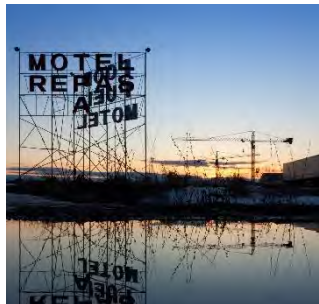


ZONING BY-LAW

July 2018



Municipalité de
RUSSELL
Township

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CORPORATION OF THE TOWNSHIP OF RUSSELL

By-law # 2018-094

Being a by-law to regulate the use of land buildings and structures within the Township of Russell.

WHEREAS authority is granted pursuant to Section 34 of the Planning Act, R.S.O. 1990, to Councils of Municipalities to enact by-laws regarding the use of land and the erection, location and use of buildings or structures within the municipality;

WHEREAS the Township held an open house on April 20th, 2017 regarding the proposed zoning by-law as per the Planning Act requirement;

WHEREAS the Township of Russell held a public meetings on June 18 and July 5, 2018 regarding the proposed zoning by-law;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF RUSSELL ENACTS AS FOLLOWS:

1. That the Zoning Regulations, Provisions and Schedules attached to and forming part of this By-law, are hereby adopted pursuant to Section 34 of the Planning Act, R.S.O. 1990, and may be cited as the Township of Russell Zoning By-Law.
2. That Zoning By-law 46-2011 and amendments thereto are hereby repealed in their entirety.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 5TH DAY OF JULY 2018.



Pierre Leroux
Mayor



Maryse Roy
Deputy Clerk

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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 building/structure or bring the property into compliance in the manner and within the time specified in the order.

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

- iii. personal service upon the owner;
- iv. 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, a specified time limit in which to effect compliance and either an order to comply with the by-law within the time limit specified in the order, or an order to remove the non-complying structure within the time limit specified in the order.

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. Director of Planning, Building, and Economic Development;
- 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 ²	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 Municipality, 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-A Zone	R1A
Residential One-B Zone	R1B
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
Highway Commercial Zone	CH
Local Commercial Zone	CL
Business Park Zone	BP
Commercial Park Zone	CP
Industrial Park Zone - Serviced	MP1
Industrial Park Zone – Unserviced	MP2
Agricultural Industrial Zone	MA
Restricted Agricultural Zone	A1
General Agricultural 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.

Access Driveway shall mean the area between the travelled portion of a roadway and parking lot used by motor vehicles for access to and from the parking lot, but does not include an aisle.

Accessory shall mean aiding or contributing in a secondary way to a principal use to carry out its function, and having regard to this definition:

- i. An accessory use is a land use that is accessory to a main use;
- ii. An accessory building is a building that houses an accessory use;
- iii. An accessory structure is a structure, that is not a land use, but is accessory to a principal use and this definition is broadened to include tower antennas, satellite dishes and wind turbines.
- iv. Any building or structure which is attached to the main building will not be considered accessory for the purposes of this By-law.

Adult Entertainment – Goods shall mean any premises or part thereof in which the main use is the provision, in pursuance of a business, of goods designed to appeal to erotic or sexual inclinations.

Adult Entertainment – Parlour shall mean any premises or part thereof in which are provided in pursuance of a trade, calling, business or occupation, live entertainment or services appealing to or designed to appeal to erotic or sexual inclinations, including an adult body rub parlour, and may include a restaurant as an accessory use.

Agricultural Use shall mean the use of land, buildings or structures for:

- i. The growing of crops, including all related activities such as soil preparation, manure or fertilizer spreading, soil conditioning (including the spreading of sewage stabilized biosolids and/or other stabilized wastes, subject to a Certificate of Approval issued by the Ministry of the Environment and Climate Change), planting, spraying, irrigating, harvesting, and also including the storage, processing and sale of crops;
- ii. The raising, boarding, keeping and sale of all forms of livestock, except domestic animals or exotic animals, including all related activities such as breeding, training, feeding and grazing and including the raising of fish, bees, fowl, or fur or wool bearing animals
- iii. The production of animal products such as milk, eggs, wool, fur or honey, including related activities such as the collection, storage and sale of the products;
- iv. A greenhouse, nursery garden, orchard, vineyard, agro-forestry operation and maple-syrup production, including storage and sale of the products;
- v. The use, storage and repair of all forms of equipment or machinery needed to accomplish the foregoing activities;
- vi. Uses of an agri-tourism nature that are secondary to and subordinate to the agricultural use such as educational displays, recreational activities, and occasional festivals or events; and
- vii. A farm produce outlet selling agricultural products produced on the premises.



- viii. The growing of medicinal herbs, including all related activities such as soil preparation, soil conditioning, planting, spraying, irrigating, harvesting, and also including value-retaining or value-added activities such as storage, processing and oil extraction;

Agricultural use shall not be construed to include commercial or industrial activities related to agriculture such as abattoirs, tanneries, grain drying and sale outlets, or industrial manufacturing or processing activities involving farm crops or animal products.

Agricultural Produce Warehouse shall mean a building or part of a building used for the storage of agricultural produce and may include facilities for wholesale distribution or an accessory retail commercial outlet for the sale of such agricultural produce to the general public.

Agriculture-Related Use means farm-related commercial 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.

Agri-tourism shall mean a tourist oriented activity, service and/or facility located on a farm operation that promotes the products grown, raised and/or processed on that farm operation.

Airport shall mean a tract of land that is adapted and maintained for the landing and takeoff of aircraft including the facilities for their shelter, supply, repair and maintenance.

Airstrip shall mean a paved or unpaved runway for the landing and takeoff of aircraft but that lacks the usual facilities associated to an airport.

Aisle shall mean the area used by vehicles for access to and from all off-street parking spaces, but does not include an access driveway.

Alter shall mean:

- i. With reference to a building or part thereof, to change any one or more of the external dimensions of the building or to change the type of construction of the exterior walls or roof;
- ii. With reference to a lot, to change the area, frontage or depth thereof; to change the width, depth or area of any required yard, landscaped open space or parking area; or to change the location of any boundary of such lot with respect to a street or lane, whether such alteration is made by conveyance or alienation of any portion of such lot or otherwise.

Altered and alteration shall have corresponding meanings.

Amenity Area shall mean the total passive or active area on a lot other than part of a dwelling unit, intended for the personal, shared or communal use of the residents of a building or buildings, and includes balconies, bicycle parking, patios, rooftop gardens, children's play area, and other similar features, but does not include indoor laundry or locker facilities, and cannot be comprised solely of landscaped open space without any furniture or structures.

Amusement Park means an indoor or outdoor entertainment facility providing for a range of activities and recreation, including a zoo or aquarium; electronic or mechanical rides such as a go-cart track, zip line or sports adventure and participation games such as a laser tag; paintballing; batting cage; or miniature golf facility.

Animal Care Establishment shall mean an establishment for the caring, grooming and training of household pets, but does not include a kennel or an animal hospital.

Animal, domestic shall mean any animal normally or customarily kept by domestic households for pleasure and companionship, excluding poultry, pheasants, cows, livestock, chinchillas, horses, goats, sheep, monkeys and other similar animals and fowl.

Animal Hospital 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.



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

Artist Studio shall mean the workplace of an artist 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.

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.

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

Automobile 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 an automobile service station, automobile gas bar or an automobile body shop, but shall not include any other establishment otherwise defined or classified in this By-law.

Automobile 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.

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

Automobile 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.

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 partially enclosed platform attached to or extending horizontally from one or more main walls of a building and used as an outdoor porch or sundeck.

Bar shall mean a licensed drinking establishment, the principal business of which is to serve any sort of beverage alcohol to the public for consumption on the premises, and includes a pub and a nightclub.

Barrier-Free Access Ramp shall mean an uncovered, inclined ramp providing access to the main floor/entry level of a building that provides a continuous unobstructed access route for persons with disabilities.



Basement shall mean that portion of a building between two floor levels which is partly underground but which has at least one-half of its height from finished floor to finished ceiling above the average level of ground adjacent to the exterior walls of the building.

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 detached dwelling or portion thereof primarily used as a private residence but wherein bedrooms are rented and meals may be served to travelling or vacationing guests for commercial purposes.

Bicycle Parking shall mean a facility for the parking of bicycles, including an apparatus or mechanism permitting the bicycles to be secured.

- i. **Horizontal Bicycle Parking** shall mean bicycle parking that accommodates bicycles in a horizontal orientation, with both wheels on the ground.
- ii. **Vertical Bicycle Parking** shall mean bicycle parking that accommodates bicycles in a vertical orientation, with one wheel over the other.

Boarding House shall mean a detached dwelling or portion thereof containing not more than four (4) guest rooms, used for the accommodation of the public in which the owner or head lessee supplies for compensation, lodging with or without meals but does not include any other establishment otherwise defined herein.

Broadcasting Studio shall mean a radio or television studio.

Building shall mean a structure having a roof supported by columns or walls or directly on the foundation and used for the shelter and accommodation of persons, animals or goods:

- i. **Main Building** shall mean the building serving the principal or primary uses for which the lot was purchased, leased or rented.
- ii. **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.

Building By-law shall mean any Building By-law of the Municipality and its amendments thereto.

Building Contractor's Shop or Yard shall mean a place of business for persons employed in building trades such as painting, plumbing, electrical work, masonry, metal working and carpentry or truck, bulldozer, loader and backhoe operating and such place of business may be used for the storage of equipment, materials and vehicles which are used on construction sites and may include such related uses as office space, or maintenance facilities, but shall not include a retail business, sales counter nor a wholesale business.

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 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.

Business Incubator shall mean an establishment that is dedicated to nurturing the development and commercialization of start-ups, early-stage companies, and established enterprises by providing incubator



services such as management training, networking facilities, programming, mentorship programs, business assistance services, and office space.

C

Call Centre shall mean a place where orders or inquiries are received, by means of telephone or electronic communications, regarding goods or services produced or delivered at another location.

Carport shall mean a covered parking area which is open on at least two sides.

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.

Cellar shall mean that portion of a building between two floor levels which is partly or wholly underground but which has more than one-half of its height from finished floor to finished ceiling below the average level of ground adjacent to the exterior walls of the building.

Cemetery shall mean a site for burial, entombment, inurnment, interment, cremation, or funeral purposes, and includes a mausoleum, columbarium crematorium, and pet cemetery.

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

Children's Play Area shall mean an area, at or above ground level, developed with play equipment and suitably surfaced and fenced or otherwise enclosed for play by young children. Where required, children's play area may form part of required amenity area.

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.

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 a building 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. It will also include accessory structures or equipment that are essential to the operation and maintenance of such facilities.

Community Centre shall mean a multi-purpose facility that offers a variety of programs of a recreational, cultural, day care, social, community service, informational or instructional nature, and may include, as a portion of it, a medical facility.

Community Garden shall mean a communal garden provided for the sole use of or consumption by the individual or individuals working the garden.



Concrete Plant shall mean an industrial facility 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, but does not include the retail sale of finished concrete products.

Conservation Authority shall mean the South Nation Conservation Authority.

Conservation Use shall mean a use related to the maintenance of the natural environment for the purposes of preservation, research, observation 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.

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.

Cube Van Box shall mean the cargo area associated with a cube van.

Custom Workshop shall mean a building or part thereof where individual custom productions of goods or materials are made 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 a premises that receives more than five children who are not of common parentage, primarily for the purpose of providing temporary care, or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty-four hours, where the children are, under eighteen years of age in the case of a day care centre for children with a developmental disability, and under ten years of age in all other cases, but does not include, part of a public school, separate school or private school within the meaning of the *Education Act* or part of a school continued or established under section 13 of the *Education Act*;

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 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.

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 enclosed outdoor extension of one or more dogs' individual indoor living space in association with a kennel.

Driveway shall mean that portion of a lot used to provide access from the street to a parking space or spaces and which has been graded and gravelled or surfaced with concrete, asphalt, crushed stone or other hard surfaces and dustless materials.



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.

Dry Cleaning or Laundry Outlet shall mean a building used for the purpose of receiving articles or goods of fabric to be subjected elsewhere to the process of cleaning or dyeing. Such establishment may also be used for pressing and/or distributing any articles or goods which have been received therein.

Dry Cleaning or Laundry Plant shall mean a building where dry cleaning, dry dyeing, cleaning or pressing of articles, goods or fabric is conducted and in which

- i. solvents, which emit no odours or fumes, are, or can be, used, and
- ii. no noise or vibration causes a nuisance or inconvenience without the premises. This definition may include a dry cleaning or laundry outlet.

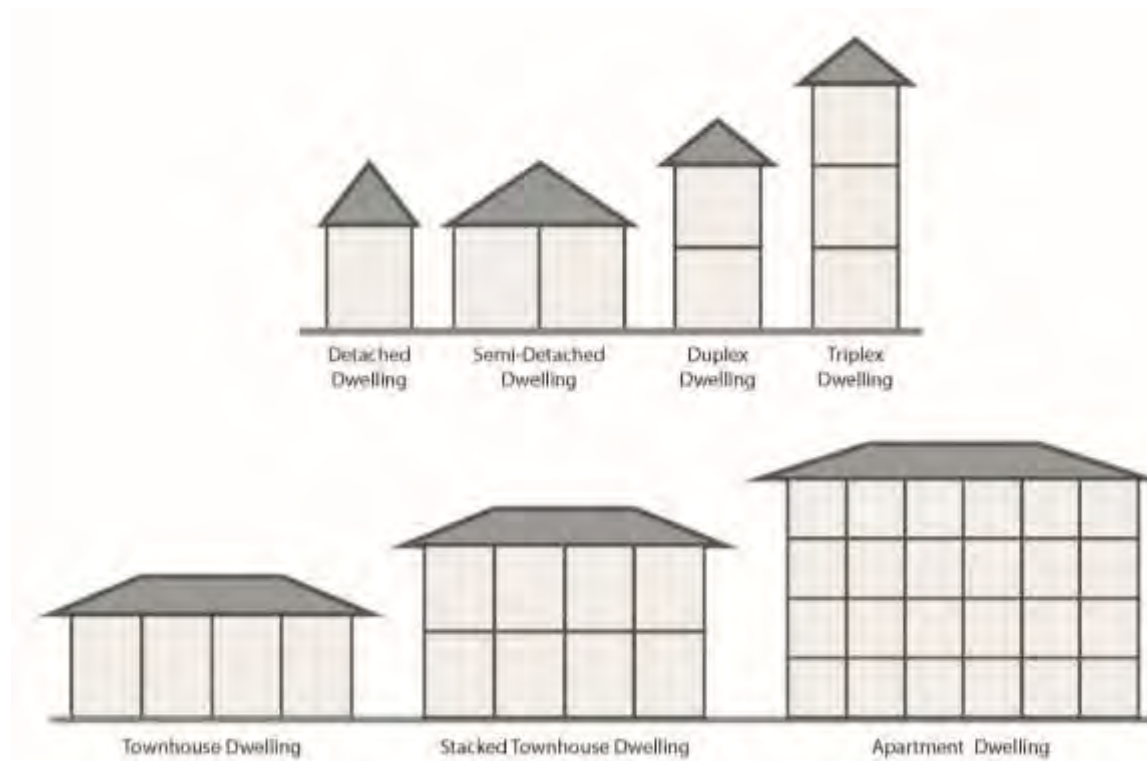
Dwelling means a building containing one or more dwelling units as a main use thereof, and includes:

- i. **Accessory Dwelling Unit** shall mean a dwelling unit which is part of and accessory to a permitted non-residential building other than an automobile station or commercial garage or a detached dwelling which is accessory to a permitted non-residential use on the same lot.
- ii. **Apartment Dwelling** shall mean—a residential use building that contains four or more principal dwelling units, other than a townhouse or stacked townhouse dwelling.
- iii. **Detached Dwelling** shall mean a detached building containing only one principal dwelling unit. This definition shall include a modular home as defined herein.
- iv. **Semi-Detached Dwelling** shall mean a residential use building that is divided vertically into two principal dwelling units, each of which has an independent entrance directly from the outside.
- v. **Duplex Dwelling** shall mean a residential use building that is divided horizontally into two principal dwelling units, each of which has an independent entrance directly from the outside or through a common vestibule.
- vi. **Triplex Dwelling** shall mean a residential use building that is divided horizontally into three principal dwelling units, each of which has an independent entrance directly from the outside or through a common vestibule.
- vii. **Townhouse Dwelling** shall mean a residential use building containing three or more attached principal dwelling units divided vertically, each of which has an independent entrance directly from the outside.
- viii. **Stacked Townhouse Dwelling** means a residential use building containing four 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.
- ix. **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 arriving at a site ready for occupancy apart from 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 and to the Plumbing Requirements for Mobile Homes as specified in CAN/CSA Standard Z240.3.1
- x. **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 “Procedures for Factory Certification of Buildings



- xi. **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.
- xii. **Secondary Dwelling Unit** shall mean a self-contained dwelling unit subsidiary to and located in the same building as an associated permitted dwelling unit, where its creation does not result in the creation of a semi-detached dwelling, duplex dwelling, triplex dwelling, or converted dwelling (detached, semi-detached, or duplex dwellings only).
- xiii. **Converted Dwelling** shall mean a residential use building that has been altered, but not demolished and replaced, to increase the number of dwelling units to three or more.

Two or more dwellings that share a common foundation shall be considered separate dwellings.



E

Electric Vehicle means any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board for motive purpose.

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.

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

Erect shall mean build, construct, reconstruct, remove or relocate and shall include any preliminary physical operations such as cutting, grading, excavating, filling or draining, or any altering of an existing building by an addition, extension or other structural change, or any work which requires a building permit. 'Erected' and 'Erection' shall have corresponding meanings.



Established Building Line shall mean the average setback from the centreline of a street of at least 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.

Ethanol Production Facility shall mean a facility for the manufacturing or refining of ethanol fuel.

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

F

Factory Outlet shall mean a building or part of a building accessory to a permitted industrial use where the products manufactured by that industry are kept for wholesale or retail sale.

Fairground shall mean lands where fairs, circuses or exhibitions 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 commercial vehicles limited to 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, multi-vendor operation at a fixed location, selling agricultural produce, food, and arts and crafts products, including homegrown produce, homemade crafts and value added products where vendors are the primary producers.

Finished Grade shall mean:

- i. When used with reference to a building, shall mean the average elevation of the finished surface of the ground where it meets the exterior of the front of such building;
- ii. When used with reference to a structure, shall mean the average elevation of the finished surface of the ground immediately surrounding such structure;
- iii. When used with reference to a street, road or highway, shall mean the elevation of the street, road or highway established by the Municipality or other designated authority.

Flea Market shall mean an establishment or premises where occasionally or periodically goods wares, merchandise or articles such as antiques, second-hand goods, crafts and similar items are sold at retail to the general public from separate outlets within an enclosed structure and/or in an open area. This definition shall not include any other establishment otherwise defined herein or specifically named in this By-law.

Flood Line shall mean a line established by a one in one hundred year storm which is determined by the flood plain mapping of the South Nation Conservation Authority.

Flood Plain shall mean the area below the flood line, typically consisting of low lands adjoining a watercourse which has been, or may be, subject to flooding.

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.

Food Production shall mean a premises for the specialized production or preparation and packaging of a limited number of food and beverages products for sale to the public primarily for consumption off the premises such as catering establishments, make-your-own wine and beer establishments, test kitchens, microbreweries, bulk meal production, bakeries and butchers.

Forestry Operation shall mean the use of land, buildings or structures for the planting, managing and harvesting of timber resources, including the cultivation of trees and shrubs for ornamental purposes and the establishment of a sawmill.

Funeral Home shall mean a building or part thereof used for human funeral services. Such building may contain space and facilities for:



- i. embalming and the performance of other services used in preparation of the dead for burial;
- ii. the performance of autopsies and other surgical procedures;
- iii. the storage of caskets, funeral urns, and other related funeral supplies; and,
- iv. the storage of funeral vehicles, but shall not include facilities for cremation.

Funeral Service shall mean a service held before or after a deceased person's burial or before or after a deceased person's cremation.

G

Garage, Private shall mean an accessory building or a portion of a residential building which is fully enclosed and used for the storage of motor vehicles and household equipment incidental to the residential occupancy.

Garbage Container shall mean a bin, 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, wood, or stucco, with a gate, that screens a garbage container.

Garden Centre shall mean a building or structure used for the growing and/or sale of flowers, fruits, vegetables, plants, shrubs, trees or similar vegetation together with gardening tools and implements which are sold at retail from such building.

Garden Suite shall mean a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.

Golf Course shall mean a public or private area operated for the purpose of playing golf and includes par 3 golf course, a driving range, or similar uses, but not does include a miniature golf course.

Grain Handling and Storage Facilities shall mean buildings and structures used for the purpose of drying, processing, storage, and/or wholesale trade of harvested agricultural grains.

Greenhouse 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:

- i. for a dwelling or dwelling unit, the total area of the storeys contained within the outside walls of the dwelling or dwelling unit, exclusive of any garage, parking garage, carport, porch, veranda, sunroom, unfinished attic, unfinished basement or unfinished cellar;
- ii. for a building or part of a building other than a dwelling, dwelling unit home-based business, rural home-based business or home industry, the total area of all the storeys contained within the outside walls of the building, excluding common storage areas accessory to the primary use of the building located entirely in a basement.

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.

Group Home shall mean a supervised residential use building in which three to ten persons, exclusive of staff, live as a group in a single household living arrangement, and where the residents require support or supervision on a daily basis. The home is licensed and/or approved under provincial statutes and in compliance with municipal by-laws

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.

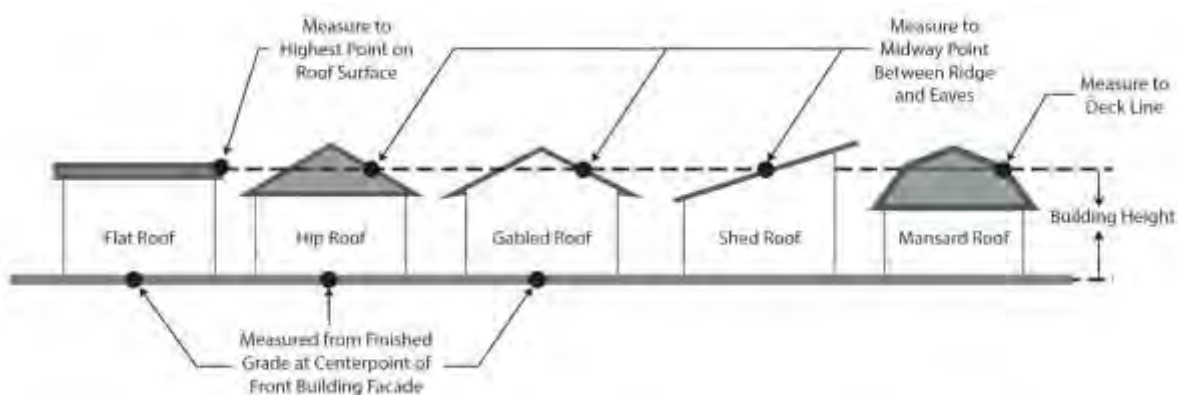


H

Habitable Room shall mean a room commonly used for cooking, living, dining or sleeping purposes and shall include an enclosed sunroom but shall not include any garage, carport, porch, veranda, unfinished attic, unfinished basement or unfinished cellar.

Height of a building 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.



High Water Mark shall mean the mark made by the action of water under natural conditions on the shore or bank of a waterbody where such action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark.

Highway shall mean a public thoroughfare intended for vehicular use by the general public.

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 4 nutrient units, as defined by the *Nutrient Management Act*, and able to meet the Minimum Distance Separation formula.

Home-Based Business shall mean an occupation, trade, business, profession 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 shall 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 operating in accordance with the *Child Care and Early Years Act, 2014, S.O. 2014, Chapter 11, Schedule 1*, as amended.

Home-Based Business, Rural shall mean an occupation, business, trade or craft which is accessory to a farming operation. This definition may include the services or repair of merchandise or equipment, the grading of produce, a retail outlet for farm supplies and machinery, a farm produce outlet or similar activities.

Home Industry shall mean a small-scale trade or occupation, 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 main dwelling unit. The home industry shall be permitted in the dwelling or contained in an accessory building or part thereof.

Hospital shall mean a premise used as a private or public hospital under Province of Ontario legislation for the care or treatment of:

- i. Persons afflicted with or suffering from sickness, disease or injury;
- ii. Convalescent or chronically ill persons;
- iii. Persons suffering from substance addictions; or
- iv. Persons suffering from emotional, or psychological disorders;

and may include ancillary uses such as a restaurant, or a hostel for the short-term accommodation of patients' families during treatment or convalescence.

Industrial Use, Light shall mean an industrial use that consists of a self-contained process with low probability of fugitive emissions, and shall include small scale manufacturing, assembly, or repair of goods, small scale transportation depots, and warehousing.

Industrial Use, Medium shall mean medium scale processing and manufacturing with heavy outdoor storage of wastes or materials, and shall include food processing plants, large manufacturing plants requiring frequent truck traffic, large scale transportation depots, and storage yards.

Industrial Use, Heavy shall mean large scale manufacturing or processing with a large physical size, production volumes and intensity of use and/or having the potential for the release of contaminants.

Intensive Livestock Operation shall mean an agricultural operation in which the total number of livestock units is greater than 150 and there are more than 2.5 livestock units per hectare. For the purpose of this definition, the number of Livestock Units shall be determined in accordance with the Minimum Separation Distance II (MDS II).

Instructional Facility shall mean a facility that provides practical instruction or training in an art, hobby, skill or trade, and includes a studio, a computer training facility, a martial arts school and any other similar facility.

K

Kennel shall mean a premises, including outdoor areas (i.e. dog runs), where dogs and cats and other household pets are bred, raised, boarded or trained, given medical treatment or housed for similar purposes for which compensation is paid, and shall include a Humane Society shelter or pound.



L

Landing shall mean a platform at the end of a flight of stairs.

Landscaped Open Space shall mean open space comprised of lawn, natural or ornamental shrubs, flowers or trees and may include space occupied by paths, walks, courts, patios and pools, but shall not include parking areas, loading spaces, traffic aisles, driveways or ramps for vehicles, or any open space beneath or within a building or structure.

Lane shall mean a public thoroughfare which affords only a secondary means of access for vehicular traffic to abutting lots but which is not intended for general traffic circulation.

Library shall mean a public, lending library.

Livestock shall mean animals kept for consumption, 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 where livestock or poultry are housed, including beef feedlots and the associated manure storage.

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.

Lodging House shall mean a principal dwelling within the whole of a residential use building that contains at least four rooming units, and which may also contain dwelling units and an administration office accessory to the operation of the house.

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* 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.

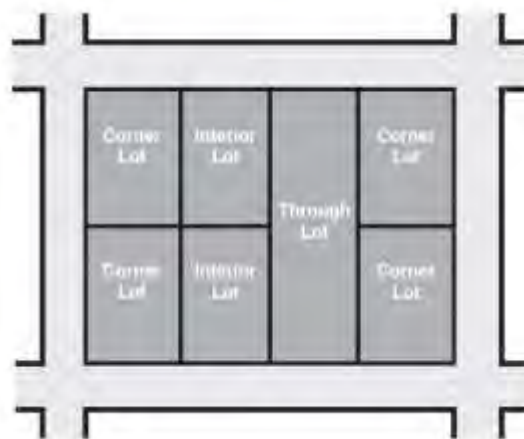


Illustration of Lot Types

Lot Area shall mean the total area within the lot lines of a lot.

Lot Coverage shall mean the percentage of the lot area covered by all buildings and structures above ground level, including accessory buildings, provided that the area of buildings shall be measured to the exterior of the outside walls, and shall not include permitted projections.



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

- i. **Front Lot Line** shall mean, in the case of an interior lot, the lot line that divides a lot from the street, whether or not that line jogs or curves. In the case of a corner lot, L-shaped lot, or through lot, the shorter lot line abutting a street shall be deemed to be the front lot line. In the case of a corner lot, L-shaped lot, or through lot where the lot lines abutting the street 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.
- ii. **Rear Lot Line** shall mean that lot line furthest from and opposite the front lot line but if there is no such line, that point furthest from and opposite the front lot line. If there are two or more rear lot line segments at different distances from the front lot line, as in the case of an L-shaped lot, each segment shall be considered to be the rear lot line for that portion of the front lot line directly opposite.
- iii. **Side Lot Line** shall mean any lot line other than the front or rear lot line.
- iv. **Exterior Side Lot Line** shall mean that lot line that abuts a street, other than a front lot line.

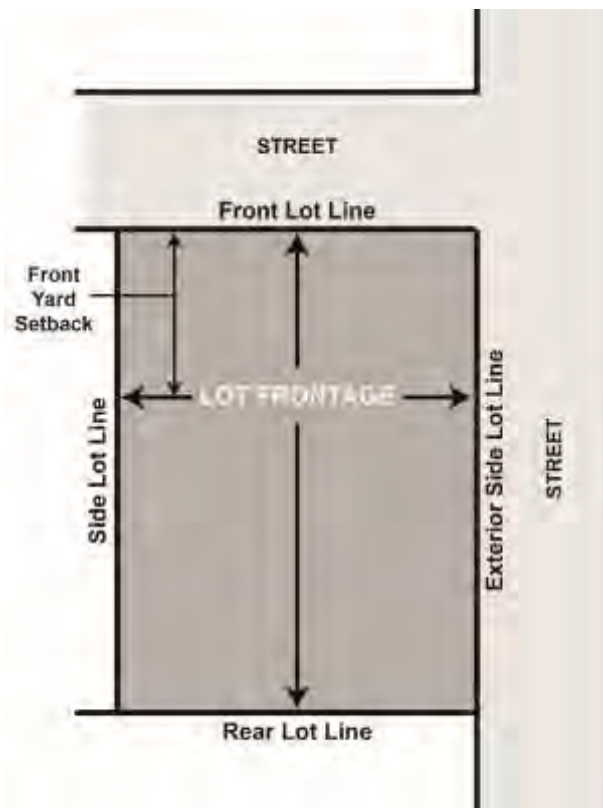


Illustration of Lot Lines

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.

M

Marine Facility shall mean a building or structure which is used to place a boat into or take a boat out of a waterbody; or to moor, berth or to store a boat. This definition may include a boat launching ramp, boat lift, dock or boathouse, but shall not include any building used for human habitation, or any boat service, repair or sales facility.



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 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.

Medical Marijuana Production Facility shall mean a federally-licensed facility used for the cultivation, processing, testing, destruction, packaging or shipping of marijuana used for medical purposes as permitted under the federal government's *Access to Cannabis for Medical Purposes Regulations* or any subsequent legislation which may be enacted in substitution thereof.

Merchandise Service Shop shall mean an establishment wherein articles or goods such as appliances, furniture or similar items may be repaired or serviced. May include the sale of articles or goods repaired or serviced as an accessory use. This definition shall not include any manufacturing operation or establishment used for the service or repair of vehicles.

Microbrewery shall mean a brewery, completely contained within a structure that produces less than 12,500 hectolitres of beer per year. Microbreweries sell to the public by one or more of the following methods: the traditional three-tier system (brewer to wholesaler to retailer to consumer); the two-tier system (brewer acting as wholesaler to retailer to consumer); and directly to the consumer through carry-outs and/or on-site tap-room or restaurant sales. Ancillary tasting of beer shall be permitted.

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.

Mini Warehouse and Public Storage shall mean a building or part of a building wherein general merchandise, vehicles, boats, trailers, furniture and household goods are stored in separate, secured storage area or lockers which are generally accessible by means of individual loading doors.

Mobile Home Park shall mean a lot containing two or more mobile home dwellings on separate mobile home sites, with or without buildings, structures or uses accessory thereto.

Mobile Home Site shall mean an area of land within a mobile home park that is used as the site of, and pertains to, not more than one mobile home dwelling.

Municipal Garage shall mean a building which is used for the storage of motor vehicles and equipment belonging to the Township of Russell.

Municipality shall mean the Corporation of the Township of Russell.

Museum means a building or parts thereof, used for the purpose of acquiring, conserving, studying, interpreting, assembling and exhibiting to the public such things as works of art, artifacts of historical interest and significance; or mechanical, scientific and/or philosophical inventions, instruments, models, or designs; and includes associated libraries, reading rooms, archives, laboratories and offices, but does not include commercial galleries wherein the items displayed are available for purchase.

N

Non-Complying shall mean a permitted use, building or structure that, on the date of the passing of this By-law, does not meet one or more regulations set out for the zone in which such use, building or structure is located.

Non-Conforming shall mean the use or activity in respect of any land, building or structure which, on the date of passing of this By-law, is not within the list of permitted uses set out in this By-law for the zone in which such land, building or structure is located.

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.

Nursery shall mean a building, structure or lot used for the growing of sod, flowers, bushes, trees or other gardening, landscaping or orchard stock for wholesale or retail sale.

Nutrient Management Plan shall mean a report that evaluates the relationship between the land-based applications of nutrients, management techniques, and agricultural land use.

O

Office shall mean a building or part thereof, designed, intended or used for the practice of a profession, the carrying on of a business and/or the conduct of public administration, and where one or more individuals and/or professionally qualified persons provide services to clients, including such uses as travel agency, insurance agency, newspapers office, communications office, lawyer's office, architect's office, engineer's office, or similar use but shall not include a medical/dental office or any other use otherwise defined or classified in this By-law.

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.

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.

P

Park shall mean an area of land consisting largely of open space which may include a recreational area, playground, playfield or similar use and may also include accessory buildings or structures such as a maintenance building, washroom or canteen. A park shall not include any stormwater management facilities or their immediate surroundings.

- i. **Public Park** shall mean a park owned and maintained by the Municipality or other public authority.
- ii. **Private Park** shall mean a park other than a public park.

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 a parking area forming the main use of a lot

Parking Space shall mean an area exclusive of any aisles or driveways used for the parking of one motor vehicle.

Person shall include an individual, an association, a chartered organization, a firm, a partnership, a corporation, an agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

Personal Service Establishment shall mean a place where:



- i. 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 licensed by the Ministry of Natural Resources and Forestry from which unconsolidated aggregate (gravel, stone, earth, clay, fill, or other such material) is removed to supply material for construction, industrial or manufacturing purposes but shall not include an excavation incidental to the erection of a building or structure or an excavation incidental to the construction of any public work. This definition includes all activities which are normally associated with the operation of a pit such as crushing, screening, processing, washing and storage and also includes a wayside pit as defined herein.

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 an indoor entertainment facility providing for amusement, diversion or pastime, including a motion picture theatre, billiard or pool room, bowling alley, bingo halls, amusement arcades, but does not include any facility otherwise defined or classified herein.

Place of Worship includes, but is not limited to churches, chapels, temples, mosques, parish halls and synagogues including offices for the administration of the religious institution, convents, seminaries, monasteries, rectories, parsonages and parish houses. Funeral services are permitted in places of worship.

Planting Strip shall mean an area which shall be used for no purpose other than planting and maintaining a row of trees or a continuous unpierced hedgerow of evergreens or shrubs, immediately adjacent to the lot line or portion thereof along which such planting strip is required herein.

Porch shall mean 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.

Portable Asphalt Plant shall mean a small, portable facility:

- i. With equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and
- ii. Which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

Portable Concrete Plant shall mean a small, portable facility:

- i. With equipment designed to mix and/or crush cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
- ii. Which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

Post Office shall mean a building or part of a building wherein postal supplies are offered or kept for retail sale upon the premises and where letters and parcels are received from the public for shipping and mailing.

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 occupation; or

- iii. Any residential use buildings, dwelling units or rooming units ancillary to and located on the same lot as a university or college.

Printing Establishment shall mean a premises used for blueprinting, engraving, stereotyping, electrotyping, printing, or typesetting, and shall include such uses as newspaper and book publishing and shall also include a print shop.

Production Studio shall mean a premises where the master copy of an audio or video performance or presentation is made.

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.

Public Authority 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 emergency services, stormwater management facilities, and wastewater treatment facilities.

Q

Quarry shall mean land or land under water licensed by the Ministry of Natural Resources and Forestry from which consolidated aggregate (rock other than metallic ores) is being or has been removed to supply material for construction, industrial or manufacturing purposes but shall not include an excavation incidental to the erection of a building or structure or an excavation incidental to the construction of any public works. This definition includes all activities which are normally associated with the operation of a quarry such as crushing, screening, washing and storage and also includes a wayside quarry as defined herein.

R

Recreational and Athletic Facility means a public 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 mean a special waste management facility which serves as a temporary storage site for clean materials such as glass, paper, cardboard, plastic, metal and other similar products which will be transferred to another location for reuse. This definition does not include any other type of waste management system.



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).

Rental Establishment shall mean a building or part of a building wherein the primary use is the rental of machinery, equipment, furniture and fixtures.

Research and Development Centre means a place used for systematic research, data collection and manipulation, or technical or scientific development of information or new products, and may include a research laboratory; but excludes industrial and manufacturing operations other than those required as part of the research.

Residential Care Facility shall mean an establishment containing rooming units and providing supervised or supportive in-house care for those who need assistance with daily living, that may also provide on-going medical or nursing care or counselling and social support services and which may include services such as medical, counselling, and personal services.

Restaurant shall mean a building or part of a building wherein food is prepared and offered for sale to the public for consumption on or off the premises. A restaurant may also include the licensed sale and consumption of alcoholic beverages.

Retail Convenience Store shall mean a retail store where a range of day-to-day items such as newspapers, confections, foodstuffs, sundries and other such household items are sold in small quantities

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 of a building wherein merchandise is offered or kept for retail sale upon the premises, including non-profit retail operations, but does not include any establishment otherwise defined or classified within this By-law. Storage of limited quantities of such merchandise, sufficient only to service such store and the servicing of such merchandise may be permitted in a retail store as ancillary uses, provided such uses are clearly necessary and secondary to the main retailing function of the store.

Retirement Home shall mean a residential use building containing rooming units or a combination of rooming and dwelling units, providing residence mostly to senior citizens who do not require assistance with daily living, and which may provide ancillary health, personal service, and recreational services to serve the residents of the home.

S

Sanitary Sewers shall mean a system of underground conduits, owned and operated either by the Municipality or by the Ministry of the Environment and Climate Change, which carries sewage to a sewage treatment facility.

Satellite Dish means a parabolic antenna used to receive communications signals from a satellite.

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

Service and Repair Shop shall mean a place where personal effects and household goods and appliances are repaired, but does not include the repair of large equipment such as motor vehicles or heavy equipment.

Setback shall mean:

- i. With reference to a waterbody or watercourse, the distance between the floodline and the nearest part of any main building or structure on the lot. When there is no engineered floodline, it shall mean the distance between the high water mark and the nearest point of any main building or structure on the lot.
- ii. With reference to slope, the distance between the top of the slope and the nearest building line. In the event that there are two or more slopes on a lot, then the setback distance shall be measured



from the top of that slope which is highest in elevation, or from both slopes in cases where the two slopes are not oriented in the same direction.

- iii. With reference to a road, the distance between the centreline of the street allowance and the nearest building line.
- iv. With reference to a lot line, the shortest distance between a lot line (front, interior side, exterior side, or rear) and the nearest part of any building or structure on the lot. In cases where a road widening is taken, the required setback is calculated from the lot line.

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 trailer which does not have a valid permit under the Highway Traffic Act, whether or not the same is mounted on wheels; including mobile storage trailers, storage structures, cube van boxes, or cargo boxes designed or once serving as commercial shipping or cargo containers; truck trailers or boxes.

Shopping Centre shall mean a group of commercial and service establishments or uses, related in size and type primarily to the special commodity needs of the community and designed, developed and managed as a unit whether by a single Owner, a group of Owners or tenants acting in collaboration having the required off street parking and loading facilities provided on the site.

Sight Triangle shall mean the triangular space formed by the street lines of a corner lot and a line drawn from a point in one street line to a point in the other street line, each such point being 6 m from the point of intersection of the street lines (measured along the street lines). Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

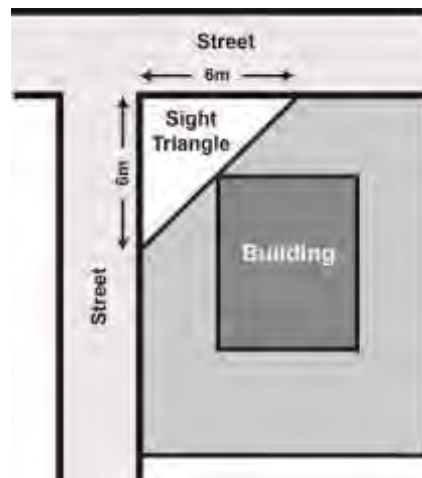


Illustration of Sight Triangle

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

Specialized Farm shall mean land on which the predominant commercial economic activity consists of: raising chickens, turkeys or other fowl; raising swine, sheep or goats (on feed lots); raising of fur-bearing animals; or the growing of mushrooms.

Storey shall mean that portion of a building, between the surface of any floor and the surface of the floor, ceiling or roof immediately above it. A storey does not include a basement or cellar.

- i. First Storey shall mean the lowest storey of a building, wherein the floor is generally at grade elevation 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.

Street Line shall mean the boundary of the right-of-way of the street.

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 which is located on or in or above the ground, or within a building, and which is capable of containing an artificial body of water for swimming, wading, diving or recreational bathing with a water depth of 0.6 m or more at its deepest point and may include a hot tub.

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 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 and Trailer Campsite shall mean individual parcels of land within a tent and trailer park occupied by a tent, trailer or tourist vehicle.

Tent and Trailer Park shall mean an area of land in which the space and facilities are provided for the temporary accommodation of persons in tents, tent trailers, campers or recreation vehicles for vacation or recreational purposes, and may include accessory uses such as a laundromat, convenience store or recreational uses primarily for persons using the tent and trailer park. A tent and trailer park does not include a mobile home park.

Theatre shall mean a place where live theatrical performances or concerts are given on a stage before an audience.

Tourist Lodging Establishment shall mean premises or buildings to be used for the purpose of sleeping accommodation on a temporary basis by tourists or vacationers, including the following:

- i. **Hotel** which means a building designed or used for the accommodation of the travelling or vacationing public, containing therein more than five guest rooms served by a common building entrance. Accessory uses may include accommodation for permanent staff and one or more beverage rooms, dining rooms, meeting rooms, or similar uses.
- ii. **Motel** which means a building or buildings designed or used for the accommodation of the travelling or vacationing public, containing therein more than five guest rooms, each guest room having a separate entrance directly from outside the building. Accessory uses may include accommodation for permanent staff and one or more beverage rooms, dining rooms, meeting rooms, or similar uses.

Tower Antenna shall mean an installation consisting of an antenna or antenna array, mounted on, attached to or supported by a tower, designed for the purpose of the reception or transmission of any electronic signals conveyed by means of electromagnetic waves.

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 an establishment where commercial vehicles are stored, repaired, washed, or maintained, including all administrative functions relating thereto, and may also mean an establishment for the distribution of goods or people in transit.

Transportation Terminal shall mean land, a building or structure where trucks, tractor trailers and/or buses are kept for hire, rental and/or lease, stored, parked, and from which trucks, tractor trailers and/or buses are dispatched for hire as common carriers. This definition may include buildings or structures used for the storage and/or distribution of goods, wares and merchandise.

U

Use shall mean the purpose for which any land, building, structure or any combination thereof is designed, arranged, occupied or maintained.

- i. **Principal Use** shall mean the main or primary purpose for which a building, structure or lot is designed, arranged, or intended, or for which may be used, occupied or maintained.

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

Vehicle shall mean an automobile, boat, commercial motor vehicle, farm implement, motorcycle, recreational vehicle, snowmobile or trailer.

W

Warehouse shall mean a building or portion of a building used or intended to be used for the bulk storage of goods, commodities, wares, merchandise or materials, but does not include a mini-warehouse and public storage.

Waste Disposal Site shall mean a place where ashes, garbage, refuse, domestic waste, industrial waste or municipal refuse is disposed of or dumped. This definition shall not include a sewage treatment plant, lagoon or sludge disposal area.

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 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 regularly or continuously occurs.

Wayside Pit or Wayside 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.

Wholesale Establishment shall mean a building or part of a building used or intended to be used for the bulk storage and sale of quantities of goods, commodities, wares, merchandise or materials for resale or business use.

Wrecking Yard shall mean an establishment or premises where derelict, discarded, abandoned or inoperable motor 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 an automobile 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 area of a lot abutting a building that is intended for use for such purposes as privacy space, landscaping, parking or access, and includes a:

- i. **Front Yard** shall mean the space paralleling the front lot line extending across the full width of a lot between the front lot line and nearest part of any main building on the lot, not including a permitted projection
- ii. **Rear Yard** shall mean the space paralleling the rear lot line that extends across the full width of the lot between a rear lot line and the nearest point of the principal building not including a permitted projection under Section 3.46.
- iii. **Interior Side Yard** shall mean the space not abutting a public street that extends from the front yard to the rear yard between a side lot line and the nearest point of any main building, not including a permitted projection.
- iv. **Exterior Side Yard** shall mean the space abutting a public street that extends from the front yard to the rear yard between a side lot line and the nearest point of the main building, not including a permitted projection.

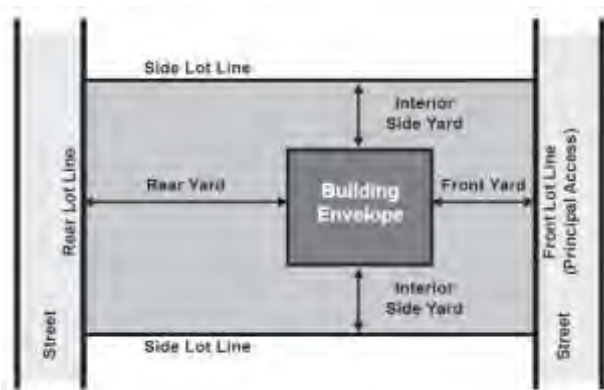


Illustration of Yards for Through Lot

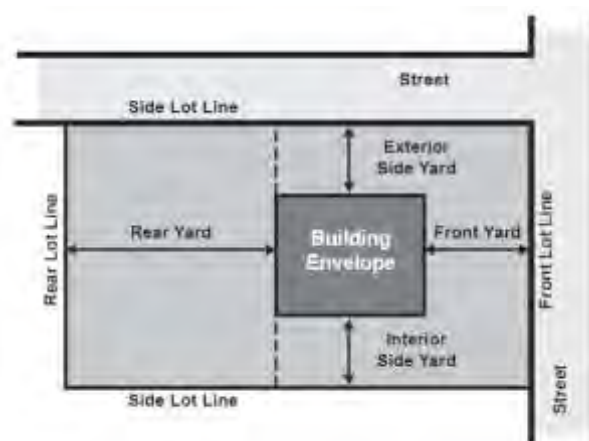
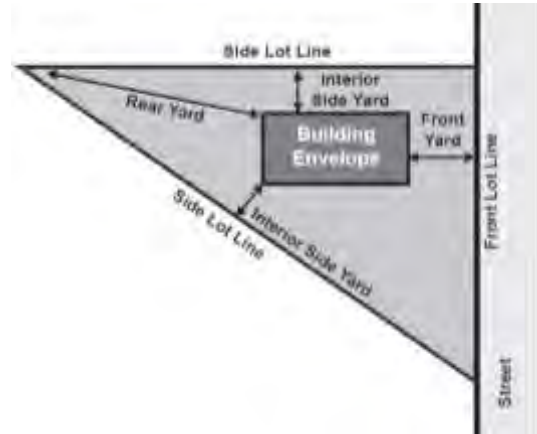
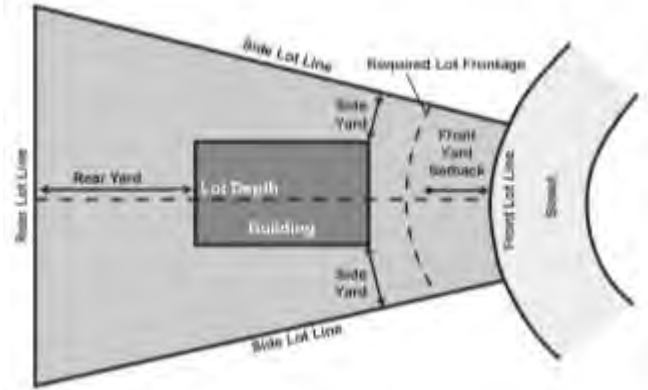
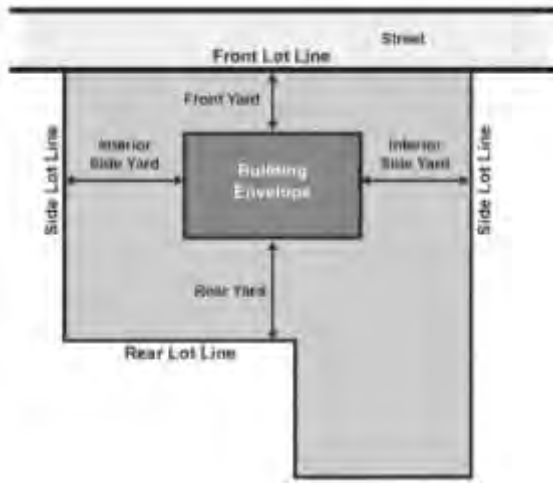


Illustration of Yards for Corner Lot





Illustrations of Yards for Irregular Lots

Z

Zone shall mean a land use category as defined and regulated in this By-law.



Section 3 GENERAL PROVISIONS

3.1 ACCESSORY USES, BUILDING OR STRUCTURES

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 main use to which it is accessory.
- ii. Accessory uses, buildings or structures shall not be used for human habitation, except where a dwelling is a permitted accessory use.
- iii. A secondary dwelling unit is not considered to be an accessory use and is regulated by Section 3.15.
- iv. A garden suite is not considered to be an accessory use and is regulated by Section 3.21.
- v. A coach house is not considered to be an accessory use and is regulated by Section 3.10.

Table 1 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
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 main building on the lot.	Shall comply with the requirements of the particular zone.
Minimum required setback from exterior side lot line	Shall comply with the requirements of the particular zone, but no closer than 4 m to the exterior side lot line. In Residential zones located in the Villages, accessory buildings and structures shall not be located closer to any street line than the main building on the lot.	Shall comply with the requirements of the particular zone.
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 which case no interior side yard is required.	Shall comply with the requirements of the particular zone.
Minimum required setback from rear lot line	1 m	Shall comply with the requirements of the particular zone.
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
Maximum height	5 m or the height of the principal dwelling, whichever is lesser. For lots used for residential purposes located in the Restricted Agricultural (A1) or General Agricultural (A2) zone, the maximum height shall be 6 m.	Shall comply with the requirements of the particular zone



Maximum number of accessory buildings permitted on a lot	2 for lots 3,999 m ² or smaller; 3 for lots between 4,000 m ² and 6,070 m ² ; and 4 for lots larger than 6,070 m ²	No maximum
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3.2 ADULT ENTERTAINMENT – GOODS AND PARLOURS

- i. In zones where an adult entertainment – parlour is permitted, the following provisions shall apply:
 - a. The lot on which it is located must not be within 500 m of a dwelling or dwelling unit, day care centre, retirement home, group home, lodging house, place of worship, school, library, community centre, or park, or any Residential, Village Core (VC), Institutional (I), Open Space (OS), or Leisure (L) zone.
 - b. The lot on which it is located must not be within 1,000 m of a lot occupied by another adult entertainment parlour.
 - c. It must be located within a free-standing building and shall not be permitted to locate in a multi-tenant building.
- ii. In zones where an adult entertainment – goods use is permitted, the following provision shall apply:
 - a. The lot on which it is located must not be within 250 m of a dwelling or dwelling unit other than an accessory dwelling unit, day care centre, retirement home, group home, lodging house, place of worship, school, library, community centre, or park, or any Residential, Village Core (VC), Institutional (I), Open Space (OS), or Leisure (L) zone.

3.3 AMENITY AREAS

Where amenity areas are required by this By-law, the following provisions shall apply:

- i. Amenity area must be located on the same lot as the use for which it is provide.
- ii. Where amenity area is located outside at grade, it may be included in the calculation of landscaped open space requirements.
- iii. Communal amenity areas must include amenity features such a bench, picnic table, gazebo, permanent sports equipment, sports field or children’s play area.
- iv. Bicycle parking may form part of a communal amenity area but may not be the only amenity area feature.

3.4 AUTOMOBILE SERVICE STATIONS AND GAS BARS

Where automobile service stations and automobile gas bars are permitted in this By-law and notwithstanding any other provisions of this By-law to the contrary, the following provisions shall apply:

- i. The minimum distance between any portion of the gasoline pump island, pumps and their related overhead canopies and any pump shall be 6 m from any lot line.
- ii. Where the lot is a corner lot, no portion of any gasoline pump island shall be located closer than 3 m to a sight triangle.
- iii. The width of any entrance or exit driveway or combined entrance or exit driveway measured at the front lot line or exterior side lot line shall not be greater than 9 m and there shall not be more than 2 driveways per lot.
- iv. The minimum distance between driveways measured along the street line intersected by such driveways shall be 7.5 m.
- v. The minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveway, shall be 9 m.
- vi. The minimum distance between an interior side lot line and any driveway shall be 3 m.



- vii. The interior angle, formed by the street line and the centreline of any driveway, shall not be less than 45 degrees.
- viii. A strip of landscaped open space, a minimum of 1 m wide shall be provided along any lot line abutting a street, and such landscaped open space shall be continuous, except for accesses to the lot.

3.5 BED AND BREAKFAST

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

- i. No more than three (3) 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.

3.6 BICYCLE PARKING

- i. Bicycle parking must be provided for the land uses and at the rates set out in Table 2 for lands located in Village Core Zones, General Commercial zones, Local Commercial zones, Business Park zones and Residential 3 zones.
- ii. Bicycle parking must be provided on the same lot as the use or building for which it is provided.
- iii. Bicycle parking spaces must be located in order to provide convenient access to entrances or well used areas.
- iv. A bicycle parking space may be located in any yard.
- v. A bicycle parking space must have access from an aisle having a minimum width of 1.5 m.
- vi. Where four or more bicycle parking spaces are provided in a common parking area, each bicycle parking space must contain a parking rack that is securely anchored to the ground and attached to a heavy base such as concrete.
- vii. The minimum number of bicycle parking spaces required on a lot shall not be greater than 15.
- viii. A maximum of 50% of the bicycle parking spaces required by this by-law may be vertical spaces, and the rest must be horizontal spaces.
- ix. Where a building contains more than one use, bicycle 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 Table 2 for each use.
- x. A bicycle parking space must comply with the minimum parking space dimensions specified in Table 3 – Minimum Bicycle Parking Space Dimensions.

Table 2: Bicycle Parking Space Rates

TYPE OF USE	MINIMUM BICYCLE PARKING REQUIRED
Retirement home, group home, or lodging house	1 space for every 8 dwelling units and/or rooming units
Apartment, or stacked townhouse 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 ² of gross floor area
Bank; convenience store; daycare; office; post office; post-secondary educational institution; restaurant; retail food store; retail store	1 per 500 m ² of gross floor area
Library; municipal service center; personal service business; retail food store 8,000 m ² or greater; retail store 8,000 m ² or greater; service or repair shop; shopping center	1 per 1,000 m ² of gross floor area
Hospital; tourist lodging establishment; medical facility; train station	1 per 2,000 m ² of gross floor area
Animal hospital; transportation terminal	1 per 4,000 m ² of gross floor area

Table 3: Minimum Bicycle Parking Space Dimensions

ORIENTATION	MINIMUM SPACE WIDTH	MINIMUM SPACE LENGTH
Horizontal	0.6 m	1.8 m
Vertical	0.5 m	1.5 m

3.7 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.

3.8 BULK STORAGE TANKS

No bulk storage tank shall be permitted unless it is double walled or is placed in an impervious containment facility which is capable of containing the entire contents of the fuel storage tank in the event of a spill. This provision shall not apply to domestic fuel oil tanks located inside a dwelling.

3.9 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.

3.10 COACH HOUSES

- ix. A coach house is permitted on any lot also containing a detached, semi-detached, duplex or townhouse dwelling, where that dwelling type is a listed permitted use, subject to subsections.
- x. A coach house may not be severed from the lot containing the principal dwelling.
- xi. A coach house is not permitted:
 - a. where the lot contains a secondary dwelling unit, garden suite, or one or more rooming units.
 - b. on a lot that is less than 0.4 hectares and is located outside of village boundaries;
 - c. on a lot occupied by a townhouse dwelling unit, except where the lot containing the townhouse unit abuts two public streets or can fulfill the requirements of subsection 3.10 x.v.iii.
- xii. No more than one coach house is permitted on a lot.
- xiii. A coach house may not be located closer to the front lot line than the principal dwelling.
- xiv. The maximum permitted height of a building containing a coach house shall be the lesser of:
 - a. The height of the principal dwelling; or



- b. 5 m.
- xv. Permitted Projections Above the Height limit (section), does 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.
- xvi. Required setbacks from lot lines for coach houses are as follows:

Coach house	
Front yard setback (minimum)	Equal or greater than the minimum required front yard setback for the principal dwelling
Exterior side yard setback (minimum)	Equal or greater than the minimum required exterior side yard setback for the principal dwelling
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
Rear yard setback (minimum)	1.2 m where no entrance or window faces the interior side lot line 4.0 m in all other cases

- xvii. The gross floor area of a building containing a coach house, 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. 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
 - b. 40% of the area of the yard in which it is located.
- xviii. 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.
- xix. 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.
- xx. 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.



3.11 COMMUNITY GARDENS

- i. Where permitted, a community garden must comply with the following provisions:
 - a. It is not a commercial operation;
 - b. The produce grown is for the personal use and consumption of the individuals working in the community garden; and
 - c. No vehicle, equipment, building or structure of any sort is permitted within 1.5 metres of a public street.

3.12 CORNER LOT SIGHT LINES AND REQUIRED YARDS

Notwithstanding any provisions of this By-law to the contrary, within any area defined as a sight triangle, no obstruction to the vision of motor vehicle operators higher than 0.75 m above grade is permitted, including but not limited to buildings, structures, parking areas, or vegetation. For the purposes of this section, an agricultural crop or other feature that can be seen through is not an obstruction.

Notwithstanding any provisions of this By-law to the contrary, in the case of a corner lot where the lot lines do not intersect at one point, or there is a sight triangle or daylighting triangle dedicated as part of the public road, the street lines shall be deemed to include their projections to their intersection, and for the purposes of determining the required front and exterior side yards, the sight triangle or daylighting triangle is to be considered as being part of the lot.

3.13 DECKS

- i. A deck may be located in any front, rear, and/or interior or exterior side yard provided that where the walking surface is not higher than 0.6 m above the adjacent grade:
 - a) it may be up to 0 m to any rear or interior side lot line
 - b) it is the greater of 2.0 m or 50% of the minimum required setbacks from the front or exterior side lot line
- ii. A deck may be located in any front, rear, and/or interior or exterior side yard provided that where the walking surface is greater than 0.6 m and 1.2 m or less above the adjacent grade:
 - a) it is no closer than 1.0 m to any rear or interior side lot line, except where dwelling units are permitted to be vertically attached, in which case there is no required setback from the side lot line where the dwellings are attached.
 - b) it is the greater of 2.0 m or 50% of the minimum required setbacks from the front or exterior side lot line
- iii. A deck may be located in any front, rear, and/or interior or exterior side yard provided that where the walking surface is greater than 1.2 m above the adjacent grade:
 - a) it is no closer than 2.0 m to any rear or interior side lot line
 - b) it is the greater of 2.0 m or 50% of the minimum required setbacks from the front or exterior side lot line
- iv. Notwithstanding section 3.13 i., ii. and iii., 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.

3.14 DRIVE-THROUGH

- 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 4.



Table 4: Queuing spaces required for Drive-through uses

LAND USE		MINIMUM NUMBER OF QUEUING SPACES REQUIRED	
		Leading to Use	Leaving Use
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	
Financial establishment with accessory bank machine		3 before/at each machine	1 after each machine
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	
In all other cases		3 spaces before/at service window	

- i. All drive-through facilities and queuing spaces shall be design, constructed and maintained in accordance with Table 4 and the following provisions:
 - a. Each queuing space shall be a minimum of 3 meters in width and 5.7 meters in length;
 - b. No queuing line, drive-through window or order board may be located within 3 meters of any lot line abutting a residential zone.
 - c. Despite subsection ii), where a queuing line, drive-through window or order board is located 3 meters 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 meters 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 meters.
 - d. Queuing spaces provided for any use must not form part of any access driveway, aisle or parking space. Dwelling Units, Accessory

3.14.1 LOCATION

- i. An accessory dwelling unit may be located in a basement or in a cellar provided that the finished floor level of such basement or a such cellar is not below the level of any sanitary or storm sewer serving the building in which such basement or such cellar is located, or provided that the dwelling unit is serviced by an appropriate sewage pumping facility.

3.14.2 YARD PROVISIONS

- i. Where an accessory dwelling unit is located in a non-residential building, such dwelling unit shall comply with the yard provision of this By-law which apply to the said non-residential building.

3.15 DWELLING UNITS, SECONDARY

- i. A secondary dwelling unit is permitted in any detached, semi-detached, townhouse, or duplex 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. It is not a stand-alone, principal unit capable of being severed;
 - c. It must be located on the same lot as its principal dwelling unit and within the same building as the principal dwelling unit;
 - d. A building permit is obtained prior to the establishment of a secondary dwelling unit and the secondary dwelling unit complies with the Ontario Building Code;



- ii. A maximum of one secondary dwelling unit is permitted per principal dwelling unit in the case of a detached, semi-detached or townhouse dwelling, and a maximum of one secondary dwelling unit is permitted in the whole of a duplex dwelling;
- iii. 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;
- iv. If located at or above grade, the secondary 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 sq. m. or less, 50 sq. m. If located in a basement, it may occupy the whole of the basement;
- v. Where located both at or above grade, and in the basement, the secondary 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 secondary dwelling unit is located entirely within the basement save and except for its entrance located on the ground floor as required by subsection I;
- vi. Where an attached garage is converted to create the secondary dwelling unit or a portion of the secondary dwelling unit, such garage is included in the calculation of the gross floor area of the dwelling;
- vii. The creation of a secondary dwelling unit must not result in any new doorway entrance added to the front wall, whether before, during or after the creation of the secondary dwelling unit;
- viii. Subsection g) does not:
 - e. Prohibit an internal lobby or vestibule with a common doorway entrance in the front wall; nor
 - f. Prohibit the creation of a secondary dwelling unit within a dwelling unit that already contains more than one doorway entrance in the front wall; nor
 - g. Require the removal of a doorway entrance to a house that already contains more than one doorway entrance in the front wall; nor
 - h. 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;
- ix. The doorway entrance that leads to a secondary dwelling unit is limited to locations on the ground floor only, except where building and fire codes dictate otherwise
- x. The principal and secondary dwelling units must share the parking area and yards provided for the principal dwelling unit; and
- xi. Where a secondary dwelling unit is located on a lot, neither a garden suite nor any rooming units are permitted on that lot.

3.16 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 a built-up area 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.

3.17 EXTERNAL BUILDING MATERIALS

The following building materials shall not be used for the exterior vertical facing on any wall of any building or structure which is located partly or wholly within 90 m of a street:

- i. Tar or asphalt impregnated paper



- ii. Asphalt shingles
- iii. Asphalt roll-type siding or roofing
- iv. Membrane air barrier materials
- v. Mill ends
- vi. Non-painted sheet metal

3.18 FRONTAGE ON A COUNTY OR PROVINCIAL ROAD

- 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; and all development adjacent to any Provincial Road shall also be subject to the requirements and permits of the Ministry of Transportation of Ontario.
- 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 and calculated from the centre line of the road shall be required for buildings, structures, loading spaces, queuing areas and parking areas.

3.19 FRONTAGE ON A PUBLIC STREET

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.

3.20 GARBAGE ENCLOSURES

Notwithstanding any other provisions of this By-law, the following shall apply:

- i. A visual buffer of at least 1.2 m in height must be provided around outdoor garbage enclosures.
- ii. Garbage enclosures are not to be located in any front yard or in any minimum exterior side yard.
- iii. Garbage enclosures shall be located in such a way as to be easily serviceable.

3.21 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 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.
- iii. A garden suite may not exceed 56.0 m² 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 Zoning By-law amendment pursuant to Section 39 of the Planning Act.

3.22 GROUP HOMES

Notwithstanding any other provision of this By-law to the contrary, group homes as defined in this By-law shall be permitted in accordance with the following:

- i. A group home or Shelter shall occupy a dwelling unit that is permitted in the zone;
- ii. When a residential use building is converted to a group home or Shelter, the group home or Shelter must occupy the whole of the building including all attached units within the building;
- iii. The maximum number of residents permitted applies to the whole of the residential use building and not to individual units within the residential building in which the group home or Shelter is located.

3.23 HANDLING AND TRANSFER OF PROPANE AND NATURAL GAS

- i. Facilities relating to the handling and transfer of propane and natural gas, including tanks and associated compressors, pumps and other similar facilities, excluding propane cylinder exchange facilities, must not be located in any required front, side, corner side or rear yard, nor closer than 30 metres to any lot line abutting a residential zone.
- ii. Despite subsection (a), the minimum of 30 metres may be reduced to a minimum of 6 metres where it can be demonstrated that appropriate noise abatement measures have been undertaken to ensure that noise levels at the boundary of the residential zone do not create a nuisance for uses in that abutting residential zone.

3.24 HOME-BASED BUSINESSES

- i. Where permitted, home-based businesses shall be subject to the following provisions:
 - a. At least one person engaged in 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. No more than one person, other than persons residing on the premises, shall be engaged in the business.
 - c. No more than 50 m² of the total floor area of the dwelling unit or any accessory buildings shall be used for such purposes.
 - d. 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.
 - e. 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.
 - f. There shall be no open storage or display of materials, shipping containers, or finished products.



- g. Except for one licensed motor vehicle with a maximum of 3,500 kgs gross vehicle weight (GVW), 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.
- h. The home-based business shall be clearly secondary to the main residential use and shall not change the residential character of the dwelling or dwelling unit.
- i. 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.
- j. No mechanical or electrical equipment is used except that reasonably consistent with the use of a dwelling.
- k. Parking for home-based businesses shall be provided in accordance with Table 7.
- l. If more than one home-based business is practised accessory to the same dwelling, the total area dedicated to the combination of businesses shall not exceed the maximum area indicated in subsection iii).

3.25 HOME-BASED BUSINESSES, RURAL

- i. Where permitted, rural home-based businesses shall be subject to the following provisions:
 - a. Rural home-based businesses shall be clearly secondary to the main agricultural use and shall not change the agricultural character of the farm unit.
 - b. At least one person engaged in the business must reside on the premises.
 - c. No more than two persons, other than persons residing on the premises, shall be employed on the premises in the rural home-based business;
 - d. No more than 50 m² of the total floor area of the dwelling unit or no more than 100 m² in accessory buildings shall be used for all of the rural home-based businesses combined;
 - e. There shall be no advertising, other than a sign as permitted under the sign by-law, to indicate that any part of the lot is being used for a purpose other than agricultural;
 - 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.
 - g. There shall be no open storage or display of materials, shipping containers, or finished products;
 - h. The rural home-based business shall not create or become a public 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 rural home-based businesses shall be provided in accordance with Table 7.
 - j. If more than one rural home-based business is practised accessory to the same dwelling, the total area dedicated to the combination of occupations shall not exceed the maximum areas indicated in subsection 3.25 d.
 - k. Except for one licensed motor vehicle with a maximum of 3,500 kgs gross vehicle weight (GVW), 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. There shall be no open storage or display of materials, shipping containers, or finished products.

3.26 HOME INDUSTRIES

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

- i. A maximum of 50 m² of the total gross floor area of the dwelling unit or 100 m² of the total gross floor area of any accessory buildings shall be used for the purpose of the home industry uses.
- ii. A maximum total gross floor area of 100 m² is permitted if the home industry uses are located in the dwelling unit and any accessory buildings.
- iii. The permitted accessory home industries are subject to the following provisions:
 - a. At least one person engaged in the industry must reside on the premises.
 - b. No more than one person, other than a person residing on the premises, shall be engaged in 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 main residential use and shall not change the residential character of the dwelling house.
 - 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 7.
 - j. Except for one licensed motor vehicle with a maximum of 3,500 kgs gross vehicle weight (GVW), 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.

3.27 KENNELS

- i. Where permitted, a kennel must comply with the provisions of Table 5.
- ii. A kennel structure associated with a kennel is considered to be a building for zoning purposes.



Table 5: Kennel Requirements

ZONING MECHANISM	PROVISIONS
Minimum setback of a kennel or any structure or portion thereof used for the kennel operation	From a front or side lot line: 15.0 m; from a rear lot line: 12.0 m
Permitted location of dog runs	Restricted to locations in a side yard, rear yard or interior yard abutting a side or rear yard.
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 than 215 m for a kennel with more than 4 dog runs, or 100 m for a kennel with four 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 dog runs, provided that noise attenuation measures 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.</p> <p>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>

3.28 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, as set out in other sections of this Zoning By-law, 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 3.30 (Loading Requirements), Section 3.37 (Open Storage Areas), Section 3.41 (Parking Regulations), and within individual zones.

3.29 LEGAL NON-COMPLYING AND LEGAL NON-CONFORMING

3.29.1 LEGAL EXISTING BUILDINGS AND STRUCTURES

- i. A building or structure that does not meet the standards, provisions, and regulations of this By-law, but which was legally erected or altered in accordance with the By-laws in force at the time of construction may be enlarged, reconstructed, renovated, or repaired without the need for a minor variance from the Committee of Adjustment provided that:
 - a) it does not further increase the extent or degree of non-conformity, including required parking;
 - b) it does not create additional dwelling units or secondary dwelling units; and,
 - c) it complies with all other applicable provisions of this By-law.

3.29.2 LEGAL EXISTING LOTS

- i. A *lot* in existence prior to the effective date of this By-law that does not meet the minimum *lot area* or *lot frontage* requirements of the applicable zone is permitted to be used and buildings and structures, including *accessory buildings and structures*, be erected provided the use conforms with the By-law and the buildings and structures comply with all other provisions of the By-law.



- ii. A person may build an addition, reconstruct, renovate, or repair an existing principal building or accessory building on land 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 use; and,
 - c) No additional *dwelling units, secondary dwelling or coach house units* are created.

3.29.3 LEGAL EXISTING USES

- i. Nothing in this By-law applies to 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 the By-law, provided it continues to be used for that purpose.
- ii. A legal existing use, in a building or on a lot that does not comply with the standards, provisions, and regulations of this By-law, may change to another permitted use without the need for a minor variance from the Committee of Adjustment provided that the standards, provisions, and regulations of this By-law are no more restrictive for the new use.
- iii. Nothing in this By-law shall prevent the alteration, enlargement, renovation or repair of an existing legal non-conforming building or structure provided such enlargement, renovation or repair shall not increase any existing non-conformity, meaning no new non-conforming uses, shall be permitted, and shall not increase any non-compliance with any applicable zoning provision and if:
 - a) any enlargement of the area, building or structure used for a legal existing use does not exceed 50% of the area occupied by the use when it was legally established; and
 - b) it does not result in the creation of an additional dwelling unit, secondary dwelling unit or coach house where such dwelling unit is not a permitted use.

3.29.4 EXPROPRIATION AND/OR ROAD WIDENING

- i. If any legally existing building or structure would become non-complying as a result of a road widening or an expropriation, 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 road widening or an expropriation, by having its lot area and/or lot frontage reduced, the said existing lot shall be deemed to be complying for the purposes of this By-law.

3.30 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.

3.30.1 NUMBER OF SPACES REQUIRED

- i. The number of loading spaces provided shall be in accordance with the gross floor area of the building or structure as follows:

Table 6: Loading Requirements

GROSS FLOOR AREA OF BUILDING	MINIMUM NUMBER OF LOADING SPACES REQUIRED
Less than 500 m ²	0
500 m ² to 3,999 m ²	1
4,000 m ² to 7,499 m ²	2



7,500 m² or more

3

3.30.2 SIZE OF LOADING SPACES

- i. Each loading space shall be at least 9 m long, 3.5 m wide and have a vertical clearance of at least 4.2 m.

3.30.3 LOCATION AND BUFFERING

- i. The required loading spaces shall be provided on the lot occupied by the building or structure for which the spaces are required and such spaces shall not form part of any street or required parking area, and shall not be located within a required front yard or required exterior side yard.
- ii. All outdoor loading spaces shall be:
 - a. Located at least 3 m from a lot line abutting a public street.
 - b. Located at least 3 m from any lot line abutting a Residential zone.
 - c. 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.

3.30.4 ACCESS

- i. Access to loading spaces shall be by means of a clearly marked driveway at least 3.5 m wide for one way traffic and 6 m wide for two-way traffic and located within the lot on which the loading spaces are located.

3.30.5 SURFACE

- i. Each loading space and driveway connecting a loading space with a street shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles. Before being used, such loading spaces and driveways shall be constructed of asphalt paving, concrete, paver stones or similar materials and be provided with adequate drainage.

3.30.6 ADDITIONS TO BUILDINGS

- i. If an addition is made to an existing building or structure which increases the floor area, then additional loading spaces shall be provided as required in this Section for such addition.

3.30.7 SPECIAL EXCEPTION FOR THE VILLAGE CORE ZONE

- i. 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.

3.31 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.

3.32 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.



3.33 MEDICAL MARIJUANA PRODUCTION FACILITIES

A medical marijuana production facility:

- i. Must be a listed permitted use in the zone it is located in and must comply with the provisions of that zone;
- ii. Must be located completely within a building;
- iii. Must not have any outdoor storage;
- iv. Is not permitted in a dwelling;
- v. Must not be located in a building that is within 150 metres of a Residential, Institutional, or Rural Residential zone or within 50 m of a lot used principally for residential purposes;
- vi. Established in compliance with this section is not considered to be non-complying to 3.33 v. above by the subsequent erection of a residential or institutional use building on another lot.

3.34 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, including Bedrock, Bedrock and Sand-Gravel, and Sand-Gravel.

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.

Zone provisions:

- i. Prior to any development or redevelopment of an area identified as Mineral Aggregate Resource (ar) an Aggregate Resource Impact Assessment will be required to determine if the proposed development or redevelopment would preclude or hinder the establishment of mineral aggregate operations or access to the resources. 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.
- ii. Any development in areas identified as Mineral Aggregate Resource should be cited to retain as much of the mineral aggregate resource potential as possible, where possible development should be directed to areas of the lot outside of Mineral Aggregate Resource areas.
- iii. 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.
- iv. Notwithstanding subsection 3.34 (i), an Aggregate Resource Impact Assessment will not be required for the following, where the use is permitted as per the zoning of the property:
 - a. Single dwellings and accessory buildings, where permitted by the zoning of the subject property and in accordance with section 4.3.5.1 of the County Official Plan;
 - b. Home-based business, bed and breakfast, home industry or rural home-based business where such business is in a detached dwelling and/or accessory buildings;
 - c. Stormwater management facilities associated with a permitted use;
 - d. A secondary dwelling unit within an existing detached dwelling or a detached dwelling as permitted by subsection 3.34 iv(a);
 - e. Permitted non-residential uses in Agricultural Zones, except on-farm diversified uses;
 - f. Permitted on-farm diversified in agricultural zones uses that do not require a separate building or structure from those used for an agricultural use or dwelling unit;



- g. Permitted uses in Industrial Park and Commercial Park zones when mineral aggregate resource is no longer identified in Trade and Industry areas on Schedule “E” of the County Official Plan;
- h. A park, conservation use or community garden including any building or structure not requiring a building permit;
- i. Uses permitted by a special exception approved prior to June 1, 2018.

3.35 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.

3.36 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.
- 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.

3.37 OPEN STORAGE AREAS

No person shall use any property for open storage unless permitted as stipulated in individual zones, and in accordance with the following provisions:

- i. Open storage shall be permitted in the following zones: Highway Commercial (CH), Business Park (BP), Industrial Park – Serviced (MP1), Industrial Park – Unserviced (MP2), Agricultural, Aggregate, Waste Disposal (WD), and Wrecking Yard (WY).
- ii. The open storage must be accessory to the main use of the lot.
- iii. Open storage, as defined in this By-law, shall not be permitted within any front yard, and exterior side yard, and within any minimum side yard, or rear yard where the side or rear lot line abuts any Residential, Village Core (VC), Open Space (OS), Leisure (L), or Institutional (I) zone.
- iv. A strip of landscaped open space of a minimum width of 3 m shall be provided between the open storage area and any lot line.
- v. The open storage must be screened from view from any abutting public street, or abutting property, with an opaque fence with a minimum height of 2 metres. 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.
- vi. Open storage of hazardous chemicals or explosives is prohibited.
- vii. No open storage may lead to the creation of a wrecking yard.
- viii. Any areas used for open storage shall be in addition to any minimum off-street parking or loading areas required by this By-law.

3.38 OUTDOOR COMMERCIAL PATIOS

- i. An outdoor commercial patio is permitted if it is operated as a part of a restaurant, bar, or place of assembly where those uses are listed as permitted uses.
- ii. An outdoor commercial patio is prohibited in association with any adult entertainment parlour.
- iii. 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.
- c. Where an outdoor commercial patio is located 75 m or more from a residential zone the provisions of ii. above do not apply.
- iv. All lighting for an outdoor patio shall be directed only towards and onto the area occupied by the outdoor patio and away from adjoining land, buildings and streets.
- v. Notwithstanding Table 6 and Table 7, no loading space or parking space shall be required for an outdoor patio.
- vi. Outdoor commercial patios must not encroach on or eliminate any required parking or loading space, driveway or aisle.
- vii. An Outdoor Commercial Patio shall be limited to a seated capacity of a minimum of 1.10 square metres of patio area per person.
- viii. No part of an outdoor commercial patio shall be permitted on a sight triangle.
- ix. No commercial patio shall be located closer than 0.5 m to any street line.

3.39 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.

3.40 OUTDOOR ILLUMINATION

Outdoor illumination of buildings, structures or yards including parking areas shall be permitted provided that such illumination does not interfere with street traffic and that the light is directed away from adjacent lots and further provided that such illumination shall not consist of a colour or be so designed or located that it may be confused with traffic signals. Outdoor illumination components shall be illustrated on a Site Plan, where applicable.

3.41 PARKING REGULATIONS

3.41.1 REQUIREMENTS

- i. The owner of every building or structure erected or used for any of the purposes hereinafter set forth shall provide and maintain for the sole use of the owner, occupant, or other persons entering upon or making use of the said premises from time to time, one or more parking spaces, in accordance with Table 7.
- ii. Where the parking, queuing or loading required by this by-law is expressed as a rate or in multiples of more than one, calculations are to be pro-rated; and where the sum of the total calculation of the required spaces results in a fraction, the required spaces are to be the next higher whole number if the fraction is 0.5 or greater, and the next lower whole number if the fraction is less than 0.5.
- iii. The owner of every building or structure where there is a change in use shall provide and maintain for the sole use of the owner, occupant or other persons entering upon or making use of said premises from time to time, one or more parking space, in accordance with Table 7 for the new use(s).
- iv. Notwithstanding the provisions of Table 7, 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, or addition to, the legally existing building shall also be subject to the minimum parking requirement of zero (0) parking spaces.



- v. Electric vehicle charging stations may be provided within parking areas. The number of such stations shall be determined in consultation with the Township. For non-residential uses, they shall not be considered part of the required number of parking spaces where reserved for electric vehicles only. For all residential uses, they shall be considered part of the required number of parking spaces.

Table 7: Minimum Parking Requirements

Residential Uses	
Apartment Dwelling	1 per dwelling unit
Bed and Breakfast	1 per guest bedroom in addition to the parking requirements for the dwelling
Boarding House	0.5 per bedroom
Coach House	1 per dwelling unit
Detached, Semi-Detached, Duplex, and Triplex Dwellings	2 per dwelling unit
Dwelling unit or accessory dwelling unit in the same building with other uses, converted dwelling	1 per dwelling unit
Garden Suite	1
Group Home, Shelter	1 per two (2) residents, according to the licensed or approved capacity of the group home or shelter
Lodging House	0.5 per rooming unit
Mobile Home Park	1 per mobile home site plus 5 for each accessory commercial or recreational use building
Residential Care Facility	0.25 per dwelling unit or guest room, plus 1 per 100 m ² of gross floor area used for medical, health or personal services
Retirement Home	0.33 per dwelling unit or guest room, plus 1 per 100 m ² of gross floor area used for medical, health or personal services
Townhouse Dwelling	2 per dwelling unit
Stacked Townhouse Dwelling	1 per dwelling unit
Secondary Dwelling Unit	1 per dwelling unit
Other residential uses permitted by this By-law	1 per dwelling unit
Non-Residential Uses	
Abattoir	0.8 per 100 m ² of gross floor area
Adult Entertainment – Goods	4 per 100 m ² of gross floor area
Adult Entertainment – Parlour	6 per 100 m ² of gross floor area
Agricultural Produce Warehouse	0.8 per 100 m ² of gross floor area
Agricultural Use	2 per farm plus 3 per 100 m ² of floor area of farm produce outlet
Agriculture-Related Use	0.8 per 100 m ² of gross floor area
Agri-tourism	1 per 100 m ² of gross floor area
Airport	0.5 per 100 m ² of gross floor area used for passenger terminal or aircraft hanger
Airstrip	None
Amusement Park	4 per alley, court, ice sheet, game table or other game surface plus 10 per 100 m ² of gross floor area used for dining and assembly
Animal Care Establishment	1 per 25 m ² of gross floor area



Animal Hospital	1 per 25 m ² of gross floor area
Aquaculture	0.8 per 100 m ² of gross floor area
Artist Studio	4 per 100 m ² of gross floor area
Asphalt Plant	0.8 per 100 m ² of gross floor area
Automobile Body Shop	1 per 20 m ² of gross floor area, or 3 per service bay, whichever is greater
Automobile Dealership	i. Sales/ showroom area: 2 per 100 m ² of gross floor area ii. Service area: 2 per service bay ii. Other areas: 1 per 100 m ² of gross floor area
Automobile Gas Bar	None
Automobile Rental Establishment	i. Sales/ showroom area: 2 per 100 m ² of gross floor area ii. Service area: 2 per service bay ii. Other areas: 1 per 100 m ² of gross floor area
Automobile Service Station	The greater of 1 per 100 m ² of gross floor area or 3 per service bay, whichever is greater
Bank	3 per 100 m ² of gross floor area
Bar	6 per 100 m ² of gross floor area
Broadcasting Studio	1 per 100 m ² of gross floor area
Building Contractor's Shop or Yard	0.8 per 100 m ² of gross floor area
Building Supply Outlet	2 per 100 m ² of gross floor area
Bulk Storage Tank (Supply Yard only)	0.8 per 100 m ² of gross floor area
Business Incubator	4 parking space per 100 m ² of gross floor area, minimum of 3 spaces
Call Centre	4 parking space per 100 m ² of gross floor area, minimum of 3 spaces
Cartage or Transport Yard	0.8 per 100 m ² of gross floor area
Car Wash	i. Self Service Operation: 3 per wash stall ii. Mechanical operation: None, queuing to be provided as per section 3.17
Cemetery	None
Commercial Nursery and/or Greenhouse	0.8 per 100 m ² of gross floor area, no parking shall be required for a greenhouse accessory to a residential use
Commercial Vehicle and Heavy Equipment Sales, Rental and Servicing	1 per 100 m ² of gross floor area
Communications Facility	None
Community Centre	The greater of: i. 1 for 4 fixed seats; or ii. 1 per 10 m ² of gross floor area
Community Garden	None
Concrete Plant	0.8 per 100 m ² of gross floor area
Conservation Use	None
Custom Workshop	0.8 per 100 m ² of gross floor area
Day Care Centre	2 per 100 m ² of gross floor area
Dry Cleaning or Laundry Outlet	0.8 per 100 m ² of gross floor area
Dry Cleaning or Laundry Plant	0.8 per 100 m ² of gross floor area
Equestrian Centre	1 per 70 m ² of gross floor area



Ethanol Production Facility	0.8 per 100 m ² of gross floor area
Factory Outlet	4 per 100 m ² of gross floor area
Fairground	2 per 100 m ² of gross floor area
Farm Equipment Sales, Rental and Servicing	1 per 100 m ² of gross floor area
Farmers' Market	4 per 100 m ² of gross floor area
Flea Market	4 per 100 m ² of gross floor area
Food Bank	1 per 100 m ² of gross floor area
Food Production, Food Processing Plant	0.8 per 100 m ² of gross floor area
Forestry Operation	None
Funeral Home	5 per 100 m ² of gross floor area with a minimum of 10 spaces
Garden Centre	4 per 100 m ² of gross floor area
Golf Course	1 per 100 m ² of gross floor area plus 4 per hole
Grain Handling and Storage Facilities	0.8 per 100 m ² of gross floor area
Greenhouse	0.8 per 100 m ² of gross floor area
Hobby Farm	1 per hobby farm
Home-Based Business	1 per home-based business in addition to the parking requirements of the dwelling
Home-Based Business, Rural	1 per home-based business in addition to the parking requirements of the dwelling
Home Industry	1 per home industry in addition to the parking requirements of the dwelling
Hospital	1.4 per 100 m ² of gross floor area
Industrial Uses, Light	0.8 per 100 m ² of gross floor area
Industrial Uses, Medium	0.8 per 100 m ² of gross floor area
Industrial Uses, Heavy	0.8 per 100 m ² of gross floor area
Intensive Livestock Operation	2 per intensive livestock operation
Instructional Facility	3 per 100 m ² of gross floor area
Kennel	1 per kennel with 4 or less dog runs 4 per kennel with more than 4 dog runs
Library	2.5 per 100 m ² of gross floor area
Livestock Sales Establishment	1 per 100 m ² of gross floor area
Marine Facility	1 per 100 m ² of gross floor area, plus 1 per boat slip
Medical Facility	5 per 100 m ² of gross floor area
Medical Marijuana Production Facility	0.8 per 100 m ² of gross floor area
Merchandise Service Shop	4 per 100 m ² of gross floor area
Microbrewery	2.5 per 100 m ² of gross floor area for production With parking for any accessory restaurant or tasting facility to be provided at the parking rate for a restaurant
Mini Warehouse and Public Storage	0.5 per 100 m ² of gross floor area
Municipal Garage	0.8 per 100 m ² of gross floor area
Museum	1 for every 90 m ² of display area including any basement floor area used for display
Nursery	1 per 100 m ² of gross floor area
Office	4 parking space per 100 m ² of gross floor area, minimum of 3 spaces
Park	Sports field: the greater of 1 per 4 fixed seats or 4 per sports field



	All other parks: None
Parking Garage	None
Parking Lot	None
Personal Service Establishment	3.4 per 100 m ² of gross floor area
Pit	None
Place of Assembly	10 per 100 m ² of gross floor area
Place of Entertainment	1 per 4 persons design capacity of the establishment
Place of Worship	6 per 100 m ² of gross floor area
Portable Asphalt Plant	None
Portable Concrete Plant	None
Post Office	2 per 100 m ² of gross floor area
Post-Secondary Institution	3 per 100 m ² of gross floor area
Printing Establishment	0.8 per 100 m ² of gross floor area
Production Studio	1 per 100 m ² of gross floor area
Public Use	3 per 100 m ² of gross floor area
Quarry	None
Recreational and Athletic Facility	1 per 70 m ² of gross floor area
Recycling Depot	0.8 per 100 m ² of gross floor area
Refreshment Vehicle	Temporary – 5 days or less: None 5 per refreshment vehicle
Rental Establishment	2 per 100 m ² of gross floor area
Research and Development Centre	1 per 100 m ² of gross floor area
Restaurant	Full service: 10 per 100 m ² of gross floor area, including an outdoor commercial patio Take-out: 5 per 100 m ² of gross floor area
Retail Food Store	4 per 100 m ² of gross floor area
Retail Convenience Store	3.4 per 100 m ² of gross floor area
Retail Store	4 per 100 m ² of gross floor area
School	Elementary and other schools: 1.5 per classroom Secondary: 6 per classroom
Service and Repair Shop	3 per 100 m ² of gross floor area
Shopping Centre	3.6 per 100 m ² of net leasable area, except that for areas designed and used for Office, the minimum required parking spaces shall be that for an Office
Specialized Farm	None
Taxi Stand	None
Tent and Trailer Park	1.25 for each tent and trailer campsite
Theatre	The greater of: 1 for 4 fixed seats; or 1 per 10 m ² of gross floor area
Tourist Lodging Establishment	1 per guest room or suite plus 1 parking space for each 4 persons that can be accommodated at any one time in a beverage room, dining room or meeting room
Transportation Depot	1 per 100 m ² of gross floor area
Transportation Terminal	1 per 100 m ² of gross floor area



Warehouse	0.8 per 100 m ² of gross floor area
Waste Disposal Site	None
Waste Processing and Transfer Facility	None
Wayside Pit or Quarry	None
Well Drilling and Tile Drainage Establishment	0.8 per 100 m ² of gross floor area
Wholesale Establishment	1 per 100 m ² of gross floor area including any basement floor area used for wholesale business purposes
Wrecking Yard	0.8 per 100 m ² of gross floor area

3.41.2 SHARED PARKING

- i. Where more than one of the uses listed in Table 7 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 8. 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 7 by the percentages shown in Table 8 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 8: Percentage of Required Parking Permitted to be Shared

LAND USE	TIME PERIOD							
	Weekday				Week-end			
	Morning	Noon	Afternoon	Evening	Morning	Noon	Afternoon	Evening
Office; medical facility; research and development centre	100%	90%	100%	15%	20%	20%	10%	5%
Bank	80%	100%	100%	10%	80%	100%	60%	10%
Retail store; retail food store; personal service business; retail convenience store	75%	80%	85%	75%	60%	90%	100%	50%
Restaurant; bar	30%	90%	60%	100%	30%	80%	50%	100%
Theatre, amusement park	50%	50%	75%	100%	100%	100%	100%	100%
Visitors parking required for residential uses	50%	50%	75%	100%	100%	100%	100%	100%



3.41.3 DESIGN OF PARKING AREAS AND SPACES

- i. All off-street parking areas and spaces shall be designed, constructed and maintained in accordance with Table 9 and the following provisions:
 - a. Except in the case of detached, semi-detached, duplex, triplex, 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 adequate drainage facilities and may be maintained with a hard, stabilized and dust-preventative surface, dependant on Site Plan Control Agreement.
 - d. Spaces provided for commercial uses, institutional uses, or multi-residential dwellings shall not be located in front of the main entrance to the principal building.
 - e. Any off-street parking area subject to Site Plan Control must be bounded on all sides by continuous raised curbs except at entrances or for stormwater management.

Table 9: Design of Parking Areas and Spaces

ANGLE OF PARKING SPACES	PARKING SPACE WIDTH (minimum)	PARKING SPACE LENGTH (minimum)
90°	2.6 m	5.2 m
60°	2.6 m	5.2 m
45°	2.6 m	5.2 m
30°	2.6 m	5.2 m
Parallel	2.6 m	6.7 m



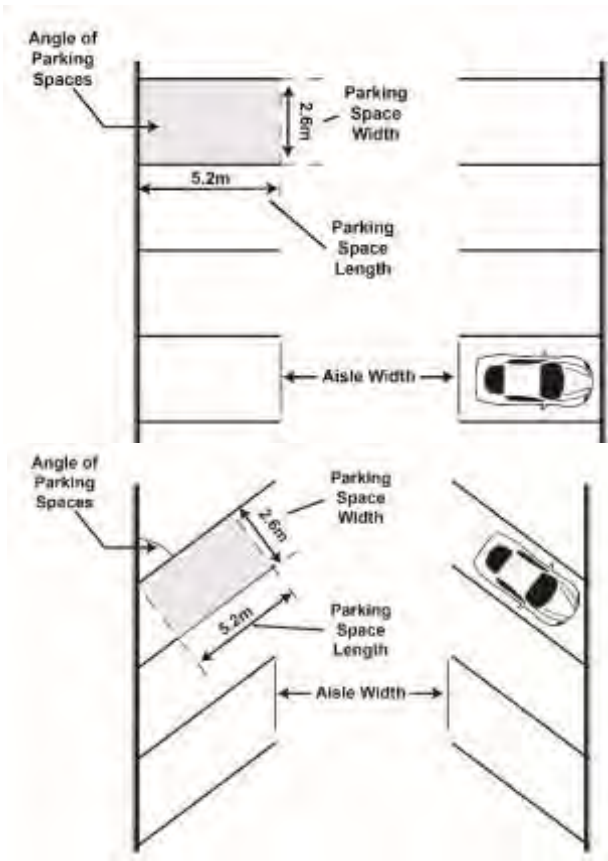


Illustration of 90-degree Parking (L) and Angle Parking (R)

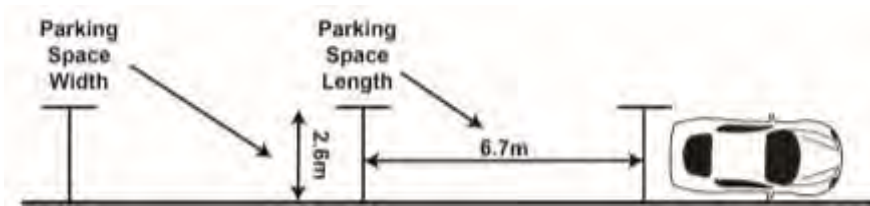


Illustration of Parallel Parking

3.41.4 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 10, where the barrier-free parking spaces are not included in the total number of parking spaces:

Table 10: Barrier-Free Parking Requirements

TOTAL NUMBER OF PARKING SPACES IN PARKING AREA	BARRIER-FREE PARKING SPACES REQUIRED (minimum)
1-19	1
20-99	2



100-199	3
200-299	4
300-399	5
400-499	6
Over 500	7

- ii. 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 30meters from accessible entrance(s);



- d. Shall be constructed so that the ground surface is firm stable and slip-resistant;
 - e. 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.
 - f. 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, RRO 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.

3.41.5 VISITOR PARKING

- i. Visitor parking shall be provided on the same lot for all residential uses with four (4) units or more. The minimum visitor parking shall be 0.2 spaces per dwelling unit. Visitor spaces shall be identified with proper signage, to the satisfaction of the Township.

3.41.6 CUMULATIVE STANDARDS

- i. 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.

3.41.7 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 and the parking spaces shall be retained for the duration of the use.



3.41.8 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 11.

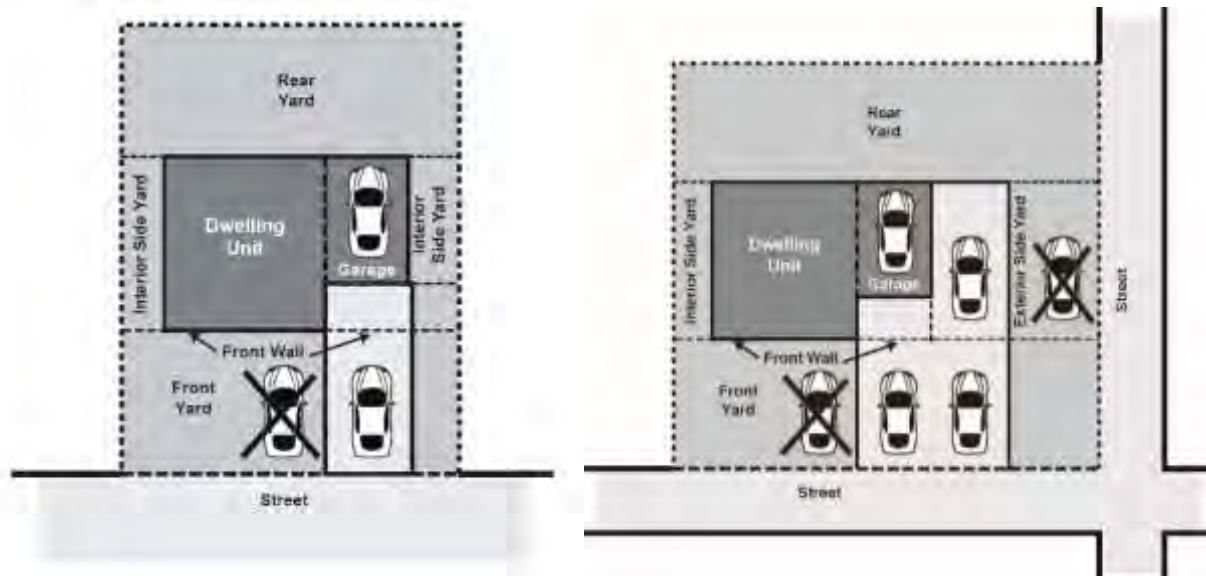


Illustration of Yards where Parking is Permitted / Not Permitted

Table 11: Yards Where Parking is Permitted

ZONE	YARD IN WHICH PARKING IS PERMITTED
A. Residential (R1, R1A, R1B, R2, RR, RMH)	All yards with the exception of a required and provided exterior side yard or the extension of a required and provided exterior side yard into a rear yard. In the required and provided front yard, required parking spaces may only be located on a driveway.
B. Residential Three (R3), Commercial (C, CH, CL), Commercial Park (CP), Institutional (I), Open Space (OS), Leisure (L)	All yards, provided that no part of any parking area, other than a driveway, 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)	All yards with the exception of a required and provided front yard, a required and provided exterior side yard, or the extension of a required and provided exterior side yard into a rear yard. No access driveway shall be located closer than 1 m to any Residential zone. Notwithstanding buffering requirements in S. 3.47.10, where the foregoing provisions result in insufficient space for an access driveway or required parking area at the side or rear of a building, required parking shall be permitted in the front yard.
D. Business Park (BP), Rural Industrial Park (MP), and Agricultural Industrial (MA)	All yards, provided that no part of any parking area, other than a driveway, is located closer than 1.3 m to any street line or Residential zone. 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)	Interior side and rear yards only, except for visitor parking, provided that no part of any parking area, other than a driveway is located closer than 3 m to any street line or Residential zone. No access driveway shall be located closer than 1 m to the lot line.
F. Agricultural (A1, A2)	All yards, provided that no part of any parking area, other than a driveway, is located closer than 3 m to any street line. No access driveway shall be located closer than 1 m to the lot line.



3.41.9 ACCESS

- 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 clause 3.41.9 i) a. in the case of an apartment dwelling, triplex, duplex dwelling or stacked townhouse dwelling the minimum width for a double traffic lane that leads to less than 6 parking spaces is 4 m.
 - c. Notwithstanding any other provision of this By-law, a driveway or aisle shared across two lots shall be permitted, subject to subsections 3.41.9 e. and j.
 - d. The aisles between and/or providing access to parking spaces within a parking area shall have a minimum width of 6 m.
 - e. The maximum combined width of any two non-residential shared or adjacent driveways along a common lot line shall be 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 7.5 m
 - g. The maximum number of separate driveways on a Township Road for Residential One, Residential One A and Residential One B 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 Residential Two, and Residential Three zones shall be one per dwelling unit for semi-detached and townhouse dwellings, not including any secondary dwelling unit, coach house or garden suite, and 3 per lot for all other uses in the Residential Two or Three zone.
 - i. The maximum number of separate entrance driveways for non-residential uses on a Township Road shall be 3 and shall be further limited to the operational minimum.
 - j. The minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveway, shall be 6 m for all residential uses in Residential zones and shall be 8 m for all other uses in any zone.
 - ~~k.~~ The minimum angle of intersection between a driveway and a street line shall be 60 degrees.
 - ~~l.~~ Access to parking areas for commercial or industrial uses shall not pass through a Residential Zone.
 - m. Driveways for residential use on a Township road shall have a minimum width of 3 m and a maximum width of 12 m.
 - n. Driveways widths on County roads shall be subject to minimums and maximums as set out in County by-laws.
- ii. The required parking space for a detached dwelling, semi-detached dwelling, townhouse dwelling, secondary dwelling unit, garden suite, coach house, home-based business, rural home-based-business or home industry may be stacked in tandem; however the creation of a coach house, garden suite, secondary dwelling unit, home-based business, rural home-based business or home industry must not eliminate a required parking space for the principal dwelling unit.
- iii. No new driveway shall be created in association with an accessory use, building or structure, coach house, garden suite or secondary dwelling unit except:



- a. where the accessory use, building or structure, coach house or secondary dwelling unit contains a garage a driveway may be extended to the accessory building, but may not be extended across a front yard;
- a. on a corner or through lot, provided such driveway is not on the same frontage as the driveway for the main dwelling unit, and up to a maximum of 2 driveways on a corner or through lot; or
- b. where the driveway is for an accessory use, building or structure in Agricultural zone.

3.41.10 BUFFERING

- i. Where, in a yard in a Commercial, Industrial or Residential Three zone, a parking area providing more than 4 parking spaces is closer than 8 m from a lot in a Residential zone, a fence at least 1.8 m in height shall be erected and maintained. 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 4 parking spaces is closer than 3 m from a street line, a strip of landscaped open space a minimum width of 1 m 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 planting strip referred to in this subsection may form part of any landscaped open space required by this By-law.

3.41.11 SURFACE

- i. Each parking area and driveway connecting the parking area with a street shall be maintained with a hard, stable surface in the form of standard concrete, asphalt paving, or alternatives listed below. This provision shall not apply to parking areas and driveways located in the R1, R1A, R1B, or R2 zones, or in any zone outside the Villages with the exception of the Highway 417 Industrial Park.
- ii. 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.

3.41.12 DRAINAGE

- i. Provision for drainage facilities shall be made in compliance with the requirements of the Municipality.

3.41.13 ADDITION TO EXISTING USE

- i. If an addition is made to an existing building or structure which increases the floor area, parking spaces for the development shall be provided as required by this By-law based on the gross floor area of the addition.

3.41.14 USE OF PARKING SPACES, AISLES AND DRIVEWAYS

- i. Every person shall use parking spaces and areas required in accordance with this By-law for the parking of operative, currently licensed vehicles only, and for vehicles used in operations incidental to the permitted uses in respect of which such parking spaces and area are required or permitted.
- ii. No person shall use parking spaces and areas shall not be used for open storage, garbage enclosures, and other uses not permitted above.
- iii. No person shall allow an inoperative vehicle to be parked outside on a lot except within an approved wrecking yard.



3.41.15 PARKING OF RECREATIONAL VEHICLES IN A RESIDENTIAL ZONE WITHIN A VILLAGE

- iv. 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.

3.41.16 RESTRICTIONS IN CERTAIN RESIDENTIAL ZONES WITHIN A VILLAGE

- i. In an R1 or R1A zone, 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 commercial vehicle, subject to the following provisions:
 - a. The gross vehicle weight rating (GVWR) of any such commercial vehicle shall not exceed 11,000 kilograms.
 - b. If the commercial vehicle is parked within a front yard, in no event shall the commercial vehicle be parked or stored closer than five (5) metres 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 one (1) metre 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 an R1 or R1A zone 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 five (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 one (1) metre from the side lot line, exterior side lot line and/or rear lot line.

3.41.17 CASH PAYMENT IN LIEU OF PARKING

- i. 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*.

3.42 PERMITTED PROJECTIONS

3.42.1 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
- Barns, silos, or other farm-related buildings or structures
- Bridges
- Bulk storage tanks
- Chimneys or smokestacks
- Place of worship steeples, spires, or belfries
- Clock towers
- Communication transmission and distribution towers forming part or all of a public use
- Construction equipment during the construction process
- Flag poles
- Grain elevators
- Hose towers
- Landscaped areas, roof-top gardens and terraces and associated safety guards and access structures
- Lightning rods
- Lighting standards
- Mechanical equipment penthouses
- Sports domes
- Solar panels or solar collectors
- Skylights, ornamental domes, cupolas or parapets
- Television, radio or telecommunication antennas, excluding a satellite dish or tower antenna
- Utility poles
- Ventilators
- Water tanks
- Water towers
- Windmills
- Wind turbines

Notwithstanding the foregoing, limitations prescribed or practices recommended by Transport Canada with respect to height limitations and appropriate lighting in the vicinity of airfields shall prevail.

3.42.2 INTO REQUIRED YARDS

Every part of any minimum required yard shall be open and unobstructed from the ground to the sky by any structure other than an accessory building permitted elsewhere in this By-law, provided, however, that those structures listed in Table 12 below shall be permitted to project from the principal building into the minimum required yards indicated for the distances specified, provided that such structures shall be subject to the provisions of this By-law regarding sight triangles.

Notwithstanding the foregoing, the Township shall require all easements to be open and unobstructed from the ground to a height of 5 metres, measured from finished grade.

Table 12: Permitted Projections into Required Yards



STRUCTURE	YARDS IN WHICH PROJECTION IS PERMITTED	MAXIMUM PERMITTED PROJECTION INTO MINIMUM YARD
Sills, belt courses, cornices, eaves, eave troughs, gutters, chimneys, chimney box, fireplace box, or pilasters	All	0.6 m
Fire escapes	Rear, interior side and exterior side	1.5 m, but no closer than 1 m to a lot line
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.
Bay windows	Front 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
Balconies	Detached, semi-detached, duplex and triplex dwellings: Front, exterior side and rear All other dwelling types: All	1.5 m, but no closer than 1 m to a lot line
Porches not exceeding one storey in height	Front and rear	1.5 m including eaves and cornices, but not closer than 1 m to a lot line
Uncovered paved patios, drop awnings, canopies, flag poles, garden trellises, planting strip, retaining walls, signs, mail boxes, hedges	All	No maximum
Deck	Front, interior side, exterior side and rear	See section 3.13 Decks for provisions
Clothes poles	Interior side and rear	No maximum
Antennae	Interior side and rear	No maximum, but no closer than 1 m from a lot line
Air conditioner condenser, heat pump, window well and generator, or similar equipment	Interior side	0.6 m
Fences	All yards	No maximum, as per fence by-law, as amended

3.43 PRIVATE SWIMMING POOLS

- i. Notwithstanding any other provision in this By-law, no person shall erect a private swimming pool and structures in conjunction with such a swimming pool subject to the following provisions:
 - a. No part of such swimming pool shall be located in the front yard.
 - b. No part of such swimming pool shall be located closer than 1.5 m to any rear, exterior side or interior side lot line.
 - c. No water circulating or treatment equipment such as pumps or filters shall be located closer than 1.5 m to any interior side, exterior side or rear lot line.



- d. A private swimming pool shall not be considered as part of the lot coverage provided no part of the pool including a deck, diving board, railing or other appurtenance protrudes more than 1.5 m above the ground level surrounding the swimming pool.
- e. All other provisions of Table 1 shall apply.

3.44 PUBLIC USES

This By-law permits the use of land in any zone, or the use, construction or re-construction of any building, structure, or communications facility for the purposes of the provision of public services by 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 provided that:

- i. the use, building or structure complies with the provisions of that zone;
- ii. any building or structure is designed and maintained in general harmony with the buildings and structures in that zone; and
- iii. there is no exterior storage of goods, materials or equipment in any Residential zone.
- iv. Hydro distribution and transmission and telecommunication towers providing service from utility operators may exceed the height limit applicable to the zone, but must be no higher than is necessary to operate effectively and safely;
- v. Notwithstanding the provisions of this section, waste disposal sites shall only be permitted in the Waste Disposal (WD) zone and no public buildings shall be permitted in Mineral Aggregate (MAP, MAQ, and MAR), Floodplain (FP) and Wetland (WL) zones.

3.45 REFRESHMENT VEHICLES

- i. Refreshment vehicles shall be subject to the provisions of By-law 63-1998, as amended or replaced, regulating mobile canteens, and all amendments thereto.

3.46 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 shall apply.

3.47 SEPARATION DISTANCES

3.47.1 MINIMUM DISTANCE SEPARATION FORMULAE

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

- i. Minimum Distance Separation I (MDS I)
 - a. Notwithstanding any other provisions of this By-law to the contrary, lands to be rezoned to permit residential, institutional, commercial, industrial or recreational use, will comply with the MDS I calculated using the requirements of the Ministry of Agriculture, Food and Rural Affairs, as amended.
 - b. Notwithstanding any other provisions of this By-law to the contrary, a permitted use to be located upon an existing lot of record will not be required to comply with the MDS I



calculated using the requirements of the Ministry of Agriculture, Food and Rural Affairs, as amended. On existing lots of record, effort must be made when planning to minimize non-compliance with MDS required setbacks while adhering to zoning by-law setback provision for the zone.

- c. Notwithstanding any other provisions of this By-law to the contrary, in accordance with MDS Implementation Guideline #9, in a case of a surplus farm dwelling severance, where a new lot is proposed with an existing dwelling, and that dwelling is located on a lot separate from a livestock facilities or anaerobic digesters, on a different lot, an MDS I setback is not required as the potential odour conflicts is already present between the neighbouring livestock facility or anaerobic digester and the existing dwelling. However, an MDS 1 setback is required for a proposed lot with an existing dwelling when the dwelling is presently located on the same lot as a livestock facility or anaerobic digester, because such a proposal could create a new potential odour conflict as the dwelling and the livestock facility or anaerobic digester will be on a separate lots.
 - d. Notwithstanding any other provisions of this By-law to the contrary, in accordance with MDS Implementation Guideline #35, the following agriculture-related uses, on-farm diversified uses and agricultural uses will comply with the MDS I calculated using the requirements of the Ministry of Agriculture, Food and Rural Affairs, as amended: food service, bed and breakfast, tourist lodging establishment, retail operations, agri-tourism.
 - e. Notwithstanding any other provisions of this By-law to the contrary, in accordance with MDS Implementation Guideline #43, the Township may reduce MDS I setbacks in site-specific circumstances that meet the intent of the requirements of the Ministry of Agriculture, Food and Rural Affairs, as amended.
- ii. Minimum Distance Separation II (MDS II)
- a. Notwithstanding any other provisions of this By-law to the contrary, a new or expanding livestock facility that is a permitted use will comply with the MDS II calculated using the requirements of the Ministry of Agriculture, Food and Rural Affairs, as amended.
 - b. Notwithstanding any other provisions of this By-law to the contrary, the MDS II calculated separation distances will be measured from the nearest point of an existing vacant lot of record 1.0 ha in size, or less, to the nearest point of the proposed livestock facility.
 - c. A new or expanding livestock operation permitted in proximity to an active cemetery shall comply with MDS II calculated using the requirements of the Ministry of Agriculture, Food and Rural Affairs, as amended, and in accordance with Official Plan policies.
 - d. Notwithstanding any other provisions of this By-law to the contrary, in accordance with MDS Implementation Guideline #35, the following agriculture-related uses, on-farm diversified uses and agricultural uses will comply with the MDS II calculated using the requirements of the Ministry of Agriculture, Food and Rural Affairs, as amended: food service, bed and breakfast, tourist lodging establishment, retail operations, agri-tourism.
 - e. Notwithstanding any other provisions of this By-law to the contrary, in accordance with MDS Implementation Guideline #43, the Township may reduce MDS II setbacks in site-specific circumstances that meet the intent of the requirements of the Ministry of Agriculture, Food and Rural Affairs, as amended.
 - f. A closed cemetery will be subject to MDS II Guidelines and will be treated as a Type A use in accordance with the requirements of the Ministry of Agriculture, Food, and Rural Affairs, as amended.
 - g. The MDS I or II formula will not apply to the reconstruction of a building or structure (including livestock and/or manure storage facility) if in whole or part destroyed by a catastrophe providing the new or reconstructed building or structure is built no closer than before the catastrophe to any land use, building or structure described in the MDS



Implementation Guidelines, 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 from time to time.

3.47.2 SEPARATION DISTANCES – NUTRIENT MANAGEMENT FACILITIES

- i. Notwithstanding any provisions of this By-law to the contrary the establishment of any new livestock facility, including manure storage, are constructed in accordance with the Nutrient Management Act, 2002, as amended.

3.47.3 SEPARATION DISTANCES – SOLID WASTE FACILITIES

- i. No person shall use any land, building or structure for a sensitive land use (e.g. residential use, daycare centre, educational and health facility) or for a use that would impact a sensitive land use or other as identified unless it complies with the following minimum separation distances:
 - a. No development shall be permitted within 30 m of the perimeter of a licensed Solid Waste Disposal Facility or Waste Processing and Transfer Facility.
 - b. No Solid Waste Disposal Facility or Waste Processing and Transfer Facility shall be located within 30 m of a Residential zone or of the high water mark of any water body. The distance separation shall be measured from the property boundary of the Solid Waste Disposal Facility or Waste Processing and Transfer Facility.
 - c. No Solid Waste Disposal Facility or Waste Processing and Transfer Facility shall be permitted on land covered by water or in any area subject to flooding.
- i. Development within 500 m of existing solid waste management sites shall be supported by an appropriate study or studies which confirm that there will be no negative impacts on the proposed development related to the adjacent waste disposal site, as per the requirement in the United Counties of Prescott and Russell Official Plan.

3.47.4 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 (MAP);
 - d. Within 150 m of any land zoned Mineral Aggregate-Quarry (MAQ);
 - e. Within 250 m of any land used as an adult-entertainment parlour;
 - f. 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 Mineral Aggregate (MAP) and Mineral Aggregate-Quarry (MAQ) as per Schedule A 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, an 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.

- i. All development and site alterations within 120 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 South Nation Conservation. South Nation Conservation must be consulted prior to any and all works within 120 m adjacent to the Wetlands (WL) zone, whereby a permit may be required.
- ii. Development within 500 m of existing wastewater management sites shall be 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.
- iii. Exceptions:
 - g. The provisions of subsection e) hereof shall not apply to the lands described as part of Lot 1, Concession II, and designated RR-34.

*NOTE: The Ministry of Transportation has its own setback requirements adjacent to Provincial Highways and should be consulted by anyone contemplating construction on land near Highway 417.

3.48 SERVICING REQUIREMENTS

3.48.1 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.

3.48.2 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.

3.48.3 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.

3.48.4 PRIVATE SERVICES

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

3.49 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 South Nation Conservation 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 12030 m from the normal high water mark of the waterbody or watercourse, or at any other distance as approved in writing by the South Nation Conservation.



- 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 South Nation Conservation 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.

3.50 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 for commercial storage as an accessory use to a permitted commercial or industrial use.
- ii. 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. A shipping container is permitted in the driveway of a residential property for the purpose of temporary loading or unloading of household items during the process of moving and for a period not exceeding five (5) 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 Agricultural zones (A), Highway Commercial zones (CH), Commercial Park zones (CP), General Commercial zones (C), and Business Park zones (BP), and
 - b. four (4) in number in Industrial Park zones (MP1 and MP2);
- v. No shipping container shall be permitted to locate in a front yard or exterior side yard;
- vi. Any shipping container shall be screened from view from the street and abutting properties;
- 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;
- 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.

3.51 SIGNS

The provisions of this By-law shall not apply to prevent the erection, alteration, or use of any legal sign provided that such sign complies with the provisions of this By-law regarding corner lot sight lines and the provisions of the Sign By-law.

3.52 TEMPORARY ENCLOSURES

- i. Notwithstanding any other provision in this By-law, no person shall permit a temporary enclosures, commonly known as 'Tempos', contrary to the following provisions:
 - a. When located in a front or exterior side yard, the installation does not take place before November 1st of the current year and the removal is completed by April 1st of the following year.
 - 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.
 - c. When located in a front or exterior side yard, the temporary car enclosure is a minimum of 1 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 0.5 m from the interior side lot line.
- i. All other provisions of Table 1 shall apply.

3.53 TEMPORARY USES, BUILDING OR STRUCTURES

- i. Any temporary construction facility such as a shed, scaffold, sales office, model home, temporary accommodation facility and equipment incidental to construction on the premises for a maximum period of two (2) years shall be permitted in any zone for as long as it is necessary for the work in progress and until the work is completed or abandoned, 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.
- ii. A temporary accommodation will only 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.
- iii. 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 shall be permitted in any zone for the work in progress until all construction on the subdivision 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 4 m to a front or exterior lot line and 1 m from all other lot lines.
- iv. Other temporary uses 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.
- v. Provisions for temporary car enclosures are located in Section 3.1.



3.54 THROUGH LOTS

Where a lot is a through lot, the minimum required front yards setback contained in this By-law shall apply to each yard abutting the street. Notwithstanding any other provision of this By-law, the minimum depth for a residential through lot shall be 36 m.

3.55 WAYSIDE PITS AND QUARRIES, PORTABLE ASPHALT PLANTS, AND PORTABLE CONCRETE PLANTS

Wayside pits and quarries and portable asphalt and portable concrete plants required for public authority road contracts will be permitted, without an amendment to this Official Plan or local zoning in all areas except within the Urban Policy Area, the Community Policy Area and Natural Heritage Policy Area features as identified on Schedule A and Schedule B on the County Official Plan.



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.

4.1.1 PERMITTED USES

Residential

- Bed and breakfast
- Coach house
- Detached dwelling
- Group home
- Garden Suite
- Secondary dwelling unit

Non-Residential

- Community garden
- Conservation use
- Home-based business
- Park
- Stormwater management facility

4.1.2 ZONE REQUIREMENTS

	ZONING MECHANISM		R1 PROVISIONS
a)	Lot Area (minimum)	Lot serviced by private well and private sewage system	2,000 m ² , based on satisfactory demonstration that the lot size can accommodate effluent from the proposed treatment system.
		Lot serviced by municipal water and private sewage system	1,100 m ²
		Lot serviced by private well and municipal sanitary sewer	660 m ²
		Lot serviced by municipal water and municipal sanitary sewer	600 m ²
		A lot which existed prior to December 4, 1978 and which has an area of at least 900 m ² may be divided by the Land Division Committee into two or more lots, each having an area of at least 450 m ² , provided in all cases that all the lots are serviced by municipal water and municipal sanitary sewer.	
b)	Lot Frontage (minimum)	Lot serviced by private well and private sewage system	30 m
		Lot serviced by municipal water and private sewage system	22.5 m
		Lot serviced by private well and municipal sanitary sewer	18 m
		Lot serviced by municipal water and municipal sanitary sewer	18 m
		A lot which existed prior to December 4, 1978 and which has a lot frontage of at least 30 m, may be divided by the Land Division Committee into two or more lots, each having a lot frontage of at least 15 m, provided in all cases that all the lots are serviced by municipal water and municipal sanitary sewer.	
c)	Front Yard Setback (minimum)		6 m
d)	Exterior Side Yard Setback (minimum)		3.5m
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 a secondary dwelling, coach house, or garden suite)	1

Notes and Additional Provisions:

- i. A community garden, conservation use, stormwater management facility or a park is not subject to the minimum lot area, lot frontage, and setback provisions of the above table. However, any building or structure on such lands will be subject to the other provisions for a detached dwelling.

4.1.3 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, George Street, Russell

Notwithstanding any provisions of this By-Law to the contrary, the lands zoned R1-3 shall be used in accordance with the following provisions:

- i. Lot Area (minimum): 1,800 m²
- ii. Lot Frontage (minimum): 25.24 m

R1-4, Church Street, Russell

Notwithstanding any provisions of this By-Law to the contrary, the lands zoned R1-4 may be used in accordance with the following:

- i. Lot Frontage (minimum): 26 m

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, 4513 Gregoire Road, Part Lot A, Concession 1, part 4 on plan 50R-8019

Notwithstanding the provisions of this by-law to the contrary, the lands zoned R1-9 shall be used in accordance with the following provisions:

- i. Lot frontage (minimum): 20 m
- ii. The existing garage may be used for commercial storage

R1-10, County Road 28, Embrun

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R1-10 shall be used in accordance with the following provisions:

- i. Lot frontage (minimum): 27 m

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, Ste. Thérèse Boulevard, Embrun (12-1994)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R1-12 may be used in accordance with the following provision:

- i. Lot area (minimum) – Lot serviced by private well and private sewage system: 1,050 m².

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 m²
- 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 m²
- ii. Number of parking spaces (maximum): 5

R1-24, 1063 St-Pierre (84-2007)

The existing buildings located on lands designated R1-24 may be used for a welding shop.

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 m²

R1-26, LeBaron

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned R1-26 shall be used in accordance with the following provisions:

- i. Lot area (minimum) – modular home condominium: 8.5 ha, modular home lot (unit): 900 m²
- ii. Lot frontage (minimum) – modular home lot (unit): 12 m
- iii. Front yard (minimum) – modular home: 6 m, other permitted uses: 4 m
- iv. Interior side yard (minimum): 1.2 m
- v. Exterior side yard (minimum): 6 m
- vi. Rear yard (minimum): 3 m
- vii. Floor area (minimum) – modular home: 66 m²
- viii. Landscaped open space (minimum) – modular home lot: 35%, other permitted uses: 50%
- ix. Lot coverage (maximum) – modular home lot: 20%
- x. Building height (maximum) – modular home: 10.5 m, other uses: 6 m
- xi. The streets within the R1-26 zone will be considered as if they were all public improved streets.



- xii. The condominium units (lots) within the R1-26 zone will be considered as lots.
- xiii. The lands zoned R1-26, and including any streets therein, shall be considered as the Modular Home condominium lot.

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)

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.



4.2 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.

4.2.1 PERMITTED USES

Residential

- Bed and Breakfast
- Coach house
- Detached dwelling
- Group home
- Garden Suite
- Secondary dwelling unit

Non-Residential

- Community garden
- Conservation use
- Home-based business
- Park
- Stormwater management facility

4.2.2 ZONE REQUIREMENTS

a) Lot Area (minimum)	400 m ²
b) Lot Frontage (minimum)	12 m
c) Front Yard Setback (minimum)	6 m
d) Exterior Side Yard Setback (minimum)	3.5m
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 a secondary dwelling, coach house, or garden suite)	1

Notes and Additional Provisions:

- i. A community garden, conservation use, stormwater management facility, or a park is not subject to the minimum lot area, lot frontage, and setback provisions of the above table. However, any building or structure on such lands will be subject to the other provisions for a detached dwelling.

4.2.3 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 m²
- 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 side, provided that on a lot where there is no attached private garage or attached carport, the minimum interior side yard shall be 3 m on one side and 0.75 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



4.3 RESIDENTIAL ONE-B ZONE (R1B)

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in a Residential One-B (R1B) 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

- Coach house
- Detached dwelling
- Garden Suite
- Group home
- Secondary dwelling unit

Non-Residential

- Community garden
- Conservation use
- Home-based business
- Park
- Stormwater management facility

4.3.2 ZONE REQUIREMENTS

a) Lot Area (minimum)	300 m ²
b) Lot Frontage (minimum)	10 m
c) Front Yard Setback (minimum)	6 m
d) Exterior Side Yard Setback (minimum)	3.5m
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 a secondary dwelling, coach house, or garden suites)	1

Notes and Additional Provisions:

- i. A community garden, conservation use, stormwater management facility, or a park is not subject to the minimum lot area, lot frontage, and setback provisions of the above table. However, any building or structure on such lands will be subject to the other provisions for a detached dwelling.



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

- Bed and breakfast
- Coach house
- Detached dwelling
- Duplex dwelling
- Garden Suite
- Group home
- Secondary dwelling unit
- Semi-detached dwelling

Non-Residential

- Community garden
- Conservation use
- Home-based business
- Park
- Stormwater management facility

4.4.2 ZONE REQUIREMENTS

	ZONING MECHANISM	R2 PROVISIONS		
		Principal Dwelling Types		
		Detached dwelling	Semi-detached dwelling	Duplex dwelling
a)	Lot Area (minimum)	400 m ²	300 m ² per dwelling unit	600 m ²
b)	Lot Frontage (minimum)	15 m	10 m per dwelling unit	18 m
c)	Front Yard Setback (minimum)	6 m	6 m	6 m
d)	Exterior Side Yard Setback (minimum)	3.5m	3.5m	3.5m
e)	Interior Side Yard Setback (minimum)	1.2 m	1.2 m 0 m between units which are vertically attached	1.2 m
f)	Rear Yard Setback (minimum)	7.5 m	7.5 m	7.5 m
h)	Building Height (maximum)	10.5 m	10.5 m	10.5 m
i)	Dwellings Per Lot (maximum, excluding a secondary dwelling, coach house, or garden suite)	1	2	2



Notes and Additional Provisions:

- i. A community garden, conservation use, stormwater management facility, or a park is not subject to the minimum lot area, lot frontage, and setback provisions of the above table. However, any building or structure on such lands will be subject to the other provisions for a detached dwelling.

4.4.3 R2 SPECIAL EXCEPTION ZONES

R2-1, Ste. Therese Boulevard, Embrun

Notwithstanding any other provision of this By-law to the contrary, the lands zoned R2-1 may be used for a use permitted in the R2 Zone, with a minimum lot frontage of 9 m on St. Therese Boulevard.

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 m²
- 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-h, Part of Lot 7, Concession 7, Ste-Therese Blvd., Embrun (2015-50)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-4 shall be used in accordance with the following new provisions:

- i. Permit a semi-detached dwelling
- ii. Lot area (minimum) 279 m²
- iii. A holding symbol in order to prevent development prior to municipal services being allocated and installed.

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 designated 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 m²

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 m² 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 m² 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 m² 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 m² 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 m² 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 m²
- 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 m²
- ii. Rear yard (minimum): 5.3 m

R2-21, Part of Lot 12, Concession 2 (9-2012)

Notwithstanding the provisions of this By-law to the contrary, the lands designated R2-21 shall be used in accordance with the following provisions:

- i. Lot coverage (maximum): 45%

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



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

- i. Lot area (minimum): Semi-detached dwelling: 264m² 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 designated 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 designated 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 designated 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, Lots 67, 70, 71, 72, 73 & 74, Plan 50M-313 known as 237, 239, 249, 251, 253, 255, 259, 261, 263, 265, 267 & 269 Belfort Street, in Embrun (2016-078)

Notwithstanding the provisions of this By-law to the contrary, the lands designated R2-26 shall be used in accordance with the following new provision:

- i. lot coverage (maximum): 47%



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

- Apartment dwelling
- Boarding house
- Converted dwelling
- Group home
- Lodging house
- Residential care facility
- Retirement home
- Secondary dwelling unit
- Townhouse dwelling
- Stacked townhouse dwelling
- Triplex dwelling

Non-Residential

- Community garden
- Conservation use
- Home-based business
- Park
- Stormwater management facility

4.5.2 ZONE REQUIREMENTS

	ZONING MECHANISM	R3 PROVISIONS				
		Principal Dwelling Types				
		Triplex dwelling or converted dwelling	Group home; boarding or lodging house	Townhouse dwelling	Stacked townhouse dwelling	Apartment dwelling, retirement home or residential care facility
a)	Lot Area (minimum)	660 m ²	660 m ²	185 m ² per dwelling unit	115 m ² per dwelling unit	115 m ² per dwelling unit
b)	Lot Frontage (minimum)	18 m	20 m	20 m, or 5.5 m if located on separate, adjacent lots	22 m	20 m
c)	Front Yard Setback (minimum)	6 m	6 m	6 m	6 m	6 m
d)	Exterior Side Yard Setback (minimum)	4.5 m	4.5 m	4.5 m	4.5 m	4.5 m
e)	Interior Side Yard Setback (minimum)	3 m	3 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	7.5 m
g)	Development Form	n/a	n/a	Not more than eight (8) dwelling units shall be in any one townhouse dwelling.	Not more than sixteen (16) dwelling units shall be in any one stacked townhouse dwelling	n/a
h)	Landscaped Open Space (minimum)	30%	35%	30%	30%	30%
j)	Building Height (maximum)	10.5 m	10.5 m	10.5 m	12 m, to a maximum of 3 storeys (excluding basement)	20 m, to a maximum of 5 storeys (excluding basement)
k)	Main Building Spacing for buildings on the same lot (minimum)	n/a	n/a	3 m	3 m	6 m
l)	Amenity Area	15 m ² per dwelling unit	n/a	n/a	15 m ² per dwelling unit up to eight units, plus 10 m ² per unit in excess of 8	15 m ² per dwelling unit up to eight units, plus 10 m ² per unit in excess of 8

Notes and Additional Provisions:

- i. A community garden, conservation use, stormwater management facility or a park is not subject to the minimum lot area, lot frontage, and setback provisions of the above table. However, any building or structure on such lands will be subject to the other provisions for an apartment dwelling.
- ii. Notwithstanding any other provisions of this By-law, not more than four 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 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 not abutting a lot in the Residential Three (R3), General Commercial (C), or Village Core (VC) zone, the interior side and rear lot lines.
- iv. A children's play area, as defined in Section 2, shall be provided on each lot containing more than ten (10) dwelling units, in cases where this lot is located more than 100 m from a lot zoned Open Space (OS) or Leisure (L) used for park purposes, in accordance with the following provisions:
 - a. Minimum area: 4% of the area of the lot, which may be included in the area calculated as required open space on the lot.
 - b. Location: at least 6 m from a ground floor habitable room window and at least 10 m from any street line.
- v. A retirement home and a residential care facility are not required to provide a children's play area as described above.



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 designated 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 (87-2013)

The Holding Symbol applying to the lands designated R3-3 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.

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 m²
- 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 designated R3-6-h shall also be used for semi-detached dwelling. Semidetached dwelling in the R3-6-h 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 designated 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 m² 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 designated 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 designated R3-14 shall be used in accordance with the following new provision:

- i. secondary 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 m²
 - b. Two bedroom unit: 57 m²
- 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 m²
- 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 m² 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, Part of Lot 7, Concession 7 being Blocks 115, 117, 118 & 119 on Plan 50M-320, known as 200-208,182-190,174-180 & 164-172 St-Malo Street, Village of Embrun.

Notwithstanding the provisions of this By-law to the contrary, the lands designated R3-20 shall be used in accordance with the following new provision:

- i. secondary dwelling units are permitted in the end units of the row house buildings.

R3-21, Reserved

R3-22, 902 Notre Dame Street, Embrun

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

- i. Lot area (minimum): 695 m²
- ii. Distance from a parking space to a street line (minimum): 1.35 m
- iii. 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, Part Lots 9 and 10, Concession 8, St-Thomas Road (36-2014)

Notwithstanding the provisions of Section 4.5.2 of this By-law to the contrary, the lands designated R3-23 on Schedule 'A1(d)', map 1 to this By-law, shall be used in accordance with the following provision:

- i. Townhouse dwelling: Minimum interior side yard: 2 meters

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 designated 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, Reserved

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, Reserved

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, Reserved

R3-39, Reserved

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, 480 Church Street, Russell (34-2010)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R3-44 shall be used in accordance with the following provisions:

- i. Landscaped open space (minimum), apartment dwelling: 41%
- ii. Main building spacing (minimum), apartment dwelling: 8 m

R3-45, Lots 47 and 48, Plan 7; 55 and 59 Craig Street, Russell (19-2012)

Notwithstanding the provisions of this By-law to the contrary, the lands designated R3-45 shall be used in accordance with the following provisions:

- i. Interior Side Yard Setback (minimum): 3 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 designated 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 designated R3-47 shall be used in accordance with the following provisions:

- i. Lot area (minimum)- triplex dwelling: 633 m² 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, Reserved

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



4.6 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.

4.6.1 PERMITTED USES

Residential

- Bed and breakfast
- Coach house
- Detached dwelling
- Garden suite
- Group home
- Secondary dwelling unit

Non-Residential

- Community garden
- Conservation use
- Forestry use
- Hobby farm
- Home-based business
- Home industry
- Park
- Stormwater management facility

4.6.2 ZONE REQUIREMENTS

	ZONING MECHANISM	RESIDENTIAL USES	AGRICULTURAL USES	NON-RESIDENTIAL USES
a)	Lot Area (minimum)	Lot serviced by private well and private sewage system: 4,000 m ² Lot serviced by municipal water and private sewage system: 3,100 m ² Lot serviced by private well and municipal sewer: 2,100 m ²	25 ha	1 ha, 2 ha for a hobby farm or kennel
b)	Lot Frontage (minimum)	45 m	150 m	60 m
c)	Front Yard Setback (minimum)	13.5 m	13.5 m	15 m
d)	Exterior Side Yard Setback (minimum)	6 m	13.5 m	15 m
e)	Interior Side Yard Setback (minimum)	3 m	9 m	15 m
f)	Rear Yard Setback (minimum)	7.5 m	9 m	15 m
g)	Lot Coverage (maximum)	25%	20%	20%
h)	Building Height (maximum)	10.5 m	10.5 m	10.5 m



i)	Dwellings Per Lot (maximum, excluding secondary dwellings, coach houses, and garden suites)	1	1	1
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Notes and Additional Provisions:

- i. A community garden, conservation use, stormwater management facility, or a park is not subject to the minimum lot area and minimum lot frontage provisions of the above table.

4.6.3 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 m²
- 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 designated 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 m²
- 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, Reserved**RR-16, Reserved****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, Lot 10, Concessions VI and VII (44-2000)

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

- i. Lot area (minimum): 0.2 ha
- ii. Lot frontage (minimum): 35 m

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 m²

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 m²

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 m²
- 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 m²

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 m²
- ii. Lot frontage (minimum): 29 m

RR-27, Lot 11, Concession VII

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-27 may be used for a carpentry and woodworking shop.

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:

- i. Lot area (minimum): 2,450 m²

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 m²
- 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 m²

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 m²

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 m²

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 m²

RR-38, Part of Lot 10, Concession VII (59-1998)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-38 shall be used in accordance with the following provisions:

- i. Lot frontage (minimum): 32 m

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 m²

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 m²
- 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 m²
- 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 m²



- ii. Lot frontage (minimum): 30 m

RR-45, 328 Felton Crescent (13-2005)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned RR-45 may also be used for an accessory apartment.

RR-46, Forced Road, Part of Lot 13, Concession II (11-2006)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-46 shall only be used in accordance with the following provisions:

- i. Lot area (minimum): 0.35 ha
- ii. Lot frontage (minimum): 30 m

RR-47, Forced Road, Part of Lot 13, Concession II (11-2006)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-47 shall only be used in accordance with the following provisions:

- i. Lot frontage (minimum): 30 m
- ii. Interior side yard width (north side) (minimum): 1 m

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, Part of Lot 13, Concession 2 (15-2011)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned RR-49 may also be used for an accessory apartment.



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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

- Community garden
- Conservation use
- 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, or 13.5 m when a portion of the lot abuts a restricted or general agricultural zone (A1 or A2)
d)	Exterior Side Yard Setback (minimum)	6 m, or 13.5 m when a portion of the lot abuts a restricted or general agricultural zone (A1 or A2)
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. Conservation uses shall comply with the zone requirements and additional provisions of the Restricted Agricultural (A1) zone for these uses.
- ii. 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, Reserved

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

Residential

- Accessory dwelling unit

Non-Residential

- 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

5.2.2 ZONE REQUIREMENTS

	ZONING MECHANISM	TENT & TRAILER PARK	Other uses
a)	Lot Area (minimum)	4 ha (40,000 m ²)	660 m ²
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 residential zone	150 m	
k)	Landscaped open space (minimum)	30%	30%

Notes and Additional Provisions:

- A minimum of 15 m² of amenity area shall be provided for the exclusive use of each accessory dwelling unit.
- Detached accessory dwelling units shall comply with the provisions of the Rural Residential (RR) zone for detached dwellings.



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

- Accessory dwelling unit
- Group home
- Residential care facility
- Retirement home

Non-Residential

- Cemetery
- Community centre
- Community garden
- Day care centre
- Food Bank
- Hospital
- Instructional facility
- Library
- Medical facility
- Municipal garage
- Museum
- Park
- Place of assembly
- Place of worship
- Post office
- Post-secondary institution
- Research and development centre, accessory to a permitted use
- Recreational and athletic facility
- Restaurant, accessory to a permitted use
- Retail store, accessory to permitted use
- School

5.3.2 ZONE REQUIREMENTS

	ZONING MECHANISM	I PROVISIONS
a)	Lot Area (minimum)	660 m ²
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:

- i. A community garden or a park is not subject to the minimum lot area and minimum lot frontage provisions of the above table.
- ii. The following provisions shall apply to accessory dwelling units:
 - a. A minimum of 15 m² of amenity area shall be provided for the exclusive use of each accessory dwelling unit.



- b. Detached accessory dwelling units shall conform to the requirements of the Residential 1 (R1) zone for detached dwellings.
- iii. Cemeteries shall conform to the requirements of the *Cemeteries Act*.

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, Reserved

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 designated 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, residential 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, Part of Lot 10, Concession VII, Route 300 (30-2004)



Notwithstanding the provisions of this By-law to the contrary, the lands zoned I-7 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
 - Additional provisions for the I-7 zone: None

iii. Special provisions:

For the purpose of the interpretation and application of the I-7 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 I-7 Zone shall be considered as one (1) lot.

iv. For the purpose of the I-7 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 designated I-7 shall be served by a public water system and a public sanitary sewer system.
- vi. Parking requirements: Within the lands designated I-7, parking shall be in accordance with a Site Plan approved by Council, in accordance with the provisions of Section 41 of the *Planning Act*.

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

All lots zoned Village Core, as shown on Schedule A, excluding existing residential buildings, must provide non-residential uses in 100% of that part of the ground floor fronting on a street, excluding the lobby area, mechanical room and access to other floors, for a minimum depth of 3 m, when abutting one of the following streets:

- Notre-Dame Street
- Castor Street
- Concession Street
- Limoges Road

Residential

- Accessory dwelling unit
- Apartment dwelling
- Converted dwelling
- Group home
- Residential care facility
- Retirement home
- Lodging house
- Townhouse dwelling
- Secondary dwelling unit
- Stacked townhouse dwelling
- Triplex dwelling

Non-Residential

- Animal care establishment
- Animal hospital
- Artist studio
- Bank
- Bar
- Business incubator
- Community centre
- Community garden
- Day care centre
- Dry cleaning or laundry outlet
- Farmers' market
- Flea market
- Food bank
- Food production
- Funeral home
- Home-based business
- Hospital
- Instructional facility
- Library
- Medical facility
- Museum
- Office
- Outdoor display and sales area, accessory to a permitted use
- Park
- Personal service establishment
- Place of assembly
- Place of entertainment
- Place of worship
- Post-secondary institution
- Post office
- Recreational and athletic facility
- Refreshment vehicle (chip stand)
- Rental establishment
- Restaurant
- Retail store
- Retail food store
- Retail convenience store
- School
- Theatre
- Tourist lodging establishment



6.1.2 ZONE REQUIREMENTS

	ZONING MECHANISM	VC PROVISIONS				
		Principal Dwelling Types				Non-residential uses / mixed use
		Triplex / converted dwelling,	Townhouse	Stacked townhouse	Apartment residential care facility, retirement home, lodging house	
a)	Lot Area (minimum)	660 m ²	185 m ² per dwelling unit	115 m ² per dwelling unit	115 m ² per dwelling unit	No minimum
b)	Lot Frontage (minimum)	18 m	20 m, or 5.5 m per dwelling unit if located on separate, adjacent lots	22 m	20 m	No minimum
c)	Front Yard Setback (minimum)	2 m	2 m	2 m	6 m	1 m
d)	Front Yard Setback (maximum)	6 m	6 m	6 m	6 m	6 m
e)	Exterior Side Yard Setback (minimum)	3 m	3 m	3 m	4.5 m	3 m
f)	Interior Side Yard Setback (minimum)	3 m	3 m, 0 m between units that are permitted to be vertically attached	3 m, 0 m between units that are permitted to be vertically attached	3 m	3 m, 0 m between units that are permitted to be vertically attached
g)	Rear Yard Setback (minimum)	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m for buildings containing residential uses or abutting a residential zone 3 m in all other cases
h)	Development Form	n/a	Not more than eight (8) dwelling units shall be in any one townhouse dwelling.	Not more than sixteen (16) dwelling units shall be in any one stacked townhouse dwelling.	n/a	n/a
i)	Landscaped Open Space (minimum)	10%	15%	15%	30%	10%
j)	Building Height (maximum)	12 m	12 m	12 m, to a maximum of 3	12 m, to a maximum of 3	20 m, to a maximum of 5



				storeys (excluding basement)	storeys (excluding basement)	storeys (excluding basement)
k)	Amenity Area	15 m ² per dwelling unit	n/a	15 m ² per dwelling unit up to eight units, plus 10 m ² per unit in excess of 8	15 m ² per dwelling unit up to eight units, plus 10 m ² per unit in excess of 8	15 m ² per dwelling unit up to eight units, plus 10 m ² per unit in excess of 8

Notes and Additional Provisions:

- i. 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
- ii. Detached dwellings existing at the day of passing of this By-law are subject to the provisions of the R1A zone.
- iii. Semi-detached and duplex dwellings existing at the day of the passing of this By-law are subject to the provisions of the R2 zone.
- iv. 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.
- v. Notwithstanding any other provisions of this By-law, not more than four 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.
- vi. 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 not abutting a lot in the Residential Three (R3), General Commercial (C), or Village Core (VC) zone, the interior side and rear lot lines.
- vii. A children's play area, as defined in Section 2, shall be provided on each lot containing more than ten (10) dwelling units, in cases where this lot is located more than 100 m from a lot zoned Open Space (OS) or Leisure (L), in accordance with the following provisions:
 - a. Minimum area: 4% of the area of the lot, which may be included in the area calculated as required open space on the lot.
 - b. Location: at least 6 m from a ground floor habitable room window and at least 10 m from any street line.
- viii. A retirement home and a residential care facility are not required to provide a children's play area as described above.

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 an automobile gas bar, on the basis of a private water system (well) and a private septic system.



VC-2, 785 Notre-Dame (44-2005)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-2 shall only be used for offices.

VC-3, 793 Notre Dame Street, Embrun

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-3 may only be used for offices and in accordance with the following provisions:

- i. Loading spaces required: None
- ii. Number of parking spaces required: 23
- iii. Distance from a parking space to an abutting street or Residential zone: 0.5 m
- iv. Distance between two separate driveways: 6 m
- v. Distance between a driveway and an intersection of street lines: 1.2 m
- vi. Buffering width (minimum): 0.5 m
- vii. Interior side yard (minimum): 2.9 m
- viii. Rear yard (minimum): 6 m
- ix. Special Provision: For the purpose of the VC-3 zone, the lot line abutting County Road No. 3 (Notre Dame Street) shall be considered to be the front lot line.

VC-4, Notre Dame Street, Embrun

Notwithstanding any provision of this By-Law to the contrary, the uses permitted on lands zoned VC-4 shall be limited to a retail food store, an office, a copy shop, a dry cleaning or laundry outlet, a financial office, a merchandise service shop, a retail store, a personal service establishment business.

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 m²



- 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 designated 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 m²
- 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 m²
- 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 m²
- 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 m²

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 m²
- 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 m²

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 zone VC-19 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, 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

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned VC-21 the following additional use shall be permitted: an automatic car wash.

VC-21-T-2, 926 Notre Dame Street, Embrun (2015-138)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned VC-21-T-2 shall be used in accordance with the following provisions:

- i. Permitted Uses: car dealership for a maximum time period of three years (ending December 2018)

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:

- a. Building height (maximum): Existing building: 2 storeys, Main building: 1 storey

VC-23, Reserved**VC-24, Notre Dame Street, Embrun**

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 m²
- 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 m²
- 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, 1009 Notre Dame Street, Embrun

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned VC-35-h may be used for a townhouse dwelling containing a maximum of four (4) dwelling units, in accordance with the following provisions:

- i. Lot area (minimum): 1130 m²
- ii. Lot Frontage (minimum): None required
- iii. Interior side yards (minimum):
 - a. North: 4 m
 - b. South: 3 m
 - c. East: 17.5 m
 - d. West: 7.5 m
- iv. Special provisions: For the purpose of the interpretations of the zone requirements, the lands zoned VC-35 shall be considered as one lot;

All other applicable provisions of the By-law shall continue to apply.



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 m²
- ii. Lot frontage (minimum): Lot serviced by municipal water and municipal sanitary sewers: 15 m

VC-40, 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, 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 hospital.

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 m²
- 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 automobile service station and an automobile 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 m²
- 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 m²
- 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 designated 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 hospital, 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 hospital' 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 m²
- 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, 477 Concession Street, Russell

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, 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 m²
- ii. Lot frontage (minimum) – Lot serviced by municipal water and municipal sanitary sewers: 13 m



VC-56, Reserved**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 m² (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

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-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 “a mini-warehouse and public storage”



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

Residential

- Accessory dwelling unit

Non-Residential

- Animal care establishment
- Animal hospital
- Automobile dealership
- Automobile gas bar
- Automobile rental establishment
- Automobile service station
- Bank
- Bar
- Building supply outlet
- Business incubator
- Car wash
- Community centre
- Community garden
- Day care centre
- Drive-through
- Dry-cleaning or laundry outlet
- Farmers' market
- Food bank
- Food production
- Flea market
- Funeral home
- Garden centre
- Instructional facility
- Library
- Medical facility
- Merchandise service shop
- Microbrewery
- Mini-warehouse and public storage
- Museum
- Office
- Outdoor display and sales area, accessory to a permitted use
- Park
- Personal service establishment
- Place of assembly
- Place of entertainment
- Place of worship
- Post office
- Post-secondary institution
- Propane cylinder exchange facility
- Recreational and athletic facility
- Refreshment vehicle
- Rental establishment
- Restaurant
- Retail convenience store
- Retail food store
- Retail store
- School
- Shopping centre
- Taxi stand
- Theatre
- Tourist lodging establishment



6.2.2 ZONE REQUIREMENTS

	ZONING MECHANISM	C PROVISIONS		
		Tourist lodging establishment	Automobile service station, garage, or gas bar	Other uses
a)	Lot Area (minimum)	<p>Lot served by a public water system and a sanitary sewer system: 660 m² plus 46 m² for each guest room in excess of 4.</p> <p>Lot served by only a public water system or a sanitary sewer system: 1320 m² plus 92 m² for each guest room in excess of 4.</p> <p>Other lots: 2000 m² plus 186 m² for each guest room in excess of 4.</p>	1,000 m ²	900 m ²
b)	Lot Frontage (minimum)	<p>Lot served by a public water system and a sanitary sewer system: 18 m</p> <p>Lot served by only a public water system or a sanitary sewer system: 36 m</p> <p>Other lots: 55 m</p>	35 m	30 m
c)	Front Yard Setback (minimum)	6 m	12 m	6 m
d)	Exterior Side Yard Setback (minimum)	6 m	9 m	6 m
e)	Interior Side Yard Setback (minimum)	3 m, provided that where the interior side lot line abuts another lot in a Commercial zone the interior side yard shall be 1.2 m minimum.	6 m	<p>3 m, provided that where the interior side lot line abuts another lot in a Commercial Zone the interior side yard shall be 1.2 m minimum.</p> <p>0 m between units that are permitted to be vertically attached</p>
f)	Rear Yard Setback (minimum)	7.5 m	7.5 m	7.5 m
g)	Landscape Open Space (minimum)	10%	5%	10%
h)	Building Height (maximum)	20 m, to a maximum of 5 -storeys (excluding basement)	10.5 m	20 m, to a maximum of 5 -storeys (excluding basement)

Notes and Additional Provisions:

- i. A community garden or a 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 other uses.
- ii. 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 not



- abutting a lot in the Residential Three (R3), General Commercial (C), or Village Core (VC) zone, the interior side and rear lot lines.
- iii. Detached accessory dwelling units are subject to the provisions of the R1A zone.

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 3.31: "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 zones 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-h, 742 Notre Dame Street, Embrun (10-2014)

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

- i. 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
- ii. Lot Frontage (minimum): 23 m



- iii. Parking rate for non-residential uses is set at 3.6 spaces per 100 square metres
- iv. The setback between a parking area and a residential zone shall be 0 metre

C-3, Reserved

C-4, Reserved

C-5-h, 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 designated C-5 shall be used in accordance with the following new provision:

- i. Permitted uses:
 - Accessory dwelling unit
 - Animal care establishment
 - Animal hospital
 - Automobile gas bar
 - Bank
 - Bar
 - Business incubator
 - Community centre
 - Community garden
 - Day care centre
 - Drive-through
 - Dry-cleaning or laundry outlet
 - Farmers' market
 - Food bank
 - Food production
 - Flea market
 - Funeral home
 - Garden centre
 - Instructional facility
 - Library
 - Medical facility
 - Merchandise service shop
 - 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
 - Rental establishment
 - Restaurant
 - Retail convenience store
 - Retail food store



- Retail store
- School
- Shopping centre
- Tourist lodging establishment

C-6-h, 720 Notre Dame Street, Embrun, being part of lot 9, concession 6, PCL F (117-2017)

Notwithstanding the provisions of this By-law to the contrary, the lands designated C-6 shall be used in accordance with the following new provision:

- 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:

- Lot area (minimum): 790 m²
- Floor area (maximum) - Retail Store: 45 m²

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 hospital
- Bank
- Day care centre
- Dental facility
- Farmers' market
- Instructional facility
- Medical facility
- Merchandise service shop
- 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
- 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:

- i. Distance between the Building and any Lot Line (minimum): 5 m
- ii. 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 m²
- 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 zone C-44, 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)

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 2nd floor;
- iii. Medical facility

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 automobile dealership, an automobile gas bar, an automobile rental establishment, an automobile service station, and a bar.



6.3 HIGHWAY COMMERCIAL ZONE (CH)

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

6.3.1 PERMITTED USES

Residential

- Accessory dwelling unit

Non-Residential

- Amusement park
- Animal hospital
- Automobile body shop
- Automobile dealership
- Automobile gas bar
- Automobile rental establishment
- Automobile service station
- Building contractor's shop or yard
- Building supply outlet
- Business incubator
- Car wash
- Commercial vehicle and heavy equipment sales, rental and servicing
- Drive-through
- Farmers' market
- Food production
- Funeral home
- Garden centre
- Golf course
- Kennel
- Livestock sales establishment
- Merchandise service shop
- Mini-warehouse and public storage
- Nursery
- Outdoor display and sales area, accessory to a permitted use
- Park
- Parking garage
- Parking lot
- Propane cylinder exchange facility
- Rental establishment
- Research and development centre
- Restaurant
- Retail convenience store
- Retail store, accessory to a permitted use
- Service and repair shop
- Tourist lodging establishment
- Wholesale establishment, accessory to a permitted use

6.3.2 ZONE REQUIREMENTS

	ZONING MECHANISM	CH PROVISIONS		
		Tourist lodging establishment	Automobile service station, garage, or gas bar	Other uses
a)	Lot Area (minimum)	<p>Lot served by a public water system and a sanitary sewer system: 660 m² plus 46 m² for each guest room in excess of 4.</p> <p>Lot served by only a public water system or a sanitary sewer system: 1320 m² plus 92 m² for each guest room in excess of 4.</p> <p>Other lots: 2000 m² plus 180 m² for each guest room in excess of 4.</p>	1,000 m ²	900 m ²
b)	Lot Frontage (minimum)	<p>Lot served by a public water system and a sanitary sewer system: 18 m</p> <p>Lot served by only a public water system or a sanitary sewer system: 36 m</p>	35 m	30 m



		Other lots: 55 m		
c)	Front Yard Setback (minimum)	12 m	12 m	12 m
d)	Exterior Side Yard Setback (minimum)	9 m	9 m	9 m
e)	Interior Side Yard Setback (minimum)	6 m, provided that where the interior side lot line abuts another lot in a Commercial zone the interior side yard shall be 1.2 m minimum.	6 m	6 m, provided that where the interior side lot line abuts another lot in a Commercial zone the interior side yard shall be 1.2 m minimum.
f)	Rear Yard Setback (minimum)	7.5 m	7.5 m	7.5 m
g)	Landscaped Open Space (minimum)	10%	5%	30%
i)	Building Height (maximum)	10.5 m	10.5 m	10.5 m
j)	Dwelling Units per Lot (maximum)	1	1	1

Notes and Additional Provisions:

- i. A community garden or a 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 other uses.
- ii. One accessory dwelling unit shall be permitted on a lot. A minimum of 15 m² of amenity area shall be provided for the exclusive use of the occupants of the accessory dwelling unit.
- iii. Detached accessory dwelling units shall conform to the requirements of the Residential 1A Zone (R1A) for detached dwellings.
- iv. Outdoor display and sales areas shall be permitted in accordance with the provisions of Section 3.39. In the case of an automobile dealership an outdoor display and sales area shall be permitted in all yards provided that no such area is located closer than 1 m to any street line or to any Residential or Institutional zone.

6.3.3 CH SPECIAL EXCEPTION ZONES (MOVED FROM S. 11.1.10)

CH-1, 671 St Augustin Road, Lot 14, Concession 8

Notwithstanding any provision of this By-Law to the contrary, the lands zoned CH-1 may only be used for the parking and storing of commercial vehicles and an accessory dwelling unit.

CH-2, 1804-1806 St Albert Road, Lot C, Concession 10 (99-1995)

Notwithstanding any provision of this By-Law to the contrary, the lands zoned CH-2 may also be used for a mobile home sales or rental establishment, a retail store and a restaurant.

CH-3, Limoges Road, Part of Lot 13, Concession 10, Limoges (39-1989 & 44-2000)



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

- i. Lot frontage (minimum): 20 m

CH-4, Reserved

CH-5, 1483 Notre Dame Street, Lot 8, Concession 10 (64-1991)

Notwithstanding any provision of this By-Law to the contrary, the lands zoned CH-5 may only be used for a driving range, a miniature golf course, a golf course, a freestanding restaurant, retail uses, an accessory dwelling unit.

CH-6, 1023 St Augustin Road, Part Lot 10, Concession 8

Notwithstanding any provisions of this By-Law to the contrary, the lands designated as CH-6 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 m²
- ii. Interior side yard (minimum) – non-residential use: 3m
- iii. Rear yard (minimum): 3 m

CH-7, Reserved

CH-8, Reserved

CH-9, 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 CH-9 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 m²
- 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.

CH-10, 1565 Notre Dame Street, Part of Lot 8, Concession 10 (27-1991)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned CH-10 may also be used for a retail store and in accordance with the following provisions:

- i. Lot area (minimum): 1,770 m²
- ii. Interior side yard (minimum): 7.5 m
- iii. Rear yard (minimum): 7.5 m
- iv. Loading spaces (total): 1 space
- v. Distance between a loading space and a street line: 3 m

CH-11, 7451 Boundary Road, Lot 14, Concession 1, Part 1 on plan 50R-4085 (60-2007)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned CH-11 may only be used for mini-warehouse and/or public storage, in accordance with the following provision:

- i. No parking space required



6.4 LOCAL COMMERCIAL ZONE (CL)

Local commercial zones are intended to accommodate appropriate and compatible non-residential uses that complement and serve the needs of adjacent residential uses and cater to residents in the immediate area.

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Local Commercial (CL) 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.

6.4.1 PERMITTED USES

Residential

- Accessory dwelling unit

Non-Residential

- Animal care establishment
- Bank
- Community garden
- Day care centre
- Dry-cleaning or laundry outlet
- Farmers' market
- Library
- Office
- Park
- Personal service establishment
- Post office
- Retail convenience store
- Retail food store

6.4.2 ZONE REQUIREMENTS

	ZONING MECHANISM	CL PROVISIONS
a)	Lot Area (minimum)	660 m ²
b)	Lot Frontage (minimum)	18 m
c)	Front Yard Setback (minimum)	6 m
d)	Exterior Side Yard Setback (minimum)	4.5 m
e)	Interior Side Yard Setback (minimum)	6 m, provided that where the interior side lot line abuts another lot in a Commercial zone the interior side yard setback minimum is 1.2 m. 0 m between units that are permitted to be vertically attached
f)	Rear Yard Setback (minimum)	7.5 m
g)	Landscaped Open Space (minimum)	10%
h)	Building Height (maximum)	10.5 m

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.
- One accessory dwelling unit shall be permitted on a lot. A minimum of 15 m² of amenity area shall be provided for the exclusive use of the occupants of the accessory dwelling unit.
- The total gross floor area of a retail food store shall not exceed 200 m².



6.4.3 CL SPECIAL EXCEPTION ZONES

CL-1, Reserved

CL-2, 305 Castor Street, Russell (09-1991)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CL-2 may be used for:

- i. a maximum of two (2) dwelling units located in the same building as a use permitted in the CL zone.
- ii. Special provision: For the purposes of interpreting the zone requirements, the lands within the zone CL-2 shall be considered as one lot.

CL-3, Reserved

CL-4, Centenaire Street, Lots 1, 2 and 3, Plan 50M-253 (11-2005)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned CL-4 may be used for three (3) dwelling units located in the same building used for a permitted use in CL zone, in accordance with the following provisions:

- i. Floor area, gross (maximum) - commercial uses: 324 m²
- ii. Special provision: For the purpose of interpretation and application of the zone requirements, the lands within the CL-4 zone shall be considered as one lot.



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Section 7 BUSINESS, INDUSTRIAL, & COMMERCIAL 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

Non-Residential

- Animal care establishment
- Animal hospital
- Automobile rental establishment
- Broadcasting studio
- Business incubator
- Call centre
- Car wash
- Custom workshop
- Day care centre
- Display and sales area
- Drive-through
- Dry cleaning or laundry plant
- Food production
- Industrial use, light
- Instructional facility
- Merchandise service shop
- Microbrewery
- Office
- Outdoor display and sales area, accessory to a permitted use
- Open storage, accessory to a permitted use
- Place of assembly
- Printing establishment
- Production studio
- Recreational and athletic facility
- Refreshment vehicle
- Rental establishment
- Research and development centre
- Restaurant, accessory to a permitted use
- Retail store, accessory to a permitted use
- Service and repair shop
- Warehouse
- Wholesale establishment

7.1.2 ZONE REQUIREMENTS

	ZONING MECHANISM		BP PROVISIONS
a)	Lot Area (minimum)	Lot serviced by private well and private sewage	2,000 m ²
		Lot serviced by municipal water and private sewage, or private well and municipal sanitary system	2,000 m ²
		Lot serviced by municipal water and municipal sanitary system	900 m ²
b)	Lot Frontage (minimum)		18 m
c)	Front Yard Setback (minimum)		6 m
d)	Exterior Side Yard Setback (minimum)		6 m



e)	Interior Side Yard Setback (minimum)		3 m, provided that where the lot line abuts another lot in a Commercial, Business Park or Industrial Zone the interior side yard setback minimum shall be 1.2 m 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
f)	Rear Yard Setback (minimum)		7.5 m 15 m where the lot line abuts a residential or institutional zone, of which 3 m must be landscaped open space
g)	Landscape Open Space (minimum)		10%
h)	Lot Coverage (maximum)	Private sewage system	35%
		Public sanitary system	70%
i)	Building Height (maximum)		15 m

7.1.3 BP SPECIAL EXCEPTION ZONES

BP-1, 225 Industrial Street, Embrun

Notwithstanding any provision of this By-Law to the contrary, the lands zoned BP-1 on may be used for an office in accordance with the following provision:

- i. Front yard (minimum): 6 m

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: automotive garage



7.2 COMMERCIAL PARK ZONE (CP)

Commercial park zones are intended to accommodate a range of commercial uses to serve the needs of residents and provide employment opportunities. Uses include a mix of retail uses and complexes, service commercial, restaurants and eating establishments, and entertainment facilities.

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Commercial Park (CP) 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

Non-Residential

- Animal care establishment
- Animal hospital
- Automobile dealership
- Automobile gas bar
- Automobile rental establishment
- Bank
- Bar
- Building supply outlet
- Business incubator
- Car wash
- Day care centre
- Drive-through
- Garden centre
- Medical facility
- Office
- Outdoor display and sales area, accessory to a permitted use
- Personal service establishment
- Place of entertainment
- Post office
- Recreational and athletic facility
- Refreshment vehicle
- Restaurant
- Retail convenience store/rental outlet
- Retail food store
- Shopping centre
- Theatre
- Tourist lodging establishment

7.2.2 ZONE REQUIREMENTS

	ZONING MECHANISM	COMMERCIAL PARK PROVISIONS		
		Tourist lodging establishment	Automobile service station, garage, or gas bar	Other uses
a)	Lot Area (minimum)	660 m ² plus 46 m ² for each guest room in excess of 4.	1,000 m ²	900 m ²
b)	Lot Frontage (minimum)	18 m	35 m	30 m



	ZONING MECHANISM	COMMERCIAL PARK PROVISIONS		
		Tourist lodging establishment	Automobile service station, garage, or gas bar	Other uses
c)	Front Yard Setback (minimum)	6 m	12 m	6 m



	ZONING MECHANISM	COMMERCIAL PARK PROVISIONS		
		Tourist lodging establishment	Automobile service station, garage, or gas bar	Other uses
d)	Exterior Side Yard Setback (minimum)	6 m	9 m	6 m
e)	Interior Side Yard Setback (minimum)	3 m, provided that where the interior side lot line abuts another lot in a Commercial Park Zone the interior side yard shall be 1.2 m minimum.	6 m	3 m, provided that where the interior side lot line abuts another lot in a Commercial Park Zone the interior side yard shall be 1.2 m minimum. 0 m between units that are permitted to be vertically attached
f)	Rear Yard Setback (minimum)	7.5 m	7.5 m	7.5 m
g)	Landscape Open Space (minimum)	10%	5%	10%
h)	Building Height (maximum)	20 m, to a maximum of 5 -storeys (excluding basement)	10.5 m	20 m, to a maximum of 5 -storeys (excluding basement)

Notes and Additional Provisions:

- i. Where the building height is greater than three storeys or 12 m, at and above the third storey or 12 m whichever is the lesser a building must be setback a minimum of 2 m more than the provided setback from the front lot line, an exterior side lot line, and, where the lot is not abutting a lot in the Residential Three (R3), General Commercial (C), or Village Core (VC) zone, the interior side and rear lot lines.



7.3 INDUSTRIAL PARK ZONE – SERVICED (MP1)

Industrial Park Zones – Serviced are intended to accommodate manufacturing and processing; warehousing and wholesaling of bulk products; transportation depots; heavy equipment and recreational vehicle sales and service; open storage; automobile and commercial vehicle service centres; and other commercial uses appropriate or compatible with an industrial/commercial mixed use area or business park; as well as retail uses and retail complexes; service commercial; restaurants and eating establishments; and entertainment facilities.

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in an Industrial Park – Serviced (MP1) 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

Non-Residential

- Agricultural produce warehouse
- Animal hospital
- Automobile dealership
- Automobile gas bar
- Automobile rental establishment
- Building supply outlet
- Business incubator
- Car wash
- Drive through
- Factory outlet
- Food processing plant
- Display and sales area
- Industrial use, light
- Industrial use, medium
- Medical marijuana production facility
- Merchandise service shop
- Microbrewery
- Office
- Open storage, accessory to a permitted use
- Place of entertainment
- Printing establishment
- Propane cylinder exchange facility
- Recreational and athletic facility
- Refreshment vehicle
- Rental establishment
- Research and development centre
- Restaurant
- Retail convenience store
- Retail store
- Service and repair shop
- Shopping centre
- Tourist lodging
- Transportation depot
- Transportation terminal
- Wholesale establishment

7.3.2 ZONE REQUIREMENTS

	ZONING MECHANISM	MP1 PROVISIONS
a)	Lot Area (minimum)	0.4 ha (4,000 m ²)
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 Industrial Park – Serviced (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 Industrial Park – Serviced (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 times the area of the building footprint on the lot.



7.4 INDUSTRIAL PARK ZONE - UN-SERVICED (MP2)

Industrial Park Zones – Unserviced are intended to accommodate manufacturing and processing; warehousing and wholesaling of bulk products; transportation depots; heavy equipment and recreational vehicle sales and service; open storage; automobile and commercial vehicle service centres; ancillary service commercial uses; and other commercial uses appropriate or compatible with an industrial/commercial mixed use area or business park.

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in an Industrial Park (MP) zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

7.4.1 PERMITTED USES

Non-Residential

- Agricultural produce warehouse
- Automobile body shop
- Automobile dealership
- Automobile gas bar
- Automobile rental establishment
- Building contractor's shop or yard
- Building supply outlet
- Bulk storage tank
- Business incubator
- Cartage or transport yard
- Car wash
- Commercial vehicle and heavy equipment sales, rental and servicing
- Custom workshop
- Display and sales area
- Drive through, accessory to a permitted use
- Dry cleaning or laundry plant
- Factory outlet
- Farm equipment sales, rental and servicing
- Food processing plant
- Industrial use, light, provided such industry is a low water user
- Industrial use, medium, provided such industry is a low water user
- Medical marijuana production facility, provided such facility is a low water user
- Merchandise service shop
- Mini-warehouse and public storage
- Office
- Open storage, accessory to a permitted use
- Propane cylinder exchange facility
- Recycling depot
- Rental establishment
- Research and development centre
- Service and repair shop
- Transportation depot
- Transportation terminal
- Warehouse
- Waste processing and transfer facility
- Wholesale establishment

7.4.2 ZONE REQUIREMENTS

	ZONING MECHANISM	MP2 PROVISIONS
a)	Lot Area (minimum)	0.4 ha (4,000 m ²)
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 Industrial Park (MP) 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 3.37.

7.4.3 MP 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:

- Automobile service station;
- Restaurant;
- Automobile gas bar;
- Motel; or
- Personal service establishment limited to a printing shop.

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;
- Automobile 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:

- Automobile service station;



- Restaurant;
 - Automobile gas bar;
 - Motel;
 - Personal service establishment limited to a printing shop;
 - Vehicle sales or rental establishment only as an accessory use to an automobile 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 m².

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:

- Automobile body shop;
 - Automobile service station;
 - Automotive store;
 - Automobile garage, including the dismantling of motor vehicles for sale of parts;
 - Restaurant;
 - Automobile 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 an automobile body shop, the storage of salvage parts and dismantled vehicles shall be indoors.



7.5 AGRICULTURAL INDUSTRIAL ZONE (MA)

No person shall hereafter use any lands or erect, alter, enlarge or use any building or structure in an Agricultural Industrial (MA) zone unless in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

7.5.1 PERMITTED USES

Residential

- Accessory dwelling unit

Non-Residential

- Abattoir
- Agricultural produce warehouse
- Agricultural use, but not including a livestock operation
- Agriculture-related use
- Agri-tourism
- Farm equipment sales, rental and servicing
- Farmers' market
- Food processing plant
- Food production
- Forestry operation
- Garden centre
- Greenhouse
- Kennel
- Livestock sales establishment
- Medical marijuana production facility
- Nursery
- Open or enclosed storage, accessory to a permitted use
- Retail store, accessory to a permitted use
- Wayside pit, subject to Section 3.59

7.5.2 ZONE REQUIREMENTS

	ZONING MECHANISM	MA PROVISIONS
a)	Lot Area (minimum)	0.4 ha (4,000 m ²)
b)	Lot Frontage (minimum)	45 m
c)	Front Yard Setback (minimum)	15 m
d)	Exterior Side Yard Setback (minimum)	15 m
e)	Interior Side Yard Setback (minimum)	7.5 m
f)	Rear Yard Setback (minimum)	7.5 m
g)	Lot Coverage (maximum)	25%
h)	Landscape Open Space (minimum)	10%
i)	Principal Building Height (maximum)	15 m

Notes and Additional Provisions:

- Where an Agricultural Industrial (MA) zone abuts a Residential or Institutional (I) 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.
- Detached accessory dwelling units shall conform to the requirements of the Rural Residential (RR) zone for detached dwellings.
- Open storage areas shall be permitted in accordance with the provisions of Section 3.37.



7.5.3 MA SPECIAL EXCEPTION ZONES

MA-1, 752 Limoges Road and vacant adjoining lot, Part of lot 11, Concession 10

Notwithstanding the provisions of this By-law to the contrary, the lands zoned MA-1 may also be used for an existing agricultural use.

MA-2, Part of Lot 8, Concession IX (34-1997)

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

- i. Front yard (minimum): 13.5 m



Section 8 AGRICULTURAL ZONES

8.1 RESTRICTED AGRICULTURAL ZONE (A1)

No person shall hereafter use any lands or erect, alter, enlarge or use any building or structure in a Restricted Agricultural (A1) 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

Permitted uses within Agricultural 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

- Accessory dwelling unit
- Bed and breakfast
- Detached dwelling
- Group home
- Mobile home, accessory to an agricultural use, kennel or animal hospital
- Secondary dwelling unit

Non-Residential

Agricultural Uses

- Agricultural use but not including a specialized farm, and/or an intensive livestock operation
- Aquaculture
- Commercial nursery and/or greenhouse
- Conservation use
- Equestrian centre
- Forestry operation
- Greenhouse
- Nursery

Agriculture-Related Uses

- Agricultural produce warehouse (local produce only)
- Farm equipment sales, rental and servicing
- Livestock sales establishment
- Farmers' market (local produce and products grown in the area)
- Food processing plant (local produce only)
-

On-farm Diversified Uses

- Agricultural produce warehouse
- Agri-tourism
- Animal hospital
- Farmers market
- Food processing plant
- Home-based business
- Home-based business, rural
- Home industry
- Kennel
- Wayside pit or quarry



8.1.2 ZONE REQUIREMENTS

	ZONING MECHANISM	A1 PROVISIONS			
		Agricultural Use	Conservation Use, Forestry Operation	Other Non-Residential Uses	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
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

8.1.3 ADDITIONAL PROVISIONS FOR RESTRICTED AGRICULTURAL 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 for a person engaged full-time in the agricultural operation.
		Kennel, Animal Hospital 1 dwelling or mobile home only
b)	Farm Building and Manure Storage Location	No building or structure which is used to house animals or fowl and no manure storage shall be located within: -120 m of any non-farm related residential building on another lot; and - 30 m of any lot line.
d)	Wayside Pit or Wayside Quarry	The requirements of the <i>Aggregate Resources Act</i> shall apply to any wayside pit or wayside quarry.



e)	Intensive Livestock Operations	The expansion of any existing intensive livestock operation shall be in accordance with the provisions of Section 3.47 hereof.
f)	Open Storage	Open storage areas shall be permitted in accordance with the provisions of Section 3.37.

Notes and Additional Provisions:

- i. The retail sale of agricultural equipment and supplies or a service outlet for agricultural equipment and supplies are permitted as accessory uses to a dwelling accessory to an agricultural use, where the agricultural use is the main use of the lot.
- ii. All Agriculture-related and On-farm Diversified uses are subject to the Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas (Publication 851, as amended), published by the Ministry of Agriculture, Food and Rural Affairs
- iii. Home-based business, home-based, rural, and home industry are permitted on small residential lots without the need for agricultural use on the property, as per the Guidelines on Permitted Uses in Prime Agricultural Areas
- iv. Agricultural uses are subject to Minimum Distance Separation Formulae (MDS) and the Nutrient Management Act as per section 3.47

8.1.4 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, Limoges Road, Lot 10, Concession 10

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A1-2 shall be used in accordance with the following provisions:

- i. Lot frontage (minimum): 80 m

A1-3, 987 Eadie Road, Part of Lot 12, Concession 4 (38-2002)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned A1-3, may also be used for an accessory apartment.

A1-4, Stanley Cr., Lot 20, Concession 2

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A1-4 shall be used in accordance with the following provisions:

- i. Lot frontage (minimum): 35 m

A1-5, St. Thomas Road, Part of Lot 9, Concession 9 (65-2004)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned A1-5 shall be used in accordance with the following provision:

- i. All residential uses are prohibited.

A1-6, St-Augustin Road, Part of Lot 10, Concession 7 (26-2013)

Notwithstanding the provisions of this By-law to the contrary, the lands designated A 1-6 may also be used for the following:

- Warehouse;
- Office



- i. Special Provision: For the purposes of the A 1-6 zone, the gross floor area of the office and warehouse uses shall be limited to no greater than 558 square metres.

A1-7, Ste-Marie Road, Part of Lot 7, Concession 6 (39-2013)

Notwithstanding the provisions of this By-law to the contrary, the lands designated A 1-7 shall be used in accordance with the following provisions:

- i. Lot area (minimum)- agricultural use: 19 ha
- ii. Residential use and/or an accessory dwelling unit on the property are prohibited.

A1-8, Limoges Road, Lot 18, Concession X (71-1992, 38-1999)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A1-8 shall be used in accordance with the following provisions:

- i. Lot frontage (minimum): 20 m

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, Part of Lots 11 & 12, Concession 4 (16-2014); Part of Lot B, Concession 4, Groves Road; Part of Lot 7, Concession 1, Incl. Part 1 on Plan 50R-6258, a vacant agricultural parcel of land on Gregoire Road/MacDonald Road, in Russell (2016-035)

Notwithstanding the provisions of this By-law to the contrary, the lands designated A 1-10 shall be used in accordance with the following provisions:

- i. Residential use and/or an accessory dwelling unit on the property are prohibited

A1-11, Part of Lot 10, Concession VII

Notwithstanding the provisions of this By-law to the contrary, the lands zoned A1-11 shall be used in accordance with the following provisions:

- i. Lot area (minimum) – agricultural use, conservation use: 8 ha
- ii. Lot frontage (minimum): 20 m (all permitted uses)

A1-12, Part of 1187 MacDonlad, 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 m²
- ii. Lot area (minimum): 8.8 ha
- iii. All other provisions of the By-law shall continue to apply.

A1-13, Hamilton Road, Part of Lots 12 and 13, Concession (5-1999)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned A1-13 shall be used in accordance with the following provisions:

- i. Lot frontage (minimum): 100 m

A1-14, 128 St-Thomas Road, Part of Lot 21, Concession VIII (28-2000)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned A1-14 shall be used in accordance with the following provisions:



- i. Lot area (minimum): 3 ha
- ii. Lot frontage (minimum): 45 m

A1-15, 2730 Russland Road, Part of Lot 21, Concession VIII (28-2000)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned A1-15 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 12 ha
- ii. Lot frontage (minimum): 75 m

A1-16, Wade Road, Part of Lot 9, Concession 4 (107-2014)

Notwithstanding the provisions of this By-law to the contrary, the lands designated A 1-16 shall be used in accordance with the following provisions:

- i. Lot area (minimum) - agricultural use: 20 ha
- ii. Residential use and/or an accessory dwelling unit on the property are prohibited.

A1-17, Part of Lot 9, Concession 4 (8-2010)

Notwithstanding the provisions of this By-law to the contrary, the land zoned A1-17 may also be used for an accessory apartment attached to the existing house.

A1-18, St-Joseph Road, Part of Lot 7, Concession 9 (32-2005)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A1-18 shall be used in accordance with the following provision:

- i. Lot frontage (minimum): 75 m

A1-19, 1135 St. Joseph Road, Part of Lot 7, Concession IX (8-2005); St. Pierre Road, Part of Lot 10, Concession VII (65-2003)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A1-19 shall be used in accordance with the following provision:

- i. Lot area (minimum): 5 ha
- ii. Lot frontage (minimum): 20 m
- iii. Residential use and/or an accessory dwelling unit on the severed lot are prohibited.

A1-20, Reserved

A1-21, Marionville Road, Part of Lot B, Concession 1 (91-2012)

Notwithstanding the provisions of this By-law to the contrary, the lands designated A 1-21 shall be used in accordance with the following provisions:

- i. Lot area (minimum)- agricultural use: 7.5 ha

A1-22, 1500 Route 200, Part of Lot 15, Concession 8 (101-2012)

Notwithstanding the provisions of this By-law to the contrary, the lands designated A 1-22 shall be used in accordance with the following provisions:

- i. Lot area (minimum) - agricultural use: 16.7 ha

A1-23, Forced Road, Part of Lots 13 & 14, Concession 2 (14-2013)

Notwithstanding the provisions of this By-law to the contrary, the lands designated A 1-23 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 17 ha



- ii. Prohibit all residential uses on the lot

A1-24, Reserved

A1-25, Reserved

A1-26, 283 Craig Street. Russell (110-2014)

Notwithstanding the provisions of sub Section 8.1.2 of this By-Law to the contrary, the lands designated A1-26 on Schedule "A6" of this By-Law, shall be used in accordance with the following provision:

- i. Lot area (minimum) : 7.72 ha

A1-27, St-Joseph Road, Part of Lot 6, Concession 8 (2016-139)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A1-27 shall be used with the following provisions:

- i. Lot area (minimum), agricultural use: 19 hectares
- ii. Residential use and/or accessory dwelling on the property are prohibited

A1-28, St-Joseph Road, Part of Lot 6, Concession 9 (2016-140)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A1-28 shall be used with the following provisions:

- i. Lot area (minimum), agricultural use: 11.75 hectares
- ii. Residential use and/or accessory dwelling on the property are prohibited

A1-29, Part of Lot 8, Concession I, McDonald Road (75-2009)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A1-29 shall be used in accordance with the following provisions:

Dwelling accessory to an agricultural use.

- i. Lot area (minimum): Agricultural use : 9.7 ha
- ii. Lot frontage (minimum): All permitted uses: 145 m

A1-30, Part of Lot 8, Concession I, Gregoire Road

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A1-30 shall be used in accordance with the following provisions:

- i. Residential use and/or an accessory dwelling unit on the property are prohibited
- ii. Lot area (minimum) - agricultural use: 35 ha
- iii. Lot frontage (minimum) - agricultural use: 150 m

A1-31, Part of Lot 7, Concession 1, 3651 Gregoire Road in Russell (2016-035)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned A1-31 shall only be used in accordance with the following provisions:

- i. Permitted uses :
- ii. Detached dwelling on an existing lot of record or on a lot created by the Land Division Committee in accordance with the zone requirements of the A1 or A2 zones for a detached dwelling;
- iii. Home industry
- iv. Lot frontage (minimum) detached dwelling: 10.2 meters



GENERAL AGRICULTURAL ZONE (A2)

No person shall hereafter use any lands or erect, alter, enlarge or use any building or structure in a General Agricultural (A2) zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

8.1.5 PERMITTED USES

Permitted uses within Agricultural 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.

Residential

- Accessory dwelling unit
- Bed and Breakfast
- Detached dwelling
- Group home
- Mobile home, accessory to an agricultural use, kennel or animal hospital
- Secondary dwelling unit

Non-Residential Uses

Agricultural Uses

- Agricultural use including a specialized farm, and/or an intensive livestock operation
- Aquaculture
- Commercial nursery and/or greenhouse
- Conservation use
- Equestrian centre
- Forestry operation
- Greenhouse
- Nursery

Agriculture-Related Uses

- Agricultural produce warehouse (local produce only)
- Farm equipment sales, rental and servicing
- Livestock sales establishment
- Farmers' market (local produce and products grown in the area)
- Food processing plant (local produce only)

On-farm Diversified Uses

- Agricultural produce warehouse
- Agri-tourism
- Animal hospital
- Farmers market
- Food processing plant
- Home-based business
- Home-based business, rural
- Home industry
- Kennel
- Wayside pit or quarry



8.1.6 ZONE REQUIREMENTS

	ZONING MECHANISM	A2 PROVISIONS			
		Agricultural Use	Forestry Operation, Conservation Use	Other Non-Residential Uses	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)	45-60 m	45-45 m	60 m	45 m
c)	Front Yard Setback (minimum)	13.5 m	13.5 m	15 m	13.5 m
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)	Building Height (maximum)	10.5 m	10.5 m	10.5 m	10.5 m
h)	Lot Coverage (maximum)	40-20%	40-20%	20%	25%

8.1.7 ADDITIONAL PROVISIONS FOR GENERAL AGRICULTURAL ZONE

	ZONING MECHANISM	A2 PROVISIONS
a)	Dwellings or Mobile Homes per Lot (maximum)	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 for a person engaged full-time in the agricultural operation.
	Kennel, Animal Hospital	1 dwelling or mobile home only
b)	Farm Building and Manure Storage Location	No building or structure which is used to house animals or fowl and no manure storage shall be located within: -120 m of any non-farm related residential building on another lot; and - 30 m of any lot line.
d)	Wayside Pit or Quarry	The requirements of the <i>Aggregate Resources Act</i> shall apply to any wayside pit or quarry.
e)	Intensive Livestock Operations	The expansion of any existing intensive livestock operation shall be in accordance with the provisions of Section 3.47 hereof.



- f) Open Storage Open storage areas shall be permitted in accordance with the provisions of Section 3.37.

Notes and Additional Provisions:

- i. The retail sale of agricultural equipment and supplies or a service outlet for agricultural equipment and supplies are permitted as accessory uses to an agricultural use, where the agricultural use is the main use of the lot.
- ii. Home-based business, home-based, rural, and home industry are permitted on small residential lots without the need for agricultural use on the property, as per the Guidelines on Permitted Uses in Prime Agricultural Areas.
- iii. Agricultural uses are subject to Minimum Distance Separation Formulae (MDS) and the Nutrient Management Act as per section 3.47

8.1.8 A2 SPECIAL EXCEPTION ZONES

A2-1, 792 and 808 St-Pierre Road, Lot 13, Concession 6

Notwithstanding any provisions of this By-Law to the contrary, the lands zoned A2-1 may be used for an airport including ancillary commercial and industrial uses related and necessary to the proper functioning of the airport.

A2-2, Severances for Farm Use including: 580 route 100, Lot 20, Concession 3 (14-1989, 74-2009); St-Thomas Road, Russell Concession 9 part of lots 12 and 13 and RP50R9178 Part 1, RP50R9443 Part 2 (58-2006)

On lands zoned A2-2, the minimum lot area and minimum lot frontage may be less than required by the relevant provisions, provided the lot has been created by the Land Division Committee and the main use is for a farm.

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 airstrip including the existing facilities for the shelter and maintenance of aircraft and an existing flying school.

A2-5, 1987 & 1991 Leclerc Road, Lot 1, Concession 2

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-5 may be used for residential purposes, in accordance with the following:

- a. Lot area (minimum): 2 ha
- b. Lot frontage (minimum): 61 m

A2-6, Part of 136 Limoges Road, Lot 20, Concession 10

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-6 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 17 ha
- ii. Lot frontage (minimum): 60 m

A2-7, Part of 279 St-Thomas, Road Lot 19, Concession 9



Notwithstanding any provisions of this By-Law to the contrary, the lands zoned A2-7 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.

A2-8, Notre Dame Street, Lot 8, Concession 10

Notwithstanding any provisions of this By-Law to the contrary, the lands zoned A2-8 may only 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, Ste-Marie Road, Part of Lot B, Concession 6 (90-2012)

Notwithstanding the provisions of this By-law to the contrary, the lands designated A2-9 shall be used in accordance with the following provisions:

- i. Lot area (minimum)- agricultural use: 36 ha
- ii. Residential use and/or an accessory dwelling unit on the property are prohibited.

A2-10, St Thomas Road, Lot 19, Concession 9

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-10 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 13 ha
- ii. Lot frontage (minimum): 45 m

A2-11, 3408 Russland Road, Lots 20 and 21, Concession 10 (4-1990, 41-1996, & 86-2003)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-11 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 29 ha
- ii. Lot frontage (minimum): 100 m
- iii. Interior side yard width (minimum): 3.5 m

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 m²
- ii. Lot frontage (minimum): 30 m
- iii. The provisions related to Frontage on a Public Street shall not apply.

A2-13, 256 Limoges Road, Lot 19, Concession 10 (30-1990)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-13 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 29 ha



- ii. Lot frontage (minimum): 55 m

A2-14, 535 Castor Street, Lot 11, Concession 4 (60-1993)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-14 shall be used in accordance with the following provisions:

- i. Lot area (minimum) - agricultural use: 35 ha
- ii. Lot frontage (minimum): 25 m

A2-15, 808 St. Augustin Road, Part of Lot 12, Concession 7 (78-1991, 17-2005)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned A2-15 shall be used in accordance with the following provisions:

- i. Lot area (minimum)- detached dwelling and other non-residential uses: 4.4 ha
- ii. Lot frontage (minimum)- detached dwelling and other non-residential uses: 150 m

A2-16, St Joseph Road, Lots A and B, Concession 8 (97-1994)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-16 shall be used in accordance with the following provisions:

- a. Lot frontage (minimum): 45 m

A2-17, Gregoire Road, Lot 2, Concession 1 (98-1994)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-17 shall be used in accordance with the following provisions:

- i. Lot area (minimum) - agricultural use: 27 ha
- ii. Lot frontage (minimum) - agricultural use: 215 m

A2-18, 172 St-Thomas Road, Part of Lot 20, Concession 8 (70-1992, 46-2001, 91-2007, 92-2007)

Notwithstanding the provisions of this By-law to the contrary the lands zoned A2-18 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 22.8 ha
- ii. Lot frontage: 160 m

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, Route 400, Part of Lot 6, Concession 5 (48-1995)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-20 shall be used in accordance with the following provisions:

- i. Lot area (minimum) - agricultural use: 13 ha

A2-21, St Joseph Road, Part of Lot 3, Concession 9 (81-1995)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-21 shall be used in accordance with the following provisions:



- i. Lot area (minimum) – agricultural use: 38 ha
- ii. Lot frontage (minimum): 20 m

A2-22, 1479 St Joseph Road, Part of Lot 3, Concession 9 (81-1995)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-22 shall only be used for a detached dwelling and a spring water well and accessory dispensing facility.

A2-23, St Guillaume Road, Part of lot 21, Concession 5

Notwithstanding the provisions of this by-law to the contrary, the lands zone A2-23 shall be use in accordance with the following provisions:

- i. lot coverage: 50%
- ii. residential uses and/or an accessory dwelling are prohibited
- iii. Lot area (minimum) – including the area of all Agricultural zones on the same lot: 8.5 ha
- iv. Lot frontage (minimum - including the frontage of all Agricultural zones on the same lot: 142 m

A2-24, 327 Route 500, Part of Lot 1, Concession 2 (17-1996)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-24 shall be used in accordance with the following provisions:

- i. Lot area (minimum) - agricultural use: 28 ha
- ii. Lot frontage (minimum) - agricultural use: 190 m

A2-25, 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 A2-25 shall require applicants to consult with the South Nation Conservation Risk Management Office 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

A2-26, 1320 and 1356 Wade Road, Part of Lot 8, Concession 3 (96-1996); Part of Lot 2, Concession 8, 1580 St. Joseph Road (29-2001)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-26 may also be used for an accessory apartment.

A2-27, 1300 St-Andre Road, Part of Lot 7, Concession 5 (32-1997)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-27 shall be used in accordance with the following provisions:

- i. Lot area (minimum)- agricultural use, forestry use and/or conservation use: 5.85 ha
- ii. Lot frontage (minimum)- agricultural use, forestry use and/or conservation use: 100 m



A2-28, 1688 South Russell Road, Part of Lot 4, Concession 2 (57-1997)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-28 shall be used in accordance with the following provisions:

- i. Lot area (minimum)- agricultural use: 35 ha
- ii. Lot frontage (minimum)- agricultural use: 190 m

A2-29, Route 200 Road, Part of Lot 15, Concession 1 (32-2013)

Notwithstanding the provisions of this By-law to the contrary, the lands designated A2-29 shall be used in accordance with the following provisions:

- i. Lot area (minimum) - agricultural use: 19.8 ha
- ii. Residential use and/or an accessory dwelling unit on the property are prohibited.

A2-30, 232 St Thomas road & St Thomas Road, Part of Lot 19, Concession VIII (81-1997)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-30 shall be used in accordance with the following provisions:

- i. Lot area (minimum)- agricultural use: 16.5 ha
- ii. Lot frontage (minimum)- agricultural use, conservation use and forestry use: 135 m

A2-31, 1136 St Albert Road, Part of Lot 6, Concession 10 (86-1997)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-31 shall only be used for a detached dwelling.

A2-32, St Albert Road, Part of Lot 6, Concession 10 (28-2013)

Notwithstanding the provisions of this By-law to the contrary, the lands designated A2-32 shall be used in accordance with the following provisions:

- i. Lot area (minimum) - agricultural use: 23 ha
- ii. Lot frontage (minimum) - agricultural use: 91 m
- iii. Residential use and/or an accessory dwelling unit on the property are prohibited.

A2-33, Route 400, Part of Lot 5, Concession 5 (71-1998)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned A2-33 shall be used in accordance with the following provisions:

- i. Lot area (minimum) - agricultural use: 18 ha
- ii. Lot frontage (minimum) - agricultural use: 150 m

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, 1172 St Albert Road, Part of Lot 6, Concession X (22-1999)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned A2-35 shall be used in accordance with the following provision:

- i. Lot area (minimum) - detached dwelling : 2785 m²

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, St Pierre Road, Part of Lot 12, Concession 6 (12-2001)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned A2-37 shall be used in accordance with the following provisions:

- i. Lot area (minimum) - agricultural use: 18 ha
- ii. Lot frontage (minimum) - agricultural use, forestry use, conservation use: 67 m
- iii. All residential uses are prohibited.

A2-38, 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 A2-38 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 South Nation Conservation Risk Management Office 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

A2-39, St Thomas Road, Part of Lot 20, Concession 9 (8-2002, 64-2003)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned A2-39 shall be used in accordance with the following provisions:

- i. Lot area (minimum) - agricultural use: 36 ha
- ii. Lot frontage (minimum) - agricultural use: 90 m

A2-40, St Thomas Road, Part of Lot 21, Concession 9 (7-2002)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned A2-40 shall be used in accordance with the following provisions:

- i. Lot area (minimum) - agricultural use: 24 ha
- ii. Lot frontage (minimum) - agricultural use: 60 m

A2-41, 228 Limoges Road, Part of Lot 19, Concession 10 (14-2003)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned A2-41 shall be used in accordance with the following provisions:



- i. Lot area (minimum) - agricultural use: 35 ha
- ii. Lot frontage (minimum): 30 m

A2-42, St Guillaume Road, Part of Lot 14, Concession 5 (19-2003)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned A2-42 shall be used in accordance with the following provisions:

- i. Lot area (minimum) - agricultural use: 18 ha
- ii. Lot frontage (minimum) - agricultural use, forestry use, conservation use: 85 m
- iii. All residential uses are prohibited.

A2-43-ar, St-Albert Road, Part of Lots A & B, Concession 10 (93-2008)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-43-ar shall be used in accordance with the following provision:

- i. Lot area (minimum): 21 ha
- ii. Lot frontage (minimum): 170 m
- iii. Residential use and/or an accessory dwelling unit on the severed lot are prohibited.

A2-44, 268 Hamilton Road, Part of Lot 22, Concession I, (55-2003)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned A2-44 shall be used in accordance with the following provisions:

- i. Lot area (minimum) - agricultural use: 17 ha

A2-45, Part of 279 and 295 St. Thomas Road, Part of Lot 19, Concession IX (23-2004)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned A2-45 shall be used in accordance with the following provisions:

- i. Lot area (minimum) - agricultural use: 30 ha
- ii. Lot frontage (minimum): 50 m

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 designated A2-9 shall be used in accordance with the following provisions:

- i. 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, 363 St Thomas Road, Part of Lots 17 and 18, Concession 9, (5-2005)



Notwithstanding the provisions of this By-law to the contrary, the lands zoned A2-48 shall be used in accordance with the following provisions:

- i. Lot frontage (minimum) - Agricultural Use, Conservation Use and Forestry Use: 145 m

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 designated 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 223m² 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, Route 200, Part of Lot 15, Concession 3 (72-2014)

Notwithstanding the provisions of this By-law to the contrary, the lands designated A2-50 shall be used in accordance with the following provisions:

- i. Lot area (minimum)- agricultural use: 35.81 ha

A2-51, Part of Lot 20, Concession 9

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-51 shall be used in accordance with the following provision:

- i. Lot frontage: 105 m

A2-52, Eadie Road, Part of Lots 17 & 18, Concession 3 (80-2006);

Part of Lot 9, Concession 9 (65-2004);

St Thomas Road, Part of Lot 13, Concession 9 (78-2013);

St Joseph, Part of Lot 2 Concession 8 (114-2008)

Route 400, Part of Lots 5 & 6, Concession 5 (2015-115)

1724 St-Edouard Road, Part of Lot A, Concession 9, incl. part 7 on plan 50R-3345 (2017-11)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-52 shall be used in accordance with the following provision:

- i. Residential use and/or an accessory dwelling unit on the lot are prohibited.

A2-53, 175 Hamilton Road, Part of lot 23, Concession 2, RP50R1685 Part 1 (83-2007)

Notwithstanding the provisions of provisions of this By-Law to the contrary, the lands zoned A2-53 shall be use in accordance with the following provision:

- i. Lot frontage (minimum): 139 m

A2-54 168 St-Thomas Road, Part of Lot 20, Concession 8, RP50R9526 Part 2 (91-2007)



Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-54 shall be use in accordance with the following provisions:

- i. Lot area (minimum): 13.2 ha
- ii. Lot frontage: 21 m

A2-55, St. Guillaume Road, Part of Lot 21, Concession 5 (51-2008)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-56 shall be used in accordance with the following provision:

- i. Lot area (minimum): 19 ha
- ii. Lot frontage: 152 m
- iii. Residential use and/or an accessory dwelling unit on the severed lot are prohibited.

A2-56, St. Guillaume Road, Part of Lot 12, Concession 6 (55-2008)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-56 shall be used in accordance with the following provision:

- i. Lot area (minimum): 19 ha
- ii. Residential use and/or an accessory dwelling unit on the severed lot are prohibited.

A2-57, 252 Limoges Road, Limoges, Part of lot 19, Concession 10, Part 2 on Plan Rp50R1563 (40-2014)

Notwithstanding the provisions of this By-Law to the contrary, the lands designated A2-57 on Schedule "A5(b)" of this By-Law, may also be used for a "Home-based business" pursuant to Section 3.24 of this By-Law.

A2-58, Eadie Road, Part of Lot 13, Concession 13 (96-2008)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-58 shall be used in accordance with the following provision:

- i. Lot area (minimum): 15 ha
- ii. Residential use and/or an accessory dwelling unit on the severed lot are prohibited.

A2-59, Route 200, Part of Lot 16, Concession 4 (18-2009)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-59, shall be used in accordance with the following provision:

- i. Lot area (minimum): 20 ha

A2-60, Part of Lot 5, Concession 8 being Part 2 on Plan 50R-10271 (109-2014); Part of Lot 5, Concession 8, a portion of land from 1364 St-Joseph Road , Embrun (2016-007)

Notwithstanding the provisions of this By-law to the contrary, the lands designated A2-60 shall be used in accordance with the following new provisions:

- i. Lot area (minimum) - agricultural use: 34 ha
- ii. Residential use and/or an accessory dwelling unit on the property are prohibited.

A2-61, 1588-1596 St Joseph, Part of Lot 2, Concession 8, Part 1 on plan RP50R9646 (114-2008)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-61 shall be used in accordance with the following provision:

- i. One accessory mobile home is permitted

A2-62, 1559 St. Jacques Road, Part of Lot 5, Concession 8, (40-2009)



Notwithstanding the provisions of this By-Law to the contrary, the land zoned A2-62 may also be used for:

- i. An accessory apartment

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, 188 Hamilton Road, Part of Lots 23 and 24, Concession 1 (74-2010)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned A2-65 shall be used in accordance with the following provisions:

- i. Lot area (minimum), agricultural use: 39 ha
- ii. Lot frontage (minimum), agricultural use: 180 m

A2-66, Leclerc Road, E1/2 Lot 2, Concession 1, save and except Part 1 on 50R-348 (143-2014)

Notwithstanding the provisions of this By-law to the contrary, the lands designated A2-66 shall be used in accordance with the following new provisions:

- i. Lot area (minimum) - agricultural uses: 37.67 ha
- ii. Residential use and/or accessory dwelling unit on the property is prohibited.

A2-67, Reserved

**A2-68, 1524 St Joseph road, Part of Lot 3, Concession 8, Parts 1 and 2 on plan 50R9862 (73-2010)
456-460 Forced Road, Part of Lot 15, Concession 2 (144-2014)**

Notwithstanding the provisions of this By-law to the contrary, the lands zoned A2-68 may also be used for a semi-detached dwelling.

A2-69, St Joseph Road, Part of Lots 3 and 4, Concession 9 (24-2011)

Notwithstanding the provisions of this By-law to the contrary, the lands designated A2-69 shall be used in accordance with the following provision:

- i. Lot frontage (minimum): 177 m

A2-70, St. Guillaume Road, Part of Lot 16, Concession VI, (33-2003);

Route 500, Part of Lot 1, Concession IX (46-2004);

Route 400, Part of Lot 5, Concession 9 (25-2005);

St-Guillaume Road, Part of Lot 13, Concession 5 (26-2005);

963 St Pierre Road, Part of Lot 11, Concession 7 (56-2008);

North Russell Road, Part of Lot 16, Concession 3W (52-2010);

Hamilton Road, Part of Lots 23 and 24, Concession 1, Part 2 on Plan 50R3776 (74A-2010);

Eadie Road, Part of Lot 22, Concession 4 (75-2010);

St Guillaume Road, Part of Lot 11, Concession 6 (53-2011)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-69 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 20 ha



- ii. Lot frontage (minimum): 20 m
- iii. Residential use and/or an accessory dwelling unit on the severed lot are prohibited.

A2-71, Hamilton Toad, Part of Lot 24, Concession 1 (10-2012)

Notwithstanding the provisions of this By-law to the contrary, the lands designated A2-71 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 19 ha
- ii. Lot frontage (minimum): 17 m

A2-72, St Pierre Road, Part of Lot 17, Concession 6; (18-2012)

Notwithstanding the provisions of this By-law to the contrary, the lands designated A2-72 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 29 ha
- ii. Residential uses and/or an accessory dwelling unit on the lot are prohibited.

A2-73, 1719 Ste-Catherine Road, Russell, Part of Lot 3, Concession 5 being Part 2 on Plan 50R-3016; (10-2013)

Notwithstanding the provisions of this By-law to the contrary, the lands designated A2-73 shall be used in accordance with the following provisions:

- i. Lot area (minimum): 26.3 ha

A2-74, 948 Route 400 in Russell Part of Lots 5 & 6, Concession 5, incl. Parts 3 & 4 on Plan 50R-3494 (2015-115)

Notwithstanding the provisions of this By-law to the contrary, the lands designated A2-74 shall be used in accordance with the following new provision:

- i. Lot frontage (minimum) - detached dwelling: 31 meters

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. Accessory buildings used for residential purposes (maximum): 5

A2-77, South Russell Road, Part of Lot 4, Concession 3 (2016-048)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-77 shall be used with the following provisions:

- i. Lot area (minimum), agricultural use: 36 hectares
- ii. Residential use and/or accessory dwelling unit on the property are prohibited

A2-78, 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 sq. m.

A2-79, Reserved

A2-80, South Russell Road, Part of lot 7, Concession 2 (2017-081)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-80 shall be used with the following provisions:



- i. Lot area (minimum), agricultural use: 27 hectares
- ii. Residential use and/or accessory dwelling unit on the property are prohibited-

A2-81, St-Joseph Road, Part of Lot C, Concession 8 (2018-034)

Notwithstanding the provisions of this By-Law to the contrary, the lands zoned A2-81 shall be used in accordance with the following new provisions:

- i. Residential use and/or accessory dwelling on the property are prohibited;
- ii. Lot area (minimum) - agricultural use: 20 hectares.
- iii. Lot frontage (minimum) - agricultural use: 95 metres.



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 General Agricultural (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 3.37.

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 3.37.
- iv. Agricultural Use: Permitted in accordance with the requirements of the General Agricultural (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.



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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

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:

- Notwithstanding the above yard requirements, no Waste Disposal (WD) zone will be established within 300 m of a dwelling on another lot.
- Open storage areas shall be permitted in accordance with the provisions of Section 3.37.



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)	
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 3.37.

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 and Forestry (MNRF) 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 MNRF.

10.3.1 PERMITTED USES

Non-Residential

- Agricultural uses existing as of December 31, 1999
- Conservation use
- Park

10.3.2 ZONE REQUIREMENTS

- i. The placing of fill or drainage improvements within the Wetlands (WL) zone are prohibited unless written approval is received from the Municipality and South Nation Conservation.
- ii. New development or site alterations within 120 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 function of the wetland.
- iii. All development and/or site alterations within the Wetlands (WL) zone and 120 m adjacent to the Wetlands (WL) zone are regulated under Ontario Regulation 170/06, Development, Interference with Wetlands and Alterations to Shorelines and Watercourses which is administered by South Nation Conservation under Section 28 of the Conservation Authorities Act. South Nation Conservation must be consulted prior to any and all works within this zone and 120 m adjacent to the Wetlands (WL) zone, whereby a permit may be required and restriction may apply.



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.

It is recognized that flood plains may exist which are not zoned as such on the Schedules. In reviewing development and/or site alteration applications, the Township of Russell may require that the proponent demonstrate that there are no flood hazards prior to the submission of a development application for formal review. Where it is determined that flood hazards exists, the provisions of this section shall apply regardless of the zone identified on the Schedules.

10.4.1 PERMITTED USES & ZONE REQUIREMENTS

- i. Development and site alterations shall not be permitted within a flood plain or within 15 m of a flood plain.
- ii. No new septic systems are permitted within the floodplain; except where necessary in existing development for replacement of an existing septic system where no alternative location outside the flood plain exists and subject to approval from South Nation Conservation.
- iii. Notwithstanding subsection a), the following uses may be permitted in the Flood Plain (FP) zone provided they do not affect flood flows:
 - a. Uses which by their nature must locate within the flood plain and will not affect the hydrology or hydraulics of the flood plain.
 - ~~b.~~ Repairs and/or minor additions to existing buildings or accessory buildings to a maximum of 20% of the existing foundation size to a maximum of 20 square metres, whichever is less will be permitted where there is an existing non-conforming development, such development shall be subject to site plan control and require floodproofing.
 - c. Works required for flood and/or erosion control and passive recreation and/or open space non-structural uses which do not affect the hydrology or hydraulics of the flood plains
- iv. Uses such as agriculture, wildlife management, conservation, forestry and similar activities will be permitted provided that no associated buildings or structures are located in the floodplain and the use does not adversely affect the ability of the flood plains to pass floodwaters, and where the effects and risk to public safety are minor so as to be managed or mitigated in accordance with provincial standards, excluding buildings
- v. Despite b) above, development or site alterations shall not be permitted within the Flood Plain (FP) Zone where:
 - a. The area would be rendered inaccessible to people and vehicles during times of flooding, unless it has been demonstrated that the site has safe access appropriate for the nature of the development;
 - b. The flood hazard protection and bank stabilization works are to allow for future/proposed development or an increase in development envelope.
- vi. Development shall not be permitted to locate within the Flood Plain (FP) Zone where the use is:
 - a. An institutional use associated with hospitals, residential care facilities, pre-school, school nurseries, day care centres and schools, where there is a threat to safe evacuation of the sick, the elderly, persons with disabilities or the young during an emergency as a result of flooding, failure of flood proofing measures or protection works or erosion works;
 - b. An essential emergency service such as fire, police and ambulance stations and electrical substations, which would be impaired during an emergency as a result of flooding, the failure of flood proofing measures and/or protection works or erosion works; and



- c. Uses associated with the disposal, manufacture, treatment or storage of hazardous substances.
- vii. Development and site alterations, including the placement or removal of fill, are regulated under the *Conservation Authorities Act*. Any and all development and site alterations in the Flood Plain or within 15 metres of the Flood Plain (FP) Zone require permission from South Nation Conservation in addition to any and all other applicable law. Stormwater management facilities shall not be permitted within the Flood Plain (FP) Zone.

Notes and Additional Provisions

- i. Zone requirements may also be subject to provisions for setbacks from fish habitat as set out in section 3.49

10.4.2 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 South Nation Conservation.



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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)



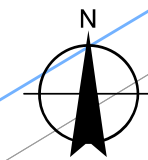
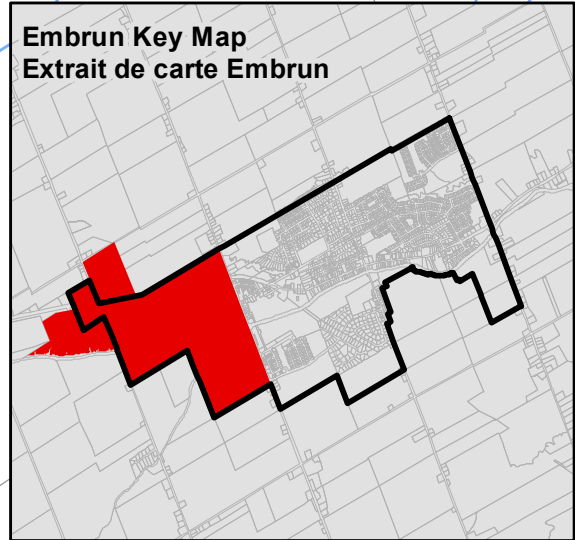
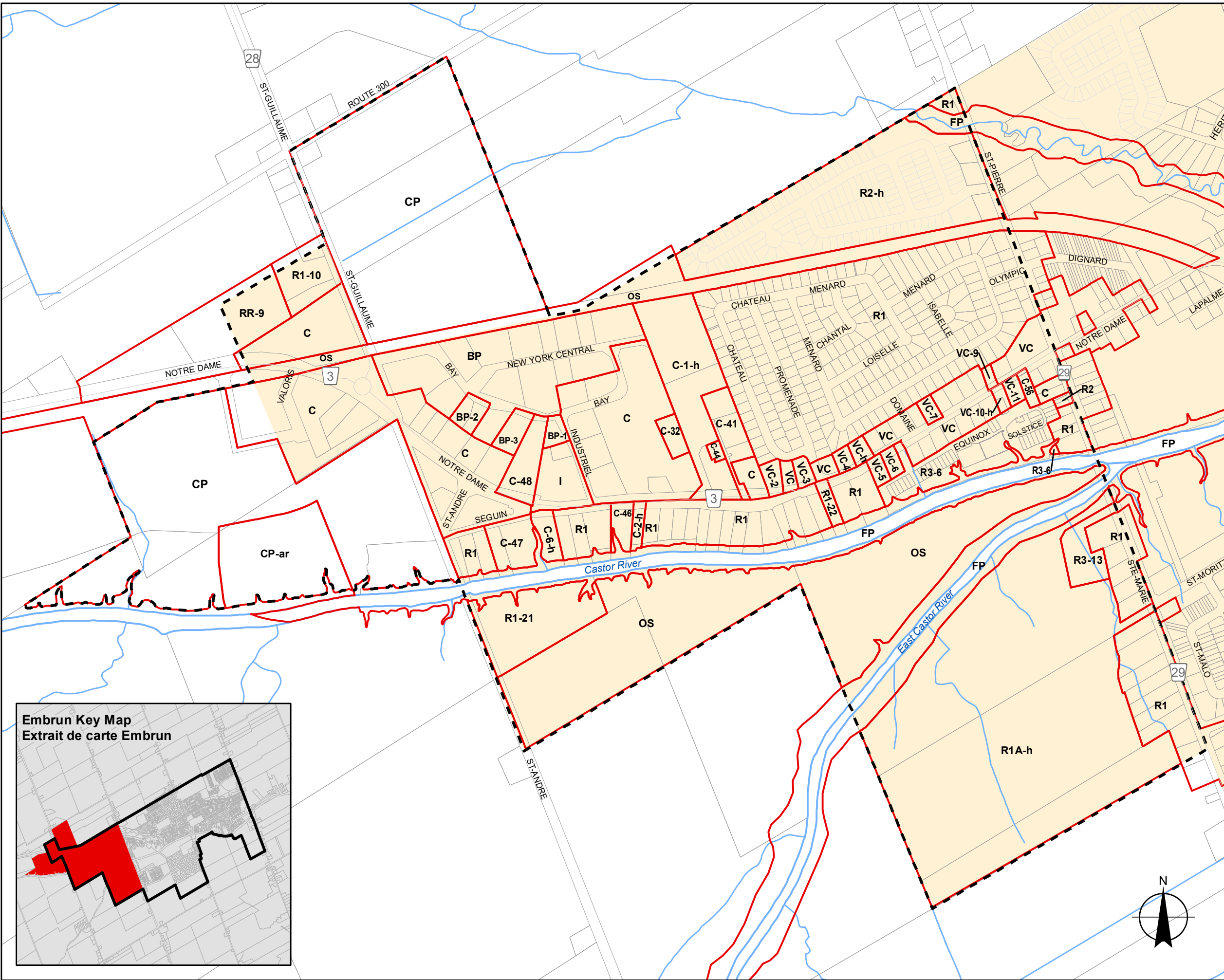


Schedule / Annexe 'A1a'
Embrun West and Commercial Park
Embrun Ouest et parc commercial

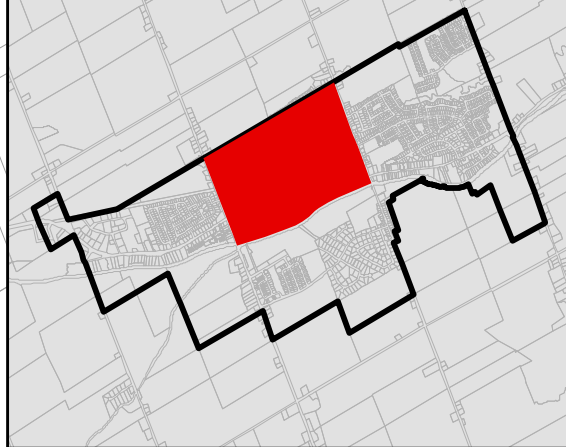
July 2018 / juillet 2018

Legend / Légende

- Village Boundary / Limites du village
- Detail Area Boundary / Limites de l'extrait
- Legal Boundaries / Limites légales
- Zone Boundary / Limites des zones
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Embrun Key Map
Extrait de carte Embrun

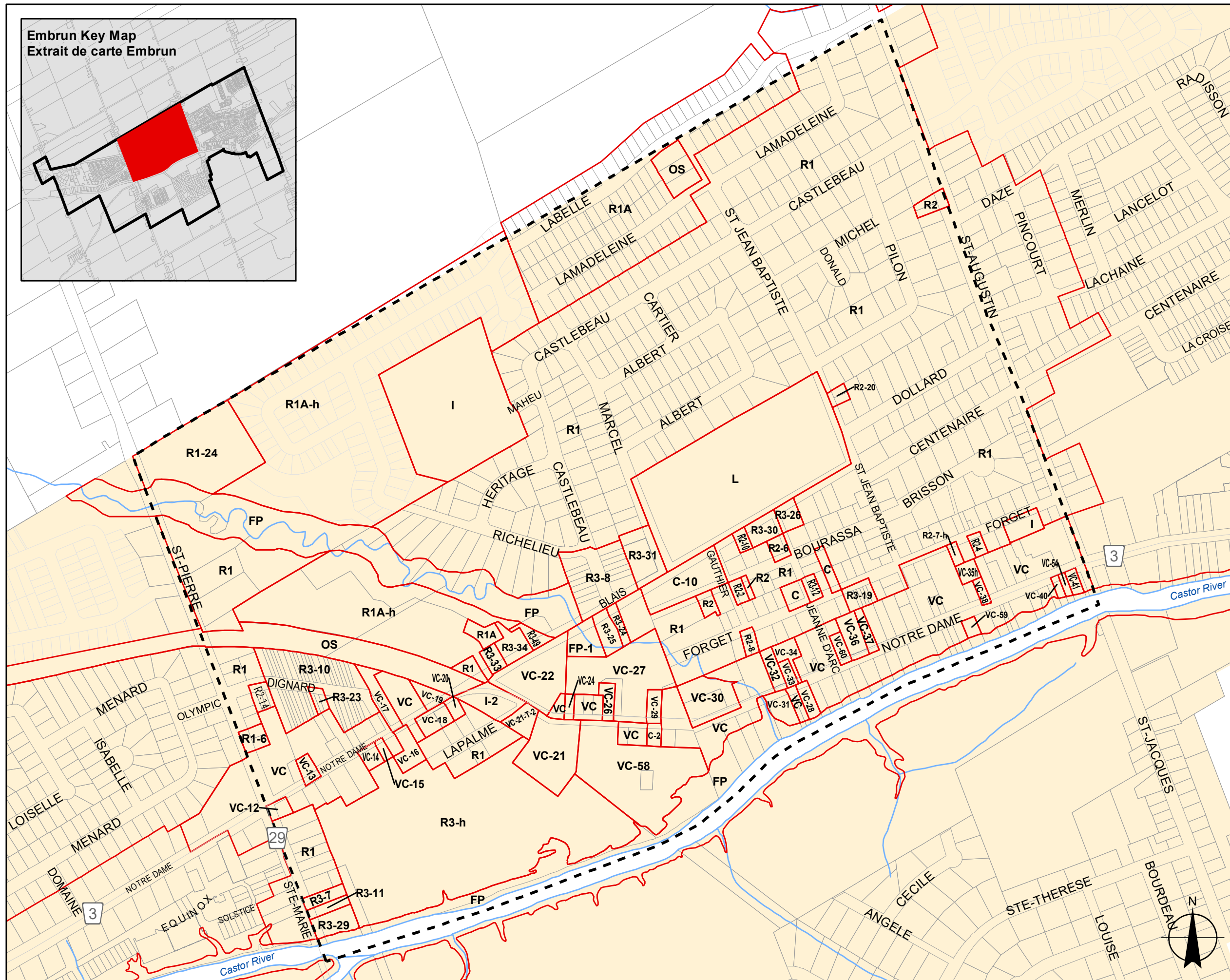


Schedule / Annexe 'A1b'
Embrun - Central North
Embrun - centre Nord

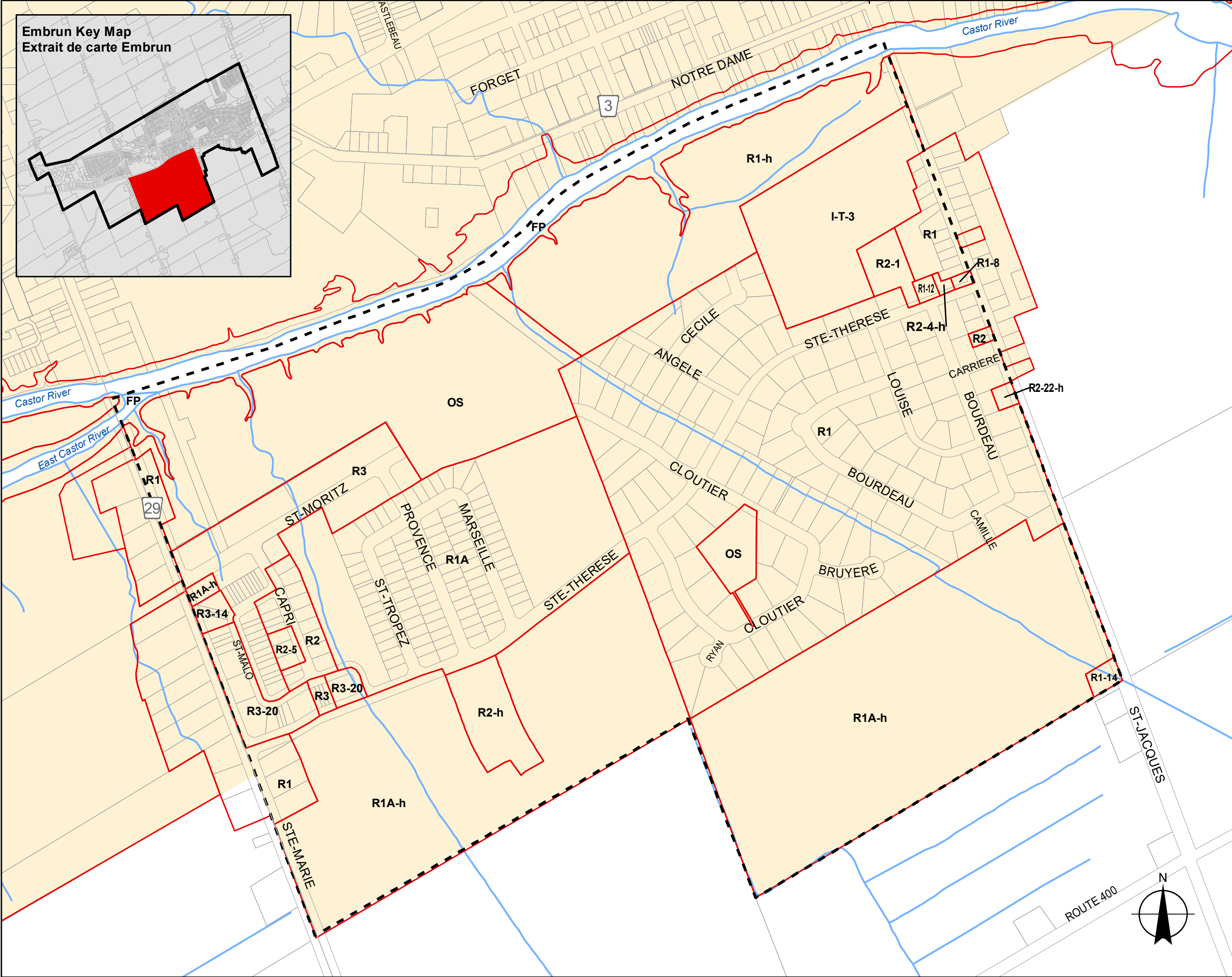
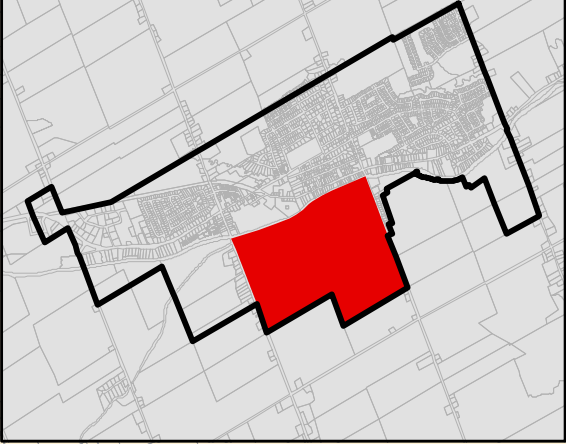
July 2018 / juillet 2018

Legend / Légende

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Embrun Key Map
Extrait de carte Embrun



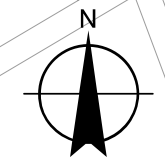
Township of / Canton de Russell
Zoning By-Law
Règlement de zonage

Schedule / Annexe 'A1c'
Embrun - Central South
Embrun - centre Sud

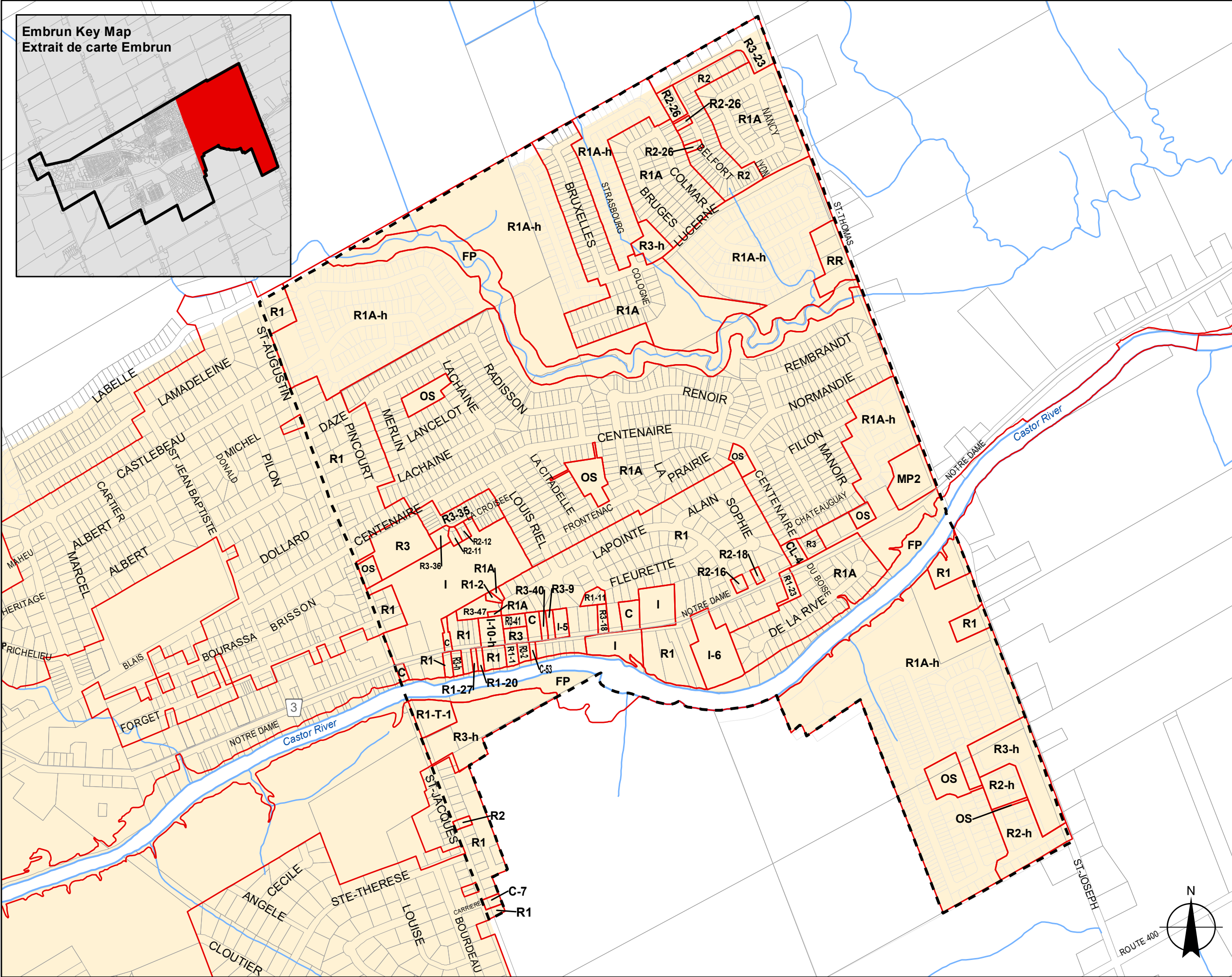
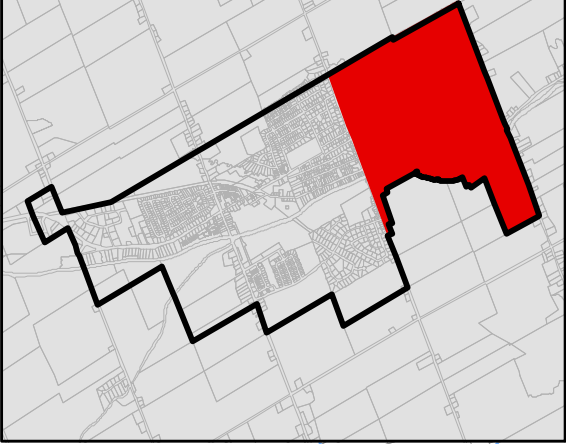
July 2018 / juillet 2018

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- ar** Mineral Aggregate - Reserve / Agrégats minéraux - réserve



Embrun Key Map
Extrait de carte Embrun



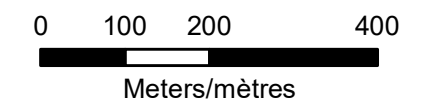
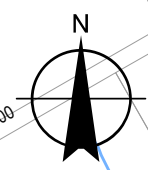
Township of / Canton de Russell
Zoning By-Law
Règlement de zonage

Schedule / Annexe 'A1d'
Embrun - East
Embrun - Est

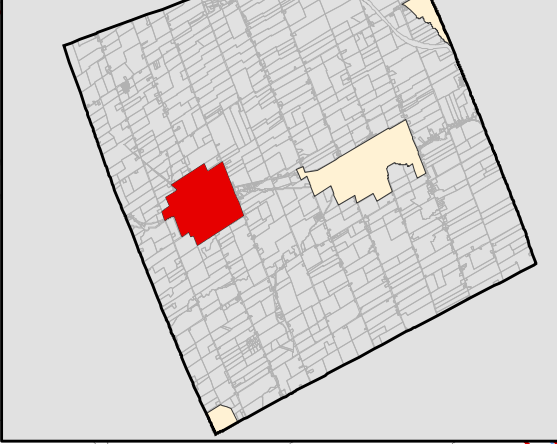
July 2018 / juillet 2018

Legend / Légende

- Village Boundary / Limites du village
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Township Key Map
Carte du Canton



Township of / Canton de Russell
Zoning By-Law
Règlement de zonage

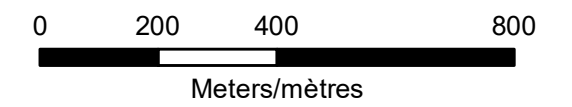
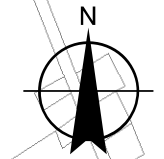
Schedule / Annexe 'A2'
Russell

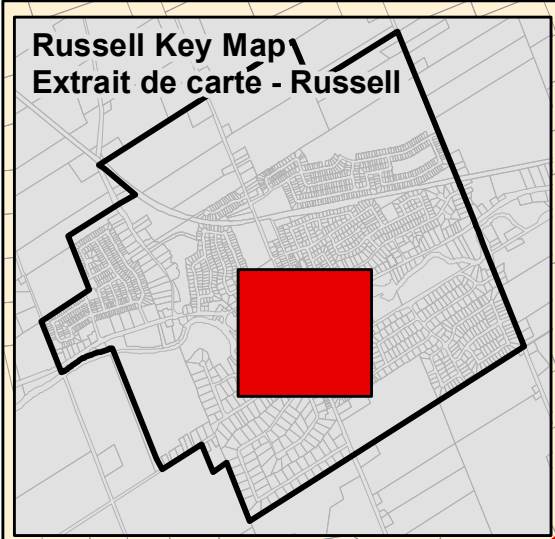
July 2018 / juillet 2018

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See Schedule 'A2a'
Voir l'annexe 'A2a'



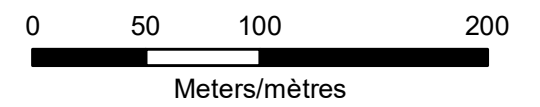
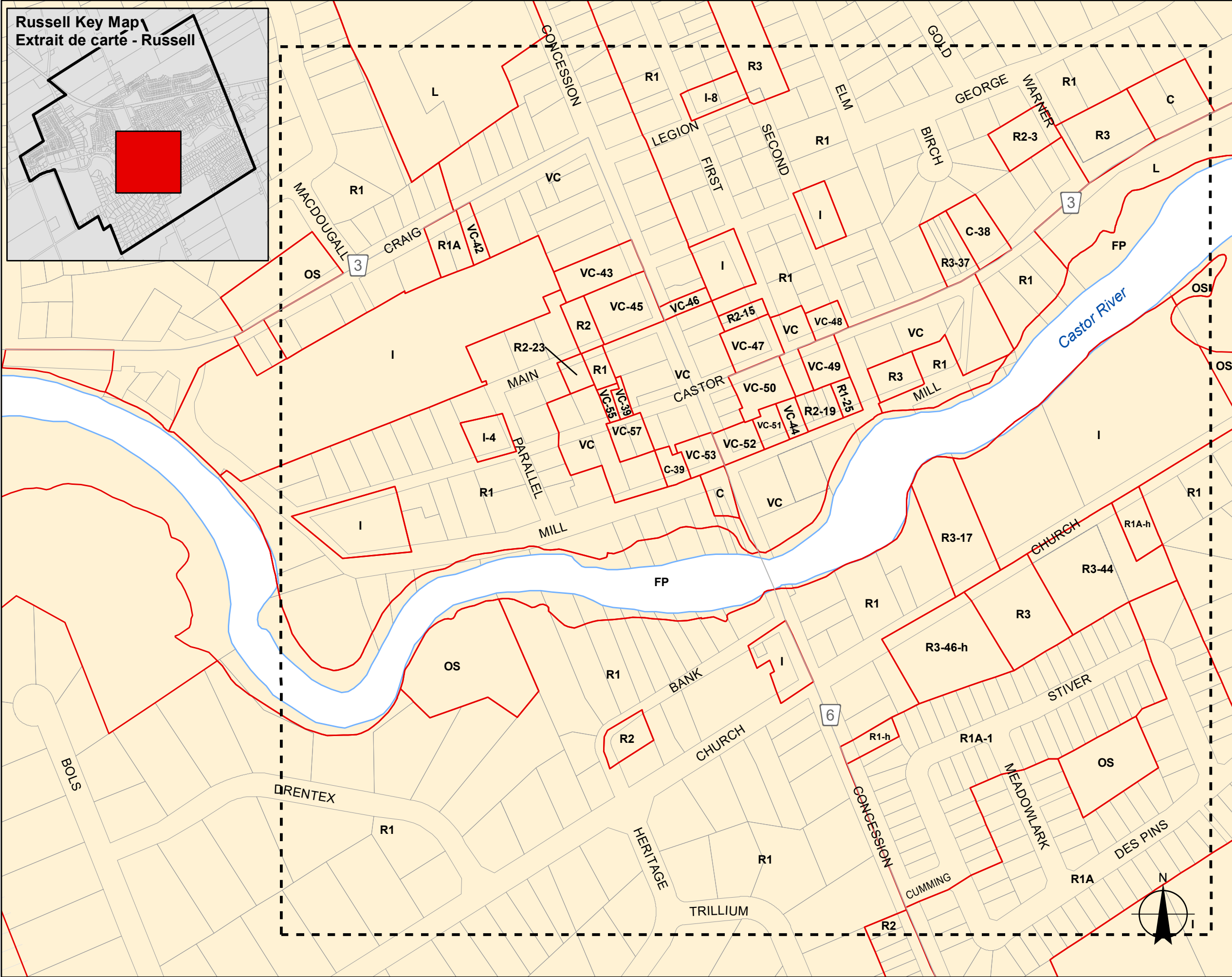


Schedule / Annexe 'A2a'
Russell - Central
Russell - centrale

July 2018 / juillet 2018

Legend / Légende

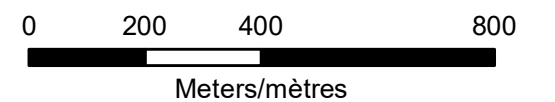
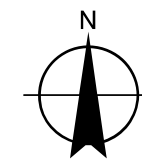
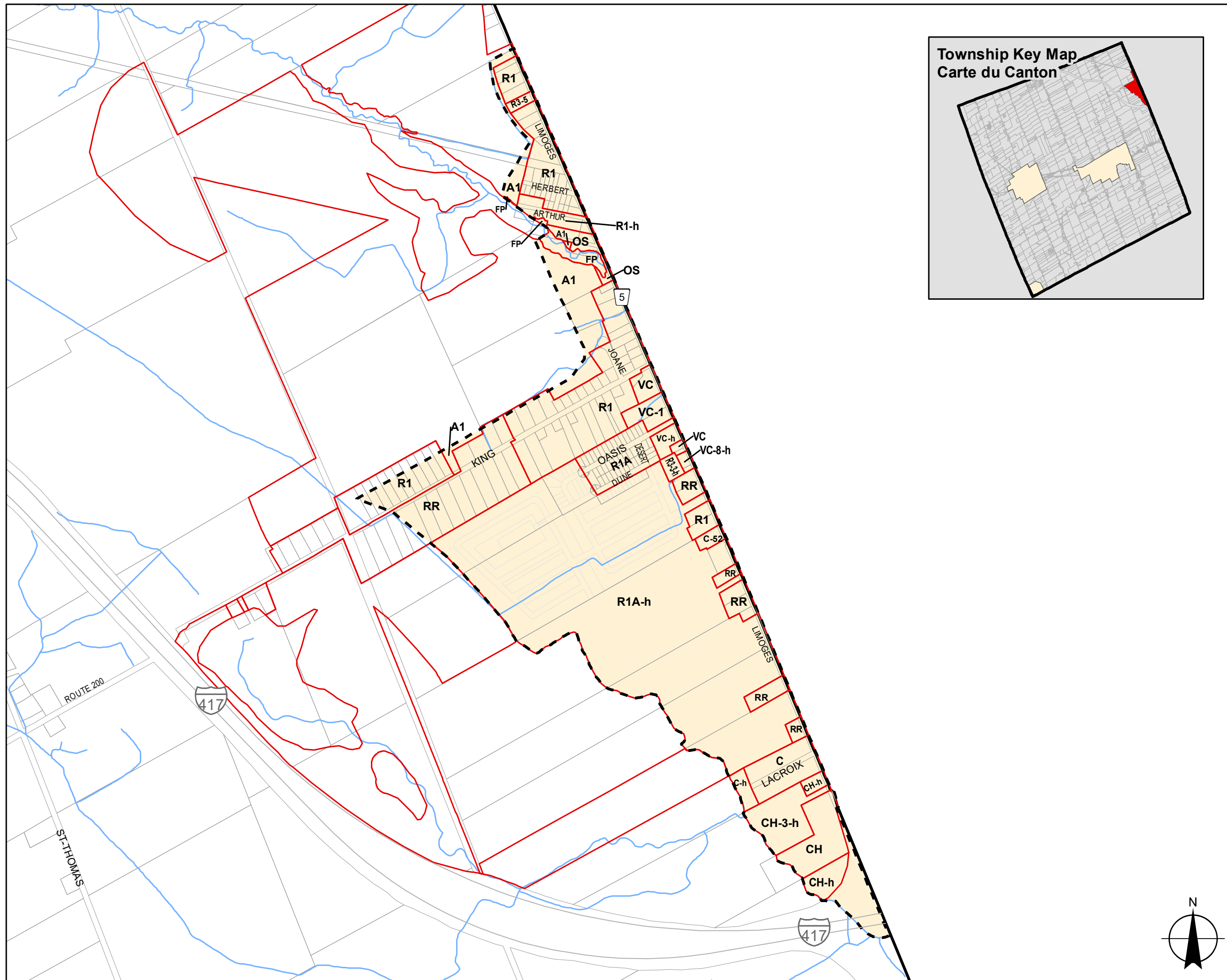
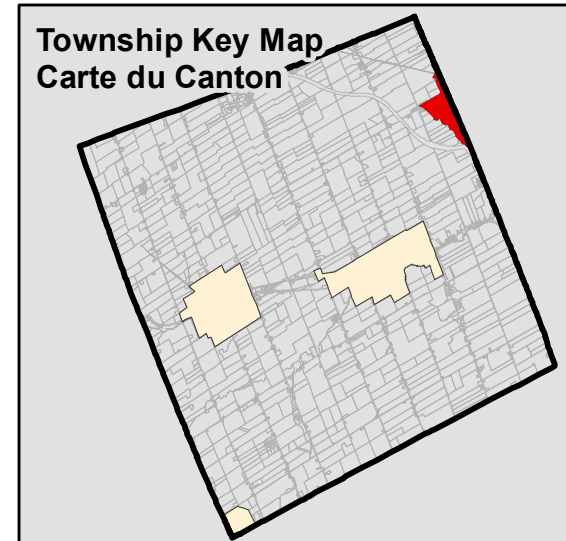
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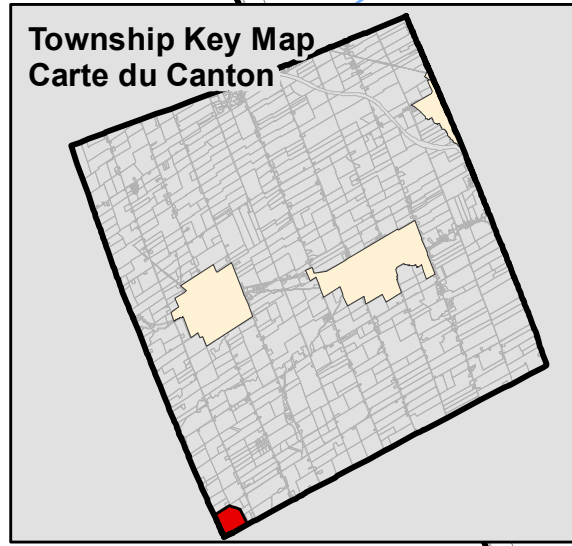


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Township Key Map
Carte du Canton



Township of / Canton de Russell



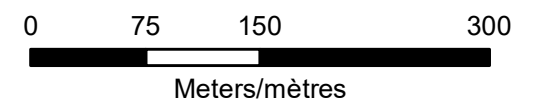
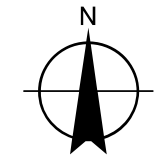
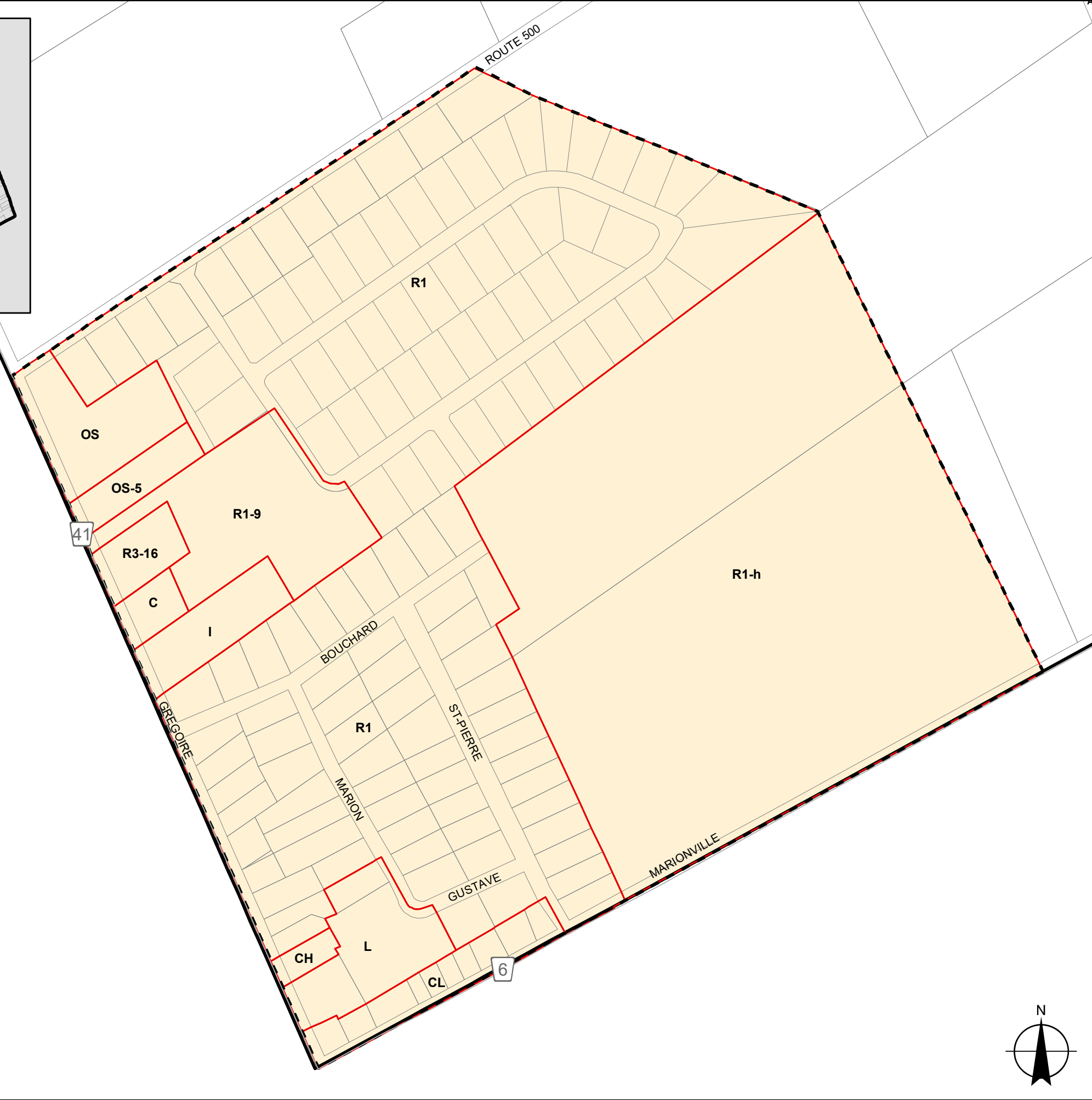
Zoning By-Law
Règlement de zonage

Schedule / Annexe 'A4'
Marionville

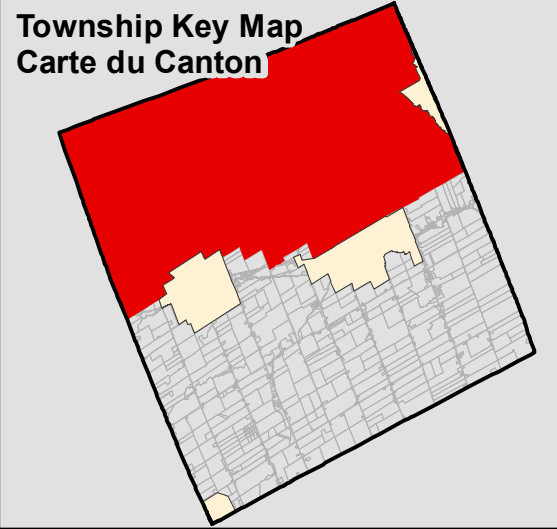
July 2018 / juillet 2018

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**Township Key Map
Carte du Canton**



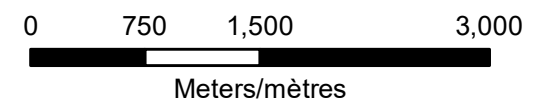
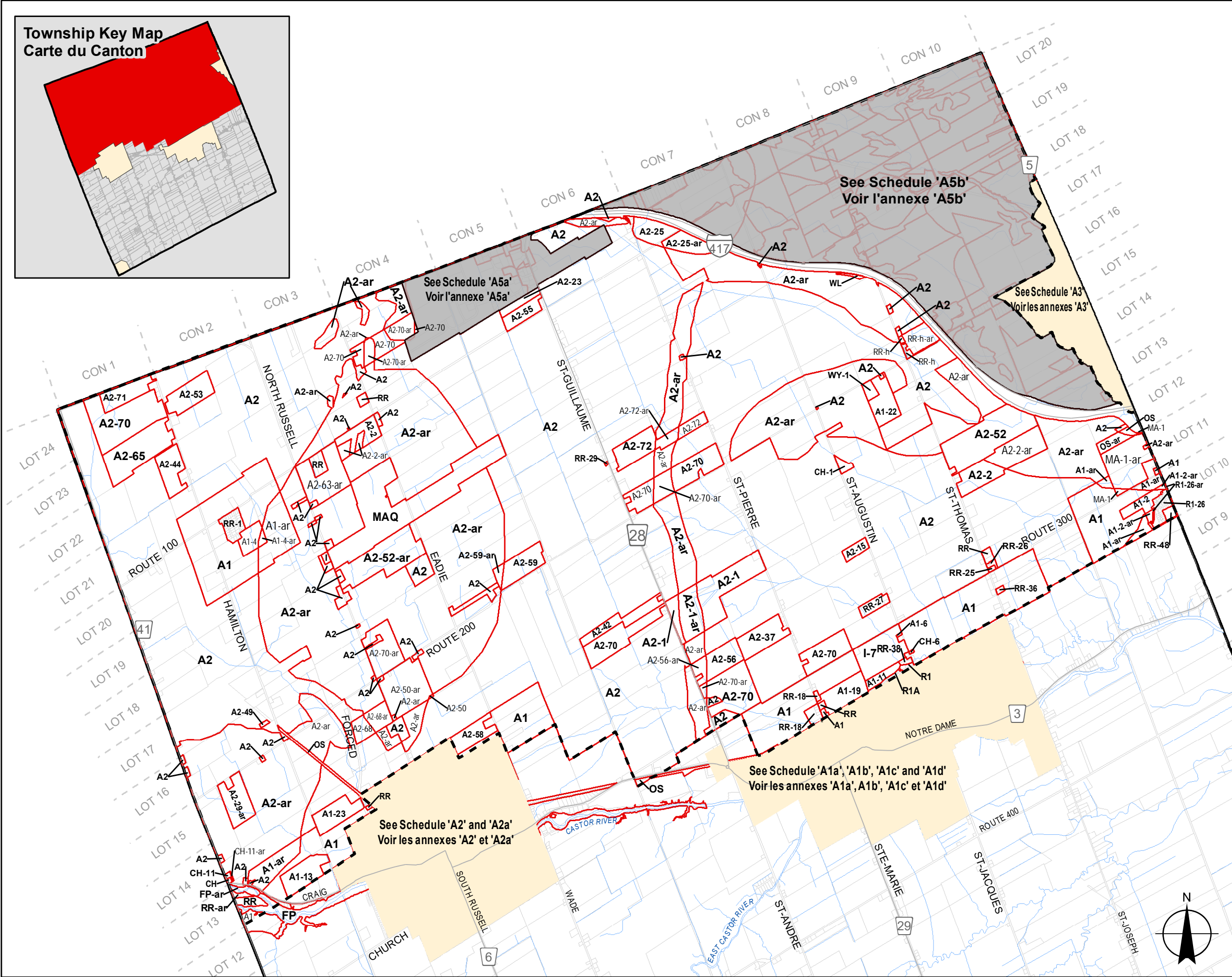
Township of / Canton de Russell
Zoning By-Law
Règlement de zonage

Schedule / Annexe 'A5'
Rural Area - North / Rural Nord

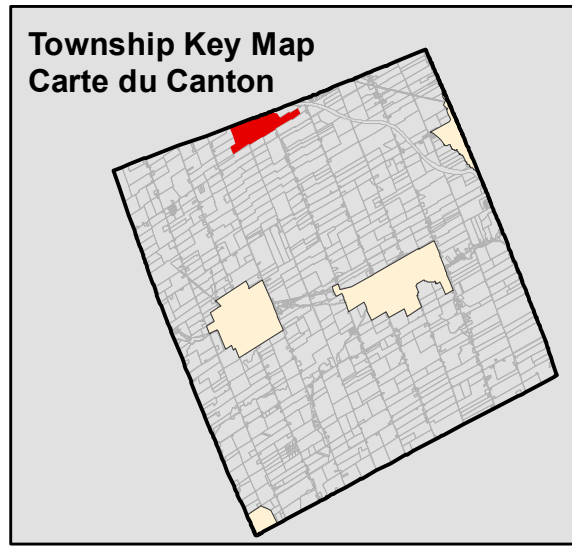
July 2018 / juillet 2018

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Township Key Map
Carte du Canton



Township of / Canton de Russell



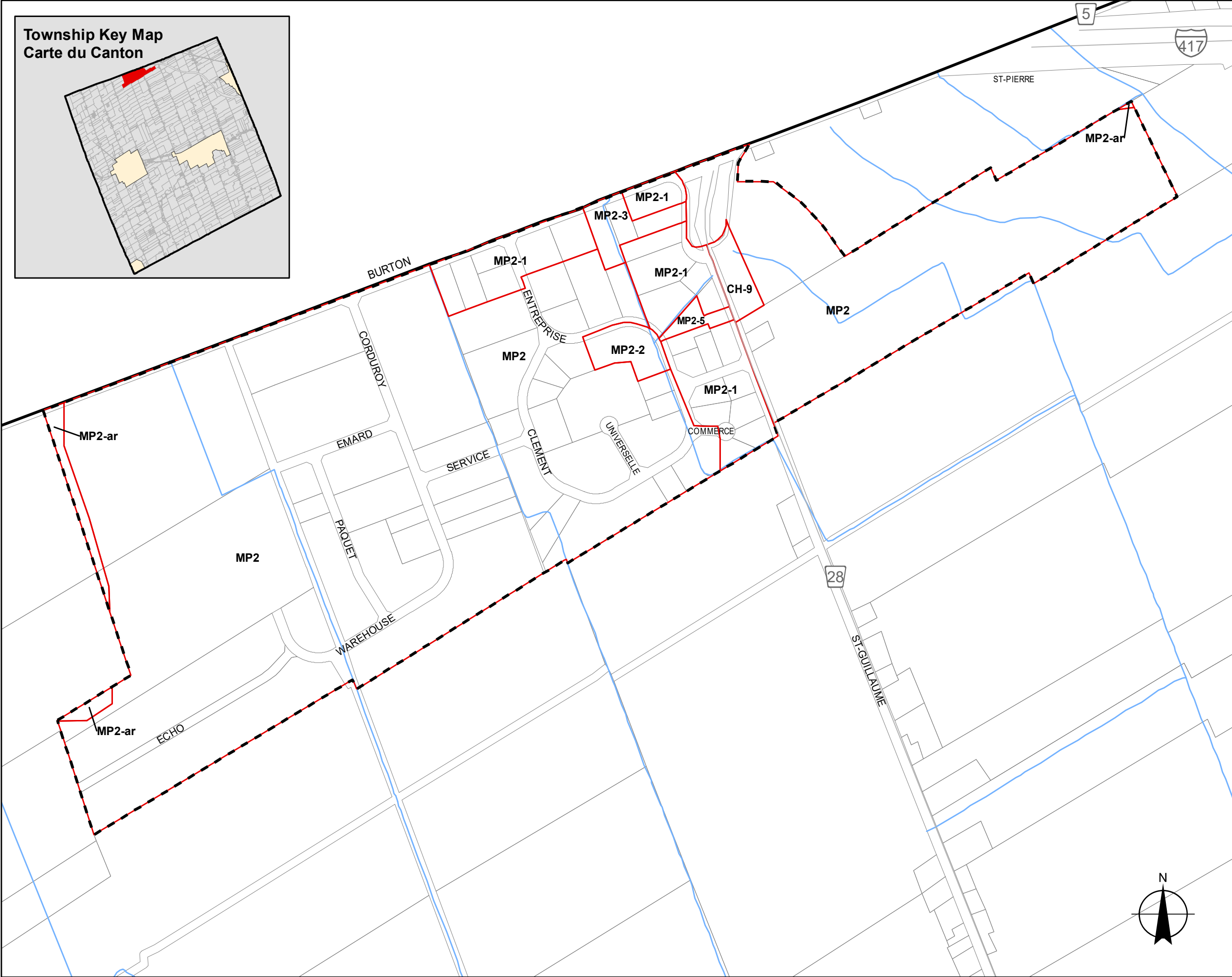
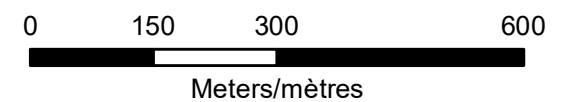
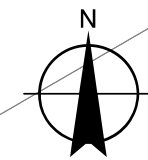
Zoning By-Law
Règlement de zonage

Schedule / Annexe 'A5a'
Industrial Park/Parc industriel

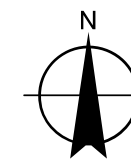
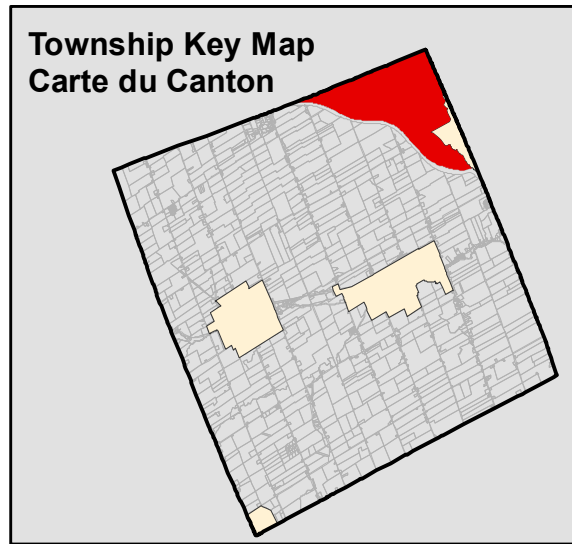
July 2018 / juillet 2018

Legend / Légende

- Village Boundary / Limites du village
- Detail Area Boundary / Limites de l'extrait
- Legal Boundaries / Limites légales
- Zone Boundary / Limites des zones
- Watercourses / Cours d'eau
- R1** Residential 1 / Résidentielle 1
- R1A** Residential 1A / Résidentielle 1A
- R1B** Residential 1B / Résidentielle 1B
- R2** Residential 2 / Résidentielle 2
- R3** Residential 3 / Résidentielle 3
- RR** Rural Residential / Résidentielle rurale
- I** Institutional / Institutionnelle
- VC** Village Core / Centre du village
- C** General Commercial / Commerciale générale
- CH** Highway Commercial / Commercial routière
- CL** Local Commercial / Commercial locale
- CP** Commercial Park/ Parcs commerciale
- BP** Business Park / Parcs d'affaires
- MP1** Industrial Park - Serviced / Parcs industriels - avec service
- MP2** Industrial Park - Unserviced / Parcs industriels - sans service
- MA** Agricultural Industrial / Industrielle rurale
- OS** Open Space / Espaces verts
- L** Leisure / Loisirs
- A1** Restricted Agricultural / Agricole restreinte
- A2** General Agricultural / Agricole générale
- MAP** Mineral Aggregate - Pit / Agrégats minéraux - puits d'extraction
- MAQ** Mineral Aggregate - Quarry / Agrégats minéraux - carrière
- WD** Waste Disposal / Zone de dépôt de déchets
- WY** Wrecking Yard / Zone de cour de démolition
- WL** Wetlands / Terres humides
- FP** Flood Plain / Plaines inondables
- #** Exception / Exception spéciale
- h** Holding / Aménagement différé
- ar** Mineral Aggregate - Reserve / Agrégats minéraux - réserve



Township Key Map
Carte du Canton



Township of / Canton de Russell



Zoning By-Law
Règlement de zonage

Schedule / Annexe 'A5b'
Rural Area - North East
Rural Nord-Est

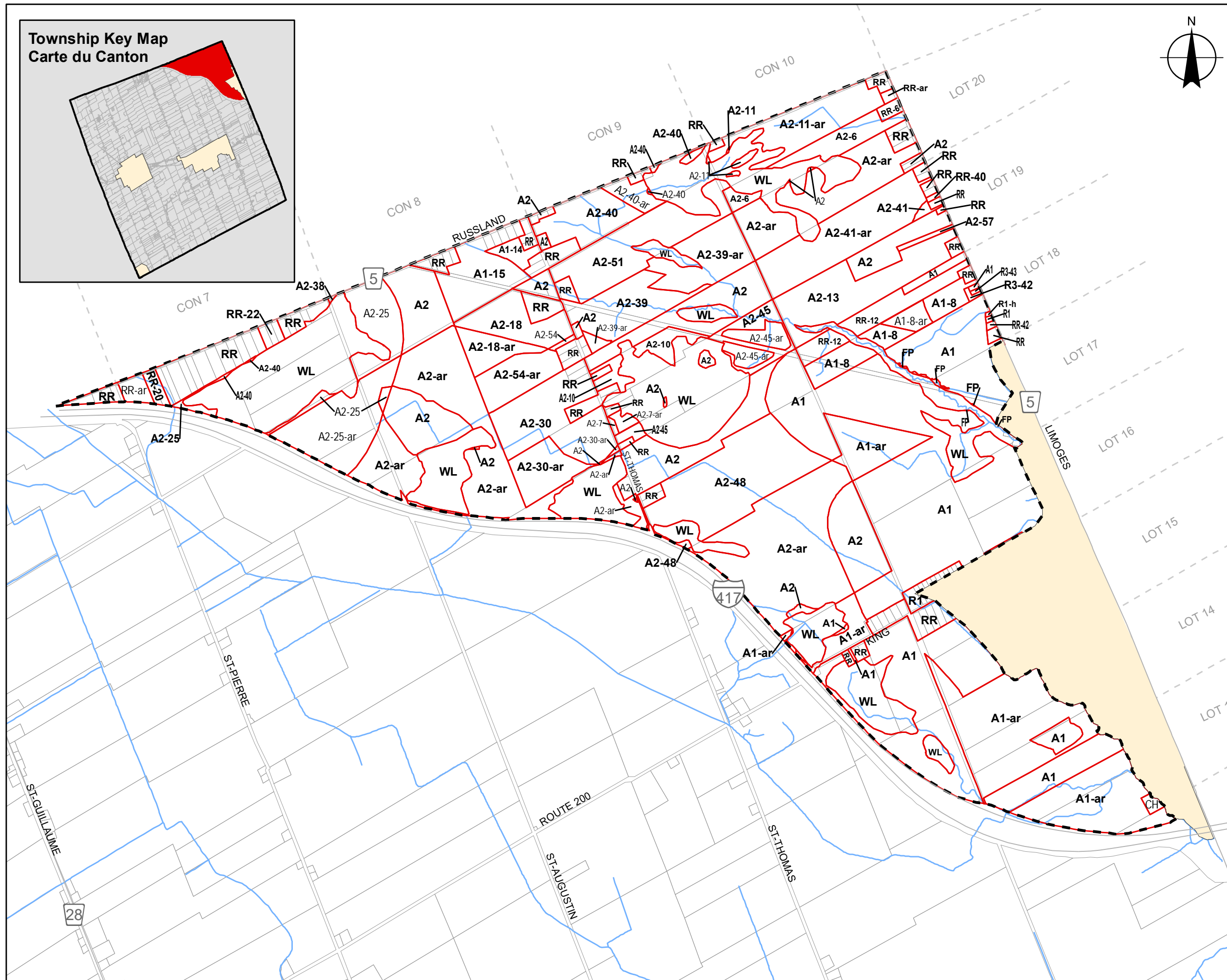
July 2018 / juillet 2018

Legend / Légende

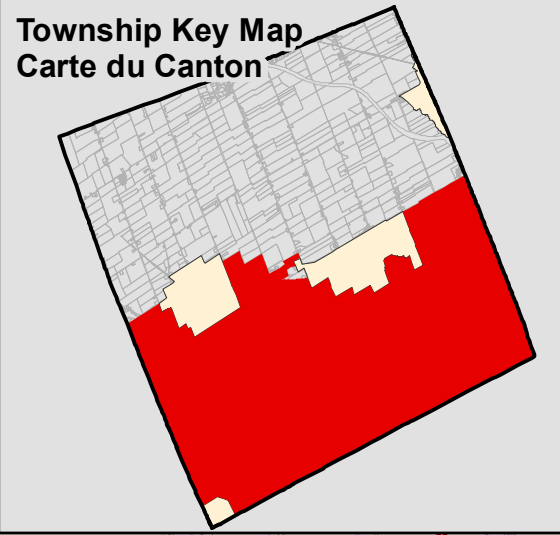
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0 300 600 1,200
Meters/mètres



Township Key Map
Carte du Canton



Township of / Canton de Russell



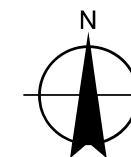
Zoning By-Law
Règlement de zonage

Schedule / Annexe 'A6'
Rural Area - South / Rural Sud

July 2018 / juillet 2018

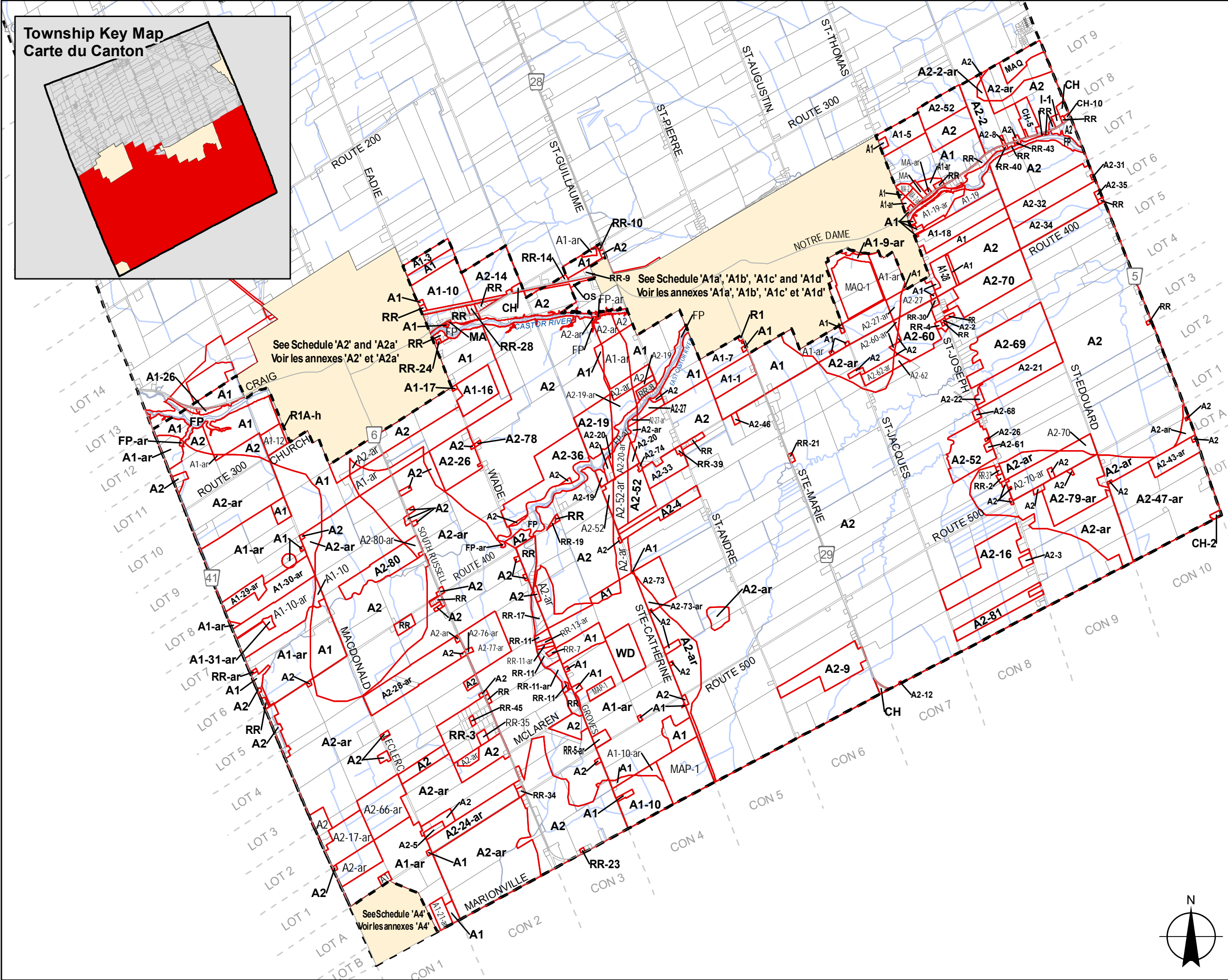
Legend / Légende

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- h** Holding / Aménagement différé
- ar** Mineral Aggregate - Reserve / Agrégats minéraux - réserve



0 750 1,500 3,000

Meters/mètres



See Schedule 'A2' and 'A2a'
Voir les annexes 'A2' et 'A2a'

See Schedule 'A1a', 'A1b', 'A1c' and 'A1d'
Voir les annexes 'A1a', 'A1b', 'A1c' et 'A1d'

See Schedule 'A4'
Voir les annexes 'A4'

Municipalité de
RUSSELL
Township