

Prepared for:

**TOWNSHIP OF BILLINGS**  
15 Old Mill Road; PO Box 34  
Kagawong, ON  
POP 1J0

# **Township of Billings**

## **Zoning By-law 2022-57**



# Township of Billings

## Zoning By-law 2022-57

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**Schedules**

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B1	Rural Area
B2	Village of Kagawong

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### 1.0 Authorization and Administration

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#### 1.1 Title

This By-law shall be known as the "Zoning By-law for the Township of Billings" or By-law No. 2022-57.

#### 1.2 Defined Area

This By-law applies to all land included on Schedules B1 to B2 to this By-law within the boundaries of the Township of Billings, herein after known as the Township, and to the adjoining shores of various lakes and rivers including land covered by water wherever there is or may be erected any jetty, boathouse, pier or other building or structure.

#### 1.3 Effective Date

This By-law shall come into effect on the day it is passed by the Township subject to the appeal provisions of the *Planning Act*.

#### 1.4 Scope

No building, structure or land shall be used, and no building or structure shall be hereafter erected within that portion of the Planning Area as now or henceforth legally constituted to which this By-law applies except in conformity with the provisions of this By-law.

#### 1.5 Administration and Enforcement

This By-law shall be administered by the CAO or such other person as the Township shall designate, and no permit for the use of land or for the erection of any building or structure or approval of any municipal license within the area to which this By-law applies, shall be issued where the proposed use, building or structure would be in violation of any provision of this By-law.

#### 1.6 Application and Plans

In addition to the requirements of this Zoning By-law, every application for a building permit shall be accompanied by plans, drawn to an appropriate scale and based upon an actual survey and showing:

1. the true shape and dimensions of the lot to be used or upon which it is proposed to erect any building or structure;
2. the proposed location, height and dimensions of the building, structure or work in respect of which the permit is applied for;
3. the location of every building or structure already erected on or partly erected on such lot, and the location of every use, building or structure upon adjacent lots;
4. the proposed location of parking spaces, loading spaces, driveways, landscaping areas or planting strips as may be required; and
5. other such information as may be necessary to determine whether or not every such building, structure and work conforms to the requirements of this By-law.

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Every such application shall be signed by the owner of the lot or the owner's agent duly authorized thereunto in writing and by the CAO and such application shall set forth in detail the current and proposed use of the lot and any building or structure thereon, together with all information necessary to determine whether or not every such proposed use of land, building or structure conforms with the requirements of this By-law.

### 1.7 Conformity

No land to which this By-law applies shall hereafter be used and no building or structure shall hereafter be erected or used except in accordance with the general and special provisions of this By-law, but nothing in this By-law prevents the use of any land, building or structure for any use prohibited by this By-law if such land, building or structure was lawfully used for such purpose on the day this By-law comes into effect.

### 1.8 Licenses, Permits and Other By-laws

Nothing in this By-law shall exempt any person from complying with requirements of the building By-law or any other By-law in force within the Township or from obtaining any permit, license, permission, authority or approval required by this or any other By-law of the Township or by any other law in force from time to time.

### 1.9 Greater Restrictions

This By-law shall not be effective to reduce or mitigate any restrictions lawfully imposed by a governmental authority having jurisdiction to make such restrictions.

### 1.10 Inspection

The authority having jurisdiction to enforce this By-law from time to time is hereby authorized, after reasonable notice to the owner or assessed owner, occupant or apparent occupant of the property in question, to enter at all reasonable hours for the purposes of inspection.

### 1.11 Violation and Penalty

1. Pursuant to Section 429 of the *Municipal Act, R.S.O., 2001, Chapter 25* and to Section 67 of the *Planning Act, R.S.O., 1990, Chapter P13*, as amended respectively, every person who contravenes any of the provisions of the Zoning By-law shall upon conviction thereof, forfeit and pay a penalty not exceeding \$25,000 exclusive of costs for each offence, and on a subsequent conviction to a fine of not more than \$10,000 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted. All of the provisions of which shall apply, except any term of imprisonment for default of the payment of the fine and costs imposed under this By-law shall not exceed six (6) months. The imposition of the penalty for contravention of this By-law shall not excuse the condition or matter resulting in such contravention or permit it to continue.
2. In addition to any penalty provided by this By-law, any contravention may be restrained by action at the instance of any ratepayer or of the Township to the provisions of Section 45 of the *Planning Act, R.S.O., 1990, Chapter P13*, as amended, in that behalf.

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### **1.12 Repetition of Offences**

The conviction of an offender upon a breach of any of the provisions of this By-Law, shall not prevent prosecution against the same offender upon any subsequent breach of the same or any other provision of this By-Law.

### **1.13 Remedies**

Where any building or structure is or is proposed to be erected, reconstructed, extended or enlarged, or any building or structure or part thereof is or is proposed to be used, or any land is or is proposed to be used, in contravention of any requirements of this By-law such contravention may be restrained by action at the instance of any ratepayer or of the Township pursuant to the provisions of the *Planning Act*.

### **1.14 Validity**

Should any section, or part of a section, of this By-law for any reason be held to be invalid, it is the intention that all the remaining provisions shall remain in full force and effect

## 2.0 Interpretation

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### 2.1 General

In their interpretation and application, the provisions of this By-law shall be held to be the minimum requirement adopted for the promotion of the public health, safety, convenience or general welfare. Whenever the requirements of this By-law are at variance with the requirements of any other By-law, the most restrictive, or the By-law imposing the higher standards, shall govern and apply. Nothing in this By-law shall be construed to exempt any person from complying with the requirements of any other By-law of the Township or from any law of the Province of Ontario or of Canada.

### 2.2 Certain Words

In this By-law, words used in the present tense include future; and the word “used” includes “arranged, designed or intended to be used”; the word “shall” is mandatory and not discretionary.

Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions or events connected by the conjunction “and”, “or”, or “either-or”, the conjunction shall be interpreted as follows:

1. “and” indicates that all connected items, conditions, provisions or events shall apply in any combination;
2. “or” indicates that the connected items, conditions, provisions or events may apply single or in combination; and
3. “either-or” indicates that the connected items, conditions, provisions or events shall apply single but not in combination.

### 2.3 Interpretation of Similar Permitted Uses

Uses other than those hereinafter specifically mentioned as uses in each of the zones, may be permitted therein, provided such uses are similar to those specifically mentioned and are, in the opinion of Council, or a designate of Council, not more obnoxious or detrimental to the welfare of the community, than the permitted uses specifically mentioned in the respective zone.

### 2.4 Technical Revisions

Revisions may be made to this by-law without the need for a zoning by-law amendment in the following cases:

1. correction of grammar, punctuation or typographical errors, or revisions to format in a manner that does not change the intent of a provision;
2. adding or revising technical information on maps or schedules that does not affect the zoning of lands including, but not limited to, matters such as updating and correcting infrastructure information, keys, legends, or title blocks; and
3. changes to appendices, footnotes, headings, indices, marginal notes, tables of contents, illustrations, historical or reference information, page numbering, footers, and headers,



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which do not form a part of this by-law and are editorially inserted for convenience of reference only.

### 2.5 Zones

For the purpose of this By-law all land within the boundaries of the Planning Area is hereby divided and established into Zones which are shown on the attached Schedules by the accompanying symbols:

Section	Zone	Symbol
6	Village Area	VA
7	Shoreline Residential	SR
8	Residential	R1
9	General Commercial	C1
10	Core Commercial	C2
11	Tourist Commercial	TC
12	General Industrial	M1
13	Agricultural	A
14	Rural	RU
15	Open Space Recreation	OSR
16	Open Space Conservation	OSC
17	Pit and Quarry	Q
18	Waste Disposal	WD

### 2.6 Schedules

Schedules B1 and B2 attached hereto, together with notations and references shown thereon, are hereby declared to form part of this By-law.

### 2.7 Zone Boundaries

1. The extent and boundaries of all zones are shown on Schedules B1 and B2, and for such zones, the provisions of this By-law shall respectively apply.
2. Boundaries between zones shall be determined as follows:
  - a) Where a zone boundary is indicated as following a street or lane or highway, the boundary shall be the centre line of such street or lane or highway, and in the event of the closing of such street or lane or highway, the zone boundary shall be the former centre line of the said street or lane or highway;
  - b) Where a street or lane or highway, electrical transmission line right-of-way or water course is included in the zoning maps, it shall be, unless otherwise indicated, be included in the zone of the adjoining property on either side thereof;
  - c) Where electrical transmission line right-of-way or water course is included on the zoning map and serves as a boundary between two or more different zones, the line midway on such right-of-way or water course and extending in the general direction of the long division thereof shall be considered the boundary between zones unless specifically indicated otherwise; and

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- d) Where a zone boundary is indicated as following the limits of a geographic township, the limit shall be the zone boundary.

### 2.8 Closings

In the event a dedicated street or lane shown on Schedules B1 to B2 of this By-law is closed, the property formerly in such street or lane shall be included within the zone of the adjoining property on either side of such closed street, or lane. If a closed street or lane is the boundary between two or more different zones, the new zone boundaries shall be the former centre line of the closed street or lane.

### 2.9 Zoning Symbols

1. The symbols listed in Section 2.5 may be used to refer to any of the uses of land, buildings or structures permitted by this By-law (including the zoning schedules) in the said zones, and the intent of the By-law is that the associated zone regulations apply.

- a) Special Exception Zones

Where a zone symbol is followed by a dash and a number (for example “M1-1”), the lands so designated shall be subject to all of the provisions of the zone represented by such symbol, except as otherwise provided by the special exception provisions. These special provisions are listed separately under the appropriate special exception section of the parent zone (e.g. M1) in the text of this By-law.

- b) Holding Zones

Any zone classification may be placed in a Holding Zone by adding to the zone symbol the letter “h”. No development is permitted on lands where the “h” symbol appears until the applicable conditions have been met and the “h” is lifted by an amendment to this By-law under Section 36 of the *Planning Act*.

- c) Temporary Use By-laws

Temporary use By-laws may have been passed by the Township to allow temporary uses pursuant to Section 39 of the *Planning Act*. Temporary uses are shown on the schedules as special exceptions and details concerning the temporary use are included in the special exception text within the specific zone category.

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### 3.0 Definitions

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In this By-law, unless the context otherwise requires:

**ACCESSORY BUILDING** shall mean a detached building located on the same lot as the main building, the use of which is incidental or secondary to that of the main building, and may include a guest cabin, private garage, boathouse, tool shed, storage building, or other similar uses.

**ACCESSORY USE** shall mean a use that is normally incidental, subordinate and exclusively devoted to a principal use located on the same lot therewith.

**ADULT ENTERTAINMENT BUSINESS** shall mean any premises or part thereof including a retail store, entertainment parlour, or other business in which the principal trade provided, in pursuance of a trade, calling, business, occupation, goods, or services appeals to or is designed to appeal to erotic or sexual appetites or inclinations.

**AGRICULTURAL USE** shall mean the use of land, buildings or structures for:

1. The growing of crops, including cannabis in accordance with federal and provincial regulations and licenses, including all related activities such as soil preparation, manure or fertilizer spreading, planting, spraying, irrigating, harvesting, and also including the storage and sale of crops;
2. The raising, boarding, keeping and sale of all forms of livestock, except domestic pets, including all related activities such as breeding, training, feeding, and grazing, and including the raising of fish, and poultry;
3. The production of animal and plant products such as milk, eggs, wool, fur, honey, maple sugar bush, or woodlots including related activities such as the collection, storage, and sale of the products;
4. A commercial greenhouse or nursery garden, including storage and sale of the products; and/or
5. The use and storage of all forms of equipment or machinery needed to accomplish the foregoing activities.

**AGRICULTURE RELATED USE** shall mean a farm-related commercial or farm-related industrial use that is directly related to farm operations in the area, supports agriculture, benefits from being in close proximity to farm operations, and provides direct products and/or services to farm operations as a primary activity.

**AIRFIELD** shall mean land used for the purpose of the landing, storing, taxiing and taking-off of private aircraft as the primary function or accessory to a residential use, but not an airport under the regulation of the Ministry of Transport.

**AIRPORT** shall mean any land, lot of buildings used for the purpose of landing, sorting, taxiing, and taking-off of private or commercial aircraft, pursuant to the regulations of the Ministry of Transport.

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

**ALTER** shall mean any alteration in a bearing wall or partition, column, beam, girder or other supporting member of a building or structure or any alteration in the area or volume of a building or structure.

**ANIMAL HOSPITAL** shall mean the premises of a veterinary surgeon where animals, birds or other livestock are treated or kept.

**AUTOMOBILE SERVICE STATION** shall mean a building or premise where petroleum products and new supplies, parts and accessories are kept for sale to service motor vehicles, snowmobiles, farm implements and machinery, and is also used for automobile washing, automobile repairs, the storing, sale or offering for sale at retail of any automotive fuels, lubricants and automobile accessories.

**BASEMENT** shall mean that portion of a building which is located below the first storey.

**BED AND BREAKFAST ESTABLISHMENT** shall mean a dwelling unit or portion thereof, in which the proprietor resides and supplies for hire or gain to other persons, particularly tourists, on a temporary or day to day basis, lodging with or without meals, and shall provide for no more than four (4) guest rooms used or maintained for the accommodation of the public and shall be clearly secondary to the use of the dwelling unit as a private residence. A Bed and Breakfast Establishment shall not include a boarding house, hotel, motel, or tourist establishment.

**BOATHOUSE** means a building or structure or part thereof located on land or water and not more than one storey in height, used for the storage of private boats and equipment accessory to their use and accessory to a residential use, part of may not include sleeping accommodations.

**BOARDING HOUSE** shall mean any house or building in which the proprietor resides and occupies floor space for the purposes of the boarding house as his residence, and supplies for hire or gain to other persons, lodging with or without meals in rooms furnished by the proprietor with necessary furnishings and includes a rooming house, but does not include a hotel or apartment house.

**BREWERY** shall mean a building or structure thereof that is used for the self-contained manufacturing, production, storage, bottling, canning and shipping of beer, authorized by a licence issued by the Alcohol and Gaming Commission of Ontario, and can be associated with a restaurant. Self-contained means that the emission of odour fumes, noise, cinder, vibration, heat, glare or electrical interference is not possible.

**MICROBREWERY OPERATION** shall mean a facility at which manufacturing of handcrafted ales and lagers beer from raw materials (malt, hops, water and yeast) are produced on the premises with a commercial and certified brewing system. Operations will further include the cold storage of beer products manufactured on site, and retail and distribution sales of those beer products. The facility may include a hospitality and tasting

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area, but shall not include a restaurant, an eating establishment, tavern, bar, night club, or takeout food service.

**BUILDING** shall mean any structure, whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials or equipment, other than a fence or wall.

**BUILDING LINE** shall mean a line lying in the interior of a lot drawn parallel to a lot line for the purpose of establishing the minimum distance that must exist between a building or structure erected upon the land and a lot line.

**BUILDING, MAIN** shall mean that building the nature of the use of which is determined by the Zone of the lot upon which it is authorized to be constructed or upon which it is constructed.

**BUILDING SETBACK** shall mean the least horizontal distance permitted between a lot line of a lot and the nearest portions of any building envelope on such lot.

**BUILDING INSPECTOR** shall mean the officer or employee of the Township from time to time charged by the Corporation with the duty of administering the provisions of the Building By-law.

**BUSINESS OR PROFESSIONAL OFFICE** shall mean an office in which business is carried on or any profession is practiced.

**CAMP** shall mean one or more non-commercial buildings used for sleeping accommodation and the preparation and servicing of food to individuals or groups engaged in sports of recreation activities and is intended for recreation purposes on a temporary or seasonal basis.

**CAMPGROUND** shall mean any parcel of land used or maintained for campers who provide their own sleeping facilities such as tents or travel trailers but such campers are provided with sanitary and cooking facilities by the campground management.

**CANNABIS PROCESSING FACILITY** shall mean a building or structure or part thereof equipped with Air Treatment Control that is used for growing, producing, processing, testing, destroying, packaging and/or shipping cannabis authorized by a federal license or registration.

**CARPORT** shall mean a sheltered or covered parking area of which is partially enclosed with a roof but open on at least one end.

**CARWASH** shall mean a building, or part thereof, which is used, or designed to be used, for the washing of motor vehicles by mechanical means or by hand labour methods.

**CEMETERY** shall mean land that is reserved or used for interring the dead or placing or burying the remains, or ashes of human bodies, but does not include a funeral home. A cemetery may include a structure for the cremation of human remains and may include the facilities for storing

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ashes of human remains that have been cremated or the interment of the dead in sealed crypts or compartments.

**CHILD CARE CENTRE** shall mean a place designed and operated for the purpose of temporary care and custody of children and which falls under the jurisdiction of the *Child Care and Early Years Act, 2014*, and its successors.

**CLINIC** shall mean a public or private building used for medical, surgical, dental, physiotherapeutic, chiropractic or other human health treatment by one or more practitioners, the building may include administrative offices, waiting rooms, and laboratories.

**CLUB** shall mean a building or part of a building used as a meeting place for members of an organization and includes a lodge, fraternity, a sorority house and a labour union hall.

**COMMERCIAL** shall mean the use of land, building or structure for the purpose of buying and selling commodities and supplying of services as distinguished from such uses as manufacturing or assembling of goods, warehousing, transportation terminals, construction and other similar uses.

**COMMERCIAL PARKING FACILITY** shall mean an area of land, other than a street or a lane, used for the parking of motor vehicles and available for public or private use in which there may be compensation for such use, and for the purpose of this By-law, a commercial parking facility shall constitute the only use of a lot.

**COMMERCIAL VEHICLE** shall mean a motor vehicle having attached thereto, a truck or delivery body, and includes, but is not limited to, any vehicle on which is displayed commercial lettering or commercial license plates, ambulances, fire apparatus, hearses, casket wagons, mobile food outlets, buses, cube vans, tilt and load trucks, dump trucks, tow trucks, buses, tractors used for hauling purposes on the highways and construction equipment which is self-propelled or designed to be towed.

**COMMUNITY CENTRE** shall mean any tract of land, or building, or buildings, or any part of any buildings used for community activities whether used for commercial purposes or not, and the control of which is vested in the Corporation, a local board or agent thereof except that in the case of a Community Centre located within a Mobile Home Park, the control of such use may be vested in the owners of the Mobile Home Park.

**COMMUNICATIONS FACILITY** shall mean an installation which transmits, receives and/or relays communications such as a microwave relay tower, telephone or telegraph line, cellular telephone tower, radio or television broadcast tower, or similar facility.

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**COMPOSTING FACILITY** shall mean an open windrow waste processing facility in which leaf and yard waste is processed into compost through an aerobic biological process, conducted under controlled, engineered conditions designed to produce stabilized humus.

**CONCRETE PLANT** shall mean a structure that combines various ingredients to form concrete. A concrete plant shall include a ready-mix plant and central mix plant.

**CONSERVATION USE** shall mean the preservation and protection of the components of the natural environment through management and maintenance for both the individual and society's use, both in the present and in the future.

**CONSTRUCTION** shall mean to do anything in the erection, installation or extension or material alteration or repair of a building or sign and includes the installation of a building unit or sign fabricated or moved from elsewhere.

**CORNER VISIBILITY TRIANGLE** shall mean a triangular area free of buildings or structures, which is formed within a corner lot by the intersecting street lines or the projections thereof and a straight line connecting them within a distance from their point of intersection.

**CORPORATION** shall mean the Township of Billings.

**CONFECTIONARY AND VARIETY SHOP** shall mean a retail establishment which deals primarily in goods required by the inhabitants of a residential district to meet their day-to-day needs, but shall not include a store catering primarily to the requirements of a commercial district.

**CONTRACTORS ESTABLISHMENT** shall mean the business of a contractor or a construction company used for the storage and maintenance of equipment used by the contractor or company, and includes facilities for the administration or management of the business and the stockpiling or storage of supplies used in the business, but does not include the wholesale or retail sale of building supplies or home improvement supplies.

**COUNCIL** shall mean the Council of the Corporation of the Township of Billings.

**DECK** shall mean a structure with no roof or walls, except guards, which is constructed on piers, a foundation or cantilevered above grade, attached or accessory to a dwelling unit.

**DEVELOPMENT** shall mean the construction, erection or placing of one or more buildings or structures on land in the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a commercial parking lot.

**DRY INDUSTRY** shall mean an industry which by nature of its operation, process, or fabrication of raw materials or service rendered does not require a water supply other than that available from within the limits of the lot upon which the use is located, does not discharge effluent from the limits of the lot upon which the use is located or discharge effluent from the limits of said lot and

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from which the only sewage effluent to be dispersed of within the limits of the said lot will be that produced from normal sanitary and eating facilities required for the employees.

**DWELLING** shall mean a building, occupied or capable of being occupied as a home, residence or sleeping place by one or more persons, and containing one of more dwelling units.

**UNIT, ADDITIONAL RESIDENTIAL** shall mean a separate dwelling unit which is either located in a single detached dwelling, semi-detached dwelling, rowhouse or an accessory building or structure.

**DWELLING, APARTMENT** shall mean a building consisting of 5 or more dwelling units, which units have a common entrance from the street level and the occupants of which have the right to use in common halls and/or stairs and/or elevators and yards.

**DWELLING, CONDOMINIUM TOWNHOUSE** shall mean a townhouse dwelling unit, as defined in this By-Law, constructed and maintained under the provisions of the *Condominium Act*.

**DWELLING, CONVERTED** shall mean a single detached dwelling altered to contain two or more self contained dwelling units.

**DWELLING, DUPLEX** shall mean a building of 2 or more storeys that is divided horizontally into two dwelling units each of which has an independent entrance either directly or through a common vestibule.

**DWELLING, MULTIPLE** shall mean a building designed, intended and used for occupancy by three or more families living independently of each other but shall exclude an apartment dwelling and a row-house dwelling.

**DWELLING, SEASONAL** shall mean a dwelling constructed as a secondary place of residence for seasonal vacations and recreational purposes and not as a principal place of residence of the owner or occupant thereof.

**DWELLING, SEMI-DETACHED** shall mean a building that is divided vertically into two dwelling units each of which has an independent entrance either directly or through a common vestibule.

**DWELLING, SINGLE DETACHED** shall mean a completely detached dwelling unit.

**DWELLING, ROWHOUSE** shall mean a building that is divided vertically into 3 or more dwelling units, each of which has independent entrances, to a front and rear yard immediately abutting the front and rear walls of each dwelling unit.

**DWELLING UNIT** shall mean one room or a group of rooms in a building used or designed or intended to be used only as a single, independent and separate housekeeping establishment and,



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1. in which food preparation and sanitary facilities are provided for the exclusive use of the residents of the dwelling unit, and
2. which has a private entrance from outside the building or from a common hallway or stairway inside the building, but
3. does not mean or include a tent, or a room or suite of rooms in a boarding or rooming house, in a hotel, motel, motor hotel, tourist establishment, bed and breakfast establishment or a guest cabin.

**GARDEN SUITE** shall mean a temporary, one-unit, self-contained, and portable detached residential structure that is clearly ancillary to and on the same lot as a single or semi-detached dwelling, and excludes a trailer as defined herein.

**MOBILE HOME** shall mean any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence compliant with all applicable standards of the Canadian Standards Association for mobile homes, and has a maximum width of 4.5 m but does not include a travel trailer or tent trailer or trailer otherwise designed.

**MODULAR HOME** shall mean a single detached dwelling which has been manufactured in a factory remote from the site where it is intended to be used and transported to the site for installation on a prepared foundation and which unit complies with all applicable standards of the Canadian Standards Association, and for the purpose of this By-Law shall be considered as a single detached dwelling.

**EATING ESTABLISHMENT** shall mean a building or part of a building where food is offered for sale or sold to the public for immediate consumption therein and includes a restaurant, cafe, tea or lunchroom, dairy bar, coffee shop or refreshment room or stand but does not include a boarding or lodging house, or a bed and breakfast establishment.

**EDUCATIONAL INSTITUTION** shall mean the use of land, building or structures for an elementary or secondary school, private school, university or community college authorized by the Province of Ontario.

**EMERGENCY VEHICLE DISPATCH CENTRE** shall mean a building or place used for the storage, cleaning, incidental maintenance and dispatch of police, fire and ambulance vehicles and employees.

**ERECT** shall mean to build, construct, reconstruct, alter and relocate, and without limiting the generality of the foregoing shall be taken to include any preliminary physical operations, such as excavating, berming, grading, piling, cribbing, filling or draining structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

**ESTABLISHED GARAGE** shall mean with reference to a building, the average elevation of the finished surface of the ground where it meets the exterior of the front of such building and when used with reference to a structure shall mean the average elevation of the finished grade of the ground immediately surrounding such structures, exclusive in both cases of any artificial embankment or entrenchment and when used with reference to a street, road or highway means

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the elevation of the street, road or highway established by the Corporation or other designated authority.

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

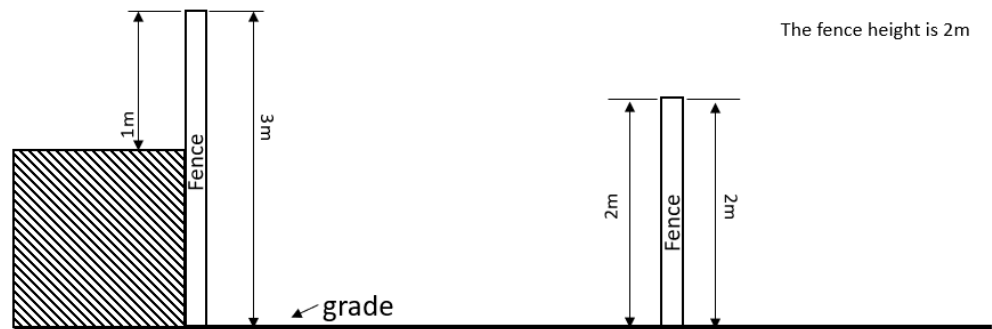
**FARM IMPLEMENT DEALER OR DEALERSHIP** shall mean a building or place used for the storage and sale of farm-related equipment and farm-related vehicles but shall not be used for the repair of such equipment.

**FENCE** shall mean a structure which forms a barrier for enclosing, bounding, delineating or protecting land. If the elevation of the land impacts the height of the fence from one side to the other, than the average fence height taken from the base to the top of the fence on either side of the fence will be used as the fence height.

The average fence height is taken from the base to the top of the fence on either side

$$1\text{m} + 3\text{m} = 4\text{m}$$
$$4\text{m} / 2 = 2\text{m}$$

The fence height is 2m



Fence height is measured from grade to the top of the fence.

The fence height is 2m

**Figure 1: Fence Height**

**FINANCIAL ESTABLISHMENT** shall mean a building, or part thereof, which is used to provide for financial services in which money is deposited, kept, lent, or exchanged, including accessory clerical functions and shall include a bank, trust company, credit union or other similar banking service.

**FLOOD PLAIN** shall mean the horizontal area below the highwater mark of a watercourse (including a drainage canal) or lake or as defined by the Ministry of Northern Development, Mines, Natural Resources and Forestry, or its successors or the area within 30 metres of the centre line of a watercourse whichever distance is greater.

**FLOOR AREA** shall mean the aggregate of the floor areas of all the storeys of a building including the floor area of any basement but not of any cellar, and which floor areas are measured between the exterior faces of the exterior walls of the building at each floor level but excluding car parking areas within the building and for the purposes of this clause, the walls of an inner court shall be deemed to be exterior walls.

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**FLOOR AREA, DWELLING** shall mean the total habitable floor area within a building which area is measured between the exterior faces of the exterior walls or from the centre line of a common or party wall, but excluding any private garage, breezeway, porch or verandah, balcony, or unfinished sunroom, attic, basement, or cellar, except where such areas are considered as habitable space.

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

**FLOOR AREA, RETAIL** shall mean the gross floor area of a commercial building devoted to retail purposes.

**FORESTRY** shall mean the general raising and harvesting of wood, and without limiting the generality of the foregoing, shall include logging, the raising and cutting of fuel wood, pulp wood, Christmas trees, and other forest products; but does not include the processing of raw material into wood products or by-products

**FUNERAL HOME** shall mean a building, or part thereof, designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for interment or cremation.

**GARAGE, PRIVATE** shall mean an accessory building or portion of a building which is designed or used for the sheltering of private motor vehicles and the storage of household equipment incidental to residential occupancy and in which there are no facilities for repairing or servicing of such vehicles for remuneration or commercial use.

**GARDEN CENTRE** shall mean retail store comprised of an outdoor or indoor area used primarily for the display and retail sale of plants, gardening and landscaping supplies and equipment.

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

**GOLF COURSE** shall mean a public or private area operated for the purpose of playing golf and includes a par 3 or larger golf course but does not include driving ranges, miniature golf courses and similar uses.

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

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**GROUP HOME** shall mean residential accommodation in which up to ten persons (excluding supervisory staff) live under responsible supervision consistent with the particular requirements of its residents which includes support functions for daily living.

**GUEST CABIN** shall mean a dwelling unit for guest accommodation accessory to a seasonal dwelling and which contains no provisions for cooking.

**GUEST ROOM** shall mean a room or suite of rooms used or maintained for the accommodation of the public and which contains no provisions for cooking.

**HABITABLE ROOM** shall mean a room in a dwelling used or intended to be used primarily for human occupancy.

**HAZARD LANDS** shall mean any land having inherent environmental hazards, such as poor drainage, organic soils, floor susceptibility, erosion, steep slopes or any other natural or manmade physical conditions which effectively create unsuitable or adverse conditions for construction or development, or conditions unsafe to the public.

**HEIGHT** with reference to a building, height means the vertical distance between the established grade level at the front elevation of such building to:

1. The highest point of the roof surface or the parapet, whichever is greater of the flat roof;
2. The deckline or decline of a mansard roof; or
3. The main level between eaves and ridges of a gabled, hip, gambrel, or other type of pitched roof.

In calculating the height of a building, any construction used as an ornament or for the mechanical operation of the building such as a chimney, tower, cupola or steeple shall not be included.

**HIGH WATER MARK** shall mean the normal original water mark of any body of water as measured by an Ontario Land Surveyor unless such high water mark has been altered by the construction of a public dam or dams, in which case the measurement shall be from the high water mark as controlled by such dam or dams.

**HOBBY FARM** shall mean a parcel of land which includes the principal residence and barns, sheds, pens, and similar accessory buildings which are used for the sole purpose of the persons residing at the residence and are not for commercial agricultural purposes.

**HOME INDUSTRY** shall mean the gainful occupation conducted in whole or in part of the dwelling or in whole or part of an accessory building by the residents and includes uses such as an animal hospital, or an electrical, woodworking, welding, plumbing, or sheet metal machine.

**HOME OCCUPATION** shall mean any occupation for gain or profit as an accessory use to a dwelling unit by one or more of the residents residing therein and may include a service or repair shop, a personal service shop, the office of a doctor, dentist, lawyer, or a real estate agent, insurance agent, planner, architect, or engineer, or similar occupation but a clinic, a hospital, a nursing home, a tea room and an animal hospital shall not be deemed to be home occupations.

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**HOSPITAL** shall mean any institution, building or other premises established for the treatment of persons afflicted with or suffering from sickness, disease or injury, for the treatment of convalescent or chronically ill persons that is approved under the *Public Hospitals Act* as a public hospital.

**HOTEL/MOTEL/HOSTEL** shall mean a building or part of a building or a group of buildings used primarily for the purpose of providing overnight guest room accommodation to the travelling public, with or without accessory restaurants, dining rooms or refreshment rooms, and includes any establishment containing guest rooms which is defined as a hotel or motel in *the Hotel Registration of Guests Act, R.S.O. 1990, Chapter H.17*.

**HUNT CAMP** shall mean a building used for sleeping accommodation, the preparation of serving of food and/or sports or recreation facilities, and intended for use as a base camp for hunting. The hunt camp is to be used on a temporary or seasonal basis and is not a commercial facility.

**INDUSTRIAL USE** shall mean the use of land, buildings, or structure for the manufacturing, processing, fabricating or assembly of raw materials or goods, warehousing or bulk storage of goods and related accessory uses, and shall include a cannabis processing facility.

**INDUSTRIAL USE, LIGHT** shall mean an industrial use engaged in, or used for:

1. Producing apparel and finished textile products, other than the production of synthetic fibers;
2. Warehousing or storing of goods or materials indoors;
3. Printing, duplicating or bookbinding;
4. Manufacturing finished paper and allied products other than processing wood pulp;
5. Producing cosmetics, drugs and other pharmaceuticals supplies;
6. Manufacturing finished lumber products, light metal products, light machinery, computer software, electronic products, finished plastic-ware, porcelain, earthenware, glassware or similar articles including, without limiting the generality of the foregoing, furniture, housewares, monument, toys, musical instruments, jewelry, watches, precision instruments, filters, radios and electronic components, but does not include a tannery or any industrial use accessory to an extractive use; or
7. Research laboratories.

**KENNEL** shall mean a building or structure where animals used as domestic household pets are bred, raised, kept or boarded.

**LANDFILL SITE** shall mean any land approved by the Province upon, into or in which waste may be deposited or processed.

**LANDSCAPING** shall mean:

1. any combination of trees, shrubs, flowers, grass or other horticultural elements, together with decorative stonework, paving, screening or other architectural elements, all of which are designed to enhance the visual amenity of a property and/or to provide a screen to mitigate any objectionable adjacent land use; and

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2. does not include parking areas, patios, walkways, driveways or ramps.

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

**LAUNDROMAT** shall mean a building or structure where the services of coin-operated laundry machines, using only water, detergents and additives that are made available to the public for the purpose of laundry cleaning.

**LIQUOR OR BEER OUTLET** shall mean a retail store regulated by the Provincial Government where liquor and/or beer are sold.

**LOADING SPACE** shall mean an unencumbered area of land which is provided and maintained upon the same lot or lots upon which the principal use is located and which area:

1. is provided for the temporary parking of one commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicle, and such parking shall not be for the purpose of sale or display;
2. is suitable for the temporary parking of one commercial motor vehicle;
3. is not upon or partly upon any street or lane; and
4. has adequate access to permit ingress and egress of a commercial motor vehicle from a street by means of driveways, aisles, maneuvering areas or similar areas, no part of which shall be used for the temporary parking or storage of one or more motor vehicles.

**LONG TERM CARE HOME** shall mean “long term care home” as defined in the *Long-Term Care Homes Act, 2007*, and its successors.

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

**LOT AREA** shall mean the total horizontal area within the lot lines of a lot.

**LOT, CORNER** shall mean a lot situated at the intersection of and abutting on 2 or more streets provided that the angle of intersection of such streets is not more than 135 degrees.

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

**LOT DEPTH** shall mean the horizontal distance between the front and rear lot lines. Where these lot lines are not parallel, the lot depth shall be the length of a line joining the midpoints of the front and rear lot lines.

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**LOT FRONTAGE** shall mean the horizontal distance between the side lot lines measured at right angles. Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be measured by a line 7.5 m back from and parallel to the chord of the lot frontage. For the purpose of this By-law the chord of the lot frontage is a straight line joining the two points where the side lot lines intersect the front lot lines.

**LOT, INTERIOR** shall mean a lot situated between adjacent lots and having access to one street.

**LOT LINE** shall mean any boundary of a lot.

**LOT LINE, EXTERIOR SIDE** shall mean a lot line which abuts the street on a corner lot.

**LOT LINE, FRONT** shall mean the lot line that divides the lot from the street, but:

1. in the case of a corner lot with two street lines of equal lengths the lot line that abuts the wider street or abuts a Provincial Highway shall be deemed to be the front lot line, and in the case of both streets being under the same jurisdiction, or of the same width, the Municipality may designate either street line as the front lot line;
2. In the case of a corner lot abutting a 0.3 metre reserve the lot so abutting the 0.3 metre reserve shall be deemed an exterior side lot line and the other line abutting the street shall be deemed the front lot line;
3. in the case of a through lot the longer boundary dividing the lot from the street shall be deemed to be the front lot line and the opposite shorter boundary shall be deemed to be the rear lot line. In case each of such lot lines should be of equal length the Municipality may designate either street line as the front lot line;
4. in the case of a lot with frontage on a navigable stream, river or lake, or marine road allowance the front lot line shall be either the line of the established high water mark of such stream, river or lake, or the line of the inner limit of the original marine road allowance along the shore of such stream, river or lake.

**LOT LINE, REAR** shall mean the lot line opposite the front lot line.

**LOT LINE, INTERIOR SIDE** shall mean the lot line other than an exterior side, front, or rear lot line.

**LOT, THROUGH** shall mean a lot bounded on two opposite sides by streets, provided however, that if any lot qualifies as being both a “lot, corner” and a “lot, through” as hereinbefore defined, such lot shall be deemed a “lot, corner” for the purpose of this By-law.

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**MANUFACTURING** shall mean an establishment primarily engaged in the fabricating, processing, finishing, refinishing, assembly, or similar production of various articles and commodities, and includes custom workshops, factories, mills, industrial shops, and similar production facilities. This definition shall include cannabis processing facilities.

**MARINA** shall mean a commercial establishment where a boathouse, boat storage, boat repair facilities, boat rental, pier, dock or jetty facilities or any combination of the foregoing are available for all types of marine – pleasure craft and may include a gasoline pump for the fueling of marine craft and a building or structure for the sale of marine craft, accessories and/or refreshments

**MARINE ROAD ALLOWANCE** means an allowance around a waterbody laid out as part of an original Township survey.

**MOBILE HOME PARK** shall mean an area set aside for the use of mobile homes in which communal sewer, water and hydro resources are provided and in which community laundry, social, local commercial and recreation facilities may be located and which is licensed for the purpose by the Municipality.

**MOTOR VEHICLE SALES AREA** shall mean a place comprised of land or a building or both, the purpose of which is for the display or sale, or both, of new and/or used motor vehicles; but does not include an automobile wrecking or salvage yard or scrap yard.

**MUNICIPALITY** shall mean the Corporation of the Township of Billings.

**NON-COMPLYING** shall mean an existing lot or building or buildings which does not comply with one or more of the zone provisions or standards for the zone within which said lot or buildings are located.

**NON-CONFORMING** shall mean a use that is not permitted in the zone in which it is located.

**NURSING HOME** shall mean a building in which the proprietor supplies for hire or gain, lodging with or without meals and, in addition provides nursing, medical, or similar care and treatment, if required and includes a rest home or convalescent home, and any other establishment required to operate under the appropriate statute and includes a long term care facility.

**OBNOXIOUS USE** shall mean an offensive use or trade within the meaning of The Public Health Act or any use which is a nuisance by reason or emission, or the creation of odours, gases, dirt, smoke, noise, vibration, fumes, cinders, soot, waste, or the depositing or leaving of unsightly objects or chattels on land.

**OPEN SPACE** shall mean an unoccupied space open to the sky except such land as is used or required for parking purposes by this By-law, and may include any facility park or recreation area, owned, operated or maintained in whole or in part by any public authority for public use, and shall include neighbourhood, community, regional and special parks or areas.



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**OUTDOOR DISPLAY** shall mean the merchandise or goods exhibited or advertised for immediate sale and which is located on the lot exterior to a building.

**OPEN STORAGE** means the storage of goods, merchandise, or equipment outside of a building or structure on a lot or portion thereof, including such uses as automobile and trailer sales lots, building materials supply yards but does not include the outdoor display of a limited number of samples of the goods, merchandise or equipment for the purpose of sales and advertisement, or the storage of vehicles or equipment for sale or repair. This definition shall not include the open storage of goods or equipment incidental to the residential occupancy of a lot.

**PARK** shall mean an area of land designed for the purposes of passive or active leisure activities and may include thereon one or more athletic fields, field houses, bleachers, swimming pools, wading pools, skateboarding areas, bandstands, outdoor skating rinks, or refreshment rooms.

**PARKING AREA** shall mean an area of land which is provided and maintained upon the same lot or lots upon which the principal use is located and which area:

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

**PARKING LOT** shall mean a parking area forming the main use of a lot.

**PARKING SPACE** shall mean an area of land which is provided for the temporary parking or storage of one motor vehicle for other than the purpose of sale or display, and may include a private garage.

**PERSONAL SERVICE SHOP** shall mean a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, such as a barber's shop, a hairdressing establishment, a shoe-shine shop, depots for collecting dry cleaning and/or laundry and other similar services.

**PIT** shall mean an opening or excavation or working of the ground for the purpose of searching for or removal of mineral, soil, rock, quartz, limestone, earth, clay, sand or gravel, and any roasting, smelting furnace, mill, work or place, used in connection with crushing, reducing, smelting, refining, or treating any of the substances listed in this definition and all ways, works, plant, building and premises either below or above the ground and belonging to or used in connection with all activities listed in this definition, and also includes a quarry.

**PLACE OF ENTERTAINMENT** means a motion picture or other theatre, arena, auditorium, public hall, billiard or pool room, bowling alley, ice or roller skating rink, dance hall, music hall, bingo

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halls, amusement arcades, but does not include any place of assembly otherwise defined or classified herein.

**PLACE OF ASSEMBLY** shall mean a building or part thereof in which facilities are provided for such purposes as meeting for civic, theatrical, musical, political, religious or social purposes and shall include, without limiting the generality of the foregoing, an auditorium, banquet hall, concert hall, gymnasium, opera house, playhouse or other similar uses.

**PLACES OF WORSHIP** shall mean a building dedicated to religious worship and may include such accessory uses as a nursery school, an assembly hall, a school of religious education, covenant, monastery or parish hall.

**PLANT, ASPHALT OR CONCRETE** shall mean an industrial facility used for the production of asphalt or concrete, or asphalt or concrete products, used in building or construction, and includes the stockpiling of bulk materials used in the production process or of finished products manufactured on the premises and the storage and maintenance of required equipment.

**PORTABLE ASPHALT PLANT** shall mean a facility 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. Such facility is not of permanent construction and is designated to be dismantled and moved to another location as required.

**PORTABLE SHELTER** shall mean a prefabricated structure usually constructed with metal, wood, or plastic frame and covered with a tarpaulin or other similar type of fabric or plastic cover, used primarily for the storage of a vehicle and other items, not to be used for sleeping accommodations.

**PORTABLE STORAGE CONTAINER, see SEA CONTAINER**

**PRINCIPAL USE** shall mean the primary purpose for which a lot, building or structure is used or intended to be used.

**PRIVATE HOME DAYCARE** shall mean a facility for the temporary care of children for a continuous period not exceeding twenty-four (24) hours for compensation located in a private residence as a household occupation.

**PRIVATE ROAD** shall mean a private right-of-way over private property that affords access to abutting lots and is not maintained by a public body.

**PUBLIC ACCESS POINT** means public land designated by the Crown and developed and maintained as a public access to a water body.

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**PUBLIC AUTHORITY** shall mean the Council, a municipal corporation, or any School Board, or other board or commission or committee of the Township established or exercising any power or authority under any general or special statutes of Ontario with respect to any of the affairs or purposes of the Township or a portion thereof, and includes any committee or local authority established by By-law of the Township.

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

**PUBLIC USE** shall mean a lot, building or structure that is broadly used for public benefit.

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

**QUARRY** shall mean a place where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside quarry or open pit metal mine.

**RECREATIONAL FACILITY** shall mean the use of lands, buildings or structures designed and equipped for the conduct of athletic and recreational pursuits that have a similar requirement of, or characteristic of the principal institutional use that is offered public.

**RECREATIONAL VEHICLE** means any vehicle so constructed that it is no wider than 2.5m and is suitable for being attached to a motor vehicle for the purpose of being drawn or is self-propelled and is capable of being used on a short term recreational basis for living, sleeping, or eating accommodation of persons. The term "recreational vehicles" includes the following: motor homes, travel trailers, tent trailers, campers.

**RECREATIONAL VEHICLE SALES AND SERVICE ESTABLISHMENT** shall mean a place comprised of land or a building or both, the purpose of which is for the display or sale, or both, of new and/or used recreational vehicles, in conjunction with which there may be facilities for the servicing of such vehicles.

**RECYCLING CENTRE** shall mean a building or an area where used material is separated prior to shipment to others who will use those materials to manufacture new products.

**RENEWABLE ENERGY GENERATING FACILITY** shall mean a system that generates electricity from a renewable energy source, inclusive of a dam, powerhouse, solar power collectors or installations, transmission lines, and all associated lands, improvements and infrastructure required for its operation, for the generation and transmission of electricity therefrom.

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**RENOVATION** shall mean the repair and restoration of a building to good condition, but shall not include its replacement.

**RESTAURANT** shall mean a building or structure or part thereof where food is prepared and offered for sale to the public for consumption within the building or structure.

**RESTAURANT CART** means a building, trailer, or vehicle, that may be mobile or stationary, used on a seasonal basis for the preparation and cooking of a limited selection of meals and the sale of such food and refreshments to the public for consumption on a patio, outdoor seating area, or for consumption off the premises.

**RESTAURANT, TAKE-OUT** means an establishment in which meals are sold to the public, but no place for consumption of the food is provided.

**RETAIL STORE** shall mean a building or part thereof in which goods, wares, merchandise, substances, articles or things are offered or kept for sale directly to the public at retail value. This includes a gift shop and cannabis retail store, but excludes an adult entertainment business.

**RIGHT-OF-WAY** shall mean an area of land that is legally described in a registered deed for the provision of private access to abutting lots and does not include a public road, street or highway.

**ROAD ALLOWANCE** means an allowance for a road laid out as part of the original survey of the Township that is not a marine road allowance.

**SALVAGE OR SCRAP YARD** shall mean any land, building or part thereof used for the storage or disassembly of motor vehicles, machinery, bottles and other scrap material and salvage, and, if in conjunction therewith the crushing or scrapping of metal or the retail sale of used motor vehicle parts or accessories.

**SEA CONTAINER** shall mean a reusable enclosed metal structure manufactured to be utilized in the transporting, shipping, and storing of goods and having the original intended benefit to be transferred from one mode of transport to another without the requirement of being unloaded. This shall include intermodal shipping containers, sea containers, storage containers, transport truck trailers, and straight truck trailer boxes, but does not include any vehicle defined herein. This shall also include those containers where the original doors and/or door closures have been removed, added or altered leaving the container not fully enclosed. Any sea container that has been modified for habitable or occupiable purposes must conform to the Ontario Building Code.

**SELF STORAGE FACILITY** shall mean a building or group of buildings used for the indoor storage of household goods, wares, substances, or articles but shall not include a cartage depot, transportation depot or warehouse. A shipping container, truck body, bus coach, streetcar body, railway car or other similar body or containers, whether on wheels or not, shall not be used as part of a Self-Storage Facility.

**SERVICE OR REPAIR SHOP** shall mean a building or part of a building not otherwise classified or defined in this By-law and whether conducted in conjunction with a retail establishment or not, for the servicing, repairing or renting, of articles, goods, materials, but does not include the

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manufacture or assembly of articles, goods or materials, bicycles, wheel chairs, orthopaedic and prosthetic appliances and articles for fabric mending, window glazing, metal replanting, painting and refinishing furniture and other household goods and includes a key shop, hat cleaner's shop, a custom picture framing shop, the business of renting small tools and appliances, costumes, chairs, tables, musical instruments and public address systems and other like articles and equipment, but shall not include the renting of automobiles, trucks, construction equipment or other similar articles.

**SENSITIVE LAND USE** shall mean buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built-up environment. Examples of sensitive land uses may include residences, education or health facilities.

**SETBACK** shall mean the distance between a lot line and the nearest wall of any building or structure and extending the full width or length of the lot.

**SHORT TERM RENTAL ACCOMMODATION** shall mean all or part of a dwelling unit or accessory structure related to a dwelling unit used to provide sleeping accommodations, and may or may not include cooking facilities, for any rental period that is less than 28 consecutive days in exchange for payment. This includes B&Bs but excludes hotels and motels.

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

**SOLAR COLLECTOR** shall mean any device or combination of devices employed in the collection of direct solar radiation for the purpose of heating or cooling a building, heating water, generating electricity or otherwise converting solar rays into usable forms of energy.

**SPECIAL OCCASION TENT OR STRUCTURE** shall mean an outdoor venue that can accommodate a variety of special events including but not limited to concerts, festivals, fundraising activities, ceremonies and wedding receptions and provides temporary covered open space.

**STOREY** shall mean that portion of a building between any floor and the floor, ceiling or roof above.

**STREET OR ROAD** shall mean a public highway as defined by *The Highway Traffic Act* and shall exclude a lane or any private right-of-way or unopened road allowance, or any street which is shown on a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under Section 29 of *The Planning Act*.

**STRUCTURE** shall mean anything that is erected, built or constructed of parts joined together or any such erection fixed to or supported by the soil and/or any other structure. For the purposes of this By-law, a fence not exceeding 1.5 metres shall not be deemed to be a structure.

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**SWIMMING POOL** shall mean an artificial body of water intended and used primarily for bathing, swimming and diving but shall not include a natural, dug or dammed pond which is intended primarily for aesthetic or agriculture purposes.

**TAVERN** shall mean a building or part thereof where, in consideration of payment therefore, liquor, beer, or wine or any combination thereof, are served for consumption on the premises, with or without food.

**TEMPORARY USE** shall mean the use of land or the erection or use of building or structure for a construction camp, work camp, tool shed, scaffold, or other building or structure incidental to and necessary for such construction work which has not been finished or abandoned.

**TOURST CABIN ESTABLISHMENT** shall mean an establishment comprising land and buildings under single ownership where individual cabins are offered for rent to tourists on a short term basis. Such cabins may include food preparation facilities. In addition, a permanent residence for the owner or proprietor may be located on the site.

**TOURIST ESTABLISHMENT** shall mean commercial establishment designed for the travelling or vacationing public, and that has facilities for accommodation and may serve meals or provide kitchen facilities and may furnish equipment, supplies or services to persons for recreational purposes. A permanent residence for the owner or proprietor may be located on the site.

**TOURIST OR TRAVEL TRAILER PARK** shall mean a tent trailer, truck camper or house trailer that is used or intended to be used for a short term and is located or parked on a site for a temporary or seasonal period.

**TOURIST TRAILER PARK** shall mean an establishment comprising land or premises under single ownership, licensed by the Municipality and used for the parking of tourist or travel trailers on a temporary or seasonal basis and operating under The Tourist Information Act and The Act Respecting the Regulations of Tourist Camps and where community laundry, social, local commercial and recreational facilities may be located.

**TRAILER** shall mean any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purposes of being drawn or propelled by the said motor vehicle and capable of being used for living, sleeping or eating accommodation or the transport of a boat, tent or materials, notwithstanding that such vehicle is jacked up or that it's running gear is removed.

**TRAVEL TRAILER** see **RECREATIONAL VEHICLE**

**USE** shall mean the purpose for which any land, building, structure or premises, or part thereof, is arranged, designed or intended to be used, or is or may be occupied or maintained and the word 'used' has a corresponding meaning.

**VEHICLE** shall mean a motor vehicle, trailer, traction engine, farm tractor, road building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, or as otherwise defined under the *Motor Vehicle Amendment Act*.

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**VETERINARY ESTABLISHMENT** shall mean a building established for the purpose of medically or surgically treating domestic animals, birds, livestock, or wildlife.

**WAREHOUSING** shall mean a building or part of a building used for the storage and distribution of goods, wares, merchandise, substances or articles and may include facilities for a wholesale or retail commercial outlet but shall not include facilities for a truck or transport terminal or yard.

**WASTE** shall mean ashes, garbage, refuse, domestic waste, industrial waste, or municipal refuse and such other materials as are designated in regulations under the *Environmental Protection Act, R.S.O. 1990*, as amended.

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

**WATERCOURSE** shall mean a natural channel for a stream and, for the purpose of this By-law, includes a natural channel for an intermittent stream and all watercourses, whether or not shown on the Schedules.

**WAYSIDE OR BORROW PIT** 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.

**YARD** shall mean an open, uncovered space on a lot adjacent to a main building, except a court, and unoccupied by buildings or structures except as specifically permitted elsewhere in this By-law. In determining yard measurements, the minimum horizontal distance from the respective lot lines shall be used.

**YARD, EXTERIOR** shall mean the side yard of a corner lot which side yard extends from the front lot line and the nearest main wall of any building or structure.

**YARD, FRONT** shall mean a yard extending across the full width of a lot between the front lot line and the nearest wall of any building or structure on the lot.

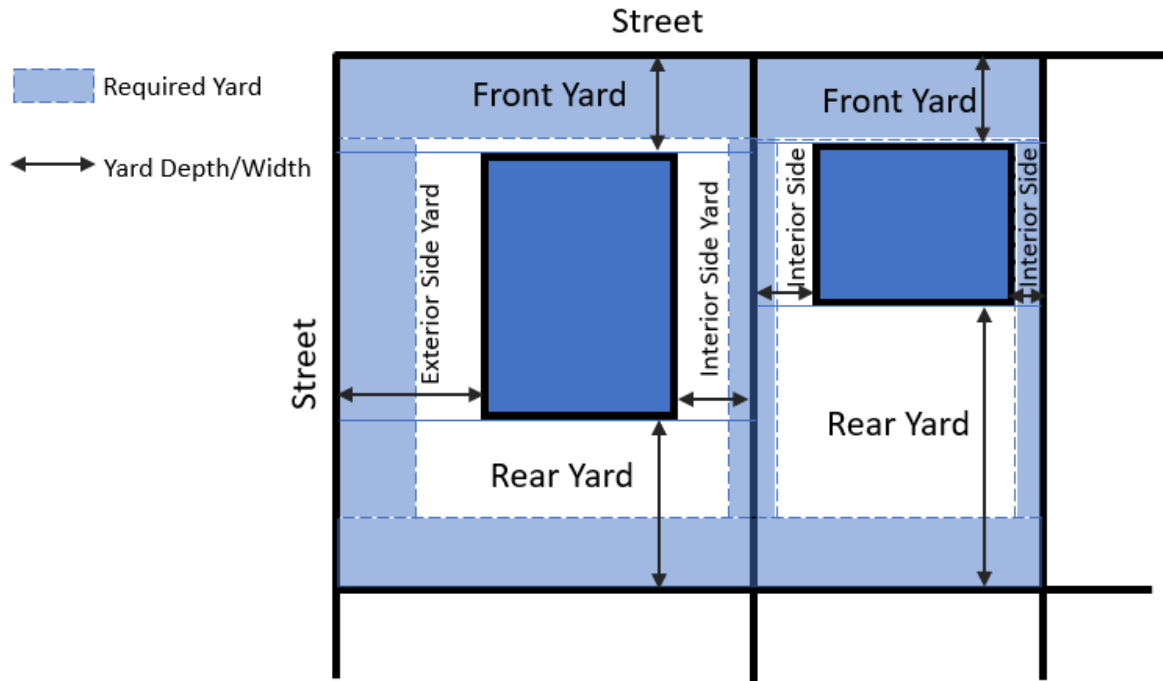
**YARD, INTERIOR** shall mean a yard extending from the front yard to the rear yard of a lot between an interior side lot line and the nearest wall of any building or structure on the lot.

**YARD, REAR** shall mean a yard extending across the full width of a lot between the rear lot line and the nearest wall of any main building or structure on the lot

**YARD, REQUIRED** shall mean that part of a yard which is located adjacent to a lot line, has the minimum yard depth required herein, and does not contain any buildings, structures, or parking areas except where specifically permitted herein.

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**Figure 2 Illustration of Yards and Required Yards**

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

**ZONE** shall mean an area of district of land shown on the schedules of this By-law and which are subject to special restrictions.



## **4.0 General Provisions**

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### **4.1 Accessory Uses**

1. The following provisions shall apply to permitted accessory buildings or structures in each respective zone:
  - a) Accessory buildings or structures shall not be permitted prior to the principal use.
  - b) Accessory buildings shall not be used for human habitation except where a dwelling is a permitted accessory use.
  - c) Unless otherwise noted in this By-law the accessory structure shall have the same setbacks as the principal building, and shall not occupy more than 10% of the lot area.
  - d) Accessory uses and buildings shall maintain a minimum 2 m setback from the main building in all zones.
  - e) The use of any accessory building or structure for the keeping of animals, other than domestic pets, is not permitted in the Residential (R1), Village Area (VA), General Commercial (C1) or Core Commercial (C2) Zones, except in accordance with by-law no. 2022-29 the Township's Backyard Chicken By-law.
  - f) Where the lot abuts a navigable waterway, a boathouse, dock or wharf, as an accessory building or structure, may be erected in the front yard, interior side yard, exterior side yard, or rear yard provided that the approval of any other governmental authority having jurisdiction has been obtained and that it is not located closer than 6 m to the side lot line or does not encroach on adjacent frontage when the lot boundaries are extended into the water.

#### **4.1.1 Additional Residential Units**

1. Where these uses are permitted, they are subject to the following provisions:
  - a) One additional residential dwelling unit is permitted in a single detached dwelling unit, semi-detached dwelling unit, or rowhouse dwelling unit, and one accessory dwelling unit is permitted in a building or structure accessory to the aforementioned units;
  - b) The additional residential unit is designed and located in such a manner to not have an impact on the streetscape or character of the surrounding neighbourhood;
  - c) Additional residential units shall be subject to the corresponding zone provisions if located in the principal structure;
  - d) Additional residential units in an accessory structure shall be subject to the general provisions for accessory uses;
  - e) An additional residential unit is permitted on private services, provided it can be demonstrated that the private sewage disposal system can accommodate the change in use; and
  - f) Additional residential units are prohibited from being severed from the lot containing the principal dwelling unit.

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### 4.1.2 Guest Cabin

1. A maximum of one (1) guest cabin is permitted per lot.
2. A guest cabin for human habitation is not permitted except where a dwelling is a permitted accessory use.

### 4.1.3 Portable Shelters

1. Portable shelters are permitted, subject to the following provisions:
  - a) A maximum of two (2) portable shelters are permitted on a property
2. Portable shelters must be located a minimum of 0.6 m from the rear, interior and/or exterior side property lines;
3. If located in the front yard the portable shelter shall be located a minimum of 5.0 m from the front lot line and not pose any hazards for vehicular movement or human health and safety;
4. Portable shelters shall be included in the lot coverage calculations; and
5. Portable shelters are subject to the provisions established in the Property Standards By-law.
6. Portable shelters shall only be used for storage purposes.

### 4.1.4 Private Swimming Pools

1. A swimming pool erected in any zone shall be permitted in the side yard of any lot provided that:
  - a) No part of such pool shall be located closer to any lot line or street line than the minimum distance required for the principal building located on such lot; and
  - b) Any building or structure, other than the main building, required for changing clothing or for pumping or filtering facilities, or other similar accessory uses, shall be in accordance with the provisions applicable to accessory buildings on such lot.
2. A swimming pool as an accessory use to a permitted residential or rural use shall be permitted in the rear yard of any lot provided that no part of such pool shall be located closer to any lot line or street line than the minimum distance required for an accessory building located on such lot.

### 4.1.5 Recreational Vehicles

1. Recreational trailers and vehicles must be stored and used in accordance with By-law 2021-48 Recreational Trailers/Vehicles Outside of Tent and Trailer Parks, or its successors.

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### 4.1.6 Truck, Bus and Coach Bodies

1. No truck, bus, coach or street car body, or structure of any kind other than a dwelling unit erected and used in accordance with this and all other By-laws of the Corporation shall be used for human habitation whether or not the same is mounted on wheels.

### 4.1.7 Sea Containers

1. Sea containers are not permitted within the Township without an amendment to this By-law.

### 4.2 Automobile Service Stations and Gas Bars

1. Where automobile service stations and gas bars are permitted in this By-law, the following provisions shall apply:
  - a) No portion of any pump island on an automobile service station or gasoline bar lot shall be located closer than 6 m from the street line of any street.

### 4.3 Building Repair and Reconstruction

1. Nothing in this section prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner, provided that the minimum frontage or area, or the minimum front, side or rear yards required by this section are not further reduced or its original use altered.
2. Nothing in this section prevents the strengthening or restoration to a safe condition of any building or structure or part of any such building or structure that is a non-complying and/or non-conforming use provided that:
  - a) Such repair or reconstruction does not further contravene the provisions of this By-law, because of a change in the height, size or volume, or by changing the use of such building or structure.

### 4.4 Buildings to be Moved

In all zones, no building, residential or otherwise normally requiring a building permit for construction shall be moved within the area covered by this By-law or shall be moved into the limits of the area covered by this By-law without a permit from the Chief Building Official or Building Inspector.

### 4.5 Cannabis Processing Facility

1. Cannabis Processing Facilities shall also be subject to the following provisions:
  - a) Such facilities shall be permitted as accessory to an agricultural use.
  - b) Setbacks for any facility shall be a minimum of 300 m from any sensitive land uses as defined in this By-law.
  - c) All such facilities shall be equipped with approved Air Treatment Control as defined in this By-law.
  - d) All storage shall be in a fully enclosed building.

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- e) Development in relation to the establishment or expansion of a Cannabis Processing Facility may be subject to Site Plan Control.

### 4.6 Change of Use

A use of a lot, building or structure which, under the provisions hereof, is not permissible within the zone in which such lot, building or structure is located, shall not be changed except to a use which is permissible within such zone.

### 4.7 Corner Visibility Triangle

On a corner lot, a fence, sign, hedge, shrub, bush or tree, or any other structure or vegetation shall not be erected or permitted to grow to a height greater than 1 m above the grade of the streets that abut the lot within the triangular area included within the street line for a distance of 6 m from their point of intersection.

### 4.8 Dwelling Unit in Non-residential Building or Lot

1. No person shall use any lot, or erect, alter or use any building or structure for the purpose of a separate dwelling unit on a lot zoned other than for residential uses, or within a portion of a non-residential building except where permitted, in accordance with the following regulations:
  - a) One single dwelling unit for use by the owner or operator shall be permitted with a private water supply and sewage system where such have been approved by the Ministry of the Environment, or appropriate regulatory authority.
  - b) The dwelling unit shall have a separate building entrance to that provided for non-residential use; and
  - c) The dwelling use shall have a separate parking space as provided in Section 5 of this By-law
2. Notwithstanding the provisions of this By-law, no dwelling unit shall be located in a non-residential building that is used for an Automobile Service Station defined in Section 3 of this By-law.

### 4.9 Frontage on a Public Road or Street

1. No person shall erect any building or structure in any zone unless the following can be met:
  - a) the lot upon which such building or structure is to be erected fronts upon an open and maintained public road or street and has access or a legal right-of-way which is registered on title.
2. Notwithstanding the foregoing, a seasonal dwelling may be erected on any lot created on an island in a Shoreline Residential (SR) Zone.

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### 4.10 Height Exceptions

1. Notwithstanding the height provisions, nothing in this By-law shall apply to prevent the erection of a church spire, belfry, clock tower, chimney, farm building or structure other than a dwelling, silo, water tank, windmill, radio, radar, or television tower or antenna, or drive-in theatre screen.

### 4.11 Home Industries

1. Where a home industry is a permitted use, the following provisions shall apply:
  - a) Only one person residing in the said dwelling, plus two other people who may or may not reside in the dwelling, may conduct the said household industry.
  - b) The home industry shall clearly be secondary to the main residential use.
  - c) The residential character of the dwelling unit shall not be changed.
  - d) There shall be no advertising other than a plate or sign in accordance with any by-laws of the Township;
  - e) There shall be no open storage or outdoor display of materials or equipment.
  - f) The household industry shall not create or become a nuisance because of noise, fumes, dust, odour and traffic or otherwise interfere with the enjoyment of the residential amenities of the neighbourhood.
  - g) The lot shall be an existing lot with a minimum frontage of 60 m and minimum lot depth of 120 m.
  - h) Such use shall maintain a setback that is a minimum of 15 m greater than the setback required by this By-law for the main building of the lot.

### 4.12 Home Occupations

1. Where a home occupation is a permitted use, the following provisions shall apply:
  - a) Only one person residing in the said dwelling, plus one other person who may or may not reside in the dwelling, may conduct the said household occupation.
  - b) The floor area devoted to the said household occupation shall not be more than 25% of the total floor area of the dwelling.
  - c) There shall be no advertising other than an unilluminated plate or sign with a maximum area of 1sqm, to indicate to persons outside that any part of the dwelling, dwelling unit or lot is being used for a purpose other than residential.
  - d) The home industry shall clearly be secondary to the main residential use.
  - e) The residential character of the dwelling unit shall not be changed.
  - f) The household occupation shall not create or become a public nuisance because of noise, noxious odours or emission of smoke, traffic or parking.
  - g) Such home occupation shall not interfere with television or radio reception
  - h) There shall be no open storage or outdoor display of materials or finished products, and no machinery or instrument shall be used in conducting the household occupation that is not normally used in a residence or is not compatible with a residential area.

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### 4.13 Minimum Distance Separation

Notwithstanding any other yard or setback provision in this By-law to the contrary, no building housing livestock or manure handling facility shall be erected unless it complies with the Minimum Distance Separation (MDS) Formulae as developed by the Ontario Ministry of Agriculture and Rural Affairs, as amended from time to time.

### 4.14 Multiple Uses on One Lot

Notwithstanding any other provisions of this By-law, where any land, building or structure is used for more than one permitted use, all provisions of this By-law shall be complied with for each use, except in the case of lot area, lot frontage, coverage and minimum yard requirements in which case the most restrictive or stringent requirement shall apply.

### 4.15 Non-Conforming Uses

1. Nothing in this By-law shall 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, so long as it continues to be used for that purpose.
2. This By-law is not intended to apply to prevent the erection or use for a purpose prohibited by the By-law of any building or structure the plans for which have, prior to the day of passing of the By-law, been approved by the Chief Building Official or Building Inspector, so long as the building or structure, when erected, is used and continues to be used for the purpose for which it was erected.
3. Nothing in this By-law shall prevent the reconstruction, renovation, repair or strengthening to a safe condition of any building or structure or part of any such building or structure which does not comply with the provisions of this By-law.
4. Where a building has been erected prior to the date of the passing of this By-law on a lot having less than the minimum frontage and/or area, or having less than the minimum setback and/or interior side yard and/or exterior side yard and/or rear yard required by this By-law, the said building may be enlarged, reconstructed, repaired or renovated provided that:
  - a) The enlargement, reconstruction, repair or renovation does not further reduce a minimum front yard and/or interior or exterior side yard and/or rear yard provision established in the by-law; and
  - b) All other applicable provisions of this By-law are complied with.
5. A lot held as a single lot prior to the passing of this By-law may be built upon, even though said lot is of such size that it cannot comply with the minimum frontage and/or depth and/or area required by this By-law, provided that in the case of a lot in the Rural (RU) Zone such lot has not less than 15 metres of frontage and not less than 900 square metres of area. Such lot shall require the approval of the Ministry of the Environment or its designated agent prior to the issuance of a building permit and the proposed use must comply with all other applicable provisions of this By-law.
6. Nothing in this By-law shall apply to prevent the alteration of a residential building existing at the date of passing of this By-law in a Commercial Zone, provided that such alteration

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does not contravene any of the provisions of this By-law for such use in the Village Area (VA) Zone.

7. The provisions of this By-law shall not apply to prevent the reconstruction or continued use of any building or structure that is damaged or destroyed, either by voluntary or involuntary means, provided that:
  - a) Such restoration does not increase the height, size or volume or change the use of such building or structure.
8. Nothing in this By-law shall prevent Council from acquiring or disposing of any land, building or structure used or erected for a purpose prohibited by the By-law or for the acquisition or disposition of any vacant land having a frontage or depth less than the minimum prescribed for the erection of a building or structure in the defined area in which the land is situated. Nothing in this By-law shall prevent Council from disposing of any such land, building or structure or prevent Council from exchanging any such land for any other land within the Township.
9. A non-conforming use of a lot, building or structure shall not be changed except to a use which is permissible within such zone, or such other uses as may be approved under Section 45 of the *Planning Act, R.S.O. 1990, Chapter P. 13*.
10. A non-conforming use shall be considered to be terminated once the use ceases and the property is used for a permitted use.
11. Portable shelters, recreational vehicles, mobile home sites, sea containers and shipping containers are not subject to the provisions of legal non-conforming uses.

### 4.16 Non-Complying Uses

1. Where a legal non-complying building or structure is damaged, destroyed or demolished, the building or structure may be reconstructed within its original location provided that:
  - a) The situation of non-compliance is not further increased; and
  - b) All other provisions of the By-law are complied with.

Efforts should be made to have the rebuilding of buildings or structures comply with all applicable setbacks and yard provisions of the applicable zones.

2. A legal non-complying building or structure may be enlarged or extended provided the situation of non-compliance is not further increased and it complies with all other provisions of the By-law.

### 4.17 Number of Dwelling Units on One Lot

Not more than one single detached dwelling unit shall be erected on one lot except in the Agricultural (A) Zone or Rural (RU) zone where a second residence may be erected to provide accommodation for a farm labourer, and where additional residential units are permitted, in compliance with Section 4.1.1.

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### **4.18 Properties with More than One Zone**

Where a lot is divided into more than one zone, each such portion of said lot shall be considered separately for the purposes of determining zone provisions such as lot area, lot frontage, required front yard, required side and rear yards and each such portion shall conform to the provisions of the appropriate zone, but no lot shall have more than one dwelling unit on the whole except as specifically provided in this By-law.

### **4.19 Public Uses Permitted**

1. The provisions of this By-law shall not apply to the use of any land or to the erection or use of any building or structure for the purpose of public utility or service by the Township and/or any Public Authority, or Ministry of the Government of Ontario or Canada, including the Hydro One and Ontario Power Generation, or any telephone, telegraph, broadband or cellular or gas company, provided that where such land, building or structure is located in any zone:
  - a) no goods, material or equipment shall be stored in the open except as permitted in such zone;
  - b) the lot coverage and yard requirements described for such zones shall be complied with;
  - c) parking and loading requirements as contained in this By-law shall be complied with.
2. Nothing in this By-law shall prevent, in any zone, the installation of a watermain, sanitary sewer, storm sewer, gas main, pipeline or overhead or underground hydro and telephone line provided that the location of such pipe or line has been approved by the Corporation.

### **4.20 Short Term Rentals**

1. Where short term rentals are permitted in all or part of a residential building, the following provisions apply:
  - a) Parking shall be provided in accordance with Section 5.
  - b) The short-term rental use does not change the character of the residential dwelling, nor become a nuisance to the area in terms of parking, noise, or other factors.
  - c) Such short-term rental is licenced with the Township if applicable.

### **4.21 Special Uses Permitted**

1. The following uses are permitted in all Zones within the Corporation:
  - a) Temporary camps used in the construction of public works but only for so long as it is necessary for such works as may be constructed adjacent to the camp and only until such time as the work is completed, or abandoned, or
  - b) A tool shed, scaffold or other building or structure incidental to construction on the premises where it is situated and only as long as it is necessary for the work in progress and until the work is completed or abandoned.



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“Abandoned” in this section shall mean the failure to proceed expeditiously with the construction of a work, specifically abeyance of construction for six (6) months.

### 4.22 Uses Prohibited

1. Notwithstanding any other provisions contained in this By-law, the following uses are prohibited in the Municipality:
  - a) No use shall be permitted which from its nature or the materials used therein is declared by the Local Board of Health or Council of the Corporation to be a noxious trade, business or manufacture under The Public Health Act or regulations, thereunder, Chapter 377, R.S.O. 1970, as amended.
  - b) The use of any land or lot for the purpose of a tourist trailer park or the use of a tourist trailer, or mobile home for human habitation except as specifically provided by this By-law.
  - c) The use of any land or lot for the purposes of a track for the commercial racing of animals, motor vehicles or motorcycles or go-carts or snowmobiles except by a club or organization which is licensed by the Municipality for such uses.
  - d) The use of any land or lot for the purpose of a scrap or salvage yard except as specifically provided by this By-law.
  - e) The use of any land or lot for the purpose of a waste disposal area, landfill site, or dump except for public landfill sites owned and/or operated by the Township of Billings.
  - f) No land, building or structure shall be used for such Commercial or Industrial purpose as is likely to create a public nuisance or danger to health or danger from fire or explosion, except in accordance with the provisions of or regulations under The Gasoline Handling Act.

### 4.23 Uses Restricted

1. Notwithstanding any other provision contained in this By-law, the following uses are prohibited within 600 m of sensitive uses.
  - a) The manufacture or storage of fertilizers from human or animal wastes.
  - b) The slaughtering of animals.

### 4.24 Planting Strip

1. A planting strip/vegetative buffer or a fence shall be provided on or near any property line where a commercial or industrial property abuts upon a residential property or zone. The vegetative buffer/planting strip or fence shall be provided in accordance with the following regulations:
  - a) Shall maintain a minimum vegetative buffer/planting strip of 3 m
  - b) A vegetative buffer/planting strip shall be used for no other purpose than a continuous fence or hedge row of evergreens or shrubs, not less than one and 1.5 metres high immediately adjoining the lot line or portion thereof along which such planting strip is required herein, provided that no fence or hedgerow shall be

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required or permitted to a height in excess of 1 metre closer to a street line than the required yard depth.

- c) In all cases where ingress and egress driveways or walks extend through a planting strip, it shall be permissible to interrupt the strip within 3 metres of the edge of such driveway or within one and 1.5 metres of the edge of such walk.
- d) A Planting strip referred to in this subsection may form part of any landscaped open space required by this By-law.

### 4.25 Waste Disposal Zone Setbacks

Residential dwellings are prohibited within 500 m of any waste disposal facility.

### 4.26 Waterfront Setbacks and Vegetative Buffer

#### 1. Setbacks from Lakes

- a) No building other than a marina or boathouse shall be constructed within 30 m of a lake unless a natural yard extending back from the shore a distance of 20 m is left in its natural state in which case the building setback may be reduced to 20 m

#### 2. Setbacks from Lake Huron

- a) No person shall erect any habitable building or structure in any zone abutting Lake Huron less than 15 m measured horizontally from the 100 year flood elevation contour identified on Schedules B1 to B2 of this By-law unless:
  - i. The building or structure is located at least 61 m from the shoreline; and
  - ii. The building or structure is flood-proofed to 179.6 m Canadian Geodetic Vertical Datum (CGVD1928).

#### 3. Shoreline Vegetative Buffer

- a) The marine shore road allowance around all waterbodies extends 20 m from the shoreline. The marine shore road allowance, and the required front yard setback is to remain vegetated, and will be considered the shoreline vegetative buffer.
- b) No site alteration or vegetation clearance is permitted in the marine shore road allowance.
- c) A maximum of 25% of the shoreline vegetative buffer on private property, to a maximum width of 15 m, may be cleared.
- d) Restoration of the natural vegetation and shoreline characteristics may be required as a condition of development or redevelopment.

### 4.27 Yard and Setback Encroachments Permitted

- 1. Except for accessory buildings, structures or uses, every part of any yard required by this By-law shall be open and unobstructed by any structure from the ground to the sky provided however that those structures listed in the following table shall be permitted to project for the specified distances into required yards as follows:

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Structure or Feature	Applicable Yard(s)	Required setback or Permitted Encroachment
Sills, Belt Courses, eaves, gutters, chimneys, awnings, pilasters, canopies and generators	Any yard	May encroach 0.6 m into the required yard
Window Bays	Front, and Rear yard	May encroach 1.0 m into the required front, rear yard
Fire Escapes, Exterior Staircases	Rear and Side yards	May encroach 1.2 m into the required rear and side yards
Balconies	Front, Rear and Side Yards	May encroach 1.5 m into the required yard
Porches not exceeding 1.8 m in height	Front, Rear and Exterior Side Yard	May encroach 1.5 m into the required yards
Air Conditioners	Rear, Interior Side and Exterior Side Yard	May encroach 0.6 m into the required yards
Deck located at 2 feet or above	Rear Yard	May encroach 5.0 m into the required yard and maintain a minimum setback of 1.5 m to the rear lot line.
	Front and Exterior Side Yard	May encroach 1.6 m into the required yards
	Interior Side Yard	No encroachment permitted.
Gate (guard) House	Front and Side Yard	In the Industrial Zone shall maintained a 5 m front and side yard setback

- Notwithstanding the provisions of this By-law to the contrary, where a detached single detached dwelling or accessory use thereto is to be erected in a built-up area where there is an established building line, such dwelling or accessory use may be erected closer to the street line or the centre line of the road or street, as the case may be, than required by this By-law provided such dwelling or accessory use is not erected closer to the street line or to the centre line of the road or street, as the case may be, than the established building line on the date of passing of this By-law and further provided that in no case shall any building be erected closer than 3 meters from the front lot line and need be no greater than setback regulations prescribed in the zone in which it is situated.

### 4.28 Yard Exception – Terrain Unsuitability

Where in this By-law, a front, side or rear yard is required, and part of the area of the lot is usually covered by water or marsh or swale or is beyond the rim of a river bank or watercourse or between the top and toe of a cliff or embankment having a slope of thirty (30) degrees or more from the horizontal, then the required yard shall be measured from the nearest main wall of the main building or structure on the lot to the edge of said area covered by water or marsh, or to the rim

## **Township of Billings Zoning By-law 2022-57**

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of said river bank or watercourse, or to the top of the said cliff or embankment if such area is closer than the lot line.

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### 5.0 Parking

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#### 5.1 Off-street Parking Requirements

In connection with the construction, erection, enlargement or increase in the volume of any building type, provisions shall be made for off-street parking on the same lot as the building in accordance with the following regulations and minimum parking requirements.

#### 5.2 Parking Space Requirements

1. 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, parking spaces and areas as follows:

Land Use	Use of Land	Required Number of Parking Spaces
Residential	Additional Residential Unit, Garden Suite	1 space per dwelling unit
	Bed and Breakfast	1 space per dwelling unit, 1 space per guest room
	Boarding House	1 space for each two dwellers; 1 space for a residing owner
	Group Home	1.25 spaces per dwelling unit
	Short-Term Rentals	1 space per rental bed/unit
	Single Detached, Semi-Detached, Duplex, Seasonal	2 space per dwelling unit
	Rowhouse, Apartment, Multiple	1 space per dwelling unit
Commercial	Business or Professional Office, including a home occupation	1 space per 28 sqm of office floor area
	Clinic	5 parking per practitioner
	Confectionary or Variety Shop	1 space for every 9.5 sqm of total floor area
	Hotel, Motel, or Tourist Establishment	1 space per guestroom and 1 additional space for each 9.5 sqm of floor area devoted to public use
	Funeral Home, Restaurant, Club, Place of Entertainment or Place of Assembly	1 parking space for every 5 seats or 3 meters of bench space. Where there are no fixed seats, 1 space for each 9.5 sqm of floor area devoted to public use
	Marina	1 space for every 20 sqm of total retail floor area, plus 1

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		space for each boat slip provided
	Other Commercial Uses	1 space for every 19 sqm of total floor area
Institutional	Educational Institution	1.5 spaces for each teaching area, plus 1 separate bus loading area per 2 teaching areas
	Emergency Vehicle Dispatch Center	1 space per 30 sqm of gross floor area
	Hospital, Nursing Home	1 space for each 2 beds or 40 sqm whichever is greater, plus 1 additional space for each resident doctor or resident employee
	Place of Worship	1 space per 5 seats or 3 m of bench space OR 1 space per 20 sqm of gross floor area devoted to public use, whichever is greater
Industrial	Building Supply Outlet, Bulk Fuel Storage, Contractors Yard, Home Industry, Motor Vehicle Repair Shop, Fabricating Shop, Processing Establishment, Manufacturing, Welding Shop	1 space for each 100 sqm of floor area up to 1,850 sqm plus 1 additional space for every 450 sqm of floor area over 1,850 sqm including any basement area if used for industrial use
	Cannabis Processing Facility	1 space per 90 sqm of gross floor area plus 1 space per 30 sqm of gross floor area of an accessory office.
Any other use not specified on this table		1 space per 20 sqm of gross floor area

2. If the calculation of the required parking spaces results in a fraction, the required parking spaces shall be the next higher whole number.
3. Where any land or building accommodates more than one use, the total parking space requirement for such land or building shall be the aggregate sum of the requirements for each individual use.
4. Any parking spaces required to be provided by this By-law shall be exclusive of the parking spaces used or intended to be used for the storage or parking of motor vehicles or major recreational vehicles for sale or rental.
5. No portion of any access driveway shall be located closer than 9.0 m to the intersections of two street lines or their projections

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### 5.3 Addition to a Building or Structure

When a building or structure has insufficient parking area at the date of passing of this By-law to comply with the requirements herein, this By-law shall not be construed to require that the deficiency be made up prior to the construction of any addition. No addition may be built, however, and no change of use may occur, the effect of which would be an increase in that deficiency.

### 5.4 Location

Notwithstanding the yard and setback provisions of this By-law to the contrary uncovered surface parking areas, in other than residential use areas, shall be permitted in any required yard or in the area between the road or street line and the required setback provided no part of any parking area, other than a driveway, is located closer than 1 metre to any road or street line.

### 5.5 Parking Area Requirements

1. Parking areas shall conform to the following requirements:
  - a) The parking area shall be located on the same lot as the use it is intended to serve except in the case of a water access lot where the parking area shall be located in a zone where such use is permitted by this By-law;
  - b) each parking space shall have a minimum width of 3 m and depth of 6 m
  - c) each parking space shall be provided with unobstructed access to a street by a driveway, aisle, lane or private road
  - d) any parking area designed to serve water access lots shall have a minimum area of 50 sqm for each lot to be served and no parking shall be permitted within 8 metres of the high water mark or within 3 metres of any lot line abutting a lot in a Residential Zone;
  - e) for any parking area in a Commercial or Industrial Zone which is required to be used in winter, an additional area equal to 20% of the required area shall be provided for snow storage.

### 5.6 Ingress and Egress

1. Ingress and egress, to and from the required parking spaces and areas shall be provided by means of unobstructed driveways or passageways at least 4 metres but not more than 9 metres in perpendicular width.
2. The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 9 metres.
3. The minimum distance between a driveway and an intersection of street lines measured along the street line intersected by such driveway shall be 8 metres.
4. The minimum angle of intersection between a driveway and a street line shall be sixty (60) degrees.
5. Every lot shall be limited to the following number of driveways:
  - a) up to the first 30 metres of frontage, not more than 2 driveways; and
  - b) for each additional 30 metres of frontage, not more than 1 additional driveway.

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### 5.7 Buffer Area

Where a parking area is situated in the Village Area (VA) Zone and is designed to accommodate more than 6 automobiles, a strip of land not less than 1 metre wide, around the periphery of the said parking area and within the lot in which said parking area is located shall not be used for any purpose other than landscaping but this shall not prevent the provision of entrances nor exits to said parking area across the strip.

### 5.8 Drive Through

The entrance for a drive through function must provide for the progressive movement of cars and shall be sufficient to accommodate stacking for not less than 10 cars on said lot, starting at the last window, and that the drive through function does not inhibit the use of the necessary required parking spaces. Stacking spaces for drive through or drive-in uses may not be counted as required off-street parking spaces.

### 5.9 Illumination

Where parking areas are illuminated, lighting fixtures shall be so arranged that no part of any fixture shall be more than nine (9) metres above the finished grade of the parking area. Fixtures shall be so designed and installed that the light is directed downward and deflected away from adjacent lots, roads and streets.

### 5.10 Parking Area Surface

In a Commercial or Industrial Zone, a parking area and driveway connecting the parking area with a street shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles. They shall, before being used, be constructed of crushed stone, slag, gravel, crushed brick (or tile), cinders, asphalt, concrete, Portland cement binder or like material and with provisions for drainage facilities.

### 5.11 Use of Parking Spaces and Areas

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

### 5.12 Accessible Parking

1. Provisions of accessible parking spaces shall be compliant with the *Ontario Integrated Accessibility Standards Regulation 191/11* or its successors.
2. In the case of multiple residential (i.e., apartment dwellings), Commercial, Industrial and Institutional uses, accessible parking spaces shall be provided in accordance with the following table:

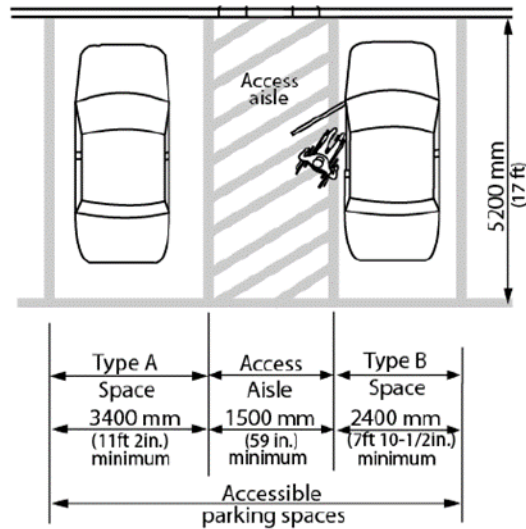


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Total Parking Spaces Required	Accessible Spaces Required (minimum)		
	Total	Type A	Type B
Up to 37	1	1	
38-62	2	1	1
63-86	3	1	2
87-133	4	2	2
134-166	5	2	3
167-200	6	3	3
Each additional 50 spaces thereof	1 additional space		

- a) Where an even number of accessible parking spaces are provided, an equal number of parking spaces that meet the requirements of a Type A parking space and a Type B parking space must be provided.
- b) Where an odd number of accessible parking spaces are provided, the number of parking spaces must be divided equally between parking spaces that meet the requirements of a Type A parking space and a Type B parking space, but the additional parking space, the off-numbered space, may be a Type B parking space.
- c) Accessible parking spaces shall be of the following two types:
  - i. Type A: minimum width of 3.4 m
  - ii. Type B minimum width of 2.4 m
- d) An access aisle may be shared by two accessible parking spaces and must have a minimum width of 1.5 m.



**Figure 3: Accessible parking spaces and access aisle**

### 5.13 Loading Space Requirements

1. The owner or occupant of any lot, building or structure erected or used for any purpose involving the receiving, shipping, loading or unloading of persons, animals, goods, wares, and merchandise and raw materials, shall provide and maintain at the premises on the lot occupied by the building or structure and not forming part of the street or lane, within the zone in which such use is located 1 loading or un-loading space that conforms to the following:
  - a) A minimum length of 9 m
  - b) A minimum width of 3.7 m
  - c) A minimum vertical clearing distance of 4.5 m
  - d) A minimum of 1 loading space for every 500 sqm of floor
2. Access to loading or unloading spaces shall be by means of a driveway with a minimum width of 6 m
3. The driveways, loading and unloading spaces shall be constructed and maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles and with provisions for drainage facilities.
4. The loading space or spaces required shall be located in the interior side or rear yard unless set back from the street line a minimum distance of 25 metres.
5. When a building or structure has insufficient loading space at the date of passing of this By-law to comply with the requirements herein, this By-law shall not be construed to require that the deficiency be made up prior to the construction of any addition. No addition may be built, however, and no change of use may occur, the effect of which would be an increase in that deficiency.

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### 6.0 Village Area (VA) Zone

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#### 6.1 Permitted Uses

Residential

Additional Residential Unit  
 Apartment Dwelling  
 Bed and Breakfast Establishment  
 Boarding House  
 Converted Dwelling  
 Duplex Dwelling  
 Group Home  
 Home Occupation  
 Seasonal Dwelling  
 Semi-Detached Dwelling  
 Single Detached Dwelling

Commercial

Automobile Service Station  
 Business or Professional Office  
 Clinic  
 Club  
 Eating Establishment  
 Farm Implement Dealer  
 Financial Establishment  
 Funeral Home  
 Hotel

Marina  
 Motel  
 Motor Vehicle Sales Area  
 Personal Service Shop  
 Place of Entertainment  
 Recreational Vehicle Sales and  
 Service Establishments  
 Service of Repair Shops  
 Retail Store  
 Tavern

Institutional

Cemetery  
 Place of Worship  
 Community Centre  
 Educational Institution  
 Emergency Vehicle Dispatch Center  
 Hospital  
 Nursing Home  
 Place of Assembly  
 Playground  
 Park

#### 6.2 Zone Provisions

Use	Provision	Required
Residential	Lot Area (min) for lots serviced by municipal water and sewer services	460 sqm
	Lot Area (min) for lots serviced by municipal water and private sewage treatment systems	930 sqm
	Lot Frontage (min) for lots serviced by municipal water and sewer systems	15 m
	Lot Frontage (min) for lots serviced by municipal water and private sewage treatment systems	23 m
	Front Yard (min)	0.5 m

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	Rear Yard (min)	0.5 m	
	Interior Side Yard (min)	0.5 m (1)	
	Exterior Side Yard (min)	0.5 m	
	Lot Coverage (max)	35%	
	Building Height (max)	9 m	
	Ground Floor Area as a % of lot area (max)	25%	
Commercial	Lot Area (min) for lots serviced by municipal water and sewer services	460 sqm	
	Lot Area (min) for lots serviced by municipal water and private sewage treatment systems	930 sqm	
	Lot Frontage (min) for lots serviced by municipal water and sewer systems	15 m	
	Lot Frontage (min) for lots serviced by municipal water and private sewage treatment systems	23 m	
	Front Yard (min)	0.5 m	
	Rear Yard (min)	0.5 m	
	Interior Side Yard (min)	0.5 m	
	Exterior Side Yard (min)	0.5 m	
	Lot Coverage (max)	50%	
	Building Height (max)	12 m	
	Ground Floor Area as a % of lot area (max)	50%	
	Institutional	Lot Area (min) for lots serviced by municipal water and sewer services	460 sqm
		Lot Area (min) for lots serviced by municipal water and private sewage treatment systems	930 sqm
Lot Frontage (min) for lots serviced by municipal water and sewer systems		15 m	
Lot Frontage (min) for lots serviced by municipal water and private sewage treatment systems		23 m	
Front Yard (min)		0.5 m	
Rear Yard (min)		0.5 m	
Interior Side Yard (min)		0.5 m	
Exterior Side Yard (min)		0.5 m	

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	Lot Coverage (max)	50%
	Building Height (max)	9 m

(1) 0 m setback is required for semi-detached dwelling along the adjoining wall.

### 6.3 Accessory Use Zone Provisions

- a) Notwithstanding the provisions established in Section 4.1 the following provisions apply to accessory uses, buildings or structures within the Village Area (VA) Zone.

Use	Provisions	Required
Residential	Distance from all lot lines (min)	0.5 m
	Building Height (max)	4 m
Commercial	Distance from all lot lines (min)	0.5 m
	Building Height (max)	5 m
Institutional	Distance from all lot lines (min)	0.5 m
	Building Height (max)	4 m

### 6.4 Additional Zone Provisions

- a) A dwelling unit is permitted as an accessory use to the principal commercial use, building or structure identified in Section 6.1 except for an automobile service station, motor vehicle sales area, recreational vehicle sales and service establishments, and service of repair shop. The dwelling unit shall be located above or behind the main commercial use.

### 6.5 Special Exception Zones

Section Zone	Amending By-Law / Location	Permitted Uses	Special Provisions
6.5.1 VA-1	By-Law 88-17; Township of Billings, Lot 11, Con 7	A mobile home for human habitation subject to the following conditions: <ul style="list-style-type: none"> <li>a) A continuous masonry foundation (perimeter) to be completed within six months of passing said by-law.</li> <li>b) Axle and associated road equipment is to be removed.</li> <li>c) The mobile home must meet the requirements set out by the Canadian Standards Association.</li> <li>d) Applicant shall be responsible to pay \$100.00 plus all associated costs encountered by the Municipality in carrying out said zoning amendments.</li> </ul>	

# Township of Billings

## Zoning By-law 2022-57

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### 7.0 Shoreline Residential (SR) Zone

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#### 7.1 Permitted Uses

##### Residential Uses

Bed and Breakfast  
 Group Home  
 Home Occupation  
 Seasonal Dwelling, where road is not maintained year-round  
 Single Detached Dwelling, where a road is maintained year-round

##### Recreational Uses

Playground  
 Public Beach  
 Public Boat Launching Area  
 Public Dock Facility

#### 7.2 Zone Provisions

Use	Provision	Required
Residential	Lot Area (min)	4,046 sqm
	Lot Frontage (min)	45.5 m
	Front Yard (min)	7.5 m, or as per 4.26 (30m from the shoreline)
	Rear Yard (min)	3 m
	Interior Side Yard (min)	3 m
	Exterior Side Yard (min)	7.5 m
	Lot Coverage (max)	20%
	Building Height (max)	9 m (1)
	Ground Floor Area as a % of lot area (max)	20%
Recreational	Lot Area (min)	4,046 sqm
	Lot Frontage (min)	45.5 m
	Front Yard (min)	-
	Rear Yard (min)	-
	Interior Side Yard (min)	-
	Exterior Side Yard (min)	-
	Lot Coverage (max)	-
	Building Height (max)	-
	Ground Floor Area as a % of lot area (max)	-

(1) Where more than one tier of lots is proposed, buildings on waterfront lots shall be limited to 1 storey.

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### 7.3 Accessory Use Zone Provisions

- a) Notwithstanding the provisions established in Section 4.1 the following provisions apply to accessory uses, buildings or structures on lots used for residential purposes within the Shoreline Residential (SR) zone.

Use	Provision	Required
Residential	Distance from all lot lines (min)	3 m
	Building Height (max)	5 m

### 7.4 Additional Zone Provisions

Reserved.

### 7.5 Special Exception Zones

Section / Zone	Amending By-Law / Location	Permitted Uses	Special Provisions
7.5.1 SR-1	(By-law 85-6; Billings Twp, Lot 25, Con XVIII; Lot 8, Plan M-163)	A mobile home for human habitation subject to the following conditions:	
		a) A continuous masonry foundation (perimeter) to be completed within six months of passing said by-law.	
		b) Axle and associated road equipment is to be removed.	
		c) The mobile home must meet the requirements set out by the CSA.	
		d) Mobile home shall be located a minimum of 15 m from any lot line.	
		e) Applicant shall be responsible to pay \$50.00 plus all associated costs encountered by the Municipality in carrying out said zoning amendments.	
7.5.2 SR-2	By-Law 88-16; Allan Twp, Lot 1, Con 3; Lot 11, Plan S-156	A mobile home for human habitation subject to the following conditions:	
		a) A continuous masonry foundation (perimeter) to be completed within six months of passing said by-law.	
		b) Axle and associated road equipment is to be removed.	
		c) The mobile home must meet the requirements set out by the CSA.	
		d) Mobile home shall be located a minimum of 10 m from any lot line.	
		e) Applicant shall be responsible to pay \$100.00 plus all associated costs encountered by the Municipality in carrying out said zoning amendments.	

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Section / Zone	Amending By-Law / Location	Permitted Uses	Special Provisions
7.5.3 SR-3	By-Law No. 92-09; Lot 1, Con 7, Township of Allan		<ul style="list-style-type: none"> <li>i. No development shall occur below the 213.3 m. elevation C.G.D. as established in plan of survey.</li> <li>ii. Prior to the issuance of a building permit, the Ministry of Natural Resources shall review and approve a site plan which identifies the location of the building envelope above the 213.3 m elevation.</li> </ul>
7.5.4 SR-4	<p>Multiple locations</p> <p>By-Law No. 92-21; Lot 26, Con 6, Township of Billings; Parts 1, 2, 3 &amp; 4, Plan 31R-2369</p> <p>By-law No. 2000-08; Lot 20, Con 17, Township of Billings; Pts. 1, 2 &amp; 3 Plan 31R-2996</p> <p>By-law No. 2005-13; Lot 27, Con V, Township of Billings; Pts 1- 4, 31R-3402</p> <p>By-law No. 2006-08; Lot 24, Con VII, Township of Billings; Pts 1 to 3, Plan 31R-3372</p>		The minimum lot frontage and area of each lot is as determined by the registered plan of survey.
7.5.5 SR-5	By-law No. 2008-17; Lot 30, Con XII, Twp of Billings; Part 1, Plan 31R-325	Boarding house	
7.5.6 SR-6	By-Law No. 2010-21; Lot 10, Con A, Twp of Allan East; Lot 6, Plan S-151		Interior side yard, easterly (minimum): 0.8 m



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Section / Zone	Amending By-Law / Location	Permitted Uses	Special Provisions
7.5.7 SR-7	<p>Multiple locations</p> <p>By-law 85-5; Billings Twp, Lot 24, Con XVII</p> <p>By-law 89-17; Township of Allan East, Lot 7, Con 4</p>	<p>A mobile home for human habitation subject to the following conditions:</p> <ul style="list-style-type: none"> <li>a) A continuous masonry foundation (perimeter) to be completed within six months of passing said by-law.</li> <li>b) Axle and associated road equipment is to be removed.</li> <li>c) The mobile home must meet the requirements set out by the Canadian Standards Association.</li> </ul>	<p>Applicant shall be responsible to pay a fee plus all associated costs encountered by the Municipality in carrying out said zoning amendments.</p>

# Township of Billings

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### 8.0 Residential (R1) Zone

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#### 8.1 Permitted Uses

Residential Use  
 Additional Residential Unit  
 Bed and Breakfast  
 Converted Dwelling  
 Duplex Dwelling  
 Home Occupation  
 Group Home  
 Semi-Detached Dwelling  
 Single Detached Dwelling  
 Park  
 Playground

#### 8.2 Zone Provisions

Use	Provision	Required
Residential	Lot Area (min)	460 sqm
	Lot Frontage (min)	15 m
	Front Yard (min)	0.5 m
	Rear Yard (min)	0.5 m
	Interior Side Yard (min)	0.5 m (1)
	Exterior Side Yard (min)	0.5 m
	Lot Coverage (max)	30% (2)
	Building Height (max)	10 m
	Ground Floor Area as a % of lot area (max)	30%

(1) 0 m setback is required for semi-detached dwelling along the adjoining wall.

#### 8.3 Accessory Use Zone Provisions

- a) Notwithstanding the provisions established in Section 4.1 the following provisions apply to accessory uses, buildings or structures within the Residential (R1) zone.

Use	Provisions	Required
Residential	Distance from all lot lines (min)	3 m
	Building Height (max)	5 m

#### 8.4 Additional Zone Provisions

Reserved.

#### 8.5 Special Exception Zones

Reserved.

# Township of Billings

## Zoning By-law 2022-57

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### 9.0 General Commercial (C1) Zone

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#### 9.1 Permitted Uses

Automobile Service Station  
Building Supply Establishment  
Business or Professional Office  
Dwelling Unit in accordance with Section 4.7 of this by-law  
Eating Establishment  
Existing Residential Uses  
Farm Implement Dealer  
Hotel  
Marina  
Motel  
Motor Vehicle Sales Area  
Personal Service Shop  
Recreational Vehicle Sales and Service Establishment  
Repair or Service Shop  
Restaurant, Drive-In  
Retail Store  
Tavern

#### 9.2 Zoning Provisions

Provision	Required
Lot Area (min)	1,858 sqm
Lot Frontage (min)	30.5 m
Front Yard (min)	7.5 m
Rear Yard (min)	4.5 m
Interior Side Yard (min)	7.5 m
Exterior Side Yard (min)	7.5 m
Lot Coverage (max)	50%

#### 9.3 Additional Zone Provisions

- a) A dwelling unit is permitted as an accessory use to the principal commercial use, building or structure identified in Section 9.1 except for an automobile service station, farm implement dealer, and recreational vehicles sales area. The dwelling unit shall be located above or behind the main commercial use.

#### 9.4 Special Exception Zones

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Section / Zone	Amending By-Law / Location	Permitted Uses	Special Provisions
9.4.1 C1-1	By-law No. 2013-37; Lot 27, CON XIV, Township of Billings; Part 1, 31R-2355	<ul style="list-style-type: none"> <li>- One (1) Portable Storage Container (<math>\pm 2.4</math> M. X <math>\pm 15.8</math> M.), Located as identified on Schedule "A" to By-law 2013-37</li> <li>- A Public Garage (mechanical)</li> <li>- A vehicle impound yard, and (#) self-storage units.</li> </ul>	
9.4.2 C1-2	By-Law No. 89-21 – Pt. Lot 15, Concession A, Sub Lot 77, Plan S-144, Allan East (Maple Point)	<ul style="list-style-type: none"> <li>- Commercial outlet</li> </ul>	

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### 10.0 Core Commercial (C2) Zone

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#### 10.1 Permitted Uses

##### Commercial

Automobile Service Station  
 Business or Professional Office  
 Existing residential uses  
 Financial Institution  
 Funeral Home  
 Hotel  
 Laundromat  
 Personal Service Shop  
 Service Shop  
 Restaurant  
 Retail Store

##### Institutional

Club  
 Place of Assembly  
 Place of Entertainment  
 Place of Worship

Dwelling unit, accessory to a permitted use

#### 10.2 Zone Provisions

Use	Provision	Required
Commercial	Lot Area (min)	-
	Lot Frontage (min)	-
	Front Yard (min)	-
	Rear Yard (min)	6 m
	Interior Side Yard (min)	2.5 m
	Exterior Side Yard (min)	-
	Lot Coverage (max)	75%
	Building Height (max)	12 m
	Gross Floor Area as a % of lot area (max)	150%
Institutional	Lot Area (min)	-
	Lot Frontage (min)	-
	Front Yard (min)	-
	Rear Yard (min)	6 m
	Interior Side Yard (min)	2.5 m
	Exterior Side Yard (min)	2.5 m
	Lot Coverage (max)	60%
	Building Height (max)	12 m

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### 10.3 Accessory Use Provisions

- a) Notwithstanding the provisions established in Section 4.1 the following provisions apply to accessory uses, buildings or structures within the Core Commercial (C2) zone.

Use	Provision	Required
Commercial	Distance from all lot lines (min)	2 m
	Building Height (max)	5 m
Dwelling Unit	Distance from all lot lines (min)	2 m
Institutional	Distance from all lot lines (min)	2 m
	Building Height (max)	5 m

### 10.4 Additional Zone Provisions

- a) In addition to those uses listed in Section 10.1 a Dwelling unit or units in accordance with the provisions of Section 4.7 of this By-law is permitted provided that the minimum floor area per dwelling unit is 37 m<sup>2</sup> plus an additional 14 m<sup>2</sup> for each additional bedroom.

### 10.5 Special Exception Zones

Reserved.

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### 11.0 Tourist Commercial (TC) Zone

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#### 11.1 Permitted Uses

Commercial Campground  
Commercial Trailer Park  
Dwelling unit in accordance with the provisions of Section 4.7 of this by-law  
Hotel  
Marina  
Motel  
Restaurant  
Tourist Cabin Establishment

#### 11.2 Zone Provisions

Provision	Required
Lot Area (min)	2,325 sqm
Lot Frontage (min)	76 m (1)
Front Yard (min)	7.5 m
Rear Yard (min)	4.5 m
Interior Side Yard (min)	4.5 m
Exterior Side Yard (min)	7.5 m
Lot Coverage (max)	30%

(1) Notwithstanding the provisions of this by-law where the commercial recreational use is not on a waterfront the minimum lot frontage shall be 60 m.

#### 11.3 Additional Zone Provisions

- a) A dwelling unit is permitted as an accessory use to the principal commercial use, building or structure identified in Section 11.1. The dwelling unit shall be located above or behind the main commercial use.

#### 11.4 Special Exception Zones

# Township of Billings

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Section / Zone	Amending By-Law / Location	Permitted Uses	Special Provisions
11.4.1 TC-1	By-law no. 2015-18; Lot 1, Con V, Township of Allan; Parts 1 & 2, 31R-958	<p>A dwelling unit (identified as cottage "a") is permitted to be located within Part 2, Plan 31R-958, to have a minimum front yard setback of 7.0 m; and</p> <p>A dwelling unit (identified as cottage "B") is permitted to be located within Part 1, Plan 31 R-958, to have a minimum front yard setback of 5.0 m, and a north side yard setback of 1.0 m.</p>	



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### 12.0 General Industrial (M1) Zone

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#### 12.1 Permitted Uses

Automobile Service Shop  
 Building Supply Outlet  
 Cannabis Processing Facility  
 Contractors Yard  
 Custom Workshop  
 Dry Industry involved in the fabricating processing or manufacturing of goods or materials  
 Dwelling unit in accordance with the provisions of section 4.7 of this by-law  
 Fabricating Shop  
 Farm Produce Storage Area  
 Feed Mill  
 Manufacturing  
 Motor Vehicle Repair Shop  
 Service or Repair Shop  
 Sawmill  
 Storage Use  
 Transportation Terminal  
 Warehousing  
 Welding Shop  
 Wood Working Establishment  
 Work Shop

#### 12.2 Zone Provisions

Provision	Required
Lot Area (min)	1,858 sqm
Lot Frontage (min)	30.5 m
Front Yard (min)	7.5 m
Rear Yard (min)	7.5 m
Interior Side Yard (min)	7.5 m
Exterior Side Yard (min)	7.5 m
Lot Coverage (max)	50%(1)
Building Height (max)	20 m
Ground Floor Area as a % of lot area (max)	50%

(1) This coverage factor does not restrict open storage areas.

#### 12.3 Accessory Use Zone Provisions

- a) Notwithstanding the provisions established in Section 4.1 the following provisions apply to accessory uses, buildings or structures within the General Industrial (M1) zone.

Provision	Required
Distance from all lot lines (min)	7.5 m

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Building Height (max)	6 m
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### 12.4 Special Exception Zones

Reserved.

## **13.0 Agricultural (A) Zone**

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### **13.1 Permitted Uses**

Agricultural Use  
 Agriculture-Related Use  
 Bed and Breakfast  
 Farm Produce Storage Facility  
 Home Industry  
 Home Occupation  
 Nursery or a Farm Greenhouse  
 Private Airfield  
 Single Detached Dwelling accessory to an agricultural use  
 Single Detached Dwelling on a lot created prior to 1980  
 Wayside Pit or Quarry

### **13.2 Zone Provisions**

<b>Provision</b>	<b>Required</b>
Lot Area (min)	40 ha
Lot Frontage (min)	-
Front Yard (min)	9 m
Rear Yard (min)	9 m
Interior Side Yard (min)	9 m
Exterior Side Yard (min)	9 m
Lot Coverage (max)	-

### **13.3 Accessory Use Zone Provisions**

- a) Notwithstanding the provisions established in Section 4.1 the following provisions apply to accessory uses, buildings or structures within the Agricultural (A) zone.

<b>Provision</b>	<b>Required</b>
Distance from all lot lines (min)	9 m

### **13.4 Additional Zone Provisions**

- a) Notwithstanding any other section of this By-law, no person shall use any land or erect, alter or use any building or structure for the purpose of a private airfield as defined in this By-law except in accordance with the following provisions:
- i. No lot having less than 10 hectares shall be used for a private airfield;
  - ii. No person shall maintain or store more than 3 aircrafts at any private airfield;
  - iii. 1 accessory building for the purpose of parking or storing an aircraft shall be permitted on a lot, but shall be separate from, and located not less than 15 m from any non-residential building, and 30 m from any building used for residential purposes; and

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- iv. No land used for the purpose of a private airfield shall be located closer than 200 m of any residential dwelling unit located on an adjacent property held in separate ownership.

### **13.5 Special Exception Zones**

Reserved.

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### 14.0 Rural (RU) Zone

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#### 14.1 Permitted Uses

##### Rural

Agricultural Use  
 Agricultural-Related Uses  
 Animal Hospital  
 Bed and Breakfast Establishment  
 Home Industry  
 Farm Produce Storage Facility  
 Forestry Use  
 Kennel  
 Nursery or a Farm Greenhouse  
 Parking and Servicing of School Buses  
 Private Airfield  
 Wayside or Borrow Pit

##### Rural Residential

Home Occupations  
 Seasonal Dwellings  
 Single Detached Dwellings

##### Institutional/Recreational

Educational Institution  
 Cemetery  
 Golf Course  
 Hunt Camp  
 Park  
 Place of Worship  
 Playground

#### 14.2 Zone Provisions

Use	Provision	Required
Rural	Lot Area (min)	40 ha for agricultural uses and agricultural related uses, 10 ha for other rural uses
	Lot Frontage (min)	45 m
	Front Yard (min)	9 m
	Rear Yard (min)	3 m
	Interior Side Yard (min)	3 m
	Exterior Side Yard (min)	9 m
	Building Height (min)	9 m
Rural Residential	Lot Area (min)	1,858 sqm
	Lot Frontage (min)	30.5 m
	Front Yard (min)	7.5 m
	Rear Yard (min)	3 m
	Interior Side Yard (min)	3 m
	Exterior Side Yard (min)	7.5 m
	Lot Coverage (max)	25%
	Building Height (max)	9 m
	Ground Floor Area as a % of lot area (max)	25%
Institutional/Recreational	Lot Area (min)	1,858 sqm
	Lot Frontage (min)	30.5 m
	Front Yard (min)	7.5 m
	Rear Yard (min)	3 m
	Interior Side Yard (min)	3 m

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	Exterior Side Yard (min)	7.5 m
	Building Height (max)	9 m

### 14.3 Accessory Zone Provisions

- a) Notwithstanding the provisions established in Section 4.1 the following provisions apply to accessory uses, buildings or structures within the Rural (RU) zone.

Use	Provisions	Required
Rural	Distance from all lot lines (min)	3 m
	Building Height (max)	10 m
Rural Residential	Distance from all lot lines (min)	3 m
	Building Height (max)	5 m
Institutional	Distance from all lot lines (min)	3 m
	Building Height (max)	5 m

### 14.4 Additional Zone Provisions

- a) Notwithstanding any other provision of this By-law to the contrary, a kennel shall be located a minimum of 300 metres from any residential building or Residential Zone, excluding the residential building located on the same lot as the kennel.

### 14.5 Special Exception Zones

Section / Zone	Amending By-Law / Location	Permitted Uses	Special Provisions
14.5.1 RU-1	By-law No. 2006-09; Lot 14, Con XI, Township of Billings	Mobile home placed on a permanent foundation, either concrete piers or a concrete foundation with running gear and towing mechanism removed	Front yard (minimum): 24 m
14.5.2 RU-2	By-law 2007-09; Lot 5, Con VII, Township of Billings	Two wind turbines	Setback from all lot lines (minimum): 85 m
14.5.3 RU-3	By-law 2007-10; Lot 4, Con VIII, Township of Billings	Two wind turbines	Setback from all lot lines (minimum): 61 m

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Section / Zone	Amending By-Law / Location	Permitted Uses	Special Provisions
14.5.4 RU-4	By-law No. 2007-19; Lot 13, Con VII, Township of Billings	<ul style="list-style-type: none"> <li>- a sawmill</li> <li>- a warehouse</li> <li>- a fabricating shop</li> <li>- a work shop</li> <li>- an equipment or materials storage yard</li> <li>- a retail commercial outlet, as a use accessory to uses permitted</li> </ul>	Front yard setback (minimum): 25 m
14.5.5 RU-5	By-Law No. 2011-36; Lot 13, Con VIII, Twp of Allan East; Part 1, Plan 31R-3666	Up to four (4) Portable Storage Containers, accessory to the existing uses, to be located having a minimum front yard setback of 47 m	
14.5.6 RU-6	By-law No. 2012-07; Lot 29, Con XII, Billings; Part 3, Plan 31R-1204; 818 Lakeshore Rd	<ul style="list-style-type: none"> <li>- one (1) transport trailer (16 m. X 2.45 m.) to be located having a minimum front yard setback of 75 m. &amp; a minimum side yard setback of 3 m., and</li> <li>- one (1) portable storage container (6 m. X 2.5 m.) to be located having a minimum front yard setback of 82 m. and a minimum side yard setback of 3 m.</li> </ul>	
14.5.7 RU-7	By-law No. 2012-16; Lot 13, Con. VIII, Allan E.; Part 2, Plan 31R-3666; 10279 Hwy 540	One (1) Portable Storage Container, accessory to the existing rural residential Uses, to be located having a minimum front yard setback of 101 m and the minimum side yard setback of 6 m	
14.5.8 RU-8	By-law No. 2012-40; Lot 26, Con XVII, Twp. Of Billings; 479 Newburn Road	One (1) Portable Storage Container, accessory to the existing rural residential and agricultural related uses, to be located west of the west boundary of Part 2, Plan 31R-1360	
14.5.9 RU-9	By-law No. 2013-05; Lot 2, Con XI, Township of Allan; Part 1, 31R-3296; 98 Lebar Rd	One (1) Portable Storage Container, having less than 40 sqm GFA, used for storage accessory to the existing residential uses, located having a minimum side yard of 42 m and a minimum front yard of 225 m	
14.5.10 RU-10	By-law 88-05	<ul style="list-style-type: none"> <li>- Restricts buildings</li> </ul>	

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### 15.0 Open Space Recreation (OSR) Zone

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#### 15.1 Permitted Uses

An area of land where the principal use is for public or private recreation

- Club
- Dwelling Unit or Units in accordance with Section 4.7 of this By-law
- Educational Institution
- Emergency Vehicle Dispatch Center
- Golf Course
- Place of Worship
- Playground
- Place of Assembly

#### 15.2 Zone Provisions

Provision	Required
Front Yard (min)	9 m
Rear Yard (min)	3 m
Interior Yard (min)	3 m
Exterior Yard (min)	9 m
Lot Coverage (max)	20%

#### 15.3 Special Exception Zones

Reserved.



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### 16.0 Open Space Conservation (OSC) Zone

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#### 16.1 Permitted Uses

Agricultural use, excluding buildings and structures  
 Conservation Area  
 Forestry Use, excluding buildings and structures  
 Nursery Garden  
 Outdoor Recreational Uses excluding buildings and golf courses  
 Flood Control and Erosion Protection Uses  
 Recreational Trail  
 Wildlife and/or Fish Management Area

#### 16.2 Zone Provisions

Provision	Required
Front Yard (min)	9 m
Rear Yard (min)	3 m
Interior Side Yard (min)	3 m
Exterior Side Yard (min)	9 m

#### 16.3 Accessory Use Provisions

- a) Notwithstanding the provisions established in Section 4.1 the following provisions apply to accessory uses, buildings or structures within the Open Space Conservation (OSC) zone.

Provision	Required
Distance from all lot lines (min)	3 m
Building Height (max)	10 m

#### 16.4 Additional Zone Provisions

- a) No accessory dwelling unit or units shall be permitted in any Open Space Conservation (OSC) Zone.

#### 16.5 Special Exceptions Zones

Section / Zone	Amending By- Law / Location	Permitted Uses	Special Provisions
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# Township of Billings

## Zoning By-law 2022-57

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16.5.1 OSC-1	By-Law No.92-09, Lot 1, Con 7, Township of Allan	No Development shall occur below the 213.3 m elevation C.G.D as established in the plan of survey Prior to the issuance of a building permit, the Ministry of Natural Resources shall review and approve a site plan which identifies the location of the building envelope above the 213.3 m elevation
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# Township of Billings

## Zoning By-law 2022-57

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### 17.0 Pit and Quarry (Q) Zone

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#### 17.1 Permitted Uses

Asphalt Plant  
Concrete Batching Plant  
Pit and/or Quarry  
Washing, Screening, Crushing and Storage of Sand, Gravel, Ballast, Stone, Aggregates, Clays, Brick, Peat, and other surface and subsurface resource materials  
Accessory and associated operations

#### 17.2 Zone Provisions

Provision	Required
Front Yard (min)	30 m
Rear Yard (min)	30 m
Interior Side Yard (min)	30 m
Exterior Side Yard (min)	30 m

#### 17.3 Additional Zone Provisions

- a) Notwithstanding the provisions of this by-law, no pit or quarry shall be excavated so that its edge is at a point less than 30 metres from the limit of any road right-of-way and 30 metres from any adjoining property line. However, this lot line restriction will be waived where two extractive operations abut and are being mined at the same time thus permitting a more efficient use of the available aggregate.

#### 17.4 Special Exception Zones

Reserved.

## **18.0 Waste Disposal Site (WD) Zone**

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### **18.1 Permitted Uses**

Dump Site for used building material  
Landfill Site for garbage including organize waste but excluding chemical wastes  
Recycling Centre  
Salvage or Scrap Yard

### **18.2 Zone Provisions**

<b>Provision</b>	<b>Required</b>
Lot Area (min)	10 ha
Front Yard (min)	30 m
Rear Yard (min)	30 m
Interior Side Yard (min)	30 m
Exterior Side Yard (min)	30 m

### **18.3 Additional Zone Provisions**

- a) No waste disposal site shall be located so that its edge is at a point less than 30 m from the limit of any road right-of-way and 30 m from any adjoining property line.

### **18.4 Special Exception Zones**

Reserved.



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