



**AGENDA  
COMMITTEE OF THE WHOLE  
COMMUNITY DEVELOPMENT**

**Monday, June 6, 2022, 6:30 PM**

**Corporation of The Township of Edwardsburgh Cardinal  
Council Chambers, Spencerville Ontario**

- 1. Call to Order – Chair, Tory Deschamps**
- 2. Approval of Agenda**
- 3. Disclosure of Pecuniary Interest & the General Nature Thereof**
- 4. Business Arising from Previous Committee Meeting Minutes (if any)**
- 5. Delegations and Presentations**
  - a. Katie Nolan, Grenville Community Futures Development Corporation
  - b. Philip Bury, Alternate Proposal for Centre St., Spencerville  
Feedback regarding the Township Zoning Bylaw Review
- 6. Action/Information/Discussion Items**
  - a. Live: Land Use Planning
    1. Comprehensive Zoning Bylaw Review, Proposed Final Draft
    2. Proposed Bylaw to Regulate the Erection, Height and Maintenance of Boundary Fences
    3. Site Plan Control Approval Process and Delegation of Authority
  - b. Work: Economic Development
    1. Information Item: UCLG Tourism Strategy Virtual Consultation
  - c. Play: Recreation
- 7. Inquiries/Notices of Motion**
- 8. Question Period**
- 9. Closed Session**  
None
- 10. Adjournment**

**MINUTES**  
**COMMUNITY DEVELOPMENT COMMITTEE**

**Monday, May 2, 2022, 6:30 PM**  
**Corporation of The Township of Edwardsburgh Cardinal**  
**Council Chambers, Spencerville Ontario**

**PRESENT:** Deputy Mayor Tory Deschamps  
Mayor Pat Sayeau  
Councillor Hugh Cameron  
Councillor Stephen Dillabough  
Councillor John Hunter  
Conor Cleary  
Greg Modler  
Chris Ward

**REGRETS:** Cody Oatway

**STAFF:** Dave Grant, CAO  
Rebecca Williams, Clerk  
Wendy VanKeulen, Community Development Coordinator  
Candise Newcombe, Deputy Clerk

**1. Call to Order – Chair, Tory Deschamps**

Deputy Mayor Deschamps called the meeting to order at 6:30 p.m.

**2. Approval of Agenda**

**Moved by:** C.Ward

**Seconded by:** Councillor Cameron

That the agenda be approved as presented.

Carried

**3. Disclosure of Pecuniary Interest & the General Nature Thereof**

None.

**4. Business Arising from Previous Committee Meeting Minutes (if any)**

Inquiries were made into the progress of attaining estimates for the Interim Control Bylaw planning study conceptual plan. It was noted that cost estimates are anticipated shortly.

Inquiries were made about the progress made on conditions by the applicant for the James/New St. severance. It was noted that the applicant has not submitted a response.

## **5. Delegations and Presentations**

### **a. The Odd Spot, Amy Boyce and Marquis Coté**

Mr. Coté noted his recent purchase of 6 Spencer St. highlighting his intent to hire locally sourced contractors to complete the required renovations to the exterior stonework and foundation of the building. He noted the intent to open a high-quality event supplies store doubling as a café. Mr. Coté elaborated on plans to provide board games to the café tables for in house fun as well as provide the option to rent or buy the games for at-home use. Event nights were highlighted as a planned attraction to the venue and to promote community interaction as well as large lawn game rentals. The intent to apply for a liquor licence and provide a patio setting for patrons to enjoy in future was also noted.

Mr. Coté provided a brief history of his entrepreneurial history highlighting a similar store idea he owned previously in Westboro.

Members inquired if it would be membership-based, what the projected opening date is and their conceptual plan for success. Mr. Coté and Ms. Boyce noted their success in online sales of board games and highlighted the reasoning for renovating the space to accommodate a living area on the second level and the business on the primary level, to minimize expenses. The projected opening date of September was noted.

Committee inquired if online gaming will be available, the capacity limits of the venue and if the baking will be performed in house. The vendor noted their mission of bringing people back together and promoting interaction, explaining that online gaming detracts from that mission. Some limitations on in-house baking were noted, highlighting the possibility of inviting local vendors to sell through their location.

Members inquired if the applicant had started the licence approval process for the numerous business licences required including liquor. It was noted that the applicants had already begun the process.

There was a brief discussion on the capacity limits and how to respect the limits during special event nights. Mr. Coté noted that reservations would be required in advance or tickets sold to attend the special event nights to ensure capacity compliance.

### **b. Zoning Bylaw Review, Centre St., Spencerville, Philip Bury**

Mr. Bury highlighted his proposal of re-zoning Centre St. from MCR to R1. Mr. Bury noted the need for the MCR zoning at the west end of Centre St. due to the few businesses located in the area, however, the remainder of the street is residential homes. He highlighted that due to the MCR zoning,

any of these residential homes could be changed to commercial property. Mr. Bury emphasized his opinion that there is no further need for additional commerce within the village and noted the encouragement of residential housing to be more beneficial. Mr. Bury proposed that allowing the current zoning to remain could permit radical change to the village for the worse.

Members noted concerns with limiting the main street to only residential and suggested imposing some limitations.

Committee noted the increased profitability of commercial properties versus residential and there was a brief discussion on the zoning bylaw review to date. Members noted their uncertainty of the mechanism to address this request due to the late submission in the zoning bylaw review process.

## **6. Action/Information/Discussion Items**

### **a. Live: Land Use Planning**

#### **1. Official Plan Amendment No. 1: Additional Residential Units**

Following the UCLG Official Plan amendment regarding Additional Residential Units, the Township must update the Official Plan to reflect these changes. Members noted the goal of creating more affordable housing, however, concerns were raised about future neighbour disputes and issues with numerous additional residential units being supported on the same services. Members noted concerns with the zoning change to R2 instead of CC on Adelaide St. Additional information was noted to be required on this issue.

Committee highlighted Section 6.2.1.1 of the Official Plan Amendment report and raised concerns with the statement. Additional concerns were raised in regards to parking and the requirement of 911 signs to alert first responders to the existence of an additional residential unit.

**Moved by:** Mayor Sayeau

**Seconded by:** Councillor Dillabough

That Committee recommend that Council adopt Official Plan Amendment No. 1 regarding Additional Residential Units and direct staff to forward notice of adoption, in accordance with the *Planning Act*, to the United Counties of Leeds and Grenville for approval.

Carried

Two new United Counties of Leeds and Grenville grants of approximately \$25,000 for the construction of an additional residential unit were noted.

#### **2. Information Item: Bill 109**



It was noted that this item was provided for Committee information and that staff was to provide additional information at a future meeting.

b. Work: Economic Development

1. Application for Community Improvement Plan Funding, 6 Spencer St.

There was a brief discussion on the intended use of the CIP program, highlighting that the building proposed for improvements doubles as the applicant's house. It was noted that mixed-use buildings are applicable under the commercial CIP program and highlighted that a residential CIP grant is available as well. Members discussed the appropriateness of awarding the grant due to the building being used currently as a residence. It was noted that the applicants have already obtained their change of use permit for the location. It was noted that the CIP program is a rebate program, therefore all work must be consistent with the application to receive re-imbusement.

**Moved by:** Councillor Dillabough

**Seconded by:** Councillor Hunter

That Committee approve application S-01-22 (The Odd Spot), reimbursing 50% of the actual costs to complete the proposed masonry work and roof drip edge repairs to a maximum of \$5,000, in addition to a rebate of \$225, being 50% of the cost of a Change of Use permit and associated works, which will allow a Commercial use on the main floor of the existing building.

Carried

c. Play: Recreation

None.

**7. Inquiries/Notices of Motion**

Members recognized the success of a staff member's 10-year-old granddaughter who competed in gymnastics among 14-16 year old girls in Florida.

Committee inquired about progress made with the Terpene Farms application. It was noted that no update was available at this time.

SERA announcements were listed as follows:

- May 21 - Johnstown community clean-up starting at 9 a.m. and meeting at the County Road 2 and 16 intersections.

- June 11 - Community yard sale. A cost of \$10.00 was noted should an individual want their residence added to the community site map being distributed to attendees of the event.
- The pending release of the SERA spring newsletter. SERA representatives recognized the Township for the assistance in printing the newsletters.

Members commended the Cardinal Community Church community clean-up.

Announcement of the docking of the Ocean Explorer cruise ship at the Port of Johnstown and preparations to accommodate shore excursions in the hopes to attract additional future cruise ships and advance the offerings of the Port.

#### **8. Question Period**

The following questions/comments were raised:

- Clarification of the proposed zoning changes on the main street was provided.

#### **9. Closed Session**

None.

#### **10. Adjournment**

**Moved by:** C.Ward

**Seconded by:** G. Modler

That Committee does now adjourn at 8:00 p.m.

Carried

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Chair

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Deputy Clerk

**MINUTES**  
**COMMUNITY DEVELOPMENT COMMITTEE**

**Monday, May 16, 2022, 6:00 PM**  
**Corporation of The Township of Edwardsburgh Cardinal**  
**Council Chambers, Spencerville Ontario**

**PRESENT:** Deputy Mayor Tory Deschamps  
Mayor Pat Sayeau  
Councillor Hugh Cameron  
Councillor Stephen Dillabough  
Councillor John Hunter  
Conor Cleary  
Greg Modler  
Chris Ward

**REGRETS:** Cody Oatway

**STAFF:** Dave Grant, CAO  
Rebecca Williams, Clerk  
Wendy VanKeulen, Community Development Coordinator  
Candise Newcombe, Deputy Clerk

**Others Present** Steve Pentz - Novatech  
Jordan Jackson - Novatech

**1. Call to Order – Chair, Tory Deschamps**

Deputy Mayor Deschamps called the meeting to order at 6:00 p.m.

**2. Approval of Agenda**

**Moved by:** G. Modler

**Seconded by:** Councillor Hunter

That the agenda be approved as presented.

Carried

**3. Disclosure of Pecuniary Interest & the General Nature Thereof**

None.

**4. Business Arising from Previous Committee Meeting Minutes (if any)**

None.

**5. Delegations and Presentations**

None.

**6. Action/Information/Discussion Items**

a. Live: Land Use Planning

1. Zoning Bylaw Review

MCR Zoning:

Committee was provided a brief overview of the concern with MCR zoning on Centre Street raised through a resident delegation at the Community Development Committee meeting held on May 2, 2022. There was a brief discussion about the timeline of the zoning bylaw process, highlighting the public meeting held for the purpose of receiving public feedback.

Mr. Pentz noted the consistency of the MCR zoning with the Township's current zoning bylaw and the added flexibility of the MCR zoning.

Committee discussed past MCR zoning concerns, resident feedback received throughout the process, the benefit of reviewing advantages/disadvantages of the current zoning and possible future zoning needs of the Township. It was noted that this issue was raised by a single resident with no evidence it reflects the views of the community as a whole and advised leaving the current MCR zoning, noting the long history of the current zoning within the Township.

Committee reviewed proposed MCR zoning throughout the village of Spencerville noting the changed MCR status where Centre St properties also have frontage on side streets.

Committee discussed concerns with the MCR zoning along Sloan Street due to traffic in the area. Members noted the benefit of added flexibility with the MCR zoning to allow possible future development such as affordable housing, medical clinics or a retirement residence.

Committee reached consensus to keep the current MCR zoning and directed staff to provide a more clear map of the zoning within the village of Spencerville at the June Community Development meeting.

Due to time constraints, it was recommended that Committee review the pit and quarry setback recommendations due to the public present looking to speak to the issue.

Pits and Quarry Setbacks:

Committee was provided with a brief summary of the pits and quarry setback changes from 300m to 500m proposed in the draft zoning bylaw. Mr. Pentz noted that Provincial policy provides for a 300m setback from pits and a 500m setback from quarries. He noted that the UCLG is in the process of an aggregate resource master plan review which will require an official plan (OP) amendment and a subsequent Township OP amendment. It was suggested that the proposed setback changes remain at 500m, noting the setbacks' consistency with the Township's OP, the UCLG OP and Provincial policy.

Committee discussed the rationale to change the setback distance, the possibility of grandfathering in the previous requirements and new development standards of the draft zoning bylaw. The issue was noted that the new zoning bylaw restricts new dwellings within 500m of an active quarry. A history of the 5067 Rock Street severance process with the UCLG was provided, noting that the property was in compliance for residential development at the time the lot was created. However, the provisions in the Zoning Bylaw are proposed to change to conform to Official Plan Policies.

Members briefly discussed the possibility of granting the property a special exemption. This process was noted to set a precedence in the community, highlighting alternate mechanisms to address specific lots such as minor variances or a zoning bylaw amendment. Committee reviewed both the minor variance and the zoning bylaw amendment process. Mr. Pentz highlighted that the general provisions in the zoning bylaw should encompass the Township as a whole.

There was a brief discussion on the possibility of being in compliance if a building application is obtained prior to the passing of the draft new zoning bylaw. It was noted that the zoning bylaw in effect at the time a building permit application is deemed complete would be applicable. Committee reviewed the length of validity of a building permit. Committee reached a general consensus to leave the 500m setback.

It was noted that additional items raised in the Novatech report would be reviewed at the Community Development meeting in June.

b. Work: Economic Development

c. Play: Recreation

## **7. Inquiries/Notices of Motion**

None.

**8. Question Period**

The following questions/comments were raised:

- Resident noted losses in revenue due to the proposed setback changes impacting the sale of a vacant property and noted their intent to submit an application for a building permit.
- Effects the new setbacks would have on additions to residences located within the 500m setback.
- Grandfathering-in existing properties that could only meet a 300m setback to avoid additional costs to reach compliance with new standards.
- Inquired about changes to a local quarries licencing agreement.
- Inquiries into the reasoning for the increased setback distance and the mandating body enforcing these setbacks.

**9. Closed Session**

None.

**10. Adjournment**

**Moved by:** G. Modler

**Seconded by:** C.Ward

That Committee does now adjourn at 7:16 p.m.

Carried

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Chair

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Deputy Clerk

# Grenville CFDC: Supporting Community

Edwardsburgh-Cardinal Community Development Committee

June 6, 2022



Funded by:  
Federal Economic Development  
Agency for Southern Ontario

Canada

## What is Grenville CFDC?

- ▶ Funded by Federal Economic Development Agency for Southern Ontario (FedDev)
- ▶ Part of a network of **61** CFDCs in rural Ontario
- ▶ **267** CFDCs in rural communities across Canada
- ▶ Community-based, non-profit corporation
- ▶ Accountable to a volunteer Board of Directors
- ▶ Mandated to assist with growth in the local economy
- ▶ We serve Augusta, Edwardsburgh/Cardinal, North Grenville and Prescott

## Programs and Services



Business loans



Business advice



Community economic  
development assistance

## Business Loans

- ▶ We offer customized financing: full participation or top ups
- ▶ For start-ups, relocations, stabilizations, expansions
- ▶ Financing is available for:
  - ▶ Operating costs
  - ▶ Equipment and vehicle financing
  - ▶ Inventory financing
  - ▶ Short term cash flow assistance
  - ▶ Real estate financing



## Business Loans

- ▶ Term loans and loan guarantees up to \$300,000
- ▶ Flexible repayment terms that meet the business needs
- ▶ No prepayment penalties and no annual fees
- ▶ Helpful and knowledgeable staff guide you through the process
- ▶ Based locally

*Since 1990: loaned over \$34 MILLION to 650 businesses impacting nearly 3500 jobs*



## Business Advice

Are you looking for someone to discuss your new business idea with?

Do you need someone to review your current business operations?

Do you need help with your business plan?

We offer one-on-one advice to assist you and your business

- ▶ At no cost to you
- ▶ At your place of business or at ours



## Some of our amazing clients...

*"They made sure I didn't  
over extend myself..."*

Natalie Castellanos,  
Catered Affairs



Funded by:  
Federal Economic Development  
Agency for Southern Ontario

Canada

*"They will  
definitely start you  
out on the right track..."*

Louis Beach, Beach Home Hardware



Funded by:  
Federal Economic Development  
Agency for Southern Ontario

Canada

*"It allowed us to  
invest in equipment..."*

Jim Beveridge,  
B&H Your Community Grocer



Funded by:  
Federal Economic Development  
Agency for Southern Ontario

Canada

## Business Planning and Grant Resources

- ▶ Grenville CFDC: [www.grenvillecfdc.com](http://www.grenvillecfdc.com)
- ▶ Leeds Grenville Small Business Centre: [www.lgsmallbusiness.com](http://www.lgsmallbusiness.com)
- ▶ FedDev Ontario Small Business Services: [sbs-spe.feddevontario.canada.ca/en](http://sbs-spe.feddevontario.canada.ca/en)
- ▶ Canada Business: <https://www.canada.ca/en/services/business.html>
- ▶ Federal Grants: [www.canada.ca/en/services/business/grants.html](http://www.canada.ca/en/services/business/grants.html)
- ▶ Provincial Grants: [www.ontario.ca/page/available-funding-opportunities-ontario-government](http://www.ontario.ca/page/available-funding-opportunities-ontario-government)

**Call Us and  
Let's Get  
Started!**

**Katie Nolan**  
Executive Director

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197 Water St., Suite 405, Prescott



**TOWNSHIP OF EDWARDSBURGH CARDINAL  
ACTION ITEM**

**Committee:** Committee of the Whole - Community Development

**Date:** June 6, 2022

**Department:** Community Development

**Topic:** Comprehensive Zoning Bylaw Review, Proposed Final Draft

**Purpose:** To review and make a recommendation to Council on the proposed final draft of the Township's new Comprehensive Zoning Bylaw, with consideration of the public and agency comments received.

**Background:** A proposed final draft of the new Comprehensive Zoning Bylaw and Schedules have been prepared by Novatech. The draft incorporates recommended changes based on public and agency feedback received since the Committee's review of Draft 2 in March, 2022.

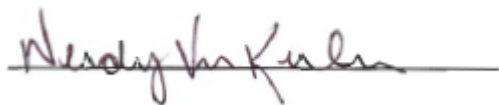
The following reports and documents are included with this report:

- Novatech Report on Public and Agency Comments Reviewed by Committee on May 16<sup>th</sup>, 2022
  - Attachment A: Public and Agency Comment Summary, Updated May 31, 2022
  - Attachment B: Written Feedback Received from March 1 – June 2, 2022
- Proposed Final Draft of the Comprehensive Zoning Bylaw, showing any proposed changes from Draft 2, endorsed by Committee in March, 2022
  - Schedules A-D

**Policy Implications:** The Township's Official Plan was approved by the United Counties of Leeds and Grenville in February 2020. We are required by the Planning Act to review and update our zoning bylaws no less than three years after the approval of an official plan update.

**Financial Considerations:** The Zoning Bylaw Review is approved within the 2022 annual budget.

**Recommendation:** That Committee recommend that Council adopt the final draft of the new Comprehensive Zoning bylaw, with the proposed revisions.



Community Development Coordinator

# MEMORANDUM

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**DATE:** MAY 13, 2022

**TO:** TOWNSHIP OF EDWARDSBURGH CARDINAL  
COMMUNITY DEVELOPMENT COMMITTEE OF THE WHOLE

**FROM:** NOVATECH

**RE:** NEW COMPREHENSIVE ZONING BY-LAW REVIEW  
PUBLIC MEETING – PUBLIC & AGENCY COMMENT SUMMARY

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## Background & Public Meeting

On March 7<sup>th</sup>, 2022 Novatech presented a report to the Township's Community Development Committee of the Whole to present a second draft of the proposed new Township Comprehensive Zoning By-law. At this meeting the Committee endorsed proposed revisions to the Zoning By-law to address comments made by the Committee in November 2021 as well as public and agency comments received to date. This meeting also presented the proposed Official Plan amendment required to address local policies to implement Additional Residential Units within the Township. Following this meeting direction was provided to schedule and advertise a combined public meeting for the proposed Official Plan amendment and new Comprehensive Zoning By-law.

On April 21, 2022 a combined Official Plan amendment and Comprehensive Zoning By-law public meeting was held at 6:30pm in the Council Chambers (18 Centre Street, Spencerville ON). The public meeting notice was circulated directly to those who had requested they be notified of upcoming meetings and consultations. Notice was also circulated to required agencies and persons required by the Planning Act. The public meeting notice was also advertised in three local newspapers on March 24, 2022 including the Brockville Recorder and Times, South Grenville Beacon and the Prescott.

The purpose of this report is to present a summary of written submissions received on the second draft of the Zoning By-law presented at the public meeting. The report also provides a brief comment summary in relation to the written submissions received and includes a recommendation for the Committee's consideration. A separate report was previously prepared and presented to the Committee to address comments received in relation to the proposed Official Plan amendment.

## Public and Agency Comments

At the public meeting, Novatech presented a summary of the proposed Official Plan amendment and new Comprehensive Zoning By-law. A total of 5 members of the public attended the public meeting. Comments made at the public meeting were mostly regarding the Zoning By-law amendment process as opposed to comments directly related to the content of the draft Zoning By-law text or schedules.

At the time of writing this report, a total of 92 written submission have been received to date on the proposed new Zoning By-law. A summary of comments received up until September 30, 2021 was presented at the November 1, 2021 Committee meeting.

A total of 11 written submissions were received on the draft Zoning By-law following the Committee meeting in November 2021. A summary of these comments is provided in **Attachment A** with full written submissions provided in **Attachment B**.

**Attachment A** includes a brief summary of comments received and includes a recommendation for the Committee's consideration to address the comment provided.

It is considered that some of the comments require a more detailed response and recommendation, as outlined below.

#### Resident Comments:

##### 1. Centre Street Zoning – Spencerville

A request has been made that Centre Street in Spencerville from 18 & 13 Centre Street to the western village boundary be rezoned to R1 to reflect the existing residential uses, with the exception of existing commercial and institutional uses, see **Figure 1**.

Schedule C of the Township's Current Zoning By-law zones majority of Centre Street from Spencer Street to the east and the Village Boundary to the West as MCR (Mainstreet Commercial Residential), **Figure 2**.

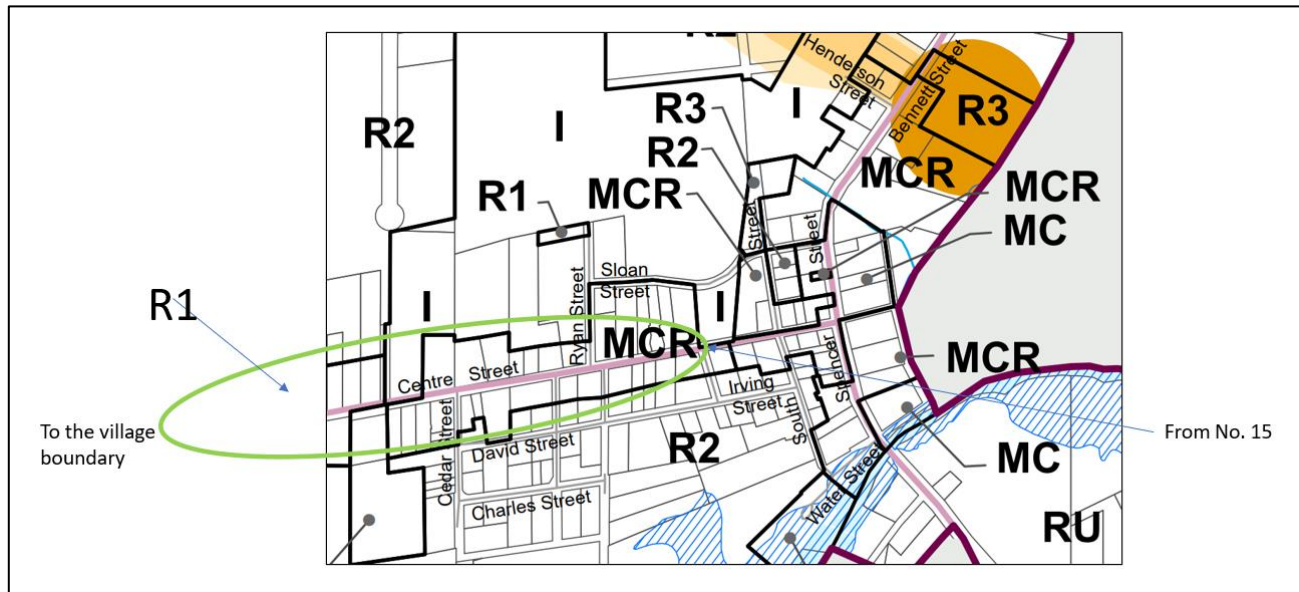
Schedule C of the proposed second draft of the new Zoning By-law proposes to apply the MCR in a similar manner along Centre Street, **Figure 3**. Minor revisions to the zone boundary are proposed to reflect current uses and historical amendments to redefine the zone boundary for the MCR zone. Permitted uses within the MCR zone and the MCR zone boundary were also discussed early on in the Zoning By-law amendment process at a Community Development Committee meeting on September 8, 2020 and the November 1, 2021 CDC meeting.

The Village of Spencerville is designated in the Township's Official Plan as Rural Settlement Area which permits a variety of land uses including commercial, institutional, and residential uses. The application of the MCR zone that is reflected in the Township's current Zoning By-law and proposed Zoning By-law provides land use flexibility by permitting a variety of as-of right uses without the need to apply for a zoning by-law amendment. It is noted that since many of the existing uses along Centre Street are presently residential in nature, it may be considered appropriate to zone this section of Centre Street to R1 or R2, thereby restricting the uses to residential only. If so, such lands would require site-specific zoning by-law amendments should an individual or property owner wish to establish a commercial use on the property.

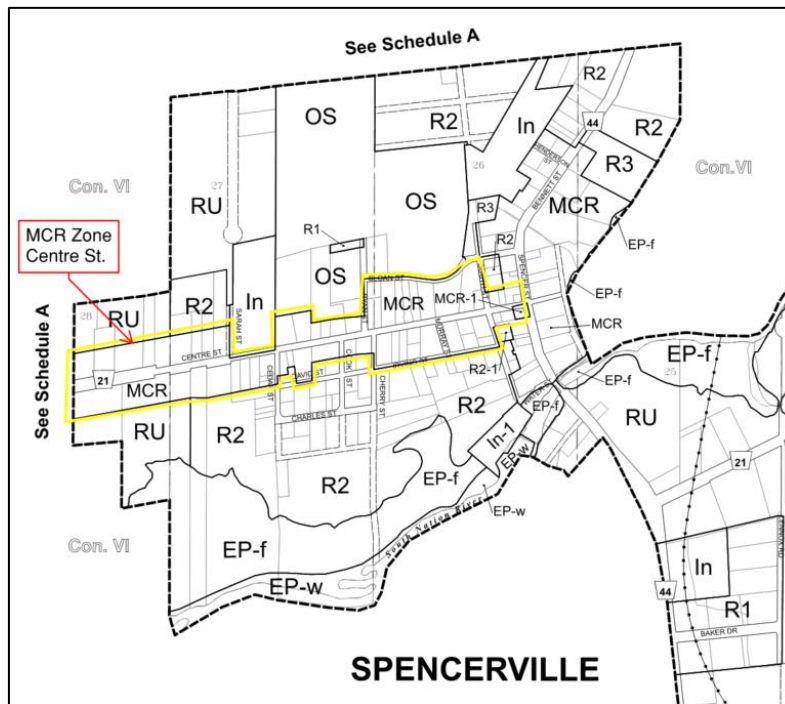
In light of the comment, is it recommended that the Committee consider whether a more restrictive zoning along Centre Street is desirable. In our opinion, the proposed MCR zone is consistent with the present zoning, remains suitable and contributes to the mixed use and diversity found along mainstreets in settlement areas.

**Recommendation:** It is recommended that the Committee consider whether the current MCR zone is preferred or whether the zoning should reflect current uses only.

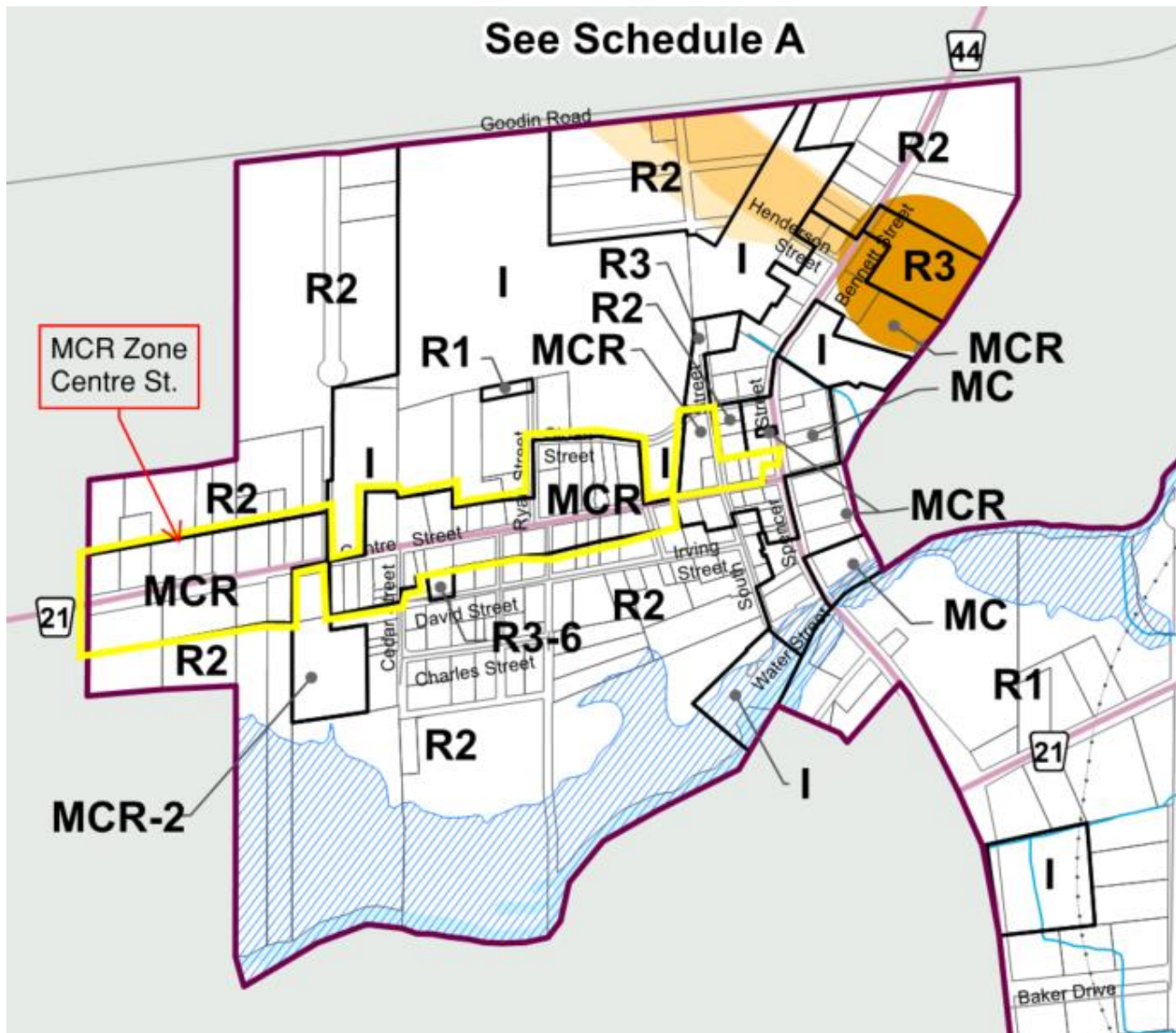




**Figure 1. – Centre Street Area of Recommendation from MCR to R1**



**Figure 2. – Excerpt of Schedule C Zoning By-law No. 2021-35**



**Figure 3. – Excerpt of Schedule C Draft 2 Zoning By-law**

## 2. Limited Services Residential (RLS) Zone

Comments have been received relating to the RLS zone, specifically with respect to its purpose and application to lots that obtain access via private road. The submission also suggests that the RLS zone is not necessary and should be removed.

The purpose of the RLS zone is to identify parcels that obtain access via a private road. Section 5.3.16 of the Official Plan defines private roads, and in Section 5.3.19 goes on to indicate that where access is obtained by private road, municipal services are not or may not be available. The policy further states that the Township shall attempt to recognize such limitations through the Zoning By-law and/or municipal agreements.

It is considered that the RLS zone is a useful identifier of properties that obtain access via private road (no frontage on an improved street), and best efforts have been made to accurately map such



properties in fulfillment of the Official Plan policy direction. Further the use of site plan agreements (where applicable) provides the opportunity to include relevant clauses in registered title documents whereby property owners would acknowledge access by private road, and the limitations of such access. Through the use of zoning and municipal agreements, the Township has the ability to limit risk and liability by restricting development on private roads. It is considered that the RLS zone is a reasonable zoning approach and to assist in the understanding of the intent of the RLS zone, an explanatory note has been added to Section 6.5 of the By-law (Limited Services Residential Zone), consistent with the text that is in the current Zoning By-law.

The comment also questioned the standards relating to RLS-zoned properties. Given the nature of the majority of the RLS-zoned properties being small, undersized waterfront lots, it is considered that the proposed RLS standards are appropriate, and no revisions are necessary.

### **Next Steps**

A final draft of the Zoning By-law text and Schedules A-D that implements the Committee's recommendations to the draft By-law as well any additional consultant revisions will be bought back for the Committee's review and endorsement. Once the Committee has reviewed the final draft of the Zoning By-law and is satisfied with the changes, a formal Committee recommendation can be made for Council to approve the new Comprehensive Zoning By-law.

Sincerely,

**NOVATECH**



Jordan Jackson, MCIP, RPP  
Project Planner

Attachment A: Summary of Public & Agency Comments  
Attachment B: Public and Agency Written Submissions

**Attachment A**  
**Summary of Public & Agency Comments**

**Attachment A**  
**Township of Edwardsburgh Cardinal**  
**New Comprehensive Zoning By-law Review**  
**Public & Agency Comment Summary**  
**(Draft 2 – February 2022 – Public Meeting)**

**Revision 1 – May 31, 2022**

| <b>Comment #</b>       | <b>Source</b>                    | <b>Comment Received Summary*</b>  | <b>Comment Response</b>   |
|------------------------|----------------------------------|---|---|
| <b>Public Comments</b> |                                  |   |   |
| 83                     | P. Davies                        | Comments are provided regarding the use and application of the RLS zone within the new Zoning By-law.<br><br>Concerns expressed that the RLS zone and private roads are not appropriately defined.  | <b>See Limited Services Residential (RLS) zone response and discussion in report.</b>   |
| 84                     | V. Cameron                       | Concerns expressed regarding being able to park a recreational vehicle on private property.<br><br>Suggestions provided to implement a permitting system to permit various uses for recreational vehicles.  | Section 3.14.11.1 (Parking and Storage of Recreational Vehicles) permits a recreational vehicle to be stored as an accessory use to a permitted residential use and establishes provisions regarding the location of where the recreational vehicles may be parked/stored. The intent of this provision is to address public comments received throughout the public consultation to permit the storage of a recreational vehicle on a residential property.<br><br>Section 3.22 (Temporary Uses) allows a recreational vehicle to be occupied on a temporary basis during the course of construction of a new dwelling or during the major renovation of an existing dwelling and establishes provisions regarding the location, time period and servicing requirements to permit this use.<br><br><b>No recommendations are proposed to the draft By-law with regards to this additional comment.</b> |
| 85                     | P. Bury                          | Request that within the Village of Spencerville, Centre Street (from 18 & 13 Centre Street to the Western Village boundary) be rezoned from MCR to R1 to reflect the current residential uses.<br><br>Reasons for the requested change are also proposed. | <b>See Centre Street Zoning response and discussion in report.</b><br><br><b><i>On May 16, 2022, CDC decided to maintain the MCR zone as proposed in the Draft 2 - February 2022 Zoning By-law.</i></b>   |
| 87                     | R. Perrin<br>J. Sheldrick-Perrin | Request made to be notified of Township decisions on proposed Official Plan and Zoning By-law amendment.  | <b>No recommendations are necessary with respect to this comment.</b>   |
| 89                     | R. Perrin                        | Opposed to proposed amendment to rezone 41 Adelaide Street from Community Commercial (CC) to Residential Second Density (Schedule B).   | 41 Adelaide Street are currently zoned Community Commercial (CC) on Schedule B of the Township's current Zoning By-law.   |

\*Refer to full comment submission for full details and context of comments provided. A summary is provided for ease of understanding the issues and concerns noted in the comments related to the draft Zoning By-law.

**Attachment A**  
**Township of Edwardsburgh Cardinal**  
**New Comprehensive Zoning By-law Review**  
**Public & Agency Comment Summary**  
**(Draft 2 – February 2022 – Public Meeting)**

**Revision 1 – May 31, 2022**

|    |                     |  |   |
|----|---------------------|--|---|
|    | J. Sheldrick-Perrin | Request made for property to continue to be zoned as Community Commercial.   | <p>41 Adelaide Street is proposed to be zoned Residential Second Density (R2) on Schedule B of the Township's Draft 2 Zoning By-law, consistent with many other properties in this area as discussed previously with the Committee.</p> <p>41 Adelaide Street is presently developed with a single dwelling and detached garage (residential use). The current Community Commercial (CC) zone does not include a single dwelling as a permitted use. The proposed R2 zone would recognize and permit the current use on the property. Any future commercial uses would require a site-specific Zoning By-law amendment.</p> <p>Many properties in the Village of Cardinal along Shanley Road are proposed to be rezoned Residential Second Density (R2) while others are proposed to be zoned General Commercial (CG). Zoning of these properties is proposed to change to reflect the current residential or commercial nature of a property. It should be noted that property values are not a provincial interest identified under the <i>Planning Act</i>.</p> <p><b>No recommendations are proposed to the draft By-law with regards to the comments provided.</b></p> |
| 90 | P. Bury             | <p>Request that within the Village of Spencerville, Centre Street (from 18 &amp; 13 Centre Street to the Western Village boundary) be rezoned from MCR to R1 to reflect the current residential uses.</p> <p>Reasons for the requested change are also proposed.</p> | <p><b>See Centre Street Zoning response and discussion in report.</b></p> <p><b><i>On May 16, 2022, CDC decided to maintain the MCR zone boundaries as proposed in the Draft 2 - February 2022 Zoning By-law.</i></b></p>   |
| 92 | M. Mootrey          | <p>Request that a vacant property adjacent to 5067 Rock Street (roll number: 070170103511150) be exempt from the 500m setback requirement for a new dwelling from a quarry (Tackaberry Quarry).</p> <p>The property was created by consent in 2008.</p>              | <p>The vacant property (roll number: 070170103511150) is presently zoned Rural (RU) which permits a single dwelling.</p> <p>Section 4.37(i) (Pits and Quarries) of the Township's current Zoning By-law No. 2012-35 requires a minimum separation distance between a sensitive land use (i.e a dwelling) of 300m from the licensed limit of excavation of a quarry.</p> <p>Section 3.15 (Residential Separation Distances from Other Land Uses) of the Draft Zoning By-law requires a setback of 500m from a quarry for a new dwelling or second dwelling.</p>  |

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|    |                                |   |   |
|----|--------------------------------|---|---|
|    |                                |   | <p>The Township's Official Plan approved in January 2020 establishes a 500m influence area around quarries.</p> <p>The proposed setback change from 300m to 500m is to implement policies of the Township's Official Plan which implements policies from the United Counties of Leeds and Grenville's Official Plan and Provincial Policy Statement to limit land uses that may preclude or hinder the establishment or expansion of mineral aggregate operations such as pits and quarries and to protect sensitive land uses.</p> <p><b>No recommendations are proposed to the draft By-law with regards to the comments provided as there may be other properties throughout the Township where this new setback of 500m would impact development opportunities.</b></p> <p><b><i>On May 16, 2022, CDC decided to maintain the proposed setbacks of 500m for dwellings near quarries as proposed in the Draft 2 - February 2022 Zoning By-law.</i></b></p> |
| 93 | P. Davies<br>S. Zorzella       | <p>Request that the RLS zone be removed from the By-law.</p> <p>If RLS is not removed request the following amendments to the Zoning By-law:</p> <ul style="list-style-type: none"> <li>• Maintain RLS Lot Coverage at 20%</li> <li>• Remove access by private road restriction for additional residential units</li> <li>• Define minimum road standards for emergency service access on private roads</li> </ul> <p>Request amendments to the Zone Schedules:</p> <ul style="list-style-type: none"> <li>• Correct USA border</li> <li>• RH zones are different than the Settlement Area boundaries in the Official Plan</li> </ul> | <p><b>See Limited Services Residential (RLS) zone response and discussion in report.</b></p> <p>With respect to Zone Schedule amendments, the USA border was provided through data release agreement with the Counties. Schedule A uses the most recent data available from Provincial databases for the USA border.</p> <p>RH zone boundaries indicated on the draft Schedule A are shown to be consistent with the current Zoning By-law 2012-35. Schedule A has been updated to revise the RH zones to reflect the Official Plan Settlement Area boundaries and parcel mapping.</p>  |
| 94 | L. Chapenskie<br>D. Chapenskie | Concerns expressed that they will be unable to build on a vacant lot within the 500m influence area of a quarry.  | <b>See response provided for Comment #92.</b>   |

\*Refer to full comment submission for full details and context of comments provided. A summary is provided for ease of understanding the issues and concerns noted in the comments related to the draft Zoning By-law.

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|                        |                                     |  |  |
|------------------------|-------------------------------------|--|--|
|                        |                                     | <p>Recommend that existing lots be grandfathered in to permit a dwelling on a lot that is within the new 500m influence area.</p> <p>Recommend that second dwellings such as tiny homes or in-law dwellings be allowed to be build within the influence areas.</p>   | <p><b><i>On May 16, 2022, CDC decided to maintain the proposed setbacks of 500m for dwellings near quarries as proposed in the Draft 2 - February 2022 Zoning By-law.</i></b></p>  |
| 95                     | M. Mootrey                          | <p>Concerns provided regarding the need to apply for a building permit application.</p> <p>Recommend that existing lots be grandfathered in to permit a dwelling on a lot that is within the new 500m influence area.</p>  | <p><b>See response provided for Comment #92.</b></p> <p><b><i>On May 16, 2022, CDC decided to maintain the proposed setbacks of 500m for dwellings near quarries as proposed in the Draft 2 - February 2022 Zoning By-law.</i></b></p>   |
| <b>Agency Comments</b> |                                     |  |  |
| 86                     | Enbridge                            | <p>Request that Enbridge pipelines be included on the Official Plan and Zoning Maps.</p> <p>Request made for policy inclusion that Enbridge be circulated and consulted on new development applications within 200m of pipeline infrastructure.</p> <p>Request made that new development within 30m of a pipeline right-of-way seek written consent from the pipeline right-of-way.</p> <p>Request that development setbacks be implemented in the Official Plan and Zoning By-law.</p> <p>Additional information was provided regarding development requirements with Enbridge.</p> | <p>Section 3.17 (Setbacks from Natural Gas Pipelines) of the draft Zoning By-law includes zone provisions for principal and accessory structures be setback a certain distance from natural gas pipeline rights-of-way, as set out in the Official Plan.</p> <p><b>Schedule A has been updated to include pipeline data as received from the United Counties.</b></p> <p><b>Section 3.17 has been revised to prohibit buildings or structures on natural gas or liquid pipeline right-of-ways and to establish a 30m setback from the centre of a liquid pipeline to address the comment provided by Enbridge Pipelines.</b></p> |
| 88                     | South Nation Conservation Authority | <p>Recommends the Zoning By-law includes provides that identify when an SNC permit may be required.</p> <p>Provides recommendations on the minimum lot area requirements for private and partial serviced lots, expressing concerns regarding private septic system capacity and the need for a water quantity assessment. A lot area of</p>   | <p><b>No recommendations are proposed to the draft By-law with regards to the permit identification comment.</b></p> <p>There may be other agencies where a permit may be required for a development project or application. It is recommended that the Township's development information page be updated to include additional information to assist project proponents with understanding development approval requirements.</p>  |

\*Refer to full comment submission for full details and context of comments provided. A summary is provided for ease of understanding the issues and concerns noted in the comments related to the draft Zoning By-law.

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|    |                        |   |  |
|----|------------------------|---|--|
|    |                        | 0.4 ha per dwelling unit is recommended where a private septic system is required.  | <p>The comments regarding minimum lot area provisions for private and partial services has been discussed with the Conservation Authority. The following revisions have been made to the draft By-law to address the comment received with input from the Conservation Authority:</p> <ul style="list-style-type: none"> <li>• <b>The draft Zoning By-law has been revised to require a minimum lot area 0.4 ha per dwelling unit where private or partial servicing requires a septic system.</b></li> <li>• <b>A provision has also been included noting that the minimum lot area per dwelling unit may be reduced, provided a Servicing Report, inclusive of a hydrogeological assessment and/or terrain analysis, prepared by a qualified licensed professional engineer/geoscientist, approved to the satisfaction the Township addressing private sewage disposal and/or private water supply requirements for a reduced lot area but no less than 0.2 ha.</b></li> </ul> <p>The above noted revisions apply to the proposed R1, R2, R3, HR, CG, MC, MCR, CG, CH, MG and I zones.</p> |
| 91 | Infrastructure Ontario | Request that current uses permitted in the Rural, Environmental Protection, Highway Commercial and Agricultural zones in current Zoning By-law 2012-35 continue in the current Zoning By-law. | <p>The draft Zoning By-law includes new definitions and new general provisions. Further, the permitted uses included in the proposed Rural, Environmental Protection, Highway Commercial, and Agricultural zones, are in large part consistent with the current by-law.</p> <p><b>No recommendations are proposed to the draft By-law with regards to the comments provided.</b></p>   |

\*Refer to full comment submission for full details and context of comments provided. A summary is provided for ease of understanding the issues and concerns noted in the comments related to the draft Zoning By-law.

**Attachment B  
Public and Agency Written Submissions**



**From:** [Susanne Zorzella](#)  
**To:** [Tory Deschamps](#)  
**Cc:** [Wendy Van Keulen](#); [Peter Davies](#)  
**Subject:** With thanks!  
**Date:** March 8, 2022 2:19:49 PM  
**Attachments:** [Summary Davies presentation .pdf](#)

---

Good Afternoon Tory,

Thank you for the opportunity to present at the meeting last evening. Your kindness in extending the time for Peter to speak was appreciated. However, our last minute cutting and rejigging did take its toll, leaving us with a presentation that ultimately was not quite as logical and complete as it should have been!

Suspecting that this might happen, we did quickly produce a summary sheet which we passed to the Clerk to help her with the record keeping. I attach it here for your interest as well.

I'd also like to take a moment to respond to the mayor's comments. He recalled the purpose of the RLS zone was to identify properties on private road and protect the Township from financial obligations by emphasizing that private roads were not assumed or serviced in any way by the Township. That made - and makes - perfect sense. However, the evolving construct of the RLS zone is getting further and further from this objective in three ways. First the words linking the RLS zone to reduced public services have been removed from the draft by-law revision. Second, the assignment of properties to the zone appears to conflict with the Township's definition of private roads. Third, the most recent draft revision assigns only properties on private roads AND on the waterfront to RLS.

In addition to moving the RLS zone away from its original objective, the draft by-law fails to identify all private roads. This omission will become increasingly problematic as people adopt uses that are prohibited on private roads. How will the property owner or the township know whether the road is private?

A second concern is the perception that RLS lots are different from others along the St Lawrence and require special zoning provisions to prevent damage to the waterfront and environmental degradation through over-development. We presented statistics showing that, as a whole, RLS lots are little different from other properties along the river. We questioned what special provisions would be required, given that development on waterfront and adjacent natural heritage features already has specific restrictions in the zoning by-law, and noted that development on smaller lots is constrained by the capacity of a septic system and therefor self limiting.

Our conclusion is that RLS properties have the same potential to impact the river as all the other waterfront properties. Focusing additional provisions to only a subset of these properties, if any are necessary, has an inherent inequity.

We were startled to be challenged to define 'an ask', when our intention had been to simply provide information. I suppose that our 'asks' are inherent in the recommendations summarized on the attached sheet:

- properly define private roads in consideration of the Township Official Plan (an issue in light of who can and cannot have
  - uses such as auxiliary residences - a topic for another discussion!);
- potentially restore the definition of RLS simply as lots on private roads, and provide a clear definition in the by-laws;
- consider creating guidelines for private road maintenance so that no residents suddenly learn that they do not qualify for
  - emergency services in their times of greatest needs,;
- rationalize the zoning requirements of RU and RLS lots, acknowledging that all waterfront lots carry the same burden of
  - protecting the waterfront. Is there any reason why zoning provisions for the two zone have to be different?
- Formally recognize through general provisions that development of smaller or narrower existing lots need reduced
  - setbacks such as 3 m side yards vs. 6 m.

Taken together, these should clarify the by-laws and streamline processes for Development Staff by eliminating many future requests for variances.

Should you or anyone on the Committee wish further information on any of the research or explanation of the points we attempted to make, please feel free to contact us!

Respectfully,

Susanne Zorzella & Peter Davies

A solid black rectangular box used to redact the signature of Susanne Zorzella & Peter Davies.

**SUMMARY AND RECOMMENDATIONS**  
**OF THE PRESENTATION TO THE COMMUNITY DEVELOPMENT COMMITTEE**  
**MARCH 7 2021**

**PRESENTOR: PETER DAVIES**

There are four somewhat interconnected issues in the current and draft zoning by-laws.

1. What is a clear definition of a private road?
2. What is the difference between a waterfront RLS and a waterfront RU property, other than that one is on a private road. And why should they be treated differently?
3. What is a working definition of a small lot?
4. What is a working definition of overdevelopment?

**1. PRIVATE ROAD**

- Defined in Official Plan as a right of way providing access to two or more properties and having a restricted municipal services such as road maintenance, snow clearing and emergency services
- Status of right of ways for two adjacent properties is unclear: are they all private roads or not?
- Private Roads can be anywhere in the township, not limited to waterfront areas
- Draft By-law states that 'for the purposes of this by-law a drive-way shared by two abutting properties will not be construed as a private road'. What happens if a third property is added?
- At what point does a shared driveway become a private road?

Recommendations:

- Create a precise definition of a private road
- Apply that definition no matter where in the township the private road might be located
- Clarify minimum standards for private roads to permit emergency services access
- Share that information with all owners of property on private roads

**2. DIFFERENCES BETWEEN RLS AND RU PROPERTIES**

- Both can be found on the waterfront, frequently located side by side
- Only difference is that RLS properties are on private roads
- Similar frontages
- Similar property sizes
- Having different zoning provisions based on differences that don't exist

Recommendations:

- Make RLS and RU provisions the same
- Use RLS only for properties on private roads

**3. SMALL LOTS**

- Are viewed as a threat to the environment and rural character of an area
- Majority of lots in both RLS and RU are less than .5 hectares
- Water-frontages are also very similar between the two zones, with the RLS average currently 32 m and the RU at 52 m (skewed higher as a result of a small number of lots with large water frontages)

Recommendations:

- Define small properties as .4 hectares or less and/or 18 m frontage in line with other zonings

- Apply the definition to both small RU and RLS properties, as these are often adjacent to each other
- Apply a consistent set of development criteria, taking into account the restrictions automatically imposed by septic, well and hydro. Existing restrictions seem to work well:
  - 3m side-yard setbacks
  - 20% lot coverage

#### 4. **OVERDEVELOPMENT**

- Lot density definitions in the Official Plan indicate that low density is defined as 8-12 residential units per hectare. Density in RU lots ranges from 0.2 to 6.3 units/ha and RLS ranges from 0.8 - 7.7 units/ha.
- Development of residences will automatically be restricted by the capacity of the septic system. Setbacks from waterfront and side-yards, as well as wells and hydro wires will create further restrictions.

#### Recommendations:

- Overdevelopment does not appear to be a current issue on either RLS or RU lots
- This may be a concern with the development of future private roads, which, as specified in the draft by-laws, will only be condominiums. These restrictions could include:
  - Developing proper road construction requirements, to be met by the developer
  - Appropriate set-backs and other restrictions to create a look and feel that fits in with the surrounding local communities

# ZONING BY-LAW REVIEW

## THE RLS ZONE

7 March 2022

1

## OUTLINE

- Overview of the RLS Zone
- RLS Zoning Issues
- Private Road Issues

2

## RLS ZONE

A Brief Summary



3

## RLS ZONE - DEFINITION

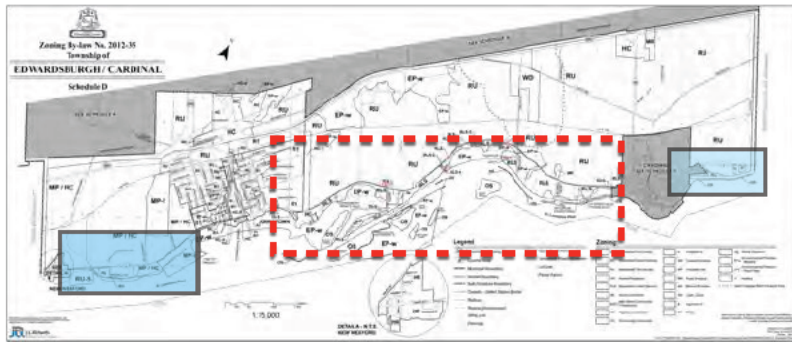
**6.4** In the Limited Services Residential one, there is no intent by Council to maintain roads. Other municipal services may not be available or may be restricted, and there is no intent by Council to upgrade such levels of service.



≈ PRIVATE ROAD

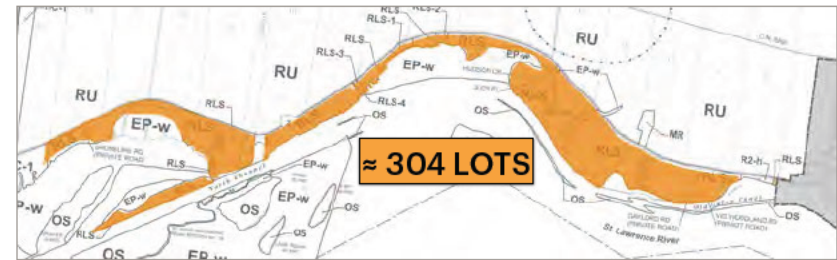
4

## RLS ZONE



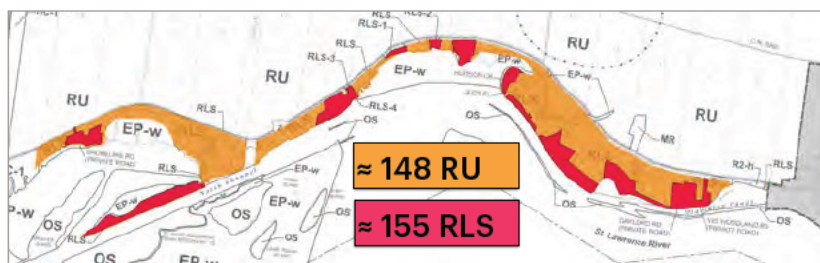
5

## RLS ZONE - CURRENT BY-LAW



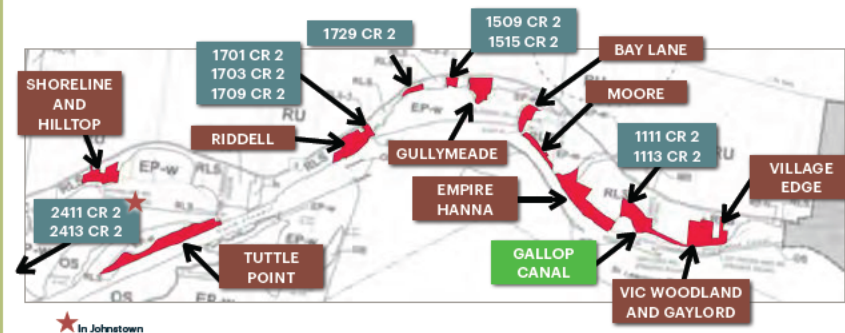
6

## PLS ZONE - PROPOSED



7

## RLS ZONE - PROPOSED



8

## ZONING ISSUES



9

## ISSUES

- Rational for RLS Zone
- Assigning Properties to the Zone
- Rationale for Zoning Provisions
- Provision of Emergency Services

10

## RATIONALE - WHY AN RLS ZONE?

### ➤ Intent of the RLS Zone

"... to identify land parcels where access is provided by private road, and to establish special zone provisions that would apply." (NOVATECH)

### ➤ Two Areas of Focus

- Private Roads
- Special Zoning Provisions

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## PRIVATE ROADS - GENERAL

### ➤ No Universal Definition

- Roads on private property
- May or may not be maintained by a public agency.
- Focus here on Residential Private Roads.

### Benefits to Municipalities



### Potential Liabilities\*



\* Mainly for Residents (but not exclusively)

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## PRIVATE ROADS - IDENTIFICATION

### ➤ Reasons to Identify

- **Make Property Owners Aware**
  - Roads not constructed or maintained
  - Municipal services limited or not provided
  - Emergency services may be degraded or unavailable

### ➤ Identification is complex

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## PRIVATE ROADS - DEFINITION

**Township Roads**

5.3.10 Township roads are those roads which are owned and maintained by the Township. When development is proposed adjacent to a Township road, approval for an extension must be obtained from the Township. Roads that are not owned or maintained by the Township are not considered Township roads. Roads that are not owned or maintained by the Township are not considered Township roads.

5.3.11 Township roads shall generally have a minimum right-of-way width of 20 metres. Township roads shall be constructed to the standards set out in the Township's Road Construction and Maintenance By-law. Township roads shall be constructed to the standards set out in the Township's Road Construction and Maintenance By-law.

5.3.12 Land may be dedicated to the Township for use as a Township road. The Township may, at its discretion, accept or refuse any dedication of land for use as a Township road. The Township may, at its discretion, accept or refuse any dedication of land for use as a Township road.

5.3.13 The Township may, at its discretion, accept or refuse any dedication of land for use as a Township road. The Township may, at its discretion, accept or refuse any dedication of land for use as a Township road.

5.3.14 The Township may, at its discretion, accept or refuse any dedication of land for use as a Township road. The Township may, at its discretion, accept or refuse any dedication of land for use as a Township road.

5.3.15 Private roads are rights-of-way which provide access to two or more properties but which have not been assumed by the Township for maintenance purposes. Some private roads have been established as registered rights-of-way and are precisely defined on legal plans while others are not clearly identified with respect to their location.

5.3.17 The creation or extension of a private road is not permitted. For the purposes of interpreting this policy, the establishment of a right-of-way to provide shared driveway access for two abutting properties, each of which has frontage on a public road, shall not constitute the creation of a private road. In addition, a consent application for which the sole purpose of which is to legally identify the location of an existing private road shall not constitute the creation of a new private road.

**Private Roads**

5.3.16 Private roads are rights-of-way which provide access to two or more properties but which have not been assumed by the Township for maintenance purposes. Some private roads have been established as registered rights-of-way and are precisely defined on legal plans while others are not clearly identified with respect to their location.

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## PRIVATE ROADS - IDENTIFYING

**Zoning**

- Property A RU
- Property B RU

**Zoning**

- Property A RU
- Property B RU

**Zoning**

- Property A ?
- Property B ?
- Property C RLS

**WHEN DOES A DRIVEWAY BECOME A PRIVATE ROAD?**

|   | RIGHT OF WAY | ABUTTING | PUBLIC ROAD |
|---|--------------|----------|-------------|
| A | ✓            | ✓        | ✓           |
| B | ✓            | ✓        | ✓           |
| C | ✓            | ✓        | ✓           |

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## PRIVATE ROADS - IDENTIFYING

**Zoning**

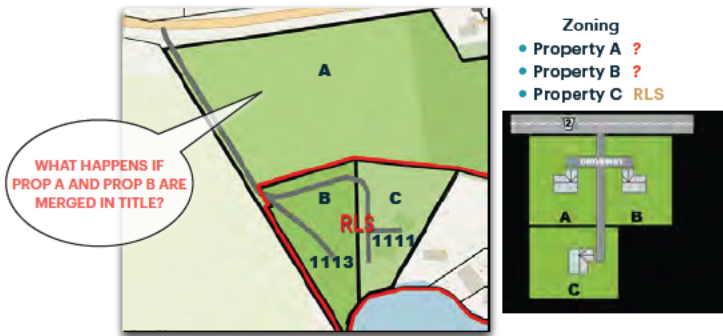
- Property A ?
- Property B ?
- Property C RLS

**GULLYMEADE ROAD**

17

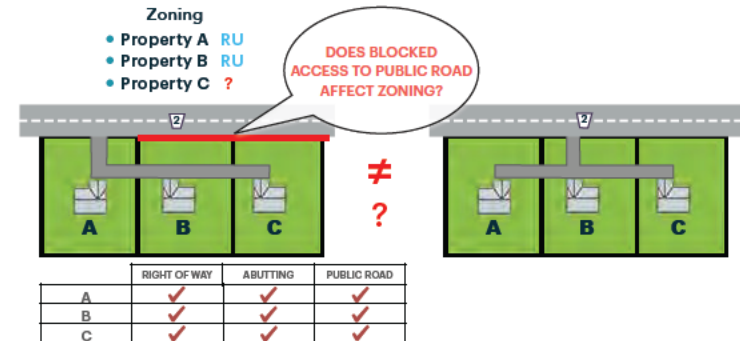


## PRIVATE ROADS - IDENTIFYING



18

## PRIVATE ROADS - IDENTIFYING



19

## PRIVATE ROADS - RECOMMENDATIONS

- Clarify Reason for Identifying in a Zone
- Refine Definition
- Continue Staff Review of Proposed Zoning

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## SPECIAL ZONING PROVISIONS

- Novatech describes intent of provisions:
  - "... to control development on lots adjacent to natural features and to minimize site disruption that could impact these features."
  - "... to restrict overdevelopment of lands adjacent to the river and that have limited services (access to a public road)."
  - "... to limit development on smaller properties that are adjacent to natural heritage features including watercourses and lakes."
- Focus is on limiting development on lots that are
  - Smaller
  - Adjacent Natural Features or the River

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## SPECIAL ZONING PROVISIONS

### ➤ Novatech describes intent of provisions:

- "... to control development on lots adjacent to natural features and to minimize site disturbance by adding buffers to these features."
- "... to restrict overdevelopment of lands adjacent to the river and that have limited services (access to roads, etc.)"
- "... to limit development on smaller properties that are adjacent to natural heritage features including watercourses and lakes."

Does this only apply to properties on Private Roads?

### ➤ Focus is on limiting development on lots that are

- Smaller
- Adjacent Natural Features or the River

22

## PROPERTY COMPARISON

### ➤ Lot Size

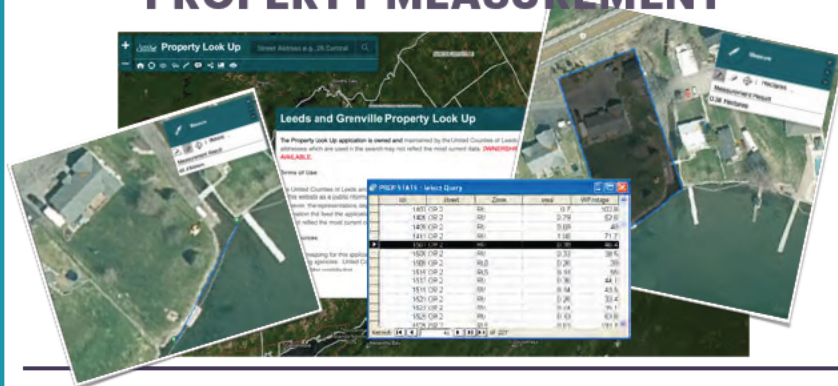
- Area
- Water Frontage

### ➤ Location

- Relative to River
- Adjacent Natural Heritage Features

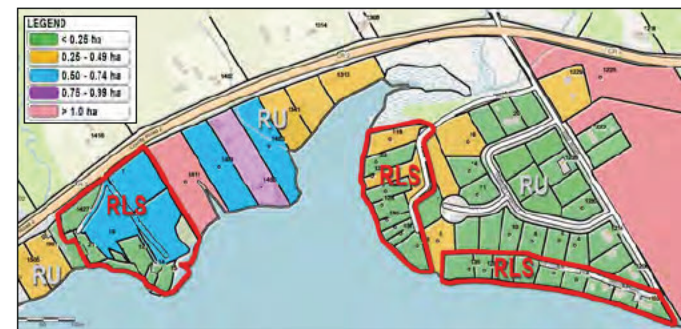
23

## PROPERTY MEASUREMENT



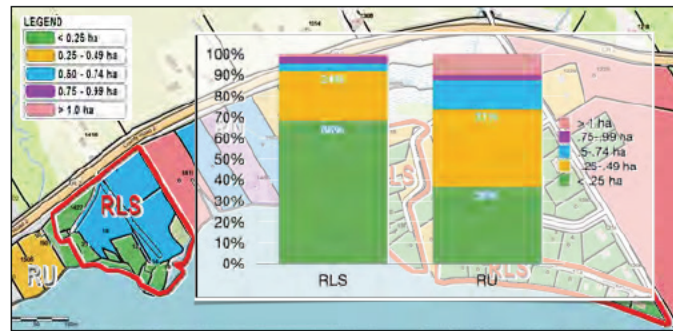
24

## LOT SIZE - AREA



25

## LOT SIZE AREA

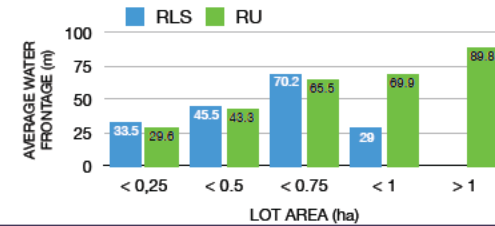


26

## LOT SIZE - WATER FRONTAGE

### > Average Water Frontage

- RU Lots\* 48.1 m
- RLS Lots\*\* 39.5 m



\* South of CR2 between Cardinal and Johnstown  
\*\* Excluding Tuttle Point

27

## LOCATION - WATERFRONT

- > Not All RLS Lots on Waterfront
- > 11% are Inland

■ INLAND  
■ WATERFRONT



RLS - LOT LOCATION

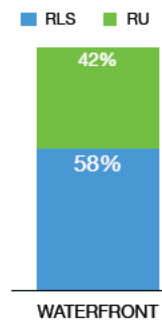
28

## LOCATION - BY ZONE

### > Waterfront

### > Shares shoreline with RU

- 58% RLS
- 42% RU

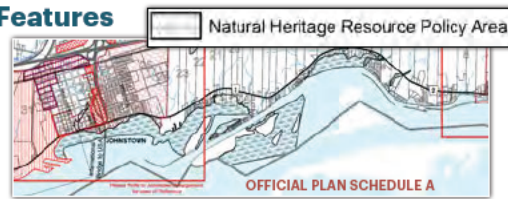


29

## LOCATION - NATURAL HERITAGE

- Waterfront
- Shares shoreline with RU
- Natural Heritage Features

- Significant Wetlands

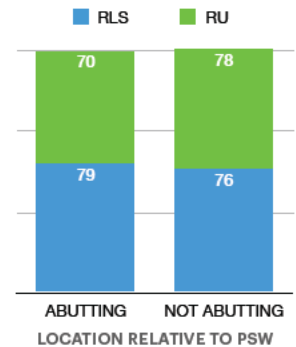


30

## LOCATION - NATURAL HERITAGE

- Waterfront
- Shares shoreline with RU
- Natural Heritage Features

- Significant Wetlands
  - 149 Abutting
    - 79 RLS
    - 70 RU
  - 154 not Abutting
    - 78 RLS
    - 78 RU



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## SPECIAL ZONING PROVISION

- IF...
  - Small lots and lots on water or adjacent Natural Heritage zones are not unique to lots on private roads
- AND...
  - Such lots require special zoning provisions
- THEN...
  - These provisions should be applied to lots in many zones throughout the Township

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## SPECIAL ZONING PROVISIONS

- How Do We Handle?
  - Many Municipalities Create Multiple Zones
- Are Multiple Zones Necessary?
  - Waterfront and Natural Heritage Already Addressed
    - 3.16 Setbacks from Env Protection and NH areas
    - 3.20 Shoreline Occupancy
    - 3.25 Water Frontage and Water Setbacks
  - May be justified if specific zoning provision and use restrictions
- What about Small Lots?

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## SPECIAL ZONING - SMALL LOTS

### > Relate only to Existing Lots

### > Issues

1. Development Density
2. Lot Coverage
3. Setbacks

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## 1. DEVELOPMENT DENSITY

### > Township Official Plan

- 3.4.2 - Rural Policy Area intended for Low Density residential
- 3.1.3.5 - Low Density = 8 to 12 residential units per hectare

### > Existing Density\*

| ZONE  | DENSITY (UNITS/ha) |     |     |
|-------|--------------------|-----|-----|
|       | AVERAGE            | MIN | MAX |
| RU    | 1.7                | 0.2 | 4.2 |
| RLS   | 4.1                | 0.8 | 7.1 |
| TOTAL | 2.3                |     |     |

Plenty of Density Room for  
Second Dwellings  
or  
Second Dwelling Units?

### > Conclusion - Density not an Issue on Small Lots

\* Based on the 303 properties considered in this presentation and one unit per property

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## 2. LOT COVERAGE

### > No specific guidance in Official Plan

### > Current Situation

- Rural Policy Area residential uses = 20%
- Development over the past decade on all property sizes

Has there been a problem?

### > Draft By-Law Proposes 10% for RLS

- Presumption that only RLS Lots are Small
- Zoning Provisions are for NEW lots
  - Minimum 1 ha (same as RU)
  - (IN PRACTICE there should be few new RLS)

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## 2. LOT COVERAGE (CONT'D)

### > Preventing Starter Castles

- "Floor Space Index"
- Septic system capacity limits max floor area
- Maximum septic capacity set by property size and location

Smaller Properties = Smaller Septic = Smaller Residence

### > Recommend - Retain 20% Lot Coverage

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### 3. SETBACKS

- **Proposed reduction of most setbacks is positive**
- **Proposal to double RLS interior side yard**
  - 3 m to 6 m
  - **After public comments, Novatech noted**  
"Reviewing existing properties that are zoned RLS it would appear many properties are narrow in size and the 6 m interior yard setback could be viewed as being too restrictive for future development."
- **Committee voted to retain 3 m at November 1 meeting**
- **Should same logic apply to all "small" properties?**

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### 3. SETBACKS (CONT'D)

- **Considerations**
  - Concern about effect on existing small properties is valid
  - A general zoning provision based on existing properties is inconsistent with new lot focus of zoning
  - Special Exception Zones would have to be applied to multiple properties in multiple zones
- **Recommendations**
  - Align RU and RLS zoning provisions
  - Make a general provision for small property interior side yard setback (i.e. 3 m)
  - Define "Small Property" (e.g. 0.4 ha or less)

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### SPECIAL ZONING SUMMARY

- **Lots on Private Roads are Not Unique**
- **Zoning Provisions should Focus on New Lots**
- **Development on Waterfront and Natural Heritage Controlled through General and Specific Use Provisions**
- **Small Lot Considerations**
  - Development Density not an issue for actual existing lot fabric
  - Development and Use controlled by sewage system capacity
  - Special Allowances for small lots defined as general provisions
  - Define Small Lots as 0.4 ha or less

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### PRIVATE ROAD ISSUES



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## RLS SPECIFIC PROVISIONS

- **Uses**
  - **Reasons to Limit**
  - **Second Dwelling Units**
- **Provision of Emergency Services**

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## RLS SPECIFIC USES

- **Reasons to Limit Uses**
  - **Reduce Potential Conflict**
  - **Road Wear and Tear**
    - **Maintenance costs shared by all**
    - **Lower standards = Faster Deterioration**
  - **Population Density - Short Term Residents**
    - **Increase in Average Population affects neighbourhood**
      - **Noise and other disruptions**
      - **Compliance with local standards such as speed limits**
    - **Potential to overload septic systems**

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## RLS SPECIFIC USES (CONT'D)

- **Limit Uses that increase**
  - **Average non-resident traffic**
  - **Average population density above septic design standards**
- **Consider Special Exemptions (Minor Variance?)**
  - **Applied to specific uses**
  - **Shown to minimize impact**
  - **Have community support**
  - **Offset additional community costs**

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## RLS SPECIFIC USES (CONT'D)

- **Allow Second Dwelling Units**
  - **Draft Zoning By-Law (May 2021)**

**SECOND DWELLING UNIT** shall mean one or more habitable rooms designed and occupied as an independent dwelling in which living, kitchen, and bathroom facilities are provided and which is located entirely within a single dwelling, semi-detached dwelling or townhouse dwelling, as defined herein.
  - **Density statistics support**
  - **Subject to septic system capacity**
- **Second Dwellings could be a Special Exemption**

**SECOND DWELLING** shall mean an accessory building which contains one or more habitable rooms designed and occupied as an independent dwelling in which living, kitchen and bathroom facilities are provided and which is located on the same lot as a single dwelling, semi-detached dwelling or townhouse dwelling, as defined herein.

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## EMERGENCY SERVICES

### ➤ Official Plan

5.3.19 Where access to properties is provided by private roads, municipal services such as snow ploughing or road maintenance and improvement are neither available nor the responsibility of the Township. Additionally, in some cases other public services such as school bussing and protection to persons/property from services including police, fire and ambulance may be unavailable or limited in nature. The Township shall attempt to recognize such limitations through the mechanisms of the Zoning By-law and/or municipal agreements.

### ➤ Draft By-Law Removes This Notification

### ➤ Extant Limitations not Recognized

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## EMERGENCY SERVICES (CONT'D)

### ➤ Recommended Action

- Survey Current Status of Emergency Service Limitation
- Advise Property Owners
- Set Realistic Minimum Standards for Roads

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## ZONING BY-LAW REVIEW

### Questions

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**From:** [noreply@esolutionsgroup.ca](mailto:noreply@esolutionsgroup.ca)  
**To:** [Wendy Van Keulen](#)  
**Subject:** Zoning Bylaw Review Feedback from Vicki Cameron  
**Date:** March 24, 2022 10:35:45 AM

---

Hello,

Please note the following response to Zoning Bylaw Feedback has been submitted at Thursday March 24th 2022 10:32 AM with reference number 2022-03-24-007.

- **Your Name**

Vicki Cameron

- **Your Email Address**

[REDACTED]

- **Home Address**

[REDACTED]

- **Postal Code**

K0G 1T0

- **Please share your feedback**

I noted some uproar about the zoning for RVs. Please note I do not own an RV, and do not intend to buy or use one. The issue seems to be whether to allow people to use their RVs while they are parked on their own property.

I would suggest approaching it like a burn permit. If you have an RV, and you want to live in it for the weekend while you paint your house, fill in a permit to give you that amount of time. Having a buddy come up from Nova Scotia for a week? Fill in a permit, specifying licence and description of vehicle and length of time it will be in use. Building a new house and need to stay on site? Fill in a permit for the three months needed. Contractor running late? Ask for an extension on the permit. Expecting 40 RVs to your outdoor music festival? Fill in a permit for 40 vehicles, unknown plates. Spending the day at the Fair? Fill in a permit to allow you to use the RV all day and stay over after you have spent too much time in the beer tent.

Each permit would stand on its own merits, and can be revoked if the person abuses the privilege. Nobody wants to see someone living in the driveway for months, with lawn furniture and old tires scattered around.

**If you would like to be notified of an upcoming open house or public meeting, please let us know how we can contact you.**

Email


- **Would you like to be notified of the passing of a new zoning bylaw?**

No, thanks

[This is an automated email notification -- please do not respond]

Township Zoning Review  
Request for Adjustment, Centre Street

1. I respectfully request and recommend the following change to the zoning bylaw: To designate, as Residential First Density, R1, the portion of Centre Street on the North side from number 18 exclusive, and on the South side from number 13 exclusive, with the exception of St. Laurence O'Toole church and Mulder's Welding, to the village boundary. And if appropriate, that it be part of the Official Plan Amendment; with my apologies for very late submission.
2. My reasons are:
  - a. A Pleasant and Comfortable Neighbourhood. The character of Centre Street, the village portion of the county highway that runs through it, has not yet been spoiled. Neighbours are friends, and pass the time of day in their yards and calling and wandering across the road, lend tools, mind each others' houses. Children play, and being children they are always in danger of straying onto the road, no matter how vigilant the parents. If some of the houses were to be replaced by commercial operations, this character would be lost, relationships wither; a less good place to raise children. The Quality of Life of present and future residents would be significantly diminished.
  - b. Attractive. This stretch of Centre Street is attractive to the eye, a pleasant-looking residential street. It attracts both visitors and prospective residents. The intrusion of commercial operations would spoil this effect.
  - c. Speed Calming. Already, too many drivers see the straight stretch of road out of town and use it to show off the acceleration (and noise) of their vehicles at irresponsible and illegal speed, right through the residential section. If commercial properties were part of the streetscape, this undesirable attraction would be greater, and more dangerous.
  - d. Character of the Village. Commercialisation of Centre Street would damage the whole village's character. The streetscape is as attractive part of the overall attractive, bucolic nature of Spencerville as a whole. Commercialisation would turn away visitors and new residents, thus reducing business at existing village businesses.
  - e. Unpleasant Effect of Commercialisation. The arrival of businesses in this sector of the village would make *the whole village* a less pleasant place to live. We don't want to turn Centre Street into Gasoline Alley, with or without gas stations. In the present zoning, only fuel stations are prohibited. A future planning committee could overturn this in a moment.
  - f. Coming Urban Sprawl. As population pressure in Ottawa, Kemptville and Brockville pushes potential residents toward our little village, we want it to remain attractive. The homes on Centre Street are good prospects for potential buyers, and the look of this street makes the rest of the village attractive to buyers. We want to attract the right sort of residents and visitors to this village: those who are attracted by the look and feel of the place. Centre Street is a major part of this.
  - g. Alternative Commercialisation. If more businesses and business tax base are needed to support the village and the township, they could be located elsewhere nearby: the vicinity of the Stove Store and Home Hardware would be suitable. More downtown businesses aren't really needed by residents of the village or nearby; nor by visitors. All the services needed by pedestrians are already present in the downtown core, and no more are required on Centre Street. The overall tax base of the larger village could likely be at least as great, or greater, if Centre Street were kept residential.
3. I urge the Planning Committee and the Council to re-zone Centre Street as R1 Residential.

Philip Bury  


April 12, 2022

Township of Edwardsburgh Cardinal  
PO Box 129, 18 Centre Street  
Spencerville, ON K0E 1X0

Sent via email to: [wvankeulen@twpec.ca](mailto:wvankeulen@twpec.ca)

**ATTN: Wendy Van Keulen, Community Development Coordinator**

**RE: TWPEC, Public Meeting Notice - OPA and ZBL**

**Your File #: N/A**

**Our Reference #: ENB\_R220330-003ON**

Thank you for sending Enbridge notice of this project. B&A Planning Group is the land use planning consultant for Enbridge's Liquids Pipeline network across Canada. On behalf of Enbridge, we work with municipalities and stakeholders regarding planning and development in proximity to their pipeline infrastructure to ensure that it occurs in a safe and successful manner.

We request that this response package is provided in full to the landowner / applicant as it contains useful and important information, including certain requirements that must be followed, in respect of development in proximity of pipelines.

## Description of Proposed Development

We understand that this application is a notice that the Township of Edwardsburgh Cardinal will hold a public meeting on Thursday, April 21, 2022 regarding a proposed general amendment to the Township's Official Plan and a proposed new Comprehensive Zoning Bylaw. As demonstrated in **Attachment 01 | Approximate Location of Pipeline Infrastructure** the proposed Township's Official Plan and Comprehensive Zoning Bylaw is in proximity to Enbridge pipeline infrastructure.

## Assessment & Requirements

The Official Plan and the new Comprehensive Zoning was reviewed, and does not appear to contain any maps, statements or policies related to development in proximity of pipeline infrastructure. Therefore, Enbridge would like to recommend inclusion of the maps, statements and policies detailed in the recommendations below.

- 1) **Mapping:** We recommend that Enbridge's pipelines (and any other pipelines) and facilities be indicated on one or more maps within the Official Plan and the new Comprehensive Zoning.

<https://bapq.maps.arcgis.com/apps/webappviewer/index.html?id=0d7c4e858a834415bc85014e6398e493>

- 2) As per Federal and Provincial Regulatory Requirements and Standards, pipeline operators are required to monitor all new development in the vicinity of their pipelines that results in an increase in population or employment. To ensure that all development within the pipeline assessment area is referred to Enbridge for review and comment, we recommend inclusion of the following policy:

"When an area structure plan, an outline plan, a concept plan, a subdivision application or a development permit application is proposed that involves land within 200m of a pipeline, as demonstrated in "Map xx: \_\_\_\_" (per recommendation #1), Administration shall refer the matter to the pipeline company for review and input."

- 3) To ensure that no unauthorized ground disturbance or pipeline crossings occur when development progresses, we recommend the following policy be included within the Official Plan and new Comprehensive Zoning Bylaw.

"All development within 30m or crossings of a pipeline shall require written consent from the pipeline company and is the responsibility of the applicant to obtain prior to development approval."

- 4) To support Enbridge's maintenance of the pipeline and limit the risk of mechanical damage we recommend the following policy inclusions:

"Permanent structures shall not be installed anywhere on the pipeline right-of-way and should be placed at least \_\_\_\_ metres from the edge of the right-of-way and \_\_\_\_ metres from the edge of the pipeline."

## Future Development Requirements

Although the Official Plan and the new Comprehensive Zoning Bylaw: details a long-term future development vision, there are development requirements that will be mandatory at the subdivision and development stage that will be helpful to consider prior to application submission. Please review **Attachment 02 | Enbridge Development Requirements** for requirements for planning and development in proximity of pipelines. In addition, for more information about when written consent is required and how to submit an application, see **Attachment 03 | Enbridge Pipeline Crossing Guidelines**. For additional resources on safe development in proximity of Enbridge's pipeline network please visit <https://www.enbridge.com/projects-and-infrastructure/public-awareness/brochures>.

Please continue to keep us informed about the outcome of the project and any future policy, land use, subdivision, and development activities in proximity to Enbridge's pipelines and facilities.

Application referrals, project notifications and any questions regarding land use planning and development around pipelines should be sent to [notifications@Enbridge.com](mailto:notifications@Enbridge.com). Thanks again for providing us with the opportunity to provide comments on this project and we look forward to working with you in the future.

Sincerely,



**Joanna Ilunga**

Community Planner | BA (Hons), MScPl

403.692.5231 | [jilunga@bapg.ca](mailto:jilunga@bapg.ca)

B&A Planning Group | 600, 215 – 9 Avenue SW | Calgary, AB T2P 1K3 | [www.bapg.ca](http://www.bapg.ca)

**Attachment 01 | Approximate Location of Pipeline Infrastructure**

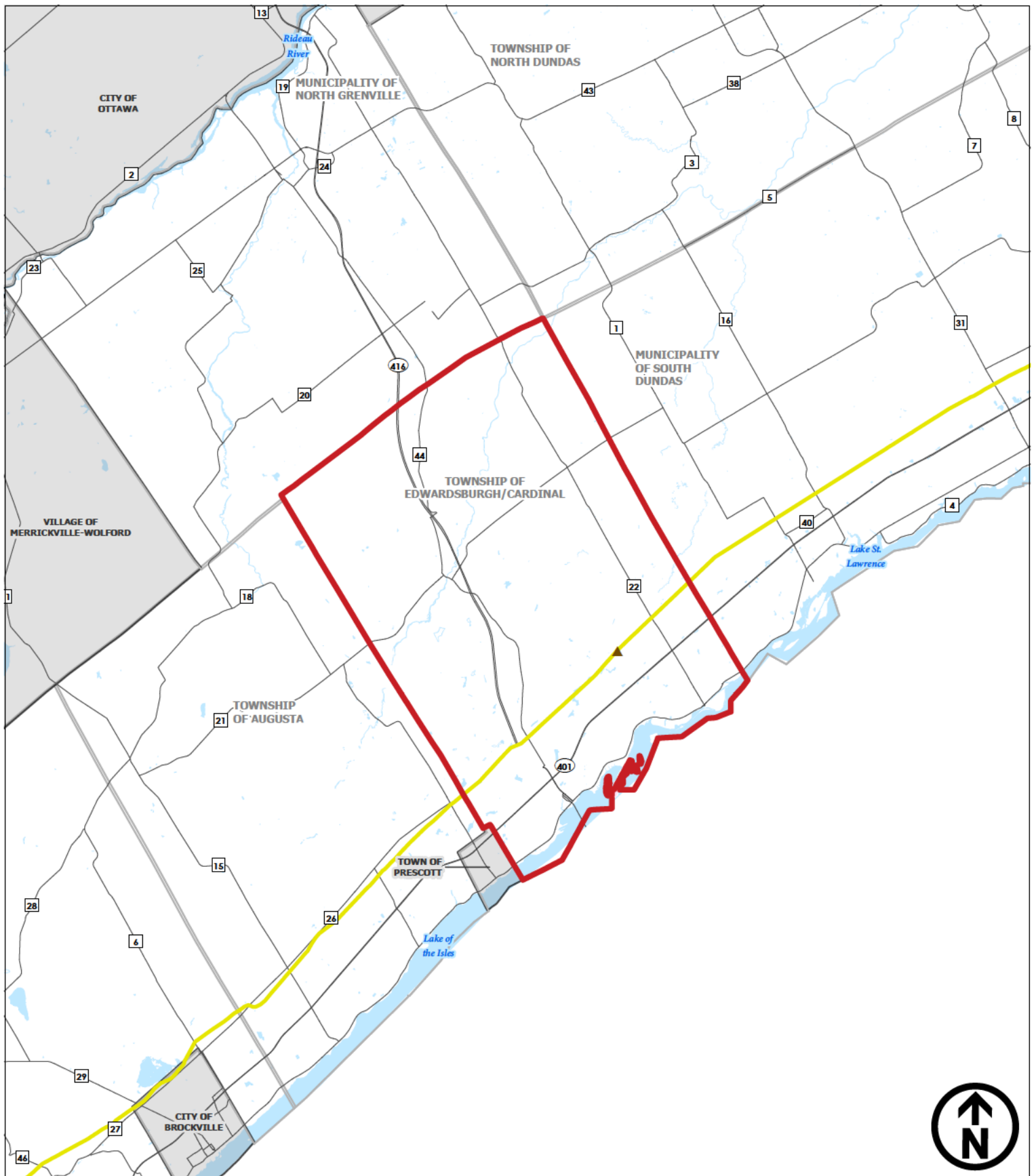
**Attachment 02 | Enbridge Development Requirements**

**Attachment 03 | Enbridge Pipeline Crossing Guidelines**



[Notifications@Enbridge.com](mailto:Notifications@Enbridge.com)





Geographic Coordinates: 75 5008, 44 8345  
 Coordinate System: NAD 1983 UTM Zone 18N  
 Date Saved: Mar 30, 2022  
 Map File: Referral Mapping.aprx

0 1 2 3 4 kilometres 1:250,000



#### Legend

- |                   |                    |                    |
|-------------------|--------------------|--------------------|
| Subject Site      | Major Road         | Municipality Urban |
| Enbridge Facility | Aboriginal Reserve | Waterbody          |
| Enbridge Pipeline | Municipality Rural |                    |

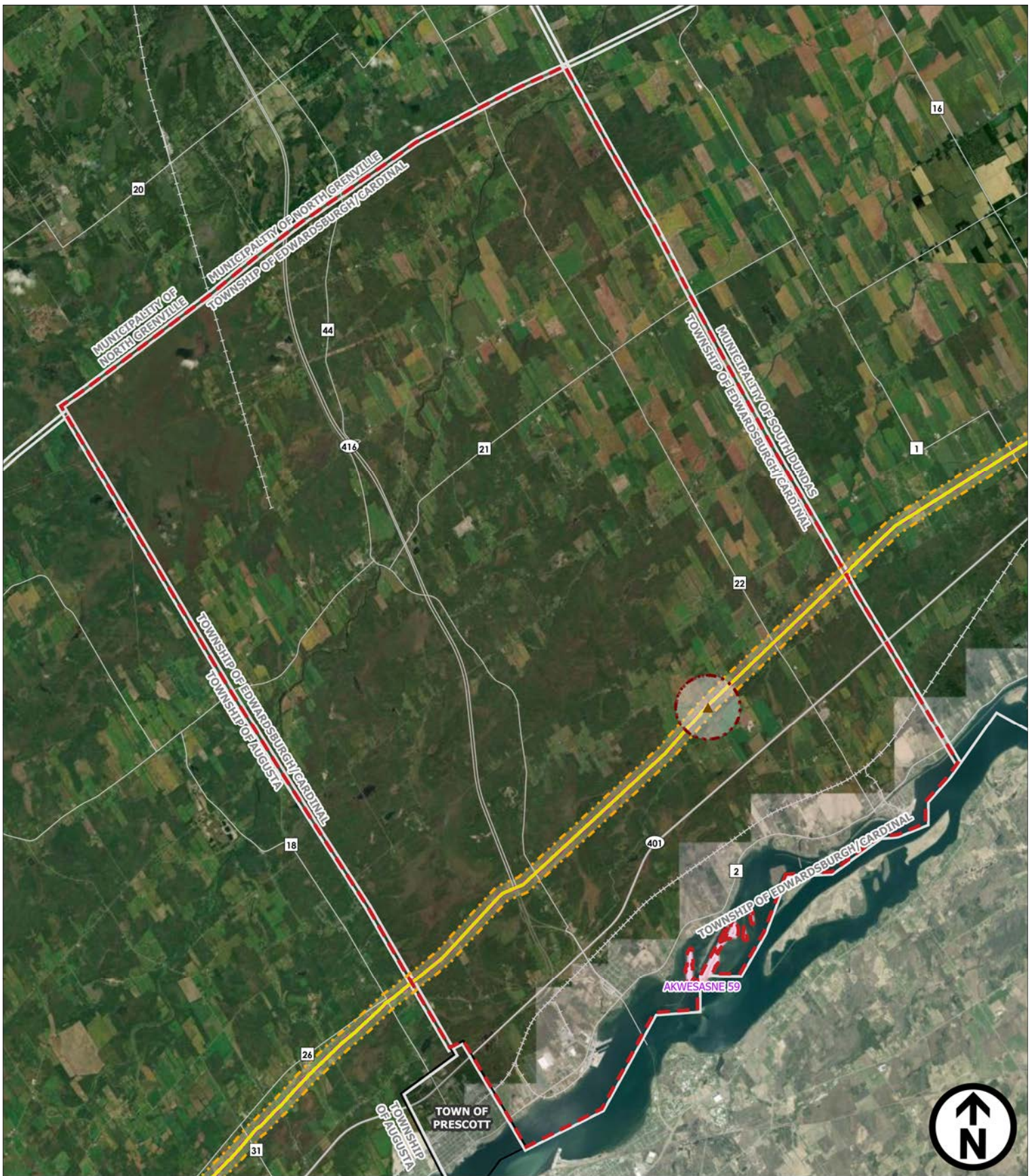


## Regional Context

### Municipal Plan

Township of Edwardsburgh/Cardinal  
 Referral ID: R220330-0030N





Geographic Coordinates: -75.5008, 44.8345  
 Coordinate System: NAD 1983 UTM Zone 18N  
 Date Saved: Mar 30, 2022  
 Map File: Referral\_Mapping.aprx

0 1,000 2,000 3,000 4,000 metres  
 1:130,000



#### Legend

- Subject Site
- Enbridge Pipeline
- Facility Assessment Area (800m)
- Pipeline Assessment Area (220m)
- Prescribed Area (30m)
- Railway
- Aboriginal Reserve
- Municipality - Rural
- Municipality - Urban

#### Local Context

##### Municipal Plan

Township of Edwardsburgh/Cardinal

Referral ID: **R220330-0030N**

March 2022



## Attachment 02 | Enbridge Development Requirements

### Definitions

- A **Right-of-Way (ROW)** is a strip of land where property rights have been acquired for pipeline systems by the pipeline company. It is a surveyed area of a specific width which grants legal rights of access to operate and maintain the infrastructure within it.
- The **Prescribed Area** is an area of 30 m (100 ft) perpendicularly on each side from the centreline of a pipeline. Excavation or ground disturbance within this zone requires written consent from the pipeline company pursuant to the Canadian Energy Regulator Pipeline Damage Prevention Regulations (Authorizations). Depending on the pipeline location and regulator this may also be known as a “controlled area” or “safety zone”.
- The **Pipeline Assessment Area** identifies lands on either side of a pipeline in which new development must be monitored by the pipeline operator. The requirement for and scope of this monitoring is governed by the Canada Energy Regulator (CER) and CSA Z662:19. Depending on the pipeline location, operator, and regulator this may also be known as the “notification zone”, “referral area” or “class location assessment area”.

### Locating the Pipeline | Click Before You Dig

Any person planning to construct a facility across, on, along or under a pipeline (including the right-of-way), conduct a ground disturbance activity within 30 metres of the centreline of a pipe, or operate a vehicle or mobile equipment across a right-of-way, must first request a locate service. To identify the precise alignment of the pipeline on the subject lands, Locate Requests can be made online, via mobile apps, or via phone (see table below),

The locate request must be made a minimum of three (3) business days in advance of the construction, ground disturbance, or vehicle or mobile equipment crossing. The One-Call Centre will notify Enbridge to send a representative to mark the facilities, explain the significance of the markings and provide you with a copy of the locate report. Enbridge requests a minimum of five (5) business days’ notice for any work involving explosives.

| Canadian One-Call Centres   |  |                             |                 |
|-----------------------------|--|-----------------------------|-----------------|
| Province                    | Phone  | Website                     | Mobile App      |
| British Columbia            | 1.800.474.6886                               | www.bc1c.ca                 |                 |
| Alberta                     | 1.800.242.3447                               | www.albertaonecall.com      | Dig Info AB     |
| Saskatchewan                | 1.866.828.4888                               | www.sask1stcall.com         | Sask1st Call    |
| Manitoba                    | 1.800.940.3447                               | www.clickbeforeyoudigmb.com |                 |
| Ontario                     | 1.800.400.2255                               | www.on1call.com             |                 |
| Quebec                      | 1.800.663.9228                               | www.info-ex.com             | Info-Excavation |
| Nova Scotia & New Brunswick | 1.800.344.5463                               | www.info-ex.com             | Info-Excavation |
| Northwest Territories       | Contact pipeline and facility owner directly |                             |                 |
| www.clickbeforeyoudiq.com   |  |                             |                 |

## **Right-of-way**

A right-of-way is a strip of land where property rights have been acquired for pipeline systems by the pipeline company. It is a surveyed area of a specific width which grants legal rights of access to operate and maintain the infrastructure within it:

- No permanent structures are permitted within the pipeline right-of-way area without Enbridge's prior written consent.
- Enbridge must have the ability to access Enbridge's pipeline right-of-way at all times for construction, maintenance, operation, inspection, patrol, repair, replacement and alteration of the pipeline(s). Therefore, the Enbridge pipeline right-of-way shall be maintained as green space, park belt or open space.
- No work shall take place on Enbridge's pipeline right-of-way without the presence of an Enbridge representative.
- Storage of materials and/or equipment, grading or placing fill on Enbridge's pipeline right-of-way is not permitted without prior written consent from Enbridge.

## **Written Consent**

Any proposed crossings of the pipeline right-of-way or ground disturbance within the Prescribed Area or pipeline right-of-way are subject to Enbridge's written consent in accordance with the Canadian Energy Regulator Act and regulations including the Canadian Energy Regulator Pipeline Damage Prevention Regulations as amended or replaced from time to time (or for pipelines contained within Alberta, the Pipeline Act (Alberta) and Pipeline Rules as amended or replaced from time to time).

The applicant will require Enbridge's written consent or a crossing agreement prior to undertaking the following activities:

- Constructing or installing a facility across, on, along or under an Enbridge pipeline right-of-way;
- Conducting any activity that would cause ground disturbance (excavation or digging) on an Enbridge's pipeline right-of-way or within 30m perpendicularly on each side from the centerline of Enbridge's pipe (the "Prescribed Area");
- The operation of a vehicle, mobile equipment or machinery across an Enbridge pipeline right-of-way; outside of the travelled portion of a highway or public road;
- Using any explosives within 300m of Enbridge's pipeline right-of-way.

For more information about when written consent is required and how to submit an application, please see [Attachment 03 | Enbridge Pipeline Crossing Guidelines](#).

## **Prescribed Area**

The Prescribed Area is an area of 30 m (approximately 100 ft) perpendicularly on each side from the centreline of a pipeline. Excavation or ground disturbance within this zone requires written consent from the pipeline company pursuant to the Canadian Energy Regulator Pipeline Damage Prevention Regulations (Authorizations). Depending on the pipeline location and regulator this may also be known as a "controlled area" or "safety zone".

For pipelines crossing provincial boundaries, Enbridge is regulated by the Canada Energy Regulator and is subject to the Canadian Energy Regulator Act and its regulations as amended or replaced from time to time.

- Section 335(1) of the Canadian Energy Regulator Act prohibits any person to construct a facility across, on, along or under a pipeline or engage in an activity that causes a ground disturbance within the Prescribed Area unless the construction or activity is authorized by the pipeline company.
- Section 335(2) of the Canadian Energy Regulator Act prohibits any person to operate a vehicle or mobile equipment across a pipeline unless the vehicle or equipment is operated within the travelled portion of a highway or public road or such operation is authorized under section 13(1) of the Canadian Energy Regulator Pipeline Damage Prevention Regulations (Authorizations).

For pipelines contained within Alberta, Enbridge is regulated by the Alberta Energy Regulator and is subject to the Pipeline Act and Pipeline Rules as amended or replaced from time to time.

- As per the Alberta Energy Regulator, any person who plans to engage in an activity that causes a ground disturbance within the pipeline right-of-way must obtain the written consent of the pipeline company.

### Crossings

- Written consent from Enbridge is required for all crossings of the pipeline.
- The written authorization request must include:
  - Drawings with cross sections of the proposed new road and road widening to verify the depth of cover from both sides of the road.
  - Drawings should include any new utilities that will cross the ROW.
- No vehicles or mobile equipment, including heavy machinery, will be permitted to cross Enbridge's pipeline right-of-way without the prior written consent of Enbridge. Please complete Enbridge's Equipment Specification and Data Sheet(s) to make an application for temporary equipment crossing including timeframe, type and weight of equipment per axle together with the name of the applicant, address, contact name and phone number/email.
- Where future development such as a roadway or a parking area is proposed over the pipeline right-of-way, Enbridge may be required to carry out pipeline inspection and recoating of the existing pipeline(s) prior to the start of the development. **The costs of Enbridge's design, inspection, recoating work and any other pipeline alteration as a result of the crossing will be borne by the Developer.**

### Ongoing Activities

- Written consent must be obtained from Enbridge for ongoing activities such as mowing or maintenance of the pipeline right-of-way on public lands.

## **Class Monitoring in the Pipeline Assessment Area**

As per Federal and Provincial Regulatory Requirements and Standards, pipeline operators are required to monitor all new development in the vicinity of their pipelines that results in an increase in population or employment. Therefore, please keep us informed of any additional development being proposed within the Pipeline Assessment Area indicated in **Attachment 01 | Approximate Location of Pipeline Infrastructure**.

- If a pipe replacement is necessary because of the proposed development, temporary workspace shall be granted to Enbridge on terms and conditions to be (or as) negotiated. This workspace will be adjacent to the existing pipeline right-of-way and may be up to a maximum of 15m wide on either or both sides. Grading or landscaping of the workspace is not permitted until the replacement has been completed.

## **Subdivisions**

- Lot lines are not to be incorporated over Enbridge's pipeline right-of-way. If lot lines are incorporated over Enbridge's pipeline right-of-way, the owner agrees, in writing to include the following warning clause in all offers of sale and purpose and/or lease:  
*"Future residents are advised that Enbridge owns and operates \_\_\_\_\_ pipeline(s) within an \_\_\_\_\_ m pipeline right-of-way on the property. As a result, there are conditions that apply to various activities over the pipeline right-of-way that must be approved by Enbridge."*
- All display plans in the lot/home sales office shall identify the Enbridge pipeline right-of-way-corridor within the proposed linear park block(s).

## **Structures and Setbacks**

Development setbacks from pipelines and rights-of-way are recommended in support of damage prevention and to allow both pipeline operators and developers buffer lands for operations and maintenance purposes.

- No permanent structures are permitted within the pipeline right-of-way area without Enbridge's prior written consent.

## **Other Development**

### **Wells / Septic Systems**

Wells or septic systems shall not be located on Enbridge's pipeline right-of-way. Construction of any septic system within 30m of the pipeline right-of-way requires prior written notification to Enbridge to ensure the septic bed will not adversely impact the integrity of the pipeline and pipeline right-of-way. Written consent from Enbridge must be received prior to the start of any work.

### **Aerial Power Lines**

Aerial power lines crossing the pipeline right-of-way require aerial warning devices installed and properly maintained. No poles, pylons, towers, guys, anchors or supporting structures of any kind are permitted on the pipeline right-of-way.

## **Pathways, Fencing & Landscaping**

### **Fencing Along ROW**

- For development along an Enbridge right-of-way, permanent fencing shall be erected and maintained by the Developer at the Developer's cost along the limits of Enbridge's pipeline right-of-way. The fence erected must meet Enbridge's and the governing municipality's specifications concerning type, location and height. Any excavations for fence posts on, or within 30m of the pipeline must be done by hand or hydrovac. There shall be no augers operated on the pipeline right-of-way. The Developer shall notify Enbridge three business (3) days prior to any excavation for fence posts located on or within 30m of the pipeline.
- Limits of the pipeline right-of-way parallel to the pipeline shall be delineated with permanent fencing to prevent gradual encroachment by adjacent landowners. Suitable barriers shall be installed at all road accesses to prevent unauthorized motor vehicles from entering Enbridge's pipeline right-of-way.
- Enbridge's written consent must be obtained and One Call notifications must be completed prior to any fence installations.

### **Landscaping**

No landscaping shall take place on Enbridge's pipeline right-of-way without Enbridge's prior written consent and where consent is granted such landscaping must be performed in accordance with Enbridge's Pipeline Crossing Guidelines, as follows:

- The landowner / developer shall ensure a 5m continuous access way in the pipeline right-of-way is provided for the Enbridge repair crews.

In order to maintain a clear view of the pipeline for the purposes of right-of-way monitoring, which is required by federal regulation, trees and shrubbery planted in proximity to the pipeline must meet the following criteria:

- Enbridge permits the following vegetation within the pipeline right-of-way: Flowerbeds, vegetable gardens, lawns and low shrubbery (under 1 m in height), and
- The mature growth height of vegetation does not exceed 1.5 m (5 ft) at maturity and must maintain a minimum distance of 3 m (10 ft) from the nearest pipeline.

### **Pathways / Trails**

No pathways shall be installed on Enbridge's pipeline right-of-way without Enbridge's prior written consent and where consent is granted pathways must be designed in accordance with Enbridge's requirements:

- A pathway crossing Enbridge's pipeline right-of-way shall be installed as close as possible to a ninety (90) degree angle to the Enbridge pipeline(s).
- The width of the pathway shall not exceed 3m.
- A parallel pathway within Enbridge pipeline right-of-way shall maintain a minimum 5m separation from the edge of the Enbridge pipeline(s).
- Enbridge's pipeline(s) must be positively identified at certain intervals as directed by Enbridge's representative for parallel installation.
- Enbridge shall install pipeline markers at all road, pathway and other crossings throughout the development area at Developer's cost.

## **Drainage and Erosion**

- The Developer shall ensure drainage is directed away from the pipeline right-of-way so that erosion will not adversely affect the depth of cover over the pipeline(s).
- Any large-scale excavation adjacent to the pipeline right-of-way, which is deeper than the bottom of the pipe, must maintain a slope of 3:1 away from the edge of the pipeline right-of-way.
- Depth of cover over Enbridge pipeline(s) shall not be compromised over the life of the Developer's facility due to rutting, erosion or other means.

## **Construction**

- During construction of the site, temporary fencing must be erected and maintained along the limits of the pipeline right-of-way by the Developer to prevent unauthorized access by heavy machinery. The fence erected must meet Enbridge's specifications concerning type, height and location. The Developer is responsible for ensuring proper maintenance of the temporary fencing for the duration of construction. The Developer is responsible for the cost of material, installation and removal.
- Original depth of cover over the pipeline(s) within Enbridge's pipeline right-of-way shall be restored after construction. This depth of cover over the pipeline(s) shall not be compromised over the life of the Developer's facility due to rutting, erosion or other means.
- In the event Enbridge's pipeline(s) suffer contact damage or other damage as a result of construction, work shall stop immediately and Enbridge to be immediately notified.

## **Liability**

In no event shall Enbridge be liable to the developer and/or landowner(s) for any losses, costs, proceedings, claims, actions, expenses or damages (collectively "Claims") the Developer and/or landowner(s) may suffer or incur as a result of or arising out of the presence of Enbridge pipeline(s) and/or operations on the pipeline right-of-way. The Developer and/or landowner(s) shall be responsible for all costs and expenses incurred to install, repair, replace, maintain or remove the Developer's and/or landowner(s) installations on or near the pipeline right-of-way and shall indemnify and save harmless Enbridge from all Claims brought against, suffered or incurred by Enbridge arising out of the activities of the Developer and/or landowner(s) in respect of the development or arising out of the presence, operation or removal of the Developer's and/or landowner(s) installations on or near Enbridge's pipeline right-of-way.

# Enbridge Pipeline Crossing Guidelines, Canada

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Application Guidance Details  
May 2020 v2.0

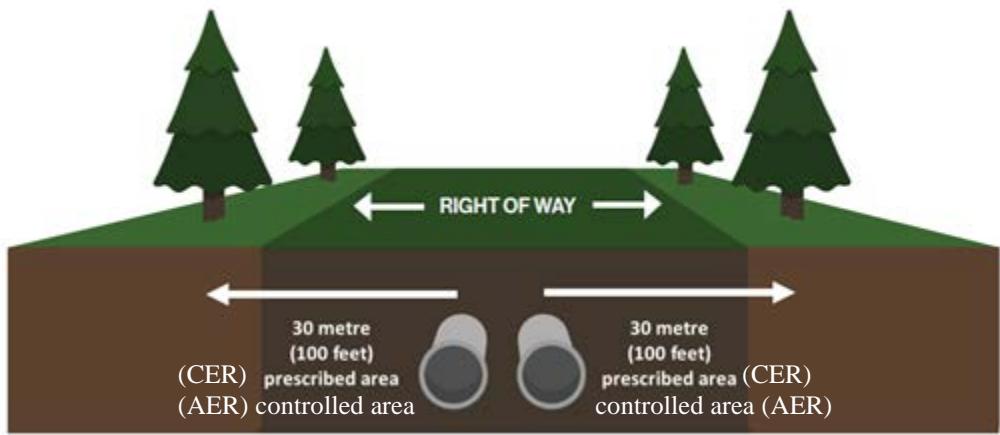


# Application Guidance Details

## 1. WHO REQUIRES CONSENT?

Consent is governed by the Canada Energy Regulator (CER) for interprovincial or international (federally regulated) pipelines and the Alberta Energy Regulatory (AER) for intra-provincial (provincially regulated) pipelines within the Province of Alberta. To ensure our pipelines and facilities operate safely written consent from Enbridge must be obtained in Canada before any of the following occur:

- ❖ Construction or installation of a new facility across, on, along or under Enbridge’s pipeline and/or right-of-way;
- ❖ Ground disturbance activities in the prescribed area (CER) or controlled area (AER) which extends 30m from each side of the centerline of the pipeline;
- ❖ Operation or movement of vehicles, mobile equipment or machinery across Enbridge’s right-of-way, outside of the travelled portion of a highway or public road;
- ❖ Using explosives within 300m of Enbridge’s pipeline right-of-way;
- ❖ Use of the prescribed area or controlled area for storage or workspace purposes;
- ❖ Subdivision development across, on, along or over Enbridge’s pipeline and/or right-of-way;
- ❖ Landowners wishing to install agricultural drainage tile across, on, along or under Enbridge’s pipeline and/or right-of-way.



Activities that cause a ground disturbance include, but are not limited to, the following:

|                           |   |
|---------------------------|---|
| ❖ digging                 | ❖ clearing and stump removal  |
| ❖ excavation              | ❖ subsoiling  |
| ❖ trenching               | ❖ blasting/using explosives   |
| ❖ ditching                | ❖ quarrying   |
| ❖ tunneling               | ❖ grinding and milling of asphalt/concrete  |
| ❖ boring/drilling/pushing | ❖ seismic exploration   |
| ❖ augering                | ❖ driving fence posts, bars, rods, pins, anchors or pilings   |
| ❖ topsoil stripping       | ❖ plowing to install underground infrastructure   |
| ❖ land levelling/grading  | ❖ crossing of buried pipelines or other underground infrastructure by heavy loads off the travelled portion of a public roadway |
| ❖ tree or shrub planting  | ❖ installing agricultural drainage tile   |

Under section 2 of the Canadian Energy Regulator Act, ground disturbance does not include:

- ❖ Cultivation to a depth of less than 45cm below the surface of the ground
- ❖ Any activity to a depth of less than 30cm and that does not result in reduction of the depth of earth cover over the pipeline less than that approved at time of construction



## 2. CROSSING A PIPELINE WITH AN AGRICULTURAL VEHICLE OR MOBILE EQUIPMENT

For pipelines regulated by the Canada Energy Regulator, the *Canadian Energy Regulator Pipeline Damage Prevention Regulations – Authorizations* provides that persons operating agricultural vehicles or mobile equipment across pipelines may do so in low-risk areas, under certain conditions:

- ❖ the loaded axle weight and tire pressures of the vehicle or mobile equipment are within the manufacturer's approved limits and operating guidelines; AND
- ❖ the point of crossing has not been the subject of a notification from the pipeline company that crossing at that location could impair the pipeline's safety or security.

This applies to vehicles or mobile equipment used for agricultural activities in the production of crops and the raising of animals and includes pasturing and cultivation activities such as tillage, plowing, disking and harrowing.

For pipelines regulated by the Alberta Energy Regulator, the *Pipeline Regulation (under the Pipeline Act)* provides that persons operating vehicles or equipment used for farming operations; or use of off-highway vehicles [as defined in section 117(a)(iii) to (viii) of the Traffic Safety Act] or use of private passenger vehicles (as defined in section 1(1)(jj) of the Traffic Safety Act) less than ¾ ton may temporarily cross over an AER regulated pipeline without further approval from Enbridge.

However, if neither of the above requirements can be met then an application must be submitted to Enbridge for further review and processing.

## 3. HOW TO APPLY FOR ENBRIDGE CONSENT

The applicant must submit a written request, either by completing the Application Form (attached) or a letter with equivalent information, together with the applicable drawing(s) to the respective Enbridge crossings department as set out in the *Contact Us* section of this document.

The drawing(s) must be prepared in accordance with the minimum standards as set out in the *Drawing Requirements* section of this document.

Enbridge's Equipment Specification and Data Sheet (attached) must also be completed for any vehicle/ mobile equipment crossing applications.

For federally regulated pipelines, the applicant may petition the Commission for approval of construction activity if:

- ❖ the applicant cannot comply with the terms and conditions as set out in the company's written consent;
- ❖ the applicant feels the terms and conditions in the company's written consent are excessive; or
- ❖ If the company refused to grant approval to the applicant for reasons of pipeline integrity, public safety or company policy.

An application can be filed with the Commission by writing to:

**Secretary of the Commission  
Canada Energy Regulator  
Suite 210, 517 – 10<sup>th</sup> Ave SW  
Calgary AB T2R 0A8  
Phone: 1-877-288-8803  
Online: [www.cer-rec.gc.ca](http://www.cer-rec.gc.ca)**

Applications may be filed with the Commission by mail, courier or facsimile by calling the toll-free number at 1-877-288-8803. Applications can also be uploaded through the CER's Applications and Filings Portal on the CER website at Home / Applications and Filings / Submit Applications and Regulatory Documents / File under the CER Act / OPR: CER Act – Guide C (<http://www.cer-rec.gc.ca/pp/ctnflng/sbmt/nbpr-eng.html>).

#### 4. DRAWING REQUIREMENTS

The following represents the minimum information that is required to be shown on the drawing(s) in order for Enbridge to review your application. Dimensions must be shown on the drawing(s) and may be done in either imperial or metric units (if metric, then to one decimal point).

NOTE: incomplete drawings and/or an incomplete application will be rejected back to the applicant.

##### (a) Permanent Installations

All proposed permanent installation drawings MUST contain the following items:

1. Plan Number, including any revision number and the respective date;
2. North Arrow;
3. Scale;
4. Legend;
5. Location indicator including: legal land description, PIN, GPS coordinates;
6. Plan view of whole quarter section or affected area including:
  - ❖ Lot lines, road limits
  - ❖ Proposed facilities (including curbs, footing, guard rails, guy wires, poles, fences, etc.) with tie dimensions to lot survey line preferably along pipeline and/or right-of-way boundary
  - ❖ Location of cathodic test lead terminals (if applicable);
7. Cross section view and/or profile view including:
  - ❖ For surface structures, show profile along pipeline(s) with highest elevation
  - ❖ For underground facilities show profile along facility
  - ❖ Property lines, pipeline(s) and depth of cover
  - ❖ All underground facilities must maintain an even elevation across the entire width of right-of-way except for gravity type facilities or those facilities installed by HDD;
  - ❖ Drill path plan for HDD installations
  - ❖ Unsupported span (m) of Enbridge pipeline for open cut installations
8. Crossing Angle;
9. Crossing location circled in red;
10. Identify all affected Enbridge facilities, right-of-way(s) and pipeline markers;
11. Method of Installation (MOI) (*\*Refer to Interpretation/Definitions section*);
12. Minimum Clearance (*\*Refer to Interpretation/Definitions section*);
13. Facility specifications:
  - ❖ PIPE/CABLE: pipe diameter, pipe material, product conveyed, cable size, if cable is within a conduit, conduit material, cable voltage; unsupported span (meters) of existing pipeline if MOI is open cut;
  - ❖ ROAD: width of road, cover at ditch, cover at center of road, surface material, road type/use; design loading calculation; indicate if any Government or Provincial setback requirements
  - ❖ OVERHEAD POWER: pole number(s), location of pole/guy wire/anchors/etc., method of installation of pole/guy wire/anchors/etc., horizontal clearance to pipe from proposed pole/guy wire/anchors/etc., vertical clearance to ground/grade, voltage, type of power (AC/DC), AC mitigation plan may be required;
  - ❖ PIPE RACK: height of pipe rack, pile location(s), pile clearance to Grantor's facility, pile installation method; alternate access route provided for rural locations
  - ❖ DRAINAGE TILE: location of tiles and incremental cost analysis.
14. Complete the Equipment Specification and Data Sheet, when required.

## (b) Temporary Activities

All temporary drawings MUST contain the following:

1. Plan Number, including any revision number and the respective date;
2. North Arrow;
3. Scale;
4. Legend;
5. Location indicator including: legal land description, PIN, GPS coordinates;
6. Plan view of whole quarter section or affected area;
7. Temporary activities location circled in red;
8. Identify all affected Enbridge facilities, right of way(s) and/or PLA/easement ownership;
9. Facility specifications:
  - ❖ WORKSPACE: location, measurement of workspace, purpose;
  - ❖ ACCESS OF ROW: location, kilometer usage of ROW, width of access; egress/ingress points, complete the Equipment Specification and Data Sheet (attached);
  - ❖ EQUIPMENT CROSSING: complete the Equipment Specification and Data Sheet (attached);
  - ❖ ROAD USE: indicate road(s) to be utilized, km usage, reason required, frequency of use; complete the Equipment Specification and Data Sheet (attached);
  - ❖ GEOPHYSICAL: project/prospect name, number of reading units/lines, type of source, CER approval required (Y/N).

## 5. INTERPRETATION / DEFINITIONS

For crossing application purposes, Enbridge defines the following as:

**Grantee** means the applicant or the facility owner; a company, a person, a municipality or government body, etc.

**Method of Installation** means OPEN CUT or HDB or HDD; all defined as follows:

### *OPEN CUT*

Enbridge defines open cut as trench methodology wherein access is gained to the required level underground for the proposed installation, maintenance or inspection of a pipe, conduit or cable. The excavated trench is then backfilled and the surface restored.

### *HORIZONTAL DIRECTIONAL BORE (HDB)*

Enbridge defines horizontal directional bore as meeting ALL of the following:

- (a) The designed horizontal distance of the crossing shall be less than or equal to 150m (500ft) in length; AND
- (b) The depth of the pipeline installation shall be limited to 8m (25ft) to the centre (cross-section) of the pilot hole and measured to the corresponding surface location; AND
- (c) Straight alignment in the horizontal plane; AND
- (d) Pilot bit is steerable and trackable.

### *HORIZONTAL DIRECTIONAL DRILL (HDD)*

Enbridge defines horizontal directional drill as an *HDB* that DOES NOT meet all of the criteria for an *HDB*. An *HDD* will satisfy some but not all of: a, b and c above and will satisfy d.

**Minimum Clearance** means the required distance between the existing Enbridge facility and the proposed facility based on the selected *Method of Installation*.

|  |
|--|
| Minimum clearance required for installation ABOVE Enbridge facility by OPEN CUT is 0.3m  |
| Minimum clearance required for installation BELOW Enbridge facility by OPEN CUT is 0.6m  |
| Minimum clearance required for installation BELOW Enbridge facility by HDB is 1.0m   |
| Minimum clearance required for installation BELOW Enbridge facility by HDD is 3.0m   |
| Minimum clearance required for road installation from bottom of ditch to top of Enbridge facility is 0.9m and from centerline of road to top of Enbridge facility is 1.2m  |
| Minimum clearance required for railway installation from bottom of ditch to top of Enbridge <i>uncased</i> facility is 1.83m and from centerline of rail bed to top of Enbridge <i>uncased</i> facility is 3.05m |
| Minimum clearance required for railway installation from bottom of ditch to top of Enbridge <i>cased</i> facility is 0.91m and from centerline of rail bed to top of Enbridge <i>cased</i> facility is 1.68m     |

## 6. WRITTEN CONSENT

After applying for written consent, Enbridge will review the proposed installation and/or temporary activities application in order to ensure that the proposed work will not pose a risk to existing Enbridge facilities, as well as, to ensure that any access required to existing facilities for maintenance or in an emergency situation will not be impeded.

Some applications may require further engineering assessment which will require additional time to review the proposed installation and/or temporary activities prior to Enbridge issuing consent. All efforts will be made to provide an agreement within an appropriate timeframe, however, please ensure that your application request is submitted with ample lead time.

## 7. CONTACT US

To obtain written consent from Enbridge, please contact the respective office as set out below:

| REGION  | CONTACT INFORMATION  |
|---|--|
| <b>LIQUIDS PIPELINES - WESTERN CANADA</b><br>(Alberta, Saskatchewan, Manitoba and Norman Wells) | Lands & ROW<br>330, 10180 – 101 Street<br>Edmonton AB T5J 3S4<br><br>Email: <a href="mailto:crossingrequests@enbridge.com">crossingrequests@enbridge.com</a><br>Phone: 780-378-2228                              |
| <b>LIQUIDS PIPELINES - EASTERN CANADA</b><br>(Ontario and Quebec)                               | Lands & ROW<br>1 <sup>st</sup> Floor, 1086 Modeland Road, Bldg 1050<br>Sarnia ON N7S 6L2<br><br>Email: <a href="mailto:est.reg.crossing@enbridge.com">est.reg.crossing@enbridge.com</a><br>Phone: 1-800-668-2951 |
| <b>GAS PIPELINES / STORAGE - BRITISH COLUMBIA</b>   | Lands & ROW<br>200, 425 – 1 Street SW<br>Calgary AB T2P 3L8<br><br>Email: <a href="mailto:crossings@enbridge.com">crossings@enbridge.com</a><br>Phone: 587-747-6538  |

|                                |  |
|--------------------------------|--|
| <b>GAS STORAGE - ONTARIO</b>   | 3501 Tecumseh Road<br>Mooretown ON N0N 1M0<br><br>Email: <a href="mailto:chris.pincombe@enbridge.com">chris.pincombe@enbridge.com</a><br>Phone: 519-862-6092                     |
| <b>GAS PIPELINE - ALLIANCE</b> | Lands & ROW<br>600, 605 – 5 Ave SW<br>Calgary AB T2P 3H5<br><br>Email: <a href="mailto:crossings@alliancepipeline.com">crossings@alliancepipeline.com</a><br>Phone: 403-266-4464 |

For more information on Enbridge Gas Distribution please click the link: <https://www.enbridgegas.com/gas-safety/pipeline-safety.aspx>

## 8. ONE CALL CENTRES

Before putting a shovel in the ground, whether it is in your backyard or a commercial jobsite, please do a locate request to safely identify any buried utility lines at [www.clickbeforeyoudig.com](http://www.clickbeforeyoudig.com).

Your local one call centre can also be reached by phone as shown below:

| CALL OR CLICK BEFORE YOU DIG!!<br>Contact your respective one-call centre                                     |   |
|---|---|
| British Columbia<br><a href="https://www.bconecall.bc.ca/">https://www.bconecall.bc.ca/</a><br>1-800-474-6886 | Alberta<br><a href="http://albertaonecall.com">http://albertaonecall.com</a><br>1-800-242-3447                      |
| Saskatchewan<br><a href="http://www.sask1stcall.com">www.sask1stcall.com</a><br>1-866-828-4888                | Manitoba<br><a href="http://www.clickbeforeyoudigmb.com/">http://www.clickbeforeyoudigmb.com/</a><br>1-800-940-3447 |
| Ontario<br><a href="http://www.on1call.com">www.on1call.com</a><br>1-800-400-2255                             | Quebec<br><a href="http://www.info-ex.com">www.info-ex.com</a><br>1-800-663-9228                                    |
| Northwest Territories<br>1-867-587-7000<br>Or contact the pipeline company directly                           |   |

## 9. REGULATORS

In Canada, Enbridge has pipelines that are regulated by both the federal government and provincial governments. For more information on any of the regulators please visit their respective website.

Canada Energy Regulator: [www.cer-rec.gc.ca](http://www.cer-rec.gc.ca)

Alberta Energy Regulator: [www.aer.ca](http://www.aer.ca)

## 10. DEVELOPMENT ON OR NEAR THE RIGHT-OF-WAY

Enbridge should be consulted early in the design phase with regards to proposed subdivisions, roads and utilities, and municipal landscaping.

*Subdivisions* – Enbridge highly recommends that our right-of-way be used as a passive green space or as part of a linear park system. Permanent structures on the right-of-way are not permissible.

*Roads and Utilities* – Roads may be permitted to cross and/or run parallel to the right-of-way but no portion of a road allowance can be located on the right-of-way (apart from approved road crossings). Enbridge will review the location of utilities which are often proposed within the road allowance.

*Landscaping* – Projects such as pedestrian pathways may be permitted as long as they do not impede Enbridge's access along its right-of-way for operational and/or maintenance activities. Enbridge's written consent will specify the permitted landscaping requirements.

## **11. DAMAGE PREVENTION**

Enbridge's underground facilities must be positively identified, to Enbridge's satisfaction, prior to the start of any proposed construction activities.

Enbridge's representative(s) have the authority to stop work at any time due to safety, environmental or operational concerns and/or unforeseen circumstances or emergency situations.

**\*\*IMMEDIATELY NOTIFY ENBRIDGE IF YOU COME INTO CONTACT WITH THE PIPE! \*\***

As a small scratch or dent in the pipeline's coating can impact long term safety of the pipeline and must be assessed by Enbridge.

Please note that obstacles or un-approved above ground installations located on an Enbridge right-of-way, such as sheds, trailers, boats and pools can interfere with Enbridge's access of their right-of-way. Permanent structures on the right-of-way are NOT permissible.

Enbridge must be contacted before conducting any blasting activities within 300m of the pipeline right-of-way so that Enbridge can review the proposed plans in order to see if there might be potential impacts to its facilities. Blasting activities related to prospecting for mines and minerals within 40m of a federally regulated pipeline right-of-way requires permission from the Canada Energy Regulator.

## **12. EMERGENCY SITUATIONS**

In an emergency situation please provide as much notice, as is practicable, to Enbridge prior to commencement of any construction, excavation, installation or temporary crossing of existing pipelines and/or right-of-ways in order to access the emergency site.

Enbridge classifies an emergency situation as:

- ❖ A risk to human life;
- ❖ Required emergency repairs of public services; or
- ❖ To contain an environmental emergency.

In an emergency situation please call: **1-877-420-8800** (toll free) and/or contact your local One Call provider at the numbers listed in section 8.

**DISCLAIMER: THESE GUIDELINES ARE INTENDED TO PROVIDE USEFUL CROSSING APPLICATION GUIDANCE INFORMATION TO THE APPLICANT. SUBMISSION OF AN APPLICATION MEETING THE REQUIREMENTS AS SET OUT HEREIN DOES NOT CONSTITUTE WRITTEN CONSENT FROM ENBRIDGE. ALL APPLICATIONS WILL BE REVIEWED BY ENBRIDGE TO DETERMINE WHETHER THE APPLICATION WILL BE APPROVED.**

**APPLICANT INFORMATION**

Grantee\* Full Legal Name for Agreement:

Regulator:

Other:

Grantee Address for Service:

Grantor/Enbridge Entity

Application by Broker/Land Consultant

Yes ☐ No ☐

Broker/Land Consultant Name:

Contact Person Name:

Contact Person Phone Number:

File Number:

Broker/Land Consultant Address:

**CROSSING INFORMATION**

Expected construction start and end date(s):

Permanent Installation ☐Temporary Activities ☐Crossing ☐Drainage Tile ☐Pole/Pile Installation ☐Other ☐Workspace ☐Equipment Crossing ☐Access of ROW ☐Geophysical ☐Road Use ☐Proximity ☐Other ☐

Location indicator including affected legal land description(s), PIN and GPS Coordinates (Latitude and Longitude Decimal Degree):

Grantor's Affected Disposition(s) (Alberta) (i.e. PLA # or License # or Line #):

Grantee's Field Contact Information:

Name:

Phone:

Email:



**Details of Grantee's Proposed Permanent Installation and/or Purpose of Temporary Activities****Method of Installation\*** *(For permanent installations)*Open Cut ☐ HDB ☐ HDD ☐**Drawing(s) Attached**Yes ☐ No ☐**Drawing Requirements Met \***Yes ☐ No ☐**Equipment Specification and Data Sheet Attached \***Yes ☐ No ☐ N/A ☐**Notes/Additional Information:****SUBMIT TO:**

| <b>LIQUIDS PIPELINES<br/>WESTERN CANADA</b><br>(Alberta, Saskatchewan, Manitoba<br>and Norman Wells) | <b>LIQUIDS PIPELINES<br/>EASTERN CANADA</b><br>(Ontario and Quebec)                            |
|--|--|
| <b>Department: Lands &amp; ROW</b>   | <b>Department: Lands &amp; ROW</b>   |
| <b>Address:</b><br>330, 10180 – 101 Street<br>Edmonton AB T5J 3S4                                    | <b>Address:</b><br>1 <sup>st</sup> Floor, 1086 Modeland Road, Bldg 1050<br>Sarnia ON N7S 6L2   |
| <b>Email:</b> <a href="mailto:crossingrequests@enbridge.com">crossingrequests@enbridge.com</a>       | <b>Email:</b> <a href="mailto:est.reg.crossing@enbridge.com">est.reg.crossing@enbridge.com</a> |



## Equipment Specification and Data Sheet(s)



In order to properly conduct an analysis on the requested crossing the following general information and appropriate data sheets are required to be completed.

### Steps:

1. Complete the *Applicant – Information and Details* document for each crossing application
2. Add and complete the *Data Sheet – Equipment or Vehicle with Tires* for EACH piece of equipment
3. Add and complete the *Data Sheet – Equipment with Tracks* for EACH piece of equipment
4. Return fully completed general information and data sheets and any other pertinent information

### Applicant Information

|                                  |  |
|----------------------------------|--|
| Applicant Name:                  |  |
| Applicant Contact Person Name:   |  |
| Email:                           |  |
| Phone Number:                    |  |
| Applicant Reference/File Number: |  |

### Details

|   |                                    |                                    |                                 |
|---|------------------------------------|------------------------------------|---------------------------------|
| Description and Purpose of Crossing:                    |                                    |                                    |                                 |
|   |                                    |                                    |                                 |
| Location Indicator (legal land description, PIN, etc.)  |                                    |                                    |                                 |
|   |                                    |                                    |                                 |
| GPS Coordinates:(Latitude and Longitude Decimal Degree) |                                    |                                    |                                 |
|   |                                    |                                    |                                 |
| Duration:   | Temporary <input type="checkbox"/> | Permanent <input type="checkbox"/> |                                 |
| Start Date:   |                                    | End Date:                          |                                 |
| Equipment or Vehicle with Tires:                        | Yes <input type="radio"/>          | No <input type="radio"/>           | Datasheet: <input type="text"/> |
| Equipment with Tracks:                                  | Yes <input type="radio"/>          | No <input type="radio"/>           | Datasheet: <input type="text"/> |

Save Form

Reset Form

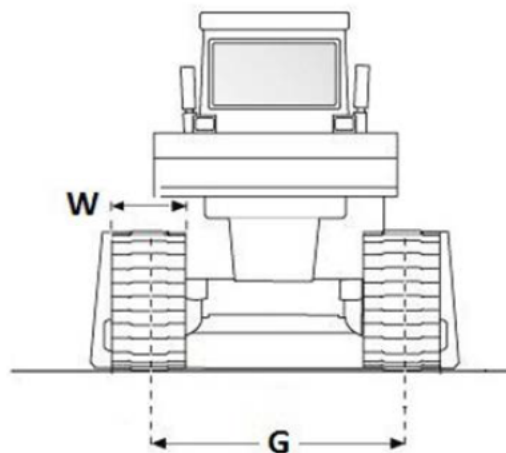
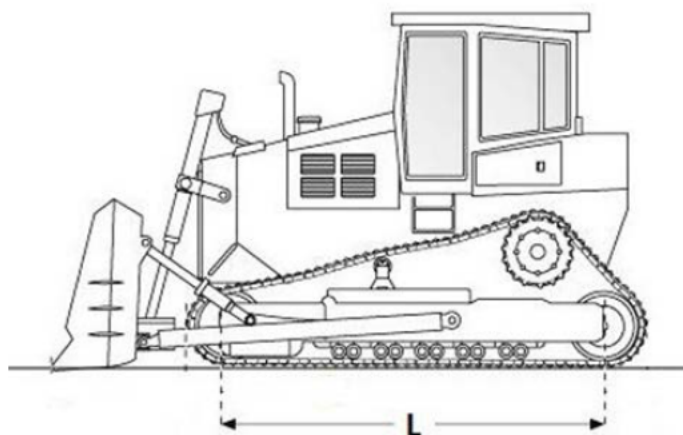
## Data Sheet – Equipment with Tracks

Complete this data sheet for each piece of equipment with tracks.

### Equipment with Tracks

### INDICATE UNITS

|                                    |   |   |  |
|------------------------------------|---|---|--|
| Manufacturer:                      |   |   |  |
| Model:                             |   |   |  |
| Equipment Description:             |   |   |  |
| Fully Loaded Gross Vehicle Weight: |   | Weight Unit   |  |
|                                    | Track Shoe Width<br>(refer to <b>W</b> below) | Track Length on Ground<br>(refer to <b>L</b> below) | Track Gauge (on center)<br>(refer to <b>G</b> below) |
| Units                              | Select Unit                                   | Select Unit   | Select Unit  |
| Track                              |   |   |  |



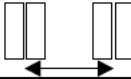
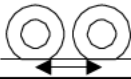
# Data Sheet – Equipment or Vehicle with Tires

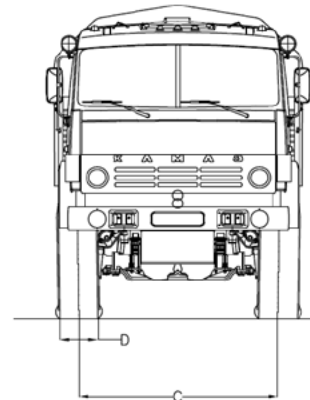
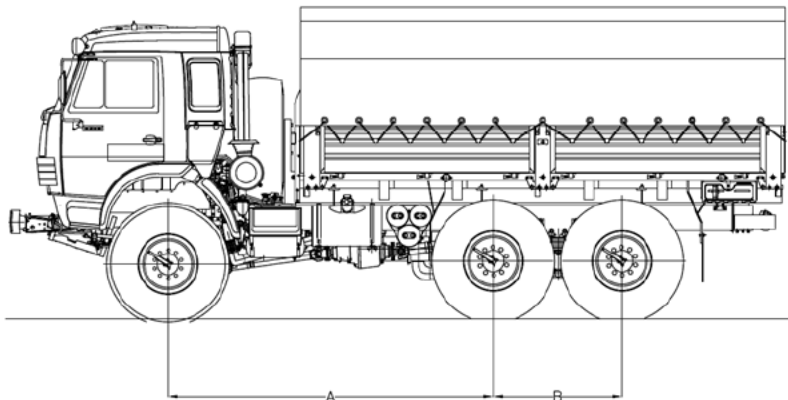
Complete this data sheet for **EACH** piece of equipment or vehicle with tires.

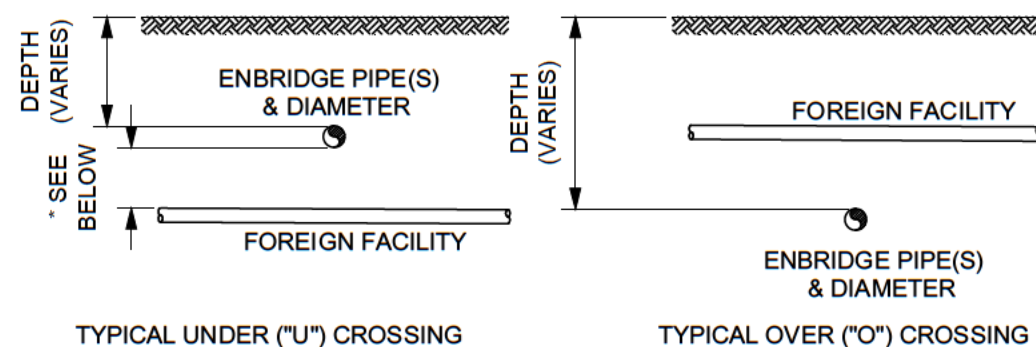
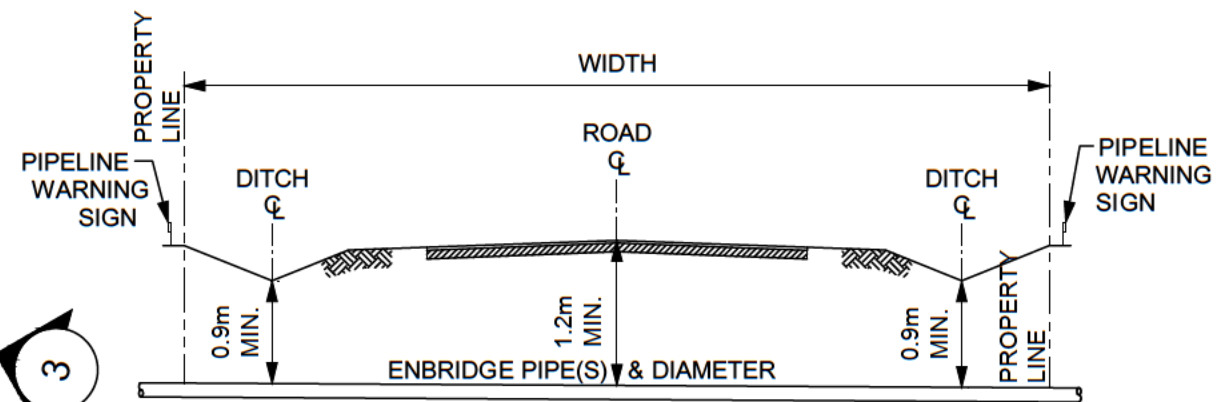
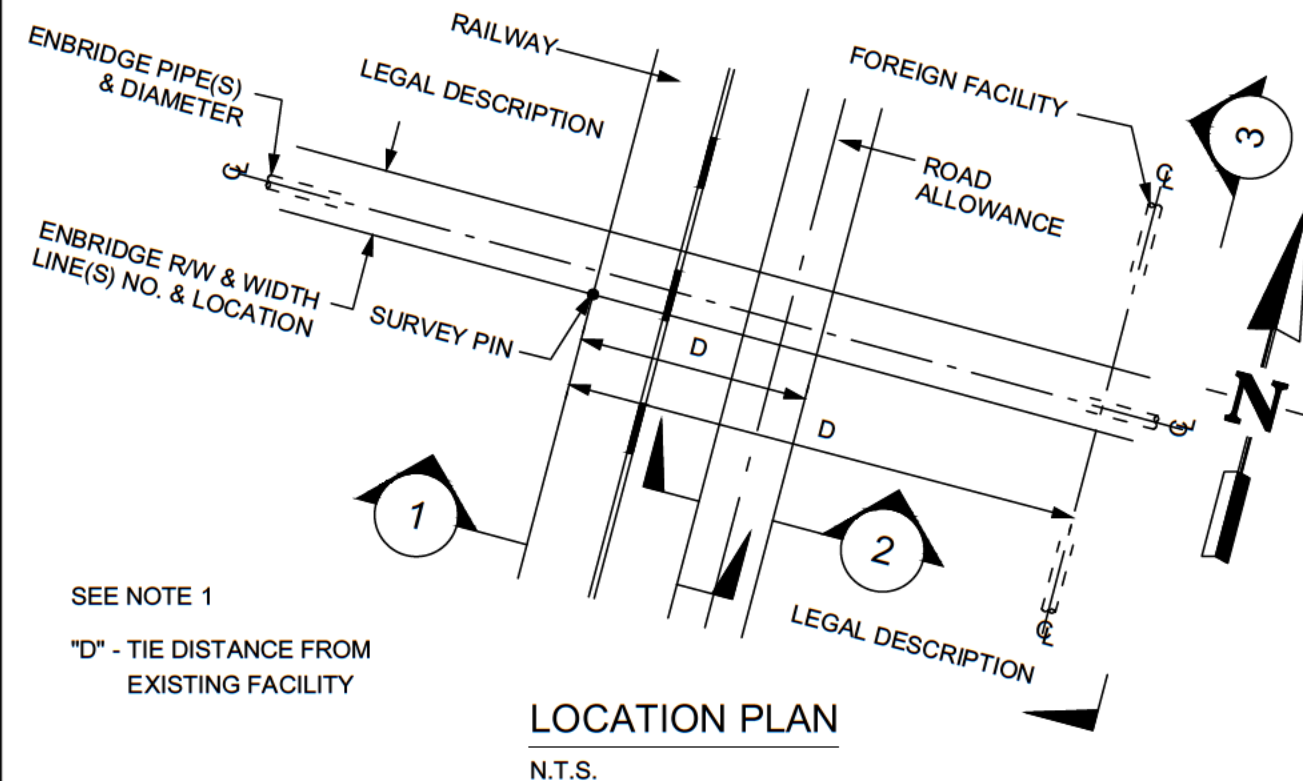
**EXCLUSION:** pick up trucks of one ton or less

## Equipment or Vehicle with Tires

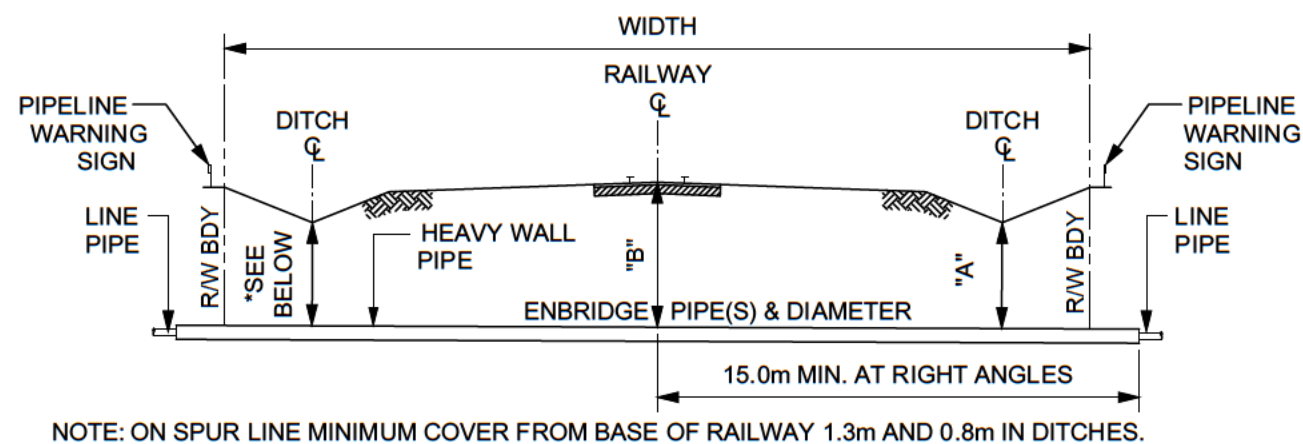
### INDICATE UNITS

| Manufacturer:                         |                                |                           |                                  |               |  |   |
|---------------------------------------|--------------------------------|---------------------------|----------------------------------|---------------|--|---|
| Model:                                |                                |                           |                                  |               |  |   |
| Equipment Description:                |                                |                           |                                  |               |  |   |
| Fully Loaded Gross Vehicle Weight:    |                                |                           |                                  |               | Weight Unit  |   |
| Road legal without overweight permit? |                                | Yes <input type="radio"/> |                                  |               | No <input type="radio"/>   |   |
| Axle                                  | Maximum Loaded Weight PER Axle | Number of Tires PER Axle  | Tire Width<br>(refer to D below) | Tire Pressure | Distance between Tire Set Centerlines<br>(refer to C below)<br> | Centerline Distance to Previous Axle<br>(refer to A below)<br>(refer to B below)<br> |
| Units                                 | Select Unit                    |                           | Select Unit                      | Select Unit   | Select Unit  | Select Unit   |
| Steering                              |                                |                           |                                  |               |  |   |
| 2 <sup>nd</sup>                       |                                |                           |                                  |               |  |   |
| 3 <sup>rd</sup>                       |                                |                           |                                  |               |  |   |
| 4 <sup>th</sup>                       |                                |                           |                                  |               |  |   |
| 5 <sup>th</sup>                       |                                |                           |                                  |               |  |   |
| 6 <sup>th</sup>                       |                                |                           |                                  |               |  |   |
| 7 <sup>th</sup>                       |                                |                           |                                  |               |  |   |

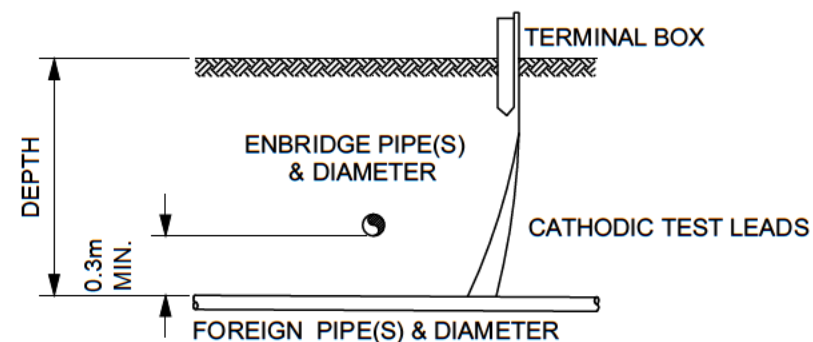




- \* MINIMUM CLEARANCE:**
- 0.3m IF OPEN CUT ABOVE ENBRIDGE PIPES
  - 0.6m IF OPEN CUT BELOW ENBRIDGE PIPELINES
  - 1.0m IF HDB UNDER ENBRIDGE PIPELINES
  - 3.0m IF HDD UNDER ENBRIDGE PIPELINES



| * MINIMUM CLEARANCE: |       |       |
|----------------------|-------|-------|
|                      | "A"   | "B"   |
| CASED                | 0.91m | 1.68m |
| UNCASED              | 1.83m | 3.05m |

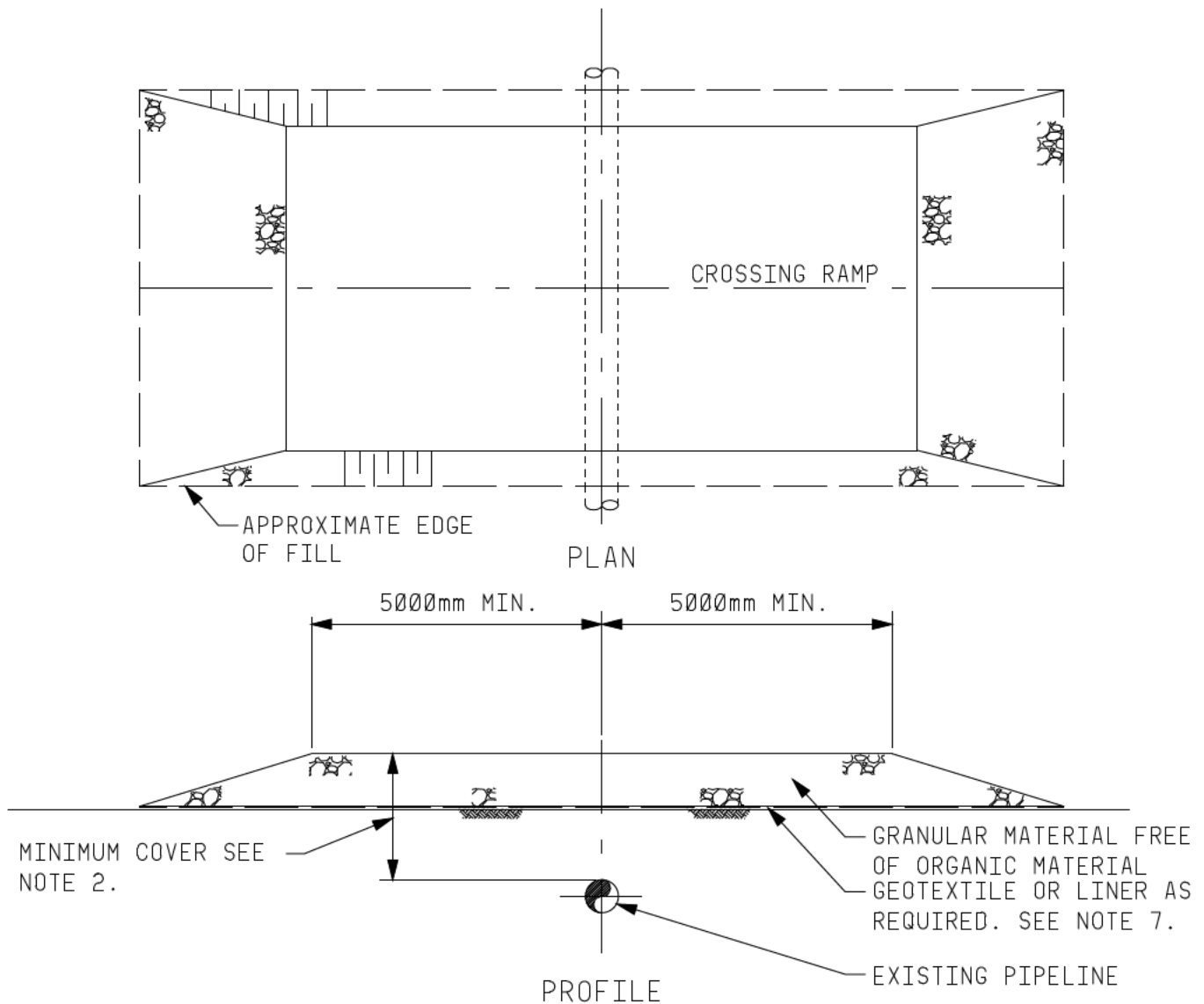


**NOTE:**

1.ENBRIDGE PIPELINES OPERATE UNDER HIGH PRESSURE THEREFORE ENBRIDGE REPRESENTATIVE(S) MUST BE PRESENT DURING CONSTRUCTION.

2.THIS DRAWING IS FOR REFERENCE ONLY. ACTUAL SITE DETAILS OR REQUIREMENTS MAY VARY.

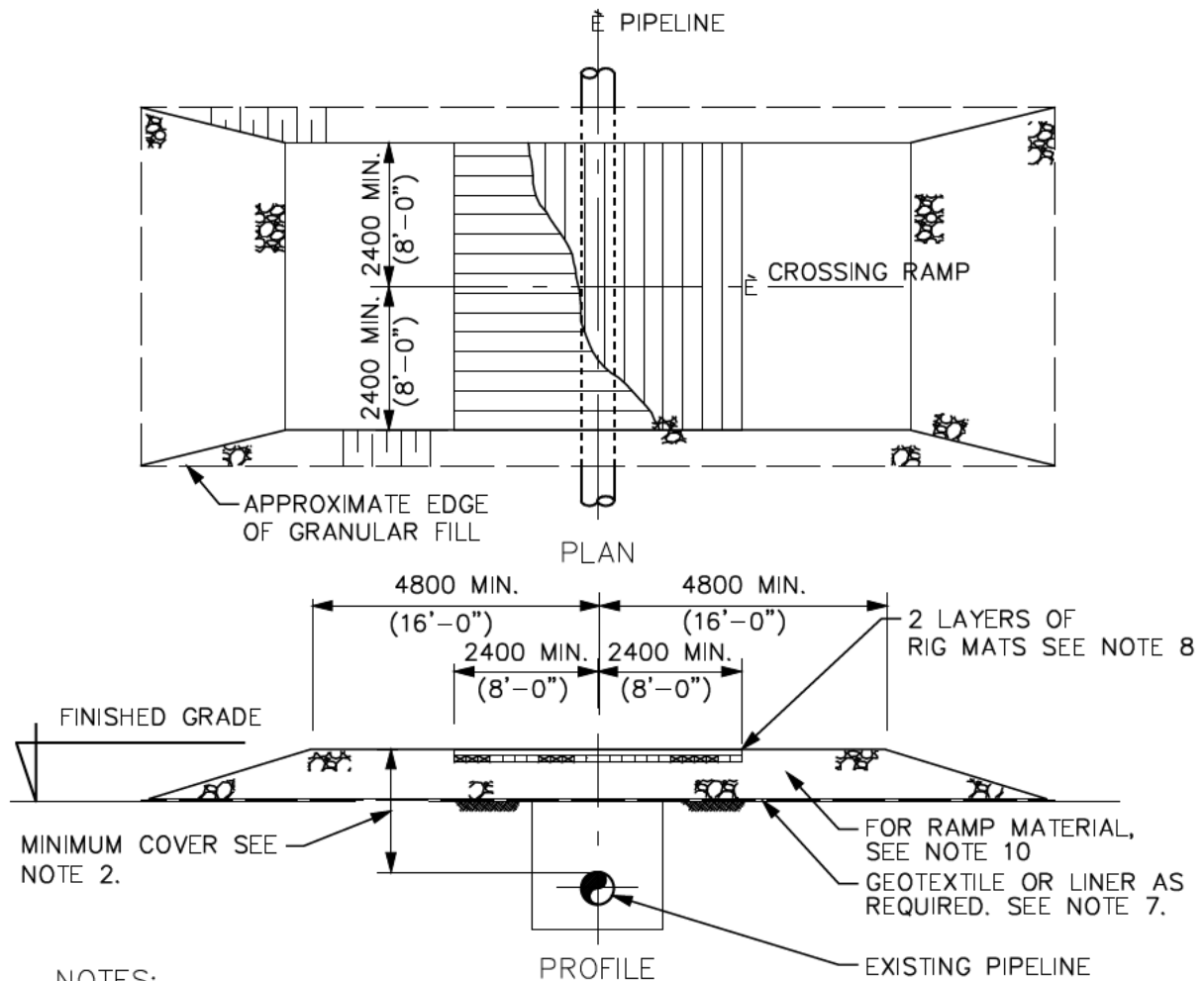
| REFERENCE DRAWINGS   |  |                  |                     |        |  |
|--|--|------------------|---------------------|--------|--|
| 3  | AS BUILT INTERNATL DRAFTING IDRA34                             | 02 AUG 18 JZ     | BLB                 | ENB    |  |
| 2  | REDRAWN FROM C-1.02-5052-0-0 & REVISED AS PER STANDARDS UPDATE | 08 APR 13 MD     | DRO/TO              | DRO/TO |  |
| 1  | REVISED AS PER OPERATIONS INFORMATION                          | 05 MAY 10        |                     |        |  |
| REV NO.  | REVISION DESCRIPTION   | DATE BY          | CHK                 | APPR   |  |
|  |  |                  |                     |        |  |
| COPYRIGHT © THIS DRAWING IS THE PROPERTY OF ENBRIDGE AND SHALL NOT BE REPRODUCED EITHER IN WHOLE OR IN PART WITHOUT PRIOR WRITTEN CONSENT OF ENBRIDGE. |  |                  |                     |        |  |
| <b>ENBRIDGE</b>  |  |                  |                     |        |  |
| TYPICAL CROSSING DETAILS FOR THIRD PARTY APPLICANTS CROSSING ENBRIDGE PIPELINES CANADA   |  |                  |                     |        |  |
| BY: ME   | CHK: EH  | ENG.: HCFROST    | ENB APPR: GAFAULDER |        |  |
| DATE: 30 AUG 88  | SCALE: NTS   | STATUS: AS BUILT |                     |        |  |
| DWG NO.: B-1.02-5052-0   |  |                  | REV NO:             | 3      |  |



#### NOTES:

1. ON COMPLETION OF CONSTRUCTION, CONTRACTOR SHALL REMOVE COMPLETE RAMP AND RESTORE AREA TO ORIGINAL CONDITION.
2. MINIMUM COVER SHALL BE AS SPECIFIED IN THE CROSSING AGREEMENT.
3. LENGTH OF RAMP TO VARY IN ACCORDANCE WITH CROSSING ANGLE.
4. RAMP WIDTH SHALL BE MINIMIZED AS MUCH AS POSSIBLE, AND SHALL NOT ENCROACH BOUNDARIES SET IN THE CROSSING AGREEMENT.
5. RAMP SIDE SLOPE SHALL NOT BE STEEPER THAN 1V:4H.
6. RAMP SHALL BE COMPACTED, AND HAVE A CROSS FALL TO ENSURE THAT WATER WILL NOT POND ON THE RAMP CAUSING EXCESSIVE RUTTING.
7. A GEOTEXTILE OR LINER BARRIER TO BE INSTALLED AT THE DISCRETION OF THE ENBRIDGE FIELD REPRESENTATIVE.
8. REFER TO DRAWING A-1.8-43105 FOR FRENCH VERSION.  
REFERE AU DESSIN A-1.8-43105 POUR VERSION FRANCAISE.

|  |   |                       |             |
|--|---|-----------------------|-------------|
| A-1.8-43105-0  |   | TYPICAL DESIGN DETAIL |             |
| REFERENCE DRAWINGS   |   |                       |             |
|  |   |                       |             |
|  |   |                       |             |
| 2  | FRENCH TRANSLATION REFERENCE AS PER IOR 583 | 2019 JAN 11 MM        | BLB ENB     |
| 1  | AS BUILT INTERNAL DRAFTING TO 304           | 20 MAR 18 BLB         | GB ENBRIDGE |
| REV NO.  | REVISION DESCRIPTION                        | DATE BY               | CHK APPR    |
| COPYRIGHT © THIS DRAWING IS THE PROPERTY OF ENBRIDGE AND SHALL NOT BE REPRODUCED EITHER IN WHOLE OR IN PART WITHOUT PRIOR WRITTEN CONSENT OF ENBRIDGE. |   |                       |             |
| <b>ENBRIDGE</b>  |   |                       |             |
| TYPICAL DESIGN DETAIL<br>TYPICAL TEMPORARY CROSSING RAMP<br>WITH EARTH   |   |                       |             |
| BY GB  | CHK GG                                      | ENG.                  | ENB APPR    |
| DATE 14 FEB 18   | SCALE NTS                                   | STATUS AS BUILT       |             |
| DWG. NO.   | A-1.8-42872-0                               |                       | REV. NO 2   |



NOTES:

1. ON COMPLETION OF CONSTRUCTION, CONTRACTOR SHALL REMOVE COMPLETE RAMP AND RESTORE AREA TO ORIGINAL CONDITION.
2. MINIMUM COVER SHALL BE AS SPECIFIED IN THE CROSSING AGREEMENT.
3. LENGTH OF RAMP TO VARY IN ACCORDANCE WITH CROSSING ANGLE.
4. RAMP WIDTH SHALL BE MINIMIZED AS MUCH AS POSSIBLE, AND SHALL NOT ENCROACH BOUNDARIES SET IN THE CROSSING AGREEMENT.
5. RAMP SIDE SLOPE SHALL NOT BE STEEPER THAN 1V:4H.
6. RAMP SHALL BE COMPACTED, AND HAVE A CROSS FALL TO ENSURE THAT WATER WILL NOT POND ON THE RAMP CAUSING EXCESSIVE RUTTING.
7. A GEOTEXTILE OR LINER BARRIER TO BE INSTALLED DURING SPRING, SUMMER AND FALL SEASONS.
8. RIG MATS SHALL BE STAGGERED OR PLACED IN A PERPENDICULAR ORIENTATION FROM THE PREVIOUS LAYER SO THAT THE EDGES DO NOT LINE UP
9. ALL DIMENSIONS ARE IN mm UNLESS OTHERWISE NOTED
10. SNOW OR ICE CAN BE USED AT THE DISCRETION OF THE ENBRIDGE FIELD REPRESENTATIVE.
11. REFER TO DRAWING A-1.8-43106 FOR FRENCH VERSION.  
REFERE AU DESSIN A-1.8-43106 POUR VERSION FRANCAISE.

|  |                                  |                  |           |                       |          |           |  |
|--|----------------------------------|------------------|-----------|-----------------------|----------|-----------|--|
| A-1.8- 3106-0  |                                  |                  |           | TYPICAL DESIGN DETAIL |          |           |  |
| REFERENCE DRAWINGS   |                                  |                  |           |                       |          |           |  |
|  |                                  |                  |           |                       |          |           |  |
|  |                                  |                  |           |                       |          |           |  |
| 3  | AS BU LT DR. IDR 7 3             | 20 JUN 19        | MF        | AE                    | ENB      |           |  |
| 2  | FRENCH TRANSLATION REFERENCE     | 11 JAN 19        | MM        | BLB                   | ENB      |           |  |
| 1  | AS BU LT INTERNAL DRAFTING ID 30 | 30 MAR 18        | BLB       | GB                    | ENBRIDGE |           |  |
| REV. NO.   | REVISION DESCRIPTION             | DATE BY          | CHK       | APPR.                 |          |           |  |
| COPYRIGHT © THIS DRAWING IS THE PROPERTY OF ENBRIDGE AND SHALL NOT BE REPRODUCED EITHER IN WHOLE OR IN PART WITHOUT PRIOR WRITTEN CONSENT OF ENBRIDGE. |                                  |                  |           |                       |          |           |  |
| <b>ENBRIDGE</b>  |                                  |                  |           |                       |          |           |  |
| TYPICAL DESIGN DETAIL<br>TYPICAL TEMPORARY CROSSING RAMP<br>WITH RIG MATS  |                                  |                  |           |                       |          |           |  |
| BY: GB   | CHK: GG                          | ENG.:            | ENB APPR: |                       |          |           |  |
| DATE: 14 FEB 18  | SCALE: NTS                       | STATUS: AS BUILT |           |                       |          |           |  |
| DWG. NO.:  | A-1.8-42873-0                    |                  |           |                       |          | REV. NO.: |  |
|  |                                  |                  |           |                       |          | 3         |  |



Mr Ron and Mrs Joyce Perrin  
[REDACTED] Street East  
[REDACTED] Cardinal, On K0E 1E0

RECEIVED

APR 14 2022

TOWNSHIP OF  
EDWARDSBURGH/CARDINAL

Monday April 11, 2022

Wendy Van Leulen, Community Development Coordinator  
Township of Edwardsburgh/Cardinal  
18 Centre Street; P O Box 129 Spencerville, On K0E 1X0

Re: Public Meeting Concerning Proposed  
Official Plan Amendment No 1 and  
New Comprehensive Zoning Bylaws  
Property ~~PLAN 25~~ [REDACTED]  
16800.00SF 112.00FR 150.00D

Dear Ms Van Leulen,

In response to your notice of March 24<sup>th</sup>, please notify us of the Township of Edwardsburgh/Cardinal's proposed Official Plan amendments and New Comprehensive Zoning By-Laws and the subsequent approval by the United Counties of Leeds and Grenville.

This letter serves to register our participation in public meetings relating to these Bylaws and preservation of our rights to appeal.

Sincerely,



Ronald Albert Perrin



Joyce Marilyn Sheldrick-Perrin

RP



**Via E-mail ([wvankeulen@twpec.ca](mailto:wvankeulen@twpec.ca))**

April 14, 2022

Wendy Van Keulen  
Community Development Coordinator  
Township of Edwardsburgh Cardinal  
18 Center St., P.O. Box 129  
Spencerville, ON K0E 1X0

**Re: Proposed Comprehensive Zoning By-law - Township of Edwardsburgh Cardinal**

Dear Wendy Van Keulen,

South Nation Conservation (SNC) received a second draft of the proposed Comprehensive Zoning By-law for the Township of Edwardsburgh Cardinal on March 24, 2022. We appreciate the opportunity to review and comment on the draft Zoning By-law and are happy to answer any question you may have regarding our comments.

After considering the environmental impacts of the proposed zoning by-law amendment on the local environment, as outlined under Sections 2.1 (Natural Heritage), and 3.1 (Natural Hazards) of the Provincial Policy Statement, 2020, issued under Section 3 of the *Planning Act* and considering the Edwardsburgh Cardinal Official Plan, SNC offers the following comments:

1. SNCs comment letter dated October 1, 2021 identified opportunities to include provisions noting a when a South Nation Conservation permit may be required. The revised draft does not include these references. The intention of including these provisions is to provide transparency and predictability for residents, property owners and developers by ensure the need for an SNC permit is identified as early as possible when a property purchase or developing is considered.

Residents, property owners and developers are not always aware of the need for an SNC permit and what effect that may have on a potential project. The addition of the provisions proposed in our pervious letter dated October 1, 2021 would act as triggers for notifying project proponents to contact SNC and do not add any new restrictions or regulations. SNC continues to recommend inclusion of provisions that identify when an SNC permit may be required.

2. SNCs comment letter, dated October 1, 2021, recommended minimum lots sizes for lots on partial and private services be amended where development is on private sewage services (septic). SNC notes that we are not the septic approval authority for Edwardsburgh Cardinal and strongly encourage discussing these comments with your septic approval authority.





In the revised draft, the Residential Second Density, Residential Third Density, and Main Street Commercial Zone minimum lot sizes on partial and private services (where a septic system would be required) are not large enough to allow for a conventional septic system.

It is our understanding, based on a discussion with Jordan Jackson, that the proposed minimum lot sizes for partial and private services (where a septic system is required) were intentionally small to facilitate increased density in development on private services.

SNC supports this goal, however, the minimum lot sizes proposed are not large enough to accommodate a septic system based on the setback and sizing requirements as set out in the Ontario Building Code (OBC) and as per MECP D-5-4. These sizing and setback requirements are established to ensure that septic systems will be functional and safe and to reduce the probability of groundwater contamination which could be dangerous.

SNC encourages a minimum lot size of 0.4 ha where a private septic system is required. A site specific terrain analysis with scaled site plan demonstrating that that the proposed development and system meet D-5-4 and OBC setbacks should be required to support a reduction in the minimum required lot size.

3. South Nation Conservation discussed the minimum required lots sizes for Partial service – municipal sewage and private wells and though no changes to these minimum lot sizes are suggested, our hydrogeologist expressed concern regarding the density of water taking in small areas if lots of the minimum size identified in the proposed zoning by-law continue to be permitted. SNC strongly encourages undertaking a water quantity assessment to determine the quantity of water available in the aquifers where there are higher densities of wells if that has not yet been undertaken.

### **Recommendation**

**SNC does not object to the proposed comprehensive zoning by-law; however, we recommend that the above comments be considered and incorporated, where appropriate.**

I trust the above is to your satisfaction. Should you have any questions please do not hesitate to call our office.

Sincerely,

Alix Jolicoeur  
Senior Planner  
South Nation Conservation

April 21, 2022

Please copy to  
Council RP

Mr Ron and Mrs Joyce Perrin  
41 Adelaide Street East  
P O Box 201 Cardinal, On K0E 1E0  
Wednesday, April 20, 2022

Mr Hugh Cameron, Ward 1  
Councillor Town of Cardinal  
Township of Edwardsburgh/Cardinal  
18 Centre St, P O Box 129  
Spencerville, On K0E 1X0

Subject: Public Meeting April 21, 2022  
Concerning Proposed Official Plan  
Amendment No 1 and  
Re: New Comprehensive Zoning Bylaws  
Property PLAN 25 PT BLK C REG  
16800.00SF 112.00FR 150.00D

Dear Mr Cameron,

We first learned from Ms Wendy Van Leulen on April 8, 2022 that our property at 41 Adelaide St and Shanley Road (Route 22) here in the town of Cardinal is presently zoned Community Commercial (CC).

We stand opposed to the current zoning designation proposed to (R2) residential for some of the following reasons:

- our property consists of two (2) civic addresses at 41/43 Adelaide St.
- According Ms Van Leulen, Community Development Coordinator our property area of 1650 m2 is well within the present zoning criteria for Community Commercial (CC).
- Some of the properties going north on Shanley Road Route 22 don't comply with the minimum area of 1000 m2 and are still classified as Community Commercial (CC). It is also noted that one other bylaw-zoned property is designated as MCR also under this minimum area 1000 m2 guideline.
- By The Township of Edwardsburgh/Cardinal relegating our property to the R2 designation will depreciate our property values and our options to solicit commercial buyer(s) for our property, etc...

These are some of the rational for why our property should continue to be zoned as Community Commercial (CC). Thank you.

Sincerely,



Ronald Albert Perrin



Joyce Marilyn Sheldrick-Perrin

RP/

90

Edwardsburgh-Cardinal Township  
Application for a Change  
to the Draft Zoning Bylaw

Centre Street Spencerville

Philip Bury  
2 May 2022

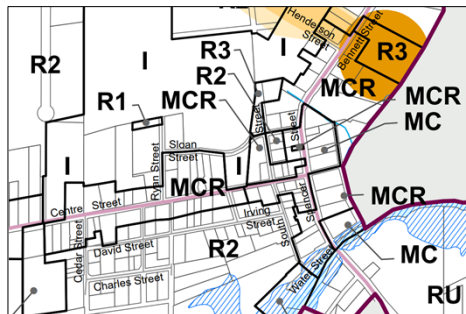
1

Proposed Zoning

To Zone (most of) Centre Street  
Residential R1

2

Draft\* Zoning  
Downtown Spencerville



\*and present

3

Draft\* Zoning  
Centre Street

7.2 Main Street Commercial / Residential (MCR) Zone

1. Permitted Uses

- all permitted uses in the MC zone
- all permitted uses in the I zone
- all permitted uses in the R3 zone, in accordance with all provisions of Section 6.3

*A drastic change to the present street, and to the village*

\*and present

4

## MCR: Some Permitted Uses

- apartment building
- antique shop
- bank
- catering establishment
- clinic
- commercial parking lot
- community service
- custom workshop
- day nursery
- existing automobile service station
- funeral home
- hotel
- instructional facility
- laundromat or dry cleaners
- microbrewery
- motel
- open market
- personal service
- place of assembly
- place of worship
- professional or business office
- recreational establishment
- retail store
- restaurant
- service outlet
- specialty food store
- veterinary clinic

5

## Proposed Zoning Centre Street

### Why commercial? Why R3?

What do people need in a village like this?

- Grocery / convenience store ✓
- Post office ✓
- Bank ②
- Restaurants ✓✓
- Hardware ✓
- Feed and seed ✓
- Recreation ✓
- Worship ✓
- Increased tax base? Hypothetical ②
- If, in the years to come, there were a need for re-zoning to R2 or MC, that would be the time to do it. At present there is no need.

6

## Proposed Zoning Centre Street

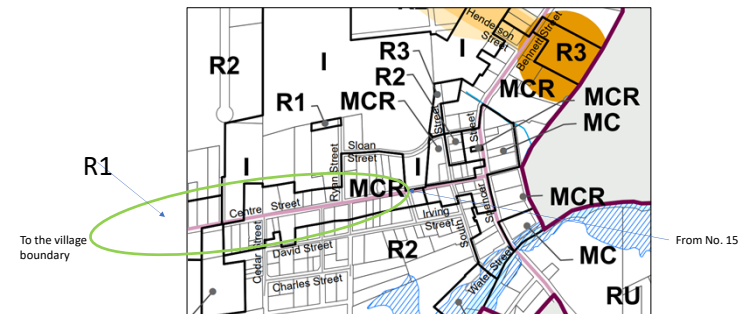
### 6.1 Residential First Density (R1)

#### 1. Permitted Uses

- single dwelling

7

## Proposed Zoning Centre Street Spencerville



8

## Proposed Zoning Centre Street

### Reasoning:

1. The status quo is single dwellings (with exceptions), and no one seems to mind. Now is the time to make it official
2. A pleasant and comfortable neighbourhood with a neighbourhood character. Commercialisation or intensification would spoil it
3. Integral to the attractive heritage character of the village
4. Attractive to passersby and future residents
5. The ambience encourages safe driving. Commercialisation would make speeding easier
6. Commercialisation or intensification would spoil the character of the whole village
7. As urban sprawl approaches, we want to attract residents who are looking for a place like this
8. If / if more commercialisation is necessary, there are other places
9. Centre Street seems to be zoned the way it is because it always has been. Not a good reason

9

## Proposed Zoning Centre Street

### Good text I couldn't pass up:

Stolen (apologies) in a related context from Stephanie Summers's submission 8 September 2020:

"...The village is a heritage village with a farming / agricultural background. Keeping the integrity of the village and the quality of life for residents is important. Condensing the village into a tight bedroom community will not support the local businesses and will destroy the appeal of the village.

Community Development Committee 1 November 2021 (about Sloan Street, the same zone):

"Committee discussed possible complications with the current MCR zoned lots located between Sloan and Centre Street, highlighting previous issues dealt with on David St. Members noted possible issues with future severance of the lots, the repercussions of the addition of secondary dwelling units and the appropriate approach to addressing the perceived issue. Members noted their concern of intensification of the area through the development of multiresidential housing due to the smaller street sizes, narrow lots and surrounding public amenities such as the arena or the fairgrounds. Members noted the possibility of unnecessarily upsetting landowners by changing the current zoning of their properties."

10

## Proposed Zoning

To Zone (most of) Centre Street  
Residential R1

11

## Questions?

12

Thank you

13



May 3, 2022

Wendy Van Keulen  
Community Development Manager  
Township of Edwardsburgh/Cardinal  
18 Centre St. PO Box 129  
Spencerville, ON K0E 1X0

*sent via email to: wvankeulen@twpec.ca*

**RE: Zoning By-law Review**  
**Policy implications for provincially owned lands**

---

Infrastructure Ontario (IO) is a crown agency responsible for the strategic management of the provincial realty portfolio on behalf of the Ministry of Government and Consumer Services. Part of IO's mandate is to protect and optimize the value of the province's real estate portfolio, while ensuring real estate decisions reflect public policy objectives. We appreciate the opportunity to provide you with comments for consideration on the review of the draft of the Township of Edwardsburgh/Cardinal Zoning By-Law.

IO manages a large amount of land in the Township, majority of which are located in the Edwardsburgh Land Bank. These lands are subject to the proposed Rural, Environmental Protection-PSW, Highway Commercial and Agriculture zones. After reviewing the draft Zoning By-Law policies, it appears that the list of permitted uses within these zones have decreased significantly from the current permitted uses under Zoning By-Law 2013-35. The exclusion of many uses results in fewer potential uses for these provincially owned lands, leading to potential difficulties in tenancing the site, detracting from their marketability and adding a further challenge to the disposition process. We would also suggest that is preferable from a municipal viewpoint to have a wider array of uses to ensure lands are kept in active use.

We kindly request that the current uses permitted in the Rural, Environmental Protection, Highway Commercial and Agricultural Reserve Zones in Zoning By-Law 2013-25 continue to be permitted in the Rural, Environmental Protection-PSW, Highway Commercial and Agriculture Zones in the proposed new Zoning By-Law. In particular, we have the following concerns for which we would like confirmation:

- Within the new By-law, "Single Dwelling" could be any one of the previously permitted residential built forms including: Dwelling, Apartment Unit; Dwelling, Converted; or, Dwelling, Single Detached
- Many of the uses previously listed now fall within broader uses defined ie. "Automobile Service Station" captures all of the previous individual auto uses, or "Agriculture Use" captures retail sales of crops/product etc.
- Home-Based Businesses and Bed and Breakfast will continue to be permitted within the Rural and Agriculture Zones given the economic changes due to COVID-19



**Head Office**

One Dundas Street West  
Suite 2000, Toronto, ON  
M5G 1Z3

**Siège de direction**

1, rue Dundas Ouest  
bureau 2000, Toronto, ON  
M5G 1Z3



**Infrastructure  
Ontario**

In addition, we would request that you keep Infrastructure Ontario informed of your Zoning By-law review processes.

We thank Staff for considering our comments and. Please feel free to contact us if you have any questions. Contact information is as follows:

Joanna Craig, Portfolio Analyst  
Infrastructure Ontario  
1 Dundas St. W., Suite 2000  
Toronto, ON M5G 2L5  
Tel: 647-326-1233  
[joanna.craig@infrastructureontario.ca](mailto:joanna.craig@infrastructureontario.ca)

Sincerely,

A handwritten signature in black ink, appearing to read 'Joanna'.

Joanna Craig  
Portfolio Analyst

cc. Michael Coakley, Senior Planner  
Amy Emm, Director Land Use Planning

**From:** [Marilyn Mootrey](#)  
**To:** [Wendy Van Keulen](#)  
**Subject:** Letter to Council and Committee  
**Date:** May 4, 2022 11:29:43 AM

---

Reference : Vacant property adjacent to 5067 Rock Street (parcel 070170103511150) severed in 2008

I would like to request that Council and Committee consider site-specific zoning for this property that would provide relief from the proposed 500m setback from the Tackaberry quarry lands.

The current setback is 300m and this site has been zoned residential vacant land since the severance was granted in 2008 and property taxes have been paid on this basis from that time until currently.

I had also made contact with Township Building Department, namely Dwayne Crawford and was assured that there would not be an issue in getting a building permit for a severed parcel and specifically this parcel. Never was there any mention of proposed new bylaws which could impede that process.

My above mentioned parcel of vacant land has a current offer to purchase which is being jeopardized by this zoning issue.

I would request an expedited response to my above mentioned request in writing ( before new bylaws take effect) in order to be able to complete the sale.

Thank you for your prompt attention to this matter.

Yours truly,

Marilyn Mootrey

## Zoning By-Law (ZBL) Review

### Proposed Changes to Draft 2 - February 2022

#### 1. **Eliminate the RLS Zone (see Appendix A)**

- Planning objective, i.e. preventing overdevelopment, can be achieved through compliance with regulations such as OBC, EPA, SNCA, etc. and general provisions of Zoning By-Law (ZBL) (Appendix B)
- Objective of identifying all properties accessed by private road is not achieved in Draft (Appendix D)
- Uses restricted through ZBL use provisions and definitions (Appendix H)
- Provides equality for all similarly sized properties with water frontage (Appendix C)
- Re-zone all current RLS to RU

\*\*\*\*\* **IF #1 IS NOT POSSIBLE THEN #2: \*\*\*\*\***

#### 2. **Maintain RLS maximum lot coverage at 20% vs. proposed 10%**

- Per recommendation at para 2e of NOVATECH Memorandum, "PUBLIC AND AGENCY COMMENT SUMMARY – NEW COMPREHENSIVE ZONING BY-LAW REVIEW" dated Nov 1, 2022 (Appendix E)
- Provides equality for all similarly sized properties with water frontage (Appendix C)
- Actual coverage on lots will likely be less as setbacks and septic system requirements define the real space available. Development of small lots automatically controlled. (Appendix B)

#### 3. **Remove access by private road restriction for additional residential unit**

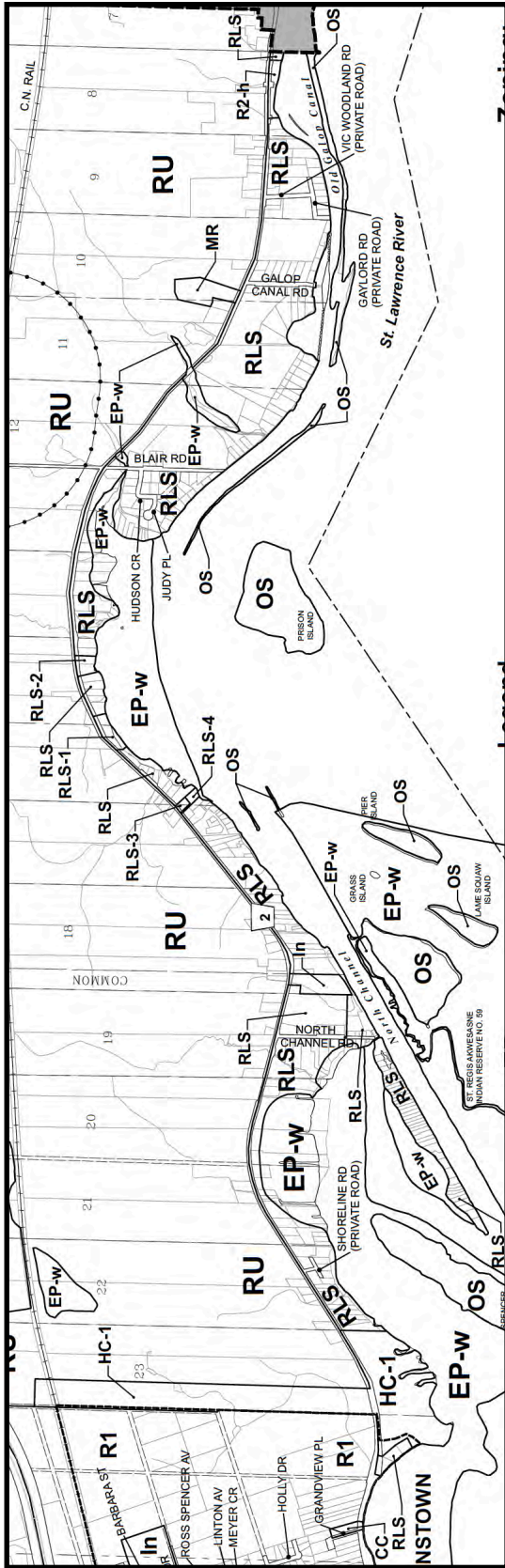
- No impact on development for most lots with water frontage as septic capacity will automatically limit total number of residential units (Appendix B)
- Permits use on RU lots accessed by private road and with frontage on a public road but restricted from direct access to the public road
- Requires coordination with Official Plan amendment 1 change to para 6.2.1.2

#### 4. **Define the Minimum Road Standards to permit emergency service access on private roads**

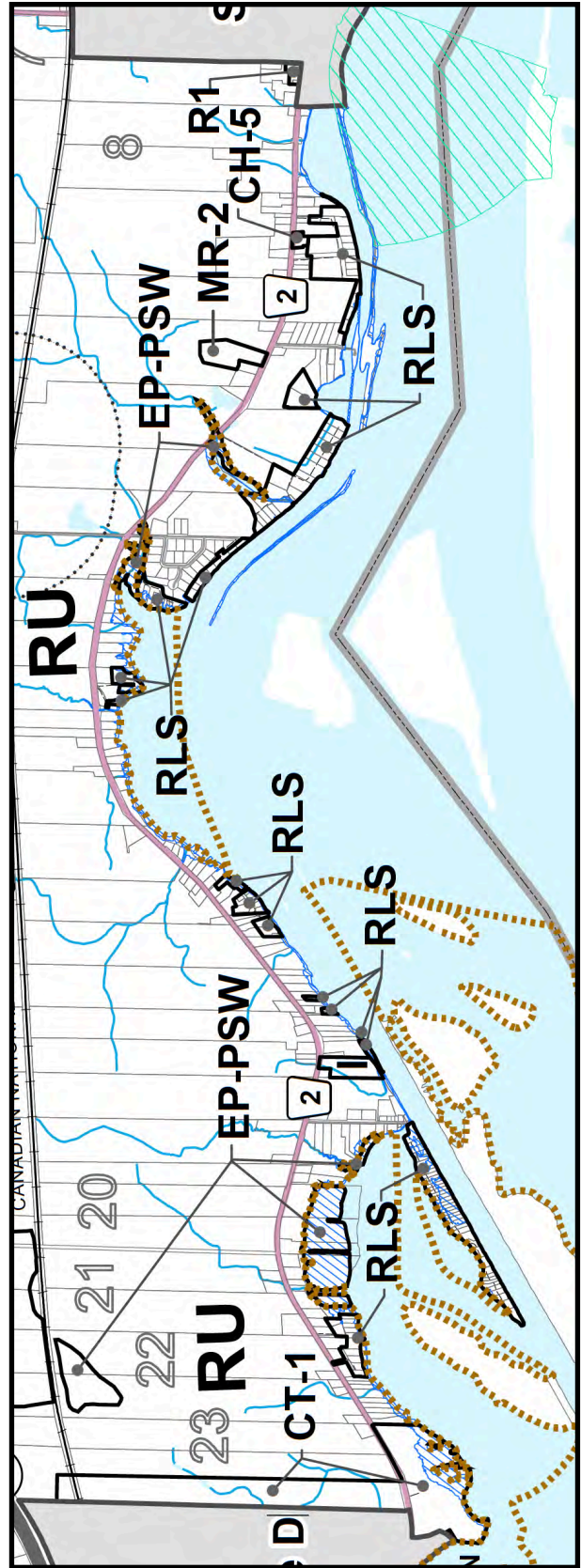
- Meets intent of TWPEC OP para 5.3.19.
- Applies to private road and all other access roads throughout Township
- Facilitates improvement of safety of all residents

#### 5. **Schedule Corrections**

- Shape of RH zones in Draft ZBL Schedule A is different than Settlement Area boundaries in TWPEC OP Schedule B for Pittston, Shanly, Hyndmann and Ventnor. (Appendix E)
- Draft ZBL Schedule A border with USA is incorrect. (Appendix F)



SCHEDULE D - ZBL 2012-35



SCHEDULE A - ZBL DRAFT #2

## REGULATION OF DEVELOPMENT

1. A stated objective for the RLS zone is to control over development of properties on lands adjacent to the St Lawrence River. Certain lots accessed by private road and with no frontage on a public road have been identified as requiring special attention for controlling development and zoned RLS. The reason for focusing on these lots is apparently based on the perception that they are unusually small or uniquely located in environmentally sensitive areas. However, as shown in APPENDIX C, the proposed RLS properties and the proposed RU properties share similar characteristics in terms of size and water frontage.
2. The only difference between the proposed RLS and proposed RU properties is access by private road, and as shown in APPENDIX D, this is not consistently applied. Clearly, if the objective is to control development on lots adjacent the river, the means of access to these lots has little relevance. Development is controlled by limiting the creation of new lots and establishing regulations to ensure current environmental and safety requirements are met in the context of the property's location.
3. "Over development" is a non-specific and contextual term. It means different things in a city and in the country, or in an environmentally sensitive area, or where resources such as potable water are limited. It has both aesthetic (e.g. rural or natural character, enjoyment of property) and practical (e.g. preventing pollution, protecting wildlife) components.
4. Waterfront development is limited by federal, provincial and local regulation regulation in the following ways:
  - a. Minimum setbacks from the water;
  - b. Mandating environmental impact assessments for certain development adjacent natural heritage features;
  - c. Regulating development through the Conservation Authority;
  - d. Zoning provisions such as yard setbacks and lot coverage;
  - e. Building Code waste treatment system minimum sizing and setback requirements; and
  - f. Well location restrictions with respect to waste treatment.
5. On small rural waterfront lots the greatest restriction to development are the waste treatment regulations, which severely limit the size of a possible dwelling unit and the number of bedrooms and plumbing fixtures. It will likely be found that many existing small lots cannot be further developed.
6. The draft zoning by-law implies that the development restrictions provided by current regulations are insufficient to adequately control development and, for example, reduced lot maximum coverage for certain properties. However, there are several issues with this proposal;
  - a. No over development or environmental issues resulting from the current regulations have been identified as having occurred or likely to occur;
  - b. New development restrictions cannot apply only to certain lots along the river without compromising the objective of protecting the entire river;
  - c. A number of lots not fronting on the river have been included in the proposed RLS zone.
7. A separate RLS zone is neither required nor sufficient to control development on the St Lawrence River. If additional development restrictions are required for properties adjacent the river, then these need to apply to all. However given the lack of evidence of a current or impending problem, no additional restrictions are required and the RU zoning can serve for all such properties



## RLS VS RU PROPERTY STATISTICS

- These statistics are for the properties currently zoned RLS in by-law 2012-35.\* The zoning indicated in the charts reflects Draft 2 of the revised zoning by-law. (See schedule A.)
- They indicate both the proposed RLS and RU properties share similar characteristics of size and St Lawrence water frontage and that focusing additional development restrictions only on RLS lots is counter to the objective of “controlling development” on the waterfront.
- The first set of tables shows the number of properties assigned to each zone by “Area Group”, which is the property area range for the properties. The left table is properties with waterfront on the St Lawrence and the right table properties with no waterfront.

ON WATER TRUE ▼

| Count of PROPE | ZONE ▼ |    |             |  |
|----------------|--------|----|-------------|--|
| AREA GP ▼      | RLS    | RU | Grand Total |  |
| 1 .01-.24 ha   | 98     | 21 | 119         |  |
| 2 .25-.49 ha   | 23     | 40 | 63          |  |
| 3 .5-.74 ha    | 3      | 15 | 18          |  |
| 4 .75-.99 ha   | 2      | 5  | 7           |  |
| 5 1-1.49 ha    |        | 5  | 5           |  |
| 6 1.5-1.99 ha  |        | 1  | 1           |  |
| 7 > 2ha        |        | 1  | 1           |  |
| Grand Total    | 126    | 88 | 214         |  |

ON WATER FALSE ▼

| Count of PROPE | ZONE ▼ |    |             |  |
|----------------|--------|----|-------------|--|
| AREA GP ▼      | RLS    | RU | Grand Total |  |
| 1 .01-.24 ha   | 4      | 40 | 44          |  |
| 2 .25-.49 ha   | 4      | 25 | 29          |  |
| 3 .5-.74 ha    |        | 4  | 4           |  |
| 4 .75-.99 ha   | 1      | 1  | 2           |  |
| 5 1-1.49 ha    | 2      | 1  | 3           |  |
| 6 1.5-1.99 ha  |        | 1  | 1           |  |
| 7 > 2ha        |        | 6  | 6           |  |
| Grand Total    | 11     | 78 | 89          |  |

- The second set of tables shows the average area of the properties

ON WATER TRUE ▼

| Average of area | ZONE ▼  |         |             |  |
|-----------------|---------|---------|-------------|--|
| AREA GP ▼       | RLS     | RU      | Grand Total |  |
| 1 .01-.24 ha    | 0.14 ha | 0.16 ha | 0.14 ha     |  |
| 2 .25-.49 ha    | 0.35 ha | 0.36 ha | 0.36 ha     |  |
| 3 .5-.74 ha     | 0.65 ha | 0.63 ha | 0.63 ha     |  |
| 4 .75-.99 ha    | 0.85 ha | 0.83 ha | 0.84 ha     |  |
| 5 1-1.49 ha     |         | 1.17 ha | 1.17 ha     |  |
| 6 1.5-1.99 ha   |         | 1.90 ha | 1.90 ha     |  |
| 7 > 2ha         |         | 6.32 ha | 6.32 ha     |  |
| Grand Total     | 0.20 ha | 0.52 ha | 0.33 ha     |  |

ON WATER FALSE ▼

| Average of area | ZONE ▼  |         |             |  |
|-----------------|---------|---------|-------------|--|
| AREA GP ▼       | RLS     | RU      | Grand Total |  |
| 1 .01-.24 ha    | 0.13 ha | 0.19 ha | 0.19 ha     |  |
| 2 .25-.49 ha    | 0.26 ha | 0.34 ha | 0.33 ha     |  |
| 3 .5-.74 ha     |         | 0.52 ha | 0.52 ha     |  |
| 4 .75-.99 ha    | 0.81 ha | 0.99 ha | 0.90 ha     |  |
| 5 1-1.49 ha     | 1.18 ha | 1.19 ha | 1.18 ha     |  |
| 6 1.5-1.99 ha   |         | 1.55 ha | 1.55 ha     |  |
| 7 > 2ha         |         | 5.00 ha | 5.00 ha     |  |
| Grand Total     | 0.43 ha | 0.67 ha | 0.64 ha     |  |

- The table below shows the average waterfront along the St Lawrence.

WATER TRUE ▼

| Average of VVFrontage | ZONE D2 ▼ |         |             |  |
|-----------------------|-----------|---------|-------------|--|
| AREA GP ▼             | RLS       | RU      | Grand Total |  |
| 1 .01-.24 ha          | 30.9 m    | 32.2 m  | 31.1 m      |  |
| 2 .25-.49 ha          | 43.4 m    | 44.9 m  | 44.4 m      |  |
| 3 .5-.74 ha           | 36.4 m    | 72.9 m  | 66.8 m      |  |
| 4 .75-.99 ha          | 34.3 m    | 51.4 m  | 46.5 m      |  |
| 5 1-1.49 ha           |           | 89.2 m  | 89.2 m      |  |
| 6 1.5-1.99 ha         |           | 159.1 m | 159.1 m     |  |
| 7 > 2ha               |           | 23.7 m  | 23.7 m      |  |
| Grand Total           | 33.4 m    | 50.6 m  | 40.6 m      |  |

\* Almost all properties south of CR2 between Cardinal and Johnstown

## PROPERTIES ACCESSED BY PRIVATE ROAD BUT ZONED RU

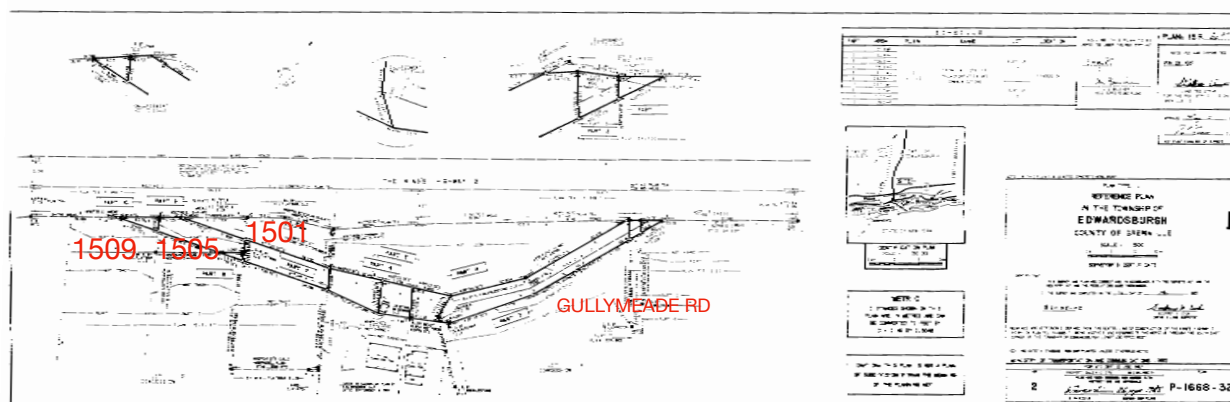
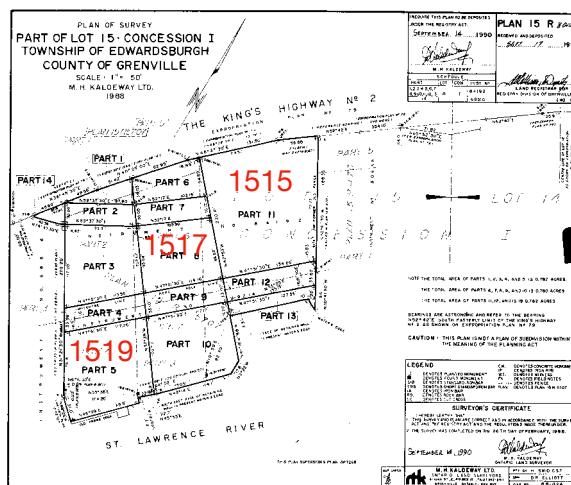
### DEFINITION OF PRIVATE ROAD

2. Private road is defined in the Township Official Plan as “**rights-of-way which provide access to two or more properties** but which have not been assumed by the Township for maintenance purposes”.

### RU ZONED LOTS ON PRIVATE ROADS

3. The drawings, right and below, show properties at 1501 to 1519 County Road 2 as accessed by private road, but which have been zoned RU. Other such properties are listed in the table below.

4. **NOTE.** 1509 has direct access to CR 2 without crossing another property and could be zoned RU.



5. All of the properties listed in the table, at right, have frontage on County Road 2. In most cases access is provided by private road because creating direct access to the public road is not possible or practical.

| RU LOTS ON PRIVATE ROADS |                    |                   |
|--------------------------|--------------------|-------------------|
| 1501 County Road 2       | 1529 County Road 2 | 1635 County Road  |
| 1505 County Road 2       | 1625 County Road 2 | 13 Riddell Rd     |
| 1515 County Road 2       | 1627 County Road   | 2 Village Edge Rd |
| 1517 County Road 2       | 1631 County Road   |                   |
| 1519 County Road 2       | 1633 County Road   |                   |

### PROPOSED ZONING DOES NOT REDUCE STAFF EFFORT

6. On of the objectives of assigning properties to a zone is to reduce Township staff workload by allowing them to make decisions on property related requests, such as an application for an additional dwelling unit or other use, by identifying properties for which such uses are prohibited. Clearly this is not the case for uses restricted on private roads, necessitating additional staff effort.



## PROPOSE REVISIONS - RLS 20% LOT COVERAGE - 2022-05-05

| SECTION | SUBJECT                                 | PAGE  |
|---------|---|-------|
| REF     | NOVATECH RECOMMENDATIONS - 1 NOV 21     | E-2/3 |
| REF     | CDC DECISION - MINUTES OF NOV 1 MEETING | E-3/3 |

## PROPOSE REVISION - LOT COVERAGE - NOVATECH RECOMMENDATION



restrictive to future development opportunities. A Floor Space Index provision is a common zoning tool often used to limit development on smaller properties that are adjacent to natural heritage features including watercourses and lakes, and works in tandem with the lot coverage provision.

**Should the Committee wish to rely only on lot coverage, the FSI provision can be removed.**

*c) Lot Frontage*

Comments suggest that the minimum lot frontage of 45 m in the draft Zoning By-law is too restrictive and not reflective of actual lot frontages of existing lots in the RLS zone. While there may be existing properties that do not meet the minimum lot frontage provisions recommended for all zone categories in the Zoning By-law, Section 3.2 (Existing Undersized Non-Complying Lots) of the By-law addresses existing lots of record that may not meet the minimum lot frontage provisions of a particular zone. Section 3.2 of the draft Zoning By-law would allow these lots to be used in accordance with the permitted uses and other provisions of the By-law. The minimum lot frontage of 45 m is proposed as the frontage is more proportionate to the proposed minimum lot area provision of 1.0 ha.

**No changes are recommended to the draft Zoning By-law with regards to minimum lot frontage provisions of the RLS zone.**

*d) Interior Yard Setbacks*

Comments suggest that the minimum interior yard of 6 m in the RLS zone is too restrictive and does not account for the actual lot fabric of existing lots in the RLS zone. Reviewing existing properties that are zoned RLS it would appear many properties are narrow in size and the 6 m interior yard setback could be viewed as being too restrictive for future development.

**The minimum interior yard provision of the RLS zone could be reduced from 6m to 3m in the draft Zoning By-law, on a basis consistent with the current RLS standards.**

*e) Maximum Lot Coverage*

Comments suggest that a maximum lot coverage reduction from 20% to 10% in the RLS zone is restrictive to future development. Majority of properties where the RLS zone is applied to are lots adjacent to waterbodies. The intent of a reduced lot coverage provision is to control development on lots adjacent to natural features and to minimize site disruption that could impact these features.

**It is suggested that the maximum lot coverage provision of the RLS zone could be increased from 10% to 20% in the draft Zoning By-law, on a basis consistent with the current RLS zone standards.**

*f) Schedule Amendments for RLS Zone Boundaries*

A list of properties within the Township was provided noting where the RLS and RU zone may have been incorrectly identified on a particular property.

M:\2020\120067\DATA\RAFT BY-LAW\MAY 2021 - DRAFT 1 - PUBLIC & AGENCY COMMENTS\20211028\_CDC-PUBLIC\OPENHOUSE\SUMMARYREPORT.DOCX

# PROPOSE REVISION - LOT COVERAGE - COMMITTEE DECISION

contained within the current draft zoning bylaw that outlines requirements for residential properties. Members suggested that Novatech review and consider alternate options to present to Committee at a later date. Members briefly discussed how recreational vehicles could also refer to watercraft/atv's etc and if these additional forms of recreational vehicles should be included. There was a brief discussion amongst Committee regarding the number of RV's permitted to be stored and the definition of a recreational vehicle as it pertains to the zoning bylaw.

There was consensus of Committee to have Novatech review and present alternate wording outlining the ability to store an RV on commercial properties.

## Residential Limited Services (RLS): Minimum & Maximum Lot Coverage

Novatech planners outlined the proposed reduction to the minimum/maximum lot coverage and noted mapping issues required to be addressed. Members inquired why it was recommended to reduce the lot coverage maximum from 20% to 10%. It was noted that 10%-20% lot coverage is a standard in many zoning bylaws where development should be carefully regulated. Developed lots exceeding the maximum lot coverage were noted to be grandfathered in, however, on a go-forward basis, the maximum lot coverage recommendation is 10%.

There was a brief discussion on possible issues with reducing the maximum lot coverage, the number of public comments received on this topic, and the request for reduction of minimum lot size from 1-hectare to 1-acre. It was noted that there were minimal comments received in relation to this matter. It was noted that the RLS zone is within the Rural Policy Area of the Official Plan, which requires a minimum lot size of 1ha. This applies when a new lot is being created. The current and draft zoning bylaw allows development on existing lots that are less than 1ha. It was noted that the planner's report does not recommend any changes to the minimum lot coverage. There was a general consensus to reduce the maximum lot coverage to 10%.

## Interior Yard:

It was noted that there was a recommendation in the planners report to reduce the proposed 6m interior yard setback to 3m, which is consistent with the current RLS provisions. There was consensus from Committee to reduce the interior yard setback to 3m.

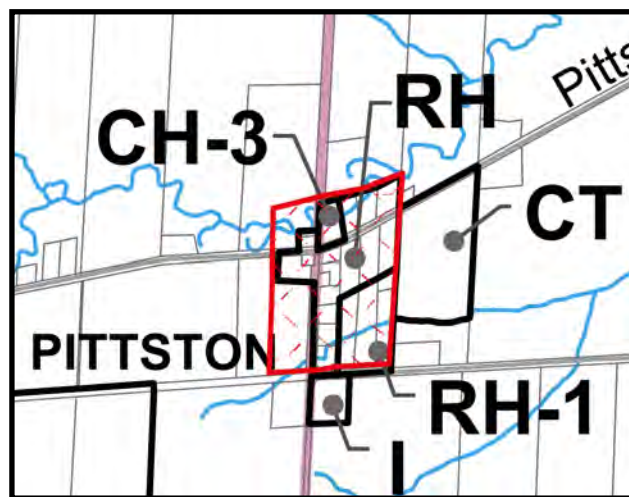
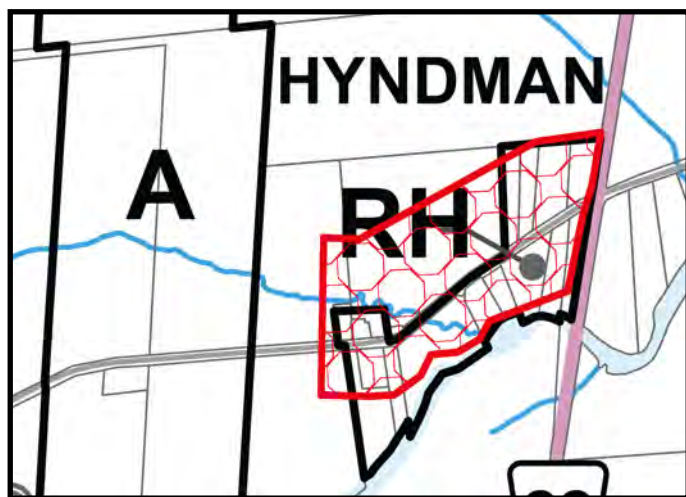
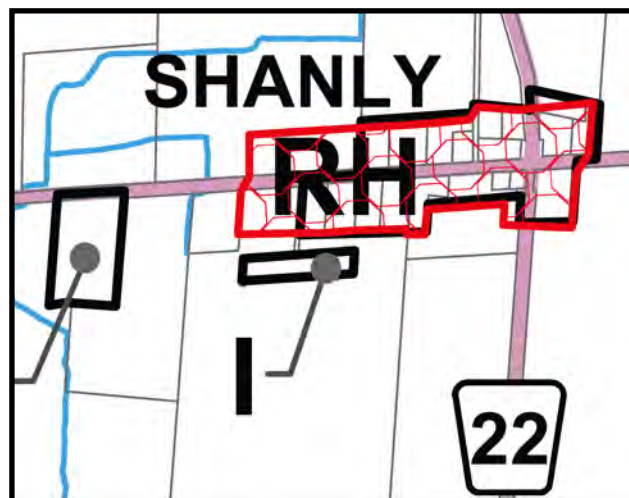
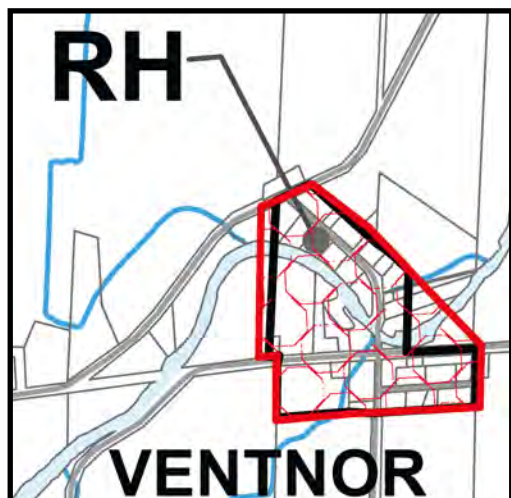
## Floor Space Index (FSI):

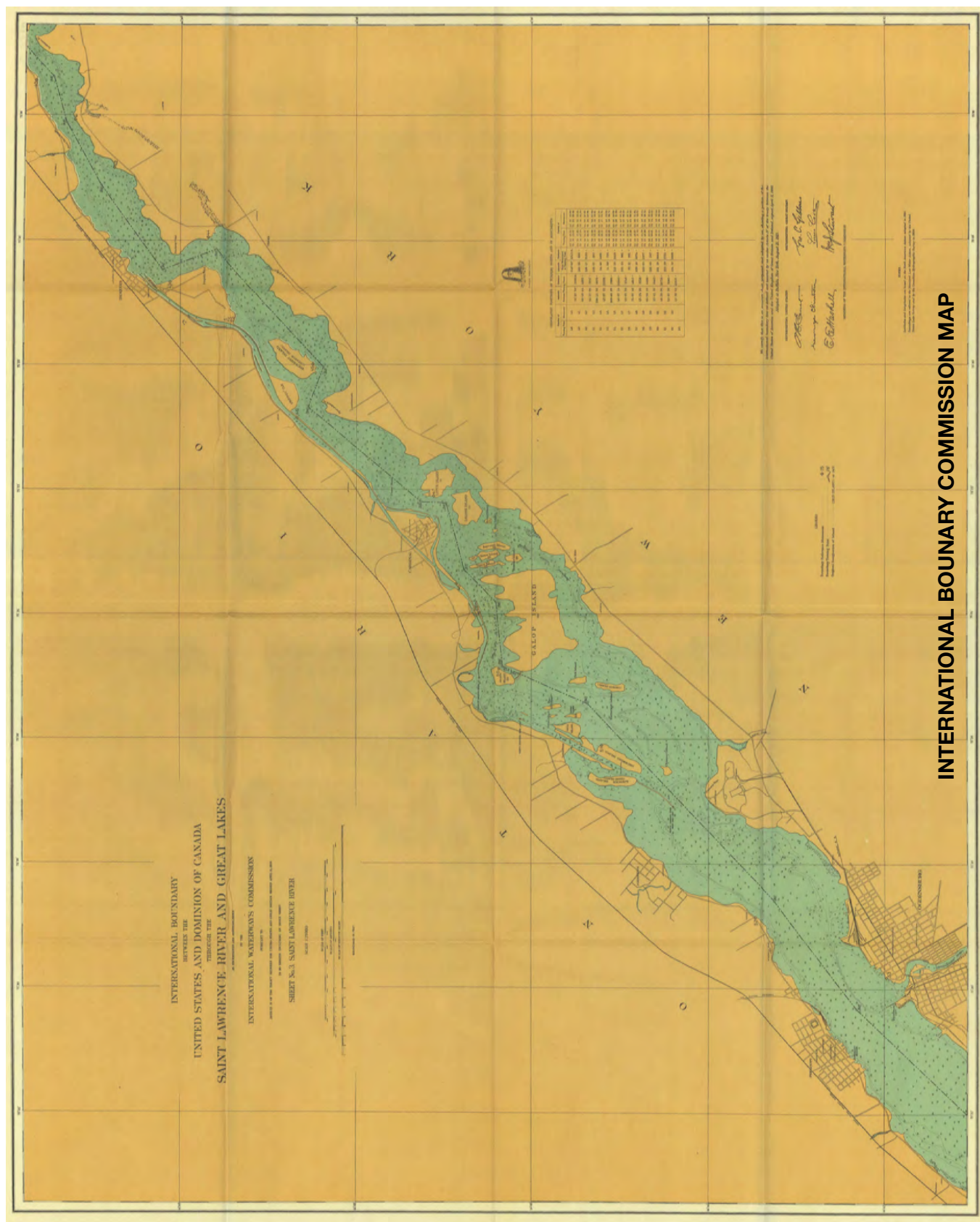


# RH ZONING VS HAMLET SETTLEMENT AREA

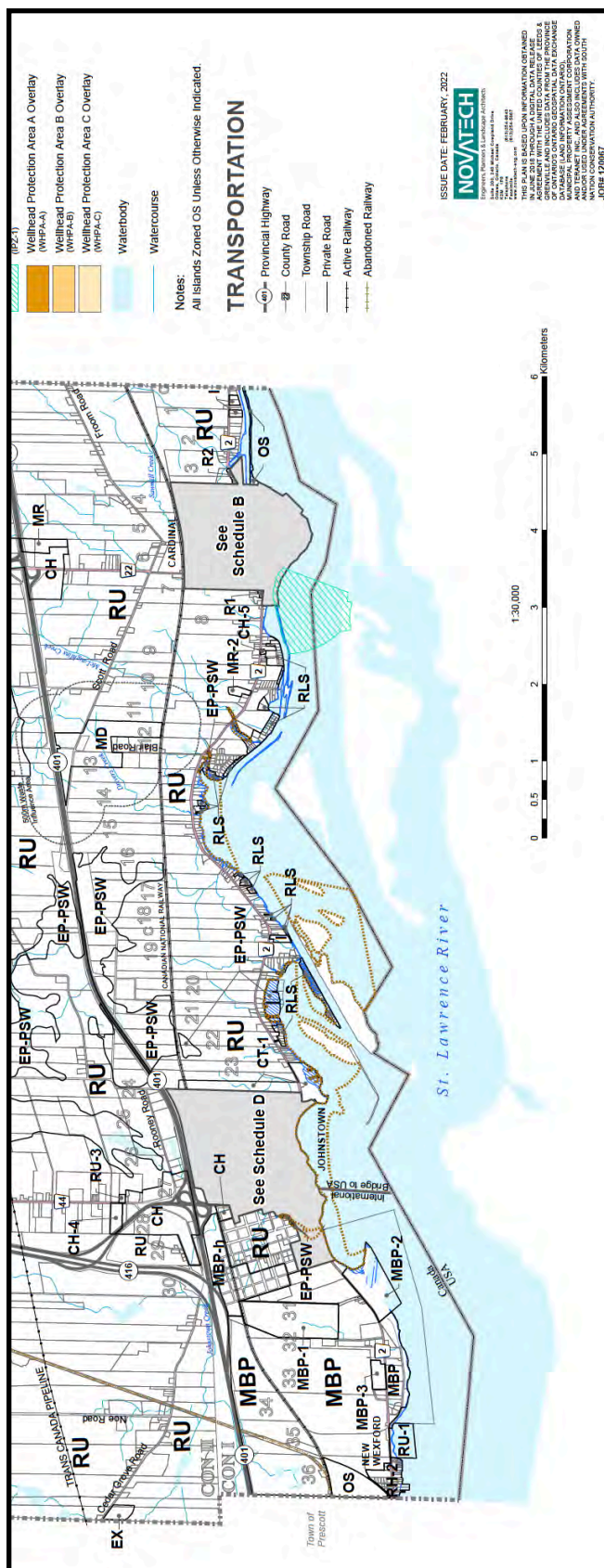
Black Outline - ZBL Schedule A Draft 2 - Zoning

Red Outline - TWPEC OP Schedule B - Settlement Area Boundaries









**ZONING BY-LAW DRAFT 2 - SCHEDULE A**

## REGULATION OF OVER USE

1. A stated purpose of the RLS zone is to restrict uses on certain properties. However a separate zone is not required to set or enforce these restrictions. The draft Zoning By-Law provides for numerous restrictions that are not zone specific, but apply to all properties in any zone that meets the specified criteria. An example of such a use restriction is for additional residential units which specifies that they are restricted to properties where access is provided directly off an improved street.

### **4.8 Additional Residential Units**

Notwithstanding any provision of this By-law to the contrary, where a single dwelling, a semi-detached dwelling or a townhouse dwelling is permitted as a principal use in a zone, a second dwelling unit and/or second dwelling, as defined herein, are permitted on the same lot in accordance with the following provisions.

#### **1. General**

1. The second dwelling unit and/or second dwelling shall be located on a lot where driveway access is provided by an improved street.

2. All use restrictions that are considered appropriate for waterfront lots can be handled in a similar manner without a specific zone.



| NUMBER | STREET     | LOT AREA | WATER FRONTAGE | ON ST LAWRENCE | ON PSW | LOT EMPTY | PRIVATE ROAD ACCESS | 2012-35 ZONE | DRAFT 1 ZONE | DRAFT 2 ZONE |
|--------|------------|----------|----------------|----------------|--------|-----------|---------------------|--------------|--------------|--------------|
| 118    | Bay Lane   | 0.27 ha  | 40.40 m        | YES            | YES    |           | YES                 | RLS          | RLS          | RLS          |
| 122    | Bay Lane   | 0.24 ha  | 30.30 m        | YES            | YES    |           | YES                 | RLS          | RLS          | RLS          |
| 124    | Bay Lane   | 0.46 ha  | 21.50 m        | YES            | YES    |           | YES                 | RLS          | RLS          | RLS          |
| 126    | Bay Lane   | 0.17 ha  | 23.80 m        | YES            | YES    |           | YES                 | RLS          | RLS          | RLS          |
| 128    | Bay Lane   | 0.17 ha  | 30.20 m        | YES            | YES    |           | YES                 | RLS          | RLS          | RLS          |
| 130    | Bay Lane   | 0.08 ha  | 18.00 m        | YES            | YES    |           | YES                 | RLS          | RLS          | RLS          |
| 132    | Bay Lane   | 0.07 ha  | 16.60 m        | YES            | YES    |           | YES                 | RLS          | RLS          | RLS          |
| 134    | Bay Lane   | 0.06 ha  | 14.80 m        | YES            | YES    |           | YES                 | RLS          | RLS          | RLS          |
| 136    | Bay Lane   | 0.21 ha  | 72.70 m        | YES            | YES    |           | YES                 | RLS          | RLS          | RLS          |
| 1205   | Blair Road | 6.32 ha  | 23.70 m        | YES            | YES    |           |                     | RLS          | RU           | RU           |
| 1206   | Blair Road | 0.22 ha  |                |                |        |           |                     | RLS          | RU           | RU           |
| N/A    | Blair Road | 0.20 ha  |                |                |        | YES       |                     | RLS          | RU           | RU           |
| 1214   | Blair Road | 0.22 ha  |                |                |        |           |                     | RLS          | RU           | RU           |
| 1220   | Blair Road | 0.21 ha  |                |                |        |           |                     | RLS          | RU           | RU           |
| N/A    | Blair Road | 0.21 ha  |                |                |        | YES       |                     | RLS          | RU           | RU           |
| 1223   | Blair Road | 0.21 ha  |                |                |        |           |                     | RLS          | RU           | RU           |
| N/A    | Blair Road | 0.21 ha  |                |                |        | YES       |                     | RLS          | RU           | RU           |
| 1226   | Blair Road | 0.21 ha  |                |                |        |           |                     | RLS          | RU           | RU           |
| N/A    | Blair Road | 0.21 ha  |                |                | YES    | YES       |                     | RLS          | RU           | RU           |
| 1229   | Blair Road | 0.48 ha  |                |                | YES    |           |                     | RLS          | RU           | RU           |
| N/A    | Blair Road | 0.22 ha  |                |                | YES    | YES       |                     | RLS          | RU           | RU           |
| 801    | CR 2       | 0.17 ha  | 40.50 m        | YES            |        |           |                     | RLS          | RU           | RU           |
| 825    | CR 2       | 0.28 ha  | 58.10 m        | YES            |        |           |                     | RLS          | RU           | RU           |
| 827    | CR 2       | 0.41 ha  | 78.10 m        | YES            |        |           |                     | RLS          | RU           | RU           |
| 903    | CR 2       | 0.44 ha  | 79.60 m        | YES            |        |           |                     | RLS          | RU           | RU           |
| 907    | CR 2       | 0.35 ha  |                |                |        |           |                     | RLS          | RU           | RU           |
| 909    | CR 2       | 0.44 ha  |                |                |        |           |                     | RLS          | RU           | RU           |
| 911    | CR 2       | 0.46 ha  | 54.80 m        | YES            |        |           |                     | RLS          | RLS          | RLS          |
| N/A    | CR 2       | 0.99 ha  |                |                |        |           |                     | RLS          | RU           | RU           |
| 921    | CR 2       | 0.35 ha  |                |                |        |           |                     | RLS          | CH           | CH           |
| 925    | CR 2       | 0.18 ha  |                |                |        |           |                     | RLS          | RU           | RU           |
| 929    | CR 2       | 0.20 ha  |                |                |        |           |                     | RLS          | RU           | RU           |
| 931    | CR 2       | 0.15 ha  |                |                |        |           |                     | RLS          | RU           | RU           |
| 933    | CR 2       | 0.40 ha  |                |                |        |           |                     | RLS          | RU           | RU           |
| N/A    | CR 2       | 5.46 ha  |                |                |        | YES       |                     | RLS          | RU           | RU           |
| 1015   | CR 2       | 0.26 ha  |                |                |        |           |                     | RLS          | RU           | RU           |
| 1019   | CR 2       | 0.28 ha  |                |                |        |           |                     | RLS          | RU           | RU           |
| 1025   | CR 2       | 0.21 ha  |                |                |        |           |                     | RLS          | RU           | RU           |
| N/A    | CR 2       | 4.58 ha  |                |                |        | YES       |                     | RLS          | RU           | RU           |

|        |      |         |          |     |     |     |     |     |     |     |
|--------|------|---------|----------|-----|-----|-----|-----|-----|-----|-----|
| 1111   | CR 2 | 0.86 ha | 37.40 m  | YES |     |     |     | RLS | RLS | RLS |
| 1113   | CR 2 | 0.83 ha | 31.20 m  | YES |     |     |     | RLS | RLS | RLS |
| N/A    | CR 2 | 3.11 ha |          |     |     | YES |     | RLS | RU  | RU  |
| 1225   | CR 2 | 1.55 ha |          |     | YES |     |     | RLS | RU  | RU  |
| 1313   | CR 2 | 0.45 ha | 91.20 m  | YES | YES |     |     | RLS | RU  | RU  |
| N/A    | CR 2 | 0.42 ha | 60.70 m  | YES | YES | YES |     | RLS | RU  | RU  |
| 1341   | CR 2 | 0.43 ha | 47.50 m  | YES | YES | YES |     | RLS | RU  | RU  |
| 1403   | CR 2 | 0.70 ha | 102.80 m | YES | YES | YES |     | RLS | RU  | RU  |
| 1405   | CR 2 | 0.79 ha | 52.60 m  | YES | YES |     |     | RLS | RU  | RU  |
| 1409   | CR 2 | 0.69 ha | 48.00 m  | YES | YES | YES |     | RLS | RU  | RU  |
| 1411   | CR 2 | 1.08 ha | 71.70 m  | YES | YES | YES |     | RLS | RU  | RU  |
| 1427   | CR 2 | 0.23 ha |          |     | YES |     |     | RLS | RLS | RU  |
| 1501   | CR 2 | 0.38 ha | 46.40 m  | YES | YES |     | YES | RLS | RU  | RU  |
| 1505   | CR 2 | 0.33 ha | 38.50 m  | YES | YES |     | YES | RLS | RU  | RU  |
| 1509   | CR 2 | 0.26 ha | 38.00 m  | YES | YES |     |     | RLS | RLS | RU  |
| 1515   | CR 2 | 0.33 ha | 55.00 m  | YES | YES |     | YES | RLS | RLS | RU  |
| 1517   | CR 2 | 0.36 ha | 44.10 m  | YES | YES |     | YES | RLS | RU  | RU  |
| 1519   | CR 2 | 0.34 ha | 43.50 m  | YES | YES |     | YES | RLS | RU  | RU  |
| 1521   | CR 2 | 0.26 ha | 33.40 m  | YES | YES |     |     | RLS | RU  | RU  |
| 1523   | CR 2 | 0.24 ha | 35.10 m  | YES | YES |     |     | RLS | RU  | RU  |
| 1525   | CR 2 | 0.33 ha | 53.80 m  | YES | YES |     |     | RLS | RU  | RU  |
| 1529   | CR 2 | 0.63 ha | 193.70 m | YES | YES |     | YES | RLS | RLS | RU  |
| N/A    | CR 2 | 0.24 ha | 92.90 m  | YES | YES | YES |     | RLS | RU  | RU  |
| 1623   | CR 2 | 0.12 ha | 40.80 m  | YES | YES |     |     | RLS | RU  | RU  |
| 1625   | CR 2 | 0.12 ha | 27.10 m  | YES | YES |     | YES | RLS | RU  | RU  |
| 1627   | CR 2 | 0.14 ha | 18.60 m  | YES | YES |     | YES | RLS | RU  | RU  |
| 1631   | CR 2 | 0.30 ha | 100.80 m | YES | YES |     | YES | RLS | RU  | RU  |
| 1633   | CR 2 | 0.15 ha | 24.60 m  | YES | YES | YES | YES | RLS | RU  | RU  |
| 1635   | CR 2 | 0.22 ha | 35.20 m  | YES | YES |     | YES | RLS | RU  | RU  |
| 1637   | CR 2 | 0.47 ha | 57.10 m  | YES | YES |     |     | RLS | RU  | RU  |
| 1701 a | CR 2 | 0.20 ha |          |     | YES |     |     | RLS | RLS | RU  |
| 1703   | CR 2 | 0.31 ha | 45.50 m  | YES | YES |     |     | RLS | RLS | RU  |
| 1705   | CR 2 | 0.16 ha |          |     | YES |     |     | RLS | RU  | RU  |
| 1709   | CR 2 | 0.38 ha |          |     | YES |     |     | RLS | RLS | RU  |
| 1711   | CR 2 | 0.83 ha | 11.80 m  | YES |     |     |     | RLS | RLS | RU  |
| 1717   | CR 2 | 0.27 ha | 3.92 m   | YES |     |     |     | RLS | RLS | RU  |
| 1721   | CR 2 | 0.19 ha |          |     |     |     |     | RLS | RU  | RU  |
| 1723   | CR 2 | 0.28 ha |          |     |     |     |     | RLS | RU  | RU  |
| N/A    | CR 2 | 0.59 ha | 26.20 m  | YES |     | YES |     | RLS | RU  | RU  |
| N/A    | CR 2 | 0.60 ha | 31.60 m  | YES |     | YES |     | RLS | RU  | RU  |
| 1735   | CR 2 | 1.32 ha | 129.60 m | YES |     |     |     | RLS | RU  | RU  |
| 1801   | CR 2 | 0.46 ha | 33.50 m  | YES |     |     |     | RLS | RU  | RU  |
| 1803   | CR 2 | 0.54 ha | 44.20 m  | YES |     |     |     | RLS | RU  | RU  |
| 1807   | CR 2 | 0.49 ha | 47.80 m  | YES |     |     |     | RLS | RU  | RU  |
| 1811   | CR 2 | 0.36 ha | 24.20 m  | YES |     |     |     | RLS | RU  | RU  |
| 1813   | CR 2 | 0.15 ha | 21.90 m  | YES |     |     |     | RLS | RU  | RLS |
| 1817   | CR 2 | 0.34 ha | 34.60 m  | YES |     |     |     | RLS | RU  | RU  |
| 1819   | CR 2 | 0.16 ha |          |     |     |     |     | RLS | RU  | RU  |
| 1823   | CR 2 | 0.13 ha | 7.30 m   | YES |     |     |     | RLS | RU  | RU  |

|        |                   |         |          |     |     |     |     |     |     |     |
|--------|-------------------|---------|----------|-----|-----|-----|-----|-----|-----|-----|
| 1825   | CR 2              | 0.06 ha | 12.50 m  | YES |     |     |     | RLS | RU  | RLS |
| 1827   | CR 2              | 0.09 ha | 31.40 m  | YES |     |     |     | RLS | RU  | RLS |
| 1833   | CR 2              | 0.78 ha | 69.70 m  | YES |     |     |     | RLS | RU  | RU  |
| 1835   | CR 2              | 0.39 ha | 57.20 m  | YES |     |     |     | RLS | RU  | RU  |
| 1837   | CR 2              | 0.38 ha | 26.60 m  | YES |     |     |     | RLS | RU  | RU  |
| 1839   | CR 2              | 0.28 ha | 19.90 m  | YES |     |     |     | RLS | RU  | RU  |
| 1843 1 | CR 2              | 0.19 ha |          |     |     |     |     | RLS | RU  | RU  |
| 1843   | CR 2              | 1.17 ha | 92.80 m  | YES |     |     |     | RLS | RU  | RU  |
| 1927   | CR 2              | 1.19 ha |          |     | YES |     |     | RLS | RU  | RU  |
| 2001   | CR 2              | 0.93 ha | 87.50 m  | YES | YES |     |     | RLS | RU  | RU  |
| 2005   | CR 2              | 0.26 ha |          |     | YES |     |     | RLS | RU  | RU  |
| 2007   | CR 2              | 0.32 ha |          |     | YES |     |     | RLS | RU  | RU  |
| 2011   | CR 2              | 0.72 ha | 29.90 m  | YES | YES |     |     | RLS | RU  | RU  |
| 2017   | CR 2              | 1.90 ha | 159.10 m | YES | YES |     |     | RLS | RU  | RU  |
| 2031   | CR 2              | 1.20 ha | 123.60 m | YES | YES |     |     | RLS | RU  | RU  |
| 2035   | CR 2              | 0.67 ha | 56.50 m  | YES | YES |     |     | RLS | RU  | RU  |
| 2103   | CR 2              | 0.47 ha | 52.60 m  | YES | YES |     |     | RLS | RU  | RU  |
| N/A    | CR 2              | 0.57 ha | 69.30 m  | YES | YES | YES |     | RLS | RU  | RU  |
| 2109   | CR 2              | 0.21 ha | 33.40 m  | YES | YES |     |     | RLS | RU  | RU  |
| 2111   | CR 2              | 0.25 ha | 33.40 m  | YES | YES |     |     | RLS | RU  | RU  |
| 2113   | CR 2              | 0.67 ha | 55.80 m  | YES | YES |     |     | RLS | RU  | RU  |
| 2119   | CR 2              | 0.41 ha |          |     | YES |     |     | RLS | RU  | RU  |
| 2127   | CR 2              | 0.31 ha |          |     | YES |     |     | RLS | RU  | RU  |
| 2129   | CR 2              | 0.29 ha |          |     | YES |     |     | RLS | RU  | RU  |
| 2203   | CR 2              | 0.53 ha |          |     | YES |     |     | RLS | RU  | RU  |
| N/A    | CR 2              | 0.30 ha |          |     | YES | YES |     | RLS | RU  | RU  |
| 2215   | CR 2              | 0.18 ha | 24.80 m  | YES | YES |     |     | RLS | RU  | RU  |
| 2217   | CR 2              | 0.17 ha | 17.20 m  | YES | YES |     |     | RLS | RU  | RU  |
| 2221   | CR 2              | 0.22 ha | 34.00 m  | YES | YES |     |     | RLS | RU  | RU  |
| 2225   | CR 2              | 0.49 ha | 52.50 m  | YES | YES |     |     | RLS | RU  | RU  |
| 2227   | CR 2              | 0.30 ha | 30.10 m  | YES | YES |     |     | RLS | RU  | RU  |
| 2229   | CR 2              | 0.32 ha | 27.30 m  | YES | YES |     |     | RLS | RU  | RU  |
| 2231   | CR 2              | 0.32 ha | 45.20 m  | YES | YES |     |     | RLS | RU  | RU  |
| 2233   | CR 2              | 0.30 ha | 10.20 m  | YES | YES |     |     | RLS | RU  | RU  |
| 2235   | CR 2              | 0.55 ha | 81.60 m  | YES | YES |     |     | RLS | RU  | RU  |
| 2411   | CR 2              | 0.31 ha | 56.00 m  | YES | YES |     |     | RLS | RLS | RLS |
| 2413   | CR 2              | 0.25 ha | 90.70 m  | YES | YES |     |     | RLS | RLS | RLS |
| 3      | Empire Hanna      | 8.69 ha |          |     |     |     |     | RLS | RU  | RU  |
| 6      | Empire Hanna      | 3.08 ha |          |     |     |     | YES | RLS | RU  | RU  |
| 66     | Empire Hanna      | 0.81 ha |          |     |     |     | YES | RLS | RLS | RLS |
| 75     | Empire Hanna      | 0.27 ha | 48.90 m  | YES |     |     | YES | RLS | RLS | RLS |
| 78     | Empire Hanna      | 0.61 ha | 6.39 m   | YES |     |     | YES | RLS | RLS | RLS |
| 87     | Empire Hanna      | 0.28 ha | 65.40 m  | YES |     |     | YES | RLS | RLS | RLS |
| 93     | Empire Hanna      | 0.17 ha | 25.90 m  | YES |     |     | YES | RLS | RLS | RLS |
| 95     | Empire Hanna      | 0.39 ha | 25.80 m  | YES |     |     | YES | RLS | RLS | RLS |
| 97     | Empire Hanna      | 0.46 ha | 26.10 m  | YES |     | YES | YES | RLS | RLS | RLS |
| 99     | Empire Hanna      | 0.15 ha | 23.40 m  | YES |     |     | YES | RLS | RLS | RLS |
| N/A    | Empire Hanna      | 0.16 ha | 46.60 m  | YES |     | YES | YES | RLS | RLS | RLS |
| 199    | Empire Hanna East | 0.44 ha | 54.00 m  | YES |     |     |     | RLS | RLS | RLS |

|     |                   |         |          |     |     |     |     |     |     |     |
|-----|-------------------|---------|----------|-----|-----|-----|-----|-----|-----|-----|
| 201 | Empire Hanna East | 0.28 ha | 30.90 m  | YES |     |     |     | RLS | RLS | RLS |
| 205 | Empire Hanna East | 0.64 ha | 65.50 m  | YES |     |     |     | RLS | RLS | RLS |
| 207 | Empire Hanna East | 0.40 ha | 39.60 m  | YES |     |     |     | RLS | RLS | RLS |
| 209 | Empire Hanna East | 0.38 ha | 36.70 m  | YES |     |     |     | RLS | RLS | RLS |
| 211 | Empire Hanna East | 0.37 ha | 36.70 m  | YES |     |     |     | RLS | RLS | RLS |
| 213 | Empire Hanna East | 0.38 ha | 36.60 m  | YES |     |     |     | RLS | RLS | RLS |
| 215 | Empire Hanna East | 0.35 ha | 36.60 m  | YES |     |     |     | RLS | RLS | RLS |
| 217 | Empire Hanna East | 0.37 ha | 33.10 m  | YES |     |     |     | RLS | RLS | RLS |
| N/A | Gallop Canal      | 0.34 ha |          |     |     | YES |     | RLS | RU  | RU  |
| 109 | Gallop Canal      | 0.34 ha |          |     |     |     |     | RLS | RU  | RU  |
| N/A | Gallop Canal      | 0.32 ha |          |     |     | YES |     | RLS | RU  | RU  |
| N/A | Gallop Canal      | 0.32 ha |          |     |     | YES |     | RLS | RU  | RU  |
| 115 | Gallop Canal      | 0.34 ha |          |     |     |     |     | RLS | RLS | RU  |
| 116 | Gallop Canal      | 0.83 ha | 35.50 m  | YES |     |     |     | RLS | RLS | RU  |
| N/A | Gallop Canal      | 0.33 ha |          |     |     | YES |     | RLS | RU  | RU  |
| 118 | Gallop Canal      | 0.49 ha | 36.90 m  | YES |     |     |     | RLS | RLS | RU  |
| N/A | Gallop Canal      | 0.17 ha | 56.70 m  | YES |     | YES |     | RLS | RLS | RU  |
| 120 | Gallop Canal      | 0.31 ha | 32.60 m  | YES |     | YES |     | RLS | RLS | RU  |
| N/A | Gallop Canal      | 0.22 ha |          |     |     | YES |     | RLS | RLS | RU  |
| N/A | Gallop Canal      | 0.16 ha | 62.30 m  | YES |     | YES | YES | RLS | RLS | RLS |
| 123 | Gallop Canal      | 0.17 ha | 61.90 m  | YES |     |     | YES | RLS | RLS | RLS |
| 124 | Gallop Canal      | 0.44 ha | 188.00 m | YES |     |     |     | RLS | RLS | RU  |
| 125 | Gallop Canal      | 0.16 ha | 69.20 m  | YES |     |     | YES | RLS | RLS | RLS |
| 127 | Gallop Canal      | 0.13 ha | 69.70 m  | YES |     |     | YES | RLS | RLS | RLS |
| 1   | Gaylord           | 0.17 ha | 31.50 m  | YES |     |     |     | RLS | RLS | RLS |
| 3   | Gaylord           | 0.16 ha | 30.90 m  | YES |     |     |     | RLS | RLS | RLS |
| 5   | Gaylord           | 0.17 ha | 30.60 m  | YES |     |     |     | RLS | RLS | RLS |
| 7   | Gaylord           | 0.17 ha | 30.00 m  | YES |     |     |     | RLS | RLS | RLS |
| 9   | Gaylord           | 0.18 ha | 30.70 m  | YES |     |     |     | RLS | RLS | RLS |
| 11  | Gaylord           | 0.17 ha | 29.70 m  | YES |     |     |     | RLS | RLS | RLS |
| 1   | Gullymeade        | 0.53 ha |          |     | YES |     | YES | RLS | RLS | RU  |
| N/A | Gullymeade        | 0.64 ha | 48.20 m  | YES | YES | YES | YES | RLS | RLS | RU  |
| 12  | Gullymeade        | 0.20 ha | 36.80 m  | YES | YES |     | YES | RLS | RLS | RLS |
| 14  | Gullymeade        | 0.07 ha | 20.10 m  | YES | YES |     | YES | RLS | RLS | RLS |
| 15  | Gullymeade        | 0.13 ha | 22.40 m  | YES | YES |     | YES | RLS | RLS | RLS |
| 19  | Gullymeade        | 0.69 ha | 37.40 m  | YES | YES |     | YES | RLS | RLS | RLS |
| 21  | Gullymeade        | 0.15 ha | 28.40 m  | YES | YES |     | YES | RLS | RLS | RLS |
| 23  | Gullymeade        | 0.23 ha | 32.30 m  | YES | YES |     | YES | RLS | RLS | RU  |
| 9   | Hilltop           | 0.31 ha | 27.90 m  | YES | YES |     | YES | RLS | RLS | RLS |
| N/A | Hilltop           | 0.26 ha |          |     | YES | YES | YES | RLS | RLS | RLS |
| 11  | Hilltop           | 0.15 ha | 22.30 m  | YES | YES |     | YES | RLS | RLS | RLS |
| N/A | Hilltop           | 0.19 ha |          |     | YES | YES | YES | RLS | RLS | RLS |
| 13  | Hilltop           | 0.16 ha | 21.00 m  | YES | YES |     | YES | RLS | RLS | RLS |
| 15  | Hilltop           | 0.12 ha | 18.80 m  | YES | YES |     |     | RLS | RLS | RLS |
| 17  | Hilltop           | 0.16 ha | 21.10 m  | YES | YES |     | YES | RLS | RLS | RLS |
| 19  | Hilltop           | 0.29 ha | 35.20 m  | YES | YES |     | YES | RLS | RLS | RLS |
| 4   | Hudson Cres       | 0.23 ha |          |     |     |     |     | RLS | RU  | RU  |
| 6   | Hudson Cres       | 0.22 ha |          |     |     |     |     | RLS | RU  | RU  |
| 8   | Hudson Cres       | 0.23 ha |          |     |     |     |     | RLS | RU  | RU  |

|     |               |         |          |     |     |     |     |     |     |     |
|-----|---------------|---------|----------|-----|-----|-----|-----|-----|-----|-----|
| N/A | Hudson Cres   | 0.21 ha |          |     |     | YES |     | RLS | RU  | RU  |
| 10  | Hudson Cres   | 0.21 ha |          |     |     |     |     | RLS | RU  | RU  |
| N/A | Hudson Cres   | 0.23 ha |          |     |     | YES |     | RLS | RU  | RU  |
| 14  | Hudson Cres   | 0.21 ha |          |     |     | YES |     | RLS | RU  | RU  |
| N/A | Hudson Cres   | 0.22 ha |          |     |     | YES | YES | RLS | RU  | RU  |
| 16  | Hudson Cres   | 0.42 ha |          |     |     | YES |     | RLS | RU  | RU  |
| N/A | Hudson Cres   | 0.22 ha |          |     |     | YES | YES | RLS | RU  | RU  |
| 20  | Hudson Cres   | 0.22 ha |          |     |     | YES |     | RLS | RU  | RU  |
| N/A | Judy Pl       | 0.22 ha |          |     |     | YES | YES | RLS | RU  | RU  |
| N/A | Judy Pl       | 0.22 ha |          |     |     | YES | YES | RLS | RU  | RU  |
| N/A | Judy Pl       | 0.35 ha | 28.50 m  | YES | YES |     |     | RLS | RU  | RU  |
| N/A | Judy Pl       | 0.23 ha |          |     |     |     | YES | RLS | RU  | RU  |
| N/A | Judy Pl       | 0.32 ha |          |     |     |     | YES | RLS | RU  | RU  |
| 11  | Judy Pl       | 0.21 ha |          |     |     |     |     | RLS | RU  | RU  |
| 103 | Moore Road    | 0.12 ha | 62.20 m  | YES |     |     | YES | RLS | RLS | RLS |
| 105 | Moore Road    | 0.10 ha | 44.60 m  | YES |     |     | YES | RLS | RLS | RLS |
| 109 | Moore Road    | 0.17 ha | 45.70 m  | YES |     |     | YES | RLS | RLS | RLS |
| 113 | Moore Road    | 0.11 ha | 38.70 m  | YES |     |     | YES | RLS | RLS | RLS |
| 117 | Moore Road    | 0.14 ha | 41.50 m  | YES |     |     | YES | RLS | RLS | RLS |
| N/A | Moore Road    | 0.17 ha | 33.50 m  | YES |     | YES | YES | RLS | RLS | RLS |
| 125 | Moore Road    | 0.15 ha | 35.40 m  | YES |     |     | YES | RLS | RLS | RLS |
| 129 | Moore Road    | 0.12 ha | 26.30 m  | YES |     |     | YES | RLS | RLS | RLS |
| 135 | Moore Road    | 0.20 ha | 52.60 m  | YES |     |     | YES | RLS | RLS | RLS |
| N/A | North Channel | 0.07 ha | 30.90 m  | YES |     | YES |     | RLS | RU  | RU  |
| 101 | North Channel | 0.03 ha | 11.20 m  | YES |     |     |     | RLS | RU  | RU  |
| 102 | North Channel | 0.18 ha | 46.20 m  | YES |     |     |     | RLS | RU  | RU  |
| 103 | North Channel | 0.56 ha | 215.80 m | YES |     |     |     | RLS | RU  | RU  |
| 104 | North Channel | 0.06 ha | 14.60 m  | YES |     |     |     | RLS | RU  | RU  |
| 105 | North Channel | 0.07 ha |          |     |     |     |     | RLS | RU  | RU  |
| 106 | North Channel | 0.23 ha | 52.00 m  | YES |     |     |     | RLS | RU  | RU  |
| 107 | North Channel | 0.04 ha |          |     | YES |     |     | RLS | RU  | RU  |
| 109 | North Channel | 0.04 ha |          |     | YES |     |     | RLS | RU  | RU  |
| 111 | North Channel | 0.04 ha | 0.00 m   | YES | YES |     |     | RLS | RU  | RU  |
| 112 | North Channel | 0.59 ha | 59.70 m  | YES | YES |     |     | RLS | RU  | RU  |
| 113 | North Channel | 0.08 ha |          |     | YES |     |     | RLS | RU  | RU  |
| 114 | North Channel | 0.69 ha | 30.30 m  | YES | YES |     |     | RLS | RU  | RU  |
| N/A | North Channel | 0.50 ha |          |     | YES | YES |     | RLS | RU  | RU  |
| N/A | North Channel | 0.45 ha | 30.10 m  | YES | YES | YES |     | RLS | RU  | RU  |
| 118 | North Channel | 1.10 ha | 28.40 m  | YES | YES |     |     | RLS | RU  | RU  |
| 120 | North Channel | 0.50 ha |          |     | YES |     |     | RLS | RU  | RU  |
| 122 | North Channel | 0.49 ha |          |     | YES |     |     | RLS | RU  | RU  |
| N/A | North Channel | 0.28 ha | 0.00 m   | YES | YES | YES |     | RLS | RU  | RU  |
| 124 | North Channel | 0.27 ha |          |     | YES | YES |     | RLS | RU  | RU  |
| 125 | North Channel | 0.30 ha |          |     | YES |     |     | RLS | RU  | RU  |
| 129 | North Channel | 5.07 ha |          |     | YES |     |     | RLS | RU  | RU  |
| 133 | North Channel | 0.45 ha | 0.00 m   | YES |     |     |     | RLS | RU  | RU  |
| 3   | Riddell Rd    | 0.25 ha |          |     |     |     | YES | RLS | RLS | RLS |
| 13  | Riddell Rd    | 0.29 ha | 11.50 m  | YES |     |     | YES | RLS | RLS | RU  |
| 16  | Riddell Rd    | 0.21 ha | 16.70 m  | YES |     |     | YES | RLS | RLS | RLS |

|    |              |         |         |     |     |  |     |     |     |     |
|----|--------------|---------|---------|-----|-----|--|-----|-----|-----|-----|
| 20 | Riddell Rd   | 0.05 ha | 16.70 m | YES |     |  | YES | RLS | RLS | RLS |
| 22 | Riddell Rd   | 0.37 ha | 59.20 m | YES |     |  | YES | RLS | RLS | RLS |
| 24 | Riddell Rd   | 0.05 ha | 19.60 m | YES |     |  | YES | RLS | RLS | RLS |
| 31 | Riddell Rd   | 0.14 ha | 41.50 m | YES |     |  | YES | RLS | RLS | RLS |
| 33 | Riddell Rd   | 0.11 ha | 30.60 m | YES |     |  | YES | RLS | RLS | RLS |
| 35 | Riddell Rd   | 0.10 ha | 23.30 m | YES |     |  | YES | RLS | RLS | RLS |
| 36 | Riddell Rd   | 0.13 ha |         |     |     |  | YES | RLS | RLS | RLS |
| 37 | Riddell Rd   | 0.09 ha | 32.20 m | YES |     |  | YES | RLS | RLS | RLS |
| 38 | Riddell Rd   | 0.07 ha |         |     |     |  | YES | RLS | RLS | RLS |
| 39 | Riddell Rd   | 0.05 ha | 17.80 m | YES |     |  | YES | RLS | RLS | RLS |
| 41 | Riddell Rd   | 0.11 ha | 36.10 m | YES |     |  | YES | RLS | RLS | RLS |
| 47 | Riddell Rd   | 0.07 ha | 16.90 m | YES | YES |  | YES | RLS | RLS | RLS |
| 49 | Riddell Rd   | 0.09 ha | 30.40 m | YES | YES |  | YES | RLS | RLS | RLS |
| 51 | Riddell Rd   | 0.20 ha | 28.10 m | YES | YES |  | YES | RLS | RLS | RLS |
| 3  | Shoreline    | 0.28 ha |         |     | YES |  | YES | RLS | RLS | RLS |
| 5  | Shoreline    | 0.36 ha | 52.50 m | YES | YES |  | YES | RLS | RLS | RLS |
| 7  | Shoreline    | 0.21 ha | 30.10 m | YES | YES |  | YES | RLS | RLS | RLS |
| 9  | Shoreline    | 0.20 ha | 33.00 m | YES | YES |  | YES | RLS | RLS | RLS |
| 11 | Shoreline    | 0.16 ha | 30.60 m | YES | YES |  | YES | RLS | RLS | RLS |
| 15 | Shoreline    | 0.18 ha | 29.20 m | YES | YES |  | YES | RLS | RLS | RLS |
| 3  | Tuttle Point | 0.17 ha | 24.60 m | YES |     |  | YES | RLS | RLS | RLS |
| 4  | Tuttle Point | 0.17 ha | 23.80 m | YES |     |  | YES | RLS | RLS | RLS |
| 5  | Tuttle Point | 0.17 ha | 23.40 m | YES |     |  | YES | RLS | RLS | RLS |
| 6  | Tuttle Point | 0.14 ha | 22.30 m |     |     |  | YES | RLS | RLS | RLS |
| 7  | Tuttle Point | 0.16 ha | 33.40 m | YES |     |  | YES | RLS | RLS | RLS |
| 8  | Tuttle Point | 0.14 ha |         | YES |     |  | YES | RLS | RLS | RLS |
| 9  | Tuttle Point | 0.12 ha |         | YES |     |  | YES | RLS | RLS | RLS |
| 10 | Tuttle Point | 0.13 ha | 33.60 m | YES | YES |  | YES | RLS | RLS | RLS |
| 11 | Tuttle Point | 0.13 ha | 18.40 m | YES | YES |  | YES | RLS | RLS | RLS |
| 12 | Tuttle Point | 0.12 ha | 16.50 m | YES | YES |  | YES | RLS | RLS | RLS |
| 13 | Tuttle Point | 0.12 ha | 15.90 m | YES | YES |  | YES | RLS | RLS | RLS |
| 14 | Tuttle Point | 0.12 ha | 15.50 m | YES | YES |  | YES | RLS | RLS | RLS |
| 15 | Tuttle Point | 0.12 ha | 15.80 m | YES | YES |  | YES | RLS | RLS | RLS |
| 16 | Tuttle Point | 0.12 ha | 16.60 m | YES | YES |  | YES | RLS | RLS | RLS |
| 17 | Tuttle Point | 0.12 ha | 15.00 m | YES | YES |  | YES | RLS | RLS | RLS |
| 18 | Tuttle Point | 0.15 ha | 19.70 m | YES | YES |  | YES | RLS | RLS | RLS |
| 19 | Tuttle Point | 0.14 ha | 16.10 m | YES | YES |  | YES | RLS | RLS | RLS |
| 20 | Tuttle Point | 0.13 ha | 16.10 m | YES | YES |  | YES | RLS | RLS | RLS |
| 21 | Tuttle Point | 0.12 ha | 15.20 m | YES | YES |  | YES | RLS | RLS | RLS |
| 22 | Tuttle Point | 0.12 ha | 15.50 m | YES | YES |  | YES | RLS | RLS | RLS |
| 23 | Tuttle Point | 0.12 ha | 15.80 m | YES | YES |  | YES | RLS | RLS | RLS |
| 24 | Tuttle Point | 0.11 ha | 15.00 m | YES | YES |  | YES | RLS | RLS | RLS |
| 25 | Tuttle Point | 0.16 ha | 22.70 m | YES | YES |  | YES | RLS | RLS | RLS |
| 26 | Tuttle Point | 0.18 ha | 22.50 m | YES | YES |  | YES | RLS | RLS | RLS |
| 27 | Tuttle Point | 0.13 ha | 16.60 m | YES | YES |  | YES | RLS | RLS | RLS |
| 28 | Tuttle Point | 0.15 ha | 29.40 m | YES | YES |  | YES | RLS | RLS | RLS |
| 29 | Tuttle Point | 0.20 ha | 44.90 m | YES | YES |  | YES | RLS | RLS | RLS |
| 30 | Tuttle Point | 0.13 ha | 48.80 m | YES | YES |  | YES | RLS | RLS | RLS |
| 31 | Tuttle Point | 0.12 ha | 54.10 m | YES | YES |  | YES | RLS | RLS | RLS |

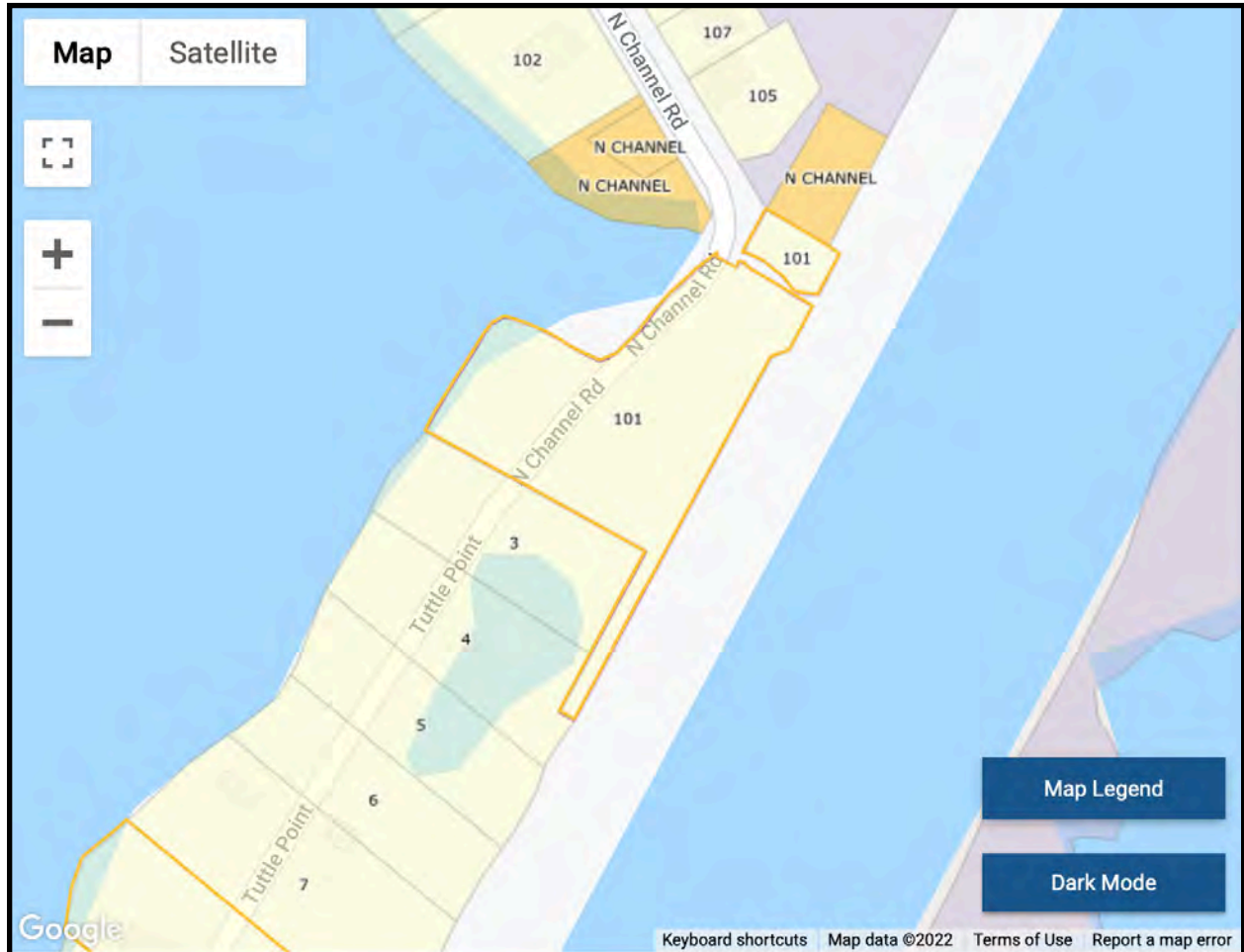
|    |              |         |          |     |     |  |     |     |     |     |
|----|--------------|---------|----------|-----|-----|--|-----|-----|-----|-----|
| 32 | Tuttle Point | 0.15 ha | 49.40 m  | YES | YES |  | YES | RLS | RLS | RLS |
| 33 | Tuttle Point | 0.14 ha | 28.40 m  | YES | YES |  | YES | RLS | RLS | RLS |
| 34 | Tuttle Point | 0.11 ha | 16.20 m  | YES | YES |  | YES | RLS | RLS | RLS |
| 35 | Tuttle Point | 0.11 ha | 13.80 m  | YES | YES |  | YES | RLS | RLS | RLS |
| 36 | Tuttle Point | 0.12 ha | 15.10 m  | YES | YES |  | YES | RLS | RLS | RLS |
| 37 | Tuttle Point | 0.14 ha | 27.00 m  | YES | YES |  | YES | RLS | RLS | RLS |
| 38 | Tuttle Point | 0.13 ha | 24.10 m  | YES | YES |  | YES | RLS | RLS | RLS |
| 39 | Tuttle Point | 0.14 ha | 27.10 m  | YES | YES |  | YES | RLS | RLS | RLS |
| 40 | Tuttle Point | 0.17 ha | 39.60 m  | YES | YES |  | YES | RLS | RLS | RLS |
| 41 | Tuttle Point | 0.17 ha | 47.50 m  | YES | YES |  | YES | RLS | RLS | RLS |
| 42 | Tuttle Point | 0.23 ha | 106.80 m | YES | YES |  | YES | RLS | RLS | RLS |
| 11 | Vic Woodland | 1.03 ha |          |     |     |  | YES | RLS | RLS | RLS |
| 12 | Vic Woodland | 1.33 ha |          |     |     |  | YES | RLS | RLS | RLS |
| 2  | Village Edge | 0.16 ha |          |     |     |  | YES | RLS | RLS | RU  |
| 4  | Village Edge | 0.14 ha |          |     |     |  | YES | RLS | RLS | RLS |
| 6  | Village Edge | 0.26 ha |          |     |     |  | YES | RLS | RLS | RLS |
| 8  | Village Edge | 0.27 ha | 44.20 m  | YES |     |  | YES | RLS | RLS | RLS |
| 10 | Village Edge | 0.27 ha | 45.00 m  | YES |     |  | YES | RLS | RLS | RLS |



## PROPOSED ZONING AMENDMENTS DRAFT 2

1. The maps below, from the MPAC website depict 101 North Channel Road and 2413 County Road 2 as having direct access to an improved road.
2. Suggest both should be zoned RU rather than RLS.

### 101 NORTH CHANNEL ROAD



2413 COUNTY ROAD 2



**94**

5072 Rock Street  
Spencerville, On  
K0E 1X0

(Linda)

(Dave)

Wendy Van Keulen  
Community Development Coordinator  
Township of Edwardsburgh/Cardinal

**May 17, 2022**

**Re: New Zoning Bylaw 2022- Summary of Our Concerns and Recommendations.**

**To: Council and Committee for Community Development**

As we have property that is close to and overlaps the proposed zoning bylaw which changes the Area of Influence of a quarry from 300m to 500m, we are concerned that we or future owners, will not be able to build a dwelling on the properties, even though severances were granted for lots on Rock Street after the quarry was licenced and on the lot that was in existence long before the quarry was even applied for.

**Concern 1:**

Since we own property that is potentially impacted by the proposed zoning by-law to amend the Area of Influence of the Tackaberry stone quarry from 300m to 500m, we are concerned a dwelling will not be permitted on existing lots within the Area of Influence.

In order to get a building permit for a dwelling, the expense for applying for a Rezoning or Minor Variance for an Exemption to the Zoning By-law is prohibitive, especially should we be required to provide an Aggregate Impact Assessment to conform to the Official Plan and Zoning By-law, which was mentioned at the meeting of May 16, 2022.

**Recommendation 1:**

To resolve our concerns regarding the proposed change from 300m to 500m for Areas of Influence, we strongly recommend that Council and members of the Community Development Committee allow the building of dwellings on existing lots which were purchased as an investment or severed before or after the zoning of the Tackaberry quarry, by including a Grandfather Clause for existing lots within the Area of Influence.

**Rationale:**

In order to get a building permit for a dwelling, the expense for applying for a Rezoning or Minor Variance for an Exemption to the Zoning By-law is prohibitive, especially should lot owners of the affected lots be required to provide an Aggregate Impact Assessment to conform to the Official Plan and Zoning By-law, as was mentioned at the Community Development Committee Meeting held on May 16, 2022. A Grandfather Clause included by Council and the Committee for Community

Development would rectify the problems that will affect the existing lots within the proposed new 500m Area of Influence.

**Recommendation 2:**

We recommend that second dwellings such as tiny homes or in-law dwellings be allowed to be built in our Rural (RU) zone, within the proposed 500m Area of Influence, without an Application for Rezoning or Minor Variance for an Exemption to the Zoning By-law. We strongly recommend this be included in a Grandfather Clause in the new Zoning Bylaw.

**Rationale:**

Trends in changing demographics indicate that there will be a growing need to adapt existing building regulations to accommodate permanent tiny homes and in-law developments in rural communities across Ontario. Zoning and building permit restrictions should be adapted to this changing reality.

**Concern 2:**

The OMB rulings governing the Tackaberry Quarry of May 11, 1990 and agreement of its conditions by Edwardsburg Council (By-law 93-88) for the operation of the quarry on the Hunter property, state that no concrete or asphalt batching plants are allowed on the Tackaberry approved quarry site. There are also restrictions to the hours of operations. Will the OMB rulings be strictly followed for any and all licencing amendments? We are concerned that we may not be notified and have an opportunity to provide our input, especially if Tackaberry & Sons Construction should be allowed to operate a concrete or asphalt batching plant. We are requesting clarification on this matter, and what the Township position is on the original OMB ruling.

Thank you for your consideration.  
Yours truly,

Linda and Dave Chapeskie  
Property owners of Part Lots 17&18, Concession 6, Township of Edwardsburgh/Cardinal  
Telephone: [REDACTED]

Marilyn Mootrey  
5067 Rock Street  
Spencerville, ON  
K0E 1X0

May 18, 2022

Wendy Van Keulen  
Community Development Coordinator  
Township Edwardsburg/Cardinal

**Re: New zoning bylaw review**

Thank you to Committee and Council for addressing the problem I experienced with my lot adjacent to 5067 Rock Street and the suggestion to proceed with Building Permit Application.

I would also submit the following concerns:

1.

Due to the upcoming changes for setback from 300m to 500m and time constraints imposed by the upcoming implementation of new zoning, I will need to purchase the building permit which would normally be a cost allocated to purchaser of the lot. There will also be additional costs for:

A: Transfer of permit to purchaser

B: Revision of permit to accommodate purchaser's house plans

C: There is a performance Bond deposit of up to \$2000 which is not refundable until Occupancy Permit is issued

I would suggest that all these extra fees be waived for my building permit and the performance Bond be attached to the purchaser at time of transfer.

2.

Further I would want to assure that purchaser would not be impacted by the 500m zoning in the process of building or future development of the lot.

A Grandfather Clause included by Council and the Committee for Community Development would rectify the problems that will affect the existing lots within the proposed new 500m Area of Influence.

Yours truly,

Marilyn Mootrey

**TOWNSHIP OF EDWARDSBURGH CARDINAL**  
**ZONING BY-LAW NO. 20XX-XX**

**FINAL DRAFT 2 – ~~FEBRUARY~~ JUNE 2022**

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**THE CORPORATION OF  
TOWNSHIP OF EDWARDSBURGH CARDINAL  
BY-LAW NO. 20XX-XX**

**A by-law to regulate the use of lands and the character,  
location and the use of buildings and structures in Township of Edwardsburgh Cardinal**

**WHEREAS** the *Planning Act, R.S.O., 1990, Chapter P.13*, as amended, provides that the council of a municipal corporation may pass by-laws to regulate the use of land and the character, location, density, size and use of buildings and structures;

**NOW THEREFORE**, the Council of the Corporation of Township of Edwardsburgh Cardinal enacts as follows:

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**THE CORPORATION OF  
TOWNSHIP OF EDWARDSBURGH CARDINAL**

**BY-LAW NO. 20XX-XX**

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**SECTION 1 – APPLICATION AND INTERPRETATION****1.1 Title of By-law**

This By-law may be cited as the “Zoning By-law” of the Township of Edwardsburgh Cardinal.

**1.2 Scope of By-law**

1. The provisions of this By-law shall apply to all lands within the geographic limits of the Corporation of Township of Edwardsburgh Cardinal, as shown on Schedule A, B, C & D attached hereto. This By-law shall also apply to any lands not shown on the Schedule created through the filling of water bodies, alteration of shorelines or other means, as well as to any portion of the bed of any water body where a license of occupation or lease has been issued by a relevant approval authority. Such areas shall not be used for any purpose other than a conservation use unless the Corporation has zoned such areas through an amendment to this By-law, regardless of whether or not required approvals from the relevant approval authorities have been obtained.
2. No building or structure shall hereafter be erected, altered or enlarged, nor shall the use of any building, structure or lot hereafter be changed, in whole or in part, except in conformity with the provisions of this By-law.
3. Nothing in this By-law shall prevent the use of any lot, building or structure for any purpose prohibited by this By-law if such lot, building or structure was lawfully used for such purpose on the date of passing of this By-law, provided that it continues to be used for such purpose.
4. Nothing in this By-law shall prevent the erection of any building or structure for a purpose prohibited by this By-law if the building permit for such building or structure was issued by the Chief Building Official prior to the date of passing of this By-law, provided that:
  - When the building or structure is erected, it continues to be used for the purpose for which the building permit was issued; and
  - Provided that the building permit has not been revoked.
5. This By-law shall not be effective to reduce or mitigate any restrictions imposed by a governmental authority having jurisdiction to make such restrictions and, without limiting the generality of the foregoing, shall include conservation authorities.
6. All references to Provincial Acts or Regulations shall refer to the current Act or Regulation. All references to the *Planning Act* shall refer to the *Planning Act, R.S.O., 1990, Chapter P.13*, as amended.

**1.3 Interpretation of By-law**

1. In this By-law, unless the context requires otherwise, words used in the singular shall include the plural and words used in the plural shall include the singular.
2. In this By-law, the word “shall” is mandatory and “may” is permissive.



3. In this By-law, unless the context requires otherwise, the word “used” shall include “designed to be used” and “arranged to be used”, and the word “occupied” shall include “designed to be occupied” and “arranged to be occupied”.

#### **1.4 Schedules to By-law**

The following schedules which are attached hereto are hereby incorporated into and are declared to form part of this By-law to the same extent as if fully described herein:

- Schedule A
- Schedule B
- Schedule C
- Schedule D

#### **1.5 Zoning Administrator**

This By-law shall be administered by the Zoning Administrator.

#### **1.6 Issuance of Building Permits, Certificates and Licenses**

1. Notwithstanding any provisions of the Building By-law or any other by-law of the Corporation to the contrary, no building permit, certificate or license shall be issued where the proposed building, structure or use would be in violation of any of the provisions of this By-law.
2. Notwithstanding the generality of (1) above, where the approval of another agency or authority is required, this shall mean that the approval of such shall be obtained by the applicant and submitted to the Zoning Administrator at such time as an application is made for a building permit.

#### **1.7 Certificate of Occupancy**

No change shall be made in the type of use of land, buildings or structures within any zone without first obtaining a Certificate of Occupancy from the Corporation, pursuant to any Township Occupancy Permit By-law that may be enacted.

#### **1.8 Request for Amendment to Zoning By-law**

Every request for an amendment to this Zoning By-law shall be accompanied by the Corporation's application form, which shall be completed in full and accompanied by the required application fee, as well as such supporting materials as may be determined through consultation with the Corporation.

#### **1.9 Inspection**

The Zoning Administrator, the Chief Building Official or any other officer or employee of the Corporation acting under the direction of Council is hereby authorized to enter at all reasonable hours upon any property or premises for the purpose of carrying out his duties under this By-law. Notwithstanding the foregoing, a dwelling unit shall not be entered without the consent of the occupant except under the authority of a search warrant.

## **1.10 Violations and Penalties**

Any person convicted of a breach of any of the provisions of this By-law shall be liable to a fine in accordance with the provisions of the *Planning Act* and every penalty shall be recoverable under the *Provincial Offences Act*.

## **1.11 Remedies**

Where any building or structure is to be erected or altered, or any part thereof is to be used, or any lot is to be used, in contravention of this By-law, such contravention may be restrained by action at the instance of any ratepayer or of the Corporation pursuant to the provisions of the *Planning Act* or the *Municipal Act*.

## **1.12 Validity**

If any section, clause or provision of this By-law, including anything contained in Schedule A, B, C and D attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, this shall not affect the validity of the By-law as a whole or any part thereof, other than the section, clause or provision(s) declared to be invalid. It is hereby declared to be the intention that all the remaining sections, clauses or provisions of this By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

## **1.13 Typographical and Formatting Modifications**

No amendment to this By-law shall be required in order for the Corporation to make:

- Typographical or formatting modifications such as spelling, grammar, punctuation and section numbering changes where, in the opinion of the Corporation, such modifications do not affect the intent of the By-law;
- Deletions, additions or revisions to technical information on Schedule A, B, C and D that do not affect the intent with respect to the zoning of lands.

## **1.14 Existing By-laws**

All other by-laws of the Corporation enacted pursuant to Section 34 or predecessors thereof of the *Planning Act* are hereby repealed and, without limiting the generality of the foregoing, existing by-laws that are repealed include:

- Township of Edwardsburgh Cardinal Comprehensive Zoning By-law No. 2012-35;
- All by-laws which amend the foregoing by-law.

## SECTION 2 - DEFINITIONS

For the purpose of this by-law, the definitions and interpretations in this section shall govern.

**ABATTOIR** shall mean a slaughter house designed for the purpose of killing animals, skinning, dressing and cutting up of carcass, wrapping for sale for human consumption with cooler and freezer storage and includes indoor confinement of animals while awaiting slaughter but shall not include any cooking or process related to processing plants such as smoking, curing or the manufacturing of meat by-products or any process related to rendering plants such as the manufacture of tallow, grease, glue, fertilizer or any other inedible product.

**ACCESSORY** shall mean a use, building or structure which is incidental, subordinate and exclusively devoted to a main use and located on the same lot therewith.

**ADULT ENTERTAINMENT PARLOUR** shall mean any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, live entertainment or services appealing or designed to appeal to erotic or sexual appetites or inclinations, and includes a body rub parlour.

**AGGREGATE PROCESSING OPERATION** shall mean a facility that processes material derived from a pit or quarry and shall include activities such as screening, washing, crushing and associated storage of raw or processed material, as well as the recycling of construction products such as asphalt and concrete that are manufactured using aggregates.

**AGRICULTURAL PRODUCTS PROCESSING FACILITY** shall mean an establishment engaged in the storage, grading, processing and wholesale distribution of agricultural products such as meat, fish, poultry, eggs and dairy, vegetable, fruit, honey, wool, fur, lumber or wood products. This definition shall not include a cannabis production or processing facility, as herein defined.

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

- Growing crops, including all related activities such as fertilizing, planting, spraying, irrigating, harvesting and the storage and sale of crops produced;
- Raising, breeding, boarding, training, keeping and/or sale of livestock, including the raising and sale of fish;
- Collection, production, storage and sale of animal products such as milk, eggs, wool, fur or honey;
- Greenhouse or nursery garden, including storage and sale of products produced;
- Planting, harvesting and sale of forest products, including maple syrup;
- Use and storage of all equipment related to the foregoing activities, including the occasional use of a portable sawmill; and
- Farm-gate sales of any of the above products, provided they are produced on the farm.

Agricultural use shall not include commercial or industrial activities such as abattoirs, tanneries, kennels or manufacturing activities involving crops, animal products, lumber or wood products. An agricultural use shall include cannabis production licensed by a Federal Agency for both cultivation outdoors and indoors within a greenhouse or a similar growing environment but shall not include a cannabis production and processing facility, as defined herein.

**ALTER** when used in reference to a building or part thereof, shall mean to change any one or more of the internal or external dimensions of such building or to change the type of construction

of the exterior walls or roof thereof. When used in reference to a lot, the word “alter” shall mean the change to the width, depth or area thereof or to change the width, depth or area of any required yard, open space or parking area or to change the location of any boundary of such lot with respect to a public highway or laneway, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise. The words “altered” and “alteration” shall have a corresponding meaning.

**AMENITY AREA** shall mean an area on a lot provided for the purpose of personal or shared recreation space designed for the use of residents of a residential building. An amenity area may include both passive and active recreation means such as walkways, open spaces, patios, balconies and play structures.

**ANIMAL HOSPITAL** – see **Veterinary Clinic**

**ANTIQUE SHOP** shall mean a retail store offering antiques, second hand goods and used collectable items.

**ASPHALT PLANT** shall mean a facility 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.

- **PORTABLE ASPHALT PLANT** shall mean an asphalt plant which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

**ATTACHED**, when used in reference to the relationship of a deck, porch or stairs to a main building or structure shall include any deck, porch, or stairs that is unattached but is situated within 1 m of the main building or structure.

**AUTOMOBILE BODY SHOP** shall mean a building or part of a building used for the painting or repairing of vehicle bodies and chassis, provided that all activities shall be undertaken within an enclosed building, and provided further that it shall not include a salvage yard as defined herein.

**AUTOMOBILE SERVICE STATION** shall mean a building or place where automotive fuels, lubricants or parts are kept for sale and/or where mechanical repairs to vehicles are performed and/or where vehicles are washed or cleaned, but it shall not include a salvage yard or automobile body shop as defined herein.

**BANK** shall mean an establishment where money is deposited, kept, lent or exchanged or where other retail financial services are provided and includes a chartered bank, trust company or similar financial institution.

**BASEMENT** shall mean that portion of the building between two floor levels which is partly underground but, which has at least one-half (1/2) of its height from finished floor to finished ceiling above adjacent finished grade.

**BED AND BREAKFAST** shall mean a business conducted in a single dwelling in which the owner resides in the dwelling and supplies for financial gain a maximum of four (4) guest bedrooms with or without meals for the purpose of providing temporary lodging on a daily basis to the travelling public and shall not include a lodging establishment as herein defined.

**BOARDING HOUSE** shall mean a single dwelling in which the proprietor supplies for financial gain, lodging with or without meals to a maximum of three (3) boarders, but it does not include a bed and breakfast, hotel, hospital, foster home, home for the aged or other establishment

otherwise classified or defined in this By-law. A boarding house may only be permitted through an amendment to this by-law.

**BOATHOUSE** shall mean an accessory building or structure that is intended to shelter, house or protect a boat or other watercraft and which is located such that more than 50% of the building or structure is beyond the high water mark over the bed of the water body, and shall not contain a dwelling unit or any facilities for human habitation.

**BUILDING** shall mean any structure consisting of walls or columns and a roof which is used for the shelter, accommodation or enclosure of persons, animals, goods or chattels.

- **ACCESSORY BUILDING** shall mean a building customarily incidental and subordinate to the main building and located on the same lot with such main building and not used for human habitation.
- **MAIN BUILDING** shall mean a building serving the principal or primary uses for which the lot was purchased, leased or rented.
- **TEMPORARY BUILDING** shall mean a building or structure intended for removal or demolition within a prescribed time as set out in a building permit.

**BUILDING LINE** shall mean a line within a lot drawn parallel to a lot line and establishing the minimum distance between that lot line and any building or structure which may be erected.

**BUILDING SUPPLY CENTRE** shall mean an establishment engaged in the selling or installing of building supplies including lumber, millwork, siding, roofing, flooring, windows, doors, plumbing, electrical, heating, air conditioning and similar items.

**CABIN** – See **Lodging Establishment**

**CAMPGROUND** shall mean any parcel of land which is used to provide temporary accommodation for the public or members of an organization in tents, trailers, tourist trailers or recreational vehicles.

**CANNABIS PRODUCTION AND PROCESSING FACILITY** shall mean a building or structure licensed by a Federal Agency which is authorized to cultivate, process, test, destroy, package, store and ship cannabis and cannabis related products. This definition shall not include an agricultural products processing facility, as defined herein.

**CARPORT** shall mean an attached or detached structure which is accessory to a dwelling and which is covered but open on at least two sides and used for the sheltering of permitted vehicles and storage of household equipment incidental to the residential occupancy.

**CATERING ESTABLISHMENT** shall mean a place where food is prepared in large quantities and is then delivered and consumed elsewhere.

**CELLAR** shall mean that portion of a building between two floor levels, which is partly underground and which has more than one-half (1/2) of its height from finished floor to finished ceiling below finished grade.

**CEMETERY** shall mean land used as a place of interment for human remains within the meaning of the *Funeral, Burial and Cremation Services Act*.

**CHIEF BUILDING OFFICIAL** shall mean the officer or employee of the Corporation charged with the duty of enforcing the provisions of the Building by-law of the Corporation.

**CHIP WAGON** – see **Refreshment Vehicle**

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

**COMMERCIAL PARKING LOT** shall mean the use of a vacant lot for parking as the principal or main use.

**COMMERCIAL STORAGE** shall mean lands rented and used on a temporary basis for the open storage of household items, vehicles, equipment and/or commercial goods or materials but does not include any business operation or use associated with the storage. This definition shall not include a self-storage facility as herein defined.

**COMMUNICATIONS TOWER** shall mean a guyed or self-supporting structure the main purpose of which is to accommodate antennas and/or other equipment used to transmit, receive, and/or relay wireless video, voice and/or data communications for commercial purposes.

**COMMUNITY SERVICE** shall mean the use of land, buildings or structures by a not-for-profit, non-commercial body or society such as a service club or charitable organization for promoting athletic, cultural, educational, environmental, health, recreational, social, philanthropic or other similar objectives.

**CONCRETE PLANT** shall mean a facility designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process.

- **PORTABLE CONCRETE PLANT** shall mean a concrete plant which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

**CONSERVATION USE** shall mean research, observation, education, preservation, improvement and enhancement with respect to natural resources or the natural environment, as well as passive outdoor recreation activities such as hiking that do not involve alteration to the landform that have a negative impact on the natural vegetative and/or aquatic characteristics of the land and/or a watercourse.

**CONTRACTOR'S YARD** shall mean a yard, including any accessory buildings or structures, where materials, equipment and vehicles are stored in association with any building trade or contractor such as excavators, road builders, roofers, landscapers, snow removal and similar contractors, but shall not include a salvage yard.

**CORPORATION** shall mean the Corporation of the Township of Edwardsburgh Cardinal.

**CORRECTIONAL FACILITY** shall mean a place of secure detention or secure custody and includes a secure custody group home.

**COUNCIL** shall mean the Council of the Corporation of Township of Edwardsburgh Cardinal.

**COUNTY** shall mean the United Counties of Leeds and Grenville.

**CUSTOM WORKSHOP** shall mean a business in which an artist or craftsperson produces, repairs and sells goods such as jewellery, leatherwork, artistic wood, metal and glass crafts or pottery, or fine art such as paintings, photographs and sculptures, in small quantity or on a custom order basis. A custom workshop does not include any establishment where mass production of goods is carried on nor any shop or factory otherwise defined in this by-law.

**DAY CARE OR DAY NURSERY** shall mean a day care facility licensed under the *Child Care and Early Years Act* and which provides care for six (6) or more children.

**DOMESTIC FOWL COOP** shall mean an accessory residential structure consisting of a coop and run and intended to securely house a maximum of five (5) female egg laying chickens or five (5) female ducks.

**DWELLING** shall mean a building occupied or capable of being occupied as the home or the residence of one or more persons. This definition shall not include any vehicle defined herein.

- **ACCESSORY DWELLING** shall mean a single dwelling which is accessory to a permitted non-residential building which is located on the same lot therewith and is occupied either by the family of the owner or by the family of a person employed on the lot where such dwelling is located.
- **APARTMENT DWELLING** shall mean a dwelling, other than a townhouse dwelling, containing three or more dwelling units. Dwelling units may be divided horizontally and/or vertically.
- **CONVERTED DWELLING** shall mean a dwelling originally constructed as a single dwelling that has been altered or converted into not more than four dwelling units.
- **DUPLEX DWELLING** shall mean a dwelling which is divided horizontally into two dwelling units.
- **SECOND DWELLING** shall mean an accessory building which contains one or more habitable rooms designed and occupied as an independent dwelling in which living, kitchen and bathroom facilities are provided and which is located on the same lot as a single dwelling, semi-detached dwelling or townhouse dwelling, as defined herein.
- **SEMI-DETACHED DWELLING** shall mean a dwelling which is divided vertically into two dwelling units.
- **SINGLE DWELLING** shall mean a dwelling which contains only one dwelling unit and may include a Tiny House.
- **TOWNHOUSE DWELLING** shall mean a dwelling which is divided vertically into three or more dwelling units, each of which has a separate entrance and fully independent front and rear yards.

**DWELLING UNIT** shall mean one or more habitable rooms designed for use and occupied by persons in which separate kitchen and sanitary facilities are provided for the exclusive use of such



persons with an independent entrance from outside the building or from a common hallway or stairway inside the building.

- **ACCESSORY DWELLING UNIT** shall mean a dwelling unit which is part of, and accessory to, a permitted non-residential building and which is occupied by the family of the owner of such non-residential building or by the family of a person employed on the lot where such dwelling unit is located.
- **SECOND DWELLING UNIT** shall mean one or more habitable rooms designed and occupied as an independent dwelling in which living, kitchen, and bathroom facilities are provided and which is located entirely within a single dwelling, semi-detached dwelling or townhouse dwelling, as defined herein.

**ENVIRONMENTAL IMPACT STUDY** shall mean an environmental impact assessment completed in accordance with the provisions of the Official Plan.

**EQUIPMENT RENTAL OUTLET** shall mean the use of land and buildings for the rental of equipment, machinery, furniture and fixtures which are primarily of a size and type which would be used for home improvement or household purposes and which would generally be transportable by the general public.

**ERECT** shall mean build, construct, reconstruct or relocate and shall include any preliminary physical operations such as cutting, grading, excavating, filling, or draining or any altering of an existing building by an addition, extension or other structural change or the doing of any work for which a building permit is required under the building by-laws of the Corporation. The words “erected” and “erection” shall have a corresponding meaning.

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

**FARM SUPPLY SALES** shall mean the sale of farm supplies which may include feed, seed, agricultural chemicals, hardware, farm working apparel and similar items associated with farming operations.

**FLEA MARKET** – See **Open Market**

**FLOOD CONTROL STRUCTURE** shall mean a structure, improvements and/or a combination thereof that are generally designed to provide defense against floods, storm surges, and other hazardous events by altering or controlling the flow and/or volume of water. Without limiting the generality of the foregoing, these may include dikes, spurs, levees, seawalls, weirs, flow splitters, and/or dams.

**FLOOD LINE** shall mean the line showing the limit of the flood plain.

**FLOOD PLAIN** shall mean the area adjoining a water body or watercourse that has been or may be subject to flooding hazards, such hazards having been determined on the basis of the 1:100 year flood level, plus an allowance for wave uprush and other water-related hazards, as applicable.

**FLOOR AREA** shall mean:

- For a dwelling or dwelling unit, the total area of the storeys contained within the exterior walls of the dwelling or dwelling unit, exclusive of any garage, carport, unenclosed porch or deck, unfinished attic, unfinished basement or unfinished cellar where such basement

or cellar has a height of less than 2.1 metres measures between its floor surface and the underside of the joists of the storey above it;

- For a building other than a dwelling or dwelling unit, the total area of all floors contained within the exterior walls of the building.

**FORESTRY USE** – See **Agricultural Use**

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

**FUNERAL HOME** shall mean an establishment with facilities for the preparation of the dead for burial or cremation, for the viewing of the body, and for holding funeral services.

**GARDEN CENTRE** shall mean an establishment primarily used for the retail sale of gardening equipment, products and planting materials, including greenhouses for the cultivation of such materials.

**GARDEN SUITE** shall mean a portable detached dwelling that is located on the same lot as the principal dwelling which provides housing needs of the family residing in the principal dwelling and for which a temporary use by-law has been adopted, pursuant to the provisions of the *Planning Act*, but does not include a mobile home, travel trailer or any other type of recreational vehicle.

**GOLF COURSE** shall mean a public or private area operated for the purpose of playing golf and includes a driving range, a mini putt and accessory uses such as a club house, a restaurant, an indoor driving range, a putting green and similar uses.

**GRADE** shall mean the median elevation between the highest and lowest points of the finished surface of the ground (measured at the base of the building or structure), but exclusive of any embankment in lieu of steps.

**GROUP HOME** shall mean a single, semi-detached or duplex dwelling which is occupied by three (3) to ten (10) unrelated residents who, by reason of their emotional, mental, social or physical condition or legal status, require a supervised family living arrangement for their well-being. A group home may be occupied as the residence by the staff or receiving family. A group home does not include foster homes, boarding houses, a secure custody group home, or other uses defined herein.

**HEAVY EQUIPMENT SALES OR RENTAL ESTABLISHMENT** shall mean an establishment having as its main use the sale, rental, leasing, servicing, and accessory storage of heavy vehicles, farm equipment and/or excavation or construction equipment.

**HEIGHT**, when used with reference to a building, shall mean the vertical distance between grade and:

- The highest point of the roof surface on a flat roof;
- The deck line on a mansard roof;
- The mean level between the eaves and ridge of a gable, hip or gambrel roof.

**HIGH WATER MARK** shall mean the mark made on the shore or bank of a water body through the action of water, which action has continued over such a long period of time that it has created a difference between the character of the vegetation or soil below the mark and that above the

mark, except in the case of the St. Lawrence River, the high water mark shall be the upper controlled water elevation.

**HOBBY FARM** shall mean a lot used primarily for residential purposes where accessory uses may include small market gardening and/or the keeping of farm animals for the personal use of the residents thereon. A hobby farm may include limited farm-gate sales of agricultural products, provided that they are produced on the hobby farm.

**HOME-BASED BUSINESS** shall mean an occupation, trade, business, profession or craft conducted as an accessory use to the use of a dwelling by the dwelling occupant(s) and includes the following:

- Instruction of students;
- Respite care or day care, provided that no residential accommodation is provided;
- Occupations in the areas of a personal service, a service outlet or a tradesperson's establishment, all as defined in this By-law;
- Food catering business;
- Pet grooming;
- Office for conducting a business or profession;
- Studio of an artist, artisan or craftsman.

**HOTEL** – See **Lodging Establishment**

**HUNTING OR FISHING CAMP** shall mean a building or structure, but shall not include a recreational vehicle or trailer, that includes an approved sewage disposal system and that is used on an occasional basis as a base for hunting, fishing, or similar outdoor activities, and which may provide sleeping accommodations, but shall not include a dwelling or a dwelling unit as defined in this By-law.

**INDUSTRIAL FACILITY** shall mean an establishment not otherwise defined in this By-law that is primarily engaged in the assembly, fabrication, manufacturing, processing, treatment, recycling or packaging of articles, components, materials or products. This definition shall not include a cannabis production and processing facility, as defined herein.

**INSTRUCTIONAL FACILITY** shall mean a business that provides instruction or training in an art, hobby, skill, or trade and includes programs in exercise, dance, music, arts and crafts, computer operation, driving, and other similar activities.

**INTAKE PROTECTION ZONE (IPZ)** shall mean areas of land and water near and upstream of a municipal drinking water intake where human activities may need to be regulated to protect the quality and quantity of surface water that supplies the intake.

**KENNEL** shall mean a building or structure where animals other than livestock, such as dogs or cats, are bred, boarded or trained for financial compensation. Grooming may be conducted as an accessory use. This definition shall include a Humane Society Shelter.

**LANE** shall mean a driveway providing access from within a property to a public street.

**LAUNDROMAT OR DRY CLEANERS** shall mean a building or part of a building in which the business of washing, and/or dry cleaning of clothes and other fabrics is carried on and includes both self-service and full-service facilities.

**LIVESTOCK FACILITIES** shall mean livestock and/or poultry barns, buildings or structures where

agricultural animals are housed and shall include feed lots and associated manure storage.

**LIVESTOCK SALES OUTLET** shall mean a building or structure where livestock such as cattle, goats, sheep, horses or the young thereof are bought and sold.

**LIVESTOCK UNIT**

- **LARGE LIVESTOCK UNIT**, for the purpose of this By-law, shall mean one of the following: cattle, horses, donkeys, alpacas, llamas, or similar.
- **MEDIUM LIVESTOCK UNIT**, for the purpose of this By-law, shall mean one of the following: sheep, goats, pigs, or similar.
- **SMALL LIVESTOCK UNIT**, for the purposes of this By-law, shall mean one of the following: chickens, ducks, turkeys, geese, rabbits, or similar.

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

**LODGING ESTABLISHMENT** shall mean an establishment which provides temporary accommodation in one or more buildings for members of the public or organizations who are vacationing or travelling and shall include a seasonal camp, a cabin, a hotel, a lodge and a motel.

- **SEASONAL CAMP** shall mean an establishment which provides meals, sleeping accommodation and recreational opportunities to individuals and groups who are under the supervision of camp staff and shall include children's camps, church camps, scouting movement camps, YM/YWCA camps and other similar uses.
- **CABIN** shall mean an establishment designed to accommodate one or more persons in a detached or semi-detached building
- **HOTEL** shall mean an establishment containing four or more guest rooms served by a common entrance. Accessory uses may include accommodation for staff, dining rooms, meeting rooms, recreational amenities and similar uses.
- **MOTEL** shall mean an establishment containing four or more guest rooms each of which has a separate entrance directly from outside the building. Accessory uses may include dining rooms, meeting rooms, recreational amenities and similar uses.

**LONG TERM CARE HOME** – See **Public Use**

**LOT** shall mean a parcel or tract of land which is capable of being legally conveyed in accordance with the provisions of the *Planning Act*.

- **CORNER LOT** shall mean a lot situated at the intersection of two streets of which two adjacent sides that abut the intersecting streets contain an angle of not more than 135 degrees.
- **INTERIOR LOT** shall mean a lot situated between adjacent lots and which has frontage on one street.

- **ISLAND LOT** shall mean a waterfront lot that consists of an island or part of an island.
- **THROUGH LOT** shall mean a lot, other than a corner lot as defined herein, with frontage on more than one street.
- **WATERFRONT LOT** shall mean a lot which abuts a shoreline but which does not abut an improved street or a street which will become an improved street pursuant to provisions in, and financial security associated with, a subdivision agreement registered on the title to the lot.

**LOT AREA** shall mean the total horizontal area within the lot lines of a lot, excluding any lands below the high water mark on a waterfront lot.

**LOT COVERAGE** shall mean that portion of the area of a lot covered by all main and accessory buildings, porches, decks and similar features, but excluding automobile service station pump island canopies, entrance canopies for non-residential buildings, and balconies and overhanging eaves which are more than 2.5 m above finished grade.

**LOT FRONTAGE** shall mean the width of a lot measured between the intersections of the side lot lines with a line that is continuously 6 m back from and parallel to the front lot line.

**LOT LINE** shall mean any boundary of a lot or the vertical projection thereof.

- **FRONT LOT LINE** shall mean the following:
  - In the case of an interior lot, the line dividing the lot from the street;
  - In the case of a corner lot or through lot, the shorter lot line abutting a street, or where access is gained to the lot regardless of the length of the line.
  - In the case of a waterfront lot, the high water mark shall be deemed to be the front lot line.
- **REAR LOT LINE** shall mean in the case of a lot having four or more lot lines, the lot line farthest from and opposite to the front lot line. If a lot has less than four lot lines, there shall be no rear lot line.
- **SIDE LOT LINE** shall mean a lot line other than a front or rear lot line.

**MARINA** shall mean an establishment or premises located on a water body and containing facilities where boats and boat accessories are berthed, stored, serviced, repaired, maintained or kept for sale or rent and where facilities for the sale of marine fuels and lubricants, as well as the parking of customers' vehicles, may be provided. The incidental sale of convenience food and personal items, camping and outdoor recreation accessories and fishing gear is included as an accessory use.

**MARINE FACILITY** shall mean an accessory building or structure which is used to place a boat into or out of a water body, or used to moor, berth or store a boat. This definition shall include a boat launching ramp or equivalent, boat lift, dock, boathouse, boatport or slip, but shall not include any building used for human habitation nor any marina or boat service, repair or sales facility.

**MICROBREWERY** shall mean a building used for making beer, cider or spirits on a small scale and may include tasting and dining facilities and the retail sale of related items.

**MOBILE HOME** shall mean a prefabricated building which bears a CSA Z240 approval and which is designed to be towed on its own chassis (notwithstanding that its running gear is or may be removed), designed and equipped for year round occupancy and containing therein facilities for cooking or for the installation of cooking equipment, as well as sanitary facilities including a flush toilet and shower or bathtub. This definition shall not include a travel trailer or tent trailer or trailer otherwise defined in this By-law.

**MOTEL** – See **Lodging Establishment**

**NON-COMPLYING** when applied to a use, building or structure shall mean a use, building or structure which is listed as a permitted use in the zone in which it is located but which contravenes one or more of the provisions of this By-law for the zone in which it is located, as of the date of the passing of this By-law.

**NON-CONFORMING** shall mean a use, building or structure which, on the date of the passing of this By-law, is not within the list of permitted uses for the zone in which it is located.

**OFFICIAL PLAN** shall mean the *Official Plan of the Township of Edwardsburgh Cardinal*, as amended.

**ON-FARM DIVERSIFIED USE** shall mean uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and use that produce value-added agricultural products, but shall not include a cannabis production and processing facility, as defined herein.

**OPEN MARKET** shall mean a building or open air facility where individual vendors operating from stalls, booths or other defined areas offer the following for sale: Fresh fruit, vegetables and herbs, poultry, fish, meat, eggs, cheese, honey, cider, maple products, cut flowers, bedding plants, shrubs and trees, baked foodstuffs, second hand furniture and other items, handicrafts and other hand-made products.

**OPEN SPACE** shall mean unoccupied space open to the sky on the same lot with the building.

**OPEN STORAGE** shall mean the storage of goods, merchandise or equipment outside a building or structure on a lot or portion thereof, but does not include the outdoor display of a limited number of samples of the goods, merchandise or equipment for the purposes of sales and advertisement, nor does it include the open storage of a limited quantity of operative or licensed vehicles and equipment that are normally associated with residential occupancy.

**PARK** shall mean an area consisting largely of open space, which may include a recreational area, playground, playing field, tennis courts, lawn bowling greens, skating rinks, athletic field, picnic areas, swimming pools, day camps, community centres or other similar use, but it shall not include a mobile home park or campground.

- **PUBLIC PARK** shall mean a park owned or controlled by the Corporation or by any ministry, board, commission or authority established under any statute of Ontario or Canada.
- **PRIVATE PARK** shall mean a park other than a public park.

**PARKING AREA** shall mean a lot or lots or portions thereof required in accordance with the provisions of this by-law for the temporary parking of motor vehicles and includes any related aisles, parking spaces, entrance and exit lanes, but, it shall not include any part of a public street.

**PARKING SPACE** shall mean an area for the temporary parking or storage of motor vehicles.

**PERSON** shall mean an individual, an association, a chartered organization, a firm, a partnership or a corporation.

**PERSONAL SERVICE** shall mean an establishment where a personal service related to the grooming or health of persons is provided, or where the maintenance or repair of personal wardrobe articles is performed. A personal service may include a hair stylist, an aesthetician, a tailor, a shoe repair shop or similar use.

**PET CEMETERY** shall mean land used as a place of interment for the dead remains of domestic pets.

**PIT** shall mean any open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral in order to supply material for construction, manufacturing or industrial purposes but, it shall not include an excavation incidental to the erection of a building or structure for which a building permit has been granted by the Corporation, or an excavation incidental to the construction of any public works.

- **CLASS B PIT** shall mean a pit with a licence pursuant to the *Aggregate Resources Act, R.S.O., 1990, as amended*, to remove 20,000 tonnes or less annually.
- **WAYSIDE PIT** shall mean a temporary pit opened and used by or for a public road authority solely for the purpose of a particular project or contract of road construction.

**PLACE OF ASSEMBLY** shall mean a building or structure used for the operation of arts and craft shows, trade fairs, fashion shows, public meetings, banquets, community activities or events, conferences, auctions and similar activities.

**PLACE OF WORSHIP** shall mean a building dedicated to religious worship.

**PRESCRIBED INSTRUMENT** shall mean an instrument defined in Ontario Regulation 287/07 for which a decision to issue, create or amend must confirm with significant threat policies set out in the Source Protection Plan.

**PRIVATE GARAGE** shall mean an attached or detached building which is accessory to a dwelling and which is fully enclosed and designed or used for the sheltering of permitted vehicles and storage of household equipment incidental to the residential occupancy.

**PRIVATE RIGHT-OF-WAY** (PRIVATE STREET or PRIVATE ROAD) shall mean a legal right of passage over a lot for the purpose of providing vehicular access for two or more other lots.

**PRINTING ESTABLISHMENT** shall mean a business primarily engaged in the reproduction or duplication of printed materials and/or the production of books, newspapers and similar publications.

**PROFESSIONAL OR BUSINESS OFFICE** shall mean a building or part of a building in which any business is conducted or profession is practiced, but which does not include any establishment otherwise defined herein.



**PUBLIC USE** shall mean the use of land, buildings or structures for the supply of public services by the Corporation, the United Counties of Leeds and Grenville, the Governments of Ontario or Canada, any agencies, boards commissions or authorities thereof, and any company providing electricity, natural gas, wired or wireless communications or rail transportation. Without limiting the generality of the foregoing, among other uses, this shall include correctional institutions, hospitals, and long term care homes.

**QUARRY** shall mean any open excavation made for the removal of consolidated rock or mineral including limestone, sandstone or shale in order to supply material for construction, industrial or manufacturing purposes.

- **WAYSIDE QUARRY** shall mean a temporary quarry opened and used by or for a public road authority solely for the purpose of a particular project or contract of road construction.

**RECREATIONAL ESTABLISHMENT** shall mean any building or part of a building used for the purposes of a bowling alley, curling rink, skating rink, billiard parlour, health or athletic club, swimming pool, theatre or other similar use.

**RECREATIONAL VEHICLE** shall mean a vehicle or trailer that is designed to be towed or propelled by a mobile vehicle or self-propelled which is capable of being used on a short-term basis for living, sleeping or eating accommodations. A recreational vehicle may include motor homes, tent trailers, travel trailers or similar.

**REFRESHMENT VEHICLE** shall mean a trailer or vehicle, licensed by the Corporation that is designed to be made mobile from which food is prepared and offered for sale to the public for immediate consumption on site or off the premises. Where stated as a permitted use, a refreshment vehicle shall only be permitted as an accessory use to the principal use.

**RESEARCH AND DEVELOPMENT FACILITY** shall mean a building or part thereof used for systematic research, data collection and manipulation, or technical or scientific development of information or new products, and may include a research laboratory.

**RESIDENTIAL CARE HOME** shall mean a residence for the elderly which provides ancillary health and social services to the residents of the home and has communal dining and recreational facilities.

**RESTAURANT** shall mean a building or part of a building where food and beverages are sold to the public for immediate consumption on or off the premises, but shall not include a refreshment vehicle, as herein defined.

**RETAIL STORE** shall mean a building or part of a building where goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail and includes rental of consumer goods and storage of limited inventory on or about the store premises.

**RISK MANAGEMENT OFFICIAL** shall mean a person appointed by the Corporation that is responsible for the enforcement of Part IV of the *Clean Water Act*, and who has the qualifications prescribed in Ontario Regulation 287/07, as may be amended.

**SALVAGE YARD** shall mean a junk yard, an automobile wrecking yard or premises and premises where goods, wares, merchandise or articles are processed for further use or for the sale, storage, keeping or abandonment of junk including scrap metals or other scrap material from the

dismantling, demolition or abandonment of vehicles or machinery parts.

**SAWMILL** shall mean lands, buildings or structures where timber is cut or sawed on a permanent basis, either to finished lumber products or as an intermediary step.

**SCHOOL** shall mean an educational establishment as defined in the *Education Act*, and includes any other facility which has a body of students and teachers and which provides primary, elementary, and secondary or adult education courses of study authorized or approved by the Minister of Education for the Province of Ontario. This definition includes schools under the jurisdiction of a Board of Education, as well as other private schools that provide such course of study, which may also provide other specialized training or instruction, whether such private schools are operated for profit or not-for-profit.

**SELF-STORAGE FACILITY** shall mean a building which is divided into spaces which may be rented for the purpose of storing goods, wares, merchandise, equipment or materials, but shall not include the storage of hazardous materials such as paint or other flammable, corrosive or explosive substances. A self-storage facility may include accessory outdoor storage of a limited quantity of operable vehicles as herein defined.

**SERVICE OUTLET** shall mean an establishment where articles, goods or materials, excluding vehicles, may be repaired or serviced.

**SEWAGE DISPOSAL SYSTEM** shall mean a privy, a greywater system, a cesspool, a leaching bed system, a holding tank or any other privately-owned individual or communal system for the on-site holding and/or treatment of sanitary sewage.

## **SEWAGE AND WATER SYSTEMS**

- **FULL SERVICE** shall mean piped sewage and water services that are connected to a centralized water and wastewater treatment facility that is operated by a public authority.
- **PARTIAL SERVICE** shall mean connection to either piped public water or sewage and the other connection to a private service.
- **PRIVATE SERVICE** shall mean individual autonomous water supply and sewage disposal systems, that are privately owned, managed and operated by the owner of the property upon which the system is located on and which does not service more than five residential dwelling units.

**SHIPPING CONTAINER** shall mean an article of transportation equipment, including one that is carried on a chassis, that is strong enough to be suitable for repeated use and is designed to facilitate the transportation of goods by one or more means of transportation and includes, but is not limited to, intermodal shipping containers, body of transport trailer or straight truck box, with or without wheels, but does not include a motor vehicle.

**SHORELINE** shall mean any lot line or portion thereof which is the shore of a water body.

**SIGHT TRIANGLE** shall mean the triangular space formed by the street lines of a corner lot and a line drawn from a point in one street line to a point in the other street line, each such point being 9 m from the point of intersection of the street lines, measured along the street lines. Where two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

**SITE ALTERATION** shall mean site grading, excavation and the placement of fill.

**SIGN** shall mean a name, identification, description, device, display or illustration which is affixed to a building, structure or lot which directs attention to an object, product, place, activity, person, institute, organization or business and which does not contravene any by-law or regulation of the Corporation, the County, the Province of Ontario or Government of Canada.

**SOURCE PROTECTION PLAN** shall mean the Raisin-South Nation Source Protection Plan prepared pursuant to the *Clean Water Act, 2006*.

**SPECIALTY FOOD STORE** shall mean a retail store specializing in a specific type of food and may include a bakery, butcher, delicatessen or other similar use.

**STOREY** shall mean that portion of a building other than a cellar, basement or attic included between the surface of any floor level and the surface of the floor, ceiling or roof above it.

**STREET** shall mean a public thoroughfare under the jurisdiction of the Corporation, the County or the Province of Ontario. This definition does not include a lane, a private road or private right-of-way.

- **IMPROVED STREET** shall mean a street which has been assumed by the Corporation, the County or the Province and is maintained on a regular, year-round basis.

**STREET ACCESS** shall mean, when referring to a lot that such lot has a lot line or portion thereof which is also a street line.

**STREET LINE** shall mean the limit of the road or street allowance and is the dividing line between a lot and a street.

**STREET SETBACK** shall mean with reference to a street, the distance between the centreline of a street allowance and the nearest building line.

**STRUCTURE** shall mean anything constructed or erected, the use of which requires location on the ground or attached to something having its location on the ground and, without limiting the foregoing, includes a trailer or a mobile home.

**TRADESPERSON'S ESTABLISHMENT** shall mean a building or part of a building which, in addition to or as well as serving as an office, serves as a storage facility for the materials and equipment of, and/or a workshop for the undertaking of repairs, the preparation of materials, or the production of items on a custom order basis by, one of the following tradespersons: Heating and cooling systems specialist, cabinet maker, carpenter, chimney sweep, drywaller or plasterer, electrician, exterminator, fence installer, furniture refinisher, general building contractor, glass installer, grounds maintenance person and landscaper, handyman, janitor, mason, painter, plumber, printer, snow plough operator, upholsterer, welder, window cleaner and similar tradespersons whose activities are not otherwise defined in this By-law.

**TRANSPORTATION DEPOT** shall mean an establishment where more than two commercial vehicles are kept for hire, stored or parked and/or dispatched and may include accessory loading and warehouse uses and truck or bus fuelling and repair facilities.

**UNENCLOSED**, when used in relation to an attached or detached porch, deck or other structure,

shall mean open except for a roof, supporting columns, safety railings, screens, curtains or shades. The word unenclosed shall exclude partial or full solid walls or other solid materials such as glass and synthetic glass substitutes normally intended to provide protection from the elements.

**USE**, when used as a noun, means the purpose for which a parcel of land, lot, building or structure or any combination thereof is designed, arranged, occupied or maintained and “uses” shall have a corresponding meaning. “Use” when used as a verb, or “to use” shall also have a corresponding meaning.

**VEHICLE** shall mean an all-terrain vehicle, an automobile, a boat, a commercial motor vehicle, a mobile home, a motorcycle, a snowmobile, a recreational vehicle or a trailer. This definition shall also include any agricultural implements driven or towed.

**VEHICLE SALES OR RENTAL ESTABLISHMENT** shall mean an establishment having as its main use the sale, rent, or leasing of vehicles. Accessory uses may include the repair and maintenance of such vehicles.

**VETERINARY CLINIC** shall mean a building where one or more licensed veterinarians and any associated staff provide medical, surgical, grooming or similar services to animals, but does not include boarding services except those essential to recovery from medical treatment.

**WAREHOUSE** shall mean a building used for the bulk storage of commodities, goods, materials, merchandise or wares.

**WASTE DISPOSAL SITE** shall mean a place where garbage, refuse, domestic or industrial waste is disposed of or dumped and shall include a sewage treatment plant, lagoon or sludge disposal area.

**WASTE RECYCLING FACILITY** shall mean an operation engaged in the processing and recycling of non-hazardous solid wastes including but not limited to wood, drywall, cardboard, metal and other construction wastes. Radioactive, pathological and/or asbestos-contaminated materials or any other hazardous materials are not permitted to be processed.

**WASTE TRANSFER FACILITY** shall mean an operation wherein waste materials collected from surrounding areas are stored on a temporary basis entirely within a building and then shipped to the appropriate disposal site.

**WATER BODY** shall mean any bay, lake, river, watercourse, canal or municipal drain pursuant to the *Drainage Act*, but excluding a drainage or irrigation channel.

**WATER FRONTAGE** shall mean, in the case of a lot which abuts a water body, the width of such lot measured between the intersections of the side lot lines with a line that is continuously 6 m back from and parallel to the high water mark.

**WATER SETBACK** shall mean, in reference to a water body, the horizontal distance between the high water mark and the nearest building line.

**WATERCOURSE** shall mean a natural drainage channel that contains water either permanently or intermittently, including creeks and streams.

**WELLHEAD PROTECTION AREA ZONE (WHPA)** shall mean the area of land surrounding a municipal well, where human activities may need to be regulated to protect the quality and quantity

of ground water that supplies the well.

**WHOLESALE ESTABLISHMENT** shall mean a business engaged in the bulk storage and sale of commodities, goods, materials, merchandise or wares for resale or business use.

**YARD** shall mean an open, uncovered space appurtenant to a building or structure.

- **FRONT YARD** shall mean a yard extending across the full width of the lot between the front lot line and the nearest part of any main building or structure on the lot.
- **REAR YARD** shall mean a yard extending across the full width of the lot between the rear lot line and the nearest part of any main building or structure on the lot.
- **SIDE YARD** shall mean a yard extending from the front yard to the rear yard between the side lot line and nearest part of any main building or structure on the lot.
- **EXTERIOR SIDE YARD** shall mean a side yard abutting a street.
- **INTERIOR SIDE YARD** shall mean a side yard other than an exterior side yard.

**ZONE** shall mean:

- A land use category as defined and regulated in this By-law; or
- A designated area of land shown on the zoning schedules to this By-law.

**ZONING** shall mean the demarcation of an area into zones and the establishment of regulations to govern the use of the land within these zones and the location, bulk, height, shape, use and coverage of structures within each zone. The terms “zone provisions” and “zone requirements” shall have a corresponding meaning.

**ZONING ADMINISTRATOR** shall mean the officer or employee of the Corporation charged with the duty of enforcing the provisions of this By-law.

## SECTION 3 - GENERAL PROVISIONS

### 3.1 Accessory Uses

Except as otherwise set out in this section, accessory uses, buildings or structures shall be permitted in any zone, provided that:

1. Accessory buildings or structures shall not be used for human habitation, except as specifically permitted elsewhere in this By-law.
2. Accessory buildings shall be included for the purposes of compliance with maximum lot coverage provisions.
3. There shall be no minimum yard or water setback provisions applicable to a marine facility, except that the minimum side yard shall be 4.5 m.
4. The minimum separation distance between a detached accessory building and any other building shall be 2 m.
5. Any building or structure that is attached to the main building shall not be considered as accessory.
6. Buildings or structures accessory to a residential use shall be subject to the following provisions:

1. In a Residential zone:

- The lot coverage of all accessory buildings or structures shall not exceed 10%.
- The maximum height of an accessory building or structure shall be 5.5 m and shall not contain more than 1 storey.

2. In a Residential, Rural, or Agriculture zone:

Notwithstanding the yard provisions of this By-law to the contrary, an accessory building or structure may be located in a required interior side or rear yard, provided that the minimum yard shall be:

- |   |   |     |
|---|---|-----|
| • | Lots in Settlement Policy Area in Official Plan | 1 m |
| • | All other lots                                  | 3 m |

7. Except as otherwise provided in this section, accessory buildings and structures shall conform to the zone provisions applicable to main buildings.

### 3.2 Existing Undersized Non-Complying Lots

1. Where, on the date of passing of this By-law, an existing lot has less than the minimum lot frontage, water frontage and/or lot area required by this By-law, or is increased in lot frontage, water frontage and/or lot area but is still undersized, such non-complying lot may be used and a building or structure may be erected, altered or used for a purpose permitted in the zone in which it is located on the date of the passing of this By-law without the requirement to obtain relief from the applicable lot frontage, water frontage and/or lot area provisions of this By-law. This provision shall not be construed

as granting relief from any other provisions of this By-law.

2. Notwithstanding Subsection 3.2.1 above, an agricultural use that includes the keeping of livestock shall not be permitted on a lot of less than 5 ha in lot area, except in the case of hobby farms and the keeping of domestic fowl, as permitted in Section 4.54 of this By-law.

### 3.3 Front Yard Reduction Within a Settlement Policy Area

Notwithstanding any minimum front yard requirement of this By-law to the contrary, on a lot within the **Settlement Policy Area** designation of the Official Plan, the front yard may be reduced to the average of the front yards of existing main buildings located on the two immediately adjacent lots.

### 3.4 Frontage on an Improved Street

No lot shall be used and no building or structure shall be erected on a lot in any zone unless such lot has sufficient frontage on an improved street to provide driveway access directly onto the street. Notwithstanding the foregoing, this provision shall not apply to:

- A non-residential building or structure accessory to an agricultural, mineral aggregate or conservation use;
- A lot on a registered plan of subdivision and with frontage on a street which will become an improved street pursuant to provisions in, and financial security associated with, a subdivision agreement that is registered on the title to the lot;
- A lot used for a hunting or fishing camp;
- A lot located in a Limited Services Residential (RLS) zone;
- A lot located on an island.

### 3.5 Height Exceptions

The maximum height restrictions of this By-law shall not apply to the following:

- Air conditioning, heating or similar mechanical equipment
- Antenna
- Barn
- Belfry, spire or dome associated with a place of worship
- Chimney
- Clock tower
- Communications Tower
- Electrical supply structure
- Elevator or mechanical penthouse
- Farm implement storage building
- Flag pole
- Grain elevator
- Lightning rod
- Silo
- Solar collector
- Water tower
- Wind turbine

### **3.6 Loading Space Requirements**

#### **1. Number of Loading Spaces Required**

Any commercial, institutional or industrial use which involves the transfer of goods, wares, merchandise or raw materials to and from the site shall provide and maintain loading facilities on the lot in accordance with the following regulations:

| <u>Floor Area of Building</u>             | <u>Number of Loading Spaces</u>   |
|---|---|
| less than 200 m <sup>2</sup>              | 0   |
| 200 m <sup>2</sup> - 1,000 m <sup>2</sup> | 1   |
| over 1,000 m <sup>2</sup>                 | 2 plus 1 additional loading space per each 1,000 m <sup>2</sup> of floor area or part thereof |

#### **2. Loading Space Size**

A required loading space shall be a minimum of 9 m long, 3.5 m wide, have vertical clearance of at least 4.5 m and driveway access that is a minimum of 3.5 m in width.

#### **3. Loading Area Surface**

A loading area shall be maintained with a stable surface such as concrete, asphalt, gravel or crushed stone.

#### **4. Cumulative Loading Requirements**

Where a lot, building or structure accommodates more than one use, the loading space requirement shall be calculated on the basis of the total floor area of all commercial and industrial uses.

#### **5. Exception for MC/MCR Zones**

Permitted uses of the Main Street Commercial (MC) and Main Street Commercial/Residential (MCR) zones shall not be required to provide loading spaces in accordance with the provisions of Section 3.6.1.

### **3.7 Lots Containing More Than One Use**

Where a lot accommodates more than one use and the provisions of this By-law for the uses are different, the more restrictive provisions shall apply.

### **3.8 Lots Divided For Freehold Unit Ownership**

Notwithstanding the division of a lot or block for the purpose of freehold ownership of an existing dwelling unit and its associated parcel of land, zoning provisions shall continue to apply on the basis of the entire lot or block.

### **3.9 Lots Divided Into More Than One Zone**

Where a lot is divided into more than one zone such that it has split zoning, each portion



of the lot shall be used in accordance with the provisions of this By-law for the zone where such portion of the lot is located. In no case shall split zoning be interpreted to allow more dwellings or dwelling units on the lot than would otherwise be permitted by the least restrictive of the applicable zones.

### **3.10 Moving of Buildings**

No building or structure shall be moved into the Township or onto any lot unless its use and location comply with this By-law, and then only after a permit has been obtained from the Chief Building Official.

### **3.11 Non-Conforming Uses and Non-Complying Uses, Buildings and Structures**

#### **1. Buildings Accessory to Non-Conforming Uses**

An accessory building may be erected for an existing legal non-conforming use, provided it complies with the provisions of this By-law relating to accessory uses, buildings and structures.

#### **2. Change of Non-Conforming Use**

A non-conforming use shall not be changed to another use unless it is to a permitted use in the zone in which it is located. Pursuant to the provisions of the *Planning Act* and the Official Plan, a non-conforming use shall only be changed to another non-conforming use with the permission of the Committee of Adjustment.

#### **3. Repair, Restoration and Reconstruction of Non-Conforming Uses or Non-Complying Uses, Buildings or Structures**

A legal non-conforming or non-complying use, building or structure shall only be repaired, restored or reconstructed in accordance with the rights conveyed to legal non-conforming uses pursuant to the applicable provisions of the *Planning Act*, provided that the height, size and volume of the building or structure shall not be increased except in accordance with Sections 3.11.5 and 3.11.6 below, as applicable.

#### **4. Replacement of Non-Complying Sewage Disposal Systems**

Notwithstanding any provision of this By-law to the contrary, a sewage disposal system which was legally constructed under the regulations governing sewage disposal systems that were in force and effect at the time of such construction but that is non-complying with respect to the water setback provisions, shall be replaced such that the minimum water setback is the setback of the existing sewage disposal system or as set out in the *Ontario Building Code*, whichever is greater.

#### **5. Enlargements of Non-Conforming Uses**

A non-conforming use shall not be enlarged or extended, except with the permission of the Committee of Adjustment for the Township, pursuant to the provisions of the *Planning Act* and the Official Plan.

#### **6. Enlargements of Non-Complying Uses, Buildings or Structures**

A non-complying use, building or structure shall not be enlarged, except in compliance with all applicable provisions of this By-law.

### **3.12 Occupancy Restrictions**

None of the following shall be used as a dwelling or for the purposes of human habitation:

1. Any truck, bus, coach, railway or streetcar body or shipping container;
2. Any marine facility or building or structure accessory to a residential use;
3. Any recreational vehicle, except in a tourist campground or as a temporary use in accordance with Section 3.22 of this By-law.
4. Any dwelling unit the entirety of which is located in a cellar.

### **3.13 Open Storage**

Open storage shall be permitted as an accessory use to a permitted use within any zone other than a Residential, Institutional, Open Space, General Commercial, Main Street Commercial / Residential or Main Street Commercial zones, provided that:

1. No part of an open storage area shall be located within a front yard or any minimum required side or rear yard or water setback required by this By-law;
2. Open storage shall not occupy any driveway or parking or loading area required by this By-law;
3. Where open storage that is not accessory to an agricultural use is situated less than 30 m from a Residential zone, a street or a dwelling on another lot, a continuous buffer strip consisting of a berm, fence or landscaping having a minimum combined height of 1.5 m shall be provided so as to screen the open storage area from the street or dwelling. Such buffer strip shall be broken only by a driveway or walkway from the street.

### **3.14 Parking Requirements**

#### **1. Number of Parking Spaces Required**

In any zone, the owner or occupant of any lot or building or structure erected, enlarged or changed in use after the passing of this By-law, shall provide off-street parking in accordance with the following:

| <u>Type of Use</u>  | <u>Number of Parking Spaces Required</u>      |
|---------------------|---|
| Apartment Dwelling  | 1.25 parking spaces per dwelling unit         |
| All other Dwellings | 1 parking space per dwelling unit             |
| Campground          | 1 parking space per site                      |
| Group home          | 1 parking space in addition to the applicable |

|   |  |
|---|--|
|   | dwelling requirement   |
| Boarding house,<br>Residential care home                      | 1 parking space, plus 1 parking space per 3<br>rooming units   |
| Home-based business   | 1 parking space in addition to the applicable<br>dwelling requirement  |
| Bed and breakfast   | 1 parking space per guest room in addition to<br>the applicable dwelling requirement   |
| Lodging Establishment   | 1 parking space per guest room or cabin plus<br>1 parking space per 20 m <sup>2</sup> of floor area<br>devoted to dining or meeting uses   |
| Long-term care home   | 1 parking space per 0.25 beds  |
| Restaurant, specialty food store,<br>banquet hall             | 1 parking space per 12 m <sup>2</sup> of floor area  |
| Place of worship or assembly                                  | 1 parking space per 12 m <sup>2</sup> of floor area<br>devoted to public assembly  |
| Recreational use, Instructional<br>Facility                   | 1 parking space per 4 persons design<br>capacity or 1 parking space per 20 m <sup>2</sup> of floor<br>area, whichever is greater   |
| Retail store, personal service,<br>merchandise service outlet | 1 parking space per 20 m <sup>2</sup> of floor area  |
| Clinic  | 1 parking space per 20 m <sup>2</sup> of floor area  |
| Marina  | 1 parking space for each boat docking<br>space, plus 1 parking space for every 25 m <sup>2</sup><br>of marina floor area. Where individual boat<br>docking spaces are not clearly identifiable,<br>the length of a space shall be deemed to be<br>8 m. |
| Automobile service station or<br>Automobile body shop         | 2 parking spaces per service bay; minimum<br>of 3 spaces   |
| Commercial use not defined                                    | 1 parking space per 20 m <sup>2</sup> of floor area  |
| Professional or business office                               | 1 parking space per 25 m <sup>2</sup> of floor area  |
| School - elementary   | 1.5 parking spaces per classroom   |
| School - secondary  | 4 parking spaces per classroom   |
| Institutional or public use                                   | 1 parking space per 40 m <sup>2</sup> of floor area  |

Industrial, warehouse or  
storage use

1 parking space per 70 m<sup>2</sup> of floor area

## **2. More than One Use on a Lot**

Where a building or lot accommodates more than one use, the number of parking spaces required shall be the sum of the requirements for each of the uses.

## **3. Parking Space Size and Access**

1. Each parking space shall have minimum dimensions of 2.75 m by 6 m. A parking space shall have unobstructed access, except where tandem parking is specifically permitted by this By-law.
2. Where a barrier free parking space is required by Section 3.14.4, the following barrier free parking space types and provisions shall be provided:
  1. Type A barrier free parking space shall have a minimum width of 3.4 m and a minimum length of 6 m.
  2. Type B barrier free parking space shall have a minimum width of 2.4 m and a minimum length of 6 m.
  3. Where an even number of barrier free parking spaces is required, an equal number of Type A and Type B barrier free parking spaces shall be provided.
  4. Where an odd number of barrier free parking spaces is required, an equal number of Type A and Type B barrier free parking spaces shall be provided, where the additional barrier free parking space may be a Type B barrier free parking space. A minimum of one Type A barrier free parking space shall be provided.
  5. Barrier free parking spaces shall be provided with hard surface materials such as concrete or asphalt and shall be located as close as possible to an accessible building entrance.
  6. Where a barrier free parking space is provided an access aisle of 1.5 m by 6 m is required and where two barrier free parking spaces are adjacent to each other the required access aisle may be shared. The required access aisle shall be hard surfaced with concrete or asphalt and marked with high tonal contrast diagonal lines.
  7. Barrier free parking spaces shall provide designated signage and where a Type A barrier free parking space is provided, 'van accessible' signage must be provided a minimum of 1.5 m above grade.

## **4. Barrier Free Parking Space Requirements**

Included in the number of parking spaces by Section 3.14.1, except for parking required for a single dwelling, semi-detached dwelling, duplex dwelling, freehold townhouse dwelling, second dwelling, second dwelling unit and accessory dwelling unit, barrier free parking spaces shall be provided in accordance with the following provisions, rounded up to the nearest whole number:

| <u>Total Number of Parking Spaces Provided</u> | <u>Minimum Number of Barrier Free Spaces</u> |
|--|--|
| 1 - 12   | 1  |
| 13 - 100                                       | 4% of total parking provided                 |
| 101 – 200                                      | 1 + 3% of total parking provided             |
| 201 – 1,000                                    | 2 + 2% of total parking provided             |
| 1,001+   | 11 + 1% of total parking provided            |

## **5. Driveway Access to Parking Areas**

The maximum width of any driveway shall be 9 m, measured at the street line.

Driveways designated for two-way traffic shall have a minimum width of 6 m. One-way driveways and driveways serving only one dwelling unit shall have a minimum width of 3 m. For portions of a driveway that directly abut a parking space, the minimum driveway width shall be as follows:

| <u>Angle of Parking Space to Driveway</u> | <u>Minimum Driveway Width</u> |
|---|-------------------------------|
| 0 degrees                                 | 3 m                           |
| 30 degrees                                | 3.4 m                         |
| 45 degrees                                | 3.7 m                         |
| 60 degrees                                | 5.4 m                         |
| 90 degrees                                | 6 m                           |

## **6. Driveway Provisions for a Residential Use**

1. For lots used exclusively for a residential use, with the exception of single dwellings and apartment buildings, a maximum of one driveway per dwelling unit having a private entrance at grade shall be provided.
2. The maximum number of driveways per lot used for a single dwelling shall be one (1) for every 30 m of frontage.
3. The maximum number of driveways per lot used for an apartment building shall be two (2).
4. The minimum distance between a driveway and intersection street lines, measured along the street line intersected by such driveway, shall be 8 m.

## **7. Parking Area Surface**

A parking area shall be maintained with a stable surface such as concrete, asphalt, gravel or crushed stone.

## **8. Parking Area Location**

1. All required parking shall be provided on the same lot as the use.

2. Uncovered parking areas are permitted in any yard in accordance with the following provisions:
  1. Where located in the front or exterior yard, parking areas shall be no closer than 1.5 m to any street line, with the exception of parking provided in a driveway to a residential use.
  2. Where located in a side or rear yard, parking areas shall be no closer than 3 m to any property line that abuts a residential zone.
3. Notwithstanding the provisions above, in the case of an apartment dwelling or any use of the MC/MCR zones, the required parking area shall not be located in the front yard.

#### **9. Parking Requirements for Additions to Existing Buildings**

1. Where an existing building or structure has insufficient parking spaces to comply with the provisions of this By-law, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition, provided that no addition may be built and no change of use may occur within the existing building or structure, the effect of which would be to increase the extent of such deficiency.
2. Notwithstanding any provision of this By-law to the contrary, within any lands designated Settlement Policy Area in the Official Plan, an existing building the use of which is being changed to a new use with a greater parking space requirement than the previous use shall not be required to provide any additional parking, provided that any parking deficiency shall not be increased by more than 10 parking spaces.

#### **10. Parking Exceptions for Main Street Commercial (MC) and Main Street Commercial/Residential (MCR) Zones**

1. Notwithstanding the parking requirements of subsection 3.14.1, a minimum of one parking space shall be provided per dwelling unit and the minimum number of parking spaces required for a non-residential use shall be reduced by 50%, provided a minimum of one parking space is provided for the non-residential use.
2. Notwithstanding uses located within the MC and MCR zones, parking spaces may be provided on another lot, provided the lot is within 100 m of the use and the dedicated parking spaces are under an agreement in favor of the property requiring the parking spaces.

#### **11. Parking and Storage of Recreational Vehicles**

1. Any recreational vehicle shall be permitted to be stored as an accessory use to a permitted residential use provided it is parked in a permitted parking space or is located in an internal side yard or rear yard in accordance with the accessory use yard requirement provisions of this By-law.

### **3.15 Residential Separation Distances from Other Land Uses**

Notwithstanding any other provisions of this By-law, any new dwelling or second dwelling

permitted by Section 4.18 shall be located minimum distances from certain zones or land uses on other lots as follows:

- From a Class B pit with no excavation below the water table 150 m
- From any other pit or concrete plant 300 m
- From a quarry or asphalt plant 500 m
- From land zoned Mineral Aggregate Reserve (EXR) 300 m
- From land zoned Salvage Yard Industrial (MS) 300 m
- From land zoned Disposal Industrial (MD) 500 m
- From livestock facilities
  - As per the Minimum Distance Separation I (MDS I) formula, as issued by the Ontario Ministry of Agriculture, Food and Rural Affairs, except that MDS 1 shall not apply to new non-agricultural uses to be located on an existing lot of less than 1 ha in lot area.
- From a rail line right-of-way 30 m

### 3.16 Setbacks from Environmental Protection (EP-PSW and EP-ANSI) Zones and Natural Heritage Resource Policy Area Designations in the Official Plan

Notwithstanding any other provisions of this By-law, the minimum setback of any building or structure from lands zoned Environmental Protection in this By-law or designated Natural Heritage in the Official Plan shall be as follows:

- From the Environmental Protection - PSW (EP-PSW) zone or Natural Heritage Resource Policy Area designation in the Official Plan
  - 120 m, or such lesser setback as recommended in an Environmental Impact Study undertaken to the satisfaction of the Township that demonstrates no negative impacts on natural features or ecological functions, provided that such lesser setback shall not be less than 30 m.
- From the Environmental Protection - ANSI (EP-ANSI) zone
  - 120 m, or such lesser setback as recommended in an Environmental Impact Study undertaken to the satisfaction of the Township that demonstrates no negative impacts on natural features or ecological functions.

### 3.17 Setbacks from Natural Gas or Liquid Pipelines

Notwithstanding any other provisions of this By-law, buildings or structures shall not be permitted within a natural gas or liquid pipeline right-of-way and the minimum setback of any building or structure ~~from the natural gas pipeline right-of-way~~ shall be as follows:

- From a natural gas pipeline right-of-way:
  - Main building or structure 7 m
  - Accessory or temporary building or structure 3 m
- From the centre of a liquid gas pipeline:
  - All buildings or structures 30 m

### **3.18 Sewage Disposal Systems and the Applicability of this By-law**

Except in relation to water setbacks of Section 3.25 and setbacks from Environmental Protection (EP) zones, sewage disposal systems shall not be subject to the provisions of this By-law.

### **3.19 Sight Triangles**

Notwithstanding any provisions of this By-law to the contrary, within any area defined as a sight triangle, the following uses shall be prohibited:

- A building, structure or use which would obstruct the visions of motorists;
- A fence or any vegetation of a height which is more than 1 m above the elevation of the centrelines of abutting streets;
- A parking or loading area.

### **3.20 Shoreline Area Occupancy**

Notwithstanding any provisions of this By-law to the contrary, on any lot abutting a water body and used for purposes other than a marina, a maximum of 20% or 15 m of the shoreline area, whichever is lesser, shall be occupied by marine facilities, pump houses, stairs, decks, patios, and gazebos. For the purposes of this section, the shoreline area shall include that portion of the lot lying within 3 m of the high water mark.

### **3.21 Street Setbacks**

The following setbacks shall be required:

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>• Provincial Highway</li> </ul>   | in accordance with the requirements of the Ministry of Transportation  |
| <ul style="list-style-type: none"> <li>• County Street</li> </ul>        | 13.1 m from the centre line of the street plus the minimum required yard for the appropriate zone, except in the case of County Road No. 2, in which case the setback shall be 15.25 m from the centreline of the street plus the minimum required front yard for the appropriate zone |
| <ul style="list-style-type: none"> <li>• Township Street</li> </ul>      | 10 m from the centre line of the street plus the minimum required yard for the appropriate zone  |
| <ul style="list-style-type: none"> <li>• Private right-of-way</li> </ul> | 6 m from the limit of the right-of-way   |

### **3.22 Temporary Uses**

The following shall be permitted in any zone, except Environmental Protection (EP) zones:

- Construction facilities such as sheds, scaffolds and other structures incidental to the construction on the premises for so long as the work is in progress;
- A temporary real estate sales and/rental office;
- A recreational vehicle occupied on a temporary basis during the course of construction of a new dwelling or during the major renovation of an existing



dwelling on the same lot, provided that:

- Temporary connection to an approved on-site sewage disposal system is provided;
- A building permit for a dwelling has been issued and remains in force;
- The recreational vehicle is located in accordance with the required yards and water setbacks applicable to a dwelling;
- In no event shall the recreational vehicle be located on the lot for a period exceeding two years from the date of issuance of the building permit.

### **3.23 Through Lots**

On a through lot, the minimum front yard requirement shall apply to each yard abutting a street.

### **3.24 Water and Sewage Disposal Services**

1. No building permit shall be issued for any building or structure unless appropriate sewage and water systems are provided, in accordance with the following:
  1. On lands shown on Schedule B, development shall be serviced by full service sewage and water systems.
  2. On lands shown on Schedule C as being north of the South Nation River, development shall be serviced by partial service sewage and water systems (i.e. private water and municipal sewage), except where municipal sewage services are not available, development shall be serviced by private service sewage and water systems.
  3. On lands shown on Schedule C as being south of the South Nation River, development shall be serviced by private service sewage and water systems.
2. Notwithstanding the foregoing, this provision shall not apply to lands on Schedule B or C where water and sewage services are not required by the Building Code.

### **3.25 Water Frontage and Water Setbacks**

1. Except as otherwise provided by Section 3.2, the minimum water frontage for any lot abutting a water body shall be 60 m, except for lands located on Schedule B.
2. Except as otherwise permitted by Sections 3.1, 3.11, 3.20 and 3.27 of this By-law, the minimum water setback shall be 30 m for all buildings and structures, including sewage disposal systems but excluding the following:
  - Decks, hot tubs and gazebos which are unattached to a main building;
  - Marinas, pump houses, stairs, marine facilities and roof decks situated on marine facilities.

### **3.26 Wayside Pits, Wayside Quarries, Portable Asphalt Plants and Portable Concrete Plants**

Any lands may be used for the purposes of wayside pits, wayside quarries, portable

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concrete plants and portable asphalt plants, except the following:

- Lands zoned as EP-PSW, EP-ANSI, Open Space (OS) and any Residential zone;
- Lands designated as Settlement Policy Area in the Official Plan;
- Lands situated within 150 m of an existing dwelling.

### **3.27 Yard and Water Setback Encroachments**

Notwithstanding the yard and setback provisions of this By-law, the following encroachments are permitted:

- Sills, belt courses, chimneys, cornices, eaves, gutters, parapets, bay windows and other ornamental features may project into any required yard or water setback by not more than 0.6 m, provided that they shall not be located closer than 0.4 m to any lot line;
- Attached unenclosed porches, open patios, decks, balconies, exterior stairs and landings may project from the main building into any minimum required yard or water setback by not more than 3 m, except that where an existing main building is non-complying in relation to the required water setback, an open and unroofed porch, deck, exterior stairs or landing may project into the existing water setback by a maximum of 1.5 m;
- Open at-grade patios, awnings, clothes poles, flag poles, garden trellises, fences, plant materials, accessible ramps and similar accessory structures shall be permitted in any required yard or water setback;
- Swimming pools, including all related equipment, shall be permitted in any required yard, except for a required front or exterior side yard, and shall not be located closer than 1.5 m to any lot line or encroach into the required 30 m water setback.

## SECTION 4 – SPECIFIC USE PROVISIONS

### **4.1 Additional Residential Units**

Notwithstanding any provision of this By-law to the contrary, where a single dwelling, a semi-detached dwelling or a townhouse dwelling is permitted as a principal use in a zone, a second dwelling unit and/or second dwelling, as defined herein, are permitted on the same lot in accordance with the following provisions.

#### **1. General**

1. The second dwelling unit and/or second dwelling shall be located on a lot where driveway access is provided from an improved street.
2. The second dwelling unit and/or second dwelling shall comply with the provisions of the *Building Code Act*.
3. The second dwelling unit and/or second dwelling shall be connected to the same water supply and sewage disposal systems as the principal dwelling.
4. Prior to obtaining a building permit for a second dwelling unit and/or a second dwelling on a lot with a private sewage disposal system, the applicant shall obtain a septic system approval.
5. The maximum floor area of the second dwelling unit and/or second dwelling shall not exceed 50% of the floor area of the principal dwelling, to a maximum of 80 m<sup>2</sup> in the Residential Zone and 95 m<sup>2</sup> in the Rural and Agriculture Zones.
6. The second dwelling unit and/or second dwelling shall share the driveway entrance to the lot with the principal dwelling.
7. A minimum of one parking space shall be provided for the second dwelling unit and/or second dwelling, in addition to the minimum parking requirements for the principal dwelling. Tandem parking shall be permitted to accommodate minimum parking requirements.
8. The second dwelling unit and/or second dwelling shall be included in the calculation of lot coverage.

#### **2. Additional Provisions for Second Dwelling Unit**

1. The second dwelling unit shall share two of the following with the principal dwelling:
  - building entrance
  - parking area
  - outdoor amenity space
2. No enlargement or extension to the principal dwelling shall be permitted unless the enlargement or extension conforms to all other applicable provisions of this By-law.

### **3. Additional Provisions for Second Dwelling**

1. An existing accessory building may be partially or fully converted to a second dwelling, except that no habitable room window shall face an interior side lot line or a rear lot line unless the existing accessory building conforms to the minimum side lot line setback and rear lot line setback as is required for the principal dwelling, as the case may be.
2. A new accessory building may be constructed as a second dwelling provided that it conforms to all applicable provisions for the principal dwelling.
3. The maximum permitted height of a new second dwelling shall be 6 m.
4. A new accessory building which is constructed as a second dwelling shall be separated by less than 6 m from the principal dwelling on a lot zoned RU or A.

#### **4.24 Bed and Breakfast Establishments**

A bed and breakfast, as herein defined, shall be a permitted use within a single dwelling that is permitted as a principal use in the zone in which it is located, except in the Limited Services Residential (RLS) Zone.

#### **4.32 Cannabis Production and Processing Facilities**

Notwithstanding any other provision of this By-law to the contrary, where a cannabis production and processing facility, as defined herein, is listed as a permitted use, such use shall be subject to the following provisions:

1. The following setbacks shall be required:
  - 300m from a residential use on another lot, a vacant lot in a residential zone, any Open Space zone, Institutional zone, or any lands designated Settlement Policy Area in the Official Plan.
2. A building or structure used for security purposes may be located in the required front yard.

#### **4.43 Group Homes**

Group homes, as defined herein, shall be permitted in any zone where a single detached, semi-detached or duplex dwelling is permitted as a principal use in the zone in which it is located. Group homes within a semi-detached or duplex dwellings shall only be permitted where both units are occupied by one group home operation.

#### **4.54 Hobby Farms and Keeping of Domestic Fowl**

1. Notwithstanding the provisions of this By-law to the contrary, a hobby farm, as defined herein, shall be permitted on a lot in any Rural (RU) or Agriculture (A) zone, provided that such livestock are housed in a building or structure specifically designed for such purpose, and subject to the following provisions:
  1. On a lot having an area of 1.6 ha up to 3.2 ha, a maximum of eight (8) small livestock units or their equivalent in any combination shall be permitted.

2. On a lot having an area greater than 3.2 ha up to 5.0 ha, a maximum of twelve (12) small livestock units or their equivalent in any combination shall be permitted.
3. On a lot having an area greater than 5.0 ha, a maximum of five (5) nutrient units, as defined by the Minimum Distance Separation Formulae, shall be permitted. For six (6) or more nutrient units, a hobby farm shall be subject to the setbacks determined by the Minimum Distance Separation Formulae developed by the Ontario Ministry of Agriculture, Food and Rural Affairs.
4. For this purpose of calculating livestock units, the following shall apply:
  - 2 small livestock units equals 1 medium livestock unit
  - 4 small livestock units equals 1 large livestock unit
  - 2 medium livestock units equals 1 large livestock unit
2. Notwithstanding the provisions of Section 3.1, a domestic fowl coop, as defined herein, shall be permitted accessory to a permitted residential dwelling in the Hamlet Residential (HR), Limited Services Residential (RLS), Agriculture (A), and Rural (RU) zone, subject to the following provisions:
  1. The minimum lot area shall be 0.4 ha.
  2. Domestic fowl coops and runs shall be a minimum of 3 m from rear and interior lot lines.
  3. Domestic fowl coops and runs shall be a minimum of 10 m from any window or door opening of a dwelling on an adjacent lot.
  4. Domestic fowl coops and runs shall be a minimum of 15 m from any well.
  5. Domestic fowl coops and runs shall not be located in any front or exterior side yard.
  6. Runs shall be constructed to provide a minimum of 0.9 m<sup>2</sup> and a maximum of 2.3 m<sup>2</sup> of floor space per hen.

#### **4.65 Home-Based Businesses**

A home-based business, as defined herein, shall be permitted as an accessory use to a permitted residential use in accordance with the following provisions:

1. No more than 30% or 50 m<sup>2</sup> of the floor area of the dwelling unit, whichever is lesser, shall be used for the home-based business.
2. There shall be no visible indication from the exterior of the building of the presence of the home-based business other than one non-illuminated sign not larger than 1 m<sup>2</sup>.
3. There shall be no open storage of inoperative or unlicensed motor vehicles or other materials, or outdoor animal enclosures.
4. There shall be no storage of hazardous materials such as paint or other flammable, corrosive or explosive substances.

5. There shall be no direct retail sale of goods other than those produced on the premises or those which are clearly incidental to a personal service or service outlet home-based business.
6. Where instruction, respite care or day care is provided, there will be no more than six persons, other than the instructor or caregiver, in attendance at any one time. In the case of all other home-based businesses, not more than one individual client or customer shall be served at any one time.
7. A maximum of two persons in addition to the dwelling occupant(s) may be employed in the home-based business, provided that the maximum number of persons employed in the home-based business shall not exceed three. For the purposes of this subsection, the number of persons shall be calculated on the basis of full-time equivalence.
8. Except in the case of lots not designated Settlement Policy Area in the Official Plan, up to 50 m<sup>2</sup> of floor area within an accessory building may be used for the home-based business, provided that:
  1. The accessory building shall be located a minimum of 15 m from the closest dwelling on another lot.
  2. The combined total floor area used for the home-based business within the accessory building and dwelling unit shall not exceed 60 m<sup>2</sup>.
9. Not more than one commercial vehicle related to the home-based business shall be kept on the premises, with the exception of lots not designated as Settlement Policy Area in the Official Plan in which case the maximum number of commercial vehicles shall be two.
10. The home-based business shall not, in the opinion of the Township, change the predominantly residential character of the property or create or become a public nuisance with regard to noise, odours, vibration, heat, traffic, lighting or other annoyance.

#### **4.76 Mobile Homes**

Mobile homes, as defined herein, shall be prohibited in all zones, except:

- In the Agriculture zone, in accordance with the corresponding provisions; and,
- Where specifically permitted on a site-specific basis by way of an exception zone.

#### **4.87 Public Uses**

1. Except in the case of lands zoned EP-PSW and EP-ANSI, any land may be used and any building or structure erected or used for the purpose of a public use, provided that lot coverage, setback and yard requirements of the zone in which such land, building or structure is located shall be complied with, except in the case of towers, poles, lines and transmission facilities for natural gas, electricity, cable, water, storm and sanitary sewage and wired and wireless communications.

2. Where a public use is to be located in the Flood Plain Overlay Zone, Section 5.7.1 shall apply and, further, no public use that includes institutional uses or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances shall be permitted.

#### **~~4.8 Additional Residential Units~~**

~~Notwithstanding any provision of this By-law to the contrary, where a single dwelling, a semi-detached dwelling or a townhouse dwelling is permitted as a principal use in a zone, a second dwelling unit and/or second dwelling, as defined herein, are permitted on the same lot in accordance with the following provisions.~~

##### **~~1. General~~**

- ~~1. The second dwelling unit and/or second dwelling shall be located on a lot where driveway access is provided by an improved street.~~
- ~~2. The second dwelling unit and/or second dwelling shall comply with the provisions of the *Building Code Act*.~~
- ~~3. The second dwelling unit and/or second dwelling shall be connected to the same water supply and sewage disposal systems as the principal dwelling.~~
- ~~4. Prior to obtaining a building permit for a second dwelling unit and/or a second dwelling on a lot with a private sewage disposal system, the applicant shall obtain a septic system approval.~~
- ~~5. The maximum floor area of the second dwelling unit and/or second dwelling shall not exceed 50% of the floor area of the principal dwelling, to a maximum of 80 m<sup>2</sup> in the Residential Zone and 95 m<sup>2</sup> in the Rural and Agriculture Zones.~~
- ~~6. The second dwelling unit and/or second dwelling shall share the driveway entrance to the lot with the principal dwelling.~~
- ~~7. A minimum of one parking space shall be provided for the second dwelling unit and/or second dwelling, in addition to the minimum parking requirements for the principal dwelling. Tandem parking shall be permitted to accommodate minimum parking requirements.~~
- ~~8. The second dwelling unit and/or second dwelling shall be included in the calculation of lot coverage.~~

##### **~~2. Additional Provisions for Second Dwelling Unit~~**

- ~~1. The second dwelling unit shall share two of the following with the principal dwelling:~~
  - ~~• building entrance~~
  - ~~• parking area~~
  - ~~• outdoor amenity space~~
- ~~2. No enlargement or extension to the principal dwelling shall be permitted unless~~

~~the enlargement or extension conforms to all other applicable provisions of this By-law.~~

### **~~3. Additional Provisions for Second Dwelling~~**

- ~~1. An existing accessory building may be partially or fully converted to a second dwelling, except that no habitable room window shall face an interior side lot line or a rear lot line unless the existing accessory building conforms to the minimum side lot line setback and rear lot line setback as is required for the principal dwelling, as the case may be.~~
- ~~2. A new accessory building may be constructed as a second dwelling provided that it conforms to all applicable provisions for the principal dwelling.~~
- ~~3. The maximum permitted height of a new second dwelling shall be 5 m.~~
- ~~4. A new accessory building which is constructed as a second dwelling shall be separated by less than 6 m from the principal dwelling on a lot zoned RU or A.~~

## **4.9 Refreshment Vehicles**

A refreshment vehicle, as herein defined, may be permitted in accordance with the provisions set out in the Township's Refreshment Vehicle By-law. A refreshment vehicle shall only be permitted as an accessory use to the principal use. In the case of a property that is developed with non-residential buildings or structures not currently occupied, a refreshment vehicle shall be a permitted use.

## **4.10 Shipping Containers as Storage Containers**

Notwithstanding any provision of this By-law to the contrary, a shipping container, as herein defined, shall be permitted as an accessory structure to a permitted use subject to the following provisions:

1. In a Rural (RU) or Agriculture (A) zone:
  1. A maximum of four (4) shipping containers shall be permitted;
  2. The shipping container shall not be located in the front yard;
  3. Where a shipping container abuts a Residential zone, the minimum required yard shall be 10 m, and in the case of any other zones, the requirements for accessory buildings shall apply;
  4. Where a shipping container is situated on a lot abutting a residential use, a continuous buffer strip consisting of a berm, fence or landscaping having a minimum combined height of 1.5 m shall be provided so as to screen the shipping container from the street or dwelling.
2. A shipping container shall not be permitted on any lot zoned RLS, or on any lands identified on Schedule B, Schedule C, or Schedule D, except in the case of a CH and CT zone, in which case a maximum of one (1) shipping container shall be permitted and the provisions of Section 4.10.1.2-4 shall apply;



3. In an CH, CT, MG, MBP, MR, or EX zone, the requirements for accessory buildings shall apply.

#### **4.11 Tiny Houses**

A tiny house is permitted as a single dwelling in all zones where a residential use is a permitted principal use, provided that the applicant shall obtain a sewage system approval and that the tiny house meets all of the zone standards of the applicable zone and all of the provisions of the Ontario Building Code.

## SECTION 5 - ZONES

### 5.1 General

For the purposes of this By-law, the land area of the Township is divided into various generalized and specific zones to which the provisions and regulations herein shall apply.

### 5.2 Zones and Zone Symbols

| <u>Zone Name</u>                       | <u>Symbol</u> |
|--|---------------|
| Residential Zones                      |               |
| • Residential First Density            | R1            |
| • Residential Second Density           | R2            |
| • Residential Third Density            | R3            |
| • Hamlet Residential                   | RH            |
| • Limited Services Residential         | RLS           |
| Village Core Zones                     |               |
| • Main Street Commercial               | MC            |
| • Main Street Commercial / Residential | MCR           |
| Commercial Zones                       |               |
| • General Commercial                   | CG            |
| • Highway Commercial                   | CH            |
| • Tourist Commercial                   | CT            |
| Industrial Zones                       |               |
| • General Industrial                   | MG            |
| • Business Park Industrial             | MBP           |
| • Rural Industrial                     | MR            |
| • Salvage Yard Industrial              | MS            |
| • Disposal Industrial                  | MD            |
| Institutional Zones                    |               |
| • Institutional                        | I             |
| Open Space Zones                       |               |
| • Open Space                           | OS            |
| Rural Zones                            |               |
| • Rural                                | RU            |
| Agriculture Zones                      |               |
| • Agriculture                          | A             |
| Mineral Resource Zones                 |               |
| • Mineral Aggregate Extraction         | EX            |
| • Mineral Aggregate Reserve            | EXR           |
| Environmental Protection Zones         |               |

- |                                   |         |
|-----------------------------------|---------|
| • Environmental Protection - PSW  | EP-PSW  |
| • Environmental Protection - ANSI | EP-ANSI |

### 5.3 Boundaries of Zones

The location and boundaries of the zones established by this By-law and certain requirements applicable to such zones are shown on the maps hereto attached as Schedule A, B, C & D. Where any uncertainty as to the boundary of any zone as shown on the zoning schedule, the following provisions shall apply:

1. Where a zone boundary is indicated as following and is within the boundary of a street, lane, railway right-of-way, other right-of-way or watercourse, the boundary shall be the centre of such street, lane, railway right-of-way, right-of-way or watercourse.
2. Where a zone boundary is indicated as approximately following lot lines on a registered plan of subdivision, deposited reference plan or original Township survey, the boundary shall follow such lot lines. No amendment to the By-law shall be required for minor adjustments to zone boundaries shown on Schedule A, B, C & D where, in the opinion of the Township, such adjustments are merely for the purpose of more accurately reflecting surveyed information.
3. Where a zone boundary is indicated as following a shoreline of a watercourse, the boundary shall follow such shoreline and in the event that the shoreline changes, the boundary shall be taken as having moved with the shoreline.
4. Where any uncertainty exists as to the Flood Plain Overlay boundary, the boundary shall be the 1:100 year flood line as identified on the relevant maps of the Conservation Authority.
5. Where any uncertainty exists as to the Environmental Protection – PSW (EP-PSW) and Environmental Protection – ANSI (EP-ANSI) zone boundaries, the boundaries shall be as identified on the relevant maps of the Ontario Ministry of Natural Resources and Forestry.
6. Where any street, lane, right-of-way, railway right-of-way or watercourse as shown on the Schedules is closed or diverted, the object of such closure or diversion shall be included within the zone of the abutting property on either side thereof.
7. Where any zone boundary is left uncertain after the application of clauses (1) through (5) above, the boundary shall be determined by scale from the original full-size zoning Schedule.
8. Wherever it occurs, the municipal boundary is the limit of the zone adjacent to it.

### 5.4 Holding Zones

Where a zone symbol is followed by a hyphen and the letter “h”, this denotes a holding zone. Within such zones, only existing uses shall be permitted unless specifically stated otherwise in the By-law, until the “h” has been removed. The removal of the holding provision shall require an amendment to the By-law. Such amendment shall only be passed by Council when any applicable servicing, phasing or financial conditions or agreements for the lands have been satisfied in accordance with the requirements of the

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Official Plan.

Holding zones in force and effect are as follows:

1. **MBP-h** (Johnstown Industrial Park Future Expansion Area)

On the lands zoned MBP-h, the ‘holding’ provision denotes a future expansion of the Johnstown Industrial Park and shall only be removed upon approval of an Official Plan amendment to designate the lands Industrial Park Policy Area. Only existing uses shall be permitted until such time that the holding provision has been removed.

2. **R2-h** (Cardinal)

On the lands zoned R2-h, only existing uses shall be permitted until such time that the Municipality deems that there is sufficient capacity to provide municipal services to the site.

## 5.5 Special Zones

Where a zone symbol is followed by a hyphen and a letter or a number other than “-h”, (for example, “-x” or “-1”), the lands so zoned shall be subject to all the provisions of the zone represented by such symbol except as otherwise provided by the special provisions of that zone.

## 5.6 Temporary Zones

Where a temporary zone is established for the purpose of accommodating a temporary use pursuant to the provisions of the *Planning Act*, the lands so zoned shall be subject to all the provisions of the zone, except that a temporary use shall be permitted for a certain limited period of time. The zone symbol shall be followed by a hyphen, the letter “T” and a letter or a number other than “-h”, (for example, “-Tx” or “-T1”).

Temporary zones in force and effect are as follows:

- a) **A-T1** (1302 Brouseville Road, Concession 3, Part of lot 13, Part 3 on Reference Plan No. 15R9136, Township of Edwardsburgh/Cardinal)

Notwithstanding the provisions of Section 13.1.1 to the contrary, a second dwelling shall be an additional permitted use from March 25, 2013 until March 24, 2023, as provided by the provisions of Section 39.1 of the *Planning Act*, R.S.O., 1990. Upon expiry of said period, this subsection and the associated A-T1 zoning on Schedule ‘A’ are repealed.

## 5.7 Overlay Zones

Where an overlay zone applies to lands within the Township, additional provisions shall take precedence over the underlying zones. Within the Township, the following overlay zones apply:

1. **Flood Plain Overlay Zone**

The Flood Plain Overlay Zone denotes lands located within the 1:100 year flood plain, and are subject to natural hazard risks. Such lands shall be subject to all of the

provisions of the underlying zone in which the lands are located, except as may be otherwise provided below:

1. Permitted uses shall be limited to the following:
  - legally existing use as of the date of passing this By-law
  - legally existing agricultural use, excluding buildings
  - conservation use, excluding buildings
  - marine facility
  - flood control structures
2. No development or site alteration shall be permitted without the written approval of the relevant Conservation Authority.
3. No building or structure shall be erected, altered or used except with the written approval of the relevant Conservation Authority.

## **2. Source Water Protection Overlay Zone**

The Intake Protection Zones, IPZ-1 and Well Head Protection Zones, WHPA-A, WHPA-B and WHPA-C, are overlay zones as defined by the Source Protection Plan. These overlay zones are designated for the purposes of Sections 57, 58 and 59 of the *Clean Water Act* to restrict land uses within vulnerable areas. Notwithstanding any provisions of the underlying zones to the contrary, the following provisions shall take precedence:

1. All development applications and building permit applications for land uses within the IPZ-1, WHPA-A, WHPA-B and WHPA-C overlay zones, shall apply for notice under Section 59 of the *Clean Water Act* from the Risk Management Official and may require a risk management plan prepared to the satisfaction of the Risk Management Official. If an applicant can demonstrate to the satisfaction of the Township that a significant water threat activity will not occur, notice under Section 59 of the *Clean Water Act* is not required.
2. In the IPZ-1 overlay zone, the following land uses and activities may be regulated (subject to a risk management plan or prescribed instrument) where they would be a significant drinking water threat:
  - Agricultural use which includes pasturing and grazing
  - Application and storage of agricultural source material and non-agricultural source material

In the IPZ-1 overlay zone, the following land uses and activities may be prohibited where they would be a significant drinking water threat:

- De-icing of aircraft
  - Application of septage
  - Sewage treatment bypass, sewage treatment effluent, industrial effluent discharges, combined sewer discharge, stormwater management facility
3. In the WHPA-A overlay zone, the following land uses and activities may be

regulated (subject to a risk management plan or a prescribed instrument) where they would be a significant drinking water threat:

- Agricultural uses including pasturing and grazing
- Application and storage of agricultural source material, non-agricultural source material, and storage of commercial fertilizer
- Sanitary sewer or related pipes
- On-site sewage systems and holding tanks
- Application of pesticides

In the WHPA-A overlay zone, the following land uses and activities may be prohibited where they would be a significant drinking water threat:

- Waste disposal site, as defined herein, including hazardous, municipal, and solid non-hazardous industrial or commercial waste disposal, land-farming petroleum waste, storage, treatment, and discharge of mine tailings, liquid industrial waste injection into a well, PCB waste storage, application of hauled sewage to land and other waste
- Sewage treatment effluent, stormwater management facility and storage of sewage
- De-icing of aircraft
- Storage of pesticides
- Storage of road salt and storage of snow
- Handling and storage of dense nonaqueous phase liquids (DNAPLs) and organic solvents
- Storage and handling of fuel

4. In the WHPA-B overlay zone, the following land uses and activities may be regulated (subject to a risk management plan or a prescribed instrument) where they would be a significant drinking water threat:

- Agricultural use which includes pasturing and grazing
- Application and storage of agricultural source material, non-agricultural source material, and storage of commercial fertilizer
- Onsite sewage systems and holding tanks
- Sanitary sewer or related pipes
- Application of pesticides

In the WHPA-B overlay zone, the following land uses and activities may be prohibited where they would be a significant drinking water threat:

- Waste disposal site, as defined herein, including hazardous, municipal, and solid non-hazardous industrial or commercial waste disposal, storage, treatment and discharge of mine tailings, land-farming petroleum waste, liquid industrial waste injection into a well, PCB waste storage and application of hauled sewage of land and other waste
- Sewage treatment effluent, stormwater management facility, and storage of sewage
- De-icing of aircraft
- Storage of pesticides
- Storage of road salt and storage of snow
- Storage and handling of dense nonaqueous phase liquids (DNAPLs) and

- organic solvents
  - Storage and handling of fuel
5. In the WHPA-C overlay zone, the following land uses and activities may be prohibited where they would be a significant drinking water threat:
- Waste disposal site, as defined herein, including hazardous, municipal, and solid non-hazardous industrial or commercial waste disposal, and liquid industrial waste injection into a well
  - Handling and storage of dense nonaqueous phase liquids (DNAPLs)
  - Storage of sewage

## SECTION 6 - RESIDENTIAL ZONES

### 6.1 Residential First Density (R1)

#### 1. Permitted Uses

single dwelling

#### 2. Zone Provisions

- Lot Area (minimum)
  - Full Service 465 m<sup>2</sup>
  - Partial Service(a) ~~700 m<sup>2</sup>~~ 0.4 ha
- Private Services 0.4 ha
- Lot Frontage (minimum)
  - Full Service 15 m
  - Partial Service 18 m
  - Private Service 30 m
- Yards (minimum)
  - Front
    - Full or Partial Services 6 m
    - Private Service 7.5 m
  - Exterior Side
    - Full or Partial Services 6 m
    - Private Service 7.5 m
  - Interior Side
    - Full or Partial Services (b) 2 m or 3 m
    - Private Service 3 m
  - Rear 7.5 m
- Building Height (maximum) 10 m
- Lot Coverage (maximum) 30%
- Dwellings per Lot (maximum) 1

#### Footnote(s)

- (a) The minimum lot area may be reduced provided a Servicing Report, inclusive of a hydrogeological assessment and/or terrain analysis, prepared by a qualified licensed professional engineer/geoscientist, is approved to the satisfaction of the Township addressing private sewage disposal and/or private water supply requirements for the proposed reduced lot area but the minimum lot area shall be no less than 0.2 ha. shall be 700 m<sup>2</sup>, except where partial services require the connection to a privately owned sewage disposal system in which case the minimum lot area shall be 0.4 ha.

- (b) The minimum interior side yard shall be 3 m on one side and 2 m on the other side, except where a garage or carport is attached to the main dwelling or the lot is a corner lot in which case the minimum interior side yard shall be 2 m.

#### 3. Additional Provisions

##### 1. General Provisions



In accordance with Section 3 & 4 hereof.

**4. Special Exception Zones**

1. **R1-1** (Part of Lots 414 and 415, Plan 25, Village of Cardinal)

Notwithstanding the provisions of Section 6.1.**21** to the contrary, on lands zoned R1-1, two existing single dwellings shall be permitted.

2. **R1-2** (Lot 5, Concession 1, Village of Cardinal)

Notwithstanding the provisions of Section 3.15 to the contrary, on lands zoned R1-2, no new dwelling shall be permitted within 15 m of the right-of-way of a rail line.

## 6.2 Residential Second Density (R2)

### 1. Permitted Uses

converted dwelling, in accordance with the provisions of the R1 zone  
 duplex dwelling, in accordance with the provisions of the R1 zone  
 semi-detached dwelling  
 single dwelling, in accordance with the provisions of the R1 zone

### 2. Zone Provisions

- Semi-detached Dwelling
  - Lot Area per dwelling unit (minimum)
    - Full Service 230 m<sup>2</sup>
    - Partial or Private Service (a) 0.4 ha ~~350 m<sup>2</sup>~~
    - ~~or~~ 0.2 ha
    - ~~Private Service~~ 0.2 ha
  - Lot Frontage per dwelling unit (minimum)
    - Full 9 m
    - Partial or Private Service 15 m
  - Yards (minimum)
    - Front
      - Full or Partial Services 6 m
      - Private Service 7.5 m
    - Exterior Side
      - Full or Partial Services 6 m
      - Private Service 7.5 m
    - Interior Side (b)(c)
      - Full or Partial Service 1.5 m or 3 m
      - Private Service 3 m
    - Rear 7.5 m
  - Building Height (maximum) 10 m
  - Lot Coverage (maximum) 30%
  - Dwellings per Lot (maximum) 1

#### Footnote(s)

- (a) The minimum lot area per dwelling unit may be reduced provided a Servicing Report, inclusive of a hydrogeological assessment and/or terrain analysis, prepared by a qualified licensed professional engineer/geoscientist, is approved to the satisfaction of the Township addressing private sewage disposal and/or private water supply requirements for the proposed reduced lot area but the minimum lot area per dwelling unit shall be no less than 0.2 ha. The minimum lot area shall be 350 m<sup>2</sup>, except where partial services require the connection to a privately owned sewage disposal system in which case the minimum lot area shall be 0.2 ha.
- (b) The minimum interior side yard shall be 3 m on one side and 1.5 m on the other side, except where a garage or carport is attached to the main dwelling or the lot is a corner lot in which case the minimum interior side yard shall be 1.5 m
- (c) The minimum side yard between semi-detached dwelling units shall be 0 m.

### **3. Additional Provisions**

#### **1. General Provisions**

In accordance with Section 3 & 4 hereof.

### **4. Special Exception Zones**

#### **1. R2-1 (Lot 5, Concession 1, Village of Cardinal)**

Notwithstanding the provisions of Section 3.15 to the contrary, on lands zoned R2-1, no new dwelling shall be permitted within 15 m of the right-of-way of a rail line.

## 6.3 Residential Third Density (R3)

### 1. Permitted Uses

apartment dwelling  
 converted dwelling, in accordance with the provisions of the R1 zone  
 duplex dwelling, in accordance with the provisions of the R1 zone  
 semi-detached dwelling, in accordance with the provisions of the R2 zone  
 single dwelling, in accordance with the provisions of the R1 zone  
 townhouse dwelling

### 2. Zone Provisions

- Townhouse dwelling
  - Lot Area per dwelling unit (minimum)
    - Full Service 230 m<sup>2</sup>
    - ~~Partial Service (a)(b)~~ ~~350 m<sup>2</sup> or 0.2 ha~~
    - Partial or Private Service (a)(b) 0.42 ha
  - Lot Frontage per dwelling unit (minimum)
    - Full 6 m
    - Partial or Private Service 15 m
  - Yards (minimum)
    - Front
      - Full or Partial Services 6 m
      - Private Service 7.5 m
    - Exterior Side
      - Full or Partial Services 6 m
      - Private Service 7.5 m
    - Interior Side (c)
      - Full or Partial Service 1.5 m
      - Private Service 3 m
    - Rear 7.5 m
- Apartment Dwelling
  - Lot Area (minimum)
    - Full ~~or Partial~~ Service (a)(d)(e) ~~700 m<sup>2</sup>~~
    - Partial or Private Service (a)(e) 0.4 ha
  - Lot Frontage
    - Full or Partial Service 30 m
    - Private Service 45 m
  - Yards (minimum)
    - Front 6 m
    - Exterior Side 6 m
    - Interior Side 3 m
    - Rear 7.5 m
  - Building Height (maximum) 14 m
  - Lot Coverage (maximum) 40%
  - Dwellings per Lot (maximum) 1

Footnote(s)

- (a) The maximum number of dwelling units in an apartment dwelling or townhouse dwelling serviced by partial or private services shall be 5.
- (b) ~~The minimum lot area per dwelling unit may be reduced provided a Servicing Report, inclusive of a hydrogeological assessment and/or terrain analysis, prepared by a qualified licensed professional engineer/geoscientist, is approved to the satisfaction of the Township addressing private sewage disposal and/or private water supply requirements for the proposed reduced lot area but the minimum lot area per dwelling unit shall be no less than 0.2 ha. The minimum lot area shall be 350 m<sup>2</sup>, except where partial services require the connection to a privately owned sewage disposal system in which case the minimum lot area shall be 0.2 ha.~~
- (c) The minimum side yard between townhouse dwelling units shall be 0 m.
- ~~(d) The minimum lot area shall be 700 m<sup>2</sup> for the first three dwelling units, plus an additional 230 m<sup>2</sup> for each additional dwelling unit.~~
- ~~(e)~~(d) The maximum density shall be one dwelling unit per 230 m<sup>2</sup> of lot area.

**3. Additional Provisions**

**1. General Provisions**

In accordance with Section 3 & 4 hereof.

**2. Amenity Area Requirements for Apartment Dwellings**

- 1. Amenity Area shall be provided for an apartment dwelling at a rate of 10 m<sup>2</sup> per dwelling unit.
- 2. Amenity Area must be provided on the same lot as the use for which it is provided.
- 3. Amenity Area shall not be located in the required front or exterior side yard.

**4. Special Exception Zones**

**1. R3-1 (45 William Street, Lot 266, Plan 25, Village of Cardinal)**

Notwithstanding the provisions of Section 6.3.1 to the contrary, on lands zoned R3-1, permitted uses shall be limited to a single dwelling, duplex dwelling, converted dwelling and triplex dwelling.

**2. R3-2 (211 Shanly Road, Village of Cardinal)**

Notwithstanding the provisions of Section 6.3.1 to the contrary, on lands zoned R3-2, an apartment dwelling, limited to 4 units, shall be a permitted use.

In addition, screened amenity area consisting of 16 m<sup>2</sup> shall be provided.

**3. R3-3 (2039 Dundas Street South, Lot 281, Plan 25, Village of Cardinal)**

Notwithstanding the provisions of Section 6.3.1 to the contrary, on lands zoned R3-3, an apartment dwelling, limited to 4 units, shall be a permitted use.

4. **R3-4** (3000 Walker Street, Village of Cardinal)

Notwithstanding the provisions of Section 6.3.2 to the contrary, on the lands zoned R3-4 the following provisions shall apply:

a) Townhouse Dwelling

|  |                    |
|--|--------------------|
| • Lot Area (per dwelling unit) (minimum) | 250 m <sup>2</sup> |
| • Rear Yard (minimum)                    | 6 m                |
| • Interior Yard (minimum)                | 3 m                |

b) Apartment Dwelling

|                          |  |
|--------------------------|--|
| • Lot Area (minimum)     | 1,000 m <sup>2</sup> for the 1 <sup>st</sup> four units<br>and 50 m <sup>2</sup> for each additional<br>unit |
| • Lot Frontage (minimum) | 20 m   |
| • Rear Yard (minimum)    | 6 m  |

Notwithstanding the provisions of Section 3.1.6.1 and Section 3.1.6.2 the following provisions shall apply to accessory buildings or structures:

|                           |     |
|---------------------------|-----|
| • Front Yard (minimum)    | 6 m |
| • Rear Yard (minimum)     | 6 m |
| • Interior Yard (minimum) | 3 m |
| • Exterior Yard (minimum) | 6 m |

~~Despite the provisions to the contrary, on lands zoned R3-4, the following provisions shall apply:~~

~~Permitted Uses:~~

~~Dwelling Townhouse~~

~~Dwelling Apartment~~

~~Zone Requirements:~~

~~[a] Townhouse Minimum~~

|                                      |                                    |
|--------------------------------------|------------------------------------|
| <del>Lot Area</del>                  | <del>250 m<sup>2</sup> /unit</del> |
| <del>Minimum Lot Frontage</del>      | <del>6 metres</del>                |
| <del>Minimum Yard Requirements</del> |                                    |
| <del>Front Yard</del>                | <del>6 metres</del>                |
| <del>Rear Yard</del>                 | <del>6 metres</del>                |
| <del>Interior Side Yard</del>        | <del>3 metres</del>                |
| <del>Exterior Side Yard</del>        | <del>6 metres</del>                |

~~[b] Apartment Dwelling~~

|                                      |  |
|--------------------------------------|--|
| <del>Minimum Lot Area</del>          | <del>1,000 m<sup>2</sup> for 1st four<br/>units and 50 m<sup>2</sup> for<br/>additional unit</del> |
| <del>Minimum Lot Frontage</del>      | <del>20 metres</del>   |
| <del>Minimum Yard Requirements</del> |  |
| <del>Front Yard</del>                | <del>6 metres</del>  |

|                    |          |
|--------------------|----------|
| Rear Yard          | 6 metres |
| Interior Side Yard | 3 metres |
| Exterior Side Yard | 6 metres |

~~[c] Accessory Building~~~~Minimum Yard Requirements~~

|                    |          |
|--------------------|----------|
| Front Yard         | 6 metres |
| Rear Yard          | 6 metres |
| Interior Side Yard | 3 metres |
| Exterior Side Yard | 6 metres |

5. **R3-5** (3000 Walker Street, Cardinal, ~~Township of Edwardsburgh/Cardinal, Part Lot 6, Concession 1, 15R10508~~)

Notwithstanding the provisions of Section 6.3.2 to the contrary, on the lands zoned R3-5 the following provisions shall apply to a townhouse dwelling:

|  |                    |
|--|--------------------|
| • Lot Area (per dwelling unit) (minimum) | 250 m <sup>2</sup> |
| • Rear Yard (minimum)                    | 6 m                |
| • Interior Yard (minimum)                | 3 m                |

Notwithstanding the provisions of Section 3.1.6.1 and Section 3.1.6.2 the following provisions shall apply to accessory buildings or structures:

|                           |     |
|---------------------------|-----|
| • Front Yard (minimum)    | 6 m |
| • Rear Yard (minimum)     | 6 m |
| • Interior Yard (minimum) | 3 m |
| • Exterior Yard (minimum) | 6 m |

For the purposes of this By-law, the lot line abutting Walker Street shall be considered the front lot line and the lot lines abutting the private right-of-way and a County Road shall be considered an exterior lot line.

~~Despite the provisions to the contrary, on lands zoned R3-5, the following provisions shall apply:~~

~~(1) Permitted Uses: Dwelling, Townhouse~~

~~(2) The front lot line is considered the lot line abutting Walker Street.~~

~~(3) The lot line abutting the private right-of-way is considered an exterior lot line.~~

~~(4) The lot line abutting County Road is considered an exterior lot line.~~

~~(5) Zone Requirements:~~

~~[a] Townhouse Minimum~~

|                           |  |
|---------------------------|--|
| Lot Area                  | 250 m <sup>2</sup> /unit (2,690 ft <sup>2</sup> /unit) |
| Minimum Lot Frontage      | 6 metres (19.6 ft)                                     |
| Minimum Yard Requirements |  |
| Front Yard                | 6 metres (19.6 ft)                                     |
| Rear Yard                 | 6 metres (19.6 ft)                                     |
| Interior Side Yard        | 3 metres (9.28 ft)                                     |
| Exterior Side Yard        | 6 metres (19.6 ft)                                     |

~~[c] Accessory Building~~

~~Minimum Yard Requirements~~

|                               |                               |
|-------------------------------|-------------------------------|
| <del>Front Yard</del>         | <del>6 metres (19.6 ft)</del> |
| <del>Rear Yard</del>          | <del>4 metres (13.1 ft)</del> |
| <del>Interior Side Yard</del> | <del>3 metres (9.28 ft)</del> |
| <del>Exterior Side Yard</del> | <del>6 metres (19.6 ft)</del> |

~~(6) A site plan control agreement with the Township is required.~~

6. **R3-6** (32 David Street, Village of Spencerville)

Notwithstanding the provisions of Section 6.3.1 and Section 6.3.2 to the contrary, on lands zoned R3-6, permitted uses shall be limited to a townhouse dwelling and the following provisions shall apply:

- ~~Minimum~~ Lot Area (per dwelling unit) (minimum) 219 m<sup>2</sup>
- ~~Minimum~~ Lot Frontage (per dwelling unit) (minimum) 6 m
- ~~Minimum~~ Front Yard (minimum) 5.9 m
- ~~Minimum~~ Rear Yard (minimum) 5.2 m
- ~~Minimum~~ Interior Side Yard (minimum) (a) 1.7 m ~~(a)~~

(a) The minimum side yard between townhouse dwelling units shall be 0 m.

Notwithstanding the provisions of Section 6.3.2, maximum lot coverage shall not apply.



## 6.4 Hamlet Residential (RH)

### 1. Permitted Uses

converted dwelling  
duplex dwelling  
existing cemetery  
existing commercial use  
existing place of worship  
semi-detached dwelling  
single dwelling

### 2. Zone Provisions

- Converted dwelling, Duplex dwelling, Single dwelling
  - Lot Area (minimum) 0.4 ha
  - Lot Frontage (minimum) 30 m
- Semi-detached dwelling
  - Lot Area per dwelling unit (minimum) 0.2-4 ha
  - Lot Frontage per dwelling unit (minimum) 15-30 m
- Yards (minimum)
  - Front 6 m
  - Exterior Side 6 m
  - Interior Side (a) 3 m
  - Rear 7.5 m
- Building Height (maximum) 10 m
- Lot Coverage (maximum) 30%
- Dwellings per Lot (maximum) 1

Footnote(s)

(a) The minimum side yard between semi-detached dwelling units shall be 0 m.

### 3. Additional Provisions

#### 1. General Provisions

In accordance with Section 3 & 4 hereof.

### 4. Special Exception Zones

#### 1. RH-1 (Lot 6, Concession 5, Pittston)

Notwithstanding the provisions of Section 6.4.1 and 3.24-25 to the contrary, on lands zoned RH-1, a self-storage facility shall be an additional permitted use, in accordance with the following:

- Setback from tributary of South Branch River 15 m

2. **RH-2** (New Wexford)

Notwithstanding the provisions of Section 6.4.2 to the contrary, on lands zoned RH-2, the provisions of Section 6.2 shall apply.

## 6.5 Limited Services Residential (RLS)

In the Limited Services Residential (RLS) zone, there is no intent by Council of the Township of Edwardsburgh Cardinal to maintain private right-of-ways or private roads. Township services or other public services may not be available or may be restricted, and there is no intent by Council to upgrade such levels of services.

### 1. Permitted Uses

single dwelling

### 2. Zone Provisions

- |                               |        |
|-------------------------------|--------|
| • Lot Area (minimum)          | 1.0 ha |
| • Lot Frontage (minimum)      | 45 m   |
| • Yards (minimum)             |        |
| • Front                       | 7.5 m  |
| • Exterior Side               | 7.5 m  |
| • Interior Side               | 3 m    |
| • Rear                        | 7.5 m  |
| • Building Height (maximum)   | 10 m   |
| • Lot Coverage (maximum)      | 10%    |
| • Dwellings per Lot (maximum) | 1      |

### 3. Additional Provisions

#### 1. General Provisions

In accordance with Section 3 & 4 hereof.

#### 2. Additional Residential Units

Second Dwellings or Second Dwelling Units shall not be permitted.

### 4. Special Exception Zones

*(reserved)*

## SECTION 7 – VILLAGE CORE ZONES

### 7.1 Main Street Commercial (MC) Zone

#### 1. Permitted Uses

apartment dwelling unit(s) in upper storey of a non-residential building  
 antique shop  
 bank  
 catering establishment  
 clinic  
 commercial parking lot  
 community service  
 custom workshop  
 day nursery  
 existing automobile service station  
 funeral home  
 hotel  
 instructional facility  
 laundromat or dry cleaners  
 microbrewery  
 motel  
 open market  
 personal service  
 place of assembly  
 place of worship  
 professional or business office  
 recreational establishment  
 retail store  
 restaurant  
 service outlet  
 specialty food store  
 veterinary clinic

#### 2. Zone Provisions

- |                             |  |
|-----------------------------|--|
| • Lot Area (minimum)        |  |
| • Full Service              | 465 m <sup>2</sup>                         |
| • Partial Service (a)(b)    | <del>700 m<sup>2</sup></del> <u>0.4 ha</u> |
| • Lot Frontage (minimum)    |  |
| • Full Service              | 15 m                                       |
| • Partial Service           | 18 m                                       |
| • Yards (minimum)           |  |
| • Front                     | 1 m  |
| • Exterior Side             | 1 m  |
| • Interior Side             | 0 m  |
| • Rear                      | 6 m  |
| • Yards (maximum)           |  |
| • Front                     | 6 m  |
| • Exterior Side             | 3 m  |
| • Interior Side             | 3 m  |
| • Building Height (maximum) | 15 m                                       |

- Lot Coverage (maximum) No Maximum

Footnote(s)

- a) The maximum number of dwelling units in the upper storeys of a non-residential building serviced by partial services shall be 5.
- b) The minimum lot area per dwelling unit may be reduced provided a Servicing Report, inclusive of a hydrogeological assessment and/or terrain analysis, prepared by a qualified licensed professional engineer/geoscientist, is approved to the satisfaction of the Township addressing private sewage disposal and/or private water supply requirements for the proposed reduced lot area but the minimum lot area per dwelling unit shall be no less than 0.2 ha.
- ~~a) —~~

**3. Additional Provisions**

**1. General Provisions**

In accordance with Section 3 & 4 hereof.

**4. Special Exception Zones**

**1. MC-1 (205 Bridge Street East, Lot 316, Plan 25, Village of Cardinal)**

Notwithstanding the provisions of Section 7.1.1 and 7.1.2 to the contrary, on lands zoned MC-1, a vehicle sales or rental establishment, limited to not more than 10 vehicles, is a permitted use subject to the following provision:

- Rear Yard (minimum) 9 m

## 7.2 Main Street Commercial / Residential (MCR) Zone

### 1. Permitted Uses

all permitted uses in the MC zone

all permitted uses in the I zone

all permitted uses in the R3 zone, in accordance with all provisions of Section 6.3

### 2. Zone Provisions

- Lot Area (minimum)
  - Full Service 465 m<sup>2</sup>
  - Partial or Private Service (a)(b) 700 m<sup>2</sup> 0.4 ha
  - ~~Private Service (a)~~ 0.4 ha
- Lot Frontage (minimum)
  - Full Service 15 m
  - Partial Service 18 m
  - Private Service 30 m
- Yards (minimum)
  - Front 1 m
  - Exterior Side 1 m
  - Interior Side 0 m
  - Rear 6 m
- Yards (maximum)
  - Front 6 m
  - Exterior Side 3 m
  - Interior Side 3 m
- Building Height (maximum) 15 m
- Lot Coverage (maximum) 45%

Footnote(s)

(a) The maximum number of dwelling units in the upper storeys of a non-residential building serviced by private or partial services shall be 5.

(b) The minimum lot area may be reduced provided a Servicing Report, inclusive of a hydrogeological assessment and/or terrain analysis, prepared by a qualified licensed professional engineer/geoscientist, is approved to the satisfaction of the Township addressing private sewage disposal and/or private water supply requirements for the proposed reduced lot area but the minimum lot area shall be no less than 0.2 ha.

~~(a)~~

### 3. Additional Provisions

#### 1. General Provisions

In accordance with Section 3 & 4 hereof.

#### 2. Amenity Area Requirements for Apartment Dwellings

1. Amenity Area shall be provided for an apartment dwelling at a rate of 10 m<sup>2</sup> per dwelling unit.

2. Amenity Area must be provided on the same lot as the use for which it is provided.
3. Amenity Area shall not be located in the required front or exterior side yard.

#### 4. **Special Exception Zones**

##### 1. **MCR-1** (323 Walter Street East, Lot 337, Plan 25 Village of Cardinal)

Notwithstanding the provisions of Section 7.2.1 to the contrary, on lands zoned MCR-1, the following provisions shall apply:

Permitted uses shall include the commercial uses permitted in the MC Zone, three residential dwelling units above the commercial use and two residential dwelling units on the ground level. Parking may be accommodated off-site with a long-term lease agreement for as long as the building is used for residential purposes.

##### 2. **MCR-2** (51 Centre Street, Part Lot 27, Concession 6, Spencerville)

Notwithstanding the provisions of Section 7.2.1 to the contrary, on lands zoned MCR-2, permitted uses shall be limited to the existing welding shop and open storage of materials accessory to a welding shop.

## SECTION 8 - COMMERCIAL ZONES

### 8.1 General Commercial (CG) Zone

#### 1. Permitted Uses

accessory dwelling  
 accessory dwelling unit  
 antique shop  
 automobile service station  
 bank  
 building supply centre  
 catering establishment  
 clinic  
 commercial parking lot  
 community service  
 custom workshop  
 day nursery  
 equipment rental outlet  
 funeral home  
 garden centre  
 hotel  
 instructional facility  
 laundromat or dry cleaners  
 microbrewery  
 motel  
 open market  
 personal service  
 place of assembly  
 printing establishment  
 professional or business office  
 recreational establishment  
 restaurant  
 residential care home  
 retail store  
 service outlet  
 specialty food store  
 tradesperson's establishment  
 vehicle sales or rental establishment  
 veterinary clinic

#### 2. Zone Provisions

- Lot Area (minimum)
  - Full Service 465 m<sup>2</sup>
  - Partial ~~or Private~~ Service (a) ~~0.4 ha~~ ~~0.2 ha~~
  - ~~or~~
  - ~~• Private Service 0.4 ha~~
- Lot Frontage (minimum)
  - Full or Partial 20 m
  - Private Service 40 m



|   |       |
|---|-------|
| • Yards (minimum)   |       |
| • Front   | 7.5 m |
| • Exterior Side   | 7.5 m |
| • Interior Side   | 3 m   |
| • Rear  | 10 m  |
| • Building Height (maximum)                               | 11 m  |
| • Lot Coverage (maximum)                                  | 30%   |
| • Accessory Dwellings or Dwelling Units per Lot (maximum) | 1     |

Footnote(s)

(a) The minimum lot area may be reduced provided a Servicing Report, inclusive of a hydrogeological assessment and/or terrain analysis, prepared by a qualified licensed professional engineer/geoscientist, is approved to the satisfaction of the Township addressing private sewage disposal and/or private water supply requirements for the proposed reduced lot area but the minimum lot area shall be no less than 0.2 ha.

~~The minimum lot area shall be 0.2 ha, except where partial services require the connection to a privately owned sewage disposal system in which case the minimum lot area shall be 0.4 ha.~~

### 3. Additional Provisions

#### 1. General Provisions

In accordance with Section 3 & 4 hereof.

#### 2. Automobile Service Station Pump Islands and Canopies

Notwithstanding any other provisions of this By-law to the contrary, the minimum front or exterior side yard for an automobile service station pump island or canopy shall be 4.5 m.

### 4. Special Exception Zones

#### 1. CG-1 (173 Shanly Road, Lots 394-395, Plan 25 Village of Cardinal)

Notwithstanding the provisions of Section 8.1.1 to the contrary, on lands zoned CG-1, permitted uses shall be limited to the following:

- Day Nursery
- Laundromat
- Restaurant
- Retail store
- Service Outlet

#### 2. CG-2 (6 Beverly Street, Part of Lot 29, Concession 6)

Notwithstanding the provisions of Section 8.1.1 to the contrary, on lands zoned CG-2, the sales and service of heating and air conditioning equipment and hot

---

water heaters shall be an additional permitted use.

3. **CG-3** (2140 Dundas Street)

Notwithstanding the provisions of Section 8.1.1 to the contrary, on lands zoned CG-3, permitted uses shall be limited to the following:

- Accessory Dwelling Unit
- Farmers' Market
- Office
- Place of Assembly
- Specialty Food Establishment

For the purposes of this By-law, a Specialty Food Establishment shall be defined as a business engaged in the processing, packaging, warehousing and sale of honey and honey-related products, and may include an office, retail outlet and warehouse space.

For the purposes of this By-law, a Farmers' Market shall be defined as an establishment or premises where local agricultural products, artisan, and similar homemade and/or hand-crafted goods are offered for retail sale in an open area or enclosed building.

In addition, permitted uses shall be limited to the existing building as existed on December 14, 2020, with the exception of temporary structures in relation to an outdoor Farmers' Market and Place of Assembly.

## 8.2 Highway Commercial (CH) Zone

### 1. Permitted Uses

accessory dwelling  
 accessory dwelling unit  
 antique shop  
 automobile service station  
 bank  
 building supply centre  
 catering establishment  
 clinic  
 commercial parking lot  
 community service  
 contractor's yard  
 custom workshop  
 day nursery  
 equipment rental outlet  
 fuel storage facility  
 funeral home  
 hotel  
 garden centre  
 instructional facility  
 laundromat or dry cleaners  
 microbrewery  
 motel  
 open market  
 personal service  
 place of assembly  
 printing establishment  
 professional or business office  
 recreational establishment  
 retail store  
 restaurant  
 self-storage facility  
 service outlet  
 specialty food store  
 transportation depot  
 vehicle sales or rental establishment  
 veterinary clinic  
 warehouse  
 wholesale establishment

### 2. Zone Provisions

- Lot Area (minimum)
  - Full Service 465 m<sup>2</sup>
  - ~~Partial Service (a)~~ 0.4 ha
  - ~~Partial Service(a)~~ 0.4 ha 0.2 ha
  - ~~or 0.4 ha~~
  - Private Service 1 ha
- Lot Frontage (minimum)

|   |       |
|---|-------|
| • Full or Partial Service                                 | 20 m  |
| • Private Service   | 60 m  |
| • Yards (minimum)   |       |
| • Front   | 7.5 m |
| • Exterior Side   | 7.5 m |
| • Interior Side   | 6 m   |
| • Rear  | 10 m  |
| • Building Height (maximum)                               | 11 m  |
| • Lot Coverage (maximum)                                  | 35%   |
| • Accessory Dwellings or Dwelling Units per Lot (maximum) | 1     |

#### Footnote(s)

(a) The minimum lot area may be reduced provided a Servicing Report, inclusive of a hydrogeological assessment and/or terrain analysis, prepared by a qualified licensed professional engineer/geoscientist, is approved to the satisfaction of the Township addressing private sewage disposal and/or private water supply requirements for the proposed reduced lot area but the minimum lot area shall be no less than 0.2 ha.  
~~The minimum lot area shall be 0.2 ha, except where partial services require the connection to a privately owned sewage disposal system in which case the minimum lot area shall be 0.4 ha.~~

### 3. Additional Provisions

#### 1. General Provisions

In accordance with Section 3 & 4 hereof.

#### 2. Automobile Service Station Pump Islands and Canopies

Notwithstanding any other provisions of this By-law to the contrary, the minimum front or exterior side yard for an automobile service station pump island or canopy shall be 4.5 m.

### 4. Special Exception Zones

#### 1. CH-1 (2025 County Road 21)

Notwithstanding the provisions of Section 8.2.1 to the contrary, on lands zoned CH-1, permitted uses shall be limited to the following:

- Accessory Dwelling
- Custom Workshop
- Tradesperson's Establishment

#### 2. CH-2 (Part of Lots 11 and 12, Plan 6, Edwardsburgh)

Notwithstanding the provisions of ~~Section 8.2.1 and~~ 8.2.2 to the contrary, on lands zoned CH-2, the following provisions shall apply to a permitted uses shall be limited to a self-storage facility in accordance with the following:

- All yards (minimum) 13 m

In addition, the storage of petroleum products (oils and fuels), petroleum solvents, pesticides, herbicides, fungicides, chemicals or hazardous substances is prohibited.

3. **CH-3** (632 Pittston Road)

Notwithstanding the provisions of Section 8.2.1 to the contrary, on lands zoned CH-3, a vehicle sales or rental establishment shall be permitted in accordance with the following:

- Office Floor Area (maximum) 11.15 m<sup>2</sup>

Notwithstanding the provisions of this By-law, no more than 5 vehicles may be stored or parked on this property with the intent to sell at any time.

4. **CH-4**

Notwithstanding the provisions of Section 8.2.1 to the contrary, on lands zoned CH-4, an accessory dwelling or an accessory dwelling unit shall be prohibited.

5. **CH-5** (921 County Road 2)

Notwithstanding the provisions of Section 8.2.1 to the contrary, on lands zoned CH-5, permitted uses shall be limited to a vehicle sales or rental establishment, and automobile service station, limited to repairs only.

In addition, the display of vehicles for sale shall be permitted in the front and side yards, provided that a 3 m strip of landscape open space shall be provided along the interior lot lines.

6. **CH-6** (3005 County Road 21)

Notwithstanding the provisions of Section 8.2.1 to the contrary, on lands zoned CH-6, permitted uses shall be limited to the following:

- Automobile Service Station
- Bakery
- Bank
- Contractor's Yard
- Clinic
- Laundromat or dry cleaners
- Funeral Home
- Community Service
- Personal Service
- Printing Establishment
- Restaurant
- Retail Store
- Wholesale Establishment

- Vehicle sales or rental establishment

Notwithstanding the provisions of Section 8.2.1 to the contrary, on lands zoned CH-6, no residential uses are permitted.

7. **CH-7** (Part of Lot 19, Concession 6)

Notwithstanding the provisions of Section 8.2.1 to the contrary, on lands zoned CH-7, permitted uses shall be limited to agricultural machinery sales and service.

8. **CH-8** (3018 County Road 21)

Notwithstanding the provisions of Section 8.2.1 to the contrary, on lands zoned CH-8, the following additional uses shall be permitted:

- Apartment Dwelling Unit(s) in upper storey of a non-residential building (maximum 5 dwelling units)
- Farm Supply Sales

## 8.3 Tourist Commercial (CT) Zone

### 1. Permitted Uses

accessory dwelling  
 accessory dwelling unit  
 antique shop  
 campground  
 community service  
 custom workshop  
 golf course  
 lodging establishment  
 marina  
 marine facility  
 open market  
 park  
 restaurant

### 2. Zone Provisions

- Lot Area (minimum)
  - Tourist Campground 2 ha
  - Other uses 1 ha
- Lot Frontage (minimum) 60 m
- Yards (minimum)
  - Front 7.5 m
  - Exterior Side 7.5 m
  - Interior Side 6 m
  - Rear 10 m
- Building Height (maximum) 10 m
- Tourist Campground Site (minimum) 230 m<sup>2</sup>
- Lot Coverage (maximum) 20%
- Accessory Dwellings or Dwelling Units per Lot (maximum) 1

### 3. Additional Provisions

#### 1. General Provisions

In accordance with Section 3 & 4 hereof.

### 4. Special Exception Zones

#### 1. CT-1 (Lot 23, Concession 1)

Notwithstanding the provisions of Section 8.3.1 to the contrary, on lands zoned CT-1, permitted uses shall be limited to the following:

- Campground
- Lodging establishment
- Marine facility, excluding the winter storage of boats

- Recreational establishment, including miniature golf
- Restaurant

Permitted uses south of County Road 2 within Grenville Park which provide for accommodation, shall only be used on a seasonal basis and no over-wintering or storage of recreational vehicles shall be permitted (i.e., October 30 to April 1). This shall not prevent the occasional use (seven days or less) of a permitted use during the fall-winter season.

Permitted uses north of County Road 2 within Grenville Park which provide for accommodation, may be used during any season provided that between October 30 and April 1, occupancy of any permitted use providing accommodation shall be occasional only (i.e., limited to seven days or less).



## SECTION 9 - INDUSTRIAL ZONES

### 9.1 General Industrial (MG) Zone

#### 1. Permitted Uses

accessory dwelling  
 accessory dwelling unit  
 agricultural products processing facility  
 automobile body shop  
 automobile service station  
 building supply centre  
 commercial parking lot  
 commercial storage  
 community service  
 contractor's yard  
 custom workshop  
 equipment rental outlet  
 farm supply outlet  
 fuel storage facility  
 garden centre  
 heavy equipment sales or rental establishment  
 industrial facility  
 microbrewery  
 professional or business office  
 printing establishment  
 recreational establishment  
 retail store accessory to a permitted MG use, other than a warehouse or self-storage facility  
 service outlet  
 tradesperson's establishment  
 transportation depot  
 vehicle sales or rental establishment  
 veterinary clinic  
 warehouse  
 wholesale establishment

#### 2. Zone Provisions

- Lot Area (minimum)
  - Full Service 465 m<sup>2</sup>
  - ~~Partial Service(a)~~ 0.4 ha ~~0.2 ha~~
  - ~~or 0.4 ha~~
  - Private Service 0.41 ha
- Lot Frontage (minimum)
  - Full or Partial Service 20 m
  - Private Service 30 m
- Yards (minimum)
  - Front 7.5 m
  - Exterior Side 7.5 m
  - Interior Side 10 m

|   |      |
|---|------|
| • Rear  | 15 m |
| • Building Height (maximum)                               | 15 m |
| • Lot Coverage (maximum)                                  | 35%  |
| • Accessory Dwellings or Dwelling Units per Lot (maximum) | 1    |

Footnote(s)

(a) The minimum lot area may be reduced provided a Servicing Report, inclusive of a hydrogeological assessment and/or terrain analysis, prepared by a qualified licensed professional engineer/geoscientist, is approved to the satisfaction of the Township addressing private sewage disposal and/or private water supply requirements for the proposed reduced lot area but the minimum lot area shall be no less than 0.2 ha.  
~~The minimum lot area shall be 0.2 ha, except where partial services require the connection to a privately owned sewage disposal system in which case the minimum lot area shall be 0.4 ha.~~

**3. Additional Provisions****1. General Provisions**

In accordance with Section 3 & 4 hereof.

**2. Automobile Service Station Pump Islands and Canopies**

Notwithstanding any other provisions of this By-law to the contrary, the minimum front or exterior side yard for an automobile service station pump island or canopy shall be 4.5 m.

**3. Increased Yard Requirements**

Where an MG zone abuts a lot in a Residential zone, the interior side yard or rear yard, as applicable, shall be increased by 7.5 m.

**4. Special Exception Zones****1. MG-1 (Ingredion, Village of Cardinal)**

Notwithstanding the provisions of Section 9.1.1 to the contrary, on lands zoned MG-1, permitted uses shall be limited to parking of passenger vehicles, accessory to an industrial use on abutting lands.

In addition, a planting strip consisting of a hedge of coniferous trees shall be provided around the perimeter of the site and along the abutting residential use.

## 9.2 Business Park Industrial (MBP) Zone

### 1. Permitted Uses

accessory dwelling  
 accessory dwelling unit  
 agricultural products processing facility  
 automobile body shop  
 automobile service station  
 building supply centre  
 catering establishment  
 commercial parking lot  
 commercial storage  
 community service  
 contractor's yard  
 custom workshop  
 equipment rental outlet  
 farm supply outlet  
 fuel storage facility  
 garden centre  
 heavy equipment sales or rental establishment  
 industrial facility  
 instructional facility  
 light industrial use  
 laundromat or dry cleaners  
 microbrewery  
 place of assembly  
 printing establishment  
 recreational establishment  
 retail store accessory to a permitted MBP use, other than a warehouse or self-storage facility  
 research and development facility  
 restaurant  
 sawmill  
 self-storage facility  
 service outlet  
 tradesperson's establishment  
 transportation depot  
 vehicle sales or rental establishment  
 veterinary clinic  
 warehouse  
 waste recycling facility  
 wholesale establishment

### 2. Zone Provisions

- |                          |       |
|--------------------------|-------|
| • Lot Area (minimum)     | 1 ha  |
| • Lot Frontage (minimum) | 45 m  |
| • Yards (minimum)        |       |
| • Front                  | 7.5 m |
| • Exterior Side          | 7.5 m |
| • Interior Side          | 10 m  |

---

|   |      |
|---|------|
| • Rear  | 15 m |
| • Building Height (maximum)                               | 15 m |
| • Lot Coverage (maximum)                                  | 35%  |
| • Accessory Dwellings or Dwelling Units per Lot (maximum) | 1    |

### 3. Additional Provisions

#### 1. General Provisions

In accordance with Section 3 & 4 hereof.

#### 2. Automobile Service Station Pump Islands and Canopies

Notwithstanding any other provisions of this By-law to the contrary, the minimum front or exterior side yard for an automobile service station pump island or canopy shall be 4.5 m.

#### 3. Increased Yard Requirements

Where an MBP zone abuts a lot in a Residential zone, the interior side yard or rear yard, as applicable, shall be increased by 7.5 m.

#### 2. Municipal Services

All uses in the MBP zone shall only be permitted if the appropriate arrangements are made for servicing with full sewage and water systems.

#### 3. Existing Residential Land Uses on Leased Land along the St. Lawrence River

Notwithstanding the permitted uses listed in Section 9.2, approval from Council is required prior to any expansion, extension, addition or renovation of buildings or structures used for residential purposes existing on the day of passing of this By-law.

### 4. Special Exception Zones

#### 1. MBP-1 (Industrial Park)

Notwithstanding the provisions of Section 9.2.1 and 9.2.2 to the contrary, on the lands zoned MBP-1, the following additional uses shall be permitted in accordance with the following provisions:

- ethanol facility, including but not limited to a grain receiving and storage (stockpiling) area, a processing plant for the fermentation of corn to produce ethanol, a product storage and out-loading area, including a tank farm, a distiller grain dryer and thermal oxidizer/heat recovery steam generator area
- carbon dioxide plant
- administration and maintenance facilities
- utilities and services such as storage tanks, cooling towers,

- emergency fire suppression equipment, a rail spur line, loading facilities, employee parking, stacking lanes, a storm water retention pond, a purge water retention pond
- accessory uses, buildings and structures to the foregoing permitted uses

Zone Requirements:

- Lot Frontage (minimum) 30 m
- Building Height (maximum) 68.5 m

In addition, the following provisions shall prevail:

- Number of Loading Spaces (minimum) 5
- Number of Parking Spaces (minimum) 30
- Separation distance from the nearest property line of any sensitive use to the nearest incompatible industrial component 300 m

2. **MBP-2** (Port of Johnstown)

Notwithstanding the provisions of Section 9.2.1 to the contrary, on lands zoned MBP-2, the following additional uses shall be permitted:

- All of the uses in the CH zone
- Grain Elevator
- Shipping Terminal
- Storage of Goods

3. **MBP-3** (Part 3 on 15R-11762, County Road 2, Johnstown)

Notwithstanding the provisions of Section 9.2.1 and 9.2.2 to the contrary, on the lands zoned MBP-3, a Cannabis Production and Processing Facility shall be an additional permitted use and the following additional provisions shall apply:

- Lot Area (minimum) 0.6 ha
- Lot Frontage (minimum) 60 m
- Yard Requirements:
  - All Yards 10m
- The front lot line shall be considered the lot line abutting Newport Drive.
- Open storage shall not be permitted within any required front yard or exterior side yard, within 10 m of any rear lot line or within 5m of any side lot line.
- The provisions of Section 4.32 shall not apply for a permitted Cannabis Production and Processing Facility.

### 9.3 Rural Industrial (MR) Zone

#### 1. Permitted Uses

abattoir  
 accessory dwelling  
 accessory dwelling unit  
 agricultural products processing facility  
 automobile body shop  
 automobile service station  
 building supply centre  
 contractor's yard  
 custom workshop  
 equipment rental outlet  
 farm supply outlet  
 fuel storage facility  
 heavy equipment sales or rental establishment  
 livestock sales outlet  
 printing establishment  
 sawmill  
 self-storage facility  
 service outlet  
 tradesperson's establishment  
 transportation depot  
 veterinary clinic  
 warehouse

#### 2. Zone Provisions

|  |      |
|--|------|
| • Lot Area (minimum)   | 1 ha |
| • Lot Frontage (minimum)                                     | 60 m |
| • Yards (minimum)  |      |
| • Front  | 10 m |
| • Exterior Side  | 10 m |
| • Interior Side  | 10 m |
| • Rear   | 10 m |
| • Building Height (maximum)                                  | 15 m |
| • Lot Coverage (maximum)                                     | 35%  |
| • Accessory Dwellings or Dwelling Units<br>per Lot (maximum) | 1    |

#### 3. Additional Provisions

##### 1. General Provisions

In accordance with Section 3 hereof.

##### 2. Automobile Service Station Pump Islands and Canopies

Notwithstanding any other provisions of this By-law to the contrary, the minimum front or exterior side yard for an automobile service station pump island or canopy shall be 4.5 m.

### 3. Increased Yard Requirements

Where an MR zone abuts a lot in a Residential zone, the interior side yard or rear yard, as applicable, shall be increased by 7.5 m.

### 4. Special Exception Zones

#### 1. **MR-1** (3307 Hands Road)

Notwithstanding the provisions of Section 9.3.1 to the contrary, on lands zoned MR-1, a business engaged in the manufacture of pyrotechnic products and the on-site testing of these products shall be additional permitted uses.

All materials stored on the subject lands shall be approved and stored in accordance with the requirements of the appropriate public body having jurisdiction. All buildings and structures located on the subject lands shall be located in accordance with the Revised British Quantity-Distance Tables or other such tables of separation distances as may from time to time be approved by the appropriate public body having jurisdiction.

#### 2. **MR-2** (1026 County Road 26)

Notwithstanding the provisions of Section 3.13, a buffer strip consisting of a berm, fence or landscaping having a minimum combined height of 3 m shall be provided to screen outdoor open storage areas from public streets.

## 9.4 Salvage Yard Industrial (MS) Zone

### 1. Permitted Uses

accessory dwelling  
accessory dwelling unit  
salvage yard

### 2. Zone Provisions

- Lot Area (minimum) 2 ha
- Lot Frontage (minimum) 60 m
- Yards (minimum)
  - Front 15 m
  - Exterior Side 15 m
  - Interior Side 15 m
  - Rear 15 m
- Building Height (maximum) 12 m
- Lot Coverage (maximum) 20%
- Accessory Dwellings or Dwelling Units per Lot (maximum) 1

### 3. Additional Provisions

#### 1. General Provisions

In accordance with Section 3 & 4 hereof.

#### 2. Minimum Separation Distance for a Salvage Yard

- From a residential use on another lot or a Residential zone 300 m
- From a non-residential use on another lot 100 m
- From a watercourse or water body 300 m

### 4. Special Exception Zones

*(reserved)*



## 9.5 Disposal Industrial (MD) Zone

### 1. Permitted Uses

portable asphalt plant  
waste disposal site  
waste recycling facility  
waste transfer facility

### 2. Zone Provisions

- Lot Area (minimum) 2 ha
- Lot Frontage (minimum) 60 m
- Yards (minimum)
  - Front 30 m
  - Exterior Side 30 m
  - Interior Side 30 m
  - Rear 30 m
- Building Height (maximum) 12 m
- Lot Coverage (maximum) 20%

### 3. Additional Provisions

#### 1. General Provisions

In accordance with Section 3 & 4 hereof.

#### 2. Minimum Separation Distance for a Waste Disposal Site

- From a residential use on another lot or a Residential zone 500 m
- From a non-residential use on another lot 200 m
- From a watercourse or water body 500 m

### 4. Special Exception Zones

*(reserved)*

## SECTION 10 – INSTITUTIONAL ZONES

### 10.1 Institutional (I) Zone

#### 1. Permitted Uses

accessory dwelling  
 accessory dwelling unit  
 cemetery  
 community service  
 day nursery  
 instructional facility  
 library  
 long term care home  
 park  
 place of assembly  
 place of worship  
 public use  
 school  
 residential care home

#### 2. Zone Provisions

- |  |  |
|--|--|
| • Lot Area (minimum)   |  |
| • Full Service   | 500 m <sup>2</sup>                     |
| • Partial Service(a)   | <del>700 m<sup>2</sup> or</del> 0.4 ha |
| • Private Service  | 1 ha                                   |
| • Lot Frontage (minimum)   |  |
| • Lots designated <b>Settlement Policy Area</b> in Official Plan | 20 m                                   |
| • All other lots   | 45 m                                   |
| • Yards (minimum)  |  |
| • Front  | 7.5 m                                  |
| • Exterior Side  | 7.5 m                                  |
| • Interior Side  | 6 m                                    |
| • Rear   | 10 m                                   |
| • Building Height (maximum)                                      | 12 m                                   |
| • Lot Coverage (maximum)   | 30%                                    |
| • Accessory Dwellings or Dwelling Units per Lot (maximum)        | 1                                      |

#### Footnote(s)

~~(a) The minimum lot area may be reduced provided a Servicing Report, inclusive of a hydrogeological assessment and/or terrain analysis, prepared by a qualified licensed professional engineer/geoscientist, is approved to the satisfaction of the Township addressing private sewage disposal and/or private water supply requirements for the proposed reduced lot area but the minimum lot area shall be no less than 0.2 ha.~~  
~~The minimum lot area shall be 700 m<sup>2</sup>, except where partial services require the connection to a privately owned sewage disposal system in which case the minimum lot area shall be 0.4 ha.~~

**3. Additional Provisions**

**1. General Provisions**

In accordance with Section 3 & 4 hereof.

**4. Special Exception Zones**

*(reserved)*

**SECTION 11 - OPEN SPACE ZONES**

**11.1 Open Space (OS) Zone**

**1. Permitted Uses**

accessory dwelling  
accessory dwelling unit  
conservation use  
golf course  
marine facility  
park

**2. Zone Provisions**

|  |      |
|--|------|
| • Lot Area (minimum)   | None |
| • Yards (minimum)  | 15 m |
| • Building Height (maximum)                                  | 12 m |
| • Lot Coverage (maximum)                                     | 20%  |
| • Accessory Dwellings or Dwelling Units<br>per Lot (maximum) | 1    |

**3. Additional Provisions**

**1. General Provisions**

In accordance with Section 3 & 4 hereof.

**4. Special Exception Zones**

*(reserved)*

## SECTION 12 - RURAL ZONES

### 12.1 Rural (RU) Zone

#### 1. Permitted Uses

accessory dwelling  
 accessory dwelling unit  
 agricultural use  
 conservation use  
 existing cemetery  
 hunting or fishing camp  
 kennel  
 on-farm diversified use  
 existing place of worship  
 single dwelling

#### 2. Zone Provisions

- Lot Area (minimum)
  - Agricultural use that includes the keeping of livestock 1.6 ha
  - Other permitted uses 1 ha
- Lot Frontage (minimum) 70 m
- Yards (minimum)
  - Front 7.5 m
  - Exterior Side 7.5 m
  - Interior Side 6 m
  - Rear 7.5 m
- Dwelling Height (maximum) 10 m
- Lot Coverage (maximum) 20%
- Dwellings or Accessory Dwellings or Dwelling Units per Lot (maximum) 1

#### 3. Additional Provisions

##### 1. General Provisions

In accordance with Section 3 & 4 hereof.

##### 2. Minimum Separation Distance for a New or Expanding Livestock Facility from a Dwelling

Notwithstanding any other provisions of this By-law, new or expanding livestock facilities shall comply with the Minimum Distance Separation II (MDS II), as issued by the Ministry of Agriculture, Food and Rural Affairs.

##### 3. Minimum Separation Distance for a Kennel

- From a residential use on another lot, a vacant lot in a Residential zone or any lands designated Settlement Policy Area in the Official Plan 300 m

#### 4. Hunting or Fishing Camp Provisions

Notwithstanding any provisions of Section 12.1.2 to the contrary, the following provisions shall apply to a hunting or fishing camp:

- The maximum floor area of a hunting or fishing camp shall be 60 m<sup>2</sup>;
- All yards shall be a minimum of 100 m.

#### 4. Special Exception Zones

##### 1. RU-1 (3518 County Road 2)

Notwithstanding the provisions of Section 12.1.1 to the contrary, on lands zoned RU-1, a marina shall be an additional permitted use.

##### 2. RU-2 (Pt Lot 35 and Lot 36, Concession 5)

Notwithstanding the provisions of Section 12.1.1 to the contrary, on lands zoned RU-2, residential land uses shall be prohibited.

##### 3. RU-3 (2039 County Road 44, Part of Lot 27, Concession 2)

Notwithstanding the provisions of Section 12.1.1 to the contrary, on lands zoned RU-3, the existing building containing 7 dwelling units shall be a permitted use.

##### 4. RU-4 (2010 Totem Ranch Road)

Notwithstanding the provisions of Section 12.1.1 to the contrary, on lands zoned RU-4, permitted uses shall be limited to the following:

- Accessory Dwelling
- Custom Workshop
- Tradesperson's Establishment

##### 5. RU-5 (2913 County Road 21)

Notwithstanding the provisions of Section 12.1.1 to the contrary, on lands zoned RU-5, an auction hall shall be an additional permitted use.

## SECTION 13 – AGRICULTURE ZONES

### 13.1 Agriculture (A) Zone

#### 1. Permitted Uses

accessory dwelling  
accessory dwelling unit  
agricultural use  
conservation use  
existing cemetery  
existing place of worship  
hunting or fishing camp  
on-farm diversified use  
single dwelling

#### 2. Zone Provisions

|                               |       |
|-------------------------------|-------|
| • Lot Area (minimum)          | 40 ha |
| • Lot Frontage (minimum)      | 70 m  |
| • Yards (minimum)             |       |
| • Front                       | 7.5 m |
| • Exterior Side               | 7.5 m |
| • Interior Side               | 6 m   |
| • Rear                        | 7.5 m |
| • Dwelling Height (maximum)   | 10 m  |
| • Lot Coverage (maximum)      | 20%   |
| • Dwellings per Lot (maximum) | 1     |

#### 3. Additional Provisions

##### 1. General Provisions

In accordance with Section 3 & 4 hereof.

##### 2. Requirements for Residential Lots Created by Consent

Notwithstanding the zone provisions of Section 13.1.2 to the contrary, where an existing dwelling is deemed surplus to an agricultural use and is severed for residential purposes, such severed lot may be used for a single dwelling in accordance with the zone provisions of Section 6.1.2 and, further, the retained lot shall not require relief from the minimum lot area provision of Section 13.1.2 in the event that the effect of the severance has been to render it non-complying.

##### 3. Hunting or Fishing Camp Provisions

Notwithstanding any provisions of Section 13.1.2 to the contrary, the following provisions shall apply to a hunting or fishing camp:

- The maximum floor area of a hunting or fishing camp shall be 60 m<sup>2</sup>;

- All yards shall be a minimum of 100 m.

4. **Minimum Separation Distance for a New or Expanding Livestock Facility from a Dwelling**

Notwithstanding any other provisions of the By-law, new or expanding livestock facilities shall comply with the Minimum Distance Separation II (MDS II), as issued by the Ministry of Agriculture, Food and Rural Affairs.

5. **Mobile Home Alternative to a Dwelling**

Notwithstanding any provisions of this By-law to the contrary, a maximum of one mobile home shall be permitted as an alternative to a dwelling, provided it is located on an operating farm which has a minimum lot area of 40 ha.

4. **Special Exception Zones**

1. **A-1 (624 Chambers Road)**

Notwithstanding the provisions of Section 13.1.1 to the contrary, on lands zoned A-1, a transportation depot shall be an additional permitted use.

2. **A-2 (3707 County Road 21, Part of Lots 36 and 37, Concession 6)**

Notwithstanding the provisions of Section 13.1.1 to the contrary, on lands zoned A-2, a petting zoo shall be an additional permitted use.

For the purpose of this By-law a petting zoo shall mean lands, buildings or structures for the purposes of public exhibition and interaction with live domesticated farm animals.

3. **A-3 (903 County Road 21, Part of Lot 8, Concession 6)**

Notwithstanding the provisions of Section 13.1.1 to the contrary, on lands zoned A-3, the existing apartment building shall be an additional permitted use.

4. **A-4 (917 Crowder Road)**

Notwithstanding the provisions of Section 13.1.1 to the contrary, on lands zoned A-4, residential land uses shall be prohibited.

5. **A-5 (Part of Lots 3 and 4, Concession 4)**

Notwithstanding the provisions of Section 13.1.1 to the contrary, on lands zoned A-5, residential land uses shall be prohibited.

6. **A-6 (East Half of Lot 2, Concession 8)**

Notwithstanding the provisions of Section 13.1.1 to the contrary, on lands zoned A-6, residential land uses shall be prohibited.

7. **A-7 (Part of Lot 14 & 13, Concession 8, Ventnor Road)**



Notwithstanding the provisions of Section 13.1.1 to the contrary, on lands zoned A-7, residential land uses shall be prohibited.

8. **A-8** (Part of Lot 13, Concession 8, Ventnor Road)

Notwithstanding the provisions of Section 13.1.2, and 13.1.3.4 to the contrary, on lands zoned A-8, the following provisions shall prevail:

- Interior Side Yard (min) for Buildings or Structures related to an Egg Conveyor System 0 m
- Interior Side Yard (min) for a Livestock Facility Related to Egg Production 10 m

9. **A-9** (Part of Lot 13, Concession 8, Ventnor Road)

Notwithstanding the provisions of Section 13.1.1, 13.1.2 and 13.1.3.4 to the contrary, on lands zoned A-9, residential uses shall be prohibited. In addition, the following provisions shall prevail:

- Interior Side Yard (min) for Buildings or Structures related to an Egg Conveyor System 0 m

10. **A-10** (Part of Lot 13, Concession 8, Ventnor Road)

Notwithstanding the provisions of Section 13.1.2 and 13.1.3.4 to the contrary, on lands zoned A-10, the following provisions shall prevail:

- Interior Side Yard (min) for Buildings or Structures related to an Egg Conveyor System 0 m

11. **A-11** (Part Lot 9, East Half of Lot 10, Concession 6)

Notwithstanding the provisions of Section 13.1.1 to the contrary, on lands zoned A-11, residential land uses shall be prohibited.

12. **A-12** (Part Lot 6 & 7, Concession 7, Dobbie Road)

Notwithstanding the provisions of Section 13.1.1 to the contrary, on lands zoned A-12, residential land uses shall be prohibited.

13. **A-13** (Part Lot 1, Concession 8, Dobbie Road)

Notwithstanding the provisions of Section 13.1.1 to the contrary, on lands zoned A-13, residential land uses shall be prohibited.

## SECTION 14 – MINERAL RESOURCE ZONES

### 14.1 Mineral Aggregate Extraction (EX) Zone

#### 1. Permitted Uses

aggregate processing operation  
 agricultural use, excluding buildings  
 asphalt plant  
 concrete plant  
 conservation use, excluding buildings  
 pit  
 quarry

#### 2. Zone Provisions

- Yards (minimum)
  - Front 30 m
  - Exterior Side 15 m
  - Interior Side 15 m
  - Rear 15 m

#### 3. Additional Provisions

##### 1. General Provisions

In accordance with Section 3 & 4 hereof.

##### 2. Minimum Separation Distance From a Dwelling on Another Lot

- Class B pit, with no excavation below the water table 150 m
- Any other pit or a concrete plant 300 m
- Quarry or asphalt plant 500 m

#### 4. Special Exception Zones

##### 1. EX-1 (2408 Buckwheat Road)

Notwithstanding the provisions of Section 14.1.1 to the contrary, on the lands zoned EX-1, an asphalt plant and concrete plant shall not be permitted.

## **14.2 Mineral Aggregate Reserve (EXR) Zone**

### **1. Permitted Uses**

agricultural use, excluding buildings  
conservation use, excluding buildings  
existing uses which were established prior to the passing of this By-law

### **2. Zone Provisions**

- Yards (minimum)
  - Front 30 m
  - Exterior Side 15 m
  - Interior Side 15 m
  - Rear 15 m

### **3. Additional Provisions**

#### **1. General Provisions**

In accordance with Section 3 & 4 hereof.

### **4. Special Exception Zones**

*(reserved)*

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**SECTION 15 – ENVIRONMENTAL PROTECTION ZONES****15.1 Environmental Protection - PSW (EP-PSW) Zone****1. Permitted Uses**

existing agricultural use  
conservation use, excluding buildings

**2. Zone Provisions**

All Yards (minimum) 15 m

**3. Additional Provisions****1. General Provisions**

In accordance with Section 3 & 4 hereof.

**2. Special Provisions**

No site alteration shall occur and no building or structure shall be erected, altered or used.

**4. Special Exception Zones**

*(reserved)*

## **15.2 Environmental Protection – ANSI (EP-ANSI) Zone**

### **1. Permitted Uses**

existing use  
conservation use, excluding buildings

### **2. Zone Provisions**

All Yards (minimum) 15 m

### **3. Additional Provisions**

#### **1. General Provisions**

In accordance with Section 3 & 4 hereof.

#### **2. Special Provisions**

No building or structure shall be erected, altered or used except in accordance with the recommendations of an Environmental Impact Study undertaken to the satisfaction of the Township that demonstrates no negative impacts on natural features or ecological functions, and a permit from the relevant Conservation Authority, where required.

### **4. Special Exception Zones**

*(reserved)*

---

**SECTION 16 - APPROVAL**

This By-law shall become effective on the date of approval hereof.

This By-law given its first reading on DATE, 20XX.

This By-law given its second reading on DATE, 20XX.

This By-law given its third and final reading and passed under the Corporate Seal  
on DATE, 20XX.

CORPORATE SEAL OF TOWNSHIP

---

Patrick Sayeau  
Mayor

---

Rebecca Williams  
Clerk

## Metric Conversion Chart

| Imperial Units     | Multiplied By | Equals Metric Units | Metric Units  | Multiplied By | Equals Imperial Units |
|--------------------|---------------|---------------------|---------------|---------------|-----------------------|
| <b>L E N G T H</b> |               |                     |               |               |                       |
| Inches             | 2.54          | Centimetres         | Centimetres   | 0.3937        | Inches                |
| Feet               | 0.3048        | Metres              | Metres        | 3.2808        | Feet                  |
| <b>A R E A</b>     |               |                     |               |               |                       |
| Square feet        | 0.0929        | Square metres       | Square metres | 10.764        | Square feet           |
| Acres              | 0.4047        | Hectares            | Hectares      | 2.471         | Acres                 |

## Sample Conversions

### AREA

| Metric              | Imperial       |
|---------------------|----------------|
| 10 m <sup>2</sup>   | 107.6 sq ft    |
| 12 m <sup>2</sup>   | 129.2 sq ft    |
| 14 m <sup>2</sup>   | 150.6 sq ft    |
| 20 m <sup>2</sup>   | 215.3 sq ft    |
| 25 m <sup>2</sup>   | 269.1 sq ft    |
| 40 m <sup>2</sup>   | 430.6 sq ft    |
| 70 m <sup>2</sup>   | 753.5 sq ft    |
| 75 m <sup>2</sup>   | 807.3 sq ft    |
| 200 m <sup>2</sup>  | 2,152.8 sq ft  |
| 230 m <sup>2</sup>  | 2,475.7 sq ft  |
| 700 m <sup>2</sup>  | 7,534.7 sq ft  |
| 4050 m <sup>2</sup> | 43,593.8 sq ft |
| 1 ha                | 2.47 acres     |
| 2 ha                | 4.94 acres     |
| 40 ha               | 98.84 acres    |

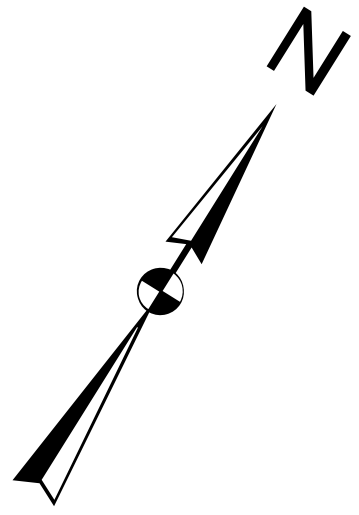
### LENGTH

| Metric | Imperial   |
|--------|------------|
| 1 m    | 3.28 ft    |
| 2.75 m | 9.02 ft.   |
| 3 m    | 9.84 ft    |
| 4.5 m  | 14.76 ft   |
| 6 m    | 19.69 ft   |
| 7.5 m  | 24.61 ft   |
| 9 m    | 29.53 ft   |
| 10 m   | 32.81 ft   |
| 15 m   | 49.21 ft   |
| 20 m   | 65.62 ft   |
| 30 m   | 98.43 ft   |
| 45 m   | 147.64 ft  |
| 60 m   | 196.85 ft  |
| 120 m  | 393.7 ft   |
| 150 m  | 492.1 ft   |
| 300 m  | 984.3 ft   |
| 500 m  | 1,640.4 ft |

***The foregoing metric conversion chart and sample conversions provide approximate conversions for the convenience of the reader and do not form part of the Zoning By-law.***



**FINAL DRAFT**



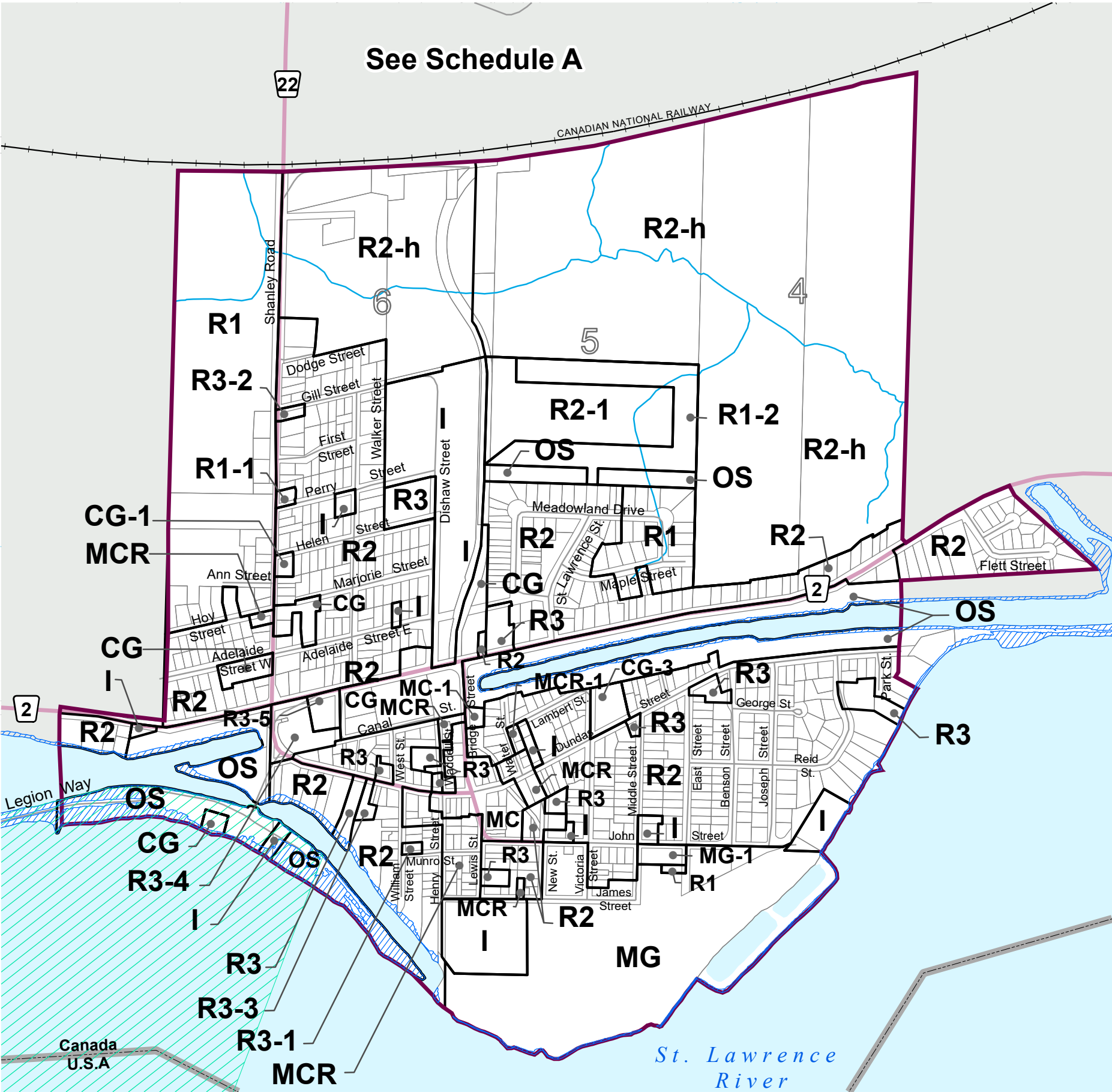


FINAL DRAFT

TWP  
EC  
ca

EDWARDSBURGH CARDINAL

ZONING BY-LAW  
NO.  
SCHEDULE B  
Village of Cardinal

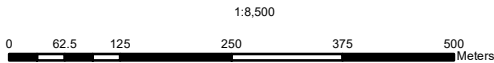


ZONING

|     |                              |     |                                      |     |                          |    |                              |
|-----|------------------------------|-----|--------------------------------------|-----|--------------------------|----|------------------------------|
| R1  | Residential First Density    | MCR | Main Street Commercial / Residential | MG  | General Industrial       | I  | Institutional                |
| R2  | Residential Second Density   | MC  | Main Street Commercial               | MR  | Rural Industrial         | OS | Open Space                   |
| R3  | Residential Third Density    | CG  | General Commercial                   | MBP | Business Park Industrial | RU | Rural                        |
| RH  | Hamlet Residential           | CH  | Highway Commercial                   | MS  | Salvage Yard Industrial  | A  | Agriculture                  |
| RLS | Limited Services Residential | CT  | Tourist Commercial                   | MD  | Disposal Industrial      | EX | Mineral Aggregate Extraction |

TRANSPORTATION

- Provincial Highway
- County Road
- Township Road
- Private Road
- Active Railway
- Abandoned Railway



|         |                                 |
|---------|---------------------------------|
| EXR     | Mineral Aggregate Reserve       |
| EP-PSW  | Environmental Protection - PSW  |
| EP-ANSI | Environmental Protection - ANSI |

Overlay Zones

Within these areas certain Zoning By-law Provisions require that reference be made to the Official Plan

Flood Plain Overlay

- Source Water Protection Overlay
- Intake Protection Zone Overlay (IPZ-1)
- Wellhead Protection Area A Overlay (WHPA-A)
- Wellhead Protection Area B Overlay (WHPA-B)
- Wellhead Protection Area C Overlay (WHPA-C)
- Waterbody
- Watercourse

ISSUE DATE: JUNE, 2022

NOVATECH

Engineers, Planners & Landscape Architects  
Suite 200, 240 Michael Cowpland Drive  
Ottawa, Ontario, Canada K2M 1P6  
Telephone (613) 254-9643  
Facsimile (613) 254-5867  
Website www.novatech-eng.com

THIS PLAN IS BASED UPON INFORMATION OBTAINED IN JUNE 2018 THROUGH A DIGITAL DATA RELEASE AGREEMENT WITH THE UNITED COUNTIES OF LEEDS & GRENVILLE AND INCLUDES DATA FROM THE PROVINCE OF ONTARIO'S ONTARIO GEOSPATIAL DATA EXCHANGE DATABASE (LAND INFORMATION ONTARIO). MUNICIPAL PROPERTY ASSESSMENT CORPORATION AND TERANET INC. AND ALSO INCLUDES DATA OWNED AND/OR USED UNDER AGREEMENTS WITH SOUTH NATION CONSERVATION AUTHORITY.

JOB# 120067

FINAL DRAFT

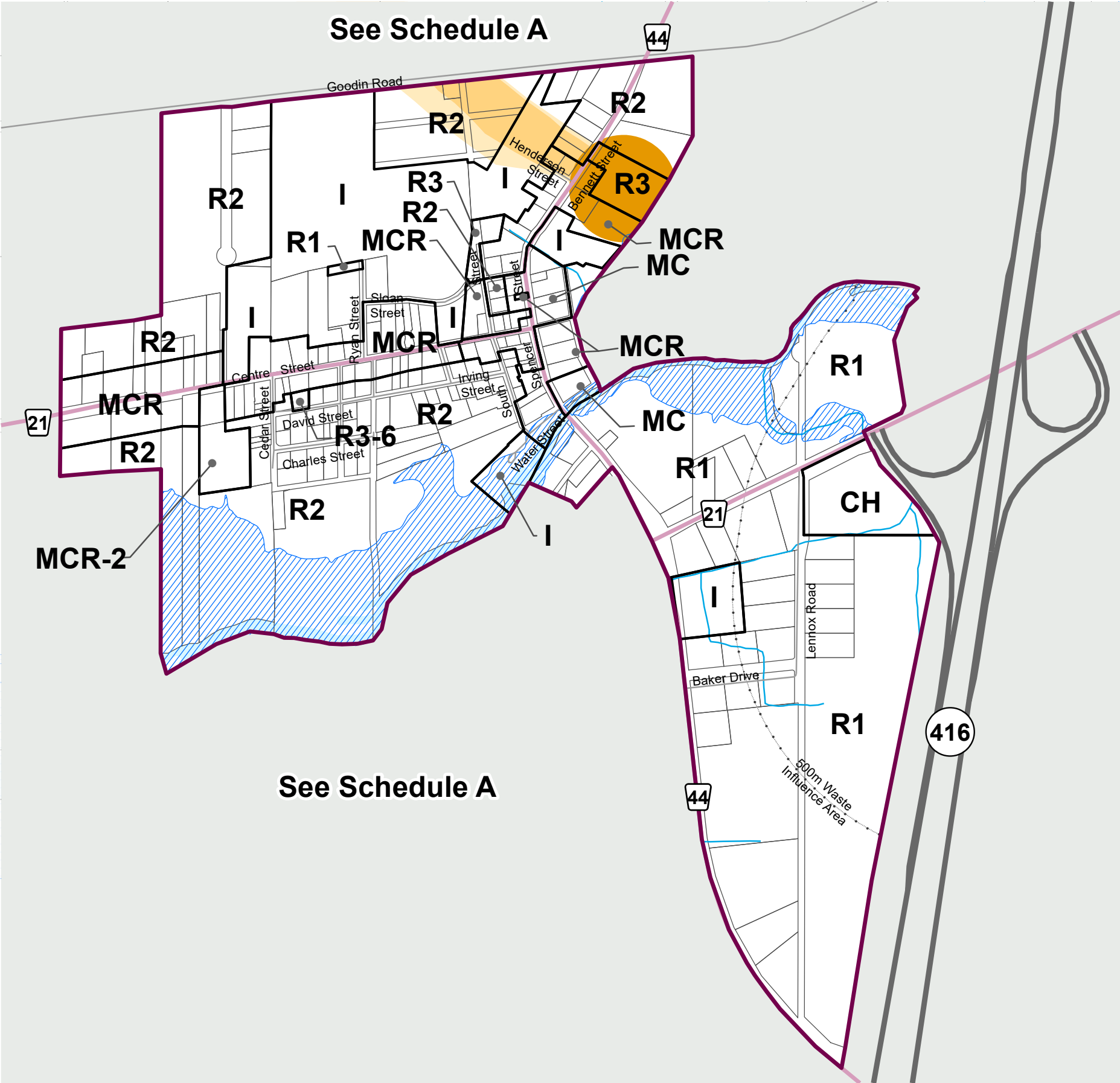


EDWARDSBURGH CARDINAL

ZONING BY-LAW NO.

SCHEDULE C

Village of Spencerville

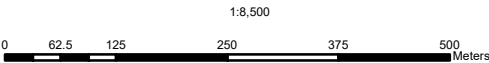


ZONING

|     |                              |     |                                      |     |                          |    |                              |
|-----|------------------------------|-----|--------------------------------------|-----|--------------------------|----|------------------------------|
| R1  | Residential First Density    | MCR | Main Street Commercial / Residential | MG  | General Industrial       | I  | Institutional                |
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| RH  | Hamlet Residential           | CH  | Highway Commercial                   | MS  | Salvage Yard Industrial  | A  | Agriculture                  |
| RLS | Limited Services Residential | CT  | Tourist Commercial                   | MD  | Disposal Industrial      | EX | Mineral Aggregate Extraction |

TRANSPORTATION

- Provincial Highway
- County Road
- Township Road
- Private Road
- Active Railway
- Abandoned Railway



- EXR Mineral Aggregate Reserve
- EP-PSW Environmental Protection - PSW
- EP-ANSI Environmental Protection - ANSI

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- Waterbody
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ISSUE DATE: JUNE, 2022

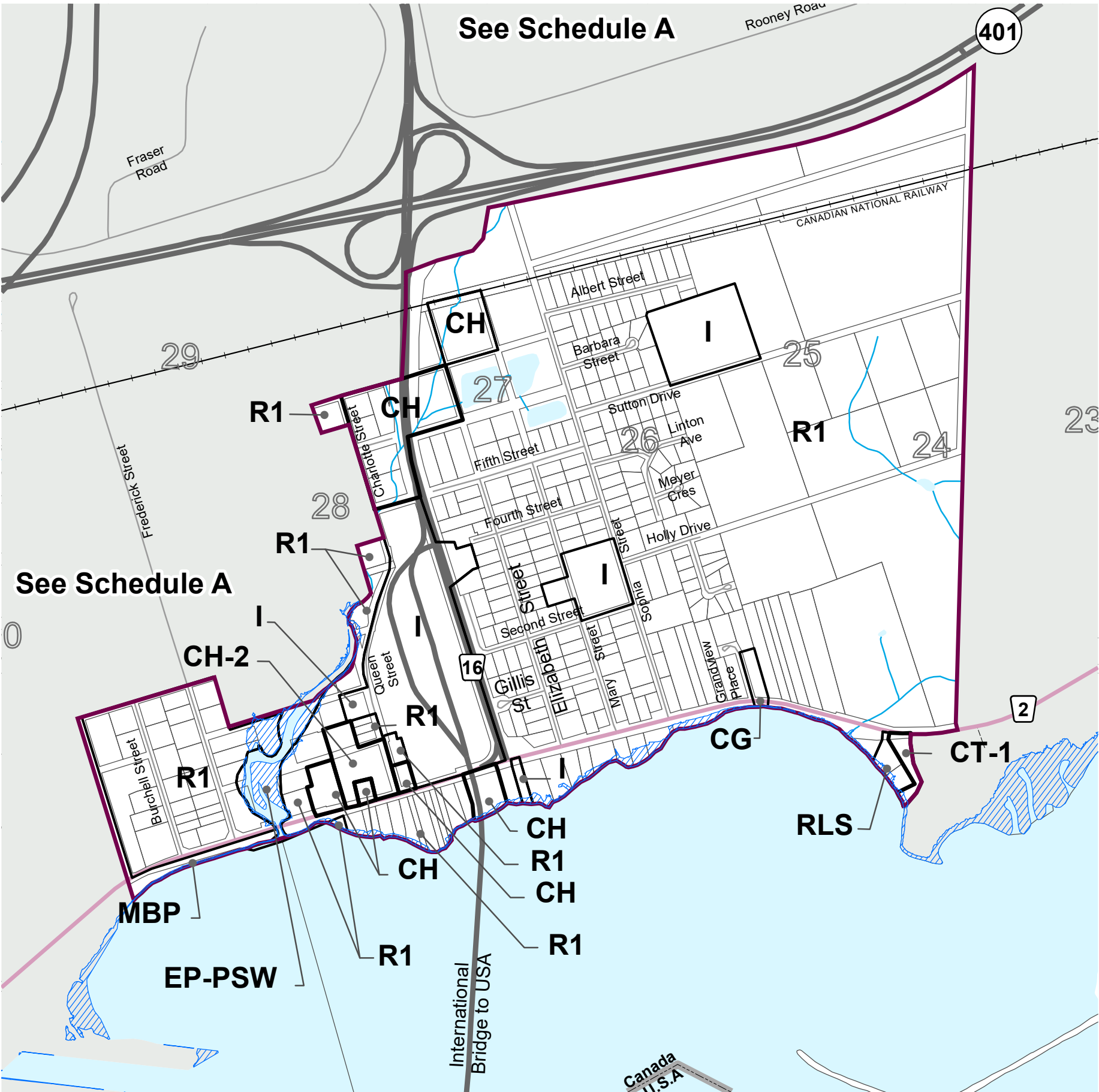


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JOB# 120067

FINAL DRAFT

ZONING BY-LAW  
NO.  
SCHEDULE D  
Village of Johnstown

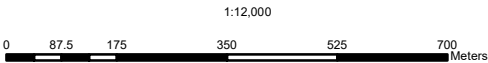


ZONING

|     |                              |     |                                      |     |                          |    |                              |
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JOB# 120067





## TOWNSHIP OF EDWARDSBURGH CARDINAL ACTION ITEM

**Committee:** Committee of the Whole - Community Development

**Date:** June 6, 2022

**Department:** Community Development

**Topic:** Proposed Bylaw to Regulate the Erection, Height and Maintenance of Boundary Fences

**Purpose:** For Committee to review and make a recommendation to Council on the adoption of a bylaw that would regulate boundary fences on residential properties in the Township. The bylaw is meant to carry forward provisions within our current zoning bylaw that are not included in the draft new zoning bylaw. Some additional provisions are included.

The proposed bylaw does not apply to fences that are required by other bylaws, including swimming pool fences, construction barriers, or animal control fences. Likewise, it does not attempt to regulate fencing required for agricultural use or for properties that require fencing as part of a site plan control agreement.

**Background:** Section 4.12 of the Township's Zoning Bylaw 2012-35 provides provisions for the height of fences on residential use properties. It considers a smaller height in property front yards to maintain curb appeal and encourage good sight lines for road safety. Additionally, a smaller maximum height is provided adjacent to the St. Lawrence River to maintain river views. There are no proposed changes to the maximum heights in the draft bylaw.

The current zoning bylaw also prohibits dangerous materials such as barbed wire, sharp objects or electrically charged fencing to be used where the fence is adjacent to a residential use property. This provision is also proposed to carry forward.

Similar to other municipalities, the Township permits fences to be erected on a property line. The bylaw clarifies that it is the responsibility of the property owner to determine their property boundary. A required setback to a sidewalk or roadway is added so that this infrastructure can be maintained. Committee may consider that property owners be required to erect the fence with a setback from the property line, unless an agreement with the adjacent property owner is in place. Should Committee wish to enforce a required setback, the requirement for a fence permit is recommended.

Basic maintenance standards are included for safety and to maintain curb appeal. Some municipalities take additional steps to regulate the appearance of fences, including the requirement of a “good neighbour” fence, where the most visually appealing side faces the neighbour or street. Should Committee wish to further regulate these aesthetics, the requirement for a fence permit should be considered.

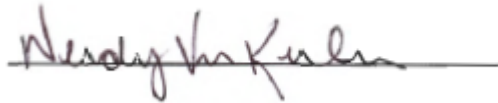
**Policy Implications:** The *Municipal Act*, section 11(3) provides that Municipalities may pass bylaws regarding structures, including fences.

The Township’s Zoning Bylaw 2012-35 section 4.12 includes provisions to regulate the height and material of fences on and adjacent to residential use properties. There are no fence provisions proposed in the draft new zoning bylaw.

There is no requirement for property owners in Edwardsburgh Cardinal to obtain a permit to erect a fence.

**Financial Considerations:** None.

**Recommendation:** That Committee recommend that Council adopt a bylaw to regulate the erection, height and maintenance of boundary fences, as attached.

A handwritten signature in dark ink, appearing to read "Wendy Van Kesteren", is written over a horizontal line.

Community Development Coordinator

**THE CORPORATION OF THE  
TOWNSHIP OF EDWARDSBURGH/CARDINAL**

**BY-LAW NO. 2022-\_\_**

**“A BY-LAW TO REGULATE THE ERECTION, HEIGHT AND MAINTENANCE OF  
BOUNDARY FENCES WITHIN THE TOWNSHIP OF EDWARDSBURGH  
CARDINAL”**

**WHEREAS** Section 8(1) of the Municipal Act, 2001, S.O. 2001, c 25, as amended, states that the powers of a municipality shall be interpreted broadly so as to confer broad authority on municipalities to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues; and

**WHEREAS** Section 8(2) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, states that in the event of ambiguity, the ambiguity shall be resolved so as to include, rather than exclude, municipal powers that existed before the Municipal Act, 2001 came into force; and

**WHEREAS** Section 9 of the Municipal Act, 2001, S.O. 2001, c.r 25, gives the municipality the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this Act; and

**WHEREAS** Section 11 (3), paragraph 7 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a lower-tier municipality may pass bylaws respecting structures including fences; and

**WHEREAS** Section 425 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a municipality may create offences for the contravention of bylaws; and

**WHEREAS** Municipal Council deems it advisable to regulate the erection, height and maintenance of boundary fences within the Township of Edwardsburgh Cardinal.

**NOW THEREFORE** the Council of the Corporation of the Township of Edwardsburgh Cardinal enacts as follows:

**1. DEFINITIONS**

For the purpose of this bylaw, the following definitions apply:

- 1.1 “Agricultural Use” shall mean the use of land, buildings or structures for:
- a) Growing crops, including all related activities such as fertilizing, planting, spraying, irrigating, harvesting and the storage and sale of crops produced;
  - b) Raising, breeding, boarding, training, keeping and/or sale of livestock, including the raising and sale of fish;
  - c) Collection, production, storage and sale of animal products such as milk, eggs, wool, fur or honey;
  - d) Greenhouse or nursery garden, including storage and sale of products produced;
  - e) Planting, harvesting and sale of forest products, including maple syrup;
  - f) Use and storage of all equipment related to the foregoing activities, including the occasional use of a portable sawmill; and
  - g) Farm-gate sales of any of the above products, provided they are produced on the farm.

Agricultural use shall not include commercial or industrial activities such as abattoirs, tanneries, kennels or manufacturing activities involving crops, animal products, lumber or wood products. An agricultural use shall include cannabis production licensed by a Federal Agency for both cultivation outdoors and indoors within a greenhouse or a similar growing environment but shall not include a cannabis production and processing facility.

- 1.2 "Fence" shall mean any barrier or structure other than a building, erected at grade on privately owned property, which is erected for the purpose of screening, safeguarding, enclosing property or delineating property lines, but does not include a hedge.
- 1.3 "Inspector" shall mean and include the following:
- a) Chief Building Official
  - b) Building Inspector
  - c) Bylaw Enforcement Officer
- 1.4 "Residential Use" shall mean a property that is being used or is intended to be used for residential purposes, but does not include properties where the residential use is accessory to another use.
- 1.5 "Township" means the Corporation of the Township of Edwardsburgh Cardinal.
- 1.6 "Yard" shall mean an open, uncovered space appurtenant to a building or structure:
- 1.6.1 "Front Yard" shall mean a yard extending across the full width of the lot between the front lot line and the nearest part of any main building or structure on the lot.
  - 1.6.2 "Rear Yard" shall mean a yard extending across the full width of the lot between the rear lot line and the nearest part of any main building or structure on the lot.
  - 1.6.3 "Side Yard" shall mean a yard extending from the front yard to the rear yard between the side lot line and nearest part of any main building or structure on the lot.
    - 1.6.3.1 "Exterior Side Yard" shall mean a side yard abutting a street.
    - 1.6.3.2 "Interior Side Yard" shall mean a side yard other than an exterior side yard.

## **2. EXEMPTIONS**

- 2.1 The provisions of this bylaw do not apply to:
- a) a fence erected on lands used for an agricultural operation;
  - b) a fence constructed as per the Township's Animal Control Bylaw;
  - c) noise attenuation barriers or screening required by the Township as per a Site Plan Control Agreement;
  - d) temporary boarding and fencing erected around construction sites as per the Township's Building Bylaw; and
  - e) pool enclosures as per the Township's Building Bylaw.

## **3. GENERAL PROVISIONS**

- 3.1 Fences or similar barriers constructed in any side or rear yard in any residential use property shall be no higher than 1.83 m (6 ft), with the exception of a fence or similar barrier constructed in any side or rear yard in any residential use property adjacent to the St. Lawrence River where a fence or similar barrier shall be no higher than 1.2 m (4 ft) within 15.2 m (50 ft) of the water's edge.
- 3.2 Fences or similar barrier constructed in any front yard in any residential use property shall be no higher than 0.91 m (3 ft).
- 3.3 Barbed wire, spire tips, sharp objects, electrically charged fences or any other fence material which poses a safety hazard shall not be on or adjacent to any residential use property.
- 3.4 Every person who erects a fence or causes a fence to be erected shall keep such fence:

- a) in good repair;
  - b) in a safe and structurally sound condition; and
  - c) free from accident hazards.
- 3.5 Fences may be erected on the property line. It is the responsibility of the property owner erecting the fence to determine and demonstrate the property line. Boundary line disputes must be resolved by the owners themselves. Consultation with an Ontario Land Surveyor may be required.
- 3.6 Despite provision 3.5 to this bylaw, no fence shall be erected within 45cm (18 in) of a public highway or sidewalk.
- 3.7 Nothing in this bylaw shall prevent the continued use and maintenance of a fence if such fence was lawfully erected prior to the effective date of this bylaw.

#### **4. ENTRY AND INSPECTION**

- 4.1 Every Inspector shall be authorized to enforce the provisions of this bylaw.
- 4.2 An Inspector or their designate may at any time, enter onto a property without notice and without consent of the owner in order to determine whether this bylaw is being complied with and to monitor compliance progress.

#### **5. ENFORCEMENT AND PENALTIES**

- 5.1 No person shall obstruct or hinder or attempt to obstruct or hinder an Enforcement Officer, or other authorized employee or agent of the Township in the exercise of a power or the performance of a duty under this bylaw.
- 5.2 Every person who contravenes any provision of this bylaw is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c. P. 33, as amended.
- 5.3 Upon registering a conviction for a contravention of any provision of this bylaw, the court in which the conviction has been entered, may in addition to any other remedy and to any penalty imposed by this bylaw, make an order prohibiting the continuation or repetition of the offence by the person convicted, pursuant to Section 431 of the Municipal Act, 2001, as amended.
- 5.4 Where a person fails or defaults to carry out any direction or action required by the Township as authorized by this bylaw, upon reasonable and written notice, the Township may proceed to do such things or carry out such actions as directed at the expenses of the person and such expenses may be recovered by the Township in a like manner as taxes in accordance with the provisions of Section 326 of the Municipal Act, 2001, as amended.

#### **6. VALIDITY AND SEVERABILITY**

- 6.1 If any section, subsection, clause, paragraph or provision of this bylaw or parts thereof are declared by a court of competent jurisdiction to be invalid, unenforceable, illegal or beyond the powers of Municipal Council to enact, such section, subsection, clause, paragraph, provision or parts thereof shall be deemed to be severable and shall not effect the validity or enforceability of any other provisions of the bylaw as a whole or part thereof and all other sections of the bylaw shall be deemed to be separate and independent there from and enacted as such.
- 6.2 Whenever any reference is made under this bylaw to a statute or regulation of the Province of Ontario, such reference shall be deemed to include all subsequent amendments to such statute or regulation and all successor legislation to such legislation.
- 6.3 That this bylaw shall come into force and take effect on its passing.



Read a first and second time in open Council this \_\_\_\_ day of \_\_\_\_\_, 2022.

Read a third and final time, passed, signed and sealed in open Council this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Clerk**

DRAFT

**Committee:** Committee of the Whole – Community Development

**Date:** June 6, 2022

**Department:** Community Development

**Topic:** Site Plan Control Approval Process and Delegation of Approval Authority

**Purpose:** To review the Township’s site plan control approval process and assign approval authority to a staff member.

**Background:** On March 30, 2022, the government introduced Bill 109, the More Homes for Everyone Act. The Bill was passed by the Legislature and received Royal Assent on April 14, 2022. Bill 109 introduces a range of cross-government initiatives with a goal to increase housing supply, address market speculation, and protect homebuyers, owners and renters.

These initiatives include a number of changes to the Planning Act, including changes to Section 41, which relates to site plan control. The changes:

- establish complete application requirements for site plan control, with recourse if the application has not been deemed complete within 30 days of acceptance by the municipality;
- extend site plan control application timelines from 30 to 60 days, and
- require that site plan control decisions be made by staff (instead of municipal councils or committees of council) and that this will apply to all site plan applications received on or after July 1, 2022.

The new authority in effect “assigns” the power to approve site plans and/or drawings, including any conditions, to municipal staff and requires council to pass a bylaw to identify the person(s) (i.e., an officer, employee or agent of the municipality) who will carry out the site plan approvals. The approval may also include requirements for agreements. For applications submitted on and after July 1, 2022, Councils will have no authority to give site plan approvals. The changes do not impact the identification of the signatory(ies) of those agreements on behalf of municipalities.

Staff have prepared a general overview of the proposed review process for site plan control applications under the new Planning Act requirements. The process assumes

that an agreement will be signed and registered on title to ensure that development and maintenance proceeds in accordance with the approved plans and drawings.

Additional changes to Section 41 of the Planning Act will require a gradual refund of site plan application fees for all applications received on or after January 1, 2023 if an approval is not made within the following legislated timelines:

- 50% of the fee if the decision is not made within 60 days from the date the municipality received the complete application and fee
- 75% of the fee if the decision is not made within 90 days from the date the municipality received the complete application and fee, and
- 100% of the fee if the decision is not made within 120 days from the date the municipality received the complete application and fee.

**Policy Implications:** Bylaw 2002-31 designates all lands within the Township of Edwardsburgh Cardinal as a Site Plan Control Area, specifies the land uses that are subject to the provisions of the bylaw and provides application submission requirements for site plan control.

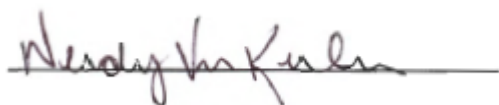
The Township's Official Plan section 7.3 provides the policy framework which encourages the use of site plan control to ensure functional and aesthetically pleasing, safe development and redevelopment throughout the Township.

The new subsection 41 (4.0.1) of the Planning Act is the provision that would govern the identification of the individuals who would be empowered to give site plan approval.

*(4.0.1) A council that passes a by-law under subsection (2) shall appoint an officer, employee or agent of the municipality as an authorized person for the purposes of subsection (4).*

**Financial Considerations:** It is noted that the required refund of application fees for late decisions may have financial impacts to the municipality in 2023.

**Recommendation:** That Committee recommend that Council appoint the CAO as the authorized person to give site plan approval required by section 41(4.0.1) of the Planning Act.



Community Development Coordinator

# SITE PLAN CONTROL

## Application Review Process

### PRECONSULTATION

Developer initiates the preconsultation stage by providing the Community Development Coordinator with conceptual drawings and a written description of planned development and operations on the site. Staff confirm appropriate zoning is in place and engage relevant agencies and authorities in the review process.

Community Development Coordinator compiles comments and provides a preconsultation package to the developer, which outlines the required documents/plans to be included with the application.



Agencies and Authorities may include, but are not limited to:

- Planner of Record
- TWPEC Building Department
- Public Works Department
- Conservation Authority
- United Counties of Leeds and Grenville
- Various Provincial Ministries
- Other Approval Authorities

### APPLICATION

Developer submits application form, required fee and supporting plans/documents as required by the preconsultation package.

The Community Development Coordinator circulates the application to relevant agencies and authorities for comment. Peer Reviews may also be requested at this stage.

Township Staff notify the applicant that a complete application has been received or provide a list of outstanding items.

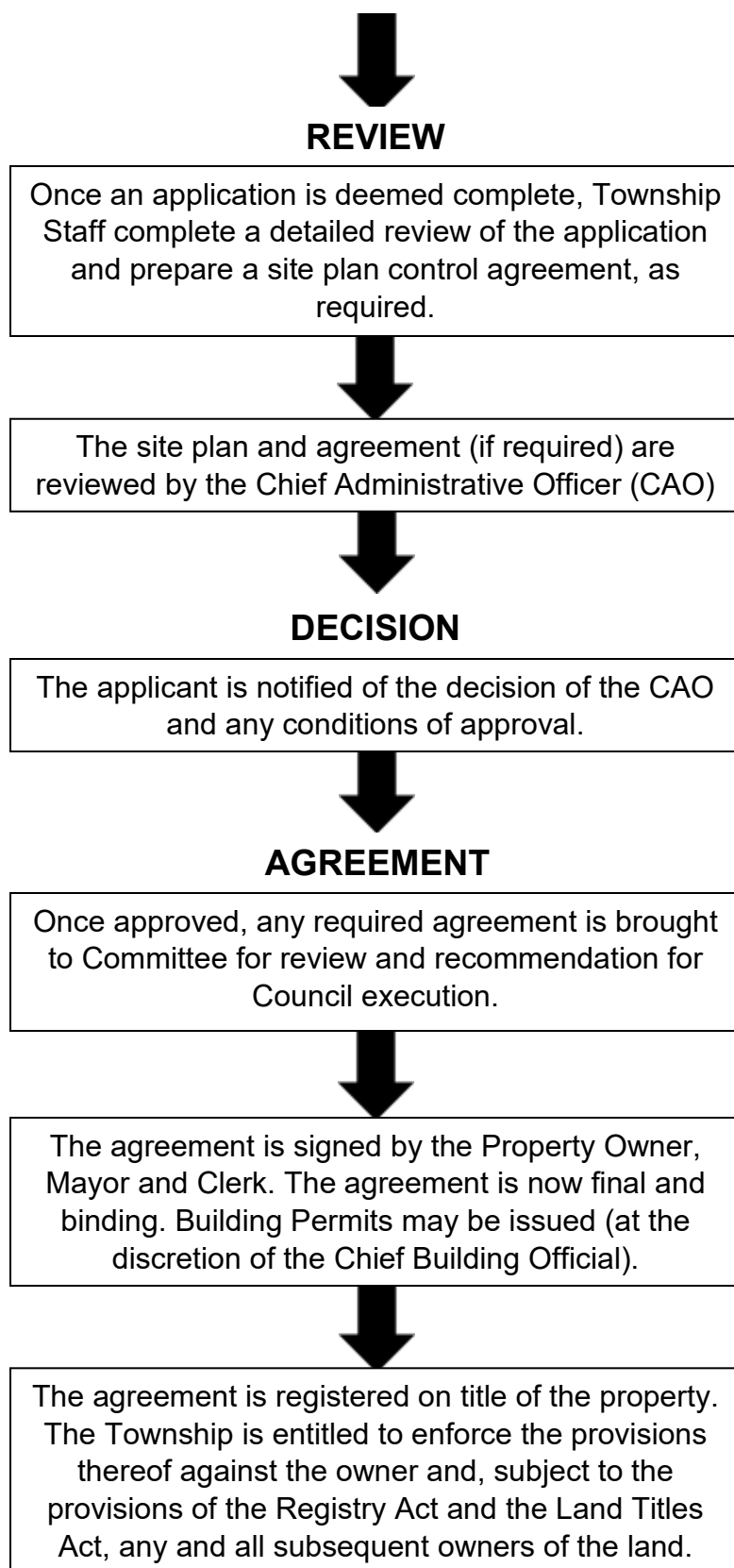


### 30 DAYS

Within 30 days after a negative notice is given under subsection (3.6), the applicant or municipality may make a motion for directions to have the Tribunal determine,  
(a) whether the plans and drawings and the information and material have in fact been provided; or  
(b) whether a requirement made under subsection (3.4) is reasonable.

If the municipality does not give any notice under subsection (3.6), the applicant may make a motion under subsection (3.7) at any time after the 30-day period described in subsection (3.6) has elapsed.

*Planning Act Section 41(3.7),(3.8)*

**60 DAYS**

If the municipality fails to approve the plans or drawings referred to in subsection (4) within 60 days after they are submitted to the municipality, the owner may appeal the failure to approve the plans or drawings to the Tribunal by filing with the clerk of the local municipality a notice of appeal accompanied by the fee charged by the Tribunal. 2017, c. 23, Sched. 3, s. 13 (1); 2021, c. 4, Sched. 6, s. 80 (1).

*Planning Act Section 41(12)*



If the owner of the land is not satisfied with any requirement made by the municipality under subsection (7) or by the upper-tier municipality under subsection (8) or with any part thereof, including the terms of any agreement required, the owner may appeal the unsatisfactory requirements, or parts thereof, including the terms of any agreement required, to the Tribunal by filing with the clerk of the local municipality a notice of appeal accompanied by the fee charged by the Tribunal. 2017, c. 23, Sched. 3, s. 13 (1); 2021, c. 4, Sched. 6, s. 80 (1).

*Planning Act Section 41 (12.0.1)*

## MEDIA RELEASE

FOR IMMEDIATE RELEASE

May 27, 2022

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### Add Your Voice to a New Regional Tourism Strategy

If you have a vision on how to position the region's 1000 Islands, Rideau Canal, inland lakes, unique heritage and attractions for future growth - the time to add your voice is now.

The United Counties of Leeds and Grenville is calling on residents and stakeholders to help develop the first regional tourism destination strategy and action plan for future growth and development. Public input is essential to its success.

"The goal is to build on our existing strengths, assets and partnerships while strategically repositioning this region to help it rebound and grow," said Ann Weir, Manager of the Counties Economic Development Office.

"Our tourism and hospitality sectors were the hardest hit by the pandemic and a new action plan will help these sectors in recovery and future development," Ms. Weir said.

You can help by participating in a survey and / or joining a virtual session. The survey will take you 5-7 minutes to complete, with your responses only analyzed in aggregate by the Counties project partner, Twenty31 Consulting. Responses will be kept strictly confidential and no personal information will be made public.

The Interactive Virtual Consultation Session will be held Wednesday, June 8, from 7-9 p.m. Complete the survey or register for the session by visiting [invest.leedsgrenville.com/tourism](http://invest.leedsgrenville.com/tourism).

Your views on the challenges and opportunities facing the region's tourism industry, your vision for tourism in the Counties over the next few years, and the programs and policies the region needs in place to help realize that vision are encouraged.

The Counties started the process in April. To date, consultants have held sessions to gather the views of elected officials, municipal staff, key tourism and hospitality stakeholders, industry leaders and regional organizations. An extensive review of the existing tourism landscape and surrounding regions is also underway.

Attention is being paid to environmental stewardship, diversity and inclusion principles, community lifestyle and wellbeing. Once public consultation is complete, consultants will recommend a regional tourism strategy, a destination management and development plan, a destination marketing plan as well as detailed action plans.

Add your voice!

-30-

**Media inquiries:**

Shelbi McFarlane, Business Development Officer,  
United Counties of Leeds and Grenville  
613-342-3840, ext. 5361, [Shelbi.mcfarlane@uclg.on.ca](mailto:Shelbi.mcfarlane@uclg.on.ca)