

a. PERMANENT SINGLE-FAMILY DWELLING HOUSE AND NON-RESIDENTIAL BUILDING, STRUCTURE OR USE ON THE SAME LOT - AREA AND FRONTAGE REQUIREMENT

Where a permanent single-family detached dwelling house is to be erected or a building or structure is altered or used for the purpose of a permanent single-family detached dwelling on a lot in a Non-Residential Zone, in conjunction with a permitted non-residential use, the minimum lot area and frontage requirements for the residential and non-residential uses shall be the minimum lot area and frontage requirements for the permitted non-residential use or 2,787 square metres of area and 46 metres of frontage, whichever is the greater.

b. SINGLE-FAMILY DWELLING HOUSE AND NON-RESIDENTIAL BUILDING ON THE SAME LOT - SPATIAL SEPARATION REQUIREMENTS

Where a single-family dwelling house is erected or any building or structure is altered or used for the purposes of a single-family detached dwelling on a lot in a Non-Residential Zone in conjunction with a permitted non-residential use, such single-family detached dwelling shall not be erected, altered or used within 8 metres of the non-residential use on the lot.

c. FARM ORIENTED RESIDENTIAL DEVELOPMENT

Notwithstanding the minimum lot area and frontage requirements of this By-law for the Rural (RU) and Rural Buffer (RB) Zones, lots having a minimum area of 0.4 hectare and a minimum frontage of 46 metres are permitted in the Rural (RU) and Rural Buffer (RB) Zones. However, such lots may only be created under the following conditions:

i. Deleted by By-law Number 2209-2009-PL

ii. FARM CONSOLIDATION

A bona-fide farmer, who enlarges his farm or specialized farm holding by acquiring an additional farm or specialized farm, may be permitted to sever a parcel of land upon which a surplus farmhouse is in existence on the acquired farm or specialized farm, provided such farmhouse is not needed for a farm employee's dwelling.

iii. Deleted by By-law Number 1823-2003-PL.

d. MINIMUM LANDSCAPED OPEN SPACE

No minimum landscaped open space shall be required for farms or specialized farms.

By-law
No. 1823-2003-PL
2029-2009-PL

e. SECOND DWELLING HOUSE ON FARM

On any farm or specialized farm, a bona-fide farmer may be permitted to establish a second permanent single-family dwelling house or a portable manufactured dwelling house (not including a trailer), for farm related purposes, on the existing farm or specialized farm property, provided such dwelling house is only used for the accommodation of persons employed on such farm or specialized farm and provided further that such second dwelling house is separated from the existing farmhouse by a minimum distance of 30 metres, that the Minimum Distance Separation Formulae, as amended, revised, or replaced from time to time is complied with and that all other zone provisions and requirements of this By-law are complied with.

By-law
No. 1823-2003-PL

f. MINIMUM GROSS FLOOR AREA - PORTABLE MANUFACTURED DWELLING HOUSE

The minimum gross floor area requirement of this By-law for a permanent single-family dwelling house in the Rural (RU) and Rural Buffer (RB) Zones, shall also apply for a portable manufactured dwelling house, as a permitted second dwelling house on a farm or specialized farm.

By-law
No. 2209-2009-PL

g. INTERIOR SIDE YARD - PERMANENT DWELLING HOUSE

Minimum width shall be 5 metres on one side, 1.2 metres on the other side, plus 0.6 metres on the narrow side for each additional or partial storey above the first. However, where there are piped water and sanitary sewer facilities and a garage or carport is attached to or is within the main building, or the lot is a corner lot, the minimum width of the interior side yards shall be 1.2 metres plus 0.6 metres for each additional or partial storey above the first. However, there shall be a minimum of 2.4 metres between buildings on adjacent lots.

By-law
No. 1223-93-PL
2209-2009-PL

h. INTERIOR SIDE YARD - SEMI-DETACHED DWELLING HOUSE/LINKED DWELLING HOUSE

Minimum width shall be 3 metres for the side that is not attached to the other dwelling unit. However, where a garage or carport is attached to or is within the main building, the minimum width of the interior side yard shall be 1.4 metres plus 0.6 metres for each additional or partial storey above the first.

i. Semi-Detached Dweling House

Minimum width shall be 3 metres for the side that is not attached to the other semi-detached dwelling unit. However, where a garage or carport is attached to or within the main building, the minimum width of the interior side yard shall be 1.2 metres plus 0.6 metres for each additional or partial storey above the first.

ii. Linked Dwelling House

Minimum width shall be 3 metres for the side that is not attached to the other semi-detached dwelling unit. However, where a garage or carport is attached to or within the main building and the linked dwellings are only connected at some point below grade, the minimum width of the interior side yard shall be 1.2 metres plus 0.6 metres for each additional or partial storey above the first and the minimum horizontal distance between each linked dwelling house shall be 1.2 metres.

i. LOT AREA AND FRONTAGE - ROW TOWNHOUSES

The minimum lot area and frontage shall be the sum of the requirements for each dwelling unit on the lot as follows:

		<u>Area</u>	<u>Frontage</u>
i.	For each dwelling unit in the case where the dwelling unit has two walls attached to adjoining units.	180 square metres	6 metres
ii.	For each dwelling unit in the case where the dwelling unit has only one wall attached to an adjoining unit and the other wall abuts a required interior side yard	270 square metres	9 metres
iii.	For each dwelling unit in the case where the dwelling unit has only one wall attached to an adjoining unit and the other wall abuts a required exterior side yard.	420 square metres	14 metres

By-law
No. 1223-93-PL

j. LOT AREA AND FRONTAGE - SEMI-DETACHED DWELLING HOUSE

The minimum lot area for each of the two dwelling units in a semi-detached dwelling house shall be 325 square metres with a minimum lot frontage of 9 metres for each dwelling unit.

k. LOT AREA - APARTMENT

The minimum lot area shall be 93 square metres per dwelling unit plus 46 square metres per bedroom.

By-law
No. 1223-93-PL

l. DWELLING UNIT AREA - APARTMENT

i.	Minimum for a bachelor unit	32 square metres
ii.	Minimum for a dwelling unit containing one bedroom	51 square metres
iii.	Minimum for a dwelling unit containing two bedrooms	60 square metres
iv.	Minimum for a dwelling unit containing three bedrooms plus 9 square metres for each bedroom in excess of three	79 square metres

By-law
No. 1212-93-PL

m. SENIOR CITIZEN'S HOUSING - DWELLING UNITS SIZE

Deleted by By-law No. 1212-93-PL

n. GROSS GUEST ROOM AREA - BOARDING OR LODGING HOUSE

The minimum gross guest room area for each room in a boarding or lodging house shall be 23 square metres.

o. SPECIAL YARD PROVISIONS

Any permanent or seasonal single-family dwelling house, erected prior to the passing of this By-law, and having a setback of one or more yards that is or are less than required under the provisions and requirements of this By-law, may be altered provided that the setback or the yard or yards that are less than required are not further reduced.

p. SPECIAL YARD PROVISIONS - BOARDING OR LODGING HOUSE

Any permanent single-family dwelling house containing not less than 140 square metres of dwelling unit area, erected prior to the passing of this By-law and having a setback of one or more yards that is or are less than required under the provisions and requirements of this By-law for a boarding or lodging house may be permitted, provided that the setback of the yard or yards that are less than required are not further reduced.

q. DWELLING UNIT IN PORTION OF NON-RESIDENTIAL BUILDING

In accordance with the corresponding provisions for the principle permitted non-residential building in which the dwelling unit is located.

By-law
No. 555-82-PL

r. HIGH WATER MARK

Notwithstanding the yard and setback provisions of this BY-law to the contrary no principal or main building or buildings on a lot shall be erected within 20 metres of the high water mark of Lake Simcoe or Talbot River. This provision shall not apply to accessory buildings or structures which comply with the applicable provisions of this By-law.

s. GENERAL PROVISIONS

All provisions of Section 10: "GENERAL PROVISIONS" of this By-law, where applicable to any land, building, structure, use or activity, shall be complied with.

t. MINIMUM DISTANCE BETWEEN DWELLING HOUSES ON SAME LOT

The minimum distance between dwellings on the same lot shall be as follows:

- | | | |
|------|---|-----------|
| i. | between two exterior walls which contain no windows to habitable rooms | 6 metres |
| ii. | between two exterior walls, one of which contains windows to habitable rooms. | 9 metres |
| iii. | between two exterior walls both of which contain windows to habitable rooms. | 15 metres |

Notwithstanding the above clauses (i), (ii) and (iii) hereof, the minimum distance between two exterior walls shall be increased by the width of any driveway or walk which may separate such walls.

u. PROXIMITY TO NON-RESIDENTIAL USES

Notwithstanding any other provision of this By-law to the contrary, where a new dwelling house or dwelling unit is to be erected, after the date of this By-law, the following provisions shall apply:

i. EXTRACTIVE INDUSTRIAL (M4) ZONE

Repealed by By-law No. 439-80-PL.

ii. FARM AND SPECIALIZED FARM

No new dwelling house or dwelling unit shall be permitted to locate closer to a farm or specialized farm, as defined herein, except for a single-family dwelling house or unit if occupied by a farmer or a dwelling house or unit for the accommodation of persons employed full-time on such farm or specialized farm,

By-law
No. 1823-2003-PL

unless at a distance in conformity with the Minimum Distance Separation Formulae, as revised, amended or replaced from time to time.

iii. WASTE DISPOSAL INDUSTRIAL (M5) ZONE

No new dwelling house or dwelling unit, situated on another lot, shall be erected, after the date of passing of this By-law within 457 metres of a Waste Disposal Industrial (M5) Zone involving the operation of a sewage lagoon; 402 metres of an operation involving a sewage treatment plant; or, 60 metres of an operation involving a sanitary landfill site.

Notwithstanding the above, in the vicinity of the former Village of Cannington, the minimum spatial separation distance between a Waste Disposal Industrial Zone and a new dwelling unit or dwelling house shall be 305 metres.

Notwithstanding the above, in the vicinity of the former Village of Beaverton, the minimum spatial separation distance between a Waste Disposal Industrial Zone and a new dwelling unit or dwelling house shall be 230 metres.

v. MINIMUM DWELLING UNIT AREA - CONVERTED DWELLING HOUSE

Where a permanent single-family dwelling house, containing not less than 186 square metres of gross floor area, existed prior to the date of passing, of this By-law and is associated with an existing operative farm, is within the Rural (RU) and Rural Buffer (RB) Zones, such dwelling house may be altered or converted so as to provide therein not more than two (2) dwelling units, with each dwelling unit containing not less than 93 square metres of dwelling unit area.

w. MAXIMUM NUMBER OF DWELLING UNITS - NON-RESIDENTIAL BUILDING

A maximum of one (1) dwelling unit shall only be permitted in a portion of a non-residential building within a commercial zone except in the case of the General Commercial (C1) or Hamlet Commercial (HC) Zones where more than one dwelling unit may be permitted in a portion of a non-residential building in accordance with the provisions of this By-law establishing minimum dwelling unit area requirements.

By-law
No. 658-83-PL

x. SPECIAL YARD PROVISIONS, PLANS M-1125 AND M-1184

Notwithstanding the minimum front yard depth, exterior side yard width, rear yard depth and setback provisions of Restricted Area By-law No. 287-78-PL, as otherwise amended, for the Residential Type No. 1 (R1) Zone, to the contrary, for Registered Plan Numbers M-1125 and M-1184, located in the former Village of Cannington, the following minimum front yard, exterior side yard, rear yard and setback provisions shall apply:

- | | | |
|------|---|-------------|
| i. | Minimum Front Yard Depth Requirement | 7.6 metres |
| ii. | Minimum Exterior Side Yard Width Requirement | 7.6 metres |
| iii. | Minimum Setback From Township Street Centreline | 17.6 metres |
| iv. | Minimum Rear Yard Depth Requirement | 7.6 metres |

a. SETBACK HIGH WATER MARK

Notwithstanding the yard and setback provisions of this By-law to the contrary for the principal or main building or buildings on a lot, except for exceptions applicable to accessory buildings and structures, no building or structure shall be erected within 20 metres of the high water mark.

b. PROPERTY ABUTTING RESIDENTIAL ZONE

Where the interior side or rear lot line abuts a Residential Zone, a strip adjoining such abutting lot line or portion thereof shall be used for no other purpose than for a planting strip in accordance with the requirements for planting strips as specified under Subsection 10.20 of this By-law.

c. GENERAL PROVISIONS

All provisions of Section 10: "GENERAL PROVISIONS" of this By-law, where applicable to any land, building or structure, shall be complied with.

d. LANDSCAPED OPEN SPACE

No minimum landscaped open space is required for farms or specialized farms.

By-law
No. 1212-93-PL
1245-93-PL
1823-2002-PL
2209-2009-pl

e. SPECIAL YARD PROVISIONS – FARMS AND SPECIALIZED FARMS

No new barn, stable, shelter, pen, cage, or other building or structure used to house animals or domestic fowl, and no new feed lot or manure storage area associated with a farm, as herein defined, shall be located or erected, after the date of passing of this By-law, closer to a dwelling unit or dwelling house, except for a single-family dwelling house or unit if occupied by a farmer or a dwelling house or unit for the accommodation of persons employed full-time on such farm, or a Residential zone unless at a distance in conformity with the Minimum Distance Separation Formulae, as revised, amended or replaced from time to time.

f. Deleted by By-law Number 2209-2009-PL**g. LOT DEPTH**

Where a lot is a corner lot, the lot depth (flankage) shall be increased to a minimum of 38 metres.

h. PUMP AND FUEL STORAGE TANK LOCATION - RETAIL GASOLINE ESTABLISHMENT**i. PUMP LOCATION**

Notwithstanding any other provisions of this By- law to the contrary, a gasoline pump island and gasoline pumps, as part of a motor vehicle service station, motor vehicle gasoline bar, motor vehicle repair garage or as accessory to a permitted use, may be located within any yard provided:

(a) the minimum distance between any portion of the pump island or gasoline pumps and any street line or any rear or interior side lot line shall be 4.5 metres; and

(b) where a lot is a corner lot, no portion of any pump island or gasoline pumps shall be located closer than 3 metres to a straight line between a point in the front lot line and a point

By-law
No. 1823-2003-PL

in the exterior lot line, such point being distant 16 metres from the intersection of such lines.

ii. FUEL STORAGE TANK LOCATION

Fuel storage tanks shall be installed in accordance with the provisions of the Technical Standards Safety Authority.

i. DRIVEWAYS, RETAIL GASOLINE ESTABLISHMENTS

Notwithstanding the provisions of Subsection 10.18 of this By-law, the following provisions shall apply to driveways established in conjunction with a retail gasoline establishment as herein defined; namely:

- i. the maximum width of a driveway measured along the sidewalk, where such exists, and along the street line shall be 9 metres;
- ii. the minimum distance between driveways measured along the street line intersected by such driveway, shall be 9 metres;
- iii. the minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveway, shall be 9 metres;
- iv. the minimum distance between an interior side lot line and any driveway shall be 3 metres; and
- v. the interior angle forward between the street line and the centreline of any driveway shall not be less than 45 degrees.

By-Law
No. 1212-93-PL

j. INTERIOR SIDE YARD

Where the interior side lot line in a Local Commercial (C2), Special Purpose Commercial (C3), Highway Commercial (C4), Hamlet Commercial (HC) and Resort Commercial (RC) Zone abuts a Residential Zone, the interior side yard width shall be increased to 9 metres. In the case of an interior side lot line in a General Commercial (C1) Zone abutting a Residential Zone, the interior side yard width shall be 3 metres.

k. RESORT, MOTEL OR CABIN ESTABLISHMENT - SPECIAL YARD PROVISIONS

i. DISTANCE BETWEEN BUILDINGS

Where two or more buildings are erected on the same lot, the minimum distance between two external walls facing and parallel to each other, both of which contain openings or windows to habitable rooms, shall be 9 metres; provided that where only one of the walls contains openings or windows to habitable rooms the distance may be reduced to 6 metres, and where neither wall contains openings or windows to habitable rooms, the distance may be reduced to 3 metres.

ii. COURTS

Where a building erected on a lot is in a court form, the distance between the opposite walls of the building forming the court shall not be less than 22 metres.

By-law
No. 1212-93-PL

iii. EXTERIOR WALL

Where the exterior wall of a guest room contains a habitable room window such wall shall be located not closer than 8 metres to any interior side or rear lot line.

I. HOTEL, MOTEL, TOURIST HOME - SPECIAL LOT AREA PROVISIONS

Where a dwelling unit is located in a portion of a non-residential building, an additional 372 square metres of lot area shall be provided where no sanitary sewers and no water supply are available, and an additional 186 square metres of lot area shall be provided where a municipal water supply only is available.

m. MARINA - SPECIAL YARD PROVISIONS

Notwithstanding any other provision of this By-law to the contrary where a marina abuts a Residential Zone, the minimum dimensions of the required yards abutting such Residential Zone shall be increased to fifteen (15) metres.

n. FRONT OR EXTERIOR SIDE YARD

Where the front and/or exterior side yard abuts a Zone designated other than Industrial, the minimum yard depth abutting such Zone shall be increased by 9 metres.

o. INTERIOR SIDE YARD

Where the interior side lot line is the boundary line between an Industrial Zone and a Zone designated other than Industrial, the minimum interior side yard width abutting such Zone shall be increased by 15 metres.

p. REAR YARD

Where the rear lot line is the boundary line between an Industrial Zone and a Zone designated other than Industrial, the minimum rear yard depth abutting such Zone shall be increased by 9 metres.

q. YARDS, SETBACKS, PLANTING STRIPS FOR INDUSTRY**i. HEIGHT OF BUILDING**

If any portion of a building is erected above a height of 9 metres, such portion must be set back from the centreline of the abutting street or from the front, side or rear lot line, as the case may be, in addition to the minimum setback, front, side or rear yard requirements of this By-law, a further distance of one metre for each metre by which such portion of the building is erected above a building height of 9 metres.

ii. PROPERTY ABUTTING RESIDENTIAL ZONE

Where the interior side or rear lot line abuts a Residential Zone, planting strips adjoining such abutting lot line or portion thereof shall be provided on the lot in accordance with the requirements for planting strips set out in Subsection 10.20 hereof.

iii. PROPERTY ABUTTING RAILWAY

Notwithstanding any other provisions of this By-law to the contrary, where any lot line or portion thereof abuts a railway right-

of-way, no interior side or rear yard shall be required along that portion of such lot line which so abuts the railway right-of-way.

r. **USE OF FRONT AND EXTERIOR SIDE YARD**

Required front and exterior side yards shall be kept open and unobstructed by any structure or parking area for motor vehicles, except for visitor parking areas.

s. **SETBACK**

Where the lands abut a Zone designated other than Industrial, the required setback abutting such Zones shall be increased by 9 metres.

By-law
No. 439-80-PL

t. **SPECIAL YARD PROVISIONS - EXTRACTIVE INDUSTRIAL (M4) ZONE**

Notwithstanding the minimum yard dimensions of this By-law to the contrary, no screening or washing plant, batching plant, crushing plant, processing plant or any other plant, building or structure, or a product stock-pile shall be located within 30 metres of any property boundary of an Extractive Industrial (M4) Zone, in which it is located, nor within 90 metres of an area zoned for residential purposes.

u. **SETBACK - EXTRACTIVE INDUSTRIAL ZONE**

Repealed by By-law 439-80-PL.

v. **PLANTING STRIPS - EXTRACTIVE INDUSTRIAL (M4) ZONE**

Planting strips shall be provided in accordance with the provisions of Subsection 10.20 hereof.

w. **SPECIAL YARD PROVISIONS - WASTE DISPOSAL INDUSTRIAL ZONE**

Where a Waste Disposal Industrial Zone abuts a dwelling house, dwelling unit or Residential Zone and where the operation of a sewage treatment plant is involved the minimum dimensions of the yard or yards abutting such dwelling or Zone shall be increased to at least 152 metres; or, where the operation of sewage lagoons is involved, the minimum dimensions of the yard or yards abutting such dwelling or Zone shall be increased to at least 457 metres.

Notwithstanding the above, in the vicinity of the former Village of Cannington, the minimum spatial separation distance between the Waste Disposal Industrial Zone involving the operation of sewage lagoons and a dwelling unit, dwelling house or a Residential Zone shall be 305 metres.

Notwithstanding the above, in the vicinity of the former Village of Beaverton, the minimum spatial separation distance between the Waste Disposal Industrial Zone involving the operation of sewage lagoons and a dwelling unit, dwelling house or a Residential Zone shall be 230 metres.

x. **OPEN STORAGE OF GOODS OR MATERIALS**

No portion of a lot shall be used for the storage of goods or materials unless such storage is within a building, or unless the following provisions are complied with, in the event that the storage is in the open:

- i. such open storage is accessory to the use of the main building on the lot;

- ii. such open storage is behind the front or exterior wall of the principal or main building facing any street, and complies with all yard requirements of this By-law;
- iii. such open storage does not cover more than fifteen (15) per cent of the lot area, or cover an area which is in excess of twice the ground floor area of the main building on the lot; and
- iv. any portion of a lot used for such open storage is screened from adjacent uses and streets adjoining the lot, by buildings and/or a planting strip in accordance with the provisions of Subsection 10.20 hereof and/or a closed wooden, plastic and/or metal fence extending at least 1.8 metres in height from the ground. All fences, except those constructed of aluminum, shall be painted, from time to time, so as to maintain the wood or metal in good condition.

By-law
No. 1361-95-PL

y. SAWMILL PROVISIONS - RURAL (RU) ZONE

In addition to the provisions of the Rural (RU) Zone for non-residential uses, the following provisions shall apply and be complied with in respect of sawmills:

- a) Minimum Area of the Lot upon which a sawmill is located 4.047 hectares
- b) Minimum Separation Distance for a sawmill measured:
 - i) From a single detached dwelling located on a separate lot 90 metres
 - ii) From the boundary of lands within a Hamlet Residential (HR), Shoreline Residential (SR), and Rural Residential (RR) Zone Categories 200 metres
 - iii) From the boundary of lands within the Urban areas of Beaverton, Sunderland and Cannington as set forth in the Township of Brock Official Plan 300 metres
- c) Maximum Lot Coverage of the Sawmill and Open Storage Area 10% of the Lot Area to a maximum of 0.8 ha
- d) An opaque fence or planting strip having a minimum height of 1.8 metres shall be erected around the area of the sawmill and related open storage area.
- e) In addition, the establishment of a sawmill shall be subject to an agreement with the municipality respecting the hours and days of operation as well as other matters deemed necessary by Council.
- f) The disposal of waste wood, sawdust, wood chips or other by-products of the sawmill operation, by burial, incineration or otherwise, on the farm shall not be permitted.