

a. SETBACK HIGH WATER MARK

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

b. PROPERTY ABUTTING RESIDENTIAL ZONE

Where the interior side or rear lot line abuts a Residential Zone, a strip adjoining such abutting lot line or portion thereof shall be used for no other purpose than for a planting strip in accordance with the requirements for planting strips as specified under Subsection 10.21 of this By-law.

c. GENERAL PROVISIONS

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

d. LANDSCAPED OPEN SPACE

No minimum landscaped open space is required for agricultural uses or intensive agricultural uses.

By-law
No. 1212-93-PL
1245-93-PL
1823-2002-PL
2209-2009-pl
3396-2026

e. MINIMUM DISTANCE SEPARATION – FARMS

No building or structure to be used for the purpose of housing livestock or manure shall be erected or expanded unless it complies with the Minimum Distance Separation Formulae (MDS II).

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

g. LOT DEPTH

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

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

i. PUMP LOCATION

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

- (a) the minimum distance between any portion of the pump island or gasoline pumps and any street line or any rear or interior side lot line shall be 4.5 metres; and
- (b) where a lot is a corner lot, no portion of any pump island or gasoline pumps shall be located closer than 3 metres to a straight line between a point in the front lot line and a point in the exterior lot line, such point being distant 16 metres from the intersection of such lines.

By-law
No. 1823-2003-PL

ii. FUEL STORAGE TANK LOCATION

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

i. DRIVEWAYS, RETAIL GASOLINE ESTABLISHMENTS

Notwithstanding the provisions of Subsection 10.19 of this By-law, the following provisions shall apply to driveways established in conjunction with a retail gasoline establishment as herein defined; namely:

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

By-law
No. 1212-93-PL

j. INTERIOR SIDE YARD

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

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

i. DISTANCE BETWEEN BUILDINGS

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

ii. COURTS

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

iii. EXTERIOR WALL

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

By-law
No. 1212-93-PL

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

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

m. MARINA - SPECIAL YARD PROVISIONS

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

n. FRONT OR EXTERIOR SIDE YARD

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

o. INTERIOR SIDE YARD

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

p. REAR YARD

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

q. YARDS, SETBACKS, PLANTING STRIPS FOR INDUSTRY

i. HEIGHT OF BUILDING

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

ii. PROPERTY ABUTTING RESIDENTIAL ZONE

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

iii. PROPERTY ABUTTING RAILWAY

Notwithstanding any other provisions of this By-law to the contrary, where any lot line or portion thereof abuts a railway right-of-way, no interior side or rear yard shall be required along that portion of such lot line which so abuts the railway right-of-way.

r. USE OF FRONT AND EXTERIOR SIDE YARD

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

s. SETBACK

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

By-law
No. 439-80-PL

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

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

u. SETBACK - EXTRACTIVE INDUSTRIAL ZONE

Repealed by By-law 439-80-PL.

v. PLANTING STRIPS - EXTRACTIVE INDUSTRIAL (M4) ZONE

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

w. SPECIAL YARD PROVISIONS - WASTE DISPOSAL INDUSTRIAL ZONE

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

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

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

x. OPEN STORAGE OF GOODS OR MATERIALS

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

- i. such open storage is accessory to the use of the main building on the lot;
- ii. such open storage is behind the front or exterior wall of the principal or main building facing any street, and complies with all yard requirements of this By-law;
- iii. such open storage does not cover more than fifteen (15) per cent of the lot area, or cover an area which is in excess of twice the ground floor area of the main building on the lot; and
- iv. any portion of a lot used for such open storage is screened from adjacent uses and streets adjoining the lot, by buildings and/or a planting strip in accordance with the provisions of Subsection 10.21 hereof and/or a closed wooden, plastic and/or metal fence extending at least 1.8 metres in height from the ground. All fences, except those constructed of aluminum, shall be painted, from time to time, so as to maintain the wood or metal in good condition.

By-law
No. 1361-95-PL

y. SAWMILL PROVISIONS - RURAL (RU) ZONE

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

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