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## 10.1 ACCESSORY BUILDINGS, STRUCTURES AND USES

## a. PERMITTED USES

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

- i. any occupation for gain or profit conducted within or accessory to a dwelling unit or on the lot, except, as in this By-law, is specifically permitted; or
- ii. any building used for human habitation, except, as in this By-law, is specifically permitted.

## b. RELATION TO STREET

Except as may otherwise be provided herein, any accessory building or structure, which is not part of the principal or main building, shall be erected in conformity with the setback requirements of the Zone in which such building is located, but shall not be located closer to the street line than the principal or main building on the lot.

By-law  
No. 1212-93-PL

Notwithstanding the above, only a private garage, which is not part of the principal or main building located on a lot within a Rural (RU) and/or Rural Buffer (RB) Zone may be located closer to the streetline than the principal or main building on the lot provided the minimum lot area is 0.8 hectares or greater in size and the yard and setback requirements of the respective Zone category are complied with.

By-law  
No. 2209-2009-PL

## c. RELATION TO PRINCIPAL OR MAIN BUILDING OR OTHER ACCESSORY BUILDINGS

Except as may otherwise be provided herein, any accessory building or structure, which is not part of the principal or main building, shall not be erected closer than 1.8 metres to the principal or main building or 1.5 metres to another accessory building or structure.

By-law  
No. 439-80-PL  
1823-2003-PL

## d. LOT COVERAGE AND HEIGHT

The total lot coverage of all accessory buildings and structures, except swimming pools, shall not exceed seven and one-half (7.5) per cent of the lot area, nor, shall the height of any accessory building or structure exceed four (4.0) metres in a Residential Zone.

By-law  
No. 1823-2003-PL

## e. ACCESSORY STRUCTURES

Notwithstanding the yard and setback provisions of this By-law to the contrary, drop awnings, clothes poles, flag poles, garden trellises, retaining walls, fences which comply with the Corporation's Fence By-law, signs or similar uses shall be permitted in any required yard.

By-law  
No. 439-80-PL

## f. BOAT HOUSE, PUMP HOUSE OR DOCK

Notwithstanding any other provision of this By-law to the contrary, a boat house, pump house or a dock may be erected and used in the rear yard of a lot fronting on a navigable waterway, provided, such accessory buildings or structures are located no closer than three (3) metres to the side lot line, and provided further that such accessory buildings or structures are not located within the Environmental Protection (EP) Zone.

## g. FIRE ESCAPES

Notwithstanding the yard and setback provisions of this By-law to the contrary, unenclosed fire escapes, in which the stair-steps and floors are latticed in such a manner that the proportion of voids to solids is not less than two to one and in which guards consist of hand rails and the structural members necessary for their support, may project into any required setback a maximum distance of 1.2 metres.

## h. GARAGES OR OTHER ACCESSORY BUILDINGS OR STRUCTURES

Notwithstanding any other provisions of this By-law to the contrary, an attached or detached private garage or other accessory building or structure may be erected and used in a front, exterior side, interior side or rear yard provided that:

## i. INTERIOR SIDE YARD

When such accessory building or structure is located in an interior side yard, it shall not be closer than 1.2 metres to the interior side lot line, EXCEPT where a common semi-detached garage is being erected simultaneously on both sides of the lot line, as one building, in which case no interior side yard to the accessory building or structure is required.

## ii. REAR YARD

When such accessory building or structure is located in a rear yard it shall not be closer than 1.2 metres to the interior side lot line or rear lot line, EXCEPT where a common semi-detached garage is being erected simultaneously on both sides of the interior lot line, as one building in which case no interior side yard to the accessory building or structure is required.

## iii. REAR YARD WITH LANE ACCESS

When such accessory building or structure is located in a rear yard it shall not be closer than 1.2 metres to the interior side lot line or rear lot line, EXCEPT where a single detached private garage is being erected, with direct access from the lane, in which case the structure shall not be located closer than 1.2 metres to the interior side lot line and 2.4 metres to the rear lot line, or EXCEPT where a common semi-detached garage is being erected simultaneously on both sides of the interior lot line, as one building, with direct access from the lane, in which case no interior side yard is required, but the structure shall not be located closer than 2.4 metres to the rear lot line.

## iv. FRONT OR EXTERIOR SIDE YARD

When an accessory building or structure is attached to the principal or main building, such accessory building or structure may be erected in a front or exterior side yard provided that such accessory buildings or structure is not located within a required front or exterior side yard and provided further that such accessory building or structure is of the same external fabrication materials as the principal or main building on the lot.

## v. FRONT OR EXTERIOR SIDE YARD - NAVIGABLE WATERWAY

By-law  
No. 1212-93-PL

When a detached private garage is located on a lot which abuts a navigable waterway it may be located between the principal or main building on the lot and the streetline provided that the applicable yard and setback requirements of the respective Zone category are complied with.

## vi. GARAGE PROJECTIONS

By-law  
No. 2209-2009-PL

The front wall of an attached garage facing the street shall not be located more than 3 metres from the covered porch or the main front entrance of the dwelling unit and, in the case of a dwelling unit having a partial or second storey above the first, the front wall of the attached garage shall not be located more than 2.5 metres from the front wall of the dwelling unit.

## i. GATE HOUSE IN INDUSTRIAL ZONE

Notwithstanding the yard and setback provisions of this By-law to the contrary, in an Industrial Zone, a gate house shall be permitted in a front or side yard or in the area between the street line and the required setback.

## j. ORNAMENTAL STRUCTURES

Notwithstanding the yard and setback provisions of this By-law to the contrary, sills, chimneys, cornices, eaves, gutters, parapets, pilasters, or other ornamental structures may project into any required yard or the area between the street line and the required setback a maximum distance of 0.6 metres.

## k. OUTDOOR SWIMMING POOLS

By-law  
No. 1212-93-PL  
1823-2003-PL

Notwithstanding the yard provisions of this By-law to the contrary, an outdoor swimming pool shall be permitted within the interior and rear yard of a lot. Such outdoor swimming pool and apron shall not be situated within 1.2 metres of the side lot line, rear lot line or the principal or main building on the lot. The maximum area covered by an outdoor swimming pool shall not exceed fifteen (15) per cent of the total lot area. The outdoor swimming pool shall be fenced in accordance with the Corporation's Fence By-law.

## l. RAILWAY SPUR IN INDUSTRIAL ZONE

Notwithstanding any yard and setback provisions of this By-law to the contrary, in an Industrial zone, a railway spur shall be permitted within any required side or rear yard, but not within a required planting strip area, except for necessary ingress or egress. However, where such side or rear yard abuts a Residential Zone, then such railway spur shall conform to the yard and setback requirements of the Zone in which it is located.

## m. UNENCLOSED PORCHES, BALCONIES, STEPS OR PATIOS

Notwithstanding the yard and setback provisions of this By-law to the contrary, unenclosed porches, balconies, steps and patios, covered or uncovered, may project into any required yard a maximum distance of 1.5 metres, but not closer than 1.2 metres to any lot line, provided that in the case of porches, steps or patios such uses are not more than 1.8 metres above grade.

## n. FENCES

Notwithstanding the yard and setback requirements of this By-law to the contrary, a fence may be erected to coincide with a lot line provided such fence complies with the Corporation's Fence By-law.

## o. SATELLITE DISHES

By-law  
No. 1212-93-PL

Notwithstanding any other provisions of this By-law to the contrary, the following provisions shall apply to and regulate satellite dishes on any lot:

- i) not more than one (1) satellite dish shall be permitted on any lot located within Residential Zone;
- ii) satellite dishes shall not be permitted within the front or exterior side yard of any lot;
- iii) satellite dishes shall not be permitted to be located on any part of the principal or main building or other accessory building or structure located on the same lot therewith with the exception of those satellite dishes located in a General Commercial (C1) Zone;
- iv) the maximum height of a satellite dish and appurtenances thereto measured from the finished grade to the highest point of the satellite dish shall be 7 metres;
- v) notwithstanding Clause iv) above in the case of a satellite dish located in a General Commercial (C1) Zone the maximum height of the satellite dish and appurtenances thereto shall be 5 metres in those cases where the satellite dish is located on the roof of a building or structure;
- vi) yard requirements for the location of a satellite dish shall be in accordance with the relevant provisions established for accessory buildings, structures and uses contained within this By-law measured to the extremities of the satellite dish;
- vii) this subsection shall not apply to those satellite dishes in existence as of the 1st day of February, 1993.

By-law  
No. 1823-2003-PL,  
2209-2009-PL &  
2450-2012-PL

## p. WIND TURBINES

Notwithstanding any other provisions of this By-law to the contrary, one wind turbine having a nameplate capacity of 10 kW or less shall be permitted as an accessory use in the Rural (RU) Zone.

The following regulations shall apply to the establishment of a wind turbine where permitted:

## a) Yard and Setback Requirements

Wind turbines shall not be located within the Minimum Yard Dimensions for uses in the Zone in which they are located. Wind turbine structures shall be set back from the property line one and one-half times the height of the tower, and where the height is in excess of 10 metres, the tower shall be located at distance of at least three (3) times its height from the nearest property line. The tower shall also be set back 10 metres from any above-ground utility line, except a utility line used to connect subject property to the local utility.

By-law  
No. 2450-2012-PL

q. OTHER FREE-STANDING SMALL SCALE GENERATING SYSTEMS

Notwithstanding any other provisions of this By-law to the contrary, small-scale generating systems having a nameplate capacity of 10 kW or less shall be permitted as an accessory use in the Rural (RU) or Rural Buffer (RB) Zone categories. Small-scale generating systems shall be located in accordance with the regulatory provisions of the respective Zone category.”

**10.2 DEVELOPMENT CONTROL**

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

**10.3 DWELLING UNITS BELOW GRADE**

a. CELLAR

No dwelling unit shall, in its entirety be located in a cellar. If any portion of a dwelling unit is located in a cellar, such portion of the dwelling unit shall be used as a furnace room, laundry room, storage room, recreation room or for a similar use only.

b. BASEMENT OR WALKOUT BASEMENT

By-law  
No. 439-80-PL

A portion of a dwelling unit may be located in a basement or walkout basement, provided the finished floor level of such basement is not below the level of the sanitary sewer or private waste disposal facilities, as the case may be, serving the building or structure in which such basement is located and provided further, that the floor level of such basement is not more than 1.2 metres below the adjacent finished grade.

**10.4 ENVIRONMENTAL PROTECTION (EP) ZONE**

a. USES PERMITTED

By-law  
No. 439-80-PL

Except as specifically permitted in Subsection 10.4 c. of this By-law, no person shall use any portion of any lot or erect, alter or use any building or structure in an Environmental Protection Zone for any purpose except a golf course, a private park, a public park or conservation or agricultural purpose, where such uses are permitted by this By-law, or a public use in accordance with the provisions of Subsection 10.4 hereof, provided that such permitted uses do not include any permanent building or structure except as may be required in conjunction with flood control works or such structural members as may be required to support high voltage or extra high voltage electrical facilities owned, operated and maintained by Ontario Hydro.

b. CALCULATION OF ZONE PROVISIONS

Except as specifically permitted in Subsection 10.4 c. of this By-law, no part of an Environmental Protection (EP) Zone shall be used to calculate any of the Zone Provisions as may be required by this By-law for uses in adjacent Zones.

c. EXISTING LOTS IN ENVIRONMENTAL PROTECTION (EP) ZONE

By-law  
No. 439-80-PL

Notwithstanding any other provisions of this By-law to the contrary, the buildings and structures described in paragraph i. below of this subsection are permitted on lots which were legally in existence on or before the 22nd day of September 1978, in areas zoned Environmental Protection (EP); provided all the requirements described in paragraph ii. of this subsection can be satisfied:

i. The uses permitted shall be restricted to:

- a. A single-family detached dwelling house with associated accessory buildings and structures; and
  - b. Buildings and structures associated with farming activities such as sheds, barns, silos, shelters and similar buildings and structures.
- ii. All of the following conditions and approvals must be met before a permitted dwelling or structure can be erected:
- a. The lot under consideration must have been legally in existence on or before the 22nd day of September 1978.
  - b. Prior written approval must be obtained from the Ministry of Natural Resources or the Lake Simcoe Region Conservation Authority indicating that the lands under construction are suitable for erection of a building.
  - c. Prior written approval must be obtained from the local Health Unit, indicating that there is an available and adequate supply of potable water and that soil conditions will permit the proper functioning of an effluent disposal system.
  - d. Any special conditions required by the Ministry of Natural Resources, or the Lake Simcoe Region Conservation Authority, and/or the local Health Unit, respecting the development of land must be satisfied.
  - e. The lot under consideration must front upon an improved public street.
  - f. No new dwelling or structure shall be permitted within 30 metres of any Natural Heritage/Hydrological feature in accordance with and as identified within the Greenbelt Plan, 2005. The uses permitted within this setback shall be restricted to natural self-sustaining vegetation or agricultural uses. When all the necessary approvals and conditions of paragraph b.
- iii. When all the necessary approvals and conditions of paragraph b. of this subsection have been met, a building permit may be issued for the erection of a permitted building or structure, without amendment to this By-law. Such permitted building or structure shall be erected in accordance with any special condition of the Ministry of Natural Resources or the Lake Simcoe Region Conservation Authority and the local Health Unit, as well as the Zone Provisions, other than minimum lot area and lot frontage, of this By-law for the Rural Residential (RR) Zone, in the case of a single-family dwelling house, and the Rural (RU) Zone, in the case of a permitted non-residential building or structure.

By-law  
No. 439-80-PL  
1212-93-PL

By-law  
No.  
2209-2009-PL

By-law  
No. 555-82-PL  
1212-93-PL

## 10.5

### ESTABLISHED BUILDING LINE IN BUILT-UP AREA

Notwithstanding the yard and setback provisions of this By-law to the contrary, where a permitted building or structure is to be erected on a lot in a built-up area, where there is an established building line extending on both sides of the lot, such permitted building or structure may be erected closer to the street line, or the centreline of the street, as the case may be, than required by this By-law provided such permitted building or structure is not erected closer to the street line or the centreline of the street, as the case may be, than the established building line on the date of passing of this By-law.

## 10.6 EXISTING BUILDINGS, STRUCTURES AND USES

## a. CONTINUATION OF EXISTING USES

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

## b. PERMITTED EXTERIOR EXTENSION

A building or structure, which at the date of passing of this By-law, was lawfully used for a purpose not permissible within the Zone in which it is located, shall not be enlarged, extended, reconstructed or otherwise structurally altered, unless such building or structure is thereafter to be used for a purpose permitted within such Zone, and complies with all requirements of this By-law for such Zone.

## c. PERMITTED INTERIOR ALTERATION

The interior of any building or structure which, at the date of passing of this By-law, was lawfully used for a purpose not permitted within the Zone in which such building or structure is located, may be reconstructed or structurally altered, in order to render the same more convenient or commodious for the same purpose for which, at the date of passing of this By-law, such building or structure was lawfully used.

## d. RESTORATION TO A SAFE CONDITION

By-law  
No. 1823-2003-PL

Nothing in this By-law shall prevent the strengthening or alteration to a safe condition of any building or structure or part thereof, lawfully used on the date of passing of this By-law, provided that the strengthening or alteration does not increase the building height, size or volume or change the use of such building or structure.

## e. PERMITTED NON-COMPLYING BUILDINGS OR STRUCTURES

By-law  
No. 1212-93-PL  
1823-2003-PL

(i) Nothing in this By-law shall prevent the enlargement or extension of a building or structure, which existed at the date of passing of this By-law, which is used for a purpose specifically permitted within the Zone in which such building or structure is located, where such building or structure does not comply with the setbacks or one or more yards that are less than required provided that the setback or one or more yards that are less than required are not further reduced and that all other provisions of this By-law are complied with. In addition, a maximum area of 10 percent of the gross floor area existing as of the date of passing of this By-law, shall be permitted within the setback or one or more yards that are less than required.

(ii) Nothing in this By-law shall prevent the renovation, repair or alteration of a building or structure, which existed at the date of passing of this By-law, which is used for a purpose specifically permitted within the Zone in which such building or structure is located, where such building or structure does not comply with the setbacks or one or more yards that are less than required provided that the setback or one or more yards that are less than required are not further reduced and that all other provisions of this By-law are complied with.

By-law  
No. 2450-2012-PL

(iii) Notwithstanding the foregoing this provision shall not apply to a building or structure which has been demolished following the issuance of a demolition permit by the Corporation. In such cases the reconstruction of a building or structure shall comply



with the yard and setback requirements as well as all other provisions of this By-law save and except an attached porch, deck, or private garage provided that the setback or one or more yards that are less than required are not further reduced and that all other provisions of the By-law are complied with.

f. RECONSTRUCTION OF DAMAGED EXISTING BUILDING OR STRUCTURES

By-law  
No. 1212-93-PL

Nothing in this By-law shall apply to prevent the reconstruction of any lawful building or structure which does not comply with the provisions of this By-law which is damaged by causes beyond the control of the owner provided such building or structure is reconstructed on the same foundation and/or within the area of the original foundation and a building permit is issued by the Corporation within one (1) year of the original building or structure being damaged.

g. BUILDING PERMIT ISSUED

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

h. FLOOR AREA LESS THAN REQUIRED

Nothing in this By-law shall prevent an extension or an addition being made to a permitted dwelling house, which dwelling house existed at the time of passing of this By-law but which has a gross floor area or dwelling unit area less than required by this By-law, provided such extension or addition does not contravene any other provisions of this By-law.

10.7

**EXTERNAL DESIGN**

The following building materials shall not be used for the exterior vertical facing on any wall of any residential building or structure within the area affected by this By-law:

- a. building paper;
- b. asphalt shingle;
- c. asphalt roll-type siding; or
- d. asphalt insulating siding.

10.8

**FRONTAGE ON PUBLIC STREET**

a. PUBLIC STREET

- i. No person shall erect any building or structure in any Zone, after the date of passing of this By-law, unless the lot upon which such building or structure is to be erected fronts upon an improved public street, and further, that such building or structure complies with the setback provisions of this By-law. For the purposes of this By-law an "Improved Public Street," as defined in Section 11.173 hereof, does not include an unopened road allowance or an unassumed road in a Registered Plan which has been deemed not to be a Registered Plan under Section 29 of the *Planning Act*.

Notwithstanding the above, this subsection shall not apply to restrict the erection of any building or structure on a lot in a Registered Plan of Subdivision where a subdivision agreement has been entered into but the street or streets will not be assumed by the Municipality until such time as specified in the agreement.

ii. Notwithstanding the provisions of Subsection 10.8 (a) (i) above, where a building has been erected prior to the date of passage of this By-law on a lot which fronts on a private right-of-way providing legal ingress and egress, registered on title, to an improved public street, the provisions of this By-law shall not apply to prevent the enlargement, alteration, extension, renovation or reconstruction of such a building or structure, provided the use of such building or structure is permissible in the zone in which it is located and that all other applicable provisions of this By-law are complied with.

iii. Notwithstanding the provisions of Subsection 10.8 (a) (i) and (ii) above, where a lot has been created prior to the date of passing of this By-law and such lot fronts on a private right-of-way providing legal ingress and egress, registered on title, to an improved public street, the provisions of this By-law shall not apply to prevent the erection of a building or structure on such lot provided the use of such building or structure or the use of such lot is permissible within the Zone in which it is located and that all other applicable provisions of this By-law are complied with. This subsection shall only apply to the following areas:

- part of Lot 14, Concession VII, in the former Township of Thorah known locally as Alsop's Plan; and
- part of Lot 1, Concession XI, in the former Township of Thorah.
- part of Lot 20, Concession II, former Township of Thorah, part of R.P. 682, specifically those lots with frontage on the laneways, known as "Garden Gate" and "Peter Street."
- Registered Plan 455, specifically those lots with frontage on the laneway known as "Tots Trail" and "Shady Beach Trail."
- part of Lot 7, Concession VI, in the former Township of Brock.
- Thorah Island.

By-law  
No. 439-80-PL

By-law  
No. 1074-90-PL

By-law  
No. 2209-2009-PL

## 10.9 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.

## 10.10 HEIGHT EXCEPTIONS

By-law  
No. 1823-2003-PL

Notwithstanding the height provisions herein contained, nothing in this By-law shall apply to prevent the erection, alteration, or use of the following accessory buildings or structures provided the main use is a use permitted within the Zone in which it is located: a church spire, a belfry, a flag pole, a clock tower, a chimney, a water tank, a radio or television tower or antenna, air conditioner duct, grain elevator, a barn or silo, incidental equipment required for processing and external equipment associated with internal building equipment.

By-law  
No. 1212-93-PL

The foregoing shall not apply to satellite dishes which shall be subject to the provisions of Section 10.1 (o) hereof.

**10.11 HOME OCCUPATION**

The following regulations apply to a dwelling unit wherein a home occupation is permitted:

By-law  
No. 1212-93-PL

a. No person, other than a member of the family residing in the premises, shall engage in canvassing, delivering or as a go-between in distributing merchandise to customers.

b. There shall be no display, other than a sign erected in conformity with the Corporation's Sign By-law, to indicate to persons outside that any part of the dwelling unit is being used for a purpose other than residential and such home occupation shall not include a showroom for the display of goods or wares produced on the premises.

c. Such home occupation shall be clearly secondary to the main residential use and shall not change the residential character of the dwelling house or unit nor create or become a public nuisance, in particular, in regard to noise, traffic or parking.

d. Such home occupation shall not interfere with television or radio reception of others in adjacent buildings or structures.

By-law  
No. 2450-2012-PL

e. Not more than twenty-five (25) per cent of the gross floor area of the dwelling house or unit shall be used for the purposes of the home occupation use or, in the case of such home occupation located within an accessory building, the accessory building in which the home occupation is carried on shall be no greater than 150 square metres.

By-law  
No. 2450-2012-PL

f. Such home occupation shall not include a medical clinic, as defined herein, a business or professional office used by the medical profession for the treatment of patients including a physician, chiropractor, dentist, and other medical uses, a private hospital, a nursing home, an eating establishment, an animal hospital, or a retail commercial establishment from which goods, wares, and merchandise is produced off-site, but shall include a business or professional office as defined herein that complies with the provisions of this subsection.

**10.12 ILLUMINATION**

Lighting fixtures designed for exterior illumination shall be installed with the light directed downward and deflected away from adjacent lots.

**10.13 LOADING SPACE REQUIREMENTS****a. LOADING SPACE**

Loading or unloading spaces are required under this By-law, in accordance with the Loading Space Requirement Table, and the owner of every building or structure erected or used for any purpose involving the receiving, shipping, loading or unloading of persons, animals, goods, wares, merchandise or raw materials shall provide and maintain on the lot loading and unloading spaces accordingly. Each loading or unloading space shall be nine (9) metres long, 3.6 metres wide and have a vertical clearance of at least four (4) metres. In addition, adequate space on the lot shall be provided for the parking of vehicles awaiting access to the loading or unloading spaces.

**LOADING SPACE REQUIREMENT TABLE**

By-law  
No. 1212-93-PL

GROSS FLOOR AREA OF BUILDING	LOADING SPACE
280 sq. metres	Nil
Exceeding 280 sq. metres but not 2,320 sq. metres	1 space
Exceeding 2,320 sq. metres but not 7,430 sq. metres	2 spaces
Exceeding 7,430 sq. metres	2 spaces plus 1 additional space for each additional 9,300 sq. metres or fractional part thereof in excess of 7,430 sq. metres

b. ACCESS

Access to loading or unloading spaces shall be by means of a driveway at least six (6) metres wide contained on the lot in which the spaces are located and leading to an improved public street.

c. LOADING SPACE SURFACE

The driveways, loading and unloading spaces 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 or Portland cement binder and with provisions for drainage facilities.

d. LOCATION

The loading space or spaces required shall be located in the interior side or rear yard unless such space or spaces are set back from the street line a minimum distance of thirty (30) metres.

e. ADDITIONS TO OR CHANGE IN USE OF EXISTING BUILDINGS

The loading space requirements referred to herein shall not apply to any building in existence at the date of passing of this By-law so long as the gross floor area, as it existed at such date, is not increased. If an addition is made to the building or structure which increases the gross floor area, then additional loading space shall be provided as required by paragraph (a) of this subsection for such addition.

Where a change in the use of an existing building occurs, loading space for the new use shall be provided in accordance with paragraph (a) of this subsection and in accordance with the provisions of the Loading Space Requirement Table.

10.14

**LOTS HAVING LESS AREA AND/OR FRONTAGE**

Where a lot having a lesser lot area and/or frontage than required herein is held under distinct and separate ownership from an abutting lot or lots as shown by a conveyance of title properly executed and/or registered prior to the date of the passing of this By-law, or where such a lot is created as a result of an expropriation, or where a severance has been granted prior to the passage of this By-law but the conveyance has not been registered, such smaller lot may be used and a building or structure may be erected, altered or used on such smaller lot, provided that all other Zone Provisions of this By-law are complied with.

**10.15 MULTIPLE USES AND/OR ZONES ON ONE LOT**

## a. MORE THAN ONE ZONE ON A LOT

Where a lot is divided into more than one Zone under the provisions of this By-law, each such portion of the said lot shall be used in accordance with the Zone Provisions of this By-law for the applicable Zones established hereunder.

## b. MULTIPLE USES ON ONE LOT

Where any land, building or structure is used for more than one purpose, the applicable provisions of this By-law which serve to regulate each such use shall be complied with, provided that no dwelling, as may be permitted, shall be erected closer than six (6) metres to any building or structure on the lot, except for such accessory building or structure as may be permitted in accordance with the provisions of Section 10.1, hereof.

**10.16 NOXIOUS TRADE**

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 *Health Protection and Promotion Act*, R.S.O. 1990, or Regulations thereunder, as amended, replaced or re-enacted, from time to time.

**10.17 OUTSIDE DISPLAY AND SALE OF GOODS AND MATERIALS**

Where the outside display and sale of goods and materials is permitted, the following provisions shall be complied with:

a. Such outside display and sale shall be accessory to a permitted commercial use carried on in an enclosed building, or portion thereof, on the same lot.

By-law  
No. 2209-2009-PL

b. The area used for outside display and sale of goods shall be within the front and side yard only and the area devoted shall not exceed fifteen (15) percent of the lot area.

By-law  
No. 2209-2009-PL

c. If the interior side lot line of a lot upon which such outside display and sale is permitted abuts a Residential Zone, then a planting strip shall be provided, along such abutting lot line, or portion thereof, in accordance with the requirements for planting strips in Subsection 10.20 hereof;

d. Where lighting facilities are provided, they shall be so arranged as to deflect the light onto the outside display and sale area, and away from adjoining properties and streets;

e. The area used for outside display and sale shall be in addition to and separated from the areas required for parking;

By-law  
No. 2209-2009-PL

f. The area used for outside display and sale shall provide side yards in accordance with the provisions for the Zone in which the land is situated, but in any event shall not be closer to any side lot line than three (3) metres;

g. The area used for outside display and sale shall be surfaced and maintained with either concrete, asphalt, crushed stone and other hard surface and dustless materials, or maintained as a lawn in a healthy growing condition; and

h. Prior to the establishment of an area for the outside display and sale, the owner shall file in writing with the By-law Enforcement Officer a notice

thereof giving full particulars including a sketch or survey of the lands to be used in relation to all buildings or other structures on the same lot.

### 10.18 PARKING AND REGULATIONS

#### a. PARKING AREA REQUIREMENTS

By-law  
No. 1212-93-PL

Parking spaces and areas are required under this By-law in accordance with the Parking Space Requirement Table, and 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 accordingly on the same lot as the use that requires such spaces and areas.

#### b. PARKING AREA SURFACE

Each 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 provision for drainage facilities.

#### c. INGRESS AND EGRESS

- i. Ingress and egress to and from the required parking spaces and areas shall be provided by means of unobstructed driveways or passageways at least three (3) metres but not more than nine (9) metres in perpendicular width.
- ii. The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be nine (9) metres.
- iii. The minimum distance between any two driveways on one lot or between a driveway and an intersection of street lines measured along the street line intersected by such driveway shall be eight (8) metres.
- iv. The minimum angle of intersection between a driveway and a street line shall be sixty (60) degrees.
- v. Every lot shall be limited to the following number of driveways, namely:
  - a. up to the first fifteen (15) metres of frontage, not more than one driveway;
  - b. greater than fifteen (15) metres of frontage but not more than thirty (30) metres of frontage, not more than two driveways with a combined width not exceeding thirty (30) per cent of the lot frontage; and
  - c. for each additional thirty (30) metres of frontage, not more than one additional driveway.

#### d. PARKING AREA DESIGN REQUIREMENTS

Every parking space shall be designed in accordance with the following criteria, namely:

By-law  
No. 1212-93-PL

- i. the minimum width shall be two and seven-tenths (2.7) metres and the minimum length shall be five and seven-tenths (5.7) metres;

- ii. that where a parking space has a parking angle of thirty (30) degrees or less, such parking space shall be at least six and seven-tenths (6.7) metres in length where the aisle width is at least four (4) metres;
- iii. that where the parking angle is less than fifty (50) degrees, the minimum aisle width shall be at least four (4) metres;
- iv. that where the parking angle is equal to or greater than fifty (50) degrees, but less than seventy (70) degrees, the minimum aisle width shall be at least 5.5 metres; and
- v. that where the parking angle is equal to or greater than seventy (70) degrees but less than or equal to ninety (90) degrees, the minimum aisle width shall be at least 6.7 metres.
- vi. the minimum width of an accessible parking space shall be 4.5 metres and the minimum length shall be 6 metres.
- vii. the maximum parking area allowable in front of a residential dwelling is 55% of the frontage of the lot

By-law  
No. 1823-2003-PL  
2029-2009-PL  
By-law No. 3082-  
2021

e. MORE THAN ONE USE ON A LOT

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

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**PARKING SPACE REQUIREMENT TABLE**  
(Amended by By-law No. 1212-93-PL, 1823-2003-PL, 2209-2009-PL)

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TYPE OR NATURE OF USE	MINIMUM OFF-STREET PARKING REQUIREMENTS
a. Assembly Hall, Place of Entertainment, Place of Worship, Private Club or other similar places of assembly	The greater of: (a) one (1) parking space per five (5) fixed seats or portion thereof.  (b) one (1) parking space per nine (9) square metres of gross floor area or portion thereof.  (c) one (1) parking space for each four (4) persons that can legally be accommodated at any one time.
b. Boarding or Lodging House	One and one-half (1.5) parking spaces per bedroom.
c. Business and/or Professional Offices, Retail Commercial Establishment, Service Shop, Home Occupation, Grocery Store	One (1) parking space for each twenty (20) square metres of gross floor area or portion building directly related to the specified permitted use.
d. Eating Establishment	One (1) parking space per nine (9) square metres of gross floor area or portion thereof.

By-law No. 3082-2021

e.	Golf Course	Twenty-four (24) parking spaces for each nine holes of golfing facilities.
f.	Manufacturing, Processing, Assembly and/or Fabricating Plant, Hydro Generating Station, Cannabis Production and Processing Facility	One (1) parking space per thirty-seven (37) square metres of gross floor area or portion thereof.
g.	Marina	One (1) parking space per eighteen (18) square metres of gross floor area or portion or fraction thereof plus one (1) parking space for each boat slip provided.
h.	Motel, Hotel, Cottage or Cabin Establishment, Resort Establishment or Tourist Home	One and one-quarter (1.25) parking spaces per guest room, cottage or cabin.
i.	Residential	
	• Single-Family Detached	Two (2) parking spaces per dwelling unit
	• Duplex	Two (2) parking spaces per dwelling unit
	• Semi-detached	Two (2) parking spaces per dwelling unit
	• Triplex	One (1) parking space per dwelling unit for one-bedroom units Two (2) parking spaces per dwelling unit for two or more bedroom units.
	• Fourplex	One (1) parking space per dwelling unit for one-bedroom units Two (2) parking spaces per dwelling unit for two or more bedroom units.
	• Row-Townhouse	One (1) parking space per dwelling unit for one-bedroom units Two (2) parking spaces per dwelling unit for two or more bedroom units.
	• Apartment	One (1) parking space per dwelling unit for one-bedroom units One point five (1.5) parking spaces per dwelling unit for two or more bedroom units.
	• Converted Dwelling	One (1) parking space in addition to the Single Family Dwelling requirement



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<ul style="list-style-type: none"> <li>• Secondary Units</li> </ul>	<p>One parking space to be provided in addition to the primary dwelling parking requirements.</p> <p>No visitor parking required for the secondary unit.</p>
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<ul style="list-style-type: none"> <li>• Visitor Parking</li> </ul>	<p>One half (0.5) additional visitor parking spaces must be provided for each dwelling unit for all residential types of dwellings and be located in a driveway or other parking area on the same lot as the dwelling unit or 1 space may be located within an enclosed garage or accessory structure with a clear interior measurement of a minimum 3m width and 6 m length.</p> <p>In the case of the visitor parking area within a Plan of Condominium, visitor parking shall be provided on the same lot or on other lands controlled by the related condominium corporation.</p> <p>In the case where there is a permit or license from the Township applying to the property allowing short-term rental or a B &amp; B, no visitor parking is required for the primary residence. All parking requirements for the short-term rental or B &amp; B use shall be applied.</p>
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<p>j. Schools</p>	
<p>a. Elementary</p>	<p>The greater of:</p> <ul style="list-style-type: none"> <li>(a) one and one-half (1 1/2) parking spaces per classroom; or</li> <li>(b) one (1) parking space per nine (9) square metres of floor area in the gymnasium; or</li> <li>(c) one (1) parking space per nine (9) square metres of floor area in the auditorium.</li> </ul>

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<p>b. Secondary</p>	<p>The greater of:</p> <ul style="list-style-type: none"> <li>(a) four (4) parking spaces per classroom; or</li> <li>(b) one (1) parking space per nine (9) square metres of floor area in the gymnasium; or</li> <li>(c) one (1) parking space per nine (9) square metres of floor area in the auditorium.</li> </ul>
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k.	Home for the Aged Nursing Home	One (1) parking space per four (4) dwelling units, or part thereof, or for every four (4) beds or portion thereof, plus one (1) parking space for a dwelling unit designed for a resident caretaker.
l.	Workshop	One (1) parking space per thirty-seven (37) square metres of gross floor area.
m.	Uses permitted by this By-law other than those listed for this table	One (1) parking space per thirty-seven (37) square metres of gross floor area.
n.	Accessible Parking Spaces - General	<p>(a) one (1) accessible parking space for up to nineteen (19) automobile parking spaces;</p> <p>(b) a minimum of four (4) accessible parking spaces for up to two hundred (200) automobile parking spaces;</p> <p>(c) a minimum of eight (8) accessible parking spaces for up to four hundred (400) automobile parking spaces.</p>
o.	Accessible Parking Spaces - Medical Clinics or Nursing Homes	<p>(a) a minimum of two (2) accessible parking spaces for up to thirty (30) automobile parking spaces;</p> <p>(b) a minimum of eight (8) accessible parking spaces for up to sixty (60) automobile parking spaces;</p> <p>(c) a minimum of twelve (12) accessible parking spaces for up to one hundred (100) automobile parking spaces.</p>
p.	Bed & Breakfast Establishments	One (1) parking space per guest room, in addition to spaces required for the dwelling, shall be required. The parking spaces may be located in any yard, provided that no more than three (3) parking spaces shall be located in the front or exterior side yard.

f. PARKING AREA LOCATION ON LOT

Notwithstanding the yard and setback provisions of this By-law to the contrary, uncovered surface parking areas shall be permitted in the required yards or in the area between the street line and the required setback as set out below. Further, in all Zones, except Residential, no driveway is permitted within nine (9) metres of the boundary of a Residential Zone, and no parking space within three (3) metres of a Residential Zone.

ZONE

YARD IN WHICH REQUIRED  
PARKING AREA PERMITTED

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Environmental Protection, Open Space, Recreational Rural, Rural Buffer, Community Facility and Commercial Zones	All yards provided that no part of any parking area other than a driveway is located closer than one (1) metre to any street line
Residential Zones save and except an Apartment Dwelling House as specified below	Interior side and rear yard and one additional space may be provided in the driveway, provided that no part of any parking area, other than a driveway, is located closer than one (1) metre to any street line and provided further that a parking area, other than a driveway, for a Residential use containing three or more dwelling units is located in no other yard than the rear yard
Apartment Dwelling House	All yards, provided that no part of any parking area, other than a driveway, is located closer than eight (8) metres to any street line and no closer than three (3) metres to any side lot line
Industrial Zone	Interior side and rear yards only, except for visitor parking provided that no part of any parking area, other than a driveway, is located closer than one (1) metre to any street line

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g. ADDITIONS TO OR CHANGE IN USE OF BUILDINGS

By-law  
No. 1212-93-PL

The parking space requirements referred to herein shall not apply to any building in existence as of the date of passing of this By-law so long as the existing gross floor area is not increased by more than 10 per cent of the gross floor area of the building existing on the date of passing of this By-law. If an addition is made to the building or structure which increases the gross floor area by more than 10 percent of the floor area

existing at the time of passing of this By-law then parking spaces for the addition shall be provided as required by the Parking Space Requirement Table.

Where a change in use of the building or structure occurs which increases the off-street parking requirements, as set forth in the Parking Space Requirement Table, then parking spaces shall be provided in accordance with these requirements set forth in the Parking Space Requirement Table for the total gross floor area of the building or structure.

h. USE OF PARKING SPACES AND AREAS

By-law  
No. 1212-93-PL

Parking spaces and areas required in accordance with this By-law shall be used for the parking of operative, currently licensed vehicles only, and for vehicles used in operations incidental to the permitted uses in respect of which such parking spaces and areas are required or permitted. Provided, however, no person shall use any lands within a Residential Zone, for the parking or storage of any commercial motor vehicle, which has a stake body or which has dual wheels or which has a capacity in excess of one ton, EXCEPT that one commercial motor vehicle, not exceeding a rated capacity of one ton, may be stored in a private garage.

Notwithstanding the above provisions within the Rural (RU) Zone, a maximum of two (2) school buses may be parked or stored on any lot as an accessory use.

i. ABANDONED EQUIPMENT

By-law  
No. 1212-93-PL

Unused and discarded motor vehicles, farm implements and similar abandoned equipment shall not be located or stored in any Zone.

j. PARKING SPACES ON OTHER LOTS

By-law  
No. 1212-93-PL

Notwithstanding the provisions of Section 10.18 (a), within the General Commercial (C1) Zone, off street parking spaces and areas may be located not more than 90 metres from the said lot which requires parking spaces and areas provided, however, that such parking spaces and areas shall be located within the General Commercial (C1) Zone and not under the ownership of the Corporation.

**10.19 PITS**

(a) Prohibition of New Pits

The making or establishment of new pits is prohibited within the area covered by this By-law, except in the locations specifically permitted by this By-law, and only then in accordance with the express provisions of this By-law.

(b) Prohibition of Buildings, Structures, Uses and Activities

No person shall use, occupy or excavate land or erect any building or structure or conduct any activity on land for the purpose of processing, washing, screening, sorting or crushing rock, sand and/or gravel, except as expressly provided for in this By-law.

**10.20 PLANTING STRIPS**

a. LOCATION

By-law  
No. 439-80-PL

Where the interior side or rear lot line of a Community Facility, Recreation, Commercial or Industrial Zone abuts a Residential Zone, or a Residential Type Three (R3) Zone abuts a Residential Type One (R1) Zone, a planting strip adjoining such abutting lot line, or portion thereof, shall be provided on the Community Facility, Commercial or Industrial lot, or Residential Type Three (R3) Zone or Recreational (RE) Zone with a minimum width of three (3) metres.

b. CONTENTS

Where in this By-law a planting strip is required on a lot, such lot shall not be used for any use otherwise permitted by this By-law and no building shall be occupied unless and until a planting strip is provided and maintained which planting strip shall consist of a row of trees or a continuous unpierced hedgerow of evergreens or shrubs, not less than 1.5 metres high, immediately adjacent to the lot line or portion thereof along which such planting strip is required hereunder; the remainder of the strip shall be planted with shrubs, flower beds, grass or a combination thereof.

c. INTERRUPTION FOR DRIVEWAYS OR PEDESTRIAN WALKS

In all cases where ingress and egress driveways or walks extend through a planting strip, it shall be permissible to interrupt the strip within three

(3) metres of the edge of such driveway or within 1.5 metres of the edge of such walk.

d. MAINTENANCE

Where a planting strip is required it shall be planted, nurtured and maintained by the owner or owners of the lot on which the strip is located.

e. LANDSCAPED OPEN SPACE

A planting strip referred to in this subsection may form a part of any landscaped open space required by this By-law.

f. BUFFER SCREEN, PLANTING STRIPS AND FENCING REQUIREMENTS EXTRACTIVE INDUSTRIAL ZONE

Buffer screen and planting strips and fencing requirements shall be in accordance with the *Pits and Quarries Control Act*, 1971 and the Ontario Regulation 545/71 as amended.

By-law  
No. 439-80-PL

10.21

**PUBLIC USES**

a. PUBLIC USE

Except as otherwise provided in paragraph (b) of this subsection, the provisions of this By-law shall not apply to prevent the use of any lot or the erection or use of any building or structure for the purposes of the public services provided by The Corporation of the Township of Brock and/or any Public Authority, any department of the Regional Municipality of Durham, any department or ministry of the Government of Canada or Ontario, including the Ontario Hydro, or any telephone, telegraph or any natural gas distribution system.

b. LOCATION

i. SPECIFICALLY PERMITTED

Where in this By-law under the heading of "PERMITTED USES IN ZONES" a public use is specifically permitted within a Zone, then such use shall only be permitted within that Zone or Zones.

ii. NOT SPECIFICALLY PERMITTED

Where in this By-law a public use is not specifically referred to in any Zone, then such public use shall be permitted in any Zone.

c. PROVISIONS

Where a lot, building or structure is to be used for the purposes of a public use which is not specifically permitted in any one zone but rather is permitted in any Zone the following criteria shall apply:

i. no goods, material or equipment shall be stored in the open, except as permitted in such Zone;

ii. any Zone Provisions of the Zone in which the use is located shall be complied with except as otherwise provided in paragraph (d);

iii. any building erected under the authority of this paragraph shall not be used for the purpose of an office and shall be designed and maintained in general harmony with residential buildings of the type permitted in such area, including the requirements for buffer planting, in accordance with Section 10.20 hereof.

By-law  
No. 439-80-PL

## d. STREETS AND INSTALLATIONS

By-law  
No. 1212-93-PL

Nothing in this By-law shall prevent land to be used as a street or prevent the installation of a watermain, sanitary sewer main, storm sewer main, gas main, pipe line or overhead or underground hydro, telephone or other supply and/or communication line, including high voltage and extra high voltage electrical lines owned, operated and maintained by Ontario Hydro.

**10.22 REDUCTION OF REQUIREMENTS**

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

**10.23 SIGHT TRIANGLES**

On a corner lot, within the triangular space formed by the street lines and a line drawn from a point in one street line to a point in the other street line, each such point being nine (9) metres measured along the street line from the point of intersection of the street lines, no motor vehicle, as defined in the *Highway Traffic Act*, R.S.O. 1990, as amended, shall be parked, or no building or structure which would obstruct the vision of drivers of motor vehicles shall be erected and no land shall be used for the purposes of growing shrubs or trees in excess of one (1) metre in height. Such triangular space may hereinafter be referred to as a "sight triangle." Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines (the intersection of the tangents to the street lines).

**10.24 SPECIAL USES PERMITTED**

By-law  
No. 439-80-PL  
1823-2003-PL

A tool shed, construction trailer, including residential occupancy thereof, scaffold or other building or structure incidental to construction for which a building permit has been issued is permitted in all Zones within the Corporation on the lot where it is situated and only for so long as it is necessary for the work in progress and until the work is completed or abandoned. For the purpose of this section, abandoned shall mean the failure to proceed expeditiously with the construction work.

**10.25 THROUGH LOTS**

Where a lot which is not a corner lot has frontage on more than one street, the setback and front yard requirements contained herein shall apply on each street in accordance with the provisions of the Zone or Zones in which such lot is located.

**10.26 TRAILER/AND/OR BOAT STORAGE**

In conjunction with a permanent single-family detached dwelling or a seasonal dwelling house, the owner or occupant of any lot shall not store any boat, tourist trailer, motorized mobile home, truck camper, or other similar vehicle in any yard except that two (2) such vehicles may be stored in the area between the principal structure on the lot and the required side yard or in the rear yard provided that in the case of a boat, such boat shall not exceed 7.3 metres in length and in the case of a tourist trailer, motorized mobile home, truck camper or similar vehicle, said vehicle shall not exceed 10.6 metres and provided that such vehicle is not used for human habitation.

**10.27 TRUCK, BUS AND COACH BODIES**

No truck, bus, coach or streetcar 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 or storage of goods and materials within any area affected by this By-law, whether or not the same is mounted on wheels.

### 10.28 YARD DIMENSIONS - SPECIAL EXCEPTION

By-law  
No. 1212-93-PL  
1245-93-PL

Where a principal or accessory building or structure was erected on a lawful lot of record prior to September 22, 1978 and the said principal or accessory structure does not comply with the minimum yard dimensions set forth in this By-law such building or structure shall be deemed to comply with the minimum yard dimensions set forth in this By-law.

Notwithstanding the foregoing, this subsection shall not apply to any principal or accessory building or structure which encroaches onto a separately deeded lot held under distinct and separate ownership nor shall this subsection apply to any principal or accessory building or structure which encroaches onto lands owned by the Corporation.

### 10.29 SETBACK FROM STREET CENTRELINE - SPECIAL EXCEPTION

By-law  
No. 1212-93-PL

Notwithstanding the provisions of Plate "C," entitled "PROVISIONS FOR RESIDENTIAL USES" and Plate "D," entitled "PROVISIONS FOR NON-RESIDENTIAL USES" in the case of a discrepancy between the distance from the street centreline and the distance from the front lot line to the nearest part of any building or structure or excavation on the lot, only the required front yard dimension shall apply and be complied with.

### 10.30 GARAGE/YARD SALES

By-law  
No. 1823-2003-PL

Garage/Yard Sales, as herein defined, shall be permitted in single family, semi-detached, duplex and townhouse dwellings, community centres, places of worship, schools, and daycare centres. The display of sales merchandise shall be located in the exterior side yard, front yard and/or attached garage. A maximum of four (4) garage sales shall be permitted per calendar year and the duration of each sale shall be for a maximum of three (3) consecutive days during daylight hours only.

### 10.31 MODEL HOMES, TEMPORARY SALES OFFICES

By-law  
No. 1823-2003-PL

A model home within a draft approved plan of subdivision/condominium shall be permitted provided that:

- i) the model home is located in the draft approved subdivision/condominium plan;
- ii) the developer has entered into either a subdivision or model home agreement with the Corporation;
- iii) the developer has entered into an agreement with the appropriate public authority regarding the provision of sanitary sewer and water services; and
- iv) the model home complies with all requirements of the zone category in which it is located; and,
- v) the number of model homes to be constructed shall be specified within the subdivision or model home agreement.

Notwithstanding the foregoing, in the alternative to a model home, one (1) temporary sales office may be permitted on lands within a draft approved plan.

The temporary sales office shall be removed or cease operation not later than the sale of the last lot or the occupation of the last dwelling. Such temporary sales office shall not be used for human habitation.

### 10.32 PRIVATE HOME DAYCARE

By-law  
No. 1823-2003-PL

Private Home Daycare shall be permitted as a Home Occupation within a permanent single family dwelling house in any Zone category where a Home

Occupation is a permitted use.

### 10.33 HOME INDUSTRY

By-law  
No. 2209-2009-PL

The following regulations apply to an accessory building to a dwelling unit where a home industry is permitted:

- a) the accessory building in which the home industry is carried on is no greater than 150 square metres;
- b) a service is provided primarily to the farming community such as carpentry, winery, agri-tourism, metalworking, electrical work or blacksmithing and may include professional offices or artisan studio;
- c) the business is carried on in whole or in part in an accessory building;
- d) there shall be no display, other than a sign erected in conformity with the Corporation's Sign By-law, to indicate that an accessory building is being used for a purpose other than residential;
- e) such home industry shall not create or become a public nuisance, in particular, in regard to noise, traffic or parking;
- f) such home industry shall not interfere with television or radio reception of others in adjacent buildings or structures;
- g) such home industry does not include such uses as an auto repair, welding, paint shop or furniture stripping.

### 10.34 OPEN STORAGE

By-law  
No. 2209-2009-PL

Where the open storage of goods, materials, machinery, equipment or vehicles is permitted, the following provisions shall be complied with:

- a) Such open storage shall be accessory to a permitted industrial use carried on in an enclosed building or portion thereof, on the same lot;
- b) The area used for open storage shall not be more than twice the floor area above grade of the permitted building, or portion of any such building constructed upon the lot, and used for the industrial purposes for which open storage is permitted, and in any event, such area for open storage shall not be more than fifty (50) per cent of the lot area;
- c) If the interior side lot line or rear lot line of a lot upon which such open storage is permitted abuts a Residential Zone, than a planting strip shall be provided, along such abutting lot line or portion thereof, in accordance with the requirements of planting strips in Subsection 10.20 hereof;
- d) Where lighting facilities are provided, they shall be so arranged as to deflect the light onto the open storage area, and away from adjoining properties and streets;
- e) The area used for open storage shall be in addition to and separated from the areas required for parking;
- f) The area used for open storage shall provide side and rear yards in accordance with the provisions for the Zone in which the land is situated, but in any event shall not be closer to any side or rear lot line than three (3) metres;
- g) The area used for open storage shall be surfaced and maintained with either concrete, asphalt, crushed stone and other hard surface and



dustless materials, or maintained as a lawn in a healthy growing condition; and,

- h) Prior to the establishment of an area for the open storage, the owner shall enter into a Site Plan Agreement with the municipality.

### 10.35 WELLHEAD PROTECTION AREAS

By-law  
No. 2209-2009-PL

Notwithstanding any other provision of this by-law to the contrary, the uses permitted within a wellhead protection area, as set out in the Township of Brock Official Plan, shall be in accordance with the relevant provisions of the Region of Durham Official Plan.

### 10.36 SOURCE PROTECTION WELLHEAD PROTECTION AREA & INTAKE PROTECTION ZONE AREA OVERLAY

By-law  
No. 2744-2017-PL

Notwithstanding any other provision of this by-law to the contrary, land uses associated with any of the following activities shall not be permitted on those lands identified on Plates "B1", "B2", and "B3" of this by-law until it has been demonstrated to the satisfaction of the Risk Management Official, Region of Durham Health Department or other duly qualified professional, through the issuance of an approval, that the land use does not pose a significant drinking water threat: the storing or handling of the following:

- i. agricultural source material;
- ii. commercial fertilizers;
- iii. dense non-aqueous phase liquids (DNAPLs);
- iv. fuel;
- v. livestock grazing and pasturing where the number of animals at any time is sufficient to generate nutrients at an annual rate that is greater than 1.2 nutrient units / hectare;
- vi. non-agricultural source material;
- vii. private sewage systems;
- viii. organic solvents;
- ix. outdoor confinement of animals;
- x. pesticides;
- xi. road salt;
- xii. snow storage; and,
- xiii. waste disposal sites within the meaning of Part V of the Environmental Protection Act, R.S.S. 1990, as amended (excluding the storage of wastes described in clauses (p), (q), (r), (s), (t), and (u) of Regulation 347 of the Revised Regulations of Ontario 1990, and the storage of hazardous or liquid industrial waste).

### 10.37 CANNABIS PRODUCTION AND PROCESSING

By-law  
No. 3014-2021

Notwithstanding any other provision of this By-law to the contrary, where a Cannabis Production and Processing Facility or a Medical Cannabis Production Site is permitted, the following provisions shall apply:

- a) Only one *Cannabis Production and Processing Facility* or one *Medical Cannabis Production Site* shall be permitted on a single, conveyable lot;
- b) A *Cannabis Production and Processing Facility* or a *Medical Cannabis Production Site* located within an enclosed building or structure shall be equipped with an *Air Treatment Control* system;
- c) Open storage of any goods, materials, or supplies associated with a *Cannabis Production and Processing Facility* or a *Medical Cannabis Production Site* shall be prohibited;
- d) A building or structure used for security purposes for a *Cannabis*

*Production and Processing Facility or a Medical Cannabis Production Site* may be located in the required front yard of the lot upon which the *Cannabis Production and Processing Facility or Medical Cannabis Production Site* is located and is not required to comply with the minimum required front, side, or rear yard setbacks for the lot;

- e) All development in relation to the establishment or expansion of a *Cannabis Production and Processing Facility or a Medical Cannabis Production Site* shall be subject to Site Plan Control;
- f) No minor variance to the zoning requirements for a *Cannabis Production and Processing Facility or a Medical Cannabis Production Site* shall be permitted by the Committee of Adjustment and shall only be considered by way of a Zoning Bylaw Amendment; and,
- g) Separation distances between a *Cannabis Production and Processing Facility or a Medical Cannabis Production Site* and any Residential Zone, Community Facility (CF) Zone, Recreation (R) Zone or Open Space (OS) Zone shall be measured from the edge of the nearest building or crop line associated with the *Cannabis Production and Processing Facility or Medical Cannabis Production Site* to the greater of either the nearest lot line of a *sensitive land use* or the nearest zone boundary of any Residential Zone, Community Facility (CF) Zone, Recreation (R) Zone or Open Space (OS) Zone.

### 10.37.1

By-law  
No. 3014-2021

#### CANNABIS PRODUCTION IN INDUSTRIAL ZONES

Notwithstanding any other provision of this By-law to the contrary, the following additional requirements shall apply to a *Cannabis Production and Processing Facility or a Medical Cannabis Production Site* that is permitted in an Industrial Zone

- a) A *Cannabis Production and Processing Facility or a Medical Cannabis Production Site* equipped with an *Air Treatment Control* system shall be setback the greater of:
  - i) 70 metres from the zone boundary of any Residential Zone, Community Facility (CF) Zone, Recreation (RE) Zone, or Open Space (OS) Zone; or
  - ii) 150 metres from the nearest lot line of a sensitive land use.

### 10.37.2

By-law  
No. 3014-2021

#### CANNABIS PRODUCTION IN RURAL ZONES

Notwithstanding any other provision of this By-law to the contrary, the following additional requirements shall apply to a *Cannabis Production and Processing Facility or a Medical Cannabis Production Site* in a Rural Zone:

- a) A *Cannabis Production and Processing Facility or a Medical Cannabis Production Site* equipped with an *Air Treatment Control* system shall be setback the greater of:
  - i) 70 metres from the zone boundary of any Residential Zone, Community Facility (CF) Zone, Recreation (RE) Zone, or Open Space (OS) Zone; or
  - ii) 150 metres from the nearest lot line of a sensitive land use.
- b) An outdoor *Cannabis Production and Processing Facility and a Medical Cannabis Production Site* not equipped with an *Air Treatment Control* system shall be setback a minimum of 300 metres from the nearest lot line of a sensitive land use.
- c) Only one building or structure having a cement-based foundation of up to a maximum of 200 square metres may be used in association with a *Cannabis Production and Processing Facility or a Medical Cannabis*

Production Site on a single lot