

# Township of Russell

## DRAFT Zoning By-law

May 2026



Municipalité de  
**RUSSELL**  
Township

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## DRAFT Zoning By-law

May 2026

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Municipalité de  
**RUSSELL**  
Township



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Township of Russell

The Township of Russell Comprehensive Zoning By-law No. XX came into effect on <Date of Approval>.

The following table lists all of the Township of Russell Comprehensive Zoning By-law Office Consolidations prepared to incorporate all amendments approved following <Date of Approval>. While every effort has been made to incorporate all approved amendments, the Township of Russell does not warrant or guarantee that there are no errors or omissions in this Office Consolidation.

This Office Consolidation has been prepared for the purpose of convenience only. For accurate reference, the original Comprehensive Zoning By-law and amendments thereto should be consulted.

<b>Office Consolidation Date</b>
Reserved for future use



The following table lists all approved amending By-laws to the Township of Russell Comprehensive Zoning By-law following <Date of Approval>.

<b>By-law No. / Adoption Date</b>	<b>Property Address / Legal Description</b>	<b>Text Section</b>	<b>Schedule Change</b>	<b>Purpose</b>
Reserved for future use				



# Zoning By-law User Guide

This User Guide is provided for information purposes to assist readers in navigating the Township of Russell Comprehensive Zoning By-law. It provides direction on how to interpret and apply provisions to a specific property. The User Guide does not form an operable part of the Comprehensive Zoning By-law.

## Structure of the Zoning By-law

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The Township of Russell Comprehensive Zoning By-law is divided into a series of Sections:

Section		
<b>1</b>	<b>Administration and Interpretation</b>	This section outlines how the Zoning By-law is administered and enforced by the Township of Russell. It also directs how the Zoning By-law provisions and the Zoning Schedules should be read and interpreted.
<b>2</b>	<b>Definitions</b>	This section contains definitions for key terms used in the Zoning By-law, such as permitted uses. Some definitions contain illustrations to help clarify their meaning, application, and interpretation.
<b>3</b>	<b>General Provisions</b>	This section contains provisions that may apply to properties in all Zones, depending on the proposed development. For example, this includes provisions for accessory buildings and structures, as well as off-street parking requirements.
<b>4 to 10</b>	<b>Zones</b>	These sections establish the Zones in the Township. Each Zone section outlines permitted uses, zone requirements (i.e., standards for lots and buildings), additional provisions which may apply only to certain uses, and Exception Zones which establish provisions for specific properties.
<b>11</b>	<b>Schedules</b>	This section introduces the Zoning By-law Schedules, which form part of the Zoning By-law, and establish Zones boundaries in the Township.

## How to Determine a Property’s Zoning and Identify Applicable Regulations

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To determine the zoning and regulations that apply to a specific property, such as the permitted uses or Lot and Building requirements, follow these steps:

### Step 1: Identify the Property’s Zoning on the Key Map

To determine the zoning for a property, you should first identify the subject property on the Township of Russell Zoning Schedules, which are numbered A1a through A6 and divide the Township geographically into 12 areas. Zoning information is also available through the United Counties of Prescott and Russell A



La Carte (<https://alacarte.prescott-russell.on.ca/Html5Viewer/Index.html?Viewer=Public>) – an online and interactive mapping website prepared using ArcGIS.

Zones and their boundaries are outlined on the Zoning Schedules. The Zones are also labelled with symbols, corresponding with the Schedule legend, to assist in identifying the Zone which applies to a property.



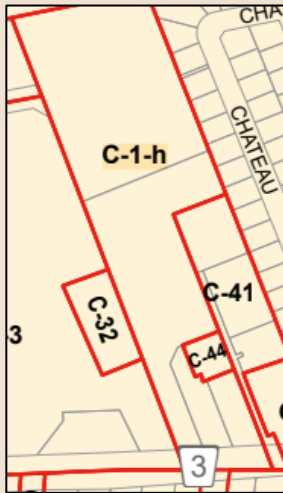
This is a parent Zone. The acronyms for each parent Zone are explained in the Zoning Schedule legend. For example, “R1” means the Residential One Zone and “R2” means the Residential Two Zone. Many properties in the Township are identified only with a parent Zone.

Each parent Zone has its own section in this Zoning By-law (**Sections 4 to 10**) which details permitted uses, lot and building requirements, and additional provisions that apply to all properties within that Zone.



If a dash and a number follow the Zone symbol (e.g., “R1-1”), then the property is subject to a site-specific Special Exception Zone. The provisions for each individual Special Exception Zone are found in the Zoning By-law document under a subsection within the parent Zone section (e.g., Section 4.1 Residential One Zone (R1), Subsection 4.1.3 R1 Special Exception Zones).

A Special Exception Zone contains provisions that override, or are in addition to, the parent Zone provisions. For example, a property with the Exception Zone R1-1 will be subject to the provisions of the Residential One (R1) Zone, and site-specific exception provisions within the R1-1 Special Exception Zone.



If an “-h” symbol follows the Zone symbol and site-specific Special Exception Zone (e.g., “C-1-h”), then the property is subject to a Holding Zone. Where a Holding Zone applies, no development can occur and only legally existing uses are permitted on the property, until such time that the holding is lifted by a By-law of Council, in accordance with the specific holding provisions for that property.

The specific holding provisions are found under the Special Exception Zone (e.g., for the C-1-h Zone, they are found under Section 6.2 General Commercial Zone (C), Subsection 6.2.3 C Special Exception Zones).

The following other suffixes may follow the Zone symbol. Any associated site-specific provisions would be found under the Zone section and the Special Exception Zones subsection:

- “-ar” identifies a mineral aggregate resource area
- “-i” identifies an Interim Control By-law
- “-T” identifies a temporary use

**Step 2: Identify Permitted Uses**

Once the applicable Zone symbol for the subject property is identified, you should refer to the Section of the Zoning By-law document that corresponds with the applicable Zone symbol to determine the applicable Zone provisions.



Each of the Zone sections (**Sections 4 to 10** in the Zoning By-law) contains a subsection entitled “Permitted Uses”, where lists of permitted uses are provided. For instance, if the subject property is zoned Residential One Zone (R1), refer to Section 4.1, Subsection 4.1.1 Permitted Uses to identify the types of uses that are permitted on the property.

**4.1.1 Permitted Uses**

**Residential**

- Additional dwelling unit
- Coach house
- Garden Suite
- Group home
- Single detached dwelling

**Non-Residential**

- Bed and breakfast
- Community garden
- Home-based business

Note that if the subject property has a site-specific Special Exception Zone, as identified in Step 1, the Special Exception Zone may contain specific provisions regarding the types of uses which are permitted or prohibited on the property.

Each of the permitted uses have a corresponding definition, which can be found in **Section 2 Definitions** of the Zoning By-law.

**Step 3: Identify Zone Requirements**

Next, you will need to understand the lot and building requirements that apply to a proposed development. Lot and building requirements are found under the subsection “Zone Requirements” in each Zone (**Sections 4 to 10** in the Zoning By-law).

Different types of permitted uses may have different requirements. Separate columns may be provided for different types of permitted uses (e.g., residential and non-residential uses). Zone requirements may include minimum lot area, minimum lot frontage, yard setbacks, maximum building height, and other requirements. For instance, if the subject property is zoned Village Core Zone (VC), refer to Section 6.1 Village Core Zone, Subsection 6.1.2 Zone Requirements to identify the lot and building requirements which apply to a particular use.

**6.1.2 Zone Requirements**

Zoning Mechanism		VC Provisions	
		Apartment, Long-term care facility, Retirement home, Rooming house	Non-residential uses / Mixed use
a)	Lot Area (minimum)	115 m <sup>2</sup> per dwelling unit	No minimum
b)	Lot Frontage (minimum)	20 m	20 m
c)	Front Yard Setback (minimum)	1 m	2 m
e)	Exterior Side Yard Setback (minimum)	1 m	1 m
f)	Interior Side Yard Setback (minimum)	3 m	3 m
g)	Rear Yard Setback (minimum)	7.5 m for lots adjacent to R1, R1A, R1-PS and R2 Zones 3 m in all other cases	7.5 m for lots adjacent to R1, R1A, R1-PS and R2 Zones 3 m in all other cases



If the subject property has a site-specific Special Exception Zone, as identified in Step 1, the Special Exception Zone provisions may include specific lot and building requirements for the property that differ from the Zone requirements described in the applicable parent Zone.

Each of the lot and building requirements have a corresponding definition (e.g., front yard, building height), which can be found in **Section 2 Definitions**.

#### Step 4: Determine Applicable General Provisions

**Section 3 General Provisions** applies to all Zones, unless specifically stated otherwise. All general provisions in the Zoning By-law document should be reviewed to determine the provisions that apply to a particular proposed development or property.

For example, the General Provisions contain specific requirements for accessory uses, buildings, and structures (e.g., detached garages, sheds). Other General Provisions include detailed requirements related to parking and loading facilities, as well as permitted projections into required yards (such as porches, balconies, decks, etc.).

The General Provisions also contain requirements for broadly permitted uses and structures like additional dwelling units and home-based businesses. Some General Provisions are only applicable in certain situations, such as properties located within, or in close proximity to specific natural features which may result in development constraints, such as mineral aggregate resource areas and fish habitat.

#### Step 5: Identify Other Federal, Provincial, or Regional Regulations and Requirements

Depending on a proposed development or location of a property, other permits may be required from Federal or Provincial regulatory authorities, such as the appropriate Conservation Authority or the Ministry of Transportation. The Zoning By-law is not intended to replace or incorporate the regulations or approval processes of other regulatory approval authorities. Additionally, other approvals from the United Counties of Prescott and Russell may be required.

**Property owners should always consult with the Township of Russell Planning staff to determine the approval requirements for a particular project. If the provisions of the Zoning By-law cannot be met, a Minor Variance application or a Zoning By-law Amendment application may be required.**



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## Section 1 Administration & Interpretation

### 1.1 Title

This By-law shall be known as the 'Zoning By-law of the Municipality of the Township of Russell'.

### 1.2 Lands Subject to By-law

The provisions of this By-law shall apply to all lands within the boundaries of the Corporation of the Township of Russell.

### 1.3 Compliance with By-law

No land shall be used and no buildings or structures shall be erected, altered, enlarged, or used within the Township of Russell except in compliance with the provisions of this By-law. This By-law shall not reduce or mitigate any restrictions lawfully imposed by an authority having jurisdiction to make such restrictions.

No person shall change the purpose for which any land, building or structure is used, or erect any new building, structure or addition to any existing building or structure, or sever any lands from an existing parcel if the effect of such action is to cause the original, adjoining or remaining lands, buildings or structures to be in contravention of this By-law.

### 1.4 Building Permit Issued

Notwithstanding any other provisions of this By-law, the Chief Building Official of the Municipality shall not issue a building permit or any combination thereof for the development or redevelopment of any lands or building or structure or any part thereof within the Municipality unless in accordance with the provisions of a By-law of the Municipality enacted pursuant to Section 41 of the Planning Act.

Nothing in this By-law shall prevent the erection or use of any building or structure for a purpose prohibited by this By-law if the plans for such building or structure were approved by the Chief Building Official prior to the date of passing of this By-law, provided:

- i. When the building or structure is erected, it shall be used and shall continue to be used for the purpose for which the building permit was issued; and
- ii. The erection of such building or structure is commenced within two (2) years of the date of passing of this By-law and provided the erection of such building or structure is completed within a reasonable time after the erection thereof is commenced.

### 1.5 Effective Date

This By-law shall come into force on the date of enactment by Council subject to Section 34(19) of the Planning Act.

### 1.6 Validity

Should any section, clause or provision of this By-law be held by a court of competent jurisdiction to be invalid, the validity of the remainder of the By-law shall not be affected.

### 1.7 Violations and Penalties

Every person who contravenes or causes or permits any contraventions of any of the provisions of this By-law is guilty of an offence and upon conviction, is liable to a fine as provided for in the Planning Act, and/or the Provincial Offences Act or any successor. Each day of violation shall constitute an offence.

In addition to any penalty imposed and any other remedy, a court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order:

- i. Prohibiting the continuation or repetition of the violation by the person convicted; and
- ii. Requiring the person convicted to correct the contravention in the manner and within the period that the court considers appropriate.



Where a property/building/structure does not comply with this by-law or a permit issued under this by-law, the owner may be ordered to remove the building/structure or bring the property into compliance in the manner specified in the order.

The order mentioned in Section 1.7 i) may be served by:

- i. personal service upon the owner;
- ii. prepaid registered mail sent to the last address of the owner, shown on the records of the Township of Russell; or,

The written order shall contain the particulars of the non-compliance with this by-law and either an order to comply with the by-law, or an order to remove the non-complying structure.

Where the letter is sent in accordance with Section 1.7 iv), it is deemed to have been received by the party being served upon the mailing or posting of the order.

### **1.8 Remedies**

Where any building, structure or use is in contravention of any provision of this By-law, such contravention may be restrained by action at the instance of any ratepayer or of the Municipality, pursuant to the provisions of the *Municipal Act* or the *Planning Act*.

### **1.9 Existing Uses Continued**

Nothing in this By-law shall 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 used for such purpose on the date of passing of this By-law, so long as it continues to be used for that purpose.

### **1.10 Administrator**

This By-law shall be administered by the Director of Planning, Building, and Economic Development or other assigned delegates.

### **1.11 Enforcement**

This By-law may be enforced by any of the following:

- i. Executive Director of Planning and Infrastructure Services;
- ii. Municipal By-law Enforcement Officer; and
- iii. Other assigned delegates.

### **1.12 Right of Entry**

Every person enforcing this by-law shall have the right of entry on any property for the purpose of carrying out an inspection to determine whether this by-law is being complied with and for the enforcement of this by-law pursuant to Section 436 of the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended from time to time.

Except under the authority of a search warrant issued by a provincial judge or a justice of the peace, an officer or any person acting under his or her instructions shall not enter any room or place actually being used as a dwelling without requesting and obtaining the consent of the occupier, first having informed the occupier that the right of entry may be refused and entry made only under the authority of a search warrant.

### **1.13 Licences and Permits**

No municipal permit, certificate, or licence shall be issued for a proposed use of land or a proposed erection, alteration, enlargement or use of any building or structure that is in contravention of any provision of this By-law. In addition, where the approval of another agency or authority is required, such approval shall be obtained and submitted to the Zoning Administrator at the time of application for a building permit.



### 1.14 Certificate of Occupancy

No change shall be made in the type of use of any land, building or structure within any Zone, without first obtaining a Certificate of Occupancy from the Municipality to the effect that the proposed use conforms to this By-law.

### 1.15 Interpretation

The provisions of this By-law shall be held to be the minimum requirements except where the word maximum is used in which case the maximum requirement shall apply.

In this By-law the word 'shall' is mandatory; words in the singular include the plural; words in the plural include the singular; words in the present tense include the future; the masculine includes the feminine.

In this By-law, the words 'used' and 'occupied' shall include 'intended', 'arranged', and 'designed' to be used or occupied.

In this By-law, unless the context requires otherwise, the definitions and interpretations set out in Section 2 shall apply. Where a term is not defined, its common usage shall apply.

The following abbreviations and symbols stand for the words set out:

Symbol	Meaning
m	Metre
m <sup>2</sup>	Square metre
%	Percent
ha	Hectare

### 1.16 Validity and Severability

Every provision of this by-law is severable and if any provisions of this by-law should for any reason be declared invalid by any court, it is the intention and desire of this Council that the remaining provisions shall remain in full force and effect.

### 1.17 Repeal of Existing By-laws

All By-laws of the Municipality enacted pursuant to Section 34 of the *Planning Act* or a predecessor thereof are hereby repealed and such repeal shall come into effect upon the date this By-law comes into force.

### 1.18 Request for Amendment

Every request for an amendment to this Zoning By-law shall be accompanied by one(1) completed paper copy and one (1) electronic copy of the Municipality's 'Application for Amendment to Zoning By-law' as well as any other plans, studies or documents requested by the Municipality or Council.

### 1.19 Measurements

This By-law is in metric units only.

For the purposes of enforcing this by-law all numbers expressing length, area or a percentage shall be considered to have one decimal place.

All measurements of length or area used in this By-law shall be subject to the normal rules of rounding numbers so that:

- i. For a number having one decimal place, measurements of less than 0.05 shall be rounded downward to the next one-tenth unit;
- ii. For a number of one decimal place, measurements of 0.05 and greater shall be rounded upward to the next one-tenth unit.



### 1.20 Conflict

In the event of a conflict between this By-law and amendments thereto and any other general or special by-law of the Township of Russell, the most restrictive By-law shall prevail.

### 1.21 Reference to Statutes and Agencies

Where reference is made in this Zoning By-law to other documents, such as provincial or federal Acts, or other legislation, or to other documents that are not part of this By-law, it is understood that it is the latest approved version of the document that is being referenced unless otherwise specified.

Where this By-law makes reference to the jurisdiction of a public agency, and where the name or responsibilities of such public agency are changed hereafter, the said reference shall be deemed to include any and all successors to such public agency having jurisdiction over the matters to which the said reference applies.

### 1.22 Illustrations

Illustrations are provided and form part of this By-law to clarify the intent of definitions or zoning provisions.

### 1.23 Zone Classifications

For the purposes of this By-law, all lands within the geographic limits of the Township of Russell are divided into the following Zones and are identified on the attached Schedules by the accompanying symbols.

Zones	Symbols
Residential One Zone	R1
Residential One – Partially / Privately Serviced Zone	R1-PS
Residential One-A Zone	R1A
Residential Two Zone	R2
Residential Three Zone	R3
Rural Residential Zone	RR
Open Space Zone	OS
Leisure Zone	L
Institutional Zone	I
Village Core Zone	VC
General Commercial Zone	C
Business Park Zone	BP
Industrial Park – Lots Located Within the Groundwater Recharge Area	MP1
Industrial Park – Lots Located Outside the Groundwater Recharge Area	MP2
Industrial Park – Heavy	MP3
Rural Zone	RU
Agricultural 1 Zone	A1
Agricultural 2 Zone	A2
Mineral Aggregate – Pit Zone	MAP
Mineral Aggregate – Quarry Zone	MAQ
Waste Disposal Zone	WD
Wrecking Yard Zone	WY
Wetlands Zone	WL
Flood Plain Zone	FP

In addition, the following suffixes may be used in conjunction with any of the foregoing Zones:

- ar	Mineral aggregate resource area
- h	Holding Zone
- i	Interim Control By-law
- numeral	Special Exception Zone



-T Temporary Use

### 1.24 Schedules

The following Schedules, which are attached hereto, form part of this By-law as fully and to all intents and purposes as though recited in full herein:

Schedule 'A1a' - Embrun West & Commercial Park

Schedule 'A1b' - Embrun – Central North

Schedule 'A1c' - Embrun – Central South

Schedule 'A1d' - Embrun – East

Schedule 'A2' - Russell

Schedule 'A2a' - Russell – Central

Schedule 'A3' - Limoges

Schedule 'A4' - Marionville

Schedule 'A5' - Rural Area – North

Schedule 'A5a' - Industrial Park

Schedule 'A5' - Rural Area – Northeast

Schedule 'A6' - Rural Area – South

### 1.25 Boundaries of Zones

Where the boundary of any Zone as shown on the attached Schedules is uncertain, the following provisions shall apply:

- i. Where the boundary is indicated as following a street, lane, railway right-of-way or other right-of-way, then the boundary shall be the centre line of such street, lane, railway, right-of-way or other right-of-way;
- ii. Where the boundary is shown as approximately following a lot line or an extension of a lot line on a registered plan of subdivision or registered survey plan, the lot line or extension thereof shall be the boundary;
- iii. Where the boundary is shown as approximately following a watercourse, then the high water mark shall be the boundary;
- iv. Where flood plain mapping is available, then the flood line shall be the boundary; and
- v. Where uncertainty exists as to the boundary of any Zone, then the location of such boundary shall be determined from the original Schedule 'A' which is available at the Clerk's office.

### 1.26 Streets and Rights-of-Way

A street lane, railway right-of-way or other right-of-way shown on the attached Schedules shall be included, unless otherwise indicated, with the Zone adjoining the property on either side thereof.

### 1.27 Holding Zones

Any parcel or area of land may be further classified as a Holding Zone with the addition of the suffix '-h', in accordance with and for the reasons set out in the policies of the Township of Russell Official Plan. The intent is to signify Council's approval in principle to future development of the land for the purposes indicated by the symbol. The holding classification added to a given Zone shall restrict development of the land until the requirements and/or conditions of the Holding Zones have been met.



Where a Holding Zone applies, no lands shall be used and no buildings or structures shall be erected or used for any purpose other than those uses existing for such land, building or structure on the date of passing of this By-law. Any change from the holding status shall require an amendment to this By-law, and the Municipality may require that the applicant enter into an agreement for the development of his/her lands prior to the amendment being approved.

### **1.28 Interim Control By-law**

If the property is subject to an Interim Control By-law, the property zoning will be followed by a letter “- i” and number (i.e. “i3”); this denotes an interim control By-law pursuant to Section 38 of the Planning Act. These properties are subject to a temporary removal of permitted uses or modified building or structure regulations, pending completion of a study and potential amendment to the Zoning By-law. These provisions may be listed at the end of each Zone following any Holding Provision.

### **1.29 Special Exception Zones**

Where a Zone classification is followed by a dash and a number (e.g. R2-2), this denotes a special exception Zone. Lands so zoned shall be subject to all of the provisions of the Zone represented by the classification except as otherwise provided by the special exception provisions. These special exception provisions are listed separately under each specific Zone.

### **1.30 Temporary Use By-law**

Where a Zone classification is followed by a dash and the letter ‘T’, this denotes a temporary use By-law pursuant to Section 39 of the Planning Act. Details concerning the temporary use are listed at the end of the specific Zone. The intent of a temporary use by-law is to allow a use of land temporarily until the ultimate development vision for the area can be achieved through development, or when non-permanent uses are required for a short period of time.

### **1.31 Use, Building, and Structure Classification**

The uses, buildings, and structures specifically named as permitted uses in a particular Zone are the only uses permitted in the particular Zone in which they are named and classified.

### **1.32 Complete Applications**

The Township of Russell Official Plan shall be referred to with respect to studies that may be required as part of development applications, including Zoning By-law Amendments.



## Section 2 Definitions

In this By-law, unless the context requires otherwise, the definitions and interpretations of this Section shall apply. The terms in italics denote specific land uses that may be listed as permitted uses in each individual Zone.

### A

**Abattoir** shall mean a building or structure wherein animals are slaughtered and processed for packaging, distribution and resale.

**Accessory** shall mean incidental, subordinate, and devoted exclusively to contributing to or aiding a principal use, building or structure, as applicable within the context in which the term accessory is used.

**Accessory Building or Structure** shall mean a detached building or structure which is naturally and normally incidental to, subordinate to or exclusively devoted to a principal use or building and located on the same lot therewith, and includes a detached private garage, detached carport storage shed, workshop, and boat house. For the purposes of this By-law, an accessory building or structure shall not be used for human habitation unless a permit is issued by the Chief Building Official.

**Addition** shall mean, in reference to a building or structure, an expansion of the building or structure.

**Aggregate Processing Plant** shall mean a plant and/or equipment for the crushing, screening or washing of sand and gravel aggregate materials, but not including a concrete batching plant or an asphalt plant.

**Agricultural Use** shall mean the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to, livestock facilities, manure storages, value-retaining facilities, and housing for farm workers, when the size and nature of the operation requires additional employment.

**Agriculture-Related Use** means farm-related commercial, warehouse, and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations and provide direct products and/or services to farm operations as a primary activity, in accordance with the Province's Publication 851: Guidelines on Permitted Uses in Ontario's Prime Agricultural Area, as amended.

**Airport** shall mean a tract of land that is adapted and maintained for the landing and takeoff of aircraft, including one or more airstrips, and may include the facilities for their shelter, supply, repair and maintenance.

**Alter** shall mean:

- i. When used in reference to a building, structure or part thereof, to change any one or more of the internal or external dimensions, to change the use, to change the number of uses or dwelling units, or to change the elevation of an exterior opening;
- ii. When used in reference to a lot, to change any frontage, depth, or area of the lot or to change the frontage, depth, or area of any required yard, setback, lot coverage, landscaped open space or parking area, or to change the use or number of uses on such lot.

**Amenity Area** shall mean an indoor and/or outdoor recreational area provided for the communal use of the residents.

**Ancillary** shall mean a use that is additional, secondary, and complementary to a principal use, but is not accessory to the principal use.



**Animal Care Establishment** shall mean an establishment for the caring, grooming and training of household pets, which may include an animal day care facility, but does not include an animal clinic, animal shelter, or kennel.

**Animal Clinic** shall mean a building or part of a building used by one or more licensed veterinarians and associated staff where household pets, or livestock are treated and where domestic animals or birds are kept only for treatment or during the recovery period, and shall include accessory office, laboratory, and/or mobile veterinary services.

**Animal Shelter** shall mean a facility used for the care of lost, abandoned or neglected animals and operated by a public agency or not-for-profit organization.

**Aquaculture** shall mean land devoted to the hatching, raising and breeding of fish or other aquatic plants or animals for sale or personal use.

**Area of Operation** shall mean a building, or part of a building where antiques and arts and crafts are offered or kept for sale at retail and may include refinishing and repair, but does not include any use or establishment otherwise defined or classified in this By-law.

**Art Gallery** shall mean premises used for the preservation, production, exhibition, and/or sale of sculptures, paintings, photographs, or other art.

**Artisan Studio** shall mean the workplace of an artist, artisan, or craftsperson, including a painter, a sculptor or a photographer, where goods including jewellery or fine art such as portraits or sculptures are produced in small quantity and may be provided for sale.

**Asphalt Plant** shall mean an industrial facility that has equipment designed to heat and dry aggregate and to mix mineral aggregate with bituminous asphalt and/or other similar materials, and includes stockpiling and storage of bulk materials used in the process or finished products manufactured on the premises and the storage and maintenance of equipment, but does not include the retail sale of finished asphalt products. May include a portable asphalt plant which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

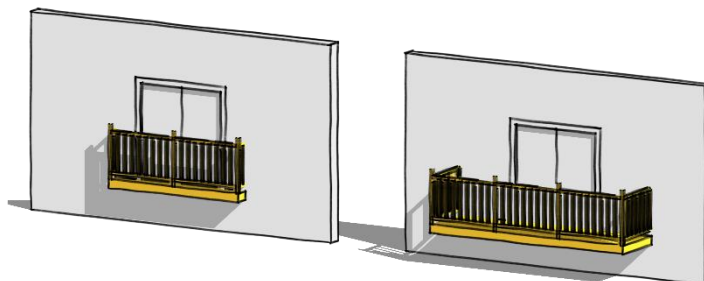
**Attached** shall mean a building or structure otherwise complete in itself, which depends for structural support, or complete enclosure, upon a division wall or walls shared in common with adjacent buildings or structures.

**Attic** shall mean that portion of a building immediately below the roof and wholly or partly within the roof framing.

## B

**Bank** shall mean a place that provides a range of financial services and includes a trust company, finance company, mortgage company, investment company, or other financial institution, and may include an accessory bank machine.

**Balcony** shall mean a projection from a structure consisting of a partially enclosed platform attached to or extending horizontally from one or more main walls of a building at the second storey or above, and used as an outdoor porch or sundeck.



**Bar** shall mean a building or portion of the building or premises other than a restaurant, where liquor, spirits and food are stored, sold and consumed and which is licensed by the Alcohol and Gaming Commission of Ontario under the Liquor Licence and Control Act, 2019, as amended.

**Basement** shall mean that portion of a building which is partly below grade, but which has at least one-half of its height from finished floor to finished ceiling above the adjacent finished grade.

**Basement, Unfinished** shall mean a basement that does not have a finished floor and a finished ceiling.

**Bay Window** shall mean a projection from the wall of a building that contains a window, is wholly above the level of the adjacent floor surface and does not result in any projection of the adjacent floor area.

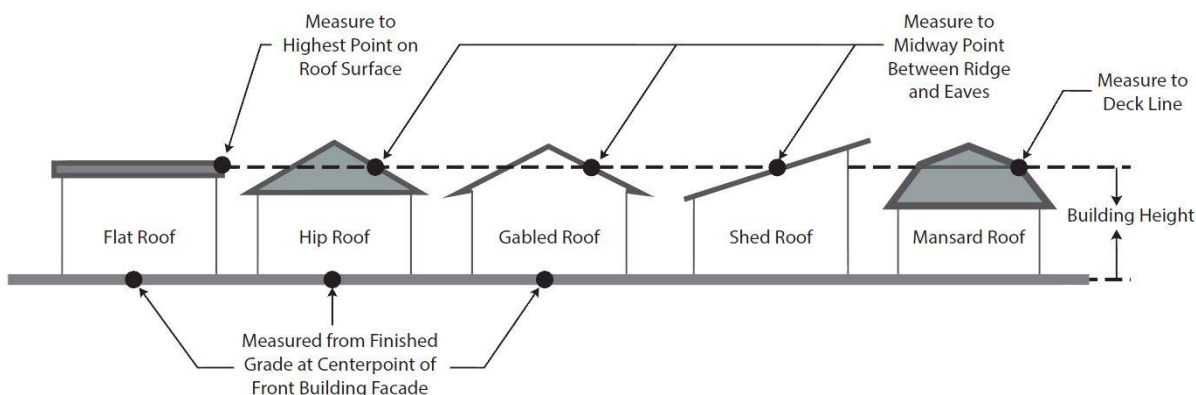
**Bed and Breakfast** shall mean a single detached dwelling in which the owner and operator who occupies the dwelling provides up to a maximum of four (4) guest rooms for the temporary accommodation of the travelling public. Bed and breakfast establishments may offer light meals to the residing guests.

**Building** shall mean any structure whether temporary or permanent, consisting of at least three walls and a roof, used or erected for the shelter, accommodation or enclosure of persons, animals, materials or equipment.

**Building Contractor's Shop or Yard** shall mean a yard, building and office of a contractor where equipment and materials are stored or where a contractor performs shop or assembly work but does not include any other use or activity otherwise defined or classified herein.

**Building Height** shall mean the vertical distance measured between the average grade at the base of a main wall and:

- i. The highest point of the roof surface of a flat roof;
- ii. The average level between eaves and ridge in the case of a gable, gambrel, shed or hip roof;
- iii. The underside of the roof deck in the case of a mansard roof;
- iv. The highest point of the building or structure in all other cases.



**Building Line** shall mean a line within a lot drawn parallel or concentric to a lot line establishing the minimum distance between that lot line and any portion of a building or structure which may be erected.

**Building Line, Established** shall mean the average setback from the centreline of a street of at least two (2) existing buildings located on lots having street frontage upon the said side of the street, provided such buildings are located on the same block and within a continuous strip of land that does not exceed 75 m.

**Building, Principal** shall mean a building designed and used for the principal use on the lot.

**Building Supply Outlet** shall mean an establishment engaged in the selling or installing of building supplies including lumber, millwork, siding, roofing, plumbing, electrical, heating, air conditioning, home

improvements and similar items. This definition shall not include any establishment otherwise defined herein or specifically named elsewhere in this By-law.

**Bulk Storage Tank** shall mean a tank for the bulk storage of petroleum, gasoline, fuel oil, gas or inflammable liquid or fluid but does not include a container for inflammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use of the premises on which such tank is located. This definition shall include a storage tank supply yard.

**Bus** shall mean a motor vehicle designed for carrying ten or more passengers and used for the transportation of persons and includes a school bus.

## C

**Camp, Recreational** shall mean any land, building or structure used for the purposes of providing sleeping accommodation, eating facilities and recreational uses, which is operated on a seasonal basis and is operated by a non-profit organization for its members, or as a public service and not as a commercial operation.

**Cannabis** shall mean the cannabis plant and anything referred to in Schedule 1 of the *Cannabis Act*, S.C. 2018, c. 16, as amended.

**Cannabis Production and Processing Facility** shall mean any building or structure used for growing, producing, processing, testing, destroying, storing, packaging and/or shipping of cannabis, authorized by an issued licence or registration by the federal Minister of Health, pursuant to the Access to Cannabis for Medication Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, and any successor thereto. Cannabis Production and Processing Facility does not include the growth, production or processing of four (4) or fewer cannabis plants on a lot for personal use and does not include the retailing of cannabis or cannabis products under a retail operator licence issued under the Cannabis Licence Act, S.O. 2018, as amended.

**Carport** shall mean a roofed structure intended for the storage of a motor vehicle built in conjunction with and attached to a dwelling. No more than two (2) sides may consist of a solid or enclosed wall, nor shall there be any type of door where the motor vehicle enters. A carport shall only be attached to the dwelling on one side, and for the purposes of clarity, a breezeway, porte cochère or similar architectural feature of a building shall not be considered a carport.

**Cartage or Transport Yard** shall mean a building, structure or land used for the storage, rental, parking for remuneration, of trucks and/or tractor trailers, and from where trucks and/or tractor trailers are dispatched for hire as carriers of goods, wares or merchandise and including accessory buildings or structures for the storage and/or distribution of goods, wares or merchandise.

**Car Wash** shall mean a building or structure containing facilities for washing motor vehicles, either by production line methods and mechanical devices, or by self-service operation.

**Catastrophe** shall mean an unanticipated, disastrous loss, of part or all, of a building or structure.

**Cemetery** shall mean land that has been established as a cemetery under the Funeral, Burial and Cremation Services Act, as amended, or under a predecessor of that Act for the interment of human and/or animal remains, or for the scattering of cremated human and/or animal remains, or for both.

**Chief Building Official** shall mean the officer or employee of the Municipality charged with the duty of enforcing the Building Code Act, as amended, together with any Regulations made thereunder, and the provisions of the Building By-law.

**Cidery, Distillery, or Micro-Brewery** shall mean a building or collection of buildings and/or structures or part thereof, that is used for the self-contained manufacturing of beers, spirits, ciders, and wines from grains, hops, crops, and fruit, and is authorized by a licence issued by the Alcohol and Gaming Commission of Ontario and may be subject to a permit issued by the Chief Building Official. This use may include accessory uses, such as: office for administration purposes, tasting room or area, special events



and tours, outdoor patio, an on-site restaurant and dining facility, and other commercial amenities and retail sales of the products produced on site.

**Coach House** means a separate dwelling unit detached from a principal dwelling unit located either in its own building or within a building also containing an accessory use and on the same lot as the principal dwelling, and may include an Additional Dwelling Unit, Mobile Home Dwelling, Modular Home Dwelling, or Tiny Home.

**Commercial Storage** shall mean land and or buildings used, rented or leased to businesses for the storage of commercial goods, including equipment, commercial vehicles, and materials for road maintenance, construction, building, or landscaping.

**Commercial Nursery and/or Greenhouse** shall mean a building and/or land for the growing of flowers, fruits, vegetables, plants, shrubs, trees, and/or similar vegetation which is sold directly from such building or lot at retail.

**Commercial Vehicle** shall mean a vehicle used for commercial purposes with or without an attached or permanently attached delivery body and includes vehicles such as catering or canteen trucks, cube vans, tow trucks, tilt and load, dump trucks, tractor trailers, semi-trailers and any vehicle which has an exterior fixture or fixtures for the purposes of carrying equipment, materials, or supplies for commercial purposes.

**Commercial Vehicle and Heavy Equipment Sales, Rental and Servicing** shall mean land, buildings or part of a building or structure in which commercial vehicles and transport trucks or trailers are offered or kept for sale, rent, or service, but shall not include any other establishment defined or classified by this By-law.

**Communications Facility** shall mean an installation or facility which transmits, receives and/or relays communications such as a microwave relay tower, telecommunications infrastructure, radio, television broadcast tower or similar facility subject to federal regulation. It will also include accessory structures or equipment that are essential to the operation and maintenance of such facilities.

**Community Centre** shall mean any tract of land, building or buildings or any part of any building used for community activities, including public recreation, assembly, cultural space, or similar institutional purposes and is under ownership of the County, a local board, an agent thereof, or other public agency, registered non-profit or not-for-profit housing organization.

**Community Garden** shall mean a communal premises open to community members and operated and maintained by a public agency, residents association, or a similar organization, for the small-scale cultivation of plants including vegetables, fruits, grains, flowers, or herbs for personal use, consumption, or donation, and not for commercial purposes, and shall exclude the cultivation or production of cannabis.

**Concrete Plant** shall mean a premises that has equipment designed to heat and dry aggregate and to mix mineral aggregate with concrete, concrete products and/or other similar materials, and includes stockpiling and storage of bulk materials used in the process or finished products manufactured on the premises and the storage and maintenance of equipment, and may include an accessory office, but does not include the retail sale of finished concrete products. May include a portable concrete plant which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

**Conservation Authority** shall mean the provincially appointed conservation authority charged with overseeing lands within the Township.

**Conservation Use** shall mean a use related to the maintenance of the natural environment for the purposes of preservation, research, observation, wildlife management, and passive recreation and outdoor uses such as hiking, hunting and fishing. This definition may include the erection and use of trail shelters, boardwalks, observation platforms, educational displays, and other similar structures ancillary to the foregoing uses.

**Construct** shall mean the erection, installation, extension or material alteration or repair of a building or structure and includes the installation of a building unit fabricated or moved from elsewhere.



**Council** shall mean the Council of the Corporation of the Township of Russell.

**County** shall mean the Corporation of the United Counties of Prescott and Russell.

**Custom Workshop** shall mean a building or part thereof used by a trade, craft or guild for custom productions of goods or materials are made in small quantities but does not include any establishment where the manufacture of goods or materials is performed on a mass production or assembly line basis nor any shop or factory otherwise defined in the By-law.

## D

**Day Care Centre** shall mean premises to provide for the temporary supervision or care of children or adults for a portion of a day not exceeding 24 hours and is licensed by the Province of Ontario, as may be required per the Day Nurseries Act, R.S.O. 1990, c. D.2, as amended.

This definition shall not include any other establishment otherwise defined herein or specifically named elsewhere in this By-law including a home-based business.

**Daylighting Triangle** shall mean an area of a lot that is paved and curbed as part of the adjacent roadway, which 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.

**Deck** shall mean a projection that is a structure abutting a building or a dwelling, with no roof or walls, except for visual partitions or railings, which is constructed on piers or a foundation above grade, for use as an outdoor leisure area.



**Development** shall mean the construction, erection or placing of one or more buildings or structures on land; or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability of such buildings or structures.

**Display and Sales Area** shall mean an area of a building which is:

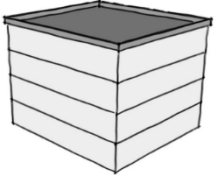
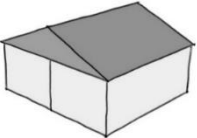
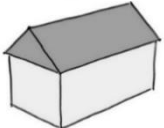
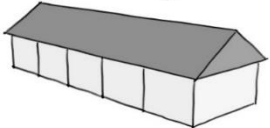
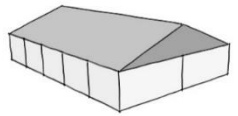

- i. accessory to a permitted use in that building;
- ii. primarily used for the display of samples, patterns or other goods; and
- iii. wherein orders are taken for merchandise which is stored in bulk in part of that building for future delivery to its customers.

**Dog Run** means an enclosure allowing freedom of movement and exercise for a dog(s), in association with a kennel.

**Driveway** shall mean a vehicular access which connects a parking space, or parking lot to a public street, and which provides ingress to and/or egress from a lot. This definition may include a shared driveway.

**Drive-Through** use shall mean an establishment that by design, physical facilities, service or by packing procedures provides or dispenses products or services, through an attendant or an automated machine, to persons remaining in vehicles that are in designated stacking aisles. A drive-through facility may be in combination with other uses, such as a bank, restaurant, or gas station.

**Dwelling** means a building containing one (1) or more dwelling units for residential occupancy, and includes:

- i. **Accessory Dwelling Unit** shall mean a dwelling unit which is accessory to a permitted non-residential use on the same lot, and is limited to one (1) accessory dwelling unit per lot.
- ii. **Additional Dwelling Unit** shall mean a self-contained dwelling unit, coach house, or tiny home, with kitchen and bathroom facilities that are intended for the exclusive use of the unit only, which is secondary to a principal dwelling unit, and which is contained within a permitted single detached dwelling, semi-detached dwelling, or townhouse dwelling, or which is contained in a building or structure that is ancillary to a permitted single detached dwelling, semi-detached dwelling, or townhouse dwelling as per the Ontario Building Code, as amended, and which is accessed through a private entrance outside the principal dwelling unit or through a common hallway or stairway within the principal dwelling unit.
- iii. **Apartment Dwelling** shall mean a building or part thereof consisting of four (4) or more dwelling units, which may or may not share a common entrance from the street level wherein the occupants have the right to use common halls and/or stairs and/or elevators and yards. 
- iv. **Duplex Dwelling** shall mean a residential use building that is divided horizontally into two (2) principal dwelling units, each of which has an independent entrance directly from the outside or through a common vestibule.
- v. **Dwelling Unit** shall mean a residential unit located in a building or structure, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities in compliance with the Ontario Building Code.
- vi. **Semi-Detached Dwelling** shall mean a residential use building that is divided vertically into two (2) principal dwelling units, each of which has an independent entrance directly from the outside or through a common vestibule. 
- vii. **Single Detached Dwelling** shall mean a detached building containing only one (1) principal dwelling unit. This definition shall include a modular home as defined herein. 
- viii. **Townhouse Dwelling** shall mean a residential use building containing three (3) or more attached principal dwelling units divided vertically, each of which has an independent entrance directly from the outside. 
- ix. **Townhouse Dwelling, Back to Back** shall mean a residential use building containing four (4) or more dwellings where the units are separated by a common vertical wall above grade, including a common rear wall, and where each dwelling unit has an independent external entrance from the outside that is accessed through the front or side of the dwelling unit. A back to back townhouse dwelling is distinct from and cannot be a stacked townhouse dwelling. 
- x. **Townhouse Dwelling, Stacked** means a residential use building containing four (4) or more dwelling units, where the units in each pair are divided horizontally, and the pairs are divided vertically, and in which each dwelling unit has an independent entrance directly from the outside. A stacked townhouse dwelling is distinct from and cannot be a back to back townhouse dwelling. 
- xi. **Triplex Dwelling** shall mean a residential use building that is divided horizontally into three (3) principal dwelling units, each of which has an independent entrance directly from the outside or through a common vestibule.
- xii. **Mobile Home Dwelling** shall mean a dwelling unit transported in one piece suitable for long term occupancy, designed to be transported on its own wheels or by other means and becomes

suitable for permanent occupancy after on-site installation of incidental accessories and mechanical connections, such as location on foundation supports or anchoring arrangements and connections to utilities. Such dwellings shall be certified to have been manufactured to the structural requirements for mobile homes as specified in CAN/CSA standard Z240.2.1.

- xiii. **Modular Home Dwelling** shall mean a prefabricated or factory built residential building consisting of two or more sections, neither of which comprises a dwelling unit, that may be attached side-by-side or above and below to form one or more complete dwelling units for year round residential occupancy, but this definition does not include recreational vehicles, or mobile homes. The building shall be designed and constructed in compliance with CSA A277 and CSA Z240. For the purposes of this By-law, a modular home dwelling shall be considered as a single detached dwelling.

## E

**Eave** shall mean a projection that is the lower part of a roof that meets or overhangs the walls of a building.

**Electric Vehicle** shall mean a vehicle that uses electricity for propulsion, and that can use an external source of electricity to charge the vehicle's batteries. An electric vehicle shall include a battery electric vehicle or a plug-in hybrid electric vehicle.

**Electric Vehicle Charging Station** means a public or private parking space that is served by equipment that has as its primary purpose the transfer of electric energy to a battery or other energy storage device in an electric vehicle.

**Emergency Service** includes police, fire, ambulance or paramedic services.

**Erect** shall mean to do anything pertaining to the building, construction, reconstruction, installation, enlargement, structural alteration or repair of a building or structure, and shall include any preliminary physical operations such as excavating, grading, piling, cribbing, filling or draining, the relocation of a building or structure, the installation of a building unit fabricated or removed from elsewhere, and demolition or removal of a building or any part thereof, and further includes any work for which a building permit is required. "Erected" and "erection" shall have a corresponding meaning.

**Existing** shall mean legally existing as of the date of final passing of this By-law.

## F

**Fairground** shall mean lands where the property is used on a temporary basis for fairs, circuses or exhibitions which are held primarily outdoors, and includes any accessory and temporary buildings.

**Farm Equipment Sales, Rental and Servicing** shall mean a building or part of a building or structure in which farm vehicles or equipment are offered or kept for sale or, rent, or service, but shall not include any other establishment defined or classified by this By-law.

**Farmers' Market** shall mean a permitted, seasonal, single-vendor or multi-vendor operation at a fixed location, selling agricultural produce, food, and arts and crafts products, including homegrown produce, homemade crafts, and/or value-added products where vendors are the primary producers. Vendors may operate out of produce stands. For the purpose of this definition, a farmer's market may not be required to be located on the same lot as an agricultural use.

**Farm Produce Outlet** shall mean an on-farm diversified use which consists of the retail sale of agricultural products, raised, grown or processed by the property owner or an agriculture operation conducted on the farm, or other products produced in Canada.

**Farm Produce Stand** shall mean an on-farm diversified use consisting of a building or structure, no greater than 15 m<sup>2</sup>, in which agricultural products grown, raised, or processed on the farm, or within



Canada, are offered for retail sale. This use may be permitted on a temporary basis within Commercial and Institutional Zones.

**Financial Institution** shall mean a place that provides a range of financial services and includes a trust company, finance company, mortgage company, investment company, bank, or other institution, and may include an accessory bank machine.

**Finished Grade** shall mean:

- i. When used with reference to a building or structure, the average elevation of the finished grade of the ground immediately surrounding such structures, exclusive in both cases of any artificial embankment or entrenchment.
- ii. When used with reference to a street, road or highway, the elevation of the street, road or highway established by the Municipality or other designated authority.

**Flood Plain** shall mean the area adjoining a lake, river, stream, wetland, or watercourse which is susceptible to flooding during the regulatory flood event standard of the appropriate Conservation Authority.

**Food Bank** shall mean a premise where a not-for-profit organization collects and distributes food or other goods to individuals.

**Food Processing Plant** shall mean a building or structure where agricultural or fish products are prepared, processed, preserved, graded or stored, but does not include a restaurant or abattoir.

**Forestry Operation** shall mean the management and cultivation of timber resources, and practice of silviculture, to ensure the continuous production of wood or wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, protection of water supplies, and preservation of the recreation resource and shall include reforestation areas owned or managed by the Province or local Conservation Authority or under a plan approved by a Registered Professional Forester. Forestry shall not include milling or wood processing operations.

**Front Wall** shall mean that part of the exterior front-facing façade of a residential use building that is not a permitted projection or an attached garage or carport, that is located closest to the front lot line.

**Funeral Home** shall mean premises used for the purpose of furnishing funeral supplies and services to the public, preparation of human remains for interment or cremation, pursuant to the Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c. 33, as amended, but does not include a crematorium.

**Fuel Storage Depot** shall mean an establishment primarily engaged in the bulk storage and distribution of petroleum, gasoline, fuel oil, gas or other similar products in fuel storage tanks.

## G

**Garage, Private** shall mean a building or part of a building used or intended for the parking or storage of a motor vehicle, commercial vehicle, and/or recreational vehicle as accessory to a dwelling unit. For the purposes of this By-law, a private garage excludes a carport or other open shelter.

**Garbage Container** shall mean a bin or dumpster, with or without a lid, used to store garbage and refuse temporarily. This definition excludes a container used for a construction or demolition project for which a valid building or demolition permit has been issued.

**Garbage Enclosure** shall mean a solid opaque wall or fence comprised of concrete block, brick, or wood, with a gate, and is hard-surfaced with asphalt, concrete, interlocking pavers, permeable pavers, or asphaltic binder, that screens a garbage container.

**Garden Centre** shall mean a building or part of a building and land adjacent thereto for growing or displaying of flowers, fruits, vegetables, plants, shrubs, trees, or similar vegetation which is sold to the



public at retail and shall also include the sale of such goods, products and equipment as are normally associated with gardening or landscaping.

**Garden Suite** shall mean, pursuant to the Planning Act, as amended, a one (1) unit detached residential structure containing a bathroom and kitchen facilities that is ancillary to an existing residential structure, designed to be portable, is capable of meeting the standards of the Ontario Building Code, and is used for temporary accommodation.

**Golf Course** shall mean a public or private area operated for the purpose of playing golf, inclusive of club house facilities, accessory driving ranges or putting greens, but does not include any other uses defined herein.

**Greenhouse, Private** shall mean a building wherein the temperature and humidity can be regulated for the cultivation of plants for subsequent sale, processing or personal equipment.

**Gross Floor Area** shall mean the aggregate of the horizontal areas of each floor, whether any such floor is above or below grade, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, exclusive of any part of the building or structure used for heating equipment or mechanical equipment, parking, lockers, laundry facilities, common hallways, common corridors, common stairwells, elevator shafts and other voids, steps and landings.

In all cases, only that floor area having a clear height to the ceiling of at least 2.2 m shall be considered in the calculation of the floor area.

**Ground Floor Area** shall mean the total ground floor area of a building measured between the exterior faces of the exterior walls exclusive of any parking areas within the building and, in the case of a dwelling, exclusive of any basement or cellar or any private garage, carport, porch, verandah or sunroom, unless such sunroom is habitable at all seasons of the year.

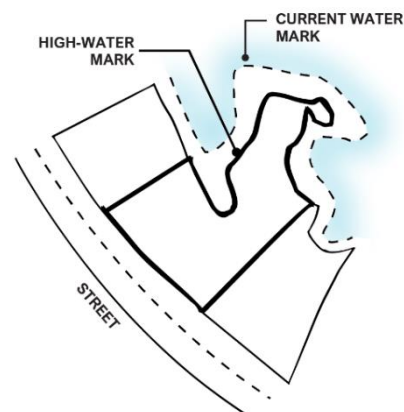
**Gross Leasable Area** shall mean the total floor area designed for tenant occupancy and exclusive use, including attached patio or decks, measured from the interiors of outside walls excluding floor area occupied by party walls and exclusive of any part of the building or structure used for heating equipment or mechanical equipment, parking, common hallways, common corridors, common stairwells, elevator shafts and other voids, steps and landings.

**Group Home** shall mean a single housekeeping unit as the sole use within a single detached dwelling, licensed, approved, or funded under Provincial statute, as amended, for the accommodation of three (3) to ten (10) residents, exclusive of staff, that provides a group living arrangement under responsible supervision. For the purposes of this By-law, any facility with less than three (3) occupants shall not be considered a Group Home.

**Guest Room** shall mean a room or suite of rooms which contains no facilities for cooking and which is used or maintained for gain or hire by providing accommodation to the public.

## H

**High Water Mark** shall mean the highest elevation of the water surface of a body of water or a waterbody, including seasonal flooding, as evidenced by changes in shoreline vegetation or residual water marks left on buildings, structures, vegetation or other shoreline features.



**Highway** shall mean a highway as defined in the Municipal Act R.S.O., 2001, as amended.

**Hobby Farm** shall mean a lot used principally for residential use and where accessory uses may include small scale market gardening for retail. Livestock, including horses, will be limited to a maximum of four (4) nutrient units, as defined by the Nutrient Management Act, as amended, and able to meet the Minimum Distance Separation formula.

**Home-Based Business** shall mean a profession, trade, business, or craft, conducted within a dwelling unit or in an accessory building or part thereof, by one or more persons residing therein, and carried on as a secondary and subordinate use to the use of a dwelling and may include the following:

- i. Instruction in or businesses involving music, academic subjects, culinary arts, religion, dancing, arts and crafts such as pottery, weaving, painting or sculpting, sewing, hairdressing or similar uses;
- ii. Businesses involving work conducted primarily in other locations, such as those operated by electricians, plumbers, carpenters or operators of commercial vehicles, including school buses, provided that the storage of commercial vehicles, equipment or materials does not take place at the residence;
- iii. Businesses involving the repair of small appliances, engines, radios, televisions and similar items, skate or knife sharpening or similar uses;
- iv. An office used by a physician, dentist or other medical practitioner, an insurance agent, accountant, engineer, lawyer, architect, sales person or a person engaged in a similar occupation;
- v. A home-based day care that provides temporary care for five (5) children or less who are under ten (10) years of age for a period of less than 24 hours and operating in accordance with the Child Care and Early Years Act, 2014, S.O. 2014, Chapter 11, as amended.

**Home Industry** shall mean a small-scale trade or profession, carried out as an accessory use to a detached dwelling, that includes but is not limited to a workshop, such as a carpentry shop, a metal working shop, a machine shop, a welding shop, a tool and die shop or an electrical shop, and is carried out by a person residing in the principal dwelling unit. The home industry shall be permitted in the dwelling or contained in an accessory building or part thereof.

**Hotel** shall mean an establishment that contains four (4) or more suites and that provides sleeping accommodation for the travelling public or for recreational purposes for gain or profit pursuant to the Hotel Registration of Guests Act, R.S.O. 1990, c. H.17, as amended, provided that all common rooms and sleeping units are accessible from a system of corridors enclosed within the building. A hotel shall include a counter, desk or office for guest customer service, and on-site cleaning facilities. Any associated bar or restaurant shall be accessory to the principal hotel use. For the purposes of this By-law, a hotel shall also include an inn.

**Hospital** shall mean a private hospital as defined by the Private Hospitals Act, as amended, or a hospital as defined by the Public Hospitals Act, as amended.

**Industrial Use, Light** shall mean a building or part of a building that produces, manufactures, assembles or stores a product and has a low probability of fugitive emissions (e.g. noise, odour, dust and vibration), in accordance with the definition of a Class I industrial use as defined in the Province's D-6 Guideline: Compatibility between Industrial Facilities, as amended. Such industries operate primarily in the daytime with infrequent movement of products and minimal outside storage.

**Industrial Use, Medium** shall mean a building or part of a building where a product is produced, manufactured, assembled, or stored, and that have point source emissions with minimal risk of adverse effects, and that may have occasional outputs of fugitive emissions (e.g. noise, odour, dust, and/or



vibration), in accordance with the definition of a Class II industrial use as defined in the Province's D-6 Guideline: Compatibility between Industrial Facilities, as amended. Shift operations may occur along with frequent movement of products. Outside storage of raw material, waste and/or finished products may be a normal part of the operation.

**Industrial Use, Heavy** shall mean a place of business for uses characterized as having regular emissions such as noise, smoke, odour, fumes and/or vibrations, in accordance with the definition of a Class III industrial use as defined in the Province's D-6 Guideline: Compatibility between Industrial Facilities. Such industries may operate continuously with frequent movement of products and extensive outside storage.

**Intake Protection Zone** shall mean the area of land and water that contributes source water to a drinking water system intake within a specified distance, period of flow time, and/or watershed area.

## K

**Kenel** shall mean a building or structure, shelter, or collection of buildings, a run, or other small structures, separate from and not including the principal dwelling, used for the breeding, raising, sheltering and/or boarding of animals that is regulated under the Township of Russell Kennel By-law 2019-065, as amended.

## L

**Landscaped Open Space** shall mean the open and unobstructed space from ground to sky at finished grade which is on a lot and suitable for the growth and maintenance of grass, flowers, bushes and other landscaping and includes any natural existing vegetation, surfaced walkways, patio, path, play area, or similar area, but does not include any driveway or ramp, whether surfaced or not, any curb, retaining wall, parking area or any open space beneath or within any building or structure.

**Laneway** shall mean a public right-of-way that is not for general traffic circulation.

**Legal Non-Complying** shall mean any lot, building, or structure that does not meet the requirements of this By-law other than the provisions of the By-law pertaining to permitted uses.

**Legal Non-Conforming** shall mean the use of any lot, building or structure which is not permitted by the Zone in which the land, building or structure is located.

**Library** shall mean a public lending library within the meaning of The Public Libraries Act, R.S.O., 1990, as amended.

**Livestock** shall mean animals kept for use, production, propagation, and/or for intended profit or gain and without limiting the generality of the foregoing includes: dairy and beef cattle, horses, swine, sheep, laying hens, chickens and turkey broilers, turkeys, goats, geese, mink and rabbits.

**Livestock Facility** shall mean barns, buildings and structures where animals are housed or capable of being housed and shall also include beef feedlots and the associated manure storage facilities.

**Livestock Sales Establishment** shall mean a building exclusively dedicated to the sale of livestock and includes an auction barn.

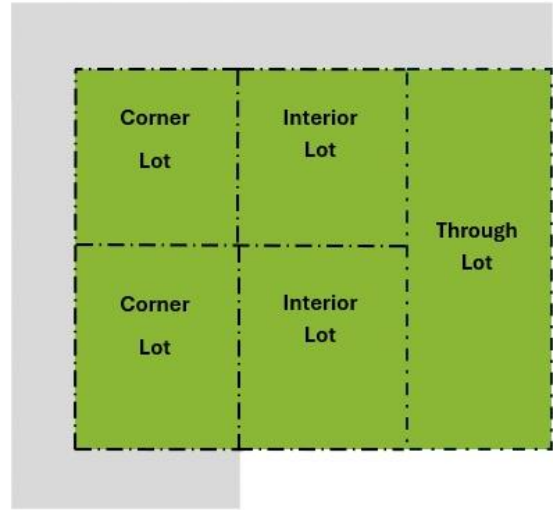
**Loading Space** shall mean a space or bay located on a lot which is used or intended to be used for the temporary parking of any commercial vehicle while loading or unloading goods, merchandise or materials used in connection with the use of the lot or any building thereon.

**Long-term Care Facility** shall mean a building containing multiple rooms with common access to eating, bathrooms, recreation and leisure areas for temporary occupancy by those requiring nursing or other care where meals, personal care, nursing services and medical care and treatment are provided or made available, as defined under the Fixing Long-Term Care Act, 2021, S.O. 2021, c. 39, Schedule 1, as amended, Long-term care facilities include home for the aged, nursing homes, and chronic care facilities.



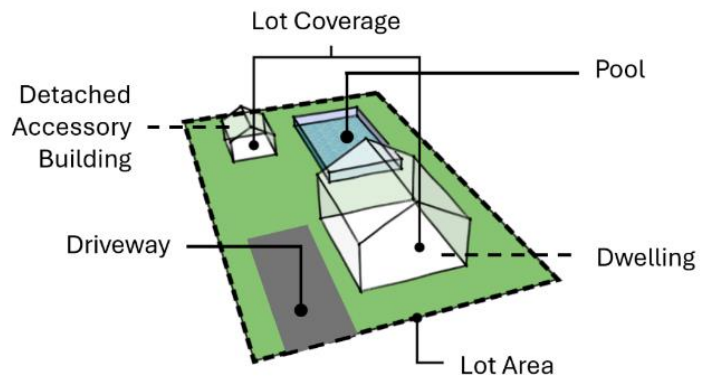
**Lot** shall mean a parcel, block, or tract of land which is capable of being legally conveyed in accordance with the provisions of the Planning Act and includes:

- i. **Corner Lot** shall mean a lot situated at the intersection of two or more streets having an angle of intersection of not more than 135 degrees.
- ii. **Interior Lot** shall mean a lot other than a corner lot of a through lot.
- iii. **Through Lot** shall mean a lot bounded on two opposite sides by streets, provided that if any lot qualifies as both a through lot and a corner lot, it shall be considered a corner lot for the purposes of applying the Zoning By-law.
- iv. **Irregular Lot** which means a lot where any interior angle formed by any two lot lines is other than ninety (90) degrees.

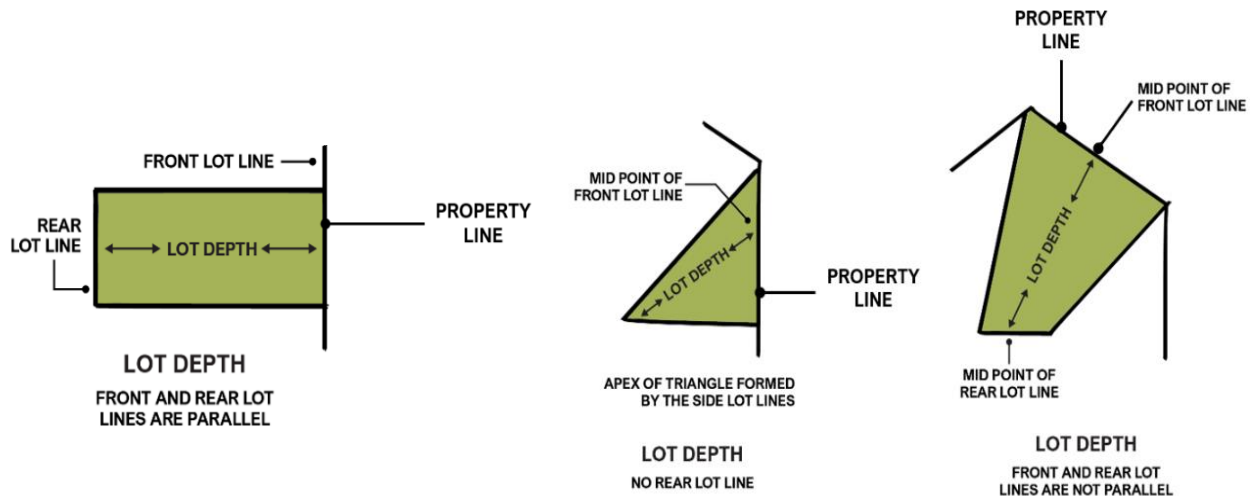


**Lot Area** shall mean the total horizontal area within the lot lines of a lot, excluding the horizontal area of such lot covered by water or wetland.

**Lot Coverage** shall mean the percentage of the lot covered by all buildings, enclosed and/or unenclosed roofed structures located above finished grade, not including swimming pools, and as measured to the building line, or in the case of a covered structure, to the outer limits of that covered structure.



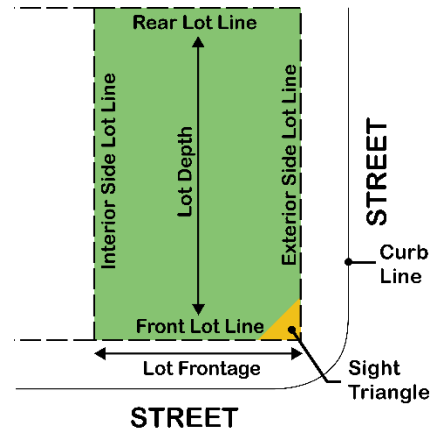
**Lot Depth** shall mean the horizontal distance between the front and rear lot lines. Where the front and rear lot lines are not parallel, the lot depth shall be the length of a straight line joining the mid points of the front and rear lot lines. When there is no rear lot line, the lot depth shall be measured from the midpoint of the front lot line to the converging point apex of the triangle formed by the side lot lines.



**Lot Line** shall mean any boundary of a lot or the vertical projection thereof.

**Lot Line, Front** shall mean:

- i. The lot line that divides the lot from the improved public street.
- ii. In the case of a corner lot, the shorter lot line abutting an improved public street or private right-of way shall be deemed the front lot line and the longer lot line abutting a street or private right-of-way shall be deemed an exterior side lot line. In the case of a corner lot where both lot lines are the same length, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line.
- iii. In the case of a through lot, the lot line abutting an improved public street shall be deemed to be the front lot line.
- iv. In the case of a through lot abutting two (2) improved public streets, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line.
- v. Where a lot abuts a private right-of-way and does not abut an improved public street or navigable waterway, the lot line abutting the private right-of-way shall be deemed to be the front lot line.

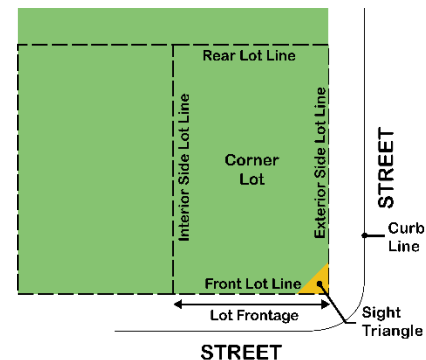
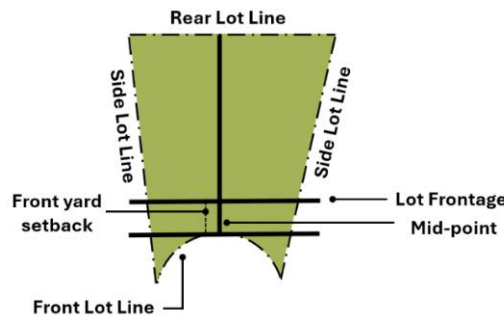
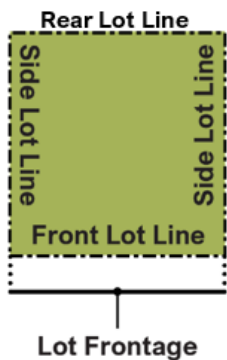


**Lot Line, Rear** shall mean the lot line opposite to the front lot line. In the case of a lot where the side lots lines converge at a single point (i.e., triangular lot), the rear lot line refers to the point of intersection of the side lot lines.

**Lot Line, Exterior Side** shall mean a side lot line which abuts the street on a corner lot, other than a front lot line.

**Lot Line, Interior Side** shall mean any side lot line that is not an exterior side lot line.

**Lot Frontage** shall mean the width of a lot measured between the intersection of the side lot lines with a line back from and parallel to the front lot line, at a distance equal to the minimum required front yard depth. Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage is to be measured by a straight line drawn parallel to a straight line connecting both side lot lines with the midpoint of the front lot line closest to the rear lot line, that is no less than the required front yard setback for the applicable Zone. A sight triangle shall be considered part of the lot for the purposes of calculating the lot frontage.



## M

**Medical Facility** shall mean a building or part of a building wherein health services are provided to the public in the form of a medical, paramedical, dental, surgical, physiotherapeutic, or other human health services including a walk-in clinic and associated technician and laboratory facilities, and may also include an incidental pharmaceutical outlet for the sale of prescription and therapeutic drugs and medication and other drug store products normally sold in a pharmaceutical outlet, and optical equipment.

**Minimum Distance Separation Formulae** shall mean formulae developed by the Province of Ontario to minimize odour conflicts between livestock facilities and development, as amended from time to time.

**Motel** shall mean a premises used to accommodate the travelling public for gain or profit, pursuant to the Hotel Registration of Guests Act, R.S.O. 1990, c. H.17, as amended, by supplying them with sleeping accommodation, with or without meals. A motel shall include a counter, desk or office for guest customer service, and on-site cleaning facilities. The guest rooms of a motel are accessed directly from the outside and may or may not be accessed from common corridors. A motel does not include any other use otherwise defined in this By-law. Accessory uses may include a restaurant, bar, or meeting facilities. For the purposes of this By-law, a motel shall also include an inn.

**Motor Vehicle Body Shop** shall mean a place where painting and major or structural repairs are made to motor vehicles.

**Motor Vehicle Dealership** shall mean a building or structure from which a dealer sells or leases new or used motor vehicles, including the display of new or used vehicles either within a building or in an outdoor display and sales area, and may be associated with a motor vehicle service station, motor vehicle gas bar or a motor vehicle body shop, but shall not include any other establishment otherwise defined or classified in this By-law.

**Motor Vehicle Gas Bar** shall mean a development used for the sale of automotive fuel, oils, propane, automotive fluids and associated convenience store products. A gas bar may include a car wash as an accessory use.

**Motor Vehicle Rental Establishment** means a place where new or used motor vehicles other than heavy vehicles are rented.

**Motor Vehicle Service Station** shall mean a place that:

- i. has one or more service bays or facilities for a mechanic to perform inspections, service and repair motor vehicles other than heavy vehicles, which may also retail fuel and other automotive products; or
- ii. has one or more service bays which provide one or more single or specialized service product installation for motor vehicles other than heavy vehicles, such as mufflers or oil changes.

**Municipality** shall mean the Corporation of the Township of Russell.

**Museum** shall mean a premises for the purpose of acquiring, conserving, studying, interpreting, assembling and exhibiting to the public a collection of artefacts of scientific, natural, artistic, or historical interest.

## N

**Natural Heritage System** shall mean a system made up of natural heritage features and areas, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. These systems can include natural heritage features and areas, federal and provincial parks and conservation reserves, other natural heritage features, lands that have



been restored or have the potential to be restored to a natural state, areas that support hydrologic functions, and working landscapes that enable ecological functions to continue.

**Navigable Waterway** shall mean a waterbody that is capable of affording reasonable passage of floating vessels of any description for the purpose of transportation, recreation, or commerce considered navigable by law, pursuant to the Beds of Navigable Waters Act, R.S.O. 1990, as amended.

**Noxious Use** shall mean a use or activity which, from its nature or from the manner of carrying of same, creates or is liable to create, by reason of destructive gas or fumes, dust, objectionable odour, noise or vibration or unsightly storage of goods, wastes, merchandise, salvage, machinery parts, junk, waste or other materials, a condition that may become hazardous or injurious with regard to health or safety or which prejudices the character of the surrounding area or interferes or may interfere with the normal enjoyment of any use of activity in respect of any land, building or structure.

## O

**Office** shall mean a building or part of a building used or intended to be used in the performance and transaction of business including professional, administrative, research, communication, and clerical activities.

**On-Farm Diversified Use** shall mean uses that are secondary to the principal agricultural use of the property, are limited in area, and operated by a bona fide farmer with a Farm Business Registration number. On-farm diversified uses include, but are not limited to, home-based businesses, home industries, agri-tourism uses, uses that produce value-added agricultural products, and electricity generation facilities and transmission systems, and energy storage systems.

**Open Storage** shall mean the storage of goods, merchandise or equipment accessory to a permitted use, where it is located outside of a building or structure and visually screened by a fence or other visual barrier, but does not include a temporary or seasonal sales area of goods or merchandise offered by the existing business.

**Outdoor Commercial Patio** shall mean an outdoor seating area, operated as part of a restaurant, bar, or place of assembly where food, beverage, wine, and/or spirits are served to the public or to members of a club or organization.

**Outdoor Display and Sales Area** shall mean an area set aside outside of a building or structure, used in conjunction with a business located within the building or structure on the same property, for the display or sales of seasonal produce, new merchandise or the supply of services.

**Outdoor Furnace** shall mean a device or appliance, primarily designed for outdoor use to convert solid fuel into energy and includes all components, controls, wiring and piping required to be part of the device or appliance and shall be installed in conformance with any applicable standard or code. For the purpose of this definition, solid fuel shall be defined as any recognized energy source including wood, coal, peat, grain, coke or any manufactured product so approved for said appliance, but does not include garbage / waste of any kind. This definition may also include gas outdoor furnaces.

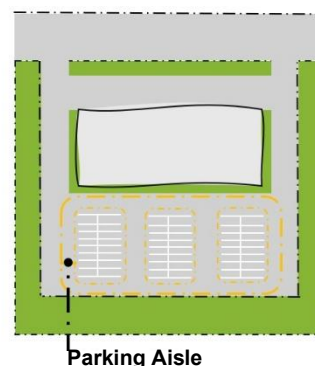
## P

**Park, Public** shall mean any open space or recreational area, owned or controlled by the Township or County, or by any Board, Commission or other Authority established under any statute of the Province of Ontario and may include neighbourhood, community, regional and special parks or areas. The park may include one (1) or more athletic fields, field houses, community centres, bleachers, swimming pools, greenhouses, botanical gardens, zoological gardens, bandstands, skating rinks, tennis courts, bowling greens, boat liveries, bathing stations, camping areas, curling rinks, refreshment rooms, fair grounds, arenas, golf courses or similar uses. Uses may also include a farmer's market or dog park as approved by the County, and stormwater management facilities.

**Park, Private** shall mean any open space or recreational area other than a public park.



**Parking Aisle** shall mean a portion of a parking lot, which abuts the off-street parking spaces to which it provides access, and which is not used for the parking of motor vehicles.



**Parking Area** shall mean an area, whether or not within a building or structure, used for the temporary parking of four or more licensed motor vehicles and may include aisles, parking spaces, and related entrances and exits but shall not include any part of a street or lane, nor any area wherein motor vehicles are impounded or stored for sale or repair.

**Parking Garage** shall mean a building used for the temporary parking of four or more licensed motor vehicles, but excludes a garage accessory to a detached, semi-detached, or duplex dwelling.

**Parking Lot** shall mean any commercial or public parking area other than a parking area accessory to a permitted use. This definition may include a parking garage.

**Parking Space** shall mean an area exclusive of any aisles or driveways used for the parking of one motor vehicle, including an area in an attached garage.

**Permitted Projection** shall mean a specific architectural feature, structure, or building component that is permitted to project, or encroach, into a required yard, setback, or beyond a maximum height limit, and may include but is not limited to, an awning, balcony, bay window, canopy, chimney, eave, deck, gutter, porch, among other components.

**Personal Service Establishment** shall mean a place where a service is performed for the personal grooming and personal effects or clothing of the consumer, including a hair styling salon; tattoo and piercing parlours; spa; tanning salon; shoe repair shop; tailor shop or dressmaker shop; or massage therapy service but excluding a body rub parlour.

**Pit** shall mean land or land under water from which unconsolidated aggregate is being or has been excavated and that has not been finally rehabilitated but does not mean land or land underwater excavated for a building or structure on the excavation site or in relation to which an order has been made under Section 1(3) of the Aggregate Resources Act, as amended.

**Place of Assembly** shall mean a place designed and used to accommodate gatherings of people such as clubs, reception halls, conference centres, legion halls, assembly halls and lodges, and for events such as trade shows, banquets, funeral services and political or other conventions.

**Place of Entertainment** shall mean a lot, building, or structure, in which various forms of entertainment take place primarily indoors, including a cinema or other theatre, arena, auditorium, indoor children's playground, public hall, billiard hall, bowling alley, ice or roller skating rink, arcade, dance hall or music hall, but does not include a place of recreation.

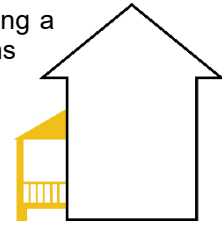
**Place of Recreation** shall mean a lot, building or structure in which various forms of outdoor recreation are provided for a fee, including but not limited to amusement parks, mini-golf courses, and a golf driving range, but does not include a place of entertainment.

**Place of Worship** shall mean a building dedicated to religious worship and may include such accessory uses as a nursery school, convent, monastery or hall, funeral services, or auditorium.

**Planting Strip** shall mean a portion of land used for no purpose other than planting and maintaining trees, shrubs, and/or grasses.



**Porch** shall mean a projection that is a structure abutting a building or dwelling, having a roof but with walls that are generally open and unenclosed except for removable screens and storm sashes or awnings, for use as an outdoor leisure area.



**Post-Secondary Institution** shall mean a public educational institution that includes:

- i. A university which means a place of higher education, which has a body of teachers and students on the premises, and that offers instruction at the undergraduate level, post-graduate level, or both, and which is empowered by law to grant a degree upon the successful completion of a prescribed course of study;
- ii. A college which means a college of applied arts and technology or other similar place of post-secondary education which has a body of teachers and students on the premises, and that provides instruction in business, a trade, or a craft; and that is empowered by law to grant diplomas, licenses or certificates that permit the holders to represent themselves as qualified to work in a particular trade or profession; or
- iii. Any residential use buildings, dwelling units or rooming units ancillary to and located on the same lot as a university or college.

**Principal** shall mean the primary use of land, buildings, structures, or architectural features.

**Private Road** shall mean a road or right-of-way which affords access to abutting lots but is not available for use by the general public, is privately owned and maintained, and does not include a public street, road or highway as herein defined.

**Propane Cylinder Exchange Facility** shall mean a facility regulated by the Technical Standards and Safety Authority (TSSA) from which propane is stored in cylinders and exchanged where there is no element of propane transfer and where the exchange facility is accessory to a permitted use.

**Provincial Highway** shall mean a street under the jurisdiction of the Ministry of Transportation (MTO).

**Public Agency** shall mean the Township of Russell, the United Counties of Prescott and Russell, a Conservation Authority and any departments of the Governments of Ontario or Canada, including any Boards or Commissions thereof.

**Public Use** shall mean a building, structure, or lot used for public services by the Corporation or the United Counties and any Boards or Commissions thereof and any Ministry or Commission of the Governments of Ontario and Canada, any utilities, telecommunications or railway company or similarly recognized agencies. A public use includes animal shelters, emergency services, stormwater management facilities, and wastewater treatment facilities.

## Q

**Quarry** shall mean land or land under water from which consolidated aggregate is being or has been excavated, and that has not been finally rehabilitated, but does not mean land or land under water excavated for a building or structure on the excavation site or in relation to which an order has been made under Section 1(3) of the Aggregate Resources Act, as amended.

**Queuing Lane** shall mean a continuous on-site queuing lane that includes tandem parking spaces for motor vehicles which is separated from other vehicular traffic and pedestrian circulation, by barriers, markings or signs.

## R

**Recreational and Athletic Facility** means a place designed and equipped with facilities such as a swimming pool, rink, stadium, squash or tennis courts, gymnasias, weight-lifting and exercise rooms and used for recreational, fitness or athletic pastimes, and may include an ancillary sports field. This definition also includes the following:

- i. **Sports Dome**, which shall mean a sports field or other sports facility covered with an inflatable structure, and which may also include attached accessory buildings to accommodate administrative offices, change rooms, and related uses.

**Recreational Vehicle** shall mean any vehicle that is suitable for being attached to a motor vehicle for the purpose of being drawn or is self-propelled, and/or is capable of being used on a short term recreational basis for the living, sleeping or eating accommodation of persons. The term recreational vehicle includes the following: travel trailers, tent trailers, motor homes, boats, boat trailers, snowmobiles, dune buggies or any other similar vehicles.

**Recycling Depot** shall a building or part of a building in which used material is separated and processed prior to shipment to others who will use those materials to manufacture new products.

**Refreshment Vehicle** shall mean a structure or a converted vehicle located on a lot where food products and beverages are prepared and sold to the public (commonly known as a chip wagon), in accordance with the Township of Russell By-law 22-062, as amended.

**Regulated Area** shall mean any area prone to a naturally occurring hazard (i.e., lands prone to flooding during the regulatory 1:100 year storm, areas which may be damaged by wave uprush or ice piling, dynamic beaches, unstable slopes or unstable bedrock, organic soils, or any other area prone to a natural hazard) and the lands adjacent to the hazardous area; as well as watercourses, waterbodies and wetlands within the County. These areas are regulated by the appropriate Conservation Authority under the auspice of Ontario Regulation 41/24 Prohibited Activities, Exemptions and Permits, as amended.

**Renewable Energy System** shall mean a system that generates electricity, heat and/or cooling from a renewable energy source, as regulated under the Environmental Protection Act, R.S.O. 1990, c. E.19, as amended, and its associated Regulations.

**Restaurant** shall mean a place where food or beverages are prepared and sold to patrons for immediate consumption on or off-site, including a pub or bar, and can include live music or games, and may also include a take-out restaurant, fast food restaurant, an accessory catering establishment and shared commercial kitchen facilities, but does not include an indoor entertainment facility or place of assembly.

**Retail Convenience Store** shall mean a retail store supplying groceries and other daily household conveniences for sale or rental to the immediate surrounding area.

**Retail Food Store** means a store where primarily food, as well as other personal, convenience and household items and services, is provided for sale directly to the public and includes a supermarket, butcher shop, bakery shop, produce outlet, and delicatessen but does not include a farmers' market.

**Retail Store** shall mean a building or part thereof in which goods, wares, merchandise, substances, articles or things are offered or kept for sale or rent directly to the public, and includes uses such as a pharmacy, post-office, dry cleaning or laundry outlet, flea market, garden supply store, and home renovation store / depot, among other uses.

**Retirement Home** shall mean a retirement home as defined in the Retirement Homes Act, 2010, as amended, or its successor, but shall not include a long-term care facility.

**Rooming House** shall mean a principal dwelling within the whole of a residential use building that contains at least four (4) rooming units as regulated by the Ontario Building Code and the Residential Tenancies Act, 2006, and which may also contain dwelling units and an administration office accessory to the operation of the house.



## S

**Sanitary Sewers** shall mean a system of underground conduits, operated by the County, which carries sewage to the sewage treatment facility.

**School** shall mean a school under the jurisdiction of a Board as defined in the Education Act.

**School, Private** shall mean a school other than a public school or a commercial school.

**School, Commercial** shall mean a school of six (6) or more pupils conducted for gain in such fields as academics, arts, crafts, culinary, motor vehicle driving, language, modelling, hairdressing, gymnastics, beauty, culture, dancing, music, golf, yoga, martial arts, photography, business or trade, engineering, computer technology and any other such specialized school conducted for gain. A commercial school shall not include a private school or public school.

**Septic System** shall mean a leaching bed system and/or a tertiary treatment system as defined in the Ontario Building Code.

**Services** shall mean:

- i. **Services, Communal** shall mean a lot serviced with communal sanitary sewage facilities and/or water supply owned privately or by the Township that provide water and wastewater treatment to clusters of dwellings and/or businesses.
- ii. **Services, Full Municipal** shall mean a lot serviced with a sanitary sewage system and water supply provided by the Township.
- iii. **Services, Partial Municipal** shall mean a lot serviced with either a sanitary sewage facilities or water supply provided by the Township.
- iv. **Services, Private** shall mean a lot serviced with private individual sanitary sewage facilities and domestic water supply.

**Service Bay** shall mean a space in which a motor vehicle or commercial vehicle other than heavy vehicles, can temporarily park to be inspected, serviced, and repaired by a mechanic, provide fuel, or receive specialized service.

**Service and Repair Shop** shall mean a shop devoted to the servicing or repair of items such as major appliances, heating/cooling systems, farm equipment and includes the regular place of business of a master electrician, plumber or other similar tradesperson or contractor. A service shop may also include an accessory retail use, such as retail sales of articles or goods, appliances, furniture, home and office electronics, bicycles, clothing and shoes, jewellery, or similar items.

**Setback** shall mean:

- i. The least horizontal distance between a lot line and the nearest part of any building or structure; or
- ii. With reference to a street, the least horizontal distance between the street line and the nearest part of any building or structure; and
- iii. With reference to a water body, watercourse, or wetland: the least horizontal distance between: the greatest inland identified hazard (flood, erosion, and/or dynamic beach); the stable top of bank and/or normal high-water mark of the water body or watercourse where the bank is not clearly defined; and/or the wetland boundary; and the nearest part of any building or structure.

**Settlement Areas** shall mean built-up areas where development is concentrated and which have a mix of land uses, and lands which have been designated in the United Counties of Prescott and Russell Official Plan and Township of Russell Official Plan for development over the long term.



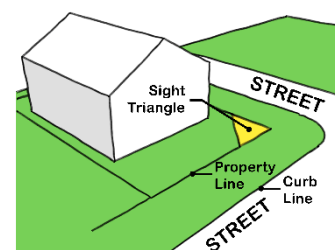
**Sewage Treatment Facility** shall mean a building or structure approved by the Ministry of the Environment, Conservation and Parks, and operated by the Municipality, where domestic and / or industrial waste is treated and for the purposes of this By-law shall include a sewage lagoon.

**Shelter** means an establishment providing temporary accommodation to individuals who are in immediate need of emergency accommodation and food, and may include ancillary health care, counselling and social support services.

**Shipping Container** shall mean any unlicensed trailer (whether or not mounted on wheels, and without a cab above or below grade), seacan, shipping container, storage container, cargo box, and storage trailer designed or once servicing as commercial shipping or cargo containers, and typically consisting of four sides locked together to form a steel box. For the purposes of this definition, unlicensed trailer means a trailer which does not have a valid permit under the Highway Traffic Act, R.S.O. 1990, c. H.8., as amended.

**Shopping Centre** shall mean a group of commercial uses, which have been designed, developed and managed as a unit by a single owner or tenant, or a group of owners or tenants.

**Sight Triangle** shall mean triangular space formed by the street lines of a corner lot and a line drawn from a point in one (1) street to a point in the other street line. Where the two (2) street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines. A sight triangle is not necessarily public land or land to be conveyed to the Municipality or County.



**Sign** shall mean a sign as defined by the Sign By-law of the Township of Russell.

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

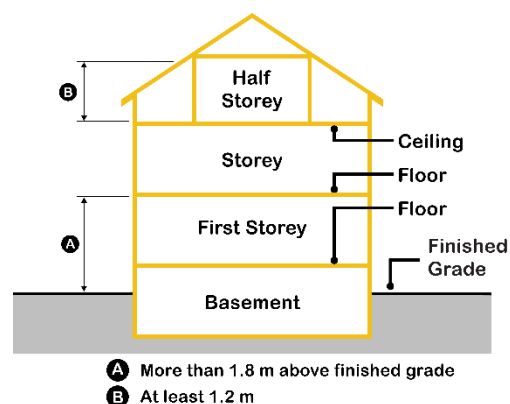
**Snow Disposal Facility** shall mean a facility to which snow is transported for storage from other off-site locations.

**Special Event** shall mean a temporary gathering of people for a specific purpose on a single lot, and may include outdoor sporting, cultural, business or other unique activity, for a limited duration of a maximum of three (3) consecutive days, occurring no more than once per season of the calendar year. A special event excludes construction-related activities, farm-related activities, family-related activities or film production. A special event may be licensed by the landowner through the Alcohol and Gaming Commission of Ontario.

**Special Event Gathering Area** shall mean the outdoor open space area designed or designated for persons standing or seated for the purposes of being entertained, participating, or awaiting participation for a special event activities or related activities.

**Storey** shall a level of a building included between the surface of a floor and the ceiling or roof immediately above it, and includes a mezzanine but does not include a basement.

**Storey, First** shall mean the storey closest to the finished grade and having its ceiling at least 1.8 m above finished grade.



**Storm Sewers** shall mean a system of underground conduits which carries storm surface waters and drainage, but excludes sewage and polluted industrial wastes.

**Street** shall mean a public thoroughfare under the jurisdiction of either the Municipality, the United Counties of Prescott and Russell or the Province of Ontario. This definition shall not include a lane or private right-of-way.

- i. **Public Street** shall mean a Municipal Road which has been assumed by the Municipality and is maintained on a regular year-round basis, or a Provincial Highway, or a County Road.
- ii. **Private Street** shall mean a road other than a Public Street and which is not assumed by the Municipality.

**Street Line** shall the limit of the street or road allowance and is the dividing line between a lot or block and street or road.

**Structure** shall mean anything constructed or erected, either permanent or temporary, the use of which requires location on the ground or attachment to something having location on the ground.

**Swimming Pool** shall mean a structure that is wholly or in part artificially created to contain a body of water, which is located on or in or above the ground, or within a building, and which is capable of containing a body of water for swimming, wading, diving or recreational bathing with a water depth of 0.45 m (18 inches) or more at its deepest point and may include a hot tub, but does not include any pit or quarry, or any body of water created within an Agricultural Zone for the purpose of providing water to livestock or for irrigation of crops, or any storm water management facility approved by the Municipality which is constructed or designed to contain storm water run-off from urban areas.

## T

**Taxi Stand** shall mean a lot or building used as a dispatch office and the parking of taxis and/or limousines when not engaged in transporting persons or goods.

**Temporary Building** shall mean a building or structure intended for removal or demolition within a prescribed time, not exceeding two years, as set out in a building permit.

**Temporary Vehicle Enclosure** shall mean a temporary shelter consisting of a metal frame with a tarp or other similar type of fabric or plastic cover used primarily for the storage of vehicles or other equipment accessory to a residential use, commonly known as a 'Tempo'.

**Tent** shall mean a temporary shelter made of canvas, nylon or other such material, including associated, poles, pegs, and ropes, that may be disassembled and easily moved, and that is not permanently affixed to the camping site and shall not include a recreational vehicle, or any other structure otherwise defined in this By-law. A tent may include a yurt.

**Tent and Trailer Park** shall mean a parcel of land which is developed and managed as a unit for recreational or vacation use and designed and used for seasonal occupancy only. Camping lots are made available on a rental or lease basis for the placing of recreational vehicles, motor homes and park model trailers, but not including mobile home dwellings. The ownership and responsibility for the maintenance of private internal roads, services, communal areas and buildings, and garbage collection, together with general park management, rests with the owner. Such parcel is not the subject of a Registered Plan of Subdivision defining individual lots legally capable of conveying title and shall not include a mobile home park or any use as may otherwise be defined in this By-law.

**Trailer** shall mean a vehicle that is at any time drawn upon a highway by a motor vehicle, except an implement of husbandry, a mobile home, another motor vehicle, or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway, and except a side car attached to a motorcycle, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn.



**Transportation Depot** shall mean the use of land, buildings, or structures where commercial motor vehicles and trains pick up and discharge fare paying passengers, and without limiting the generality of the foregoing, accessory uses may include a ticket office, canteen, luggage checking facilities, parcel shipping facilities, storage facilities for the parking of vehicles and ancillary offices, and parking for passengers.

**Transportation Terminal** shall mean a place for the storage, loading or unloading, and repair of trucks, trains or buses, or where trucks or transports are rented, leased, kept for hire or parked on the property, are dispatched for hire as common carriers, or which is a bonded or sufferance warehouse. For the purposes of this By-law, the definition of transportation terminal shall not include a transit station or taxi depot.

## U

**Utility** means an entity operating within a regulated industry that has been given the express right or subsequent legal duty to supply the general public with a product, commodity, or service such as natural gas, electricity, water, wastewater, sewer, rail service, telecommunication or internet service.

## V

**Value-Added Farm Use** shall mean any activity or process that is completed by the farm operator, which alters the original agricultural product or commodity grown on site and may be supplemented by off-farm inputs, and may include, but is not limited to, grain drying and milling, bio-product production, pre-cutting, cooking and baking activities.

**Value-Retaining Farm Use** shall mean a use that serves to maintain the quality of agricultural commodities (i.e., prevent spoilage) including, but not limited to, egg-grading, bagging, packaging, bundling, washing, cutting, refrigeration, and freezing, to ensure they remain saleable, or that provides a minimum amount of processing to make the agricultural commodities produced on that farm saleable.

**Vacant Lot** shall mean a lot on which there is no present use.

**Vehicle** shall mean a motor or electric vehicle, boat, commercial motor vehicle, farm implement, motorcycle, recreational vehicle, snowmobile or trailer.

## W

**Warehouse** shall mean a building or part of a building used for the storage and distribution of goods, wares, merchandise, substances, articles or things, and may include facilities for a wholesale or retail commercial outlet, but shall not include a commercial storage facility, cartage or transport depot, or transportation depot, as defined herein.

**Waste Disposal Site** shall refer to facilities described in Part V of the Environmental Protection Act, as amended:

- i. Any land upon, into, in or through which, or building or structure in which, waste is deposited, disposed of, handled, stored, transferred, treated or processed, and
- ii. Any operation carried out or machinery or equipment used in connection with the depositing, disposal, handling, storage, transfer, treatment or processing referred to in clause (i).

**Waste Processing and Transfer Facility** shall mean a facility where putrescible and non-putrescible waste is sorted, processed or temporarily stored prior to transfer off site and may include a source separated organics and biosolids processing and storage facility.

**Waterbody** shall mean a river, lake or pond, or any other body of water not defined as a watercourse.



**Watercourse** shall mean an identifiable depression in the ground in which a flow of water intermittently or continuously occurs, such as a creek or stream.

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

**Well Drilling / Tile Drainage Establishment** shall mean a commercial premises where equipment used to construct or maintain water wells or agricultural tile drainage systems is housed or stored, and where associated administrative functions may be carried out.

**Wetlands** shall mean lands that are seasonally or permanently covered by shallow water as well as lands where the water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils (soils in which there is an abundance of moisture) and has favoured the dominance of either hydrophytic or water tolerant plants. The four major categories of wetlands are swamps, marshes, bogs and fens.

**Wetland, Locally Significant** shall mean a wetland area that has been identified as locally significant by the Municipality or the local Conservation Authority.

**Wetland, Provincially Significant** shall mean a wetland area that has been identified as provincially significant by the Province using evaluation procedures established by the Province, as amended.

**Wholesale Establishment** shall mean a building or structure or part thereof used for the purpose of selling or offering for sale goods, wares or merchandise on a wholesale basis and includes the storage or warehousing of those goods, wares or merchandise. This definition shall not include the bulk storage and sale of coal, fuel, oil, propane, wood, lumber, building materials, ice, and chemicals.

**Wrecking Yard** shall mean an establishment or premises where derelict, discarded, abandoned or inoperable motor or electric vehicles and/or other goods, wares, merchandise, articles or things are dismantled, disassembled or junked or stored wholly or partly in the open. This definition shall include a recycling depot or a facility used to process recycled materials, a junk yard, a scrap yard or a motor or electric vehicle wrecking yard, but shall not include any landfill site, any establishment or premises wherein open storage is incidental and subordinate to the running, repair or sale in useable or operable condition of any goods, wares, merchandise, articles or things, or any other use that is separately defined by this By-law.

## Y

**Yard** shall mean an open, uncovered space, appurtenant to a building or structure, located on the same lot as the building or structure, and unoccupied by buildings or structures or uses except as specifically permitted in the By-law.

**Yard, Front** shall mean a yard extending across the full width of the lot between the front lot line of the lot and the nearest wall of any principal building or structure on the lot. The minimum required front yard means the minimum depth of a front yard on a lot between the front lot line and the nearest main wall of any principal building or structure on the lot.

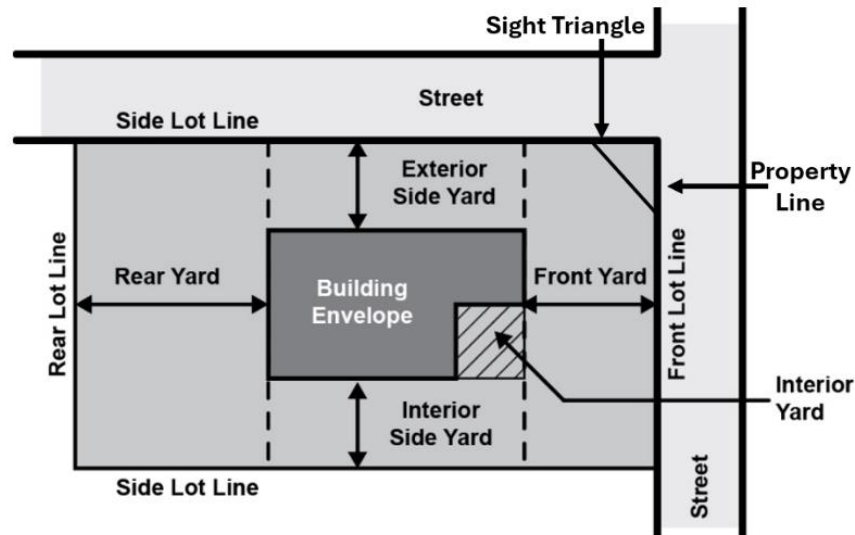
**Yard, Rear** shall mean a yard extending across the full width of the lot between the rear lot line of the lot and the nearest wall of any principal building or structure on the lot. The minimum required rear yard means the minimum depth of a rear yard on a lot between the rear lot line and the nearest main wall of any principal building or structure on the lot.

**Yard, Interior Side** shall mean a side yard other than an exterior side yard.

**Yard, Exterior Side** shall mean a side yard of a corner lot immediately adjoining a public street and extending from the front yard to the rear yard between an exterior side lot line and the nearest point of any principal building or structure on the lot. The minimum required exterior yard means the minimum depth of an exterior side yard on a lot between the exterior side lot line and the nearest wall of any building or structure on the lot.



**Yard, Side** shall mean a yard extending from the required front yard to the required rear yard between a side lot line which is not a street line and the nearest wall of any building or structure on the lot, or the nearest outside storage use on the lot. The minimum required side yard means the minimum width of a side yard on a lot between a side lot line and the nearest main wall of any principal building or structure on the lot.



## Z

**Zone** shall mean a zoned area of land use shown on the A-Series Schedules and established and designated by this By-law for the purposes of a specific use or group of uses that are erected and maintained in accordance with the provisions of this By-law.

**Zoning By-law** shall mean the Township of Russell Comprehensive Zoning By-law, as amended.

## Section 3 General Provisions

### 3.1 Accessory Uses, Building or Structures

#### 3.1.1 General

Accessory uses, buildings or structures shall be permitted in any Zone in accordance with the following provisions and any additional provisions included elsewhere in this By-law:

- i. Accessory uses, buildings or structures must be located on the same lot as the principal use to which it is accessory unless otherwise stated in this By-law.
- ii. Accessory uses, buildings or structures shall not be used for human habitation, except where a dwelling is a permitted accessory use.
- iii. An additional dwelling unit is not considered to be an accessory use and is regulated by Section 3.2 Additional Dwelling Units.
- iv. A garden suite is not considered to be an accessory use and is regulated by Section 3.33.1 Garden Suites.
- v. A coach house is not considered to be an accessory use and is regulated by Section 3.2.2 Coach Houses.
- vi. A building or structure shall not be considered accessory if attached to the principal building. For clarity, and without limiting the generality of the foregoing, an attached private garage shall be considered part of the principal building, and therefore shall be subject to the lot and building requirements for the principal building, as required by the applicable Zone.
- vii. Accessory buildings, structures and uses shall only be permitted once a Building Permit, if required, has been issued for buildings or structures for the principal use.
- viii. All accessory uses, buildings, and structures shall comply with the provisions of Table 1: Provisions for Accessory Uses, Buildings, or Structures.

Table 1: Provisions for Accessory Uses, Buildings, or Structures outlines additional provisions applicable to accessory uses, buildings, or structures.

**Table 1: Provisions for Accessory Uses, Buildings, or Structures**

Zoning Mechanism	Residential Zone or Lot Used For Residential Purposes	All Other Zones
a) Minimum required setback from front lot line	Shall comply with the requirements of the particular Zone.  In Residential Zones located in the Villages, accessory buildings and structures shall not be located closer to any street line than the principal building on the lot.	Shall comply with the requirements of the particular Zone.
b) Minimum required setback from exterior side lot line	Shall comply with the requirements of the particular Zone, but no closer than 3.5 m to the exterior side lot line.	Shall comply with the requirements of the particular Zone.
c) Minimum required setback from interior side lot line	1 m, except where a detached mutual private garage or carport is erected on the common side lot line between two lots in	Shall comply with the requirements of the particular Zone.



Zoning Mechanism	Residential Zone or Lot Used For Residential Purposes	All Other Zones
	which case no interior side yard is required.	
d) Minimum required setback from rear lot line	1 m	Shall comply with the requirements of the particular Zone.
e) Maximum lot coverage of all accessory buildings and structures excluding swimming pools, decks, and porches	8% of the total lot area	10% of the total lot area
f) Maximum height	5 m or the height of the principal dwelling, whichever is lesser.  For lots used for residential purposes located in the Agricultural 1 (A1) or Agricultural 2 (A2) Zone, the maximum height shall be 6 m.	Shall comply with the requirements of the particular Zone
g) Maximum number of accessory buildings permitted on a lot	2 for lots 3,999 m <sup>2</sup> or smaller; 3 for lots between 4,000 m <sup>2</sup> and 6,070 m <sup>2</sup> ; and 4 for lots larger than 6,070 m <sup>2</sup>	No maximum

### 3.1.2 Accessory Dwelling Units

Where permitted in a Zone, accessory dwelling units which are accessory to non-residential uses shall be subject to the following provisions:

- i. An accessory dwelling unit may be located in a basement provided that the finished floor level of such basement is not below the level of any sanitary or storm sewer serving the building in which such basement is located, or provided that the dwelling unit is serviced by an appropriate sewage pumping facility.
- ii. Where an accessory dwelling unit is located in a non-residential building, such dwelling unit shall comply with the yard provisions of this By-law which apply to the said non-residential building.

### 3.1.3 Solar Panel Systems

Solar energy and transmission facilities shall be subject to the following provisions:

- i. Solar panel systems that are flush mounted to the roof or wall of a building or structure are permitted in any Zone subject to the issuance of a Building Permit.
- ii. Solar panel systems that are ground-mounted are permitted in the Agricultural 1 (A1), Agricultural 2 (A2), and Rural (RU) Zones pursuant to the following provisions:
  - a. A maximum of 2,000 m<sup>2</sup> of solar panels may be located on a lot;
  - b. Compliance with the setbacks of the applicable Zone; and
  - c. Installation of a planting strip pursuant to Section 3.12.3 Landscaped Planting Strips of this By-law.



## 3.2 Additional Dwelling Units

### 3.2.1 General

- i. An additional dwelling unit is permitted on any lot containing a single detached, semi-detached, or townhouse dwelling, in any Zone that permits any one or more of these dwelling types, provided:
  - a. It does not change the streetscape character along the road on which it is located;
  - b. That adequate servicing is provided and documentation of adequate servicing is submitted to the Township with the required Building Permit application; and
  - c. A building permit is obtained prior to the establishment of an additional dwelling unit, and the additional dwelling unit complies with the Ontario Building Code;
- ii. A maximum of two (2) additional dwelling units are permitted within a principal dwelling unit in the case of a single detached, semi-detached, or townhouse dwelling in a Settlement Area, subject to the following provisions:
  - a. Two (2) additional dwelling units (in addition to the principal dwelling unit) are permitted within a dwelling provided no buildings or structures ancillary to the principal building contain additional dwelling units;
  - b. Only one (1) additional dwelling unit is permitted in a detached ancillary building or structure; and
  - c. An additional dwelling unit shall not be permitted in a group home or rooming house.
- iii. A maximum of one (1) additional dwelling unit is permitted in the Rural and A1 Zones within a principal dwelling unit or in a detached ancillary building or structure.
- iv. An additional dwelling unit shall not be permitted within a regulated floodplain regardless of the non-complying status of the existing principal dwelling unit.
- v. For the purposes of this section gross floor area means the total area of each floor whether located above, or at grade, measured from the interior of outside walls and including floor area occupied by interior walls but excluding floor area occupied by mechanical, service and electrical equipment that serves the building; and accessory uses located below grade;
- vi. If located at or above grade, the additional dwelling unit must not be greater in size than an amount equal to 40% of the gross floor area of its principal dwelling unit or where the principal dwelling has a gross floor area of 125 m<sup>2</sup> or less, 50 m<sup>2</sup>. If located in a basement, it may occupy the whole of the basement;
- vii. Where located both at or above grade, and in the basement, the additional dwelling unit must not be greater in size than an amount equal to 40% of the gross floor area of its principal dwelling unit. This provision does not apply where the additional dwelling unit is located entirely within the basement save and except for its entrance located on the ground floor as required by subclause ix.;
- viii. Where an attached garage is converted to create the additional dwelling unit or a portion of the additional dwelling unit, such garage is included in the calculation of the gross floor area of the dwelling;
- ix. The creation of an additional dwelling unit must not result in any new doorway entrance added to the front wall, whether before, during, or after the creation of the additional dwelling unit;
- x. Subclause ix. does not:
  - a. Prohibit an internal lobby or vestibule with a common doorway entrance in the front wall; nor
  - b. Prohibit the creation of a additional dwelling unit within a dwelling unit that already contains more than one doorway entrance in the front wall; nor



- c. Require the removal of a doorway entrance to a house that already contains more than one doorway entrance in the front wall; nor
- d. Prohibit the addition of one doorway entrance along the front wall of a dwelling unit on a corner lot where there is no doorway entrance along that front wall, but where there is one along the exterior side wall of the dwelling unit;
- xi. Parking for additional dwelling units must be provided in accordance with Table 3: Minimum Parking Requirements; and
- xii. Where an additional dwelling unit is located on a lot within a detached building or structure that is ancillary to a permitted single detached, dwelling, semi-detached dwelling, or townhouse dwelling, the following provisions shall also apply:
  - a. Neither a garden suite, coach house, nor any rooming units are permitted on that lot;
  - b. The additional dwelling unit shall be subject to applicable Zone provisions for the lot coverage of all buildings and structures, except that on a lot located within a Settlement Area on full municipal services the maximum lot coverage may be up to 45%;
  - c. The additional dwelling unit shall not exceed the maximum height for a principal dwelling unit permitted in the applicable Zone;
  - d. The additional dwelling unit shall be separated from the principal dwelling or any other dwelling unit on the lot by at least 4 m;
  - e. An additional dwelling unit located in an ancillary building or structure shall meet the minimum yard provisions of the applicable Zone; and
  - f. An additional dwelling unit located in a detached ancillary building or structure in the Agricultural 1 (A1) and Rural (RU) Zones shall be located a maximum of 60 m from any existing building or structure.

### 3.2.2 Coach Houses

- i. A coach house is permitted on any lot also containing a single detached, semi-detached, duplex, or townhouse dwelling, where that dwelling type is a permitted use in the Zone in which it is located.
- ii. A coach house may not be severed from the lot containing the principal dwelling.
- iii. A coach house is not permitted:
  - a. where the lot contains an additional dwelling unit within a detached ancillary building or structure, a garden suite, or one or more rooming units; and
  - b. on a lot that is less than 0.4 hectares and is located outside of village boundaries.
- iv. No more than one coach house is permitted on a lot.
- v. A coach house may not be located closer to the front lot line than the principal dwelling.
- vi. The maximum permitted height of a building containing a coach house shall be the lesser of:
  - a. The height of the principal dwelling;
  - b. Two storeys; or
  - c. For lots used for residential purposes located in the Agricultural 1 (A1) Zone, the maximum height shall be 6 m.
- vii. The provisions of Section 3.23.1 Permitted Projections Above the Height Limit do not apply to a building containing a coach house, except with respect to:
  - a. Chimneys;



- b. Flagpoles; and
  - c. Ornamental domes, skylights or cupolas; provided that the cumulative horizontal area occupied by such features does not exceed 20% of the footprint of the coach house.
- viii. Required setbacks from lot lines for coach houses are as follows:

Required Setbacks	Requirement for Coach House
a) Front yard setback (minimum)	Equal or greater than the minimum required front yard setback for the principal dwelling. For lots in Agricultural 1 (A1) or Rural (RU) Zone, the required front yard setback shall conform with the setback required in the Zone.
b) Exterior side yard setback (minimum)	Equal or greater than the minimum required exterior side yard setback for the principal dwelling
c) Interior side yard setback (minimum)	1.2 m where no entrance or window faces the interior side lot line 4.0 m in all other cases
d) Rear yard setback (minimum)	1.2 m where no entrance or window faces the rear lot line 4.0 m in all other cases

- ix. The gross floor area of a building containing a coach house, excluding an attached carport and excluding any accessory use which serves the primary dwelling or both the primary dwelling and the coach house, may not exceed the lesser of:
  - a. Forty percent (40%) of the gross floor area of the principal dwelling, or where the principal dwelling has a gross floor area of less than 125 square meters, 50 square meters; or
  - b. Forty percent (40%) of the area of the yard in which it is located.
- x. A walkway must be provided from a driveway, public street or travelled lane to the coach house and such walkway must be between 1.2 and 1.5 m in width and may not be used for the parking of any vehicle except part of a walkway that encroaches on a permitted driveway.
- xi. The roof of a building containing a coach house may not contain a rooftop garden, patio or terrace or other amenities. The roof of a building containing a coach house may contain a vegetative green roof provided it is not designed or equipped for use as an amenity area.
- xii. The setbacks applicable for an accessory building that contains a coach house, such as a garage, will be those required for the coach house in accordance with subclause 3.2.2 viii., and not the setbacks applicable for an accessory use.
- xiii. A coach house must be serviced:
  - a. From the principal dwelling where the principal dwelling is serviced by both a public water and wastewater system;
  - b. From the principal dwelling and from the private septic system serving the principal dwelling in Marionville;
  - c. From at least one of the existing well or septic systems serving the principal dwelling or from the principal dwelling where the principal dwelling is on a private well and private septic system; or
  - d. Where the principal dwelling is serviced by partial services, from the principal dwelling for the public service. The remaining service may be from the principal dwelling or from a separate system.

### 3.3 Bed and Breakfasts

Where bed and breakfasts are permitted under this by-law, the following provisions shall apply:



- i. No more than four (4) bedrooms may be made available for rent.
- ii. No exterior alteration shall be permitted which would indicate that any part of the premises is being used for any purpose other than that of a dwelling unit, except a sign as permitted under the sign by-law.
- iii. Food services may be provided only to guests renting bedrooms.
- iv. No one other than a resident of the dwelling may be employed in the operation of the bed and breakfast.
- v. Unless otherwise specified, Zone provisions shall be those applicable to detached dwellings.
- vi. Parking shall be provided as set out in the provisions of this by-law.
- vii. No more than one (1) bed and breakfast or home-based business shall be permitted on a lot.

### 3.4 Buildings to be Moved

No building or structure shall be moved within the limits of the Township or shall be moved from outside the Township into the Township unless the building or structure is a permitted use and satisfies all the requirements of the Zone in which it is to be located and then only after a building permit has been obtained, if required, from the Chief Building Official.

### 3.5 Corner Lot Sight Lines and Required Yards

- i. Notwithstanding any other provision of this By-law to the contrary, no person shall, within a sight triangle as defined in the Ontario Provincial Standards Drawings (OPSD), Ontario Provincial Standards Specifications (OPSS) or County Engineering Standards, as amended, park a motor vehicle, or erect any building, structure or sign, or alter the elevation or grade of the ground in a manner which would obstruct the vision of drivers of motor vehicles or use any land for the purposes of growing plants, shrubs or trees in excess of 0.6 m. in height above the average elevation of the centre lines of the adjacent streets.
- ii. The distance to be measured along the street lines to calculate the size of the required sight triangle on a corner lot shall be determined by the type of streets that intersect and that the subject lot has access on, as follows:

Type of Street	Arterial and Major Collector Road	Village Main and Minor Collector Road	Local Street or Private Road
a) Arterial and Major Collector Road	9 m x 9 m	9 m x 5 m	9 m x 3 m
b) Village Main and Minor Collector Road	5 m x 9 m	5 m x 5 m	5 m x 3 m
c) Local Street or Private Road	3 m x 9 m	3 m x 5 m	3 m x 3 m

### 3.6 Established Building Line in Built-Up Area

Notwithstanding the yard and setback provisions of this By-law to the contrary, except for the provisions of this By-law regarding corner lot sight lines where a permitted building is to be erected on a lot in Village Core Zone where there is an established building line, such permitted building may be erected closer to the street line than required by this By-law provided such permitted building is not erected closer to the street line than the established building line on the date of passing of this By-law, and provided that such permitted building complies with Section 3.7 Frontage on a County Road or Public Street ii).



### 3.7 Frontage on a County Road or Public Street

- i. In addition to the requirements of the Municipality, all development adjacent to any County Road shall also be subject to the requirements and permits of the United Counties of Prescott and Russell.
- ii. A minimum development setback of half the minimum right of way as identified on Schedule “D” of the United Counties of Prescott and Russell Official Plan.
- iii. No person shall erect any building or structure in any Zone unless such lot abuts a public street, as defined herein, and unless the lot is provided with access for vehicular traffic, in the form of an unobstructed driveway or passageway at least 3 m in width, from such lot to a public street which abuts the said lot. This provision shall not apply to a lot on a registered plan of subdivision where an Agreement between the owner of such subdivision and the Municipality, including provisions for the construction of the streets shown on such subdivision, is registered in the Registry Office or Land Titles Office. This provision shall not apply to barns, silos, or any other farm buildings other than a dwelling on any Zone where these buildings are permitted.

### 3.8 Group Homes

In addition to the provisions of this By-law, group homes as defined in this By-law shall be permitted in accordance with the following:

- i. A group home shall be permitted in any Zone in which a single detached dwelling is permitted as a principal use, in accordance with the following provisions:
  - a. Group homes shall not be permitted in accessory single detached dwellings, additional dwelling units, or coach houses;
  - b. Group homes may be permitted in single detached dwellings and in both units of semi-detached and duplex dwellings, provided that both units are occupied by one (1) group home operation and that the total number of residents (excluding staff or receiving family) in both units does not exceed ten (10).
- ii. A group home shall be subject to Provincial approval or licensing as may be required.

### 3.9 Home-Based Businesses

- i. Where permitted, home-based businesses shall be subject to the following provisions:
  - a. At least one (1) person involved in the operation of the business must reside in the dwelling unit where the home-based business is located or in the case of a home-based business located in accessory buildings, in the dwelling unit to which they are accessory.
  - b. A maximum of one (1) person who does not reside on the premises may be involved in the operation of the home-based business.
  - c. No more than 50 m<sup>2</sup> of the total floor area of the dwelling unit or any accessory building(s) shall be used for such purposes.
  - d. If more than one home-based business and/or home industry is operated accessory to the same dwelling unit, the total area dedicated to the combination of businesses shall not exceed the maximum area indicated in subsections 3.9 i) c) and 3.10 iii) and iv).
  - e. There shall be no external display or advertising other than a sign as permitted under the sign by-law, indicating to persons outside, that a part of the dwelling house or dwelling unit is being used for a purpose other than residential.
  - f. The only sales permitted shall be for those products substantially made on site or which are accessory and essential to the business and shall not permit a retail store or restaurant.



- g. There shall be no open storage or display of materials, shipping containers, or finished products.
  - h. Except for one commercial vehicle with a maximum length of 6.1 m (20 feet), no business-related materials, including machinery or vehicles, shall be visible at any time on any lot upon which a home-based business is carried out, nor shall any machinery or vehicles be parked or stored on the lot unless completely enclosed within a building.
  - i. The home-based business shall be clearly secondary to the principal residential use and shall not change the residential character of the dwelling or dwelling unit.
  - j. The activity shall not create or become a nuisance, in particular in regard to noise, odour, lighting, vibration, traffic or parking, fumes, dust, radiation, magnetic fields or electronic interference in accordance with By-laws adopted by the Municipality and applicable Provincial and Federal legislation or policy.
  - k. No mechanical or electrical equipment is used except that reasonably consistent with the use of a dwelling.
  - l. Parking for home-based businesses shall be provided in accordance with Table 3: Minimum Parking Requirements.
  - m. Where a home-based business is established within an accessory building or structure, the building or structure must comply with all applicable requirements of this By-law, including the required yards and setbacks of the applicable Zone.
  - n. Where a home-based business is located outside of a Settlement Area within a separate building, that building must comply with all applicable requirements of this By-law, including the required yards and setbacks of the applicable Zone.
- ii. A home-based business shall include, but is not limited to the following uses:
    - a. Artisan studio;
    - b. Home-based day-care;
    - c. Personal service establishment; and
    - d. Professional office.
  - iii. Uses prohibited as a home-based business included:
    - a. Rooming house;
    - b. Restaurant;
    - c. Establishments offering accommodation or meals;
    - d. Sales and servicing of motor vehicles, recreational vehicles, or any motorized equipment; and
    - e. Any motor vehicle facility, including a motor vehicle body shop, a motor vehicle dealership, a motor vehicle fuel bar, a motor vehicle repair garage, a motor vehicle service station or a car wash.

### 3.10 Home Industry

Where permitted, a home industry shall be subject to the following provisions:

- i. A maximum of one (1) home industry shall be permitted on a lot.
- ii. A home industry shall include, but is not limited to the following uses:
  - a. Artisan studio;



- b. Custom workshop;
  - c. Electrical or plumbing contractor's workshop;
  - d. Farm-related sales, farm machine and equipment repairs; or
  - e. Small engine repair and auto repairs.
- iii. A home industry shall only occupy a maximum of 50 m<sup>2</sup> of gross floor area within a dwelling, or 100 m<sup>2</sup> within an accessory structure.
  - iv. A maximum total gross floor area of 100 m<sup>2</sup> is permitted if the home industry is located in the dwelling unit and any accessory buildings.
  - v. If more than one home industry and/or home-based business is operated accessory to the same dwelling unit, the total area dedicated to the combination of businesses shall not exceed the maximum area indicated in subsections 3.9 i) c) and 3.10 iii) and iv).
  - vi. The permitted accessory home industries are subject to the following provisions:
    - a. At least one (1) person involved in the operation of the home industry must reside on the premises.
    - b. one (1) person who does not reside on the premises may be involved in the operation of the home industry.
    - c. There shall be no external display or advertising other than a sign as permitted under the sign by-law, indicating to persons outside, that a part of the dwelling is being used for a purpose other than residential.
    - d. There shall be no outdoor display and sales of goods, wares or merchandise produced on the premises.
    - e. On-site storage of hazardous chemicals or explosives is prohibited, except for limited quantities required for the successful operation of the business.
    - f. No open storage is permitted in association with a home industry.
    - g. The home industry shall be clearly secondary to the principal residential use and shall not change the residential character of the dwelling.
    - h. The activity shall not create or become a nuisance, in particular in regard to noise, odour, vibration, traffic or parking, fumes, dust, radiation, magnetic fields or electronic interference in accordance with By-laws adopted by the Municipality and applicable Provincial and Federal legislation or policy.
    - i. Parking for home industries shall be provided in accordance with Table 3: Minimum Parking Requirements.
    - j. Except for one licensed motor vehicle with a maximum length of 6.1 m (20 feet), no business-related materials, including machinery or vehicles, shall be visible at any time on any lot upon which a home-based business is carried out, nor shall any machinery or vehicles be parked or stored on the lot unless completely enclosed within a building.
    - k. There shall be no open storage or display of materials, shipping containers, or finished products.
    - l. The only sales permitted shall be for those products substantially made on site or which are accessory and essential to the business and shall not permit a retail store.
    - m. Where a home industry includes a retail-related use, such product and services must be prepared on the premises where the home industry is located.



- n. Where a home industry is established within a separate building, the building must comply with all applicable requirements of this By-law, including the required yards and setbacks of the applicable Zone.
- o. For a home industry involving motor vehicle repairs, a maximum of two (2) motor vehicles awaiting service or customer pick-up may be parked on the lot at any time.

### 3.11 Kennels

- i. Where permitted, a kennel must comply with the provisions of Table 2: Kennel Requirements and the Kennel By-law 2019-065, as amended.
- ii. A kennel structure associated with a kennel is considered to be a building for zoning purposes.

**Table 2: Kennel Requirements**

Zoning Mechanism	Provisions
a) Minimum setback of a kennel or any structure or portion thereof used for the kennel operation	From a front or side lot line: 15 m; from a rear lot line: 12 m
b) Permitted location of dog runs	Restricted to locations in a side yard, rear yard or interior yard abutting a side or rear yard.
c) Minimum separation areas	<p>No building or structure or portion thereof used for kennel purposes may be located closer to any residential use building on another lot or Village boundaries than 215 m for a kennel with more than four (4) dog runs, or 100 m for a kennel with four (4) or fewer dog runs.</p> <p>Despite the above provision, the minimum separation area between kennel building and structures and residential use buildings on another lot may be reduced to 50 m in the case of a kennel with more than four (4) dog runs, provided that sufficient noise attenuation measures, as determined by a noise study, are introduced to mitigate the noise level of all indoor and outdoor kennel facilities so that they do not become a nuisance to surrounding dwellings. Noise attenuation measures might include berms or noise attenuating fences or screens, whose suitability will be determined by the approval authority. Despite the required minimum separation distances, no kennel established under these provisions is deemed to be non-complying by the subsequent erection of a residential use building on another lot.</p> <p>All kennels existing as of the date of adoption of this By-law are deemed to comply with the required minimum separation areas.</p>

### 3.12 Landscaped Open Space, Buffers, and Amenity Areas

#### 3.12.1 Landscaped Open Space

- i. In any Zone, any portion of any front yard and exterior side yard which is not used for any other permitted purpose shall be devoted to landscaped open space, as defined herein.
- ii. Any land used for landscaped open space shall be included in the calculations of lot area, yard requirements, and other provisions as set forth in this By-law.
- iii. Where landscaped open space is required as buffering such landscaping shall be continuous except for lanes, driveways, aisles or walkways which provide access to the lot.
- iv. Additional landscaping and buffering provisions can be found in Section 3.22.14 Loading Requirements, Section 3.19 Open Storage Areas, Section 3.22 Parking Regulations, and within individual Zones.



**3.12.2 Amenity Areas**

- i. Where amenity areas are required by this By-law, the following provisions shall apply:
  - a. The amenity area must be located on the same lot as the use for which it is provide.
  - b. Where the amenity area is located outside at grade, it may be included in the calculation of landscaped open space requirements.
  - c. Communal amenity areas may include amenity features such as a bench, picnic table, gazebo, permanent sports equipment, sports field, or children's play area.
  - d. Bicycle parking may form part of a communal amenity area, but may not be the only amenity area feature.

**3.12.3 Landscaped Planting Strips**

- i. Where the interior side or rear lot line of a Commercial or Industrial Zone abuts a Residential Zone, a planting strip with a minimum width of 2 m adjoining such abutting lot line shall be provided on the lot within the Commercial or Industrial Zone.
- ii. Where in this By-law a planting strip is required to be provided and maintained, such planting strip shall consist of a row of trees or a continuous uninterrupted hedgerow of evergreens or shrubs, not less than 1.5 m high at planting, planted immediately adjacent to the lot line or portion thereof along which such planting strip is required. The remainder of the strip shall be used for no other purpose than the planting of shrubs, flower beds, grass or a combination thereof.
- iii. In all cases where driveways, walkways or existing buildings extend through a planting strip, the planting strip may be interrupted within 3 m of the edge of such driveway or within 1.5 m of the edge of such walkway or building.
- iv. A planting strip referred to in this subsection may form a part of any landscaped area required by this By-law.
- v. An opaque fence, 1.8 m in height, may also be erected for buffering purposes provided it does not intrude into any required sight triangle.

**3.13 Legal Non-Complying and Legal Non-Conforming****3.13.1 Legal Non-Complying Existing Buildings and Structures**

- i. Where a building or structure was lawfully used on the day of the passing of this By-law, but the building or structure did not meet the requirements of this By-law with respect to provisions other than use on that day, and its use is permitted by the Zone in which the building or structure is located, nothing in this By-law shall prevent the continued use or occupancy of such building or structure.
- ii. Nothing in this By-law shall prevent the enlargement, reconstruction, renovation or repair of an existing non-complying building or structure provided such enlargement, reconstruction, renovation or repair does not:
  - a. Further increase non-compliance with any applicable provisions of this By-law; and
  - b. Contravene any other provisions of this By-law.
- iii. If the enlargement, reconstruction, renovation or repair of an existing non-complying building or structure contravenes a provision of this By-law, a minor variance from the Committee of Adjustment may be required.

**3.13.2 Legal Non-Complying Existing Lots**

- i. Development is permitted on any vacant lot existing on the date of passing of this By-law and which lot is legally non-complying with respect to the provisions of this By-law, provided that the proposed use:



- a. Is permitted in the Zone in which the lot is located; and
- b. Does not contravene any other provisions of this By-law.
- ii. A person may build an addition, reconstruct, renovate, or repair an existing principal building or accessory building on a lot that is legally non-complying with respect to lot area or lot frontage if:
  - a. The addition conforms to all other provisions of this By-law;
  - b. The Owner has demonstrated an intent to maintain the existing or permitted use;
  - c. No additional dwelling units or coach house units are created; and
  - d. The reconstructed building is no larger than the existing or demolished building and meets setback requirements detailed in this By-law.
- iii. The expansion of an existing principal building or accessory building or structure on a lot that is legally non-complying with respect to lot area or lot frontage may require a minor variance from the Committee of Adjustment.

### 3.13.3 Legal Non-Conforming Existing Uses

- i. The provisions of this By-law shall not prevent the use of any land, building or structure for any purpose prohibited by this By-law, if such land, building or structure was lawfully used for such purpose on the day of the passing of this By-law, so long as it continues to be used for that purpose.
- ii. Where a building or structure which was lawfully used on the day of the passing of this By-law is used for a purpose not permitted in the Zone in which it is situated, such building or structure may be repaired or renovated provided that:
  - a. The repair or renovation does not include any change of use, or any expansion of the building or structure; and
  - b. The building or structure continues to be used for the same purpose for which it was lawfully used on the day of passing of this By-law.
- iii. Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any building or structure or part thereof, lawfully used on the date of the passing of this By-law, provided that such strengthening or restoration does not increase the building height, floor area, or volume, or change the use of such building or structure.
- iv. Where a building or structure is used for a legal non-conforming use and said building or structure is destroyed or damaged by fire or natural disaster, nothing in this By-law shall prevent the reconstruction or repair of said building or structure for the continuation of the legal non-conforming use, provided that such reconstruction or repair proceeds within three (3) years of the date of the fire or natural disaster and provided that such reconstruction or repair shall take place in the same location as the original building or structure and that there shall be no increase in the ground floor area or gross floor area.
- v. The expansion of a building or structure used for a legal non-conforming use may require a minor variance from the Committee of Adjustment.

### 3.13.4 Change of Use

No use within an existing building or structure shall be changed unless the new use is a permitted use and satisfies all the requirements of the Zone in which it is to be located, and then only after a building permit has been obtained, if required, from the Chief Building Official.



### 3.13.5 Road Allowance

- i. If any legally existing building or structure would become non-complying as a result of a change in the road allowance, by having its front yard, exterior side yard or setback reduced, the said existing building or structure shall be deemed to be complying for the purposes of this By-law.
- ii. If any legally existing lot would become non-complying as a result of a change in the road allowance, by having its lot area, available parking and/or lot frontage reduced, the said existing lot shall be deemed to be complying for the purposes of this By-law.

### 3.14 Lots Containing More Than One Use

Where a lot contains or is proposed to contain more than one use, each use shall conform to the provisions of this By-law for the Zone where such use is located.

### 3.15 Lots Divided Into More Than One Zone

Where a lot is divided into more than one Zone, each such portion of the lot shall be used in accordance with the provisions of the applicable Zone where such portion of the lot is located. However, the Zone boundary is not to be treated as a lot line.

Notwithstanding the above, where a building is divided into more than one Zone, it shall be subject to the most restrictive Zone with respect to permitted uses and Zone provisions.

### 3.16 Mineral Aggregate Resource Areas

The purpose of the 'ar' suffix is to identify those areas that contain mineral aggregate resources that are not currently licensed mineral extraction operations, as a land use constraint. The lands identified as mineral aggregate resource are those identified as Mineral Aggregate Resource on Schedule 'E' of the United Counties of Prescott Russell Official Plan.

- i. The provisions of the 'ar' suffix are intended to minimize development that would hinder the establishment of mineral aggregate operations in mineral aggregate resource areas that have been deemed essential for the long term supply of aggregates for the United Counties of Prescott Russell.
- ii. Development or redevelopment will be prohibited except where extraction of the resource would not be feasible, or the proposed land use or development serves a greater long-term public interest; and where issues of public health, safety and environmental impact are appropriately addressed.
- iii. Any development in areas identified as Mineral Aggregate Resource should be sited to retain as much of the mineral aggregate resource potential as possible.
- iv. The sequential use of land, whereby mineral aggregate resources are extracted prior to, or in conjunction with, development of the land is encouraged where feasible.
- v. Lands subject to an "ar" suffix shall be limited to:
  - a. Agricultural Uses, including a single detached dwelling;
  - b. Forestry uses;
  - c. Conservation uses and natural resource management;
  - d. Wayside pits and quarries;
  - e. Portable asphalt or concrete plants; and
  - f. Uses legally existing or permitted by a special exception approved prior to October 10, 2022.
- vi. Notwithstanding subsection (iv), the development of a single detached dwelling shall be permitted subject to the following provisions:
  - a. The lot was created on or before October 10, 2022;



- b. The lot fronts onto a public road with year-round maintenance;
- c. The use is permitted in the Zone;
- d. All other provisions of this By-law are met.

### 3.17 Noxious Uses

No use shall be permitted which from its nature or the materials used therein is declared to be or becomes a noxious trade, business or manufacture by the *Public Health Act* or any regulations made thereunder.

### 3.18 Occupancy Restrictions

No person shall use as a principal place of residence for human habitation any of the following buildings, structures, or parts thereof, unless otherwise specified in the By-law:

- i. Any private garage or other building which is accessory to a residential use, unless converted to an additional dwelling unit or coach house with an approved occupancy permit.
- ii. Any truck, bus, trailer, recreational vehicle, coach, streetcar or other vehicle, whether or not it is mounted on wheels, unless originally and specifically designed for dwelling.
- iii. Any building or structure prior to obtaining an occupancy permit.

### 3.19 Open Storage Areas

Where permitted by this By-law, open storage shall be in accordance with the following provisions:

- i. Open storage shall only be permitted as an accessory use to the principal use of the lot. For the purposes of clarity and without limiting the generality of the foregoing, open storage shall not be permitted on a vacant lot.
- ii. Open storage shall only be permitted within a rear yard and shall comply with the minimum rear yard and exterior side yard requirements.
- iii. Open storage shall not be permitted closer than:
  - a. 5 m to an interior side lot line where the lot line abuts a lot within a Commercial, Institutional, or Industrial Zone;
  - b. 10 m of a rear lot line or interior side lot line abutting a lot within a Residential Zone or occupied by a residential use; or
  - c. Within the Agricultural 1 (A1), Agricultural 2 (A2), and Rural (RU) Zones, 1 m to an interior side lot line where the lot line is adjacent to an A1, A2, or RU Zone.
- iv. Where abutting a residential use property, a property in an Institutional or Residential Zone, or a public street, the open storage may be required to be screened from view with an opaque fence with a minimum height of 2 metres or landscaping, at the discretion of the Municipality. Any combination of plant materials or landscaped berms may be used to enhance the appearance of the screening fence. Screens must be sited in such a way as to allow adequate maintenance.
- v. Open storage of hazardous chemicals or explosives is prohibited.
- vi. No open storage may lead to the creation of a wrecking yard.
- vii. Open storage shall be subject to the maximum lot coverage requirements as set out in this By-law.
- viii. Any areas used for open storage shall not obstruct, and shall be in addition to any minimum off-street parking or loading areas required by this By-law.



### 3.20 Outdoor Commercial Patios

- i. In all Zones except the Village Core Zone, an outdoor commercial patio is prohibited in any yard facing or abutting a Residential Zone or a lot being used for residential purposes, or abutting a yard or lane facing or abutting a Residential Zone or a lot being used for residential purposes, unless:
  - a. It is located a minimum of 30 m from the Residential Zone; and
  - b. It is screened and physically separated from the Residential Zone by a building, structure or wall that is at least 2 m in height so that noise from the outdoor patio is mitigated.

### 3.21 Outdoor Display and Sales Areas

- i. Where it is a permitted use in a Zone, an outdoor display and sales area shall:
  - a. not be located within a minimum required parking space;
  - b. be located a minimum of 1 m from any lot line.

### 3.22 Parking Regulations

#### 3.22.1 Requirements

- i. The owner of every building or structure erected or used for any purpose set forth below shall provide and maintain for the sole use of the owner, occupant or other persons entering upon or making use of the building or structure from time to time, minimum off-street parking spaces and parking areas for motor vehicles on the same lot, in accordance with Table 3: Minimum Parking Requirements.
- ii. Notwithstanding the provisions of Table 3: Minimum Parking Requirements, any non-residential building in a Village Core with no existing parking as of the date of enactment of this By-law shall have a minimum parking requirement of zero (0) parking spaces. Any change of use of the legally existing building shall also be subject to the minimum parking requirement of zero (0) parking spaces.
- iii. For any non-residential use in a Village Core, the minimum parking requirement in Table 3: Minimum Parking Requirements may be reduced by 50%.
- iv. Where more than one use is located on a lot, the total number of parking spaces required shall be the sum of the parking space requirements for each separate use, with the exception of uses subject to the shared parking provisions.

**Table 3: Minimum Parking Requirements**

Type of Use	Minimum Parking Spaces Required
<b>Residential Uses</b>	
Apartment Dwelling	1 space per dwelling unit, plus 0.2 visitor spaces per dwelling unit above
Additional Dwelling Unit (including Coach House, Garden Suite, Tiny Home)	1 space per dwelling unit
Bed and Breakfast	1 space per guest bedroom in addition to the parking requirements for the dwelling
Dwelling unit or accessory dwelling unit in the same building with other uses, converted dwelling	1 space per dwelling unit



Type of Use	Minimum Parking Spaces Required
Group Home	2 spaces, plus 0.5 spaces per guest room
Long-Term Care Facility	0.25 spaces per dwelling unit or guest room, plus 1 space per 100 m <sup>2</sup> of gross floor area used for medical, health, and/or personal services
Retirement Home	0.5 spaces per dwelling unit or bed
Rooming House	1 space per every 3 guest rooms
Semi-Detached Dwelling	2 spaces per dwelling unit
Single Detached Dwelling	2 spaces per dwelling unit
Townhouse Dwelling	Freehold Unit: 2 spaces per dwelling unit
Townhouse Dwelling, Back to Back	Condominium Unit: 1.5 spaces per dwelling unit
Townhouse Dwelling, Stacked	
Other residential uses permitted by this By-law	1 space per dwelling unit
All residential uses with 4 or more dwelling units	Visitor parking to be provided at a rate of 0.2 spaces per dwelling unit
<b>Non-Residential Uses</b>	
Agricultural Produce Warehouse	0.8 spaces per 100 m <sup>2</sup> of gross floor area
Agricultural Use	No minimum. Where applicable, parking for a single detached dwelling shall be provided.
Agri-tourism	1 space per 20 m <sup>2</sup> of gross floor area used for activity
Animal Care Establishment	1 space per 30 m <sup>2</sup> of gross floor area, with a minimum of 3 spaces.
Animal Clinic	1 space per 30 m <sup>2</sup> of gross floor area, with a minimum of 3 spaces.
Artisan Studio	1 space per 56 m <sup>2</sup> of gross floor area
Building Contractor's Shop or Yard	1 space per 100 m <sup>2</sup> of gross floor area
Building Supply Outlet	1 space per 25 m <sup>2</sup> of gross floor area
Cannabis Production and Processing Facility	1 space per 100 m <sup>2</sup> of gross floor area
Car Wash	5 spaces in the stacking lane, or, for a self-service car wash, 2 spaces per stall
Cidery, Distillery, or Microbrewery	1 space per 20 m <sup>2</sup> of gross floor area
Commercial Nursery	1 space per 20 m <sup>2</sup> of gross floor area devoted to office use or retail display of materials, and 1 space per 30 m <sup>2</sup> of gross floor area devoted to warehouse uses for storage of materials that are not on display for sale
Commercial School	1 space per 56 m <sup>2</sup> of gross floor area
Commercial Storage	1 space per 100 m <sup>2</sup> of gross floor area, plus 1 additional space per 300 m <sup>2</sup> of gross floor area in excess of 2,800 m <sup>2</sup>
Community Centre	The greater of: i. 1 space for every 6 fixed seats or fraction thereof; or ii. 1 space per 9 m <sup>2</sup> of gross floor area
Conservation Use	None



Type of Use	Minimum Parking Spaces Required
Custom Workshop	1 space per 20 m <sup>2</sup> of gross floor area
Day Care Centre	1 spaces per 50 m <sup>2</sup> of gross floor area
Fairground	5 spaces per 100 m <sup>2</sup> of gross floor area of assembly space
Farm Equipment Sales, Rental and Servicing	1 space per 50 m <sup>2</sup> of gross floor area
Farmers' Market	1 space per 25 m <sup>2</sup> of gross floor area of assembly space
Financial Institution	1 space per 25 m <sup>2</sup> of gross floor area
Food Bank	1 space per 100 m <sup>2</sup> of gross floor area
Funeral Home	1 space per 20 m <sup>2</sup> of gross floor area
Golf Course	1 space per 20 m <sup>2</sup> of gross floor area of assembly space
Greenhouse	0.8 spaces per 100 m <sup>2</sup> of gross floor area
Home-Based Business	1 space per home-based business in addition to the parking requirements of the dwelling
Home-Based Business, Rural	1 space per home-based business in addition to the parking requirements of the dwelling
Home Industry	1 space per home industry in addition to the parking requirements of the dwelling
Hospital	The greater of: i. 1 space for every 2 patient beds; or ii. 1 space per 100 m <sup>2</sup> of gross floor area
Hotel Motel	1 space per guest room, plus 1 space for every 10 m <sup>2</sup> of gross floor area devoted to public use (e.g. dining room, restaurant, lounge, conference rooms, banquet hall), but exclusive of any lobby
Industrial Uses, Light	0.8 spaces per 100 m <sup>2</sup> of gross floor area
Industrial Uses, Medium	0.8 spaces per 100 m <sup>2</sup> of gross floor area
Industrial Uses, Heavy	1 space per 100 m <sup>2</sup> of gross floor area
Kennel	1 space per 30 m <sup>2</sup> of gross floor area, with a minimum of 3 spaces
Library	1 space per 56 m <sup>2</sup> of gross floor area
Medical Facility	1 space per 20 m <sup>2</sup> of gross floor area
Motor Vehicle Body Shop	1 space per 100 m <sup>2</sup> of gross floor area, plus 1 per service bay
Motor Vehicle Dealership	1 space per 50 m <sup>2</sup> of gross floor area, with a minimum of 4 parking spaces
Motor Vehicle Gas Bar	1 space per fuel pump
Motor Vehicle Rental Establishment	i. Sales / showroom area: 1 space per 50 m <sup>2</sup> of gross floor area ii. Service area: 2 spaces per service bay iii. Other areas: 1 space per 100 m <sup>2</sup> of gross floor area
Motor Vehicle Service Station	1 per 100 m <sup>2</sup> of gross floor area, plus 1 space per service bay
Museum	1 space for every 56 m <sup>2</sup> of gross floor area
Office	4 spaces per 100 m <sup>2</sup> of gross floor area, minimum of 3 spaces
Park	Sports facilities: 2 spaces per court and 4 spaces per sports field All other parks: None



Type of Use	Minimum Parking Spaces Required
Personal Service Establishment	1 space per 20 m <sup>2</sup> of gross floor area
Place of Assembly	1 space per 20 m <sup>2</sup> of gross floor area
Place of Entertainment	1 space per 20 m <sup>2</sup> of gross floor area
Place of Worship	1 space per 20 m <sup>2</sup> of gross floor area
Post Office	1 space per 25 m <sup>2</sup> of gross floor area
Public Use	3 spaces per 100 m <sup>2</sup> of gross floor area
Recreational and Athletic Facility	1 space per 20 m <sup>2</sup> of gross floor area of assembly space
Restaurant	1 space per 10 m <sup>2</sup> of gross floor area
Retail Food Store	1 space per 25 m <sup>2</sup> of gross floor area
Retail Store	1 space per 25 m <sup>2</sup> of gross floor area
School	Elementary and other schools: 1.5 spaces per classroom Secondary: 2 spaces per classroom
Shopping Centre	3.6 spaces per 100 m <sup>2</sup> of net leasable area, except that for areas designed and used for Office, the minimum required parking spaces shall be that for an Office
Tent and Trailer Park	1.25 spaces for each tent and trailer campsite
Transportation Terminal	1 space per 28 m <sup>2</sup> of gross floor area
Warehouse	1 space per 100 m <sup>2</sup> of gross floor area
All other Agricultural Uses	1 space per 100 m <sup>2</sup> of gross floor area
All other Commercial Uses	1 space per 33 m <sup>2</sup> of gross floor area
All other Community/Institutional Uses	1 space per 56 m <sup>2</sup> of gross floor area

### 3.22.2 Shared Parking

- i. Where more than one of the uses listed in Table 3: Minimum Parking Requirements are located on the same lot, parking spaces may be shared between the uses, and the cumulative total of parking spaces required for all the uses on the lot may be reduced to the amount calculated using Table 4: Percentage of Required Parking Not Permitted to be Shared by Time of Day. Shared parking in relation to Park & Ride facilities will be treated on a case-by-case basis.
- ii. The number of parking spaces required for the lot under this section is calculated as follows:
  - a. Multiply the number of parking spaces required for the land use in Table 3: Minimum Parking Requirements by the percentages shown in Table 4: Percentage of Required Parking Not Permitted to be Shared by Time of Day for that use in each of the eight time periods.
  - b. Repeat (a) for each of the uses on the lot.
  - c. For each time period add the parking space calculations for all the uses to arrive at a cumulative total.
  - d. The largest cumulative total for all the uses in any time period is the number of parking spaces required for the lot.



**Table 4: Percentage of Required Parking Not Permitted to be Shared by Time of Day**

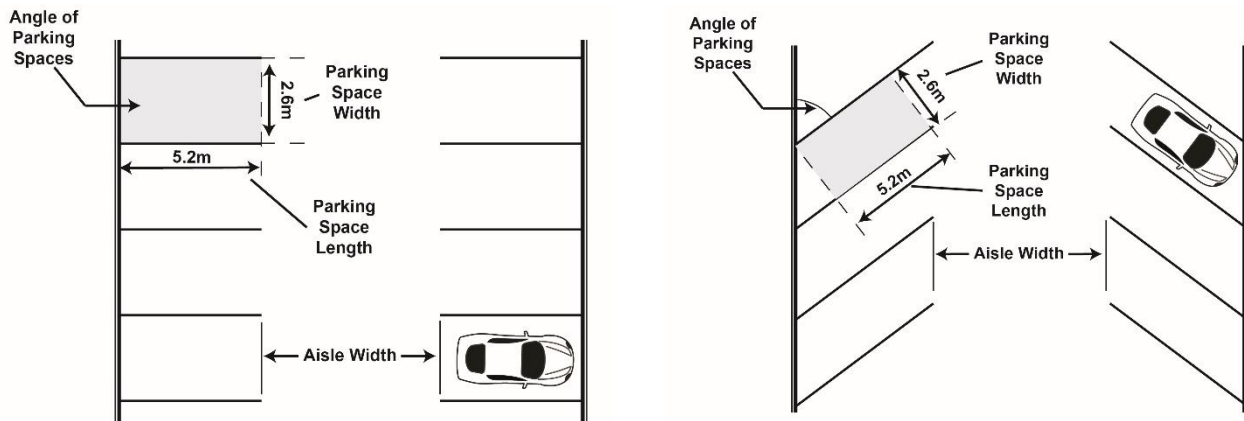
Land Use	Time Period							
	Weekday				Weekend			
	Morning	Noon	Afternoon	Evening	Morning	Noon	Afternoon	Evening
Office; medical facility; animal clinic; building supply outlet	100%	90%	100%	15%	20%	20%	10%	5%
Financial Institution	80%	100%	100%	10%	80%	100%	60%	10%
Retail store; retail food store; personal service business	75%	80%	85%	75%	60%	90%	100%	50%
Restaurant; Cidery, Distillery, or Microbrewery	30%	90%	60%	100%	30%	80%	50%	100%
Place of assembly; Place of entertainment	50%	50%	75%	100%	100%	100%	100%	100%
Visitor parking required for residential uses	50%	50%	75%	100%	100%	100%	100%	100%

**3.22.3 Design of Parking Areas and Spaces**

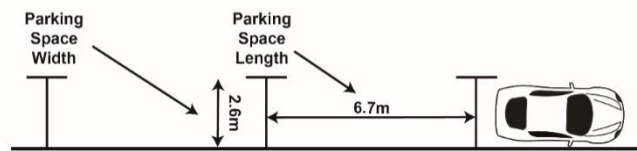
- i. All off-street parking areas and spaces shall be designed, constructed and maintained in accordance with following provisions:
  - a. Except in the case of single detached, semi-detached, townhouse, and stacked townhouse dwellings, no parking spaces may access directly onto a public road.
  - b. Driveways used for ingress and egress shall be clearly marked.
  - c. Any off-street parking area providing more than four (4) parking spaces shall be designed with asphalt or concrete parking surfaces, with adequate drainage facilities. Any other potential surface treatment will be subject to Site Plan Control.
  - d. Any off-street parking area shall be constructed so that the ground surface is firm, stable, and slip-resistant.
  - e. Notwithstanding subclause c. of this section, parking in agricultural areas is not required to be paved or bounded by raised curbs.
  - f. Tandem parking spaces are not permitted for non-residential uses.
  - g. Parking areas and parking lots shall be located a minimum of 1 m from any lot line.
  - h. Except as otherwise provided in this By-law, all parking spaces shall be provided and maintained on the same lot and in the same Zone as the principal building or use they serve, with the exception of:
    1. A place of assembly or place of entertainment, provided that the parking lot for satellite parking is located a maximum distance of 150 m from the lot containing the principal building or use;
    2. Any permitted non-residential use located in a Commercial Zone or Institutional Zone, provided that the parking lot for satellite parking is located a maximum distance of 150 m from the lot containing the principal building or use under the same ownership; and



3. An apartment dwelling, provided that the parking lot for satellite parking is located a maximum distance of 150 m from the lot containing the principal building or use.
  - i. An apartment dwelling, provided that the parking lot for satellite parking is located a maximum distance of 150 m from the lot containing the principal building or use.
  - j. All parking spaces shall be provided with a minimum width of 2.6 m and a minimum length of 5.2 m.
  - k. Notwithstanding subclause (i), parking spaces designed to be used for parallel parking shall have a minimum length of 6.7 m.



**Illustration of 90-degree Parking (left) and Angle Parking (right)**



**Illustration of Parallel Parking**

- l. All driveways, aisles providing access to or located within an underground or aboveground parking garage, and parking spaces must have a minimum vertical clearance clear of obstructions such as signs and other structures in accordance with the Building Code, as amended.
- m. A minor variance from the Committee of Adjustment may be required for the development of a parking garage that does not comply with the provisions of this By-law, including if it is located below grade.

#### 3.22.4 Barrier-Free Parking

- i. Every owner and/or operator of a public or private parking area shall provide reserved barrier-free parking spaces in accordance with Table 5: Barrier-Free Parking Requirements, where the barrier-free parking spaces are included in the total number of parking spaces:

**Table 5: Barrier-Free Parking Requirements**

Total Number of Parking Spaces in Parking Area	Barrier-Free Parking Spaces Required (Minimum)
a) 1-19	1
b) 20-99	2
c) 100-199	3
d) 200-299	4
e) 300-399	5
f) 400-499	6
g) Over 500	7

- i. A barrier-free parking space shall be:
  - a. A minimum width of 3.7 m;
  - b. Of a length so as to be the same length as the other parking spaces in the same parking facility;
  - c. Located as close as possible to an accessible entrance and integrated with an accessible route and shall never be more than 30 meters from accessible entrance(s);
  - d. Placed so as to be accessible to physically disabled persons whether via ramps, depressed curbs, or other appropriate means, and so placed as to permit easy access by such persons to or from a motor vehicle parked therein; and
  - e. Identified with proper pavement markings and vertical signage, containing the International Symbol of Accessibility, and as required by the Highway Traffic Act, R.S.O. 1990 c. H.8, as amended, R.R.O. 1990, Reg. 581 Accessible Parking for Persons with Disabilities.
- ii. Vertical signage for barrier free parking shall be:
  - a. minimum 300 mm wide by 600 mm high;
  - b. mounted at a height of between 1.5 m and 2.0 m from the ground or floor; and
  - c. contrast with the background environment.
- iii. Pavement markings for barrier-free parking shall be:
  - a. Minimum 1525 mm wide by 1525 mm depth;
  - b. Slip resistant;
  - c. Clearly visible through the use of high tonal contrast compared to the surface of the parking space;
  - d. Located near the lack of the space for 90 degree or angled parking spaces and centered for parallel parking spaces.
- iv. A barrier-free parking space should be:
  - a. Connected with an adjacent accessible path of travel with a width of 1.5 m and with the depressed curb or ramp centered on the access aisle
  - b. Designed to include directional signage, marked with the international Symbol of Accessibility, to indicate the location of accessible parking spaces, and/or the location of



the nearest accessible entrance if the space or entrances are not easy for users to locate when entering or exiting the site.

**3.22.5 Visitor Parking**

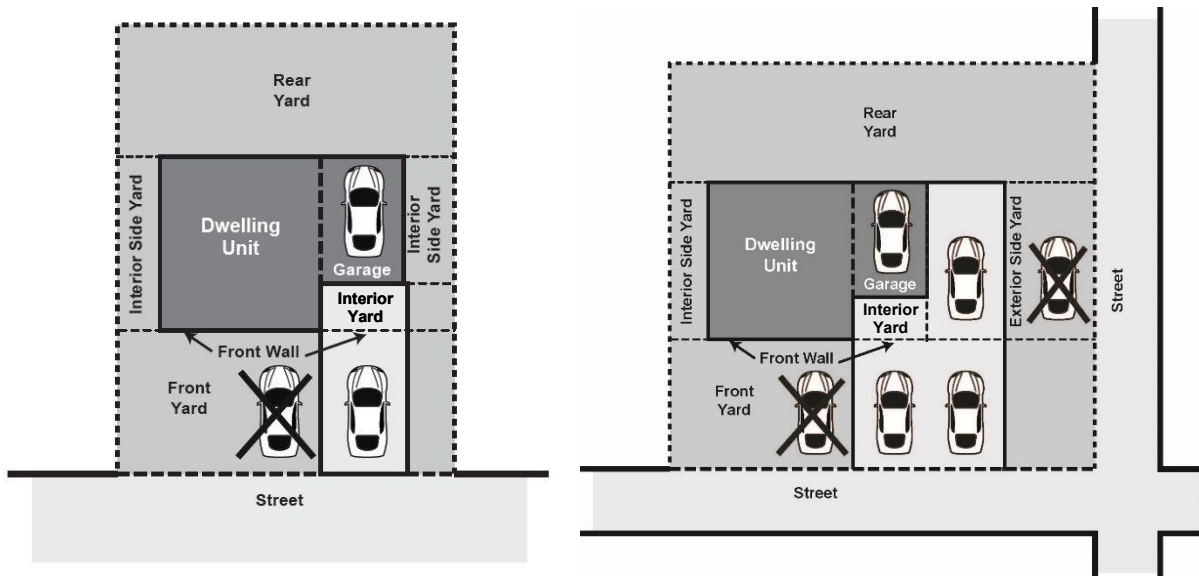
- i. Visitor spaces shall be identified with proper surface markings and signage, to the satisfaction of the Township.

**3.22.6 Location**

- i. Required parking in a Residential Zone shall be provided on the same lot as the dwelling unit. In all other Zones, the required parking areas may be provided on another lot if such parking area is not more than 100 m from the lot it is intended to serve and no part of any parking area required for a use other than Residential shall be permitted in a Residential Zone. Where required parking is not provided on the same lot, the lot or part of the lot where the parking is located shall be in the same ownership or be leased by a long term renewable agreement that is registered on the properties associated with the properties included in the agreement, and the parking spaces shall be retained for the duration of the use.
- ii. Notwithstanding the provisions of this Section, the minimum number of non-residential parking spaces required herein may be reduced or waived provided that the owner enters into an agreement with the Municipality under the Cash-in-Lieu of Parking By-law as per Section 40 of the Planning Act.

**3.22.7 Yards Where Permitted**

- i. Notwithstanding the yard and setback provisions of this By-law to the contrary, every person shall use a parking area as set out in Table 6: Yards Where Parking is Permitted.



**Illustration of Yards where Parking is Permitted / Not Permitted**

**Table 6: Yards Where Parking is Permitted**

Zone	Yard in which Parking Is Permitted
a) Residential (R1, R1A, R2)	Parking is permitted in all yards with the exception of a side yard. In the front yard, required parking spaces may only be located on a driveway.



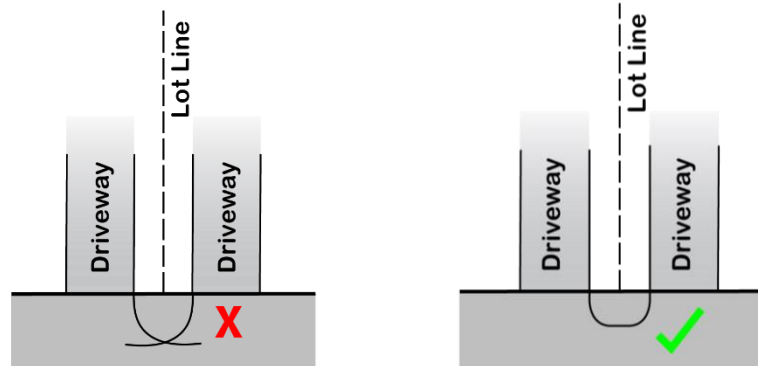
Zone	Yard in which Parking Is Permitted
b) Residential Three (R3), Residential Four (R4), General Commercial (C), Institutional (I), Open Space (OS), Leisure (L)	Parking is permitted in all yards, provided that no part of any parking area is located closer than 1 m to any street line or lot line or 2 m to any Residential Zone. No setback is required between attached or shared parking areas. No access driveway shall be located closer than 1 m to the lot line, except where the access driveway is shared with the abutting property or accesses a parking area shared with the abutting property.
c) Village Core (VC)	Parking is permitted in all yards with the exception of a front yard, exterior side yard, or the extension of an exterior side yard into a rear yard. No driveway or parking area shall be located closer than 1 m to any Residential Zone. Where buffering requirements within this By-law result in insufficient space for a parking area in the side or rear yards, required parking may be located in a front yard.
d) Business Park (BP), Industrial Park (MP1, MP2, MP3)	Parking is permitted in all yards. No part of any parking area, other than a driveway, shall be located closer than 1 m to any street line or 3 m from a Residential Zone or lot used for residential purposes. No access driveway shall be located closer than 1 m to the lot line.
e) Mineral Aggregate (MAP, MAQ, MAR), Waste Disposal (WD) and Wrecking Yard (WY)	Parking is permitted in all yards. No part of any parking area, other than a driveway shall be located closer than 3 m to any street line or Residential Zone or lot used for residential purposes. No access driveway shall be located closer than 1 m to the lot line.
f) Agricultural (A1, A2, RR, RU)	Parking is permitted in all yards. No part of any parking area, other than a driveway, shall be located closer than 3 m to any street line. No access driveway shall be located closer than 1 m to the lot line.

### 3.22.8 Driveways

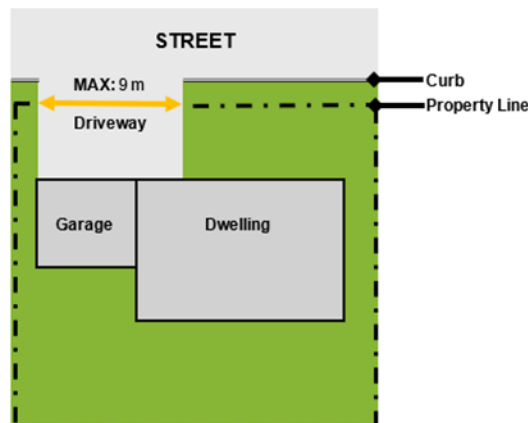
- i. The following provisions apply regarding access driveways:
  - a. Access driveways designated for two-way traffic that are not divided by a curbed median shall be no less than 6 m wide, but not more than 9 m in width. Separate entrance and exit driveways shall be not less than 4 m in width, excluding any medians.
  - b. Despite subclause a., in the case of an apartment dwelling or stacked townhouse dwelling, the minimum width for a double access driveway that leads to less than 6 parking spaces may be no less than 4 m.
  - c. Notwithstanding any other provision of this By-law, a driveway or aisle shared across two lots shall be permitted, subject to subclause e.
  - d. The aisles between and/or providing access to parking spaces within a parking area shall have a minimum width of 6 m. For one-way aisles accessing angled parking with an angle of less than 55 degrees, the minimum width shall be 4.5 m.
  - e. The maximum combined width of any two non-residential shared driveways along a common lot line shall be no greater than 9 m when measured along the street line.
  - f. The minimum distance between two separate driveways on one lot, measured along the street line, shall be not less than 7.5 m.
  - g. Driveway access to parking areas for commercial or industrial uses shall not pass through a Residential Zone.
  - h. Notwithstanding the above, the width of a driveway access for a residential apartment use shall be between 6 m and 9 m.



- i. The radii of any driveway access shall not encroach onto the extension of the property line of an adjacent lot.



- g. The maximum number of separate driveways on a Township Road in the R1, R1A, and R2 Zones shall be 1 per lot line abutting a street and not more than a maximum of 2 per lot.
- h. The maximum number of separate driveways on a Township road for the R3 Zone shall be one per dwelling unit for townhouse dwellings, not including any additional dwelling unit, or garden suite, and 3 per lot for all other uses in the R3 Zone.
- i. The maximum number of separate entrance driveways for non-residential uses on a Township Road shall be 3, or as agreed to through Site Plan Control.
- j. The minimum angle of intersection between a driveway and a street line shall be 60 degrees.
- k. Access to parking areas for commercial or industrial uses shall not pass through a Residential Zone.
- l. Driveways for residential use on a public street shall be no greater than 50% of the lot frontage, to a maximum width of 9 m along the property line.



- m. The preferred design of a driveway for a residential use shall not extend beyond 9 m from the property line to edge of curb, pavement, and/or edge of road.
- ii. No new driveway shall be created in association with an accessory use, building or structure, coach house, garden suite or additional dwelling unit, except where the accessory use, building or

structure, coach house or additional dwelling unit contains a garage, a driveway may be extended to the accessory building, but may not be extended across a front yard.

### 3.22.9 Buffering

- i. Where, in a yard in a Commercial, Industrial, Residential Three Zone, or a lot used for residential purposes in a Residential Three Special Exception Zone, a parking area providing more than four (4) parking spaces is closer than 8 m from a lot in a Residential Zone or used for residential purposes, an opaque fence of at least 1.8 m in height shall be erected and maintained for parking areas in all yards, other than the front yard. The land between the fence and the parking area shall be landscaped with planting material and shall be maintained in a healthy growing condition.
- ii. Where, in a yard in any Zone, a parking area providing more than four (4) parking spaces is closer than 3 m from a street line, a planting strip shall be provided along the lot line abutting the street and shall be continuous except for aisles and driveways required for access to the parking area.
  - a. The required planting strip shall consist of a row of trees or a continuous uninterrupted hedgerow of evergreens or shrubs, not less than 1.5 m high at planting, planted immediately adjacent to the lot line or portion thereof along which such planting strip is required.
  - b. A planting strip referred to in this subsection may form part of any landscaped open space required by this By-law.

### 3.22.10 Surface

- i. Parking areas, parking spaces, driveway, and aisles shall be constructed and maintained with a stable surface which is treated to prevent the raising of dust.
- ii. In all Zones, except the Village Areas and the Highway 417 Industrial Park, parking areas, parking spaces, driveways, and aisles shall be constructed of either asphalt, concrete, interlock pavers, permeable pavers, gravel, or asphaltic binder or similar hard permanent surfaces.
- iii. The use of alternatives to standard concrete and asphalt paving is encouraged to reduce the amount of impermeable surfaces, particularly within the Villages and the Highway 417 Industrial Park. These include porous concrete, porous asphalt, and block paving such as bricks, cobblestone, and interlocking pavers.

### 3.22.11 Parking of Recreational Vehicles in a Residential Zone within a Village

- i. Notwithstanding any provisions to the contrary, no person shall park or store a recreational vehicle may be parked or stored within a front yard, interior side yard, or an exterior side yard or a rear yard, subject to the following provisions:
  - a. Between May 15th and September 15th, if parked in the front yard, in no event shall the recreational vehicle be parked or stored closer than one (1) metre from a sidewalk or footpath or, if there is no sidewalk or footpath, two (2) metres from the edge of the pavement nearest to the property line.
  - b. In no event shall the recreational vehicle be parked or stored closer than 1 metre from the side lot line, exterior side lot line or rear lot line.
  - c. A maximum of one (1) recreational vehicle may be parked or stored in a driveway in the front yard or side yard.
  - d. A maximum of two (2) recreational vehicles may be parked or stored in a rear yard.
  - e. In the case of a corner lot, the parking or storage of a recreational vehicle shall not interfere with a sight triangle.



- f. Between September 16th and May 14th, if parked or stored in the front yard, in no event shall the recreational vehicle be parked or stored closer than five (5) metres from the edge of the pavement nearest to the property line.

### 3.22.12 Commercial Vehicles

- i. In any Zone which permits home-based businesses or home industries, the owner or occupant of a dwelling or dwelling unit may use a driveway for the purpose of the parking of a maximum of one (1) commercial vehicle, subject to the following provisions:
  - a. The length of any such commercial vehicle shall not exceed 6.1 m (20 feet).
  - b. If the commercial vehicle is parked within a front yard, in no event shall the commercial vehicle be parked or stored closer than 5 m from the edge of the pavement nearest to the property line and, notwithstanding the foregoing, no part of the commercial vehicle shall encroach on the municipal road allowance. In addition, in no event shall the commercial vehicle be parked closer than 1 m from the side lot line, exterior side lot line, and/or rear lot line.
  - c. Notwithstanding the above provisions, a commercial vehicle attending at a property within a Zone which permits home-based businesses for the purpose of delivering goods or providing a service to the owner or occupant of such property shall not be deemed to contravene this section, provided that the location of the commercial vehicle does not create safety concerns with respect to the visibility or interfere with a sight triangle.
- ii. In an R1 or R1A Zone, the owner or occupant of a dwelling unit may use a driveway for the purpose of the parking of a maximum of one (1) bus, subject to the following provisions:
  - a. If the bus is parked within a front yard, in no event shall the bus be parked closer than 5 m from the edge of the pavement nearest to the property line and, notwithstanding the foregoing, no part of the bus shall encroach on the municipal road allowance. In no event shall the bus be parked closer than 1 m from the side lot line, exterior side lot line and/or rear lot line.

### 3.22.13 Bicycle / Scooter Parking Requirements

- i. Bicycle / scooter parking must be provided for the land uses and at the rates set out in **Error! Reference source not found.** for lands located in the following Zones: Village Core (VC), General Commercial (C), Residential Three (R3), and Residential Four (R4).
- ii. Bicycle / scooter parking must be provided on the same lot as the use or building for which it is provided.
- iii. Bicycle / scooter parking spaces must be located in order to provide convenient access to entrances or well used areas.
- iv. A bicycle / scooter parking space may be located in any yard.
- v. A bicycle / scooter parking space must have access from an aisle having a minimum width of 1.5 m.
- vi. Where four (4) or more bicycle / scooter parking spaces are provided in a common parking area, each bicycle / scooter parking space must contain a parking rack that is securely anchored to the ground and attached to a heavy base such as concrete.
- vii. Where a building contains more than one use, bicycle / scooter parking must be provided for that building in accordance with the proportion of the building occupied by each use and the rate set out in **Error! Reference source not found.** for each use.
- viii. A bicycle / scooter parking space must comply with the minimum parking space dimensions specified in **Error! Reference source not found.**



- ix. Any bicycle / scooter parking spaces shall be located on a paved surface or an asphalt pad.

**Table 7: Bicycle / Scooter Parking Space Rates**

Type of Use	Minimum Bicycle / Scooter Parking Required
Retirement home, group home, or rooming house	1 space for every 8 dwelling units and/or rooming units
Apartment dwelling, or stacked townhouse dwelling of 4 or more units – without a garage or carport for each dwelling unit	1 space for every 4 dwelling units
School	1 per 200 m <sup>2</sup> of gross floor area
Financial institution; convenience store; daycare; office; post office; post-secondary educational institution; restaurant; retail food store; retail store	1 per 500 m <sup>2</sup> of gross floor area
Library; municipal service center; personal service business; retail food store 8,000 m <sup>2</sup> or greater; retail store 8,000 m <sup>2</sup> or greater; service or repair shop; shopping center	1 per 1,000 m <sup>2</sup> of gross floor area
Hospital; hotel; motel; medical facility; train station	1 per 2,000 m <sup>2</sup> of gross floor area
Animal clinic; transportation terminal	1 per 4,000 m <sup>2</sup> of gross floor area

**Table 8: Minimum Bicycle Parking Space Dimensions**

Orientation	Minimum Space Width	Minimum Space Length
a) Horizontal	0.6 m	1.8 m
b) Vertical	0.5 m	1.5 m

### 3.22.14 Loading Requirements

Any non-residential use, building, or structure which involves the frequent receiving, shipping, loading or unloading of animals, goods, wares, merchandise or raw materials shall provide and maintain on the lot occupied by the use, building, or structure, loading spaces in accordance with the following regulations.

- i. Off-street loading spaces shall be provided in accordance with the standards of this By-law in any Zone where a building or use requires frequent receiving, shipping, loading and unloading of goods, wares, materials, articles, or merchandise, in accordance with in accordance with as follows:

**Table 9: Loading Requirements**

Type of Use	Minimum Number of Loading Spaces Required
<b>Apartment Dwelling and Stacked Townhouse Dwelling Uses</b>	
a) 7 – 30 dwelling units	1
b) 31-100 dwelling units	1
c) 101 or more dwelling units	2
<b>Commercial Uses</b>	
d) Less than 300 m <sup>2</sup>	0
e) 300 m <sup>2</sup> to 2,000 m <sup>2</sup>	1
f) Greater than 2,001 m <sup>2</sup>	2, plus 1 additional space for each 2,800 m <sup>2</sup> of gross floor area or part thereof



Type of Use	Minimum Number of Loading Spaces Required
<b>Industrial Uses</b>	
g) Less than 300 m <sup>2</sup>	1
h) 300 m <sup>2</sup> to 7,450 m <sup>2</sup>	2
i) Greater than 7,450 m <sup>2</sup>	3, plus 1 additional space for each additional 2,800 m <sup>2</sup> , but no greater than 6 loading spaces shall be required

- ii. Loading spaces shall be located on the lot occupied by the use for which the spaces are required and such spaces shall not form part of any street or required parking area or parking spaces.
- iii. The required loading spaces shall be located in the:
  - a. Interior side or rear yard; and
  - b. Exterior side yard provided it is located, arranged, buffered, or screened to reduce the visual impact from the street.
- iv. In the yard where a loading space is located, a minimum 3 m landscape strip shall be provided and maintained on the lot line abutting a Residential or Institutional Zone.
- v. No part of a loading space or required manoeuvring area shall be used for vehicular parking or outdoor storage.
- vi. Each loading space shall have a minimum width of 3.7 m, a minimum length of 9 m, and a minimum height clearance of 4.3 m.
- vii. Access to loading spaces shall be by means of an unobstructed driveway providing ingress and egress from adjacent streets to loading areas, which shall have a minimum width of 3.7 m for one-way traffic and 6 m for two-way traffic. Access to loading spaces shall not require vehicles to use the public right-of-way or street in whole or in part, to move or park.
- viii. In all Zones, except the Agricultural 1 (A1), Agricultural 2 (A2), and Rural (RU) Zones, loading spaces and driveways leading thereto shall be constructed of and maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles, such as asphalt, concrete, interlock pavers, permeable pavers, or asphaltic binder.
- ix. Lighting used for any loading area shall be designed to be dark sky compliant and so as to deflect direct illumination and glare away from adjacent properties and streets.
- x. Where there are two (2) or more uses located on the same lot, the loading space requirements shall be the sum of the requirements for each use.
- xi. Notwithstanding any other provisions in this By-law, at least one (1) loading space shall be required for every two (2) units in a multi-tenant industrial business park or shopping centre.
- xii. The loading space requirements herein shall not apply to any floor area in existence at the time of passing of this By-law, but shall apply to any additions made thereafter.
- xiii. All outdoor loading spaces shall be:
  - a. Located at least 3 m from any lot line abutting a Residential Zone.
  - b. When located on a lot which abuts a lot in a Residential Zone, be screened from view by an opaque screen with a minimum height of 2 m.



- xiv. Uses in the Village Core (VC) Zone shall not be required to provide loading spaces in accordance with the provisions of this Section; however, any loading or unloading shall take place from a lane or driveway and not from a public street.
- xv. Garbage enclosures or waste storage areas may be located within an area of a lot used for loading purposes, and shall be subject to the following provisions:
  - a. An opaque visual buffer of at least 1.2 m in height must be provided around outdoor garbage enclosures.
  - b. Garbage enclosures shall not be located in any front yard or in any minimum exterior side yard.
  - c. Garbage enclosures shall be located in such a way as to be easily serviceable.
  - d. Garbage enclosures shall be located at least 1 m from any lot line.
  - e. Garbage enclosures are not required for buried garbage containers.
  - f. Garbage enclosures are not required for garbage containers that are needed on a temporary basis and which are permitted for the time of a renovation or construction.

### 3.22.15 Drive-Throughs and Queuing Spaces

- i. Where a drive-through is a permitted use, off-street motor vehicle queuing space must be provided for that drive-through facility leading both to and from each service bay, window, kiosk or booth for the uses specified and at the rate set out in Table 10.

**Table 10: Queuing Spaces Required for Drive-through Uses**

Type Of Use		Minimum Number of Queuing Spaces Required	
		Leading to Use	Leaving Use
a) Car Wash	Conveyor Type	7 before/in each wash bay	1 after each wash bay (if a through bay)
	Automatic Type	7 before/in each wash bay	
	Manual Type	5 before/in each wash bay	
b)	Financial establishment with accessory bank machine	3 before/at each machine	1 after each machine
c)	Restaurant	No order board: 4 spaces before/at service window; With order board: 7 before or at the order board and a minimum total of 11	
d)	In all other cases	3 spaces before/at service window	

- ii. All drive-through facilities and queuing spaces shall be designed, constructed, and maintained in accordance with and the following provisions:
  - a. Each queuing space shall be a minimum of 3 metres in width and 5.7 metres in length;
  - b. No queuing line, drive-through window, or order board may be located within 3 metres of any lot line abutting a Residential Zone, or within 1 metre of any lot line abutting any other Zone;
  - c. Where a queuing line, drive-through window, or order board is located 3 metres or more from a Residential Zone or lot used for residential purposes, but is still within a yard abutting a Residential Zone, or where the order board is located less than 3 metres from a lot used for residential purposes it must be screened from view from the Residential Zone by an opaque screen, with a minimum height of 1.5 metres; and
  - d. Queuing spaces provided for any use must not form part of any access driveway, aisle or parking space.



### 3.23 Permitted Projections

#### 3.23.1 Above the Height Limit

The maximum height limits established in individual Zones do not apply to the structures listed below or to any other similar structures that may require a height in excess of maximum height limits in order to serve their intended purpose, unless otherwise specified in the By-law and provided these structures are erected only to such height or area as is necessary to accomplish the purpose they are to serve:

- Air conditioning ducts and ventilators
- Barns, silos, or other farm-related buildings or structures
- Bulk storage tanks
- Chimneys or smokestacks
- Communication transmission and distribution towers
- Flag poles
- HVAC and mechanical equipment penthouses
- Landscaped areas, roof-top gardens and terraces and associated safety guards and access structures
- Mechanical equipment penthouses
- Place of worship steeples, spires, or belfries
- Sports domes
- Solar panels or solar collectors
- Skylights or parapets

Notwithstanding the foregoing, limitations prescribed or practices recommended by the Province of Ontario or the Government of Canada shall be complied with and take precedent.

#### 3.23.2 Into Required Yards

Projections are permitted in accordance with Table 11: Permitted Projections into Required Yards, subsequent to the opposite side yard being 1.2 metres in width, and free and clear of all obstructions in order to ensure emergency access is provided.

**Table 11: Permitted Projections into Required Yards**

Structure	Yards in which Projection Is Permitted	Maximum Permitted Projection into Minimum Yard
a) Sills, belt courses, cornices, eaves, eave troughs, gutters, chimneys, chimney box, fireplace box, or pilasters	All	0.6 m
b) Fire escapes	Rear, interior side and exterior side	1.5 m, but no closer than 1 m to a lot line
c) Open stairways, steps, landing, stoop, and ramps, including barrier-free access ramps	All	At or below the floor level of the first floor: no limit Other cases: 1.5 m, but no closer than 1 m to a lot line, with the exception of barrier-free access ramps where no maximum shall apply
d) Bay windows	Front, exterior side, and rear	1 m including eaves and cornices over a maximum width of 3 m, and no closer than 1 m to a lot line



Structure	Yards in which Projection Is Permitted	Maximum Permitted Projection into Minimum Yard
e) Balconies on the second storey or above	Residential dwelling unit: Front, exterior side, and rear	1.5 m, but no closer than 1 m to a lot line
f) Porches not exceeding one storey in height, and including eaves and cornices	Front, exterior side, and rear	Porches with a height less than 1.2 m above the average finished grade: No closer than 1.2 m from a front or exterior lot line, and no closer than 1 m to a rear lot line  Porches with a height more than 1.2 m above the average finished grade: No closer than 3 m from a front or exterior side lot line, and no closer than 1 m to a rear lot line
g) Decks	All	Decks with a height of less than 1.2 m above the average grade: No closer than 1.2 m from any lot line  Decks with a height greater than 1.2 m above the average grade: No closer than 2 m from an interior side lot line, and no closer than 3 m from any other lot line  Notwithstanding the above, an exterior landing required by the Building Code, the width of the exterior door and extending a maximum of 0.9 m from the building, or the minimum as otherwise required in the Building Code, shall be permitted.
h) Air conditioner condenser, heat pump, window well and generator, swimming pool heater under structure or similar equipment	Interior side, exterior side, and rear	0.6 m
i) Signs	All yards	No maximum, as amended

### 3.24 Public Uses

- i. Notwithstanding any other provisions of this By-law, the use of land or the use, construction or reconstruction of any building or structure for the purposes of a public use, including but not limited to an institutional use, housing, and supportive housing, but excluding a correctional facility, shall be permitted in all Zones.
- ii. Notwithstanding anything else contained in this By-law, public uses, including those associated with the Township or any telephone company, cable company, transportation or other public utility owned, operated or authorized by or for the Municipality, the United Counties of Prescott and Russell, any department of the Federal or Provincial Governments, including Ontario Hydro, Hydro One Networks Inc., and Embrun Hydro, or any conservation authority established by the Government of Ontario may use any land or erect or use any building or structure in any Zone, only for the purposes of public service, provided that:
  - a. No goods, material, or equipment associated with the public use shall be stored in the open in a Residential Zone;



- b. Any building or structure erected in a Residential Zone under the authority of this section shall be designed, constructed and maintained in general harmony with the buildings of the type permitted in the Zone.
- iii. Nothing in this By-law shall prevent the use of land for a street or road or private road right-of-way or prevent the installation of a water main, sanitary sewer main, storm sewer main, gas main, pipeline, lighting fixture, overhead or underground electrical or telephone line, hydro corridor, electricity generation facility and transmission and distribution system, or other supply line or communication line, or structure clearly ancillary to the foregoing, provided that the location of such street or road or private road right-of-way, main, line, fixture or structure has been approved by the appropriate public authority and all required statutory authorizations and approvals have been obtained.
- iv. Notwithstanding provision i., the following uses shall not be permitted in the Mineral Aggregate (MAP, MAQ), Floodplain (FP), and Wetlands (WL) Zones:
  - a. The use of a building or part thereof as a temporary polling station for a federal, provincial or municipal election or referendum;
  - b. Public or private cellular and wireless communication towers regulated by Federal authorities;
  - c. Wind Turbines or Wind Turbine facility;
  - d. Hydro corridors, gas lines, and telecommunications; and
  - e. Private or public water treating plants, water pumping stations, water storage towers and sewage pumping stations, associated distribution and/or collection lines and similar type uses.
- v. Stormwater management facilities and recreation or walking trails shall be permitted in all Zones, excepting the WL Zone.
- vi. Except as provided for above, any other public use not identified in this section shall be permitted only in Zones where listed as a permitted use and the relevant Zone provisions shall apply to the development of the public use in that Zone.

### 3.25 Satellite Dishes and Tower Antennas

- i. Notwithstanding any other provision in this By-law, where a satellite dish or a tower antenna is established as an accessory structure in any Zone, it shall:
  - a. Not be located in a front or exterior side yard.
  - b. Have a maximum height of 4 m in the case of a satellite dish, or 10 m for a television/radio antenna, excluding the height of the building when located on a roof.
- ii. All other provisions of Table 1: Provisions for Accessory Uses, Buildings, or Structures shall apply.

### 3.26 Seasonal Display of Goods and Wares for Retail Purposes

Notwithstanding any other provision in this By-law, the seasonal display of goods and wares for retail purposes shall not be permitted, unless the property is occupied by an existing building or a structure that contains a retail use or component selling the goods and wares.



### 3.27 Separation Distances

#### 3.27.1 Minimum Distance Separation Formulae

- i. All farm and non-farm development is to be established in compliance with the Minimum Distance Separation (MDS) formulae established by the Province in order to minimize odour conflicts between livestock facilities and development, as amended from time to time.

#### 3.27.2 MDS I – New Non-Farm Uses

- i. Notwithstanding any other yard or setback provision of this By-law, no use shall be established and no building shall be erected or altered unless it complies with the Minimum Distance Separation (MDS) Document: Formulae and Guidelines for Livestock Facility and Anaerobic Digester Odour Setbacks Publication 853 published by the Province, as amended.
- ii. MDS shall apply to existing lots of record located in the Agricultural 1 (A1), Agricultural 2 (A2), Rural (RU), and Rural Residential (RR) Zones, except in the cases of renovation or restoration of an existing dwelling unit.
- iii. No livestock or manure storage facilities shall be constructed, established or enlarged on a lot unless it complies with the Minimum Distance Separation Two setback (MDS II), as amended.
- iv. Notwithstanding the above, in no case shall a livestock facility be constructed, established or enlarged with less than the applicable minimum yards required for the Zone in which such facility is to be constructed, established or enlarged.

#### 3.27.3 Application of MDS Formulae After a Catastrophe

- i. The MDS Formulae do not apply to the reconstruction of a building or structure or livestock and/or manure storage facility if in whole or part destroyed by a catastrophe providing the new or reconstructed building or structure (including a livestock and /or manure storage facility) is built no closer to the surrounding development than existed before the catastrophe and does not result in an increase in Factor A (Odour Potential), B (Nutrient Units), C (Orderly Expansion) and/or D (Manure or Material Form in a Storage Facility) as described in the MDS Implementation Guidelines, as amended.

#### 3.27.4 Application of MDS I Formulae to Existing Lots

- i. Notwithstanding Subsection 3.27.2 MDS I – New Non-Farm Uses, the following tiered setback will apply to new non-livestock related building construction, excluding accessory buildings or structures, on an existing lot for lands designated in the United Counties of Prescott and Russell Official Plan, as amended, as Agricultural Resource Policy Area and Rural Policy Area in the following order of priority:
  - a. Locate the non-livestock related building at a distance that is not less than the minimum distance required for the new building or structure under the Minimum Distance Separation I (MDS I) Formulae and Implementation Guidelines, 2006;
  - b. If the setback required by provision a. above cannot be met, locate the non-livestock related building at a distance that is not less than the minimum distance required for the new building or structure under the Minimum Distance Separation I (MDS I) Formulae and Implementation Guidelines, 1995;
  - c. If the setback required by provision b. above cannot be met, locate the non-livestock related building at a distance that is not less than the minimum distance required to double the existing capacity of existing active livestock barn(s), with the same type of livestock and manure storage, under the Minimum Distance Separation II (MDS II) Formulae and Implementation Guidelines, 2006. For the purpose of calculating this setback requirement, any existing liquid manure storage facility will be deemed to be a vertical straight walled storage facility;



- d. If the setback required by provision c. above cannot be met, the owner may apply for a Minor Variance to seek a reduction in the required setback; and
- e. All other applicable zoning requirements shall apply.

### 3.27.5 Separation Distances – Other Uses

- i. Notwithstanding any provision of this By-law to the contrary, new incompatible development which cannot be reasonably mitigated, including new dwellings, will be prohibited in the following locations:
  - a. Within 150 m of any land zoned Wrecking Yard (WY);
  - b. Within 500 m of any land zoned Waste Disposal (WD);
  - c. Within 150 m of any land zoned Mineral Aggregate-Pit (MAP);
  - d. Within 150 m of any land zoned Mineral Aggregate-Quarry (MAQ);
  - e. Within 100 m of kennels with 4 or fewer dog runs; and 215 m of kennels with more than 4 dog runs.
- ii. In areas located within 300 metres of a Mineral Aggregate-Pit (MAP) and Mineral Aggregate-Quarry (MAQ) Zone and intended or utilized for a licensed pit operation, incompatible development, including the creation of new lots, shall only be permitted subject to the following criteria:
  - a. Adjacent to areas intended or utilized for a licensed pit or quarry operation, a hydrogeological investigations conducted by a qualified professional conclusively demonstrate that the proposed non extraction development can be adequately serviced by water and sewer services in a manner which will not impede continued existing and proposed extraction operations.
  - b. Any other investigation as required, such as traffic studies, noise studies, vibration studies, slope stability studies, air quality impact studies etc., in order to demonstrate that the proposed development can proceed without impeding the continued operation of the licensed extraction operation existing licensed operations and future operations on reserves. Such studies are to be carried out by qualified professionals.
- iii. All development and site alterations within 30 m adjacent to the Wetlands (WL) Zone is prohibited unless it can be demonstrated that the ecological and hydrologic function of the wetland will not be negatively affected. This area is regulated under Section 28 of the Conservation Authorities Act, Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation administered by the appropriate Conservation Authority. The appropriate Conservation Authority must be consulted prior to any and all works within 30 m adjacent to the Wetlands (WL) Zone, whereby a permit may be required.
- iv. Development within 500 m of existing wastewater management sites shall generally be discouraged unless supported by an appropriate study or studies which confirm that there will be no negative impacts on the proposed development related to the adjacent wastewater management site, as per the requirement in the United Counties of Prescott and Russell Official Plan.

## 3.28 Servicing Requirements

### 3.28.1 New Residential Development

- i. No person shall use any lot or erect any building or structure in the Villages unless a public water system and a sanitary sewer system are available and of sufficient capacity to service such lot, building or structure, unless otherwise specified in the Official Plan.



**3.28.2 Change to Residential Use**

- i. No person shall change to residential the use of any building, structure or lot within the Villages unless a public water system and a sanitary sewer system are available and of sufficient capacity to service such lot, building or structure, unless otherwise specified in the Official Plan.

**3.28.3 Existing Uses**

- i. For uses which existed on the date of passing of this By-law, reference shall be made to By-law 82-2012 – Water and Sewer Unit Calculations for the Township of Russell.

**3.28.4 Private Services**

- i. For lots serviced by private services, any additions require the approval of the appropriate Conservation Authority.

**3.29 Setbacks from Fish Habitat**

- i. All waterbodies and watercourses within the Township of Russell shall be considered as fish habitat. Any new development or site alterations within 120 m of the normal highwater mark requires consultation with the appropriate Conservation Authority and may require the preparation of an environmental impact assessment study in accordance with Section 5.6 of the County OP.
- ii. Where an existing lot on which a building or structure is to be erected is adjacent to a waterbody or watercourse, such building or structure including a sewage disposal system but excluding a marine facility, a public bridge, and flood and erosion control works shall be set back a minimum of 30 m from the normal high water mark of the waterbody or watercourse, or at any other distance as approved in writing by the appropriate Conservation Authority.
- iii. Due to the nature of the soils within the Township of Russell, all waterbodies and watercourses contain slopes adjacent thereto that may be considered unstable. Any new development or site alterations within 30 m of the top of slope requires consultation with the appropriate Conservation Authority and may require the preparation of a slope stability geotechnical study. This shall be done without minor variance or zoning by-law amendment.
- iv. It is recognized that not all waterbodies and watercourses are accurately displayed in the Schedules. Where there is a discrepancy, what actually exists on the ground shall preside and the text of this Zoning By-law shall be applied. The watercourse layer on the Schedules may be amended from time to time without amendment to this Zoning By-law.

**3.30 Shipping Containers**

Notwithstanding any other provisions of this By-law, no person shall use and/or install a shipping container contrary to the following provisions:

- i. A shipping container may only be used as an accessory use to a permitted commercial or industrial use.
- ii. Unless otherwise stated in this By-law, the issuance of a building permit is required for the use of a shipping container as an accessory building or structure. All shipping containers require a building permit in order to be placed on a property;
- iii. Notwithstanding any other provision of this section to the contrary, a shipping container or portable moving container is permitted in the driveway of a residential property for the following purposes. In these cases, a building permit is not required:
  - a. temporary loading or unloading of household items during the process of moving and for a period not exceeding fifteen (15) calendar days; and
  - b. providing storage or disposal uses in relation to a home addition, renovation, or to address unforeseen house damage for a period not exceeding 60 days.



No shipping container permitted under this clause shall encroach onto a public sidewalk or locate closer than 0.3 m from the curb or shoulder in situations where no sidewalk exists, and no shipping container shall create a site line obstruction.

- iv. Unless stated elsewhere in this By-law, the maximum cumulative total of shipping containers shall not exceed:
  - a. two (2) in number in the Agricultural 1 (A1) and Agricultural 2 (A2) Zones accessory to a non-residential use, and General Commercial (C) Zone; and
  - b. six (6) in number in the Business Park (BP) Zone and Industrial Park (MP1, MP2, and MP3) Zones;
- v. No shipping container shall be permitted to locate in a front yard or exterior side yard;
- vi. All shipping containers shall be screened from any parking or lot used for residential uses by fencing a minimum of 1.8 m in height or a vegetated buffer;
- vii. A shipping container shall not be located in a required parking area and in no case shall encroach into any required minimum landscaped buffer or open space;
- viii. A shipping container shall not be placed for the purpose of display or advertising;
- ix. A shipping container shall not be used for the purpose of screening or fencing unless changes are made to its exterior, such as installing a façade or a painting;
- x. A shipping container shall be included in all calculations for the purpose of determining maximum lot coverage; and
- xi. Any shipping container shall be located in compliance with the minimum required setbacks for an accessory use, building or structure;
- xii. Notwithstanding any other provision to the contrary, a shipping container shall not be used for human habitation;
- xiii. The stacking of shipping containers is prohibited;
- xiv. Notwithstanding any other provision of this section to the contrary, a shipping container on a construction site in any Zone being developed on a standalone basis or under a plan of subdivision or condominium is permitted only for the purposes of temporary equipment and materials storage incidental to construction, subject to the following restrictions:
  - a. shall not exceed two (2) in number, and
  - b. shall be removed from the site within 60 days of completing the work; and
  - c. for a temporary period not exceeding one year.

### 3.31 Snow Disposal Facility

- i. Snow disposal facilities shall include only those lands on which snow is placed after being brought to the site from elsewhere, and not areas in which snow is moved to one portion of a site after being cleared from the rest of the site.
- ii. The development of snow disposal facilities shall be subject to Site Plan Control and shall require an amendment to this By-law.
- iii. Snow disposal facilities shall be screened from view from any abutting public street or abutting property with an opaque fence or landscaped berm with a minimum height of 1.5 m. Any combination of plant materials or landscaped berm may be used to enhance the appearance of the screening. The screen must be sited in such a way as to allow adequate maintenance.



### 3.32 Temporary Vehicle Enclosures - Tempos

- i. Notwithstanding any other provision in this By-law, no person shall permit a temporary vehicle enclosures, commonly known as 'Tempos', contrary to the following provisions:
  - a. The installation does not take place before November 1<sup>st</sup> of the current year and the removal is completed by April 15<sup>th</sup> of the following year. For clarity, a tempo is permitted for no longer than 6 consecutive months
  - b. When located in a rear yard, the temporary car enclosure is in accordance with the setback requirements for accessory buildings or structures as set out in Table 1: Provisions for Accessory Uses, Buildings, or Structures.
  - c. When located in a front or exterior side yard, the temporary car enclosure is a minimum of 3.5 m from the front or exterior side lot line, provided that the temporary car enclosure does not create a visibility issue that leads to safety concerns.
  - d. When located in an interior side yard, the temporary car enclosure is a minimum of 1.5 m from the interior side lot line.
- ii. Temporary vehicle enclosures are considered accessory uses and all other provisions of Table 1: Provisions for Accessory Uses, Buildings, or Structures shall apply.

### 3.33 Temporary Uses, Building or Structures

- i. The temporary use of land, buildings or structures may be authorized from time to time by Zoning By-law amendment pursuant to Section 39 of the Planning Act. These are listed separately at the end of the appropriate Zone category and are identified with the symbol '-T' because of their temporary nature.
- ii. Any temporary construction facility such as a shed, scaffold, sales office, model home, temporary accommodation facility and equipment incidental to construction on the premises shall be permitted in any Zone for a maximum period of two (2) years or until construction is completed or abandoned, whichever period is shorter, and only after site plan control approval or subdivision approval is received where required and while a valid building permit for such construction remains in force. 'Abandoned' in this subsection means the failure to proceed expeditiously with the construction work or the failure to undertake any construction work during a continuous 6-month period.

Any temporary construction facility such as portable containers, portable toilets, sheds, scaffolds, sales offices, site construction trailers and equipment incidental to construction on any lot within a plan of subdivision or site plan shall be permitted in any Zone for the work in progress until all construction on the subdivision or site plan is completed. With the exception of sales offices, these facilities shall be exempt from the setback requirements outlined in the individual Zone provision, provided that they do not create safety concerns related to visibility and are located no closer than 3.5 m to a front or exterior lot line and 1 m from all other lot lines.

- iii. A temporary accommodation will be permitted in the case when an existing dwelling is damaged to the extent that it becomes uninhabitable and for the time period while reconstruction or a new construction is in progress. A temporary accommodation will also be permitted in the case a new dwelling is under construction outside of the settlement area boundary for the time period while construction is in progress.

#### 3.33.1 Garden Suites

Garden suites shall be permitted on a temporary basis in all Residential Zones and on any lot used for residential purposes, subject to the following provisions:

- i. A garden suite may be permitted only in conjunction with a single detached or semi-detached dwelling.



- ii. One garden suite may be authorized on a lot through a temporary zoning by-law amendment for a renewable period of up to twenty (20) years, as amended by the Planning Act.
- iii. A garden suite may not exceed 56 m<sup>2</sup> in gross floor area.
- iv. The addition of a garden suite is subject to the lot coverage provisions of the Zone in which it is located.
- v. A garden suite shall be used solely for the temporary accommodation of persons who, because of age, infirmity or illness require and receive care and supervision from the occupants of the single detached dwelling located on the same lot therewith.
- vi. A garden suite shall be one (1) storey.
- vii. As per the Planning Act regulations for garden suites, Council shall require the owner of the suite or any other person to enter into an agreement with the Municipality dealing with such matters related to the temporary use of the garden suite as the council considers necessary or advisable, including:
  - a. the installation, maintenance and removal of the garden suite;
  - b. the period of occupancy of the garden suite by any of the persons named in the agreement;
  - c. the monetary or other form of security that the council may require for actual or potential costs to the Municipality related to the garden suite; and
  - d. connection to existing services (sewer, water, hydro, septic, well).
- viii. Garden suites may be authorized by a Zoning By-law Amendment pursuant to Section 39 of the Planning Act, as amended.
- ix. Garden suites shall not be permitted on lots where an additional dwelling unit within an ancillary building or structure or a coach house is located.

### 3.34 Wayside Pits and Quarries, Portable Asphalt Plants, and Portable Concrete Plants

- i. The making or establishment of pits or quarries is prohibited except in the locations and in accordance with the express provisions of this By-law, and no person shall use land or erect any building or structure for the purpose of processing, washing, sorting or screening sand, or gravel, or operating a crushing plant or asphalt plant except as expressly provided for in this By-law.
- ii. Wayside pits, quarries, portable asphalt plants and portable concrete plants may be established in the Agricultural 2 (A2), Rural (RU), and Mineral Aggregate (MAP, MAQ) Zones provided that:
  - a. The wayside pit or quarry is opened and operated by the Ministry of Transportation (MTO) or the County or their agents, for the purposes of a specific public road project;
  - b. Any portable crusher or asphalt plant is approved and governed by any applicable regulations of the relevant Ministries, and a certificate of approval for a portable hot mix asphalt plant has been obtained; and
  - c. An agreement is signed with the County that the wayside pit or quarry shall be rehabilitated upon completion of the public project.

### 3.35 Minimum Dwelling Size

Unless stated otherwise in this by-law, the minimum size for any dwelling unit shall be 17.5 m<sup>2</sup>, in conformity with the Ontario Building Code, or as amended therein. All regulations concerning the minimum size requirements for rooms and utilities in a dwelling must conform with the Ontario Building Code.



**3.36 Wind Turbines**

Wind turbines shall be subject to the relevant Provincial and Municipal regulations, and necessary approvals shall be obtained from the Province, County, and Municipality, as required. Wind turbines shall only be permitted in the Municipality through an amendment to this By-law authorized by Council and may be subject to Site Plan Control.



## Section 4 Residential Zones

### 4.1 Residential One Zone (R1)

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in a Residential One (R1) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

#### 1.1.1 Permitted Uses

##### Residential

- Additional dwelling unit
- Coach house
- Garden Suite
- Group home
- Single detached dwelling

##### Non-Residential

- Bed and breakfast
- Community garden
- Home-based business

#### 4.1.1 Zone Requirements

Zoning Mechanism		R1 Provisions
a)	Lot Area (minimum)	Lot serviced by municipal water and municipal sanitary sewer 600 m <sup>2</sup>
b)	Lot Frontage (minimum)	Lot serviced by municipal water and municipal sanitary sewer 15 m
c)	Front Yard Setback (minimum)	3.5 m 5.2 m to a garage
d)	Exterior Side Yard Setback (minimum)	3 m
e)	Interior Side Yard Setback (minimum)	1.2 m
f)	Rear Yard Setback (minimum)	7.5 m
h)	Building Height (maximum)	10 m
i)	Dwellings Per Lot (maximum, excluding an additional dwelling unit, coach house, or garden suite)	1

##### Notes and Additional Provisions:

- An additional dwelling unit located within a detached ancillary building or structure shall be subject to the maximum lot coverage requirement in Section 3.2.1 Additional Dwelling Units - General.

#### 4.1.2 R1 Special Exception Zones

##### R1-1, Notre Dame Street, Embrun

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R1-1 may be used for a freestanding restaurant.



**R1-2, Castor Street, Russell**

Notwithstanding any provisions of this By-Law to the contrary, the lands zoned R1-2 shall be used in accordance with the following provisions:

- i. Lot Frontage (minimum): 19 m

**R1-3, Reserved****R1-4, Reserved****R1-5, Watercourse Setbacks, Embrun**

Notwithstanding any other provision of this By-law to the contrary, on the lands zoned R1-5 where any lot is adjacent to or traversed by a watercourse shown on a map schedule to this By-law, any building or structure to be erected thereon, (including a septic tank or tile field, swimming pool or underground structure) shall be set back from the top of the slope, and shall not be located on the flank of the slope or between the top of the slope and the watercourse. The minimum setback distance is 10 m.

**R1-6, Reserved****R1-7, Craig Street, Russell**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R1-7 shall be used in accordance with the following provisions:

- i. No building or structure shall be erected within a flood plain or within 10 m of a flood plain.
- ii. No building or structure shall be located within 10 m of the top of the slope.
- iii. Front yard (minimum): 3 m

**R1-8, Part of Lot 7, Concession 7, - 1332 St-Jacques Road, Embrun (2015-50)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R1-8 shall be used in accordance with the following new provisions:

- i. Lot area (minimum) – 368 square meters

**R1-9, Reserved****R1-10, Reserved****R1-11, Fleurette Street, Embrun**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R1-11 on shall be used in accordance with the following provisions:

- i. Lot frontage (minimum): 14.5 m

**R1-12, Reserved****R1-13, Reserved****R1-14, St. Jacques Road, Embrun (57-1994)**

Notwithstanding the provisions of this By-Law to the contrary, on the lands zoned R1-14 any permitted residential building to be erected thereon, shall be setback from the 'excavation area' of the existing quarry, located on Part of Lots 6 and 7, Concession VIII, as shown on the Site Plan approved by the Ministry of Natural Resources and Forestry, a distance of not less than 150 m.

**R1-15, Forget Street, Embrun (101-1994)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R1-15 shall be used in accordance with the following provisions:

- i. Front yard (minimum): 3 m



**R1-16, Reserved****R1-17, Reserved****R1-18, Reserved****R1-19, Reserved****R1-20, Notre Dame Street, Part of Lot 5, on Plan HO Wood 1863**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R1- 20 shall be used with the following provisions:

- i. To reduce the minimum lot frontage from 15 metres to 14.62 metres.

**R1-21, St. André Road, Part of Lot 9, Concession VI (15-2005)**

Notwithstanding the provisions of this By-Law to the contrary the lands zoned R1-21 shall be used in accordance with the following provisions:

- i. Lot area (minimum): lot serviced by private well and private sewage system: 3 ha
- ii. Lot frontage (minimum): lot serviced by private well and private sewage system: 170 m

**R1-22, 800 Notre Dame Street, Embrun (33-1997)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R1-22 shall be used in accordance with the following provisions:

- i. Floor area of the dwelling to be used by a home-based business (maximum): 91 m<sup>2</sup>
- ii. Number of persons, other than persons residing in the dwelling, engaged in the business (maximum): 4
- iii. Parking spaces required (minimum) - home-based business: 4
- iv. Width of access driveway (minimum): 4.9 m
- v. Distance from a parking area to a street line (minimum): 2.3 m

**R1-23, 1158 Notre-Dame Street, Embrun (12-2005)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R1-23 may also be used for an office, in accordance with the following provisions:

- i. Floor area for commercial use (maximum): 135 m<sup>2</sup>
- ii. Number of parking spaces (maximum): 5

**R1-24, Reserved****R1-25, 106 Mill Street, Russell (104-2007)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R1-25 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 553 m<sup>2</sup>

**R1-26, Reserved****R1-27, 1054 Notre Dame Street, Part of Lots 5 & 7, HO Wood 1863**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R1- 27 shall be used with the following provisions:

- i. Reduce the minimum lot frontage from 15 metres to 12.80 metres.
- ii. Reduce the minimum interior side yard from 3 metres to 2.1 metres.



**R1-T-1, 1261 St-Jacques Road, Embrun (162-2014, 2020-085)**

Notwithstanding any provisions of this By-law to the contrary, the lands zoned R1-T-1 shall be used in accordance with the following provisions:

- i. Permitted uses: Temporary use of a garden suite.

**R1-28, St-Augustin Road, Part of Lot 10, Concession 7 (26-2013)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R1-28 may also be used for the following:

- Office;
- Warehouse
- i. Special Provision: For the purposes of the R1-28 Zone, the gross floor area of the office and warehouse uses shall be limited to no greater than 558 square metres.



## 4.2 Residential One – Partially / Privately Serviced Zone (R1-PS)

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in a Residential One – Partially / Privately Serviced (R1-PS) Zone, except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 4.2.1 Permitted Uses

#### Residential

- Additional dwelling unit
- Coach house
- Garden Suite
- Group home
- Single detached dwelling

#### Non-Residential

- Bed and breakfast
- Community garden
- Home-based business

### 4.2.2 Zone Requirements

Zoning Mechanism			R1-PS Provisions
a)	Lot Area (minimum)	Lot serviced by municipal water and private septic system	1,100 m <sup>2</sup>
		Lot serviced by private well and municipal sewer system	660 m <sup>2</sup>
		Lot serviced by private well and private sewage system	4,000 m <sup>2</sup>
b)	Lot Frontage (minimum)	Lot serviced by municipal water and private septic system	22.5 m
		Lot serviced by private well and municipal sewer system	18 m
		Lot serviced by private well and private sewage system	30 m
c)	Front Yard Setback (minimum)	3.5 m 5.2 m to a garage	
d)	Exterior Side Yard Setback (minimum)	3 m	
e)	Interior Side Yard Setback (minimum)	1.2 m	
f)	Rear Yard setback (minimum)	7.5 m	
g)	Building Height (maximum)	10 m	
h)	Dwellings Per Lot (maximum, excluding an additional dwelling unit, coach house, or garden suite)	1	

#### Notes and Additional Provisions:

- An additional dwelling unit located within a detached ancillary building or structure shall be subject to the maximum lot coverage requirement in Section 3.2.1 Additional Dwelling Units - General.



#### 4.2.3 R1-PS Special Exception Zones

##### **R1-PS-1, 1063 St-Pierre (84-2007)**

Notwithstanding the provisions of this By-law to the contrary, the existing buildings located on lands zoned R1-PS-1 may be used for a welding shop.

##### **R1-PS-2-h, Part of Lot 7, Concession 7, Ste-Therese Boulevard, Embrun (2015-50)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R1-PS-2-h shall be used in accordance with the following new provisions:

- i. Permit a semi-detached dwelling
- ii. Lot area (minimum): 279 m<sup>2</sup>
- iii. A holding symbol in order to prevent development prior to municipal services being allocated and installed.



### 4.3 Residential One-A Zone (R1A)

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in a Residential One-A (R1A) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law and unless the lot is served by a public water system and a public sanitary sewer system.

#### 4.3.1 Permitted Uses

##### Residential

- Additional dwelling unit
- Bed and breakfast
- Coach house
- Garden Suite
- Group home
- Single detached dwelling

##### Non-Residential

- Bed and breakfast
- Community garden
- Home-based business

#### 4.3.2 Zone Requirements

Zoning Mechanism		R1A Provisions
a)	Lot Area (minimum)	300 m <sup>2</sup>
b)	Lot Frontage (minimum)	10 m
c)	Front Yard Setback (minimum)	3.5 m 5.2 m to a garage
d)	Exterior Side Yard Setback (minimum)	3 m
e)	Interior Side Yard Setback (minimum)	1.2 m
f)	Rear Yard Setback (minimum)	7.5 m
g)	Building Height (maximum)	10 m
h)	Dwellings Per Lot (maximum, excluding an additional dwelling unit, coach house, or garden suite)	1

##### Notes and Additional Provisions:

- i. An additional dwelling unit located within a detached ancillary building or structure shall be subject to the maximum lot coverage requirement in Section 3.2.1 Additional Dwelling Units – General.

#### 4.3.3 R1A Special Exception Zones

##### R1A-1, Stiver Street, Russell

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R1A-1 shall be used in accordance with the following provisions:



- i. Lot area (minimum): 372 m<sup>2</sup>
- ii. Lot frontage (minimum): 12 m
- iii. Front yard (minimum): 5.5 m
- iv. Exterior side yard (minimum): 3.5 m
- v. Interior side yard (minimum): 0.75 m on one side and 1 m on the other side
- vi. Lot coverage (maximum): 42%

**R1A-2, Lapointe Boulevard, Embrun (67-2000)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R1A-2 shall be used in accordance with the following provisions:

- i. Lot frontage (minimum): 10.5 m

**R1A-3, 241 Labelle Street and 5, 9, 13, 17 Academie Street, Embrun (2025-106)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R1A-3 shall be used in accordance with the following new provisions:

- i. Ensure that all portions of each newly created parcel are considered one lot under the Zoning By-law.

**R1A-4-h, being Part Lot 10, Concession 7, located near St-Augustin Road and Route 300, Embrun (2026-041)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R1A-4 shall be used in accordance with the following new provisions:

- ii. Decks permitted to be located 1.2 metres to the rear and interior lot lines.

**R1A-5, Part of Lot 13, Concession 3, Parts 4, 5 and 6 on Plan 50R-3468 and Part 1 on Plan 50R-9357, Russell (2022-055)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R1A-5 shall be used in accordance with the following new provisions:

- i. Rear yard setback (minimum): 6 m



#### 4.4 Residential Two Zone (R2)

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in a Residential Two (R2) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law and unless such lot is served by a public water system and a sanitary sewer system.

##### 4.4.1 Permitted Uses

###### Residential

- Additional dwelling unit
- Coach house
- Garden Suite
- Group home
- Semi-detached dwelling
- Single detached dwelling

###### Non-Residential

- Bed and breakfast
- Community garden
- Home-based business

##### 4.4.2 Zone Requirements

Zoning Mechanism		R2 Provisions	
		Principal Dwelling Types	
		Single detached dwelling	Semi-detached dwelling
a)	Lot Area (minimum)	300 m <sup>2</sup>	300 m <sup>2</sup> per dwelling unit
b)	Lot Frontage (minimum)	10 m	10 m per dwelling unit
c)	Front Yard Setback (minimum)	3.5 m 5.2 m to a garage	3.5 m 5.2 m to a garage
d)	Exterior Side Yard Setback (minimum)	3. m	3 m
e)	Interior Side Yard Setback (minimum)	1.2 m	1.2 m 0 m between units which are vertically attached
f)	Rear Yard Setback (minimum)	7.5 m	7.5 m
h)	Building Height (maximum)	10 m	10 m
i)	Dwellings Per Lot (maximum, excluding additional dwelling units, coach house, or garden suite)	1	2



**Notes and Additional Provisions:**

- i. An additional dwelling unit located within a detached ancillary building or structure shall be subject to the maximum lot coverage requirement in Section 3.2.1 Additional Dwelling Units - General.

**4.4.3 R2 Special Exception Zones****R2-1, Reserved****R2-2, 27 Bourassa Street, Embrun (93-2007)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-2 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 297 m<sup>2</sup>
- ii. Lot frontage: 9.8 m

**R2-3, Warner Street, Russell**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-3 may be used for a semi-detached dwelling house, serviced by a public sanitary sewer system and a private well.

**R2-4, Reserved****R2-5, Lots 105, 106 and 107 on Plan 50M-320 known as 214, 216, 218, 220, 222 and 224 Capri Avenue, in Embrun (2016-077)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-5 shall be used in accordance with the following new provision:

- i. lot coverage (maximum): 47%

**R2-6, 20 Bourassa Street, Embrun (01-1994)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R2-6 shall be used in accordance with the following provisions:

- i. Number of parking spaces required-Duplex dwelling: 1.5 parking spaces per dwelling unit
- ii. Yards where parking spaces are permitted: all yards

**R2-7, 29 Forget Street, Embrun (39-1994)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R2-7 may be used for a duplex dwelling in accordance with the following provisions:

- i. Lot area (minimum): 610 m<sup>2</sup>

**R2-8, 73 Forget Street, Embrun (101-94)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R2-8 shall be used in accordance with the following provisions:

- i. Lot frontage (minimum) - Semi-detached dwelling: 11.25 m per dwelling unit

**R2-9, Lapointe Boulevard, Embrun**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-9 shall be used in accordance with the following provisions:

- i. Lot area (minimum) - duplex dwelling: 185 m<sup>2</sup> per dwelling unit
- ii. Lot frontage (minimum) – duplex dwelling: 10.5 m
- iii. Rear yard (minimum): 6.5 m
- iv. Dwellings per lot (maximum): 6 duplex dwellings



**R2-10, Blais Street, Embrun (48-2001)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-10 shall be used in accordance with the following provisions:

- i. Lot area (minimum) -semi-detached dwelling: 250 m<sup>2</sup> per dwelling unit

**R2-11, La Croisée Street, Embrun**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-11 shall be used in accordance with the following provisions:

- i. Lot frontage (minimum) – semi-detached dwelling: 9 m per dwelling unit
- ii. Rear yard (minimum): 6 m
- iii. Lot coverage (maximum): 43%

**R2-12, La Croisée Street, Embrun**

Notwithstanding the provisions of this By-law to the contrary the lands zoned R2-12 shall be used in accordance with the following provisions:

- i. Front yard (minimum): 5.5 m
- ii. Rear yard (minimum): 6 m
- iii. Lot coverage (maximum): 43%

**R2-13, 966 Notre Dame Street, Embrun (32-2003)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-13 shall be used in accordance with the following provisions:

- i. Lot frontage (minimum) – semi-detached dwelling: 8.25 m per dwelling unit
- ii. Front yard– minimum: 6 m – maximum: 18.5 m

**R2-14, Dignard Street, Embrun (66-2003)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-14 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 250 m<sup>2</sup> per dwelling unit
- ii. Lot frontage (minimum) – semi-detached dwelling: 7.2 m per dwelling unit

**R2-15, First Avenue, Russell (1-2004)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-15 shall be used in accordance with the following provisions:

- i. Lot area (minimum) – semi-detached dwelling: 255 m<sup>2</sup> per dwelling unit
- ii. Lot frontage (minimum) – semi-detached dwelling: 7.6 m per dwelling unit

**R2-16, 1147 Notre Dame Street, Embrun (60-2004)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-16 shall be used in accordance with the following provisions:

- i. Rear yard (minimum): 7 m
- ii. Special provisions: For the purpose of the interpretation of the Zone requirements in the R2-16 Zone, the lot line abutting Lapointe Boulevard shall be considered as the front lot line.



**R2-17, Maple Street, Russell**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-17 shall be used in accordance with the following provisions:

- i. Lot area (minimum) - semi-detached dwelling: 240 m<sup>2</sup> per dwelling unit
- ii. Lot frontage (minimum)- semi-detached dwelling: 8 m per dwelling unit
- iii. Exterior side yard (minimum): 4.5 m
- iv. Interior side yard (minimum) – semi-detached dwelling: 1.6 m, provided that, on a lot where there is no attached private garage or attached carport, the minimum interior side yard shall be 3 m.
- v. Special provisions: For the purposes of determining Zone compliance, if a lot occupied by a semi-detached dwelling is severed, the Zone requirements shall continue to apply to the original lot, except that the interior side yard requirements will not apply to the common lot line dividing the two (2) dwelling units.

**R2-18, 1155 Notre-Dame Street (102-2007)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R2-18 shall be used in accordance with the following provisions:

- i. Building height (maximum): 1½ storey
- ii. No accessory apartment

**R2-19, Mill Street, Russell (104-2007)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R2-19 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 243 m<sup>2</sup>
- ii. Lot frontage (minimum): 8.05 m

**R2-20, Part of Lot 12, Plan 41 (76-2010)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R2-20 shall be used in accordance with the following provisions:

- i. Lot area (minimum), semi-detached dwelling: 292 m<sup>2</sup>
- ii. Rear yard (minimum): 5.3 m

**R2-21, Reserved****R2-22, Part of Lot 2, Plan 47 (48-2012)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-22 shall be used in accordance with the following provisions:

- i. Lot area (minimum): Semi-detached dwelling: 264m<sup>2</sup> per dwelling unit
- ii. Lot frontage (minimum): Semi-detached dwelling: 9m per dwelling unit

**R2-23, Part of Lot 2 on Plan H 0 Wood 1865 being Part 2 on Plan 50R-9299 (75-2012)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-22 shall be used in accordance with the following provisions:

- i. Minimum lot area: 240 sq. m. per dwelling
- ii. Minimum rear yard setback: 6.3 meters.



**R2-24, Part of Lot 12, Concession 3 (70-2013)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-24 shall be used in accordance with the following provisions:

- i. Rear Yard (minimum), semi-detached dwelling: 6 m
- ii. Interior side yard (minimum), semi-detached dwelling: 0.9 m, provided that on a lot where there is no attached private garage or attached carport, the minimum interior side yard width shall be 3 m.

**R2-25, Part of Lot 12, Concession 3 (70-2013)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-25 shall be used in accordance with the following provisions:

- i. Rear Yard (minimum), semi-detached dwelling: 6 m
- ii. Interior side yard (minimum), semi-detached dwelling: 0.9 m, provided that on a lot where there is no attached private garage or attached carport, the minimum interior side yard width shall be 3 m.
- iii. Lot Coverage (maximum), semi-detached dwelling: 49.9%

**R2-26, Reserved****R2-27, 1207 Ste-Marie Road, Embrun (2019-093)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-27 shall be used in accordance with the following provisions:

- i. Frontage (minimum): 7.6 m per semi-detached dwelling unit

**R2-28, Being Part of Lot 13, Concession 3, being part of Part 1 on Plan 50R10319, known as vacant lands along Azure Street, Village of Russell (2019-142)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-28 shall be used in accordance with the following provisions:

- i. Frontage (minimum): 9 m per semi-detached dwelling unit

**R2-29, Part of Lot 7, Concession 7, being part of Part 1 on Plan 50R10166, Lots 1 to 9 and 79 to 86 on Plan 50M368, known as vacant lands situated on the future Chablis Crescent in Embrun within the Faubourg Ste Marie subdivision (2022-081; 2023-048);**

**Part of Lot 11, Concession 2 in Russell known as vacant lands situated on the future Falcon Lane and is in relation to the draft Plan of Subdivision, 080-S-15-002 (2023-090; 2025-018);**

**Part of Lot 7, Concession 7, being part of Part 1 on Plan 50R10166, Lots 1 to 42 on Plan 50M381, Lots 5 to 39 on Plan 50M391 in Embrun known as vacant lands situated on the future Montblanc Crescent and is in relation to draft Plan of Subdivision, 080-S-11-008 (2023-091); and**

**Part Lot 10, Concession 7, located near St-Augustin Road and Route 300, Embrun (2026-041)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-29 shall be used in accordance with the following provisions:

- i. Lot frontage: 9 m per dwelling unit
- ii. Minimum lot area: 300 m<sup>2</sup>



**R2-29-h, Part Lot 9, Concession 8, Part 1 on Plan 50R-9169, Part 1 on Plan 50R11136, vacant land on St-Augustin Road, Embrun (2022-112)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-29-h shall be used in accordance with the following provision:

- i. Minimum frontage: 9 m

**R2-30, Block 36 on Plan 50M355, known as vacant lands situated on Filion Street, Embrun within the Domaine Versailles subdivision (2022-082)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-30 shall be used in accordance with the following provision:

- i. Maximum number of driveways on a Township road: two per dwelling unit for semi-detached dwellings

**R2-31 Concession 7, Part of Lot 7, known as Portion of Phase 4B of the Faubourg Ste-Marie Subdivision, Embrun (2025-072);**

**Lots 46, 47, 52, 53, 62, 63, 64, 65 on Plan 50M388, known as a portion of Phase 1 of the Southwest Subdivision, Russell (2025-073);**

**Lots 52, 53, 54, 55, 62, 63, 64, 65 on Plan 50M388, known as a portion of Phase 1 of the Southwest Subdivision, Russell (2025-100)**

Notwithstanding the provisions of this by-law to the contrary, the lands zoned R2-31 shall be used in accordance with the following provision:

- i. Rear yard setback: 6.5 m
- ii. Minimum ground floor area for the additional dwelling units may be equal or less than the ground floor area of the main unit
- iii. Four doorway entrances on the front wall

**R2-32, Part of Lot 8, Conc. 7, RP 50R8486, known as 71 Forget Street, Embrun (2022-134)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R2-32 may be used in accordance with the following provisions:

- i. Lot area (minimum): 233.78 m<sup>2</sup>
- ii. Frontage (minimum): 7.5 m

**R2-33, Concession 7, Part Lot 8, Block 'B' PCL B-1 on Part of Plan M-8; Part 2 & Part 3 on Plan 50R5584, known as 1192 St Augustin Road, Embrun (2024-074)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R2-33 may be used with the following provisions:

- i. Minimum rear yard setback: 6 metres
- ii. Required lot area per semi-detached dwelling unit: 260 m<sup>2</sup>

**R2-34-h, Block 77, Plan 50M-334 being Lots 3, 6, 7 & 8 on Plan 50R-10885, located on Moisson Street in the Village of Embrun (2019-135)** Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R2-34-h shall be used with the following provisions:

- i. The Holding symbol reflects a 15-metre "no-touch zone" approved by South Nation Conservation.



## 4.5 Residential Three Zone (R3)

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in a Residential Three (R3) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law and unless such lot is served by a public water system and a sanitary sewer system.

### 4.5.1 Permitted Uses

#### Residential

- Additional dwelling unit
- Apartment dwelling
- Group home
- Rooming house
- Stacked townhouse dwelling
- Townhouse dwelling

#### Non-Residential

- Community garden
- Home-based business

### 4.5.2 Zone Requirements

Zoning Mechanism		R3 Provisions			
		Principal Dwelling Types			
		Group home or rooming house	Townhouse dwelling	Stacked townhouse dwelling	Apartment dwelling
a)	Lot Area (minimum)	600 m <sup>2</sup>	185 m <sup>2</sup> per dwelling unit	115 m <sup>2</sup> per dwelling unit	115 m <sup>2</sup> per dwelling unit
b)	Lot Frontage (minimum)	15 m	20 m, or 5.5 m if located on separate, adjacent lots	20 m	20 m
c)	Front Yard Setback (minimum)	3.5 m 5.2 m to a garage	5.2 m	5.2 m	5.2 m
d)	Exterior Side Yard Setback (minimum)	3 m	3 m	3 m	3 m
e)	Interior Side Yard Setback (minimum)	1.2 m	2 m 0 m between units which are vertically attached	3 m 0 m between units which are vertically attached	3 m
f)	Rear Yard Setback (minimum)	7.5 m	7.5 m	7.5 m	7.5 m
g)	Development Form	n/a	Not more than eight (8) dwelling units shall be in any one townhouse dwelling block	Not more than sixteen (16) dwelling units shall be in any one stacked townhouse dwelling	n/a



Zoning Mechanism		R3 Provisions			
		Principal Dwelling Types			
		Group home or rooming house	Townhouse dwelling	Stacked townhouse dwelling	Apartment dwelling
h)	Landscaped Open Space (minimum)	n/a	30%	30%	30%
i)	Building Height (maximum)	10 m	10.5 m	12 m, to a maximum of 3 storeys (excluding basement)	20 m, to a maximum of 5 storeys (excluding basement)

#### Notes and Additional Provisions:

- i. An additional dwelling unit located within a detached ancillary building or structure shall be subject to the maximum lot coverage requirement in Section 3.2.1 Additional Dwelling Units - General.
- ii. Notwithstanding any other provisions of this By-law, not more than four (4) consecutive units within a townhouse dwelling or a stacked townhouse dwelling shall be constructed with their exterior outside walls in a straight line. Additional permitted units in a row shall be set back or forward a distance of not less than 1 m from the alignment of the others in a row.
- iii. Where the building height is greater than three (3) storeys or 12 metres, at and above the third storey or 12 metres, whichever is the lesser, a building must be setback a minimum of 2 metres more than the provided setback from the front lot line, an exterior side lot line, and, where the lot is abutting a lot in the Residential One (R1), Residential One – Partially / Privately Serviced (R1-PS), Residential One-A (R1A), and Residential Two (R2) Zones, the interior side and rear lot lines, except that balcony projections are permitted in accordance with Section 3.23.2 Permitted Projections Into Required Yards.

#### 4.5.3 R3 Special Exception Zones

##### R3-1, Church Street, Russell

Notwithstanding any provisions of this By-law to the contrary, the lands zoned R3-1 shall be used for no purpose other than a retirement home in accordance with the following provisions:

- i. Interior side yard width (minimum): 3.7 m
- ii. Maximum number of dwelling units: 30
- iii. Number of parking spaces required: 15
- iv. Distance from a parking space to a street line: 1.5 m
- v. Building height (maximum): 2 storeys
- vi. Distance from a parking space to an abutting Residential Zone: 1 m
- vii. Buffering requirements: 1.2 m high wood fence at lot line
- viii. Servicing requirements: The lands zoned R3-1 shall be served by a sanitary sewer system and may be served by a private water system.



**R3-2-h, 1070 Notre Dame Street, Embrun, R3-2, Lot 13 and the lane between lots 13 and 15 south side of Roy Street, Plan HO Wood 1866 being Part 1 on Plan 50R-8067 (12-2013)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R3-2 shall be used with the following provisions:

- i. Maximum number of dwelling units: 7
- ii. Minimum interior side yard setback: 2.34 m

**R3-3, Part of Lot 15, Concession 10 - 568, 570, and 576 Limoges Road (2024-025)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-3 shall be used with the following provisions:

- i. Front yard (minimum): 3.4 m on Oasis Street.
- ii. The exterior outside walls are permitted to be in a straight line

**R3-4, Notre Dame Street, Embrun**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R3-4 shall be used for an apartment dwelling in accordance with the following provisions:

- i. Lot area (minimum): 0.2 ha
- ii. Lot frontage (minimum): 29 m
- iii. Interior side yard (minimum): 5.8 m on the other

**R3-5, County Road No. 5, Limoges (32-1993)**

Notwithstanding any provision of this By-law to the contrary, the existing main building on the lands zoned R3-5 may be used for an apartment dwelling containing a maximum of four (4) dwelling units.

In addition to the permitted uses, a dry cleaning outlet may be permitted in an existing accessory building in accordance with the following provisions:

- i. Floor area (maximum) – Commercial use: 72 m<sup>2</sup>
- ii. Parking spaces required – Commercial use: 7
- iii. Distance from a parking area to an abutting Residential Zone (minimum): 1.35 m
- iv. Buffering: in accordance with the relevant provisions
- v. Notwithstanding any other provision of this By-law to the contrary the lands zoned R3-5 may be developed on the basis of private services.

**R3-6-h, Part of Lot 8, Concession 6 being Part 1 on Plan 50R-8100 (vacant parcel of land) (39-2014)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-6-h shall also be used for semi-detached dwelling. Semi-detached dwelling in the R3-6-h Zone shall be developed in accordance with the Zone requirements of Section 4.4.2.

**R3-7, 1227 Ste. Marie Road, Embrun (69-2002)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-7 shall be used in accordance with the following provisions:

- i. Lot frontage (minimum): 18.5 m
- ii. Interior side yard (minimum): north side: 5.3 m, south side: 1.4 m
- iii. Buffering: None required
- iv. Parking access driveway width (minimum): 5 m



**R3-8, Castlebeau Street, Embrun**

Notwithstanding any provisions of this By-Law to the contrary, the lands zoned R3-8 shall be used for a maximum total of 18 dwelling units (3 storeys). The units may be located entirely on either one of the two lots in the R3-8 Zone, or partially on each of the lots, subject to all of the other provisions of this By-law. In addition, no building or structure shall be located within 10 m of the top of the slope of the adjacent watercourse.

**R3-9, Part of Lot 18 on Plan H.O. Wood 1866 E and known as 1079 Notre Dame Street in Embrun (2016-068)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-9 shall be used in accordance with the following new provision:

- i. Lot frontage (minimum): 14.5 m
- ii. Interior side yard (minimum) setback: 3 m
- iii. Building height (maximum): 10 m

**R3-10, Dignard Street, Embrun**

Notwithstanding any provision of this By-Law to the contrary, the lands zoned R3-10 shall be used for a maximum of 40 townhouse dwellings, in accordance with the following provisions:

- i. Lot area (minimum): 175 m<sup>2</sup> per dwelling unit
- ii. Lot frontage (minimum): 5 m
- iii. Interior side yard (minimum): 3 m
- iv. Notwithstanding any provision to the contrary, on the lands zoned R3-10, bay windows may project into a required interior side yard, a maximum distance of 0.65 m.

**R3-11, Ste. Marie Road, Embrun (69-2002)**

Notwithstanding the provisions of this By-law to the contrary the lands zoned R3-11 shall be used in accordance with the following provisions:

- i. Lot frontage (minimum): 16.5 m
- ii. Interior side yard (minimum): north side: 40 m, south side: 2.3 m
- iii. Buffering: None required
- iv. Special provisions: Access to the required parking spaces may be provided by a driveway located on the adjacent property, this being 1227 Ste. Marie Road.

**R3-12, 60 Forget Street, Embrun (8-1993)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R3-12 may be used for an apartment dwelling containing a maximum of four (4) dwelling units, in accordance with the following provisions:

- i. Lot frontage (minimum): 15.5 m
- ii. Exterior side yard (minimum): 0.95 m
- iii. Interior side yard (minimum): 0.8 m
- iv. Rear yard (minimum): 3.25 m
- v. Dwelling unit area (minimum): Existing
- vi. Landscaped open space (minimum): 17.5%
- vii. Lot coverage (maximum): 40%



- viii. Number of parking spaces required: 5
- ix. Distance from a parking space to a street line: 0 m

### **R3-13, Ste. Marie Street, Embrun**

Notwithstanding the provisions of this By-Law to the contrary, the land zoned R3-13 may be used for a 10-unit apartment dwelling, in accordance with the following provisions:

- i. Lot frontage (minimum): 20 m
- ii. Notwithstanding any other provisions of this By-law to the contrary, the development may proceed on the basis of private services.

### **R3-14, Part of Lot 7, Concession 7 being Block 123 on Plan 50M-320, known as 120-126 St-Malo Street, in Embrun. (2016-070)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-14 shall be used in accordance with the following new provision:

- i. Additional dwelling units are permitted in the end units of the row house building
- ii. Landscaped open space (minimum): 29%.
- iii. Interior side yard setback of 0 meters for the decks of the middle units.

### **R3-15, Castor Street, Russell**

Notwithstanding the provisions of this By-Law to the contrary, the land zoned R3-15 may be used for an apartment dwelling containing a maximum of eighteen (18) dwelling units, in accordance with the following provisions:

- i. Dwelling unit area (minimum):
  - a. One bedroom unit: 39.9 m<sup>2</sup>
  - b. Two bedroom unit: 57 m<sup>2</sup>
- ii. All other provisions of the By-law shall continue to apply.

### **R3-16, Marionville**

Notwithstanding the provisions of this By-Law to the contrary, the land zoned R3-16 may be used for a senior citizen dwelling containing a maximum of twenty-two (22) dwelling units, in accordance with the following provisions:

- i. Interior side yard width (minimum): 3 m
- ii. Dwelling unit area (minimum) - Two bedroom unit: 57 m<sup>2</sup>
- iii. Servicing requirements: Notwithstanding any other provision of this By-law to the contrary, the development may proceed on the basis of private services.
- iv. All other provisions of the By-law shall continue to apply.

### **R3-17, Church Street, Russell**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R3-17 may be used for an apartment dwelling containing a maximum of twenty (20) dwelling units, in accordance with the following provisions:

- i. Interior side yard width (minimum): 2 m



**R3-18, 1093 Notre Dame Street, Embrun (14-2010)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R3-18 may be used for an apartment dwelling containing a maximum of twelve (12) dwelling units, in accordance with the following provisions:

- i. Lot frontage (minimum): 25 m
- ii. Interior side yard width (minimum): 3 m
- iii. Rear yard (minimum): 8 m
- iv. Landscaped open space (minimum): 39%
- v. Parking spaces (minimum): 17
- vi. All other provisions of the By-law shall continue to apply.

**R3-19, Forget Street, Embrun**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R3-19 may be used for a townhouse dwelling, in accordance with the following provisions:

- i. Lot area (minimum) - Townhouse Dwelling: 165 m<sup>2</sup> per dwelling unit
- ii. Lot frontage (minimum) - Townhouse Dwelling: 5.25 m per dwelling unit
- iii. Rear yard (minimum): 9 m
- iv. Group setback: Notwithstanding any other provisions of this By-law, not more than six (6) consecutive units within a Townhouse Dwelling shall be constructed with their exterior walls in a straight line. Additional permitted units in a row shall be setback a distance of not less than 1 m from the alignment of the other units on the row.
- v. Lot coverage (maximum) - Townhouse Dwelling: 50%
- vi. Special provisions: All other applicable provisions of the By-law shall continue to apply.

**R3-20, Reserved****R3-21, Part of Lot 9 Concession 7, Part 5, known as 5 Dollard Street, Embrun**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R3-21 shall be used in accordance with the following provisions:

- i. Building height maximum: 6.7 m, and not more than one storey

**R3-22, 902 Notre Dame Street, Embrun**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R3-22 shall be used in accordance with the following provisions:

- ii. Lot area (minimum): 695 m<sup>2</sup>
- iii. Distance from a parking space to a street line (minimum): 1.35 m
- iv. Special provision: Access to the required parking spaces may be provided by a driveway located on an adjacent property, this being 898 Notre Dame Street.

**R3-23, Reserved****R3-24, 29 Blais Street, Embrun (74-1993)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R3-24 may be used, for an apartment dwelling containing a maximum of three (3) dwelling units in accordance with the following provisions.

- i. Lot frontage (minimum): 16 m



- ii. Front yard (minimum): 5.3 m
- iii. Interior side yard (minimum):
  - a. east side: 2.4 m
  - b. west side: 4.85 m
- iv. Buffering: None required
- v. Special provisions:
  - a. Open and roofed balconies, exterior stairs and landings may project into a minimum required front yard no more than 3.1 m and into a minimum required interior side yard no more than 1.7 m.
  - b. Access to the required parking spaces may be provided by a driveway partly located on the adjacent property, this being 31 Blais Street.

#### **R3-25, 31 Blais Street, Embrun (74-1994)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R3-25 may be used for an apartment dwelling containing a maximum of six (6) dwelling units in accordance with the following provisions:

- i. Lot frontage (minimum): 28 m
- ii. Front yard (minimum): 5.3 m
- iii. Interior side yard (minimum) - East side: 5 m
- iv. Buffering: 5 m
- v. Special provisions:
  - a. Open and roofed balconies, exterior stairs and landings may project into a minimum required front yard no more than 2.2 m and into a minimum required interior side yard no more than 2.15 m.
  - b. Access to the required parking spaces may be provided by a driveway partly located on the adjacent property, this being 29 Blais Street.

#### **R3-26, 9 Blais Street, Embrun (85-1993)**

Notwithstanding any provisions of this By-Law to the contrary, the lands zoned R3-26 may be used for an apartment dwelling containing a maximum of six (6) dwelling units, in accordance with the following provisions:

- i. Building height (maximum): 10.5 m
- ii. Distance from a parking space to a street line: 1 m

#### **R3-27, 963 Notre-Dame Street (84-2010)**

Notwithstanding any provisions of this By-law to the contrary, the lands zoned R3-27 on Schedule "A", Map 4 hereto shall be used for an apartment dwelling containing a maximum of nine (9) dwelling units, in accordance with the following provisions:

- i. Buffering fence required on the west side of the property

#### **R3-28, Duncanville Road and Central Park Boulevard, Blocks 139, 140, 141, 142, 143, 145, 146, 147, 148, 149 and 150 (2018-079)**

Notwithstanding any provisions of this By-Law to the contrary, the lands zoned R3-28 may be used for an apartment dwelling in accordance with the following provisions:



- i. Maximum lot coverage – townhouse: 60%

**R3-29, 1235 Ste. Marie Street, Embrun (103-1996)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R3-29 shall be used in accordance with the following provisions:

- i. Parking access driveway width (minimum): 4 m
- ii. Buffering: none required
- iii. Front yard encroachment (maximum): 2 m

**R3-30, Blais Street at Ste. Jeanne d’Arc Street, Embrun (8-2000)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-30 shall be used in accordance with the following provisions:

- i. Lot frontage (minimum) - apartment dwelling: 29 m

**R3-31, Blais Street at Marcel Street, Embrun (66-2000)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-31 shall be used in accordance with the following provisions:

- i. Lot frontage (minimum) - apartment dwelling: 27 m
- ii. Interior side yard width (minimum) - apartment dwelling: 2.9 m one side, 4.5 m other side

**R3-32, Duncanville Road, Block 138 (2018-079)**

Notwithstanding the provisions of this by-law to the contrary, the lands zoned R3-32 shall be used in accordance with the following provisions:

- i. Maximum lot coverage - townhouse: 60%
- ii. Front yard setback (minimum) - townhouse: 3.6 m for the end unit with an exterior side yard

**R3-33, Blais Street, Embrun (35-2002)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-33 shall be used in accordance with the following provisions:

- i. Lot frontage (minimum) - apartment dwelling: 20 m
- ii. Interior side yard (east side) (minimum width) - apartment dwelling: 2.4 m
- iii. Distance from a parking area to a street line (minimum): 1.8 m
- iv. Buffering: None required

**R3-34, Blais Street, Embrun (35-2000)**

Notwithstanding the provisions of this By-law to the contrary the lands zoned R3-34 shall be used in accordance with the following provisions:

- i. Interior side yard, west side (minimum width) - apartment dwelling: 3 m
- ii. Number of parking spaces (minimum): 21
- iii. Distance from a parking area to a street line (minimum): 3.6 m
- iv. Buffering: None required

**R3-35, La Croisée Street, Embrun**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-35 shall be used in accordance with the following provisions:

- i. Front yard (minimum): 5.5 m



- ii. Rear yard (minimum): 6 m
- iii. Lot coverage (maximum): 62%
- iv. Landscaped open space (minimum): 29%

### **R3-36, La Croisée Street, Embrun (44-2002)**

Notwithstanding the provisions of this By-law to the contrary the lands zoned R3-36 shall be used in accordance with the following provisions:

- i. Lot frontage (minimum) - apartment dwelling: 23 m
- ii. Landscaped open space (minimum): 35%
- iii. Distance from a parking area to a street line (minimum): 1.46 m
- iv. Buffering: None required

### **R3-37, Castor Street, Russell (3-2003)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-37 shall be used in accordance with the following provisions:

- i. Lot frontage (minimum) townhouse dwelling: 6 m per unit, plus side yard requirements where applicable

### **R3-38, Duncanville Road, Block 144 (2018-079)**

Notwithstanding the provisions of this by-law to the contrary, the lands zoned R3-38 shall be used in accordance with the following provisions:

- i. Maximum lot coverage - townhouse: 60%
- ii. Lot depth for a through lot (minimum) 31.3 m

### **R3-39, Part of Lot 11, Concession 3, Part 1 on Plan 50R-7189, and known as 251-255 Castor Street, Russell (2023-015)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R3-39 shall be used in accordance with the following new provisions:

- i. To allow more than four consecutive units within a stacked townhouse dwelling constructed with their exterior outside walls in a straight line.

### **R3-40, 1077 Notre Dame Street, Embrun (57-2003)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-40 shall be used in accordance with the following provisions:

- i. Lot frontage (minimum) - apartment dwelling: 16 m

### **R3-41, Lapointe Boulevard, Embrun (93-2003)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-41 shall be used in accordance with the following provisions:

- i. Lot frontage (minimum) - apartment dwelling: 26 m
- ii. Rear yard (minimum): 6.5 m
- iii. Distance from a parking area to a street line: 3 m

### **R3-42, Part of Lot 18, Concession 10 (22-2007)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-42 shall be used in accordance with the following provision:



- i. Lot frontage (minimum): 25 m

**R3-43, 320 Limoges Road**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-43 shall be used in accordance with the following:

- i. Lot frontage (minimum): 22 m

**R3-44, Reserved**

**R3-45, Concession 2, Part Lots 11 and 12, Parts 3 and 4 on Plan 50R10502, known as 367 Church Street, Russell, in relation to Draft Plan of Subdivision 80-S-15-002; Part of Lot 11, Concession 2, being the future extension of Peacock Drive, Russell (2024-075; 2025-018; 2025-145)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-45-holding shall be used in accordance with the following provision:

- i. Minimum interior side yard setback: 1.5 m
- ii. Minimum exterior side yard setback: 4 m

**R3-46, Part of Lots 10 & 11, Concession 3; Church Street, Russell (61-2012)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-46 shall be used in accordance with the following provisions:

- i. Lot Coverage (maximum) - apartment dwelling: 38%
- ii. For an apartment dwelling on the property, no children's play area shall be required.

**R3-47, 75 Lapointe Boulevard, Embrun (62-2012)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-47 shall be used in accordance with the following provisions:

- i. Lot area (minimum) - triplex dwelling: 633 m<sup>2</sup> per dwelling unit
- ii. Lot frontage (minimum) - triplex dwelling: 3.3 m per dwelling unit
- iii. Rear yard setback (minimum) - triplex dwelling: 6.5 m
- iv. Number of parking spaces required (use and visitor): 32
- v. Number of barrier-free parking spaces required: 0

**R3-48, 1095 Notre Dame Street, Embrun (2020-138)**

Notwithstanding any provisions of this By-law to the contrary, the lands zoned R3-48 may be used in accordance with the following provisions:

- i. Building height all types (maximum): 12 m, and not more than 3 storeys

**R3-49, Part of Lot 9, Concession 7, Part of Lot 23 on Plan JB LEWIS, Parts 1 and 2 on Plan 50R-9424 (2015-33)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-49 may only be used for: an apartment dwelling containing a maximum of 3 residential units and a Food bank and shall be used in accordance with the following new provisions:

- i. Floor area (maximum) - Food Bank: 115 square meters
- ii. Minimum number of required parking spaces - Food bank: 3

**R3-50, 1099 Notre Dame Street, Embrun (2020-138, 2020-139)**

Notwithstanding any provisions of this By-law to the contrary, the lands zoned R3-50 may be used in accordance with the following provisions:



- i. Building height all types (maximum): 12 m, and not more than 3 storeys
- ii. Interior side yard setback (west side – minimum): 2 m

**R3-51, Reserved****R3-52, Reserved****R3-53, Blocks 97-98 Gamble Street, Russell (2021-040)**

Notwithstanding any provisions of this By-law to the contrary, the lands zoned R3-53 may be used in accordance with the following provisions:

- i. Building height all types (maximum): 12 m, and not more than 3 storeys

**R3-54, Block 99 Gamble Street, Russell (2021-040)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R3-54 shall be used in accordance with the following new provisions:

- i. Building height all types (maximum): 15 m, and not more than 4-storeys

**R3-55, Part of Lot 13, Concession 3, Parts 4, 5 and 6 on Plan 50R-3468; Part 1 on Plan 50R-9357, Russell; Concession 3, Part of Lot 13 known as Eadie Road and is in relation to Draft Plan of Subdivision SUB-004-2021 (Cornerstone Phase 3) (2022-055; 2026-040)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R3-55 shall be used in accordance with the following new provisions:

- ii. Rear yard setback (minimum): 6 m

**R3-56 Block 70, Plan M-1 50 and Part of Lot 9, Concession 7, known as a vacant lot located at the intersection of St-Jean-Baptiste and Castlebeau Streets, Embrun (2022-060)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R3-56 shall be used in accordance with the following new provisions:

- i. The lot line abutting St-Jean Baptiste Street shall be considered the front lot line.

**R3-57, Concession 3, Part Lot 13, Plan 50R3573, Part 1, known as 983 North Russell Road, Russell (2024-037)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R3-56 shall be used in accordance with the following new provisions:

- i. Permit construction of apartment building containing a maximum of 40 units;
- ii. Allow a commercial building consisting of a restaurant or a non-residential use listed under the Local Commercial Zone (maximum size of 1,500 m<sup>2</sup>); and
- iii. Allow reduction of the lot area requirement from 115 m<sup>2</sup> per dwelling unit to 107 m<sup>2</sup> per dwelling unit.

**R3-58-h, Part of Lot 11, Concession 2 (Blocks 275-276) (2023-047; 2025-018)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R3-58 may only be used for detached dwelling, semi-detached dwelling or townhouse dwelling, in accordance with the following provisions:

- i. Building Height (maximum): 5.5 m

**R3-59, Part of Lot 24, Part of Lot 26, and Part Closed Lane on Plan HO WOOD 1863; Part 1 on Plan RP50R8435, known as 1089 Notre Dame Street (2025-053)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R3-59 shall be used in accordance with the following provisions:



- i. Lot frontage: 21.32 m
- ii. Access aisle buffering: 1 m
- iii. Interior side yard setback: 2.65 m

**R3-60, Blocks 90 & 91 on Plan 50M388 on Peacock Drive in Russell (2025-146)**

Notwithstanding the provisions of this by-law to the contrary, the lands zoned R3-60 shall be used in accordance with the following provisions:

- i. Building height (maximum): 8 metres
- ii. Interior side yard setback (minimum): 1.5 metres

**R3-61, Block 10 on Plan 50M357, known as 424-430 Voyageur Pl., Embrun (2025-085)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R3-61 shall be used in accordance with the following provision:

- i. Permit a semi-detached dwelling with additional dwelling units in the basement.

**R3-62-h, Part Lot 7, Concession 7, Part 3 on Plan 50R357, Part 1 on Plan 50R2625, Part 1 on Plan 50R7843, known as 8 Ste-Thérèse Boulevard, Embrun (By-law 2025-105)** Notwithstanding the provisions of the By-law to the contrary, the lands zoned Residential Three Zone with exception 62 and holding zone (R2-63-h), may only be used for a three-unit dwelling and a stacked townhouse dwelling, and shall be used in accordance with the following provisions:

- i. Maximum 7 stacked townhouse dwelling units
- ii. 14 m interior side yard setback (south lot line abutting 12 Ste- Thérèse Boulevard)
- iii. Minimum lot frontage of 8 m on Ste- Thérèse Boulevard
- iv. The holding symbol applying to the subject property may only be removed until such time municipal sanitary sewer services are available to service the subject property.

**R3-63, Part 1 on PLAN 50R6517, PT Lot 12, Concession 2 known as 1018 Concession Street, Russell (2026-033)**

Notwithstanding the provisions of the By-law to the contrary, the lands zoned Residential Three Zone with exception 63 (R3-63) may only be used for a 9-unit stacked townhouse dwelling, and shall be used in accordance with the following provisions:

- i. Minimum front yard setback: 6 metres
- ii. Minimum interior side yard setback (north): 3 metres
- iii. Minimum interior side yard setback (south): 24 metres
- iv. Minimum rear yard setback: 7.5 metres
- v. Maximum building height: 9 metres
- vi. Minimum landscaped open space: 35%
- vii. Number of required parking spaces for the use: 17
- viii. Number of visitor parking spaces: 2
- ix. Number of barrier-free parking spaces: 1

**R3-64-h, Part Lot 10, Concession 7, located near St-Augustin Road and Route 300, Embrun (2026-041)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R3-64 shall be used in accordance with the following new provisions:



- i. Decks permitted to be located 1.2 metres to the rear and interior lot lines;

**R3-65-h, Part Lot 10, Concession 7, located near St-Augustin Road and Route 300, Embrun (2026-041)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R3-65 shall be used in accordance with the following new provisions:

- i. In addition to the requirements of the R3 Zone, local commercial uses shall occupy no more than 1,500 m<sup>2</sup> of the ground-floor gross floor area. Where the total ground-floor gross floor area is below 1,500 m<sup>2</sup>, at least 50% of the ground floor shall be provided for local commercial uses. Only the following local commercial uses are permitted:
  - a. restaurant
  - b. personal service establishment
  - c. retail store
  - d. retail convenience store
  - e. bank
  - f. offices
  - g. day care centre

**R3-66, 484 Church Street, Russell (2020-077)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-66 shall be used in accordance with the following provisions:

- i. Lot Frontage (minimum): 6 m
- ii. Rear yard setback (minimum): 5.2 m<sup>2</sup>
- iii. Landscaped open space (minimum): 30%
- iv. Residential and visitors parking may be permitted on another lot if such parking is within 20 m of the lot it is intended to serve
- v. Limit the maximum number of dwelling units on the property zoned R3-38 to 9 units.

**R3-67, Part of Lot 8, Concession 8, Part 1 on Plan 50R5425 and Part 1 on Plan 50R-7062, vacant lands situated at 1203 and 1211 St-Augustin, Embrun (2022-042)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R3-54 shall be used in accordance with the following new provisions:

- i. Maximum height: 12 m to maximum height limit of 3 storeys excluding the basement;
- ii. Daycare service accessory to the main use;
- iii. Offices and community hall accessory to the main use;
- iv. Retail space; and
- v. Reduction of the ratio used for the calculation of residential parking spaces to on (1) parking for two (2) residents.

**R3-68, 480 Church Street, Russell (2020-077)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-62 shall be used in accordance with the following provisions:

- i. Lot area (minimum) per apartment dwelling: 91 m<sup>2</sup>



- ii. Landscaped open space (minimum): 30%
- iii. Residential and visitors parking may be permitted on another lot if such parking is within 20 m of the lot it is intended to serve.

**R3-69, Block 76 on Plan 50M 334, known as 100 Hybrid Street, Embrun (2019-104)**

Notwithstanding any provisions of this By-law to the contrary, the lands zoned R3-28 may be used for an apartment dwelling in accordance with the following provisions:

- i. Building height (maximum): 12 m, and not more than 3 storeys



## 4.6 Residential Four Zone (R4)

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in a Residential Four (R4) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law and unless such lot is served by a public water system and a sanitary sewer system.

### 4.6.1 Permitted Uses

#### Residential

- Apartment dwelling

#### Accessory Uses

- Office
- Personal service establishment
- Retail store

### 4.6.2 Zone Requirements

Zoning Mechanism		R4 Provisions
		Principal Dwelling Types
		Apartment dwelling
a)	Lot Area (minimum)	115 m <sup>2</sup> per dwelling unit
b)	Lot Frontage (minimum)	20 m
c)	Front Yard Setback (minimum)	5.2 m
d)	Exterior Side Yard Setback (minimum)	3 m
e)	Interior Side Yard Setback (minimum)	3 m
f)	Rear Yard Setback (minimum)	7.5 m
h)	Landscaped Open Space (minimum)	30%
i)	Building Height (maximum)	25 m, to a maximum of 8 storeys (excluding basement)

#### Notes and Additional Provisions

- Offices, personal service establishments, or retail stores shall only be permitted on the ground floor of an apartment dwelling. The total floor area of these uses shall not exceed 40% of the ground floor area of the apartment dwelling.

### 4.6.3 R4 Special Exception Zones

Reserved for future use.



## 4.7 Rural Residential Zone (RR)

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in a Rural Residential (RR) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 4.7.1 Permitted Uses

#### Residential

- Additional dwelling unit
- Coach house
- Garden suite
- Group home
- Home-based business
- Home industry
- Single detached dwelling

#### Non-Residential

- Community garden
- Forestry use
- Hobby farm

### 4.7.2 Zone Requirements

Zoning Mechanism		Residential Uses	Non-Residential Uses
a)	Lot Area (minimum)	Lot serviced by private well and private sewage system: 4,000 m <sup>2</sup>	2 ha for a hobby farm 8,000 m <sup>2</sup> for additional dwelling unit
b)	Lot Frontage (minimum)	45 m	60 m 45 m for hobby farm
c)	Front Yard Setback (minimum)	12 m	12 m
d)	Exterior Side Yard Setback (minimum)	6 m	15 m
e)	Interior Side Yard Setback (minimum)	3 m	15 m
f)	Rear Yard Setback (minimum)	7.5 m	15 m 9 m for hobby farm
g)	Lot Coverage (maximum)	25%	20%
h)	Building Height (maximum)	10.5 m	10.5 m
i)	Dwellings Per Lot (maximum, excluding additional dwelling units, coach house, and garden suite)	1	1



#### 4.7.3 RR Special Exception Zones

##### **RR-1, Lot 20, Concession II, Stanley Crescent**

Notwithstanding any provisions of this By-Law to the contrary, the lands zoned RR-1 shall be developed in accordance with the following provisions:

- i. Lot area (minimum): 1,800 m<sup>2</sup>
- ii. Lot frontage (minimum): 30 m
- iii. Front yard (minimum): 7.5 m
- iv. Exterior side yard (minimum): 7.5 m

##### **RR-2, Lot 1, Concession VIII (131-1994)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned RR-2 may be used for retail store.

##### **RR-3, Lot 2, Concession II, Felton Crescent**

Notwithstanding any provision of this By-Law to the contrary, the lands zoned RR-3 shall be developed in accordance with the following provisions:

- i. Lot area (minimum): 2 ha
- ii. Lot frontage (minimum): 90 m

##### **RR-4, Part of Lot 5, Concession 8 being Part 3 on Plan 50R-4936 - 1358 St Joseph Road, Embrun (125-2014)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-4 shall be used in accordance with the following provisions:

- i. Interior side yard (minimum): 0.86 m

##### **RR-5, Lot 1, Concession IV**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned RR-5 may be used for an existing commercial garage specializing in the sale and repair of new and old trucks, and including the outdoor storage of vehicles and machinery.

##### **RR-6, Lot 20, Concession X**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned RR-6 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 1.4 ha
- ii. Lot frontage (minimum): 95 m

##### **RR-7, Lot 3, Concession III, Groves Road**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned RR-7 shall be used in accordance with the following provisions:

- i. Lot frontage (minimum): 24 m

##### **RR-8, Lot 7, Concession V**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned RR-8 may be used in accordance with the following provisions:

- i. Lot area (minimum): 2,250 m<sup>2</sup>
- ii. Lot frontage (minimum): 36.5 m



- iii. In addition, no buildings or structures shall be permitted within 24 m of the top of the river bank, except for boat docks.

**RR-9, Lot 10, Concession V, County Road 3**

Notwithstanding any provision of this By-Law to the contrary, the land zoned RR-9 shall be limited to a maximum of two lots for detached dwellings.

**RR-10, Lot 10, Concession V, County Road 28**

Notwithstanding any provision of this By-Law to the contrary, the land zoned RR-10 may be developed for a maximum of three lots for detached dwellings.

**RR-11, Lots 2 and 3, Concession III, Groves Road (19-1986)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned RR-11 may be developed with a minimum lot area of 2 ha.

**RR-12, Lot 18, Concession X**

Notwithstanding any provision of this By-law to the contrary, the lands zoned RR-12 may be used for "a residential lodging facility for the accommodation of senior citizens" which shall consist of a maximum of 41 individuals and shared bedrooms with attached washrooms, central cooking and dining areas, and common areas for recreation and social activities of the residents, provided that the maximum occupancy of the facility shall be 55 residents, exclusive of any resident care or administration staff, and in accordance with the following provision:

- i. No construction is allowed below elevation 68.3 m above sea level

**RR-13, Groves Road, Part of Lot 3, Concession 3, Part 2 on Plan SOR-S16S**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned RR- 13 shall be used with the following provisions:

- i. Maximum height for an accessory building: 5.5 meters

**RR-14, Lot 10, Concession V, County Road 3**

Notwithstanding the provisions of this By-Law to the contrary, in the lands zoned RR-14 the height of accessory buildings shall not exceed 6.5 m.

**RR-15, Part of Lot 10, Concession 6, being Part 1 on Plan 50R-3048 and known as 1100 St-Pierre Road, Embrun (2021-107)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-15 shall be used in accordance with the following new provisions:

- i. Minimum lot frontage: 20 m

**RR-16, Concession 4 Part Lot 11, 50R3492; Part 1, also known as 387 Castor Street, Russell (severed lot) (2023-093)**

Notwithstanding any provisions of this By-Law to the contrary, lands zoned RR-16 shall be developed in accordance with the following provisions:

- i. Lot frontage (minimum): 20.12 m

**RR-17, Lot 4, Concession III, Groves Road (44-2000)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned RR-17 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 1 hectare
- ii. Lot frontage (minimum): 75 m



**RR-18, Reserved****RR-19, Lot 5, Concession IV**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-19 shall be used in accordance with the following provisions:

- i. Front yard (minimum): 12.5 m
- ii. Special provision: For the purpose of the RR-19 Zone, the lot shall be deemed to have less than four (4) lot lines; therefore there is no rear lot line.

**RR-20, Lots 21 and 22, Concession VII**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-20 shall be used in accordance with the following provisions:

- i. Lot frontage (minimum): 39.5 m

**RR-21, Lot 4 - Concession VII**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-21 shall be used in accordance with the following provision:

- i. Lot area (minimum): 2,750 m<sup>2</sup>

**RR-22, Lots 21 and 22, Concession VII**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-22 shall be used in accordance with the following provision:

- i. Lot frontage (minimum): 42.5 m

**RR-23, Lot B, Concession III (50-1990)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-23 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 3,700 m<sup>2</sup>

**RR-24, Lot 11, Concession IV**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-24 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 1,500 m<sup>2</sup>
- ii. Lot frontage (minimum): 30 m

**RR-25, Lot 11, Concession IX**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-25 shall be used in accordance with the following provision:

- i. Lot area (minimum): 2,900 m<sup>2</sup>

**RR-26, Lot 11, Concession IX**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-26 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 1,350 m<sup>2</sup>
- ii. Lot frontage (minimum): 29 m



**RR-27, Concession 6 Part Lot 8, known as 1240 Ste-Marie, Embrun**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-27 shall be used in accordance with the following provisions:

- i. Frontage (minimum): 30 m
- ii. Gross floor area for coach house (maximum): 1,806 ft<sup>2</sup> (95%)

**RR-28, Lot 11, Concession IV**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-28 may be used for the parking and storage of school buses including accessory buildings.

**RR-29, Lot 17, Concession V**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-29 shall be used in accordance with the following provisions:

- iii. Lot area (minimum): 2,450 m<sup>2</sup>

**RR-30, Lot 5, Concession VIII**

Notwithstanding the provisions of this By-law to the contrary the lands zoned RR-30 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 2,000 m<sup>2</sup>
- ii. Lot frontage (minimum): 30 m

**RR-31, Part of Lot 16, Concession IX (62-1995)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned RR-31 hereto shall be used in accordance with the following provisions:

- i. Lot area (minimum): 2,700 m<sup>2</sup>

**RR-32, Part of Lot 16, Concession IX (62-1995)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned RR-32 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 1,800 m<sup>2</sup>

**RR-33, Part of Lot 16, Concession IX (62-1995)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned RR-33 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 2,250 m<sup>2</sup>

**RR-34, Part of Lot 1, Concession II (17-1996)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned RR-34 shall be used in accordance with the following provisions:

- i. On the lands zoned RR-34, the permitted detached dwelling shall only be erected on that portion of the lot shown with shaded tone on Schedule 'C' of by-law 17-1996.
- ii. For the purposes of the RR-34 Zone, the lot line abutting the road between lots A and 1 shall be considered to be the front lot line.

**RR-35, Part of Lot 2, Concession II, Felton Crescent (38-1996)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned RR-35 may be used for a detached dwelling containing two (2) dwelling units in accordance with the following provisions:

- i. Lot area (minimum): 2 ha



- ii. Lot frontage (minimum): 90 m

**RR-36, Part of Lot 10, Concession IX (58-1997)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-36 shall be used in accordance with the following provisions:

- i. Lot frontage (minimum): 38 m

**RR-37, Part of Lot 1, Concession VIII (67-1997)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-37 on shall be used in accordance with the following provisions:

- i. Lot area (minimum): 3,300 m<sup>2</sup>

**RR-38, Reserved**

**RR-39, Part of Lot 5, Concession V (71-1998)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-39 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 1 hectare
- ii. Lot frontage (minimum): 90 m

**RR-40, 1430 Notre Dame Street (2-1999)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-40 may also be used for an accessory apartment in accordance with the following provisions:

- i. Lot area (minimum): 2,900 m<sup>2</sup>

**RR-41, Reserved**

**RR-42, 344 Limoges Road (47-2001)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-42 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 1,900 m<sup>2</sup>
- ii. Lot frontage (minimum): 42 m

**RR-43, Notre Dame Street, Part of Lot 8, Concession X (29-2002)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-43 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 2,200 m<sup>2</sup>
- ii. Front yard (minimum): 12 m
- iii. Special provision: On the lands zoned RR-43, the basement finished floor elevation of any new dwelling or additions to an existing dwelling shall not be below elevation 63.5 m above sea level

**RR-44, 220 Limoges Road, Part of Lot 19, Concession X (14-2003)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-44 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 2,800 m<sup>2</sup>
- ii. Lot frontage (minimum): 30 m

**RR-45, Reserved**



**RR-46, Reserved****RR-47, Reserved****RR-48, 868 Limoges Rd, Part of Lot 10, Concession 10 (7-2009)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-48 shall permit an existing garage and printing shop.

**RR-49, Reserved****RR-50, 1023 St Augustin Road, Part Lot 10, Concession 8**

Notwithstanding any provisions of this By-Law to the contrary, the lands zoned as RR-50 shall be used for the storage of machinery and equipment, and a detached dwelling in accordance with the following provisions:

- i. Lot area (minimum): 2,110 m<sup>2</sup>
- ii. Interior side yard (minimum) – non-residential use: 3m
- iii. Rear yard (minimum): 3 m

**RR-50, 1379 Wade Road, Part of Lot 8, Concession 4, Part 2 on plan 50R-9232 (2016-138)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-78 may also be used for a home based business and the home based business is permitted to occupy up to 68 m<sup>2</sup>.



## Section 5 Community Zones

### 5.1 Open Space Zone (OS)

No person shall hereafter use any lands or erect, alter, enlarge or use any building or structure in an Open Space (OS) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

#### 5.1.1 Permitted Uses

##### Non-Residential

- Cemetery
- Community garden
- Conservation use
- Museum
- Park
- Stormwater management facility

#### 5.1.2 Zone Requirements

Zoning Mechanism		OS Provisions
a)	Lot Area (minimum)	No minimum
b)	Lot Frontage (minimum)	No minimum
c)	Front Yard Setback (minimum)	6 m
d)	Exterior Side Yard Setback (minimum)	6 m
e)	Interior Side Yard Setback (minimum)	6 m
f)	Rear Yard Setback (minimum)	6 m
g)	Building Height (maximum)	10 m
h)	Lot Coverage (maximum)	20%

#### Notes and Additional Provisions

- i. The retail sale of produce grown on the lot, and the retail sale of goods made using produce grown on the lot, is also permitted as an accessory use.

#### 5.1.3 OS Special Exception Zones

##### OS-1, Concession 7, Part Lot 9, known as 905 Notre Dame Street, Embrun (2024-116)

Notwithstanding any provisions of this By-Law to the contrary, the lands zoned OS-1 shall be used in accordance with the following provision:

- i. Additional permitted use of a museum within an existing building (old train station).

##### OS-2, Reserved

##### OS-3, Reserved

##### OS-4, Reserved

##### OS-5, Marionville

Notwithstanding any provisions of this By-Law to the contrary, the lands zoned OS-5 may only be used for a private communal sewage system.



## 5.2 Leisure Zone (L)

No person shall hereafter use any lands or erect, alter, enlarge or use any building or structure in a Leisure (L) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.2.1 Permitted Uses

#### Non-Residential

- Community centre
- Community garden
- Conservation use
- Fairground
- Farmers' market
- Library
- Museum
- Park
- Place of assembly
- Place of entertainment
- Place of recreation
- Recreational and athletic facility
- Recreational camp
- Tent and trailer park

#### Accessory

- Accessory dwelling unit
- Refreshment vehicle
- Restaurant
- Retail store

### 5.2.2 Zone Requirements

Zoning Mechanism		Tent and Trailer Park	Other Uses
a)	Lot Area (minimum)	40,000 m <sup>2</sup>	660 m <sup>2</sup>
b)	Lot Frontage (minimum)	60 m	20 m
c)	Front Yard Setback (minimum)	10 m	6 m
d)	Exterior Side Yard Setback (minimum)	10 m	6 m
e)	Interior Side Yard Setback (minimum)	10 m	3 m
f)	Rear Yard Setback (minimum)	10 m	7.5 m
g)	Building Height (maximum)	10 m	12 m
i)	Density (maximum)	40 tourist campsites/ha	N/A
j)	Distance to a Property Line of Residential Zone or Use	150 m	
k)	Landscaped open space (minimum)	30%	30%

#### Notes and Additional Provisions:

- i. Detached accessory dwelling units shall comply with the provisions of the Rural Residential (RR) Zone for single detached dwellings.

### 5.2.3 L Special Exception Zones

#### L-1, Part of Lot 10, Concession 5, more specifically Parts 3 and 4 on Reference Plan 50R9611 and Part 2 on Reference Plan 50R9224 (2022-084)

Notwithstanding the provisions of this by-law to the contrary, the lands zoned L-1 shall be used in accordance with the following provision:

- i. Permitted use:



- Accessory dwelling unit
- Amusement park
- Community centre
- Community garden
- Conservation use
- Fairground
- Farmers' market
- Library
- Museum
- Park
- Place of assembly
- Place of entertainment
- Recreational and athletic facility
- Refreshment vehicle, accessory to a permitted use
- Restaurant, accessory to a permitted use
- Retail store, accessory to a permitted use
- Theatre
- Snow management facility

**L-2, Concession 5, Lot 10, Part 2 on Plan 50R-11798 (2026-019)**

Notwithstanding the provisions of this by-law to the contrary, the lands zoned L-2 shall permit the uses as expressed with the L-1 zone and the following use:

- i. Permit Mini Warehouse and Public Storage as permitted uses



### 5.3 Institutional Zone (I)

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in an Institutional (I) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

#### 5.3.1 Permitted Uses

##### Residential

- Group home
- Long-term care facility
- Retirement home

##### Non-Residential

- Cemetery
- Community centre
- Community garden
- Day care centre
- Food Bank
- Hospital
- Commercial school
- Library
- Medical facility
- Museum
- Park
- Place of assembly
- Place of worship
- Post office
- Post-secondary institution
- Recreational and athletic facility
- School

##### Accessory

- Accessory dwelling unit
- Restaurant
- Retail store

#### 5.3.2 Zone Requirements

Zoning Mechanism		I Provisions
a)	Lot Area (minimum)	660 m <sup>2</sup>
b)	Lot Frontage (minimum)	20 m
c)	Front Yard Setback (minimum)	6 m
d)	Exterior Side Yard Setback (minimum)	6 m
e)	Interior Side Yard Setback (minimum)	3 m
f)	Rear Yard Setback (minimum)	7.5 m
g)	Landscape Open Space (minimum)	30%
i)	Building Height (maximum)	12 m
j)	Dwelling Units per Lot (maximum)	1

##### Notes and Additional Provisions:

- A community garden or a park is not subject to the minimum lot area and minimum lot frontage provisions of the above table.
- Detached accessory dwelling units shall conform to the requirements of the Residential 1 (R1) Zone for single detached dwellings.



### 5.3.3 I Special Exception Zones

#### **I-1, 1543 Notre Dame Street, Works Yard, Lot 8, Concession 10**

Notwithstanding any provisions of this By-Law to the contrary, the lands zoned I-1 may be used for municipal, County or Provincial works yard.

#### **I-2, 910 Notre Dame Street, Embrun (47-2002, &102-2012)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned I-2 shall be used in accordance with the following provisions:

- i. Interior side yard (minimum): 1.7 m
- ii. Number of parking spaces on the property (minimum): 20

#### **I-3, Part of Lots 8 and 9, Concession 6, Part 1 on Plan 50R112, known as 766 Notre Dame Street, Embrun (2024-035)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned I-3 shall be used in accordance with the following provisions:

- i. Day Care Centre
- ii. Detached Dwelling

#### **I-T-3, 1276 St-Jacques Road, Embrun (2015-141)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned I-T-3 shall be used in accordance with the following provisions:

- i. Permitted Uses: Temporary use of two (2) storage containers

#### **I-4, Lot 5 on Plan H O Wood 1883, 139 Castor Street, in Russell (2016-071)**

Notwithstanding the provisions of this By-law to the contrary, the land zoned I-4 may also be used for a retail store accessory to a permitted use.

#### **I-5, 1081 Notre Dame Street (26-1991)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned I-5 may be used for a day care centre in accordance with the following provisions:

- i. Number of parking spaces required: 8
- ii. Distance from a parking space to a Residential Zone: 0 m
- iii. Buffering requirements: None

#### **I-6, 1118-1122 Notre Dame Street, Embrun (44-2000, 92-2003, 113-2016)**

Notwithstanding the provisions of this By-Law to the contrary the lands zoned I-6 may also be used for a 96 bed (maximum) privately operated, active seniors' home in accordance with the following provisions:

- i. Special provisions:
- ii. For the purpose of the I-6 Zone, a privately operated, active seniors' home shall mean a building or premises licensed under the appropriate By-laws as required, and wherein more than five (5) persons, who, on account of their age, and/or health, require care, are harboured, received or lodged for hire, but shall not include a hotel, hospital, long-term care facility, homes for the young or aged or any other institution if such is licensed, approved or supervised under any other act.
- iii. Notwithstanding the provisions of this By-Law to the contrary, the maximum building height shall be 6.5 m.



**I-7, Reserved****I-8, 40 First Avenue, Russell (29-2006)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned I-8 shall be used in accordance with the following provisions:

- i. Interior side yard (minimum): 1.8 m
- ii. Special Provisions: For the purpose of the application of the Zone requirements, the lands zoned I-8 shall be considered as one lot.

**I-9, 982-1000 North Russell Road, Russell (30-2006)**

Notwithstanding any provisions of this By-law to the contrary, the lands zoned I-9 shall be used in accordance with the following provisions:

- i. Special Provisions: For the purpose of the application of the Zone requirements, the lands zoned I-9 shall be considered as one lot.

**I-10-H, 1063 Notre-Dame Street (8-2009)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned I-10-H may only be used for: Short and Long Term Residential Care and Recovery Facility meaning an establishment providing supervised for supportive in-house care for those who need assistance with daily living, which may also provide on-going medical and nursing care or counselling and social support services such as medical counselling and personal services.



## Section 6 Commercial Zones

### 6.1 Village Core Zone (VC)

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Village Core (VC) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

#### 6.1.1 Permitted Uses

##### Residential

- Additional dwelling unit
- Apartment dwelling
- Group home
- Long-term care facility
- Retirement home

##### Non-Residential

- Animal care establishment
- Animal clinic
- Artisan studio
- Financial Institution
- Bed and breakfast
- Cidery, Distillery, or Microbrewery
- Commercial school
- Community centre
- Day care centre
- Farmers' market
- Flea market
- Food bank
- Home-based business
- Hospital
- Hotel
- Library
- Medical facility
- Motel
- Museum
- Office
- Park
- Personal service establishment
- Place of assembly
- Place of entertainment
- Place of recreation
- Place of worship
- Post office
- Recreational and athletic facility
- Restaurant
- Retail store
- Retail food store

##### Accessory

- Accessory dwelling unit
- Outdoor display and sales area

#### 6.1.2 Zone Requirements

Zoning Mechanism		VC Provisions	
		Apartment dwelling, Long-term care facility, Retirement home, Rooming house	Non-residential uses / Mixed use
a)	Lot Area (minimum)	115 m <sup>2</sup> per dwelling unit	No minimum
b)	Lot Frontage (minimum)	20 m	20 m
c)	Front Yard Setback (minimum)	1 m	2 m
e)	Exterior Side Yard Setback (minimum)	1 m	1 m



Zoning Mechanism		VC Provisions	
		Apartment dwelling, Long-term care facility, Retirement home, Rooming house	Non-residential uses / Mixed use
f)	Interior Side Yard Setback (minimum)	3 m	3 m
g)	Rear Yard Setback (minimum)	7.5 m for lots adjacent to R1, R1A, R1-PS and R2 Zones 3 m in all other cases	7.5 m for lots adjacent to R1, R1A, R1-PS and R2 Zones 3 m in all other cases
h)	Development Form	n/a	n/a
i)	Landscaped Open Space (minimum)	30%	10%
j)	Building Height (maximum)	20 m, to a maximum of 5 storeys (excluding basement)	22 m, to a maximum of 5 storeys (excluding basement)

#### Notes and Additional Provisions:

- i. For all lots zoned Village Core, as shown on Schedule A, excluding existing residential buildings, the municipality strongly encourages non-residential uses on the ground floor fronting on the streets listed below:
  - a. Notre-Dame Street;
  - b. Castor Street;
  - c. Concession Street; or
  - d. Limoges Road.
- ii. For the purpose of determining the front yard setback, any lot in the Village Core (VC) Zone that abuts any of the following streets is to be treated as though it fronts on that street:
  - a. Notre-Dame Street
  - b. Castor Street
  - c. Concession Street
  - d. Limoges Road
  - e. Marionville Road
- iii. Single detached dwellings existing at the day of passing of this By-law are subject to the provisions of the R1A Zone.
- iv. Semi-detached dwellings existing at the day of the passing of this By-law are subject to the provisions of the R2 Zone.
- v. A community garden or park is not subject to the minimum lot area and minimum lot frontage provisions of the above table. However, any development on such lands will be subject to the other provisions for non-residential uses/mixed uses.
- vi. An additional dwelling unit located within a detached ancillary building or structure shall be subject to the maximum lot coverage requirement in Section 3.2.1 Additional Dwelling Units - General.
- vii. Notwithstanding any other provisions of this By-law, not more than four (4) consecutive units within a townhouse dwelling or a stacked townhouse dwelling shall be constructed with their



exterior outside walls in a straight line. Additional permitted units in a row shall be set back or forward a distance of not less than 1 m from the alignment of the others in a row.

- viii. Where the building height is greater than three storeys or 12 metres, at and above the third storey or 12 metres, whichever is the lesser, a building must be setback a minimum of 2 metres more than the provided setback from the front lot line, an exterior side lot line, and, where the lot is abutting a lot in the Residential One (R1), Residential One – Partially / Privately Serviced (R1-PS), Residential One-A (R1A), and Residential Two (R2) Zones, the interior side and rear lot lines, except that balcony projections are permitted in accordance with Section 3.23.2 Permitted Projections Into Required Yards.

### 6.1.3 VC Special Exception Zones

#### VC-1, Part of Lot 15, Concession X, Limoges (45-1995)

Notwithstanding any provision of this By-Law to the contrary, the lands zoned VC-1 may be used for any of the permitted uses in the VC Zone as well as a motor vehicle gas bar, on the basis of a private water system (well) and a private septic system.

#### VC-2, Concession 6, Part of Lot 9, Parts 1, 2 & 3 of RP50R1707 also known as 785 Notre Dame Street, Embrun (44-2005; 2022-111)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-2 shall be used in accordance with the following provisions:

- i. Permitted uses: office and converted dwelling
- ii. interior side yard - west side: 2.7 m
- iii. The converted dwelling shall comply with the provision associated with converted dwellings of the R3 zone

#### VC-3, Reserved

#### VC-4, Reserved

#### VC-5, 810 Notre-Dame

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned VC-5 may only be used for:

- i. Offices; or
- ii. Detached dwelling

#### VC-6, 814 Notre Dame Street, Embrun (72-1993)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-6 shall be used in accordance with the following provisions:

- i. Permitted uses:
  - Office
  - Dwelling unit
- ii. Interior side yard width (minimum) - East side: 2 m
- iii. Distance from a parking area to a street: 0 m
- iv. Distance from a parking area to an abutting Residential Zone: 1.6 m
- v. Buffering: None required



**VC-7, 829 Notre Dame Street, Embrun**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-7 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 835 m<sup>2</sup>
- ii. Loading space dimensions (minimum):
  - a. Width: 3.5 m
  - b. Length: 8.5 m
- iii. Distance from a loading space to a Residential Zone (minimum): 2.5 m
- iv. Total number of parking spaces (minimum): 9
- v. Buffering strip width (minimum): 1.5 m

**VC-8, Part of Lot 15, Concession 10 - 568, 570, and 576 Limoges Road (87-2013)**

The Holding Symbol applying to the lands zoned VC-8 may only be removed at such time as:

- i. Adequate servicing is available for the current phase of the development; and,
- ii. A complete Application for Site Plan Control has been approved for the subject lands and which application includes the following studies and reports:
  - a. Traffic Study;
  - b. Site Servicing Study;
  - c. Stormwater Management Study;
  - d. Drainage Plan;
  - e. Grading Plan;
  - f. Sediment and Erosion Control Plan;
  - g. Geotechnical Study; and a,
  - h. Tree Preservation Plan.

**VC-9, 847 Notre Dame Street, Embrun**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-9 shall be developed in accordance with the following provisions:

- i. Lot area (minimum): 750 m<sup>2</sup>
- ii. Parking requirements - Total parking spaces required: 8

**VC-10-h, 848 Notre-Dame, Embrun (39-2014)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned VC-10-h shall be used in accordance with the following provisions:

- i. Lot Frontage (minimum): 27 m
- ii. Parking: All yards with exception of a required and provided exterior side yard, or the extension of a require and provided exterior side yard into a rear yard, No access driveway shall be located closer than 1 m to any residential Zone.
- iii. In addition, the lands zoned VC-10-h may not be used for a bar.



**VC-11, Notre Dame Street, Embrun**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC -11 may only be used for an office, a personal service establishment and the existing dwelling as an accessory residential use, in accordance with the following provisions:

- i. Total parking spaces required: 6
- ii. Distance from a parking area to a street line: 0 m
- iii. Distance from a parking area to an abutting Residential Zone (minimum): 0.9 m
- iv. Buffering strip width, east side (minimum): 0.9 m

**VC-12, 866 Notre Dame Street, Embrun**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-12 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 700 m<sup>2</sup>
- ii. Front yard (minimum): 1.3 m
- iii. Interior side yard abutting a Residential Zone (minimum): 0 m
- iv. Exterior side yard (minimum): 1.2 m
- v. Rear yard (minimum): 0.7 m
- vi. Lot coverage (maximum): 75%
- vii. Buffering: None required
- viii. Loading spaces required: None

**VC-13, 873 Notre Dame Street, Embrun (22-2003)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-13 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 700 m<sup>2</sup>
- ii. Lot frontage (minimum): 24.5 m

**VC-14, Notre Dame Street, Embrun**

Notwithstanding the provisions of this By-Law to the contrary, the land zoned VC-14 may be used for an apartment dwelling with 4 additional dwelling units, in accordance with the following provisions:

- i. Rear yard (minimum): 7.5 m
- ii. Dwelling unit area (minimum): 34 m<sup>2</sup>

**VC-15, 888 Notre Dame Street, Embrun**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-15 may only be used for an office and/or a personal service establishment, in accordance with the following provisions:

- i. Special provision: Existing buildings shall be exempt from complying with the Zone provisions of the C Zone provided that no extensions or additions shall be made to such existing buildings unless such extensions or additions do not contravene any of the provisions of this By-law.
- ii. Parking requirements: No part of any parking area other than a driveway shall be located closer than 0.2 m to any street line or 0.75 m to any side lot line abutting a Residential Zone.
- iii. Buffering strips: Not required.



**VC-16, 894 Notre Dame Street, Embrun**

Notwithstanding the provisions of this By-Law to the contrary, the land zoned VC-16 may be used for an apartment dwelling containing a maximum of twelve (12) dwelling units, in accordance with the following provision:

- i. Lot frontage (minimum): 25.5 m

**VC-17, Fire Hall, Embrun**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned VC-17 may be used for an existing fire hall and for the expansion of the existing fire hall in accordance with the following provisions:

- i. Exterior side yard width (minimum): 0.5 m

**VC-18, 898 Notre Dame Street, Embrun**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned VC-18 may be used, in addition to the permitted uses for a commercial use limited to retail stores, offices and personal service establishments within the residential building in accordance with the following provisions:

- i. Lot area (minimum): 925 m<sup>2</sup>
- ii. Number of parking spaces required: 11
- iii. Distance from a parking space to a street line (minimum): 35 m
- iv. Buffering: None required
- v. Floor area (maximum) – commercial use: 150 m<sup>2</sup>

**VC-19, 901 Notre-Dame**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned VC-19 may only be used for an 'office', a 'retail store', a 'restaurant' and a 'unit located above a permitted use in the VC-19 Zone in accordance with the following provisions:

- i. Front yard (minimum): 3 m
- ii. Side yard (minimum): 0 m
- iii. Total parking spaces required: 15

**VC-20, 904 Notre Dame Street, Embrun**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned VC-20 may be used for a 'day care centre' in the existing building in accordance with the following provisions:

- i. Total parking spaces required: 1
- ii. Yards where parking areas are permitted: All yards provided that no part of any parking area other than a driveway is located closer than 1 m to any street line.

**VC-21, 926 Notre Dame Street, Embrun; Part of Lot 8, Concession 7, Part 1 on Plan 50R4087, Part of Part 1 on Plan 50R5521, known as a vacant lot on Ste-Marie Road, Embrun (2024-095)**

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned VC-21 the following additional use shall be permitted:

- i. an automatic car wash.

**VC-22, 915 Notre Dame Street, Embrun (74-1993)**

Notwithstanding any provision of this By-law to the contrary, the lands zoned VC-22 shall only be developed for a special care residential complex consisting of no more than 100 nursing and rest beds, and be developed in accordance with an approved site plan and the following provisions:

- i. Building height (maximum): Existing building: 2 storeys, Main building: 1 storey



**VC-23, Concession 6, Part of Lot 8, Being Part 2 on Plan 50R10677, known as 860 Notre Dame Street, and Concession 8, Part of Lot 8, Being Part 5 on Plan 50R10677, known as 1196 Ste-Marie Road, Embrun (2024-042)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-23 shall be used in accordance with the following provisions:

- i. Minimum required parking for retail store use and office use located on first floor: 17 standard parking spaces
- ii. No children's play area required.

**VC-24, 923 Notre Dame Street, Embrun (45-1989)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-24 shall only be used for an office in accordance with the following provisions:

- i. Lot area (minimum): 460 m<sup>2</sup>
- ii. Front yard (minimum): 2.3 m
- iii. Interior side yard width abutting a Residential Zone (minimum): 0.5 m
- iv. Number of parking spaces required: 6
- v. Distance from a parking space to an abutting Residential Zone (minimum): 0.6 m
- vi. Buffering strip width (minimum): 0.6 m

**VC-25, Lot 8, Concession VII, Notre Dame Street, Embrun (131-1994)**

Notwithstanding any provisions of this By-Law to the contrary, the lands zoned VC-25 may be used for a maximum of three (3) dwelling units located in the same building as a use permitted in the applicable Zone.

**VC-26, 931 Notre Dame Street, Embrun**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned VC-26 may be used for a hardware store and offices, in accordance with the following provisions:

- i. Lot area (minimum): 1050 m<sup>2</sup>
- ii. Front yard (minimum): 9 m
- iii. Interior side yard (minimum - west side lot lines): 0.075 m
- iv. Rear yard (minimum): 3 m

**VC-27, 935 Notre Dame Street, Embrun (10-1993)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-27 may also be used for a 'building supply outlet'.

**VC-28, Part of Lot 8, Concession 7, 968 Notre Dame Street, Embrun (2015-78)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-28 shall be used in accordance with the following new provisions:

- i. Permit an outdoor commercial patio in a yard abutting a Residential Zone or a lot used for residential purposes.

**VC-29, 941 Notre Dame Street, Embrun (80-1997)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-29 shall be used in accordance with the following provisions:

- i. Distance from a parking area to an abutting Residential Zone (minimum): 0.5 m



- ii. Access driveway, width (minimum): 4.5 m
- iii. Buffering: None required

#### **VC-30, Notre Dame Street, Embrun**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-30 may be developed as a shopping centre, in accordance with the following provisions:

- i. Rear yard (minimum): 6.75 m
- ii. Landscaped open space (minimum): 5%
- iii. Number of parking spaces required: 16
- iv. Distance from a parking space to a Residential Zone (minimum): 1 m
- v. Buffering width (minimum): 1 m
- vi. Distance from a loading space to a Residential Zone (minimum): 1 m
- vii. Special provisions: For the purpose of the interpretation of Zone requirements, the lands within the VC-30 Zone shall be considered as one lot.

#### **VC-31, 964 Notre Dame Street, Embrun (21-1996)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned VC-31 may also be used for a day care centre in the existing detached dwelling in accordance with the following provisions:

- i. Parking spaces required (minimum) – day care centre: 8
- ii. Distance from a parking area to a street line (minimum): 5 m

#### **VC-32, 963 Notre Dame Street, Embrun (84-2010)**

Notwithstanding any provisions of this By-Law to the contrary, the lands zoned VC-32 may be used for an apartment dwelling containing a maximum of nine (9) dwelling units, in accordance with the following provisions:

- i. Buffering (fence) required on the west side of the property.

#### **VC-33, Notre Dame Street, Embrun (61-1994)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned VC-33 may be used for an existing dwelling containing two (2) dwelling units, in accordance with the following provisions.

- i. The maximum width of any combined ingress driveway or any abutting driveway along a common lot line, measured along the street line shall be 14.5 m.
- ii. Interior side yard (minimum): 3 m
- iii. Rear yard (minimum): 0 m

#### **VC-34, Notre Dame Street, Embrun**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned VC-34 may be used for an apartment dwelling containing a maximum of six (6) dwelling units, in accordance with the following provisions:

- i. The maximum width of any combined ingress and egress driveway or any abutting driveway along a common lot line, measured along the street line shall be 14.5 m.
- ii. Lot Frontage (minimum): 5.4 m
- iii. Interior side yard width (minimum): 0 m on the south side; 4.75 m on the west side
- iv. Rear yard (minimum): 7.5 m

#### **VC-35-h, Reserved**



**VC-36, 977-979 Notre Dame Street, Embrun (35-2003)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-36 shall be used in accordance with the following provisions:

- i. Distance from a Children's Play Area to a ground floor habitable room window (minimum): 3 m
- ii. Distance from a parking area to street line (minimum): 3 m
- iii. Distance from a parking area to a Residential Zone: 0 m
- iv. Buffering: None required
- v. Special Provision: For the purposes of the application of the Zone requirements, the lands zoned VC-36 shall be considered as one lot.

**VC-37, 981 Notre Dame Street, Embrun (34-2002)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-37 shall be used in accordance with the following provisions:

- i. Lot frontage (minimum) - apartment dwelling: 15 m
- ii. Interior side yard width (minimum) - apartment dwelling: 2.4 m
- iii. Distance from a parking space to a street line (minimum): 1.2 m

**VC-38, 1007 Notre Dame Street, Embrun**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned VC-38 shall be used in accordance with the following provisions:

- i. Rear yard (minimum): 1.5 m
- ii. Interior side yard (minimum): West Side: 1.5 m
- iii. Special provision: Existing buildings shall be exempt from complying with the VC Zone provisions provided that no extensions or additions shall be made unless such extensions or additions do not contravene any of the provisions of this By-law.

**VC-39, 163 Castor Street, Russell (9-1996)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned VC-39 shall be used in accordance with the following provisions:

- i. Lot area (minimum): Lot serviced by municipal water and municipal sanitary sewers: 450 m<sup>2</sup>
- ii. Lot frontage (minimum): Lot serviced by municipal water and municipal sanitary sewers: 15 m

**VC-40, 1024 Notre Dame Street, Embrun**

Notwithstanding any provisions of this By-Law to the contrary, the lands zoned VC-40 may only be used for a service and repair shop and the existing dwelling as an accessory residential use, in accordance with the following provisions:

- i. Parking spaces required (minimum): 2

**VC-41, 1028 Notre Dame Street, Embrun**

Notwithstanding any provisions of this By-Law to the contrary, the lands zoned VC-41 shall be developed in accordance with the following provisions:

- i. Front yard (minimum): 1.8 m
- ii. Interior side yard (minimum): 0.5 m



**VC-42, 27 Craig Street (101-2009)**

Notwithstanding the provisions of this By-law to the contrary, the land zoned VC-42 may only be used for an office.

**VC-43, 1108 Concession Street, Russell (3-1999)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-43 shall only be used for an animal clinic.

**VC-44, Mill Street, Russell**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-45 shall only be used for an art gallery and a restaurant and in accordance with the following provisions:

- i. Front yard (minimum): 5 m
- ii. Rear yard (minimum): 5 m
- iii. Loading spaces required: none
- iv. Lot area (minimum): 459 m<sup>2</sup>
- v. Lot frontage (minimum): 15.24 m

**VC-45, Concession Street, Russell**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-45 may be used for a retail convenience store, an motor vehicle service station and an motor vehicle gas bar in accordance with the following provisions:

- i. Existing buildings shall be exempt from complying with the VC Zone provisions, parking provisions, and vehicle storage provisions provided that no extensions or additions shall be made to such existing buildings unless such extensions or additions do not contravene any of the provisions of this By-law.
- ii. A canopy over the gasoline pumps island may project into the required front yard and/or required exterior side yard a maximum distance of 1.5 m.

**VC-46, Concession Street, Russell**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-46 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 415 m<sup>2</sup>
- ii. Front yard (minimum): existing
- iii. Interior side yard width abutting a Residential Zone (minimum): 0.5 m
- iv. Loading spaces required: None
- v. Distance from a parking space to an abutting Residential Zone (minimum): 1.45 m
- vi. Number of parking spaces required: 6
- vii. Buffering strips width: 1.45 m

**VC-47, Castor Street, Russell (75-1997)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned VC-47 shall be used in accordance with the following provisions:

- i. Special Provision: For the purpose of the interpretation and application of the VC-47 Zone requirements and the general provisions of the By-law, the lot line abutting Castor Street shall be considered as a Front Lot Line, and the lands within the VC-47 Zone shall be considered as one (1) lot.



**VC-48, 203 Castor Street, Russell**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned VC-48 may be used in accordance with the following provisions:

- i. Existing buildings as of September 30, 1990 shall be exempt from complying with the provisions of the R2 Zone provided that no extensions or additions shall be made to such existing buildings unless such extensions or additions do not contravene any of the provisions of this By-law.

**VC-49, Castor Street, Russell**

Notwithstanding any provisions of this By-law to the contrary, the lands zoned VC-49 shall be used for no purpose other than an apartment dwelling in accordance with the following provisions:

- i. Lot area (minimum): 1011 m<sup>2</sup>
- ii. Interior side yard (minimum): 1.2 m east side
- iii. Rear yard (minimum): 3.5 m
- iv. Maximum number of dwelling units: 10
- v. Lot coverage (maximum): 36%
- vi. Landscaped open space (minimum): 25%
- vii. Number of parking spaces required: 11
- viii. Distance from a parking space to a street line: 1.8 m
- ix. Distance from a parking space to an abutting Residential Zone: 0 m
- x. Buffering requirements: none required
- xi. Servicing requirements: The lands zoned VC-49 shall be served by a sanitary sewer system and may be served by a private water system.

**VC-50, Castor Street, Russell**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-50 may be used for a shopping centre limited to a shopping centre including an animal clinic, in accordance with the following provisions:

- i. Rear yard (minimum): 5.5 m
- ii. Number of parking spaces required: 19
- iii. Loading spaces required (total): 1
- iv. Distance from a loading space to Residential Zone (minimum): 5 m
- v. Buffering strips width (minimum): 0.6 m
- vi. Special Provision: For the purpose of the VC-50 Zone an 'animal clinic does not include a kennel.

**VC-51, Mill Street, Russell**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-51 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 720 m<sup>2</sup>
- ii. Front yard (minimum): 1.5 m
- iii. Number of parking spaces required: 10
- iv. Landscaped open space (minimum): 4%



**VC-52, Mill Street, Russell**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-52 may be used for a maximum of six (6) dwelling units located in the same building as a use permitted in the VC Zone, and in accordance with the following provisions:

- i. Front yard (minimum): existing
- ii. Exterior side yard (minimum): existing
- iii. Number of parking spaces required: 14
- iv. Landscaped open space (minimum): 5%
- v. Loading spaces required: None

**VC-53, 1128 Concession Street, Russell (1992-59)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-53 may be used for a maximum of four (4) dwelling units located in the same building as a use permitted in the VC Zone and in accordance with the following provisions:

- i. Exterior side yard (minimum): 1 m
- ii. Rear yard (minimum): Existing
- iii. Landscaped open space (minimum): 4%
- iv. Lot coverage: 55%
- v. Total loading spaces required: 1
- vi. Loading space dimensions (minimum): Width: 2.6 m, Length: 7.3 m
- vii. Distance from a loading space to a Residential Zone (minimum): 10 m
- viii. Number of parking spaces required: 6
- ix. Distance from a driveway to an intersection of street lines: 6.5 m
- x. Distance from a parking space to a street line: 0 m
- xi. Number of driveways: 2
- xii. Special provision: For the purpose of the VC-53 Zone, a 'sight triangle' shall mean the triangular space formed by the street lines of a corner lot and a line drawn from a point in one street line to a point in the other street line, each such point being 3.5 m from the intersection of the street lines, measured along the street lines. Where the two lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projections of the street lines or the intersection of the tangents to the street lines.

**VC-54, 1026 Notre Dame Street, Embrun**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-54 shall be used in accordance with the following provisions:

- i. Special provision: Existing buildings shall be exempt from complying with the Zone provisions of the VC Zone provided that no extensions or additions shall be made to such existing buildings unless such extensions or additions do not contravene any of the provisions of this By-law.
- ii. Parking requirements: 1 only

**VC-55, 159 Castor Street, Russell (1996-09)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned VC-55 shall be used in accordance with the following provisions:

- i. Lot area (minimum) – Lot serviced by municipal water and municipal sanitary sewers: 350 m<sup>2</sup>



- ii. Lot frontage (minimum) – Lot serviced by municipal water and municipal sanitary sewers: 13 m

**VC-56, Concession 2, Part of lot 11 and 50R8431 Part 1 and Part of Parts 2 and 3, known as 1106 Concession Street, Russell (2019-024)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned VC-56 shall be used in accordance with the following new provisions:

- i. Maximum front yard setback: 13.85 m
- ii. Minimum width of one way access to parking: 3 m

**VC-57, Castor Street, Russell (86-1996)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned VC-57 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 450 m<sup>2</sup> (Lot serviced by municipal water and municipal sanitary sewers)
- ii. Lot frontage (minimum): 15 m (Lot serviced by municipal water and municipal sanitary sewers)

**VC-58, Part of Lot 8, Concession 7, Part 1 on Plan 50R4087, Part of Part 1 on Plan 50R5521, known as vacant lot on Ste-Marie Road, Embrun (2024-095)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned VC-58 shall be used in accordance with the provisions of the BP Zone.

**VC-58-T-2, Part of Lot 8, Concession 7, being Pt Lots 9, 10, 11 on plan JB Lewis 1898, Parts 1 & 2 on 50R-3321; Part 1 on 50R-1727, known as 926 Notre Dame Street, Embrun (2021-051)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-58-T-2 shall be used in accordance with the following provision:

- i. Permit a temporary office trailer for a maximum period of three years.

**VC-59, 1002-1004 Notre-Dame Street, Embrun (31-2006)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-59 may also be used for detached dwellings and semi-detached dwellings, in accordance with the following provision:

- i. Dwellings per lot (maximum): 3

**VC-60, 975 Notre Dame Street, Lot 18, N/S Roy St. and Part of Lot 18 S/S Joseph Street on Plan R Sparks 1874**

Notwithstanding the provisions of this By-Law to the contrary, the land zoned VC-60 prohibit the:

- i. use of “commercial storage”

**VC-61, Part Lot 21 on Plan R Sparks 1874, Parts 2 and 3 on Plan 50R5143, known as 967 Notre Dame Street; Part Lot 20 on Plan R Sparks 1874, Part 1 on Plan 50R8577, known as 969 Notre Dame Street; Part Lot 20 on Plan R Sparks 1874, known as 971 Notre Dame Street; and Lot 19 on Plan R Sparks 1874, known as 973 Notre Dame Street.**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-61 shall be used in accordance with the following provisions:

- i. Lot area: 93 m<sup>2</sup>
- ii. Front yard setback: 5.4 m
- iii. Rear yard setback (one rear lot line segment): 6.52 m
- iv. Building height: 16.95 m, to a maximum of 4 storeys
- v. No children’s play area



- vi. No commercial use on the ground floor

**VC-62, Plan FM Eagleson Lots 43 and 44, Plan R Sparks Lots 8 and 9, S Joseph St Lots 8 and 9 N, Roy St., known as 1001 Notre Dame Street (2025-069)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-62 shall be used in accordance with the following provision:

- i. Rear yard setback: 0.5 m

**VC-63, Plan FM Eagleson Lots 43 and 44, Plan R Sparks Lots 8 and 9, S Joseph St Lots 8 and 9 N, Roy St., known as 1001 Notre Dame Street and Plan H O Wood 1868 NPT Lot 6, Plan R Sparks 1874 Lot 7, known as 1009 Notre Dame Street (2025-069)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-63 shall be used in accordance with the following provisions:

- i. Lot area: 85 m<sup>2</sup> per dwelling unit;
- ii. Landscaped Open Space: 29.1%;
- iii. No children's play area;
- iv. Two (2) parking spaces in front yard (Forget Street).



## 6.2 General Commercial Zone (C)

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a General Commercial (C) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 6.2.1 Permitted Uses

#### Non-Residential

- Animal care establishment
- Animal clinic
- Bar
- Building supply outlet
- Car wash
- Cidery, Distillery, or Microbrewery
- Commercial school
- Commercial storage
- Community centre
- Community garden
- Day care centre
- Drive-through
- Farmers' market
- Financial Institution
- Food bank
- Funeral home
- Garden centre
- Hotel
- Library
- Medical facility
- Motel
- Motor vehicle dealership
- Motor vehicle gas bar
- Motor vehicle rental establishment
- Motor vehicle service station
- Museum
- Office
- Park
- Personal service establishment
- Place of assembly
- Place of entertainment
- Place of recreation
- Place of worship
- Post-secondary institution
- Recreational and athletic facility
- Refreshment vehicle
- Restaurant
- Retail convenience store
- Retail food store
- Retail store
- School
- Service and repair shop
- Shopping centre
- Taxi stand

#### Accessory

- Accessory dwelling unit
- Outdoor display and sales area
- Propane cylinder exchange facility

### 6.2.2 Zone Requirements

Zoning Mechanism		C Provisions
a)	Lot Area (minimum)	900 m <sup>2</sup>
b)	Lot Frontage (minimum)	15 m
c)	Front Yard Setback (minimum)	3 m
d)	Exterior Side Yard Setback (minimum)	1 m
e)	Interior Side Yard Setback (minimum)	1.2 m
f)	Rear Yard Setback (minimum)	7.5 m for lots adjacent to R1, R1A, R1-PS, and R2 Zones 3 m in all other cases



Zoning Mechanism		C Provisions
g)	Landscape Open Space (minimum)	20%
h)	Building Height (maximum)	15 m, to a maximum of 3 storeys (excluding basement) 20 m, to a maximum of 5 storeys (excluding basement) for hotels

#### Notes and Additional Provisions:

- i. Where the building height is greater than three (3) storeys or 12 metres, at and above the third storey or 12 metres, whichever is the lesser, a building must be setback a minimum of 2 metres more than the provided setback from the front lot line, an exterior side lot line, and, where the lot is abutting a lot in the Residential One (R1), Residential One – Partially / Privately Serviced (R1-PS), Residential One-A (R1A), and Residential Two (R2) Zones, the interior side and rear lot lines.
- ii. Accessory dwelling units must be located within the principal building.
- iii. Where a building contains mixed uses, comprising both residential and non-residential uses, the commercial uses shall conform with the provisions of the General Commercial (C) Zone and the residential uses shall conform with the provisions of the Residential Three (R3).

#### 6.2.3 C Special Exception Zones

##### **C-1, Part of Lot 9, Concession 6, Parts 1, 2, and 3 on Plan 50R-8650 and Part of Part of Lot 9, Concession 6, being Parts 4 to 6 and Parts 13 to 18 on Plan 50R-8650 with ROW, Notre Dame Street, Embrun (60-2012)**

Notwithstanding any provisions of this By-Law to the contrary, the lands zoned C-1 shall be used in accordance with the following provisions:

- i. In addition of the permitted uses of the General Commercial Zone (C) the following uses will be permitted and should be used in accordance with the following dispositions:
  - a. Apartment dwelling
  - b. Retirement home
  - c. Townhouse dwelling
  - d. Stacked townhouse dwelling
- ii. For the purpose of the interpretation of the Zone requirements of this Zone, Commercial uses shall conform to the General Commercial Zone (C) requirements and residential uses shall conform to the Residential three Zone (R3) requirements.
- iii. For the purpose of this Zone Section 3.14 “Lots Containing More Than One Use” does not apply.
- iv. For the purpose of this Zone future development shall represent a minimum of 27% of existing or proposed commercial floor area on 767 Notre-Dame Street and a minimum of 14% of proposed commercial floor area for 411 New York Central Avenue
- v. Special provision: For the purpose of the interpretation of the Zone requirements, the lands within the C-1 Zone shall be considered as one lot.
- vi. The holding symbol is conditional to the following studies:
  - a. Traffic study
  - b. Availability of municipal services
  - c. Noise study
  - d. Site plan



**C-2, 742 Notre Dame Street, Embrun (10-2014)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned C-2 shall be used in accordance with the following provisions:

**Permitted Uses:**

- Accessory dwelling units on the second floor that are not required to be occupied only by the property owner or someone employed on the lot.
  - Medical facility
  - Office
  - Personal service establishment
- i. Lot Frontage (minimum): 23 m
  - ii. Parking rate for non-residential uses is set at 3.6 spaces per 100 square metres
  - iii. The setback between a parking area and a Residential Zone shall be 0 metres

**C-3, Concession 6, Part of Lot 9, being Part 3 on 50R8395, Parts 4, 9 and Part of Part 7 on Plan 50R1410 except Parts 1 to 5 on 50R9300, 753-755 Notre Dame Street, Embrun (2020-029)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned C-3 shall be used in accordance with the following new provision:

- i. Permitted Uses:
  - a greenhouse accessory to a permitted use

**C-4, Block 121 on plan 50M332, a lot on North Russell Road, Russell (2021-052)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned C-4 shall be used in accordance with the following new provisions:

- i. Permitted uses:
  - Accessory dwelling unit
  - Animal care establishment
  - Animal clinic
  - Motor vehicle gas bar
  - Financial Institution
  - Bar
  - Business incubator
  - Community centre
  - Community garden
  - Day care centre
  - Drive-through
  - Dry-cleaning or laundry outlet
  - Farmers' market
  - Food bank
  - Flea market
  - Funeral home
  - Garden centre
  - Commercial school
  - Library
  - Medical facility
  - Cidery, Distillery, or Microbrewery



- Museum
- Office
- Park
- Personal service establishment
- Place of assembly
- Place of entertainment
- Place of worship
- Post office
- Post-secondary institution
- Recreational and athletic facility
- Refreshment vehicle
- Restaurant
- Retail convenience store
- Retail food store
- Retail store
- School
- Service and repair shop
- Shopping centre
- Hotel
- Motel

- ii. Accessory dwelling units shall be permitted in a separate building from the non-residential use(s) subject to the provisions of the Residential Three (R3) Zone.

**C-5, North Russell Road, being part of lot 13, concession 3, being part of part 1 on plan 50R 10366, parts 1 and 2 on plan 50R-1416, parts 3 and 4 on plan 50R-9211, part 1 on plan 50R-8134, and parts 1 and 2 on plan 50R-9211, Village of Russell (079-2017)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned C-5 shall be used in accordance with the following new provision:

- i. Permitted uses:
- Accessory dwelling unit
  - Animal care establishment
  - Animal clinic
  - Motor vehicle gas bar
  - Financial Institution
  - Bar
  - Business incubator
  - Community centre
  - Community garden
  - Day care centre
  - Drive-through
  - Dry-cleaning or laundry outlet
  - Farmers' market
  - Food bank
  - Flea market
  - Funeral home
  - Garden centre
  - Commercial school
  - Library
  - Medical facility
  - Cidery, Distillery, or Microbrewery
  - Museum



- Office
- Park
- Personal service establishment
- Place of assembly
- Place of entertainment
- Place of worship
- Post office
- Post-secondary institution
- Recreational and athletic facility
- Refreshment vehicle
- Restaurant
- Retail convenience store
- Retail food store
- Retail store
- School
- Service and repair shop
- Shopping centre
- Hotel
- Motel

**C-6, 720 Notre Dame Street, Embrun, being Part of Lot 9, Concession 6, PCL F (117-2017, 2019-076)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned C-6 shall be used in accordance with the following new provision:

- i. Permitted uses: Office, medical facility, accessory dwelling unit

**C-7, 1351 St. Jacques Street, Embrun**

Notwithstanding any provisions of this By-Law to the contrary, the lands zoned C-7 may only be used for a retail store and an existing dwelling house in accordance with the following provisions:

- i. Lot area (minimum): 790 m<sup>2</sup>
- ii. Floor area (maximum) - Retail Store: 45 m<sup>2</sup>

**C-8, Reserved**

**C-9, Part of Lot 12, Concession 2, 110 Craig Street, Russell (2015-77)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned C-9 may only be used for the following purposes:

- Animal care establishment
- Animal clinic
- Financial Institution
- Day care centre
- Dental facility
- Farmers' market
- Commercial school
- Medical facility
- Office
- Retail store
- Personal service
- Establishment
- Pharmaceutical facility



- Post-secondary institution
- Recreational and athletic facility
- Research and development centre
- Restaurant
- Retail convenience store/rental outlet
- Retail food store
- Service and repair shop
- Other health care facility

#### **C-10, Blais Street, Embrun**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned C-10 may only be used for a medical facility and offices.

#### **C-11, Reserved**

#### **C-12, Reserved**

#### **C-13, Reserved**

#### **C-14, Reserved**

#### **C-15, Reserved**

#### **C-16, Reserved**

#### **C-17, Reserved**

#### **C-18, Reserved**

#### **C-19, Reserved**

#### **C-20, Reserved**

#### **C-21, Reserved**

#### **C-22, Reserved**

#### **C-23, Reserved**

#### **C-24, Reserved**

#### **C-25, Reserved**

#### **C-26, Reserved**

#### **C-27, Reserved**

#### **C-28, Reserved**

#### **C-29, Reserved**

#### **C-30, Reserved**

#### **C-31, Reserved**

#### **C-32, L.C.B.O. Commercial**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned C-32 may be used for a retail store in accordance with the following provisions:

- Distance between the Building and any Lot Line (minimum): 5 m
- Frontage on a public street: not required

#### **C-33, Reserved**

#### **C-34, Reserved**



**C-35, Reserved****C-36, Reserved****C-37, Reserved****C-38, 243 Castor Street, Russell (59-2004)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned C-38 shall only be used for an office and a dwelling unit.

**C-39, 78 Mill Street, Russell (59-1997)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned C-39 may be used for an apartment dwelling containing a maximum of four (4) dwelling units in accordance with the following provisions:

- i. Lot area (minimum): 525 m<sup>2</sup>
- ii. Rear yard (minimum): 4.75 m
- iii. Distance from a parking space to a street line: 0 m
- iv. Buffering strip: None required
- v. Special Provisions:
  - a) Open and roofed balconies may project into a minimum required rear yard no more than 1.8 m.
  - b) Access to the required parking spaces may be provided directly off the street.

**C-40, Reserved****C-41, Notre Dame Street, Embrun (78-1998)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned C-41 shall be used in accordance with the following provisions:

- i. Special provisions:
  - a) For the purposes of the interpretation of Zone requirements in the C-41 Zone there shall be no front lot lines, and all lot lines are to be considered as side lot lines.
  - b) For the purposes of the C-41 Zone a 'side yard' shall mean any yard extending from any lot line to the nearest part of any main building or structure on the lot.
  - c) For the purposes of the C-41 Zone a 'lot' shall mean a parcel or tract of land which is capable of being legally conveyed in accordance with the provisions of the *Planning Act*, having access to a public street by means of a communal privately owned block.
  - d) Lots within the C-41 Zone do not need to abut a public street.

**C-42, Reserved****C-43, 983 Notre Dame Street, Embrun (21-1999)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned C-43 shall be used in accordance with the following provisions:

- i. Distance from a parking area to an abutting Residential Zone (minimum): 0.85 m
- ii. Access driveway/aisle (two-way), width (minimum): 3.5 m



**C-44, Place d'Embrun (25-2000)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned C-44 shall be used in accordance with the following provisions:

- i. Special provisions: For the purposes of C-44 Zone, the sale of gasoline, propane or diesel for motor vehicles and auto body work repairs are prohibited on the premises.

**C-45, Reserved****C-46, 738 Notre-Dame Street, Embrun (68-2008, 2019-105)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned C-46 shall only be used for:

- i. Offices
- ii. Two (2) dwelling units on the 2<sup>nd</sup> floor
- iii. Medical facility
- iv. Commercial school
- v. Personal service establishment
- vi. Business incubator
- vii. Post-secondary institution

**C-47, 3-7 Seguin Street, Embrun (50-2005)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned C-47 shall be used in accordance with the following provisions:

- i. Individual parallel parking spaces shall have a minimum width of 3 m and a minimum length of 6 m.
- ii. The aisles providing access to parallel parking spaces for one-way traffic shall be no less than 4 m wide.
- iii. Special Provisions: For the purpose of the application of the Zone requirements, the lands zoned C-47 shall be considered as one lot.

**C-48, 703 Notre-Dame Street, Embrun (5-2006)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned C-48 shall be used in accordance with the following provisions:

- i. Number of loading spaces (minimum): 1

**C-49, Reserved****C-50, Reserved****C-51, Reserved****C-52, Part of Lot 14, Concession 10 (24-2007)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned C-52 may only be used for:

- i. Offices
- ii. Restaurant
- iii. Retail store
- iv. Recreational and athletic facility

**C-53, 1072 Notre-Dame (38-2007)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned C-53 may only be used for:



- i. Retail store
- ii. Detached dwelling

**C-54, Reserved**

**C-55, Reserved**

**C-56, 856 Notre-Dame, Embrun (38-2008)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned C-56 shall be used in accordance with the following provisions:

- i. Lot frontage (minimum): 23 m
- ii. In addition, the lands zoned C-56 may not be used for an motor vehicle dealership, an motor vehicle gas bar, an motor vehicle rental establishment, an motor vehicle service station, and a bar.

**C-57, 305 Castor Street, Russell (09-1991)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned C-57 may be used for:

- i. a maximum of two (2) dwelling units located in the same building as a use permitted in the C Zone.
- ii. Special provision: For the purposes of interpreting the Zone requirements, the lands within the C-57 Zone shall be considered as one lot.

**C-58, 4617 Gregoire Road, Russell**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned C-58 may be used for a motor vehicle repair garage.

**C-59, 551 Castor Street, Russell**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned C-59 may be used for a mini storage facility.

**C-60, 2052 Ste-Marie, Embrun**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned C-60 may be used for a motor vehicle repair garage.



## Section 7 Business and Industrial Park Zones

### 7.1 Business Park Zone (BP)

Business Park Zones are intended to accommodate a mix of businesses such as office, office-type uses, other low impact businesses, and light industrial uses in a business park setting. Uses which are likely to attract the general consumer, or generate noise, fumes, odours, or have other similar impacts, or are hazardous, are not intended in this Zone.

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Business Park (BP) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

#### 7.1.1 Permitted Uses

- Animal care establishment
- Animal clinic
- Motor vehicle rental establishment
- Car wash
- Cidery, Distillery, or Microbrewery
- Commercial school
- Commercial storage
- Custom workshop
- Day care centre
- Display and sales area
- Drive-through
- Industrial use, light
- Medical facility
- Office
- Place of assembly
- Recreational and athletic facility
- Refreshment vehicle
- Service and repair shop
- Warehouse
- Wholesale establishment

#### Accessory

- Restaurant
- Retail store
- Open storage
- Outdoor display and sales area

#### 7.1.2 Zone Requirements

Zoning Mechanism		BP Provisions
a)	Lot area (minimum)	900 m <sup>2</sup>
b)	Lot Frontage (minimum)	15 m
c)	Front Yard Setback (minimum)	3 m
d)	Exterior Side Yard Setback (minimum)	3 m
e)	Interior Side Yard Setback (minimum)	1.2 m where the lot line abuts another lot in a Commercial, Business Park, or Industrial Zone 6 m, where the lot line abuts a Residential or Institutional Zone, of which 3 m must be landscaped open space 0 m between units that are permitted to be vertically attached 3 m in all other cases
f)	Rear Yard Setback (minimum)	7.5 m 15 m where the lot line abuts a Residential or Institutional Zone or use, of which 3 m must be landscaped open space



Zoning Mechanism		BP Provisions
g)	Landscape Open Space (minimum)	10%
h)	Lot Coverage (maximum)	60%
i)	Building Height (maximum)	15 m

**Notes and Additional Provisions:**

- i. Where provided, accessory retail and/or restaurant uses shall not exceed the lesser of 25% of the gross floor area of the building or structure on the lot or 50 m<sup>2</sup>.

**7.1.3 BP Special Exception Zones**

**BP-1, Reserved**

**BP-2, Bay Street, Embrun**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned BP-2 may also be used for a bakery.

- i. Special provision: For the purpose of this By-law 'a bakery' shall mean a factory for the producing, mixing, compounding or making bread, biscuits, cakes, pies, buns, or any other product of which flour or meal is the principal ingredient, but does not include any establishment otherwise define herein or, specifically named elsewhere in this By-law.

**BP-3, 140 Bay Street, Embrun (2015-142)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned BP-3 shall be used in accordance with the following provisions:

- i. Permitted Uses: Motor vehicle service station



## 7.2 Industrial Park – Lots Located Within the Groundwater Recharge Area Zone (MP1)

Industrial Park – Lots Located Within the Groundwater Recharge Area Zones are intended to accommodate industrial and employment generating uses on lands that are located within the Significant Groundwater Recharge Area identified in Appendix II of the United Counties of Prescott and Russell Official Plan.

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in an Industrial Park – Lots Located Within the Groundwater Recharge Area (MP1) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 7.2.1 Permitted Uses

- Agricultural produce warehouse
- Cidery, Distillery, or Microbrewery
- Building supply outlet
- Cannabis production and processing facility
- Food processing plant
- Industrial use, light
- Service and repair shop
- Transportation depot
- Transportation terminal
- Wholesale establishment

### Accessory

- Display and sales area
- Retail convenience store
- Retail store
- Office
- Open storage
- Propane cylinder exchange facility

### 7.2.2 Zone Requirements

Zoning Mechanism		MP1 Provisions
a)	Lot Area (minimum)	0.4 ha (4,000 m <sup>2</sup> )
b)	Lot Frontage (minimum)	35 m
c)	Front Yard Setback (minimum)	10 m
d)	Exterior Side Yard Setback (minimum)	10 m
e)	Interior Side Yard Setback (minimum)	3 m
f)	Rear Yard Setback (minimum)	7.5 m
g)	Landscape Open Space (minimum)	10%
h)	Lot Coverage (maximum)	50%
i)	Building Height (maximum)	15 m

### Notes and Additional Provisions:

- i. Where an MP1 Zone abuts a Residential, Institutional (I), Leisure (L), or Open Space (OS) Zone, the minimum yard requirement for any yard so abutting shall be increased to 15 m, of which 3 m shall be landscaped open space.



- ii. In an MP1 Zone, outdoor operational and storage areas, including for a building contractor's shop or yard, a building supply outlet, a transportation depot, and a transportation terminal, are limited to an area not to exceed two (2) times the area of the building footprint on the lot.
- iii. Light industrial uses that involve the following uses shall not be permitted on lands that are located within the Significant Groundwater Recharge Area identified in Appendix II of the United Counties of Prescott and Russell Official Plan, and which are subject to a holding (-h) symbol in accordance with the policies in Section 4.7 Industrial Park of the Township of Russell Official Plan):
  - a. Asphalt and bitumen manufacturing;
  - b. Use of biodigesters;
  - c. Coal gasification;
  - d. Crude oil refining, processing, and bulk storage;
  - e. Drum, barrel, or tank reconditioning and recycling;
  - f. Fire retardant manufacturing, processing, and bulk storage, or any fire training which uses liquid chemicals, in particular liquid chemicals containing PFAs;
  - g. Paints manufacturing, processing, and bulk storage;
  - h. Pharmaceutical manufacturing and processing;
  - i. Solvent manufacturing and processing;
  - j. Wood preservative treating;
  - k. Commercial treatment, processing, or storage of any type of waste, contaminated water, sludge, effluent, or contaminated soil, fill, or crushed rock;
  - l. Bulk storage or manufacturing of salt products, or import of salt-impacted materials, such as snow or fill;
  - m. Storage or use of chlorinated volatile organic compounds (cVOC), including but not limited to dry-cleaning chemicals and degreasing fluids that are more dense than water (e.g., perchloroethene (PCE), trichloroethene (TCE), and 1,1,1-trichloroethane (TCA));
  - n. Bulk storage of chemicals in underground storage tanks (UST).
  - o. Above-ground storage tanks (AST) are permitted where appropriately designed secondary containment and surface protection are present; and
  - p. Large-scale refuelling of vehicles or equipment, unless performed in an area where appropriately designed secondary containment and surface protection are present.
- iv. Open storage areas shall be permitted in accordance with the provisions of Section 3.19 Open Storage Areas.
- v. Where provided, accessory uses including display and sales area, retail, and/or office uses shall not exceed 10% of the gross floor area of the building or structure on the lot.

### 7.2.3 MP1 Special Exception Zones

Reserved for future use.



### 7.3 Industrial Park – Lots Located Outside of the Groundwater Recharge Area Zone (MP2)

Industrial Park – Lots Located Outside of the Groundwater Recharge Area Zones are intended to accommodate industrial and employment generating uses on lands which are located outside of the Significant Groundwater Recharge Area identified in Appendix II of the United Counties of Prescott and Russell Official Plan.

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in an Industrial Park – Lots Located Outside of the Groundwater Recharge Area (MP2) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

#### 7.3.1 Permitted Uses

- Aggregate processing plant
- Agricultural produce warehouse
- Motor vehicle body shop
- Building contractor's shop or yard
- Building supply outlet
- Bulk storage tank
- Cannabis production and processing facility, provided such facility is a low water user
- Cartage or transport yard
- Commercial storage
- Commercial vehicle and heavy equipment sales, rental and servicing
- Custom workshop
- Food processing plant
- Fuel storage depot
- Industrial use, light, provided such industry is a low water user
- Industrial use, medium, provided such industry is a low water user
- Commercial storage
- Office
- Recycling depot
- Service and repair shop
- Transportation depot
- Transportation terminal
- Warehouse
- Waste processing and transfer facility
- Wholesale establishment

#### Accessory

- Display and sales area
- Retail convenience store
- Retail store
- Office
- Open storage
- Propane cylinder exchange facility

#### 7.3.2 Zone Requirements

Zoning Mechanism		MP2 Provisions
a)	Lot Area (minimum)	0.4 ha (4,000 m <sup>2</sup> )
b)	Lot Frontage (minimum)	35 m
c)	Front Yard Setback (minimum)	10 m
d)	Exterior Side Yard Setback (minimum)	10 m
e)	Interior Side Yard Setback (minimum)	3 m
f)	Rear Yard Setback (minimum)	7.5 m
g)	Landscape Open Space (minimum)	10%
h)	Lot Coverage (maximum)	50%



Zoning Mechanism		MP2 Provisions
i)	Building Height (maximum)	15 m

**Notes and Additional Provisions:**

- i. Where a MP2 Zone abuts a Residential, Institutional (I), Leisure (L), or Open Space (OS) Zone, the minimum yard requirement for any yard so abutting shall be increased to 15 m of which 3 m shall be landscaped open space.
- ii. Open storage areas shall be permitted in accordance with the provisions of Section 3.19 Open Storage Areas.
- iii. Where provided, accessory uses including display and sales area, retail, and/or office uses shall not exceed 10% of the gross floor area of the building or structure on the lot.

**7.3.3 MP2 Special Exception Zones**

**MP2-1, Highway 417 Industrial Park**

Notwithstanding any provisions of this By-Law to the contrary, the lands zoned MP2-1 may also be used for:

- Motor vehicle service station;
- Restaurant;
- Motor vehicle gas bar;
- Motel; or
- Personal service establishment limited to a printing shop.

**MP2-1-T-4, Concession 5, Part of Lot 21, being Part 3 on 50R6451, 400 Commerce Street, Vars (2023-104)**

Notwithstanding any provisions of this By-law to the contrary, the lands zoned MP2-1-T-4 shall be used in accordance with the following provisions:

- Permit a temporary office trailer for a maximum period of three years, ending October 10, 2026.

**MP2-2, 240-260 Enterprise Road (98-1991)**

Notwithstanding any provisions of this By-law to the contrary, the lands zoned MP2-2 may also be used for the following:

- Flea market;
- Independent factory outlets.

**MP2-3, 932, 940, 970 Burton Road (72-1992, 46-1995 & 61-1995)**

Notwithstanding any provisions of this By-law to the contrary, the lands zoned MP2-3 may also be used for the following:

- Automotive store;
- Vehicle sales or rental establishment;
- Motor vehicle service station;
- Restaurant;
- Automobile gas bar;
- Motel; or
- Personal service establishment limited to a printing shop;



**MP2-4, 992 Burton Road (OMB Order 1599)**

Notwithstanding any provisions of this By-law to the contrary, the lands zoned MP2-4 may also be used for the following:

- Motor vehicle service station;
  - Restaurant;
  - Motor vehicle gas bar;
  - Motel;
  - Personal service establishment limited to a printing shop;
  - Vehicle sales or rental establishment only as an accessory use to a Motor vehicle gas bar
  - Retail facility.
- i. Special provisions: For the purposes of the MP2-4 Zone, the gross floor area of the accessory retail convenience store/rental outlet to the gasoline retail facility shall be limited to no greater than 185 m<sup>2</sup>.

**MP2-5, 114 St. Guillaume Road (2-2003)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned MP2-5 may also be used for the following:

- Motor vehicle body shop;
  - Motor vehicle service station;
  - Automotive store;
  - Motor vehicle garage, including the dismantling of motor vehicles for sale of parts;
  - Restaurant;
  - Motor vehicle gas bar;
  - Motel;
  - Personal service establishment limited to a printing shop;
  - Vehicle sales or rental establishment
- i. Special provision: In the case of a commercial garage, including the dismantling of motor vehicles for sale of parts a motor vehicle body shop, the storage of salvage parts and dismantled vehicles shall be indoors.

**MP2-6, St-Guillaume Road, Commercial Node, CON 6 PT LOT 22 RP50R7626;PARTS 1,2 (83-1990)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned MP2-6 may only be used for a service station and a restaurant and in accordance with the following provisions:

- i. Floor area (minimum) - Main Commercial Building: 232.25 m<sup>2</sup>
- ii. Driveway width measured along street line (maximum): 12 m
- iii. Distance between County Road No. 17 and access driveway on St. Pierre Street: 20 m
- iv. Rear yard (minimum): 35 m
- v. Special provision: Any reductions to the required rear yard will require the approval of the Ministry of Agriculture, Food and Rural Affairs



## 7.4 Industrial Park – Heavy Zone (MP3)

No person shall hereafter use any lands or erect, alter, enlarge or use any building or structure in an Industrial Park - Heavy (MP3) Zone unless in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 7.4.1 Permitted Uses

- Asphalt plant
- Concrete plant
- Industrial use, medium
- Industrial use, heavy

### 7.4.2 Zone Requirements

Zoning Mechanism		MP3 Provisions
a)	Lot Area (minimum)	0.4 ha (4,000 m <sup>2</sup> )
b)	Lot Frontage (minimum)	35 m
c)	Front Yard Setback (minimum)	10 m
d)	Exterior Side Yard Setback (minimum)	10 m
e)	Interior Side Yard Setback (minimum)	3 m
f)	Rear Yard Setback (minimum)	7.5 m
g)	Landscape Open Space (minimum)	10%
h)	Lot Coverage (maximum)	50%
i)	Building Height (maximum)	15 m

### 7.4.3 MP3 Special Exception Zones

Reserved for future use.



## Section 8 Agricultural Zones

### 8.1 Rural Zone (RU)

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in a Rural (RU) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

#### 8.1.1 Permitted Uses

##### Residential

- Additional dwelling unit
- Coach house
- Garden Suite
- Single detached dwelling

##### Non-Residential

- Agricultural use
- Agriculture-related uses
- Bed and breakfast
- Conservation use
- Home-based business
- Home Industry
- Kennel
- On-farm diversified uses
- Recreational camp

#### 8.1.2 Zone Requirements

Zoning Mechanism		RU Provisions
a)	Lot Area (minimum)	2 ha
b)	Lot Frontage (minimum)	60 m
c)	Front Yard Setback (minimum)	12 m
d)	Exterior Side Yard Setback (minimum)	15 m
e)	Interior Side Yard Setback (minimum)	15 m
f)	Rear Yard setback (minimum)	9 m
g)	Building Height (maximum)	10.5 m
h)	Lot coverage (maximum)	20%
i)	Dwellings Per Lot (maximum, excluding additional dwelling units, coach houses, or garden suites)	1

#### 8.1.3 RU Special Exception Zones

##### RU-1, Part of 279 St-Thomas, Road Lot 19, Concession 9

Notwithstanding any provisions of this By-Law to the contrary, the lands zoned RU-1 may be used for the following additional permitted uses, subject to the following Zone provisions:



- i. A group home which is licensed or funded by an organization which itself is licensed or funded under federal or provincial law;
- ii. Should such lands not be used for a group home at some point in time, they may be used for a detached dwelling;
- iii. The Zone provisions of the Rural Residential Zone (RR) shall apply to a group home or a detached dwelling permitted herein.

#### **RU-2, Source Water Protection Zone WHPA - B & C**

**Part of lot 20, Concession 7, being Part 1 of Plan 50R-469, EXPR PLAN 41024 Part 1 and 2;**

**149 St Pierre Road (part of), Part of Lot 21, Concession 7;**

**Part of Lot 20, Concession 7;**

**Part of Lot 20, Concession 7, being Part 1 on Plan 50R-120;**

**Part of Lot 20, Concession 8 west;**

**2546 Russland Road (part of) Part of lot 21, Concession 8;**

Notwithstanding the provisions of this by-law to the contrary, the lands zoned RU-# shall require applicants to consult with the appropriate Conservation Authority prior to establishment of any of the following uses; restrictions may apply in accordance with the Raisin-South Nation Source Protection Plan:

- i. Farm equipment sales, rental and servicing
- ii. Home industry
- iii. Wayside pit or quarry

#### **RU-3, Source Water Protection Zone WHPA-A [as per SNC recommendations]**

**2546 Russland Road (part of), Part of lot 21, Concession 8**

Notwithstanding the provisions of this by-law to the contrary, the lands zoned RU-3 is subject to the following provisions:

- i. No application or storage of manure, fertilizer or non-agricultural source material (i.e. biosolids)
- ii. Applicants must consult with the appropriate Conservation Authority prior to establishment of any of the following uses; restrictions may apply in accordance with the Raisin-South Nation Source Protection Plan:
  - Farm equipment sales, rental and servicing
  - Home industry
  - Wayside pit or quarry



## 8.2 Agricultural 1 Zone (A1)

No person shall hereafter use any lands or erect, alter, enlarge or use any building or structure in a Agricultural 1 (A1) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 8.2.1 Permitted Uses

Permitted uses within Agricultural 1 Zones are subject to the “Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas, Ontario Ministry of Agriculture, Food and Rural Affairs Publication 851,” as amended.

#### Residential

- Additional dwelling unit
- Bed and breakfast
- Coach house
- Group home
- Home-based business
- Home industry
- Single detached dwelling

#### Non-Residential

- Agricultural uses
- Agriculture-related uses
- Conservation use
- On-farm diversified uses
- Wayside pit or quarry

#### Accessory

- Accessory dwelling unit
- Mobile home dwelling, accessory to an agricultural use

### 8.2.2 Zone Requirements

Zoning Mechanism		A1 Provisions			
		Agricultural Use	Conservation Use, Forestry Operation	Other Non-Residential Uses	Single Detached Dwelling
a)	Lot Area (minimum)	New agricultural lots (excluding lots created through lot surplus to a farm severances): 40 ha  Agricultural use and Agricultural lots resulting from lot surplus to a farm severance: no minimum	no minimum	1 ha	0.4 ha
b)	Lot Frontage (minimum)	60 m	45 m	60 m	45 m
c)	Front Yard Setback (minimum)	13.5 m	13.5 m	15 m	13.5 m



Zoning Mechanism		A1 Provisions			
		Agricultural Use	Conservation Use, Forestry Operation	Other Non-Residential Uses	Single Detached Dwelling
d)	Exterior Side Yard Setback (minimum)	13.5 m	13.5 m	15 m	13.5 m
e)	Interior Side Yard Setback (minimum)	9 m	9 m	15 m	3 m
f)	Rear Yard Setback (minimum)	9 m	9 m	15 m	7.5 m
g)	Lot Coverage (maximum)	20%	20%	20%	25%
h)	Building Height (maximum)	10.5 m	10.5 m	10.5 m	10.5 m

### 8.2.3 Additional Provisions for Agricultural 1 Zone

Zoning Mechanism		A1 Provisions	
a)	Dwellings or Mobile Homes per Lot (maximum)	Agricultural Use	One accessory dwelling unit per lot except where a farm has more than one owner, in which case each owner may have an accessory dwelling unit on the lot, plus one accessory dwelling unit or accessory mobile home dwelling for a person engaged full-time in the agricultural operation.

#### Notes and Additional Provisions:

- i. Home-based businesses and home industries are permitted on small residential lots without the need for an agricultural use on the property, as per the Guidelines on Permitted Uses in Prime Agricultural Areas.
- ii. Agricultural uses are subject to Minimum Distance Separation Formulae (MDS) and the Nutrient Management Act as per Section 3.26 Separation Distances.
- iii. The requirements of the Aggregate Resources Act, as amended, shall apply to any wayside pit or wayside quarry.
- iv. Open storage areas shall be permitted in accordance with the provisions of Section 3.19 Open Storage Areas.

### 8.2.4 A1 Special Exception Zones

#### A1-1, Ste-Marie Rd, Lot 6, Concession 6

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A1-1 may also be used for a welding shop.

**A1-2, Reserved**

**A1-3, Reserved**

**A1-4, Reserved**

**A1-5, Reserved**

**A1-6, Reserved**



**A1-7, Reserved****A1-8, Reserved****A1-9-ar, 1407 St-Jacques Road (part of), & Parts of Lots 6 and 7, Concession 8 (85-1994)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A1-9-ar shall only be used for:

- i. Agricultural use, excluding buildings
- ii. Open space use

**A1-10, Reserved****A1-11, Reserved****A1-12, 1199 MacDonald, Part of Lot 11 & 12, Concession II (72-1998, 94-2008)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned A1-12 may be used for a rural home-based business in accordance with the following provisions:

- i. Gross floor area of accessory building (maximum): 300 m<sup>2</sup>
- ii. Lot area (minimum): 8.8 ha
- iii. All other provisions of the By-law shall continue to apply.

**A1-13, Reserved****A1-14, Reserved****A1-15, Reserved****A1-16, Reserved****A1-17, Reserved****A1-18, Reserved****A1-19, Reserved****A1-20, Reserved****A1-21, Reserved****A1-22, Reserved****A1-23, Reserved****A1-24, Part Lot A, Concession 4, Plan 50R10478; Parts 1 to 4, known as 1956 Ste-Catherine Road, Russell (2021-023)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A1-24 shall be used in accordance with the following new provisions:

- i. Marijuana production facility

**A1-25, Reserved****A1-26, Reserved****A1-27, Reserved****A1-28, Reserved****A1-29, Reserved****A1-30, Reserved****A1-31, Reserved**

### 8.3 Agricultural 2 Zone (A2)

Agricultural 2 Zones are intended to acknowledge agricultural properties which have been severed through the severance of a surplus farm dwelling, and prohibit all residential uses.

No person shall hereafter use any lands or erect, alter, enlarge or use any building or structure in a Agricultural 2 (A2) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

#### 8.3.1 Permitted Uses

##### Non-Residential

- Agricultural Uses
- Agriculture-related uses
- Conservation use
- On-farm diversified uses
- Wayside pit or quarry

#### 8.3.2 Zone Requirements

Zoning Mechanism		A2 Provisions
a)	Lot Area (minimum)	No minimum
b)	Lot Frontage (minimum)	Agricultural uses: 3 m Agriculture-related uses and on-farm diversified uses: 10 m Conservation use: 45 m Wayside pit or quarry: 60 m
c)	Front Yard Setback (minimum)	5 m
d)	Exterior Side Yard Setback (minimum)	5 m
e)	Interior Side Yard Setback (minimum)	5 m
f)	Rear Yard Setback (minimum)	5 m
g)	Building Height (maximum)	10.5 m
h)	Lot Coverage (maximum)	10%

##### Notes and Additional Provisions:

- i. Agricultural uses are subject to Minimum Distance Separation Formulae (MDS) and the Nutrient Management Act as per Section 3.26 Separation Distances.
- ii. The requirements of the Aggregate Resources Act shall apply to any wayside pit or quarry.
- iii. Open storage areas shall be permitted in accordance with the provisions of Section 3.19 Open Storage Areas.

#### 8.3.3 A2 Special Exception Zones

**A2-1, Reserved**

**A2-2, Reserved**



**A2-3, 1818 St Joseph Road, Lot B, Concession 8 (Welding Shop) (44-2000)**

Notwithstanding any provision of this By-Law to the contrary, the lands zoned A2-3 may also be used for a welding shop serving the farming community and an accessory dwelling unit.

**A2-4, 1468 St-Andre Road, Lot 4, Concession 5**

Notwithstanding the provisions of this By-Law to the contrary the lands zoned A2-4 may be used for an airport including the existing facilities for the shelter and maintenance of aircraft and an existing flying school.

**A2-5, Reserved****A2-6, Reserved****A2-7, Reserved****A2-8, Part of Lot 8, Concession 10, being a vacant lot situated on Notre Dame Street in Embrun (2023-031)**

Notwithstanding any provisions of this By-Law to the contrary, the lands zoned A2-8 may also be used for a farmers' market including consumption on the premises, a public information kiosk and accessory uses, in accordance with the following provisions:

- i. Lot area (minimum): 0.5 ha
- ii. Lot frontage (minimum): 45 m

**A2-9, Reserved****A2-10, Reserved****A2-11, Reserved****A2-12, Lot C, Concession 7, RP50R6360 Part 1, Bell Canada (05-1990)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-12 may only be used for a service repeater hut in accordance with the following provisions:

- i. Lot area (minimum): 920 m<sup>2</sup>
- ii. Lot frontage (minimum): 30 m
- iii. The provisions related to Frontage on a Public Street shall not apply.

**A2-13, Reserved****A2-14, Reserved****A2-15, Reserved****A2-16, Reserved****A2-17, Reserved****A2-18, Reserved****A2-19, 1252 St-Andre Road, Part of Lot 6, 7 Concession 5 (48-1995, 6-2010, 7-2010)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-19 shall be used in accordance with the following provisions:

- i. Lot area (minimum) - agricultural use: 65 ha
- ii. Lot frontage (minimum) - agricultural use: 185 m
- iii. Special provision: For the purpose of the interpretation of the Zone requirements, the lands within the A2-19 Zone shall be considered as one lot.



**A2-20, Reserved**

**A2-21, Reserved**

**A2-22, Reserved**

**A2-23, Reserved**

**A2-24, Reserved**

**A2-25, Reserved**

**A2-26, Reserved**

**A2-27, Reserved**

**A2-28, Reserved**

**A2-29, Reserved**

**A2-30, Reserved**

**A2-31, Reserved**

**A2-32, Reserved**

**A2-33, Reserved**

**A2-34, 1160 St Albert Road, Part of Lot 6, Concession 10 (22-1999, 7-2005)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned A2-34 shall be used in accordance with the following provisions:

- i. Lot area (minimum) - agricultural use: 39 ha
- ii. Lot frontage (minimum) - agricultural use, conservation use, forestry use: 135 m
- iii. Distance between a building/structure used to house animals (barn) and a non- farm related residential building (dwelling house) on another lot (minimum): 52 m
- iv. Distance between a manure storage area and a non-farm related residential building (dwelling house) on another lot (minimum): 100 m

**A2-35, Reserved**

**A2-36, 1547 Wade Road, Part of Lots 6 and 7, Concession 4 (90-1999)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned A2-36 shall be used in accordance with the following provisions:

- i. Interior side yard width (minimum) – agricultural use: 4.5 m
- ii. Distance between a building/structure used to house animals (barn) and/or manure storage area and a lot line (minimum): 4.5 m

**A2-37, Reserved**

**A2-38, Reserved**

**A2-39, Reserved**

**A2-40, Reserved**

**A2-41, Reserved**

**A2-42, Reserved**

**A2-43, Reserved**



**A2-44, Reserved****A2-45, Reserved****A2-46, 1132 Route 400, Embrun, Part of Lot 5, Concession 6, Pt 1, 50R-2431 (13-2013)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned A2-46 shall be used in accordance with the following provisions:

To permit the continued operation and expansion of the existing warehouse and office uses

**A2-47-ar, St-Albert Road, Lot B, Part lot C, Concession 10, including part 2, 3 and 4 on plan 50R-3344;**

**1736 St-Albert Road, Part lot B Concession 10; St-Edouard Road, Lot 10 Concession C;  
1751 St-Edouard Road, Lots A and B, Concession 10, Part 1 on plan 50R-3344**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-47-ar shall only be used for:

- Agricultural use excluding residential buildings
- Conservation use
- Forestry use, excluding buildings or structures
- Park, excluding buildings
- Wayside pit or quarry

**A2-48, Reserved****A2-49, 776 Hamilton Road, Russell, Part of Lot 16, Concession 1 - (80-2013)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned A2-49 may also be used for the following:

- i. Trailer Repair and Inspection Facility, as defined in (ii) below;
- ii. Trailer Repair and Inspection Facility shall mean a place that has facilities for a person to service, repair, and/or inspect trailers but does not include the sales, service, or storage of motor vehicles or recreational vehicles. Such repairs may include all mechanical repairs as well as body work, but shall not include the dismantling of trailers for scrap or the storage of trailers.
- iii. Special Provisions:
  - a) No more than 223 m<sup>2</sup> in one accessory building shall be used for the Trailer Repair and Inspection Facility;
  - b) There shall be no open storage of materials, supplies, tools, equipment or goods which are used for, or result from the Trailer Repair and Inspection Facility unless such open storage is a minimum of 10 m from any lot line and 30 m from a residential use on another lot; and
  - c) The only retail sales permitted shall be for those products which are accessory to the Trailer Repair and Inspection Facility.

**A2-50, Reserved****A2-51, Reserved****A2-52, Reserved****A2-53, Reserved****A2-54, Reserved****A2-55, Reserved****A2-56, Reserved****A2-57, Reserved**

**A2-58, Reserved**

**A2-59, Reserved**

**A2-60, Reserved**

**A2-61, Reserved**

**A2-62, Reserved**

**A2-63, Part of Lot 20, Concession 3, 371 North Russell Road (74-2009)**

Notwithstanding the provisions of this By-Law to the contrary, the land zoned A2-63 may be used for:

- i. An accessory apartment
- ii. Agricultural use and a farm

**A2-64, Reserved**

**A2-65, Reserved**

**A2-66, Reserved**

**A2-67, Reserved**

**A2-68, Reserved**

**A2-69, Reserved**

**A2-70, Reserved**

**A2-71, Reserved**

**A2-72, Reserved**

**A2-73, Reserved**

**A2-74, Reserved**

**A2-75, Reserved**

**A2-76, 1679 South Russell Road, Part of Lot 4, Concession 3, being Part 1 on Plan 50R-10493 (2016-048)**

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-76 shall be used with the following provisions:

- i. Maximum number of buildings accessory to a residential use: 5

**A2-77, Reserved**

**A2-78, Reserved**

**A2-79, Reserved**

**A2-80, Reserved**

**A2-81, Reserved**

**A2-82, Reserved**

**A2-83, Reserved**

**A2-84, Part Lot 8, Concession 10 more specifically on Part 1 on Plan 50R4275 known as 1483 Notre Dame Road, Embrun (64-1991, 2022-080)**

Notwithstanding any provision of this By-Law to the contrary, the lands zoned A2-84 may only be used for:



## AGRICULTURAL ZONES

- Commercial storage
- open storage,
- driving range,
- miniature golf course,
- golf course,
- restaurant,
- retail uses,
- agricultural use, and
- accessory dwelling unit.



## Section 9 Aggregate Zones

### 9.1 Mineral Aggregate-Pit Zone (MAP)

No person shall hereafter use any lands or erect, alter, enlarge or use any building or structure in a Mineral Aggregate-Pit (MAP) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

#### 9.1.1 Permitted Uses

##### Non-Residential

- Agricultural use, excluding buildings or structures
- Forestry use, excluding buildings or structures
- Pit
- Portable asphalt plant
- Portable concrete plant
- Wayside pit or quarry

#### 9.1.2 Zone Requirements

Zoning Mechanism		Pit, Portable Asphalt Plant, Portable Concrete Plant
a)	Front Yard Setback (minimum)	30 m
b)	Exterior Side Yard Setback (minimum)	30 m
c)	Interior Side Yard Setback (minimum)	15 m
d)	Rear Yard Setback (minimum)	15 m
e)	Separation distance to a dwelling on another lot (minimum)	30 m

##### Notes and Additional Provisions:

- i. Notwithstanding the above yard minimum setback requirements, no Mineral Aggregate-Pit (MAP) Zone will be established or enlarged within 300 m of a dwelling on another lot.
- ii. Agricultural Use: Permitted in accordance with the requirements of the Agricultural 2 (A2) Zone.
- iii. Wayside Pit or Quarry: The requirements of the Aggregate Resources Act shall apply to any wayside pit or quarry.
- iv. Open storage areas shall be permitted in accordance with the provisions of Section 3.19 Open Storage Areas.

#### 9.1.3 MAP Special Exception Zones

##### MAP-1, Lots B, 1, 2, Concession IV

Notwithstanding the provisions of this By-Law to the contrary the permitted uses on the lands zoned MAP-1 shall be limited to:

- i. Agricultural use, excluding buildings
- ii. Pit



## 9.2 Mineral Aggregate-Quarry Zone (MAQ)

No person shall hereafter use any lands or erect, alter, enlarge or use any building or structure in a Mineral Aggregate-Quarry (MAQ) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 9.2.1 Permitted Uses

#### Non-Residential

- Agricultural use, excluding buildings or structures
- Asphalt plant
- Concrete plant
- Forestry use, excluding buildings or structures
- Pit
- Portable asphalt plant
- Portable concrete plant
- Quarry
- Wayside pit or quarry

### 9.2.2 Zone Requirements

Zoning Mechanism	Quarry, Portable Asphalt Plant, Portable Concrete Plant
a) Front Yard Setback (minimum)	30 m
b) Exterior Side Yard Setback (minimum)	30 m
c) Interior Side Yard Setback (minimum)	15 m
d) Rear Yard Setback (minimum)	15 m
e) Separation distance to a dwelling on another lot (minimum)	60 m

#### Notes and Additional Provisions

- i. Notwithstanding the above yard requirements, no Mineral Aggregate-Quarry (MAQ) Zone will be established within 300 m of a dwelling on another lot.
- ii. Wayside Pit or Quarry: The requirements of the Aggregate Resources Act shall apply to any wayside pit or quarry.
- iii. Open Storage: Open storage area shall be permitted in accordance with the provisions of Section 3.19 Open Storage Areas.
- iv. Agricultural Use: Permitted in accordance with the requirements of the Agricultural 2 (A2) Zone.
- v. Pit: Permitted in accordance with the requirements of the Mineral Aggregate-Pit (MAP) Zone.

### 9.2.3 MAQ Special Exception Zones

#### MAQ-1, Parts of Lots 6 and 7, Concession VIII (85-1994)

Notwithstanding the provisions of this By-Law to the contrary the lands zoned MAQ-1 shall be used in accordance with the following provisions:

- i. Yard requirements (quarry) – interior side yard and rear side yard: none required
- ii. Special provision: For the purposes of the application and interpretation of the Zone requirements, the lands zoned MAQ-1 shall be considered as one lot and the Zone boundaries considered as lot lines.



- iii. Separation distances: Notwithstanding any provision of this By-law to the contrary, new dwelling units will be prohibited within 120 m of the lands zoned MAQ-1.



## Section 10 Other Zones

### 10.1 Waste Disposal Zone (WD)

No person shall hereafter use any lands or erect, alter, enlarge or use any building or structure in a Waste Disposal (WD) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

#### 10.1.1 Permitted Uses

##### Non-Residential

- Waste disposal site
- Recycling depot
- Waste processing and transfer facility

#### 10.1.2 Zone Requirements

Zoning Mechanism		WD Provisions
a)	Lot Area (minimum)	4 ha
b)	Front Yard Setbacks (minimum)	21 m
c)	Exterior Side Yard Setbacks (minimum)	21 m
d)	Interior Side Yard Setbacks (minimum)	21 m
e)	Rear Yard Setbacks (minimum)	21 m
f)	Lot Frontage (minimum)	30 m

##### Notes and Additional Provisions:

- i. Notwithstanding the above yard requirements, no Waste Disposal (WD) Zone will be established within 300 m of a dwelling on another lot.
- ii. Open storage areas shall be permitted in accordance with the provisions of Section 3.19 Open Storage Areas.

#### 10.1.3 WD Special Exception Zones

Reserved for future use.



## 10.2 Wrecking Yard Zone (WY)

No person shall hereafter use any lands or erect, alter, enlarge or use any building or structure in a Wrecking Yard (WY) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 10.2.1 Permitted Uses

#### Residential

- Accessory dwelling unit

#### Non-Residential

- Wrecking yard

### 10.2.2 Zone Requirements

Zoning Mechanism		WY Provisions
a)	Lot Area (minimum)	n/a
b)	Front Yard Setbacks (minimum)	30 m
c)	Exterior Side Yard Setbacks (minimum)	30 m
d)	Interior Side Yard Setbacks (minimum)	30 m
e)	Rear Yard Setbacks (minimum)	30 m

#### Notes and Additional Provisions:

- Notwithstanding the above yard requirements, no Wrecking Yard (WY) Zone will be established within 150 m of a dwelling on another lot.
- Accessory Dwelling Units shall conform to the provisions of the Rural Residential (RR) Zone.
- Open Storage areas shall be permitted in accordance with the provisions of Section 3.19 Open Storage Areas.

### 10.2.3 WY Special Exception Zones

#### WY-1, Lot 15, Concession VIII

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned WY-1 may only be used for a wrecking yard, a recycling depot, a maintenance garage and an accessory dwelling unit, and the sale of repaired vehicles as an accessory use.



### 10.3 Wetlands Zone (WL)

No person shall hereafter use any lands or erect, alter, enlarge or use any building or structure in a Wetlands (WL) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

The wetlands represented by the Wetlands (WL) Zone are those which have been evaluated by the Ontario Ministry of Natural Resources (MNR) and have been identified as Provincially Significant. The Wetlands (WL) Zone boundary may be amended from time to time through proper wetland classification studies which must be accepted by the MNR.

#### 10.3.1 Permitted Uses

##### Non-Residential

- Agricultural uses, existing as of <Zoning By-law approval date>
- Conservation use
- Park

#### 10.3.2 Zone Requirements

- i. Development and site alteration are not permitted in a Wetlands (WL) Zone.
- ii. Development or site alterations within 30 m of the Wetlands (WL) Zone shall only be permitted if it can be demonstrated that there will be no negative impacts on the ecological and hydrologic functions of the wetland.
- iii. Development and site alteration within a Wetlands (WL) Zone or within 30 m adjacent to a Wetlands (WL) Zone may require a permit from the appropriate Conservation Authority under the Conservation Authorities Act, as amended.

#### 10.3.3 WL Special Exception Zones

Reserved for future use.



#### 10.4 Flood Plain Zone (FP)

No person shall hereafter use any lands or erect, alter, enlarge or use any building or structure in a Flood Plain (FP) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

Where a Flood Plain (FP) Zone boundary is indicated as approximately following the 1:100-year floodline of a watercourse as designated on flood plain mapping prepared by a Conservation Authority having jurisdiction within the Township, then for the purposes of this By-law, the boundary shall follow such floodline as may be adjusted from time to time by the Conservation Authority.

##### 10.4.1 Permitted Uses

- Agricultural use, excluding buildings
- Conservation use, excluding buildings
- Forestry operation, excluding buildings
- Golf course, excluding buildings
- Marine facility
- Park
- Public infrastructure, excluding stormwater management facilities

##### 10.4.2 Zone Requirements

- i. Repairs and/or minor additions to existing buildings or accessory buildings (to a maximum of 20% of the existing foundation size and totalling not more than 50 m<sup>2</sup> on an existing lot) may be permitted where there is an existing non-conforming development, and it has been demonstrated that the site has safe access appropriate for the nature of the development. Such development shall require floodproofing.
- ii. No new septic systems are permitted within the flood plain; replacement of an existing system is permitted where no alternative location outside the flood plain exists, subject to approval by the appropriate Conservation Authority.
- iii. Development and site alterations, including the placement or removal of fill and site grading, are regulated under the Conservation Authorities Act, as amended. A permit may be required from the appropriate Conservation Authority.

##### 10.4.3 FP Special Exception Zones

###### FP-1, Blais Street, Embrun

Notwithstanding any other provisions, the lands zoned FP-1 located on Blais Street in Embrun, may only be used for a private park and no buildings or structures shall be erected, unless approved by the appropriate Conservation Authority.



## 10.5 Future Growth Zone (FG)

No person shall hereafter use any lands or erect, alter, enlarge or use any building or structure in a Future Growth (FG) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 10.5.1 Permitted Uses

- Existing uses, as of <Zoning By-law approval date>
- Accessory building or use to an existing use, as of <Zoning By-law approval date>

### 10.5.2 Zone Requirements

Zoning Mechanism		FG Provisions
a)	Lot Area (minimum)	No minimum
b)	Lot Frontage (minimum)	No minimum
b)	Front Yard Setback (minimum)	7.5 m
c)	Exterior Side Yard Setback (minimum)	7.5 m
d)	Interior Side Yard Setback (minimum)	3 m
e)	Rear Yard Setback (minimum)	7.5 m
f)	Lot Coverage (maximum)	25%
g)	Building Height (maximum)	10.5 m

### 10.5.3 FG Special Exceptions Zones

#### FG-1, Part of Lot 10, Concession VII, Route 300 (30-2004)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned FG-1 shall be used in accordance with the following provisions:

- i. Permitted uses:
  - Private school
  - Private and / or public recreation facilities
  - Dormitory
  - Accessory dwelling units
- ii. Zone Requirements
  - Lot area (minimum): 30 ha
  - Lot frontage (minimum): 300 m
  - Front yard (minimum): 13.5 m
  - Exterior side yard (minimum): 13.5 m
  - Interior side yard (minimum): 10 m
  - Rear yard (minimum): 20 m
  - Landscaped open space (minimum): 50%
  - Lot coverage (maximum): 10%
  - Dwelling unit area (minimum): no minimum
  - Building height (maximum): 15.4 m
- iii. Special provisions:



For the purpose of the interpretation and application of the FG-1 Zone requirements and the general provisions of the By-law, the lot line(s) abutting St. Augustin Road shall be considered as the front lot line, and the lands within the FG-1 Zone shall be considered as one (1) lot.

- iv. For the purpose of the FG-1 Zone, the following definitions shall apply:
- ‘Private School’ shall mean an educational facility wherein academic subjects are taught at the expense of those enrolled therein; and includes accessory building structures and/or uses such as Administrative Offices, Cafeteria, Tuck-shop, but does not include any other establishment otherwise defined in this By-law.
  - ‘Private and/or Public Recreation Facilities’ shall mean facilities such as arenas, pools, sports fields and similar facilities that are either for the exclusive use of the main use on the lot or are available for rental either by the main use on the lot or by the Municipality.
  - ‘Dormitory’ shall mean a building or part of a building that is accessory to the permitted private school, and in which sleeping units are provided for or rented for occupancy by the students, staff members and/or guests or relatives of the students enrolled in the school. A dormitory may contain communal kitchen and/or dining facilities, but shall exclude the preparation of meals within the sleeping units. A dormitory shall not include any other use otherwise defined or classified in this By-law.
- v. Servicing requirements: The lands zoned FG-1 shall be served by a public water system and a public sanitary sewer system.
- vi. Parking requirements: Within the lands zoned FG-1, parking shall be in accordance with a Site Plan approved by Council, in accordance with the provisions of Section 41 of the Planning Act.



## Section 11 Schedules

The Schedules to this Zoning By-law include:

- a) Schedule 'A1a' (Embrun – West, & Commercial Parks)
- b) Schedule 'A1b' (Embrun – Central North)
- c) Schedule 'A1c' (Embrun – Central South)
- d) Schedule 'A1d' (Embrun – East)
- e) Schedule 'A2' (Russell)
- f) Schedule 'A2a' (Russell – Central)
- g) Schedule 'A3' (Limoges)
- h) Schedule 'A4' (Marionville)
- i) Schedule 'A5' (Rural Area – North)
- j) Schedule 'A5a' (Industrial Park)
- k) Schedule 'A5' (Rural Area – Northeast)
- l) Schedule 'A6' (Rural Area – South)



# Township of Russell

DRAFT Zoning By-law

May 2026



Municipalité de  
**RUSSELL**  
Township