to the permitted uses

SECTION 8 AIRPORT LANDS – RELATED USES

(AL2)

8.1 PERMITTED USES

- An airport terminal;
- An aircraft hanger;
- A control tower;
- Aircraft maintenance facilities;
- An airport related industrial facility;
- An airport related commercial facility;
- An airport related service facility;
- An aircraft taxiway;
- Uses accessory to the permitted uses.

8.2 PERMITTED STRUCTURES

- Buildings and structures for the permitted uses;
- Other buildings and structures, not including residences, accessory to the permitted uses

8.3 ZONE REGULATIONS

Setback from any street line (minimum): 10 metres

Setback from any lot line (minimum): 3 metres, except where a lot line abuts a publicly owned taxiway or apron area, the minimum setback from such lot line is 1 metre

8.4 BUILDING REGULATIONS

8.4.1 Building Height (Maximum)

In an AL2 zone, no building or structure may be higher than a height calculated based on the ratio of 1:7 from the side perimeter of an AL1 zone. (That is, for every 7 metres calculated at a right angle to the plane of the AL1 zone, building or structure height may be increased by 1 metre).

8.4.2 Notwithstanding Sections 8.1 and 8.2 to the contrary, one dwelling unit is permitted as an accessory use in the AL2 zone on the Goderich Municipal Airport property, which is owned/ controlled by the Town of Goderich, and lots existing at the date of passing of this by-law. Such dwelling unit may be in the form of one single detached dwelling, one mobile home or one dwelling unit within a non-residential building.

8.4.3 Except for the one dwelling unit permitted by Section 8.4.2, no property in the AL2 zone shall contain a dwelling unit.

8.4.4 NUMBER OF STRUCTURES PER LOT

Notwithstanding the provisions of Section 3.22 to the contrary, more than one (1) main building or structure is allowed per lot.

8.4.5 All parking facilities shall be located off the public street.

8.4.6 No open storage will be allowed in any yard.

8.4.7 HEIGHT RESTRICTIONS Refer to Section 3.5

8.4.8 The easterly side yard setback requirement for the existing terminal building, located on Part Block 'A', Western Division, shall be 3.6 metres.

SECTION 9

COMMUNICATIONS AND UTILITY (U)

9.1 PERMITTED USES

- Agriculture
- Conservation
- A radio, television, microwave, or similar communications tower or towers
- Railway tracks and stations
- A pipeline
- Transformer station
- Well and pump house
- Other buildings and structures, not including residences, accessory to the permitted uses, in accordance with Section 3.4

9.2 SPECIAL PROVISIONS

Development as defined in Section 40 of the Planning Act may be subject to site plan control. As such, Council may require the establishment of a fence or planting strip.

9.3 SPECIAL ZONES

9.3.1 U-1

In the area zoned U-1, the permitted uses are limited to utility buildings and accessory uses associated with the residential area. (By-law 13-1998)

9.3.2 U-2

Notwithstanding Section 9.1 to the contrary, in the area zoned U-2, the permitted uses are limited to one well held in common ownership by the benefiting land owners, and accessory buildings and structures for the permitted well.

SECTION 10

COMMUNITY FACILITY ZONE **(CF)**

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

10.1 PERMITTED USES

- Ambulance station
- Arena
- Art or cultural facility
- Assembly hall
- Cemetery
- Church
- Clinic
- Community centre
- Fair grounds
- Farmers market
- Fire hall
- Government office
- Garage, government, warehouse or storage yard
- Home for the aged
- Municipal parking lot
- Park, public
- Post office
- Public utility
- School
- Sewage treatment plant
- Sports and recreation facility
- Sports field, public
- Swimming pool
- Utility service building
- Water tower or reservoir
- Water treatment plant
- Accessory uses

10.2 PERMITTED STRUCTURES

- Buildings and structures for the permitted uses
- Other buildings & structures, not including residences, accessory to the permitted uses

10.3 ZONE PROVISIONS

<u>LOT FRONTAGE (minimum)</u>	<u>30 metres</u>
<u>LOT AREA (minimum)</u>	<u>1850 square metres</u>
<u>LOT COVERAGE (maximum)</u>	<u>40%</u>
<u>FRONT YARD</u> <u>(minimum)</u>	<u>in an urban settlement area 7.5 metres</u> <u>in a rural area 20 metres from a municipal road</u> <u>25 metres from a County or Provincial Highway</u>
<u>REAR YARD (minimum)</u>	<u>10 metres</u>

<u>INTERIOR SIDE YARD</u> <u>(minimum)</u>	<u>7.5 m except where a community facility use abuts</u> <u>residential zone a 9 metre side yard is required</u>
<u>EXTERIOR SIDE YARD</u> <u>(minimum)</u>	<u>in an urban settlement area 7.5 metres</u> <u>in a rural area 20 metres from a township road</u> <u>25 metres from a county or provincial highway</u>
<u>LANDSCAPED OPEN SPACE</u> <u>(minimum)</u>	<u>10%</u>
<u>HEIGHT OF BUILDING</u> <u>(maximum)</u>	<u>18 metres</u>

10.4 SPECIAL PROVISIONS

25.4.1 UTILITIES SERVICE BUILDINGS AND SUBSTATIONS

In a settlement area, a utility service building or substation will require a rezoning to a Community Facility (CF) Zone.

10.4.2

In a rural area, a utility service building or substation within 1,000 metres of a residence in an agricultural area will require a rezoning to a Community Facility (CF) Zone.

10.4.3

No goods, material, or equipment shall be stored in the open in a Residential area

10.4.4

All permitted uses shall develop according to the applicable regulations of the Ontario Ministry of the Environment and/ or Ontario Ministry of Health.

See General Provisions, Section 3.37, Utility Services for the Public.

10.4.2 MINIMUM DISTANCE SEPARATION

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

10.4.3 SETBACK FROM A SEWAGE TREATMENT PLANT, FOR RESIDENTIAL AND/ OR LIVESTOCK BUILDING USES

No new building or structure, used for residential or livestock purposes shall be erected within 500 metres of any sewage treatment plant until it has been established to the satisfaction of the Township and the Ministry of the Environment, that there will be no adverse off-site impacts. The assessment of impacts shall include the presence of methane/leachate and the potential for noise, odour, dust and litter complaints during operation. If there is a licensed disposal site located or sewage treatment plant in an adjacent municipality, the same setback shall apply to the lands in Ashfield-Colborne-Wawanosh.

10.5 SPECIAL ZONES

10.5.1 CF-1

Notwithstanding the provisions of Section 3.22 to the contrary, the area zoned CF-1 permits the establishment of an Amish Parochial School. (By-law 7-1993)

10.5.2 CF-2

For the purpose of this zoning by-law, the area zoned CF-2 shall apply to both the north ½ of lot 1 registered plan 300 and the south ½ of lot 1 registered plan 300. The area within the CF-2 zone will be considered one lot for the purposes of this by-law. Notwithstanding the provisions of 3.4 to the contrary, an open post shelter, no larger than 10 metres by 7.5 metres is permitted in the exterior side yard with a rear yard setback of one metre and an exterior side yard setback of one metre. All other applicable provisions of this zoning by-law continue to apply.

10.5.3 CF-3

In the area zoned CF-3 up to a maximum of 14 residential apartments located in the existing former school structure are permitted. The minimum lot area of the lands zoned CF-3 shall be 2.5 hectares and include lands zoned AG1-36. All other uses in the CF zone are permitted. All other applicable provisions of this zoning by-law shall continue to apply. (By-law 57-2014)

SECTION 11

DISPOSAL ZONE

(DS)

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

11.1 PERMITTED USES

- Municipal or private waste disposal facilities as approved by the Ministry of Environment license
- Recycling centre
- Sewage treatment works or collection facilities

11.2 PERMITTED STRUCTURES

- Buildings and structures for the permitted uses
- Other buildings and structures, not including residences, accessory to the permitted uses, in accordance with Section 3.4

11.3 SPECIAL PROVISIONS

11.3.1 All permitted uses shall develop according to the applicable regulations of the Ontario Ministry of the Environment and/ or Ontario Ministry of Health.

11.3.2 Subject to an agreement pursuant to Site Plan Control, Council may require the establishment of a fence or planting strip.

11.4 SETBACK FROM AN ACTIVE OR CLOSED WASTE DISPOSAL SITE, FOR RESIDENTIAL AND/ OR LIVESTOCK BUILDING USES

11.4.1 NEW BUILDINGS

No new building or structure, used for residential or livestock purposes shall be erected within 500 metres of the fill area of a Municipal landfill site or a closed landfill site until it has been determined by a qualified professional to the satisfaction of the Township and the Ministry of the Environment, that there will be no adverse off-site impacts. The assessment of impacts shall include the presence of methane/leachate and the potential for noise, odour, dust and litter complaints during operation. If there is a licensed disposal site located in an adjacent municipality, the same setback shall apply to the lands in Ashfield-Colborne-Wawanosh.

11.5 SETBACK FROM A SEWAGE TREATMENT PLANT, FOR RESIDENTIAL AND/ OR LIVESTOCK BUILDING USES

No new building or structure, used for residential or livestock purposes shall be erected within 500 metres of any sewage treatment plant until it has been established to the satisfaction of the Township and the Ministry of the Environment, that there will be no adverse off-site impacts. The assessment of impacts shall include the presence of methane/leachate and the potential for noise, odour, dust and litter complaints during operation. If there is a licensed disposal site located or sewage treatment plant in an adjacent municipality, the same setback shall apply to the lands in Ashfield-Colborne-Wawanosh.

SECTION 12

EXTRACTIVE INDUSTRIAL ZONE (ER2)

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

12.1 PERMITTED USES

- Permanent asphalt/concrete/ready mix batching plant
- Mineral Aggregate Operation or any other operation licensed under the Aggregate Resources Act
- Extractive use licensed under the Oil, Gas and Salt Resources Act
- The processing of extracted materials from the site including crushing, screening, washing, sorting and storing of materials, and a portable asphalt plant,
- Agricultural use, limited
- Uses accessory to the permitted uses

12.2 PERMITTED STRUCTURES

- Buildings and structures for the permitted uses
- Buildings and structures accessory to the permitted uses, not including a dwelling unit, in accordance with Section 3.4

12.3 ZONE REGULATIONS

LOT AREA (minimum) no minimum

LOT COVERAGE 20 %

Setbacks for buildings or structures for permanent asphalt/concrete/ready mix batching plant (minimum) setbacks shall apply:

<u>FRONT YARD</u>	<u>90 metres</u>
<u>EXTERIOR SIDE YARD</u>	<u>90 metres</u>
<u>INTERIOR SIDE YARD</u>	<u>17 metres</u>
<u>REAR YARD</u>	<u>17 metres</u>

Setback from any off-site dwelling unit: 300 metres

Setbacks for other permitted structures including accessory structures the following – minimum setbacks shall apply:

<u>FRONT YARD</u>	<u>25 metres</u>
<u>EXTERIOR SIDE YARD</u>	<u>25 metres</u>
<u>INTERIOR SIDE YARD</u>	<u>17 metres</u>
<u>REAR YARD</u>	<u>17 metres</u>

12.4 SPECIAL PROVISIONS

10.4.1 The special provisions of the ER1 zone shall apply to lands zoned ER2

10.4.2 Location:

An extractive industrial zone is only permitted within an area licensed as a pit or quarry in accordance with the Aggregate Resources Act, as amended.

SECTION 13

EXTRACTIVE RESOURCE ZONE (ER1)

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

13.1 PERMITTED USES

- Mineral Aggregate Operation or any other operation licensed under the Aggregate Resources Act
- Extractive use licensed under the Oil, Gas and Salt Resources Act
- The processing of extracted materials from the site including crushing, screening, washing, sorting and storing of materials, and a portable asphalt plant, but not including a permanent asphalt/concrete/ready mix batching plant
- Agricultural use, limited
- Uses accessory to the permitted uses

13.2 PERMITTED STRUCTURES

- An office and service building or structure
- Storage and maintenance building or structure
- Other buildings and structures accessory to the permitted uses, but not including a dwelling unit, in accordance with Section 3.4

13.3 ZONE REGULATIONS

<u>LOT AREA</u>	<u>no minimum required</u>
<u>For buildings and structures the following minimum setbacks shall apply:</u>	
<u>FRONT YARD</u>	<u>25 metres</u>
<u>EXTERIOR SIDE YARD</u>	<u>25 metres</u>
<u>INTERIOR SIDE YARD</u>	<u>17 metres</u>
<u>REAR YARD</u>	<u>17 metres</u>

13.4 SPECIAL PROVISIONS

13.4.1 REHABILITATION

The site shall be mined, managed and rehabilitated in accordance with the Regulations of the Aggregate Resources Act as amended, and a site plan as approved by the Ministry of Natural Resources.

13.4.2 NO EXCAVATION CAN OCCUR OR BE EXPANDED WITHIN:

Minimum setbacks:

15 metres of the boundary of the site

30 metres from any road limit

30 metres of land in use for residential purposes or 150 metres from a residence, whichever is greater

30 metres of land designated as a settlement area

30 metres from the top of bank of any body of water or water course that is not the result of excavation below the water table

Setbacks from the Natural Environment Zone shall be in accordance with the General Provisions Section (Adjacent Lands to Significant Natural Environment areas CARL" CONSERVATION AUTHORITY REGULATED LANDS) of this By-law.

13.4.3 EXCEPTION TO SETBACK FROM BOUNDARY OF SITE

Where 2 extractive operations abut and are operated at the same time thus permitting a more efficient use of the available aggregate, the setback of 15 metres from the boundary of the site may be waived conditional upon a signed agreement being registered against the deeds of both properties and upon Ministry of Natural Resources approval.

13.4.4 EXCEPTION TO SETBACK FROM ANY ROAD LIMIT

Where an extractive operation abuts a municipal road and a reduced setback would permit a more efficient use of aggregate, the setback from the road may be reduced conditional upon a signed agreement between the Township and the owner/licensee and upon Ministry of Natural Resources approval.

13.4.5 TREE PLANTING BUFFER

In addition to the setbacks as specified in Section 13.4.2 above, a continuous unpierced tree planting shall be maintained a minimum distance of 23 metres from the front lot line of all ER1 zones.

13.4.6 REHABILITATION

Following rehabilitation and removal of the aggregate license, where a building or structure is to be established on the rehabilitated lands, a rezoning to the appropriate zone is required prior to the establishment of a building or structure.

13.4.7 USES PERMITTED FOLLOWING REHABILITATION

Following rehabilitation, an AG1, or NE1 use is permitted, subject to the provisions of these respective zones.

13.4.8 REPAIR, RENOVATION, EXPANSION OF EXISTING BUILDINGS

Where a residence, accessory storage structure or barn was erected prior to the date of passing of this By-law the said building or structure may be repaired, renovated or expanded (maximum expansion of 25%) in accordance with the provisions of the AG1 Zone.

13.5 SPECIAL ZONES

13.5.1 ER1-1

Notwithstanding the provisions of Section 13.4.2. to the contrary, the minimum limit of extraction along the cedar slope (to the west and north of the area of extraction), zoned NE1, shall be three metres and extraction may be permitted in not less than 100 metres of the residence located immediately north of the cemetery on Part Lot 24, Concession 6. The 150 metre setback of Section 13.4.2 shall apply to all other residences. All other provisions of this by-law shall apply. (By-law 19-1995)

13.5.2 ER1-2

Notwithstanding any provisions of Section 13 (ER1) to the contrary, in the area zoned ER1-2 extraction shall be permitted up to the east and west boundaries of the ER1-2 zone. No extraction is permitted within 15 metres of the north and the south boundaries of the ER1-2 zone. All other provisions of this By-law as amended, shall apply. (By-law 05-2009)

13.5.3 ER1-3

Notwithstanding the provisions of Section 13.4.2 to the contrary, no extraction is permitted within 105 metres of the residences located west of the property. All other provisions of this By-law shall apply. (Amended by OMB Case No. PL101197)

13.5.4 ER1-4

Notwithstanding the provisions of Section 13.1 to the contrary, the ER1-4 zone also permits tree stumps and tree tops to be brought onto the property and to be ground and composted. Wood chips may be utilized on site as part of the rehabilitation plan for the gravel pit and mixed with the topsoil and/or sold as compost. The importation of tree stumps/tree debris would cease once the pit was exhausted of its aggregate resource. All other applicable provisions shall apply. (By-law 50-2018)

SECTION 14

**FUTURE DEVELOPMENT ZONE
(FD)**

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

14.1 PERMITTED USES

- Uses lawfully in existence on the date of passing of this By-law
- Agricultural use, limited
- Public park
- Uses accessory to permitted uses

14.2 PERMITTED STRUCTURES

- Buildings and structures existing on the date of passing of this By-law
- Other buildings and structures, not including residences, accessory to the permitted residential uses, in accordance with Section 3.4

14.3 ZONE PROVISIONS FOR ACCESSORY BUILDINGS

<u>FRONT YARD DEPTH (minimum)</u>	<u>10 metres</u>
<u>REAR YARD DEPTH (minimum)</u>	<u>7.5 metres</u>
<u>SIDE YARD DEPTH (minimum)</u>	<u>7.5 metres</u>
<u>EXTERIOR SIDE YARD DEPTH (minimum)</u>	<u>10 metres</u>

14.4 SPECIAL PROVISIONS

14.4.1 No subdivision of land by consent or registered plan of subdivision is permitted in a Future Development Zone prior to rezoning to the appropriate zone.

14.4.2 Existing residences will be allowed to expand, enlarge or re-establish provided that the provisions of the VR1 zone are complied with and provided that the same numbers of dwelling units are maintained.

14.4.2 Outdoor storage and the parking of trailer bodies for storage are not permitted in the Future Development zone.

14.5 SPECIAL ZONES

14.5.1 FD-1

Notwithstanding the provisions of this by-law to the contrary those lands zoned FD-1 shall permit accessory structures not exceeding 350 square metres in total floor area and may be used for a maximum of 6 nutrient units which shall be restricted to horses. Associated livestock buildings shall be located in accordance with Section 6.4.3 and a minimum of 85 metres from a VR1 or FD zone and all manure or material storage shall be located to the rear of the livestock building and not closer than 100 metres from a VR1 or FD zone.

(By-law

09-1999)

SECTION 15

HARBOUR INDUSTRIAL (HMI)

No person within any Harbour Industrial (HMI) zone shall use any land, or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

15.1 Permitted Uses

15.1.1 Harbour industrial uses

15.1.2 Open bulk storage associated with the harbour industrial use

15.2 Permitted Structures

15.2.1 Buildings and structures required for shipping, navigation and harbour administration

15.2.3 Buildings and structures accessory to the permitted use

15.2.4 Buildings and structures necessary for flood and/or erosion control prevention subject to the necessary Conservation Authority permit.

15.3 Zone Regulations

<u>Lot area (minimum)</u>	<u>No minimum provided that where neither municipal water nor sanitary sewers are provided, the minimum lot area shall be 1858 square metres plus 46.5 square metres for each person above 20 persons employed on the lot</u>
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<u>Lot frontage (minimum)</u>	<u>No minimum</u>
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<u>Lot depth (minimum)</u>	<u>No minimum</u>
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<u>Front yard setback (minimum)</u>	<u>6 metres</u>
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<u>Rear yard setback (minimum)</u>	<u>No minimum</u>
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<u>Interior side yard setback</u>	<u>3 metres</u>
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<u>Exterior Side Yard setback (minimum)</u>	<u>6 metres</u>
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<u>Lot Coverage (maximum)</u>	<u>85%</u>
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<u>Property Abutting Railway or Hydro Right-Of-Way</u>	<u>Notwithstanding any other provisions of this By-Law to the contrary, where any lot line or portion thereof abuts a railway or hydro right-of-way, the interior side or rear yard required along that portion of such lot line which so abuts the railway or hydro right-of-way shall be: 1.5 metres</u>
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15.4 Parking: Refer to Section 3.26 General Provisions

15.5 Exterior Lighting: Refer to Section 3.13 General Provisions

15.6 Special Provisions For Harbour Industrial Zones

15.6.1 No placing or removal of fill shall be permitted within the HMI zone without the prior written permission of the Township and the Maitland Valley Conservation

Authority. An environmental assessment may be required as a requisite condition for any development in the HM1 zone. (By-law 49-2014)

SECTION 16

LAKESHORE RESIDENTIAL – SEASONAL (LR1)

16.1 PERMITTED USES

- Conservation
- Forestry
- Recreation passive
- Recreational residential use
- Uses accessory to the permitted uses

16.2 ACCESSORY USES

- A guest cabin
- Wind energy facility, small scale

16.3 PERMITTED STRUCTURES

- A recreational residence
- Buildings and structures for the permitted uses
- Other buildings and structures, not including residences, accessory to the permitted uses, in accordance with Section 3.4

16.4 ZONE REGULATIONS

<u>LOT AREA (minimum)</u>	<u>1,850 square metres</u>
<u>LOT FRONTAGE (minimum)</u>	<u>23 metres</u>

For buildings and structures the following minimum setbacks shall apply:

<u>FRONT YARD</u>	<u>7.5 metres</u>
<u>INTERIOR SIDE YARD</u>	<u>3.0 metres</u>
<u>Where the width of the lot is</u>	
<u>less than 20 metres</u>	<u>1.5 metres</u>
<u>EXTERIOR SIDE YARD</u>	<u>6.0 metres</u>
<u>REAR YARD</u>	<u>7.5 metres</u>
<u>LOT COVERAGE (maximum)</u>	<u>25 %</u>

16.5 BUILDING REGULATIONS

<u>FLOOR AREA (minimum)</u>	<u>50 square metres</u>
<u>BUILDING HEIGHTS (maximum)</u>	<u>9 metres</u>
<u>GUEST CABIN TOTAL FLOOR AREA (maximum)</u>	<u>23 square metres</u>

16.6 SPECIAL PROVISIONS

16.6.1 EXISTING UNDEVELOPED LOTS

Where a lot having an area and /or frontage less than the minimum requirement stated in Section 16.4 is held under distinct and separate ownership from abutting lots as shown by a registered conveyance in the records of the Registry Office, at the date of the passing of the By-law, such lot may be used and a recreational residence erected on the lot provided:

- The minimum lot frontage is 18 metres
- The minimum lot area is 1,000 square metres

- All relevant regulations made under the Public Health Act and all relevant requirements of the relevant Health Authority are fulfilled.

16.6.2 VACANT LOTS IN HAZARD AREAS

Development on vacant Lakeshore Residential (LR1 and LR2) lots within the 100 year erosion hazard area along the shore of Lake Huron will be controlled with a holding zone (-h). The holding symbol may be lifted when necessary studies are completed and approved in accordance with the requirements of this regulated area under the Conservation Authority jurisdiction.

16.7 FRONT YARD

For lots fronting on Lake Huron or the Maitland River, and for lots abutting or including top-of-bank, the front yard shall be the lake/ top-of-bank side of the lot.

16.8 SPECIAL ZONES

16.8.1 LR1-1

Notwithstanding the provisions of Section 3.31 to the contrary the area zoned LR1-1 may be used for a single detached residence located no closer than 22 metres from the top-of-bank of Lake Huron. All other applicable provisions shall apply. (By-law 21-1997)

16.8.2 LR1-2

Notwithstanding any provision of this by-law to the contrary, the area zoned LR1-2 shall have a minimum lot frontage of 9 metres. All other provisions of this by-law as amended shall apply. (By-law 16-2000)

16.8.3 LR1-3

Notwithstanding the provisions for Section 16.4 to the contrary, the area zoned LR1-3 shall have a minimum lot frontage of 19 metres. All other applicable provisions shall apply. (By-law 8 1996)

16.8.4 LR1-4

Notwithstanding the provisions of Section 15.4 to the contrary, for the area zoned LR1-4 the minimum lot area for each lot shall be the lot areas established by Reference Plan 22R4020. The area of each lot zoned NE1 shall be included in the calculation of lot area. All other applicable provisions shall apply. (By-law 16-1996)

16.8.5 LR1-5

Notwithstanding any provision of this By-law to the contrary, the area zoned LR1-5 shall have a minimum lot frontage of 20 metres. Buildings and structures shall be limited to one recreational residence and accessory buildings and structures. All other applicable provisions shall apply. (By-law 20-1999)

16.8.6 LR1-6

15.8.6.1 Notwithstanding the provisions of Section 16.6.1 to the contrary, the area zoned LR1-6 shall have a minimum lot area of 836 square metres. All other applicable provisions shall apply. (By-law 10-1986)

16.8.6.2 Notwithstanding the provisions of Sections 16.7 and Section 2, definition of front lot line to the contrary, the front lot line of the area zoned LR1-6 shall be the west lot boundary.

16.8.7 LR1-7

Notwithstanding the provisions of Section 16.6.1 to the contrary, the area zoned LR1-7 shall have a minimum lot area of 836 square metres. All other applicable provisions shall apply. (By-law 10-1986)

16.8.8 LR1-8

Notwithstanding the provisions of Section 16.4 to the contrary, the side yard setback from the north lot boundary in the LR1-8 zone shall be 6 metres.

16.8.9 LR1-9

Notwithstanding the provisions of Section 16.4 to the contrary, the minimum lot area in the area zoned LR1-9 shall be 526 square metres.

16.8.10 LR1-10

Notwithstanding the provisions of Section 3.4.2 to the contrary, the area zoned LR1-10 may be used for an accessory building, a garage, with a 0.3m setback from the north lot line and a 0m setback from the west lot line. All other applicable provisions apply. (By-law 66-2012)

16.8.11 LR1-11

Notwithstanding the provisions of Section 16.5 to the contrary, in the area zoned LR1-11 a recreational residential dwelling with a maximum height of 11.5 metres and a total maximum height of 13 metres is permitted. Notwithstanding the provisions of Section 16.4 to the contrary the LR1-11 zone permits an exterior side yard of 3m from the north lot line. No buildings or structures are permitted within the 100 year erosion hazard as defined by the Maitland Valley Conservation Authority. All other applicable provisions of this by-law, as amended, shall apply. (By-law 42-2013)

SECTION 17

LAKESHORE RESIDENTIAL – YEAR ROUND (LR2)

17.1 PERMITTED USES

- Conservation
- Forestry
- Recreation passive
- Residential use
- Uses accessory to the permitted uses

17.2 ACCESSORY USES

- A guest cabin
- Wind energy facility, small scale
- Home occupation

17.3 PERMITTED STRUCTURES

- A detached dwelling
- Buildings and structures for the permitted uses
- Other buildings and structures, not including residences, accessory to the permitted uses, in accordance with Section 3.4

17.4 ZONE REGULATIONS

<u>LOT AREA (minimum)</u>	<u>1850 square metres</u>
<u>LOT FRONTAGE (minimum)</u>	<u>23 metres</u>

For buildings and structures the following minimum setbacks shall apply:

<u>FRONT YARD</u>	<u>7.5 metres</u>
<u>INTERIOR SIDE YARD</u>	<u>3.0 metres</u>
<u>Where the width of the lot is less than 20 metres</u>	<u>1.5 metres</u>

<u>EXTERIOR SIDE YARD</u>	<u>6.0 metres</u>
<u>REAR YARD</u>	<u>7.5 metres</u>
<u>LOT COVERAGE (maximum)</u>	<u>25 %</u>

17.5 BUILDING REGULATIONS

<u>FLOOR AREA (minimum)</u>	<u>50 square metres</u>
<u>BUILDING HEIGHTS (maximum)</u>	<u>9 metres</u>
<u>GUEST CABIN TOTAL FLOOR AREA (maximum)</u>	<u>23 square metres</u>

17.6 SPECIAL PROVISIONS

17.6.1 EXISTING UNDEVELOPED LOTS

Where a lot having an area and /or frontage less than the minimum requirement stated in Section 17.4 is held under distinct and separate ownership from abutting lots as shown by a registered conveyance in the records of the Registry Office, at the date of the passing of the By-law, such lot may be used and a recreational residence erected on the lot provided:

- The minimum lot frontage is 18 metres
- The minimum lot area is 1,000 square metres
- All relevant regulations made under the Public Health Act and all relevant Requirements of the relevant Health Authority are fulfilled.

17.6.2 VACANT LOTS IN HAZARD AREAS

Development on vacant Lakeshore Residential (LR1 and LR2) lots within the 100 year erosion hazard area along the shore of Lake Huron will be controlled with a holding zone (-H). The holding symbol may be lifted when necessary studies are completed and approved in accordance with the requirements of this regulated area under the Conservation Authority jurisdiction.

17.7 FRONT YARD

For lots fronting on Lake Huron or the Maitland River, and for lots abutting or including top-of-bank, the front yard shall be the lake/top-of-bank side of the lot.

17.8 SPECIAL ZONES

17.8.1 LR2-1

- a) Notwithstanding any provision of this By-law to the contrary, the area zoned LR2-1 shall have a building height maximum of 22 metres. Buildings and structures in the LR2-1 zone shall be limited to one single detached residence and accessory buildings and structures.
- b) Notwithstanding Section 3.31 to the contrary, the single detached residence shall be permitted the following maximum projection into the minimum top-of-bank setback:

Cantilever: 8.6 m

Patio: 8.6 m

- c) [CW4] All other applicable provisions shall apply.

17.8.2 LR2-2

Notwithstanding Section 3.21 to the contrary, the area zoned LR2-2 permits a single detached residence and accessory buildings on an existing lot not having frontage on a public road but having legal road access.

17.8.3 LR2-3

- a) Notwithstanding the provisions of Section 17.4 to the contrary, the area zoned LR2-3 shall have a minimum lot area of 3500 square metres.
- b) Notwithstanding any provision of this by-law to the contrary, the area zoned LR2-3 shall not contain more than 10 building lots.
- c) All other applicable provisions of this by-law, as amended, shall apply.

1678.4 LR2-4

Notwithstanding the provisions of Section 17 to the contrary, the area zoned LR2-4 (Hamlink Place, Registered Plan 568) will have a development ratio of 1:0.5 acre or 1:0.2 hectare. (By-law 4-1990)

17.8.5 LR2-5

Notwithstanding the provisions of Section 17 to the contrary, the rear 10 metres of each lot in the area zoned LR2-5, shall be maintained as natural woodlot within which no buildings or structures shall be permitted. All other applicable provisions shall apply. (By-law 14-1998, OMB Order PL980657)

17.8.6 LR2-6

Notwithstanding the provisions of Section 17 to the contrary, the area zoned LR2-6 (Pt Block A, Pt 22R-676 and 22R-30) will have a development ratio of 1:13.5 acres or 1:5.4 hectares. (By-law 8-1989)

17.8.7 LR2-7

- a) Notwithstanding Section 17 to the contrary, the area zoned LR2-7 shall have a minimum lot area of 8,000 square metres and a minimum lot frontage as created by consent applications B42/04, B43/04 and B44/04. The area zoned Natural Environment (NE1) may be used in the calculation of lot area. Notwithstanding Section 17 to the contrary, buildings and structures may be constructed with no setback from the NE1 zone.
- b) The location of all buildings and structures or any clearing of trees within the LR2-7 zone will be determined in consultation with the Maitland Valley Conservation Authority.
- c) All other applicable provisions of this by-law as amended shall apply. (By-law 04-2005)

17.8.8 LR2-8

Notwithstanding and in addition to the provisions of Section 17 to the contrary, the area zoned LR2-8 has the following requirements:

- a) The minimum required front yard shall be the average of the front yards of the existing residences in the area zoned LR2-8.
- b) A ten (10) metre planting strip along the frontage of the lots zoned LR2-8 is required. This shall be based upon the existing vegetation of abutting lands. This planting strip does not apply to the lots with an existing residence as of the date of passing of this by-law; any lots created after the date of passing of this by-law and any subsequent owner of the exempted lots shall establish the required planting strip prior to the issuance of a building permit. (By-law 31-1988)

17.8.9 LR2-9

- a) Notwithstanding Sections 17.4 and 17.6 to the contrary, for the area zoned LR2-9, the following exceptions apply:

<u>Lot area (minimum)</u>	<u>1 hectare</u>
<u>Frontage (minimum)</u>	<u>17 metres</u>
<u>Front Yard Setback(minimum)</u>	<u>90 metres</u>
<u>Exterior Side Yard Setback (minimum)</u>	<u>7.5 metres</u>

- c) The minimum side yard setback for the north lot line, east of the right-of-way, shall be 6 metres (setback from woodlot) and 3 metres from the woodlot shall be maintained as natural undisturbed area.
- d) No development shall occur on the right-of-way or within 7.5 metres of the right-of-way.
- e) other applicable provisions of this by-law, shall apply. (By-law 9-1993)

17.8.10 LR2-10

- a) Notwithstanding any provision of this by-law to the contrary, the area zoned LR2-10 permits one recreational residence and accessory buildings, subject to the provisions of Section 16 (LR2 zone).
- b) Notwithstanding Section 3.4 to the contrary, the area zoned LR2-10 permits an accessory building, a boat house, to be located in the front yard.
- c) The provisions of Section 16.4 shall apply with the following exceptions:
 - Lot Area Minimum: 1,150 square metres
 - Lot Frontage Minimum: 22 metres

17.8.11 LR2-11 and LR2-11-h

Notwithstanding the provisions of Section 17 to the contrary, the area zoned LR2-11 shall have a minimum lot area as established by consent applications B30/06 and B31/06 and shall not contain more than 6 building lots. All other applicable provisions of this By-law, as amended shall apply. The holding zone (h) on the lands west of the road allowance for Bower's lane restricts development on the affected lots until such time as a development agreement addressing financial securities is registered on the titles of the subject properties to the satisfaction of the Township or the issue of securities is otherwise addressed to the satisfaction of the Township. The holding zone (h) on the lands east of the road allowance for Bower's Lane may be removed when future lots are created. (By-law 41-2011)

17.8.12 LR2-12

Notwithstanding any provision of this by-law to the contrary, the area zoned LR2-12 permits all uses of the LR2 zone and all uses of the AG4 zone, subject to the provisions of Section 8 (AG4).

17.8.13 LR2-13

Notwithstanding any provision of this by-law, as amended, to the contrary, in the area zoned LR2-13 the following exceptions shall apply:

- 1) The minimum lot area shall be the lot areas created by consent applications B53/02 and B54/02.
- 2) The minimum lot frontage shall be the lot frontages created by consent applications B53/02 and B54/02.
- 3) The minimum front yard depth shall be 60 metres, except for the most westerly lot which may have a 15-metre setback from the road allowance.
- 4) The minimum rear yard depth shall be 15 metres, for main and accessory buildings and structures.
- 5) Accessory buildings may be located in front of the dwelling provided it complies with the front yard depth.
- 6) The front 10 metres of each lot shall be maintained as a planting strip of trees, except for permitted entrances. The most westerly lot shall maintain the required planting strip along the most easterly 120m of the front lot line.
- 7) For the most westerly lot, the east side of the lot is considered an interior lot line.

8) The minimum total floor area shall be as follows:

- a) One Storey: 120 sq. m.
- b) 1 ½ story & split level: 160 sq. m.
- c) 2 or 2 ½ storey: 200 sq. m.

Explanatory Note: Airport related height restrictions are registered on title against the most easterly two lots. An acceptance of potential airport disturbance is registered on title of all lots. (By-law 93-2002)

17.8.14 LR2-14

Notwithstanding any provision of this by-law to the contrary, the area zoned LR2-14 permits one recreational residence and accessory buildings, subject to the provisions of Section 16. Notwithstanding the provisions of Section 17 to the contrary the rear 10 metres of the area zoned LR2-14 shall be maintained as natural woodlot within which no buildings or structures shall be permitted. All other applicable provisions shall apply. (By-law 51-2008)

17.8.15 LR2-15

Notwithstanding the provisions of Section 3.4 the LR2-15 zone permits two accessory buildings to be constructed in the front yard (lakeside) of the property. The minimum side yard setback for the accessory buildings will be 1.25 metres. No buildings are permitted in the dynamic beach as defined by the Maitland Valley Conservation Authority. The dynamic beach is located 8.1 metres west of the existing cottage. (By-law 29-2010)

17.8.16 LR2-16

Notwithstanding the provisions of Section 17.6 to the contrary, the minimum lot area in the LR2-16 zone is 696 square metres. All other applicable provisions of this by-law, as amended, shall apply. (By-law 53-2011)

SECTION 187

NATURAL ENVIRONMENT (NE1)

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

187.1 PERMITTED USES

- Forestry
- Conservation
- Passive recreation
- Agricultural uses as they existed on the date of passing of the by-law
- Public park
- Uses accessory to the permitted uses

187.2 PERMITTED STRUCTURES

- Buildings and structures existing on the date of the passing of this By-law
- ~~Aa~~ccessory buildings and structures for the maintenance of the permitted uses as well as trails and footpaths, such as stiles, stairways, bridges and benches or maple syrup facilities subject to the consent of the Maitland Valley Conservation Authority or appropriate authority
- ~~Bb~~uildings and structures necessary for flood and/or erosion control prevention subject to the consent of the Maitland Valley Conservation Authority or appropriate authority
- ~~Aa ec~~lass 1 sewage disposal facility as approved by the appropriate authority

18.3 ZONE REGULATIONS

18.3.1 The minimum front, rear, side yards, the maximum lot coverage and height of buildings and structures existing on the date of passing of this By-law shall constitute the minimum or maximum requirements, as the case may be.

18.3.2 The minimum front, rear and side yards of new and expanding buildings and structures will be established and constructed in accordance with the requirements of the relevant approval authority and required studies. The Conservation Authority may recommend that the Township require an Environmental Impact Study be completed.

187.43 SPECIAL PROVISIONS

187.43.1The placement or removal of fill or the alteration of water courses is permitted only for the maintenance of the permitted uses and in accordance with the applicable regulations of the Maitland Valley Conservation Authority or the appropriate authority.

187.43.2Clearing of areas will be prohibited. Selective cutting will be permitted in accordance with Huron County Tree Cutting By-law No. 38-2013.

187.43.3Drainage is prohibited, other than for a direct agricultural drainage outlet, drainage required for permitted structures, and drains constructed in accordance with the Drainage Act and the Tile Drainage Act, as amended from time to time.

187.43.4Where a property has been rezoned in accordance with the policies in the Township Official Plan to a special NE1 zone to permit a dwelling, a small scale wind energy facility may be permitted as an accessory use to the dwelling in accordance with Section 3.38, the provisions for small scale wind energy facilities.

18.4.5 VACANT LOTS IN HAZARD AREAS

Development on vacant Natural Environment (NE1-1) lots which are subject to the provisions of the LR1 zone within the hazard area along the shore of Lake Huron will be controlled with a holding zone (-h). The holding symbol may be lifted when the necessary studies are completed and approved in accordance with the requirement of this regulated area under the Conservation Authority's jurisdiction.

7.4 ZONE REGULATIONS

~~7.4.1 The minimum front, rear, side yards, the maximum lot coverage and height of buildings and structures existing on the date of passing of this By-law shall constitute the minimum or maximum requirements, as the case may be.~~

~~7.4.2 The minimum front, rear and side yards of new and expanding buildings and structures will be established and constructed in accordance with the requirements of the relevant approval authority and required studies. The Conservation Authority may recommend that the Township require an Environmental Impact Study be completed.~~

187.5 SPECIAL ZONES

187.5.1 NE1-1

Notwithstanding the provisions of Section ~~187.1~~ and ~~187.2~~ to the contrary, the area zoned NE1-1 may be used for one recreational residence and accessory buildings, subject to the provisions of Section 15 (LR1 zone).

187.5.2 NE1-2

Notwithstanding the provisions of Sections ~~187.1~~ and ~~187.2~~ to the contrary, the area zoned NE1-2 may be used for one single detached residence and accessory buildings subject to the provisions of Section 6 (AG4 zone).

187.5.3 NE1-3

Notwithstanding any provision of this by-law to the contrary, the area zoned as NE1-3 may also be used for a private park, and the keeping of exotic animals and birds. A residential use shall be prohibited in the area zoned as NE1-3. All other applicable provisions shall apply. (*By-law 18-1996*)

187.5.4 NE1-4

Notwithstanding the provisions of Sections ~~187.1~~ and ~~187.2~~ to the contrary, the area zoned NE1-4 may be used for one single detached residence and accessory buildings subject to the provisions of Section 16 (LR2 zone).

187.5.5 NE1-5

Notwithstanding the provisions of Sections ~~187.1~~ and ~~187.2~~ to the contrary, the area zoned NE1-5 may also be used for an existing agricultural processing establishment subject to the provisions of Section 5.3 (AG3 Zone Provisions). All other applicable provisions shall apply. (*By-law 8-1988*)

187.5.6 NE1-6

Notwithstanding the provisions of Sections ~~187.1~~ and ~~187.2~~ to the contrary, the area zoned NE1-6 may be used for one single detached residence subject to the provisions of Section ~~86~~ (AG4 zone) except that the minimum front yard setback shall be 70 metres and no building or structure shall be located closer than 45 metres from the south side of the river (water's edge). All other applicable provisions apply. (*By-law 25-1992*)

187.5.7 NE1-7

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- a) Notwithstanding any provision of this By-law to the contrary, the area zoned NE1-7 may be used for two storage buildings accessory to a single detached residence located in the LR2-1 zone on the same lot.
- b) The storage buildings in the NE1-7 zone shall be subject to the provisions of Section 3.4. Each storage building shall not exceed a ground floor area of 65 square meters. Notwithstanding Section 3.4.2 to the contrary the storage buildings in the NE1-7 zone shall be permitted in the front yard.
- c) The storage buildings in the NE1-7 zone shall be located outside of the regulatory flood line and wave action limit; and shall not be used as a guest cabin or for any human habitation.
- d) All other provisions of this By-law, as amended, shall apply.

187.5.8 NE1-8

Notwithstanding any provision of this by-law to the contrary, the area zoned NE1-8 may be used for one single detached residence and accessory buildings east of the top-of-bank of Lake Huron, subject to the provisions of Section 15 (LR1 zone) with the following exceptions:

Setback from the top-of-bank (Minimum)	11 metres
Rear (east) Yard (Minimum)	4 metres
North Side Yard (Minimum)	1.5 metres

All other provisions of this by-law, as amended, shall apply. (*By-law 41-2001*)

187.5.9 NE1-9

Notwithstanding any provisions of this By-law, as amended, to the contrary, the area zoned NE1-9 may be used for one recreational residence and accessory buildings and structures subject to the provisions of Section 1645 (LR1 zone). The minimum setback from the top-of-bank for a sewage tank shall be 5.5 metres. All other provisions of this By-law, as amended, shall apply.

187.5.10 NE1-10

Notwithstanding the provisions of Sections 187.1 and 187.2 to the contrary, the area zoned NE1-10 may be used for two single detached residences. (*By-law 21-1983*)

187.5.11 NE1-11

Notwithstanding the provisions of this by-law to the contrary, the area zoned NE1-11 may be used for one guest cabin with a maximum floor area of 42 square metres and a minimum top-of-bank setback of 6 metres. All other provisions of this by-law, as amended, shall apply. (*By-law 12-2004*)

187.5.12 NE1-12

Notwithstanding the provisions of this by-law to the contrary, the area zoned NE1-12 may be used for one travel trailer or one single detached residence; and uses and structures accessory to the permitted uses.

The provisions of Section 165.3 (LR1 zone regulations) shall apply. All other applicable provisions shall apply. (*By-law 9-1996*)

187.5.13 NE1-13

Notwithstanding the provisions of Section 187 to the contrary, the lands to with the NE1-13 zone applies includes an existing residence and permits replacement of same subject to the provisions of Section 86 (AG4 zone). The minimum lot area shall be 10.0 hectares (24.8 acres) and includes lands zoned NE1 and AG1. All other applicable provisions shall

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apply. (*By-law 13-1999*)

187.5.14 NE1-14

Notwithstanding the provisions of Sections 187.1, 187.2, and 3.4 to the contrary, the area zoned NE1-14 permits an accessory building for a home industry to establish before the residential dwelling is established. In addition, a 10 metre buffer of natural wooded vegetation shall be maintained along the wetland boundary (the west and south boundaries of the lot identified in the Environmental Impact Study). A minimum setback of 15 metres from the wetland boundary shall apply. (*By-law 11-1993*)

187.5.15 NE1-15

Notwithstanding any provision of this by-law to the contrary, the area zoned NE1-15 permits one recreational residence and accessory buildings, subject to the provisions of Section 165 (LR1 zone).

Notwithstanding Section 3.4 to the contrary, the area zoned NE1-15 permits an accessory building, no larger than 17 square metres in area, to be located in the front yard. Areas of lot 7 in Registered Plan number 584 in the Ashfield ward zoned NE1 may be used in the calculation of lot area.

187.5.16 NE1-16

Notwithstanding the provisions of Section 7 to the contrary, the area zoned NE1-16 may be used for a single detached residence, a recreational residence and one guest cabin. (*By-law 11-1990*)

187.5.17 NE1-17

a) Notwithstanding any provision of this by-law to the contrary, the area zoned NE1-17 permits one recreational residence and accessory buildings, subject to the provisions of Section 165 (LR1 zone).

b) The provisions of Section 165.3 shall apply, with the following exceptions:

Lot Area Minimum: 696.5 square metres

Lot Frontage Minimum: 22.5 metres

Rear Yard Minimum (roadside): 6 metres

d) No building or structure shall be permitted to be constructed within 1.5 metres of the existing closed drain. (*By-law 12-2005*)

187.5.18 NE1-18

Notwithstanding the provisions of Sections 187.1, 187.2 and 187.4.1 to the contrary, the area zoned NE1-18 may be used for one recreational residence and two accessory guest cabins subject to the provisions of Section 165 (LR1). All other applicable provisions shall apply. (*By-law 9-1990*)

187.5.19 NE1-19

Notwithstanding the provisions of Sections 187.1 and 187.2 to the contrary, the area zoned NE1-19 may be used for one recreational residence and accessory buildings subject to the provisions of Section 2848 (VR1 zone). All other applicable provisions shall apply
(*By-law 9-1990*)

187.5.20 NE1-20

Notwithstanding any provision of this By-law to the contrary, the area zoned NE1-20 may

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be used for one boathouse/storage building accessory to a recreational residence located on the same lot. The boathouse/ storage building shall not exceed a ground floor area of 50 square metres, shall be located east of the regulatory flood line and wave action limit, and shall not be used for a guest cabin or any human habitation. All other provisions of this By-law, as amended, shall apply. (*By-law 20-1999*)

187.5.21 NE1-21

Notwithstanding the provisions of Section 187.1, 187.2 and 3.23 to the contrary the area zoned NE1-21 may be used for two recreational residences. (*By-law 21-1983*)

187.5.22 NE1-22

Notwithstanding any provision of this By-law to the contrary, the area zoned NE1-22 shall be maintained as natural woodlot; and within 10 metres of the southerly lot line of the area zoned NE1-22, all buildings and structures including benches, gazebos and similar outdoor fixtures, shall be prohibited, other than a lawful fence and the existing pump house. All other provisions of this By-law, as amended, shall apply.

187.5.23 NE1-23-h

- a) Notwithstanding any provision of this by-law to the contrary, the area zoned NE1-23-h permits one recreational residence and accessory buildings, subject to the provisions of Section 165 (LR1 zone).
- b) The provisions of Section 176 shall apply, with the following exceptions:
 - Lot Area Minimum: 696.5 square metres
 - Lot Frontage Minimum: 22.5 metres
- c) The holding symbol (-h) may be removed by a motion of Council following a development approval permit for the subject lands being issued by the Maitland Valley Conservation Authority.

187.5.24 NE1-24

Notwithstanding the provisions of Section 187.1 and 187.2 to the contrary, the area zoned NE1-24 shall permit a residence and accessory buildings subject to the provisions of Section 64 (AG1).

187.5.25 NE1-25

Notwithstanding any provision of this by-law to the contrary, the area zoned NE1-25 permits one single detached residence constructed on an existing foundation and an accessory building may be constructed in the front yard. The minimum total area of the NE1-25 and the NE1 zones combined shall be 20 hectares on the same lot.

187.5.26 NE1-26

Notwithstanding any provision of this by-law to the contrary, the area zoned NE1-26 permits one single detached residence and accessory buildings subject to the provisions of Section 248 (VR1).

187.5.27 NE1-27

Notwithstanding any provision of this by-law to the contrary, the area zoned NE1-27 may be used for one recreational residence and accessory buildings and structures subject to the provisions of Section 165 (LR1). Not more than one recreational residence is permitted per lot. Accessory buildings and structures may be located in the area zoned LR1 on the same lot.

187.5.28 NE1-28

Notwithstanding the provisions of Section 187.1 and 187.2 to the contrary, the area zoned NE1-28 permits an existing residence and permits buildings and structures accessory to agriculture subject to the provisions of Section 4 (AG1 Zone). The existing residence may be enlarged in accordance with the provisions of Section 4.2.

187.5.29 NE1-29

Notwithstanding the provisions of Section 187.1 and 187.2 to the contrary, the area above the 100 year flood line as shown on Zone Map 14, zoned NE1-29, may be used for the following additional permitted uses:

- a) one recreational dwelling in the form of one recreational residence, or one travel trailer, or one mobile home;
- b) not more than two additional travel trailers on a seasonal basis;
- c) buildings and structures accessory to the permitted uses.

Buildings and structures shall have a minimum setback of 5 metres from any lot line.

(By-law 13-1999)

187.5.30 NE1-30

Notwithstanding the provisions of Section 187.4.1 to the contrary, the area zoned NE1-30 may be used for one recreational residence and two accessory guest cabins. All other applicable provisions shall apply.

(By-law 9-1990)

187.5.31 NE1-31

Notwithstanding the provisions of Sections 187.1, 187.2 to the contrary, the area zoned NE1-31 permits a single detached residence and accessory buildings subject to the provisions of Section 86 (AG4). The lot frontage and area of this lot is deemed to comply with zoning by-law 32-2008. All other provisions of by-law 32-2008 continue to apply.

(By-law 46-2008)

187.5.32 NE1-32

Notwithstanding the provisions of Sections 187.1, 187.2 and 86.2 to the contrary, the area zoned NE1-32 permits a single detached residence and accessory buildings subject to the provisions of Section 86 (AG4). The lot frontage and area is deemed to comply with zoning by-law 32-2008. All other provisions of by-law 32-2008 continue to apply.

(O.M.B. order, December 2, 2008)

187.5.33 NE1-33

Notwithstanding the provisions of Sections 187.1, 187.2 and 6.4.4.3.1 to the contrary, the area zoned NE1-33 permits a barn with a maximum ground floor area of 1500 square metres to replace an existing barn with a ground floor area of 557.4 square metres, subject to the provisions of Section 64 (AG1), except that the minimum front yard in the NE1-33 zone will be 45 metres. The proposed barn shall be constructed outside of the 3:1 stable slope line to the satisfaction of the Maitland Valley Conservation Authority. The area zoned NE1-33 also permits a detached residential dwelling accessory to an agricultural use and accessory uses subject to the provisions of Section 64 (AG1). All other provisions of by-law 32-2008 continue to apply. *(By-law 16-2009)*

187.5.34 NE1-34

Notwithstanding the provisions of Sections [187.1](#), [187.2](#) and [187.3](#) to the contrary, in the area zoned NE1-34 an existing storage building may be enlarged to create a two storey boat storage building with a maximum height of 5 metres and a maximum total ground floor area of 35 square metres. The enlarged portion of the proposed boat storage building may not be located any closer to Lake Huron than the existing portion of the storage building. The existing portion of the storage building may be removed and replaced, provided the maximum total ground floor area of the permitted boat storage building does not exceed a maximum total ground floor area of 35 square metres. The storage building may not be used for human habitation. All other applicable provisions shall apply. (*By-law 53-2009*)

[187.5.35](#) NE1-35

Notwithstanding the provisions of Sections [187.1](#) and [187.2](#) to the contrary, the area zoned NE1-35 may be used for one recreational residence and accessory buildings, subject to the provisions of Section [165](#) (LR1 zone). Notwithstanding the provisions of Section 3.4 the NE1-35 zone permits an accessory storage building to be constructed in the front yard (lakeside) of the property. The minimum side yard setback for the accessory building will be 1.25 metres and the maximum height will be 7.5 metres. No buildings are permitted in the dynamic beach as defined by the Maitland Valley Conservation Authority. All other applicable provisions apply. (*By-law 51-2010*)

[187.5.36](#) NE1-36

Notwithstanding the provisions of Sections [187.1](#) and [187.2](#) to the contrary, the area zoned NE1-36 may be used for one recreational residence and accessory buildings, subject to the provisions of Section [165](#) (LR1 zone). Notwithstanding the provisions of Section 15.4 to the contrary the minimum side yard setback for the residence will be 2 metres from the north lot line and the maximum building height of the recreational residence will be 12 metres. The minimum lot area will be 785 square metres. No buildings are permitted in the dynamic beach as defined by the Maitland Valley Conservation Authority. All other applicable provisions apply. (*By-law 43-2011*)

[187.5.37](#) NE1-37

Notwithstanding the provisions of Sections [187.1](#) and [187.2](#) to the contrary, the area zoned NE1-37 permits one existing recreational residence or one existing mobile home that was legally established at the time of passing of this by-law. The existing recreational residence or mobile home may be replaced with a new recreational residence provided that the new recreational residence is located no closer to the Maitland River, the floor area of the recreational residence does not increase and provided that a permit from the Maitland Valley Conservation Authority is available. Accessory Buildings in the NE1-37 zone are permitted subject to the provisions of Section 3.4 and subject to a permit being obtained from the Maitland Valley Conservation Authority.

[187.5.38](#) NE1-38

Notwithstanding the provisions of Sections [187.1](#) and [187.2](#) to the contrary, the area zoned NE1-38 permits one single detached dwelling, one barn and accessory buildings.

[187.5.39](#) NE1-39

Notwithstanding the provisions of Sections [187.1](#) and [187.2](#) to the contrary, the area zoned NE1-39 permits one single detached dwelling, two barns and accessory buildings, setbacks for buildings from lot lines will be in accordance with the provisions of the AG1 zone.

187.5.40 NE1-40 (as amended by By-law 43-2017)

Notwithstanding the provisions of Sections **187.1** and **187.2** to the contrary, the area zoned NE1-40 permits one single detached dwelling, and accessory buildings, and 1 barn subject to the provisions of the AG1 Zone. The barn can contain a maximum of 14 nutrient units. All other applicable provisions shall apply.

187.5.41 NE1-41 (as amended by By-law 67-2017)

Notwithstanding the provisions of Sections **187.1** and **187.2** to the contrary, the area zoned NE1-41 permits one single detached dwelling, and accessory structures, subject to the provisions of the Section **86** (AG4 Zone), except that:

- The minimum front yard setback is 7.5 metres;
- The maximum distance any portion of the residence can be from the front lot line is 20 metres;
- The maximum distance any portion of any accessory building or deck can be from the front lot line is 23 metres;
- The minimum side yard setback is 10 metres from the northly lot line.

A planting strip consisting of a continuous planting of evergreens or shrubs not less than 1.5 metres in height and an ultimate width of 1.5 metres, shall be planted and maintained by the owner. The minimum length of the planting strip shall be the length of the residence. The planting strip shall be located between the road and the residence and immediately adjacent to the front lot line.

All other applicable provisions shall apply.

187.5.42 NE1-42 (as amended by By-law 40-2018)

Notwithstanding the provisions of Sections **187.1** and **187.2** to the contrary, the area zoned NE1-42 may be used for one single detached residence and accessory buildings subject to the provisions of Section **86** (AG4 Zone) with the exception that agricultural uses including livestock are not permitted uses. All lot grading, servicing and structures must be located inside the NE1-42 zoned lands. Development is permitted in accordance with the Development Agreement. All other applicable provisions shall apply.

187.5.43 NE1-43 (as amended by By-law 08-2019)

Notwithstanding the provisions of Sections **187.1** and **187.2** Natural Environment (NE1), or any other provision of this by-law, to the contrary, the area zoned NE1-43 may be used for a Recreational Trailer Park and Campground subject to the provisions of Section **2213**, RC2 (~~Recreational Trailer Park and Campground~~) Zone, with the following exceptions:

- The NE1-43 zone shall be limited to a maximum of 162 seasonal travel trailer sites and 6 transient group sites;
- Travel trailer sites shall not contain more than one travel trailer;
- A maximum of 1 accessory storage building per travel trailer site, not to exceed 10 square metres (108 square feet) in total floor area is permitted;
- Additions to travel trailers shall not be permitted;
- The existing lot frontage; and the setbacks established by the location of the existing buildings, where deficient from the requirements of this by-law shall be deemed to be the minimum requirements for those buildings and structures.

MVCA permits are required for construction, reconstruction, filling and site grading as

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required under Ontario Regulation 164/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation).

All other applicable provisions shall apply.

187.5.42 NE1-44 (as amended by By-law 49-2019)

Notwithstanding the provisions of Sections 187.1 and 187.2 to the contrary, the area zoned NE1-44 may be used for one single detached residence and accessory buildings subject to the provisions of Ssection 176 (LR2 Zone). All lot grading, servicing and structures must be located inside the NE1-44 zoned lands. All other applicable provisions shall apply.

SECTION 198

NATURAL ENVIRONMENT (NE5)

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

198.1 PERMITTED USES

- Forestry
- Conservation
- Passive recreation
- Agricultural uses as they existed on the date of passing of the by-law
- Uses accessory to the permitted uses
- Public park

198.2 PERMITTED STRUCTURES

- Buildings and structures existing on the date of the passing of this By-law
- Accessory buildings and structures for the maintenance of the permitted uses as well as trails and footpaths, such as stiles, stairways, bridges and benches subject to the consent of the Maitland Valley Conservation Authority or appropriate authority
- Buildings and structures necessary for flood and/or erosion control prevention subject to the consent of the Maitland Valley Conservation Authority or appropriate authority
- Aa class 1 sewage disposal facility as approved by the appropriate authority

198.3 SPECIAL PROVISIONS

198.3.1The placement or removal of fill or the alteration of water courses is permitted only for the maintenance of the permitted uses and in accordance with the applicable regulations of the Maitland Valley Conservation Authority or the appropriate authority.

198.3.2Clearing of areas will be prohibited. Selective cutting will be permitted in accordance with Huron County Tree Cutting By-law No. 38-2013.

198.3.3Drainage is prohibited, other than for a direct agricultural drainage outlet, drainage required for permitted structures, and drains constructed in accordance with the Drainage Act and the Tile Drainage Act, as amended from time to time.

198.3.4Where a property has been rezoned in accordance with the policies in the Township Official Plan to a special NE5 zone to permit a dwelling, a small scale wind energy facility may be permitted as an accessory use to the dwelling in accordance with Section 3.38, the provisions for small scale wind energy facilities.

198.4 ZONE REGULATIONS

198.4.1. The minimum front, rear, side yards, the maximum lot coverage and height of buildings and structures existing on the date of passing of this By-law shall constitute the minimum or maximum requirements, as the case may be.

198.4.2 The minimum front, rear and side yards of new and expanding buildings and structures will be established and constructed in accordance with the requirements of the relevant approval authority and required studies. The Conservation Authority may recommend that the Township require an Environmental Impact Study be completed.

198.4 SPECIAL ZONES

198.4.1 NE5-1

Notwithstanding and in addition to the provisions of Sections **198.1** and **198.2** to the contrary, the area zoned NE5-1 recognizes a **p**rovincially significant wetland and nature sanctuary. It permits those uses which existed on the date of passing of this by-law, in addition to those required to protect the natural environment. The establishment of a residence is prohibited. (*By-law 17-1993*)

198.4.2 NE5-2

Notwithstanding and in addition to the provisions of Sections **198.1** and **198.2** to the contrary, the area zoned NE5-2 permits all uses and all buildings and structures permitted in Section **64**, subject to the provisions of Section **64** (AG1).

198.4.3 NE5-3

Notwithstanding the provisions of Section **198.1** and **198.2** to the contrary, the area zoned NE5-3 may be used for one existing single detached residence and accessory buildings, and a guest cabin, subject to the provisions of Section **64** (AG1). The existing single detached residence may be enlarged in accordance with Section **64.2**.

198.4.4 NE5-4

Notwithstanding the provisions of Section **9****[CWS]**.1 and 9.2 to the contrary, the area zoned NE5-4 permits a 300 square metre house, a 150 square metre barn for livestock equaling up to 6 nutrient Units. A 150 square metre carpentry and repair shop is also permitted in the NE5-4 zone. The area zoned NE5-4 is permitted to be used for gardens and animal pasture. No livestock uses are permitted to be established on the property until a fence has been constructed in accordance with the limits of the pasture established in the Environmental Impact Study prepared by Beacon Environmental to the satisfaction of the Maitland Valley Conservation Authority, County of Huron and the Township of Ashfield-Colborne-Wawanosh. All buildings and structures will be located in accordance with the permit from the Maitland Valley Conservation Authority. All other applicable provisions of this zoning by-law shall continue to apply. (*By-law 05 2015*)

SECTION 9

EXTRACTIVE RESOURCE ZONE (ER1)

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

9.1 PERMITTED USES

- ~~▪Mineral Aggregate Operation or any other operation licensed under the Aggregate Resources Act~~
- ~~▪Extractive use licensed under the Oil, Gas and Salt Resources Act~~
- ~~▪The processing of extracted materials from the site including crushing, screening, washing, sorting and storing of materials, and a portable asphalt plant, but not including a permanent asphalt/concrete/ready mix batching plant~~
- ~~▪agricultural use, limited~~
- ~~▪uses accessory to the permitted uses~~

9.2 PERMITTED STRUCTURES

- ~~▪an office and service building or structure~~
- ~~▪storage and maintenance building or structure~~
- ~~▪other buildings and structures accessory to the permitted uses, but not including a dwelling unit, in accordance with Section 3.4~~

9.3 ZONE REGULATIONS

~~LOT AREA no minimum required~~

~~For buildings and structures the following minimum setbacks shall apply:~~

~~FRONT YARD 25 metres~~

~~EXTERIOR SIDE YARD 25 metres~~

~~INTERIOR SIDE YARD 17 metres~~

~~REAR YARD 17 metres~~

9.4 SPECIAL PROVISIONS

9.4.1 REHABILITATION

~~The site shall be mined, managed and rehabilitated in accordance with the Regulations of the Aggregate Resources Act as amended, and a site plan as approved by the Ministry of Natural Resources.~~

9.4.2 NO EXCAVATION CAN OCCUR OR BE EXPANDED WITHIN:

~~Minimum set backs~~

~~15 metres of the boundary of the site~~

~~30 metres from any road limit~~

~~30 metres of land in use for residential purposes or 150 metres from a residence, whichever is greater~~

~~30 metres of land designated as a settlement area~~

~~30 metres from the top of bank of any body of water or water course that is not the result of excavation below the water table~~

~~Setbacks from the Natural Environment Zone shall be in accordance with the General Provisions Section (Adjacent Lands to Significant Natural Environment areas CARL" CONSERVATION AUTHORITY REGULATED LANDS) of this By-law.~~

~~9.4.3 EXCEPTION TO SETBACK FROM BOUNDARY OF SITE~~

~~Where 2 extractive operations abut and are operated at the same time thus permitting a more efficient use of the available aggregate, the setback of 15 metres from the boundary of the site may be waived conditional upon a signed agreement being registered against the deeds of both properties and upon Ministry of Natural Resources approval.~~

~~9.4.4 EXCEPTION TO SETBACK FROM ANY ROAD LIMIT~~

~~Where an extractive operation abuts a municipal road and a reduced setback would permit a more efficient use of aggregate, the setback from the road may be reduced conditional upon a signed agreement between the Township and the owner/licensee and upon Ministry of Natural Resources approval.~~

~~9.4.5 TREE PLANTING BUFFER~~

~~In addition to the setbacks as specified in Section 10, ^{cw6}9.4.2 above, a continuous unpierced tree planting shall be maintained a minimum distance of 23 metres from the front lot line of all ER1 zones.~~

~~9.4.6 REHABILITATION~~

~~Following rehabilitation and removal of the aggregate license, where a building or structure is to be established on the rehabilitated lands, a rezoning to the appropriate zone is required prior to the establishment of a building or structure.~~

~~9.4.7 USES PERMITTED FOLLOWING REHABILITATION~~

~~Following rehabilitation, an AG1, or NE1 use is permitted, subject to the provisions of these respective zones.~~

~~9.4.8 REPAIR, RENOVATION, EXPANSION OF EXISTING BUILDINGS~~

~~Where a residence, accessory storage structure or barn was erected prior to the date of passing of this By-law the said building or structure may be repaired, renovated or expanded (maximum expansion of 25%) in accordance with the provisions of the General Agriculture, AG1 Zone.~~

~~9.5 SPECIAL ZONES~~

~~9.5.1 ER1-1~~

~~Notwithstanding the provisions of Section 9.4.2. to the contrary, the minimum limit of extraction along the cedar slope (to the west and north of the area of extraction), zoned NE1, shall be three metres and extraction may be permitted in not less than 100 metres of the residence located immediately north of the cemetery on Part Lot 24, Concession 6. The 150 metre setback of Section 9.4.2 shall apply to all other residences. All other provisions of this by-law shall apply. (By-law 19-1995)~~

~~9.5.2 ER1-2~~

~~Notwithstanding any provisions of Section 9 (ER1) to the contrary, in the area zoned ER1-2 extraction shall be permitted up to the east and west boundaries of the ER1-2 zone. No~~

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~~extraction is permitted within 15 metres of the north and the south boundaries of the ER1-2 zone. All other provisions of this By-law as amended, shall apply.
(By-law 05-2009)~~

~~9.5.3 ER1-3~~

~~Notwithstanding the provisions of Section 9.4.2 to the contrary, no extraction is permitted within 105 metres of the residences located west of the property. All other provisions of this By-law shall apply. (Amended by OMB Case No. PL101197)~~

~~9.5.4 ER1-4~~

~~Notwithstanding the provisions of Section 9.1 to the contrary, the ER1-4 zone also permits tree stumps and tree tops to be brought onto the property and to be ground and composted. Wood chips may be utilized on site as part of the rehabilitation plan for the gravel pit and mixed with the topsoil and/or sold as compost. The importation of tree stumps/tree debris would cease once the pit was exhausted of its aggregate resource. All other applicable provisions shall apply. (By-law 50-2018)~~

SECTION 10

EXTRACTIVE INDUSTRIAL ZONE (ER2)

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

10.1 PERMITTED USES

- permanent asphalt/concrete/ready mix batching plant
- Mineral Aggregate Operation or any other operation licensed under the Aggregate Resources Act
- Extractive use licensed under the Oil, Gas and Salt Resources Act
- The processing of extracted materials from the site including crushing, screening, washing, sorting and storing of materials, and a portable asphalt plant,
- agricultural use, limited
- uses accessory to the permitted uses

10.2 PERMITTED STRUCTURES

- Buildings and structures for the permitted uses
- Buildings and structures accessory to the permitted uses, not including a dwelling unit, in accordance with Section 3.4

10.3 ZONE REGULATIONS

LOT AREA (minimum) _____ no minimum

LOT COVERAGE 20 %

Setbacks for buildings or structures for permanent asphalt/concrete/ready mix batching plant (minimum) setbacks shall apply:

FRONT YARD 90 metres

EXTERIOR SIDE YARD 90 metres

INTERIOR SIDE YARD 17 metres

REAR YARD 17 metres

Setback from any off-site dwelling unit: 300 metres

Setbacks for other permitted structures including accessory structures the following— minimum setbacks shall apply:

FRONT YARD 25 metres

EXTERIOR SIDE YARD 25 metres

INTERIOR SIDE YARD 17 metres

REAR YARD 17 metres

10.4 SPECIAL PROVISIONS

10.4.1 The special provisions of the ER1 zone shall apply to lands zoned ER2

10.4.2 Location

An extractive industrial zone is only permitted within an area licensed as a pit or quarry in accordance with the Aggregate Resources Act, as amended.

SECTION 20

RECREATIONAL CAMPGROUND ZONE (RC1)

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

20.1 PERMITTED USES

- Campground
- Conservation
- Forestry
- Recreation centre
- Recreation, passive
- Private park

20.2 PERMITTED STRUCTURES

- Buildings and structures for the permitted uses
- One accessory dwelling unit for the owner or manager of the campground, either detached or attached to a permitted structure
- One accessory dwelling unit attached to a permitted structure for staff accommodation
- Other buildings & structures, not including residences, accessory to the permitted uses

20.3 ZONE REGULATIONS

LOT AREA (minimum) 4 hectares

LOT FRONTAGE (minimum) 40 metres

For buildings and structures the following minimum setbacks shall apply:

FRONT YARD 20 metres

INTERIOR SIDE YARD 7.5 metres

EXTERIOR SIDE YARD 20 metres

REAR YARD 7.5 metres

LOT COVERAGE (maximum) 30 %

PARKING see GENERAL PROVISIONS Section 3.26

20.4 BUILDING REGULATIONS

13.4.1 BUILDING HEIGHTS (maximum) 9 metres

20.5 REGULATIONS FOR ACCESSORY RESIDENTIAL USE FOR THE MANAGER/OWNER/STAFF

12.5.1 Minimum floor area for the dwelling unit shall be in accordance with the following:

- Fully detached residence: 84 square metres
- A residence as part of the non-residential building or structure: 70 square metres

- A separate direct pedestrian access to the dwelling unit shall be provided

20.6 SPECIAL PROVISIONS

20.6.1 RECREATIONAL SPACE

Not less than 20% of the gross area of the lot shall be used as communal recreational area. Natural areas such as ravines, swamps or open water shall not be included in the calculation of recreational space.

20.6.2 NATURAL AREA OPEN SPACE

Not less than 50% of the gross area of the lot shall be used as communal open space which can include ravines and swamps.

20.6.3 DENSITY OF DEVELOPMENT

Overall density of the entire development shall not exceed 10 camp sites per gross hectare.

20.6.4 LIGHTING

All lighting and illuminated signs shall be arranged so as to deflect light away from adjacent properties.

20.6.5 BUFFER

Where an RC1 Zone abuts a LR1 or LR2 Zone, a buffer strip of landscaped open space or natural vegetation of 10 metres shall be required.

20.6.6 WATER ACCESS

Where a recreational campground is located within three hundred (300) metres of a navigable body of water or a lake, access to the water shall be provided as part of the lot or holding. The width of this access shall be a minimum of 30 metres.

20.7 SEPARATION DISTANCE

No campground uses and permitted buildings and structures and no accessory residence shall be established unless it complies with the Minimum Distance Separation (MDS) Formulae. Notwithstanding any other provision of this by-law to the contrary, no residential, institutional, commercial, industrial or recreational building or structure, located on a separate lot shall be established unless it complies with the Minimum Distance Separation (MDS) Formulae.

SECTION 241

RECREATIONAL GOLF COURSE ZONE
(RG1)

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

241.1 PERMITTED USES

- Aa golf course and/or driving range and associated recreational uses including restaurant, swimming pool, tennis courts, miniature golf course and country club facility
- Aan accessory dwelling unit detached from or part of any non-residential building or structure
- Aagricultural use, limited
- Uses accessory to the permitted uses

241.2 PERMITTED STRUCTURES

- Bbuildings and structures for the permitted uses
- Pether buildings and structures, not including residences, accessory to the permitted uses

241.3 ZONE REGULATIONS

LOT AREA (minimum) 3 hectares

LOT FRONTAGE (minimum) 75 metres

For buildings and structures the following minimum setbacks shall apply:

FRONT YARD 30 metres, except that a driving range booth less than 15 square metres in area may have a front yard setback of 10 metres

INTERIOR SIDE YARD 8 metres

EXTERIOR SIDE YARD 30 metres, except that a driving range booth less than 15 square metres in area may have an exterior side yard setback of 10 metres

REAR YARD 8 metres

LOT COVERAGE (maximum) 10 %

PARKING - see GENERAL PROVISIONS Section 3.26

LIGHTING

All lighting and illuminated signs shall be arranged so as to deflect light away from adjacent properties.

241.4 BUILDING REGULATIONS

BUILDING HEIGHTS (maximum) 12 metres

241.5 REGULATIONS FOR ACCESSORY RESIDENTIAL USES

241.5.1 FLOOR AREA

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

- ~~F~~ully detached residence 84 square metres
- ~~Aa~~ residence as part of the non-residential building or structure 70 square metres

241.5.2 DWELLINGS PART OF OTHER BUILDINGS

A dwelling unit that is part of a non-residential building must be completely self-contained and have direct access to the outside.

241.6 SEPARATION DISTANCE

No ~~g~~Golf ~~c~~Course uses and permitted buildings and structures, no accessory residence, and no commercial, or recreational, building or structure shall be established unless it complies with the Minimum Distance Separation (MDS) Formulae. Notwithstanding any other provision of this by-law to the contrary, no residential, institutional, commercial, industrial or recreational building or structure, located on a separate lot shall be established unless it complies with the Minimum Distance Separation (MDS) Formulae.

241.7 SPECIAL ZONES

241.7.1 RG1-1

Notwithstanding the provisions of this by-law to the contrary, in the area zoned RG1-1 permitted uses shall be limited to a golf course and accessory uses. All other provisions of this by-law as amended, shall apply. (*By-law 29-2004*)

SECTION 12

RECREATIONAL CAMPGROUND ZONE (RC1)

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

12.1 PERMITTED USES

- campground
- conservation
- forestry
- recreation centre
- recreation, passive
- private park

12.2 PERMITTED STRUCTURES

- buildings and structures for the permitted uses
- one accessory dwelling unit for the owner or manager of the campground, either detached or attached to a permitted structure
- one accessory dwelling unit attached to a permitted structure for staff accommodation
- other buildings & structures, not including residences, accessory to the permitted uses

12.3 ZONE REGULATIONS

LOT AREA (minimum) 4 hectares

LOT FRONTAGE (minimum) 40 metres

For buildings and structures the following minimum setbacks shall apply:

FRONT YARD 20 metres

INTERIOR SIDE YARD 7.5 metres

EXTERIOR SIDE YARD 20 metres

REAR YARD 7.5 metres

LOT COVERAGE (maximum) 30 %

PARKING see GENERAL PROVISIONS Section 3.26

12.4 BUILDING REGULATIONS

13.4.1 BUILDING HEIGHTS (maximum) 9 metres

12.5 REGULATIONS FOR ACCESSORY RESIDENTIAL USE FOR THE MANAGER/OWNER/STAFF

12.5.1 Minimum floor area for the dwelling unit shall be in accordance with the following:

- fully detached residence, 84 square metres
- a residence as part of the non-residential building or structure, 70 square metres
- A separate direct pedestrian access to the dwelling unit shall be provided

12.6 SPECIAL PROVISIONS

~~12.6.1 RECREATIONAL SPACE~~

~~Not less than 20% of the gross area of the lot shall be used as communal recreational area. Natural areas such as ravines, swamps or open water shall not be included in the calculation of recreational space.~~

~~12.6.2 NATURAL AREA OPEN SPACE~~

~~Not less than 50% of the gross area of the lot shall be used as communal open space which can include ravines, swamps.~~

~~12.6.3 DENSITY OF DEVELOPMENT~~

~~Overall density of the entire development shall not exceed 10 camp sites per gross hectare.~~

~~12.6.4 LIGHTING~~

~~All lighting and illuminated signs shall be arranged so as to deflect light away from adjacent properties.~~

~~12.6.5 BUFFER~~

~~Where an (RC1) Zone abuts a (LR1) or (LR2) Zone, a buffer strip of landscaped open space or natural vegetation of 10 metres shall be required.~~

~~12.6.6 WATER ACCESS~~

~~Where a recreational campground is located within three hundred (300) metres of a navigable body of water or a lake, access to the water shall be provided as part of the lot or holding. The width of this access shall be a minimum of 30 metres.~~

~~12.7 SEPARATION DISTANCE~~

~~No campground uses and permitted buildings and structures and no accessory residence shall be established unless it complies with the Minimum Distance Separation (MDS) Formulae. Notwithstanding any other provision of this by-law to the contrary, no residential, institutional, commercial, industrial or recreational building or structure, located on a separate lot shall be established unless it complies with the Minimum Distance Separation (MDS) Formulae.~~

SECTION 2243

RECREATIONAL TRAILER PARK AND CAMPGROUND ZONE (RC2)

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

2243.1 PERMITTED USES

- ~~C~~ampground
- ~~C~~onservation
- ~~F~~orestry
- ~~R~~ecreation centre
- ~~R~~ecreation, passive
- ~~P~~private park
- ~~R~~ecreational trailer and tent park
- ~~U~~ses accessory to the trailer park and campground use including recreational vehicle sales and service

2243.2 PERMITTED STRUCTURES

- ~~B~~uildings and structures for the permitted uses
- ~~O~~ne accessory dwelling unit for the owner or manager of the trailer park and campground, either detached or attached to a permitted structure
- ~~O~~ne accessory dwelling unit attached to a permitted structure for staff accommodation
- ~~B~~uildings and structures for the permitted uses including travel trailers, but not including a mobile home
- ~~O~~ther buildings and structures, not including residences, accessory to the permitted uses

2243.3 ZONE REGULATIONS

LOT AREA (minimum) 4 hectares

LOT FRONTAGE (minimum) 40 metres

For buildings and structures the following minimum setbacks shall apply:

FRONT YARD	20 metres
INTERIOR SIDE YARD	7.5 metres
EXTERIOR SIDE YARD	20 metres
REAR YARD	7.5 metres
TRAILER SITE AREA (minimum)	150 square metres
LOT COVERAGE (maximum)	30 %

PARKING - see GENERAL PROVISIONS Section 3.26

2243.4 BUILDING REGULATIONS

2243.4.1 BUILDING HEIGHTS (maximum) 9 metres

2243.5 REGULATIONS FOR ACCESSORY RESIDENTIAL USE FOR THE MANAGER/OWNER/STAFF

2243.5.1 Minimum floor area for the dwelling unit shall be in accordance with the following:

- ~~F~~ully detached residence: 84 square metres
 - ~~Aa~~ residence as part of the non-residential building or structure: 70 square metres
- ~~o~~ A separate direct pedestrian access to the dwelling unit shall be provided

2243.6 SPECIAL PROVISIONS

2243.6.1 RECREATIONAL SPACE

Not less than 10% of the gross area of the lot shall be used as communal recreational area. Natural areas such as ravines, swamps or open water shall not be included in the calculation of recreational space.

2243.6.2 NATURAL AREA OPEN SPACE

Not less than 33% of the gross area of the lot shall be used as communal open space which can include ravines, swamps.

2243.6.3 DENSITY OF DEVELOPMENT

Overall density of the entire development shall not exceed 15 recreational vehicle/trailer lots or camp sites per gross hectare.

2243.6.4 ADDITIONS TO TRAILERS

Structures, in the form of additions to trailers, are permitted to be established in the RC2 zone as an accessory “add-on” provided that the total floor area for the addition(s) does not exceed the floor area of the trailer.

2243.6.5 LIGHTING

All lighting and illuminated signs shall be arranged so as to deflect light away from adjacent properties.

2243.6.6 BUFFER

Where a ~~(RC2)~~ Zone abuts a ~~(LR1)~~ or ~~(LR2)~~ Zone, a buffer strip of landscaped open space or natural vegetation of 10 metres shall be required.

2243.6.7 WATER ACCESS

Where a recreational trailer park is located within three hundred (300) metres of a navigable body of water or a lake, access to the water shall be provided as part of the lot or holding. The width of this access shall be a minimum of 30 metres.

2243.7 SEPARATION DISTANCE

No recreational trailer park and campground uses and permitted buildings and structures and no accessory residence shall be established unless it complies with the Minimum Distance Separation (MDS) Formulae. Notwithstanding any other provision of this by-law to the contrary, no residential, institutional, commercial, industrial or recreational building or structure, located on a separate lot shall be established unless it complies with the Minimum Distance Separation (MDS) Formulae.

SECTION 2314

**RECREATIONAL – COMMERCIAL FACILITY ZONE
(RC3)**

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

2314.1 PERMITTED USES

- ~~R~~recreational vehicles sales facility
- ~~Aa~~ boating supply store
- ~~Aa~~ guest cabin
- ~~Aa~~ hotel
- ~~Aa~~ marina
- ~~Aa~~ miniature golf course
- ~~Aa~~ motel
- ~~Aa~~ recreational park
- ~~Aa~~ recreational vehicle sales facility
- ~~Aa~~ restaurant
- ~~Aa~~ retail facility for the sale of pre-manufactured recreational residences
- ~~Aa~~ retail store for the sale of personal convenience goods and foodstuffs, and ~~R~~recreational equipment
- ~~Aa~~ riding school
- ~~Aa~~ tourist home
- ~~Ce~~onservation
- ~~F~~orestry
- ~~Pp~~ublic park
- ~~Uu~~ses accessory to the permitted uses

2314.2 ACCESSORY USES

- ~~Qe~~ne accessory dwelling unit for the owner/manager/staff

2314.2 PERMITTED STRUCTURES

- ~~Bb~~uildings and structures for the permitted uses
- ~~Qe~~ne accessory dwelling unit for the owner/manager/staff
- ~~Qe~~ther buildings and structures, not including residences, accessory to the permitted uses, in accordance with Section 3.4

2314.3 ZONE REGULATIONS

LOT AREA (minimum)	4 hectares
LOT FRONTAGE (minimum)	40 metres

For buildings and structures the following minimum setbacks shall apply:

FRONT YARD	20 metres
INTERIOR SIDE YARD	10 metres
EXTERIOR SIDE YARD	20 metres
REAR YARD	10 metres
LOT COVERAGE (maximum)	30 %

2314.4 BUILDING REGULATIONS

BUILDING HEIGHTS (maximum) 9 metres

2314.5 REGULATIONS FOR ACCESSORY RESIDENTIAL USE FOR THE MANAGER/OWNER/STAFF

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

- Fully detached residence, 84 square metres
- A residence as part of the non-residential building or structure, 70 square metres
 - A separate direct pedestrian access to the dwelling unit shall be provided
 - Any permitted accessory residence will remain part of the recreational commercial holding

2314.6 SPECIAL PROVISIONS

2314.6.1 LIGHTING

All lighting and illuminated signs shall be arranged so as to deflect direct light away from adjacent properties.

2314.6.3 SITE PLAN CONTROL

The lands zoned RC3 may be subject to Site Plan Control and/or Development Agreement.

2314.7 SEPARATION DISTANCE

No recreational-commercial uses and permitted buildings and structures, and no accessory residence shall be established unless it complies with the Minimum Distance Separation (MDS) Formulae. Notwithstanding any other provision of this by-law to the contrary, no residential, institutional, commercial, industrial or recreational building or structure, located on a separate lot shall be established unless it complies with the Minimum Distance Separation (MDS) Formulae.

2314.8 SPECIAL ZONES

2314.8.1 RC3-1

The area zoned RC3-1 may only be used as a marina with the following accessory uses, a washroom/ clubhouse building, an office/maintenance building and a storage building. (*By-law 20-1987*)

SECTION 24

RESIDENTIAL PARK ZONE (LR3)

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

24.1 PERMITTED USES

- A residential park
- Uses accessory to the permitted uses

24.2 ACCESSORY USES

- A home occupation
- Passive and active recreation

24.3 PERMITTED STRUCTURES

- Administrative, sales or rental office
- A convenience retail store or a personal service store to serve the day-to-day commercial needs of the residential park residents
- Mobile home sales office
- One dwelling unit within the rear portion or second storey of the main office or sales facility or one single detached residence accessory to the mobile home park use
- Mobile home
- Mobile home - double wide
- Park or playground
- Recreational or community centre
- Swimming pool
- Buildings and structures for the permitted uses
- Modular homes
- Single detached dwellings
- Other buildings and structures, not including residences, accessory to the permitted uses

24.4 REGULATIONS FOR MOBILE HOME PARK

<u>LOT AREA (minimum)</u>	<u>4 hectares</u>
<u>LOT FRONTAGE (minimum)</u>	<u>100 metres</u>
<u>FRONT YARD DEPTH (minimum)</u>	<u>9 metres</u>
<u>SIDE YARD DEPTH (minimum)</u>	<u>7.5 metres</u>
<u>EXTERIOR SIDE YARD DEPTH (minimum)</u>	<u>10 metres</u>
<u>REAR YARD DEPTH (minimum)</u>	<u>7.5 metres</u>
<u>BUILDING HEIGHT (maximum)</u>	<u>9 metres</u>

24.5 REGULATIONS FOR A MOBILE HOME SITE

<u>SITE AREA (minimum)</u>	<u>420 square metres</u>
<u>SITE FRONTAGE (minimum)</u>	<u>13.5 metres</u>
<u>FRONT YARD (minimum)</u>	<u>3 metres from interior road</u>
<u>INTERIOR SIDE YARD (minimum)</u>	<u>1.2 metres</u>
<u>EXTERIOR SIDE YARD (minimum)</u>	<u>3 metres from interior road</u>
<u>REAR YARD (minimum)</u>	<u>3 metres</u>
<u>UNIT FLOOR AREA (minimum)</u>	<u>55 square metres</u>
<u>SITE COVERAGE (maximum)</u>	<u>35 %</u>
<u>NUMBER OF STOREYS (maximum)</u>	<u>1</u>

24.6 ADDITIONAL PROVISIONS FOR MOBILE HOME PARKS

24.6.1 ACCESS

Each mobile home site within a mobile home park shall be located on an internal access road which shall have a dust free surface and shall be a minimum traveled width of 4 metres for one-way traffic flow and 6 metres for two-way traffic flow.

24.6.2 ADDITIONS AND ACCESSORY STRUCTURES

Additions to mobile homes shall be permitted provided that the yard setback and lot coverage provisions for the lot are maintained.

- a) Buildings and structures accessory to a mobile home on a mobile home site shall be permitted in accordance with Section 3.4. No more than 2 accessory buildings shall be permitted on a mobile home site.
- b) Buildings and structures accessory to the Mobile Home Park are permitted in accordance with Zone Regulations above.

24.6.3 DENSITY

The maximum density of mobile home units in a mobile home park shall be 15 units per gross hectare.

24.6.4 COMMERCIAL BUILDINGS

Accessory commercial buildings shall not occupy more than one percent 1% of the mobile home park area. The required parking spaces shall be calculated on the basis of one parking space for each ten square metres of gross floor area.

24.6.4 PARKING

Each mobile home site shall be provided with at least 1 car parking space and visitor parking shall be provided on the basis of 1 space for every 4 mobile home sites, and shall be dispersed throughout the mobile home park at locations convenient to the site which it is intended to serve. Such visitor parking shall not be used for the storage of boats or trailers. Community Centre Building Parking - Refer to the General Provisions Section 3.26

24.6.5 RECREATION SPACE / OPEN SPACE

Not less than 10% of the gross area of a mobile home park shall be used as recreation space, placed in locations convenient to all residents. Such space shall be free of traffic hazards and shall not include areas designated as planting strips. Where recreation space exceeds five hundred square metres two or more such areas shall be provided.

24.6.6 SERVICES

- a) Each mobile home located within a residential park shall be provided with a piped water supply, sewage disposal facilities, solid waste disposal, storm drainage, hydro, street lighting, telephone and road maintenance.
- b) In existing mobile home parks, without full services, expansions will be permitted based on the approval of the appropriate authority.

24.6.7 SKIRTING AND FOUNDATION FOR MOBILE HOMES

Each mobile home unit located on a mobile home site shall be placed on a continuous permanent substructure or permanent foundation supports. All mobile homes shall be provided with durable skirtings, with access where necessary, to screen the view of the undercarriage or foundation supports and any accessory structure shall be so designed to harmonize with the mobile home.

24.6.8 STORAGE

- a) There shall be no outside storage of any furniture, domestic equipment or seasonally used equipment on the mobile home site.
- b) Adequate open storage shall be provided within a special communal storage area provided within the mobile home park.
- c) The communal storage area may be located in the rear or side yard in accordance with the General Provisions Section, Accessory Structures.
- d) Adequate covered storage shall be provided and located either at the individual mobile home site or within a special communal storage area provided within the mobile home park. Structures containing accessory covered storage facilities shall be located and designed so that each building provides storage space for a minimum of 8 mobile home units on the basis of 3.5 cubic metres of storage space per unit, and no mobile home site is more than 60 metres from its storage facility.

24.6.9 UNITS PER SITE

Not more than one mobile home unit shall be placed on any mobile home site.

24.7 SPECIAL ZONES

24.7.1 LR3-1

- a) Notwithstanding any provisions of Section 24 to the contrary, in the area zoned LR3-1, 270 sites (maximum) are permitted and a further 30 sites are permitted subject to approvals for servicing in accordance with the development agreement.
- b) Notwithstanding Section 24.5 to the contrary, for the area zoned LR3-1, the following exceptions shall apply:

The site area minimum shall be the site areas as shown on the registered site plan;

Site Side Yard (minimum) 4.2 metres on one side and 0 metres on the other;

Site Rear Yard (minimum) 2.1 metres;

- c) Notwithstanding Section 3.31 to the contrary, sites abutting the lake bank shall have a site rear yard setback of 3 metres (minimum);

Unit Floor Area (maximum) 160 square metres;

Site Coverage (maximum) 40 percent.

d) Notwithstanding any provision of this by-law to the contrary, parking will be provided with a minimum of 2 spaces per site.

e) Notwithstanding any provision of this by-law to the contrary, mobile homes and any part thereof or addition to shall be separated from each other by not less than 4.2 metres. The separation between the garage or carport and the neighbouring dwelling unit may be reduced to 2.4 metres.

f) Approved communal sewage systems may be located in the General Agriculture Zone (AG1).

g) All other applicable provisions of this By-law, as amended, shall apply.

24.7.2 LR3-2

Notwithstanding the provisions of Section 24.5 Regulations for a Mobile Home Site and Section 3.4.4. Lot Coverage of Accessory Buildings, to the contrary, the LR3-2 zone permits:

a) 187 mobile home sites (maximum) are permitted to have a site coverage of 45% (maximum). The allocation of the mobile home sites shall be included in the Registered Site Plan Control Agreement;

b) Unenclosed decks less than 0.6 metres above grade shall not be included in the calculation of site coverage for any site.

All other provisions of this by-law shall apply. (By-law 8-2017)

SECTION 25

SALVAGE YARD **(C4)**

25.1 PERMITTED USES

- An automotive wrecking establishment as defined in Section 2;
- A “salvage yard” as defined in Section 2 of this By-law;
- Uses accessory to the permitted uses.

25.2 PERMITTED STRUCTURES

- An accessory residence to be owned and occupied by the manager of the permitted commercial operation;
- A storage shed;
- Buildings and structures for permitted uses;
- Other buildings & structures, not including residences, accessory to the permitted uses

25.3 ZONE REGULATIONS

<u>ZONE AREA (minimum)</u>	<u>2 hectares</u>
<u>ZONE AREA (maximum)</u>	<u>6 hectares</u>
<u>LOT FRONTAGE (minimum)</u>	<u>45 metres</u>
<u>FRONT YARD DEPTH (minimum)</u>	<u>30 metres</u>
<u>SIDE YARD DEPTH (minimum)</u>	<u>3 metres</u>
	<u>15 metres where any</u>
	<u>side lot line abuts any non-industrial zone</u>
<u>EXTERIOR SIDE YARD DEPTH (minimum)</u>	<u>30 metres</u>
<u>REAR YARD DEPTH (minimum)</u>	<u>3 metres</u>
	<u>15 metres where any</u>
	<u>rear lot line abuts any non-industrial zone</u>

25.4 BUILDING REGULATIONS

25.4.1 BUILDING HEIGHT (maximum) 12 metres

25.5 REGULATIONS FOR ACCESSORY RESIDENTIAL USES

25.5.1 LOT AREA (to be added to the minimum lot area for the Salvage Yard use) minimum:

- Detached residence: 700 square metres
- Attached dwelling unit: 350 square metres

25.5.2 MINIMUM FLOOR AREA PER DWELLING UNIT shall be in accordance with the following:

- Fully detached residence: 84 square metres
- A residence as part of the non-residential building or structure: 70 square metres

25.5.3 Yard Requirements: Section 10.3 shall apply. (By-law 8-1998).

25.6 SEPARATION DISTANCE

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

25.7 SPECIAL PROVISIONS

25.7.1 PLANTING STRIP

Notwithstanding the provisions of Section 3.27, the height of the planting strip shall be 2.5 metres where the planting strip is adjacent to the front yard and side yard, and 1.75 metres where the planting strip is adjacent to the rear lot line, subject to the following additional provisions:

- a) where the side or rear lot line is adjacent to a Residential, Recreational or Community facility Zone, or a public roadway, the planting strip shall be 2.4 metres in height;
- b) a fence of equal height may be required in conjunction with a planting strip, or in replacement of a planting strip.

25.7.2 OPEN STORAGE

No open storage will be permitted in the front, side or rear yards with the exception of parking of motor vehicles in accordance with Section 3.26 of this By-law.

25.7.3 MAXIMUM VEHICLE STORAGE HEIGHT

No vehicles shall be piled in excess of the required planting strip or required fence height.

SECTION 26

VILLAGE COMMERCIAL ZONE **(VC1)**

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

26.1 PERMITTED USES

- Agricultural service establishment
- Agricultural supply establishment
- Ambulance station
- Artist's studio/ gallery
- Assembly hall which is carried on entirely within a wholly enclosed building
- Auction sale facility excluding the sale of livestock
- Bank or a financial institution
- Bed and breakfast establishment
- Building supply and sales establishment
- Clothing store
- Commercial storage warehouse (rental units)
- Convenience store
- Day nursery
- Dwelling, converted
- Dwellings existing on the date of passage of this By-law and their strengthening, repair renovation, enlargement or replacement subject to the provisions of the VR1 zone
- Dwelling unit accessory to a permitted use
- Eating establishment, restaurant
- Eating establishment, drive-through restaurant
- Eating establishment, take-out restaurant
- Eating establishment, portable food outlet, in accordance with any municipal By-laws
- Farm equipment sales, service and supply establishment
- Farm produce sales outlet
- Farmer's market
- Fire hall
- Food store
- Funeral home
- Gasoline bar
- General store
- Government office
- Greenhouse, commercial
- Group home, in a single detached residence
- Hardware store
- Home occupation in any permitted dwelling
- Hotel
- Landscaping and garden supply establishment
- Liquor store
- Lumber yard
- Mobile home and/or recreational vehicle sales and service establishment
- Motor vehicle repair shop

- Motor vehicle sales and/or service establishment
- Motor vehicle washing establishment
- Motorized recreational vehicle sales and service establishment
- Office use or clinic
- Parking area, accessory
- Parking lot
- Personal services shop
- Post office
- Printing establishment
- Private club
- Public building
- Public garage
- Public library
- Public park in accordance with the Urban Natural Environment and Open Space (OS), Section 20.
- Retail store except those dealing with heavy machinery, fuels, factory equipment, building materials, new or used automobiles, boats, trailers, motorcycles or snowmobiles
- Sports and recreation facility
- Service and repair shop
- Tire sales establishment
- Veterinarians' clinic
- Wholesale or warehouse use accessory to any of the foregoing permitted uses
- Uses accessory to the permitted uses

26.2 PERMITTED STRUCTURES

- Buildings and structures for the permitted uses
- Other buildings and structures, not including residences, accessory to the permitted uses

26.3 ZONE REGULATIONS

	<u>Public Water and Private Septic</u>	<u>Private Water and Private Septic</u>
<u>Lot Area (minimum)</u>	<u>1,650 square metres</u>	<u>1,850 square metres</u>
<u>Lot Frontage (minimum)</u>	<u>30 metres</u>	<u>30 metres</u>
<u>Lot Depth (minimum)</u>	<u>46 metres</u>	<u>46 metres</u>
<u>Front Yard Depth (minimum)</u>	<u>3 metres</u>	<u>3 metres</u>
<u>Interior Side Yard Depth (minimum)</u>	<u>3 metres</u>	<u>3 metres</u>
<u>Exterior Side Yard Depth (minimum)</u>	<u>3 metres</u>	<u>3 metres</u>
<u>Rear Yard Depth (minimum)</u>	<u>7.5 metres</u>	<u>7.5 metres</u>
<u>Lot Coverage (maximum)</u>	<u>40 %</u>	<u>40 %</u>
<u>Landscaped Open Space (minimum)</u>	<u>20 %</u>	<u>20 %</u>

26.4 BUILDING REGULATIONS

26.4.1 Building Height (maximum): 12 metres

26.5 BUILDING REGULATIONS FOR ACCESSORY RESIDENTIAL USE

26.5.1 An accessory residential use is not permitted below grade level.

26.5.2 The minimum dwelling unit area for dwelling units located within a commercial unit shall be 70m²

26.5.3 Access to dwelling units from the adjacent street shall be provided for the exclusive use of the dwelling.

26.6 REGULATIONS FOR EXISTING RESIDENCES

Existing residences may be expanded, enlarged or re-established subject to the provisions of the VR1 zone.

26.7 RE-ESTABLISHMENT OF A RESIDENTIAL USE

Any building which has been used as a residence and subsequently converted to a commercial use may be returned to a residential use subject to the provisions of Section 18 (VR1 zone).

26.8 SPECIAL PROVISIONS

26.8.1 OUTDOOR DISPLAY AND STORAGE REGULATIONS

The minimum setback from any front, side or rear lot line of any outside display or storage area in this zone shall be no less than 3 metres.

26.9 SPECIAL ZONES

26.9.1 VC1-1

Notwithstanding and in addition to the uses permitted in Section 26.1, lands zoned VC1-1 may be used for a storage building for a custom builder and a cabinet finishing shop with an accessory retail shop and showroom.

26.9.2 VC1-2

Notwithstanding and in addition to the uses permitted in Section 26.1, lands zoned VC1-2 may be used for a storage building for a custom builder and a cabinet finishing room with an accessory retail shop and showroom. Any kiln constructed on lands zoned VC1-2 shall satisfy all provincial regulations relating to odour, noise and dust. (By-law 6-1999)

26.9.3 VC1-3

Notwithstanding any provision of this By-law to the contrary, the area zoned VC1-3 may also be used for a storage building. All other provisions of this By-law, as amended shall apply. (By-law 09-2000)

26.9.4 VC1-4

Notwithstanding any provisions of Section 26.1 to the contrary, the area zoned VC1-4 may also be used for a car/truck washing establishment and a trucking yard. All other applicable provisions shall apply. (By-law 22 1990)

26.9.5 VC1-5

Notwithstanding the provisions of Section 26.1 to the contrary, the area zoned VC1-5 may be used for an existing residence and the existing residence may be intentionally removed and replaced.

26.9.6 VC1-6

Section 17.6.1 is not in full force and effect, it is under appeal to the Ontario Municipal Board

Notwithstanding the provisions of Section 26.1 to the contrary, the area zoned VC1-6 may ONLY be used for the storage and warehousing of automobiles. All other applicable provisions shall apply. (Amended by By-law 58-2017)

VC1-6-H

Notwithstanding the provisions of Section 26.1 to the contrary, the area zoned VC1-6 permits a contractor's yard, accessory uses, and accessory aggregate storage in addition to the VC1 permitted uses.

Prior to the holding zone being removed, the Township shall enter into a Site Plan Control By-law for the subject property to address compatibility and site design issues. All other applicable provisions of this by-law, as amended, shall apply. (Amended by By-law 19-2018)

SECTION 27

VILLAGE INDUSTRIAL ZONE (VM1)

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

27.1 PERMITTED USES

- All permitted uses shall be dry industries as defined in Section 2
- Assembly, manufacturing, fabricating, packaging, printing, or warehouse conducted and wholly contained within an enclosed building
- An agricultural industrial establishment
- An agricultural processing establishment – not including dead stock removal
- An agricultural servicing establishment
- Automotive body shop
- A garage, public
- A retail outlet
- Indoor and outdoor storage
- A shop for maintenance, repair and fabrication of industrial equipment, components and structures
- A control centre for wind energy developments
- An interpretive centre for wind energy developments
- A wholesale outlet or office accessory to a permitted use
- A storage industry or warehouse
- A transport terminal or yard
- Uses accessory to the permitted uses

27.2 PERMITTED STRUCTURES

- Buildings or structures for the permitted uses
- Other buildings and structures, not including residences, accessory to the permitted uses

27.3 ZONE PROVISIONS

<u>LOT FRONTAGE (minimum)</u>	<u>30 metres</u>
<u>LOT AREA (minimum)</u>	<u>1,850 square metres</u>
<u>LOT DEPTH (minimum)</u>	<u>30 metres</u>
<u>LOT COVERAGE (maximum)</u>	<u>40%</u>
<u>FRONT YARD (minimum)</u>	<u>15 metres abutting provincial or county road</u> <u>10 metres abutting a township road</u>
<u>REAR YARD (minimum)</u>	<u>7.5 metres,</u> <u>or provided that where the rear lot line is the</u> <u>boundary line between a CF, VR1 zone, the</u> <u>minimum rear yard shall be 15 metres</u>
<u>INTERIOR SIDE YARD (minimum)</u>	<u>4.4 metres,</u> <u>except where abutting a VR1 or CF zone, area</u> <u>designated recreational in the Official Plan, or</u> <u>park use in which case 7.5 metres</u>

<u>EXTERIOR SIDE YARD (minimum)</u>	<u>15 metres abutting provincial or county road 10 metres abutting a township road</u>
<u>LANDSCAPED OPEN SPACE (minimum)</u>	<u>10%</u>
<u>HEIGHT OF BUILDING (maximum)</u>	<u>12 metres</u> <u>however, any portion of a building or structure erected above a height of 12 metres, must be set back from the front, side or rear lot lines, a further distance of .5 metres for each metre by which such building or structure is erected above a height of 12 metres, to a maximum of 30 metres.</u>

27.4 SPECIAL PROVISIONS

27.4.1 PROPERTY ABUTTING RAILWAY

Notwithstanding any other provisions of this section, along that portion of any lot line which abuts a railway right-of-way, no interior side yard or rear yard shall be required.

27.4.2 PROPERTY SUBJECT TO UTILITY RIGHT-OF-WAY OR EASEMENT

Where any industrial lot is subject to a utility right-of-way or easement, the building setbacks shall be in accordance with the applicable utility.

27.4.3 OUTDOOR STORAGE

The outdoor storage of goods or materials shall be permitted to the side or rear of the main building provided that:

- such outdoor storage is accessory to the use of the main building on the lot
- such open storage does not cover more than 75% of the lot area
- no storage will be permitted outside of a building on an industrial zoned lot in the front, side or rear yard abutting or across the street from a non-industrial zone unless enclosed by a fence, planting strip or decorative masonry wall, or combination thereof

27.4.4 SHOWROOM OR RETAIL SALES

A maximum of 25% of the gross floor area of a permitted industrial building may be used for showroom or retail sale of products manufactured or assembled on the premises.

27.4.6 GATE HOUSE

In an Industrial Zone, a gate house shall be permitted to the front or side of the main building, in accordance with the minimum front and side yard set backs for the main building.

27.4.7 BUILDINGS PER LOT

More than one main building per lot is permitted.

27.4.8 PARKING, ACCESSORY BUILDINGS, PLANTING STRIPS

Parking, accessory buildings and planting strips in this zone are subject to Section 3 General Provisions.

27.4.9 HOLDING ZONE

VM1-H

In the area VM1-H no development is permitted until the needed municipal services such as a public road or drainage have been provided. The Holding Zone –H may be removed when these services are available or will be provided by the developer to the satisfaction of the Township.

SECTION 15

LAKESHORE RESIDENTIAL – SEASONAL (LR1)

15.1 PERMITTED USES

- conservation
- forestry
- recreation passive
- recreational residential use
- uses accessory to the permitted uses

15.2 ACCESSORY USES

- a guest cabin
- wind energy facility, small scale

15.3 PERMITTED STRUCTURES

- a recreational residence
- buildings and structures for the permitted uses
- other buildings and structures, not including residences, accessory to the permitted uses, in accordance with Section 3.4

15.4 ZONE REGULATIONS

LOT AREA (minimum) _____ 1,850 square metres
LOT FRONTAGE (minimum) _____ 23 metres

For buildings and structures the following minimum setbacks shall apply:

FRONT YARD _____ 7.5 metres
INTERIOR SIDE YARD _____ 3.0 metres
—Where the width of the lot is
—less than 20 metres _____ 1.5 metres
EXTERIOR SIDE YARD _____ 6.0 metres
REAR YARD _____ 7.5 metres
LOT COVERAGE (maximum) _____ 25 %

15.5 BUILDING REGULATIONS

FLOOR AREA (minimum) _____ 50 square metres
BUILDING HEIGHTS (maximum) _____ 9 metres
GUEST CABIN TOTAL FLOOR AREA (maximum) _____ 23 square metres

15.6 SPECIAL PROVISIONS

15.6.1 EXISTING UNDEVELOPED LOTS

~~Where a lot having an area and /or frontage less than the minimum requirement stated in Section 15.4 is held under distinct and separate ownership from abutting lots as shown by a registered conveyance in the records of the Registry Office, at the date of the passing of the By-law, such lot may be used and a recreational residence erected on the lot provided:~~

- ~~▪the minimum lot frontage is 18 metres~~
- ~~▪the minimum lot area is 1,000 square metres~~
- ~~▪all relevant regulations made under the Public Health Act and all relevant requirements of the relevant Health Authority are fulfilled.~~

~~15.6.2 VACANT LOTS IN HAZARD AREAS~~

~~Development on vacant Lakeshore Residential (LR1 and LR2) lots within the 100 year erosion hazard area along the shore of Lake Huron will be controlled with a holding zone (-h). The holding symbol may be lifted when necessary studies are completed and approved in accordance with the requirements of this regulated area under the Conservation Authority jurisdiction.~~

~~15.7 FRONT YARD~~

~~For lots fronting on Lake Huron or the Maitland River, and for lots abutting or including top-of-bank, the front yard shall be the lake/ top-of-bank side of the lot.~~

~~15.8 SPECIAL ZONES~~

~~15.8.1 LR1-1~~

~~Notwithstanding the provisions of Section 3.31 to the contrary the area zoned LR1-1 may be used for a single detached residence located no closer than 22 metres from the top-of-bank of Lake Huron. All other applicable provisions shall apply. (By-law 21-1997)~~

~~15.8.2 LR1-2~~

~~Notwithstanding any provision of this by-law to the contrary, the area zoned LR1-2 shall have a minimum lot frontage of 9 metres. All other provisions of this by-law as amended shall apply. (By-law 16-2000)~~

~~15.8.3 LR1-3~~

~~Notwithstanding the provisions for Section 15.4 to the contrary, the area zoned LR1-3 shall have a minimum lot frontage of 19 metres. All other applicable provisions shall apply. (By-law 8-1996)~~

~~15.8.4 LR1-4~~

~~Notwithstanding the provisions of Section 15.4 to the contrary, for the area zoned LR1-4 the minimum lot area for each lot shall be the lot areas established by Reference Plan 22R4020. The area of each lot zoned NE1 shall be included in the calculation of lot area. All other applicable provisions shall apply. (By-law 16-1996)~~

~~15.8.5 LR1-5~~

~~Notwithstanding any provision of this By-law to the contrary, the area zoned LR1-5 shall have a minimum lot frontage of 20 metres. Buildings and structures shall be limited to one recreational residence and accessory buildings and structures. All other applicable provisions shall apply. (By-law 20-1999)~~

~~15.8.6 LR1-6~~

~~15.8.6.1 Notwithstanding the provisions of Section 15.6.1 to the contrary, the area zoned LR1-6 shall have a minimum lot area of 836 square metres. All other applicable provisions shall apply. (By-law 10-1986)~~

~~15.8.6.2 Notwithstanding the provisions of Sections 15.7 and Section 2, definition of front lot line to the contrary, the front lot line of the area zoned LR1-6 shall be the west lot boundary.~~

~~15.8.7 LR1-7~~

~~Notwithstanding the provisions of Section 15.6.1 to the contrary, the area zoned LR1-7 shall have a minimum lot area of 836 square metres. All other applicable provisions shall apply. (By-law 10-1986)~~

~~15.8.8 LR1-8~~

~~Notwithstanding the provisions of Section 15.4 to the contrary, the side yard setback from the north lot boundary in the LR1-8 zone shall be 6 metres.~~

~~15.8.9 LR1-9~~

~~Notwithstanding the provisions of Section 15.4 to the contrary, the minimum lot area in the area zoned LR1-9 shall be 526 square metres.~~

~~15.8.10 LR1-10~~

~~Notwithstanding the provisions of Section 3.4.2 to the contrary, the area zoned LR1-10 may be used for an accessory building, a garage, with a 0.3m setback from the north lot line and a 0m setback from the west lot line. All other applicable provisions apply. (By-law 66-2012)~~

~~15.8.11 LR1-11~~

~~Notwithstanding the provisions of Section 15.5 to the contrary, in the area zoned LR1-11 a recreational residential dwelling with a maximum height of 11.5 metres and a total maximum height of 13 metres is permitted. Notwithstanding the provisions of Section 15.4 to the contrary the LR1-11 zone permits an exterior side yard of 3m from the north lot line. No buildings or structures are permitted within the 100 year erosion hazard as defined by the Maitland Valley Conservation Authority. All other applicable provisions of this by-law, as amended, shall apply. (By-law 42-2013)~~

SECTION 16

LAKESHORE RESIDENTIAL – YEAR ROUND (LR2)

16.1 PERMITTED USES

- conservation
- forestry
- recreation-passive
- residential use
- uses accessory to the permitted uses

16.2 ACCESSORY USES

- a-guest cabin
- wind energy facility, small-scale
- home-occupation

16.3 PERMITTED STRUCTURES

- a-detached dwelling
- buildings and structures for the permitted uses
- other buildings and structures, not including residences, accessory to the permitted uses, in accordance with Section 3.4

16.4 ZONE REGULATIONS

LOT AREA (minimum)1850 square metres

LOT FRONTAGE (minimum)23 metres

For buildings and structures the following minimum setbacks shall apply:

FRONT YARD7.5 metres

INTERIOR SIDE YARD3.0 metres

—Where the width of the lot is less than 20

—metres1.5 metres

EXTERIOR SIDE YARD6.0 metres

REAR YARD7.5 metres

LOT COVERAGE (maximum)25 %

16.5 BUILDING REGULATIONS

FLOOR AREA (minimum)50 square metres

BUILDING HEIGHTS (maximum) 9 metres

GUEST CABIN TOTAL FLOOR AREA

(maximum)23 square metres

16.6 SPECIAL PROVISIONS

16.6.1 EXISTING UNDEVELOPED LOTS

~~Where a lot having an area and /or frontage less than the minimum requirement stated in Section 16.4 is held under distinct and separate ownership from abutting lots as shown by a registered conveyance in the records of the Registry Office, at the date of the passing of the By-law, such lot may be used and a recreational residence erected on the lot provided:~~

- ~~▪the minimum lot frontage is 18 metres~~
- ~~▪the minimum lot area is 1,000 square metres~~
- ~~▪all relevant regulations made under the Public Health Act and all relevant requirements of the relevant Health Authority are fulfilled.~~

16.6.2 VACANT LOTS IN HAZARD AREAS

~~Development on vacant Lakeshore Residential (LR1 and LR2) lots within the 100 year erosion hazard area along the shore of Lake Huron will be controlled with a holding zone (-h). The holding symbol may be lifted when necessary studies are completed and approved in accordance with the requirements of this regulated area under the Conservation Authority jurisdiction.~~

16.7 FRONT YARD

~~For lots fronting on Lake Huron or the Maitland River, and for lots abutting or including top-of-bank, the front yard shall be the lake/ top-of-bank side of the lot.~~

16.8 SPECIAL ZONES

16.8.1 LR2-1

~~a)Notwithstanding any provision of this By-law to the contrary, the area zoned LR2-1 shall have a building height maximum of 22 metres. Buildings and structures in the LR2-1 zone shall be limited to one single detached residence and accessory buildings and structures.~~

~~b)Notwithstanding Section 3.31 to the contrary, the single detached residence shall be permitted the following maximum projection into the minimum top-of-bank setback:~~

~~Cantilever 8.6 m~~

~~Patio 8.6 m |~~

~~c)All other applicable provisions shall apply.~~

16.8.2 LR2-2

~~Notwithstanding Section 3.21 to the contrary, the area zoned LR2-2 permits a single detached residence and accessory buildings on an existing lot not having frontage on a public road but having legal road access.~~

16.8.3 LR2-3

~~a)Notwithstanding the provisions of Section 16.4 to the contrary, the area zoned LR2-3 shall have a minimum lot area of 3500 square metres.~~

~~b)Notwithstanding any provision of this by-law to the contrary, the area zoned LR2-3 shall not contain more than 10 building lots.~~

~~c)All other applicable provisions of this by-law, as amended, shall apply.~~

~~16.8.4 LR2-4~~

~~Notwithstanding the provisions of Section 16 to the contrary, the area zoned LR2-4 (Hamlink Place, Registered Plan 568) will have a development ratio of 1:0.5 acre or 1:0.2 hectare. (By-law 4-1990)~~

~~16.8.5 LR2-5~~

~~Notwithstanding the provisions of Section 16 to the contrary, the rear 10 metres of each lot in the area zoned LR2-5, shall be maintained as natural woodlot within which no buildings or structures shall be permitted. All other applicable provisions shall apply. (By-law 14-1998, OMB Order PL980657)~~

~~16.8.6 LR2-6~~

~~Notwithstanding the provisions of Section 16 to the contrary, the area zoned LR2-6 (Pt Block A, Pt 22R-676 and 22R-30) will have a development ratio of 1:13.5 acres or 1:5.4 hectares. (By-law 8-1989)~~

~~16.8.7 LR2-7~~

~~a)Notwithstanding Section 16 to the contrary, the area zoned LR2-7 shall have a minimum lot area of 8,000 square metres and a minimum lot frontage as created by consent applications B42/04, B43/04 and B44/04. The area zoned Natural Environment (NE1) may be used in the calculation of lot area. Notwithstanding Section 16 to the contrary, buildings and structures may be constructed with no setback from the NE1 zone.
b)The location of all buildings and structures or any clearing of trees within the LR2-7 zone will be determined in consultation with the Maitland Valley Conservation Authority.
c)All other applicable provisions of this by-law as amended shall apply. (By-law 04-2005)~~

~~16.8.8 LR2-8~~

~~Notwithstanding and in addition to the provisions of Section 16 to the contrary, the area zoned LR2-8 has the following requirements:
a)The minimum required front yard shall be the average of the front yards of the existing residences in the area zoned LR2-8.
b)A ten (10) metre planting strip along the frontage of the lots zoned LR2-8 is required. This shall be based upon the existing vegetation of abutting lands. This planting strip does not apply to the lots with an existing residence as of the date of passing of this by-law; any lots created after the date of passing of this by-law and any subsequent owner of the exempted lots shall establish the required planting strip prior to the issuance of a building permit. (By-law 31-1988)~~

~~16.8.9 LR2-9~~

~~a)Notwithstanding Sections 16.4 and 16.6 to the contrary, for the area zoned LR2-9, the following exceptions apply:
Lot area (minimum) _____ 1 hectare
Frontage (minimum) _____ 17 metres
Front Yard Setback(minimum) _____ 90 metres
Exterior Side Yard Setback (minimum) _____ 7.5 metres
c)The minimum side yard setback for the north lot line, east of the right-of-way, shall be 6 metres (setback from woodlot) and 3 metres from the woodlot shall be maintained as natural undisturbed area.
d)No development shall occur on the right-of-way or within 7.5 metres of the right-of-way.
e)other applicable provisions of this by-law, shall apply. (By-law 9-1993)~~

~~16.8.10 LR2-10~~

~~a) Notwithstanding any provision of this by-law to the contrary, the area zoned LR2-10 permits one recreational residence and accessory buildings, subject to the provisions of Section 16 (LR2 zone).~~

~~b) Notwithstanding Section 3.4 to the contrary, the area zoned LR2-10 permits an accessory building, a boat house, to be located in the front yard.~~

~~c) The provisions of Section 16.4 shall apply with the following exceptions:~~

~~Lot Area Minimum: 1,150 square metres~~

~~Lot Frontage Minimum: 22 metres~~

~~16.8.11 LR2-11 and LR2-11-h~~

~~Notwithstanding the provisions of Section 16 to the contrary, the area zoned LR2-11 shall have a minimum lot area as established by consent applications B30/06 and B31/06 and shall not contain more than 6 building lots. All other applicable provisions of this By-law, as amended shall apply. The holding zone (h) on the lands west of the road allowance for Bower's lane restricts development on the affected lots until such time as a development agreement addressing financial securities is registered on the titles of the subject properties to the satisfaction of the Township or the issue of securities is otherwise addressed to the satisfaction of the Township. The holding zone (h) on the lands east of the road allowance for Bower's Lane may be removed when future lots are created. (By-law 41-2011)~~

~~16.8.12 LR2-12~~

~~Notwithstanding any provision of this by-law to the contrary, the area zoned LR2-12 permits all uses of the LR2 zone and all uses of the AG4 zone, subject to the provisions of Section 6 (AG4).~~

~~16.8.13 LR2-13~~

~~Notwithstanding any provision of this by-law, as amended, to the contrary, in the area zoned LR2-13 the following exceptions shall apply:~~

~~1) The minimum lot area shall be the lot areas created by consent applications B53/02 and B54/02.~~

~~2) The minimum lot frontage shall be the lot frontages created by consent applications B53/02 and B54/02.~~

~~3) The minimum front yard depth shall be 60 metres, except for the most westerly lot which may have a 15-metre setback from the road allowance.~~

~~4) The minimum rear yard depth shall be 15 metres, for main and accessory buildings and structures.~~

~~5) Accessory buildings may be located in front of the dwelling provided it complies with the front yard depth.~~

~~6) The front 10 metres of each lot shall be maintained as a planting strip of trees, except for permitted entrances. The most westerly lot shall maintain the required planting strip along the most easterly 120m of the front lot line.~~

~~7) For the most westerly lot, the east side of the lot is considered an interior lot line.~~

~~8) The minimum total floor area shall be as follows:~~

~~a) One Storey: 120 sq. m.~~

~~b) 1 ½ story & split level: 160 sq. m.~~

~~c) 2 or 2 ½ storey: 200 sq. m.~~

~~Explanatory Note: Airport related height restrictions are registered on title against the most easterly two lots. An acceptance of potential airport disturbance is registered on title of all lots. (By-law 93-2002)~~

~~16.8.14 LR2-14~~

~~Notwithstanding any provision of this by-law to the contrary, the area zoned LR2-14 permits one recreational residence and accessory buildings, subject to the provisions of Section 16. Notwithstanding the provisions of Section 16 to the contrary the rear 10 metres of the area zoned LR2-14 shall be maintained as natural woodlot within which no buildings or structures shall be permitted. All other applicable provisions shall apply. (By-law 51-2008)~~

~~16.8.15 LR2-15~~

~~Notwithstanding the provisions of Section 3.4 the LR2-15 zone permits two accessory buildings to be constructed in the front yard (lakeside) of the property. The minimum side yard setback for the accessory buildings will be 1.25 metres. No buildings are permitted in the dynamic beach as defined by the Maitland Valley Conservation Authority. The dynamic beach is located 8.1 metres west of the existing cottage.~~

~~(By-law 29-2010)~~

~~16.8.16 LR2-16~~

~~Notwithstanding the provisions of Section 16.6 to the contrary, the minimum lot area in the LR2-16 zone is 696 square metres. All other applicable provisions of this by-law, as amended, shall apply. (By-law 53-2011)~~

SECTION 17

DISPOSAL ZONE (DS)

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

17.1 PERMITTED USES

- Municipal or private waste disposal facilities as approved by the Ministry of Environment license
- recycling centre
- Sewage treatment works or collection facilities

17.2 PERMITTED STRUCTURES

- Buildings and structures for the permitted uses
- other buildings and structures, not including residences, accessory to the permitted uses, in accordance with Section 3.4

17.3 SPECIAL PROVISIONS

17.3.1 All permitted uses shall develop according to the applicable regulations of the Ontario Ministry of the Environment and/ or Ontario Ministry of Health.

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

17.4 SETBACK FROM AN ACTIVE OR CLOSED WASTE DISPOSAL SITE, FOR RESIDENTIAL AND/ OR LIVESTOCK BUILDING USES

17.4.1 NEW BUILDINGS

No new building or structure, used for residential or livestock purposes shall be erected within 500 metres of the fill area of a Municipal landfill site or a closed landfill site until it has been determined by a qualified professional to the satisfaction of the Township and the Ministry of the Environment, that there will be no adverse off-site impacts. The assessment of impacts shall include the presence of methane/leachate and the potential for noise, odour, dust and litter complaints during operation. If there is a licensed disposal site located in an adjacent municipality, the same setback shall apply to the lands in Ashfield-Colborne-Wawanosh.

17.5 SETBACK FROM A SEWAGE TREATMENT PLANT, FOR RESIDENTIAL AND/ OR LIVESTOCK BUILDING USES

No new building or structure, used for residential or livestock purposes shall be erected within 500 metres of any sewage treatment plant until it has been established to the satisfaction of the Township and the Ministry of the Environment, that there will be no adverse off-site impacts. The assessment of impacts shall include the presence of methane/leachate and the potential for noise, odour, dust and litter complaints during operation. If there is a licensed disposal site located or sewage treatment plant in an adjacent municipality, the same setback shall apply to the lands in Ashfield-Colborne-Wawanosh.

SECTION 218

VILLAGE/ HAMLET RESIDENTIAL - LOW DENSITY ZONE (VR1)

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

218.1 PERMITTED USES

- ~~G~~group home
- ~~R~~esidential use
- ~~Aa~~ day nursery
- ~~Aa~~ duplex dwelling
- ~~Aa~~ home for the aged
- ~~Aa~~ nursing home
- ~~T~~he conversion of dwellings in existence on the day of passing of this By-law
- ~~Aa~~ community garden
- ~~U~~ses accessory to the permitted uses

218.2 ACCESSORY USES

- ~~Aa~~ bed and breakfast in a single detached dwelling
- ~~Aa~~ home occupation
- ~~Aa~~ second unit use
- ~~Aa~~ private market garden

218.3 PERMITTED STRUCTURES

- ~~O~~ne main structure is permitted in the VR1 Zone
- ~~Aa~~ group home in a single detached dwelling
- ~~O~~ne single detached dwelling
- A second unit in a single detached dwelling or in an accessory building in accordance with Section 218.8.65
- ~~B~~uildings and structures for the permitted uses
- ~~O~~ther buildings and structures, not including residences, accessory to the permitted uses, in accordance with Section 3.4

218.4 ZONE REGULATIONS

Lot Area (minimum)	1,850 square metres Except lots in the Colborne Ward created before <i>By-law 13-1994</i> may have a minimum lot area of 1,395 sq. m. (Amended By By-Law 13-1994)
Lot frontage (minimum)	23 metres
Front Yard Depth (minimum)	7.5 metres
Interior Side Yard Depth (minimum)	<u>1.5 metres on one side and 3 metres on the other side OR 1.5 metres on both sides when</u>

	<u>there is a private garage or carport attached to the main dwelling</u>
Exterior Side Yard (minimum)	6 metres
Rear Yard Depth (minimum)	7.5 metres
Where a lot exceeds 100 metres in depth, no building or structure or part thereof shall be located further than 100 metres from the front lot line	
Lot Coverage (maximum)	30 %
Landscaped Open Space (minimum)	30 %

248.5 BUILDING REGULATIONS

18.5.1 FOR SINGLE DETACHED DWELLINGS

Main Building Height (maximum)	9 metres
Total Floor Area (minimum)	95 sq. metres

248.6 PARKING REGULATIONS

Refer to General Provisions Section 3.26

248.7 ACCESSORY BUILDINGS AND STRUCTURES REGULATIONS

Refer to General Provisions Section 3.4

248.8 SPECIAL PROVISIONS

248.8.1 EXISTING BUILDINGS, STRUCTURES AND DEVELOPED LOTS

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

248.8.2 EXISTING UNDEVELOPED LOTS

Where a lot ~~in the Ashfield, Colborne or Wawanosh ward~~ having an area, depth and/or frontage less than the minimum requirements stated in Section 18.4 is held under distinct and separate ownership from abutting lots as shown by a registered conveyance in the records of the Registry Office, at the date of passing of By-law 5-1986 Ashfield in Ashfield, 18-1982 Colborne in Colborne, or 13-1991 Wawanosh in Wawanosh such lot may be used and a single detached dwelling erected on the lot provided:

Lot Frontage (minimum)	18 metres
Lot Area (minimum)	1,000 square metres
All relevant regulations made under the Public Health Act and all relevant requirements of the relevant Health Authority are fulfilled.	

248.8.3 DUNGANNON EXISTING UNDEVELOPED LOTS

Where two or more contiguous lots are held in common ownership on Registered Plans 228, 229 and 230 (the Village of Dungannon) at the date of passing of this

by-law and have been deemed to be outside of a plan of Subdivision, such lot may be used and a single-detached dwelling erected on the lot, provided:

Lot Area (minimum)	1,600 square metres
All relevant regulations made under the Public Health Act and all relevant requirements of the relevant Health Authority are fulfilled.	

248.8.4 LOTS NOT FRONTING ON A PUBLIC STREET

No development shall be permitted on lots in the VR1 zone that do not have frontage on an open public road developed to municipal standards and assumed by the Township.

248.8.5 FRONT YARD

For lots fronting on Lake Huron or the Maitland River, and for lots abutting or including top-of-bank, the front yard shall be the lake/ top-of-bank side of the lot.

248.8.6 SECOND UNIT

- a. Any additional exterior stairways provided for the second unit leading to a full floor above the first storey in a single detached dwelling shall not be located in the front yard.
- b. One additional on-site parking space shall be provided for the second unit in addition to the parking for the main dwelling.
- c. Both the main dwelling and the second unit shall be served by one driveway.
- d. Both the main dwelling and the second unit shall be served by the same water and septic services.
- ed. Second units in an accessory building will be subject to the Ontario Building Code and will require a change of use permit.
- fe. No second unit will be established without a confirmation ~~from the Huron County Health Unit~~ that septic services are adequate for the main dwelling and the second unit.

248.8.7 ~~Holding Zone~~ HOLDING ZONE

VR1-H

In the area VR1-H no development is permitted until the needed municipal services such as a public road or drainage have been provided. The Holding Zone –H may be removed when these services are available or will be provided by the developer to the satisfaction of the Township.

SPECIAL ZONES

~~18.9.1~~ 28.9.1 VR1-1

- a) Notwithstanding the provisions of Sections 248.4 and 248.5.1 to the contrary, the dwelling shall not exceed 9 metres in height, except for the existing silo structures, which shall have a maximum height of 13 metres.
- b) Notwithstanding the provisions of Section 248.1 to the contrary, a contractor/ home builder home industry shall be permitted in the VR1-15 zone.
- c) A contractor/ home builder home industry shall be the only type of home industry permitted in the VR1-1 zone.

- d) Notwithstanding Section 2, definition of Home Industry, to the contrary, the contractor/ home builder home industry shall be wholly contained within the single detached dwelling.
- e) Notwithstanding any provision of this By-law to the contrary, in the area zoned VR1-15 the maximum area used for a home industry will be 40% of the floor area of the residence.
- f) The VR1-15 zone will permit a maximum of 6 full time employees, other than the owner, to be employed by the contractor/ home builder home industry. A maximum of 2 employees, other than the owner are permitted to work on the property zoned VR1-15.
- g) All other applicable provisions of this by-law, as amended, shall apply.

~~18.9.2~~28.9.2 VR1-2

Notwithstanding Sections ~~24~~28.1 and ~~24~~28.2 to the contrary, in the area zoned VR1-1 a multiple residential use is permitted subject to the provisions of Section ~~24~~28. Any multiple residential structure is permitted with up to 6 dwelling units provided that the minimum total floor area per dwelling unit shall be 55 square metres. All other applicable provisions of this by-law as amended shall apply.

~~24~~28.9.3 VR1-3

Notwithstanding the provisions of Sections ~~24~~28.3 and 3.4 to the contrary, the area zoned VR1-3 (Part Lot 1, Concession 1, Western division, including part road allowance closed as 22R2533, part 1 and 2) may have a residence and accessory buildings and structures located further than 100 metres from the front lot line. The special zone permits one existing accessory structure in the front yard. All other provisions of this by-law, as amended, shall apply. (*By-law 3-2004*)

~~18.9.4~~28.9.4 VR1-4

Notwithstanding any provisions of this by-law to the contrary, the area zoned VR1-4 (Part Lot 1, Concession 1 and 2) may be used for an accessory building with a total floor area of 180 square metres. The residence and accessory buildings may be located further than 100 metres from the front lot line. The property shall have a minimum lot area of 5900 square metres. All other provisions of the by-law, as amended, shall apply. (*By-law 72-2003*)

~~18.9.5~~28.9.5 VR1-5

Notwithstanding the provisions of Section ~~24~~28.3 to the contrary, the area zoned VR1-5 (Part Lot 1, Concession 1 and 2) may have a residence and accessory buildings and structures located further than 100 metres from the front lot line. All other provisions of this By-law, as amended shall apply. (*By-law 48-2002*)

~~18.9.6~~28.9.6 VR1-6

Notwithstanding any provision of this by-law to the contrary, the lots on Registered Plan 507, including the lots on Block 22 as created by severance application B60/94, shall be deemed to comply with the minimum lot area and minimum lot frontage requirements. Notwithstanding any provision of the by-law, as amended, to the contrary, no building or structure shall be located closer than 15 metres to the top-of-bank, except that those buildings and structures existing on the date of passing of this by-law shall be deemed to comply with the top-of-bank setback provisions of this by-law. All other applicable provisions shall apply. (*By-law 13-1994, 28-2002*)

~~18.9.7~~28.9.7 VR1-7

Notwithstanding the provisions of Section ~~24~~28.3 to the contrary, the area zoned VR1-7 (Part of Falls Reserve, West Division, R.P. 546) shall have a minimum lot area of 8500 square metres. (By-law 15-1999)

~~18.9.8~~28.9.8 VR1-8

Notwithstanding and in addition to the provisions of Section ~~24~~28.1 to the contrary, the area zoned VR1-8 permits a residence and a woodworking shop with accessory showroom and retail of items as produced on site.

~~24~~28.9.9 VR1-9

Notwithstanding the provisions of Section ~~24~~28.4 to the contrary, in the area zoned VR1-9 one residential structure is permitted; all other provisions of Section ~~24~~28 shall apply.

~~24~~28.9.10 VR1-10

Notwithstanding the provisions of Section ~~24~~28.3 to the contrary, in the area zoned VR1-10 one mobile home is permitted; all other provisions of Section ~~24~~28 shall apply.

~~24~~28.9.11 VR1-11

~~24~~28.9.11.1 Notwithstanding the provisions of Section ~~24~~28.2 to the contrary, the lands zoned VR1-11 shall permit a home industry in an accessory building situated to the rear of the main residential use on the subject lands. The home industry shall satisfy the standards identified in Section 2 and Section 3.41, "Home Industry", except as amended below.

~~24~~28.9.11.2 Notwithstanding Section 2 and Section 3.41, "Home Industry", to the contrary the maximum number of persons employed on site on a regular basis, other than the owner, shall not exceed 7 for an accessory farm equipment sales and service business only.

~~24~~28.9.11.3 Notwithstanding Section 2 and Section 3.41, "Home Industry", to the contrary, outdoor display shall be permitted in front of the accessory building for up to 4 farm equipment items available for sale. Each item on display shall be set back a minimum of 30 metres from the front lot line. (By-law 14-2000)

~~24~~28.9.12 VR1-12

Notwithstanding the provisions of Section 3.4 and ~~24~~28 to the contrary, in the VR1-12 zone an existing former church building is permitted to be used for a home industry, accessory to an existing residence, a former rectory. All existing buildings and structures are deemed to comply with the provisions of this by-law. All other provisions of this by-law shall apply.

~~24~~28.9.13 VR1-13

a) Notwithstanding the provisions of Section ~~24~~28.4 to the contrary, in the VR1-13 zone where two or more contiguous lots are held in common ownership on Registered Plan 137 at the date of passing of this by-law, such lots may be used and a single-detached dwelling erected on the lots provided that the minimum Lot area shall be 1600 square metres and all relevant regulations made under the Public Health Act and all relevant requirements of the relevant Health Authority are fulfilled. All other provisions of this by-law shall apply.

~~24~~28.9.14 VR1-14

Notwithstanding the provisions of Section 3.4 the VR1-14 zone permits an accessory building, a garage, to be constructed with a maximum height of 6.5 metres and a maximum height at the peak of the roof of 7.5 metres. The VR1-14 zone permits the garage to be constructed in the front yard and exterior side yard with a minimum setback from the east lot line of 3 metres and a minimum setback from the north lot line of 8 metres. The maximum lot coverage for the garage shall be 7.5% of the total lot area or the lot coverage of the main building, whichever is less. *(By-law 18-2010)*

248.9.15 VR1-15

Notwithstanding the provisions of Sections 3.22 and 248.3 to the contrary, the area zoned VR1-15 may be used for two single detached residences and accessory buildings, subject to the provisions of Section 248 (VR1 zone). The second single detached residence located north of the other residence is restricted to a maximum ground floor area of 100 square metres. All other applicable provisions apply.
(By-law 57-2010)

248.9.16 VR1-16

Notwithstanding the provisions of Sections 248.1 and 248.3 to the contrary, the area zoned VR1-16 may be used for a three unit multiple dwelling and accessory buildings, subject to the provisions of Section 248 (VR1 zone). All other applicable provisions apply. *(By-law 23-2011)*

248.9.17 VR1-17

Notwithstanding the provisions of Section 3.4 to the contrary to the contrary, the area zoned VR1-17 zone permits a garage to be constructed with a maximum height of 7.5 metres and a maximum floor area of 375 square metres and the garage is permitted to be constructed closer to the street than the existing residence. All other applicable provisions shall apply.

248.9.18 VR1-18

Notwithstanding the provisions of Section 248.4 -to the contrary to the contrary, VR1-18 permits a lot frontage of 20.1 metres. The existing shed is deemed to comply with the provisions of the Zoning By-law. All other applicable provisions shall apply.

248.9.18.1 VR1-18-h

In the area zoned VR1-18-h no development is permitted until the (-h) is lifted by Council; At such time as this area is further developed, a Development Agreement regarding services (e.g. water, road) will be entered into to the satisfaction of the Township of Ashfield-Colborne-Wawanosh. *(By-law 56-2016)*

SECTION 19

RESIDENTIAL PARK ZONE (LR3)

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

19.1 PERMITTED USES

- a residential park
- uses accessory to the permitted uses

19.2 ACCESSORY USES

- a home occupation
- passive and active recreation

19.3 PERMITTED STRUCTURES

- administrative, sales or rental office
- a convenience retail store or a personal service store to serve the day-to-day commercial needs of the residential park residents
- mobile home sales office
- one dwelling unit within the rear portion or second storey of the main office or sales facility or one single detached residence accessory to the mobile home park use
- mobile home
- mobile home – double wide
- park or playground
- recreational or community centre
- swimming pool
- buildings and structures for the permitted uses
- modular homes
- Single detached dwellings
- other buildings and structures, not including residences, accessory to the permitted uses

19.4 REGULATIONS FOR MOBILE HOME PARK

LOT AREA (minimum) 4 hectares
LOT FRONTAGE (minimum) 100 metres
FRONT YARD DEPTH (minimum) 9 metres
SIDE YARD DEPTH (minimum) 7.5 metres
EXTERIOR SIDE YARD DEPTH (minimum) 10 metres
REAR YARD DEPTH (minimum) 7.5 metres
BUILDING HEIGHT (maximum) 9 metres

19.5 REGULATIONS FOR A MOBILE HOME SITE

SITE AREA (minimum) 420 square metres
SITE FRONTAGE (minimum) 13.5 metres
FRONT YARD (minimum) 3 metres from interior road

~~INTERIOR SIDE YARD (minimum)1.2 metres
EXTERIOR SIDE YARD (minimum)3 metres from interior road
REAR YARD (minimum)3 metres
UNIT FLOOR AREA (minimum)55 square metres
SITE COVERAGE (maximum)35 %
NUMBER OF STOREYS (maximum)1~~

~~19.6 ADDITIONAL PROVISIONS FOR MOBILE HOME PARKS~~

~~19.6.1 ACCESS~~

~~Each mobile home site within a mobile home park shall be located on an internal access road which shall have a dust free surface and shall be a minimum traveled width of 4 metres for one-way traffic flow and 6 metres for two-way traffic flow.~~

~~19.6.2 ADDITIONS AND ACCESSORY STRUCTURES~~

~~Additions to mobile homes shall be permitted provided that the yard setback and lot coverage provisions for the lot are maintained.~~

~~a) Buildings and structures accessory to a mobile home on a mobile home site shall be permitted in accordance with Section 3.4. No more than 2 accessory buildings shall be permitted on a mobile home site.~~

~~b) Buildings and structures accessory to the Mobile Home Park are permitted in accordance with Zone Regulations above.~~

~~19.6.3 DENSITY~~

~~The maximum density of mobile home units in a mobile home park shall be 15 units per gross hectare.~~

~~19.6.4 COMMERCIAL BUILDINGS~~

~~Accessory commercial buildings shall not occupy more than one percent 1% of the mobile home park area. The required parking spaces shall be calculated on the basis of one parking space for each ten square metres of gross floor area.~~

~~19.6.4 PARKING~~

~~Each mobile home site shall be provided with at least 1 car parking space and visitor parking shall be provided on the basis of 1 space for every 4 mobile home sites, and shall be dispersed throughout the mobile home park at locations convenient to the site which it is intended to serve. Such visitor parking shall not be used for the storage of boats or trailers.~~

~~Community Centre Building Parking – Refer to the General Provisions Section 3.26~~

~~19.6.5 RECREATION SPACE / OPEN SPACE~~

~~Not less than 10% of the gross area of a mobile home park shall be used as recreation space, placed in locations convenient to all residents. Such space shall be free of traffic hazards and shall not include areas designated as planting strips. Where recreation space exceeds five hundred square metres two or more such areas shall be provided.~~

~~19.6.6 SERVICES~~

- ~~a) Each mobile home located within a residential park shall be provided with a piped water supply, sewage disposal facilities, solid waste disposal, storm drainage, hydro, street lighting, telephone and road maintenance.~~
- ~~b) In existing mobile home parks, without full services, expansions will be permitted based on the approval of the appropriate authority.~~

~~19.6.7 SKIRTING AND FOUNDATION FOR MOBILE HOMES~~

~~Each mobile home unit located on a mobile home site shall be placed on a continuous permanent substructure or permanent foundation supports. All mobile homes shall be provided with durable skirtings, with access where necessary, to screen the view of the undercarriage or foundation supports and any accessory structure shall be so designed to harmonize with the mobile home.~~

~~19.6.8 STORAGE~~

- ~~a) There shall be no outside storage of any furniture, domestic equipment or seasonally used equipment on the mobile home site.~~
- ~~b) Adequate open storage shall be provided within a special communal storage area provided within the mobile home park.~~
- ~~c) The communal storage area may be located in the rear or side yard in accordance with the General Provisions Section, Accessory Structures.~~
- ~~d) Adequate covered storage shall be provided and located either at the individual mobile home site or within a special communal storage area provided within the mobile home park. Structures containing accessory covered storage facilities shall be located and designed so that each building provides storage space for a minimum of 8 mobile home units on the basis of 3.5 cubic metres of storage space per unit, and no mobile home site is more than 60 metres from its storage facility.~~

~~19.6.9 UNITS PER SITE~~

~~Not more than one mobile home unit shall be placed on any mobile home site.~~

19.7 SPECIAL ZONES

~~19.7.1 LR3-1~~

- ~~a) Notwithstanding any provisions of Section 19 to the contrary, in the area zoned LR3-1, 270 sites (maximum) are permitted and a further 30 sites are permitted subject to approvals for servicing in accordance with the development agreement.~~
- ~~b) Notwithstanding Section 19.5 to the contrary, for the area zoned LR3-1, the following exceptions shall apply:
The site area minimum shall be the site areas as shown on the registered site plan;
Site Side Yard (minimum) 4.2 metres on one side and 0 metres on the other;
Site Rear Yard (minimum) 2.1 metres;~~
- ~~c) Notwithstanding Section 3.31 to the contrary, sites abutting the lake bank shall have a site rear yard setback of 3 metres (minimum);
Unit Floor Area (maximum) 160 square metres;
Site Coverage (maximum) 40 percent.~~
- ~~d) Notwithstanding any provision of this by-law to the contrary, parking will be provided with a minimum of 2 spaces per site.~~
- ~~e) Notwithstanding any provision of this by-law to the contrary, mobile homes and any part thereof or addition to shall be separated from each other by not less than 4.2 metres. The separation between the garage or carport and the neighbouring dwelling unit may be reduced to 2.4 metres.~~

~~f) Approved communal sewage systems may be located in the General Agriculture Zone (AG1).~~

~~g) All other applicable provisions of this By-law, as amended, shall apply.~~

~~19.7.2 LR3-2~~

~~Notwithstanding the provisions of Section 19.5 Regulations for a Mobile Home Site and Section 3.4.4. Lot Coverage of Accessory Buildings, to the contrary, the LR3-2 zone permits:~~

~~a) 187 mobile home sites (maximum) are permitted to have a site coverage of 45% (maximum). The allocation of the mobile home sites shall be included in the Registered Site Plan Control Agreement;~~

~~b) Unenclosed decks less than 0.6 metres above grade shall not be included in the calculation of site coverage for any site.~~

~~All other provisions of this by-law shall apply. (By-law 8-2017)~~

SECTION 290

URBAN NATURAL ENVIRONMENT AND OPEN SPACE ZONE (OS)

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

290.1 PERMITTED USES

- Agricultural use limited
- Conservation
- Forestry use
- A public park
- A farmer's market
- Passive recreation
- Uses accessory to the permitted uses

290.2 PERMITTED STRUCTURES

- Buildings and structures existing on the date of the passing of this By-law
- Buildings and structures accessory to the permitted uses subject to the consent of the Maitland Valley Conservation Authority or the appropriate authority
- Buildings and structures necessary for flood and/or erosion control prevention subject to the consent of the Maitland Valley Conservation Authority or appropriate authority
- A class 1 sewage disposal facility as approved by the appropriate authority
- Accessory buildings and structures for trails and foot-paths such as stiles, stairways, bridges and benches
- Buildings and structures accessory to use as a public park

290.3 ZONE PROVISIONS

LOT FRONTAGE (minimum)	no minimum
LOT AREA (minimum)	no minimum
LOT DEPTH (minimum)	no minimum
LOT COVERAGE (maximum)	20%
	FRONT YARD DEPTH (minimum)
	6 metres from a municipal road or 10 metres from County Highway
REAR YARD DEPTH (minimum)	8 metres
INTERIOR SIDE YARD DEPTH (minimum)	7.5 metres
EXTERIOR SIDE YARD DEPTH (minimum)	6 metres
HEIGHT OF BUILDING (Maximum)	9 metres

Parking, Accessory Buildings, Planting Strips:
In accordance with the General Provisions, Section 3.

290.4 SPECIAL PROVISIONS

| **290.4.1 CALCULATION OF ZONE PROVISIONS**

Unless otherwise specified, no part of the Open Space Zone shall be used to calculate any of the zone provisions as required by the By-law for a use located outside of the Open Space Zone.

| **290.4.2 PLACING OR REMOVAL OF FILL**

The placing or removal of fill will not be permitted without the consent of the Maitland Valley Conservation Authority

| **290.4.3 CLEARING**

Clearing of areas within the Open Space Zone will be prohibited. Selective cutting will be permitted in accordance with Huron County Tree Cutting By-law No. 10-2006.

| **290.4.4 DRAINAGE**

Drainage of areas within the Open Space Zone will be prohibited with the exception of those drains constructed in accordance with the Drainage Act.

~~SECTION 21~~

~~FUTURE DEVELOPMENT ZONE (FD)~~

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

~~21.1 PERMITTED USES~~

- ~~•uses lawfully in existence on the date of passing of this By-law~~
- ~~•agricultural use, limited~~
- ~~•public park~~
- ~~•uses accessory to permitted uses~~

~~21.2 PERMITTED STRUCTURES~~

- ~~•buildings and structures existing on the date of passing of this By-law~~
- ~~•other buildings and structures, not including residences, accessory to the permitted residential uses, in accordance with Section 3.4~~

~~21.3 ZONE PROVISIONS FOR ACCESSORY BUILDINGS~~

~~FRONT YARD DEPTH (minimum) 10 metres~~

~~REAR YARD DEPTH (minimum) 7.5 metres~~

~~SIDE YARD DEPTH (minimum) 7.5 metres~~

~~EXTERIOR SIDE YARD DEPTH (minimum) 10 metres~~

~~21.4 SPECIAL PROVISIONS~~

~~21.4.1 No subdivision of land by consent or registered plan of subdivision is permitted in a Future Development Zone prior to rezoning to the appropriate zone.~~

~~21.4.2 Existing residences will be allowed to expand, enlarge or re-establish provided that the provisions of the VR1 zone are complied with and provided that the same numbers of dwelling units are maintained.~~

~~21.4.2 Outdoor storage and the parking of trailer bodies for storage are not permitted in the Future Development zone.~~

~~21.5 SPECIAL ZONES~~

~~21.5.1 FD-1~~

~~Notwithstanding the provisions of this by-law to the contrary those lands zoned FD-1 shall permit accessory structures not exceeding 350 square metres in total floor area and may be used for a maximum of 6 nutrient units which shall be restricted to horses. Associated livestock buildings shall be located in accordance with Section 4.4.3 and a minimum of 85 metres from a VR1 or FD zone and all manure or material storage shall be located to the rear of the livestock building and not closer than 100 metres from a VR1 or FD zone.~~

~~(By-law _____ 09-1999)~~

SECTION 22

VILLAGE COMMERCIAL ZONE (VC1)

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

22.1 PERMITTED USES

- agricultural service establishment
- agricultural supply establishment
- ambulance station
- artist's studio/ gallery
- assembly hall which is carried on entirely within a wholly enclosed building
- auction sale facility excluding the sale of livestock
- bank or a financial institution
- bed and breakfast establishment
- building supply and sales establishment
- clothing store
- commercial storage warehouse (rental units)
- convenience store
- day nursery
- dwelling, converted
- dwellings existing on the date of passage of this By-law and their strengthening, repair renovation, enlargement or replacement subject to the provisions of the VR1 Zone
- dwelling unit accessory to a permitted use
- eating establishment, restaurant
- eating establishment, drive-through restaurant
- eating establishment, take-out restaurant
- eating establishment, portable food outlet, in accordance with any municipal By-laws
- farm equipment sales, service and supply establishment
- farm produce sales outlet
- farmer's market
- fire hall
- food store
- funeral home
- gasoline bar
- general store
- government office
- greenhouse, commercial
- group home, in a single detached residence
- hardware store
- home occupation in any permitted dwelling
- hotel
- landscaping and garden supply establishment
- liquor store
- lumber yard
- mobile home and/or recreational vehicle sales and service establishment

- motor vehicle repair shop
- motor vehicle sales and/or service establishment
- motor vehicle washing establishment
- motorized recreational vehicle sales and service establishment
- office use or clinic
- parking area, accessory
- parking lot
- personal services shop
- post office
- printing establishment
- private club
- public building
- public garage
- public library
- public park in accordance with the Urban Natural Environment and Open Space (OS), Section 20.
- retail store except those dealing with heavy machinery, fuels, factory equipment, building materials, new or used automobiles, boats, trailers, motorcycles or snowmobiles
- sports and recreation facility
- service and repair shop
- tire sales establishment
- veterinarians' clinic
- wholesale or warehouse use accessory to any of the foregoing permitted uses
- Uses accessory to the permitted uses

22.2 PERMITTED STRUCTURES

- Buildings and structures for the permitted uses
- other buildings and structures, not including residences, accessory to the permitted uses

22.3 ZONE REGULATIONS

	Public — Water — and Private Septic	Private — Water — and Private Septic
Lot Area (minimum)	1,650 square metres	1,850 square metres
Lot Frontage (minimum)	30 metres	30 metres
Lot Depth (minimum)	46 metres	46 metres
Front Yard Depth (minimum)	3 metres	3 metres
Interior Side Yard Depth (minimum)	3 metres	3 metres
Exterior Side Yard Depth (minimum)	3 metres	3 metres
Rear Yard Depth (minimum)	7.5 metres	7.5 metres
Lot Coverage (maximum)	40 %	40 %
Landscaped Open Space (minimum)	20 %	20 %

22.4 BUILDING REGULATIONS

23.4.1 Building Height (maximum) 12 metres

22.5 BUILDING REGULATIONS FOR ACCESSORY RESIDENTIAL USE

22.5.1 Location: other than in basement or cellar.

~~22.5.2 Minimum dwelling unit area for dwelling units located within a commercial unit shall be 70m²~~

~~22.5.3 Access to dwelling units from the adjacent street shall be provided for the exclusive use of the dwelling.~~

~~22.6 REGULATIONS FOR EXISTING RESIDENCES~~

~~Existing residences may be expanded, enlarged or re-established subject to the provisions of the VR1 zone.~~

~~22.7 RE-ESTABLISHMENT OF A RESIDENTIAL USE~~

~~Any building which has been used as a residence and subsequently converted to a commercial use may be returned to a residential use subject to the provisions of Section 18, (VR1 zone).~~

~~22.8 SPECIAL PROVISIONS~~

~~22.8.1 OUTDOOR DISPLAY AND STORAGE REGULATIONS~~

~~The minimum setback from any front, side or rear lot line of any outside display or storage area in this zone shall be no less than 3 metres.~~

~~22.9 SPECIAL ZONES~~

~~22.9.1 VC1-1~~

~~Notwithstanding and in addition to the uses permitted in Section 22.1, lands zoned VC1-1 may be used for a storage building for a custom builder and a cabinet finishing shop with an accessory retail shop and showroom.~~

~~22.9.2 VC1-2~~

~~Notwithstanding and in addition to the uses permitted in Section 22.1, lands zoned VC1-2 may be used for a storage building for a custom builder and a cabinet finishing room with an accessory retail shop and showroom. Any kiln constructed on lands zoned VC1-2 shall satisfy all provincial regulations relating to odour, noise and dust. (By-law 6-1999)~~

~~22.9.3 VC1-3~~

~~Notwithstanding any provision of this By-law to the contrary, the area zoned VC1-3 may also be used for a storage building. All other provisions of this By-law, as amended shall apply. (By-law 09-2000)~~

~~22.9.4 VC1-4~~

~~Notwithstanding any provisions of Section 22.1 to the contrary, the area zoned VC1-4 may also be used for a car/truck washing establishment and a trucking yard. All other applicable provisions shall apply. (By-law 22-1999)~~

~~22.9.5 VC1-5~~

~~Notwithstanding the provisions of Section 22.1 to the contrary, the area zoned VC1-5 may be used for an existing residence and the existing residence may be intentionally removed and replaced.~~

~~22.9.6 VC1-6~~

~~Notwithstanding the provisions of Section 22.1 to the contrary, the area zoned VC1-6 may ONLY be used for the storage and warehousing of automobiles. All other applicable provisions shall apply. (Amended by By-law 58-2017)~~

~~VC1-6-H~~

~~Notwithstanding the provisions of Section 22.1 to the contrary, the area zoned VC1-6 permits a contractor's yard, accessory uses, and accessory aggregate storage in addition to the VC1 permitted uses.~~

~~Prior to the holding zone being removed, the Township shall enter into a Site Plan Control By-law for the subject property to address compatibility and site design issues. All other applicable provisions of this by-law, as amended, shall apply. (Amended by By-law 19-2018)~~

SECTION 23

VILLAGE INDUSTRIAL ZONE (VM1)

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

23.1 PERMITTED USES

- All permitted uses shall be dry industries as defined in Section 2
- assembly, manufacturing, fabricating, packaging, printing, or warehouse conducted and wholly contained within an enclosed building
- an agricultural industrial establishment
- an agricultural processing establishment — not including dead stock removal
- an agricultural servicing establishment
- automotive body shop
- a garage, public
- a retail outlet
- indoor and outdoor storage
- a shop for maintenance, repair and fabrication of industrial equipment, components and structures
- a control centre for wind energy developments
- an interpretive centre for wind energy developments
- a wholesale outlet or office accessory to a permitted use
- a storage industry or warehouse
- a transport terminal or yard
- uses accessory to the permitted uses

23.2 PERMITTED STRUCTURES

- Buildings or structures for the permitted uses
- other buildings and structures, not including residences, accessory to the permitted uses

23.3 ZONE PROVISIONS

LOT FRONTAGE (minimum)	— 30 metres
LOT AREA (minimum)	1,850 square metres
LOT DEPTH (minimum)	— 30 metres
LOT COVERAGE (maximum)	— 40%
FRONT YARD (minimum)	15 metres abutting Provincial or County Road 10 metres abutting a Township road
REAR YARD (minimum)	7.5 metres, or provided that where the rear lot line is the boundary line between a CF, VR1 zone, the minimum rear yard shall be 15 metres
INTERIOR SIDE YARD (minimum)	4.5 metres, except where abutting a VR1 or CF zone, area designated recreational in the Official Plan, or park use in which case 7.5 metres
EXTERIOR SIDE YARD (minimum)	15 metres abutting Provincial or County Road 10 metres abutting a local municipal road
LANDSCAPED — OPEN — SPACE	10%

(minimum)	
HEIGHT OF BUILDING (maximum)	12 metres however, any portion of a building or structure erected above a height of 12 metres, must be set back from the front, side or rear lot lines, a further distance of .5 metres for each metre by which such building or structure is erected above a height of 12 metres, to a maximum of 30 metres.

~~23.4 SPECIAL PROVISIONS~~

~~23.4.1 PROPERTY ABUTTING RAILWAY~~

~~Notwithstanding any other provisions of this Section, along that portion of any lot line which abuts a railway right-of-way, no interior side yard or rear yard shall be required.~~

~~23.4.2 PROPERTY SUBJECT TO UTILITY RIGHT-OF-WAY OR EASEMENT~~

~~Where any industrial lot is subject to a utility right-of-way or easement, the building setbacks shall be in accordance with the applicable utility.~~

~~23.4.3 OUTDOOR STORAGE~~

~~The outdoor storage of goods or materials shall be permitted to the side or rear of the main building provided that:~~

- ~~▪ such outdoor storage is accessory to the use of the main building on the lot~~
- ~~▪ such open storage does not cover more than 75% of the lot area~~
- ~~▪ no storage will be permitted outside of a building on an industrial zoned lot in the front, side or rear yard abutting or across the street from a non-industrial zone unless enclosed by a fence, planting strip or decorative masonry wall, or combination thereof~~

~~23.4.4 SHOWROOM OR RETAIL SALES~~

~~A maximum of 25% of the gross floor area of a permitted industrial building may be used for showroom or retail sale of products manufactured or assembled on the premises.~~

~~23.4.6 GATE HOUSE~~

~~In an Industrial Zone, a gate house shall be permitted to the front or side of the main building, in accordance with the minimum front and side yard set backs for the main building.~~

~~23.4.7 BUILDINGS PER LOT~~

~~More than one main building per lot is permitted.~~

~~23.4.8 PARKING, ACCESSORY BUILDINGS, PLANTING STRIPS~~

~~Parking, accessory buildings and planting strips in this zone are subject to Section 3 General Provisions.~~

SECTION 24

SALVAGE YARD (C4)

24.1 PERMITTED USES

- An automotive wrecking establishment as defined in Section 2;
- a “salvage yard” as defined in Section 2 of this By-law;
- uses accessory to the permitted uses.

24.2 PERMITTED STRUCTURES

- An accessory residence to be owned and occupied by the manager of the permitted commercial operation;
- a storage shed;
- buildings and structures for permitted uses;
- other buildings & structures, not including residences, accessory to the permitted uses

24.3 ZONE REGULATIONS

ZONE AREA (minimum)2 hectares

ZONE AREA (maximum)6 hectares

LOT FRONTAGE (minimum)45 metres

FRONT YARD DEPTH (minimum)30 metres

SIDE YARD DEPTH (minimum)3 metres

Except: 15 metres minimum where any
side lot line abuts any non-industrial zone

EXTERIOR SIDE YARD DEPTH (minimum)30 metres

REAR YARD DEPTH (minimum)3 metres

except: 15 metres minimum where any
rear lot line abuts any non-industrial zone

24.4 BUILDING REGULATIONS

24.4.1 BUILDING HEIGHT (maximum)12 metres

24.5 REGULATIONS FOR ACCESSORY RESIDENTIAL USES

24.5.1 LOT AREA (to be added to the minimum lot area for the Salvage Yard use)
minimum:

- Detached residence:700 square metres
- Attached dwelling unit:350 square metres

24.5.2 MINIMUM FLOOR AREA PER DWELLING UNIT shall be in accordance with the
following:

- Fully detached residence: 84 square metres
- A residence as part of the non-residential building or structure:70 square metres

24.5.3 Yard Requirements: Section 25.3 shall apply. (By-law 8-1998).

24.6 SEPARATION DISTANCE

Notwithstanding any other provision of this by-law to the contrary, no residential,
institutional, commercial, industrial or recreational building or structure, located on a

~~separate lot shall be established unless it complies with the Minimum Distance Separation (MDS) Formulae.~~

~~24.7 SPECIAL PROVISIONS~~

~~24.7.1 PLANTING STRIP~~

~~Notwithstanding the provisions of Section 3.27, the height of the planting strip shall be 2.5 metres where the planting strip is adjacent to the front yard and side yard, and 1.75 metres where the planting strip is adjacent to the rear lot line, subject to the following additional provisions:~~

- ~~a) where the side or rear lot line is adjacent to a Residential, Recreational or Community facility Zone, or a public roadway, the planting strip shall be 2.4 metres in height;~~
- ~~b) a fence of equal height may be required in conjunction with a planting strip, or in replacement of a planting strip.~~

~~24.7.2 OPEN STORAGE~~

~~No open storage will be permitted in the front, side or rear yards with the exception of parking of motor vehicles in accordance with Section 3.26 of this By-law.~~

~~24.7.3 MAXIMUM VEHICLE STORAGE HEIGHT~~

~~No vehicles shall be piled in excess of the required planting strip or required fence height.~~

SECTION 25

COMMUNITY FACILITY ZONE (CF)

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

25.1 PERMITTED USES

- ambulance station
- arena
- art or cultural facility
- assembly hall
- cemetery
- church
- clinic
- community centre
- fair grounds
- farmers market
- fire hall
- government office
- garage, government, warehouse or storage yard
- home for the aged
- municipal parking lot
- park, public
- post office
- public utility
- school
- sewage treatment plant
- sports and recreation facility
- sports field, public
- swimming pool
- utility service building
- water tower or reservoir
- water treatment plant
- accessory uses

25.2 PERMITTED STRUCTURES

- Buildings and structures for the permitted uses
- other buildings & structures, not including residences, accessory to the permitted uses

25.3 ZONE PROVISIONS

LOT FRONTAGE (minimum) 30 metres

LOT AREA (minimum) 1850 square metres

LOT COVERAGE (maximum) 40%

FRONT YARD _____ in an urban settlement area 7.5 metres
(minimum) _____ in a rural area 20 metres from a municipal road
25 metres from a County or Provincial Highway

~~REAR YARD (minimum) 10 metres~~

~~INTERIOR SIDE YARD ————— 7.5 m except where a community facility use abuts
(minimum) ————— residential zone a 9 metre side yard is required~~

~~EXTERIOR SIDE YARD ————— in an urban settlement area 7.5 metres
(minimum) in a rural area 20 metres from a municipal road~~

~~25 metres from a County or Provincial Highway~~

~~LANDSCAPED OPEN SPACE — 10%
(minimum)~~

~~HEIGHT OF BUILDING ————— 18 metres
(maximum)~~

25.4 SPECIAL PROVISIONS

25.4.1 UTILITIES SERVICE BUILDINGS AND SUBSTATIONS

~~In a settlement area, a utility service building or substation will require a rezoning to a Community Facility (CF) Zone.~~

25.4.2

~~In a rural area, a utility service building or substation within 1,000 metres of a residence in an agricultural area will require a rezoning to a Community Facility (CF) Zone.~~

25.4.3

~~No goods, material, or equipment shall be stored in the open in a Residential area~~

25.4.4

~~All permitted uses shall develop according to the applicable regulations of the Ontario Ministry of the Environment and/ or Ontario Ministry of Health.~~

~~See General Provisions, Section 3.37, Utility Services for the Public.~~

25.4.2 MINIMUM DISTANCE SEPARATION

~~Notwithstanding any other provision of this by-law to the contrary, no institutional or residential building or structure, located on a separate lot shall be established unless it complies with the Minimum Distance Separation (MDS) Formulae.~~

25.4.3 SETBACK FROM A SEWAGE TREATMENT PLANT, FOR RESIDENTIAL AND/ OR LIVESTOCK BUILDING USES

~~No new building or structure, used for residential or livestock purposes shall be erected within 500 metres of any sewage treatment plant until it has been established to the satisfaction of the Township and the Ministry of the Environment, that there will be no adverse off-site impacts. The assessment of impacts shall include the presence of methane/leachate and the potential for noise, odour, dust and litter complaints during operation. If there is a licensed disposal site located or sewage treatment plant in an adjacent municipality, the same setback shall apply to the lands in Ashfield-Colborne-Wawanosh.~~

25.5 SPECIAL ZONES

25.5.1 CF-1

~~Notwithstanding the provisions of Section 3.22 to the contrary, the area zoned CF-1 permits the establishment of an Amish Parochial School. (By-law 7-1993)~~

25.5.2 CF-2

~~For the purpose of this zoning by-law, the area zoned CF-2 shall apply to both the north ½ of lot 1 registered plan 300 and the south ½ of lot 1 registered plan 300. The area~~

~~within the CF-2 zone will be considered one lot for the purposes of this by-law. Notwithstanding the provisions of 3.4 to the contrary, an open post shelter, no larger than 10 metres by 7.5 metres is permitted in the exterior side yard with a rear yard setback of one metre and an exterior side yard setback of one metre. All other applicable provisions of this zoning by-law continue to apply.~~

~~25.5.3 CF-3~~

~~In the area zoned CF-3 up to a maximum of 14 residential apartments located in the existing former school structure are permitted. The minimum lot area of the lands zoned CF-3 shall be 2.5 hectares and include lands zoned AG1-36. All other uses in the CF zone are permitted. All other applicable provisions of this zoning by-law shall continue to apply. (By-law 57-2014)~~

SECTION 26

COMMUNICATIONS AND UTILITY (U)

26.1 PERMITTED USES

- agriculture
- conservation
- a radio, television, microwave, or similar communications tower or towers
- railway tracks and stations
- a pipeline
- transformer station
- well and pump house
- other buildings and structures, not including residences, accessory to the permitted uses, in accordance with Section 3.4

26.2 SPECIAL PROVISIONS

Development as defined in Section 40 of the Planning Act may be subject to site plan control. As such, Council may require the establishment of a fence or planting strip.

26.3 SPECIAL ZONES

26.3.1 U-1

In the area zoned U-1, the permitted uses are limited to utility buildings and accessory uses associated with the residential area. *(By-law 13-1998)*

26.3.2 U-2

Notwithstanding Section 26.1 to the contrary, in the area zoned U-2, the permitted uses are limited to one well held in common ownership by the benefiting land owners, and accessory buildings and structures for the permitted well.

SECTION 27

~~AIRPORT LANDS FACILITIES (AL1)~~

~~27.1 PERMITTED USES~~

- ~~▪ aircraft runways and taxiways;~~
- ~~▪ aircraft tie-down areas;~~
- ~~▪ aircraft navigational equipment;~~
- ~~▪ uses accessory to the permitted uses~~

~~27.2 PERMITTED STRUCTURES~~

- ~~▪ buildings and structures required for navigational equipment;~~
- ~~▪ other buildings and structures, not including residences, accessory to the permitted uses~~

SECTION 28

AIRPORT LANDS — RELATED USES

(AL2)

28.1 PERMITTED USES

- ~~an airport terminal;~~
- ~~an aircraft hanger;~~
- ~~a control tower;~~
- ~~aircraft maintenance facilities;~~
- ~~an airport related industrial facility;~~
- ~~an airport related commercial facility;~~
- ~~an airport related service facility;~~
- ~~an aircraft taxiway;~~
- ~~uses accessory to the permitted uses.~~

28.2 PERMITTED STRUCTURES

- ~~buildings and structures for the permitted uses;~~
- ~~other buildings and structures, not including residences, accessory to the permitted uses~~

28.3 ZONE REGULATIONS

~~Setback from any street line (minimum): 10 metres~~

~~Setback from any lot line (minimum): 3 metres, except where a lot line abuts a publicly owned taxiway or apron area, the minimum setback from such lot line is 1 metre~~

28.4 BUILDING REGULATIONS

28.4.1 Building Height (Maximum)

~~In an AL2 zone no building or structure may be higher than a height calculated based on the ratio of 1:7 from the side perimeter of an AL1 zone. (That is, for every 7 metres calculated at a right angle to the plane of the AL1 zone, building or structure height may be increased by 1 metre).~~

~~28.4.2 Notwithstanding Sections 28.1 and 28.2 to the contrary, one dwelling unit is permitted as an accessory use in the AL2 zone on the Goderich Municipal Airport property, which is owned/ controlled by the Town of Goderich, and lots existing at the date of passing of this by-law. Such dwelling unit may be in the form of one single detached dwelling, one mobile home or one dwelling unit within a non-residential building.~~

~~28.4.3 Except for the one dwelling unit permitted by Section 28.4.2, no property in the AL2 zone shall contain a dwelling unit.~~

28.4.4 NUMBER OF STRUCTURES PER LOT

~~Notwithstanding the provisions of Section 3.22 to the contrary, more than one (1) main building or structure is allowed per lot.~~

~~28.4.5 All parking facilities shall be located off the public street.~~

~~28.4.6 No open storage will be allowed in any yard.~~

~~28.4.7 HEIGHT RESTRICTIONS Refer to Section 3.5~~

~~28.4.8 The easterly side yard setback requirement for the existing terminal building, located on Part Block 'A', Western Division, shall be 3.6 metres.~~

Section 29

Harbour Industrial (HMI)

No person within any Harbour Industrial (HMI) zone shall use any land, or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

29.1 Permitted Uses

~~29.1.1 Harbour industrial uses~~

~~29.1.2 Open bulk storage associated with the harbour industrial use~~

29.2 Permitted Structures

~~29.2.1 Buildings and structures required for shipping, navigation and harbour administration~~

~~29.2.3 Buildings and structures accessory to the permitted use~~

~~29.2.4 Buildings and structures necessary for flood and/or erosion control prevention subject to the necessary Conservation Authority permit.~~

29.3 Zone Regulations

~~Lot area (minimum) No minimum provided that where neither municipal water nor sanitary sewers are provided, the minimum lot area shall be 1858 square metres plus 46.5 square metres for each person above 20 persons employed on the lot~~

~~Lot frontage (minimum) No minimum~~

~~Lot depth (minimum) No minimum~~

~~Front yard setback (minimum) 6 metres~~

~~Rear yard setback (minimum) No minimum~~

~~Interior side yard setback 3 metres~~

~~Exterior Side Yard setback (minimum) 6 metres~~

~~Lot Coverage (maximum) 85%~~

~~Property Abutting Railway or Hydro Right Of Way Notwithstanding any other provisions of this By-Law to the contrary, where any lot line or portion thereof abuts a railway or hydro right-of-way, the interior side or rear yard required along that portion of such lot line which so abuts the railway or hydro right-of-way shall be: 1.5 metres~~

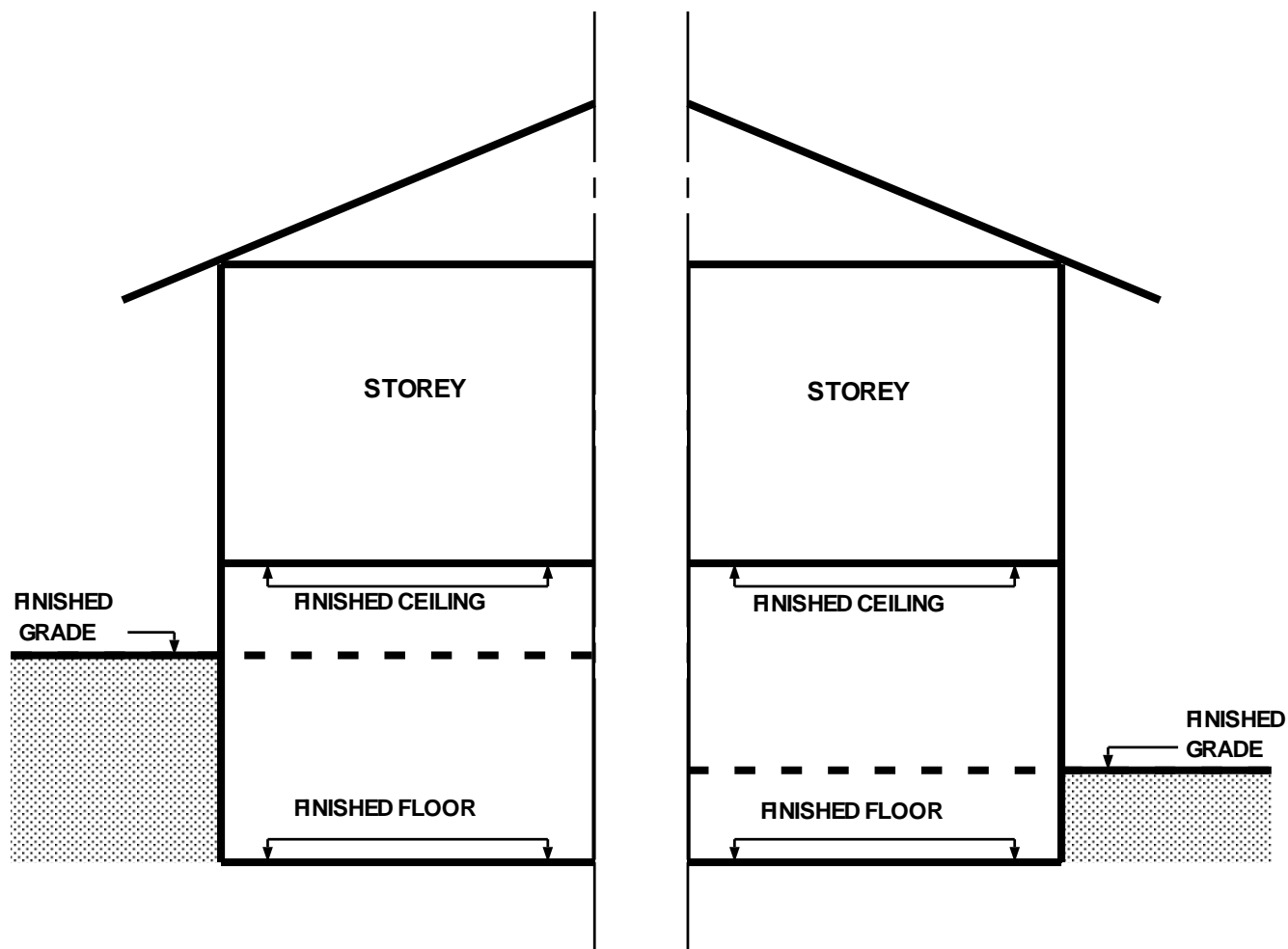
29.4 Parking: Refer to Section 3.26 General Provisions

29.5 Exterior Lighting: Refer to Section 3.13 General Provisions

29.6 Special Provisions For Harbour Industrial Zones

~~29.6.1 No placing or removal of fill shall be permitted within the HMI zone without the prior written permission of the Township and the Maitland Valley Conservation Authority. An environmental assessment may be required as a requisite condition for any development in the HM1 zone. (By-law 49-2014)~~

APPENDIX 1
ILLUSTRATION OF CELLAR
AND BASEMENT DEFINITIONS*



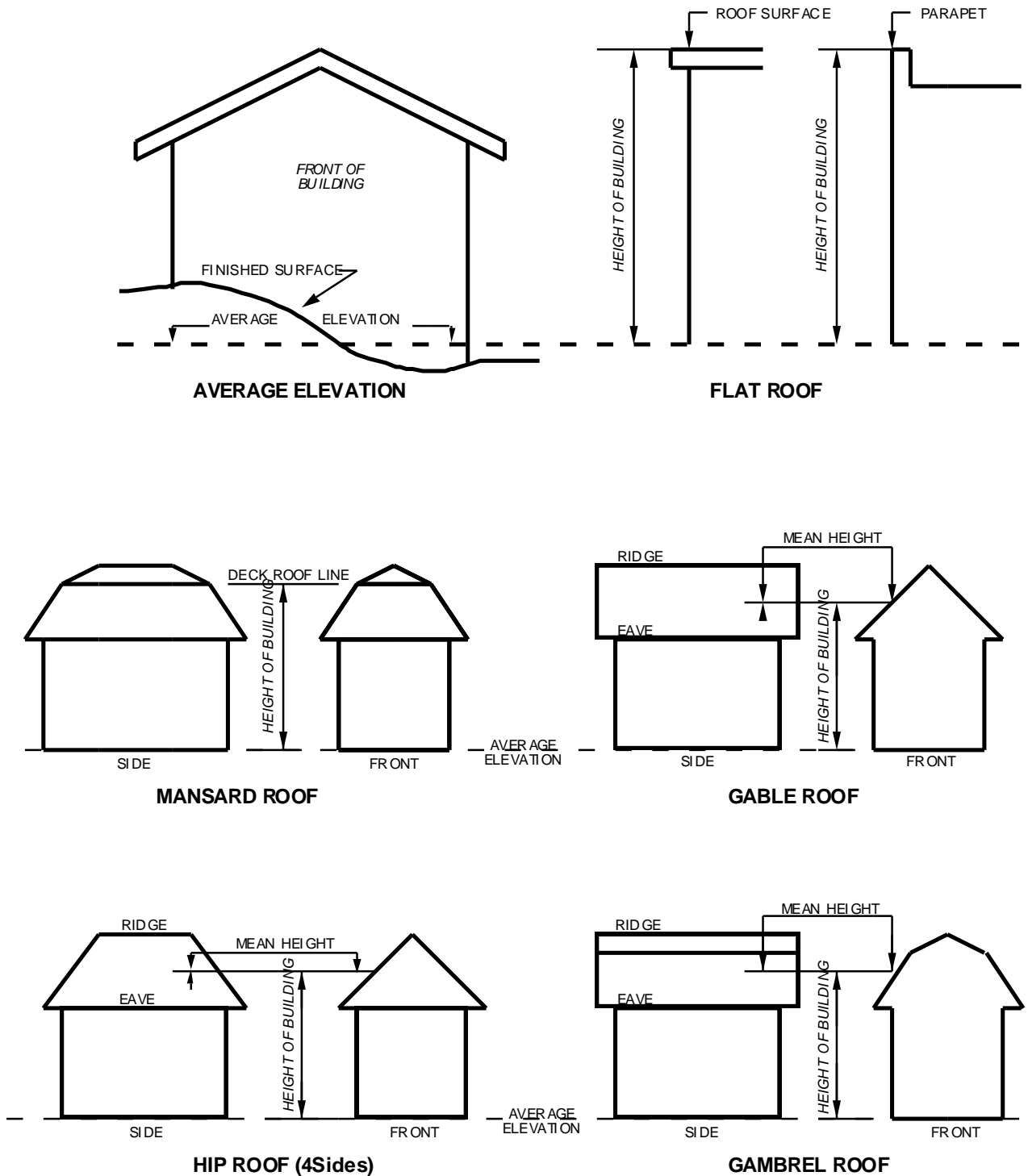
CELLAR
HAS *MORE* THAN ONE HALF OF
ITS HEIGHT, FROM FINISHED
FLOOR TO FINISHED CEILING,
BELOW ADJACENT FINISHED
GRADE.

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

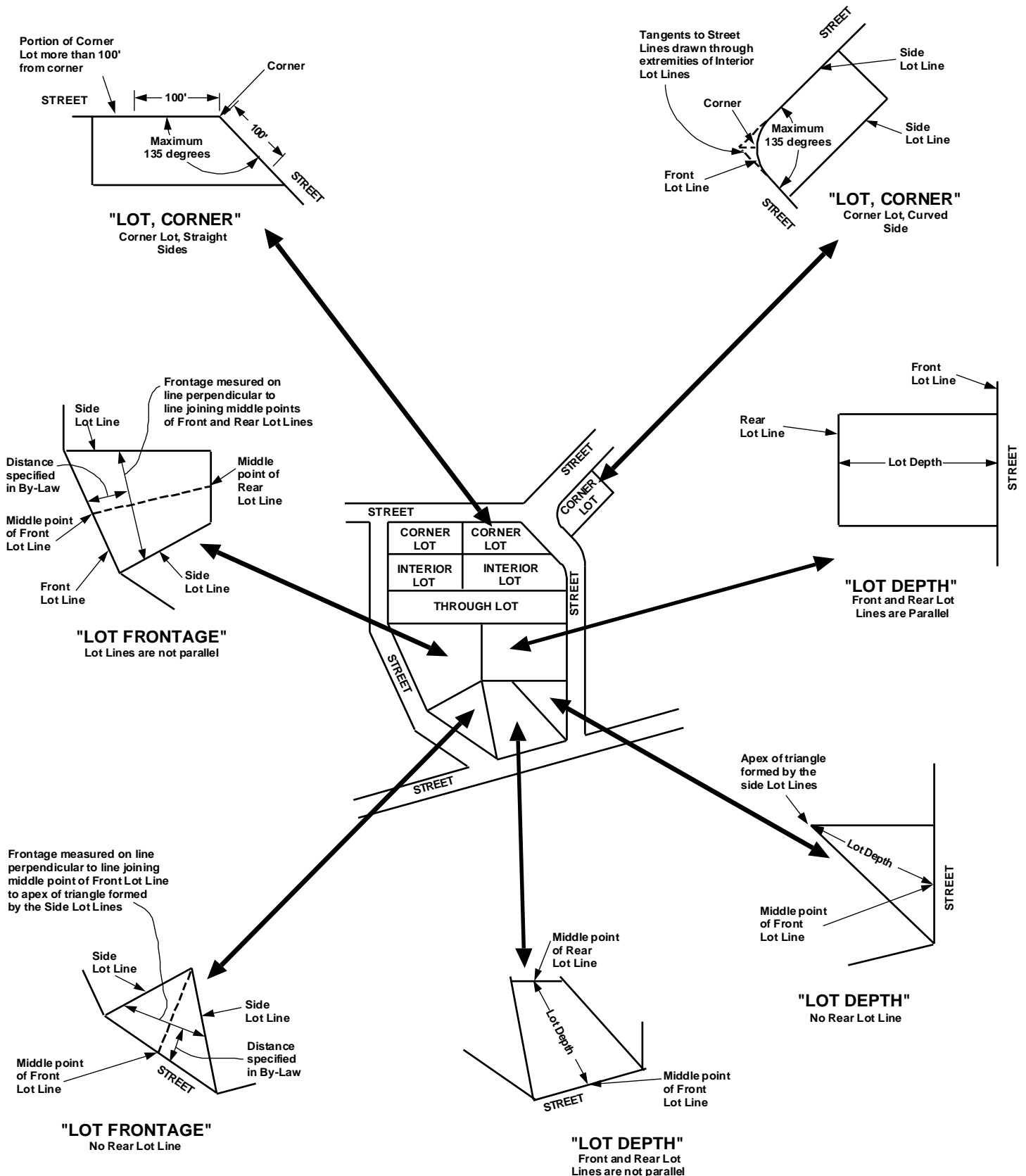
*THE ILLUSTRATION OF CELLAR
AND BASEMENT DOES NOT FORM
PART OF THIS BY-LAW, BUT IS
PROVIDED FOR CONVENIENCE.

APPENDIX 2

Illustration Of Heights Of Buildings*

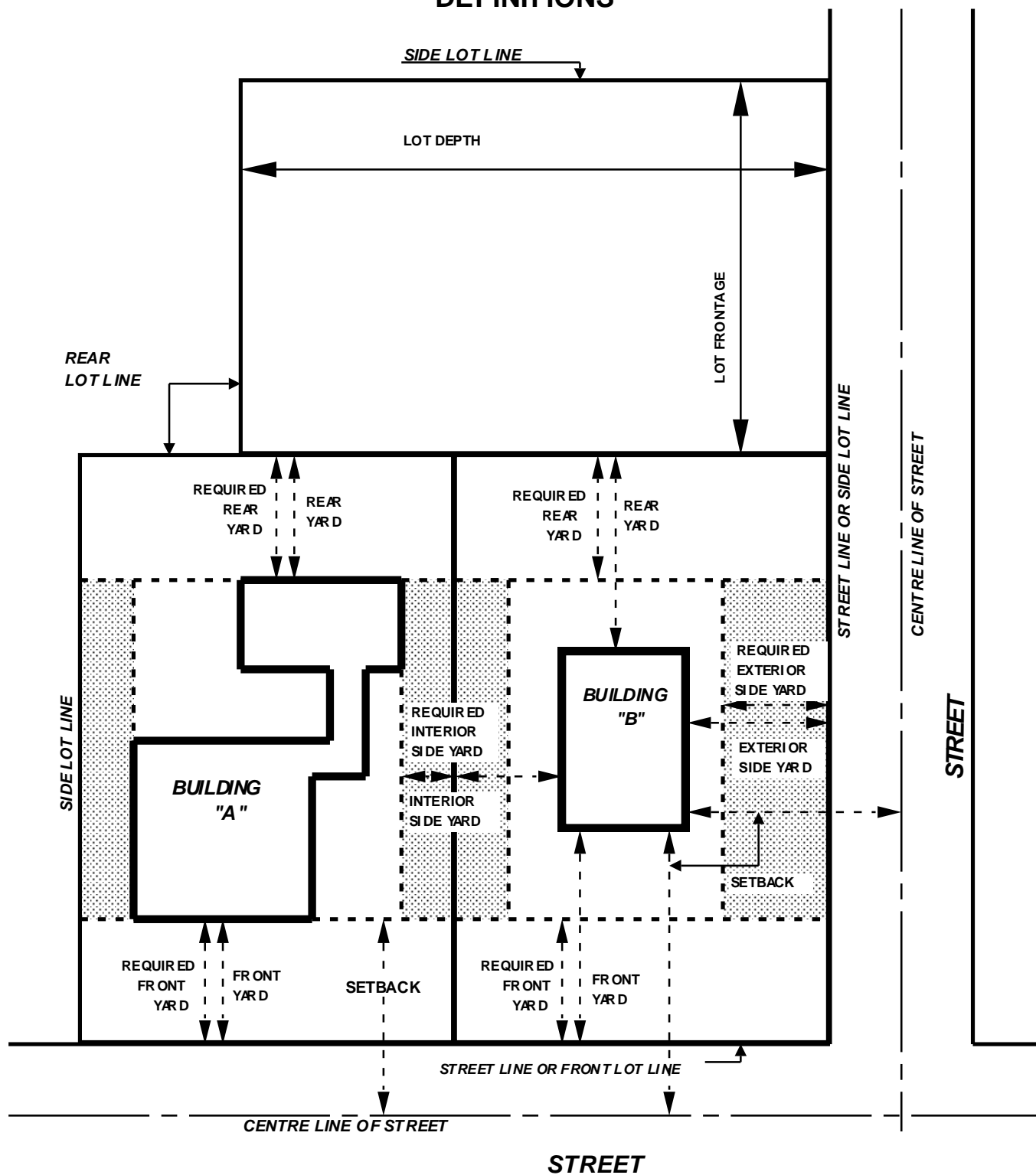


APPENDIX 3 ILLUSTRATION OF LOT DEFINITIONS*



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

APPENDIX 4 ILLUSTRATION OF YARD DEFINITIONS*



BUILDING "B" VOLUNTARILY INCREASED FRONT YARD, SIDE YARD, REAR YARD AND SETBACK ON CORNER LOT

Figure 1: Side-by-Side Parking Space

The diagram illustrates a side-by-side parking layout with the following dimensions and features:

- Overall Width:** 5500 (18ft)
- Vehicle Widths:** 2700 (8ft 10in) and 2000* (78-3/4)
- Single Space Width:** 4700* (15 ft 5 in)
- Double Space with Shared Access Aisle:** 7400* (24 ft 3 in)
- Access Aisle:** 1100 min (43-1/4)
- Pathway to accessible building entrance**
- Signage:** "By Permit Only" (with wheelchair symbol) and "Limited Mobility & Caregivers Only" (with person symbol)
- Optional Bollards:** 3200 (10 ft 6 in)

Diagram illustrating the required clear space and pathway dimensions for a building entrance:

- Clear space:** 2440* (96) inches wide and 2440 (96) inches deep.
- Pathway to accessible building entrance:** The area leading to the entrance.
- Curb cut:** The transition area between the sidewalk and the street.
- Access aisle:** 3900 min (12'-10") wide.
- Vehicle dimensions:** 5400 min (17'-9") long and 2000* (78-3/4") wide.
- Signage:** A sign indicating "By Permit Only" with a wheelchair symbol and a "P" in a circle.

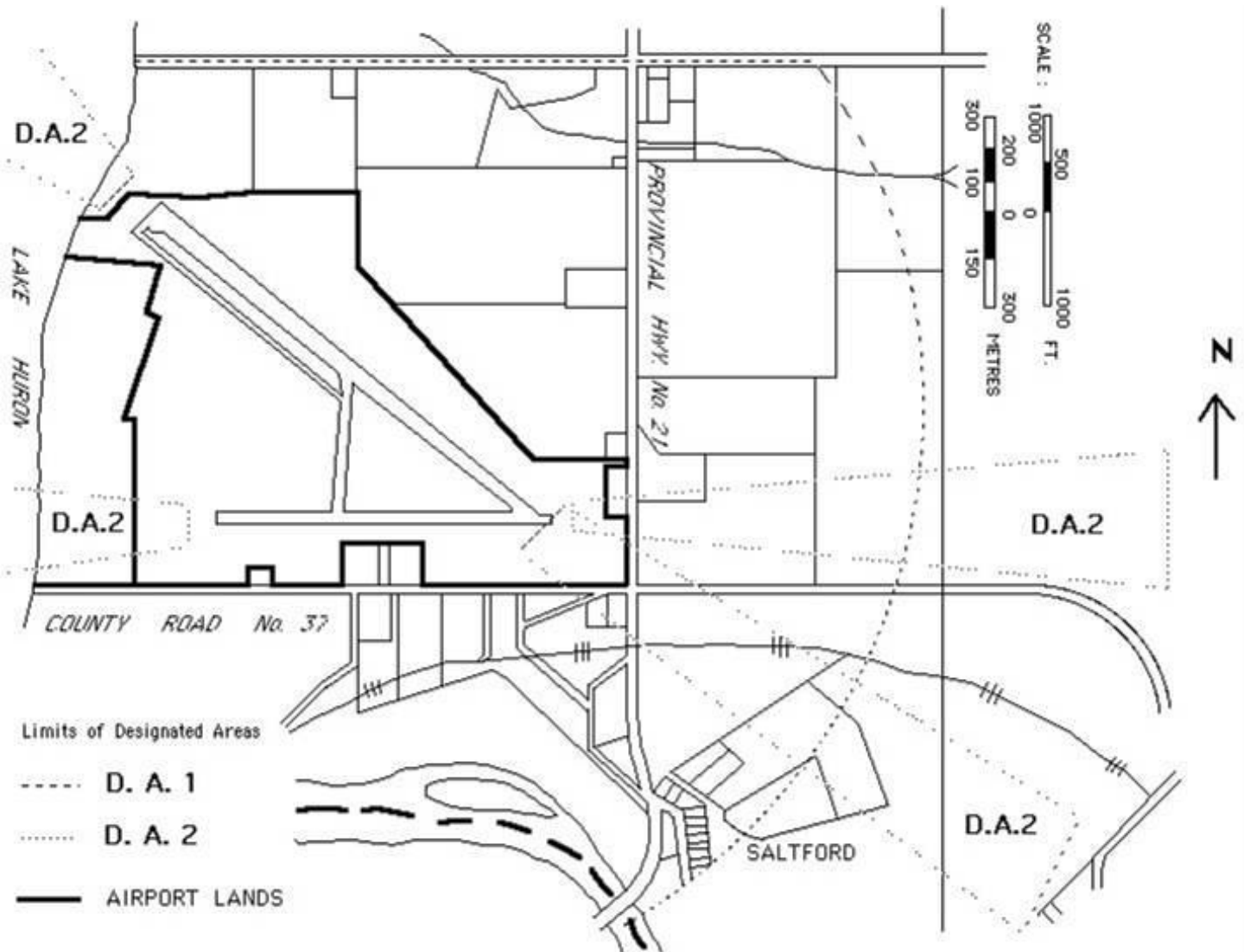
The diagram shows a sequence of bus stop configurations. The first configuration has one shaded gray space with a wheelchair icon, labeled 'One Accessible space'. The second has two shaded gray spaces, labeled 'Two Accessible spaces'. The third has three shaded gray spaces, labeled 'Three Accessible spaces'. The fourth has four shaded gray spaces, labeled 'Four Accessible spaces'. Between these are white spaces labeled 'Standard Spaces'. Green arrows and labels indicate the progression from one to four accessible spaces.

APPENDIX 6 EXPLANATION OF NATURAL ENVIRONMENT (NE5) ZONE

Areas containing significant natural environment features have been identified on the Key Maps with dark grey shading and zoned (NE5). The following areas have been identified as NE5:

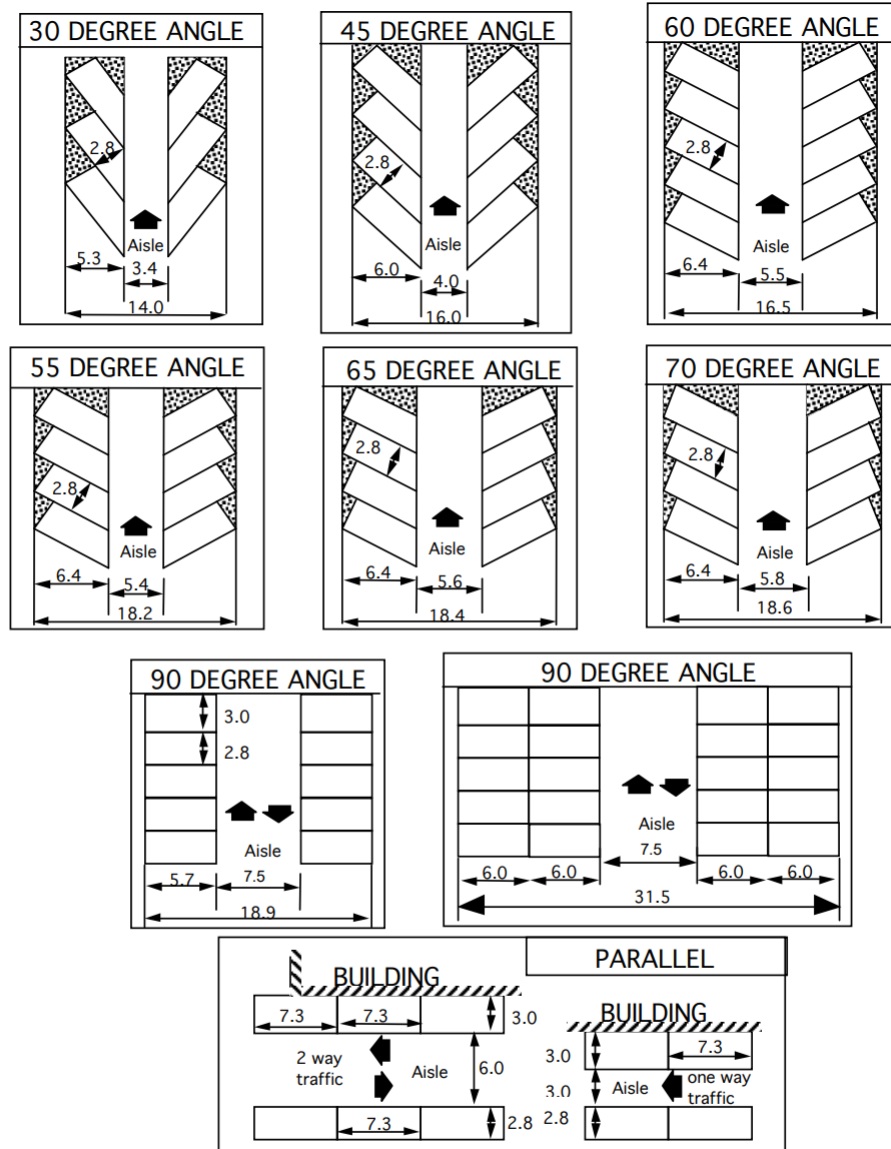
- Provincially and Regionally Significant Wetlands
- Provincially and Regionally Significant Areas of Natural and Scientific Interest

APPENDIX 7 DESIGNATED AREAS ADJACENT TO AIRPORT

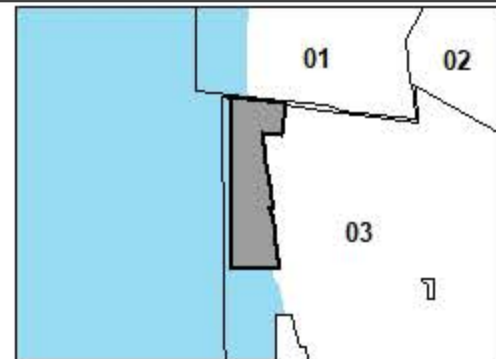
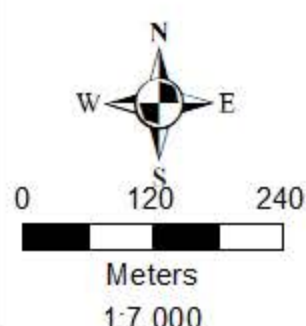
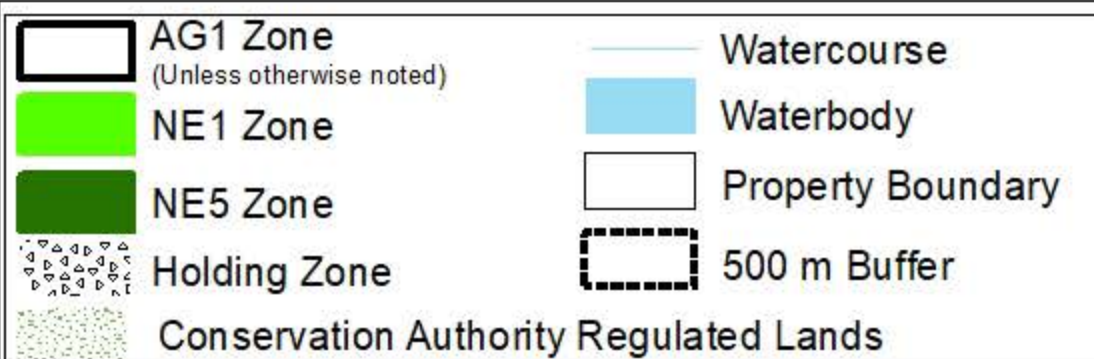


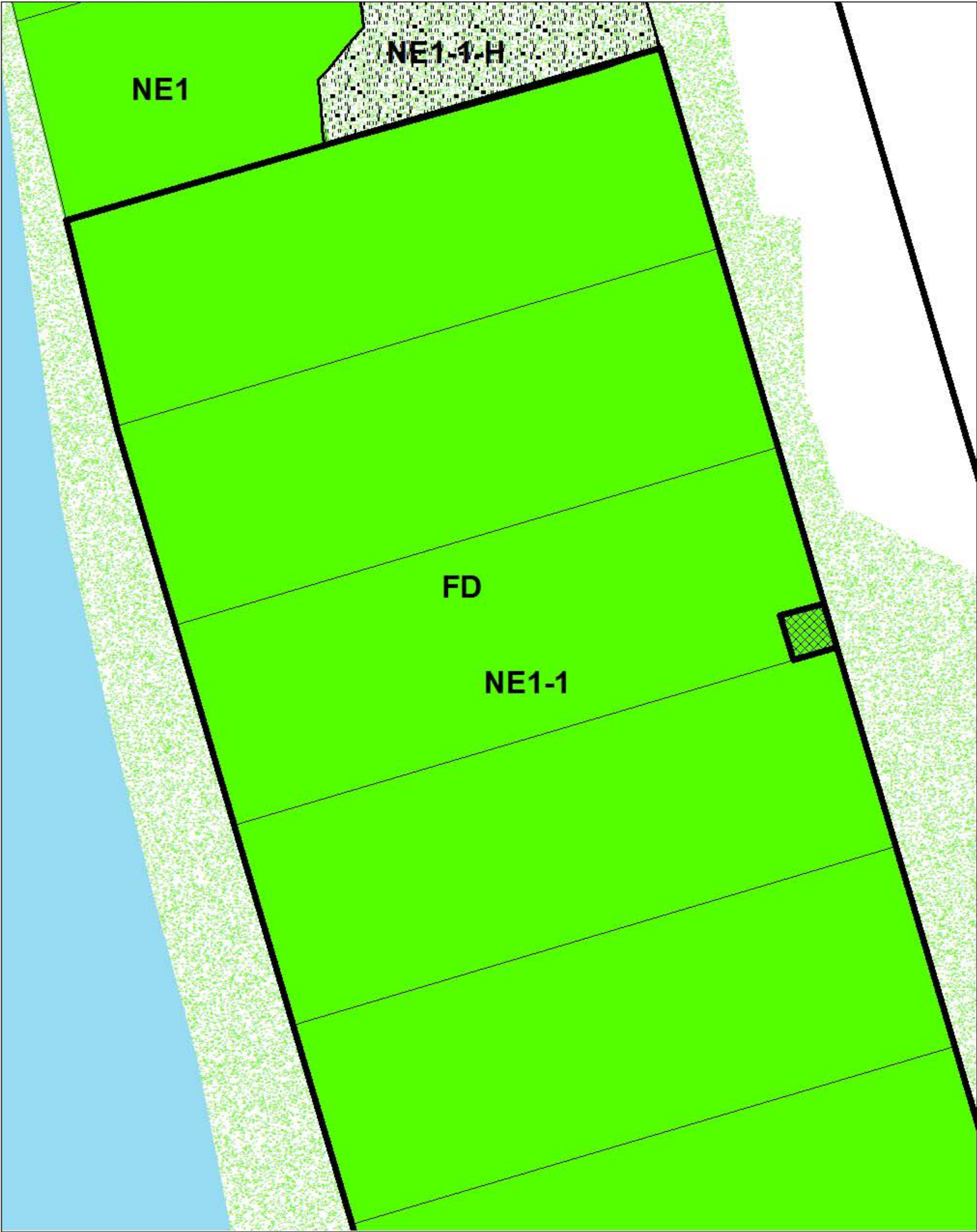
Appendix 8 Illustration of Parking Area Regulations


Requirements by Configuration





* THE ILLUSTRATIONS ARE FOR CONVENIENCE ONLY AND DO NOT FORM PART OF THIS BY-LAW

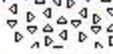






 AG1 Zone
(Unless otherwise noted)


 NE1 Zone


 NE5 Zone


 Holding Zone


 Conservation Authority Regulated Lands

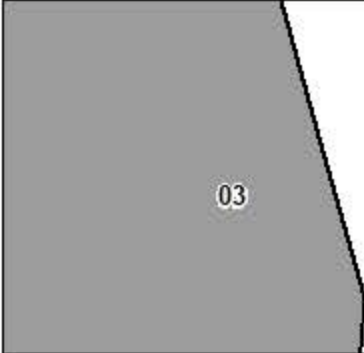
 Watercourse

 Waterbody

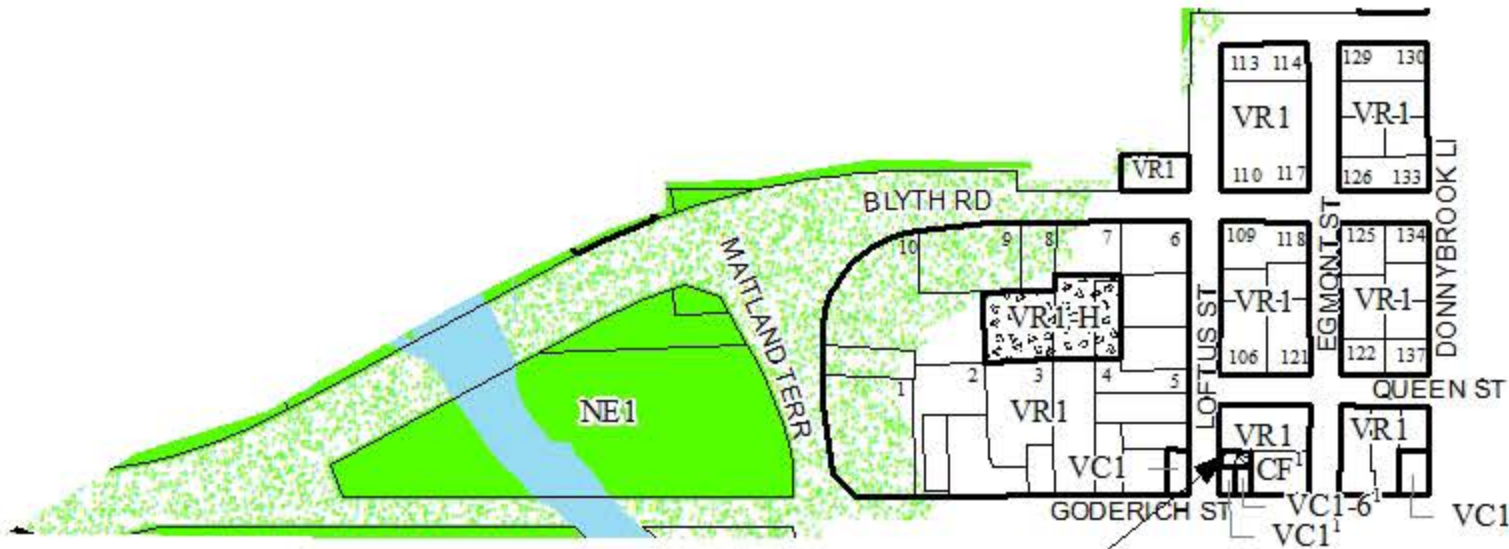
 Property Boundary

 500 m Buffer


0 5 10
Meters
1:400



See Zone Map 08

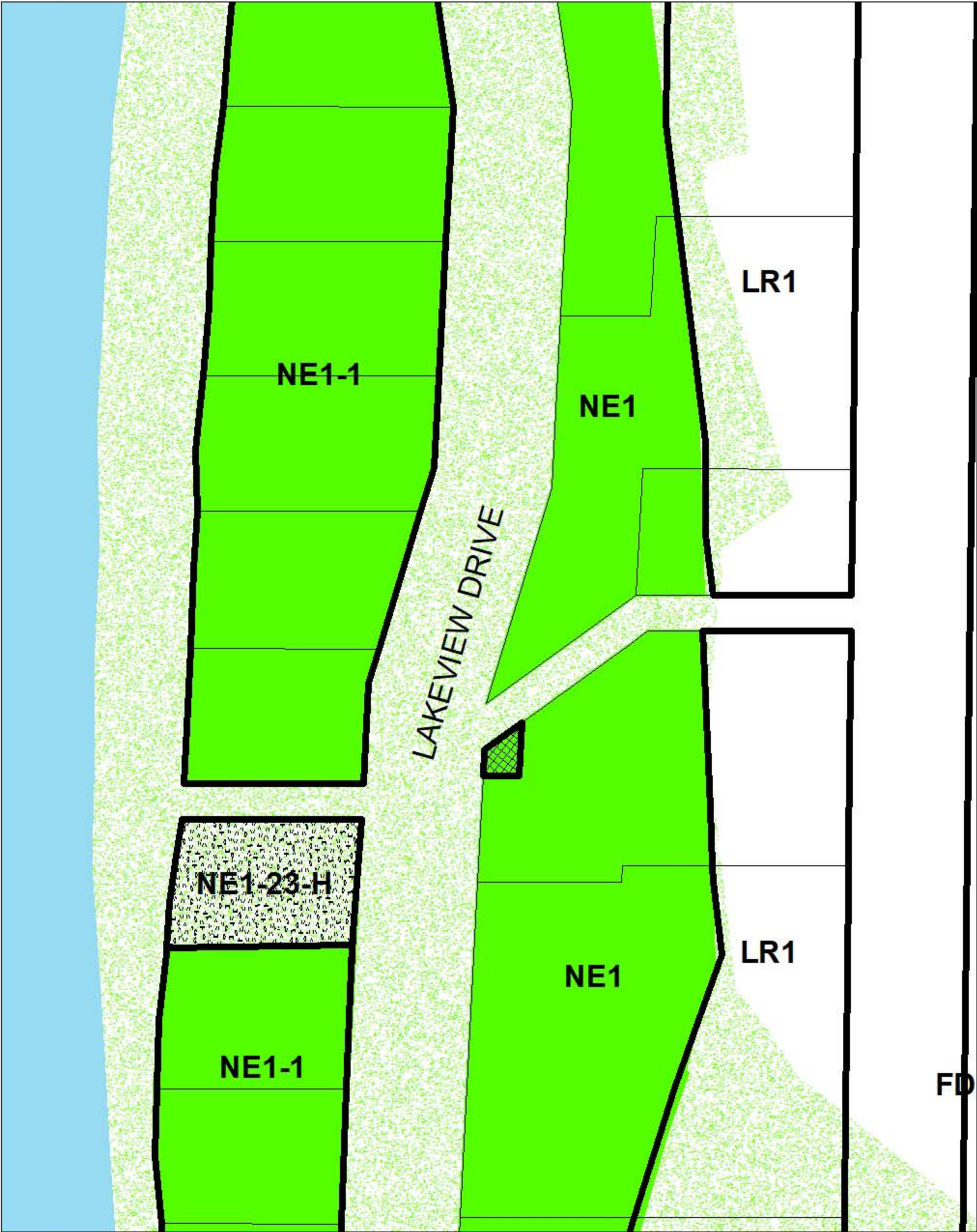


Township of North Huron

See Zone Map 14

Municipality of Central Huron

 Area subject to zoning by-law amendment



AG1 Zone
(Unless otherwise noted)

NE1 Zone

NE5 Zone

Holding Zone

Conservation Authority Regulated Lands

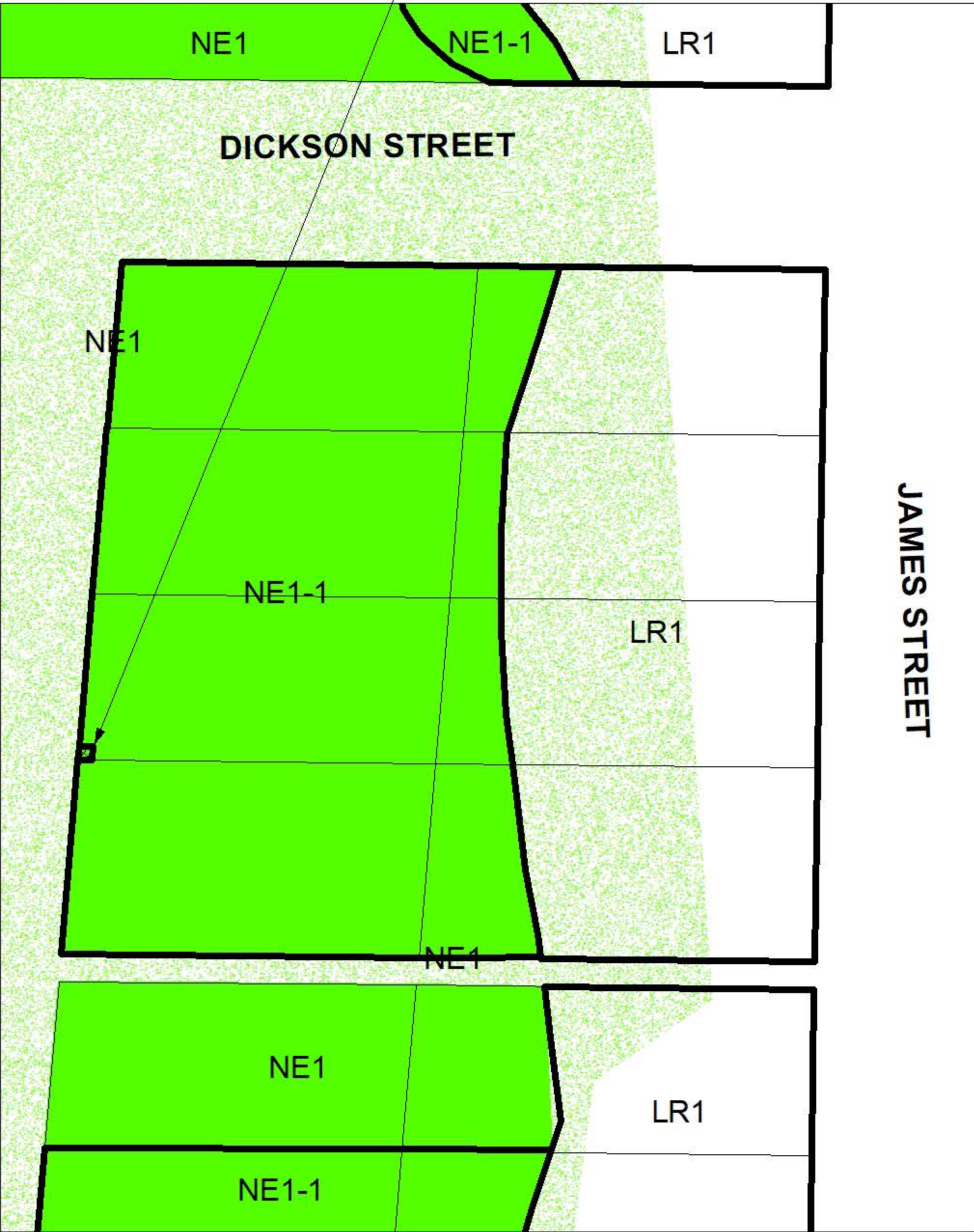
Watercourse

Waterbody

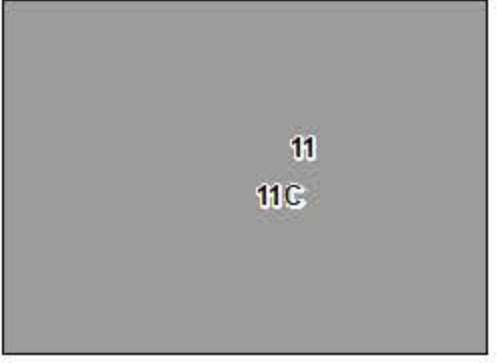
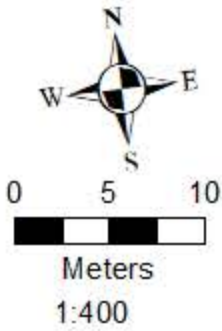
Property Boundary

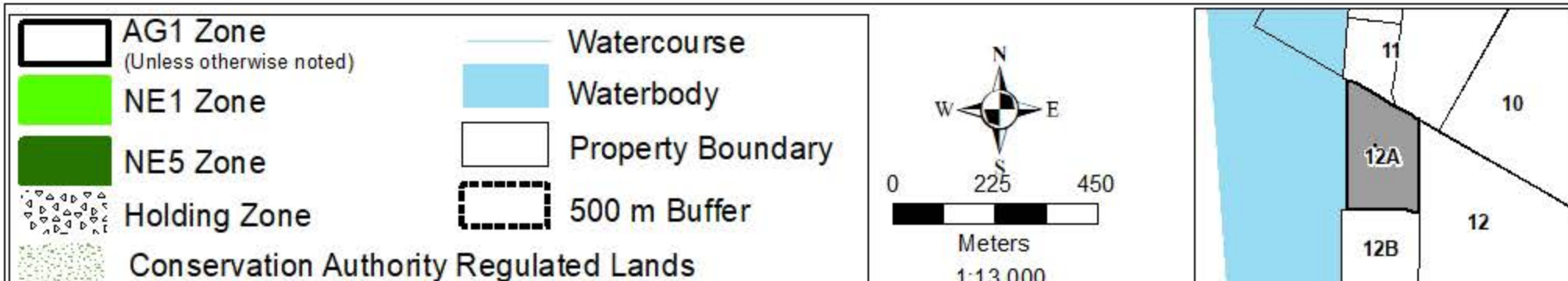
500 m Buffer

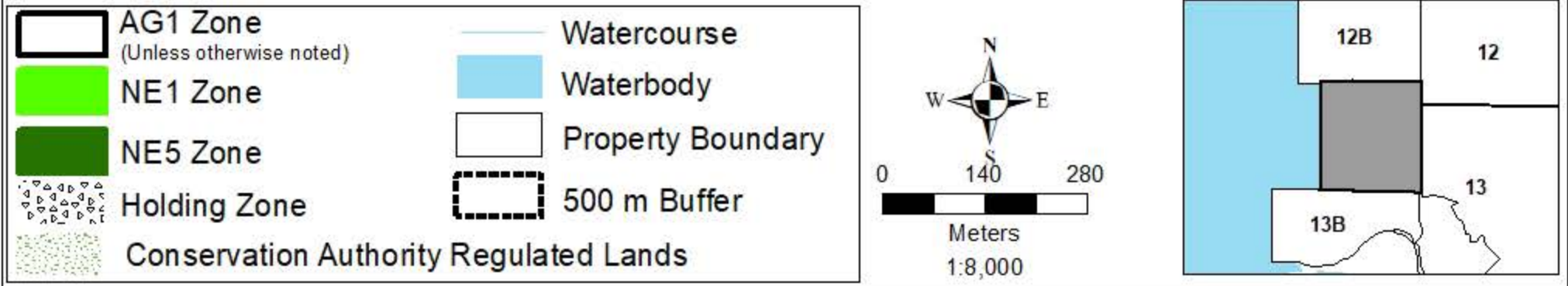
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Meters
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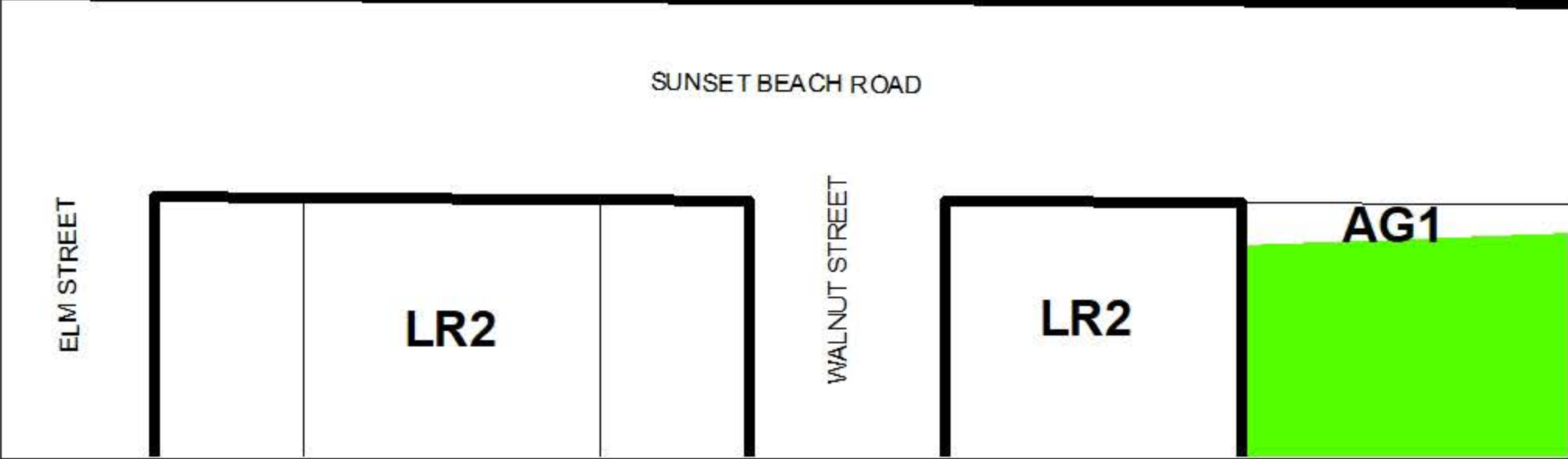
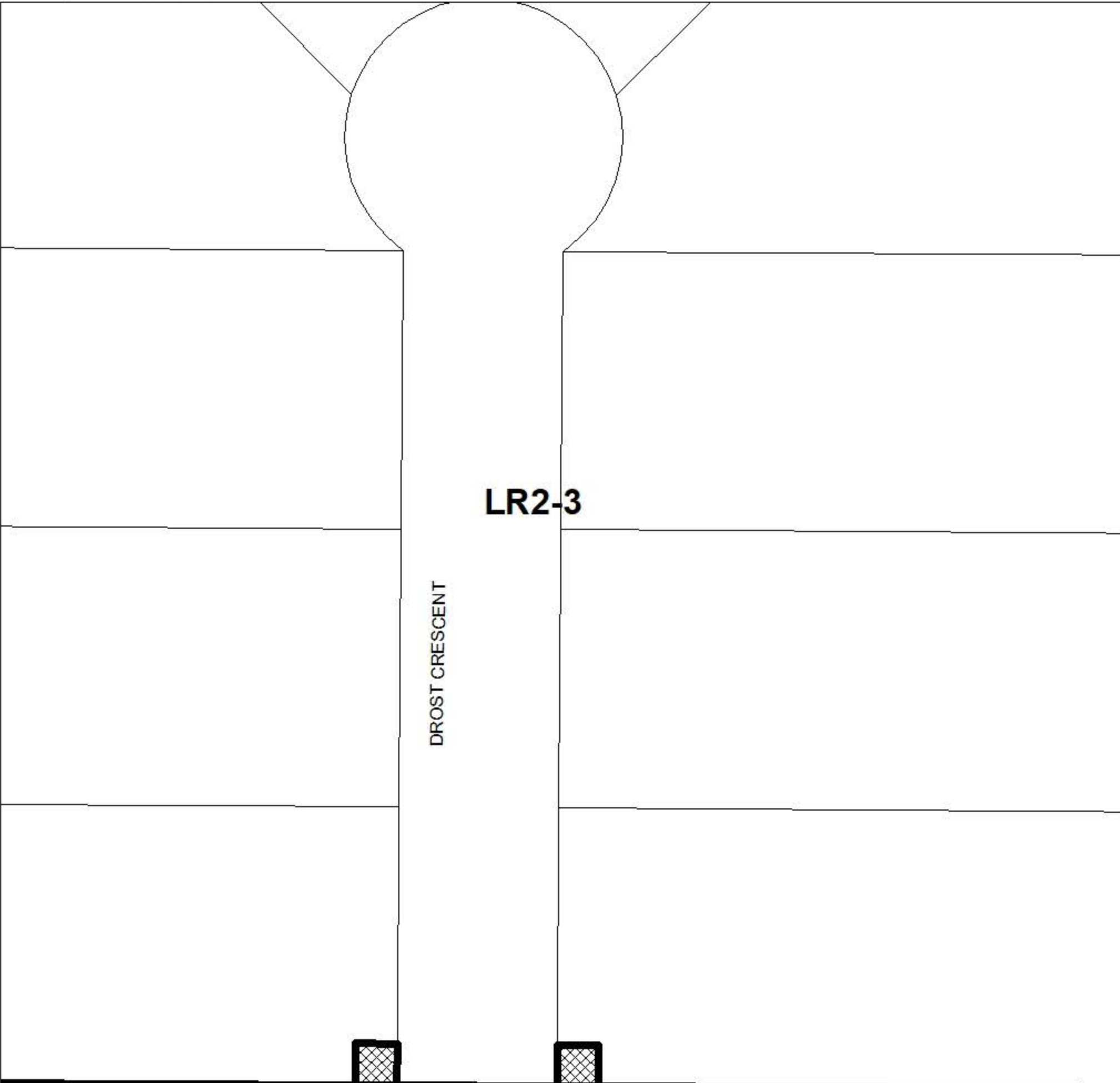


	AG1 Zone (Unless otherwise noted)		Watercourse
	NE1 Zone		Waterbody
	NE5 Zone		Property Boundary
	Holding Zone		500 m Buffer
	Conservation Authority Regulated Lands		









AG1 Zone
(Unless otherwise noted)

NE1 Zone

NE5 Zone

Holding Zone

Conservation Authority Regulated Lands

Watercourse

Waterbody

Property Boundary

500 m Buffer

N

W

E

S

0

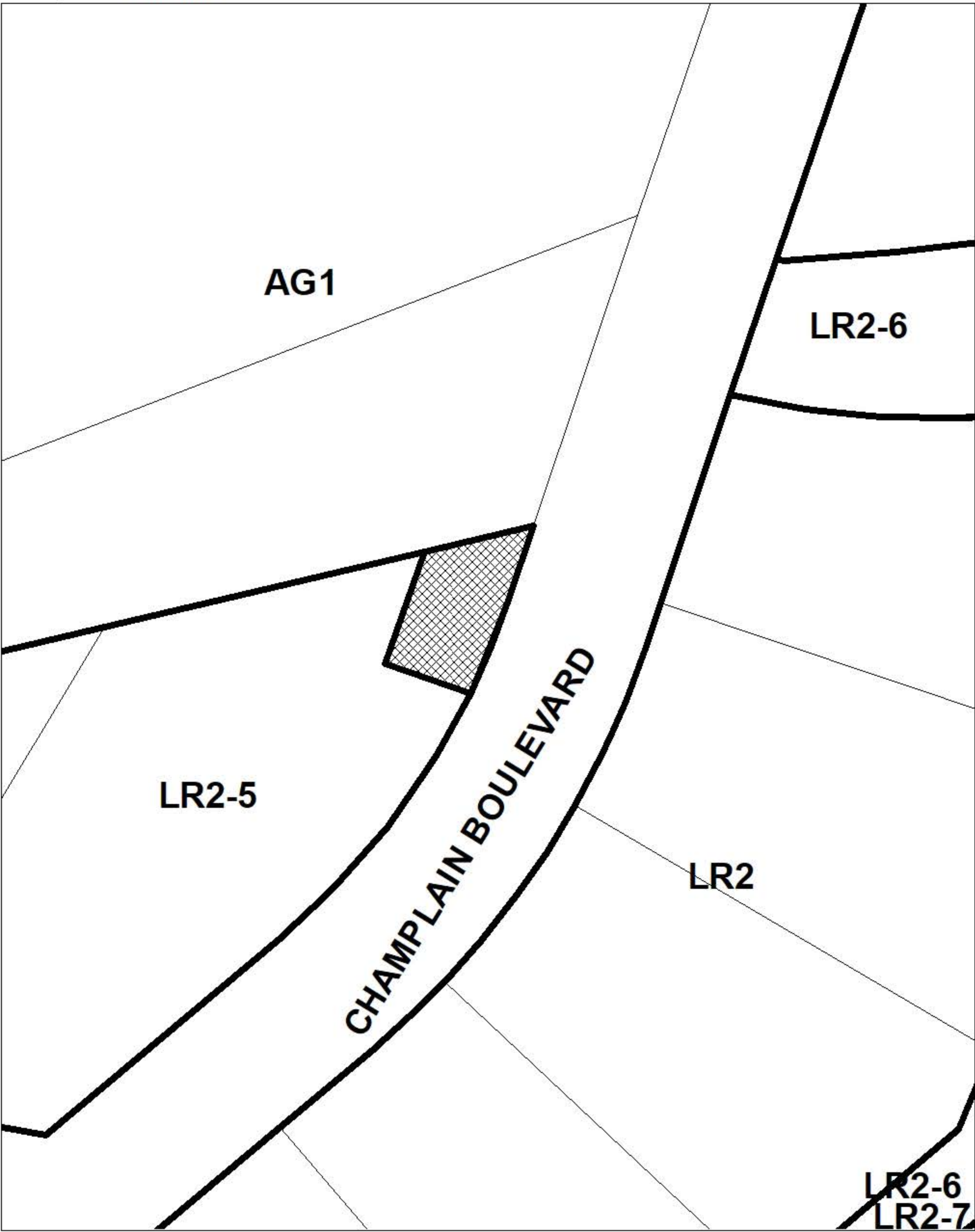
10

20

Meters

1:602





AG1 Zone
(Unless otherwise noted)

NE1 Zone

NE5 Zone

Holding Zone

Conservation Authority Regulated Lands

Watercourse

Waterbody

Property Boundary

500 m Buffer

N

W

E

S

0

5

10

Meters

1:506

13B



PLANNING & DEVELOPMENT

5.2

57 Napier Street, Goderich, Ontario N7A 1W2 CANADA

Phone: 519.524.8394 Ext. 3 Fax: 519.524.5677 Toll Free: 1.888.524.8394

Ext. 3

www.huroncounty.ca

Consent Application Report – File C90/20 To Ashfield-Colborne-Wawanosh Council

Owner/Applicant: Bill Vanstone	Date: December 29, 2020
Property Address: 81216 Lucknow Line	
Property Description: Concession 2 ED, Part Lot 1, Part Road Allowance, RP 22R6096 Part 1, Colborne, Ashfield-Colborne-Wawanosh	

Recommendation: That provisional consent be:

- ☒ granted with conditions (attached)
☐ deferred
☐ denied (referred to the County Committee of the Whole Day 1 for a decision)

Purpose:

- ☒ enlarge abutting lot
☐ create new lot
☐ surplus farm dwelling
☐ right-of-way / easement
☐ other:

	Area	Official Plan Designation:	Zoning:	Structures:
Severed	2185.3 square metres (0.54 acres)	Settlement Area	VR1 (Village/Hamlet Residential – Low Density)	Vacant
Retained	28.8 hectares (71.12 acres)	Extractive, Agriculture, Natural Environment, and Settlement Area	AG1 (General Agriculture), NE1 (Natural Environment) with Conservation Authority Regulated Lands	Single detached residence and shed

Review: This application:

- ☒ Is consistent with the Provincial Policy Statement (s. 3(5) Planning Act);
☒ Does not require a plan of subdivision for the proper and orderly development of the municipality (s.53(1) Planning Act);
☒ Conforms with section 51(24) of the Planning Act;
☒ Conforms with the Huron County Official Plan;
☒ Conforms with the Ashfield-Colborne-Wawanosh Official Plan;
☒ Complies with the Ashfield-Colborne-Wawanosh Zoning By-law (or will comply subject to a standard condition of rezoning or minor variance);
☐ Has been recommended for approval by the local municipality; and
☒ Has no unresolved objections/concerns raised (to date) from agencies or the public.
 (Applications that do not meet all of the foregoing criteria will be referred to the County Committee of the Whole Day 1 for a decision)

Agency / Other Comments:

	Not Received	No Concerns	Concerns	See Conditions / Comment
Neighbours	<input checked="" type="checkbox"/>			
ACW Staff		<input checked="" type="checkbox"/>		There is an existing Development Agreement on file for the adjacent property to which the severed parcel is to be merged. No concerns.
Huron County Public Works		<input checked="" type="checkbox"/>		No concerns.

Municipality of Central Huron	✓			
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Figure 1: *Aerial of Subject Property* (retained outlined in green, severed outlined in yellow, adjacent property with which the severed is to be merged outlined in red)

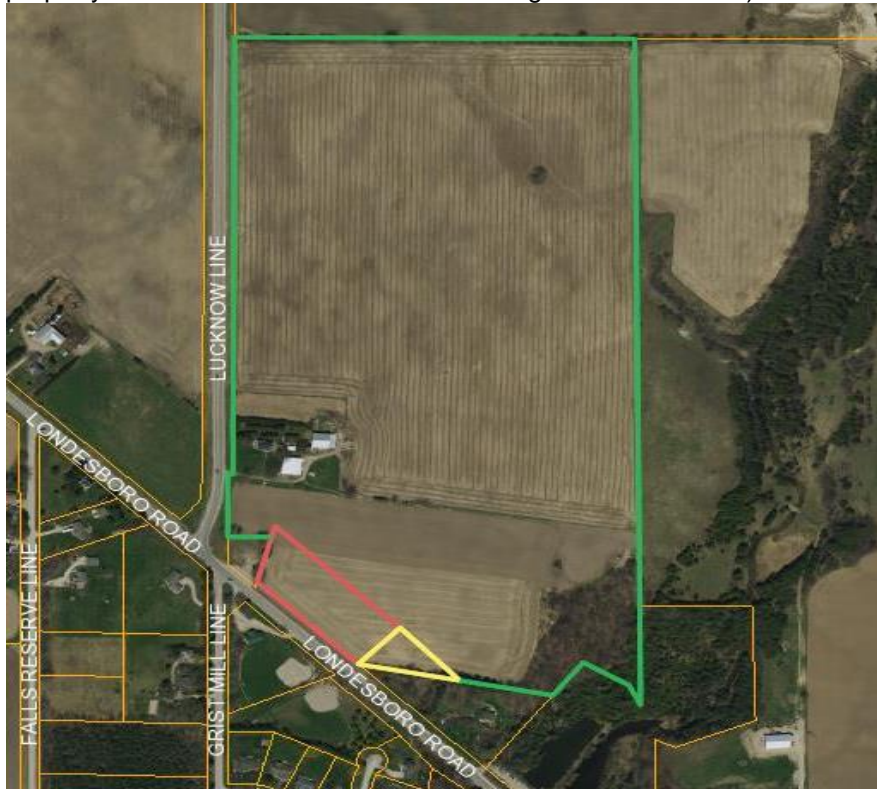
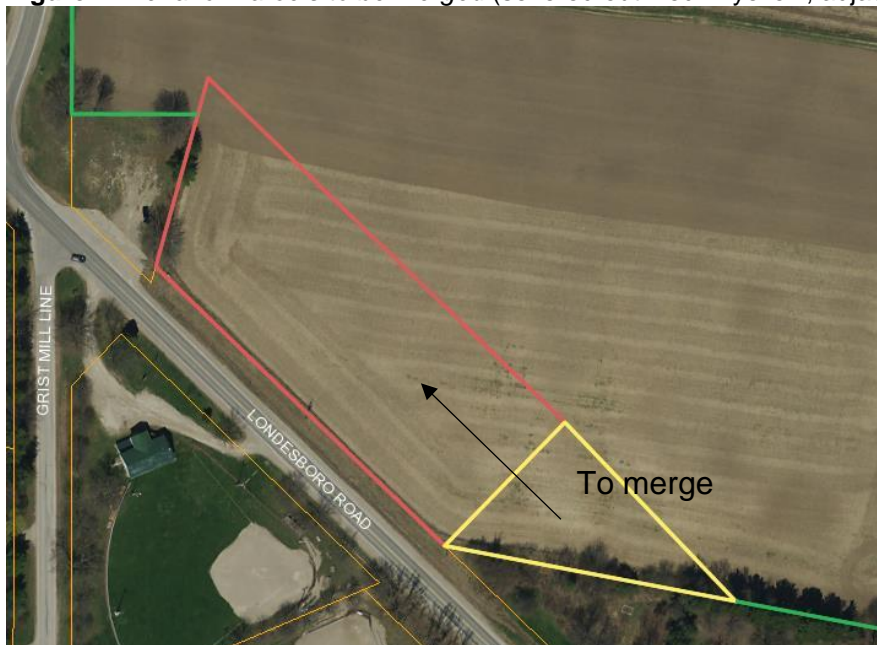


Figure 2: *Aerial of Parcels to be Merged* (severed outlined in yellow, adjacent property outlined in red)



Additional Comments:

This consent application was submitted for the purpose of a minor lot enlargement. The property proposed to be enlarged is owned by the applicant, and is located to the southeast of the subject property (as seen in Figure 1). It is the applicant's intention to further subdivide this adjacent property for

residential purposes in the future. The minor lot enlargement is proposed to address servicing needs for the adjacent property.

The total size of the subject property is 71.66 acres. The retained parcel is 71.12 acres, and is designated Extractive, Agriculture, Natural Environment, and Settlement Area in the ACW Official Plan. It is zoned General Agriculture (AG1), Natural Environment (NE1), and Village/Hamlet Residential – Low Density (VR1). The severed parcel is 0.54 acres, and is designated Settlement Area. It is zoned Village Hamlet Residential – Low Density (VR1).

The applicant is proposing the minor lot enlargement in order to accommodate septic systems for three potential lots intended to be severed at a future date. This is necessary based on a nitrate study submitted for the application, which indicated that a minimum of 2.9 acres was required to support 3 private septic systems in the subject location. The adjacent property is currently 2.36 acres – the minor lot addition will result in the aforementioned 2.9 acre parcel size.

The severed parcel is considered an area of archaeological potential, given its close proximity to the Maitland River. An assessment has not yet been completed for the parcel. As such, it is recommended that the Township place a holding (-H) on the severed parcel to ensure no construction occurs in this area until such time an assessment is completed. The holding will not prohibit the future residential development of the adjacent property should the minor lot enlargement be approved. There is adequate room for three building envelopes outside the area of potential (i.e. the severed parcel), as the additional space is only required for nitrate/sewage effluent discharge. Both the applicant and the ACW Building Department is in agreement with this direction.

There is a Development Agreement on file for the adjacent property that was signed between the applicant and the Township in 2001. This agreement stipulates that a building permit may not be issued for the property until:

- a lot grading and drainage plan;
- a site plan for future lots is submitted;
- entrance permits are obtained
- septic system permits are issued; and
- water servicing is addressed.

The Building Department has confirmed they have no objections to the subject application, as the Development Agreement can be dealt with when this future development takes place.

Section 8.8 of the ACW Official Plan permits severances for the purpose of assembling land for future development. This application proposes to facilitate such development, with the intention of using the severed parcel and adjacent property for residential purposes, as is intended within the Settlement Area designation. It is recommended that this application be approved, subject to the recommended conditions.

Recommended Conditions

Expiry Period

1. Conditions imposed must be met within one year of the date of notice of decision, as required by Section 53(41) of the Planning Act, RSO 1990, as amended. If conditions are not fulfilled as prescribed within one year, the application shall be deemed to be refused. Provided the conditions are fulfilled within one year, the application is valid for two years from the date of the notice of decision.

Municipal Requirements

2. All municipal requirements be met to the satisfaction of the Township including servicing connections if required, cash-in-lieu of park dedication, property maintenance, compliance with zoning by-law provisions for structures, compliance with Section 65 of the Drainage Act and any related requirements, financial or otherwise.
3. The sum of \$250.00 to be paid to the municipality as cash-in-lieu of parkland.

Survey / Reference Plan

4. Provide to the satisfaction of the County and the Township:

- a) a survey showing the lot lines of the severed parcel and the location of any buildings thereon, and
- b) a reference plan based on the approved survey.

Zoning

- 5. Where a violation of any municipal zoning by-law is evident, the appropriate minor variance or rezoning shall be obtained to the satisfaction of the Township.

Other

- 6. A holding symbol (-H) be placed on the severed parcel to the satisfaction of the Township.
- 7. An undertaking be provided confirming that the severed parcel is to be merged with the adjacent property to the satisfaction of the County.

Sincerely,



Celina Whaling-Rae
Planner



PLANNING & DEVELOPMENT

57 Napier Street, Goderich, Ontario N7A 1W2 CANADA

Phone: 519.524.8394 Ext. 3 Fax: 519.524.5677 Toll Free: 1.888.524.8394 Ext. 3

www.huroncounty.ca

NOTICE OF AN APPLICATION FOR CONSENT FOR SEVERANCE

DATE: December 17, 2020

File # **C90-2020**

TO:

- ☐ Owner/Applicant: William S. Vanstone
- ☐ Florence Witherspoon, Clerk - Township of Ashfield-Colborne-Wawanosh
- ☐ Sarah Louise McGregor, Building Administrative Assistant - Township of Ashfield-Colborne-Wawanosh
- ☐ Municipality of Central Huron (abutting within 1 km of subject property)
- ☐ Huron County Public Works
- ☐ Celina Whaling-Rae, Planner, Huron County Planning Department

Enclosed is a copy of an application for Consent for your review and comments to the Huron County Planning & Development Department.

LOCATION OF PROPERTY

Township: Ashfield-Colborne-Wawanosh

Lot: Concession 2 ED, Pt Lot 1, Pt Road Allowance, 22R-6096, Part 1

Address: 81216 Lucknow Line

Owner/Applicant: William S. Vanstone

PURPOSE AND EFFECT

The purpose and effect of this application is for an addition to a lot. The proposed vacant land to be severed is approximately 0.54 acres (0.22 ha). The land to be retained is approximately 71.12 acres (28.78 ha) consisting a house, shed and agricultural lands. It is proposed that the severed land will be added to the land abutting owned by William Samuel Vanstone, being Concession 2 ED, Pt Lot 1, 22R-4682, Part 1, Colborne, Township of Ashfield-Colborne-Wawanosh (Londesboro Road).

LAST DAY FOR RECEIVING COMMENTS

We would appreciate your comments by **December 31, 2020** as to whether or not your department or agency has any comments to this severance and whether or not any conditions should be imposed. All comments should be addressed to the Attention of Lisa Finch, Land Division Administrator at the following by e-mail address lfinch@huroncounty.ca or by regular mail to the address above and to the Attention of Lisa Finch, Land Division Administrator. We will assume you have no objections to the application if no comments are received by the time specified. If this does not provide you with sufficient opportunity to consider the application, please advise.

DECISION AND APPEAL

If you wish to be notified of the decision in respect to the proposed consent, you must make a written request to the Huron County Planning & Development Department c/o Ms. Lisa Finch, Land Division Administrator, Huron County Consent Granting Authority at 57 Napier Street, 2nd Floor, Goderich, Ontario, N7A 1W2.

If a person or public body, that files an appeal of a decision in respect of the proposed consent, does not make written submission to the Huron County Planning Department before it gives or refuses to give a provisional consent, then the Local Planning Appeal Tribunal may dismiss the appeal.

ADDITIONAL INFORMATION

Further information regarding this application will be available to the public for inspection by electronic means or via mail request to:

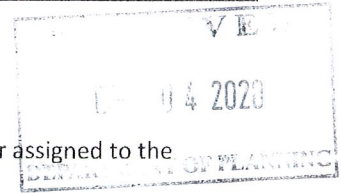
**Huron County Planning & Development Department
57 Napier Street, 2nd Floor, Goderich, Ontario N7A 1W2
Attention: Lisa Finch, Land Division Administrator**

APPLICATION FOR CONSENT



For office use only

File # C 90120
 Received DEC 4, 2020
 Considered Complete DEC 14, 2020



1. PRE-SUBMISSION CONSULTATION

Applicants are strongly encouraged to contact the County and speak/meet with the Planner assigned to the Municipality before submitting an application.

Date of Applicant's consultation meeting with County Planner assigned to Municipality: _____

2. APPLICATION INFORMATION

Name of Applicant <u>WILLIAM S. VANSTONE (B.II)</u>	Name of Owner <input checked="" type="checkbox"/> Check box if same as Applicant
Contact Information Address: <u>81216 Lucknow Line</u> Town: <u>GODERICH</u> Postal Code: <u>N7A-3Y1</u> Home Phone: <u>519 524 7743</u> Cell: <u>519 524 0585</u> Work: _____ Email: <u>billyv49@live.com</u> Fax: _____	Contact Information Address: _____ Town: _____ Postal Code: _____ Home Phone: _____ Cell: _____ Work: _____ Email: _____ Fax: _____

a) Solicitor name (if known) _____

Address: _____

Tel: _____ Email: _____

Correspondence to be sent to: ☐ all parties, or ☐ applicant, and/or ☐ owner

b) Name, Address, Phone of all persons having any mortgage, charge, debenture or encumbrance on the property:

APPLICATION FOR CONSENT

3. LOCATION OF THE SUBJECT PROPERTY – SEVERED & RETAINED (Complete applicable lines)

Municipality: <u>Ashfield-Colborne-Wawanosh</u>	Concession: <u>2 ED</u>
Ward: <u>Colborne</u>	Lot Number(s): _____
Registered Plan: _____	Lot(s) Block(s): _____
Reference Plan: <u>RP 22R6096 Part 1</u>	Part Number(s): <u>Pt Lot 1, Pt Road Allow</u>
Municipal Address (911 number and street/road name): <u>81216 Lucknow Line</u>	Roll # (if available): <u>407031000201200</u>

a) Are there any right-of-way easements or restrictive covenants affecting the severed or retained land?

☐ Yes ☒ No

b) If **Yes**, describe the location of the right-of-way or easement or covenant and its effect:

c) Is any of the severed or retained land in Wellhead Protection Area A, B or C? ☒ Yes ☐ No ☐ Unknown

If yes, please obtain a Restricted Land Use Permit from the Risk Management Official.

If **Unknown**, please consult with your Municipal Planner and obtain a Restricted Land Use Permit if necessary.

d) Is the subject property systematically tiled? If **yes**, please submit tile maps with your application. ☐ Yes ☒ No

4. PURPOSE OF THE APPLICATION

Type of proposed transaction:

Transfer:	Other:
<input type="checkbox"/> Creation of a new lot	<input type="checkbox"/> Charge
<input checked="" type="checkbox"/> Addition to lot	<input type="checkbox"/> Lease
<input type="checkbox"/> An easement	<input type="checkbox"/> Correction of title
<input type="checkbox"/> Other purpose (please specify): _____	

Briefly, describe the proposed transaction:

Minor lot enlargement of existing parcel adjacent to southwest corner of property

Name(s) of person(s), if known, to which land or interest in land is to be transferred, leased or charged:

N/A - to be under same ownership

If a surplus severance, provide legal description and locations of other farm holdings of owner/purchaser:

If creating a lot addition, identify the lands to which parcel will be added.

Municipality: <u>Ashfield-Colborne-Wawanosh</u>	Ward: <u>Colborne</u>
Concession: <u>2 ED</u>	Lot Number(s): _____
Registered Plan: _____	Lot(s)/Block(s): _____
Reference Plan: <u>RP 22R4682 Part 1</u>	Part Number(s): <u>Pt Lot 1</u>
Municipal Address (911 number and street/road name):	Roll # (if available): <u>407031000201302</u>

5. DESCRIPTION OF SUBJECT LAND**a) Description land intended to be severed:**Frontage: IrregularDepth: 60.8 metresArea: 0.54 acresExisting Use(s): VacantProposed Use(s): VacantExisting Building(s) or Structure(s)
None**b) Type of access:**

(Check appropriate box)

☐ existing building(s) or structure(s)☐ provincial highway ☒ county road☐ municipal road, maintained all year☐ municipal road, seasonally maintained☐ other means (please specify)None**c) Type of water supply proposed:**

(Check appropriate box)

☐ publicly owned and operated piped water system☐ privately owned and operated individual well
☐ dug ☐ drilled☐ privately owned and operated communal well☐ lake or other water body☐ other means (please specify)None**d) Type of sewage disposal proposed:**

(Check appropriate box)

☐ publicly owned & operated sanitary sewage system☐ privately owned & operated individual septic tank☐ privately owned & operated communal septic system☐ privy☐ other means (please specify)None**a) Description land intended to be retained:**Frontage: 600 metresDepth: 402 metresArea: 71.12 acresExisting Use(s): AgricultureProposed Use(s): AgricultureExisting Building(s) or Structure(s)
House, shed**b) Type of access:**

(Check appropriate box)

☐ existing building(s) or structure(s)☐ provincial highway ☒ county road☐ municipal road, maintained all year☐ municipal road, seasonally maintained☐ other means (please specify)**c) Type of water supply proposed:**

(Check appropriate box)

☐ publicly owned and operated piped water system☒ privately owned and operated individual well
☐ dug ☐ drilled☐ privately owned and operated communal well☐ lake or other water body☐ other means (please specify)**d) Type of sewage disposal proposed:**

(Check appropriate box)

☐ publicly owned & operated sanitary sewage system☐ privately owned & operated individual septic tank☒ privately owned & operated communal septic system☐ privy☐ other means (please specify)

APPLICATION FOR CONSENT

6. LAND USE

- a) What is the existing Official Plan designation of the property?

Extractive, Agriculture

- b) What is the zoning of the property?

AG1, VR1

- c) Are any of the following uses or features on the subject land or on adjacent land, within 500 metres of the subject land?

Please respond **Yes** or **No** to each use or feature

Use of Feature	On Subject Land	On Adjacent Land	
	Please indicate: Yes / No	Within 500 metres of the Subject Land? Please indicate: Yes / No	Metres
An agricultural operation, including livestock facility or stockyard	No	Yes	
A landfill	No	No	
A sewage treatment plant or waste stabilization plant	No	No	
A provincially significant wetland (Class 1, 2 or 3 wetland)	No	No	
Flood plain	No	No	
A rehabilitated mine site	No	No	
A non-operating mine site within 1 km of the subject land	No	No	
An active mine site	No	No	
An industrial or commercial use (specify the use[s])	No	No	
A former industrial or commercial use	No	No	
An active railway line	No	No	
A municipal airport	No	No	
An underground storage tank or buried waste	No	No	
A current Environmental Site Assessment for the site or has one been prepared within the last 5 years. If Yes, please submit with application.	No	No	

APPLICATION FOR CONSENT

7. HISTORY OF THE PROPERTY

- a) Has the subject land ever been the subject of an application for approval of a plan of subdivision under Section 51 of the planning Act or a consent under Section 53 of the Planning Act?

☐ Yes ☒ No ☐ Unknown

If **Yes**, and known, provide file number of the application and the decision made on the application.

File Number: _____

Decision: _____

- b) If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

- c) Is the subject land reserved for either manure applications under the Nutrient Management Plan or manure agreement submitted to the municipality? ☐ Yes ☒ No

8. PROVINCIAL POLICY

- a) Is the application consistent with the Provincial Policy Statement issued under Section 3 (1) of the Planning Act? ☒ Yes ☐ No ☐ Unknown

9. NATURAL HERITAGE

- a) Does this application need to be reviewed by the Huron County Biologist for comments on Natural Heritage matters? (based on direction from Planner.)

☐ Yes (submit a fee of \$212.00 made payable to: Treasurer, County of Huron)

☐ No

10. SEPTIC SYSTEM REVIEW

Please answer **Section A** OR **Section B** depending on the type of servicing available.

Section A – Where **SANITARY SEWERS** are available:

Is the property within 183 meters (600 feet) of an abattoir? (slaughter house)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
--	---

Section B – Where **SEPTIC SYSTEMS** are available:

The application is for the creation of a new lot for which the primary use will be a new dwelling (other than a new dwelling on a farm).	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
The severed parcel contains a residence or other building(s) serviced by an on-site sewage system?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If you answered Yes : is the on-site sewage system older than 5 years of age?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If you answered Yes : has the on-site sewage system been inspected by a licensed contractor within the past 3 years?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If you answered Yes : you are required to provide a certificate of inspection with your application. If you answered No : you will be required to have an inspection carried out and provide a certificate of inspection as a condition of consent (severance) approval.	
Is the property <u>less than</u> .4 hectares (1 acre) in area?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the property have <u>less than</u> .2 hectares (1/2 acre) of "useable land"* for septic tank and tile bed? See definition of "usable land" below	<input type="checkbox"/> Yes <input type="checkbox"/> No

APPLICATION FOR CONSENT

- * "Usable Land" means an area of land with suitable original soil for the installation of a Class 4 subsurface sewage disposal system, free of any buildings, structures, swimming pools, etc. and such land is or will be used solely for a septic tank and tile bed and any future replacement of the tile bed, and which area is at least 3 metres (10 feet) from any property line, at least 15 metres (50 feet) from any drilled well, at least 30 metres (100 feet) from any dug well, at least 15 metres (50 feet) from any top-of-bank of a watercourse or lake, not located in a flood plain, not located in an environmentally sensitive area, and does not contain field tile other artificial drainage. (Other restriction may apply according to legislation).

Note: Consult with your Municipal Planner to confirm if the application requires comments for a septic system review and to confirm if there is an applicable fee to be submitted with the application (all fees for septic system review will be payable to the Municipality)

11.SKETCH CHECKLIST

The application shall be accompanied by a clean, legible sketch showing the following information. Failure to supply this information will result in a delay in processing the application.

Please do not use pencils for completing sketch as they do not copy well.

Please check the boxes indicating that your sketch provides the following information:

- ☐ boundaries and dimensions of the land that is to be severed and the part that is to be retained;
- ☐ boundaries and dimensions of any land owned by the owner of the subject land that abuts the severed and retained land;
- ☐ distance between the subject land and the nearest township lot line and/or landmark, such as a railway crossing or bridge;
- ☐ location of all land previously severed from the parcel;
- ☐ location of all wells, including abandoned wells, on neighbouring properties within 30m of lot lines of both the severed and retained lands subject to this consent application;
- ☐ location of all natural and artificial features in the subject land and adjacent lands such as railways, roads, watercourses, drainage ditches, field drains, river or stream banks, wetlands, wooded areas and the location and nature of any easement affecting the subject land;
- ☐ location of all buildings, wells, abandoned wells and all components of a sewage system (i.e. septic tanks and weeping beds) on the severed and retained lands, and the distance of each to the proposed new lot line;
- ☐ existing uses on adjacent land such as residential, agricultural and commercial uses;
- ☐ location of beach access - if the property is a recreational property, adjacent to or in proximity to the waterfront;
- ☐ location and nature of any easements affecting the property;
- ☐ whether sewage disposal will be provided by a publicly owned and operated sanitary sewage system, a privately owned and operated individual or communal septic system, a privy or other means.

APPLICATION FOR CONSENT

12. APPLICANT'S/OWNER'S DECLARATION

(This must be completed by the **Person Filing the Application** for the proposed development site.)

I, William S VANSTONE (Bill) of the
(Name of Applicant)

A.C.W. Twp.
(Name of Town, Municipality, etc.)

In the Region/County/District Huron solemnly declare that all of the statements contained in this application and supporting documentation are true and complete, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the "Canada Evidence Act." I hereby acknowledge and accept the requirements and costs referred to in the Notes listed.

NOTES:

Please be advised the responsibility for filing a complete application rests solely with the owner/applicant. Anything not requested or applied for in this application and subsequently found to be necessary (which may require another application(s) and fee(s)) are the sole responsibility of the owner/applicant. The County/Municipality will address only the application as applied for, and any items that are not included in the application are not the responsibility of the County/Municipality.


All studies required to support this application shall be at the expense of the applicant and included at the time of submission as a complete application. Where the County/Municipality incurs costs for the peer review of any consultants' reports or fees for legal opinions, the County/Municipality will be reimbursed such costs by the applicant.

In the event of third-party appeals to applications approved by the County/Municipality, the applicant may be responsible for some or all of the legal and other costs incurred by the County/Municipality, at the discretion of the County/Municipality.

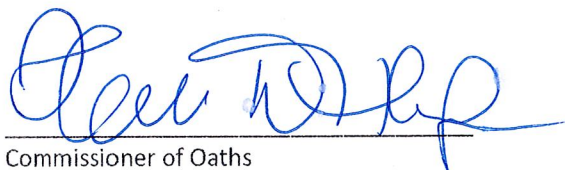
DECLARED before me at:

Region/County/District Huron

In the Municipality of ACW


Signature

This 4th day of December, 2020
(Day) (Month) (Year)


Commissioner of Oaths

BILL VANSTONE
Please Print Name of Applicant

Florence Witherspoon, Clerk
Township of
Ashfield-Colborne-Wawanosh
Commissioner for taking Oaths etc.

APPLICATION FOR CONSENT

13. OWNER/APPLICANT'S CONSENT DECLARATION

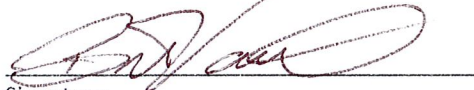
In accordance with the provisions of the Planning Act, it is the policy of the County Planning Department to provide the public access to all development applications and supporting documentation.

In submitting this development application and supporting documentation,

William S. Vanstone (Bill) the owner/the authorized applicant, hereby acknowledge the above-noted policy and provide my consent, in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

I hereby authorize the County of Huron staff, municipal staff and council members of the decision making authority to have access to the subject site for purposes of evaluation of the subject application.

If the application is deemed incomplete, the applicant has 60 days to provide the necessary information. After 60 days has lapsed, the application and fee will be mailed back to the applicant.


Signature

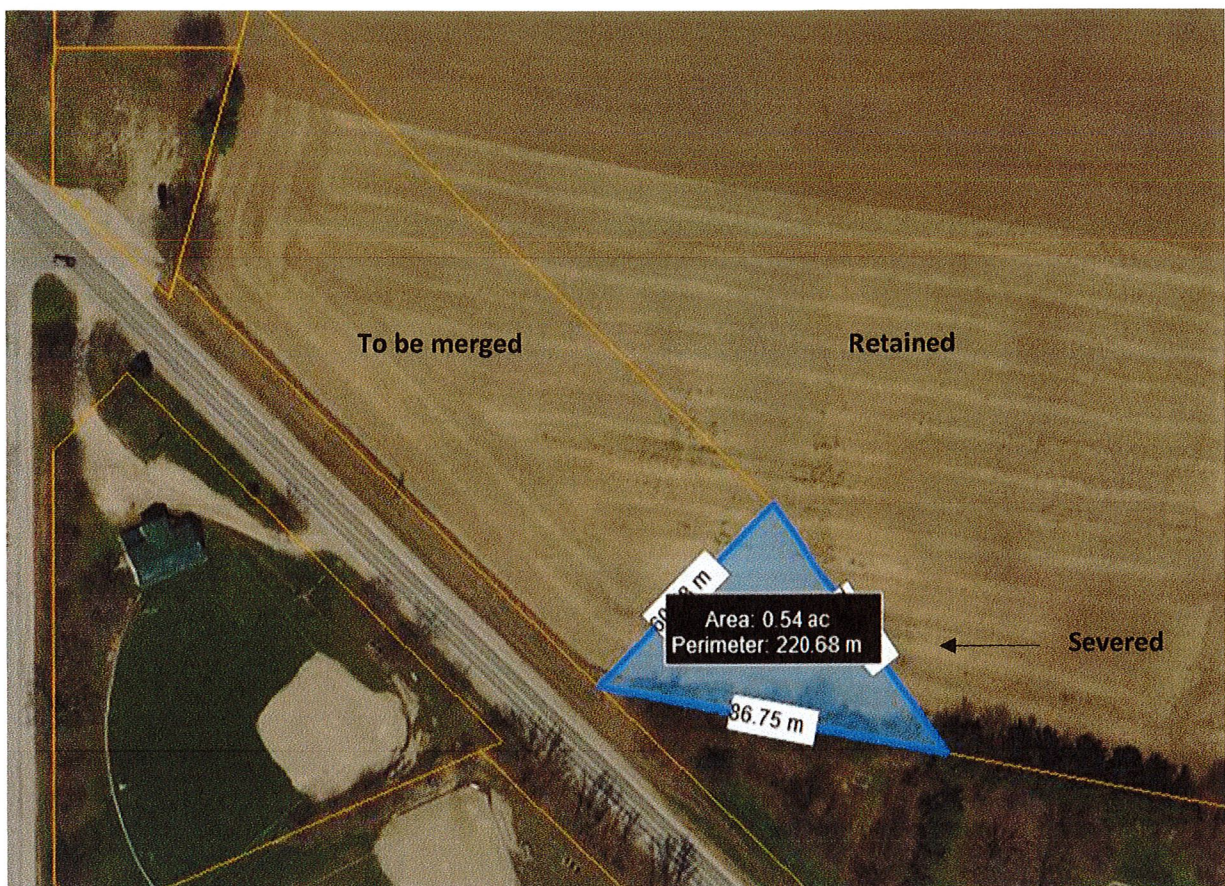
Dec 4 / 2020
Date

BILL VANSTONE
Print Name

OWNER.
Title

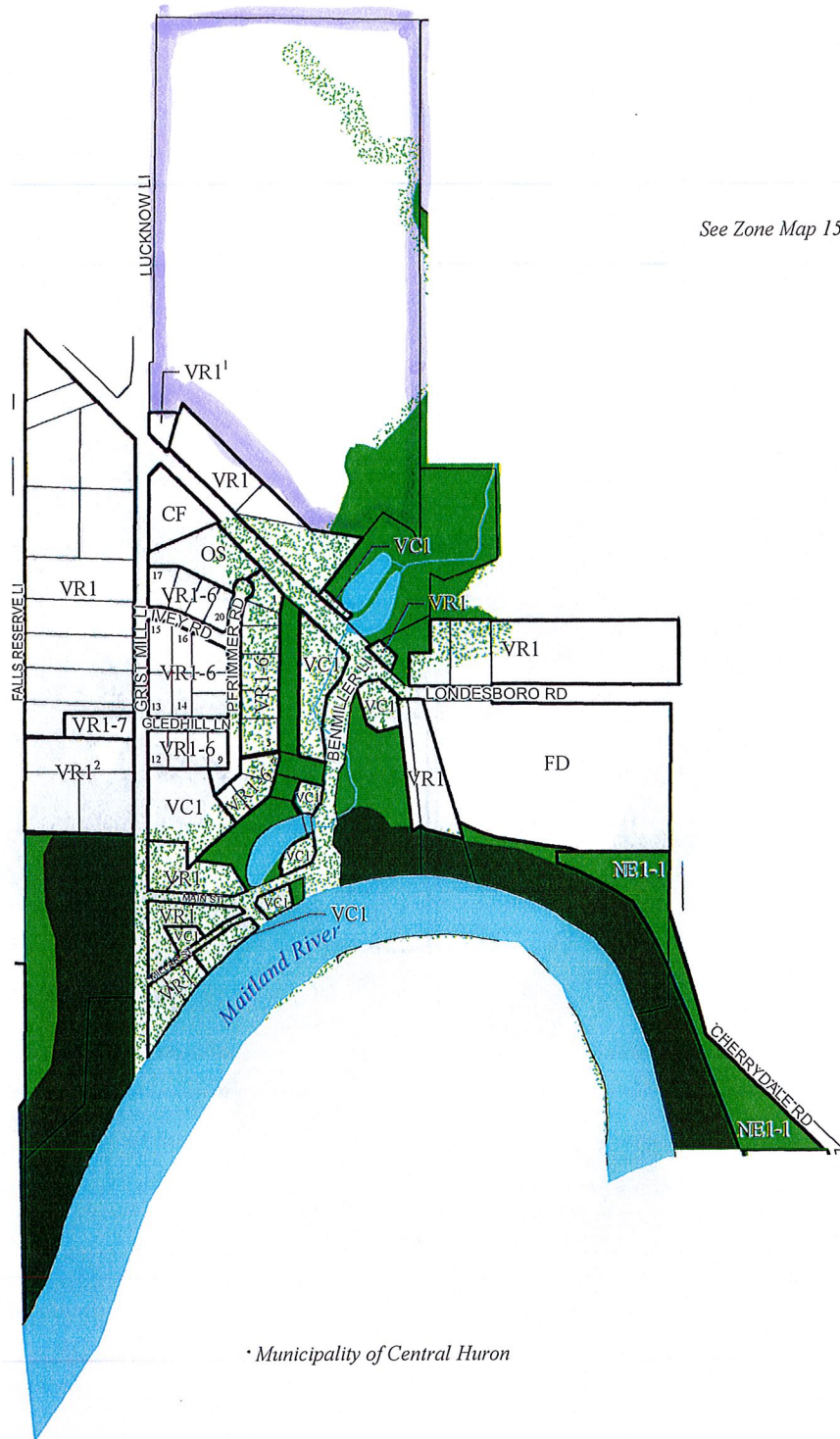
Where the owner is a firm or corporation, the person signing this section shall complete one or more of the following (please check):

- ☐ I have the authority to bind the corporation.
- ☐ Affixed is the corporate seal.

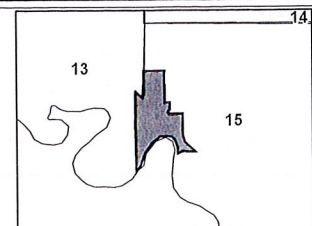
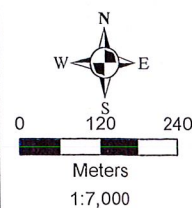
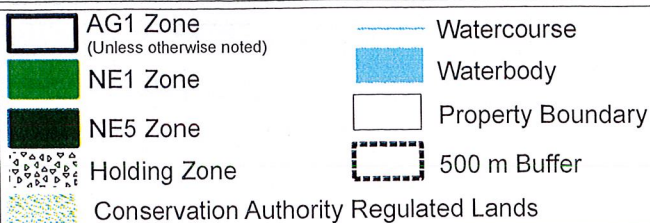


See Zone Map 13

See Zone Map 15



Municipality of Central Huron



7.4.1

7.5.2

14.2



THE CORPORATION OF THE TOWNSHIP OF
ASHFIELD-COLBORNE-WAWANOSH

BY-LAW NUMBER 2-2021

BEING A BY-LAW to appoint members to various Boards, Committees and Positions for the Township of Ashfield-Colborne-Wawanosh

WHEREAS the Council of the Corporation of the Township of Ashfield-Colborne-Wawanosh deems it desirable to appoint members to various Township Committees and Positions;

NOW THEREFORE the Council of the Corporation of the Township of Ashfield-Colborne-Wawanosh enacts as follows:

1. The Corporation of the Township of Ashfield-Colborne-Wawanosh hereby adopts the list of Committees and Positions in the attached Schedule "A" to this by-law.
2. This by-law supersedes By-law 23-2020.
3. This by-law shall come into full force and effect on the final day of passage.
4. This by-law may be cited as the "Consolidated Appointment By-Law"

Read a first and second time this 5th day of January 2021.

Read a third time and finally passed this 5th day of January 2021.

Mayor, Glen McNeil

CAO/Deputy Clerk, Mark Becker

Consolidated Appointment By-law 2-2021
Schedule 'A'

COMMITTEE/POSITION	APPOINTEE	TERM EXPIRES
Mid-Huron Landfill Site Board	Glen McNeil	Indefinite
Lucknow & District Joint Recreation Board	Jennifer Miltenburg Anita Snobelen Glen McNeil Alternate - Discretion of the Member	Indefinite Indefinite Indefinite
Lucknow & District Joint Fire Board	Glen McNeil Gloria Fisher Bill Vanstone Alternate – Discretion of the Member	Indefinite Indefinite Indefinite
Auburn Memorial Community Hall Board	Bill Vanstone	Indefinite
Lucknow Community Health Centre Board	Anita Snobelen Wayne Forster Alternate – Discretion of the Member	Indefinite
Dungannon Community Alliance	Jennifer Miltenburg	Indefinite
Coalition for Huron Injury Prevention	Wayne Forster	Indefinite
Maitland Valley Conservation Authority	Roger Watt	Indefinite
Goderich Fire Committee	Roger Watt	Indefinite
Performance Evaluation Review Committee	Glen McNeil Roger Watt	Indefinite
Planning Advisory Committee	All Members of Council	Indefinite
Fence Viewers	Bruce Fisher Bob Trick	Indefinite Indefinite
Livestock Evaluator	Bob Trick	Indefinite
Pound Keepers	John Finlay	Indefinite
Tile Drain Loan Inspector	Brian VanOsch	Indefinite
Drainage Superintendent/Inspector	Jeremy Taylor, RJ Burnside and Staff	Indefinite
Weed Inspector	Allan Scott	Indefinite
Wingham Physician Recruitment Committee	Wayne Forster	Indefinite
St. Helen's Hall Board	Jennifer Miltenburg	Indefinite
Balls Bridge Committee	Bill Vanstone Anita Snobelen	Indefinite
Election Compliance Audit Committee	Jacquie Bishop Jack McLachlan Tom Prout Luanne Phair	Indefinite
Benmiller Community Hall Board	Gloria Fisher	Indefinite
Head of the Municipal Freedom of Information and Protection of Privacy Act	Roger Watt	Indefinite
Petrie Park Committee	Bill Vanstone	Indefinite
Alexandra Marine and General Hospital – Community Advisory Committee	Bill Vanstone	Indefinite
Property Standards Committee	All Members of Council	Indefinite

Consolidated Appointment By-law 2-2021
Schedule 'A'

Source Protection Committee	Myles Murdock	Indefinite
Bank Erosion Committee	Roger Watt	Indefinite
Economic Development Committee	Glen McNeil Roger Watt Jennifer Miltenburg	Indefinite
Community Development Committee	Roger Watt Jennifer Miltenburg	Indefinite
Goderich Municipal Airport Task Force	Glen McNeil	Indefinite
Community Safety and Well Being Plan – Advisory Committee	Anita Snobelen	Indefinite



7.5.1
14.1

THE CORPORATION OF THE TOWNSHIP OF
ASHFIELD-COLBORNE-WAWANOSH

BY-LAW NUMBER 1-2021

BEING A BY-LAW authorizing the borrowing of money to meet current expenditures of the Council of the Corporation of the Township of Ashfield-Colborne-Wawanosh

WHEREAS Subsection 407(1) of the Ontario Municipal Act, S.O. 2001. c.25 (the "Act"), the Municipality considers it necessary to borrow the amount of \$1,000,000.00 to meet, until taxes are collected and other revenues are received, the current expenditures of the Municipality for the year;

AND WHEREAS pursuant to Subsection 407(2) of the Act, the total amount borrowed pursuant to this by-law together with the total of any similar borrowings is not to exceed the limits set forth in that subsection or other relevant sections of the Act and if so required under subsection 407(2), the Municipality shall have obtained the approval of the Ontario Municipal Board;

NOW THEREFORE the Council of the Corporation of the Township of Ashfield-Colborne-Wawanosh enacts as follows:

1. The Head and the Treasurer are authorized on behalf of the Municipality to borrow from time to time from Canadian Imperial Bank of Commerce ("CIBC") a sum or sums not exceeding in the aggregate \$1,000,000.00 to meet, until taxes are collected, the current expenditures of the Municipality for the year pursuant to subsection 407(1) of the Act, and to execute any documents that are required in connection with the borrowing of the above sum, plus interest, at a rate to be agreed upon from time to time with CIBC, in addition to any reasonable charges of CIBC associated with this borrowing.
2. All sums borrowed pursuant to this by-law, as well as all other sums borrowed pursuant to the Act in this year and in previous years from CIBC for any purpose will, with interest thereon, be a charge upon the whole of the revenues of the Municipality for the current year and for all preceding years as and when this revenue is received.
3. The Treasurer is authorized and directed to apply in payment of all sums borrowed plus interest, all the moneys collected or received on account in respect of taxes levied for the current year and preceding years or from any other source which may lawfully be applied for this purpose.
4. The Treasurer is authorized to furnish to CIBC a statement showing the nature and amount of the estimated revenues of the Municipality not yet collected and showing the total of any amounts borrowed that have not been repaid.

Read a first, second and third time and finally passed time this 5th day of January 2021.

Mayor, Glen McNeil

CAO/Deputy Clerk, Mark Becker



COUNCIL REPORT

7.5.3

From: Florence Witherspoon, Clerk
Date: January 5, 2021
Subject: Amendment to Animal Control By-Law

RECOMMENDATION:

That Council adopt the amendments to the Animal Control By-law.

BACKGROUND:

The Township's Animal Licencing Program is an annual program, for which each Tag is valid from January 1st until December 31st. Residents who own a dog are permitted until March 31st to renew their licence, until such time as a \$15 late fee applies. In December 2020, staff undertook a review of the Animal Licencing Program.

COMMENT:

As Council is aware, Dog Tags are added to the taxes. This means that if a property owner registers a dog, the fees associated with the licence are automatically added to the annual tax bill, including annual renewals. Each year, the fee is added to the taxes until the property owner advises administration that they no longer have a dog, and the fee is then removed.

For those who do not receive a tax bill, the system works a bit differently. The onus is on the dog owner to renew their licence, and they are required to submit their payment by the deadline of March 31st.

Upon review, staff have determined that this date is arbitrary and would suggest that the renewal deadline be moved up from March 31st to February 28th.

To make this effective, the Animal Control By-law will need to be amended. Schedule 5, which speaks to Licencing was fully reviewed and some minor amendments are proposed to better clarify the process as is practiced. Attached is a copy of Schedule 5 with tracked changes for reference.

OTHERS CONSULTED:

Mark Becker, CAO/Deputy-Clerk

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Florence Witherspoon", is written over a horizontal line.

Florence Witherspoon, Clerk

5. LICENSING OF DOGS

- 5.1 Every Owner of a Dog shall cause such Dog to be Licensed ~~at the municipal office on or before the 31st day of March.~~
- 5.2 Except as provided herein, no person shall Harbour a Dog or Dogs within the boundaries of the Municipality unless such Dog has affixed to it a current Dog Tag issued under this By-law.
- 5.3 ~~Licenses will be valid for five (5) years.~~ The prescribed fees will be added annually to the municipal tax bill of the property owner.
- 5.4 Nothing in this section shall preclude the Dog owner from paying the Dog License fee directly at the municipal office.
- 5.5 If a person becomes the Owner of a Dog ~~after the 31st of March in any given year,~~ the person shall register the Dog and pay the prescribed fee within thirty (30) days of taking possession of the Dog.
- 5.6 In the case of every Dog purchased ~~after March 31st in any given year, or in the case of a Dog purchased after March 31st~~ where a Dog Tag has not been purchased within thirty (30) days of possession of the Dog, the owner shall pay the late fee as set out in Schedule C of this By-law.
- 5.7 A License issued shall expire on the 31st day of December of each year subject to renewal by paying the annual fee as required.
- 5.8 In the case where the Owner of a Dog does not receive a tax bill, the renewal fee shall be paid by February 28th in any given year. After this date, the Owner shall pay the late fee as set out in Schedule C of this By-law.
- 5.8 Notwithstanding Section 5.1 hereof, the fees to License and register a Guide Dog shall be waived with appropriate documentation.
- 5.9 Upon application for a License, the owner will be made aware by the Municipality that an up-to-date anti-rabies vaccine is required. The documentation shall be produced by the owner if and when requested by the Clerk, his/her designate, or the Animal Control Officer.
- 5.10 Upon application for a License for a spayed female Dog or neutered male Dog, the owner shall sign the application verifying that a certificate has been issued by a veterinarian attesting that such female Dogs have been spayed or such male Dogs have been neutered. The documentation shall be produced by the owner if and when requested by the Clerk, his/her designate, or the Animal Control Officer.

- 5.11 A record of the Dog Tags issued shall be kept by the Clerk or other officer designated by the Municipality for that purpose, showing the name, address and contact information of the owner and the serial number of the Dog Tag.
- 5.12 No tag shall be used for a Dog other than the one for which it was issued.
- 5.13 The Owner of a Dog shall notify the Clerk of the change in ownership of the Dog or of the death of the Dog.
- 5.14 No refund or part of a refund will be provided for a Dog License in the event that the Dog dies or if the owner is no longer in possession of the Dog.



THE CORPORATION OF THE TOWNSHIP OF
ASHFIELD-COLBORNE-WAWANOSH

BY-LAW NUMBER 4-2021

BEING A BY-LAW to amend By-Law 57-2015, being a By-Law to regulate animal care and control within the Township of Ashfield-Colborne-Wawanosh

WHEREAS the Council of the Township of Ashfield-Colborne-Wawanosh adopted By-Law 57-2015 on January 6, 2016;

AND WHEREAS it is advisable to amend By-Law 57-2015 to change to the Licencing Program;

NOW THEREFORE the Council of the Corporation of the Township of Ashfield-Colborne-Wawanosh enacts as follows:

1. This By-Law amends By-Law 57-2015 by wholly replacing Section 5 - Licencing of Dogs with the following:

"5. LICENCING OF DOGS

- 5.1 Every Owner of a Dog shall cause such Dog to be Licensed.
- 5.2 Except as provided herein, no person shall Harbour a Dog or Dogs within the boundaries of the Municipality unless such Dog has affixed to it a current Dog Tag issued under this By-Law.
- 5.3 The prescribed fees will be added annually to the municipal tax bill of the property owner.
- 5.4 Nothing in this section shall preclude the Dog owner from paying the Dog License fee directly at the municipal office.
- 5.5 If a person becomes the Owner of a Dog the person shall register the Dog and pay the prescribed fee within thirty (30) days of taking possession of the Dog.
- 5.6 In the case of every Dog purchased where a Dog Tag has not been purchased within thirty (30) days of possession of the Dog, the owner shall pay the late fee as set out in Schedule C of this By-Law.
- 5.7 A License issued shall expire on the 31st day of December of each year subject to renewal by paying the annual fee as required.
- 5.8 In the case where the Owner of a Dog does not receive a tax bill, the renewal fee shall be paid by February 28th in any given year. After this date, the Owner shall pay the late fee as set out in Schedule C of this By-Law.
- 5.9 Notwithstanding Section 5.1 hereof, the fees to License and register a Guide Dog shall be waived with appropriate documentation.

- 5.10 Upon application for a License, the owner will be made aware by the Municipality that an up-to-date anti-rabies vaccine is required. The documentation shall be produced by the owner if and when requested by the Clerk, his/her designate, or the Animal Control Officer.
- 5.11 Upon application for a License for a spayed female Dog or neutered male Dog, the owner shall sign the application verifying that a certificate has been issued by a veterinarian attesting that such female Dogs have been spayed or such male Dogs have been neutered. The documentation shall be produced by the owner if and when requested by the Clerk, his/her designate, or the Animal Control Officer.
- 5.12 A record of the Dog T a g s issued shall be kept by the Clerk or other officer designated by the Municipality for that purpose, showing the name, address and contact information of the owner and the serial number of the Dog Tag.
- 5.13 No Dog Tag shall be used for a Dog other than the one for which it was issued.
- 5.14 The Owner of a Dog shall notify the Clerk of the change in ownership of the Dog or of the death of the Dog.
- 5.15 No refund or part of a refund will be provided for a Dog License in the event that the Dog dies or if the owner is no longer in possession of the Dog."

2. This By-Law shall come into full force and effect on the final day of passage.

3. This By-Law may be cited as the "Amending Animal Control By-Law – Licencing".

Read a first and second time this 5th day of January 2021.

Read a third time and finally passed this 5th day of January 2021.

Mayor, Glen McNeil

CAO/Deputy Clerk, Mark Becker

2020 Council Members Remuneration Report			
Council Member	Meeting \$	Stipend \$	Total Pay
McNeil, Glen	\$ 15,794.55	\$ 10,864.00	\$26,658.55
Miltenburg, Jennifer	\$ 12,745.31	\$ 7,019.00	\$19,764.31
Vanstone, Bill	\$ 7,801.52	\$ 7,019.00	\$14,820.52
Forster, Wayne	\$ 6,858.50	\$ 7,019.00	\$13,877.50
Fisher, Gloria	\$ 6,018.31	\$ 7,019.00	\$13,037.31
Snobelen, Anita	\$ 5,586.80	\$ 7,019.00	\$12,605.80
Watt, Roger	\$ 4,389.44	\$ 7,659.00	\$12,048.44
Total	\$ 59,194.43	\$ 53,618.00	\$112,812.43

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister
777 Bay Street, 17th Floor
Toronto ON M7A 2J3
Tel.: 416 585-7000

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre
777, rue Bay, 17^e étage
Toronto ON M7A 2J3
Tél. : 416 585-7000



MIN-234-2020-5724

December 16, 2020

Mayor Glen McNeil
Township of Ashfield-Colborne-Wawanosh
gmcneil@acwtownship.ca

Dear Mayor McNeil:

From the outset of COVID-19, our government knew that the pandemic was going to put a significant strain on Ontario's municipalities. That is why we are committed to working with all levels of government to ensure municipalities can continue to deliver the critical services Ontarians rely on.

In our negotiations with the federal government, what started as a \$14 billion national proposal was negotiated into the \$19 billion Safe Restart Agreement – securing up to \$4 billion for Ontario's municipalities and transit systems.

In August, our government committed \$695 million in an initial round of allocations under the \$1.39 billion municipal operating stream. Earlier today, I announced that the Ontario government is investing an additional \$695 million under the historic Safe Restart Agreement's municipal operating stream to help our municipal partners manage the financial impacts of COVID-19 and start 2021 in a more secure financial position.

I am pleased to advise that your municipality's allocation is \$38,000. This amount is being provided to help your municipality with 2021 COVID-related operating pressures.

Allocations for 2021 funding for all 444 municipalities are based on the number of households in the municipality and the proportion of COVID-19 cases occurring in the municipality's public health unit. Funding under the municipal operating stream is in addition to funding being provided under the Safe Restart Agreement for municipal transit systems, Social Services Relief Fund and public health.

We know municipalities will continue to feel the impacts of COVID-19 into 2021. Our government is providing this additional support as you develop your 2021 budgets. With this funding, your municipality can continue to deliver the high-quality local services your

residents and business rely on every day and have the confidence you need to proceed with budgeting for planned capital projects in 2021.

We have heard that you require flexible funding and we are delivering. Funding under the municipal operating stream of the Safe Restart Agreement can be used to support your municipality's highest priority COVID-related operating needs. The province expects that any amount of funding not required by your municipality in 2020 will be used to address 2021 pandemic-related operating needs.

As previously communicated, your municipality will be expected to report back to the province in March 2021 with information about your COVID-related operating pressures and use of both funding allocations. This report template will be available via the Transfer Payment Ontario system by late January 2021. Municipalities will also be expected to report back on 2021 operating pressures due to the pandemic at a later date.

I am requesting that your municipal treasurer sign the acknowledgement below and return the signed copy to the ministry by December 24, 2020 by email to Municipal.Programs@ontario.ca. Please note that we must receive this acknowledgement before making a payment to your municipality. We expect to begin making payments to municipalities in December 2020 and complete all payments by the end of January 2021.

Municipalities are welcome to contact their municipal advisor or e-mail Municipal.Programs@ontario.ca with any questions.

Thank you once again for your commitment to serving your residents during these challenging times. Our government will continue to stand with our municipal partners because we know that strong communities are the foundation of a strong Ontario – your success is Ontario's success.

Sincerely,



Steve Clark
Minister of Municipal Affairs and Housing

c. Municipal Treasurer and Chief Administrative Officer

By signing below, I acknowledge that the allocation of \$38,000 is provided to Township of Ashfield-Colborne-Wawanosh for the purpose of assisting with COVID-19 operating costs and pressures and that the province expects that any funds not required for this purpose in 2020 will be used to support COVID-19 operating costs and pressures in 2021.

I further acknowledge that Township of Ashfield-Colborne-Wawanosh is expected to report back to the province on 2020 and 2021 COVID-19 operating costs and pressures and the use of this funding.

Name:

Title:

Signature:

Date:

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December 16, 2020

AMO Policy Update – Phase 2 ReStart Agreement Municipal Funding

This morning, AMO President Graydon Smith joined Mayor John Tory, Member of Parliament Adam Vaughan, and the Honourable Minister Steve Clark for a major announcement on [additional relief funding](#) for Ontario's municipal governments.

The Ontario government is allocating the second phase of the Safe Restart Agreement (SRA) funding to municipal governments in the amount of \$695 million. Minister Clark noted that the government is helping to ensure that every single municipality in Ontario is entering 2021 without an operating deficit from 2020.

This \$695 million in relief funding is broken out into two sections:

- First, \$396 million will be allocated to 48 individual municipalities that have demonstrated the need for additional assistance in covering operating deficits for 2020.
- The remaining \$299 million will be allocated across all 444 municipalities to help provide additional financial relief to help support operating budgets in 2021.
 - AMO understands that 20% (\$59.8 million) of this allocation will be provided to all municipalities on a per household basis (like Phase 1 SRA funding).
 - The remaining 80% (\$239.2 million) is to be allocated through a new methodology that proportionally reflects COVID-19 case counts with data provided by Ontario's 34 Public Health Units. More information on this methodology and the associated allocations will be provided by the Ministry of Municipal Affairs and Housing.

AMO is pleased that the remaining Safe Restart Agreement funding is being provided to municipal governments at this time. *“This funding will ensure municipalities in every part of Ontario are in a better position to maintain vital municipal services in 2021 and to proceed with capital investments essential to Ontario’s economic recovery”*, said AMO President Graydon Smith.

In addition, Minister Clark indicated that the Province is notionally allocating \$1.3 billion for municipal transit systems above and beyond the initial allocation of \$700 million made under Phase 1 of the SRA. More details about this funding will be available in January 2021.

This financial relief package and, notably, the early support in 2021 follows AMO's direct advice to create greater certainty around the financial needs of municipal governments. This will help ensure municipalities continue to protect our communities and play an essential role in Ontario's economic recovery as we enter the coming year ahead.

For more information: [Phase 2 of SRA Funding - Municipal Allocations](#).

AMO's [COVID-19 Resources](#) page is being updated continually so you can find critical information in one place. Please send any of your municipally related pandemic questions to covid19@amo.on.ca.

*Disclaimer: The Association of Municipalities of Ontario (AMO) is unable to provide any warranty regarding the accuracy or completeness of third-party submissions. Distribution of these items does not imply an endorsement of the views, information or services mentioned.



TOWNSHIP OF
ASHFIELD – COLBORNE – WAWANOSH

COUNCIL REPORT

From: Brian VanOsch,
Public Works Superintendent
Date: December 29, 2020
Subject: Public Works Activity Report

RECOMMENDATION:

That the report be received and filed.

INFORMATION:

1. Kempton Construction have completed the removal of the building foundations on the Reid Farm that was purchased early this year.
2. Sloetjes Repair Service have been brushing the roadside with a Hy Hoe on Lanesville Line, Glen's Hill Road, and Zion Road.
3. E.S. Hubbell have delivered the culverts that were ordered this fall.
4. A Tandem Snow Plow Truck from the Colborne Shed has been sent for engine repairs at the dealership in Goderich.

Respectfully submitted,

Brian VanOsch
Public Works Superintendent



December 17, 2020

Virtual AMO 2021 Conference Hosted by the City of London

Plans are well underway for the 2021 AMO Conference, hosted by the City of London. For reasons all too apparent, AMO 2021 will be virtual again next year, and appearing once again on screen near you.

2020 has been a year that no one expected, and AMO met the challenge of being there for members with a ground-breaking virtual conference.

With 1500 participants, three Ministers’ forums, 25 cabinet ministers, 480 delegation meetings, innovative new programming, on-line Board elections, and a new partnership with TVO, AMO delivered a conference experience that many of you said exceeded your expectations. Thank you for your support and for your feedback.

We know there is no substitute for getting together in person, and we’re confident we will be together again in-person in Ottawa in August 2022.

We are building on the lessons from 2020 to deliver an even better AMO Conference experience in 2021. Highlights such as the Women’s Leadership Forum and multiple Ministers’ Forums will be featured again, and more time will be allocated to networking. We are busy putting together ideas for keynote and workshop speakers and will keep you informed as speakers are confirmed. As always, delegation meetings will provide a unique opportunity for your Council to bring local matters and priorities directly to the attention of Ministers. And we are keeping conference fees at the reduced 2020 rates.

Mark your calendar today for AMO 2021, August 15-18. Registration opens December 18th giving you time to [register early](#) to take advance of the early bird rate which ends on April 30, 2021.

And, of course, there is no need to book guestrooms as the AMO 2021 will be coming to you at a location of your choice.

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Association of Municipalities of Ontario
200 University Ave. Suite 801, Toronto ON Canada M5H 3C6

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December 14, 2020

To: All local municipalities within the geographical area served by Huron Perth Public Health

RE: Medical Officer of Health recommendations related to municipal facilities owned and operated by local municipalities

For several months, we have been watching the [trend of COVID-19](#) cases both in our community and across the province. Data, best practices and evidence have always driven Huron Perth Public Health's (HPPH) decision-making process and will continue to be our compass as we respond to the second wave of the COVID- 19 pandemic.

Since the Province of Ontario released its [COVID-19 response framework](#), the Province and local public health agencies have used various metrics related to epidemiology, health system capacity and public health system capacity in order to determine which Zone a local community should be in to control the spread and transmission of COVID-19. The zones which are identified in the Province's frame work are:

- Green (Prevent)
- Yellow (Protect)
- Orange (Restrict)
- Red (Control)
- Grey (Lockdown)

Huron-Perth is currently in the Orange (Restrict) zone.

As you are likely aware, HPPH and municipalities have had discussions about individuals from more restrictive zones coming to Huron-Perth to access services and utilize municipal facilities such as recreation centres and other public spaces for events. This is a concern that has been identified across the province. Similar alarm has been raised for other highly-accessed services, such as the DriveTest centres. In response, the Province announced [restrictions](#) on the use of DriveTest centres by residents from Grey (Lockdown) Zones.

Given the growing and high rates of COVID-19 transmission in neighbouring public health regions, as well as provincial guidance to avoid non-essential travel and to ensure physical distancing is not compromised, I am urging all local municipalities to **consider** implementing the following recommendations related to the provision and use of municipal facilities:

- Restrict the non-essential use of facilities by individuals who reside in regions that are, according to the COVID-19 response level, in a more restrictive Zone than Huron Perth Public Health.
 - Examples of non-essential use include but are not limited to: craft shows, bridal shows, trade shows, recreational sports.

- Ensure that municipal staff inform any person organizing the use of any municipal facility or space that it is the organizer's obligation to:
 - prevent attendance by persons from areas with higher rates of COVID-19 transmission than ours; and,
 - provide the municipality upon request a complete [COVID-19 safety plan](#) that explains how public health measures - including screening, cleaning and disinfection, physical distancing, capacity limits, contact tracing, etc. - will be implemented during use of a municipality's facilities.

HPPH is committed to using targeted public health measures to keep our region safe, maintain health system capacity and to protect our most vulnerable residents, including those living in long-term care or retirement homes. HPPH also recognizes that each municipality will continue to ensure that its provision of municipal services will continue to meet the employer's obligations under the *Occupational Health and Safety Act*.

It is essential to remain vigilant in our fight against COVID-19. As a community, we want to ensure that businesses and schools remain open and to safeguard against this virus now, through winter, and beyond. To help with this, I strongly encourage you to take actions within your municipal facilities and services that align with the recommendations listed above to help protect our community.

Thank you for your consideration. If you have further questions or concerns, we are here to support our local municipalities and residents. For more information visit: www.hp-ph.ca/coronavirus.

Sincerely,



Dr. Miriam Klassen

Medical Officer of Health and CEO

September 16, 2020 - 3:00 p.m.

10.3

1. ORDER:

Present: Glen McNeil, Ashfield-Colborne-Wawanosh Representative
Jeff Elliott, Huron-Kinloss Representative
Bernie MacLellan, Huron East Representative
Peter Walden, Bluewater Representative

Janice Hallahan, Secretary

Absent: John Grace, Goderich Representative
Adam Robinson, Central Huron Representative

Moved by: Glen McNeil
Seconded by: Jeff Elliott

In the absence of Chair Adam Robinson at today's meeting, Bernie MacLennan is appointed as Chair.

CARRIED

2. AGENDA & MINUTES:

Moved by: Peter Walden
Seconded by: Jeff Elliott

That the Mid-Huron Landfill Site Board hereby accepts the September 16, 2020 Board Meeting Agenda, as presented.

CARRIED

Moved by: Glen McNeil
Seconded by: Peter Walden

That the Minutes of the Mid-Huron Landfill Site Board dated February 19, 2020, be adopted as printed.

CARRIED

3. DEPUTATIONS & PETITIONS

3.1 Ron Burt, Takalo & Burt
Draft Audited Financial Statements to December 31, 2019

Moved by: Jeff Elliott
Seconded by: Glen McNeil

That the Audited Financial Statements for 2019 be received and approved.

CARRIED

4. ACCOUNTS:

Moved by: Peter Walden
Seconded by: Glen McNeil

That the Accounts ending March 9, 2020 in the amount of \$47,550.46, and the Accounts ending September 10, 2020 in the amount of \$182,533.67, be approved.

MID-HURON LANDFILL SITE BOARD MINUTES

September 16, 2020 - 3:00 p.m.

CARRIED

5. FINANCIAL STATEMENTS:

5.1 Revenue and Expenditure Report to August 31, 2020

5.2 Expense detail to August 31, 2020

Moved by: Peter Walden

Seconded by: Jeff Elliott

That the Revenue and Expenditure Report to August 31st, 2020; and further that the Expense detail to August 31st, 2020 be received and approved.

CARRIED

6. SUPERVISORS REPORT:

No report was made available for the meeting.

7. CORRESPONDENCE:

7.1 Memo from Deanna Hastie, Treasurer, dated March 5, 2020 – Annual Investment Report

7.2 Memo from Deanna Hastie, Treasurer, dated September 9, 2020 – Impact of Pandemic on Investments

7.3 Memo from Deanna Hastie, Treasurer, dated September 9, 2020 – Investment Report as at June 30, 2020

Moved by: Jeff Elliott

Seconded by: Glen McNeil

That the received correspondence from Treasurer, Deanna Hastie be collectively received and approved.

CARRIED

8. UNFINISHED BUSINESS:

8.1 Site Visit to the Landfill by Jim Yardley – cancelled due to pandemic

After discussion, a tentative date of October 22nd, 2020 at 1:30 pm be set-up for Jim Yardley to meet with the Landfill Board for a site visit at the former Mid-Huron location.

8.2 Draft Bill of Sale between the Mid-Huron Landfill Site Board as the Seller, and the Mid-Huron Recycling Board as the Buyer

As directed in Item 7.4 at the February 19, 2020 Board Meeting

Moved by Glen McNeil

Seconded by Peter Walden

THAT the Mid-Huron Landfill Site Board authorize a Bill of Sale to transfer the following property and assets located at the Mid-Huron Landfill Site:

- 1) The office building and garage;
- 2) The hazardous waste building;
- 3) The scale house and scale

to the Mid-Huron Recycling Board for the sum of \$1; and

MID-HURON LANDFILL SITE BOARD MINUTES

September 16, 2020 - 3:00 p.m.

FURTHER THAT the Mid-Huron Landfill Site Board share equally the cost of professional services of Donnelly & Murphy staff to prepare the Bill of Sale.

CARRIED

9. NEW & GENERAL BUSINESS:

Board member McNeil requests that the engineer provide the Board with a formal letter at the next meeting advising what can be done at the Landfill site to mitigate the amount of leachate we have seen since the closure in 2018.

Board member Elliott inquires with staff as to what the leachate numbers are at this time. CAO Hallahan provides the following information to the Board members:

2019 January to August 1,623,651

2020 January to August 1,612,653

CAO Hallahan reports that the leachate at the site comes at a significant cost considering the expense that was incurred for the clay cover and we have not seen a significant drop in volume.

10. POSSIBLE CLOSED SESSION:

11. PRESS REPORTS AND CITIZENS QUESTION & ANSWER PERIOD

12. NEXT MEETING: December 16, 2020 at 3:00 p.m. in the Menesetung Room or virtually, via Zoom.

13. ADJOURNMENT:

Moved by: Jeff Elliott

Seconded by: Glen McNeil

That there being no further business, the meeting adjourns at 3:55 p.m.

CARRIED

Bernie MacLellan
Acting Chair

Janice Hallahan
Secretary

			2018 Actual	2019 Actual	2020 Budget	2020 Actual	2021 Budget
		REVENUES					
01	1400	51052 Ontario Grants					
01	1400	51440 Other Municipalities - Share of Costs	\$ (238,458.12)	\$ (228,509.05)	\$ (266,337.80)	\$ (266,337.80)	\$ (288,127.00)
01	1400	52140 Fire inspections	\$ (1,020.00)	\$ (970.00)	\$ (800.00)	\$ (1,420.00)	\$ (1,000.00)
01	1400	52350 Call outs	\$ (2,888.10)	\$ (2,862.00)	\$ (2,000.00)	\$ (2,910.00)	\$ (2,000.00)
01	1400	54500 Donations	\$ (5,000.00)	\$ (30,087.00)		\$ (1,000.00)	
01	1400	55790 Miscellaneous recoveries	\$ (3,706.60)	\$ (2,685.66)		\$ (3,500.00)	
01	1400	59100 Transfer from Reserve Funds					
01	1400	61054 Sale of Vehicles				\$ (9,485.88)	
01	1400	62222 Proceeds - Reserve Fund Loan			\$ (104,000.00)	\$ (382,215.20)	
01	1400	64500 Donations					
01	1400	65710 Expense Recoveries		\$ (81,275.95)			
01	1400	69050 Transfer from Reserve		\$ (95,950.28)	\$ (210,584.59)	\$ (210,584.59)	
01	1400	69100 Transfer from Reserve Funds			\$ (649,415.41)	\$ (649,457.14)	\$ (14,000.00)
		TOTAL REVENUES	\$ (251,072.82)	\$ (442,339.94)	\$ (1,233,137.80)	\$ (1,526,910.61)	\$ (305,127.00)
		EXPENDITURE					
01	1400	71000 Salaries	\$ 144,256.01	\$ 144,887.61	\$ 171,360.00	\$ 144,209.68	\$ 157,936.00
01	1400	71010 Salaries-Caretaking	\$ 7,691.44	\$ 6,159.15	\$ 7,582.00	\$ 7,146.76	\$ 6,443.00
01	1400	71035 Contract Services (dispatch)	\$ 9,591.19	\$ 8,918.48	\$ 12,668.00	\$ 12,841.09	\$ 13,400.00
01	1400	71040 Salaries-Mechanic	\$ 1,000.00				
01	1400	71500 Benefits	\$ 61,705.22	\$ 23,788.23	\$ 25,210.00	\$ 20,705.18	\$ 30,369.00
01	1400	71510 Benefits-Caretaking	\$ 2,080.11	\$ 1,579.26	\$ 1,421.00	\$ 1,993.44	\$ 1,637.00
01	1400	72000 Building - R&M	\$ 2,158.38	\$ 9,812.32	\$ 4,380.00	\$ 3,824.30	\$ 31,580.00
01	1400	72030 Utilities - Hydro	\$ 1,967.86	\$ 2,175.97	\$ 2,700.00	\$ 1,923.08	\$ 2,500.00
01	1400	72031 Utilities - Gas	\$ 3,443.68	\$ 3,285.97	\$ 4,000.00	\$ 2,654.49	\$ 3,500.00
01	1400	72032 Utilities - Water	\$ 557.66	\$ 600.44	\$ 500.00	\$ 350.93	\$ 550.00
01	1400	72033 Utilities - Sewage	\$ 420.28	\$ 428.00	\$ 500.00	\$ 368.90	\$ 500.00
01	1400	72200 Mach and Equip - R&M	\$ 8,961.75	\$ 7,881.01	\$ 13,300.00	\$ 8,458.20	\$ 17,100.00
01	1400	72300 Vehicle - R&M	\$ 2,803.92	\$ 8,660.49	\$ 13,800.00	\$ 18,758.97	\$ 20,000.00
01	1400	72330 Vehicle - Gas	\$ 166.56	\$ 92.28	\$ 200.00	\$ 36.66	\$ 300.00
01	1400	72335 Vehicle- Diesel/Propane	\$ 2,891.73	\$ 2,957.97	\$ 3,200.00	\$ 2,489.05	\$ 6,000.00
01	1400	72340 Vehicle - Licences	\$ 1,370.00	\$ 1,370.00	\$ 1,400.00	\$ 2,664.48	\$ 2,400.00
01	1400	72900 Small Tools	\$ 71.12	\$ 359.52	\$ 500.00	\$ 195.51	\$ 500.00
01	1400	73000 Supplies (Foam)	\$ 547.47	\$ 890.40	\$ 2,000.00	\$ 992.65	\$ 1,000.00
01	1400	73100 Office Supplies	\$ 523.85	\$ 458.72	\$ 500.00	\$ 771.17	\$ 2,000.00
01	1400	73120 Telephone/Internet	\$ 5,562.06	\$ 4,864.32	\$ 4,700.00	\$ 4,996.15	\$ 5,200.00
01	1400	73130 Courier	\$ 272.84	\$ 179.65	\$ 250.00	\$ 282.35	\$ 250.00
01	1400	73140 Books & Periodicals	\$ 186.91	\$ 373.14	\$ 300.00	\$ 165.06	\$ 300.00
01	1400	73160 Software			\$ 5,090.00	\$ 5,253.87	\$ 3,000.00
01	1400	73205 Bank interest/borrowing charges			\$ 1,250.00		\$ 5,000.00
01	1400	73310 Clothing and Safety Apparel	\$ 6,361.94	\$ 30,964.99	\$ 19,900.00	\$ 18,928.08	\$ 12,800.00
01	1400	73400 Advertising, Signs & Posters	\$ 956.93	\$ 731.29	\$ 1,000.00		\$ 1,000.00
01	1400	73500 Education/Inspections-Fire Safety Officer	\$ 1,862.92	\$ 441.64	\$ 2,000.00		\$ -
01	1400	73600 Conferences - Registration			\$ 500.00		\$ -
01	1400	73601 Conferences - Accomodations			\$ 700.00		\$ -
01	1400	73602 Conferences - Travel, parking and taxi			\$ 500.00		\$ -
01	1400	73603 Conferences - Meals			\$ 100.00		\$ -
01	1400	73610 Training - Registration	\$ 2,723.67	\$ 803.52	\$ 1,000.00	\$ 758.10	\$ 6,000.00
01	1400	73611 Training - Accomodations				\$ 357.15	\$ 300.00

			2018 Actual	2019 Actual	2020 Budget	2020 Actual	2021 Budget
01	1400	73612	Training - Travel, parking and taxi	\$ 161.78	\$ 644.54		\$ 197.16 \$ 600.00
01	1400	73613	Training - Meals	\$ 571.32	\$ 67.67		\$ 143.12 \$ 600.00
01	1400	73750	Other Professional Services	\$ 407.20	\$ 1,409.80	\$ 2,000.00	\$ 25.44 \$ 500.00
01	1400	73785	Mutual Aid - Goderich Only	\$ 826.66	\$ 716.69	\$ 1,200.00	\$ 1,166.82 \$ 1,200.00
01	1400	77350	Travel	\$ 172.18	\$ 355.37	\$ 800.00	\$ 203.80 \$ 500.00
01	1400	77400	Miscellaneous	\$ 1,927.40	\$ 597.59	\$ 750.00	\$ 310.64 \$ 750.00
01	1400	77450	Insurance	\$ 13,161.48	\$ 13,474.28	\$ 13,946.00	\$ 14,509.00 \$ 17,000.00
01	1400	78001	Principal Repayment				\$ 105,000.00
01	1400	78100	Transfer to Reserve	\$ 5,000.00			
01	1400	78200	Transfer to Reserve Fund	\$ 110,000.00	\$ 110,000.00	\$ 110,000.00	\$ 110,000.00 \$ 10,000.00
01	1400	79000	Hydrant Maintenance/Rental	\$ 130,220.90	\$ 125,728.96	\$ 130,000.00	\$ 127,615.55 \$ 128,000.00
01	1400	81005	Capital - Equipment & Machinery		\$ 177,226.23	\$ 44,000.00	\$ 44,041.73 \$ 14,000.00
01	1400	82001	Capital - Building				
01	1400	84000	Capital - Vehicles			\$ 920,000.00	\$ 1,198,224.00
			TOTAL EXPENDITURES	\$ 532,584.42	\$ 692,885.50	\$ 1,525,207.00	\$ 1,757,562.56 \$ 609,715.00
			TOTAL NET EXPENDITURES	\$ 281,511.60	\$ 250,545.56	\$ 292,069.20	\$ 230,651.95 \$ 304,588.00
Notes:							
01	1400	71035	Dispatch				
			Annual device activation fee	\$ 350.00			
			Annual dispatch management fee	\$ 225.00			
			Stratford Fire Dept-dispatch	\$ 12,825.00	subj. to annual CPI adjustment		
				\$ 13,400.00			
01	1400	71500	annual allocation	\$ 27,369.00			
			allowance/reimburse fitness membership	\$ 3,000.00	criteria approved by Council in 2016		
				\$ 30,369.00			
01	1400	72000	general allocation	\$ 4,200.00			
			Fence	\$ 1,700.00			
			Cloth Spinner - custodian	\$ 300.00			
			annual monitoring of fire alarm system	\$ 380.00			
			Apparatus ceiling	\$ 25,000.00			
				\$ 31,580.00			
01	1400	72200	General allocation	\$ 6,000.00			
			3 new pagers	\$ 2,100.00			
			Shelving and brackets -new ladder truck	\$ 5,000.00			
			3 SCBA bottles	\$ 4,000.00			
				\$ 17,100.00			
01	1400	72300	includes allocation for required annual testing	\$ 20,000.00			
01	1400	72330	Training on portable equipment	\$ 300.00			

01	1400	72340	Medicals/DZ licences	\$ 1,000.00				
			general allocation	\$ 1,400.00				
				\$ 2,400.00				
01	1400	73100	computer - Chief's office	\$ 1,500.00				
			general allocation	\$ 500.00				
				\$ 2,000.00				
01	1400	73160	Firepro software - records management system	\$ 3,000.00				
1	1400	73205	Interest on borrowing - new fire truck	\$ 5,000.00				
01	1400	73310	general allocation	\$ 3,000.00				
			new recruit dress uniforms	\$ 2,800.00				
			gloves	\$ 3,000.00				
			Firefighter helmets x 2	\$ 1,000.00				
			Firefighter boot replacement x 5	\$ 3,000.00				
				\$ 12,800.00				
01	1400	73610	Proctor costs and OFM course	\$ 6,000.00				
1	1400	78001	Principal repayment	\$ 105,000.00	2020 Fire Truck purchase			
			Borrowing from Town of Goderich Reserve Funds	\$ 382,224.00				
			2021 repayment	\$ (105,000.00)				
			Balance 2021	\$ 277,224.00				
01	1400	78200	Fire Reserve Fund	\$ 10,000.00	for future capital			
			Usual annual contribution of \$110,000					
			is reflected as principal repayment and interest					
01	1400	81005	Cascade System Replacement	\$ 14,000.00				
			Cost Sharing % (2020 taxation year assessment totals)					
			Cost Sharing		Assessment	Proportion		
			ACW	179,034.00	573,754,500	30.2057%		
			Central Huron	109,093.00	349,613,500	18.4057%		
			Goderich	304,588.00	976,120,209	51.3886%		
				592,715.00	1,899,488,209	100.00%		

				2018 Actual	2019 Actual	2020 Budget	2020 Actual	2021 Budget
			REVENUES					
03	9003	56600	Interest - Bank	\$ (3,693.62)	\$ (7,353.47)		\$ (4,081.98)	
03	9003	56630	Interest - Short term investments					
03	9003	59150	Transfer from Revenue Fund	\$ (110,000.00)	\$ (110,000.00)	\$ (110,000.00)	\$ (110,000.00)	\$ (10,000.00)
			TOTAL REVENUES	\$ (113,693.62)	\$ (117,353.47)	\$ (110,000.00)	\$ (114,081.98)	\$ (10,000.00)
			EXPENDITURE					
03	9003	78102	Transfer to Revenue fund					
03	9003	78103	Transfer to Capital Fund			\$ 649,415.41	\$ 649,457.14	\$ 14,000.00
			TOTAL EXPENDITURES	\$ -	\$ -	\$ 649,415.41	\$ 649,457.14	\$ 14,000.00
			TOTAL NET DEPT EXPENDITURES	\$ (113,693.62)	\$ (117,353.47)	\$ 539,415.41	\$ 535,375.16	\$ 4,000.00
			Surplus Start of Year	\$ (316,632.60)	\$ (430,326.22)	\$ (547,679.69)	\$ (547,679.69)	\$ (13,551.73)
			Surplus End of Year	\$ (430,326.22)	\$ (547,679.69)	\$ (8,264.28)	\$ (12,304.53)	\$ (9,551.73)
03	9003	59150	Transfer from Department 1400	\$ (10,000.00)	Allocation for future capital needs			
03	9003	78103	Transfer to Department 1400	\$ 14,000.00	Purchase of cascade system			

November 26, 2020

Township of Ashfield-Colborne-Wawanosh
82133 Council Line, R.R. #5
Goderich, Ontario
N7A 3Y2

Attention: Mayor McNeil and Council

Dear Mayor McNeil:

Re: Proposed Changes to the Conservation Authorities Act

I am writing to you at this time to make you aware of the changes that the Provincial Government is proposing to the Conservation Authorities Act. A summary of the proposed changes is attached to this letter.

The Ministry of Environment, Conservation and Parks undertook broad consultations on the role of Conservation Authorities in 2019. The results of the consultation were not released. The proposed changes to the Conservation Authorities Act were developed without any input or discussion with Conservation Authorities or municipalities prior to them being included in Schedule 6 of the Budget Measures Act (Bill 229).

We have written to the Provincial Government requesting them to undertake the following actions:

1. Remove Schedule 6 from the Budget Measures Act (Bill 229). This schedule has nothing to do with the proposed budget bill.
2. Work with Conservation Authorities and municipalities to identify effective solutions for streamlining development review and approval. We are all working for the public good. Conservation Authorities, municipalities and the Provincial Government want to ensure that all future development is located in areas that are safe from the risks associated with natural hazards and that protect the natural environment.
3. Maintain the current Conservation Authority - municipal relationships. Municipalities should continue to have the flexibility to appoint either a member of council or a citizen from the municipality to a Conservation Authority.

4. Maintain the current governance responsibilities. Members should continue to act in the best interests of the Conservation Authority at all times. This is a fundamental principle of responsible governance in both private and public sector bodies. It should be maintained.
5. Renegotiate the Province's long standing partnership with Conservation Authorities and work with them to identify the tools and resources they need to effectively implement their watershed management responsibilities.

Now more than ever, we need all levels of government working collaboratively to help the people of this Province recover from this pandemic and develop a healthy, resilient, and prosperous Ontario.

If your municipality would like to support our request that Schedule 6 be removed from Bill 229, it would be appreciated if council would consider supporting the attached resolution.

If you have any questions related to the proposed changes or the attached resolution, please feel free to contact me or your appointee to MVCA.

Respectfully submitted;

A handwritten signature in dark ink, appearing to read "Dave Turton", is positioned above the printed name.

Dave Turton
Chair

Cc: Roger Watt, Member



Backgrounder

Concerns About Changes to the *Conservation Authorities Act* and *Planning Act* Which Affect Conservation Authorities

November 12, 2020

The Province has introduced a number of changes to the *Conservation Authorities Act* and the *Planning Act* that significantly either limit and completely change the role of conservation authorities to protect Ontario's environment and ensure people and property are safe from natural hazards. The changes risk watering down or limiting the conservation authorities' ability to ensure a watershed-based approach to development and to overall protection of Ontario's environment.

Highlights of Key Changes:

- remove and/or significantly hinder the conservation authorities' role in regulating development, permit and planning application appeal process and engaging in review and appeal of municipal planning applications
- allow the Minister make decisions on permit appeals and issue permits without watershed data and expertise from the conservation authorities
- redirect the fiduciary role (Duty of Members) for municipally appointed CA Board members. They are being told to make decisions in the best interest of the municipalities and not the conservation authority.

Conservation Authority Transparency and Accountability

There are a number of changes which appear administrative in nature which we acknowledge will address concerns around conservation authorities' transparency and accountability. CA Administrative By-Laws were completed by the December 2018 legislated deadline and should already address these concerns including making key documents publicly available; including meeting agendas, meeting minutes, and annual audits.

Conservation Ontario Concerns

Ontario's environment will be at risk.

Provincial changes to both the *Conservation Authorities Act* and the *Planning Act* risk watering down or losing the conservation authorities' science-based watershed approach which currently protects Ontario's environment.

- Conservation authorities are important agencies who help protect Ontario's environment. Their science-based watershed information helps to steer development to appropriate places where it will not harm the environment or create risks to people.
- CAs bring the watershed science and information to the various tables where development and growth are being reviewed and discussed.
- Provincial changes limit the conservation authorities' ability to provide input to municipal planning applications and to permit decisions and appeals.

- The conservation authority watershed model has served Ontario well and is relied upon by many levels of government, businesses and residents to protect the environment from upstream to downstream.
- Conservation authorities undertake watershed-scale monitoring, data collection management and modelling; watershed-scale studies, plans, assessments and strategies; and watershed-wide actions including stewardship, communication, outreach and education activities that protect our environment on a watershed basis.

Provincial changes will actually create more costs, delays and red tape around permit and planning applications and appeals.

- There are new appeal processes which will significantly slow down the permitting process creating delays and more red tape.
- If applicants are not satisfied with decisions made by the Hearing Boards (CA Board of Directors and/or Executive), then applicants can now appeal directly to the Minister who can make his or her own decision and even issue a permit.
- Alternatively, or in addition, the applicant can appeal a decision of the conservation authority to the Local Planning Appeal Tribunal (LPAT).
- These changes could add as many as almost 200 days to the application process.

Changes made by the Province to the conservation authorities' role in not being allowed to independently appeal decisions made around permits and municipal planning applications will put more people and infrastructure at risk of flooding and other natural hazards and add additional stressors to Ontario's biodiversity.

- Conservation authorities' regulatory role is not always a popular one but it is very important. Being able to participate in appeals processes ensures that the watershed lens is being applied to planning and land use decisions and that people and their property are protected from natural hazards such as flooding.
- Changes have been made to the conservation authorities' role in the permit appeal process. They are no longer allowed to appeal these decisions independently.
- Without our ability to look at development applications on a watershed basis, we run the risk of the plan review process being piecemealed and ultimately the potential to exasperate risks associated with natural hazards and for cumulative negative environmental impacts.

The Province has removed the responsibility for municipally appointed CA Board members to represent the interests of the Conservation Authority.

- The Province has changed the 'Duty to Members' section of the CAA to have municipal representatives on CA Boards actually act in the interests of their own municipality rather than the conservation authority's interests.
- It contradicts the fiduciary duty of board members of any organization to represent the best interests of the corporation they are overseeing. It puts an individual municipal interest above the conservation authority interests.

- This change undermines the ability of the CA Board to address the broader environmental/resource management issues facing our watersheds today. It limits discourse on these issues and consideration of programs and services that address watershed-wide issues that span municipal boundaries is paramount in a time of increasing climate change.

For more information:

Kim Gavine, General Manager, Conservation Ontario
Cell: 905-251-3268 | kgavine@conservationontario.ca
Conservationontario.ca

November 18, 2020: Proposed Resolution for Municipalities

WHEREAS the Province has introduced Bill 229, Protect, Support and Recover from COVID 19 Act - Schedule 6 – Conservation Authorities Act

WHEREAS the Legislation introduces a number of changes and new sections that could remove and/or significantly hinder the conservation authorities' role in regulating development, permit appeal process and engaging in review and appeal of planning applications

WHEREAS we rely on the watershed expertise provided by local conservation authorities to protect residents, property and local natural resources on a watershed basis by regulating development and engaging in reviews of applications submitted under the *Planning Act*

WHEREAS the changes allow the Minister to make decisions without CA watershed data and expertise

WHEREAS the Legislation suggests that the Minister will have the ability to establish standards and requirements for non-mandatory programs which are negotiated between the conservation authorities and municipalities to meet local watershed needs

WHEREAS municipalities believe that the appointment of municipal representatives on CA Boards should be a municipal decision; and the Chair and Vice Chair of the CA Board should be duly elected

WHEREAS the changes to the 'Duty of Members' contradicts the fiduciary duty of a CA board member to represent the best interests of the conservation authority and its responsibility to the watershed

WHEREAS conservation authorities have already been working with the Province, development sector and municipalities to streamline and speed up permitting and planning approvals through Conservation Ontario's Client Service and Streamlining Initiative

WHEREAS changes to the legislation will create more red tape and costs for the conservation authorities, and their municipal partners, and potentially result in delays in the development approval process

AND WHEREAS municipalities value and rely on the natural habitats and water resources within our jurisdiction for the health and well-being of residents; municipalities value the conservation authorities' work to prevent and manage the impacts of flooding and other natural hazards; and municipalities value the conservation authority's work to ensure safe drinking water

THEREFORE BE IT RESOLVED

- THAT the Province of Ontario repeal Schedule 6 of the Budget Measures Act (Bill 229)
- THAT the Province continue to work with conservation authorities to find workable solutions to reduce red tape and create conditions for growth
- THAT the Province respect the current conservation authority/municipal relationships
- AND THAT the Province embrace their long-standing partnership with the conservation authorities and provide them with the tools and financial resources they need to effectively implement their watershed management role.



THE CORPORATION OF THE TOWNSHIP OF
ASHFIELD-COLBORNE-WAWANOSH

BY-LAW NUMBER 5-2021

BEING A BY-LAW to confirm the proceedings of the Corporation of the Township of Ashfield-Colborne-Wawanosh at its meeting held on January 5, 2021

WHEREAS Section 5(3) of the Municipal Act, 2001, S.O. 2001, Chapter 23 as amended, requires that a municipal Council to exercise its powers by By-Law;

AND WHEREAS Council, or a Committee of Council often authorizes actions to be taken which does not lend itself to an individual By-Law;

AND WHEREAS it is deemed expedient to confirm the proceedings of Council at its meeting hereinafter set out;

NOW THEREFORE the Council of the Corporation of the Township of Ashfield-Colborne-Wawanosh enacts as follows:

1. The actions of the Council of the Corporation of the Township of Ashfield-Colborne-Wawanosh at its meeting held on the 5th day of January with respect to each motion, resolution and other action passed and taken by Council at its meeting, is hereby adopted and confirmed as if all such proceedings were expressly embodied in this By-Law.
2. The Mayor and Clerk are authorized and directed to do all the things necessary to give effect to the actions of the Council referred to in the preceding section hereof.
3. The Mayor and the Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of the Corporation.

Read a first and second time this 5th day of January 2021.

Read a third time and finally passed this 5th day of January 2021.

Mayor, Glen McNeil

CAO/Deputy Clerk, Mark Becker