THE CORPORATION OF THE

MUNICIPALITY OF NORTH PERTH

BY-LAW No. 6 - ZB - 1999

(As approved by the Ontario Municipal Board November 16, 1999)

OFFICE CONSOLIDATION

(Incorporates Zoning By-law Amendments in force as of October 1, 2026)

MUNICIPALITY OF NORTH PERTH ZONING BY-LAW NO. 6-ZB-1999

(Consolidated through to October 1, 2026)

This consolidation of the Municipality of North Perth Zoning By-law No. 6-ZB-1999, and the various amendments thereto, has been prepared for use by Municipal Officials in the administration of the Municipality's Zoning By-law. This consolidated By-law includes all of the amendments to Zoning By-law No. 6-ZB-1999 that were legally in force as of **October 1, 2026**. A listing of these various amendments is included in this consolidated By-law.

North Perth Council wishes to emphasize that the attached Zoning By-law is only a consolidation of By-law No. 6-ZB-1999 and amendments thereto, legally in force as of **October 1, 2026**. It is not a true copy of the By-law No. 6-ZB-1999 or the amendments thereto as adopted by Municipal Council and it should not be used as a true copy. The accuracy of the zoning information in this consolidated By-law should be confirmed by reviewing a true copy of By-law No. 6-ZB-1999 and the applicable amendment(s). A true copy of By-law No. 6-ZB-1999 and the amendments thereto are available for review at the Municipal Office.

In order to assist in identifying where amendments have been incorporated into this consolidated By-law, notations have been included in the above amended text. The notations refer to the amending By-law No. and are in subscript print (e.g. ADDED BY BY-LAW NO. 14-2009).

In addition, lands shown with an asterisk (*) on the attached Key Maps indicate the location of land affected by an approved Committee of Adjustment application (i.e. Minor Variance or Permission) and the associated file number.

For the purpose of providing greater clarity in the administration of this By-law, the lot fabric of approved and draft approved plans of subdivision have been shown on the various Key Maps of the Zoning By-law. The lot fabric of approved plans of subdivision has been shown with solid lines and the proposed lot fabric of the draft approved plans of subdivision have been shown with dash lines.

In addition, road name changes which have been approved by By-law of the Council of the Municipality of North Perth have also been included in this consolidation.

Municipality of North Perth Comprehensive Zoning By-law No. 6-ZB-1999

TABLE OF CONTENTS

Section 1 - General 1-1
Section 2 - Administration, Enforcement, and Penalties 2-1
Section 3 - Definitions 3-1
Section 4 - Zones and Interpretation 4-1
Section 5 - General Provisions 5-1
Section 6 - Agricultural Zone (A) 6-1
Section 7 - Residential Zone One (R1) 7-1
Section 8 - Residential Zone Two (R2) 8-1
Section 9 - Residential Zone Three (R3) 9-1
Section 10 - Residential Zone Four (R4) 10-1
Section 11 - Residential Zone Five (R5) 11-1
Section 12 - Residential Zone Six (R6) 12-1
Section 13 - Removed 13-1
Section 14 - Hamlet/Village Residential Zone (HVR) 14-1
Section 15 - Rural Residential Zone (RR) 15-1
Section 16 - Mobile Home/Modular Home Park Zone (MH) 16-1
Section 17 - Downtown Commercial Zone One (C1) 17-1
Section 18 - Downtown Commercial Zone Two (C2) 18-1
Section 19 - Highway Commercial Zone (C3) 19-1
Section 20 - Local Convenience Commercial Zone (C4) 20-1
Section 21 - Special Area Commercial Zone (C5) 21-1
Section 22 - Hamlet/Village Commercial Zone (HVC) 22-1
Section 23 - Agricultural Commercial/Industrial Zone (ACM) 23-1
Section 24 - Light Industrial Zone (M1) 24-1
Section 25 - General Industrial Zone (M2) 25-1
Section 26 - Mineral Aggregate Resources Zone (MAR) 26-1
Section 27 - Institutional Zone (IN) 27-1
Section 28 - Park and Recreation Zone (PR) 28-1
Section 29 - Future Development Zone (FD) 29-1
Section 30 - Natural Resources/Environment Zone One (NRE1) 30-1
Section 31 - Natural Resources/Environment Zone Two (NRE2) 31-1
Section 32 - Flood Plain Zone (FP) 32-1
Section 33 - Flood and Fill Constraint Area Overlay (FFCA) 33-1
Section 34 - Adjacent Land Area Overlay (AL) 34-1
Section 35 - Holding Zone (-h) 35-1
Schedule A ..... Index Map, Legend and Key Maps

The Comprehensive Zoning By-law of the Municipality of North Perth
By-law No. 6-ZB-1999

Being a By-law under Section 34 of the Planning Act, R.S.O. 1990 to regulate the use of land and the character, erection, location and use of buildings and structures and to prohibit certain buildings, structures and uses in various defined areas of the Municipality of North Perth.

WHEREAS the Council of the Corporation of the Municipality of North Perth deems it expedient to implement the Official Plan for the County of Perth and the Official Plan for the Listowel Ward of the Municipality of North Perth, and considers it advisable to restrict, prohibit and regulate the use of land and the character, location and use of buildings for the purpose of preventing adverse effects within municipality, promoting orderly development, and protecting the natural environment;

NOW THEREFORE THE COUNCIL OF THE MUNICIPALITY OF NORTH PERTH ENACTS AS FOLLOWS:

SECTION 1 - GENERAL

1.1 TITLE

This By-law shall be known as the "Zoning By-law" of the Municipality of North Perth.

1.2 APPLICATION

The provisions of this By-law shall apply to all lands within the boundaries of the Municipality of North Perth.

1.3 CONFORMITY REQUIREMENTS

1.3.1 No person shall use any land or erect, locate, alter, or use any building, structure or part thereof within the boundaries of the Municipality of North Perth except in conformity with the provisions of this By-law.

1.3.2 No person shall use any building, structure or part thereof, erected, located, or altered in contravention of this By-law so long as such building, structure, or part thereof, continues to contravene the provisions of this By-law.

1.3.3 No lot shall be reduced in area by the conveyance, mortgage, or other alienation of a part thereof so that the area of such lot or the applicable site requirements contained in this By-law are less than that required by this By-law. If any such reduction occurs, such lot and any building or structure situated thereon shall not thereafter be used by any person unless and until the said lot area or other applicable site requirement of this By-law are complied with.

1.3.4 Subsection 1.3.3 above shall not apply to a lot reduced in area by the conveyance to, or expropriation by, the Municipality of North Perth or any other authority having the powers of expropriation.

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

1.4 REPEAL OF EXISTING BY-LAWS

From the coming into force of this By-law, all previous Zoning By-laws that have been adopted by the Council of the Municipality of North Perth or by the Councils of the former municipalities that joined to constitute the Municipality of North Perth shall be repealed, including By-law No, 1, 121 of the former Town of Listowel.

1.5 SEVERABILITY

If any section, clause, or provision of this By-law, including anything contained in Schedule "A" attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any other part thereof other than the section, clause, or provision so

declared to be invalid and it is hereby declared to be the intention that all remaining sections, clauses, or provisions of this By-law shall remain in full force and effect in the Municipality of North Perth until repealed, notwithstanding that one or more sections, clauses, or provisions thereof shall have been declared to be invalid.

1.6 UNLAWFUL USES

Any use established in violation of a predecessor of this By-law shall be deemed to have been established unlawfully and therefore shall be considered to be an unlawful or illegal use under the provisions of this By-law.

1.7 EFFECTIVE DATE

This By-law shall come into force on the day it is passed by the Council of the Municipality of North Perth, pursuant to the provisions of the Planning Act, and to Regulations thereunder.

SECTION 2 - ADMINISTRATION, ENFORCEMENT, AND PENALTIES 2.1 ADMINISTRATION

This By-law shall be administered and enforced by such person or persons as shall be appointed from time to time by By-law of the Corporation.

2.2 PERMITS, CERTIFICATES, AND LICENCES

No permit, certificate, or license shall be issued by the Municipality where such permit, certificate, or license is required for any use of land or the erection, alteration, enlargement, or use of any building or structure that is in violation of the provisions of this By-law.

2.3 INSPECTION OF PREMISES

2.3.1 The Zoning Administrator, Chief Building Official, or any employee of the Corporation acting under the direction of the Zoning Administrator is hereby authorized, at any reasonable time and upon producing proper identification, to enter upon any property or premises for the purpose of discharging his duties under the provisions of this By-law, on or in respect of which the Zoning Administrator believes on reasonable grounds that a contravention of this By-law is occurring.

2.3.2 Notwithstanding the above, the Zoning Administrator, Chief Building Official, or any employee of the Municipality acting under the direction of the Zoning Administrator shall not enter any building, structure, or part thereof which is being used as a dwelling without requesting and obtaining the consent of the property owner or occupant, first having informed the owner or occupant that the right of entry may be refused and entry made only under the authority of a search warrant issued under the Provincial Offences Act.

2.4 BUILDING PERMITS

Notwithstanding the provisions of the Municipality's Building By-law, or any other Bylaw of the Corporation, no building permit shall be issued where the proposed building, structure, or use would be in violation of any of the provisions of this Bylaw.

2.5 MOVING OF BUILDINGS

Any building or structure that is moved from within the boundary of the Municipality or from beyond the boundary of the Municipality to a site within any zone category established by this By-law shall be considered as being a new building or structure and shall be required to comply with the provisions of this By-law. Further, no building or structure shall be moved within the boundary of the Municipality or shall be moved into the Municipal limits from outside without a building permit issued by the Municipality.

2.6 VIOLATIONS AND PENALTIES

2.6.1 Every person who contravenes this By-law and, if the person is a corporation, every director or officer of the corporation who knowingly

concurs in the contravention, is guilty of an offence and on conviction is liable,

(a) On a first conviction to a fine of not more than $25,000.00; and

(b) On a subsequent conviction to a fine of not more than $10,000.00 for each day or part thereof upon which the contravention has continued after the day on which such person was first convicted.

2.6.2 Where a corporation is convicted under subsection 2.6.1, the maximum penalty that may be imposed is,

(a) On a first conviction a fine of not more than $50,000.00; and

(b) On a subsequent conviction to a fine of not more than $25,000.00 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted, and not as provided in subsection 2.6.1.

2.6.3 Where a person who is guilty of an offence under the provisions of this By-law has been directed to remedy any violation and is in default of doing such matter or thing required, such matter or thing shall be done at his expense.

AMENDED BY BY-LAW No. 2-2009

2.6.4 Where a person has refused or neglected to reimburse the Municipality for the cost of work, matter, or thing done, the cost may be recovered by the Municipality in the like manner as municipal taxes or other method as referred to in Section 427 of the Municipal Act, S.O. 2001, c. 25, as amended.

2.6.5 Notwithstanding the above-noted provisions, if Section 67 of the Planning Act, R.S.O. 1990 is amended, the amended fines shall be deemed to apply to this Bylaw.

2.7 REMEDIES

In case any building or structure is to be erected, altered, reconstructed, extended or part thereof is to be used, or any lot is to be used, in contravention of any of the requirements of this By-law, such contravention may be restrained by action at the instance of any ratepayer or of the Municipality pursuant to the provisions of the Planning Act, and the Municipal Act, as amended.

2.8 CONFORMITY INFORMATION

2.8.1 Any person requiring written information from the Municipality as to whether a lot is being used or that the use and/or location of any buildings and structures situated thereon is in conformity with the provisions of this By-law shall provide the following to the Zoning Administrator:

(a) An application fee in an amount as established by Council for such written information;

(b) A plan of survey signed by an Ontario Land Surveyor showing the boundaries of the lot in question and the location of all buildings and structures situated on the lot;

(c) A statement or affidavit signed by the owner of the lot indicating the exact use of the lot and of all buildings and structures situated on the lot; and

(d) Any other information as may be required by the Zoning Administrator to assist in determining whether the use of the lot and the use and location of the buildings and structures conform to the provisions of this By-law.

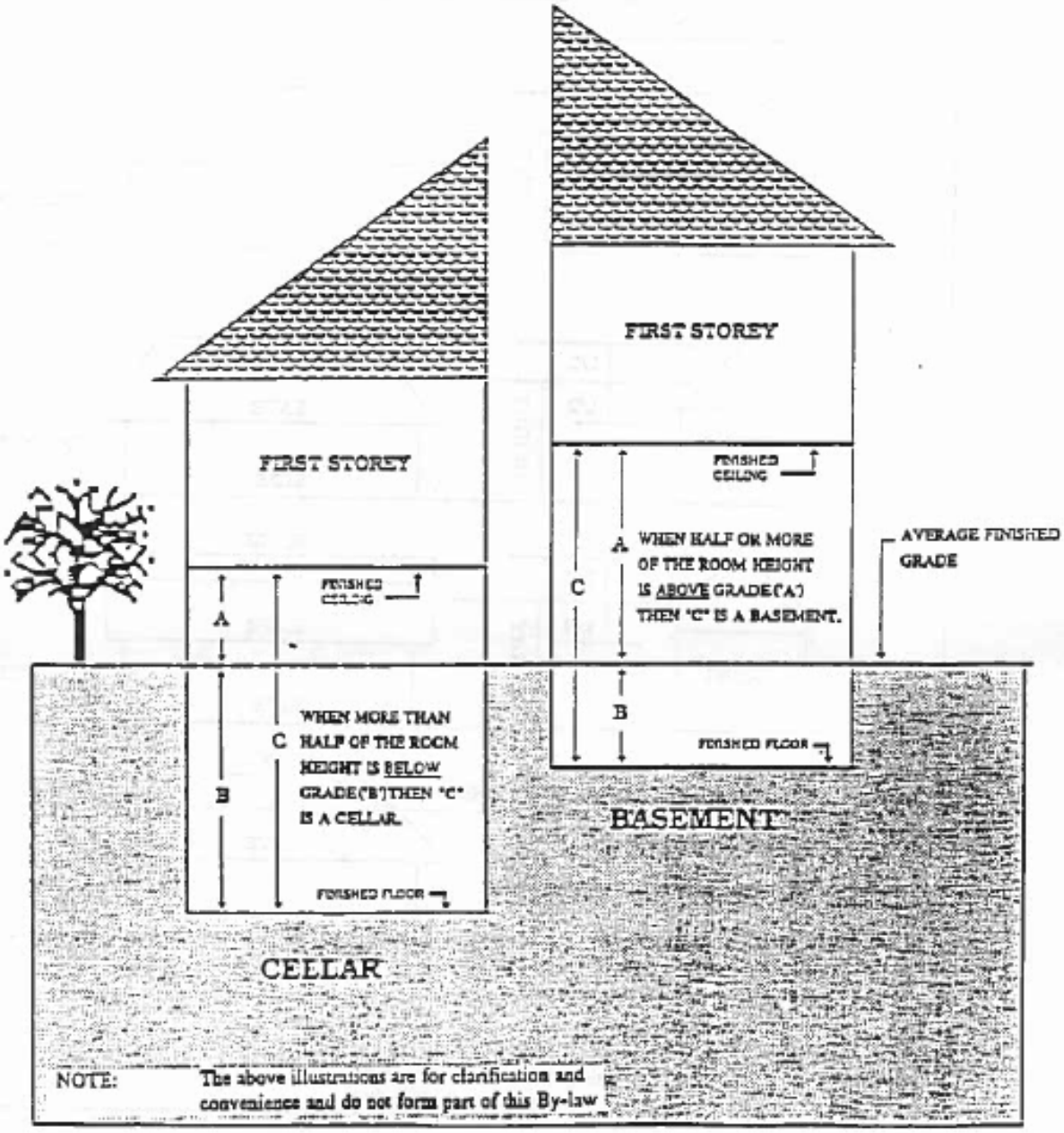
2.8.2 The Zoning Administrator hereby has the authority and the right to waive the requirement for any of the information referred to in Subsection 2.8.1 above if he determines that such is not necessary for him to satisfactorily respond to the request for conformity information.

2.9 MEASUREMENT

2.9.1 All measurements are stated in the By-law and no rounding shall apply, unless otherwise specified.

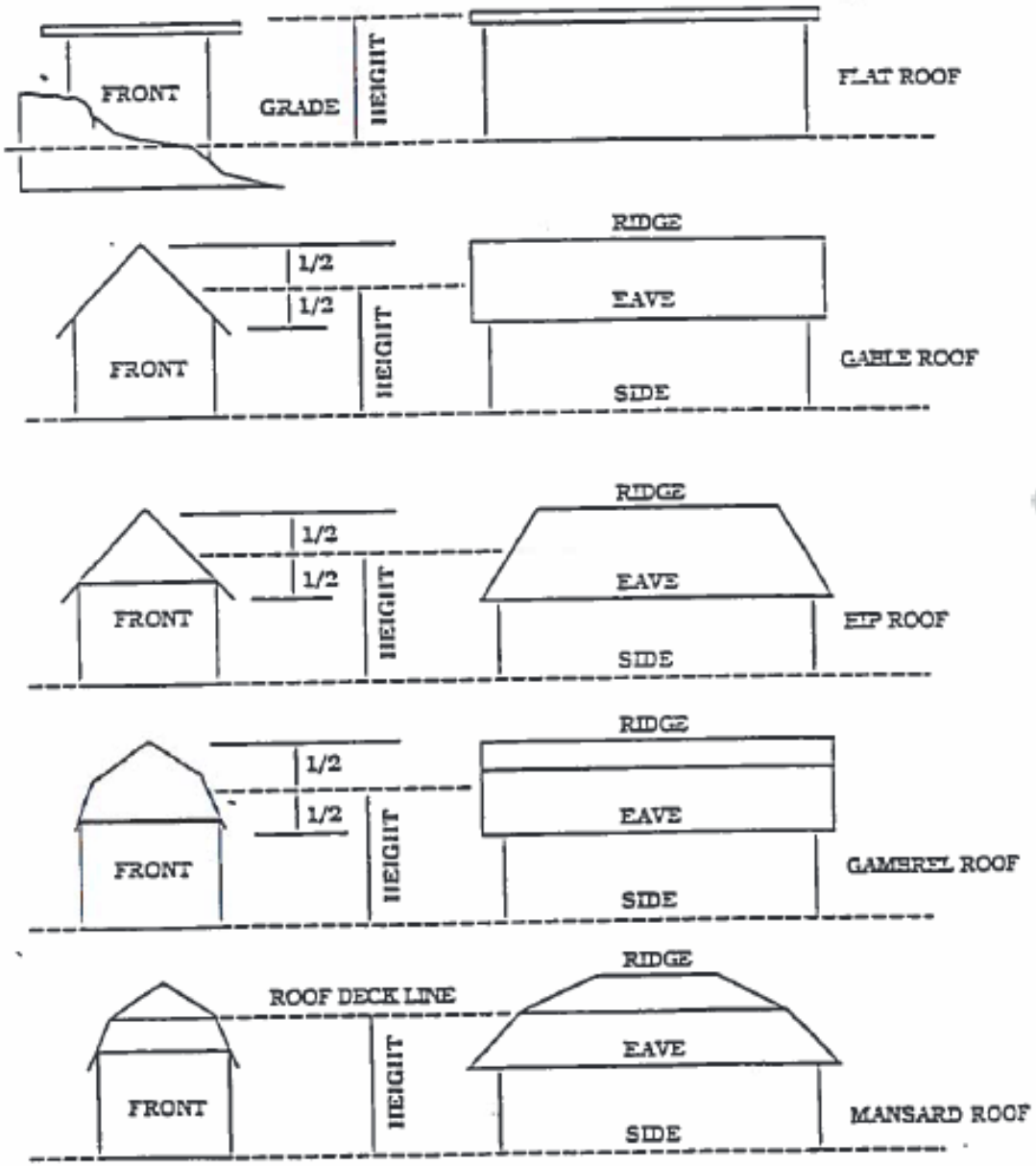
2.9.2 Where measurements are stated by the By-law in both metric and imperial units, the metric measurement is the requirement. Imperial unit equivalents are approximate and provided solely for the convenience of the reader.

BASEMENT AND CELLAR DEFINITIONS



NOTE: The above illustrations are for clarification and convenience and do not form part of this By-law

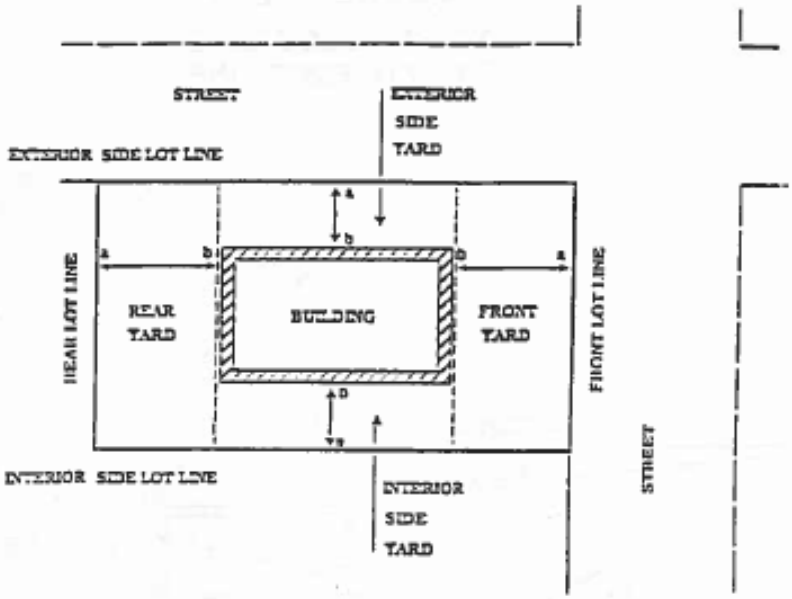
GUIDE TO
BUILDING HEIGHT DEFINITIONS



NOTE: The above illustrations are for clarification and convenience and do not form part of this By-law

CORNER LOT

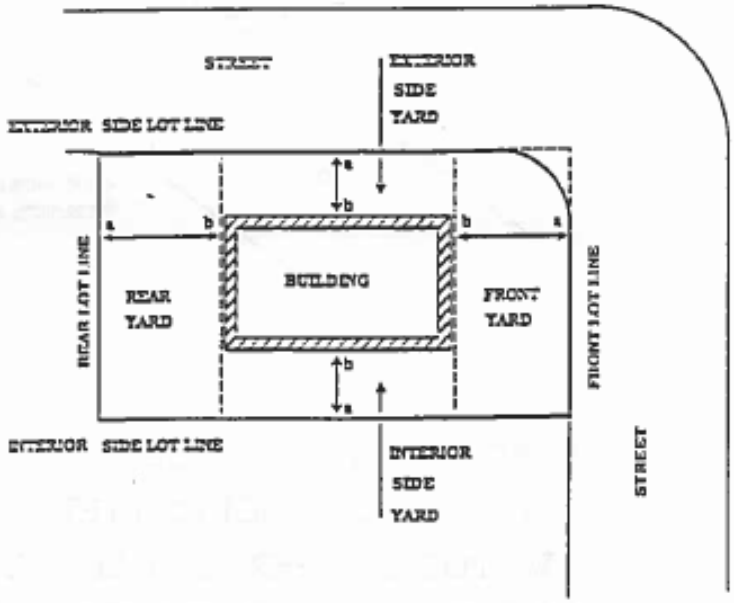
PARALLEL LOT LINES
YARD DEFINITIONS



DISTANCE ab REPRESENTS THE DEPTH OF THE REQUIRED YARD MEASURED AS LEAST HORIZONTAL DIMENSION BETWEEN LOT LINE AND NEAREST PART OF MAIN BUILDING. DISTANCE ab MUST BE THE MINIMUM DISTANCE SPECIFIED IN BY-LAW.

CORNER LOT

CURVED LOT LINE
YARD DEFINITIONS



DISTANCE ab REPRESENTS THE DEPTH OF THE REQUIRED YARD MEASURED AS LEAST HORIZONTAL DIMENSION BETWEEN LOT LINE AND NEAREST PART OF MAIN BUILDING. DISTANCE ab MUST BE THE MINIMUM DISTANCE SPECIFIED IN BY-LAW.

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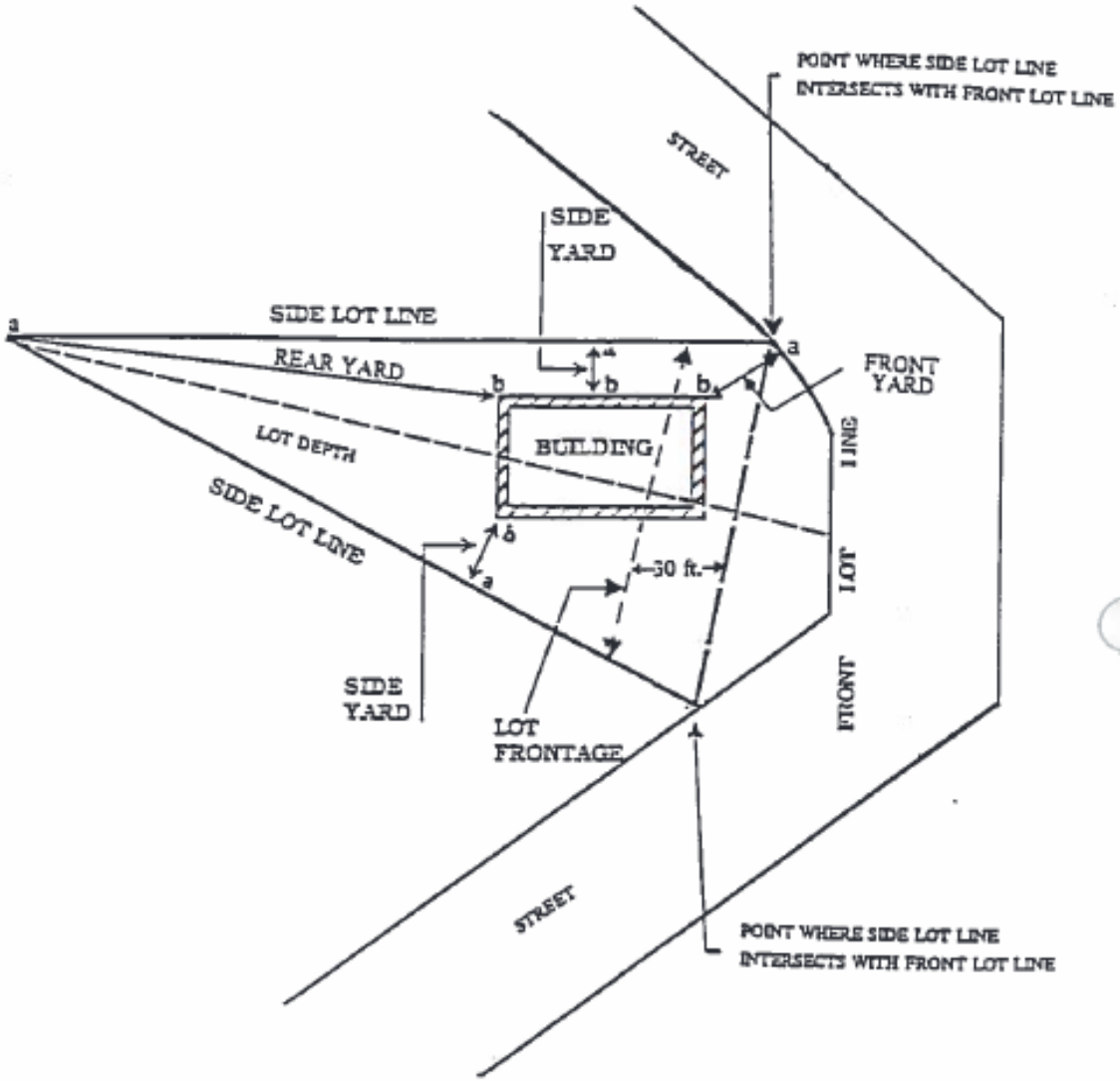
IRREGULAR LOT

NO REAR LOT LINE
YARD DEFINITIONS

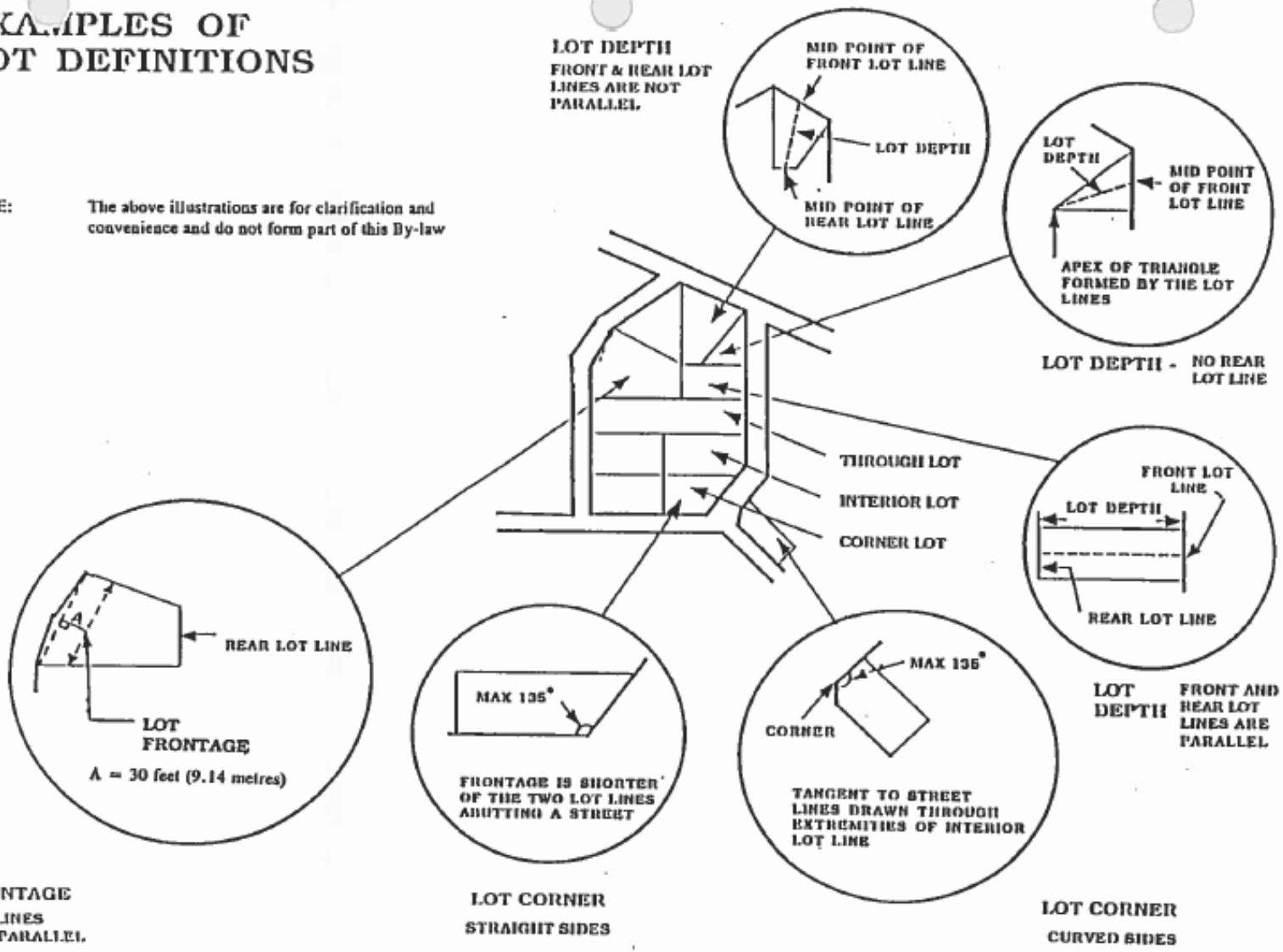


CORD OF LOT FRONTAGE
ESTABLISHED BY JOINING THE
TWO POINTS WHERE SIDE LOT LINE
INTERSECTS THE FRONT LOT LINE

NOTE: The above illustrations are for clarification and convenience and do not form part of this By-law

EXAMPLES OF LOT DEFINITIONS

NOTE: The above illustrations are for clarification and convenience and do not form part of this By-law



SECTION 3 - DEFINITIONS

For the purpose of this By-law, the definitions that are provided in this Section shall govern unless specifically indicated otherwise in other parts of this By-law.

Accessory means a use or a detached building or structure that is naturally and normally incidental, subordinate and exclusively devoted to supporting the principle use, building or structure and located on the same lot therewith, but does not include a dwelling unless otherwise specified.

AMENDED BY BY-LAW No. 1-2017

Adult Entertainment Parlour means any premises or any part of them is an adult entertainment establishment if, in the pursuance of a business,

(a) Goods, entertainment or services that are designed to appeal to erotic or sexual appetites or inclinations are provided in the premises or part of the premises; or

(b) Body-rubs, including the kneading, manipulating, rubbing, massaging, touching or stimulating by any means of a person's body, are performed, offered or solicited in the premises or part of the premises, excluding premises or part of them where body-rubs performed, offered or solicited are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered to do so under a statute of Ontario.

Agricultural Use means a use of land, building, or structure for the purpose of animal husbandry, bee-keeping, dairying, fallow, field crops, forestry, maple syrup production, fruit farming, horticulture, pasturage, poultry-keeping, or any other farming use, and includes the growing, raising, packing, treating, storing, and sale of produce produced on the premises.

Airfield means a facility used for the landing, departure and storage of small privately-owned aircraft for personal use and shall not include a commercial airport.

Alter when used in reference to a building, structure, or part thereof, means to change any one or more of the internal or external dimensions of such building or structure or to change the type of construction of the exterior walls or roof thereof, or a change from one type of occupancy to another, or a structural alteration or change thereto. When used in reference to a lot, the word "alter" means a change in use, or a decrease or increase in the width, depth, or area thereof or to decrease or increase the width, depth, or area of any required yard, setback, landscaped open space, or parking area or to change the location of any boundary of such lot with respect to a street or lane, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise. The words "altered" and "alteration" shall have corresponding meanings.

AMENDED BY BY-LAW No. 1-2017

Amenity Space means the total area or areas within a lot provided for the use of the residents of a residential building or a commercial building containing residential units

located on the lot for the purpose of personal recreation space or shared recreation space.

Animal Clinic means the premises of a veterinary surgeon where domestic animals, birds, or other livestock are treated and/or kept. Animal clinic does not include a kennel.

AMENDED BY BY-LAW No. 1-2017

Antique Store means a retail store selling any old and authentic objects of personal property which were made, fabricated or manufactured sixty or more years earlier and which have a unique appeal and enhanced value mainly because of its age, and, in addition, may include the sale of any article of personal property which was made, fabricated or manufactured twenty or more years earlier and because of public demand had attained a value in a recognized commercial market which is in excess of its original value.

Arterial Road means an arterial road as designated on Schedule "B" to the Official Plan for the Listowel Ward.

AMENDED BY BY-LAW No. 1-2017

Artisan's Establishment means an establishment used for the study or instruction of a performing or visual art such as dancing, music or painting or other similar uses or the workplace of an artisan such as a painter, sculptor, photographer, dressmaker or tailor together with the accessory retailing of paintings, sculpture, photography or handcrafts or other similar uses.

Assembly Hall means a building, or part thereof, in which facilities are provided for such purposes as meetings for civic, educational, political, religious, or social purposes and shall include a banquet hall, private club, hall for a fraternal organization, and a community centre.

AMENDED BY BY-LAW No. 1-2017

Automobile Parts Supply Store means a building or part thereof used for the sale and delivery of new motor vehicle parts, and equipment and devices to an automobile repair establishment or the sale of same directly to the public over a counter.

Auction Establishment means a building or part thereof used for the retail sale of articles or goods to members of the public bidding the highest offer for the article during the selling proceedings.

Automobile Gasoline Bar means one or more pump islands, each consisting of one or more gasoline pumps, with an enclosed shelter in the form of a kiosk or a portion of a building on the lot (e.g. convenience store) where the kiosk or portion of a building used for gasoline bar purposes does not exceed 10 square m (107.64 sq. ft.) in area, excluding any area used for washroom facilities. Said shelter shall not be used for the sale of any product other than lubricants and small accessories required for the operation of motor vehicles and shall not be used for repairing of vehicles.

Automobile Parts and Service Establishment means an establishment devoted

exclusively to the sale of automotive equipment, parts or the repair of same.

Automobile Repair Establishment means a building or other structure where the repairing, rebuilding, or reconditioning of motor vehicles or parts thereof, including body and fender work, painting, rustproofing, and steam cleaning, is carried on but does not include an automobile service station or a salvage or wrecking yard.

Automobile Sales and Service Establishment means a building and/or lot used for the display and selling/leasing/renting of new and/or used motor vehicles and the servicing, repair, cleaning, rustproofing, polishing, and greasing of these products, the sale of automotive accessories and related products, and the retail sales of automotive fuels and lubricants.

Automobile Service Station means a building designed, intended, or used for the sale of automotive fuels and lubricants and/or providing minor repairs essential to the running of a motor vehicle, and/or the washing of motor vehicles.

Automobile Washing Establishment means a building, structure, or facility designed, intended, or used exclusively for the washing of motor vehicles. Such use may also include the retail sale of automotive fuels and lubricants.

Bakery means a building for producing, mixing, compounding or baking bread, biscuits, cakes or other baked products. The sale of goods produced on the premises shall be permitted as an accessory use.

AMENDED BY BY-LAW No. 1-2017

Barber Shop or Hair Dresser means an establishment providing personal service to individuals by cutting, styling, colouring, shampooing, shaving, or treating of hair and may include manicures, pedicures or facial treatments, and the application of cosmetic products and the ancillary sale of products used in the delivery of the personal service.

AMENDED BY BY-LAW No. 57-2007

Barn, Livestock/Poultry see Livestock Facility.

Basement means that portion of a building between two floor levels which is partly below the finished grade level and which has at least one-half of its height, measured from finished floor to finished ceiling (or the underside of the floor joists where the ceiling is not finished), above the finished grade level.

AMENDED BY BY-LAW No. 1-2017

Bed and Breakfast Establishment means a single-detached dwelling in which guest rooms are made available for temporary accommodation, and within which meals may be provided to those temporary residents.

AMENDED BY BY-LAW No. 1-2017

Beer Parlour or Cocktail Bar means an establishment licensed by the Provincial

Government in which alcoholic beverages are offered for sale and consumed on the premises and may include amenities such as televisions, pools tables and video games and or similar machines and where music (whether performed live or recorded), dancing or other forms of entertainment shall be permitted.

AMENDED BY BY-LAW No. 1-2017

Berm means a landscaped mound of earth having a minimum base: height slope ratio of 2:1 and a maximum base: height slope ratio of 3:1.

AMENDED BY BY-LAW No. 1-2017

Boutique means a small retail shop with a gross floor area of not more than 112 square m that specializes in gifts, fashionable clothes, and accessories.

Building means any structure, whether temporary or permanent, fixed to or supported by the soil and which is designed, used, or intended to be used for the accommodation, storage, or shelter of persons, animals, or chattels. A building shall not include a boundary wall, fence, retaining wall, light standard, head stone, or sign.

Building, Main means the building or buildings designed and/or intended to accommodate the principal use on a lot as permitted by this By-law.

Building Envelope means that portion of a lot, defined by the minimum front yard depth, the minimum rear yard depth, the minimum side yard width requirements and the maximum height requirements, within which a building can be erected.

Building Height means the vertical distance measured from the finished grade level of the building to:

(a) In the case of a flat roof, the highest point of the roof surface or parapet, whichever is greater.

(b) In the case of a mansard roof, the roof deckline.

(c) In the case of a gable, hip, gambrel, or other roof type, the mean height between the eaves and the ridge.

(d) In the case of a building not having a roof, the top part of any building.

The building height definition shall not apply to any ornamental dome, tower, cupola, steeple, church spire, chimney, smoke stack, ventilating device, air conditioning duct, skylight, aerial, transmission tower, satellite dish when located on the roof of a non- residential building, windmill, silo, or grain elevator.

Building Official, Chief (Building Inspector) means the Chief Building Official or other employee of the Corporation being charged with the duty of enforcing the provisions of the Building By-law and the Ontario Building Code, or any other By-law of the Corporation from

time to time in force for the purpose of regulating the erection, alteration, or repair of buildings

Building Supply Outlet means land and/or buildings used for the storage and selling of building, construction and home improvement materials such as lumber, roofing, window, door, electrical, plumbing, lighting, flooring, paint, or wallcovering materials.

Bus Depot means a facility for the boarding and deboarding of passengers from buses and may include accessory uses such as a public washroom or rest area, bus ticket sales area, and office area.

Business or Professional Office means any building or part of a building in which professionally qualified persons, technical assistants and clerical staff are employed and where clients or patients go for advice, consultation, or treatment. A business or professional office shall include, but is not limited to, an accountant, advertising agent, architect, auditor, chiropractor, dentist, engineer, insurance agent, lawyer, optometrist, physician, real estate agent, or surveyor.

AMENDED BY BY-LAW No. 1-2017

Carport means a covered structure used for the storage of vehicles. The roof of the said structure shall be supported by piers or columns so that at least 50% of its wall area adjacent to the lot line is unenclosed.

AMENDED BY BY-LAW No. 1-2017

Caterer's Establishment means an establishment in which food and beverages are prepared for consumption off the premises and are not served to customers on the premises or to take out, but does not include a food service establishment.

Cemetery means land set aside to be used for the interment of human remains and includes a mausoleum, columbarium or other structure intended for the interment of human remains.

AMENDED BY BY-LAW No. 57-2007

Cemetery, Closed means a cemetery that no longer receives human remains for interment.

Church means a building dedicated to religious worship.

Club, Private means a building or part of a building used as a meeting place for members of an organization and includes a lodge, fraternity or sorority house, labour union hall, and country club.

Commercial Motor Vehicle means any motor vehicle capable of, or having attached thereto a truck or delivery body or trailer and without limiting the generality of the foregoing includes transport truck tractors and/or trailers, delivery vans, hearses, buses, farm tractors and/or trailers used for hauling, and delivery trucks, but excludes travel trailers and motor homes as defined in this By-law.

Commercial Recreational Use means the commercial use of a building for the purpose of recreation or entertainment and shall include a cinema, bowling alley, billiard hall, fitness or health club or centre, or other similar uses.

Commercial Use means the use of land, buildings, or structures for the purpose of buying and selling commodities, and/or supplying of services, but does not include industrial uses.

AMENDED BY BY-LAW No. 1-2017

Common Open Space means recreation space provided within or outside a building or buildings for the use of all the residents for recreation or social purposes and is readily accessible by all the residents of such building or buildings.

Community Centre means a building or structure owned and operated entirely, or in part, by the Corporation or charitable organization which provides social, recreational, or other facilities for use by the general public.

Complying, when used to describe a use, building, or structure, means a use, building, or structure which agrees with, meets or satisfies all of the requirements of this By-law for such use, building, or structure.

AMENDED BY BY-LAW No. 1-2017

Condominium means a building or buildings in which each individual unit is held in separate private ownership and all floor space, facilities and outdoor areas used in common by all tenants are owned, administered and maintained by a corporation created pursuant to the provisions of the Condominium Act.

Conforming, when used to describe a use, building, or structure, means a use, building, or structure which falls within the uses permitted in the zone category in which such use, building, or structure is located.

Conservation means the protection, maintenance and improvement of components of the natural environment, including land, soil, water and vegetation.

AMENDED BY BY-LAW No. 1-2017

Conservation Lands means lands used solely for the preservation and enhancement of the natural environment.

AMENDED BY BY-LAW No. 1-2017

Conservation Works means facilities constructed or works undertaken solely for the purpose of preserving and/or enhancing the natural environment.

Contractor's Yard or Shop means the use of land, buildings, or structures for the purpose of:

(a) Storing equipment, vehicles, or material associated with the construction and building trades; and/or

(b) Performing shop work or assembly work by any building trade or other construction contractor.

AMENDED BY BY-LAW No. 1-2017

Convenience Business Service Establishment means a commercial premise where communications and postal services are provided to both businesses and the public such as printing, photocopying, laminating, binding, fax machines, mail boxes, desktop publishing, and/or package shipping and receiving.

Convenience Store means a building or structure, or portion thereof, used for retailing a limited range of household goods and foodstuffs including magazines, newspapers, stationery, smoking supplies, but shall not include a food store, supermarket, specialty food shop, department store, pharmacy, drug store or hardware store.

Corporation means the Corporation of the Municipality of North Perth.

Council means the Municipal Council of the Corporation.

County means the Corporation of the County of Perth.

AMENDED BY BY-LAW 30-2025

Day Nursery or Day Care Centre means a place that is licensed pursuant to the Day Nurseries Act, R.S.O. 1990, c.D.2, as amended (the "Day Nurseries Act"), in which more than five children who are not of common parentage are provided with temporary care, protection and supervision for a continuous period not exceeding 24 hours.

AMENDED BY BY-LAW No. 1-2017

Day Nursery, private-home day care means the temporary care for reward or compensation of six children or fewer, who are under fourteen years of age where such care is provided in a private residence, other than the home of a parent or guardian of any such child, for a continuous period not exceeding twenty-four hours.

Daylight Triangle or Sight Triangle means an area free of buildings and structures formed by measuring from the point of intersection of lot lines abutting a street on a corner lot, the distance required by this By-law along each such lot line abutting the street and joining such points with a straight line. The triangular-shaped land area between the intersecting lot lines abutting a street and the straight line joining the points the required distance along said lot lines is the daylight or sight triangle.

Department Store means a retail store primarily engaged in general merchandising of a wide range of commodities including any or all of the following: apparel; hardware; home furnishings; dry goods; food products; and home appliances.

Development means the construction, erection, or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has

the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a commercial parking lot.

Drainage Works includes a drain constructed by any means, including the improving of a natural water course, and including works necessary to regulate the water table or water level within or on any lands or to regulate the level of the waters of a drain, reservoir, lake, or pond, and includes a dam, embankment, wall, protective works or any combination thereof.

Dry Cleaning Depot or Establishment means a building or part of a building used for the purpose of collection and distribution of articles or goods or fabric for the on or off-site process of dry cleaning, dry dyeing, cleaning, spot and stain removal, and for the pressing of such articles or goods.

Dry Cleaning Plant means a building in which the business of dry cleaning, dry dyeing, cleaning, spot and stain removal, and pressing of articles or goods of fabric is carried on.

Dwelling means a building or part thereof containing one or more dwelling units. For the purpose of this By-law, permitted dwelling types are classified as follows:

Dwelling, Accessory means a dwelling which is accessory to a use as specifically permitted in this By-law.

Dwelling, Apartment means a dwelling containing 4 or more dwelling units, each of which may have an independent entrance from a common corridor within the building.

Dwelling, Boarding or Lodging House means a dwelling in which the proprietor resides and supplies lodging to 3 or more tenants, with or without meals, for monetary gain, but which is not open to the general public, and does not include a motel, hotel, apartment dwelling, nursing home, or group home.

AMENDED BY BY-LAW No. 1-2017

Dwelling, Cluster Housing means a group or groups of dwelling units which may be in various forms, and so located on a lot that each dwelling unit may not have legal frontage on a public street or road and more than one dwelling unit may exist on one lot.

AMENDED BY BY-LAW No. 1-2017

Dwelling, Converted means a dwelling constructed and used for at least five years as a single, semi-detached, duplex or triplex dwelling on an individual lot, in which the number of dwelling units has been increased without significant alteration to the exterior of the building.

Dwelling, Duplex means a separate building of two or more stories divided horizontally into not more than two (2) dwelling units, each of which is completely on a separate storey(s) with an independent entrance either directly from the outside or through a common vestibule.

AMENDED BY BY-LAW No. 2-2009

Dwelling, Fourplex means a separate building of one or more stories divided into not more than four (4) dwelling units, each of which may either be on a separate storey, or on the same storey with an independent entrance either directly from the outside or through a common vestibule.

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

Dwelling, Group Home means a single-detached dwelling operated as a single housekeeping unit for persons with special social, mental, or physical needs in which not more than 10 persons, not including staff, reside under appropriate and responsible care and supervision consistent with their needs, and provided the group home:

(a) Is required to meet a local need;

(b) Is licenced or approved by the Province of Ontario;

(c) Is registered by the municipality;

(d) Meets all other applicable requirements of this By-law and other municipal by-laws; and

(e) Does not include a place of detention, correction or probation for persons with a criminal history or record.

AMENDED BY BY-LAW No. 1-2017

Dwelling, Home for the Aged and Dwelling, Nursing Home – See Dwelling, LongTerm Care Home.

AMENDED BY BY-LAW No. 1-2017

Dwelling, Long-Term Care Home means a facility for persons where the primary use shall be for receiving nursing care as regulated by the Long-term Care Act, 2007 or equivalent provincial or federal regulation(s).

AMENDED BY BY-LAW 98-2020, AMENDED BY BY-LAW No. 15-2022

Dwelling, Retirement Home for Senior Citizens means a building containing dwelling units where common facilities are provided for the preparation and consumption of food and where housekeeping services and onsite medical services are provided, as required. A retirement dwelling may contain accessory personal service shop, retail and recreational uses for the residents. A retirement dwelling is intended to be occupied by persons who are retired from the work force, or by reason of age or infirmity require the services provided in a semi-independent living environment, but who do not require the services and support provided in a Long-Term Care Home, as regulated by the Retirement Homes Act, 2010 or equivalent provincial or federal regulations.

Dwelling, Row or Townhouse means a separate building that has been divided vertically into three (3) or more dwelling units each of which has a separate and independent entrance

and which are separated from the adjoining unit or units by a common unpierced wall with no interior access between the units.

Dwelling, Semi-Detached means a separate building containing two (2) dwelling units that are divided vertically by a common unpierced wall extending from the foundation through to the roof with no interior access between the units and where each unit has a separate independent entrance directly from the outside.

Dwelling, Single-Detached means a separate building which contains one (1) dwelling unit in which entrance is gained only by a private entrance directly from outside. Single-detached dwellings shall include a modular home but shall not include a mobile home.

AMENDED BY BY-LAW No. 1-2017, AMENDED BY BY-LAW No 136-2022
Dwelling, Stacked Townhouse means a building designed to contain three or more dwelling units attached side by side, two or more units high, with each dwelling unit having a private entrance. A private open space area of any upper unit may utilize a portion of the roof of any lower unit.

AMENDED BY BY-LAW No. 1-2017
Dwelling, Street Front Townhouse means a townhouse or row dwelling with each dwelling unit on a separate lot and having legal frontage on a public street.

AMENDED BY BY-LAW No. 1-2017
Dwelling, Supplementary Farm means a non-permanent dwelling (e.g. mobile home) as described by Sections 5.5.6.1 and 5.5.6.2 of the County of Perth Official Plan, for which an agreement has been reached with the municipality covering such matters as the occupancy and the duration of the unit.

AMENDED BY BY-LAW No. 1-2017
Dwelling, Triplex means a dwelling that is divided into three dwelling units, each of which has an independent entrance, either directly from the outside or through a common vestibule.**"**

Dwelling Unit means one or more habitable rooms occupied or capable of being occupied on a permanent basis by one or more persons as an independent and separate housekeeping unit in which kitchen and sanitary facilities and sleeping accommodation are provided for the exclusive use of such person or persons.

Dwelling Unit Area means the habitable area contained within the inside walls of a dwelling unit, excluding any private garage, carport, unfinished attic, cellar or sunroom (unless such sunroom is habitable in all seasons of the year), and unenclosed porches and verandahs. The area of any common or public halls, stairways, and the thickness of the outside walls shall not be considered as dwelling unit area.

Dwelling Unit, Bachelor means a dwelling unit designed for occupancy by one or more persons and which contains a kitchen or kitchenette, a bathroom, and one bed-living room.

Eating Establishment, Drive-In means a building or part thereof where food is offered for

sale or sold to the public for consumption, such establishment being designed for the consumption of food within a motor vehicle parked in a permitted parking space on the premises of the establishment.

Eating Establishment, Drive-Thru means a building or part thereof where food is offered for sale or sold to the public through a delivery or pick-up window for consumption off of the premises of the establishment.

AMENDED BY BY-LAW No. 2-2009

Eating Establishment, Restaurant means a building or part thereof used for the serving of food or refreshments to the public, with the serving and consumption of food or refreshments taking place on the premises. A restaurant eating establishment shall include a café, cafeteria, ice cream parlour, tea or lunch room, dairy bar, coffee shop, donut shop, or snack bar, but does not include a bed and breakfast establishment, or a drive in, or drive thru or take-out eating establishment as defined in this By-law.

Eating Establishment, Take-Out means a building or part thereof where food is offered for sale or sold to the public from a counter area and/or through a delivery or pick-up window within the building for consumption off of the premises of the establishment.

AMENDED BY BY-LAW No. 1-2017

Ecological Buffer means a combination of native trees, shrubs, grass or other plants, which are intended to provide protection to wetlands, stream corridors and other important natural features or functions. Within the ecological buffer, existing vegetation which is desirable, as identified in an approved environmental study, will be maintained. Horticultural activities and the placement or removal of fill shall not be permitted, except where it has been recommended in an approved environmental study.

Emergency Services Facility means a police station, a fire hall, an ambulance depot and similar facilities for public safety and protection.

Erect when used in this By-law includes building, constructing, and reconstructing, and without limiting the generality of the foregoing, also includes the following:

(a) Any preliminary physical operation such as excavating, filling, or draining;

(b) Altering any existing building or structure by an addition, enlargement, extension, or other structural change;

(c) The moving of any building or structure from one location to another.

(d) Any work which requires a building permit under the Building By-law of the Corporation. The words “erected” and “erection” shall have a corresponding meaning.

Existing means lawfully existing on the date of passing of this By-law.

Farm Produce Sales Outlet means a fruit, vegetable, flower, or farm produce stand used

for the sale of agricultural produce.

AMENDED BY BY-LAW No. 1-2017

Farm Use – see Agricultural Use

Farm Vacation Establishment means a Bed and Breakfast Establishment as defined by this By-law, as well as vacation activities involving the day to day operation of the farm property.

Fashion Store means a building or structure, or portion thereof, mainly devoted to the sale of clothing, apparel and/or fashion accessories.

Film Processing Establishment means a building or part thereof used for the processing, developing and/or modifying of photographic and related materials.

AMENDED BY BY-LAW No. 1-2017

Financial Institution means an establishment chartered by the Federal or Provincial Government where money is deposited, kept, exchanged and lent and where monetary and fiscal advice and other financial services may be offered.

Finished Grade Level means the average elevation of the finished surface of the ground adjoining the base of a building or structure.

Floor Area, Gross means the sum total of the gross horizontal areas of the several stories of a building or other structures on a lot measured from the exterior faces of the exterior walls of the building or structure at the floor level of each storey or from the centre line of a common wall separating two buildings or other structures, and basement floor area but excludes the floor area of a cellar or areas used for parking and loading within the building or structure.

Floor Area, Ground means the floor area of the lowest storey of a building or structure, approximately at or first above the finished grade level, measured between the exterior faces of the exterior walls of the building or structure. In the case of a dwelling, the floor area of any private garage or carport, porch, verandah, or sunroom (unless such sunroom is habitable in all seasons of the year) shall not be included in the calculation of ground floor area.

Food Store means a building or structure, or portion thereof, specializing in the sale of food products and without limiting the generality of the foregoing includes: a grocery store; meat market; fish market; fruit store; bake shop; candy store; confectionery; nut shop; milk store; but does not include a convenience store; a butcher shop where animals are slaughtered; or any class of restaurant.

Forestry means the management of trees, woodlots and forests for the sustainable production and harvesting of wood and wood products, and subject to the County of Perth Tree By-law.

AMENDED BY BY-LAW No. 1-2017

Florist Shop means a retail store that arranges flowers and plants for retail sale and may include ancillary items such as vases, balloons, cards and other ceremonial ornaments.

AMENDED BY BY-LAW No. 1-2017

Fuel Pump Island means that portion of an automobile service station, public garage or portion of a non-residential use for the retail sale of automotive fuels, including the fuel pumps, concrete base, overhead canopy and kiosk, but does not include any part of any building for the repair or service of vehicles.

AMENDED BY BY-LAW No. 1-2017

Funeral Home means a building or part thereof wherein a licensed undertaker prepares corpses for interment and may include an area for memorial services.

Furniture and Appliance Store means a building or part thereof used for the selling of household or commercial furniture and/or appliances.

AMENDED BY BY-LAW 30-2025

Garage, Attached means a private garage located on the same lot as a dwelling by a common wall and/or common roof structure, which provides motor vehicle access to and from a street, and which is designed for the sheltering of private passenger motor vehicles of the occupants of the dwelling and the storage of household equipment. An attached garage does not include a carport. No facilities for the repairing or servicing of motor vehicles for remuneration or for commercial use shall be permitted in an attached garage. For the purpose of determining front yard, rear yard, and side yard setbacks, an attached garage shall be considered as part of the main building.

AMENDED BY BY-LAW 30-2025

Garage, Detached means a private garage which is accessory to a permitted dwelling, located on the same lot as the dwelling, is a separate building that is fully enclosed, which provides motor vehicle access to and from a street, and which is designed for the sheltering of private passenger motor vehicles of the occupants of the dwelling and the storage of household equipment. A detached garage does not include a detached carport. No facilities for the repairing or servicing of motor vehicles for remuneration or for commercial use shall be permitted in a detached garage. For the purpose of determining front yard, rear yard, and side yard setbacks, a detached garage shall be considered an accessory building.

Garage, Public Works means a municipal or Provincial facility used for the storage and servicing of road construction and maintenance equipment and materials.

General Merchandise Store means a building or structure, or portion thereof, used for the merchandising of a wide range of commodities which may include, but is not limited to; department store-type merchandise; garden supplies; a restaurant; and a public garage. A General Merchandise Store shall not include a Department Store.

Golf Course means an area for the purpose of playing golf and includes a driving range,

and associated recreational uses such as a club house and tennis courts.

Golf Course, Miniature means an area for the purpose of playing miniature golf, and associated facilities such as equipment rental building and refreshment stand.

AMENDED BY BY-LAW No. 1-2017

Government Administrative Office means a building or part thereof used in which the managerial functions of the Municipality, County, Province, Government of Canada, or their agencies, brokers, or organizations are carried out and includes a service office, support offices, financial or general offices.

Greenhouse, Commercial means a building or structure used for the growing of flowers, plants, shrubs, trees, and similar vegetation which are not necessarily transplanted outdoors on the same lot containing such greenhouse, but are sold directly from such lot at wholesale or retail.

AMENDED BY BY-LAW No. 1-2017

Hiking Trail means the part of a park that has been blazed for the purpose of walking by the public, and is not used for motor vehicles, bicycles, in-line skates, and motorized snow or all-terrain vehicles.

Habitable Room means any room within a dwelling unit used or capable of being used for living, eating, and sleeping, but excluding a cellar or any portion thereof, bathroom, toilet room, serving or storage pantry, laundry area, and corridor.

Home and Automotive Supply Store means a retail store for the sale of merchandise for the home and motor vehicles including such goods as paint, hardware, electrical, plumbing, housewares, home appliances, sporting goods, lawn and garden supplies, and motor vehicle supplies, and may include an associated motor vehicle repair garage and gas bar.

AMENDED BY BY-LAW No. 1-2017

Home Decorating Store means a retail store devoted to the sale of goods and materials required for decorating the interior of a home or office, including floor, wall and window coverings, lighting fixtures, bathroom or kitchen fixtures and accessories. Home Decorating Store means a retail store devoted to the sale of goods and materials required for decorating the interior of a home or office, including floor, wall and window coverings, lighting fixtures, bathroom or kitchen fixtures and accessories.

AMENDED BY BY-LAW No. 1-2017

Home Improvement Store means a retail store devoted to the sale of goods or materials required for the construction or alteration of buildings, including such merchandise as wall paneling, wood products, sheet glass products, windows and mirrors, floor, wall and ceiling tiles, paint and wallpaper, bathroom and kitchen cupboards and fixtures, landscaping materials and similar goods. Open storage may be permitted as an accessory use.

Home Occupation means an occupation or business conducted for gain or profit within a

dwelling unit in accordance with Section 5.7A of this By-law, but does not include a kennel, the boarding of dogs overnight, a boarding house, a clinic, a retail store, or any workshop or plant for any trade.

Hospital means any institution, building or other premises or place established for the treatment of persons afflicted with or suffering from sickness, disease or injury, or for the treatment of convalescent or chronically ill persons that is approved under the Hospital Act as a public hospital.

Hospital, Private means a house in which four or more patients are or may be admitted for treatment, other than:

(a) A hospital or other establishment or institution supported in whole or in part by provincial aid;

(b) An institution for the reclamation and cure of habitual drunkards established under the Municipal Act;

(c) A children's residence licenced under Part IX (Licensing) of the Child and Family Services Act; and

(d) A lodging house licenced under a municipal by-law.

Hotel means any hotel, tavern, inn, or public house in a building or buildings which is used principally for the purpose of catering to the needs of the public by supplying food and furnishing sleeping accommodation of not less than six (6) bedrooms, and shall include a hotel within the meaning of the Liquor Licence Act, but does not include a boarding house dwelling or a motel.

Industrial Mall means a building or group of buildings designed, developed, owned, and managed as a unit containing three or more separated spaces for lease or occupancy by industrial uses as permitted by this By-law.

Industrial Use means the use of any land, buildings, or structures designed, used, or intended for the purpose of manufacturing, assembling, processing, constructing, printing, preparing, finishing, treating, repairing, shipping, wholesaling, storing, or warehousing any goods, substances, articles, or things.

AMENDED BY BY-LAW No. 2-2009

Institutional Use means the use of any land, buildings, or structures for some public purpose and may include any governmental, religious, educational, charitable, hospital, or other similar uses.

AMENDED BY BY-LAW No. 2-2009

Kennel means a place, building, or structure where dogs and/or other animals, excepting livestock, are bred, raised, sold, groomed, trained, housed, kept for sale and/or show, and/or

are boarded but does not include an animal clinic.

Landscaped Open Space means open space comprised of lawn and/or ornamental shrubs, flowers, and trees any may include space occupied by paths, walks, courts, and patios, but shall not include any parking area, traffic aisles, driveways, or ramps.

AMENDED BY BY-LAW No. 1-2017

Landscape Supply Outlet means the use of land, buildings or structures or part thereof where soil and other similar landscape materials are offered for sale on a retail or wholesale basis.

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

AMENDED BY BY-LAW No. 1-2017

Library means a building or part thereof used for the public display and lending of books, magazines, audio visual materials to the public, which is operated by the North Perth Public Library Board.

AMENDED BY BY-LAW No. 1-2017

Liquor, Beer and Wine Store means a retail store devoted to the sale of spirits, beer and/or wine.

Licence Office means a government office devoted to processing and distributing licences or permits.

AMENDED BY BY-LAW No. 57-2007

Livestock means dairy, beef, swine, poultry, horses, goats, sheep, ratites, fur-bearing animals, deer and elk, game animals, birds, and other animals identified in Table 1 of the Minimum Distance Separation Formulae, but does not include domestic pets.

AMENDED BY BY-LAW No. 57-2007

Livestock Facility means one or more barns or structures with livestock-occupied portions, intended for keeping or housing livestock. A livestock facility also includes all manure or material storages and anaerobic digesters.

Livestock Facility, Expanded means any building activity to construct or expand a livestock facility that requires a building permit and results in an increase, or decrease, in Nutrient Unit capacity on a lot, where there already was some existing Nutrient Unit capacity.

Livestock Facility, First means any building activity to construct a livestock facility that requires a building permit and results in an increase in Nutrient Unit capacity on a lot, where there was no existing Nutrient Unit capacity.

Livestock Facility, Housing Capacity means the maximum livestock capacity for all facilities on a lot at any time, even if currently empty but able to house livestock.

Loading Space means an off-street area for the temporary parking of a commercial vehicle while loading and unloading merchandise or materials.

Lot means:

(a) A parcel of land or contiguous parcels of land under one ownership, having frontage on a public street and which is described in a deed or other document legally capable of conveying an interest in land and which is on record in the Land Registry Office No. 44; or

(b) A parcel of land shown as a whole lot or block on a registered plan of subdivision within the meaning of the Planning Act, but a registered plan of subdivision for the purpose of this paragraph does not include a registered plan of subdivision which has been deemed not to be a registered plan of subdivision under a By- law passed by the Council pursuant to the Planning Act.

For the purpose of this definition, no parcel or tract of land ceases to be a lot by reason only of the fact that a part or parts of it has or had been conveyed to or acquired by the Corporation, Her Majesty in Right of Ontario, or Her Majesty in Right of Canada.

Lot Area means the total horizontal area within the boundary lines of a lot.

Lot, Corner means:

(a) A lot situated at the intersection of two or more streets, or a lot abutting on one or more parts of the same street, in which an interior angle of less than 135 degrees is contained, between the front and side lot lines abutted by the said street or streets; or

(b) A lot located on the curve of a street where the angle of intersection of the projection of the tangents of the street line does not exceed 135 degrees and for which the corner of the lot shall be deemed to be the corner point of that part of the arc of the street line upon which the lot abuts.

AMENDED BY BY-LAW No. 2-2009

Lot Coverage means the area of a lot covered by buildings and structures, excluding overhanging structures which do not project more than 1 metre (3.28 ft.) from the main wall, and excluding:

(a) Uncovered swimming pools;

(b) Decks which are 0.6 m (1.97 ft.) or less above the average grade; and (c) accessory buildings which are less than 10 sq. m (108 ft.^{2}).

Lot Depth means the horizontal distance between the front and rear lot lines of a lot. Where these lines are not parallel, the lot depth shall be determined by calculating the length of a straight line joining the midpoints of the front and rear lot lines. Where there is no rear lot line, the lot depth shall be determined by calculating the length of a straight line joining the

midpoint of the front lot line with the apex of the triangle formed by the intersection of the side lot lines.

Lot Frontage means the horizontal distance between the side lot lines of a lot measured along the front lot line of said lot. Where the front lot line is not a straight line or where the side lot lines are not parallel, the lot frontage is to be determined by measuring the length of a line that is parallel to, and located at the required front yard distance of the zone from, the cord of the lot frontage established by joining the two points where the side lot lines intersect the front lot line.

Lot, Interior means a lot other than a corner lot.

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

Lot Line, Front means in the case of:

(a) An interior lot, the lot line that abuts the street;

(b) A corner lot, the shorter lot line abutting the street shall be the front lot line and the longer lot line abutting the street shall be the exterior side lot line:

  (i) Where the lot lines abutting the street are of equal length, the lot line that abuts the street governed by the government with the higher jurisdiction shall be the front lot line while the other lot line shall be the exterior side lot line; and

  (ii) Where the lot lines abutting the street are of equal length and the abutting streets are under the same jurisdiction, the lot line over which the principal means of access to the lot is obtained shall be the front lot line while the other lot line shall be the exterior side lot line.

(c) A through lot, the shorter lot line abutting a street shall be the front line and the longer of the lot lines abutting a street shall be the rear lot line:

  (i) Where the lot lines abutting the street are of equal length, the lot line that abuts the street governed by the government with the higher jurisdiction shall be the front lot line while the other lot line abutting a street shall be the rear lot line; and

  (ii) Where the lot lines abutting the street are of equal length and are under the same jurisdiction, the front lot line shall be the front lot line as established in the block by prior construction while the other lot line abutting a street shall be the rear lot line.

Lot Line, Rear means the lot line farthest from and opposite to the front lot line.

Lot Line, Side means a lot line other than a front or rear lot line. For the purpose of this By-law, there shall be two types of side lot lines which are classified as follows:

Lot Line, Exterior Side means a side lot line that abuts a street or a reserve.

Lot Line, Interior Side means a side lot line that abuts a neighbouring lot, block, or parcel of land.

Lot of Record means a lot or parcel of land that can legally be conveyed and which was legally created prior to the passing of this By-law. Subject to the above, a lot of record shall include only the following:

(a) A lot or block shown on a registered plan of subdivision;

(b) A lot or parcel of land created by consent in accordance with the provisions of the Planning Act; or

(c) Any other separate and distinct land holding, the deed to which is registered in the Land Registry Office No. 44.

For the purpose of this definition, lots of record shall not include those lots on a registered plan of subdivision which has been deemed not to be a registered plan of subdivision in a By-law passed by the Corporation pursuant to the Planning Act.

Lot, Through means a lot bounded on two opposite sides by streets. Where a lot qualifies as being both a corner lot and a through lot such lot shall be conclusively deemed to be a corner lot.

Main Wall means the exterior front, side, or rear wall of a building, and all structural members that are essential to the support of a roof or fully enclosed space.

Medical Clinic means a building where members of the medical profession such as physicians, dentists, chiropractors, drugless practitioners, or occupational therapists and their staff provide diagnosis and treatment to the general public without overnight accommodation. Without limiting the generality of the foregoing, a medical clinic may include administrative offices, reception areas, examining and treatment rooms, x-ray facilities, and a dispensary provided that such are part of or accessory to the medical clinic and provided that the only access to such is from the interior of the building.

AMENDED BY BY-LAW No. 57-2007

Minimum Distance Separation (MDS I) means a tool to determine a required distance for new development from existing livestock facilities as determined by the Minimum Distance Separation (MDS) Formulae approved by the Province of Ontario, as amended from time to time.

Minimum Distance Separation (MDS II) means a tool to determine a required distance for a new or expanding livestock facility from an existing use or approved development area as determined the Minimum Distance Separation (MDS) Formulae approved by the Province of Ontario, as amended from time to time.

ADDED BY BYLAW 91-2020

Mixed-Use Building means a form of development in which a site contains both residential and non-residential uses.

Mixed-Use Site means a form of development in which a site contains both residential and non-residential uses.

ADDED BY BYLAW 30-2025

Mobile Home means any dwelling unit designed, built and/or manufactured to be transported or portable for movement from site to site, in accordance with the Requirements for a Mobile Home, CAN/CSA-Z240, in the applicable section of the Ontario Building Code, to the satisfaction of the Chief Building Official. For the purposes of this By-law, a Mobile Home includes enclosed additions thereto not exceeding 10 m^2 (108 ft^2).

Mobile Home Park means a lot, cared for, and managed by a park operator, where individual sites for locating mobile homes are rented or leased and where ownership and responsibility for the maintenance and development of the site facilities, including underground services (e.g. water supply, sanitary sewers, storm sewers), access roads, communal areas and buildings, together with general park management (e.g. snow clearing and removal, garbage or waste collection), rests with the mobile home park owner(s).

Mobile Home Site means an area of land described on a reference plan located within a mobile home park used for the placement of a mobile home.

AMENDED BY BY-LAW No. 1-2017

Model Home means a dwelling which is not occupied for human habitation but is used for the purpose of display to the public and where a portion of this dwelling may be used as a sales office for the dwelling units to be constructed on lots within a plan of subdivision/condominium.

Modular Home means a dwelling unit designed and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. A modular home does not include a mobile home.

Motel means a building or group of two or more detached buildings designed and used for the purpose of catering to the traveling public by furnishing sleeping accommodation of not less than six (6) bedroom units and may include living accommodation for permanent staff, dining, dancing, convention, and other public rooms licenced under the Liquor Licence Act, as amended, parking facilities, and recreational facilities. Each bedroom unit must be capable of being entered directly from the exterior of the building. A motel shall not include a boarding or lodging house dwelling or a hotel.

Motor Home/Travel Trailer means a self-propelled vehicle or any unit suitable for attachment to a motor vehicle for towing and capable of being used for temporary living, sleeping, and eating accommodation, and shall not include a mobile / modular home.

Motor Vehicle means an automobile, truck, motorcycle, motorized snow vehicle, and

motorized all-terrain vehicle, but does not include cars or engines running on railway tracks, farm tractor, or self-propelled farm machinery or road building equipment.

AMENDED BY BY-LAW No. 1-2017

Multi-Use Pathways means that part of a park that has been improved with a hard surface and intended for a variety of uses including pedestrians, in-line skating and vehicles, excluding motor vehicles, horses and horse drawn conveyances of any sort and motorized snow or all-terrain vehicles.

Municipal Drain means a watercourse or sewer which carries storm surface water and drainage and includes a storm sewer, but does not include a sanitary sewer.

AMENDED BY BY-LAW No. 1-2017

Mutual Driveway means an ingress or egress that is common to two or more owners of abutting lands as a right-of-way registered against the title of the lands.

Non-Complying means an existing use, building, or structure permitted by the permitted use provisions of the zone in which such use, building, or structure is located, but which does not meet one or more of the zone provisions with respect to lot area, lot frontage, yards, parking, or other provisions applicable to such zone.

Non-Conforming, means an existing use, building, or structure not permitted by the permitted use provisions of the zone in which such use, building, or structure is located.

AMENDED BY BY-LAW No. 57-2007

Nutrient Unit (NU) mean the amount of nutrients that give a fertilizer replacement value of the lower of 43 kilograms of nitrogen, or 55 kilograms of phosphate as nutrient (as defined in Ontario Regulation 267/03 made under the Nutrient Management Act, 2002) and as provided by the Minimum Distance Separation (MDS) Formulae approved by the Province of Ontario, as amended from time to time.

Nursery School means a day nursery within the meaning of the Day Nurseries Act.

On-Premises Brewing Establishment means a building or part thereof used commercially for the making of beer, wine and/or liquor by the mixing of premanufactured ingredients by customers or by the proprietor for customers, and refers to uses typically called “you-brew” or “brew-your-own” establishments, but does not include an industrial-scale brewery, winery or distillery.

AMENDED BY BY-LAW No. 1-2017

Office means a building, or part thereof, containing one or more offices including professional or service offices and all other forms of offices except medical/dental offices.

AMENDED BY BY-LAW No. 1-2017

Office, Business means a building or part thereof in which the administrative functions of agencies, foundations, brokers, labour or fraternal organizations are carried out and includes

a service office, but does not include medical/dental offices, professional offices, support offices, financial or general offices.

AMENDED BY BY-LAW No. 1-2017

Office, Medical/Dental means an office or offices in which the practice of the professions of medicine, psychiatry, dentistry or optometry is carried on or in which the treatment by osteopathy or chiropractic is carried out.

AMENDED BY BY-LAW No. 1-2017

Office, Professional means a building or part thereof in which a legal or other personal professional service is performed or consultation given, includes the offices of a lawyer, a planner, an architect, a surveyor, an engineer or a chartered accountant, but does not include a personal service shop, a medical/dental office, a service office, or a business office.

AMENDED BY BY-LAW No. 1-2017

Office, Service means a building, or part thereof, in which one or more persons is employed in the management, direction or conducting of a travel agency, an insurance agency, or a real estate agency or other similar use.

AMENDED BY BY-LAW No. 1-2017

Office, Support means a building or part thereof in which technical or professional consulting services are performed to serve industrial manufacturing, assembly, processing or repair establishments, and includes the offices of an architect, a surveyor, an engineer, a business machine servicing establishment and an industrial training facility for manufacturing, assembly, processing or repair skills, but does not include a service office, a professional office, or a medical/dental office.

AMENDED BY BY-LAW No. 1-2017

Open Space, Common means an outdoor space within a development, at grade level or otherwise, which is designed and intended for the common use or enjoyment of the occupants or users of the development, and may include a terrace, tot lot, swimming pool, garden, games area, sitting area, arcade or other similar facility or area, and landscaped open space areas.

Open Storage means the uncovered storage of goods, material, merchandise, or equipment in the open air and in unenclosed portions of buildings which are open to the air on the sides.

Outdoor Display and Sales Area means an area set aside out of doors, covered or uncovered, to be used in conjunction with an established use located for the display or sale of produce, goods or merchandise.

AMENDED BY BY-LAW No. 1-2017

Park, Dog means an unlit outdoor enclosed recreational environment open to the general public where dogs may exercise and play off-leash while supervised by their owners.

Park, Private means a non-commercial recreation area other than a public park and which

is owned and controlled by private interests.

Park, Public means a recreational area owned and controlled by the Corporation or by any board, commission or other authority established under any statute of the Province of Ontario, or any religious, charitable, or philanthropic organizations.

AMENDED BY BY-LAW No. 1-2017

Parking Area means an area or areas of land or a building or structure or part thereof which is provided and maintained for the purpose of temporary parking or storing of motor vehicles accessory to a permitted use.

Parking Driveway means an area of land used for access to a parking area.

AMENDED BY BY-LAW No. 1-2017

Parking Lot, Accessory means a parking lot which is an open area, other than a street, used for the temporary parking of two or more vehicles which is customarily incidental, subordinate and exclusively devoted to the main use and carried on with such main use on the same lot.

Parking Lot, Commercial means a privately-owned parking area located on a lot which exists as, a non-accessory use, separate and distinct from any building or structure for which the provision of parking spaces is required, for profit or gain.

Parking Space means an area on a lot on which a licenced motor vehicle or horse drawn vehicle may be parked, which area:

(a) Is provided for the temporary parking or storage of one motor vehicle other than for the purpose of offering commodities or goods for sale or display;

(b) Is adequate for the temporary parking or storage of one motor vehicle and may be located within a private garage, building, carport, or covered area; and

(c) Has adequate access to permit ingress and egress of a motor vehicle from a street by means of driveways, aisles, maneuvering areas or similar areas, no part of which access is to be used as parking space as defined herein.

AMENDED BY BY-LAW No. 1-2017

Parking Space, Angle means the orientation of a parking space in such a manner that the side of the vehicle when parked is at an angle to the aisle or ramp, lane or street.

AMENDED BY BY-LAW No. 1-2017

Parking Space, Parallel means the orientation of a parking space in such a manner that the side of the vehicle when parked is parallel to the aisle, ramp, lane or street which gives direct access to such parking space.

AMENDED BY BY-LAW No. 1-2017

Parking, Tandem means the arrangement of two parking spaces such that it is necessary to traverse one space to gain vehicular access to the other from a public lane or street.

AMENDED BY BY-LAW No. 1-2017

Passive Recreational Use means enjoyment of the natural environment through non-intensive activities that cause minimal impact on the natural features and functions of an area including trails, nature study, bird watching, outdoor education and associated facilities, but do not include recreational buildings, sports fields or golf courses.

AMENDED BY BY-LAW No. 1-2017

Patio means an area or areas of land located out of doors, covered or uncovered where the earth has been covered with a hard surface such and stone or brick used as an accessory amenity area.

Permitted means permitted in accordance with the provisions of this By-law.

Person means an individual, association, firm, partnership, incorporated company, corporation, agent, trustee, and their heirs, executors, or other legal representatives of a person to whom the context of this By-law can apply according to law.

Personal Service Shop means a building or part thereof in which persons are employed for the purpose of providing service and otherwise administering to the individual and personal needs of persons and shall include such uses as a barber shop, a hair dressing shop, a beauty parlour, a dressmaking or tailor shop, a shoe repair shop, a watch and jewelry repair shop, a sun tanning shop, or other similar uses. General retail is not permitted and any sale of merchandise from a personal service shop must be accessory to and associated with the personal services provided in that shop.

AMENDED BY BY-LAW No. 1-2017

Pharmacy means a retail store that dispenses prescription drugs and which sells, among other things, non-prescription medicines, health and beauty products, and associated sundry items.

Pit means a place where unconsolidated gravel, sand, earth, clay, fill, mineral, or other material is being or has been removed by means of an open excavation to supply material for construction, industry, or manufacturing, but does not include a wayside pit defined in this By-law or the removal of material associated with excavation necessary for the erection of buildings or structures or associated with excavation necessary for the construction of roads.

AMENDED BY BY-LAW No. 1-2017

Place of Entertainment means a building, or part thereof, used for the general purpose of providing entertainment and includes cinemas, theatres, art galleries, commercial recreation establishments, auditoriums and all other places of amusement.

AMENDED BY BY-LAW No. 1-2017

Pool Mechanical Equipment means the mechanical/operational components of a swimming pool which includes but shall not be limited to the pump, heater/furnace and filter.

AMENDED BY BY-LAW No. 1-2017
Porch means a roofed open gallery or unenclosed portico attached to the exterior of a building.

AMENDED BY BY-LAW No. 1-2017
Portable Asphalt Plant means a temporary plant opened and used by a public road authority for the purpose of a particular project or contract of road construction.

Planting Strip means an area of land which shall be used for no other purpose than the planting of a row of trees or a continuous unpierced hedgerow of evergreens or shrubs.

Public Building means a building or structure owned or leased and occupied by the Corporation, the County, the Province of Ontario, or the Government of Canada.

Public Library means a public library within the meaning of the Public Libraries Act.

Public Utility means a waterworks, gasworks, including works for the transmission, distribution and supply of natural gas, electrical power or energy works, or system for the generation, transmission or distribution of electric light, heat or power, a telephone system, a street or other railway system, a bus or other public transportation system or any other works or system for supplying the inhabitants generally with necessaries or conveniences that are vested in or owned, controlled or operated by a municipality or municipalities or by a local board.

Pump Island means that portion of a commercial or industrial use which is used for the dispensing of automotive fuels, which include the fuel pumps, concrete base, overhead canopy, and kiosk.

AMENDED BY BY-LAW No. 1-2017
Railway Lines means an area of land, a portion of which is covered by a system of tracks, that provides for the movement and making up of trains and includes ancillary structures such as stations, offices, wheel houses, towers, repair and storage buildings.

AMENDED BY BY-LAW No. 1-2017
Recreation or Community Centre means a public building used for recreation or social activities, meetings or other leisure activities.

Recreational Trail means a non-commercial, traveled path for outdoor activities such as hiking, cycling, cross-country skiing, and snowmobiling but shall not include any track, trail, course or circuit for: racing motorized vehicles such as motorcycles or snowmobiles; the use of automobiles or trucks; the use of motorized go-carts; the use of motorized scale model vehicles.

Recreational Use means the use of land or buildings for such uses as public parks, playgrounds, playing fields, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, golf courses, recreational trails, picnic areas, swimming pools, wading pools, day camps, bleachers, bandstands, skiing, fishing, and similar uses, together with any necessary and accessory buildings and structures, but does not include hunting or a track for the racing of animals, motor vehicles, motorcycles, go-carts, snowmobiles, or all-terrain vehicles.

Recreational Use, Commercial - see Commercial Recreational Use.

Recreation Vehicle means a vehicle which provides sleeping and other facilities for short periods of time, while traveling or vacationing, designed to be towed behind a motor vehicle, or self-propelled, and includes such vehicles commonly known as travel trailers, camper trailers, pick-up coaches, motorized campers, motorized homes or other similar vehicles.

Recycling Depot means land, building, or structure used for the collection and/or storage of materials such as cardboard, newspaper, fine paper, glass bottles, cans, and plastic containers for recycling purposes.

AMENDED BY BY-LAW No. 1-2017

Renovation means the restoration or reconstruction of buildings, structures or parts thereof to modern building standards without the removal of the building or structures from the lot.

Rental Shop means a business engaged in renting/leasing articles, tools, equipment and/or machines but does not include the renting or leasing of motor vehicles, motorcycles, recreational vehicles, boats, or heavy equipment.

Repair or Service Shop means a business engaged in the maintaining, repairing, or installation of articles, machinery and equipment for household or personal use such as appliances, air conditioners, clocks, jewelry, and furniture repair.

Reserve means a parcel of land, usually 0.3 m (1 foot) in width, located between a lot line and the street line used to restrict access to the street from the lot or to the lot from the street. For the purpose of yards and setbacks, the reserve shall be considered part of the street.

Resource Extraction Operation means a place where gravel, rock, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, and includes a pit or wayside pit as the main uses and may include an aggregate storage area, asphalt batching plant, portable asphalt plant, concrete batching plant or crushing plant.

ADDED BY BY-LAW NO. 48-2026

Residential Care Facility means a dwelling unit designed for the accommodation of persons, living under supervision in a dwelling unit and whom by reason of their emotional, mental, social, or physical condition or legal status, require a group living arrangement for their well-being. A residential care facility shall be licensed or approved under an applicable Provincial Statute(s).

ADDED BY BY-LAW NO. 30-2025

Residential Unit, Additional means a self-contained set of rooms located in a building or structure intended for use as a residential premise with kitchen and bathroom facilities exclusive to the unit, that is accessory to a primary residential unit and has an independent entrance directly to the outside or through a common vestibule

ADDED BY BY-LAW NO. 30-2025

Residential Unit, Primary means the primary residential unit in a detached house, semi-detached house or rowhouse where the house is situated on a parcel of land containing an additional residential unit.

Retail Store means a building or part thereof in which goods, merchandise, products, wares, articles or things are offered or kept for sale directly to the public, but does not include any manufacturing, processing, assembly, or construction use.

AMENDED BY BY-LAW No. 1-2017

Road, Private means a private right-of-way over private property that is a commonly owned and/or shared access to abutting lots that is privately maintained and is not a public highway as defined by the Municipal Act.

Salvage or Wrecking Yard means a lot, building, and/or structures used for the storage, handling, salvage, dismantling, reclaiming, and/or sale of scrap or used materials, and without limiting the generality of the foregoing, shall include waste paper, rags, wood, bottles, vehicles, tires, metal, and/or other scrap material and it shall include establishments such as a junk yard, a scrap metal yard, and an automotive wrecking yard.

Satellite Dish means a parabolic or spherical antenna which receives television or microwave transmissions or other signals.

School means,

(a) The body of public-school pupils or separate school pupils or secondary school pupils that is organized as a unit for educational purposes under the jurisdiction of the appropriate board; or

(b) The body of pupils enrolled in any of the elementary or secondary school courses of study in an educational institution operated by the Government of Ontario, and includes the teachers and other staff members associated with such unit or institution and the lands and premises used in connection therewith.

School, Private means an institution at which instruction is provided for five or more pupils who are of or over compulsory school age in any of the subjects of the elementary or secondary school courses of study and that is not a school as defined in this section.

School, Commercial means a school other than an academic school where instruction is given for hire or gain and without limiting the generality of the foregoing may include the studio of a dance teacher, an art school, business or trade school.

Secondary Farm Occupation means an occupation and/or profession which is accessory to a farm or residential use within the "Agricultural Zone (A)" in accordance with Section 5.26A of this By-law.

AMENDED BY BY-LAW No. 1-2017

Self-Storage Establishment means a building (or buildings) consisting of individual storage units accessible by the user, used for the storage of goods, wares, merchandise, foodstuffs, substances, articles or things, but does not include a fuel storage tank except as an accessory use.

AMENDED BY BY-LAW No. 1-2017

Service Commercial Centre means a building (or buildings) containing two or more different permitted commercial uses, which is designed and which functions as a unit in relation to its siting, vehicular access and off-street parking, but not having more than 30 % (30%) of its gross floor area devoted to all restaurant uses.

Separation Distance means the horizontal distance between buildings or structures measured from the closest point on the exterior wall of such building or structure.

Shopping Centre means a group of commercial establishments designed, developed, owned, and managed as a unit containing three or more separated spaces for lease or occupancy by commercial uses or business or professional offices, providing common open spaces, on-site parking areas, loading areas, driveways, and other shared facilities, and which may be held in a single ownership or by participants in a condominium corporation.

Sight Triangle - see Daylight Triangle

Showroom means a building or part thereof used for the display of products, goods, wares or merchandise and which display is accessory to the permitted main use.

Sign means a name, identification description, device, display, or illustration which is affixed to, or represented directly upon a building, structure, or lot and which directs attention to an object, product place, activity, person, institution, organization, or business.

Site Plan means a scaled drawing showing the relationship between the lot lines and the uses, buildings, and structures existing or proposed on a lot, including such details as building areas, parking areas, parking spaces, driveways, aisles, walkways, sidewalks, landscaped areas, minimum yards, building heights, waste collection facilities, outdoor storage areas, storm water drainage facilities. Depending upon the circumstances, grading information and building cross-sectional information may also be required as a part of a site plan.

AMENDED BY BY-LAW No. 1-2017

Species, Endangered means any native species that, on the basis of the best available

scientific evidence, is at risk of extinction or extirpation throughout all or a significant portion of its (Ontario) range.

Species, Threatened means any native species that, on the basis of the best available scientific evidence, is at risk of becoming endangered throughout all of a significant portion of its (Ontario) range.

AMENDED BY BY-LAW No. 1-2017

Species, Vulnerable or Species At Risk means any native species that, on the basis of the best available scientific evidence, is a species of special concern (in Ontario), but is not a threatened or endangered species.

AMENDED BY BY-LAW No. 1-2017

Stacking Lane means an on-site queuing lane for vehicles which is separated from other vehicular traffic and pedestrian traffic by barriers, curbing or markings and is often associated with a drive-through facility.

Streetline means the line that divides the lot from the street.

Storey means that portion of a building, other than an attic, basement, or cellar, which is situated between any floor and the ceiling or roof next above it.

Storey, One-Half means that portion of a building which is situated wholly or in part within a sloping roof and which has a minimum height of 1.98 m (6.5 ft.) over 50 per cent of the floor area of the storey below.

Street, Road or Highway (Private) means a road which has not been assumed by the Corporation, the County or the Province and shall include the principle means of access to any mobile / modular home site.

Street, Road or Highway (Public) means a road which has been assumed by the Corporation, the County, or the Ontario Ministry of Transportation and shall include such public road, street, or highway as affords the principal means of access to any lots that abut thereon, but does not include a lane or private right-of-way. For the purpose of yards and setbacks, an unopened road allowance shall be considered a road, street, or highway (public).

Streetline means the line that divides the lot from the street.

Structure means anything that is constructed of one or more parts, whether permanent or temporary, and which is fixed to or supported by the soil or an attachment to something having a location on the ground, but does not include a boundary wall, fence, retaining wall, hedge or other planting, light standard, sign, patio stones or other hard surface at grade level for people or vehicles, weigh scale or tombstone.

AMENDED BY BY-LAW No. 1-2017

Supermarket means a retail store devoted to the sale of food and associated small household items.

Swimming Pool means any body of water with a depth greater than 0.4 m (16 in.) located indoors or outdoors which is contained by artificial means, and used and maintained for the purpose of swimming, wading, or diving, but shall not include a water storage tank.

Taxi or Limousine Depot means land and/or a building or part thereof used commercially for a dispatch office for vehicles engaged in transporting persons or goods, and/or used for the parking of such vehicles.

Tourist Establishment means any premises operated to provide sleeping accommodation for the traveling public or sleeping accommodation for the use of the public engaging in recreational activities, and includes the services and facilities in connection with which sleeping accommodation is provided, but does not include,

(a) A camp operated by a charitable corporation approved under the Charitable Institutions Act, or

(b) A summer camp within the meaning of the regulations made under the Health Protection and Promotion Act; or

(c) A club owned by its members and operated without profit or gain.

Trailer means a trailer within the meaning of the Highway Traffic Act. A trailer shall not be considered to include a mobile home.

Transportation Terminal means a building, structure, or place where licenced buses, licenced trucks, and/or licenced tractor trailers are rented, leased, repaired, loaded or unloaded, kept for hire or stored or parked for remuneration or from which licenced buses, licenced trucks, and/or licenced tractor trailers are dispatched as common carriers or where goods are stored temporarily for further shipment.

Travel Trailer / Motor Home Campground means a lot whereon two or more sites are provided for parking or placing motor homes/travel trailers or tents on a temporary or seasonal basis (i.e. May 1 to October 31).

Use means the purpose for which a lot, building, or structure, or combination thereof, is designed, arranged, or occupied. The words “uses”, “to use”, and “used” shall have corresponding meanings.

AMENDED BY BY-LAW No. 1-2017

Vehicle means an automobile, truck or other motor vehicle, including motorized construction equipment or farm equipment, a motor home, a motorcycle, a snowmobile, a boat, recreational vehicles, and also including a trailer or farm implement or any other device which

is capable of being driven, propelled or drawn by any kind of power, but does not include a bicycle or any other device powered solely by means of human effort.

AMENDED BY BY-LAW No. 1-2017

Vehicle, Commercial means a motor vehicle having permanently attached thereto a truck, or delivery body and includes ambulances, hearses, fire trucks, buses, and tractors used for hauling purposes on the highways.

AMENDED BY BY-LAW No. 1-2017

Vehicle, Recreational means a vehicle which provides sleeping and other facilities for short periods of time, while travelling or vacationing, designed to be towed behind a motor vehicle, or self-propelled, and includes such vehicles commonly known as travel trailers, camper trailers, pick-up coaches, motorized campers, motorized homes or other similar vehicles and includes a recreational trailer as defined herein.

Watercourse means a natural or altered lake, pond, river, creek, municipal drain, or stream, but shall not include a farm pond.

Wayside Permit Aggregate Operation means a temporary pit opened and used by a public road authority for the purpose of a particular project or contract of road construction and includes a wayside pit.

Weighscale means a structure or device for the weighing of commercial vehicles, goods, or scrap material.

Wholesale Establishment means land and/or a building or part thereof used for the distribution of commodities, products, goods, wares or merchandise to retailers or to industrial, commercial or institutional uses, and shall not include direct selling to the general public, except as a minor and accessory use.

Yard means a space appurtenant to a building or structure, located on the same lot as such building or structure, and which is open, uncovered, and unoccupied from the ground to the sky except as permitted otherwise by this By-law.

Yard, Front means a yard extending across the full width of a lot between the front lot line and the nearest wall of any building or structure on the lot.

Yard, Minimum Front means the minimum depth of a front yard between the front lot line and the nearest wall, or part thereof, of any building or structure on the lot.

Yard, Rear means a yard extending across the full width of a lot between the rear lot line and the nearest wall, or part thereof, of any main building or structure on the lot, where the rear yard is a point, the rear yard is measured back a distance along the side lot lines or measured back from the part to a line which is parallel to the line used for front yard measurement, not front yard.

Yard, Minimum Rear means the minimum depth of a rear yard between the rear lot line and the nearest wall, or part thereof, of any main building, structure, on the lot.

Yard, Side means a yard extending from the front yard to the rear yard of a lot and from the side lot line of the lot to the nearest wall, or part thereof, of any building or structure, on the lot.

Yard, Exterior Side means a side yard immediately abutting a street.

Yard, Interior Side means a side yard other than an exterior side yard.

Yard, Minimum Side means the minimum width of a side yard between the side lot line of a lot and the nearest wall, or part thereof, of any main building or structure of the lot.

AMENDED BY BY-LAW No. 1-2017

Yard Sale, Residential means a street-side unenclosed event in which used household items and things, which are surplus to the residents of the dwelling, are offered for sale to the general public by the residents of the dwelling hosting the event.

AMENDED BY BY-LAW No. 1-2017

Yard Waste Composting Facility means a facility for the composting of yard materials in windrows. Yard material includes garden trimmings, grass, brush and leaves but does not include food waste.

Zone means any classification established in Section 4 of this By-law which applies to the area(s) delineated on the attached Zoning Map or Zoning Map Schedules for such classification and to which specific provisions as established by this By-law shall apply.

Zone Boundary means the limit or extent of a designated area of land use shown on Schedule “A” attached hereto.

Zoning Administrator means an officer or employee of the Corporation charged with the duty of administering and enforcing the provisions of this By-law.

SECTION 4 - ZONES AND INTERPRETATION

4.1 Establishment of Zones

The provisions of this By-law apply to all lands within the boundaries of the Municipality of North Perth. For the purpose of this By-law, the following zone classifications are established:

Section	Zone Classification	Zone Symbol
6	Agricultural Zone	A
7	Residential Zone One	R1
8	Residential Zone Two	R2
9	Residential Zone Three	R3
10	Residential Zone Four	R4
11	Residential Zone Five	R5
12	Residential Zone Six	R6
13	Residential Zone Seven	R7
14	Hamlet/Village Residential Zone	HVR
15	Rural Residential	RR
16	Mobile Home/Modular Home Zone	MH
17	Downtown Commercial Zone 1	C1
18	Downtown Commercial Zone 2	C2
19	Highway Commercial Zone	C3
20	Local Convenience Commercial Zone	C4
21	Special Area Commercial Zone	C5
22	Hamlet/Village Commercial Zone	HVC
23	Agricultural Commercial/Industrial Zone	ACM
24	Light Industrial Zone	M1
25	General Industrial Zone	M2
26	Mineral Aggregate Resources Zone	MAR
27	Institutional Zone	IN
28	Parks and Recreation Zone	PR
29	Future Development Zone	FD
30	Natural Resources/Environment Zone One	NRE1
31	Natural Resources/Environment Zone Two	NRE2
32	Flood Plain Zone	FP
33	Flood and Fill Constraint Area Overlay	FFCA
34	Adjacent Land Area Overlay	AL
35	Holding Zone	(-h)

Various zoning requirements and/or regulations for the zones as established above are set out in Sections 6 through 35 of this By-law. The zoning requirements and regulations set forth for the respective zones pertain to matters such as permitted uses, permitted buildings and structures, minimum lot area, minimum lot frontage, maximum coverage, minimum front, side and rear yard requirements, maximum building height, landscaped open space requirements, parking requirements, and requirements for accessory buildings and structures.

AMENDED BY BY-LAW Nos. 108-ZB-2002 and 2-2009

4.2 Key Maps

For the purpose of this By-law, Schedule "A", consisting of a Key Map Index, and Key Maps 1 to 42, inclusive, are attached to this By-law and are hereby declared to form part of this By-law.

The Key Maps which are attached as Schedule "A" to this By-law indicate the zones for all of the lands in the Municipality of North Perth as established by this By-law. The zones are indicated through the use of the zone symbols identified for their respective zones in Section 4.1 above.

The Key Maps which are attached as Schedule "A" to this By-law identify a number of open watercourses, including municipal drains. The location of these watercourses was based on mapping available through the Ontario Basic Mapping Program, which in turn was based on aerial photography from the 1980's. In some situations, municipal drain watercourses have been changed over to enclosed municipal drains and therefore an open watercourse no longer exists. When such situations occur, it shall not be necessary to amend this By-law to reflect the change in classification of the watercourse (i.e. from any open municipal drain watercourse to an enclosed municipal drain) and the provisions of this By-law shall be applied as appropriate. It is intended that the Key Maps will be revised to reflect such changes at such time that the Municipality undertakes either general and/or housekeeping amendments to this Zoning By-law.

ADDED BY BY-LAW No 1-2017

The Key Maps which are attached as Schedule "A" to this By-law identify the "Flood and Fill Constraint Areas" which represents the approximate location of the boundaries of the "Generic Regulations", under Ontario Regulation 97/04, specifically Ontario Regulations 150/06, 157/06, and 164/06. The inclusion of the Regulated Flood Area on the Key Maps is for information purposes only and the applicable Conservation Authority should be contacted to determine how the "Generic Regulations" impact development proposals.

4.3 Use of Zone Classifications and Zone Symbols

The zone classifications and symbols identified in Section 4.1 above shall be used when referring to land, buildings, and structures, and the uses thereof permitted by this By-law in said zones. Where the various zone symbols are shown on the Key Maps or Schedule "A", such reference is intended to indicate that the lands on which the zone symbol is placed are located within the corresponding zones as established by Section 4.1 above and shall be subject to the applicable zone provisions as set forth in this By- law for that respective zone.

Where a zone symbol applying to certain lands as shown on the Key Maps attached to this By-law on Schedule "A" is followed by a dash and a number (e.g. A-1), such dash and number are intended to indicate that such land is the subject of one or more special zone provisions. The special zone provisions can be determined by referring to "special provisions" section for the applicable zone as set forth in this By-law. Lands zoned in this manner will be subject to all other provisions for the respective zone except as otherwise provided for by the special provisions.

4.4 Interpretation of Zone Boundaries

The zone symbols as shown on the Key Maps of Schedule "A" to this By-law are bounded by thick black lines, the purpose of which lines is to indicate the extent of the zones. The following "rules of interpretation" are to be applied when determining the location of zone boundaries on the Key Maps, of Schedule "A" of this By-law, and kept in the Office of the Zoning Administrator:

4.4.1 Where any zone boundary is shown on Schedule "A" as following the boundary of a street, watercourse, or railway right-of-way, the zone boundary shall be considered to follow the centre line of such street, watercourse, or railway right-of-way;

4.4.2 Except as provided for in Section 4.4.1 above, where a zone boundary is shown on Schedule "A" as approximately following the boundary of a lot that is shown on a registered plan or a registered reference plan, the zone boundary shall be considered to be such lot boundary as shown on said registered plan or registered reference plan;

4.4.3 Where a zone boundary is shown on Schedule "A" as being parallel to, or approximately parallel to, a street and the distance from the street is not indicated, the zone boundary shall be considered as being parallel to such street and its distance from the street shall be determined by using the scale shown on the Schedule "A" Key Map to scale or measure the distance; and

4.4.4 Where any zone boundary is left uncertain after the application on the provisions of Sections 4.4.1, 4.4.2, and 4.4.3 of this By-law, the location of the zone boundary shall be determined by using the scale shown on the Schedule "A" Key Map to scale or measure the applicable distances.

4.5 Interpretation of Certain Words

4.5.1 In this By-law, the word "shall" is considered to mean mandatory.

4.5.2 In this By-law, words used in the present tense include the future tense and vice-versa.

4.5.3 In this By-law, words used in the singular shall also be considered to include the plural unless the context of the application clearly indicates the contrary.

AMENDED BY BY-LAW No. 2-2009

4.5.4 Amendments to this By-law will not be required in order to make minor adjustments to the boundaries or the location of roads, correct typographical or patent errors, provided that the intent of the Zoning By-law is preserved.

SECTION 5 - GENERAL PROVISIONS

The provisions contained in this Section shall apply to all zones except as otherwise indicated in the zone provisions.

AMENDED BY BY-LAW No. 1-2017

5.1 Accessory Uses, Buildings and Structures

5.1.1 Use

Where this By-law permits a use of land, buildings or structures, such use shall include any accessory use, building or structure; but shall not include:

(a) Any occupation or business conducted within a dwelling except where specifically permitted by this By-law; and

(b) Any building or structure used for human habitation except for Second Dwelling Units, or where specifically permitted by this By-law.

5.1.2 Time of Establishment

No accessory use, building or structure shall be established until the main use to which it is accessory has been established.

AMENDED BY BY-LAW 15-2022

5.1.3 Location and Size

Accessory buildings and structures shall:

(a) Not be located within a front yard or exterior side yard except where accessory to agricultural, agriculturally related use;

(b) Not be located closer to any street line than the yard required for the main building;

(c) Comply with the interior side yard and rear yard provisions of the zone, except:

(i) In a Residential Zone or in a Commercial Zone with an existing residential use as the main use, accessory buildings and/or structures shall be no closer than 1.2 m (3.9 ft.) to an interior side lot line or rear lot line;

(ii) In an Agricultural Zone on a lot area less than 1-hectare, accessory buildings or structures (not including livestock facilities) shall be no closer than 3 m (10 ft.) to an interior side lot line or rear lot line;

(d) Not exceed 4.5 m (15 ft.) in height except where accessory to agricultural, agriculturally related, or industrial uses;

(e) Not occupy more than 10% of the lot area. Unenclosed swimming pools are excluded from this requirement;

(f) Not be structurally attached to the main building in any way, except for unenclosed decks and/or steps; and,

(g) Shall be located a distance of not less than 1 m (3.3 ft) from the main

building, except for accessory buildings and structures that include an additional residential unit where such accessory building or structure shall be separated from the main building by a minimum distance of 4 m (13.2 ft).

AMENDED BY BY-LAW No. 30-2025

5.1.4 Additional Residential Units within the Same Building or Structure as the Primary Residential Unit

Additional residential units are permitted within any detached dwelling, semi-detached dwelling unit, or row or townhouse on a parcel of land on which residential use, other than ancillary residential use is permitted, provided that:

(a) No more than 2 additional residential units are permitted in the same building or structure as the primary residential unit and the combined total of the primary residential unit and additional residential units does not exceed 3 units on a lot;

(b) The primary residential unit is not located within hazardous lands (e.g. within areas subject to flood or erosion hazards or hazardous sites);

(c) 1 parking space is provided for each additional residential unit;

(d) The applicable minimum lot area requirement is met; and,

(e) The additional residential unit does not contain a home occupation.

AMENDED BY BY-LAW No. 15-2022

5.1.4 Additional Residential Units within Accessory Buildings

Additional residential units located within any building or structure accessory to a detached dwelling, semi-detached dwelling unit, or row or townhouse must meet the following regulations:

(a) If located within a new building, it must meet the location and size requirements of Section 5.1.3;

(b) The accessory building or structure in which the additional residential unit is located must meet the yard setback requirements of the underlying zone where the primary residential unit is located;

(c) The additional residential unit must be at least 4 m from and no further than 45 m (148 ft) of the building or structure where the primary residential unit is located;

(d) The accessory building or structure is not located within hazardous lands (e.g. within areas subject to flood or erosion hazards or hazardous sites); and,

(e) The additional residential unit must meet MDS 1 requirements or be no closer to the neighbouring livestock facility than the building or structure where the primary residential unit is located.

5.2 Application of Other By-laws, Requirements, and Regulations

Nothing in this By-law shall operate or cause to relieve any person from the obligation to obtain any license, permit, authority or approval lawfully required by a government authority having the jurisdiction to make such requirements and/or regulations. This By-law shall not be effective to reduce or mitigate any regulations lawfully imposed by a government authority having the jurisdiction to make such requirements and/or regulations.

ADDED BY BY-LAW No. 1-2017

5.2A Bed and Breakfast Establishments

Where bed and breakfast establishments are listed as a permitted use, new bed and breakfast establishments are limited to a maximum of three (3) guest rooms, and must:

(a) Be clearly secondary to the main use of the dwelling for residential purposes;

(b) Be operated only by persons residing in the dwelling;

(c) Not change the external appearance of the dwelling other than by the installation of a single sign no greater than 1.0 m^2 (9.3 ft^2) in area, that is located a minimum of 1.0 m (3.1 ft.) from any property line and outside of any daylight triangle; and

(d) Have associated parking provided in accordance with Section 5.18.

5.3 Conflicting Regulations

Where the application of the provisions of this By-law results in a conflict between the provisions and/or requirements of this By-law, or any other By-law of the Municipality, the most restrictive provision and/or requirement shall apply.

5.4 Drainage

Suitable measures for surface and sub-surface drainage shall be required in respect to the use of all land and the use and/or erection of all buildings and structures.

REMOVED BY BY-LAW No. 1-2017

5.5 Removed

5.6 Existing Permitted Buildings and Uses

Where an existing building or structure or use is permitted in a zone, such building or structure or use may be enlarged, extended, repaired, renovated or reconstructed provided all applicable provisions of this By-law are complied with.

5.7 Exterior Lighting

The type, location, height, intensity, and direction of exterior lighting on a lot shall be designed so as to ensure illumination does not glare onto adjacent properties or onto an adjacent street.

ADDED BY BY-LAW No. 1-2017

5.7A Home Occupations

Where home occupations are listed as a permitted use, new home occupations are limited to one per dwelling unit and must:

(a) Be accessory to the residential use of the dwelling unit;

(b) Not have any non-resident employees;

(c) Be limited to a single sign no greater than 1.0 m^2 (9.3 ft^2) in area;

(d) Not require external alterations to the dwelling unit;

(e) Not include the external display or storage of goods, materials, wares, or merchandise;

(f) Occupy no more than 25 m^2 (269 ft^2) of floor area or 25% of the gross floor area of the dwelling (excluding any attached garage), whichever is lesser; and

(g) Have associated parking provided in accordance with Section 5.18.

5.8 Lots to Front on a Public Road

No lot shall be created and no person shall erect a building or structure and no person shall use any land, building or structure unless the lot abuts or fronts on a public road of satisfactory construction and maintenance to permit the reasonable and safe passage of motor vehicles.

A building or structure may be erected on a lot in a registered plan of subdivision or on a lot created by consent, in accordance with a Subdivision Agreement in respect of the subdivision or consent, notwithstanding that the road has not been assumed by the municipality;

5.9 Loading Space Requirements

Where a building or structure is erected or used for a commercial or industrial use involving the receiving, shipping, loading, or unloading of goods, wares, merchandise, raw materials, or animals, the owner and/or occupant of the building or structure shall provide and maintain on the same lot on which such building or structure is located, and not on a street or lane, loading spaces and/or unloading spaces in accordance with the following requirements:

5.9.1 Number of Loading Spaces

The minimum number of loading spaces required shall be in accordance with the following provisions:

Gross Floor Area	Number of Spaces
(i) less than 185 m^2	0
(ii) 185 m^2 to 3,700 m^2	1
(iii) 3,701 m^2 to 9,300 m^2	2

Plus 1 for each additional 9,300 m^2 of gross floor area or fraction thereof.

5.9.2 Loading Space Location

The loading space or spaces required by this By-law shall be located in the interior side yard or rear yard of the lot.

5.9.3 Loading Space Size

Every loading space required by this By-law shall have a minimum length of 9 m (30 ft.), a minimum width of 3.5 m (12 ft.), and a minimum vertical clearance of 4.25 m (14 ft.).

5.9.4 Loading Space Access

Access to a loading space shall be by means of an unobstructed driveway at least 6 m (20 ft.) in width situated entirely on the lot upon which the loading spaces are located leading to a street or lane.

5.9.5 Loading Space Surface

The driveways and loading spaces required by this By-law shall be maintained with a stable surface so as to prevent the raising of dust or loose particles. The driveways and loading spaces shall, prior to being used, be constructed of crushed stone, slag, gravel, crushed brick or tile, paving stone or brick, asphalt, concrete, or cinders having a Portland cement binder, and shall have adequate drainage facilities.

5.9.6 Existing Buildings and Additions

The loading space provisions contained in Section 5.9.1 shall not apply to any building that lawfully existed prior to the date of adoption of this By-law so long as the gross floor area has not been increased. If an addition is made to a lawfully existing building which has the effect of increasing the gross floor area after the date of adoption of this By-law, the regulations of Section 5.9 shall apply in respect to the area of such addition.

5.10 Mobile Homes Prohibited

Subject to the matters contained in Section 46(2) of the Planning Act, it shall be prohibited to locate or use a mobile home in any zone for any purpose, including for residential, commercial, industrial, or institutional use, whether temporarily or permanently, unless the use of a mobile home is specifically permitted by other provisions of this By-law.

5.11 Multiple Uses

Notwithstanding any other provisions of this By-law, where the use of any land, building, or structure is composed of two or more uses which are classified as having separate and distinct zone provisions under this By-law, none of these uses shall be considered as being accessory to one another and therefore the provisions governing each use shall be applied to each use as if each use existed independently.

5.12 Non-Conforming Uses, Buildings, and Structures

5.12.1 Existing Uses, Buildings, and Structures

Nothing in this By-law shall prevent the continued use or continued existence of a legal non-conforming use, building or structure, subject to the other provisions of Section 5.12.

REMOVED BY BY-LAW No. 1-2017

5.12.2 Removed

5.12.3 Replacement of Non-Conforming Uses, Buildings, and Structures

Where a lawfully existing building or structure is used for a purpose not permitted in the zone in which such building or structure is located and such building or structure is partially or totally destroyed by fire or similar natural cause or peril, such building or structure may be replaced or repaired and the non-conforming use re-established provided that the following conditions are met:

(a) The owner must make application to the Corporation for a building permit to replace the building or structure within one (1) year of the date on which the partial or total destruction occurred;

(b) The replacement or repair of the building or structure must be completed within one (1) year of the date on the building permit for such replacement or repair issued by the Corporation;

(c) The replacement or repair of the building or structure occurs at approximately the same location on the lot. In no case shall any encroachment into a required yard, other than that which existed on the date of passing of this By-law, be permitted. For the purpose of determining required yards, the most restrictive yard provision for that zone shall apply;

(d) The replacement or repair does not increase the height, size, or volume of the building or structure as it existed prior to the partial or total destruction; and

(e) The use of the building or structure is not changed and continues in the same manner as existed previously.

5.12.4 Building Repairs

Nothing in this By-law shall apply to prevent the strengthening or restoring to a safe condition of any building or structure which is used for a purpose permitted in the zone in which such building or structure is located provided that the following provisions are met:

(a) The strengthening or repairing does not increase the gross floor area, height, or lot coverage of the building or structure; and

(b) The use of the building or structure is not changed and continues in the same manner as previously existed.

AMENDED BY BY-LAW No. 1-2017

5.12.5 Livestock Facilities

The repair or replacement of livestock facilities shall be permitted provided it does not increase the amount of floor area used for housing livestock. Any change in livestock type must not increase the relative amount of livestock ('nutrient units' as defined by MDS II) relative to the odour potential of the type

of livestock ('Factor A' as defined by MDS II). The maximum number of livestock can be determined using the following formula:

$$\frac{\text{Maximum \# of Nutrient Units}}{\text{Existing \# of Nutrient Units}} = \frac{\text{Factor A of Existing Type of Livestock}}{\text{Factor A of Proposed Type of Livestock}}$$

AMENDED BY BY-LAW Nos. 108-ZB-2002 and 2-2009

5.13 January 1, 1988

Notwithstanding any provisions of this By-law to the contrary, where a lot, building or structure existed prior to January 1, 1988 (or where a valid building permit for a building or structure was issued prior to January 1, 1988) and where that lot, building or structure is used for a purpose permitted in the zone in which it is located, and where that lot, building or structure does not conform to one or more of the applicable provisions of this By-law the existing lot, building or structure shall be recognized as being permitted under the provisions of this By-law.

AMENDED BY BY-LAW No. 1-2017

5.14 Non-Complying Uses, Buildings and Structures

Where a use, building or structure was lawfully established prior to the date of passing of this By-law, and where such use, building or structure is permitted by the zone in which such use, building or structure is located, but where such use, building or structure does not meet the zone provisions with respect to required lot area, frontage, yards, parking, or any other provision applicable to that zone, such use, building or structure shall be deemed to comply with the By-law and may be enlarged, extended, reconstructed, repaired or renovated provided that:

(a) The enlargement, extension, reconstruction, repair or renovation does not further reduce the compliance of the use, building or structure with the provisions of this By- law to which such use, building or structure does not comply (i.e. such expansions do not need to meet a zone provision that isn't met by the buildings or structures that are deemed to comply by this Section). Where such enlargement, extension, reconstruction, repair or renovation involves a livestock facility and where the livestock/poultry involves a change in Factor "A" for livestock type in Table 1 of MDS II, the nutrient unit change shall be determined as illustrated of Section 5.12.5 on this By-law;

(b) All other applicable provisions of this By-law are complied with;

(c) Where a non-complying building or structure is removed or destroyed, such building or structure may be reconstructed in a different location on the lot than the original building or structure, provided that the new location complies with (a) and (b) above, and provided such reconstruction occurs within one (1) year of the date of destruction of the original building; and

(d) In the case of a rezoning or severance, the provisions of Section 5.14 shall continue to apply such that the said use, building or structure shall be deemed to comply with any applicable provisions of this By-law resulting from such rezoning or severance, except that this provision shall not exempt a new use from complying with all applicable requirements of this By-law

(such as number of parking spaces) related to such new use, other than those provisions recognized by Section 5.14.

AMENDED BY BY-LAW No. 102-ZB-2001

5.15 Occupancy of Completed Buildings

Notwithstanding any provisions contained in this By-law to the contrary, no person shall occupy any building or structure unless the Chief Building Official has issued an occupancy permit in accordance with the Ontario Building Code.

AMENDED BY BY-LAW No. 108-ZB-2002, REPEALED BY BY-LAW NO. 30-2025

5.16 One Dwelling on One Lot

AMENDED BY BY-LAW No. 2-2009

5.17 Obstructions on Corner Lots (Sight Triangle)

No building or structure shall be permitted on that portion of a corner lot which is within a sight triangle as defined in Section 3 of this By-law where a distance of 9 m (29.53 ft.) measured along the lot lines abutting the street lines is used for the purpose of determining the location of the sight triangle, except as specifically stated otherwise in this By-law.

5.18 Parking Area and Space Requirements

The owner of every building or structure erected or used for a purpose permitted by this By- law shall provide and maintain for the sole use of the owner, occupant, or other persons entering upon or making use of said premises from time to time parking areas and spaces in accordance with the following provisions:

AMENDED BY BY-LAW No. 1-2017

5.18.1 Number of Parking Spaces

The minimum number of parking spaces required for the uses and purposes hereinafter set forth is as follows (note that area figures refer to the total gross floor area of the use):

Type of Use	Minimum Number of Spaces
Automobile repair/service establishment	4 plus 1 per repair bay
Bank or Financial Institution	1 per 20 m^2
Bed and Breakfast Establishment	2 per dwelling unit plus 1 per room for rent
Commercial Greenhouse	1 per 55 m^2
Commercial Recreational Uses	1 per 20 m^2
Day Nursery	1 per 30 m^2
Department Store	1 per 30 m^2
Dry Cleaning Establishment	1 per 30 m^2
Dwellings	
Accessory	1 per dwelling unit
Apartment	1.5 per dwelling unit
Boarding or Lodging House	1 plus 1 per room for rent
Converted	1.5 per dwelling unit
Duplex	2 per dwelling unit
Fourplex	1.5 per dwelling unit
Group Home	2 per dwelling unit
Long-Term Care Homes	1 per 3 beds
Second Dwelling Unit	1 per dwelling unit
Semi-detached	2 per dwelling unit
Semi-detached Link	2 per dwelling unit
Single-detached	2 per dwelling unit
Townhouse	1.5 per dwelling unit
Triplex	1.5 per dwelling unit
Farm equipment/implement	1 per 30 m^2
Funeral Home	4 plus 1 per 4 persons of designed capacity
Hotel	1.25 per room for rent
Industrial Establishment	1 per 100 m^2
Laboratory or Research Facility	1 per 20 m^2
Laundromat	1 per 30 m^2
Livestock auction	1 per 55 m^2
Medical Clinic	5 per practitioner
Motel	1.25 per room for rent
Museum	1 per 30 m^2
Offices	1 per 20 m^2
Personal Service Shop	1 per 30 m^2
Place of Assembly (Assembly Hall, Church, Arena, Theatre, etc.)	1 per 5 persons of designed capacity

Rental Shop	1 per 30 m^2
Restaurant, Outdoor Patio Area	1 per 20 m^2
Restaurant, Take-out	1 per 4 persons of designed capacity
Restaurant, Eat-in	1 per 20 m^2
Retail Store	1 per 30 m^2
School, Elementary	The greater of 1.5 per classroom or 1 per 2.7 m^2 of assembly area (e.g. gymnasium, auditorium)
School, Secondary or Commercial	The greater of 5 per classroom or 1 per 2.7 m^2 of assembly area (e.g. gymnasium, auditorium)
Sports Field	The greater of 1 per 5 seats (or 3 m of bench), or 1 per 230 m^2 of playing field
Studio (art, dance, music, photo)	1 per 30 m^2
Supermarket	1 per 10 m^2
Taxi Establishment	1 plus 1 per vehicle stored on site
Veterinarian Clinic	5 per practitioner
Warehouse (including mini-storage)	1 per 100 m^2
Wholesale Establishment	1 per 55 m^2

For any land use not listed above, the requirement is 1 per 37m^2. Where the calculated parking space requirement is not a whole number, the number shall be rounded-up to the next whole number.

ADDED BY BY-LAW No. 48-2022

5.18.1.1 Visitor Parking

Multi-unit residential development shall provide a common area(s) for visitor designated and signed parking spaces. Visitor parking spaces shall be provided at a rate of 0.125 spaces per dwelling unit and shall be rounded up to the nearest whole number. The requirements do not apply non-residential uses and residential uses with fewer than three dwelling units.

The number of visitor parking spaces shall be in addition to the total number of parking spaces required by the applicable zoning by-law. Where feasible, visitor parking shall be centrally located to serve all units. These may be distributed in small clusters to better serve the complex.

Driveways or parking spaces that are, or may be perceived for the exclusive use in association with a dwelling unit will not be considered as a visitor parking space.

The following table illustrates how many additional visitor parking spaces is required:

Total # of Units	Total # of Additional Visitor Parking Spaces
3-8	1
9-16	2
17-24	3
25-32	4
32-40	5
100	13

200	25

AMENDED BY BY-LAW No. 1-2017 & BY-LAW NO. 30-2025

5.18.2 Ingress and Egress

In the R1, R2, R3 and R4 zones, a maximum of 1 driveway access is permitted per residential lot.

In all other zones, the maximum number of driveways serving a lot shall be based on the total length of lot lines bordering a public road in accordance with the following:

< 20 m	1 driveway maximum
20 - 40 m	2 driveways maximum
> 40 m	2 driveways plus 1 for every additional 30 m

5.18.3 Driveway Location

(a) The minimum distance between driveway ramps where access to a lot is by means of more than 1 driveway shall be 7.5 m (25 ft.); and

(b) The minimum distance between a driveway ramp and an intersection of street lines shall be 9.1 m (30 ft.) measured along the street line.

AMENDED BY BY-LAW No. 1-2017

5.18.4 Parking Area Location

(a) All required parking spaces shall be provided on the same lot as the associated use, except for the following:

(i) Parking associated with non-residential uses may be located on an adjacent lot where there is an acceptable parking agreement between owners provided no parking space is further than 150 m (490 ft.) from the lot containing the use; and

(ii) Payment for parking spaces is provided through the "cash-in-lieu" of parking by-law.

(b) Uncovered surface parking areas are permitted in any yard, provided that no part of any parking area, other than the driveway, is located closer than 1 m to any lot line or within a daylight triangle as described in Section 5.17.

(c) Notwithstanding Section 5.18.4(b), a 1 m setback is not required for connected non- residential parking areas

AMENDED BY BY-LAW No. 1-2017 & BY-LAW No. 30-2025

5.18.5 Parking Space Access

All required parking spaces, except those required for single-detached dwelling, semi-detached dwellings, duplex dwellings, street front townhouse

dwellings, additional residential units, and converted dwellings must be independently accessible and arranged such that vehicles are not required to reverse onto a public road. Except where provided to accommodate additional residential unit(s), tandem parking spaces are only counted towards the required number of parking spaces where both spaces serve the same dwelling unit. Accessible parking spaces are not required for buildings containing 4 or fewer dwelling units

5.18.6 Parking Area Surface

Each parking area and driveway connecting the parking area with the street shall be maintained with a stable surface so as to prevent the raising of dust or loose particles. The parking area and driveway shall, prior to being used, be constructed of crushed stone, slag, gravel, crushed brick or tile, paving stone, asphalt, concrete, or cinders having a Portland cement binder.

5.18.7 Parking Area Drainage

All parking areas and driveways shall be graded and drained so as to ensure that surface water will not escape to neighbouring lands as a result of the construction or use of such parking areas and driveways.

AMENDED BY BY-LAW No. 1-2017

5.18.8 Parking Space Size

Parking spaces required by this By-law shall have a minimum width of 2.7 m (9 ft.), a minimum length of 5.5 m (18 ft.), and a minimum height of 2.4 m (8 ft.).

5.18.9 Multiple Use of Buildings

Where a building or structure accommodates more than one type of use as set out in Section 5.18.1 above, the number of parking spaces required for the whole building shall be the sum of the number of parking spaces required for the separate parts of the building as occupied by the separate uses.

Where common space within a building serves more than one type of use as set out in Section 5.18.1 above, such common space shall be assessed against one use only and that use shall be the one with the more restrictive parking requirement.

5.18.10 Multiple Use of Parking Areas

Where two or more uses utilize the same parking area during the same or overlapping time period, the number of parking spaces required by this By-law shall be the sum of the parking spaces required for each use.

Where two or more uses utilize the same parking area and the periods of use for each of the uses do not occur at the same time, the parking requirements for the use requiring the greatest number of spaces shall apply.

5.18.11 Existing Buildings

The parking space provisions contained in Section 5.18.1 above shall not apply to any building that lawfully existed at the date of adoption of this By-law so long as the following provisions are met:

(a) The building continues to be used for the use that existed in the building on the day this By-law was adopted or the use has changed to one which has the same or lesser parking requirements as the use that existed on the day this By- law was adopted;

(b) The floor area of the building has not been increased since the date of adoption of this By-law so as to require additional parking spaces; and

(c) All parking spaces that existed at the date of adoption of this By-law are retained.

5.18.12 Additions to Existing Buildings

Where an addition is made to a building that lawfully existed at the date of adoption of this By-law, additional parking spaces equal to the number required for the addition as determined by the application of the provisions of Section 5.18.1 of this By-law shall be provided.

5.18.13 Changes/Intensification of Use

Where a change of use is made to a building lawfully existing at the date of adoption of this By-law and where the new use requires a greater number of parking spaces than did the previously existing use, additional parking spaces equal to the difference in the number of spaces required for the new use and the previously existing use shall be provided.

5.18.14 Cash-in-Lieu of Parking Spaces

Where the municipality has passed a by-law permitting the payment of cash-in-lieu for some, or all, of the required parking spaces, such money paid in compliance with the cash-in-lieu by-law shall constitute the provision of parking spaces for the number of parking spaces covered by such payment. Required parking spaces not covered by a cash-in-lieu payment shall be provided in compliance with this By- law.

AMENDED BY BY-LAW No. 1-2017

5.18.15 Accessible Parking

There are two types of accessible parking spaces, each of which have a minimum length of 5.5 m and a maximum slope of 1:50:

Type A 3.4 m wide with signage identifying the space as “van accessible”. Type B 2.7 m wide.

The following table describes how the minimum number of accessible spaces

is to be calculated. Please note that calculated figures for the total number of required accessible spaces are to be rounded up to the nearest whole number, and that the requirements do not apply to residential buildings with fewer than five dwelling units and townhouse dwellings.

Total Parking Spaces Provided	Total Required Accessible Spaces
25 or fewer	1
26 – 50	2
51 – 75	3
76 – 100	4
101 – 200	1 + 3% of Total Spaces
201 – 1000	2 + 2% of Total Spaces
More than 1000	11 + 1% of Total Spaces

In circumstances where only one accessible space is required, that space must be provided as a Type A space. For all other circumstances, the minimum required number of Type A spaces is 50% of the total accessible space requirement, rounded down to the nearest whole number. All other required accessible parking spaces may be provided as either Type A or Type B.

Each accessible parking space provided must be adjacent to a pedestrian access aisle, although one aisle may be shared by two spaces. Pedestrian access aisles must:

(a) Be a minimum of 1.5 m wide;

(b) Extend the full length of the parking space; and

(c) Be marked with high tonal contrast diagonal lines.

Signage for the accessible spaces must be consistent with Section 11 of Highway Traffic Act Regulation 581.

AMENDED BY BY-LAW No. 1-2017

5.19 Parking of Commercial Vehicles in Residential Zones

In any Residential Zone, one commercial vehicle or trailer (excluding those for transporting livestock) not exceeding 8 m (26 ft.) in length, may be parked on the same lot as a dwelling unit. Commercial vehicles parked in a Residential Zone must not obstruct any sight triangle as described in Section 5.17.

5.20 Parking of Motor Homes/Travel Trailers/Boats in Residential Zones

The parking of motor Homes/travel Trailers/boats as an accessory use to a residential use in any residential zone is prohibited unless the following conditions are met:

(a) Not more than one motor home, travel trailer or boat is parked or stored on the lot at any time; and

(b) Such motor home, travel trailer or boat is not parked or stored in a front or exterior side yard or within 1.5 m of an adjacent lot unless it is within a garage, carport or driveway.

5.21 Permitted Encroachments into Required Yards

Every part of any yard required to be provided in any zone under the provisions of this By- law shall be kept open and unobstructed by any building, structure, or thing from the ground to the sky except as follows:

5.21.1 Ornamental Structures

Sills, belt courses, cornices, eaves, gutters, chimneys, parapets, bay windows, pilasters, pillars or other ornamental structures may project into any required yard a distance of not more than 0.6 m (2 ft.).

AMENDED BY BY-LAW No. 1-2017

5.21.2 Unenclosed Porches, Steps, Decks, and Patios

Steps, decks, patios, and balconies may project into any required front, rear or exterior side yard in accordance with the following:

(a) Such structures with a floor level of 0.6 m (2 ft.) or lower may encroach 3.0 m (10 ft.); and

(b) Such structures with a floor level between 0.6 m (2 ft.) and 1.2 m (4 ft.) or lower may encroach 1.5 m (5 ft.);

(c) Encroaching structures must still be a minimum of 0.6 m (2 ft.) from the lot line.

5.21.3 Accessory Structures

Accessory structures such as drop awnings, flag poles, basketball poles, light standards, garden trellises, fences, retaining walls, and other similar accessory structures shall be permitted in any required yard. Clothes line poles and clothes trees shall be permitted in interior side and rear yards only.

5.21.4 Fire Escapes

Unenclosed fire escapes may project into required side or rear yard a distance of not more than 0.6 m (2 ft.).

5.21.5 Signs

Signs may be erected in accordance with the provisions of any sign by-law passed by the Corporation. Notwithstanding this, the home occupation provisions relating to signs as set out in By-law must be met.

5.21.6 Gate Houses

A gate house shall be permitted in any required front, side, or rear yard provided that such gate house is located at a distance of not less than 0.6 m (2 ft.) to any lot line.

5.21.7 Obstructions on Corner Lots

On a corner lot no obstruction between a height of 0.6 m (2 ft.) and 3 m (10 ft.) above the grade of the centre line of the street or streets abutting a daylight or sight triangle shall be permitted to impede or obscure the vision of the operator of a motor vehicle traveling on the abutting street(s).

5.21.8 Projecting Walls

An exterior wall of a dwelling which projects beyond the foundation wall (such as a wall over a cantilevered floor) may project into any required front or rear yard a distance of not more than 0.6 m (2 ft.) provided that the building complies with the sight triangle requirements on corner lots. For projecting walls, the permitted encroachments for ornamental structures under Section 5.21.1 may be measured from the projecting wall.

5.21.9 Exception to Front Yard and Exterior Side Yard Requirements

Notwithstanding the yard and setback provisions of this By-law to the contrary, a building may be erected closer to the front or exterior side lot line than permitted by the zone provision provided that the building is not erected closer to the front or exterior side lot line than the established average setback of the main buildings on abutting lots along the same street on the date of passing of this By-law, and provided that on corner lots the building complies with the site triangle requirements.

AMENDED BY BY-LAW No. 2-2009

5.21.10 Ontarians with Disabilities Act

Notwithstanding the yard and setback provisions of this By-law to the contrary, wheelchair ramps, or other apparatus for physically challenged people, as per "The Ontarians with Disabilities Act" may be erected within the required front, rear, interior or exterior side yard, provided that on corner lots these types of structures comply with the sight triangle requirements.

AMENDED BY BY-LAW No. 1-2017

5.21.11 Air Conditioning/Ventilation Devices

Air conditioning/ventilation devices shall be permitted:

(a) In the interior side yard but no closer than the minimum side yard requirement for the zone classification in which such device is located. In the case of the R1, R2, R3, R4, and HVR zones no closer than 1.2 m from the interior lot line unless the air conditioning/ventilation device is elevated at least 0.3 m above the average finished grade and in such case shall be permitted 0.5 m from the interior lot line;

(b) In the rear yard but no closer than 5.0 m from the rear lot line;

(c) In the exterior side yard but no closer than 5.0 m from the street line provided that such device is screened from view of the abutting road by fencing and/or landscaping.

5.22 Planting Strip Requirements

Required planting strip(s) shall be established in accordance with the following provisions:

5.22.1 Location

A required planting strip shall be located in proximity to the lot line or portion thereof, on which such planting strip is required. A planting strip may be located in any yard except as provided below:

(a) No planting strip shall be located in a daylight or sight triangle;

(b) No planting strip shall be located between the street line and the building line on the lot in such a manner as to impede or obscure the vision of the operator of a motor vehicle traveling on an adjacent street; and

(c) Where a planting strip is located in a required yard, there must be an adequate space remaining between the inside edge of the planting strip and the nearest building and/or structure on the lot so as to permit for the proper maintenance of the planting strip and the building and/or structure. For the purpose of this Section, a space measuring 1.2 m (4 ft.) in width shall be considered to be "adequate space".

5.22.2 Height

The minimum height of trees and shrubs in a planting strip at the time of planting shall be 1 m (3.5 ft.) and they must be of such a species or type so as to achieve a minimum height of 2 m (6.5 ft.) at maturity.

5.22.3 Width

A required planting strip shall have a minimum width of 1.5 m (5 ft.).

5.22.4 Driveways and Walkways

In all cases where ingress and egress driveways and walkways extend through a planting strip, it shall be permissible to interrupt the planting strip within 3 m (10 ft.) of the edge of such driveway or within 1.5 m (5 ft.) of the edge of such walkway.

5.22.5 Fencing

In circumstance where a planting strip is not feasible, a solid fence may be provided as an alternative to a planting strip. Such a fence or wall must have a minimum height of 2 m (6.5 ft.). The remaining portion of the planting strip width which is not used for the physical location of the fence shall be maintained as landscaped open space.

REMOVED BY BY-LAW No. 1-2017

5.23 Removed

AMENDED BY BY-LAW No. 70-2018

5.24 Prohibited Uses

(a) Except as otherwise specifically permitted in this By-law, the following uses are prohibited in any zone established under this By-law:

(i) A track for the racing of motor vehicles, motorcycles, go-carts, snowmobiles, or all-terrain vehicles;

(ii) A trailer camp as defined in Section 169 (4) of the Municipal Act, S.O. 2001.C. 25, as amended from time to time;

(iii) A junk yard, salvage *or* wrecking yard, or the collection, storage, or sale of junk, scrap metal, salvage, partially or completely dismantled motor vehicles or trailers;

(iv) Locating or storing on any land for any purpose any disused railway car, school bus, street car body, truck body, truck box, or shipping container, whether or not same is situated on a foundation. Notwithstanding this, in an agricultural, commercial, industrial or institutional zone, one truck body/box or truck trailer which is maintained in good condition and appearance, or one shipping container, may be used for storage accessory to the main use, subject to the requirements for accessory buildings;

AMENDED BY BY-LAW 30-2025

(v) Except as specifically permitted in an Agricultural Zone or elsewhere in this By-law, no person shall, in any zone, keep or raise any livestock.

(vi) Weigh scales in all zones except in an Agricultural, Agricultural, Commercial/Industrial, or Industrial Zone or as a part of a public use; and

(vii) Adult entertainment parlours.

(b) In addition to the uses prohibited by Clause (a) above, no land, building, or structure, except automobile service stations and duly licensed installations for bulk fuel storage of gasoline, lubricating and fuel oils, shall be used in the Municipality for commercial or industrial purposes which are likely to cause or create a danger to health, or danger from fire or explosion, and which, without limiting the generality of the foregoing, shall include the industrial manufacture of coal oil, fuel oil, burning liquid gas, naphtha, benzene, gasoline, dynamite, dualine, nitro-glycerine, gunpowder, petroleum products, propane, and ammonia.

(c) In addition to the uses prohibited by Clause (a) and (b) above, all uses of land and the erection or use of any building or structure for a purpose not permitted under the “Permitted Uses” sections of the various zones established by this By- law or any use permitted as public uses in

accordance with the provisions of Section 5.22 of this By-law are and shall be deemed to be prohibited uses under the provisions of this By-law.

(d) In addition to the uses prohibited in Clauses (a), (b), and (c) above, the provisions of the Health Protection and Promotion Act, as amended from time to time, shall apply to those uses considered to be offensive trades under such Act.

5.24 A Portable Asphalt Plants

New Portable Asphalt Plants are not permitted in areas designated "Natural Resources/Environment" in the County of Perth Official Plan and must satisfy the following:

(a) Plants must have a certificate of approval from the Ministry of Environment and Climate Change (MOECC);

(b) Plants must comply with the minimum separation distances established by the MOECC;

(c) If located on lands previously used for agriculture, upon removal of the plan, the site must be rehabilitated back to the agricultural use;

(d) Plants must be removed from the site upon completion of the public project; and

(e) Prior to locating a portable asphalt plant on productive agricultural and, consideration must be given to the use of existing asphalt plants in the area, locating the portable asphalt plant in a licensed pit or wayside pit, and locating the plant on lesser quality or inactive agricultural lands.

5.25 Public Services and Utilities

The provisions of this By-law shall not apply so as to prevent the use of any lot or the erection or use of any building or structure for a public service use by a government agency (including the Government of Canada, the Government of Ontario, the Corporation of the County of Perth or the Corporation of the Municipality of North Perth, as well as any ministry, department, commission, authority, board or agency established by same), or for a public utility use (including sewer, water, artificial or natural gas, electrical power or energy, steam or hot water, telecommunication networks, railways, flood control infrastructure; and includes the works, structures, buildings and appurtenances necessarily incidental to the supplying of such services), provided the following requirements are met:

(a) New public service uses are not permitted in any A, RR, MH, ACM, MAR, NRE1, NRE2, or FP zone;

(b) Buildings and structures shall meet the lot coverage and yard requirements of the applicable zone; and

(c) The open storage of goods, materials, or equipment is prohibited within

any Residential Zone.

AMENDED BY BY-LAW No. 2-2009

5.26 Satellite Dishes, Antennae, and Aerials

(a) Structures such as satellite dishes, antennae, and aerials that are used for receiving or transmitting radio, television, telephone, or other similar communications in connection with a permitted use shall be subject to the following criteria:

(i) No satellite dish, antennae, or aerial shall be permitted in the required front or exterior side yards; and

(ii) Shall be located no closer than 2 m (6.5 ft.) from a lot line; and

(b) All satellite dishes in a Residential Zone shall be fixed to and located on the ground, except for satellite dishes not greater than 1 m (3.5 ft.) in diameter which may be mounted on the wall of dwelling or accessory building.

5.26 A Secondary Farm Occupations

Where secondary farm occupations are listed as a permitted use, only one secondary farm occupation is permitted, and it must:

(a) Be accessory to the main use of the property;

(b) Have no more than one non-resident employee;

(c) Be located within 45 m of a main building;

(d) Not have a driveway that is independent from the main use;

(e) Have a maximum gross floor area of 375 m^2 and a maximum outdoor storage area of 2,000 m^2;

(f) When accessory to a farm use (specifically on a property eligible for the Farm Property Class Tax Program and/or having a valid Farm Business Registration Number), be limited to uses related to agriculture (including processing and packing), manufacturing, or trade occupations (including artists and craftspersons);

(g) When accessory to a residential use, be limited to trade occupation uses without outdoor storage;

(h) Be limited to a single sign no greater than 1.0 m^2 (9.3 ft^2) in area;

(i) Be located within a building that can be readily converted to farm use;

(j) Comply with the Minimum Distance Separation Formula I (MDS I);

(k) Not require municipal water or sewer services or private water and/or waste water services that require provincial approval;

(l) Have obtained a licence and/or a statement of conformity from the municipality.

AMENDED BY BY-LAW No. 1-2017

5.27 Significant Natural Resource/Environment Features

The upmost care has been taken to ensure that the boundaries of Natural Resource/Environment Features, including; Provincially Significant Wetlands; Significant Habitat for Threatened or Endangered Species; Significant Wildlife Habitat; Areas of Natural and Scientific Interest (Life Science), Fish Habitat, and Significant Woodlands; are shown accurately on Schedule "A" to this By-law. However, where the actual boundaries of such features are different from what is shown as NRE1, NRE2 and/or AL on Schedule "A", the zoning regulations will apply to the actual boundaries of the features.

5.28 Swimming Pools

A swimming pool is permitted as an accessory use in any zone provided that the following provisions are met:

5.28.1 Location

The swimming pool is located as follows:

(a) In the side yard of a lot, where no part of the swimming pool is located closer to any lot line or street line than the minimum yard distance required by this By-law for the main building on the lot;

(b) In an Agricultural Zone a swimming pool may be located in the front or side yard of any lot provided that no part of such pool is located closer to any lot line than the minimum distance required for the principal dwelling located on the lot; and

(c) In the rear yard of a lot, where no part of the swimming pool is located closer to any lot line than the minimum yard distance required by this By-law for an accessory building on the lot.

5.28.2 Fencing

Every swimming pool shall be enclosed by a fence as required by the Municipality's Swimming Pool By-law.

5.29 Temporary Uses

Notwithstanding the permitted uses in each zone of this By-law, temporary uses such as construction office, storage or tool shed, scaffolds, or other buildings and structures (excluding those used for human habitation) incidental to and necessary on location for the work in progress shall be permitted so long as same is necessary for the construction work which has neither been completed or abandoned. Abandoned shall mean failure to proceed expeditiously with the construction work. Temporary uses shall meet the required rear yard provisions of the applicable zone.

Notwithstanding the permitted uses in each zone of this By-law, when an owner of land is replacing an existing detached dwelling with a new detached dwelling, two

dwellings (i.e. the existing dwelling and the dwelling being constructed) may be located on one parcel of land for a maximum time limit of 12 months from the commencement of construction provided that, the owner has entered into the required agreements with Council and the construction work has neither been completed or abandoned (abandoned shall mean failure to proceed expeditiously with the construction work).

REMOVED BY BY-LAW No. 1-2017

5.30 Removed

AMENDED BY BY-LAW No. 108-ZB-2002

5.31 Undersized Lots

Notwithstanding anything contained in this By-law, an existing lot which lacks the required frontage and/or area for a lot in the respective zone, shall be deemed to be a lot that may be used for the uses permitted by this By-law and a building or structure may be erected, altered, or used thereon provided that:

(a) The description of such parcel is the same as in a deed, registered on or prior to the date of passing of this By-law;

(b) Such parcel could have been conveyed legally on the date of the passing of this By- law by way of deed, transfer, mortgage, charge or agreement of sale and purchase without consent under Section 50 of the Planning Act, R.S.O. 1990;

(c) Such parcel has a minimum frontage of 9 m (29.53 ft.);

(d) All relevant regulations made under the Health Protection and Promotion Act, R.S.O. 1990, and all relevant requirements of the Perth District Health Unit or any other such authority are complied with; and

(e) Suitable measures for the proper drainage of the parcel are completed;

(f) All other requirements of the appropriate zone are complied with;

AMENDED BY BY-LAW No. 1-2017

(g) In any Agricultural Zone, new dwellings must meet the requirements of MDS I:

(h) In Residential Zones, undersized lots shall be limited to a single-detached dwelling. Multiple unit dwellings shall comply with the applicable zone provisions;

(i) In the case of a severance or lot addition, the provisions of Section 5.31 shall continue to apply such that the undersized lot shall be deemed to comply with any applicable provisions of this By-law resulting from such severance or lot addition. The provisions of Section 5.14 of this By-law may also apply.

5.32 Use of Travel Trailers, Tent Trailer, Motor Home or Similar Vehicle or Structure

No person shall use any travel trailer, tent trailer, motor home or similar vehicle or

structure for temporary or permanent living accommodation in any zone:

(a) Except as may be specifically permitted by this By-law; or

(b) Except that not more than one of such vehicles or structures may be used for temporary sleeping accommodation not exceeding three months in any calendar year as an accessory use on a lot which contains a dwelling.

5.33 Wayside Permit Aggregate Operations and Portable Asphalt Plants

A wayside permit aggregate operation (wayside pit) for the extraction and processing of road building materials and portable asphalt plants for use in constructing public roads may be established in the "A" Zone provided that such operations comply with all other provisions of this By-law applicable thereto and further provided that this provision applies only to the Council of the Municipality of North Perth or a designated agent thereof, except that the County of Perth or designated agent thereof or a designated agent of the Ministry of Transportation may obtain a licence and operate wayside permit aggregate operations (wayside pits) or portable asphalt plants (in compliance with Section 3.140 of this By-law) for the purposes herein stated.

5.34 Yard and Setback Requirements for Land Without Buildings

Where a use is carried on, on any land or lot, and such use is not enclosed by any building or structure, the yard and setback requirements of this By-law shall apply to such use in the same manner as if a building or structure existed.

5.35 Servicing Requirements

5.35.1 Where municipal water and/or municipal sewage services are not available, a written servicing agreement shall be required with the Municipality for any use which requires such services; and

5.35.2 No use shall be permitted in any zone unless all requirements of the appropriate authority for sewage disposal are met.

ADDED BY BY-LAW No. 108-ZB-2002

5.36 Oil and Gas Exploration/Drilling

Oil and gas exploration/drilling activities shall be permitted in the Agricultural, Agricultural Commercial/ Industrial, and Flood Plain Zones provided that such activities are permitted and carried out in accordance with the provisions of the Oil, Gas and Salt Resources Act and regulations thereunder.

AMENDED BY BY-LAW No. 1-2017

5.37 Drive-Through Facilities

The following regulations shall apply to new drive-through facilities:

(a) Location

Drive-through facilities are not permitted within front yards, or any yard adjacent to a residential or institutional use or zone.

(b) Queuing

The following table describes the minimum number of stacking spaces for

each type of drive-through facility:

Restaurant	-	10 spaces;
Automated Car Wash	-	5 spaces;
Automated Teller/Other	-	3 spaces.

The entrance to the stacking lane must be a minimum of 16 m from the road right-of-way. Queuing lane spaces are included in the overall parking requirement for the site.

AMENDED BY BY-LAW No. 1-2017

5.38 Dwelling Separation from Sewage Lagoons

Notwithstanding any other provision of this By-law to the contrary, the nearest main wall of a dwelling shall not be constructed within 100 m (328 ft.) of any sewage lagoon.

ADDED BY BY-LAW 15-2022

5.39 Garbage and Recyclables Storage Areas

For multi-unit developments of three (3) or more residential units on one lot:

a) When any development is proposed, provisions for garbage storage, recycling and collection shall be provided on the same site as the development;

b) All site refuse and recycling bins in zones other than agricultural zones, including all other large receptacles used for the temporary storage of materials, require opaque screening from adjacent lots and streets;

c) All screening will be a minimum of 1.5 m in height to a maximum height that is equivalent to the height of the refuse or recycling bin;

d) All sides open to public view shall be screened by the additional planting of shrub and groundcover material at least 1.5 m in height;

e) Notwithstanding sub-section b, a refuse or recycling bin located within a property and screened from adjoining lots will not require any screening or landscape;

f) All refuse or recycling bins shall be located a minimum of 3.0 m from any abutting residential zone so as to not obstruct pedestrian or vehicle traffic;

g) An unobstructed access lane with a minimum width of 3.0 m and a minimum vertical clearance of 4.6 m shall be provided to provide access to a required garbage and recycling room or enclosure.”

SECTION 6 - AGRICULTURAL ZONE (A)

No person shall within any “A” Zone use any land or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions:

6.1 Permitted Uses

(a) A bed and breakfast establishment / farm vacation establishment in accordance with Section 3;

(b) Conservation;

(c) An existing institutional use, and enlargement thereof;

(d) An existing non-farm residential use, and enlargement thereof;

(e) Farm uses, including farm residential uses in accordance with Section 6.2; (f) forestry;

(f) An airfield;

(g) A home occupation in accordance with Section 3;

(h) A kennel;

(i) Recreational trails;

(j) A secondary farm occupation in accordance with Section 3;

(k) Wayside permit aggregate operations and portable asphalt plants, in accordance with Section 5.33; and

(l) Accessory uses, buildings, and structures, in accordance with Sections 3 and 5.

AMENDED BY BY-LAW 1-2017

6.2 Permitted Buildings and Structures

(a) Farm buildings and structures, including:

i) Livestock facilities;

ii) One single-detached dwelling associated with an agricultural use;

AMENDED BY BY-LAW No 30-2025

iii) Repealed by By-law No. 30-2025

(b) Dwellings existing on the date of passing of this By-law;

(c) Institutional buildings and structures existing on the date of passing of this Bylaw;

(d) Buildings and structures for the permitted uses;

(e) Buildings and structures accessory to the permitted uses.

6.3. Zone Regulations

6.3.1 Lot Area, Minimum

For agricultural uses; 30 hectares (75 acres)
(Areas of the same lot zoned as "NRE1" and/or "NRE2" may be included in the calculation of lot area)
1,850 m^2 (20,000 ft^2)

6.3.2 Lot Frontage, Minimum

For agricultural uses:	225 m	(740 ft.)
For other permitted uses:	30 m	(100 ft.)

AMENDED BY BY-LAW No. 1-2017, AMENDED BY BY-LAW No 15-2022 & 30-2025

6.3.3 Yard Requirements, Minimum

6.3.3.1 For livestock facilities, the minimum front, rear and side yards shall not be less than:
Front Yard Depth: 15 m
Rear Yard Depth: 15 m
Interior Side Yard Width: 15 m
Exterior Side Yard Width: 15 m

6.3.3.2 Other permitted buildings and structures, including buildings and structures accessory to an agricultural use (including grain bins less than 12 m in height), the minimum front, rear and side yards shall not be less than:
Front Yard Depth: 15 m
Rear Yard Depth: 7.5 m
Interior Side Yard Width: 4.5 m
Exterior Side Yard Width: 15 m

AMENDED BY BY-LAW No. 2-2009

6.3.4 Lot Coverage, Maximum

For agricultural buildings and structure: 10%
For other permitted buildings and structures: 30%

6.3.5 Building Height, Maximum

For agricultural buildings and structures: 30 m (100 ft.)
For other permitted buildings and structures: 12 m (40 ft.)

Supplementary Regulations for Dwelling Units Ground Floor Area, Minimum
1 storey dwelling 80 m (860 ft)

Dwelling with more one storey 69 m (740 ft)

Mobile home 45 m (490 ft)
Any supplementary dwelling unit on a farm, where permitted by Section 6.2(a), shall be located no more than 45 m (147.63 ft.) from the main dwelling on the farm. A supplementary dwelling unit shall not contain a basement or cellar.

AMENDED BY BY-LAW No. 2-2009

6.3.6 Supplementary Regulations for Kennels
New kennels, and additions to existing kennels must be located at a distance of not less than 150 m (500 ft.) from a dwelling or commercial, industrial, institutional, and park or recreation uses located on adjacent lots and be located not less than 300 m (980 ft.) from land in a Residential Zone. In addition, kennels must comply with the Municipality's Animal Control By-law, as amended from time to time.

AMENDED BY BY-LAW No. 1-2017

6.4 Minimum Distance Separation

6.4.1 Livestock facilities shall comply with the Minimum Distance Separation Formula II (MDS II).

6.4.2 Dwellings and institutional uses shall comply with the Minimum Distance Separation Formula I (MDS I), although supplementary dwelling units shall comply with MDS I OR be no closer to existing livestock facilities than the main dwelling. Closed cemeteries are a "Type "A" Land Use" for MDS I calculations.

AMENDED BY BY-LAW No. 108-ZB-2002

6.5 Manure Storage Structures

In addition to all applicable requirements of this by-law, no manure storage facility shall be established or enlarged except in accordance with the farm's nutrient management strategy/plan, where applicable.

AMENDED BY BY-LAW No. 2-2009

6.5.1 Structures for the storage of liquid manure shall:
(i) Be constructed of concrete, masonry or metal; and

(ii) Be of sufficient size to accommodate at least 240 days of manure generated by the livestock operation on the lot; and

(iii) Be constructed of concrete, masonry, or metal, and in accordance with the applicable Building Codes (e.g. Ontario Building Code, National Farm Building Code). However, the top of an open tank must have walls that extend 0.3 m (1 ft.) or more above the surrounding grade level and be covered with a suitable material or be wholly enclosed within a livestock building;

(iv) Notwithstanding Clause (iii) above, in the case of an uncovered tank, have impervious walls that extend at least 1.52 m (5 ft.) above the average finished grade. Where a ramp is used in connection with an uncovered tank, a minimum 1.52 m (5 ft.) high safety fence and gate shall be required at the top of the ramp and along the top of the walls of the uncovered tank to a distance of 3.0 m (10 ft.) from the sides of the ramp; and

(v) Shall be required to provide the location of the nearest field drainage tile by excavating a perimeter trench to a minimum depth of 1.5 m (5 ft.) around the entire site of the liquid manure storage facility. If a drainage tile is located underneath or within 15 m (50 ft.) of the location of the liquid manure storage facility, then the drainage tile must be rerouted, removed, or capped prior to the construction of the liquid manure storage facility. Verification of this requirement shall be provided by the land owner to the Chief Building Official, prior to the construction of the liquid manure storage facility.

6.5.2 Structures for the storage of dry manure shall:

(i) Consist of a concrete pad of sufficient size to accommodate 240 days of manure generated by the livestock operation; and

(ii) Be constructed to contain run-off from the manure; and

(iii) Any liquid storage facility to store run-off from the dry manure shall be an in ground and sealed tank with at least 240 days liquid storage capacity or shall be constructed in accordance with Section 6.5.1.

AMENDED BY BY-LAW No. 57-2007

6.5.3 All manure storage structures shall:

(i) Be no closer than 30 m (100 ft.) from any watercourse; and

(ii) Be no closer than 15 m (50 ft.) from any field drainage tile;

(iii) Comply with the Minimum Distance Separation Formula II (MDS II).

ADDED BY BY-LAW No. 108-ZB-2002

6.5.4 Temporary Stockpiling of Manure

The temporary stockpiling of solid manure will be allowed in a field, in accordance with the following provisions:

6.5.4.1 The area for the temporary stockpiling of manure shall be:

30 m (100 ft.) from a property line;

200 m (660 ft.) from the nearest residential dwelling; 100 m (330 ft.) from a well; and 30 m (100 ft.) from a watercourse, pond, open municipal drain or water inlet.

AMENDED BY BY-LAW No. 108-ZB-2002 and BY-LAW No. 57-2007

6.6 Nutrient Management Plan

No livestock facility shall be established or enlarged until a nutrient management strategy/plan is completed where required by the Nutrient Management Act, as amended for time to time.

6.7 Woodlot Clearing Prohibition

The clearing of woodlots or forested areas or parts thereof shall be prohibited with the exception of minor clearing where permitted in accordance with the County of Perth Tree By-law.

6.8 Special Provisions

6.8.1 **A-1**

(a) Location: All lands within the "A-1" zone, as shown on Schedule "A" to this By-law

(b) Notwithstanding the provisions of Section 6 to the contrary, an area zoned "A- 1" on Schedule "A" to this By-law may also be used for one-single detached dwelling and accessory uses, buildings and structures.

(c) All other applicable provisions of this By-law, as amended, shall apply.

Explanatory Note: The "A-1" zone applies to existing lots of record where a site-specific rezoning has been approved to permit a single-detached dwelling in accordance with Section 5.5.15 the County of Perth Official Plan.

AMENDED BY BY-LAW No. 102-ZB-2001, AMENDED BY BY-LAW No. 13-2018

6.8.1.1 A-1$_2$

(a) Location: Part Lot 12, Concession 3, Elma Ward (Key Map 11).

(b) Notwithstanding any provisions of Section 6.3 of this By-law to the contrary, for lands within the "A-1_2" zone as shown on Key Map 11 of Schedule A to By-law No. 6-ZB-1999, the permitted uses are subject to the following regulations:

(i)	Minimum Lot Frontage	25 m
(ii)	Minimum Rear Yard	11.5 m

(c) Notwithstanding the permitted uses of Section 6.8.1 of this By-law to the contrary, for lands within the "A-1_2" zone as shown on Key Map 11 of Schedule A to By-law No. 6-ZB-1999, a secondary farm occupation is permitted.

(d) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

AMENDED BY BY-LAW No. 107-2018 and 109-2018

6.8.1.2 A-1_3

(a) Location: Part of lots 11 & 12, Concession 14 (6559 Road 166) Elma Ward (Key Map 18); and Lot 18, Concession 16 (5835 Line 60), Elma Ward (Key Map19)

(b) Notwithstanding any provisions of Section 6.3 of this By-law to the contrary, the following minimum rear yard setback for an existing accessory structure for land in the "A-1_3" zone, as shown on Key Map 18 of Schedule A to this By-law shall be 0.5 m (1.6 feet).

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

AMENDED BY BY-LAW No. 108-2018

6.8.1.2 A-1_4

(a) Location: Lot 9, Concession 15 (6342 Line 60), Elma Ward (Key Map 18)

(b) Notwithstanding any provisions of Section 6.3 of this By-law to the contrary, the following minimum lot frontage for land in the "A-1R4R" zone, as shown on Key Map 18 of Schedule A to this By-law shall be 6.1 m (20 feet).

(a) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

AMENDED BY BY-LAW No. 139-2019

6.8.1.6 A-1_7

(a) Location: Part of Lots 51 and 52, Concession 1 (5475 Perth Line 86), Elma Ward (Key Map 10).

(b) Notwithstanding any provisions of Section 6.3 of this By-law to the contrary, the following minimum lot frontage for land in the "A-1R7R" zone, as shown on Key Map 10 of Schedule A to this By-law shall be 14 m (46 feet).

(c) Notwithstanding any provisions of Section 6.3 of this By-law to the contrary, the following minimum interior side yard for an existing one-storey accessory structure for land in the "A-1R7R" zone, as shown on Key Map 10 of Schedule A to this By-law shall be 1.5 m (4.9 feet).

(d) All other provisions of this By-law, as amended, shall apply.

AMENDED BY BY-LAW No 35-2022

6.8.1.9 A-1$_9$

(a) Location: Part Lot 16, Concession 4, Wallace Ward (5535 Line 88)

(b) Notwithstanding any provisions of Section 6 to the contrary, the minimum lot frontage requirements shall be 17 m (56 feet)

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

AMENDED BY BY-LAW No 85-2022

6.8.1.9 A-1$_{10}$

(a) Location: Concession 25, Lot 6 (5527 Line 78), Elma Ward of North

(b) Notwithstanding any provisions of Section 6 to the contrary, the minimum lot frontage requirements shall be 17 m (56 feet)

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW No 59-2023

6.8.1.9 A-1$_{11}$

(a) Location: Part Lot 18, Concession 1, 8199 Road 157 (Wallace Ward)

(b) Notwithstanding any provisions of Section 6 to the contrary, up to 6 Nutrients Units of non-commercial animals will be permitted as an accessory use. Non-commercial animals shall mean the keeping of livestock as defined by Section 3.96 for person use accessory to the residential use on a lot but shall not include any keeping of animals for the purposes of sale or sharing of any animal or products produced

on the residential lot;

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

AMENDED BY BY-LAW No 28-2022

6.8.1.8 A-18

(a) Location: Lot 25, Concession 5, Elma Ward (7568 Road 154)

(b) Notwithstanding any provisions of Section 6 to the contrary, the minimum lot frontage requirement shall be 17 m (56 feet)

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW No 108-2023

6.8.1.12 A-1_{12}

(a) Location: Concession 4, Part Lot 48, Wallace Ward, Municipality of North Perth (Key Map 21)

(b) That the minimum interior side yard width for the accessory structures identified as “children’s playsets” shall be 2.1 m

(c) That the minimum rear yard depth for the accessory structures identified as “children’s playsets” shall be 1.1 m

(d) Notwithstanding any provisions of Section 6 to the contrary, up to one non-commercial chicken coop with seven chickens will be permitted as an accessory use. Non-commercial animals shall mean the keeping of livestock as defined by Section 3.96 for personal use accessory to the residential use on a lot but shall not include any keeping of animals for the purposes of sale or sharing of any animals or products produced on the residential lot

(e) All other applicable provisions of this By-law shall apply.

AMENDED BY BY-LAW No. 102-ZB-2001

6.8.2 A-2

(a) Location: All lands within the “A-2” zone, as shown on Schedule “A” to this By-law.

(b) Notwithstanding any provisions of this By-law to the contrary, no dwelling (with the exception of a mobile home) shall be established in an “A-2” zone, as shown on Schedule “A” to this

By-law.

(c) All other applicable provisions of this By-law, as amended, shall apply. *Explanatory Note: The "A-2" zone applies to potential sand and gravel deposits identified in the County of Perth Official Plan.*

6.8.3 A-3

(a) Location: Part of Lot 13, Concession 1 (Elma Ward)

(b) Notwithstanding the provisions of Section 6.1 and 6.2 of this By-law to the contrary, the land located in the "A-3" zone as shown on Key Map 11 of Schedule "A" to this By-law shall only be used for an industrial use described as a sand and gravel construction establishment and accessory uses, buildings and structures, including an accessory single-detached dwelling use and accessory office uses.

(c) All other applicable provisions of this By-law, as amended, shall apply.

AMENDED BY BY-LAW No. 30-2007

6.8.4 A-4

(a) Location: Part of Lot 26, Concession 9 (Elma Ward)

(b) Notwithstanding the provisions of Section 6 of this By-law to the contrary, the following additional uses are permitted on the land located in the "A-4" zone as shown on Key Map 17 of Schedule "A" to this By-law, subject to the provisions in paragraph (c) below:

(i) An industrial use described as a truck transport terminal, and accessory uses, buildings and structures,

(ii) A farm related crop spraying operation, and accessory uses, buildings and structures,

(iii) One single-detached dwelling and accessory uses.

(c) The following zone provisions will apply for the uses and buildings permitted in clause (b) above:

(i) Minimum Front Yard 18 m (59.06 ft.);

(ii) Minimum Interior Side Yard - easterly 15 m (49.21 ft.);
- westerly 120 m (393.7 ft.);

(iii) Minimum Rear Yard 900 m 2,952.75 ft.).

(d) All other applicable provisions of this By-law, as amended, shall apply.

6.8.5 A-5

(a) Location: Part of Lot 26, Concession 1 (Elma Ward)

(b) Notwithstanding the provisions of Section 6.1 of this By-law to the contrary, the following uses are also permitted on the land located in the "A-5" zone as shown on Key Map 9 of Schedule "A" to this By-law: (i) a farm machinery parts, sales and service establishment; (ii) the outdoor storage of farm machinery; and (iii) accessory uses.

(c) Notwithstanding the provisions of Section 6 of By-law to the contrary, the additional permitted uses in clause (b) above are subject to the following regulations:

(i) Front Yard, Minimum 130 m (426.50 ft.);

(ii) Easterly Side Yard, Minimum200 m (656.16 ft.);

(iii) Westerly Side Yard, Minimum 16.5 m (54.13 ft.);

(iv) Rear Yard, Minimum 650 m (2,132.54 ft.).

(d) Notwithstanding any provision of this By-law to the contrary, the additional permitted uses in clause (b) (ii), and (iii) above shall be enclosed by an opaque fence or opaque wall with a minimum height of 2.4 m (7.87 ft.).

(e) All other applicable provisions of this By-law, as amended, shall apply.

AMENDED BY BY-LAW No. 109-ZB-2006

6.8.6 A-6

(a) Location: Part of Lot 49, Concession 1 (Elma Ward)

(b) Notwithstanding the provisions of Section 6.1 of this By-law to the contrary, the following additional uses are permitted on the land located in the "A-6" zone as shown on Key Map 10 of Schedule "A" to this By-law:

(i) A farm related auction centre;

(ii) A sales arena;

(iii) A livestock holding and display facility;

(iv) A parking lot;

(v) A farm implement display and auction area;

(vi) A farm supply and feed sales establishment (including a tack shop);

(vii) A business or professional office (within an existing building);

(viii) An apartment (within an existing building) accessory to the uses on the above-noted property;

(ix) A farm produce sales outlet in addition to the existing tack shop; and

(x) Accessory uses, buildings and structures.

(c) Notwithstanding any provisions of Section 6 of this By-law to the contrary, a building used for the purpose of housing the farm related auction centre and sales arena shall have a minimum easterly interior side yard of 6 m (19.69 ft.).

(d) Notwithstanding the provisions of Section 5.18 of this By-law to the contrary, parking required in conjunction with a farm related auction centre and a sales arena may be located on part of Lot 50, Concession 1 (Elma Ward) in the “A- 7” zone as shown on Key Map 10 of Schedule “A” to this By-law.

(e) All other applicable provisions of this By-law, as amended, shall apply.

AMENDED BY BY-LAW No. 109-ZB-2006 and 27-2016

6.8.7 A-7

(a) Location: Part of Lot 50, Concession 1 (Elma Ward)

(b) Notwithstanding the provisions of Section 6.1 of this By-law to the contrary, the following additional uses are also permitted on the land located in the "A-7" zone shown on Key Map 10 of Schedule "A" to this Bylaw (also shown on Schedule “A” to By-law No. 27-2016):

(i) A farm implement display and auction area used in

conjunction with the uses permitted in the lands within the "A-6" zone located to the west;

(ii) A parking lot used in conjunction with the uses permitted in the lands within the "A-6" zone;

(iii) A mini-storage and warehousing use;

(iv) A self-serve gas bar;

(v) An automobile repair establishment; and

(vi) Accessory uses, buildings and structures

(c) The mini-storage and warehousing use described in clause (b) (iii) above shall have a minimum exterior side yard of 7.5 m (24.6 ft.), and shall have no direct access to Perth Line 86.

(d) The self-serve gas bar use described in clause (b) (iv) above shall have a minimum exterior side yard of 30 m (98.43ft.), and shall have no direct access to Perth Line 86.

(e) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

AMENDED BY BY-LAW No. 37-ZB-2002

6.8.8 A-8

(a) Location: Lot 18, Concession 16 (Elma Ward)

(b) Notwithstanding the provisions of Section 6.1 of this By-law to the contrary, the following additional uses are also permitted on the land located in the “A- 8” zone as shown on Key Map 19 of Schedule “A” to this By-law: (i) a garden nursery;

(ii) A commercial greenhouse;

(iii) Garden display areas;

(iv) Accessory uses, including accessory retailing.

(c) Notwithstanding the provisions of Sections 6 of this By-law to the contrary, the maximum ground floor area for a building or structure permitted in Clause (b) above shall be:

(i) Commercial greenhouses/ garden nursery 3,000 m (32,292.7

ft)

(ii) accessory retail use 550 m (5,920.3 ft)

(iii) accessory display area 100 m (1,076.4 ft)

(d) All other applicable provisions of this By-law, as amended, shall apply.

6.8.9 A-9

(a) Location: Part of Lot 27, Concession 5 (Elma Ward)

(b) Notwithstanding the provisions of Sections 6.1 and 6.2 of this By-law to the contrary, an additional use described as drapery manufacturing and warehousing establishment is permitted on the land located in the "A-9" zone as shown on Key Map 13 of Schedule "A" to this By-law provided that the use is confined to an existing dwelling and a drive shed with a maximum floor area of 700 square m (7,534.98 ft^2).

(c) All other applicable provisions of this By-law, as amended, shall apply.

AMENDED BY BY-LAW No. 74-ZB-2004

6.8.10 A-10

(a) Location: Part of Lot 62, Concession 1 (Elma Ward)

(b) Notwithstanding the provisions of Sections 6.1 and 6.2 of By-law No. 6- ZB1999 to the contrary, an additional use described as a motorhome and travel trailer sales and service establishment is permitted on the land located within the "A-10" zone as shown on Key Map 10 of Schedule "A" to By-law No. 6ZB-1999 (also shown on Schedule "A" to By-law No. 74-ZB-2004).

(c) Notwithstanding the provisions of Section 3.160 of By-law No. 6-ZB-1999 to the contrary, an auto mechanic shall be permitted as one of the trades occupations permitted as a secondary farm occupation on the land described in clause (b) above.

(d) All other provisions of this By-law, as amended, shall apply.

6.8.11 A-11

(a) Location: Part of Lot 1, Concession 12 (Elma Ward)

(b) Notwithstanding the provisions of Sections 6.1 of this By-law to the contrary, an abattoir, meat market and accessory uses, buildings and structures are also permitted on the land located in the “A-11” zone as shown on Key Map 15 of Schedule “A” to this By-law.

(c) All other applicable provisions of this By-law, as amended, shall apply.

AMENDED BY BY-LAW No. 35-2017

6.8.12 A-12

(a) Location: Part of Lots 1 and 2, Concession 1 (Elma Ward)

(b) Notwithstanding the provisions of Section 6 of this By-law to the contrary, a contractor’s yard or shop is also permitted on the land located in the "A-12" zone shown on Key Map 11 of Schedule "A" to this By-law (also shown on Schedule “A” to By-law No. 35-2017), and the buildings associated with such use shall have minimum interior side and rear yard requirements of 3.0 m (10 ft.), and a maximum building height of 15 m (50 ft.).

(c) All other applicable provisions of this By-law, as amended, shall apply.

6.8.13 A-13

(a) Location: Part of Lot 8, Concession 1 (Elma Ward)

(b) Notwithstanding the provisions of Section 6.1 and 6.2 of this By-law to the contrary, an additional use described as an antique furniture refinishing and woodworking operation with a maximum floor area of 300 square m (3,229.28 sq. ft.) shall be permitted on the land located in the “A-13” zone as shown on Key Map 11 of Schedule “A” to this By-law.

(c) All other applicable provisions of this By-law, as amended, shall apply.

6.8.14 A-14

(a) Location: Lot 35, Concession 2 (Elma Ward)

(b) Notwithstanding the provisions of Sections 6.1 and 6.2 of this By-law to the contrary, an additional use described as a wood working and furniture manufacturer with a maximum gross floor area of 215 square m (2,314.32 sq. ft.) and a maximum of two off-farm employees shall be permitted on the land located in the “A-14” zone as shown on

Key Map 13 of Schedule “A” to this By-law.

(c) All other applicable provisions of this By-law, as amended, shall apply.

6.8.15 A-15

(a) Location: Lot 16, Concession 17 (Elma Ward)

(b) Notwithstanding the provisions of Sections 6.1 and 6.2 of this By-law to the contrary, an additional use described as a tack shop shall be permitted on the land located in the “A-15” zone as shown on Key Map 48 of Schedule “A” to this By-law.

(c) All other applicable provisions of this By-law, as amended, shall apply.

AMENDED BY BY-LAW No. 123-ZB-2000

6.8.16 A-16-T

(a) Location: Part of Lot 18, Concession 1 (Wallace Ward)

(b) Notwithstanding any provisions of Section 6.1 of this By-law to the contrary, a garden suite, in the form of a mobile home, shall be permitted as secondary housing for a period of ten years from the day of passing of By-law No. 123ZB- 2000 (November 6, 2010) on the land in the A-16-T zone as shown on Key Map 10 of Schedule “A” to this By-law.

(c) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above is in effect, Section 34(9)(a) of the Planning Act, R.S.O. 1990 does not apply so as to permit the continued use of the land, buildings, or structures for the proposed temporary use.

(d) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above is in effect, the zone classification of the subject property shall be established as “Agricultural Zone (A)” in this By-law and shall then be shown as “A” on Key Map 10 of Schedule “A” to this By-law and the provisions of Section 6 of this By-law shall apply.

(e) All other applicable provisions of this By-law, as amended, shall apply.

6.8.17 A-17

(a) Location:

(i) Part of Lots 7 and 8, Concession 6 (Wallace Ward)

(ii) Part of Lots 49 and 50, Concession 4 (Wallace Ward)

(b) Notwithstanding the provisions of Section 6.1 of this By-law to the contrary, an additional permitted use described as an automotive and farm mechanical repair operation and accessory uses thereto, including the safety inspection of motor vehicles is permitted on lands within the "A-17" zone as shown on Key Maps 6 and 8 of Schedule "A" to this By-law.

(c) All other applicable provisions of this By-law, as amended, shall apply.

6.8.18 A-18

(a) Location: Part of Lot 24, Concession 9 (Wallace Ward)

(b) Notwithstanding the provisions of Sections 3 and 6 of this By-law to the contrary, an additional permitted use described as an antique establishment shall be permitted as a secondary farm occupation is permitted on lands within the "A-18" zone as shown on Key Map 2 of Schedule "A" to this Bylaw.

(c) All other applicable provisions of this By-law, as amended, shall apply.

AMENDED BY BY-LAW No. 3-ZB-2002

6.8.19 A-19

(a) Location: Part of Lot 1, Concession 8 (Wallace Ward)

(b) Notwithstanding any provisions of this By-law to the contrary, a farm-related excavating establishment shall be permitted as an additional use on lands within the "A-19" zone as shown on Key Map 3 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. 3-ZB-2002) subject to the following criteria:

(i) No outdoor activities shall be permitted, with the exception of the parking of vehicles and equipment;

(ii) The maximum gross floor area for the accessory buildings shall be 780.4 (8,400 ft)

(iii) A planting strip shall be required along the easterly and northerly edge of the parking area in with Section 5.22 of this By-law.

(c) All other applicable provisions of this By-law, as amended, shall apply.

6.8.20 A-20

(a) Location: Part of Lot 31, Concession 4 (Wallace Ward)

(b) Notwithstanding the provisions of Sections 6.1, 6.1.1 and 6.1.2 to the contrary, an additional use described as a waste disposal business and accessory uses shall be permitted on lands within the "A-20" zone as shown on Key Map 7 of Schedule "A" to this By-law, subject to the following zone provisions:

(i) Front Yard, Minimum 30 m (98.43 ft.)

(ii) Side Yard, Minimum 30 m (98.43 ft.)

(iii) Rear Yard, Minimum 9 m (29.53 ft.)

(c) For the purposes of this By-law an agricultural waste disposal business shall mean the use of land, buildings or other structures for the purpose of collecting, assembling, and storage of waste material which has been produced or generated from agricultural purposes and may include: solid and liquid manure; effluent from septic tanks; and milky water or sludge from milk houses; but shall exclude the collecting, assembling or storage of chemical containers.

(d) Notwithstanding the provisions of Section 3.1 of this By-law to the contrary, accessory uses as permitted in clause (b) above, shall include only: one single- detached dwelling; an office; a repair shop; a truck parking lot; and the collecting, hauling and storage of septic tank effluent from non-agricultural residential uses; and the hauling and storage of milky water or sludge from dairy processing operations.

(e) All other applicable provisions of this By-law, as amended, shall apply.

6.8.21 A-21

(a) Location: Part of Lot 48, Concession 3 (Wallace Ward)

(b) Notwithstanding the provisions of Section 6.1 to the contrary, an additional use described as a tile drainage business and accessory uses shall be permitted on lands within the "A-21" zone as shown on Key Map 6 of Schedule "A" to this By-law.

(c) All other applicable provisions of this By-law, as amended, shall apply.

6.8.22 A-22

(b) Location: Part of Lot 24, Concession 4 (Wallace Ward)

(c) Notwithstanding the provisions of Section 6.1 to the contrary, a use described as a poultry processing establishment and accessory uses, including an accessory catering business, but excluding any:

(i) Slaughtering of poultry;

(ii) Outside storage of waste materials and/or water;

(iii) Lagoon for the storage of waste materials and/or water;

(iv) Single-detached dwelling or other building or structure for human habitation; shall be permitted on the lands within the "A-22" zone as shown on Key Map 7 of Schedule "A" to this By-law.

(d) Notwithstanding any provisions of this By-law to the contrary, the following shall be the regulations for buildings and structures permitted by clause (b), above:

(i)	Lot Area, Minimum	0.98 hectares
(ii)	Lot Frontage, Minimum	100.5 m
(iii)	Front Yard, Minimum	30.5 m
(iv)	Side Yard, Minimum	30.5 m
(v)	Rear Yard, Minimum	30.5 m
(vi)	Maximum floor area for a building which is to be used for the processing of poultry as permitted in clause (b) above	$300m^2$
(vii)	Maximum floor area for a catering business as permitted in clause (b) above, and allocation within part of the building use for the processing of poultry as permitted in clause (b) above	$8\ m^2$

(d) All other applicable provisions of this By-law, as amended, shall apply.

DELETED BY BY-LAW No. 79-2011

6.8.23 Removed

DELETED BY BY-LAW No. 60-2005

6.8.24 Removed

AMENDED BY BY-LAW No. 2-2009

6.8.25 A-25

(a) Location: Part of Lots 55 and 56, Concession 1(Wallace Ward)

(b) Notwithstanding the provisions of Section 6.1 to the contrary, an additional use described as an agricultural parts business shall be permitted on lands within the "A-25" zone as shown on Key Map 5 of Schedule "A" to this Bylaw.

(c) Notwithstanding any provisions of this By-law to the contrary, the maximum gross floor area for the additional use permitted in clause (b) shall be 557.4m2 (6,000 ft)

(d) Notwithstanding any provisions of this By-law to the contrary, no outdoor storage or display area shall be permitted for the additional use permitted in clause (b).

(e) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 74-ZB-1999

6.8.26 A-26

(a) Location: Part of Lot 30, Concession 6 (Elma Ward)

(b) Notwithstanding the provisions of Sections 5.31(g)(i) and 6.2 (a) of By-law No. 6-ZB-1999 to the contrary, a single-detached dwelling and accessory uses, buildings and structures is permitted on an existing undersized lot located within the "A-26" zone as shown on Key Map 13 of Schedule "A" to By-law No. 6-ZB-1999 (also shown on Schedule "A" to By-law No. 74- ZB1999).

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

AMENDED BY BY-LAW No. 28-ZB-2001

6.8.27 A-27

(a) Location: Part of Lots 25, 26 and 27, Concession 7 (Wallace Ward)

(b) Notwithstanding any provisions of this By-law to the contrary, uses described as:

(i) A nursing home (maximum 100 units);

(ii) A hotel and conference centre (maximum 266 rooms),

including accessory retail uses, within the existing buildings;

(iii) A residential land lease development (maximum 100 attached dwellings (e.g. semi-detached dwellings and townhouse [dwellings);

(iv) A commercial recreational use (e.g. fitness centre, swimming pool etc.);

(v) A private nine-hole golf course (for the use of the development's residents/patrons); and

(vi) Accessory uses, buildings and structures are permitted on the land located within the "A-27" zone as shown on Key Map 2 of Schedule "A" to By-law No. 6-ZB-1999 (also shown on Schedule "A" to By-law No. 28- ZB2001).

(c) Notwithstanding any provisions of this By-law to the contrary, the requirements for the attached dwellings shall be in accordance with the provisions of Section 16.4 of By-law No. 6-ZB-1999, with the references to mobile home/modular home being interpreted as attached dwelling within the land lease community.

(d) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW No. 2-ZB-2000

6.8.28 A-28

(a) Location: Part of Lots 20 & 21, Concession 10 (Wallace Ward)

(b) Notwithstanding the provisions of Sections 5.31 and 6.3.1 of By-law No. 6- ZB-1999 to the contrary, a single-detached dwelling and accessory uses, buildings and structures is permitted on a lot located within the "A-28" zone as shown on Key Map 2 of Schedule "A" to By-law No. 6-ZB-1999 (also shown on Schedule "A" to By-law No. 2-ZB-2000).

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

AMENDED BY BY-LAW No. 44-ZB-2002

6.8.29 A-29

(a) Location: Part of Lot 20, Concession 3 (Elma Ward)

(b) Notwithstanding the provisions of Section 6.2 of By-law No. 6-ZB-

1999 to the contrary, a second existing single-detached dwelling and accessory uses and structures is permitted on a lot located within the "A-29" zone as shown on Key Map 12 of Schedule "A" to By-law No. 6-ZB-1999 (also shown on Schedule "A" to By-law No. 44-ZB-2002).

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

DELETED BY BY-LAW No. 39-ZB-2006

6.8.30 A-30 Removed.

ADDED BY BY-LAW No. 3-ZB-2001

6.8.31 A-31

(a) Location: Part of Lot 31, Concession 2 (Wallace Ward)

(b) Notwithstanding the provisions of Section 6.1 of this By-law to the contrary, the required safety buffer zone for an existing skeet shooting range on the adjacent land which is within the "Parks and Recreation Zone (PR-1)" shall be permitted on the land located in the "A-31" zone, as shown on Key Map 9 of Schedule "A" of By-law No. 6-ZB-1999 (also shown on Schedule "A" to By-law No. 3-ZB-2001).

(c) Notwithstanding the provisions of Section 6.1 of this By-law to the contrary, no dwelling or mobile home may be constructed on the land described in clause (b) above.

(d) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 3-ZB-2001

6.8.32 A-32

(a) Location: Part of Lot 31, Concession 2 (Wallace Ward)

(b) Notwithstanding the provisions of Section 6.3.1 of this By-law to the contrary, an agricultural use shall be permitted on the land located in the "A-32" zone, as shown on Key Map 9 of Schedule "A" of By-law No. 6ZB- 1999, shall have a minimum lot area of 23.47 ha (58 ac.).

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 92-ZB-2001and BY-LAW No. 99-2011

6.8.33 A-33-T

(a) Location: Part of Lot 33, Concession 12 (Elma Ward)

(b) Notwithstanding any provisions of Section 6.1 of this By-law to the contrary, a garden suite, in the form of a mobile home, shall be permitted as secondary housing for a period of ten years from the day of passing of By-law No. 992011 (August 29, 2011) on the land in the "A-33-T" zone as shown on Key Map 17 of Schedule "A" to this By-law.

(c) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above is in effect, Section 34(9)(a) of the Planning Act, R.S.O. 1990 does not apply so as to permit the continued use of the land, buildings, or structures for the permitted temporary use.

(d) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above is in effect, the zone classification of the subject property shall be established as "Agricultural Zone (A)" in this By-law and shall then be shown as "A" on Key Map 17 of Schedule "A" to this By-law and the applicable provisions of this By-law shall apply.

(e) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 101-ZB-2001and BY-LAW No. 126-2011

6.8.34 A-34-T

(a) Location: Part of Lot 37, Concession 7 (Wallace Ward)

(b) Notwithstanding any provisions of Section 6.1 of this By-law to the contrary, a garden suite, in the form of a mobile home, shall be permitted as secondary housing for a period of ten years from the day of passing of By- law No. 1262011 (November 7, 2011) on the land in the "A-34-T" zone as shown on Key Map 4 of Schedule "A" to this By-law.

(c) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above is in effect, Section 34(9)(a) of the Planning Act, R.S.O. 1990 does not apply so as to permit the continued use of the land, buildings, or structures for the permitted temporary use.

(d) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above is in effect, the zone classification of the subject property shall be established as "Agricultural Zone (A)" and "Agricultural Zone (A-2)" in this By-law and

shall then be shown as “A” and “A-2” on Key Map 4 of Schedule “A” to this By-law and the applicable provisions of this By-law shall apply.

(e) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 19-ZB-2002

6.8.35 A-35

(a) Location: Part of Lot 36, Concession 10 (Elma Ward)

(b) Notwithstanding the provisions of Sections 5.31 and 6.2 of By-law No. 6- ZB1999 to the contrary, a single-detached dwelling and accessory uses, buildings and structures is permitted on an undersized lot located within the “A-35” zone as shown on Key Map 17 of Schedule “A” to By-law No. 6- ZB1999 (also shown on Schedule “A” to By-law No. 19-ZB-2002).

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW No. 37-ZB-2002

6.8.36 A-36

(a) Location: Part of Lot 16, Concession 2 (Elma Ward)

(b) Notwithstanding the provisions of Section 6.1 of By-law No. 6-ZB-1999 to the contrary, the following additional uses are also permitted on the land located in the “A-36” zone as shown on Key Map 12 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. 37-ZB-2002):

(i) A garden nursery;

(ii) Commercial greenhouses;

(iii) Garden display areas; and

(iv) Accessory uses, including accessory retailing.

(c) Notwithstanding the provisions of Sections 6 of By-law No. 6-ZB-1999, the maximum ground floor area for a building or structure permitted in Clause (b) above shall be:

(i) Commercial greenhouses / garden nursery - 6,9750 m (75,027 ft)

(ii) Accessory Retail Use - 550 m (5,920.3 ft)

(iii) Accessory display case – 100 m (1,076.4 ft)

(d) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

AMENDED BY BY-LAW No. 38-ZB-2002 and BY-LAW No. 27-2012

6.8.37 A-37-T

(a) Location: Lot 3, Concession 5 (Wallace Ward)

(b) Notwithstanding any provisions of Section 6.1 of this By-law to the contrary, a garden suite, in the form of a mobile home, shall be permitted as secondary housing for a period of ten years from the day of passing of By-law No. 272012 (April 2, 2012) on the land in the "A-37-T" zone as shown on Key Map 8 of Schedule "A" to this By-law.

(c) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above is in effect, Section 34(9)(a) of the Planning Act, R.S.O. 1990 does not apply so as to permit the continued use of the land, buildings, or structures for the permitted temporary use.

(d) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above is in effect, the zone classification of the subject property shall be established as "Agricultural Zone (A)", in this By-law and shall then be shown as "A" on Key Map 8 of Schedule "A" to this By-law and the applicable provisions of this By-law shall apply.

(e) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 60-ZB-2002

6.8.38 A-38

(a) Location: Part of Lot 6, Concession 4 (Wallace Ward)

(b) Notwithstanding the provisions of Section 6.3.1 of By-law No. 6-ZB-1999 to the contrary, the area shown in the "A-38" and "NRE2" zones as shown on Key Maps 8 and 23 of Schedule "A" to By-law No. 6-ZB-1999 (also shown on Schedule "A" to By-law No. 60-ZB-2002) shall have a combined minimum lot area of 18.28 ha (45.16 ac.).

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW No. 19-ZB-2003

6.8.39 A-39

(a) Location: Part of Lot 17, Concession 18 (Monkton, Elma Ward)

(b) Notwithstanding the provisions of Sections 5.31 and 6.2 of By-law No. 6- ZB1999 to the contrary, a single-detached dwelling and accessory uses, buildings and structures is permitted on an undersized lot located within the "A-39" zone as shown on Key Map 48 of Schedule "A" to By-law No. 6-ZB1999 (also shown on Schedule "A" to By-law No. 19-ZB-2003).

(c) The provisions of Section 14 of By-law No. 6-ZB-1999 shall apply for the proposed single-detached dwelling and accessory uses, buildings and structures.

(d) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW No. 19-ZB-2003

6.8.40 A-40

(a) Location: Part of Lot 17, Concession 18 (Monkton, Elma Ward)

(b) Notwithstanding the provisions of Sections 5.1, 5.31 and 6.2 of By-law No. 6- ZB-1999 to the contrary, an accessory building described as a "personal use shop" is permitted on an undersized lot located within the "A-40" zone as shown on Key Map 48 of Schedule "A" to By-law No. 6-ZB-1999 (also shown on Schedule "A" to By-law No. 19-ZB-2003).

(c) The provisions of Sections 5.1 and 14 of By-law No. 6-ZB-1999 shall apply for the proposed building as described in clause (b), above.

(d) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW No. 41-ZB-2003

6.8.40-T A-40-T

(a) Location: Lot 39, Concession 2 (Wallace Ward)

(b) Notwithstanding any provisions of Section 6.1 of this By-law to the contrary, a garden suite, in the form of a mobile home, shall be permitted as secondary housing for a period of ten years from the day

of passing of By-law No. 41-ZB-2003 (July 7, 2013) on the land in the "A-40-T" zone as shown on Key Map 6 of Schedule "A" to this By-law.

(c) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above is in effect, Section 34 (9)(a) of the Planning Act, R.S.O. 1990, does not apply so as to permit the continued use of the land, buildings, or structures for the proposed temporary use.

(d) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above, is in effect, the zone classification of the subject property shall be established as "Agricultural Zone (A)" in this By-law, and shall then be shown as "A" on Key Map 6 of Schedule "A" to this By-law and the provisions of Section 6 of this By-law shall apply.

(e) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 141-2013

6.8.41-T A-41-T

(a) Location: Lot 9, Concession 2 (Elma Ward)

(b) Notwithstanding any provisions of Section 6.1 of this By-law to the contrary, a garden suite, in the form of a mobile home, shall be permitted as secondary housing for a period of ten years from the day of passing of By-law No. 141-2013 (December 2, 2013) on the land in the "A-41-T" zone as shown on Key Map 11 of Schedule "A" to this By-law.

(c) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above is in effect, Section 34 (9)(a) of the Planning Act, R.S.O. 1990, does not apply so as to permit the continued use of the land, buildings, or structures for the proposed temporary use.

(d) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above, is in effect, the zone classification of the subject property shall be established as "Agricultural Zone (A)" in this By-law, and shall then be shown as "A" on Key Map 11 of Schedule "A" to this By-law and the provisions of Section 6 of this Bylaw shall apply.

(e) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 44-ZB-2004

6.8.42 A-42

(a) Location: Part of Lot 29, Concession 6 (Wallace Ward)

(b) Notwithstanding the provisions of Section 6 of this By-law to the contrary, a single-detached dwelling, and accessory uses, buildings and structures is permitted on a reconfigured undersized lot in the "A-42" zone as shown on Key Map 7 of Schedule "A" to this By-law.

(c) The above noted land described in clause (b) shall have a minimum lot frontage of 91.4 m (300 ft.), and a minimum lot area of 2.2 ha (5.5 ac.).

(d) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 59-ZB-2004

6.8.43 A-43

(a) Location: Part of Lot 25, Concession 18 (Elma Ward)

(b) Notwithstanding the provisions of Sections 5.31 and 6.2 of By-law No. 6ZB- 1999 to the contrary, a single-detached dwelling and accessory uses, buildings and structures is permitted on an undersized lot located within the "A-43" zone as shown on Key Map 19 of Schedule "A" to By-law No. 6- ZB1999 (also shown on Schedule "A" to By-law No. 59-ZB-2004).

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 61-ZB-2004

6.8.44 A-44

(a) Locations:

(i) Part of Lots 44 and 45, Concession 3 (Wallace Ward)

(ii) Part of Lots 53 and 54, Concession 2 (Wallace Ward)

(b) Notwithstanding the provisions of Section 6 of By-law No. 6-ZB-1999 to the contrary, the required solid manure storage for the recently constructed broiler barn on Part of Lots 44 and 45, Concession 3 (Wallace Ward), located within the "A-44" zone as shown on Key Map 6 of Schedule "A" to By-law No. 6-ZB-1999 (also shown on Schedule "A" to By-law No. 61-ZB2004) may be constructed on other lands owned by the farmer on Part of Lots 53 and 54, Concession 2 (Wallace Ward), located within the "A-44"

zone as shown on Key Map 6 of Schedule "A" to By-law No. 6-ZB-1999 (also shown on Schedule "A" to By-law No. 61-ZB-2004).

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 122-ZB-2004

6.8.44(B) A-44(B)

(a) Location: Part of Lots 41 and 42, Concession 1 (Elma Ward)

(b) Notwithstanding any provisions of By-law No. 6-ZB-1999 to the contrary, neither a dwelling nor a livestock or poultry building may be constructed on the land located within the "A-44B" zone as shown on Key Map 40 of Schedule "A" to By-law No. 6-ZB-1999 (also shown on Schedule "A" to By-law No. 122-ZB-2004).

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 141-ZB-2004

6.8.45 A-45

(a) Location: Part of Lot 60, Concession 1 (Elma Ward)

(b) Notwithstanding the provisions of Section 6 of this By-law to the contrary, a use described as a bovine semen collection facility, including livestock barns, a lab area and offices for the business, as well as the existing dwelling on the property to be used for an accessory residence, and accessory uses, buildings and structures is permitted on the land in the "A45" zone as shown on Key Map 10 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. 141-ZB-2004).

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 20-ZB-2005

6.8.46 A-46

(a) Location: Pt. Lots 33-37 & 47, Registered Plan 458 and Part Lot 47, Concession 4 (Perth Line 88, Wallace Ward)

(b) Notwithstanding the provisions of Section 6 of By-law No. 6-ZB-1999 to the contrary, the land within the "A-46" and the "HVR" zones as shown on Key Map 21 of Schedule "A" to By-law No. 6-ZB-1999, as amended (also shown on Schedule "A" to By-law No.

20-2005) shall have a minimum lot area of 14.2 ha (35 ac.) and a minimum lot frontage of 41.75 m (137 ft.).

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 20-ZB-2005

6.8.47 A-47

(a) Location: Part of Lot 25, Concession 6 (Wallace Ward)

(b) Notwithstanding the provisions of Section 6 of By-law No. 6-ZB-1999 to the contrary, an additional use described as a lawn care and maintenance establishment is permitted on land within the "A-47" zone as shown on Key Map 7 of Schedule "A" to By-law No. 6-ZB-1999, as amended (also shown on Schedule "A" to By-law No. 48-2005).

(c) All other applicable provisions of this By-law, as amended, shall apply

6.8.48 Not Used

ADDED BY BY-LAW No. 67-2006

6.8.49 A-49-T

(a) Location: Part of Lot 8, Concession 2 (Elma Ward)

(b) Notwithstanding any provisions of Section 6.1 of this By-law to the contrary, a garden suite, in the form of a mobile home, shall be permitted as secondary housing for a period of ten years from the day of passing of Bylaw No. 67- 2006 (June 5, 2016) on the land in the "A-49-T" zone as shown on Key Map 11 of Schedule "A" to this By-law.

(c) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above is in effect, Section 34 (9)(a) of the Planning Act, R.S.O. 1990, does not apply so as to permit the continued use of the land, buildings, or structures for the proposed temporary use.

(d) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above, is in effect, the zone classification of the subject property shall be established as

"Agricultural Zone (A)" in this By-law, and shall then be shown as "A" on Key Map 11 of Schedule "A" to this By-law and the provisions of Section 6 of this By-law shall apply.

(e) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 65-2007

6.8.50 A-50-T

(a) Location: Part of Lot 15, Concession 4 (Elma Ward)

(b) Notwithstanding any provisions of Section 6.1 of this By-law to the contrary, a garden suite, in the form of a mobile home, shall be permitted as secondary housing for a period of ten years from the day of passing of Bylaw No. 65- 2007 (June 4, 2017) on the land in the "A-50-T" zone as shown on Key Map 11 of Schedule "A" to this By-law.

(c) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above is in effect, Section 34 (9)(a) of the Planning Act, R.S.O. 1990, does not apply so as to permit the continued use of the land, buildings, or structures for the proposed temporary use.

(d) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above, is in effect, the zone classification of the subject property shall be established as "Agricultural Zone (A)" in this By-law, and shall then be shown as "A" on Key Map 11 of Schedule "A" to this By-law and the provisions of Section 6 of this By-law shall apply.

(e) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 85-2007

6.8.51 A-51

(a) Location: Part Lot 24, Concession 7 (Wallace Ward)

(b) Notwithstanding the provisions of Sections 5 and 6 of By-law No. 6-ZB-1999 to the contrary, a single-detached dwelling and accessory uses, buildings and structures, is permitted on the undersized lot described in clause (a), above, to replace the existing accessory dwelling located in the existing building on the property as shown on Key Map 2 of Schedule "A" to this Bylaw (also shown on Schedule "A" to By-law No. 85-2007).

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 94-2007

6.8.52 A-52-T

(a) Location: Part of Lot 48, Concession 3 (Wallace Ward)

(b) Notwithstanding any provisions of Section 6.1 of this By-law to the contrary, a garden suite, in the form of a mobile home, shall be permitted as secondary housing for a period of ten years from the day of passing of Bylaw No. 94- 2007 (August 13, 2017) on the land in the "A-52-T" zone as shown on Key Map 6 of Schedule "A" to this By-law.

(c) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above is in effect, Section 34 (9)(a) of the Planning Act, R.S.O. 1990, does not apply so as to permit the continued use of the land, buildings, or structures for the proposed temporary use.

(d) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above, is in effect, the zone classification of the subject property shall be established as "Agricultural Zone (A-2)" in this By-law, and shall then be shown as "A-2" on Key Map 6 of Schedule "A" to this By-law and the provisions of Section 6 of this By-law shall apply.

(e) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 115-2007APPROVED BY OMB – see additional Schedule.

6.8.53 A-53

(a) Location: Part of Lot 31, Concession 6 (Elma Ward)

(b) Notwithstanding any provisions of this By-law to the contrary, a new single detached dwelling may be constructed on the land in the "A-53" zone as shown on Key Map 13 of Schedule "A" to this By-law to replace the existing dwelling located on the subject property. The new single-detached dwelling must be constructed at least 120 m (393.7 feet) from the livestock barn and manure storage on the property immediately to the east (Part Lot 31, Concession 6 (Elma Ward)).

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 138-2007

6.8.54 A-54

(a) Location: Part of Lots 14 and 15, Concession 12, and
Part of Lot 14, Concession 13 (Elma Ward)

(b) Notwithstanding any provisions of this By-law to the contrary, a storm water attenuation area associated with the abutting agricultural-commercial industrial use (i.e. Atwood Pet Food Supplies Ltd.) may be constructed on the farm property in the "A-54" zone as shown on Key Map 15 of Schedule "A" to this By-law.

(c) Notwithstanding any provisions of this By-law to the contrary, the two existing storage sheds on the farm property in the "A-54" zone as shown on Key Map 15 of Schedule "A" to this By-law may be used for the storage and repair of trucks and equipment associated with the abutting agricultural commercial industrial use (i.e. Atwood Pet Food Supplies Ltd.).

(d) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 1-2008

6.8.55 A-55-T

(a) Location: Part of Lot 32, Concession 3 (Elma Ward)

(b) Notwithstanding any provisions of Section 6.1 of this By-law to the contrary, a garden suite, in the form of a mobile home, shall be permitted as secondary housing for a period of ten years from the day of passing of Bylaw No. 1-2008 (February 4, 2018) on the land in the "A-55-T" zone as shown on Key Map 13 of Schedule "A" to this By-law.

(c) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above is in effect, Section 34 (9)(a) of the Planning Act, R.S.O. 1990, does not apply so as to permit the continued use of the land, buildings, or structures for the proposed temporary use.

(d) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above, is in effect, the zone classification of the subject property shall be established as "Agricultural Zone (A)" in this By-law, and shall then be shown as "A" on Key Map 31 of Schedule "A" to this By-law and the

provisions of Section 6 of this By-law shall apply.

(e) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 81-2008

6.8.56 A-56

(a) Location: Part of Lots 63&64, Concession 1 (Elma Ward)

(b) Notwithstanding any provisions of this By-law to the contrary, a secondary farm occupation use having a maximum gross floor area of 279 m^2 (3,003 ft.), consisting of not more than 186 m (2,002 ft) for office and workshop area, and not more than 93 square m (1,001 $ft.^2$) of storage area, shall be permitted on the subject property. No outdoor storage is permitted for this secondary farm occupation which is located on land in the "A-56" zone as shown on Key Map 10 of Schedule "A" to this By-law.

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 108-2009

6.8.57 A-57

(a) Location: Part of Lots 29 and 30, Concession 1 (Elma Ward), and Part of Lots 12, 14, 16, and Lot 17, Registrar's Compiled Plan 430 (Elma Ward)

(b) Notwithstanding any provisions of this By-law to the contrary, the minimum lot frontage (along Mitchell Road S. (Highway No. 23) for the land in the "A57" and the "A-2" zones as shown on Key Map 9 of Schedule "A" to this Bylaw (also shown on Schedule "A" to By-law No. 108-2008) shall be 202.2 m (663.38 ft.).

(c) Notwithstanding any provisions of this By-law to the contrary, the minimum lot area for the land in the "A-57" and the "A-2" zones as shown on Key Map 13 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. 108-2008) shall be 26 ha (64.24 ac.).

(d) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 108-2009

6.8.57(B) A-57(B)

(a) Location: North Part of Lot 28, Concession 2 (Line 87, Wallace Ward)

(b) Notwithstanding the provisions of this By-law to the contrary, the land within the “Agricultural Zone (A-57)”, as shown on Key Map 9 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. 108-2009) may have a minimum lot area of 18.51 ha (45.75 ac.).

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 108-2009

6.8.58 A-58

(a) Location: South part of Lot 28, Concession 2 (Line 87, Wallace Ward)

(b) Notwithstanding the provisions of this By-law to the contrary, the land within the "Agricultural Zone (A-58)" and the “Natural Resource/Environment Zone Two (NRE2)” as shown on Key Map 9 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. 108-2009) may have a minimum lot area of 21.04 ha (52 ac.), and a minimum lot frontage of 10.67 m (35 ft.).

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 109-2009

6.8.59 A-59

(a) Location: Part of Lot 60, Concession 1 (Road 177, Wallace Ward)

(b) Notwithstanding the provisions of this By-law to the contrary, the land within the "A-59" zone as shown on Key Map 24 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. 109-2009) may have a minimum lot area of 18.41 ha (45.5ac.).

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 2-2009

6.8.60 A-60

(a) Location: Part of Lots 28 and 29, Concession 1 (Wallace Ward)

(b) Notwithstanding the provisions of this By-law to the contrary, a single detached dwelling may not be constructed on the land within the “Agricultural Zone (A-60)”, as shown on Key Maps 9 and 28 of Schedule “A” to this By-law.

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 2-2009

6.8.61 A-61

(a) Location: Part of Lot 3, Concession 9 (Wallace Ward)

(b) Notwithstanding the provisions of this By-law to the contrary, an existing liquid manure storage may be located a distance of not less than 170 m (557 ft.) from the "Institutional Zone (IN)" for the neighbouring cemetery, as shown on Key Map 11 of Schedule "A" to this By-law.

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 16-2010

6.8.61(B) A-61(B)

(a) Location: Park Lot 1, Alfred Street (closed), Lots 29-31 (east side of West St.), Lot 29-31 (west side Victoria St.(closed), Reg. Plan 280 (Elma Ward)

(b) Notwithstanding the provisions of By-law No. 6-ZB-1999 to the contrary, the land within the "A-61 (B)" zone as shown on Map 7 of Schedule "A" to By-law No. 6-ZB-1999, as amended (also shown on Schedule "A" to By-law No. 16-2010) shall have a minimum lot area of 4.54 ha (11.23 ac.), and a minimum lot frontage of 114.9 m (376.9 ft).

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 2-2009

6.8.62 A-62

(a) Location: All lands within the "A-62" zone, as shown on Schedule "A" to this By-law.

(b) Notwithstanding any provisions of this By-law to the contrary, no dwelling or mobile home shall be established in an "A-62" zone, as shown on Schedule "A" to this By-law.

(c) All other applicable provisions of this By-law, as amended, shall apply.

Explanatory Note: The "A-62" zone applies to existing lots of record where the Land Division Committee has required a prohibition of further residential development, generally as a result of the severance of a surplus farm dwelling.

ADDED BY BY-LAW No. 64-2010, AMENDED BY BY-LAW No. 101-2013

6.8.62-T A-62-T

(a) Location: Part of Lot 31, Concession 4 (Wallace Ward)

(b) Notwithstanding any provisions of this By-law to the contrary, a mobile home shall be permitted as a primary residence for a period of three years from the day of passing of By-law No. 101-2013 (August 26, 2013) on the land in the "A-62-T" zone as shown on Key Map 7 of Schedule "A" to this By-law.

(c) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above is in effect, Section 34 (9)(a) of the Planning Act, R.S.O. 1990, does not apply so as to permit the continued use of the land, buildings, or structures for the proposed temporary use.

(d) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above, is in effect, the zone classification of the subject property shall be established as "Agricultural Zone (A)" in this By-law, and shall then be shown as "A" on Key Map 7 of Schedule "A" to this By-law and the provisions of Section 6 of this By-law shall apply.

(e) All other provisions of this By-law, as amended, shall apply

ADDED BY BY-LAW No. 72-2019

6.8.1.62.2 A-62$_2$

(a) Location: Part of Lot 4, Concession 13 (5122 Line 92) Wallace Ward (Key Map 1).

(b) Notwithstanding any provisions of Section 6.3 of this By-law to the contrary, the following minimum lot area for land in the "A-62$_2$" zone, as shown on Key Map 1 of Schedule A to this Bylaw shall be 19.7 hectares (48.6 acres).

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 15-2022

6.8.62.3 A-62$_3$

(a) Location: Part of Lots 19 and 20, Concession 5 (7582 Road 158), Elma Ward

(b) Notwithstanding the provisions of Section 5 of this By-law to the contrary, the minimum setback for an <u>existing</u> accessory structure on the land in the "A-62$_3$" zone as shown on Key Map 12 of Schedule "A" to this shall be 3.95 m (13 ft.).

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 95-2022

6.8.62.3 A-62$_3$ - A

(a) Location: Part Lot 17, Concession 10, Wallace Ward (840 King Street, Palmerston)

(b) Notwithstanding the provisions of this By-law to the contrary, no dwelling or mobile home shall be established in an "A-623" zone, as shown on Schedule "A" to this By-law

(c) Notwithstanding any provisions of Section 6 to the contrary, the minimum lot frontage requirement shall be 185.8 m (609.6 ft)

(d) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW No 149-2022

6.8.62.2 (A-62$_4$)

(a) Location: Part Lots 26 & 27, Concession 1, Elma Ward, Parts 2-5, Subject to an Easement over Part 4 (6142 Line 84)

(b) Notwithstanding any provisions of this By-law to the contrary, no dwelling or mobile home shall be established in an "A-62$_4$" zone, as shown on Schedule "A" to this By-law

(c) Notwithstanding any provisions of Section 6 to the contrary, the minimum lot frontage requirements shall be 171 m (561 feet)

(d) Notwithstanding any provisions of Section 6 to the contrary, the minimum lot area requirement shall be 18 hectares (44.5 ac)

(e) All other applicable provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW NO 167-2020

6.8.62.4 A-62$_4$

(a) Location: Part of Lot 8, Concession 2 (6379 Line 84), Elma Ward

(b) Notwithstanding the provisions of Section 6.3 of this By-law to the contrary, the minimum lot frontage requirement for an agricultural use is 61.5 m (201 feet).

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 59-2023

6.8.62.5 A-62$_5$

(a) Location: Part Lot 18, Concession 1, 8199 Road 157 (Wallace Ward);

(b) Notwithstanding any provisions of Section 6 to the contrary, the minimum lot area for an agricultural use requirement shall be 20.2 hectares;

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW No. 73-2023

6.8.62.6 A-62$_6$

(a) Location: Part Lots 7 & 8, Concession 4, Wallace Ward, Municipality of North Perth (Key Maps 8 & 23)

(b) That the minimum interior side yard setback shall be 3 m for an existing grain bin with a height of less than 12 m

(c) All other applicable provisions of this By-law shall apply.

ADDED BY BY-LAW No. 108-2023

6.8.62.7 A-62$_7$

(a) Location: Concession 4, Part Lot 48, Wallace Ward, Municipality of North Perth (Key Map 21)

(b) That the minimum lot area shall be 15.9 hectares (19.5 acres)

(c) All other applicable provisions of this By-law shall apply.

ADDED BY BY-LAW No. 129-2023

6.8.62.8 A-62$_8$

(a) Location: Concession 7, Part Lot 38-40, Wallace Ward, Municipality of North Perth (Key Map 4)

(b) That the minimum lot area shall be 26.80 ha (66.2 ac)

(c) All other applicable provisions of this By-law shall apply.

ADDED BY BY-LAW No. 69-2010

6.8.64-T A-64-T

(a) Location: Part of Lot 54, Concession 4 (Wallace Ward)

(b) Notwithstanding any provisions of Section 6.1 of this By-law to the contrary, a garden suite, in the form of a mobile home, shall be

permitted as secondary housing for a period of ten years from the day of passing of By-law No. 69-2010 (July 26, 2010) on the land in the “A-64-T” zone as shown on Key Map 6 of Schedule “A” to this By-law.

(c) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above is in effect, Section 34 (9)(a) of the Planning Act, R.S.O. 1990, does not apply so as to permit the continued use of the land, buildings, or structures for the proposed temporary use.

(d) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above, is in effect, the zone classification of the subject property shall be established as “Agricultural Zone (A)” in this By-law, and shall then be shown as “A” on Key Map 6 of Schedule “A” to this By-law and the provisions of Section 6 of this By-law shall apply.

(e) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 79-2011

6.8.65-T A-65-T

(a) Location: Part of Lot 25, Concession 4 (Wallace Ward)

(b) Notwithstanding any provisions of Section 6.1 of this By-law to the contrary, a garden suite, in the form of a mobile home, shall be permitted as secondary housing for a period of ten years from the day of passing of By-law No. 79-2011 (August 8, 2011) on the land in the “A-65-T” zone as shown on Key Map 7 of Schedule “A” to this By-law.

(c) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above is in effect, Section 34 (9)(a) of the Planning Act, R.S.O. 1990, does not apply so as to permit the continued use of the land, buildings, or structures for the proposed temporary use.

(d) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above, is in effect, the zone classification of the subject property shall be established as “Agricultural Zone (A)” in this By-law, and shall then be shown as “A” on Key Map 7 of Schedule “A” to this By-law and the provisions of Section 6 of this By-law shall apply.

(e) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 80-2011

6.8.66 A-66

(a) Location: Part Lot 22, Concession 3 (Elma Ward)

(b) Notwithstanding any provisions of Section 6.3.6 of this By-law to the contrary, a supplementary farm dwelling in the form of a mobile home, shall be permitted to be located 85.34 m (280 feet) from the main dwelling on the farm on land located in the "A-66" zone as shown on Key Map 12 of Schedule "A" to this By-law.

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 46-2012

6.8.67 A-67

(a) Location: Lot 41, Concession 1 (Elma Ward)

(b) Notwithstanding any provisions of Section 6 of this By-law to the contrary, a farm-related equipment sales establishment shall be permitted on an 8.49 ha property on the land in the "A-67" zone as shown on Key Map 9 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. 46-2012). The uses permitted in the "A-67" zone are not permitted in the woodlot area of the subject property in the "NRE2" zone.

(c) Notwithstanding any provisions of this By-law to the contrary, the following shall be the regulations for buildings and structures permitted by clause (b) above:

(i)	Lot Area, Minimum	8.49 hectares
(ii)	Lot Frontage, Minimum	188.76 m
(iii)	Front Yard, Minimum	60 m
(iv)	Interior Side Yard, Minimum	18 m
(v)	Rear Yard, Minimum	18 m

(vi) Maximum ground floor area for the existing Quonset and existing poultry barn which is to be used for indoor storage for the use permitted in clause (b) above 1624 m^2

(vii) Yards for the existing Quonset and as existing on the date the existing poultry barn conditions of consent were met

(viii) Maximum outdoor storage area for the permitted uses in the area immediately adjacent to the existing Quonset and existing poultry barn 0.5 ha

(ix) Maximum outdoor storage area for the uses permitted in clause (b) above 1.2 ha

(d) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 25-2014, AMENDED BY BY-LAW 1-2017, AMENDED BY BY-LAW 15-2022

6.8.68 A-68

(a) Location: Part Lot 24, Concession 4, (Wallace Ward)

(b) Notwithstanding any provisions of this By-law to the contrary, for lands located in the "A-68" zone as shown on Key Map 7 of Schedule "A" to Bylaw No. 6-ZB-1999 (also shown as Schedule "A" to By-law No. 25-2014), the minimum lot area required for the use of a dwelling associated with an agricultural use, shall be 3.23 ha (7.98 ac.), and the minimum lot frontage shall be 165 m (541 ft.).

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 121-2015

6.8.69 A-69

(a) Location: South Parts of Lots 27 & 28, Concession 3 (5384 Line 81) Elma

(b) Notwithstanding the provisions of Section 6.1 of this By-law to the contrary, an additional permitted use on land in the "A-69" zone as shown on Key Map 13 of Schedule "A" to By-law No. 6-ZB-1999 (also shown as Schedule "A" to By-law No. 121-2015) shall be: a drainage tile manufacturing facility with a maximum ground floor area of 600 m^2 and accessory outdoor storage.

ADDED BY BY-LAW No. 43-2016

6.8.70-T A-70-T

(a) Location: Part Lot 28, Concession 4 (6117 Perth Line 88)

(b) Notwithstanding any provisions of Section 6.1 of this By-law to the contrary, a garden suite, in the form of a modular home located within

a front yard, shall be permitted as secondary housing for a period of twenty years from the day of passing of By-law No. 43-2016 (March 21, 2016) on the land in the "A-70-T" zone as shown on Key Map 7 of Schedule "A" to this By-law.

(c) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above is in effect, Section 34 (9)(a) of the Planning Act, R.S.O. 1990, does not apply so as to permit the continued use of the land, buildings, or structures for the proposed temporary use.

(d) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above, is in effect, the zone classification of the subject property shall be established as "Agricultural Zone (A)" and in this By-law, and shall then be shown as "A" on Key Map 7 of Schedule "A" to this By-law and the provisions of Section 6 of this Bylaw shall apply.

(e) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 89-2016

6.8.70 A-71

(a) Location: Part Lot 16, Concession 6 (Elma Ward)

(b) Notwithstanding any provisions of Section 6.1 of this By-law to the contrary, one single-detached dwelling shall be permitted on the land in the "A-71" zone as shown on Key Map 12 of Schedule "A" to this By-law.

ADDED BY BY-LAW No. 27-2018

6.8.73-T A-73-T

(a) Location: Part Lot 27, Concession 1 (6203 Line 86)

(b) Notwithstanding any provisions of Section 6.1 of this By-law to the contrary, a garden suite, in the form of a mobile home located within a front yard, shall be permitted as secondary housing for a period of twenty years from the day of passing of By-law No. 27-2018 (March 12, 2018) on the land in the "A-73-T" zone as shown on Key Map 27 of Schedule "A" to this By-law.

(c) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above is in effect,

Section 34 (9)(a) of the Planning Act, R.S.O. 1990, does not apply so as to permit the continued use of the land, buildings, or structures for the proposed temporary use.

(d) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above, is in effect, the zone classification of the subject property shall be established as "Agricultural Zone (A)" in this By-law, and shall then be shown as "A" on Key Map 27 of Schedule "A" to this By-law and the provisions of Section 6 of this By-law shall apply.

(e) All other provisions of this By-law, as amended, shall apply

ADDED BY BY-LAW No. 42-2018

6.8.74-T A-74-T

(a) Location: Part Lot 9, Concession 5 (5300 Perth Line 88), Wallace Ward

(b) Notwithstanding any provisions of Section 6.1 of this By-law to the contrary, a garden suite, in the form of a mobile home shall be permitted as secondary housing for a period of twenty years from the day of passing of By-law No.42- 2018 (April 9, 2018) on the land in the "A-74-T" zone as shown on Key Map 8 of Schedule "A" to this By-law.

(c) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above is in effect, Section 34 (9)(a) of the Planning Act, R.S.O.1990, does not apply so as to permit the continued use of the land, buildings, or structures for the proposed temporary use.

(d) Upon the expiry of the time period during which the authorization of the temporary use described in Clause (b) above, is in effect, the zone classification of the subject property shall be established as "Agricultural Zone (A)" in this By-law, and shall then be shown as "A" on Key Map 8 of Schedule "A" to this By-law and the provisions of Section 6 of this By-law shall apply.

ADDED BY BY-LAW No. 47-2018

6.8.75 A-75

(a) Location: Lot 35, Concession 16, (5083 Perth Line 60), Elma Ward

(b) Notwithstanding any provisions of this By-law to the contrary, for lands located in the "A-75" zone as shown on key map 20 of Schedule "A"

to By-law No. 6- ZB-1999, the Minimum Distance Separation II (MDS II) required for the use of a livestock facility in the form of a finishing barn shall be 520 m (1706 feet).

(c) Notwithstanding any provisions of this By-law to the contrary, for lands located in the "A-75" zone as shown on key map 20 of Schedule "A" to By-law No. 6- ZB-1999, no dwelling shall be established.

(d) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW No. 106-2018

6.8.76 A-76

(a) Location: Part of Lots 14 and 15, Concession 18, (170 Brock Street, Monkton) Elma Ward

(b) Notwithstanding any provisions of Section 6.8 of this By-law to the contrary, for lands within the "A-76" zone as shown on Key Map 47 of Schedule A to By- law No.6-ZB-1999, the minimum lot area shall be 24 hectares."

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No 36-2019

6.8.77 A-77

(a) Location: Part of Lot 48, Concession 4, Wallace Ward

(b) Notwithstanding the provisions of Section 6.3.1 of this By-law to the contrary, the minimum lot area for agricultural uses on the lands located in the "A-77" zone as shown on Key Map 21 of Schedule 'A' to By-law No. 6-ZB-1999 (also shown on Schedule "A" to By-law No. 36-2019) shall be 16.5 hectares.

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No 97-2020

6.8.78 A-78

(a) Location: Part Lot 23 & 24, Concession 2 (5589 Line 84), Elma Ward

(b) Notwithstanding any provisions of Section 6 and Section 5.1.5 of this By- law to the contrary, a second dwelling unit, in the form of an existing single-detached dwelling shall be permitted as secondary housing from the day of passing of By-law No.97-2020 on the land in the "A-78" zone as shown on Key Map 12 of Schedule "A" to this By-law.

(c) The second dwelling unit (i.e. the existing single detached dwelling) is not permitted to be expanded, enlarged or extended, and any repair or renovation cannot not increase the dwelling size.

(d) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No 101-2020

6.8.79 A-79

(a) Location: Part of Lot 31, Concession 9S, Part 1 & 2 of Plan 44R-4640 (7021 Perth Road 147 and 5264 Perth Line 72, Donegal) Elma Ward

(b) Notwithstanding any provisions of Section 6.1 and Section 6.2 of this By-law to the contrary, open space use, recreational uses and a stormwater management facility will be the only uses permitted for lands within the “A-79” zone as shown on Key Map 46 of Schedule A to the By-law No. 6-ZB-1999

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No 149-2023

6.8.79B A-79B

(a) Location: Part of Lot 1 & 2, Concession 2, Wallace Ward (Key Map 10)

(b) Notwithstanding any provisions of Section 6 to the contrary, a school serving the surrounding community relying on horse-drawn transportation is permitted use. For the purposes of calculating Minimum Distance Separation requirements, the school shall be treated as a Type A land use.

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No 145-2023

6.8.80 A-80

(a) Location: Part of Lot 22, Concession 4, Elma Ward (Key Map 12)

(b) A secondary entrance shall be permitted

(c) Allow for up to four (4) non-farm employees for the subject property

(d) Lot coverage/Land Use for the Secondary Farm Occupation shall be limited to not more than 2% of the subject property

(e) Up to two (2) Secondary Farm Occupations

(f) Reduction in the MDS I setback to 295 m from the adjacent barn. No MDS setback shall apply to the Secondary Farm Occupations.

(g) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No 37-2024

6.8.81 A-81

(a) Location: Lot 20, Concession 17, Municipality of North Perth (5732 Line 57)

(b) Notwithstanding the provisions of Section 6.1 or 6.2 of By-law No. 6-ZB-1999 to the contrary, Farm Accommodations are permitted as an additional use on land located within the “A” zone as shown on Key Map 19 of Schedule “A” to By-law No. 6-ZB-1999 (also shown on Schedule “A” to By-law No. 37-2024).

(c) Notwithstanding anything to the contrary, Farm Accommodations shall be defined as “additional permanent or portable dwellings on agricultural lots required to accommodate fulltime farm labour, when the size and nature of the farm operation makes the employment of additional full-time farm labour necessary, and where such additional employment of additional full-time farm labour necessary, and where such additional dwellings do not have a significant effect on the tillable area of the farm or its viability.”

(d) Notwithstanding any provision of By-law 6-ZB-1999 to the contrary, Farm Accommodations shall be limited to a total of ten (10) occupants

(e) Notwithstanding any provision of By-Law 6-ZB-1999 to the contrary, the regulations of Section 6.3 regarding other permitted uses shall be applied to Farm Accommodations

(f) Notwithstanding any provision of By-Law 6-ZB-1999 to the contrary, parking shall not be required for Farm Accommodations

(g) All other provision of By-Law 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW No 79-2024

6.8.82 A-82

(a) Location: Part Lot 27 and Part Lot 28, Listowel Ward, Municipality of North Perth (Kaye Map 27)

(b) That the minimum lot area shall be 4 hectares

(c) That the minimum lot frontage shall be 20 m

(d) That Notwithstanding the provisions of Section 6 to the contrary, the area zoned A-82 may also be used for a detached dwelling and accessory buildings and structures

(e) Notwithstanding any provisions of Section 6 to the contrary, no commercial animals or structures to support the housing of the commercial animals will be permitted as a use or accessory use

(f) All other applicable provisions of this By-law shall apply.

ADDED BY BY-LAW No 83-2024

6.8.83 A-83

(a) Location: Part Lot 14, Wallace Ward, Municipality of North Perth (Key Map 8)

(b) That the minimum lot frontage shall be 8.5 m.

(c) Notwithstanding the provisions of Section 6 to the contrary, an area zoned “A-83” on Schedule “A” to this By-law may also be used for one-single detached dwelling and accessory uses, buildings and structures

ADDED BY BY-LAW No 35-2025

6.8.86 A-86

(a) Location: Part Lot 30, Concession 9, Wallace Ward, Municipality of North Perth (Key Map 2) as amended shall be subject to the following criteria:

(b) Notwithstanding any provisions of this By-law to the contrary on lands zoned ‘A-86’, the following provisions shall apply:

a. Minimum Lot Area: 4ha

b. A secondary farm occupation use having a maximum gross floor area of 600m^2 (6,458 ft^2) shall be permitted on the subject

property

c. A second entrance in support of the secondary farm occupation

d. Minimum Parking Requirement: 2 spaces (inclusive of accessible parking spaces)

ADDED BY BY-LAW No 75-2025

6.8.1.88 A-88

(a) Location: Lot 27 and Part Lot 28, Concession 4, Wallace Ward, Municipality of North Perth (Key Map 7) as amended shall be subject to the following criteria:

(b) Notwithstanding any provisions of this By-law to the contrary on lands zoned 'A-88', the following provisions shall apply:

a. On-Farm Diversified Use – Crane Business (inclusive of building, driveway, parking area) may occupy no more than 1ha

b. Services (sanitary) shall be provided for up to 8 employees

c. Minimum Parking Requirement: 10 spaces (inclusive of accessible parking spaces)

ADDED BY BY-LAW No 76-2025

6.8.89 A-89

(a) Location: Part Lot 18, Concession 1, Wallace Ward, Municipality of North Perth (Key Map 10) as amended shall be subject to the following criteria:

(b) Notwithstanding any provisions of this By-law to the contrary on lands zoned 'A-89', the following provisions shall be added:

a. That the minimum lot size shall be 20.1 ha

SECTION 7 - RESIDENTIAL ZONE ONE (R1)

No person shall within any "R1" Zone use any land or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions:

7.1 Permitted Uses, Buildings, and Structures

(a) One single-detached dwelling on one lot;
(b) A park, in accordance with Section 28;
(c) A bed and breakfast establishment, in accordance with Section 3;
(d) A home occupation, in accordance with Section 3; and
(e) Accessory uses, buildings, and structures, in accordance with Sections 3 and 5.

7.2 Requirements for Single-Detached Dwellings

AMENDED BY BY-LAW 1-2017

7.2.1	Lot Area, Minimum	
	(a) Interior Lot	557 m^2 (6,000 ft^2)
	(b) Corner Lot	650 m^2 (7,000 ft^2)
7.2.2	Lot Frontage, Minimum	
	(a) Interior Lot	18 m (60 ft)
	(b) Corner Lot	21 m (70 ft)
7.2.3	Front Yard, Minimum	6 m (20 ft)

AMENDED BY BY-LAW 1-2017

7.2.4	Interior Side Yard Minimum	
	(a) 1-storey dwelling	1.5 m (5 ft)
	(b) 2-storey dwelling	2.0 m (6.5 ft)
	(c) No attached garage or carport	4.5 m (15 ft) one-side only

AMENDED BY BY-LAW 30-2025

7.2.5	Exterior Side Yard Width, Minimum	4.25 m
7.2.6	Rear Yard, Minimum	7.5 m (25 ft)
7.2.7	Building Height, Maximum	10.5 m (35 ft)

AMENDED BY BY-LAW NO 30-2025

7.2.8	Lot Coverage, Maximum	45%

REMOVED BY BY-LAW 1-2017

7.2.9 Removed

7.2.10	Landscaped Open Space, Minimum	30%
7.2.11	Parking Requirements	In accordance with the provisions of Section 5.18.

7.3 Special Provisions

7.3.1 R1-1

(a) Location:

(i) Lots 159- 165, inclusive, Lots 166, 167, 178, and 179, Registered Plan No. 190;

(ii) Lots 1 - 36, inclusive, Registered Plan No. 200; and April,

(iii) Lots 1 - 60, inclusive, Registered Plan No. 201.

(b) Notwithstanding the provisions of Section 7.2.3 of By-law this By-law to the contrary, the minimum front yard for single-detached dwellings on the land in the "R1-1" zone as shown on Key Map 29 of Schedule "A" to this By-law shall be 4.57 m (15 ft.).

(c) All other applicable provisions of this By-law, as amended, shall apply.

7.3.2 R1-2

(a) Location:

(i) Lots 5 - 14, inclusive, Registered Plan No. 541;

(ii) 20, inclusive, Registered Plan No. 502; and

(iii) Lots 1 - 4, inclusive, Registered Plan No. 541.

(b) Notwithstanding the provisions of Section 7.2 of this By-law to the contrary, the following provisions shall apply to the land in the "R1-2" zone as shown on Key Map 30 of Schedule "A" to this By-law:

2 2

(i) Lot Area, Minimum 464.5 m (5,000 ft)

(ii) Lot Frontage, Minimum 15.2 m (50 ft.)

(iii) Interior Side Yard, Minimum

(a) 1.2 m (4 ft.) for the 1 storey portion of a dwelling;

(b) 1.8 m (6 ft.) for the 2 storey portion of a dwelling.

(vi) Rear Yard, Minimum 6.1 m (20 ft.)

(c) All other applicable provisions of By-law, as amended, shall apply.

ADDED BY BY-LAW No. 66-ZB-2003, AMENDED BY BY-LAW No. 63-2013

7.7.3 R1-3

(a) Location: Part of Lot 22, Concession 1 (former Township of Wallace)

(b) Notwithstanding any provisions of this By-law to the contrary, the minimum lot frontage for the land in the "R1-3" zone as shown on Key Map 30 of Schedule "A" to this By-law (also shown as Schedule "A" to By-law No. 63-2013) shall be 3.43 m (11.25 feet).

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 103-ZB-2004

7.7.4 R1-4

(a) Location: Part of Lot 166, Registered Plan 190(Campbell St. W., Listowel Ward)

(b) Notwithstanding any provisions of this By-law to the contrary, the minimum lot area, the minimum front yard, and the minimum rear yard for the land shown within the "R1-4" zone on Key Map 29 of Schedule "A" to this By-law, as amended (also shown on "A" to By-law No. 103-ZB-2004) shall be: 345.6 m^2 (3,721 ft^2) lot area; 2.37 (7.8 ft.) front yard; and 4.02 m (13.2 ft.) rear yard, respectively.

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 69-2019

7.7.5 R1-5

(a) Location: Part Lot 22, Concession 1, Part 4 of Reference Plan 44R-4194 (785 Alder Street East, Listowel), Former Geographic Township of Wallace (Key Map 29).

(b) Notwithstanding any provisions of Section 7.2 of this By-law to the contrary, the minimum lot frontage for land in the "R1-5" zone as shown on Key Map 30 of Schedule "A" to this By-law shall be 3.34 m (11.25 feet) and the minimum rear yard setback shall be 2.25 m (7.3 feet).

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 47-2020

7.7.6 R1-6

(a) Location: Lot 22, Concession 1 (760 Alder Street East), Listowel Ward.

(b) Notwithstanding any provisions of Section 7.2, of this By-law to the contrary, for lands within the "R1-6" zone as shown on Key Map 30 of Schedule A to By-law No.6-ZB-1999, the following provisions shall apply:

(i) Lot Frontage, Minimum:	4.5 m (15 ft)
(ii) Interior Side Yard, Minimum:	6 m (20 ft)
(iii) Rear Yard, Minimum:	6 m (20 ft)
(iv) Building Height, Maximum:	7.5 m (25 ft)

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW No. 47-2020

7.7.7 R1-7

(a) Location: Lot 22, Concession 1 (760 Alder Street East), Listowel Ward.

(b) Notwithstanding any provisions of Section 5.21 or Section 7.2, of this By-law to the contrary, for lands within the "R1-7" zone as shown on Key Map 30 of Schedule A to By-law No.6-ZB-1999, the existing dwelling shall be permitted unenclosed steps and landing to encroach into the easterly interior side yard setback provided the encroaching steps/landing maintain a minimum of 0.6 m (2 feet) from the lot line.

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW 148-2022

7.7.7 R1-8

(a) Location: Part of Park Lot A & 5, Registered Plan 290, Geographic Township of Wallace

(b) Notwithstanding the provisions of Section 7 to the contrary, for the area zoned in R1-8, the minimum lot frontage shall be 3.5m for lots that will have a shared access to the public roadway

(c) Notwithstanding any provisions of this By-law to the contrary, the maximum of three lots shall utilize a shared driveway

(d) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 76-2021, AMENDED BY BY-LAW 98-2021

7.7.8 R1-8

(a) Location: Part Lot 26 & 27, Concession 1, Listowel Ward (Lot #71 of Draft Approved Plan of Subdivision 31T-92002)

(b) Notwithstanding any provisions of Section 7.2 of this By-law to the contrary, the maximum lot coverage for land within the R1-8 Zone shall be 50 % and the minimum exterior side yard setback requirement for a single detached dwelling is 4.5 m (15 feet)

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

7.7.9 R1-9

(a) Location: Part Lot 26 & 27, Concession 1, Listowel Ward (described as Lots 39-70, 72-28 of Draft Approved Plan of Subdivision 31T-92002)

(b) Notwithstanding any provisions of Section 7.2 of this By-law to the contrary, the maximum lot coverage for land within the R1-9 Zone shall be 50 %.

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

SECTION 8 - RESIDENTIAL ZONE TWO (R2)

No person shall within any "R2" Zone use any land or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions:

8.1 Permitted Uses, Buildings, and Structures

(a) One single-detached dwelling on one lot;
(b) One semi-detached dwelling on one lot;
(c) One dwelling unit of a semi-detached dwelling on one lot;
(d) One duplex dwelling on one lot;
(e) A home occupation, in accordance with Section 3;
(f) A bed and breakfast establishment, in accordance with Section 3;
(g) A park, in accordance with Section 28; and
(h) Accessory uses, buildings, and structures, in accordance with Sections 3 and 5.

8.2 Requirements for Single-Detached Dwellings

AMENDED BY BY-LAW 1-2017

8.2.1	Lot Area, Minimum	
	(a) Interior Lot	464 m^2 (5,000 ft^2)
	(b) Corner Lot	557 m^2 (6,000 ft^2)
8.2.2	Lot Frontage, Minimum	
	(a) Interior Lot	15 m (50 ft)
	(b) Corner Lot	18 m (60 ft)
8.2.3	Front Yard, Minimum	6 m (20 ft)

AMENDED BY BY-LAW 1-2017

8.2.4	Interior Side Yard, Minimum	
	(a) 1-storey dwelling	1.2 m (4 ft)
	(b) 3-storey dwelling	1.8 m (6 ft)
	(c) No attached garage or carport	3.6 m (12 ft) one-side only

AMENDED BY BY-LAW 30-2025

8.2.5	Exterior Side Yard Width, Minimum	4.25 m
8.2.6	Rear Yard, Minimum	7.5 m (25 ft)
8.2.7	Building Height, Maximum	10.5 m (35 ft)

AMENDED BY BY-LAW NO. 2-2009

8.2.8	Lot Coverage, Maximum	45%

REMOVED BY BY-LAW 1-2017

8.2.9	Removed	
8.2.10	Landscaped Open Space, Minimum	30%

8.2.11 Parking Requirements In accordance with the provisions of Section 5.18

8.3 Requirements for a Semi-Detached Dwelling on One Lot or a Duplex Dwelling on One Lot

AMENDED BY BY-LAW 1-2017

8.3.1 Lot Area, Minimum

(a)	Interior Lot	557 m^2 (6,000 ft^2)
(b)	Corner Lot	650 m^2 (7,000 ft^2)

8.3.2 Lot Frontage, Minimum

(a)	Interior Lot	18 m (60 ft)
(b)	Corner Lot	21 m (70 ft)

8.3.3 Front Yard, Minimum 6 m (20 ft.)

AMENDED BY BY-LAW 1-2017

8.3.4 Interior Side Yard, Minimum

(a)	With attached garage or carport	1.5 m (5 ft.)
(b)	No attached garage or carport	4.5 m (15 ft.)

8.3.5 Exterior Side Yard, Minimum 6 m (20 ft.)

8.3.6 Rear Yard, Minimum 7.5 m (25 ft.)

8.3.7 Building Height, Maximum 10.5 m (35 ft.)

AMENDED BY BY-LAW No. 2-2009

8.3.8 Lot Coverage, Maximum 50%

REMOVED BY BY-LAW 1-2017

8.3.9 Removed

8.3.10 Landscaped Open Space, Minimum 30%

8.3.11 Parking Requirements In accordance with the provisions of Section 5.18

8.4 Requirements for One Unit of a Semi-Detached Dwelling on One Lot

AMENDED BY BY-LAW 1-2017

8.4.1 Lot Area, Minimum

(a)	Interior Lot	278 m^2 (3,000 ft^2)
(b)	Corner Lot	325 m^2 (3,500 ft^2)

8.4.2 Lot Frontage, Minimum

(a)	Interior Lot	9 m (30 ft)
(b)	Corner Lot	10.5 m (35 ft)

8.4.3 Front Yard, Minimum 6 m (20 ft.)

AMENDED BY BY-LAW 1-2017

8.4.4 Interior Side Yard, Minimum

(a) With attached garage or carport 1.5 m (5 ft.)

(b) No attached garage or carport 3.6 m (12 ft.)

(c) Along the lot line of the attached unit 0 m

8.4.5 Exterior Side Yard, Minimum 6 m (20 ft.)

8.4.6 Rear Yard, Minimum 7.5 m (25 ft.)

8.4.7 Building Height, Maximum 10.5 m (35 ft.)

AMENDED BY BY-LAW No. 2-2009

8.4.8 Lot Coverage, Maximum 50%

REMOVED BY BY-LAW 1-2017

8.4.9 Removed

8.4.10 Landscaped Open Space, Minimum 30%

8.4.11 Parking Requirements In accordance with the provisions of Section 5.18.

8.5 Special Provisions

AMENDED BY BY-LAW No. 36-ZB-2001

8.5.1 **R2-1**

(a) Location:

(i) Lots 36 - 51 inclusive, Reg. Plan 556 (Riverview Dr., Listowel Ward)

(ii) Part of Lot 32, Concession 1 (Listowel Ward, formerly Elma Township)

(b) Notwithstanding any provisions of this By-law to the contrary, buildings and structures located on the land in the “R2-1” zone, as shown on Key Map 34 of Schedule “A” to this By-law, shall be flood proofed to the elevation required by the Maitland Valley Conservation Authority.

(c) All other applicable provisions of this By-law, as amended, shall apply.

8.5.2 **R2-2**

(a) Location: Part of Lots 26 and 27, Concession 1 (formerly in the Township of Wallace) (Listowel Ward)

(b) Notwithstanding the provisions of Section 8.1 of this By-law to the contrary, only single-detached dwellings and accessory buildings and structures are permitted on the land in the “R2-2” zone, as shown on Key Map 28 of Schedule “A” to this By-law.

(c) All other applicable provisions of this By-law, as amended, shall apply.

AMENDED BY BY-LAW No. 24-ZB-2004

8.5.3 **R2-3**

(a) Location: Block 56, and Lot 35, Reg. Plan 563 (Riverview Dr., Listowel Ward)

(b) Notwithstanding the provisions of this By-law to the contrary, a single-detached dwelling located on land in the "R2-3" zone as shown on Key Map 34 of Schedule "A" to this By-law may have:

a. a zero-lot line between Lot 35 and Block 56, Reg. Plan 563;

b. a minimum rear yard of 3.35 m (11 ft.); and

c. a minimum westerly interior side yard on Block 56 of 3.35 m (11 ft.).

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 2-2009

8.5.4 **R2-4**

(a) Locations:

(i) Lots 1-9, and 22, Reg. Plan No. 44M-10 (Barnett St. & Havelock Ave. S., Listowel Ward);

(ii) Lots 26-38, Reg. Plan No. 44M-10 (Havelock Ave. S., Listowel Ward);

(iii) Lots 44-58, Reg. Plan No. 557 (Havelock Ave. S., Listowel Ward). (b)Notwithstanding the provisions of this By-law to the contrary, the "R2-4" zone provisions only apply to permitted encroachments into the registered easement on the above-noted lands in the "Residential Zone Two (R2-4)", as shown on Key Map 21 of Schedule "A" to By-law No. 6-ZB-1999. The permitted encroachments are limited to the following:

a. Non-permanent structures (e.g. open porches and stairs) that are easily removed may encroach 3.66 m (12 ft.) into the easement;

b. Accessory buildings that have a gross floor area of not more than 11.15 m^2 (120 $ft.^2$) that are easily removed (i.e. constructed on mudsills). No concrete slabs or piers are permitted; and

c. An above-ground swimming pool that has a maximum pool area of 46.45m^2 (500 $ft.^2$), constructed so that it can be easily disassembled or removed.

(b) The uses permitted in the “R2-4” zones are listed in the accompanying zone (e.g. R2, R2-1, or R4 zone) as shown on Key Map 21 of Schedule “A” to By-law No. 6-ZB-1999.

(c) All other applicable provisions of this By-law, as amended, shall apply

SECTION 9 - RESIDENTIAL ZONE THREE (R3)

No person shall within any "R3" Zone use any land or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions:

9.1 <u>Permitted Uses, Buildings, and Structures</u>

(a) One single-detached dwelling on one lot;
(b) One semi-detached dwelling on one lot;
(c) One dwelling unit of a semi-detached dwelling on one lot;
(d) One duplex dwelling on one lot;
(e) One converted dwelling on one lot, containing not more than two dwelling units;
(f) A home occupation, in accordance with Section 3;
(g) A bed and breakfast establishment, in accordance with Section 3;
(h) A park, in accordance with Section 28;
(i) Accessory uses, buildings, and structures, in accordance with Sections 3 and 5.

9.2 Requirements for Single-Detached Dwellings

9.2.1 <u>Lot Area, Minimum</u>

(a)	Interior Lot	418 m2 (4,500 ft2)
(b)	Corner Lot	510 m2 (5,500 ft2)

AMENDED BY BY-LAW 30-2025

9.2.2 <u>Lot Frontage, Minimum</u>

(a)	Interior Lot	13.71 m (45 ft)
(b)	Corner Lot	16.76 m (55 ft.)

9.2.3 Front Yard, Minimum — 6m (20 ft)

AMENDED BY BY-LAW No. 1-2017

9.2.4 <u>Interior Side Yard, Minimum</u>

(a)	1-storey dwelling	1.2 m (4 ft)
(b)	2-storey dwelling	1.8 m (6 ft)
(c)	No attached garage or carport	3.6 m (12 ft) one side only

AMENDED BY BY-LAW 30-2025

9.2.5 <u>Exterior Side Yard Width, Minimum</u> — 4.25 m

9.2.6 <u>Rear Yard, Minimum</u> — 7.5 m (25 ft.)

9.2.7 <u>Building Height, Maximum</u> — 10.5 m (35 ft.)

AMENDED BY BY-LAW No. 1-2017

9.2.8 <u>Lot Coverage, Maximum</u> — 50%

REMOVED BY BY-LAW No. 1-2017

9.2.9 Removed

9.2.10 Landscaped Open Space, Minimum 30%

9.2.11 Parking Requirements In accordance with the provisions of Section 5.18

9.3 Requirements for a Semi-Detached Dwelling on One Lot or Duplex Dwelling on One Lot

In accordance with the provisions of Section 8.3.

9.4 Requirements for One Dwelling Unit of a Semi-Detached Dwelling on One Lot

In accordance with the provisions of Section 8.4.

9.5 Requirements for Converted Dwellings

AMENDED BY BY-LAW 30-2025

9.5.1 Number of Dwelling Units, Maximum 3 dwelling units

AMENDED BY BY-LAW No. 1-2017

9.5.2 Lot Area, Minimum 557 m^2 (6,000 ft^2)

9.5.3 Lot Frontage, Minimum 18 m (60 ft.)

9.5.4 Front Yard, Minimum 6 m (20 ft.)

AMENDED BY BY-LAW No. 1-2017

9.5.5 Interior Side Yard, Minimum

(a)	1-storey dwelling	1.2 m (4 ft)
(b)	2-storey dwelling	1.8 m (6 ft)
(c)	No attached garage or carport	3.6 m (12 ft.) one-side only

AMENDED BY BY-LAW 30-2025

9.5.6 Exterior Side Yard Width, Minimum 4.25 m

9.5.7 Rear Yard, Minimum 7.5 m (25 ft.)

9.5.8 Building Height, Maximum 10.5 m (25 ft.)

AMENDED BY BY-LAW No. 2-2009 & 30-2025

9.5.9 Lot Coverage, Maximum 45%

REMOVED BY BY-LAW No. 1-2017

9.5.10 Floor Area per Dwelling Unit, Minimum

REMOVED BY BY-LAW No. 1-2017

9.5.11 Removed

REMOVED BY BY-LAW No. 1-2017

9.5.12 Removed

9.5.13 Landscaped Open Space, Minimum 35%

9.5.14 Parking Requirements In accordance with the provisions of Section 5.18.

9.6 Special Provisions

AMENDED BY BY-LAW No. 96-2008

9.6.1 R3-1

(a) Location: Lots 11-47, Registered Plan 44M-22 (Listowel Ward)

(b) Notwithstanding the provisions of Section 9.2.8 of this By-law to the contrary, a single-detached dwelling, and accessory buildings and structures may have a maximum lot coverage of 44 per cent on the land located within the “R3-1” zone as shown on Key Map 28 of Schedule "A" to this By-law.

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 108-2012

9.6.2 R3-2

(a) Location: Part of Lots 18 and 25, Reg. Plan 159 (345 Albert Ave. N., Listowel Ward)

(b) Notwithstanding any provisions of this By-law, to the contrary, a fourplex dwelling will be an additional permitted use on land within the “R3-2” zone as shown on Key Map 31 of Schedule “A” to By-law No. 6-ZB-1999 (also shown on Schedule “A” to By-law No. 108-2012).

(c) The provisions of Section 10.7 of By-law No. 6-ZB-1999 regarding fourplex dwellings, shall apply to the above-noted additional permitted use. However, notwithstanding the provisions of Section 10.7, the proposed fourplex dwelling may have reduced interior side yards of 2.74 m (9 ft.), and a reduced lot frontage of 20.12 m (66 ft.).

(d) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 108-2012 – OMB approved, AMENDED BY BY-LAW 1-2017

9.6.3 R3-3

(a) Location: Part of Lot 34, Concession 1 (formerly Township of Elma), Listowel Ward

(b) Notwithstanding any provisions of By-law No. 6-ZB-1999 to the contrary, single-detached dwellings located on lots within the “R3-3” zone as shown on Key Maps 34 and 37 of Schedule “A” to By-law No. 6-ZB-1999, as amended shall be subject to the following criteria:

(i) Minimum Lot Area for a Corner Lot 488 m^2 (5,252.9 ft^2)

(ii) Minimum Lot Frontage
a. Interior Lot 11.0 m (36 ft.)

b. Corner Lot 12.5 m (41 ft.)

(iii) Minimum Interior Side Yard for either a 1 or 2 storey dwelling 1.2 m (3.94 ft.) (either with or without an attached garage)

(iv) Minimum Exterior Side Yard 2.7 m (8.86 ft.)

(c) Notwithstanding any provisions of By-law No. 6-ZB-1999 to the contrary, the minimum distance between a driveway ramp and an intersection of a street shall be 6.5 m (21.33 feet).

(d) Notwithstanding any provisions of By-law No. 6-ZB-1999 to the contrary:

(i) No dwelling unit shall be erected or used on the lands zoned "R3-3" unless a continuous *noise barrier* has been erected adjacent to and along the full extent of the *western boundary*;

(ii) On the *westerly facing elevation* of each *barrier dwelling unit,* there shall be no *openings*, or portions thereof, that are greater in height, as measured from the finished grade level at the base of each *westerly facing elevation,* than the height of the top of the *noise barrier*, or portion thereof, located directly opposite the *barrier dwelling unit* under consideration.

For the purposes of this Section, the following terms shall have the following meanings:

(i) *"barrier dwelling units"* shall mean any dwelling unit wholly or partly located within 41 m of the western boundary of the lands zoned "R3-3";

(ii) *"noise barrier"* shall mean an earthen berm, fence with acoustical attenuation qualities (being made of wood, metal or masonry constructed and having a minimum surface density of 20 kg/m^2 or equivalent standard), or a combination thereof;

(iii) "*openings*" shall mean windows, doors, skylights, air vents, air intakes or similar openings in a wall;

(iv) *"western boundary"* shall mean the extent of the westerly lot line from the northerly limit of the lands that are subject to By-law No.

2-2008 to 42 m south of the southern boundary of the area zoned "R5-6" by By-law No. 22008; and

(v) "*westerly facing elevation*" shall mean the exterior building wall(s) or face(s), or portion(s) thereof, where the plane of the building wall or face lies generally within 45 degrees of the bearing of the western boundary of the lands zoned R3-3 and the planes of any indentations in, protrusions from, or architectural features that form part of such westerly facing elevation, or portion(s) thereof, regardless of orientation to the western boundary.

(e) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 120-2024

9.6.4 R3-4

(a) Location: Part Lot 27 and Part Lot 28, Elma Ward, Municipality of North Perth (Key Map 27)

- Minimum Lot Area (interior lot): 370 square m
- Minimum Lot Area (corner lot): 450 square m
- Minimum Lot Frontage (interior lot): 12.0 m
- Minimum Lot Frontage (corner lot): 15.0 m
- Minimum Front Yard Setback: 4.5 m, provided that any attached garage must provide a setback of 6.0 m
- Minimum Side Yard Setback: 1.2 m (2-storey dwelling)
- Minimum Exterior Side Yard Setback: 3.0 m
- Maximum Lot Coverage: 45%
- To exclude decks from the lot coverage calculation
- To permit an unenclosed porch or deck, up to 1.0 m in height above the average finished grade, to encroach 3.5 m into the required rear yard setback

(b) Other applicable provisions of this By-law shall apply.

ADDED BY BY-LAW No. 120-2024

9.6.5 R3-5

(a) Location: Part Lot 27 and Part Lot 28, Elma Ward, Municipality of North Perth (Key Map 27)

- Minimum Lot Area (interior lot): 370 square m
- Minimum Lot Area (corner lot): 370 square m
- Minimum Lot Frontage (interior lot): 12.0 m
- Minimum Lot Frontage (corner lot): 12.0 m
- Minimum Front Yard Setback: 4.5 m, provided that any attached garage must provide a setback of 6.0 m
- Minimum Side Yard Setback: 1.2 m (2-storey dwelling)
- Minimum Exterior Side Yard Setback: 2.5 m
- Maximum Lot Coverage: 45%

- To exclude decks from the lot coverage calculation
- To permit an unenclosed porch or deck, up to 1.0 m in height above the average finished grade, to encroach 3.5 m into the required rear yard setback

(b) Other applicable provisions of this By-law shall apply.

ADDED BY BY-LAW No. 113-2024

9.6.6 R3-6

(a) Location: Lots 37-40, Part Block 77, Plan 44M74, Elma Ward, Municipality of North Perth (Key Map 27) as amended shall be subject to the following criteria:

i. Rear yard depth for a deck, minimum shall be 5.5 m

ADDED BY BY-LAW No. 11-2025

9.6.7 R3-7

(a) Location: Part Lot 23, Concession 2 (5917 Line 87, Listowel Ward)

(b) Notwithstanding any provisions of this By-law to the contrary, lots comprising a draft plan of condominium shall be deemed to be one lot for the purposes of applying zoning regulations such that the zoning regulation apply to the entirety of the block of land and not the individual units created through the plan of condominium.

(c) Notwithstanding any provisions of this By-law to the contrary, on lands zoned “R3-7” the following provisions apply:

(i) Permitted uses include detached and semi detached dwellings;

(ii) For lands within 20 m of the abutting industrial subdivision, the maximum permitted height of any building is 2 storeys or 10.5 m, whichever is greater, otherwise the maximum building height is 11.5 m;

(iii) The minimum lot area for single detached dwellings is 360 m^2;

(iv) The minimum lot frontage for single detached dwellings is 12 m;

(v) The minimum exterior side yard setback is 4 m;

(vi) The minimum interior side yard setback is 1.2 m.

SECTION 10 - RESIDENTIAL ZONE FOUR (R4)

No person shall within any "R4" Zone use any land or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions:

10.1 Permitted Uses, Buildings, and Structures

(a) One single-detached dwelling on one lot;
(b) One semi-detached dwelling on one lot;
(c) One dwelling unit of a semi-detached dwelling on one lot;
(d) One semi-detached link dwelling on one lot;
(e) One dwelling unit of a semi-detached link dwelling on one lot;
(f) One duplex dwelling on one lot;
(g) One triplex dwelling on one lot;
(h) One fourplex dwelling on one lot;
(i) One converted dwelling on one lot, containing not more than four dwelling units;
(j) One boarding or lodging house on one lot, containing not more than four guest rooms;
(k) A home occupation, in accordance with Section 3;
(l) A bed and breakfast establishment, in accordance with Section 3;
(m) A park, in accordance with Section 28;
(n) Accessory uses, buildings, and structures, in accordance with Sections 3 and 5.

10.2 Requirements for Single-Detached Dwellings

In accordance with the provisions of Section 9.2

10.3 Requirements for Semi-Detached, Duplex, and Semi-Detached Link Dwellings on One Lot

In accordance with the provisions of Section 8.3.

10.4 Requirements for One Dwelling Unit of a Semi-Detached Dwelling on One Lot

In accordance with the provisions of Section 8.4.

10.5 Requirements for One Dwelling Unit of a Semi-Detached Link Dwelling on One Lot

AMENDED BY BY-LAW 1-2017

10.5.1 Lot Area, Minimum

(a)	Interior Lot	300 m^2 (3,200 ft^2)
(b)	Corner Lot	400 m^2 (4,300 ft^2)

AMENDED BY BY-LAW 1-2017

10.5.2 Lot Frontage, Minimum

(a)	Interior Lot	10 m (33 ft)
(b)	Corner Lot	13 m (43 ft)

10.5.3 Front Yard, Minimum 6 m (20 ft)

AMENDED BY BY-LAW 1-2017

10.5.4 Interior Side Yard, Minimum

(a) With attached garage or carport 1.5 m (5 ft.)
(b) No attached garage or carport 3.6 m (12 ft.)
(c) Along the lot line of the attached unit 1.0 m (3 ft.)

10.5.5 Exterior Side Yard, Minimum 6 m (20 ft.)

10.5.6 Rear Yard, Minimum 7.5 m (25 ft.)

10.5.7 Building Height, Maximum 10.5 m (35 ft.)

AMENDED BY BY-LAW No. 2-2009
10.5.8 Lot Coverage, Maximum 45%

REMOVED BY BY-LAW 1-2017
10.5.9 Removed
10.5.10

10.5.11 Landscaped Open Space, Minimum 30%

10.5.12 Parking Requirements In accordance with the provisions of Section 5.18.

10.6 Requirements for Triplex Dwellings

AMENDED BY BY-LAW 1-2017
10.6.1 Lot Area, Minimum 650 m^2 (7,000 ft^2)

AMENDED BY BY-LAW 1-2017
10.6.2 Lot Frontage, Minimum 20 m (66 ft.)

10.6.3 Front Yard, Minimum 6 m (20 ft.)

AMENDED BY BY-LAW 70-2018
10.6.4 Interior Side Yard, Minimum
(a) 1-storey dwelling 1.8 m (6 ft.)
(b) 2-storey dwelling 2.4 m (8 ft.)

AMENDED BY BY-LAW 1-2017
10.6.5 Exterior Side Yard, Minimum 6 m (20 ft.)

AMENDED BY BY-LAW 1-2017
10.6.6 Rear Yard, Minimum
(a) 1-storey dwelling 4.5 m (15 ft.)
(b) 2-storey dwelling 7.5 m (25 ft.)

10.6.7 Building Height, Maximum 10.5 m (35 ft.)

AMENDED BY BY-LAW No. 2-2009
10.6.8 Lot Coverage, Maximum 40%

REMOVED BY BY-LAW 1-2017
10.6.9 Removed

10.6.10 Landscaped Open Space, Minimum 35%

10.6.11 Parking Requirements In accordance with the provisions of Section 5.18

10.7 Requirements for Fourplex Dwellings

10.7.1 Lot Area, Minimum 740 m^2 (8,000 ft^2)

AMENDED BY BY-LAW 1-2017
10.7.2 Lot Frontage, Minimum 20 m (66 ft.)

10.7.3 Front Yard, Minimum 6 m (20 ft.)

AMENDED BY BY-LAW 70-2018
10.7.4 Interior Side Yard, Minimum
(a) 1-storey dwelling 1.8 m (6 ft.)
(b) 2-storey dwelling 2.4 m (8 ft.)

AMENDED BY BY-LAW 1-2017
10.7.5 Exterior Side Yard, Minimum 6 m (20 ft.)

AMENDED BY BY-LAW 1-2017
10.7.6 Rear Yard, Minimum
(a) 1-storey dwelling 4.5 m (15 ft.)
(b) 2-storey dwelling 7.5 m (25 ft.)

10.7.7 Building Height, Maximum 10.5 m (35 ft.)

AMENDED BY BY-LAW No. 2-2009
10.7.8 Lot Coverage, Maximum 40%

REMOVED BY BY-LAW 1-2017
10.7.9 Removed

10.7.10 Landscaped Open Space, Minimum 35%

10.7.11 Parking Requirements In accordance with the provisions of Section 5.18.

10.8 Requirements for Converted Dwellings

10.8.1 Number of Dwelling Units, Maximum 4 dwelling units

AMENDED BY BY-LAW 1-2017
10.8.2 Lot Area, Minimum
(a) For a 2-unit dwelling 557 m^2 (6,000 ft^2)
(b) For a 3-unit building 650 m^2 (7,000 ft^2)
(c) For a 4-unit building 700 m^2 (7,500 ft^2)

10.8.3 Lot Frontage, Minimum

(a)	For a 2-unit building	18 m (60 ft)
(b)	For a 3-unit building	20 m (65 ft)
(c)	For a 4-unit building	21 m (70ft)

10.8.4 Front Yard, Minimum 6 m (20 ft.)

AMENDED BY BY-LAW 1-2017

10.8.5 Interior Side Yard, Minimum

(a)	1-storey dwelling	1.2 m (4 ft.)
(b)	2-storey dwelling	1.8 m (6 ft.)
(c)	No attached garage or carport	3.6 m (12 ft.) one-side only

10.8.6 Exterior Side Yard, Minimum 6 m (20 ft.)

10.8.7 Rear Yard, Minimum 7.5 m (25 ft.)

10.8.8 Building Height, Maximum 10.5 m (35 ft.)

AMENDED BY BY-LAW No. 2-2009

10.8.9 Lot Coverage, Maximum 40%

REMOVED BY BY-LAW 1-2017

10.8.10, 10.8.1, 10.8.12 Removed

10.8.13 Landscaped Open Space, Minimum 35%

10.8.14 Parking Requirements In accordance with the provisions of Section 5.18.

10.9 Requirements for Boarding or Lodging Houses

10.9.1 Number of Bedrooms for Rent, Maximum4

AMENDED BY BY-LAW 1-2017

10.9.2 Lot Area, Minimum 57 m^2 (6,000 ft^2)

10.9.3 Lot Frontage, Minimum 18 m (60 ft.)

10.9.4 Front Yard, Minimum 6 m (20 ft.)

10.9.5 Interior Side Yard, Minimum

(a)	1-storey dwelling	1.2 m (4 ft.)
(b)	2-storey dwelling	1.8 m (6 ft.)
(c)	No attached garage or carport	3.6 m (12 ft.) one-side only

10.9.6 Exterior Side Yard, Minimum 6 m (20 ft.)

10.9.7 Rear Yard, Minimum 7.5 m (25 ft.)

10.9.8 Building Height, Maximum 10.5 m (35 ft.)

AMENDED BY BY-LAW No. 2-2009
10.9.9 Lot Coverage, Maximum 40%

REMOVED BY BY-LAW 1-2017
10.9.10 Removed

10.9.11 Landscaped Open Space, Minimum 35%

10.9.12 Parking Requirements In accordance with the provisions of Section 5.18.

10.10 Special Provisions

10.10.1 R4-1

(a) Location: Lot 37 and Part of Lot 36, Reg. Plan No. 155 (Listowel Ward)

(b) Notwithstanding the provisions of Section 10.1 of this By-law to the contrary, a use described as an existing automobile service station shall be permitted on the land in the "R4-1" zone as shown on Key Map 33 of Schedule "A" to this By-law.

(c) The provisions of Section 17.3 of this By-law shall apply to the use permitted by Clause (b) above.

(d) All other applicable provisions of this By-law, as amended, shall apply.

10.10.2 R4-2

(a) Location: Part of Lot 27, Registered Plan No. 155 (Listowel Ward)

(b) Notwithstanding the provisions of Section 10.2.5 of this By-law to the contrary, the minimum exterior side yard for a proposed addition to an existing single-detached dwelling on land in the "R4-2" zone as shown on Key Map 33 of Schedule "A" to this By-law shall be 3.04 m (10 ft.).

(c) All other applicable provisions of this By-law, as amended, shall apply.

10.10.3 R4-3

(a) Location: Part of Lots 150, 151, 152, 153, and 154, Registered Plan No. 194 (Listowel Ward)

(b) Notwithstanding the provisions of Section 10 of this By-law to the contrary, no buildings and structures shall be permitted on the land in the "R4-3" zone as shown on Key Map 35 of Schedule "A" to this By-law until the following municipal services are available to serve all of the subject land:

(i) Water and hydro services satisfactory to the Public Utilities Commission;

(ii) Street, boulevards, sidewalks, trees, sanitary sewer/laterals, and signage to the satisfaction of the Municipality, as set forth in a servicing agreement dated April 22, 1992; a copy of which is on file in the Municipal Clerk's Office.

(c) All other applicable provisions of this By-law, as amended, shall apply.

10.10.4 R4-4

(a) Location: Part of Lots 70 and 102, Registered Plan 185 and Part of Lots 31 and 32, Concession 1 (formerly Elma Township (Listowel Ward)

(b) Notwithstanding the provisions of Sections 10.2.1 and 10.2.2 to the contrary, the minimum lot area and minimum lot frontage for single- detached dwellings on interior lots on the land in the "R4-4" zone as shown on Key Map 31 of Schedule "A" to this By-law shall be 12.19 m (40 ft.) and 399.47 square m (4,300 sq. ft.), respectively.

(c) Notwithstanding the provisions of Sections 10.2.1 and 10.2.2 of this By-law to the contrary, the minimum lot area and minimum lot frontage for single-detached dwellings on corner lots on land in the "R4-4" as shown on Key Map 31 of Schedule "A" to this By-law shall be 499.34 square m (5,375 sq. ft.) and 15.24 m (50 ft.), respectively.

(d) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 21-ZB-2002

10.10.5 R4-5

(a) Location: Part of Lots 17 and 25, Registered Plan No. 185 (622 Elma St. W.) Listowel Ward

(b) Notwithstanding the provisions of Section 10.1 of this By-law to the contrary, the existing building on the land in the "R4-5" zone as shown on Key Map 31 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. 21-ZB- 2002) may be converted for a professional office and one dwelling unit.

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW NO. 21-ZB-2005

10.10.6 R4-6

(a) Location: Part of Park Lots 4 & 5 and Park Lot 8, Reg. Plan 150, and Part 1, Plan 44R-895 (Bright Street, Listowel Ward), and Lots 1 to 9. Plan 44M27 (Parkmeadow Place, Listowel Ward)

(b) Notwithstanding the provisions of Sections 10.2 and 9.2 of By-law No. 6- ZB-1999 to the contrary, the minimum lot area and minimum lot frontage for single-detached dwellings on interior lots on the land within the "R4-6" zone as shown on Key Map 35 of Schedule "A" to By-law No. 6-ZB-1999, as amended (also shown on Schedule "A" to By-law No. 21-2005) shall be 376.9 m^2 (4,057.05

ft.^{2}) and 12.19 m (40 ft.), respectively.

(c) Notwithstanding the provisions of Section 10.2 and 9.2 of By-law No. 6-ZB-1999 to the contrary, the minimum lot area and minimum lot frontage for single-detached dwellings on corner lots on the land within the "R4-6" zone as shown on Key Map 35 of Schedule "A" to By-law No. 6-ZB-1999, as amended (also shown on Schedule "A" to By-law No. 21-2005) shall be 467.8 m^2 (5,035.5 ft.^{2}) and 15.19 m (49.83 ft.), respectively.

(d) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW NO. 113-2010

10.10.7 R4-7

(a) Location: Part of Lot 34, Concession 1 (former Township of Elma, now in the Listowel Ward) between Victoria Ave. S. and Livingstone Ave. S.

(b) Notwithstanding the provisions of Section 10 of this By-law to the contrary, row or townhouse dwellings, and accessory buildings shall be an additional permitted use, and may be constructed on the land located in the "R4-7" zone as shown on Key Map 32 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. 113-2010).

(c) The permitted row or townhouse dwellings shall be subject to the provisions of Section 11.2 of By-law No. 6-ZB-1999, as amended.

(d) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW NO. 147-2009

10.10.8 R4-8

(a) Location: Lot 7, Registered Plan 509 (Tremaine Ave. S., Elma Ward)

(b) Notwithstanding any provisions of this By-law to the contrary, the minimum front yard for dwellings on the land shown within the "R4-8" zone as shown on Key Map 40 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. 147-2009) shall be 18 m (59.06 ft.).

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW NO. 88-2010

10.10.10 R4-10

(a) Location: Lot 14, Registered Plan No. 174 (Union St., Listowel Ward)

(b) Notwithstanding the provisions of Section 10.7.6 of this By-law to the contrary, a fourplex dwelling shall be permitted to have a minimum rear yard of 3.35 m (10.99 ft.) on the property located in the "R4-10" zone as shown on Key Map 32 of Schedule "A" to this By-law (also shown as Schedule "A" to By-law No. 88-2010).

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW NO. 141-2010

10.10.11 R4-11

(a) Location: Part of Lots 2 and 3, Reg. Plan 191 (170 Maitland Ave. S., Listowel

Ward)

(b) Notwithstanding the provisions of Section 9.2.2 of this By-law to the contrary, a single-detached dwelling shall be permitted to have a minimum lot frontage of 12.19 m (40 ft.) on the property located in the "R4-11" zone as shown on Key Map 33 of Schedule "A" to this By-law (also shown as Schedule "A" to By-law No. 141-2010).

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW NO. 59-2012

10.10.12 R4-13

(a) Location: Lots 100-102, 104-107, Plan 194 (Wallace Ave. S., Listowel Ward)

(b) Notwithstanding any provisions of this By-law to the contrary, townhouse dwellings will be an additional permitted use on land within the "R4-13" zone as shown on Key Map 32 of Schedule "A" to By-law No. 6-ZB-1999 (also shown on Schedule "A" to By-law No. 59-2012).

(c) The provisions of Section 11.2 of By-law No. 6-ZB-1999 regarding townhouse dwellings, shall apply to the above-noted additional permitted use.

(d) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW NO. 30-2016

10.10.14 R4-14

(a) Location: Lots 34 & 35, Plan 185 (Elma St. W., Listowel Ward)

(b) Notwithstanding the provisions of Section 10.1 of this By-law to the contrary, for lands within the "R4-14" zone as shown on Key Map 31 of Schedule "A" to By-law No. 6-ZB-1999 the only permitted uses shall be a fourplex dwelling and a semi-detached dwelling.

(c) Notwithstanding any provisions of this By-law to the contrary, the buildings permitted by clause (b) above shall be subject to the following regulations:

(i)	Minimum Lot Area	1,600 m^2
(ii)	Minimum Lot Frontage	30 m
(iii)	Minimum Front Yard	6.0 m
(iv)	Minimum Interior Side Yard	1.6 m
(v)	Minimum Exterior Side Yard	6.0 m
(vi)	Minimum Rear Yard	2.6 m
(vii)	Maximum Building Height	10.5 m
(viii)	Maximum Lot Coverage	45%
(ix)	Minimum Landscaped Open Space	35%
(x)	Parking Requirements In accordance with Section 5.18	

(d) Notwithstanding any provision of By-law No. 6-ZB-199 to the contrary, the regulations of the By-law apply to the lands within the "R4-14" zone as though the they were a single property with the front lot line along Elma Street West:

(e) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW NO. 122-2016

10.10.15 R4-15

(a) Part of Lot 2, RP 152, Listowel Ward (431 Main Street West)

(b) Notwithstanding the provisions of Section 10.2 of this By-law to the contrary, for lands within the "R4-15" zone as shown on Key Map 32 of Schedule "A" to By-law No. 6-ZB-1999 the Minimum Lot Frontage shall be 10 m (33 ft.) and the Minimum Interior Side Yard for the easterly side of Part Lot 1 of Registered Plan 198 shall be 0.09 m (0.3 ft.) and for the westerly side of Part of Lot 2, Registered Plan 152 shall be 1.6 m (5.5 ft.).

(c) All other provisions of By law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW NO. 134-2016

10.10.16 R4-16

(a) Part Lots 67 & 68, Plan 187, Listowel Ward (390 Elm Avenue North)

(b) Notwithstanding the provisions of Section 10.2 of this By-law to the contrary, for lands within the "R4-16" zone as shown on Key Map 33 of Schedule "A" to By-law No. 6-ZB-1999 the Minimum Lot Area shall be 880 m^2 (9,470 ft^2), the Minimum Exterior Side Yard shall be 5.6 m (18 ft.) and the Minimum Rear Yard shall be 1.0 metre (3.2 ft.).

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW NO. 146-2018

10.10.17 R4-18

(a) Location: Lot 17 of Reg. Plan 185 (290 Havelock Avenue) Listowel Ward (Key Map 31).

(b) Notwithstanding any provisions of this By-law to the contrary, for lands within the "R4-18" zone as shown on Key Map 31 of Schedule "A" to this By-law, an unenclosed deck is permitted to encroach into an interior side yard, provided the structure (deck) is setback a minimum of 1.8 m (6 feet) from an interior side yard property line and provided that the floor level of such structures are not greater than 2.4 m (8 ft.) above the finished grade adjacent to such structure and that the surface area of such structure is no greater than 11 square m (120 square feet).

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW NO. 20-2019

10.10.19 R4-19

(a) Location: Lot 140 and Pt Lot 141 Plan 44M33, Parts 19 & 20 RP 44R- 5223, Listowel Ward (385 Krotz Street East).

(b) Notwithstanding any provisions of Section 10.4 and Section 8.4 of this By-law to the contrary, for lands within the "R4-19" zone as shown on Key Map 38 of Schedule A to By-law No.6-ZB-1999, the minimum rear yard setback for the southerly unit of a semi-detached dwelling shall be 0 m (0 ft.) and the minimum

rear yard setback for the northerly unit of a semi-detached dwelling shall be 1.5 m (5 feet).

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW NO. 46-2020

10.10.20 R4-20

(a) Location: Part of Lots 129 and 130, of Plan 168; Listowel Ward (490 Wellington Avenue South).

(b) Notwithstanding any provisions of Section 10.4, Section 8.4, Section 5.17 and 5.18 of this By-law to the contrary, for lands within the "R4-20" zone as shown on Key Map 32 of Schedule A to By-law No.6-ZB-1999, 'one dwelling unit of a semi-detached dwelling' is subject to the following provisions:

(i) Lot Area, Minimum (Interior Lot): 211.1 m2 (2,270 sf)
(ii) Lot Area, Minimum (Corner Lot): 309.5 m2 (3,330) sf);
(iii) Frontage, Minimum (Interior Lot): 7 m (23 feet);
(iv) Sight Triangle (Daylight Triangle): 7.3 m (24 feet).
(v) Driveway Location: The minimum distance between a driveway ramp and an intersection shall be 7.3 m (24 feet);

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW NO. 90-2020 and HOLDING REMOVED BY BY-LAW 153-2020, AMENDED BY BY-LAW 90-2020

10.10.21 R4-21-h2

(a) Location: Lot 48 and Part Lot 49 of Registered Plan 253; Elma Ward (172 Main Street, Atwood).

(b) Notwithstanding any provisions of Section 10.4 and Section 5 of this By-law to the contrary, for lands within the "R4-21" zone as shown on Key Map 32 of Schedule A to By-law No.6-ZB-1999, 'triplex dwellings and fourplex dwellings' are subject to the following provisions:

(i) The principal structure is permitted to be a maximum height of 6 m (20 feet);
(ii) In addition to the parking requirement as specified in Section 5.18, a minimum of two (2) dedicated visitor parking spaces shall be required on site;
(iii) A planting strip and/or privacy fence in accordance with Section 5.22 shall be required where an interior/rear lot line abuts a lot that is used for any residential purpose;
(iv) A dedicated enclosed storage area for the storage of waste/recycling shall be required on site;

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW NO. 84-2021

10.10.22 R4-22

(a) Location: Part Lots 16 & 17, Concession 8, Elma Ward (302 Woodview Drive, Atwood)

(b) Notwithstanding the provisions of Section 10 and Section 9 of this By-law to the contrary, the minimum lot frontage requirement for an existing residential use is 4 meters (12 feet).

(c) All other provision of this By-law, as amended, shall apply

10.10.23 R4-23

(a) Location: Corporation Lot 14, Registered Plan 194 and Lot South (also known as Lot 13) Registered Plan 156 (650 Main Street West) in the Listowel Ward

(b) Notwithstanding any provisions of Section 10.1 of this By-law to the contrary, an additional permitted use on the land within the "R4-23" zone as shown on Key Map 31 of Schedule "A" to this By-law, shall be a "business and professional office".

(c) Notwithstanding any provisions of Section 10.2 of this By-law to the contrary, a business or professional office is subject to the following provisions:
   (i) Minimum Lot Area 1600m²;
   (ii) Minimum Lot Frontage 40m;
   (iii) Minimum Front Yard 4.5m;
   (iv) Minimum Exterior Side Yard 4.3m;
   (v) Minimum Interior Side Yard 12m;
   (vi) Minimum Rear Yard 12m;
   (vii) Maximum Lot Coverage 35%;
   (viii) Loading Space Required 1;
   (ix) Loading Space Size 2.4m x 6.5m; and
   (x) Maximum Building Height 10.5m.

(d) Notwithstanding any provision of By-Law 6-ZB-1999 the Lot Line, Front shall be Main Street West.

(e) Notwithstanding any provision of By-Law 6-ZB-1999 to the contrary, a cellar or basement shall not contribute to Gross Floor Area for the purposes of required parking.

(f) Notwithstanding any provision of By-Law 6-ZB-1999 to the contrary, parking shall not be required for any building existing on the property at the time of passing of this by-law.

(g) Notwithstanding any provision of By-Law 6-ZB-1999 to the contrary, a residential use is not permitted on the same property where a "business or professional office" is established.

(h) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

10.10.24 R4-24

(a) Location: Plan 509, Lot 5, Elma Ward, Municipality of North Perth

(b) Notwithstanding any provisions of Section 10 to the contrary, the minimum side yard setback requirement shall be 2.7 m

(c) Notwithstanding any provisions of Section 10 to the contrary, the minimum front yard setback requirement shall be 16 m

(d) All other applicable provisions of By-law No. 6-ZB-1999, as amended, shall apply.

10.10.25 R4-25

(a) Location: Plan 509, Lot 5, Elma Ward, Municipality of North Perth

(b) Notwithstanding any provisions of Section 10 to the contrary, the minimum lot frontage requirement shall be 8.8 m

(c) Notwithstanding any provisions of Section 10 to the contrary, the minimum side yard setback requirement shall be 1.5 m

(d) Notwithstanding any provisions of Section 10 to the contrary, the minimum front yard setback requirement shall be 16 m

(e) All other applicable provisions of By-law No. 6-ZB-1999, as amended, shall apply.

10.10.28 R4-28

(a) Location: Part Lot 131 and Lot 132, Registered Plan 183, Municipality of North Perth (Key Map 35) as amended shall be subject to the following criteria:

i. Front yard depth, minimum shall be 5.5 m

ii. That the accessory structure on part lot 141 may be in the exterior side yard beyond the existing dwelling, but no closer than 1.36 m to the exterior lot line.

10.10.29 R4-29

(a) Location: Part Lot 131, Listowel Ward, Municipality of North Perth (Key Map 35):

- Minimum Front Yard Setback: 5.5 m
- Minimum Exterior Side Yard Setback: 3.0 mt
- Minimum Rear Yard Setback: 4 mt

(b) Other applicable provisions of this By-law shall apply.

10.10.32 R4-32

(a) Location: Lot 45, Plan 158, Listowel Ward, North Perth (Key Map 33) as amended shall be subject to the following criteria:

1. That up to six (6) dwelling units will be permitted subject to the regulations of Section 10.7 of By-law No. 6-ZB-1999 and the following criteria

   a) The maximum lot coverage shall be 41%

b) The maximum parking required shall be 9 spaces (inclusive of visitor and accessible parking spaces)

ADDED BY BY-LAW No. 50-2026

10.10.33 R4-33

(a) Location: Lots 1-57, Plan ____ (Atwood, Elma Ward)

(b) Notwithstanding any provisions of this By-law to the contrary, for single detached dwellings the minimum interior lot frontage shall be 9.1m and the minimum interior lot area shall be 278m^2

(c) Notwithstanding any provision of this By-law to the contrary, for single detached dwellings the minimum corner lot frontage shall be 15m and the minimum corner lot area shall be 490m^2

(d) Notwithstanding any provision of this By-law to the contrary, the minimum exterior side yard setback for single detached dwellings shall be 4.5m

(e) Notwithstanding any provision of this By-law to the contrary, the minimum interior side yard setback for single detached dwellings shall be 1.2m

(f) Notwithstanding any provision of this By-law to the contrary, for semi-detached dwellings the minimum lot area shall be 545m^2 and for One Unit of a Semi-Detached Dwelling on One Lot the minimum lot area shall be 272m^2

(g) All other applicable provisions of this By-law, as amended, shall apply

SECTION 11 - RESIDENTIAL ZONE FIVE (R5)

No person shall within any "R5" Zone use any land or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions:

11.1 Permitted Uses, Buildings, and Structures

(a) Row or townhouse dwellings;
(b) Apartment dwellings;
(c) Cluster Housing Dwellings;
(d) Street-Front Townhouse Dwellings;
(e) Stacked Townhouses;
(f) One converted dwelling on one lot, containing more than four dwelling units;
(g) One boarding or lodging house, containing more than four guest rooms;
(h) A home occupation, in accordance with Section 3;
(i) A park, in accordance with Section 28;
(j) Accessory uses, buildings, and structures, in accordance with Sections 3 and 5.

AMENDED BY BY-LAW NO. 1-2017

11.2 Requirements for Row or Townhouse Dwellings and Street Front Townhouse Dwellings

11.2.1	Lot Area, Minimum	185 m2 (2,000 ft2) / dwelling unit
11.2.2	Lot Frontage, Minimum	6.0 m (20 ft) / dwelling unit
11.2.3	Front/Exterior Side Yard, Minimum	6.0 m (20 ft)
11.2.4	Interior Side Yard, Minimum	3.0 m (10 ft)
11.2.5	Rear Yard, Minimum	7.5 m (25 ft)
11.2.6	Building Height, Maximum	10.5 m (35 ft)
11.2.7	Lot Coverage, Maximum	50%
11.2.8	Landscaped Open Space, Minimum	35%

ADDED BY BY-LAW NO. 70-2018

11.2.9 Planting Strip Requirements

A planting strip shall be required in accordance with the provisions of Section 5.22 where an interior side or rear lot line of a lot being developed for row or townhouse purposes abuts a lot under any of the following circumstances:

(a) A lot that is in a Future Development Zone;

(b) A lot that is used for a non-residential purpose and on which no planting strip exists adjacent to the mutual lot line.

11.2.10 Parking Requirements As per Section 5.18.

ADDED BY BY-LAW NO. 1-2017 and AMENDED BY BY-LAW 133-2020

11.2A Requirements for One Dwelling Unit of a Street Front Townhouse Dwelling on One Lot

11.2A.1	Lot Area, Minimum	
	(a) Interior Lot	185 m^2 (2,000 ft^2)
	(b) Corner Lot	400 m^2 (4,300 ft^2)
11.2A.2	Lot Frontage, Minimum	
	(a) Interior Lot	6 m (20 ft)
	(b) Corner Lot	13 m (43 ft)
11.2A.3	Front Yard, Minimum	6 m (20 ft)
11.2A.4	Interior Side Yard, Minimum	
	(a) Attached Side Lot Line	0m
	(b) Non-attached Side Lot Line	3.0 m (10 ft)
	(c) Non-attached Side Same Lot/Block	2.0 m (6.5 ft)
11.2A.5	Exterior Side Yard, Minimum	6 m (20 ft)
11.2A.6	Rear Yard, Minimum	7.5 m (25 ft)
11.2A.7	Building Height, Maximum	10.5 m (35 ft)
11.2A.8	Lot Coverage, Maximum	50%
11.2A.9	Landscaped Open Space, Minimum	35%
11.2A.10	Parking Requirements	As per Section 5.18

11.3 Requirements for Apartment Dwellings and Stacked Townhouse Dwellings AMENDED BY BY-LAW NO. 1-2017

11.3.1	Lot Area, Minimum	650 m (7,000 ft^2) plus 100 m^2 (1,080 ft^2) / dwelling unit
11.3.2	Lot Frontage, Minimum	24 m (80 ft.)
11.3.3	Front Yard, Minimum	7.5 m (25 ft.)
11.3.4	Interior Side Yard, Minimum	6 m (20 ft.)
11.3.5	Exterior Side Yard, Minimum	7.5 m (25 ft.)
11.3.6	Rear Yard, Minimum	12 m (40 ft.)
11.3.7	Building Height, Maximum	12 m (40 ft.)

AMENDED BY BY-LAW No. 2-2009

11.3.8	Lot Coverage, Maximum	40%

REMOVED BY BY-LAW No 1-2017

11.3.9 Removed

11.3.10 Landscaped Open Space 35%

11.3.11 Planting Strip Requirement

A planting strip shall be required in accordance with the provisions of Section 5.22 where an interior side or rear lot line of a lot being developed for apartment dwelling purposes abuts a lot under any of the following circumstances:

(a) A lot that is in a Residential Zone, a Residential (-h) Zone, or a Future Development Zone that is designated "Residential" in the Listowel Ward Official Plan.

(b) A lot that is used for residential purposes;

(c) A lot that is used for a non-residential purpose and on which no planting strip exists adjacent to the mutual lot line.

11.3.12 Parking Requirements In accordance with the provisions of Section 5.18.

AMENDED BY BY-LAW NO. 1-2017

11.3.13 Building Separation

Where more than one apartment dwelling is built on one lot, the buildings are required to be separated from each other according to the nature of the windows in the building faces. The minimum building separation is as follows;

(a) Both faces contain habitable room windows 15 m
(b) One face contains habitable room windows 10.5 m
(c) Neither face contains habitable room windows 3 m

11.4 Requirements for Converted Dwellings

11.4.1 Number of Dwelling Units

(a) Minimum 5 dwelling units
(b) Maximum 7 dwelling units

AMENDED BY BY-LAW NO. 1-2017

11.4.2 Lot Area, Minimum

(a) For a 5-unit dwelling 800 m^2 (8,600 ft^2)
(b) For a 6-unit dwelling 900 m^2 (9,700 ft^2)
(c) For a 7-unit dwelling 1,000 m^2 (10,800 ft^2)

11.4.3 Lot Frontage, Minimum 27 m (90 ft.)

11.4.4 Front Yard, Minimum 7.5 m (25 ft.)

AMENDED BY BY-LAW NO. 1-2017

11.4.5 Interior Side Yard, Minimum 3.5 m (11.5 ft.) on one side and 4.5 m (15 ft.) on the opposite side

11.4.6 Exterior Side Yard, Minimum 7.5 m (25 ft.)

11.4.7 Rear Yard, Minimum 7.5 m (25 ft.)

11.4.8 Building Height, Maximum 2 m (40 ft.)

AMENDED BY BY-LAW No. 2-2009
11.4.9 Lot Coverage, Maximum 40%

REMOVED BY BY-LAW No 1-2017
11.4.10 Removed

11.4.11 Building Additions
Additions to existing dwellings for the purpose of accommodating the conversion of existing dwellings shall be permitted provided that the following provisions are met:

(a) The addition shall have a ground floor area of greater than 50 per cent of the ground floor area and a total floor area of not greater than 50 per cent of the total floor area of the dwelling prior to the conversion; and

(b) Any addition that is erected for the purpose of accommodating a conversion must be constructed so as to fit in with the character and design of the existing dwelling.

REMOVED BY BY-LAW No 1-2017
11.4.12 Removed

11.4.13 Landscaped Open Space, Minimum 35%

REMOVED BY BY-LAW No 1-2017
11.4.14 Removed

11.4.15 Parking Requirements In accordance with the provisions of Section 5.18

11.5 Requirements for Boarding or Lodging Houses

11.5.1 Number of Rooms for Rent, Minimum 5

AMENDED BY BY-LAW NO. 1-2017
11.5.2 Lot Area, Minimum 800 m^2 (8,600 ft^2)

11.5.3 Lot Frontage, Minimum 21 m (70 ft.)

11.5.4 Front Yard, Minimum 7.5 m (25 ft.)

11.5.5 Interior Side Yard, Minimum 2.4 m (8 ft.) on one side, 4.5 m (15 ft.) on the opposite side.

11.5.6 Exterior Side Yard, Minimum 7.5 m (25 ft.)

11.5.7 Rear Yard, Minimum 7.5 m (25 ft.)

11.5.8 Building Height, Maximum 12 m (40 ft.)

AMENDED BY BY-LAW No. 2-2009
11.5.9 Lot Coverage, Maximum 40%

REMOVED BY BY-LAW No 1-2017
11.5.10 Removed

11.5.11 Landscaped Open Space, Minimum 35%

11.5.12 Parking Requirements In accordance with the provisions of Section 5.18.

AMENDED BY BY-LAW NO. 1-2017
11.5A Requirements for Cluster Housing Dwellings

11.5A.1 Lot Area, Minimum 185 m^2 (2,000 ft^2) / dwelling unit

11.5A.2 Lot Frontage, Minimum 20 m (66 ft)

11.5A.3 Front Yard, Minimum 6 m (20 ft)

11.5A.4 Interior Side Yard, Minimum 4.5 m (15 ft)

11.5A.5 Exterior Side Yard, Minimum 6m (20 ft)

11.5A.6 Rear Yard, Minimum
(a) 1-storey dwelling 4.5 m (15 ft)
(b) 2-storey dwelling 7.5 m (25 ft)

11.5A.7 Building Height, Maximum 10.5 m (35 ft)

11.5A.8 Lot Coverage, Maximum 50%

11.5A.9 Landscaped Open Space, Minimum 35%

11.5A.10 Parking Requirement As per Section 5.18

11.5A.11 Planting Strip Requirements
A planting strip shall be required in accordance with the provisions of Section 5.22 where an interior side or rear lot line of a lot being

developed for row or townhouse purposes abuts a lot under any of the following circumstances:

(a) A lot that is in a Residential Zone, Residential (-h) Holding Zone, or a Future Development Zone;

(b) A lot that is used for residential purposes;

(c) A lot that is used for a non-residential purpose and on which no planting strip exists adjacent to the mutual lot line; and

(d) The provisions of this section shall not apply to require a planting strip where the abutting lot is also used for a row or townhouse dwellings.

11.6 Special Provisions

11.6.1 R5-1

(a) Location: Part of Lots 35 and 36, Concession 1 (formerly Elma Township, Listowel Ward)

(b) Notwithstanding the provisions of Section 3 to the contrary, the lot frontages for the areas within the "R5-1" zone as shown on Key Map 35 of Schedule "A" to this By-law shall be the longer of the lot lines abutting the street, while the shorter of the lot lines abutting the street are deemed to be the exterior side lot line, unless the subject area is developed for freehold townhouses, in which case the provisions of Section 3.102 of this By-law shall apply.

(c) All other applicable provisions of this By-law, as amended, shall apply.

AMENDED BY BY-LAW 2-2009

11.6.2 R5-2

(a) Location: Blocks 59, 60, 61 and 62, Registered Plan No. 557 (Listowel Ward)

(b) Notwithstanding the provisions of Section 11.1 to the contrary, the only permitted uses on the land within the "R5-2" zone as shown on Key Map 31 of Schedule "A" to this By-law shall be semi-detached dwellings (subject to the provisions of Section 8 of this By-law), row or townhouse dwellings (subject to the provisions of Section 11 of this By-law) and accessory uses, buildings and structures.

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 76-ZB-1999 and No. 96-2009

11.6.3 R5-3

(a) Location: Block 11, Reg. Plan 44M-3 (Albert Ave. N., Listowel Ward)

(b) Notwithstanding the provisions of Section 11.1 of By-law No. 6-ZB-1999

to the contrary, the only permitted uses on the land within the “R5-3" zone as shown on Key Map 28 of Schedule "A" to By-law No. 6-ZB-1999 (also shown on Schedule "A" to By-law No. 96-2009) shall be eleven semi-detached dwellings (i.e. twenty-two dwelling units).

(c) The permitted semi-detached dwellings shall be subject to the provisions of Section 8.3 of By-law No. 6-ZB-1999, as amended.

(d) Notwithstanding any provisions of this By-law to the contrary, the minimum lot frontage for the land within the “R5-3" zone shall be 58.26 m (191.15 ft.) and the lot frontage for said lands and permitted dwellings is deemed to be along Albert Ave. N.

(e) Notwithstanding any provisions of By-law No. 6-ZB-1999 to the contrary, the permitted semi-detached dwelling units shall be permitted on lots without frontage on, or direct access to, a public street that is maintained on a year- round basis by the Municipality, provided that such dwellings, and accessory buildings, are located on “parcels of tied land” to a Common Elements Condominium consisting of at least a private road, which is built and maintained to standards acceptable to the Municipality, which connects to a public street.

(f) Notwithstanding any provisions of By-law No. 6-ZB-1999 to the contrary, where the lot does not front onto a public street, the front lot line shall be deemed to be that lot line abutting the private road on the Common Elements Condominium.

(g) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW No. 122-ZB-2004

11.6.4 R5-4

(a) Location: Part of Lot 42, Concession 1 (Elma Ward)

(b) In addition to the uses permitted by Section 11.1 of By-law No. 6-ZB-1999, semi- detached dwellings will be an additional permitted use on land within the “R5-4” zone as shown on Key Map 40 of Schedule “A” to By-law No. 6-ZB-1999, as amended (also shown on Schedule “A” to By-law No.122-ZB-2004).

(c) The provisions of Section 8.3 regarding a semi-detached dwelling on one lot, and the provisions of Section 8.4 regarding one dwelling unit of a semi-detached dwelling on one lot, shall apply to the above-noted additional permitted use.

(d) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 71-2006 and AMENDED BY BY-LAW No. 2-2009

11.6.5 R5-5

(a) Location: Part of Park Lot 10, Registered Plan 182 (York Ave. N., in the Listowel Ward)

(b) Notwithstanding the provisions of this By-law to the contrary, a six-unit townhouse dwelling located on the land within the "R5-5" zone as shown on Key Map 29 of Schedule "A" to this By-law, may have a minimum lot frontage of 34.75 m (114 ft.), and a minimum rear yard of 4.1 m (16 ft.).

(c) All other applicable provisions of this By-law, as amended, shall apply.

AMENDED BY BY-LAW No. 1-2017

11.6.6 R5-6

(a) Location:
- (i) Blocks 158 and 159, Reg. Plan 563 (855 Wallace Ave. S., Listowel Ward);
- (ii) Blocks 160 and 161, Registered Plan 563 (Bamford Dr., Listowel Ward);
- (iii) Blocks 187 and 188, Reg. Plan 44M-33 (Forbes Crescent, Listowel Ward)

(b) Notwithstanding the provisions of Section 11 of this By-law to the contrary, semi- detached dwellings are a permitted use within the "R5-6" zone, as shown on Key Map 35 of Schedule "A".

(c) Permitted semi-detached dwellings shall be subject to the provisions of Section 8.3 or 8.4 of this By-law.

(d) Notwithstanding any provision of this By-law to the contrary, permitted townhouse dwellings may have a minimum rear yard of 7.5 m.

(e) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 2-2008 – OMB approved

11.6.6(B) R5-6(B)

(a) Location: Part of Lot 34, Concession 1 (formerly Township of Elma), Listowel Ward

(b) Notwithstanding any provisions of By-law No. 6-ZB-1999 to the contrary, townhouse dwellings located on lots within the "R5-6" zone as shown on Key Maps 34 and 37 of Schedule "A" to By-law No. 6-ZB-1999, as amended shall be subject to the following criteria:
- (i) Minimum Interior Side Yard 1.5 m (4.92 ft.) (for an end unit of a townhouse)
- (ii) Minimum Exterior Side Yard 2.7 m (8.86 ft.) (for an end unit of a townhouse)
- (iii) Maximum Lot Coverage 50 %

(c) Notwithstanding any provisions of By-law No. 6-ZB-1999 to the contrary, the minimum distance between a driveway ramp and an intersection of a street shall be 5.7 m (18.7 ft.).

(d) Notwithstanding any provisions of By-law No. 6-ZB-1999 to the contrary:

(i) No dwelling unit shall be erected or used on the lands zoned R5-6 unless a continuous *noise barrier* has been erected adjacent to and along the full extent of the *western boundary*.

(ii) On the *westerly facing elevation* of each *barrier dwelling unit,* there shall be no *openings*, or portions thereof, that are greater in height, as measured from the finished grade level at the base of each *westerly facing elevation,* than the height of the top of the *noise barrier*, or portion thereof, located directly opposite the *barrier dwelling unit* under consideration.

For the purposes of this Section, the following terms shall have the following meanings:

(i) *"barrier dwelling units"* shall mean any dwelling unit wholly or partly located within 41 m of the western boundary of the lands zoned "R5-6";

(ii) *"noise barrier"* shall mean an earthen berm, fence with acoustical attenuation qualities (being made of wood, metal or masonry constructed and having a minimum surface density of 20 kg/m^2 or equivalent standard), or a combination thereof;

(iii) "*openings*" shall mean windows, doors, skylights, air vents, air intakes or similar openings in a wall;

(iv) *"western boundary"* shall mean the extent of the westerly lot line from the northerly limit of the lands that are subject to By-law No. 2-2008 to 42 m south of the southern boundary of the area zoned "R5-6" by By-law No. 2-2008; and (v)"*westerly facing elevation*" shall mean the exterior building wall(s) or face(s), or portion(s) thereof, where the plane of the building wall or face lies generally within 45 degrees of the bearing of the western boundary of the lands zoned "R5-6" and the planes of any indentations in, protrusions from, or architectural features that form part of such westerly facing elevation, or portion(s) thereof, regardless of orientation to the western boundary.

(e) All other provisions of this By-law, as amended, shall apply.

11.6.7 R5-7

(a) Location: Lots 27 to 30 (inclusive), Registered Plan No. 44M-27 (Listowel Ward)

(b) Notwithstanding the provisions of Section 11 of By-law No. 6-ZB-1999 to the contrary, the only permitted uses on the land in the "R5-7" zone as

shown on Key Map 29 of Schedule "A" to By-law No. 6-ZB-1999, as amended (also shown on Schedule "A" to By-law No. 43-2008) shall be either townhouse buildings **or** one single-detached dwelling, including accessory uses, on each lot.

(c) Notwithstanding any provision of Section 11.2 of By-law No. 6-ZB-1999 to the contrary, for the townhouse building uses as permitted by Clause (b) above, the permitted townhouse buildings shall be limited to a maximum of one storey in building height, shall have the minimum interior side yard for the exterior units shall be 1.52 m (4.9 ft.), and no planting strip shall be required.

(d) The provisions of Section 10.2 of By-law No. 6-ZB-1999 shall apply to single- detached dwelling uses as permitted by Clause (b) above with the exception that the minimum lot area and minimum lot frontage for a single-detached dwelling on an interior lot shall be 376.9 m^2 (4,057.05 $ft.^2$) and 12.19 m (40 ft.), respectively.

(e) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 3-2013

11.6.8 R5-8

(a) Location: Lots 42 to 47, Registered Plan 44M-33 (Hutton St., Listowel Ward)

(b) Notwithstanding the provisions of Section 11 of this By-law to the contrary, two, four-unit townhouse dwellings may be constructed on the land located in the "R5- 8" zone as shown on Key Map 35 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. 3-2013).

(c) The above-noted permitted townhouse dwellings shall be permitted to have:

(i) No interior side yard (0 m) between the interior units of the townhouse dwellings;

(ii) A reduced interior side yard of 2.44 m (8 ft.) between the two townhouse blocks;

(iii) An increased lot coverage for the interior units (#2 and #3, and #6 and #7) of the two townhouse blocks from 50 % to 55%;

(iv) A reduced rear yard of 6.39 m (20.96 ft.) to allow for decks attached to the dwellings; and a reduced exterior side yard of 4.88 m (16.01 ft.) along Wellington Ave. S. and Anger St.

(d) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 26-2014

11.6.9 R5-9

(a) Location: Park Lot 7 of Reg. Plan No. 159 (Elizabeth St. W., Listowel Ward)

(b) Notwithstanding any provision of the By-law to the contrary, for lands located in the “R5-9” zone as shown on Key Map 31 of Schedule “A” to By-law No. 6-ZB-1999 (also shown as Schedule “A” to By-law No. 26-2014) the minimum lot frontage shall be 20 m, the minimum rear yard setback shall be 6.4 m and the required parking spaces are not required to be independently accessible.

ADDED BY BY-LAW No. 62-2014

11.6.10 R5-10

(a) Location: Blocks 158 and 164, Plan 563 and Part of Wellington Avenue South (Wallace Avenue South, Listowel Ward)

(b) Notwithstanding any provision of the By-law to the contrary, for lands located in the “R5-10” zone as shown on Key Map 35 of Schedule “A” to By-law No. 6-ZB- 1999 (also shown as Schedule “A” to By-law No. 62-2014) apartment dwellings are not a permitted use, the minimum rear yard setback is 7.5 m, the maximum lot coverage is 55 %, the minimum landscaped open space is 30 %, no minimum side yard setback is required along lot boundaries separating dwelling units within the same building, and the required parking spaces for individual dwelling units can each have direct access from a street and are not required to be independently accessible.

ADDED BY BY-LAW No. 60-2014

11.6.11 R5-11

(a) Location: Block 26, Registered Plan No. 565 (Fisher Avenue, Elma Ward)

(b) Notwithstanding any provision of the By-law to the contrary, for lands located in the “R5-11” zone as shown on Key Map 44 of Schedule “A” to By-law No. 6-ZB- 1999 (also shown as Schedule “A” to By-law No. 60-2014) semi-detached dwellings are a permitted use, no minimum side yard setback is required along lot boundaries separating dwelling units within the same building, and the required parking spaces for individual dwelling units can each have direct access from a street and are not required to be independently accessible.

ADDED BY BY-LAW No. 109-2014

11.6.12 R5-12

(a) Lots 1-5, Plan 44M-46 (Albert Street North) Listowel Ward

(b) Notwithstanding any provision of the By-law to the contrary, for lands located in the “R5-12” zone as shown on Key Map 28 of Schedule “A” to By-law No. 6-ZB- 1999 (also shown as Schedule “A” to By-law No. 109-2014) the requirements of Section 11.2 apply as though the lands were a single property with the front lot line along Albert Street, the minimum rear yard setback for main buildings is 8.5 m, the minimum rear yard setback

for decks not more than 1.2 m above the finished grade is 5.0 m, and the required parking spaces for individual dwelling units can each have direct access from a street and are not required to be independently accessible.

ADDED BY BY-LAW No. 71-2015

11.6.13 R5-13

(a) Location: Lots 15-18, Reg. Plan 44M-33 (Anger St. E. and Reserve Ave. S., Listowel Ward)

(b) Notwithstanding any provision of the By-law to the contrary, for lands located in the "R5-13" zone as shown on Key Map 35 of Schedule "A" to By-law No. 6-ZB- 1999 (also shown as Schedule "A" to By-law No. 71-2017) the minimum interior side yard is 2.0 m, the minimum exterior side yard is 4.8 m, the minimum rear yard is 8.0 m, no minimum side yard is required along lot boundaries separating dwelling units within the same building, and the required parking spaces for individual dwelling units can each have direct access from a street and are not required to be independently accessible.

ADDED BY BY-LAW No. 2-2017

11.6.14 R5-14

(a) Location: Lots 147, 148 and Part of Dover Street (closed) of RP 183, Lots 160 & 161 of RP 194, Part of Lots 33, 34, & 35, Concession 1, Geographic Township of Elma (615 Salisbury Avenue South, Listowel Ward)

(b) Notwithstanding any provision of the By-law to the contrary, the lot frontages for lands located in the "R5-14" zone as shown on Key Maps 34 and 35 of Schedule "A" to By-law No. 6-ZB-1999 (also shown as Schedule "A" to By-law No. 02-2017) shall be the longer of the lot lines abutting the street, while the shorter of the lot lines abutting the street are deemed to be the exterior side lot line, unless the subject area is developed for freehold townhouses, in which case the provisions of Section 3.101 of this By-law shall apply.

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 19-2019

11.6.15 R5-15-h2

(a) Location: Part of Lots 29 and 30, Concession 1, Part Lot 16 Plan 430, Elma Ward.

(b) Notwithstanding any provisions of Section 11.1 of this By-law to the contrary, for lands within the "R5-15" zone as shown on Key Map 27 of Schedule A to By-law No.6-ZB-1999, an additional permitted use shall include Semi-Detached Dwellings.

(c) The provisions of Section 8.3 of By-law No.6-ZB-1999 regarding semi-

detached dwellings shall apply to the above noted additional permitted use.

(d) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 130-2023

11.6.15.1

(a) Location: Plan 44M74 Block 72, Municipality of North Perth (Key Map 27)

(b) Notwithstanding any provisions of Section 11 of this By-law to the contrary, for lands within the "R5-15$_1$" zone as shown on Key Map 27 of Schedule A to the By-law No. 6-ZB-1999, an additional permitted use shall include a semi-detached dwelling

(c) The provisions of 8.3 of By-law No. 6-ZB-1999 regarding semi-detached dwellings shall apply to the above noted additional permitted use in section b)

(d) Notwithstanding any provisions of Section 11 of this By-law to the contrary, for lands within the "R5-15$_1$" zone as shown on Key Map 27 of Schedule A to By-law 6-ZB-1999, the minimum rear yard setback requirement for a townhouse shall be 3m. This requirement will not apply to one dwelling unit of a street front townhouse dwelling on one lot and will only apply to a townhouse developed on an entire block. In the event the dwelling units in the townhouse block are split through part lot control, the parameters of Section 11.2A shall apply.

(e) Notwithstanding any provisions of Section 11 of this By-law to the contrary, for lands within the "R5-15$_1$" zone as shown on Key Map 27 of Schedule A to By-law No 6-ZB-1999, the minimum lot frontage requirement for a townhouse shall be 20m. This requirement will not apply to one dwelling unit of a street front townhouse dwelling on one lot and will only apply to a townhouse developed on an entire block. In the event the dwelling units in the townhouse block are split through part lot control, the parameters of Section 11.2A shall apply

(f) All other applicable provisions of this By-law shall apply.

ADDED BY BY-LAW No. 19-2019 and HOLDING REMOVED BY BY-LAW 152-2020

11.6.15 R5-16

(a) Location: Part of Lots 29 and 30, Concession 1, Part Lot 16 Plan 430, Elma Ward

(b) Notwithstanding any provisions of Section 11.1 of this By-law to the contrary, for lands within the "R5-16" zone as shown on Key Map 27 of Schedule A to By-law No.6-ZB-1999, the only permitted use shall be

Stacked Townhomes or Apartment Dwellings at a minimum density of 60 units/hectare.

(c) All other provisions of By-law No.6-ZB-1999 shall.

ADDED BY BY-LAW No. 117-2017

11.6.16 R5-17

(a) Location: Part of Lot 19, Registered Plan 487 (Wallace Ward)

(b) Notwithstanding any provision of the By-law to the contrary, for lands located in the "R5-17" zone as shown on Key Map 27 of Schedule "A" to By-law No. 6-ZB-1999 (also shown as Schedule "A" to By-law No. 117-2017) the minimum lot frontage shall be 10 m (33 ft.).

(c) All other provisions of this By-law, as amended, shall apply

ADDED BY BY-LAW No. 106-2019

11.6.17 R5-18

(a) Location: Part of Park Lot 2 of Registered Plan 159, and Lot 5 of Registered Plan 175, Listowel Ward, (Albert Street) (Key Map 28).

(b) Notwithstanding any provisions of Section 11 of this By-law to the contrary, for lands within the "R5-18" zone as shown on Key Map 28 of Schedule A to By-law No.6-ZB-1999, a minimum lot frontage of 11.9 m (39 feet) is permitted.

(c) Notwithstanding any provisions of Section 11 of this By-law to the contrary, for lands within the "R5-18" zone as shown on Key Map 28 of Schedule A to By-law No.6-ZB-1999, two (2) single-storey apartment dwellings may be constructed with up to a maximum of twenty (20) dwelling units.

(d) The above-noted permitted apartment dwellings are subject to the following provisions:

(i) Rear Yard, Minimum – 3.5 m (11.4 feet);

(ii) Interior (West) Side Yard, Minimum – 3.5 m (11.4 feet);

(iii) In addition to the parking requirement as specified in Section 5.18, a minimum of four (4) dedicated visitor parking spaces shall be required on site;

(iv) A planting strip and/or privacy fence in accordance with Section 5.22 shall be required where an interior/rear lot line abuts a lot that is used for any residential purpose;

(v) A dedicated enclosed storage area for the storage of waste/recycling shall be required on site;

(vi) The principal structure(s) are permitted to be a maximum height of 7 m (23 feet).

(c) Notwithstanding the provisions of Section 34 of this By-law to the contrary, for lands within the “R5-18” zone as shown on Key Map 28 of Schedule A to By-law No.6-ZB-1999, and described as Part of Park Lot 2 of Registered Plan 159, and Lot 5 of Registered Plan 175, Listowel Ward, (Albert Street), the permitted structure(s) may encroach into the 15-metre setback from the adjacent storm drain (watercourse), subject to obtaining a permit from the local conservation authority.

(d) All other provisions of the R5 Zone and the North Perth Zoning By-law No. 6-ZB-1999, as amended, shall apply

ADDED BY BY-LAW No. 52-2019

11.6.18 R5-19

(a) Location: Lots 147, 148 and Part of Dover Street (closed) of RP 183, Lots 160 & 161 of RP 194, Part of Lots 33, 34, & 35, Concession 1, Geographic Township of Elma (615 Salisbury Avenue South, Listowel Ward)

(b) Notwithstanding the provisions of Section 11.2.2 of this By-law to the contrary, the minimum lot frontage for row or townhouse dwelling uses on lands located in the “R5-18” zone as shown on Key Maps 28 of Schedule “A” to By-law No. 6-ZB-1999 (also shown as Schedule “A” to By-law No. 52- 2019) shall be 11.0 m

(c) Notwithstanding the provisions of Section 11.2.5 of this By-law to the contrary, the minimum rear yard for row or townhouse dwelling uses on lands located in the “R5-18” zone as shown on Key Maps 28 of Schedule “A” to By-law No. 6-ZB-1999 (also shown as Schedule “A” to By-law No. 52- 2019) shall be 4.5 m

(d) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 32-2023

11.6.19A R5-19A

(a) Location: Part Block 63, Plan 44M84, Lots 17 & 16, Plan 255 (Elma Ward)

(b) Notwithstanding any provisions of Section 11 to the contrary, no more than eleven residential units will be permitted over Blocks 38 & 39;

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW No. 15-2022, AMENDED BY BY-LAW 30-2025

11.6.20 R5-20

(a) Location: Part of Lot 19, Registered Plan 487 (Wallace Ward)

(b) Notwithstanding any provision of the By-law to the contrary, for lands located in the “R5-20” zone as shown on Key Map 26 of Schedule “A” to By-law No. 6-ZB-1999 the minimum lot frontage shall be 20.8 m (68 ft.).

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 34-2025 (Approved by OLT File OLT-24-000792, March 21, 2025)

11.6.21 R5-21

(a) Location: Lot 2, Plan 290, as in R243541, Wallace (1020 Walton Avenue North) in the Municipality of North Perth;

(b) Notwithstanding any provision of Section 11.5A of By-law No. 6-ZB-1999 to the contrary, the minimum rear yard depth requirement for a 2-storey cluster housing dwelling shall be 4.5 m within the “R5-21: zone as show on Key Map 26 of Schedule “A” to By-law No. 6-ZB-1999

(c) Notwithstanding the provisions of Section 11.5 OF By-law No. 6-ZB-1999 to the contrary, the maximum height requirement for cluster housing dwellings shall be two storeys and 8.5 m within the “R5-21” zone as shown on Key Map 26 of Schedule “A” to the By-law No. 6-ZB-1999, for clarity, “storey” shall include “mezzanine” as defined in the Ontario Building Code (O. Reg. 332/12, as amended); and

(d) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW No. 120-2024

11.6.22 R5-22

(a) Location: Location: Part Lot 27 and Part Lot 28, Elma Ward, Municipality of North Perth (Key Map 27)

- Minimum Lot Area (corner lot): 290 square m
- Minimum Lot Frontage (corner lot): 9 m
- Minimum Front Yard Setback: 4.5 m, provided that any attached garage must provide a setback of 6.0 m
- Minimum Side Yard Setback: 1.5 m (End Unit)
- Minimum Exterior Side Yard Setback: 3.0 m
- Maximum Lot Coverage: 60%
- To exclude decks from the lot coverage calculation
- To permit an unenclosed porch or deck, up to 1.0 m in height above the average finished grade, to encroach 3.5 m into the required rear yard setback

(b) Other applicable provisions of this By-law shall apply.

ADDED BY BY-LAW No. 120-2024

11.6.23 R5-23

(a) Location: Part Lot 27 and Part Lot 28, Elma Ward, Municipality of North Perth (Key Map 27)

- Minimum Lot Area (corner lot): 290 square m
- Minimum Lot Frontage (corner lot): 9 m
- Minimum Front Yard Setback: 4.5 m, provided that any attached garage must provide a setback of 6.0 m
- Minimum Side Yard Setback: 1.5 m (End Unit)
- Minimum Exterior Side Yard Setback: 2.5 m
- Maximum Lot Coverage: 60%
- To exclude decks from the lot coverage calculation
- To permit an unenclosed porch or deck, up to 1.0 m in height above the average finished grade, to encroach 3.5 m into the required rear yard setback

(b) Other applicable provisions of this By-law shall apply.

ADDED BY BY-LAW No. 120-2024

11.6.24 R5-24

(a) Location: Part Lot 27 and Part Lot 28, Elma Ward, Municipality of North Perth (Key Map 27)

- Maximum Density: 70 units per hectare
- Interior Side Yard Minimum: 3.0 m where the units are municipal street fronting
- Minimum Front Yard Setback to a Public Street: 6.0 m
- Minimum Exterior Side Yard to a Public Street: 3.0 m
- Minimum Setback Between Side Walls of Two End Units: 3.0 m
- Minimum Setback Between Rear Walls of Separate Buildings: 8.0 m
- Maximum Lot Coverage: 60%
- Minimum Landscaped Open Space: 20%
- Minimum Off-Street Parking for *Affordable Dwelling Units*: 1/unit
- Internal lot lines created on the site by:
  - i a registration of a plan of condominium; or
  - ii a plan or plans of condominium registered on all or a portion of a lot which is part of a comprehensively planned development subject to a Development Agreement pursuant to Section 41 of the Planning Act;

(b) Other applicable provisions of this By-law shall apply.

ADDED BY BY-LAW No. 120-2024

11.6.25 R5-25

(a) Location: Part Lot 27 and Part Lot 28, Elma Ward, Municipality of North Perth (Key Map 27)

- The Minimum Lot Area requirement shall not apply
- Maximum Density: 70 units per hectare

- Interior Side Yard Minimum (Eastern property line): 12.0 m
- Minimum Setback Between Rear Walls and Exterior side yards of Separate Buildings: 8.0 m
- Interior Side Yard Minimum: 3.0 m where the units are municipal street fronting
- Minimum Off-Street Parking for *Affordable Dwelling Units*: 1/unit
- Internal lot lines created on the site by:
  i. a registration of a plan of condominium; or
  ii. a plan or plans of condominium registered on all or a portion of a lot which is part of a comprehensively planned development subject to a Development Agreement pursuant to Section 41 of the Planning Act; shall not be construed to be lot lines for the purposes of zoning regulations provided that all applicable regulations of this by-law relative to the whole lot and its external lot lines, existing prior to any condominium plan registration, are strictly observed, and the original lot shall be considered the site.

(b) Other applicable provisions of this By-law shall apply.

ADDED BY BY-LAW No. 120-2024

11.6.26 R5-26

(a) Location: Part Lot 27 and Part Lot 28, Elma Ward, Municipality of North Perth (Key Map 27)

- The Minimum Lot Area requirement shall not apply
- Maximum Density: 100 units per hectare
- Maximum Building Height: 15.0 m
- Minimum Front Yard Setback to a Public Street: 6.0 m
- Minimum Setback Between Side Walls of Two End Stacked Townhouse Units: 3.0 m
- Minimum Setback Between Rear Walls of Separate Stacked Townhouse Buildings: 10.0 m
- Maximum Lot Coverage: 60%
- Minimum Landscaped Open Space: 20%
- Minimum Off-Street Parking for Affordable Dwelling Units: 1/unit
- Internal lot lines created on the site by:
  i. a registration of a plan of condominium; or
  ii. a plan or plans of condominium registered on all or a portion of a lot which is part of a comprehensively planned development subject to a Development Agreement pursuant to Section 41 of the Planning Act; shall not be construed to be lot lines for the purposes of zoning regulations provided that all applicable regulations of this by-law relative to the whole lot and its external lot lines, existing prior to any condominium plan registration, are strictly observed, and the original lot shall be considered the site

(b) Other applicable provisions of this By-law shall apply.

ADDED BY BY-LAW No. 11-2025

11.6.27 R5-27

(a) Location: Part Lot 23, Concession 2 (5917 Line 87, Listowel Ward)

(b) Notwithstanding any provisions of this By-law to the contrary, on lands zoned "R5-26", the following provisions apply:

i. Permitted uses include single detached, semi detached, townhouse, and street- front townhouse dwellings;
ii. For lands within 20 m of the abutting industrial subdivision, the maximum permitted height of any building is 2 storeys or 10.5 m, whichever is greater, otherwise the maximum building height is 11.5 m for detached and semi- detached dwellings and 12 m for townhouse dwellings;
iii. The minimum lot area for single detached dwellings is 360m²;
iv. The minimum lot frontage for single detached dwellings is 12 m;
v. The minimum exterior side yard setback is 4 m;
vi. The minimum interior side yard setback is 1.2 m.

ADDED BY BY-LAW No. 11-2025

11.6.28 R5-28

(a) Location: Part Lot 23, Concession 2 (5917 Line 87, Listowel Ward)

(b) Notwithstanding any provisions of this By-law to the contrary, on lands zoned "R5-27" the following provision apply:

i. The minimum exterior side yard setback is 4m;
ii. For lands within 20 metres of the abutting industrial subdivision, the maximum permitted height of any building is 2 storeys or 10.5 metres, whichever is greater, otherwise the maximum building height is 6 storeys;
iii. The minimum interior side yard setback is 1.2 metres.

ADDED BY BY-LAW No. 30-2025

11.6.29 R5-29

(c) Location: South Part Lots 7 and 8, Plan 152, N/S Main St, Listowel Ward, (555 Main Street West);

(d) To permit a minimum front yard of 4.4 m, whereas a minimum front yard of 6.0 m is required (Section 11.5A.3);

(e) To permit a minimum interior side yard of 2.4 m, whereas a minimum interior side yard of 4.5 m is required (Section 11.5.A.4);

(f) To permit a minimum rear yard setback of 4.6 m, whereas a minimum rear yard of 7.5 m is required (Section 11.5.A.6);

(g) To permit a maximum building height of 12.0 m, whereas a minimum building height of 10.5 m is required (11.5.A.7); and

(h) To permit a maximum of eight (8) dwelling units as part of the Proposed Development; and

(i) Any addition that is erected must be constructed so as to fit in with the character and design of the existing cluster dwelling.

Additionally, the only permitted use shall be two (2) cluster housing dwellings with up to a maximum of six (6) dwelling units within the existing building located along the southeasterly portion of the site and a maximum of two (2) dwelling units within the existing building located along the northwesterly portion of the site.

ADDED BY BY-LAW No. 50-2026

11.6.30 R5-30

(a) Location: Blocks 1-3, Plan _____ (Atwood, Elma Ward)

(b) Notwithstanding any provision of this By-law to the contrary, the minimum exterior side yard setback for a street townhouse shall be 3.0m other applicable provisions of this By-law shall apply

(c) Notwithstanding any provision of this By-law to the contrary, the minimum interior side yard setback for a street townhouse shall be 1.5m

(d) Notwithstanding any provision of this By-law to the contrary, the minimum corner lot area shall be 280m^2 for One Dwelling Unit of a Street Fronting Townhouse Dwelling on One Lot

(e) Notwithstanding any provision of this By-law to the contrary, the minimum corner lot frontage shall be 9.0m for One Dwelling Unit of a Street Fronting Townhouse Dwelling on One Lot

(f) Notwithstanding any provision of this By-law to the contrary, the minimum Interior Side Yard Setback shall be 1.5m for a non-attached side lot line for One Dwelling Unit of a Street Fronting Townhouse Dwelling on One Lot

(g) Notwithstanding any provision of this By-law to the contrary, the minimum Interior Side Yard Setback shall be 1.5m for a non-attached side same

lot/block for One Dwelling Unit of a Street Fronting Townhouse Dwelling on One Lot

(h) Notwithstanding any provision of this By-law to the contrary, the minimum Exterior Side Yard Setback shall be 3.0m for One Dwelling Unit of a Street Fronting Townhouse Dwelling on One Lot

(i) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 74-2026

11.6.32 R5-32

(a) Location: Concession 1, Part Lot 37, Plan 194, Part; Corporation Lots 17 and 18; Registered Plan 44R-4384 Part 1, Listowel Ward, Municipality of North Perth (Key Map 35);

(b) Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'R5-32', the following provisions shall apply:

a. Minimum Rear Yard Setback: 3m

(c) That all other provisions of this By-law, as amended, shall apply.

SECTION 12 - RESIDENTIAL ZONE SIX (R6)

No person shall within any "R6" Zone use any land or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions:

AMENDED BY BY-LAW 98-2020

12.1 Permitted Uses, Buildings, and Structures

(a) Long-Term Care Home dwellings;

(b) Retirement Home for Senior Citizens Dwelling;

(c) Accessory uses, buildings, and structures, in accordance with Sections 3 and 5.

AMENDED BY BY-LAW 98-2020

12.2 Requirements for Long-Term Care Home Dwellings and Retirement Home for Seniors

AMENDED BY BY-LAW 1-2017

12.2.1	Lot Area, Minimum	1,000 m^2 (10,800 ft^2)
12.2.2	Lot Frontage, Minimum	20 m (66 ft.)
12.2.3	Front Yard, Minimum	7.5 m (25 ft.)
12.2.4	Interior Side Yard, Minimum	6 m (20 ft.)
12.2.5	Exterior Side Yard, Minimum	7.5 m (25 ft.)
12.2.6	Rear Yard, Minimum	10.5 m (35 ft.)
12.2.7	Building Height, Maximum	12 m (40 ft.)

AMENDED BY BY-LAW No. 2-2009

12.2.8	Lot Coverage, Maximum	40%
12.2.9	Landscaped Open Space	35%

12.2.10 Planting Strip Requirement

A planting strip shall be required in accordance with the provisions of Section 5.22 where an interior side or rear lot line of a lot being developed for nursing home dwelling purposes abuts a lot under any of the following circumstances:

(a) A lot that is in a Residential Zone, a Residential (-h) Holding Zone, or a Future Development Zone that is designated Residential in the Listowel Ward Official Plan.

(b) A lot that is used for residential purposes;

(c) A lot that is used for a non-residential purpose and on

which no planting strip exists adjacent to the mutual lot line.

12.2.11 Parking Requirements In accordance with the provisions of Section 5.18.

12.3 Special Provisions

ADDED BY BY-LAW No. 18-ZB-2002 and AMENDED BY BY-LAW No. 97-2008

12.3.1 R6-1

(a) Location: Part of Block 39, Registered Plan No. 44M-10 (Listowel Ward)

(b) Notwithstanding the provisions of Section 12.2.6 of this By-law to the contrary, the minimum rear yard (i.e. along Nelson Ave. S.) for the proposed development on the land in the "R6-1" zone as shown on Key Map 34 of Schedule "A" to this By-law (also shown on Schedule "A" to By- law No. 97-2008) shall be 7.5 m (24.61 ft.).

(c) Notwithstanding the provisions of Section 12 of this By-law to the contrary, an additional use described as offices for agencies providing personal service and care for residents of the proposed apartment building for senior citizens shall be permitted on the land described in clause (b) above. The maximum gross floor area for the aforementioned permitted offices shall be 140 m^2 (1,507 $ft.^2$).

(d) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 43-2008

12.3.2 R6-2

(a) Location: Lots 1 to 9 (inclusive), Reg. Plan No. 44M-27 (Listowel Ward)

(b) Notwithstanding any provisions of By-law No. 6-ZB-1999 to the contrary, the only permitted uses on the land in the "R6-2" zone as shown on Key Map 35 of Schedule "A" to By-law No. 6-ZB-1999, as amended (also shown on Schedule "A" to By-law No. 43-2008) shall be either a 75 unit retirement home for senior citizens, including accessory uses (i.e. multipurpose room; health clinic; hair salon; fitness, therapy, and tub room; tuck shop; administrative offices etc.) **or** one single-detached dwelling, including accessory uses, on each of the 9 lots.

(c) Notwithstanding any provisions of Section 12 of By-law No. 6-ZB-1999 to the contrary, the 75-unit retirement home for senior citizens use as permitted by Clause (b) above shall be subject to

the following provisions:

(i) Retirement Home for Senior Citizens shall be defined as a building containing dwelling units providing accommodation primarily for retired persons, and where support and health services may be provided for persons requiring these services in a supervised setting and which may contain accessory personal service, retail and recreational uses for the residents, but does not include a Home for the Aged dwelling or a Nursing Home dwelling.

(ii) Lot Area, Minimum 4,736 m^2 (50,976 ft^2)

(iii) Rear Yard, Minimum 6.4 m (21 ft)

(iv) Building Height, Maximum 13.5 m (44.29 ft)

(v) Dwelling Unit Floor Area, Minimum

- Bachelor unit 35.7 m^2 (380 ft^2)
- 1-bedroom unit 40.4 m^2 (435 ft^2)
- 2-bedroom unit 63.6 m^2 (685 ft^2)

(vi) Interior Side Yard, Minimum 0m (0 ft)

(vii) Parking Requirement, Minimum 0.55 spaces / unit

(d) The single-detached dwelling uses as permitted by Clause (b) above shall be subject to the provisions of Section 10 of By-law No. 6-ZB-1999, with the exception of the following:

(i) The minimum lot area and minimum lot frontage for a single-detached dwelling on an interior lot shall be 376.9 m2 (4,057.05 ft2.) and 12.19 m (40 ft.), respectively; and

(ii) The minimum lot area and minimum lot frontage for a single-detached dwelling on a corner lot shall be 467.8 m2 (5,035.5 ft2.) and 15.19 m (49.83 ft.), respectively.

(e) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 111-2020

12.3.4 R6-4

(a) Location: Part of Block 39, Registered Plan No. 44M-10 (Listowel Ward)

(b) Notwithstanding the provisions of Section 12.2.6 of this By-law to the contrary, the minimum rear yard (i.e. along Nelson Ave. S.) for the proposed development on the land in the “R6-4” zone as shown on Key Map 34 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. 97- 2008) shall be 7.5 m (24.61 ft.).

(c) Notwithstanding the provisions of Section 12 of this By-law to the contrary, an additional use described as offices for agencies

providing personal service and care for residents of the proposed apartment building for senior citizens shall be permitted on the land described in clause (b) above. The maximum gross floor area for the aforementioned permitted offices shall be 140 m2 (1,507 sq. ft).

(d) Notwithstanding the provisions of Section 5 and Section 12 of this By-law to the contrary, a roof overhang may encroach 3.7 m (12 feet) into the southerly interior side yard setback provided the covered outdoor amenity space remains unenclosed and the roof structure does not exceed an area of +/-66.3 m2 (713 sf).

SECTION 13 - RESIDENTIAL ZONE SEVEN (R7)

No person shall within any "R7" Zone use any land or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions:

13.1 Permitted Uses, Buildings, and Structures

(a) Group homes;

(b) Accessory uses, buildings and structures, in accordance with Sections 3 and 5.

13.2 Requirements for Group Homes

13.2.1 Lot Area, Minimum — 603.85 m^2 (6,500 ft^2)

13.2.2 Lot Frontage, Minimum — 18 m (60 ft.)

13.2.3 Front Yard, Minimum — 6 m (20 ft.)

13.2.4 Interior Side Yard, Minimum

1.21 m (4 ft.) for a one-storey dwelling and 1.82 m (6 ft.) for a two-storey dwelling where an attached garage or carport is provided. Where no attached garage or carport is provided, the minimum side yard on one side of the dwelling shall be 3.65 m (12 ft.).

When determining which side yard requirement should apply, the maximum height of that part of the dwelling unit nearest the side lot line should prevail.

13.2.5 Exterior Side Yard, Minimum — 6 m (20 ft.)

13.2.6 Rear Yard, Minimum — 7.5 m (25 ft.)

13.2.7 Building Height, Maximum — 12 m (40 ft.)

AMENDED BY BY-LAW No. 2-2009

13.2.8 Lot Coverage, Maximum — 40%

13.2.9 Landscaped Open Space, Minimum — 35%

13.2.10 Planting Strip Requirements

A planting strip shall be required in accordance with the provisions of Section 5.22 where an interior side or rear lot line of a lot being developed for nursing home dwelling purposes abuts a lot under any of the following circumstances:

(a) A lot that is in a Residential Zone, a Residential (-h) Holding Zone, or a Future Development Zone that is designated Residential in the Listowel Ward Official Plan.

(b) A lot that is used for residential purposes;

(c) A lot that is used for a non-residential purpose and on which no planting strip exists adjacent to the mutual lot line.

13.2.11 Parking Requirements In accordance with the provisions of Section 5.18.

13.2.12 Separation Distance Between Group Homes
No group home shall be located within 457.2 m (1,500 ft.) of any other group home. The 457.2 metre (1,500 ft.) distance is to be measured from nearest lot line to nearest lot line.

13.3 Special Provisions

SECTION 14 - HAMLET/VILLAGE RESIDENTIAL ZONE (HVR)

No person shall within any "HVR" Zone use any land or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions:

14.1 Permitted Uses

(a) One single-detached dwelling on one lot;
(b) One semi-detached dwelling on one lot;
(c) One dwelling unit of a semi-detached dwelling on one lot;
(d) One duplex dwelling on one lot;
(e) Converted dwellings;
(f) Bed and breakfast establishments in accordance with Section 3;
(g) Home occupations, in accordance with Section 3;
(h) Accessory uses, buildings, and structures, in accordance with Sections 3 and 5.

AMENDED BY BY-LAW No. 2-2009

14.2 Requirements for single-detached dwellings, semi-detached dwellings on one lot, one dwelling unit of a semi-detached dwelling on one lot, duplex dwellings, converted dwellings:

14.2.1 Lot Area, Minimum

(a)	Single-detached dwelling	1,850 m^2 (20,000 ft^2)
(b)	Semi-detached dwelling	2,750 m^2 (30,000 ft^2)
(c)	One unit of semi-detached dwelling	1,500 m^2 (16,000 ft^2)
(d)	Duplex dwelling	2,750 m^2 (30,000 ft^2)
(e)	Converted dwelling	3,000 m^2 (32,000 ft^2)

14.2.2 Lot Frontage, Minimum (Interior Lot)

(a)	Single-detached dwelling	24 m (80 ft)
(b)	Semi-detached dwelling	30 m (100 ft)
(c)	One unit of semi-detached dwelling	15 m (50 ft)
(d)	Duplex dwelling	30 m (100 ft)
(e)	Converted dwelling	30 m (100 ft)

14.2.3 Lot Frontage, Minimum (Exterior Lot)

(a)	Single-detached dwelling	30 m (100 ft)
(b)	Semi-detached dwelling	35 m (115 ft)
(c)	One unit of semi-detached dwelling	20 m (66 ft)
(d)	Duplex dwelling	35 m (115 ft)
(e)	Converted dwelling	30 m (100 ft)

14.2.4 Front Yard, Minimum 7.5 m (25 ft.)

14.2.5 Interior Side Yard, Minimum

(a) Single-detached dwelling; Duplex dwelling; or Converted dwelling:

(i) With an attached garage or carport 2.4 m (8 ft.) on

one side 1.2 m (4 ft.) on the other side

(ii) With no attached garage or carport: 6 m (20 ft.) on one side 1.2 m (4 ft.) on the other side

(b) Semi-detached dwelling

(i) With an attached garage or carport: 1.8 m (6 ft.)

(ii) With no attached garage or carport 6 m (20 ft.)

(c) One unit of a semi-detached dwelling on one lot

(i) With an attached garage or carport: 1.8 m (6 ft.) on the side opposite to the common lot line; 0 m along common lot line side

(ii) With no attached garage or carport: 6 m (20 ft.) on the side opposite to the common lot line; 0 m along common lot line side

14.2.6 Exterior Side Yard, Minimum 7.5 m (25 ft.)

14.2.7 Rear Yard, Minimum 7.5 m (25 ft.)

14.2.8 Lot Coverage, Maximum 25%

14.2.9 Building Height, Maximum 10.5 m (35 ft.)

REMOVED BY BY-LAW No. 1-2017
14.2.10 Removed

REMOVED BY BY-LAW No. 1-2017
14.2.11 Removed

14.2.12 Landscaped Open Space, Minimum 40%

14.2.13 Parking Requirements As contained in Section 5.18 of this By-law.

14.3 Special Provisions

DELETED BY BY-LAW No. 3-2011
14.3.1 HVR-1 Removed

DELETED BY BY-LAW No. 3-2011
14.3.2 HVR-2 Removed

AMENDED BY BY-LAW 26-2016
14.3.3 HVR-3

(a) Location:

(i) Lots 12-14, Registered Plan No. 458 (Kurtzville, Wallace Ward)

(ii) Lot 29, Registered Plan No. 458 (Kurtzville, Wallace Ward)

(b) Notwithstanding the provisions of Section 14.1 of this By-law to the contrary, an automobile repair establishment shall be permitted on the land within the "HVR-3" zone as shown on Key Map 21 of Schedule "A" to this By-law, as amended.

(c) All other applicable provisions of this By-law, as amended, shall apply.

14.3.4 HVR-4

(a) Location: Lot 26, Registered Plan No. 458 (Kurtzville, Wallace Ward)
(b)Notwithstanding the provisions of Section 14.1 of this By-law to the contrary, a furniture repair and refinishing establishment shall be permitted on the land within the "HVR-4" zone as shown on Key Map 21 of Schedule "A" to this By- law, as amended.

(b) All other applicable provisions of this By-law, as amended, shall apply.

AMENDED BY BY-LAW 26-2016

14.3.5 HVR-5

(a) Location: Lot 14, Registered Plan No. 460 (Molesworth, Wallace Ward)

(b) Notwithstanding the provisions of Section 14.1 of this By-law to the contrary, an automobile repair establishment and an accessory convenience store shall be permitted on the land within the "HVR-5" zone as shown on Key Map 24 of Schedule "A" to this By-law, as amended.

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No.173-2010

14.3.6 HVR-6

(a) Location: Lots 43, 44, 45, 46, Reg. Plan 275 (163 Brock St., Monkton, Elma Ward)

(b) Notwithstanding the provisions of Section 14.2.1 of By-law No. 6-ZB-1999 to the contrary, the land within the "HVR-6" zone as shown on Map 47 of Schedule "A" to By-law No. 6-ZB-1999, as amended (also shown on Schedule "A" to By-law No. 17-2010) shall have a minimum lot area of 1,620 m^2 (17,438.1 $ft.^2$).

(c) Notwithstanding the provisions of Section 14.2.4 of By-law No. 6-ZB-1999 to the contrary, the existing dwelling on the land within the "HVR-6" zone as described above, shall have a minimum front yard of 7.45 m (24.44 ft.).

(d) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 6-2015

14.3.7 HVR-7

(a) Part of Lot 31, Concession 10 (5269 Perth Line 72) Elma Ward

(b) Notwithstanding the requirements of Section 14.2 of the By-law to the contrary, for lands located in the "HVR-7" zone as shown on Key Map 46 of Schedule "A" to By-law No. 6-ZB-1999 (also shown as Schedule "A" to By- law No. 6-2015), the lot area, lot frontage and yard requirements are as existing on the property on the date By-law No. 6-2015 was passed.

ADDED BY BY-LAW No.1-2017

14.3.8 HVR-8

(a) Location: Lots 7, 8, and Part Lot 9, Registrar's Compiled Plan 467, Wallace

(b) Notwithstanding the provisions of Section 14.2 to the contrary, for lands located in the "HVR-8" zone, as shown on Key Map 22 of Schedule "A" to By-law No. 6-ZB-1999, the required minimum lot area is 1,500 m^2.

ADDED BY BY-LAW No.133-2017

14.3.9 HVR-9

(a) Part of Lot 15, Plan 467, Wallace Ward (Wallace Ward)

(b) Notwithstanding the provisions of Section 14.2 to the contrary, for lands building located on lands within the "HVR-9" zone as shown on Key Map 22 of Schedule "A" to By-law No. 6-ZB-1999 (also shown as Schedule "A" to By-law No. 133-2017) may be converted to, and used as, a triplex dwelling.

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No.106-2018

14.3.10 HVR-10

(a) Location: Part of Lot 15, Concession 18, Lots 76 to 79, Elma Ward (170 Brock Street, Monkton)

(b) Notwithstanding any provisions of Section 14.2 and 5.1 of this By-law to the contrary, for lands within the "HVR-10" zone as shown on Key Map 47 of Schedule A to By-law No.6-ZB-1999, the existing accessory structure shall be permitted prior to a residential use being established on the property and may be a maximum height of 7.3 m.

(c) Notwithstanding any provisions of By-law No. 6-ZB-1999 to the contrary, any new, expanded or replaced accessory buildings and

structures in the area shown in the HVR-10 zone as shown on Key Map 47 of Schedule A to By-law No.6-ZB-1999 shall meet the provisions of Section 14.2 and 5.1.

ADDED BY BY-LAW No.87-2024

14.3.11 HVR-11

(a) Location: Part Lots 25, 26 & 29, Plan 273, Elma Ward, Municipality of North Perth (Kay Map 48)

(b) That the minimum lot area shall be 620 m^2

(c) That the minimum lot frontage shall be 11.3 m

(d) All other applicable provisions of this By-law shall apply.

ADDED BY BY-LAW No.32-2024

14.3.12 HVR-12

(a) Location: Lot 3 and 4, Plan 441, Elma Ward, Municipality of North Perth

(b) That the minimum lot area shall be 882 m^2

(c) All other applicable provisions of this By-law shall apply.

Notwithstanding any provisions of By-law No. 6-ZB-1999 to the contrary, any new, expanded or replaced accessory buildings and

SECTION 15 - RURAL RESIDENTIAL ZONE (RR)

No person shall within any "RR" Zone use any land or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions:

15.1 Permitted Uses

(a) One single-detached dwelling on one lot;
(b) Home occupations, in accordance with Section 3;
(c) Bed and breakfast establishments, in accordance with Section 3;
(d) Accessory uses, buildings, and structures, in accordance with Sections 3 and 5.

15.2 Requirements for Single-Detached Dwellings

AMENDED BY BY-LAW No. 2-2009

15.2.1 Lot Area, Minimum — 2,400 m2 (25,000 ft2)

AMENDED BY BY-LAW 2-2009

15.2.2 Lot Frontage, Minimum — 26 m (85 ft.)

15.2.3 Front Yard, Minimum — 10.5 m (35 ft.)

15.2.4 Interior Side Yard, Minimum
(i) With an attached garage or carport: 4.5 m (15 ft.) on one side, 3 m (10 ft.) on the other side;
(ii) With no attached garage or carport: 10.5 m (35 ft.) on one side, 3 m (10 ft.) on the other side

15.2.5 Exterior Side Yard, Minimum — 10.5 m (35 ft.)

15.2.6 Rear Yard, Minimum — 10.5 m (35 ft.)

15.2.7 Lot Coverage, Maximum — 20%

15.2.8 Building Height, Maximum — 10.5 m (35 ft.)

REMOVED BY BY-LAW 1-2017

15.2.9 Removed

15.2.10 Landscaped Open Space, Minimum — 40%

15.2.11 Parking Requirements — In accordance with the provisions of Section 5.18.

15.3 Special Provisions

15.3.1 RR-1

(a) Location: Part of Lot 41, Concession 1 (Elma Ward)
(b) Notwithstanding the provisions of Section 3.80 of this By-law to the contrary, a storage use associated with a carpentry business shall be permitted as an accessory use on land in the "RR-1" zone as shown on Key Map 40 of Schedule

"A" to this By-law provided that the use occurs in an accessory building (storage shed).

(c) All other applicable provisions of this By-law, as amended, shall apply.

15.3.2 RR-2

(a) Location: Part of Lot 7, Concession 4 (Wallace Ward)

(b) Notwithstanding the provisions of Section 3.80 of this By-law to the contrary, a small engine repair business with an accessory retail outlet shall be permitted as an accessory use on land in the "RR-2" zone as shown on Key Map 23 of Schedule "A" to this By-law provided that the use occurs in an accessory building having a maximum gross floor area of 242 sq. m (2,604.95 sq. ft.).

(c) Notwithstanding the provisions of Section 15 of this By-law to the contrary, any building or structure used for the permitted use in clause (b) located in the "RR-2" zone shall comply with the following regulations:

(i) Front Yard, Minimum 18 m (60 ft.)
(ii) Easterly Side Yard, Minimum 33 m (110 ft.)
(iii) Westerly Side Yard, Minimum 6 m (20 ft.) (iv) Rear Yard, Minimum 6 m (20 ft.)

(d) All other applicable provisions of this By-law, as amended, shall apply.

15.3.3 RR-3

(a) Location: Part of Lot 6, Concession 4 (Wallace Ward)

(b) Notwithstanding the provisions of Section 15.1 of this By-law to the contrary, the storage of materials and equipment associated with a masonry contracting business shall be permitted as an accessory use on land in the "RR-3" zone as shown on Key Map 23 of Schedule "A" to this By-law.

(c) Notwithstanding the provisions of Section 15 of this By-law to the contrary, any building or structure used for the permitted use in clause (b) located in the "RR-3" zone shall comply with the following regulations:

(i) Easterly Side Yard, Minimum 4.5 m (15 ft.)
(ii) Westerly Side Yard, Minimum 5.4 m (18 ft.)

(d) All other applicable provisions of this By-law, as amended, shall apply.

AMENDED BY BY-LAW No. 108-ZB-2002

15.3.4 RR-4

(a) Location: Part of Lot 6, Concession 4 (Wallace Ward)

(b) Notwithstanding any provisions of By-law No. 6-ZB-1999 to the contrary, the

area shown in the “RR-4” zone as shown on Key Map 23 of Schedule “A” to By-law No. 6-ZB-1999 (also shown on Schedule “A” to By-law No. 60-ZB-2002) shall have a separation distance between the lot for the nonfarm residential use, and the livestock barn located to the north-east shall be at least 130.7 m (428 ft.).

(c) Notwithstanding any provisions of By-law No. 6-ZB-1999 to the contrary, the area shown in the “RR-4” zone as described above shall have a minimum lot frontage of 11.27 m (37 ft.).

(d) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW No. 82-ZB-2002

15.3.5 RR-

(a) Location: Part of Park Lot 4, Reg. Plan 290 and Part of Lot 13 Reg. Plan 487 (Wallace Ward)

(b) Notwithstanding any provisions of By-law No. 6-ZB-1999 to the contrary, the areas shown in the “RR-5” zone as shown on Key Map 26 of Schedule “A” to By-law No. 6-ZB-1999 (also shown on Schedule “A” to By-law No. 82-ZB-2002) shall have a minimum lot frontage of 36.58 m (120 ft.).

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW No. 97-ZB-2003

15.3.6 RR-6

(a) Location: Part of Park Lot 4, Reg. Plan 290 (Wallace Ward), more specifically described as Parts 2, 3, 4, and 5 on Plan No. 44R-4079

(b) Notwithstanding any provisions of By-law No. 6-ZB-1999 to the contrary, the areas shown in the “RR-6” zone as shown on Key Map 26 of Schedule “A” to By-law No. 6-ZB-1999 (also shown on Schedule “A” to By-law No. 97-ZB2003), shall have a minimum lot frontage of 33.5 m (109.9 ft.) along Walton Ave. N.

(c) Notwithstanding any provisions of By-law No. 6-ZB-1999 to the contrary, single-detached dwellings in the areas shown in the “RR-6” zone as described in clause (b) above, shall have a minimum front yard of 23 m (75.46 ft.) from Walton Ave. N., and a minimum rear yard of 67.5 m (221.46 ft.).

(d) Notwithstanding any provisions of By-law No. 6-ZB-1999 to the contrary, accessory buildings and structures (which require a building permit) in the areas shown in the “RR-6” zone as described in clause (b) above, shall have a minimum rear yard of 67.5 m (221.45 ft.) from Walton Ave. N.

(e) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW No. 60-ZB-2004

15.3.7 RR-7

(a) Location: Part of Lot 43, Concession 7 (Wallace Ward)

(b) Notwithstanding the provisions of any provisions of By-law No. 6-ZB-1999 to the contrary, a wind turbine for personal use is permitted on the land located within the "RR-7" zone as shown on Key Map 4 of Schedule "A" to By-law No. 6ZB-1999 (also shown on Schedule "A" to By-law No. 60-ZB-2004) subject to the following provisions:

(i) The tower of the wind turbine shall not be located within any required yard, shall have a minimum interior side yard of 1 m (3.28 ft.), and a minimum rear yard of 1 m (3.28 ft.), and shall be located at least 40 m from the nearest exterior wall of a dwelling on an abutting lot;

(ii) The height of the wind turbine, from the base of the tower to the highest extended tip of the rotor shall not exceed 30 m (98.43 ft.);

(iii) The noise levels generated by the wind turbine shall be limited to not more than 45 decibels measured on the dBA scale at any property line between the hours of 7:00 a.m. and 8:59 p.m. and 40 decibels measured on the dBA scale at any property line between the hours of 9:00 p.m. and 6:59 a.m.;

(iv) There shall be an appropriate sign on the tower warning of the danger of high voltage; and

(v) The wind turbine shall be erected and operated in such a manner that it does not interfere with the television or radio reception of adjacent properties.

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 98-ZB-2004

15.3.7(B) RR-7(B)

(a) Location: Part of Lot 6, Concession 4 (Wallace Ward)

(b) Notwithstanding the provisions of Sections 15.2.1 and 15.2.2 of By- law No. 6-ZB-1999 to the contrary, each of the two lots located within the "RR-7B" zone as shown on Key Map 23 of Schedule "A" to By-law No. 6ZB-1999 (also shown on Schedule "A" to By-law No. 98-ZB-2004) shall have a minimum lot area of 2,023.4 m^2 (21,780 $ft.^2$), and a minimum lot frontage of 40.23 m (132 ft.).

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 39-ZB-2006

15.3.8 RR-8

(a) Location: Part Lot 43, Concession 7 (Wallace Ward)

(b) Notwithstanding the provisions of Section 15 of By-law No. 6-ZB-1999 to the contrary, a woodworking shop shall be permitted as an additional permitted use described as a secondary farm occupation, in compliance with the provisions of Section 3 of By-law No. 6-ZB-1999 on the land shown within the "RR-8" zone as

shown on Key Map 4 of Schedule "A" to By-law No. 6-ZB- 1999, as amended (also shown on Schedule "A" to By-law No. 39-2006).

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 102-2013

15.3.9 RR-9

(a) Location: Part of Lot 7, Concession 5 (Wallaceville, Wallace Ward)

(b) Notwithstanding the provisions of Section 15.2.1 of this By-law to the contrary, each of the two lots located within the "RR-9" zone as shown on Key Map 23 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No.102-2013) shall have a minimum lot area of 1526.71 square m (16,434 square feet).

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 2-2014

15.3.9 RR-9(B)

(a) Location: Part Lot 24, Concession 2 (Wallace Ward)

(b) Notwithstanding any provisions of Section 3 or Section 5 of this By-law to the contrary, an accessory building having a maximum gross floor area of 441 square metre (4,750 square foot) and a maximum height of 6.0 m (19.7 feet) shall be permitted prior to the establishment of the main use of the property on land in the "RR-9" zone as shown on Key Map 25 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. 2-2014).

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 2-2014 and HOLDING REMOVED BY BY-LAW 134-2020

15.3.10 RR-10

(a) Location: Park Lot 7, Plan 290 and Lots 4 & 5 of Plan 487 (Wallace Ward)

(b) Notwithstanding any provisions of By-law No. 6-ZB-1999 to the contrary, single-detached dwellings and accessory buildings and structures requiring a building permit in the areas shown in the "RR-10" zone as shown on Key Map 26 of Schedule "A" to By-law No. 6-ZB-1999 (also shown on Schedule "A" to By-law No. 152-2016) shall have a minimum rear yard of 67.5 m (221 ft.) from Walton Avenue.

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW No. 51-2019

15.3.11 RR-11

(a) Part of Lot 6, Concession 5 (5206 Line 88) Wallace Ward

(b) Notwithstanding the requirements of Section 15.2 of the By-law to the contrary,

for lands located in the “RR-11” zone as shown on Key Map 23 of Schedule “A” to By-law No. 6-ZB-1999 (also shown as Schedule “A” to By- law No. 51-2019), the Minimum Lot Area shall be 790 sq. m., the Minimum Lot Frontage shall be 2.5 m, the Minimum Interior Side Yard for the easterly side shall be 3.7 m and the Minimum Interior Side Yard for the westerly side shall be 4.4 m.

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW No. 9-2023

15.3.11A RR-11A

(a) Location: Plan 509, Lot 5, Elma Ward, Municipality of North Perth

(b) Notwithstanding any provisions of Section 15 to the contrary, the minimum lot area requirements shall be 2,100 m^2

(c) All other applicable provisions of By-law No 6-ZB-1999, as amended, shall apply.

SECTION 16 - MOBILE HOME/MODULAR HOME ZONE (MH)

No person shall within any "MH" Zone use any land or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions:

16.1 Permitted Uses

(a) One mobile home/modular home on one lot;
(b) Home occupations, in accordance with Section 3;
(c) Accessory uses, buildings, and structures, in accordance with Sections 3 and 5.

16.2 Permitted Buildings and Structures

(a) One mobile home on one site lot;
(b) One modular home on one site lot;
(c) Accessory buildings and structures such as administrative or rental office, a sales office, a recreation centre, a tuck shop to serve the day to day commercial needs of the residents.

16.3 Requirements for Mobile Home/Modular Home Parks

16.3.1	Lot Area, Minimum	4 hectares (10 acres)
16.3.2	Lot Frontage, Minimum	45 m (150 ft.)
16.3.3	Front Yard, Minimum	18 m (60 ft.)
16.3.4	Interior Side Yard, Minimum	7.5 m (25 ft.)
16.3.5	Exterior Side Yard, Minimum	7.5 m (25 ft.)
16.3.6	Rear Yard, Minimum	7.5 m (25 ft.)
16.3.7	Density, Maximum	20 units/hectare (8 units/acre)
16.3.8	Landscaped Open Space, Minimum	5%
16.3.9	Building Height, Maximum	10.5 m (35 ft.)
16.3.10	Parking Requirements	As contained in Section 5.18 of this By-law.

16.4 Requirements for Mobile Home/Modular Home Sites

16.4.1	Site Area, Minimum	500 m^2 (5,400 ft^2)
16.4.2	Site Frontage, Minimum	15 m (50 ft.)
16.4.3	Site Front Yard, Minimum	6 m (20 ft.)

16.4.4 Site Interior Side Yard, Minimum

(i) With an attached garage or carport: 1.2 m (4 ft.) on each side;

(ii) With no attached garage or carport: 1.2 m (4 ft.) on one side, 3.8 m (13 ft.) on the other side.

16.4.5 Site Exterior Side Yard, Minimum 6 m (20 ft.)

16.4.6 Site Rear Yard, Minimum 6 m (20 ft.)

AMENDED BY BY-LAW No. 2-2009

16.4.7 Site Coverage, Maximum 40%

16.4.8 Landscaped Open Space, Minimum 20%

16.4.9 Building Height, Maximum 7.5 m (25 ft.)

16.4.10 Parking Requirements As contained in Section 5.18 of this By-law.

16.5 Special Requirements

For the purpose of Section 16, "site" shall mean an area of land where a mobile home/modular home is situated within a mobile home park. Where such "site" is described in a reference plan or a site plan of the mobile home park then the words "site" and "lot" shall have a corresponding meaning.

16.6 Special Provisions

SECTION 17 - DOWNTOWN COMMERCIAL ZONE ONE (C1)

No person shall within any "C1" Zone use any land or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions:

17.1 <u>Permitted Uses, Buildings, and Structures</u>

(a) Commercial/business uses:

(i) An ambulance depot;
An art, dance, music, or photography studio; an assembly hall;
An automobile parts supply store; a bakeshop;
A bank or financial institution; a banquet hall;
A business or professional office; a bus depot;
A commercial parking lot;
A commercial recreational use; a commercial school;
A convenience store; a day nursery;
A department store; a drug store;
A dry-cleaning depot or establishment; a dry-cleaning plant;
An eating establishment, restaurant; an eating establishment, take-Out; an emergency services facility;
A film processing facility; a florist shop;
A funeral home;
A government office; a hotel;
An institutional use; a laboratory;
A laundromat;
A medical clinic;
A movie video rental and sales establishment; a parking area;
A personal service shop; a pet shop;
A post office;
A printing and/or publishing establishment; a private club;
A public utility;
A retail store, excluding those dealing with heavy machinery, fuels, building supplies, new or used automobiles, snowmobiles, watercraft, motor homes, recreational vehicles, travel trailers, trailers, or motorcycles;
A rental shop; a tavern; and
A taxi stand and office.

(ii) The following <u>existing</u> uses: an automobile gasoline bar;
an existing dwelling subject to the relevant provisions of Section 10 pertaining to such existing dwelling.

(b) Non-commercial/business uses

(i) A public park, in accordance with Section 28;

(ii) One or more dwelling units in the upper portion of a commercial building.

(c) Accessory uses, buildings, and structures, in accordance with Sections 3 and 5.

17.2 Requirements for Commercial/Business Uses Permitted in Section 17.1 (a) (i)

17.2.1 <u>Lot Area,</u> Minimum 140 m^2 (1,500 ft^2)

17.2.2 Lot Frontage, Minimum 4.5 m (15 ft.)

17.2.3 Front Yard, Minimum 0 m

17.2.4 Interior Side Yard, Minimum
No interior side yard is required except where a commercial use abuts a Residential Zone or a Residential (-h) Holding Zone in which case a minimum interior side yard of 3 m (10 ft.) is required.

17.2.5 Exterior Side Yard, Minimum 0 m

17.2.6 Rear Yard, Minimum 6 m (20 ft.)

17.2.7 Building Height, Maximum 12 m (40 ft.)

17.2.8 Lot Coverage, Maximum 80%

17.2.9 Loading and Unloading Requirements
In accordance with the provisions of Section 5.9.

17.2.10 Parking Requirements
In accordance with the provisions of Section 5.18.

17.2.11 Planting Strip Requirement
A planting strip shall be required in accordance with the provisions of Section 5.22 where an interior side or rear lot line for a lot being developed for commercial purposes abuts a lot that is in a Residential Zone or a Residential (-h) Holding Zone.

17.2.12 Daylight or Sight Triangle Requirement
Notwithstanding the provisions of Section 5.17 of this By-law to the contrary, the following provisions shall apply with respect to daylight or sight triangles in the "C1" Zone:

(a) A daylight or sight triangle with distances of 6 m (20 ft.) measured along the lot lines abutting the streets shall be required.

(b) Clause (a) above shall not apply so as to prevent the projection of a second or higher storey of a building or structure into the required daylight or sight triangle provided that a vertical height of 3.65 m (12 ft.) measured vertically above grade is kept free of buildings and structures.

17.2.13 Retail Floor Area Limit
The maximum gross floor area for individual retail uses is 2,000 m^2 (21,600 ft^2).

17.3 Requirements for an Existing Automobile Gasoline Bar Permitted in Section 17.1 (a) (ii)

17.3.1 Site Requirements

The minimum lot area, minimum lot frontage, minimum front, interior side, exterior side, and rear yards, maximum building height, and maximum lot coverage shall remain as they lawfully existed on the date of passing of this By-law.

AMENDED BY BY-LAW No 2-2009

17.3.2 Fuel Pump Island Canopy Location

Fuel pump island canopies shall not be located closer than 1.5 m (5 ft.) to any lot line, but shall not encroach into the required daylight triangle.

17.3.3 Parking Requirements

In accordance with the provisions of Section 5.18.

REMOVED BY BY-LAW 1-2017

17.3.4 Removed

17.4 Requirements for Dwelling Units as Permitted by Section 17.1 (b)

17.4.1 Location

Dwelling units shall be permitted only on the upper portion or upper floor levels of buildings used for commercial/business purposes.

17.4.2 Building Height, Maximum 10.5 m (35 ft.)

REMOVED BY BY-LAW 1-2017

17.4.3 Removed

17.5 Special Provisions

17.5.1 C1-1

(a) Location: Lot 36, and Part Lots 35 and 37, Registered Plan No. 149 (242 Inkerman St. E.)

(b) Notwithstanding the provisions of Sections 17.1 (b) and 17.4 of this By-law to the contrary, dwelling units shall be permitted on all floor levels of the building located on land in the "C1-1" zone as shown on Key Map 33 of Schedule "A" to this By-law.

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 93-2009 AND AMENDED BY BY-LAW No. 2-2009

17.5.2 C1-2

(a) Location: Part of Lot 1, Reg. Plan 194 (Main St. W., and Argyle Ave. N. in the Listowel Ward)

(b) Notwithstanding any provisions of this By-law to the contrary, the existing building on the property located in the “C1-2” zone as shown on the Key Map 32 of Schedule “A” to this By-law may have 0 m front, side, and rear yards, and

a lot coverage of 100%.

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW Nos. 3-2011 and 81-2011

17.5.3 C1-3

(a) Location: Pt. Lots 177 and 178, Reg. Plan No. 253 (John St. Atwood, Elma Ward); and Lot 126, Reg. Plan 253 (King St., Atwood)

(b) Notwithstanding the provisions of this By-law to the contrary the only permitted uses on the land within the "C1-3" zone as shown on Key Map 32 of Schedule "A" to By-law No. 6-ZB-1999 (also shown on Schedule "A" to By-law No. 81-2011), shall be a funeral home, and accessory uses, buildings and structures, including an accessory parking lot.

(c) All other provisions of this By-law, as amended, shall apply.

SECTION 18 - DOWNTOWN COMMERCIAL ZONE TWO (C2)

No person shall within any "C2" Zone use any land or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions:

18.1 <u>Permitted Uses, Buildings, and Structures</u>

(a) Commercial/business uses: An ambulance depot;
An art, dance, music, or photography studio; an assembly hall;
An automobile parts supply store; a bakeshop;
A bank or financial institution; a banquet hall;
A business or professional office; a bus depot;
A commercial parking lot;
A commercial recreational use; a commercial school;
A convenience store; a day nursery
A department store; a drug store;
A dry-cleaning depot or establishment; a dry-cleaning plant;
An eating establishment, restaurant; an eating establishment, take-out; an emergency services facility;
A film processing establishment; a florist shop;
A funeral home;
A government office; a hotel;
An institutional use; a laboratory;
A laundromat;
A medical clinic;
A movie video rental and sales establishment; a parking area;
A personal service shop; a pet shop;
A post office;
A printing and/or publishing establishment; a private club;
A public utility;
A retail store, excluding those dealing with heavy machinery, fuels, building supplies, new or used automobiles, snowmobiles, watercraft, motor homes, recreational vehicles, travel trailers, trailers, or motorcycles;
A rental shop; a tavern; and
A taxi stand and office.

(b) Non-commercial/business uses: a public park, in accordance with Section 28; one or more dwelling units in the upper portion of a commercial building.

(c) An existing dwelling subject to the relevant provisions of Section 10 pertaining to such existing dwelling; and

(d) Accessory uses, buildings, and structures, in accordance with Sections 3 and 5.

18.2 Requirements for Commercial/Business Uses Permitted by Section 18.1 (a)

AMENDED BY BY-LAW 1-2017

18.2.1 <u>Lot Area, Minimum</u> 450 m^2 (4,800 ft^2)

18.2.2 <u>Lot Frontage, Minimum</u> 15 m (50 ft.)

18.2.3 Front Yard, Minimum 4.5 m (15 ft.)

18.2.4 Interior Side Yard, Minimum
No interior side yard is required except in the following situations:

(a) Where a commercial use abuts a Residential Zone or a Residential (-h) Zone, in which case a minimum interior side yard of 3 m (10 ft.) is required; and

(b) Where there is no lane to the rear of the lot for the purpose of providing access to the rear of the main building, a minimum interior side yard of 3 m (10 ft.) on one side of the main building is required.

18.2.5 Exterior Side Yard, Minimum 4.5 m (15 ft.)

18.2.6 Rear Yard, Minimum 6 m (20 ft.)

18.2.7 Building Height, Maximum 10.5 m (35 ft.)

18.2.8 Lot Coverage, Maximum 70%

18.2.9 Loading and Unloading Requirements
In accordance with the provisions of Section 5.9.

18.2.10 Parking Requirements
In accordance with the provisions of Section 5.18.

18.2.11 Planting Strip Requirement
In accordance with the provisions of Section 17.2.11.

18.2.12 Daylight or Sight Triangle Requirement
In accordance with the provisions of Section 5.17.

18.2.13 Retail Floor Area Limit
In accordance with the provisions of Section 17.2.13.

18.3 Requirements for Dwelling Units as Permitted by Section 18.1 (b)

18.3.1 Location
Dwelling units shall be permitted only on the upper portion or upper floor levels of buildings used for commercial/business purposes.

18.3.2 Building Height, Maximum 10.5 m (35 ft.)

REMOVED BY BY-LAW 1-2017
18.3.3 Removed

18.4 Special Provisions

18.4.1 **C2-1**

(a) Location: Part of Lot 1, Registered Plan No. 150 (Main St. Listowel Ward)

(b) Notwithstanding the provisions of Section 18.2.9 of this By-law to the contrary, no loading space shall be required for the land in the "C2-1" zone as shown on Key Map 33 of Schedule "A" to this By-law.

(c) All other applicable provisions of this By-law, as amended, shall apply.

18.4.2 **C2-2**

(a) Location: Part of Block A, part of Lots 15, 51, 62, and all of Lots 50, 58 -61, Registered Plan No. 148, and part of Lot 6, Registered Plan No. 162, more specifically described as Part 5, Plan 44R-1690 (Main St, Listowel Ward)

(b) Notwithstanding the provisions of Section 18.2.3 of this By-law to the contrary, the minimum front yard for buildings and structures abutting Main Street, Livingstone Ave., and Elma St. in the "C2-2" Zone as shown on Key Map 32 of Schedule "A" to this By-law shall be 3.3 m (11 ft.), 0 m, and 0 m respectively.

(c) Notwithstanding the provisions of Section 5.9.4, the access to the loading space shall be by means of a driveway which is 4.57 m (15 ft.) wide on the land in the "C2-2" zone.

(d) All other applicable provisions of this By-law, as amended, shall apply.

18.4.3 **C2-3**

(a) Location: Part of Lot 1, and all of Lot 2, Registered Plan No. 194, South of Elma Street, more specifically described as Parts 2 and 3, Plan 44R-182, and all of Lots 3 and 4, West of Victoria Street (Livingstone Ave.), Registered Plan No. 194 (Listowel Ward)

(b) Notwithstanding the provisions of Section 18.1(a) of this By-law to the contrary, the only permitted use on the land in the "C2-3" zone as shown on Key Map 32 of Schedule "A" to this By-law shall be a parking lot associated with permitted uses on lands described as Part 5, Plan 44R-1690 shown in the "C2-2" zone on Key Map 19 of Schedule "A" to this By-law.

(c) All other applicable provisions of this By-law, as amended, shall apply.

18.4.4 **C2-4**

(a) Location: Lot 80 and part of Lots 78, 79 and 81, Registered Plan 148 (Listowel Ward)

(b) In addition to the uses permitted by Section 18.1 of this By-law to the contrary, an automobile washing establishment will be an additional permitted use on land within the “C2-4" zone as shown on Key Map 32 of Schedule "A" to this By-law.

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW 46-ZB-2005 AMENDED BY BY-LAW No. 15-2010

18.4.5 **C2-5**

(a) Location: Pt. Lots 1 to 6, Reg. Plan 194 (201 Main St. W., Listowel Ward)

(b) Notwithstanding the provisions of Section 18.2.6 of By-law No. 6-ZB-1999 to the contrary, the land within the "C2-5" zone as shown on Map 32 of Schedule "A" to By-law No. 6-ZB-1999, as amended (also shown on Schedule "A" to By-law No. 46-2005) shall have a minimum rear yard of 0 m (0 ft.).

(c) Notwithstanding any provisions of this By-law to the contrary, an on- premises brewing and wine making establishment shall be an additional permitted use on the land within the "C2-5" zone, as described above.

(d) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW 61-2014

18.4.6 **C2-6**

(a) Location: Part of Lot M, Plan 194 (311 Elma Street East, Listowel Ward

(b) Notwithstanding any provision of the By-law to the contrary, for lands located in the "C2-6" zone as shown on Key Map 33 of Schedule "A" to By- law No. 6-ZB-1999 (also shown as Schedule "A" to By-law No. 61-2014) a rental shop requiring the provision of two off-street parking spaces is permitted.

SECTION 19 - HIGHWAY COMMERCIAL ZONE (C3)

No person shall within any "C3" Zone use any land or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions:

19.1 <u>Permitted Uses, Buildings, and Structures</u>

(a) Commercial/business uses

(i) An assembly hall; an automobile repair establishment, excluding body and fender repair shops;
A beer, wine, or liquor retail outlet; a bowling alley; a building supply outlet;
A bus depot;
A business or professional office; (***ADDED BY BY-LAW No.107-2007)*** a Commercial greenhouse; a commercial recreational use; a Convenience store; a day care centre; a dry-cleaning depot or plant; An eating establishment, drive-in; an eating establishment, drive-thru; An eating establishment, restaurant; an eating establishment, take-out; an emergency services facility;
An equipment sales and rental establishment; a farm produce retail outlet; a funeral home; a furniture and appliance store; a gasoline bar;
A home and automotive supply store; a landscaping business and/or garden centre; a laundromat; a license office; a medical clinic; a miniature golf course; a motel;
A movie video rental and sales establishment; an on- premises brewing/wine-making establishment; a parking area; a personal service shop; a printing establishment; a private club; a public park; A public utility; a rental shop; a showroom; a taxi or limousine depot; A tire sales establishment; a veterinarian clinic; and a wholesale establishment.

(ii) An automobile sales and service establishment; an automobile service station; an automobile washing establishment; a farm implement sales and service establishment; a snowmobile, watercraft, motor home, recreational vehicle, travel trailer, trailer, or motorcycle sales and service establishment.

(b) An existing dwelling subject to the relevant provisions of Section 10 pertaining to such existing dwelling; and

(c) Accessory uses, buildings, and structures, in accordance with Sections 3 and 5.

19.2 Requirements for Commercial/Business Uses Permitted by Section 19.1 (a) (i)
AMENDED BY BY-LAW 1-2017

19.2.1	<u>Lot Area, Minimum</u>	930 m^2 (10,000 ft^2)
19.2.2	<u>Lot Frontage, Minimum</u>	30 m (100 ft.)

19.2.3 Front Yard, Minimum 10.5 m (35 ft.)

19.2.4 Interior Side Yard, Minimum

3 m (9.84 ft.), except that where a "C3" Zone abuts a Residential Zone or Residential (-h) Holding Zone, a minimum interior side yard of 7.5 m (24.61 ft.) shall be required.

19.2.5 Exterior Side Yard, Minimum 10.5 m (35 ft.)

19.2.6 Rear Yard, Minimum

4.5 m (14.76 ft), except that where a "C3" Zone abuts a Residential Zone or a Residential (-h) Holding Zone, a minimum rear yard of 7.5 m (24.61 ft.) shall be required.

19.2.7 Building Height, Maximum 10.5 m (35 ft.)

19.2.8 Lot Coverage, Maximum 35%

19.2.9 Landscaped Open Space, Minimum 20%

19.2.10 Planting Strip Requirement

A planting strip shall be required in accordance with the provisions of Section 5.22 where an interior side or rear lot line for a lot being developed for highway commercial purposes abuts a lot that is in a Residential Zone, a Residential (-h) Holding Zone, or Future Development Zone that is designated "Residential" in the Listowel Ward Official Plan.

19.2.11 Loading and Unloading Requirements

In accordance with the provisions of Section 5.9.

19.2.12 Parking Requirements

In accordance with the provisions of Section 5.18.

19.2.13 Outdoor Storage

The outdoor storage of goods or materials shall be permitted only to the interior side or rear of the main building provided that the following provisions are satisfied:

(a) The outdoor storage is accessory to the use of the main building on the lot;

(b) Such outdoor storage complies with the yard requirements for accessory buildings and structures as set out in Sections 3 and 5;

(c) Any portion of the lot used for outdoor storage, shall be completely concealed from view from the street or an abutting lot in a Residential Zone by a planting strip, fence, decorative masonry wall, or existing building on the lot, or a combination thereof.

19.2.14 Outdoor Display Area

An outdoor display area shall be permitted in any yard provided that the following provisions are satisfied:

(a) Such outdoor display area is accessory to the main use on the lot and is for merchandise kept for sale, lease, or rent on the premises;

(b) Such outdoor display area shall be set back a minimum distance of 2 m (6.56 ft.) from a front or exterior side lot line and a minimum distance of 1 metre (3.28 ft.) from an interior side or rear lot line;

(c) Notwithstanding the provisions of Clause (b) above, no outdoor display area shall be permitted in a required daylight or sight triangle;

(d) Such outdoor display area shall not block-off or restrict access to the lot;

(e) Such outdoor display area is kept in a neat and attractive manner.

19.3 Requirements for Commercial/Business Uses Permitted by Section 19.1 (a) (ii)

AMENDED BY BY-LAW 1-2017

19.3.1	Lot Area, Minimum	1,400 m^2 (15,000 ft^2)
19.3.2	Lot Frontage, Minimum	45 m (150 ft.)
19.3.3	Front Yard, Minimum	10.5 m (35 ft.)
19.3.4	Interior Side Yard, Minimum	7.5 m (25 ft.)
19.3.5	Exterior Side Yard, Minimum	10.5 m (35 ft.)
19.3.6	Rear Yard, Minimum	6 m (20 ft.)
19.3.7	Building Height, Maximum	10.5 m (35 ft.)
19.3.8	Lot Coverage, Maximum	35%
19.3.9	Landscaped Open Space, Minimum	10%

19.3.10 Planting Strip Requirement

In accordance with the provisions of Section 19.2.10.

19.3.11 Loading and Unloading Requirements
In accordance with the provisions of Section 5.9.

19.3.12 Parking Requirements In accordance with the provisions of Section 5.18.

AMENDED BY BY-LAW No. 2-2009

19.3.13 Fuel Pump Island Canopy Location
In accordance with the provisions of Section 17.3.2.

19.3.14 Driveway Requirements
In accordance with the provisions of Section 17.3.4.

19.3.15 Outdoor Storage
In accordance with the provisions of Section 19.2.13.

19.3.16 Outdoor Display Area
In accordance with the provisions of Section 19.2.14.

19.4 Special Provisions

19.4.1 C3-1

(a) Location: All lands within the "C3-1" zone, as shown on Schedule "A" to this By-law.

(b) In addition to the uses, buildings and structures permitted in Section 19.1 of this By-law, the following uses are permitted, subject to the provisions of Section 19.3 of this By-law:

- A manufacturing, assembly, fabricating, packing, repair, and/or storage/warehouse use, and which does not require municipal water or sewage services;
- An auction establishment;
- An automobile repair establishment;
- A cement batching and/or asphalt plant;
- A contractor shop and yard;
- A farm supplies outlet;
- A fuel supply depot;
- A gravel contractor shop and yard;
- A machine shop and/or welding shop;
- A steel and equipment sales establishment
- A truck depot;
- A wholesale establishment; and
- Accessory uses, buildings, and structures, including accessory offices and accessory retail outlets.

(c) An industrial use shall be of a nature that it does not require municipal water and/or sewage services.

(d) All other applicable provisions of this By-law, as amended, shall apply.

Explanatory Note: The "C3-1" zone applies to lands within the "Urban Fringe" designation as shown on Schedules "A4-1" and "A4-2" to the County of Perth Official Plan.

19.4.2 C3-2

(a) Location: All lands within the "C3-2" zone, as shown On Schedule "A" to this By-law.

(b) Notwithstanding the provisions of Section 19.1 of this By-law to the contrary, only the following uses are permitted: a manufacturing, assembly, fabricating, packing, repair, and/ or storage/warehouse use, and which does not require municipal water or sewage services; existing uses, buildings and structures; and accessory uses, buildings, and structures, including an accessory offices and accessory retail outlets.

(c) All other applicable provisions of this By-law, as amended, shall apply. *Explanatory Note: The "C3-2" zone applies to lands within the "Urban Fringe" designation as shown on Schedule "A4-3" to the County of Perth Official Plan.*

AMENDED BY BY-LAW No. 9-ZB-2002, AMENDED BY BY-LAW 96-2022

19.4.3 C3-3

(a) Location: Pt. Lots 6, 7, 38, and 57, Reg. Plan No. 185 (220 Mitchell Road S. Listowel Ward)

(b) Notwithstanding the provisions of Section 19 of this By-law to the contrary, the following regulations shall apply to the land in the "C3-3" zone as shown on Key Map 31 of Schedule "A" to this By-law:

(i) An Accessory Building not exceeding 575 m² will be permitted within the front yard with a minimum setback of 6.0 m.

(ii) An Accessory Building not exceeding 575 m² will be permitted within the exterior side yard with a minimum setback of 7.2 m.

iii) An Accessory Building not exceeding 575 m² will be permitted with a maximum height limit of 6.6 m.

iv) A landscaped buffer strip with a minimum width of 4.0 m shall be provided on the subject land adjacent to the easterly boundary of the subject land except in the area immediately east of the main building of the subject property where the landscaped buffer strip shall have a minimum width of 2.13 m.

v) Notwithstanding any other provisions of this By-law, the Landscaped Open Space minimum shall be 17 %.

vi) Notwithstanding any other provisions of this By-law, the interior side yard setback for any building existing prior to July 18, 2022 shall be a minimum 2.3 m.

vii) Notwithstanding any other provisions of this By-law, one loading space shall be permitted south of the accessory building, as shown on the site plan for the subject property.

viii) Notwithstanding any other provisions of this By-law, all outdoor tire storage on the subject lands shall be contained within the blue bin south of the main building. Tires stored in this bin shall be restricted to a maximum of 75m³.

(c) All other applicable provisions of this By-law, as amended, shall apply.

19.4.4 C3-4

(a) Location: Lots 81 and 82, Reg. Plan No. 182 (Wallace Ave. N., Listowel Ward)

(b) Notwithstanding the provisions of Section 19.1 of this By-law to the contrary, the only permitted uses on the land in the "C3-4" zone as shown on Key Map 29 of Schedule "A" to this By-law shall be: an eating establishment, restaurant; and eating establishment, take-out; and an eating establishment drive-thru.

(c) Notwithstanding the provisions of Section 5 of this By-law to the contrary, a 1.82 metre (6 ft.) high board-on-board fence may be erected instead of a planting strip on the west side of the rear lot line and the north side of the south lot line on the land in the "C3-4" zone.

(d) Notwithstanding any provisions of this By-law to the contrary, no loading space is required for the commercial use on the land in the "C3-4" zone.

(e) Notwithstanding the provisions of Section 19.2.9 to the contrary, a minimum landscaped open space of 6 per cent is required for the commercial use on the land in the "C3-4" zone.

(f) All other applicable provisions of this By-law, as amended, shall apply.

19.4.5 C3-5 DELETED BY BY-LAW No. 66-2007

19.4.6 C3-6

(a) Location: Part of Lot 42, Concession 1 (Elma Ward)

(b) Notwithstanding the provisions of Section 19.1 of this By-law, to the contrary, the only use permitted on land in the "C3-6" zone as shown on Key Map 40 of Schedule "A" to this By-law shall be an existing furniture retail store and the enlargement of, and accessory uses, buildings and structures.

(c) The following site regulations shall apply to the use permitted by clause (b) above:

(i)	Lot Area, Minimum	1.14 hectares (2.81 acres)
(ii)	Lot Frontage, Minimum	97.5 m (319.88 ft.)

(iii) Front Yard, Minimum 26 m (85.30 ft.)

(d) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 36-ZB-2004 and AMENDED BY BY-LAW No. 2-2009

19.4.7 C3-7

(a) Location: Lot 15, Registrar's Compiled Plan 487 (Wallace Ward) (b) In addition to the uses permitted by Sections 19.1 and 19.4.1 of this Bylaw, the following additional uses shall be permitted on the land in the "C37" zone as shown on Key Map 26 of Schedule "A" to this By-law:

(i) A cable television broadcasting and receiving station;

(ii) A fitness centre, including a full gym, tanning booths, toning tables, and the sale of related health and fitness items; and

(iii) A rehabilitation clinic providing services such as physiotherapy, speech and language pathology and occupational therapy.

(b) Notwithstanding the provisions of this By-law to the contrary, the land shown in the “C3-7" zone which abuts Highway No. 23, shall be considered to be a corner lot with its front lot line adjacent to Highway No. 23.

(c) Notwithstanding the provisions of Section 19.3.3 of this By-law to the contrary, the minimum front yard for an interior lot shall be 9.1 m (29.56 ft.).

(d) All other applicable provisions of this By-law, as amended, shall apply

19.4.8 DELETED BY BY-LAW No. 2-2009

19.4.9 C3-9

(a) Location: Part of Lot 24, Concession 2 (Wallace Ward)

(b) Notwithstanding the provisions of Section 19 this By-law to the contrary, the land shown in the “C3-9" zone as shown on Key Map 25 of Schedule "A" to this By-law shall have a minimum easterly side yard and a minimum rear yard of 5.2 m (17.06 ft.) and 3 m (9.84 ft.), respectively.

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No.66-ZB-2006

19.4.10 C3-10

(a) Location: Part of Lot 24, Concession 3 (Wallace Ward)

(b) Notwithstanding the provisions of Section 19.1 of this By-law to the contrary, the only permitted uses on the land in the “C3-10" zone as shown on Key Map 7 of Schedule "A" to this By-law, as amended (also shown on Schedule “A” to By-law No. 66-2006) shall be:

(i) A craft and gift shop;

(ii) An automobile repair establishment;

(iii) The sales and service of recreational vehicles, and lawn and garden equipment;
(iv) An animal clinic;
(v) A refrigeration and air conditioning sales and repair establishment; and
(vi) A welding shop and millwright establishment

(c) All other applicable provisions of this By-law, as amended, shall apply.

19.4.11 C3-11

(a) Location:
(i) Part of Lot 25, Concession 3 (Wallace Ward)
(ii) Part of Lot 24, Concession 8 (Wallace Ward)

(b) Notwithstanding the provisions of Section 19.1 of this By-law to the contrary, the only permitted uses on the land in the "C3-11" zone as shown on Key Maps 2 and 7 of Schedule "A" to this By-law shall be a motel and accessory uses, buildings and structures, including an existing single-detached dwelling.

(c) All other applicable provisions of this By-law, as amended, shall apply.

AMENDED BY BY-LAW 128-2022

19.4.12 C3-12

(a) Location: Part of Lot 30, Concession 1 (formerly Elma Township) (b) Notwithstanding the provisions of Section 19.1 of this By-law to the contrary, the only uses permitted on a parcel of land located within the "C3-12" zone as shown on Key Map 27 of Schedule "A" to this By-law shall be as follows:
(i) Fast food eating establishments with a combined maximum gross floor area of 743.2 sq. m (8,000 sq. ft.). For the area zoned C3-12, fast food eating, establishments shall include an eating establishment drive-in, an eating establishment drive-thru, an eating establishment restaurant, an eating establishment take-out;
(ii) Automotive-related uses, including but not limited to an automobile parts and service establishment, with a combined maximum gross floor area of 1,393.5 sq. m (15,000 sq. ft.);
(iii) Retail stores (excluding department store, general merchandise store, and fashion store (apparel and accessories), supermarkets, food stores, convenience stores, and home and auto supply store uses) with a combined maximum gross floor area of 1,858 square m (20,000 sq. ft.) and an individual store minimum gross floor area of 464.5 sq. m (5,000 sq. ft.).

(b) All other applicable provisions of this By-law, as amended, shall apply.

19.4.13 C3-13

(a) Location: Lot 3, Registrar's Compiled Plan No. 448 (Listowel Ward) (b) In

addition to the uses permitted by Section 19.1 of this By-law, a use described as a drug store shall be permitted on the land in the "C3-13" zone as shown on Key Map 29 of Schedule "A" to this By-law.

(b) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No.153-ZB-1999

19.4.14 C3-14

(a) Location: Part of Lot 11, Registered Plan No. 487 (Wallace Ward)

(b) In addition to the uses, buildings and structures permitted in Section 19.4.1 of this By-law, a use described as a professional office in the existing building, in addition to the residential use of the existing building shall be permitted on the parcel of land located within the “C314" zone as shown on Key Map 26 of Schedule "A" to By-law No. 6-ZB-1999 (also shown on Schedule "A" to By-law No.153-ZB-1999).

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

AMENDED BY BY-LAW No.47-ZB-2005 AND BY-LAW 1-2017

19.4.15 C3-15

(a) Location: Part of Lots 93, 94 and 98, Registered Plan No. 182 (Listowel Ward)

(b) Notwithstanding the provisions of By-law No. 6-ZB-1999 to the contrary, for lands zoned “C3-15” (as shown on Key Map 29 of Schedule “A”), the front lot line shall be the boundary with Wallace Avenue North, and an automobile washing establishment shall have:
   (i) A minimum lot frontage of 27.74 m (91 ft.);
   (ii) A minimum interior side yard of 2.44 m (8 ft.);
   (iii) A minimum front yard of 4.04 m (13.25 ft.); iv) a minimum rear yard of 6.09 m (20 ft.).

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW No. 5-ZB-2003

19.4.16 C3-16

(a) Location: Part Lot 31, Concession 1(former Elma Township) (Listowel Ward)

(b) Notwithstanding the provisions of Section 19.1 of this By-law to the contrary, a retail store shall be permitted as an additional permitted use on land located in the “C3-16" zone as shown on Key Map 31 of Schedule “A” to this By-law (also shown as Schedule “A” to By-law No. 6-ZB-1999.

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply. ADDED

BY BY-LAW No. 3-ZB-2004 and AMENDED BY BY-LAW No. 29-2007

19.4.17 C3-17

(a) Location: Part Lot 24, Concession 3 (Wallace Ward)

(b) Notwithstanding the provisions of Section 19.1 of this By-law to the contrary, the only permitted uses on the land in the "C3-17" zone as shown on Key Map 7 of Schedule "A" to this By-law (also shown as Schedule "A" to By-law No. 29-2007 shall be:

(i) An automobile sales and service establishment;
(ii) An automobile repair establishment;
(iii) An automobile service station;
(iv) A machine shop and/or welding shop;
(v) A snowmobile, water craft, motorcycle sales and service establishment; and farm-related sales and service establishments;
(vi) A taxi stand and office; and
(vii) An agricultural use described as the keeping and raising of up to four horses, subject to the provisions of Section 6.3 of this By-law.

(c) The above-noted uses (unless otherwise noted) shall be subject to the provisions of Section 19.3 of this By-law.

(d) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 66-2007

19.4.18 C3-18

(a) Location: Part of Lot 2, and all of Lots 3-6 (inclusive) on Registrar's Compiled Plan No. 430, and part of Lot 30, Concession 1 (Elma Ward)

(b) Notwithstanding the provisions of Section 19 of By-law No. 6-ZB-1999 to the contrary, a retail store, a medical clinic, a business or professional office, and a financial institution shall be permitted as additional permitted uses on the land shown within the "C3-18" zone as shown on Key Map 27 of Schedule "A" to By-law No. 6-ZB-1999, as amended (also shown on Schedule "A" to By-law No. 66-2007).

(c) Permitted uses shall have a maximum combined gross floor area of 3,530 m^2 (38,000 ft^2), with an individual store minimum gross floor area of 464.5 m^2 (5,000 $ft.^2$) and an individual store maximum gross floor area of 1,858 m^2 (20,000 $ft.^2$).

(d) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 90-2007

19.4.19 C3-19

(a) Location: Part Lots J and K, Reg. Plan No. 194 (Listowel Ward) (b) Notwithstanding the provisions of Section 19 of By-law No. 6-ZB-1999 to the contrary, an existing eating establishment on the land shown within the "C3-19" zone as shown on Key Map 33 of Schedule "A" to By-law No. 6-ZB-

1999, as amended (also shown on Schedule “A” to By-law No. 90-2007) may have a minimum lot frontage of 25 m (82 ft.), and a minimum front yard of 5.84 m (19.16 ft.).

(b) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW Nos. 108-2008 and 3-2011

19.4.20 C3-20

(a) Location: Part of Lot 16, Concession 8 (Atwood, Elma Ward)

(b) Notwithstanding the provisions of Section 22.1 of this By-law, to the contrary, the following uses shall be permitted as additional permitted uses on the land within the “C3-20" zone as shown on Key Map 44 of Schedule “A” to By-law No. 6-ZB-1999 (also shown on Schedule “A” to By-law No. 3-2011):

(i) a farm supplies outlet and a fertilizer blending operation; a recreational vehicle sales, service, rental and storage establishment; and a contractor’s shop, and accessory uses, buildings and structures.

(c) All other applicable provisions of this By-law, as amended, shall apply.

19.4.21 C3-21 Not Used.

ADDED BY BY-LAW No. 108-2008

19.4.22 C3-22

(a) Location: Part of Lot 30, Concession 1 (Elma Ward) and Part of Lots 14, 16, and Lot 15, Registrar’s Compiled Plan 430 (Elma Ward)

(b) Notwithstanding the provisions of Section 19 of this By-law to the contrary, a use described as a business and professional office (and accessory uses) shall be the only use permitted on the land in the "C3-22" zone as shown on Key Map 27 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. 108-2008).

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 75-2009

19.4.23 C3-23

(a) Location: Part of Lot 25, Concession 2 (Road 164, Wallace Ward)

(b) Notwithstanding any provisions of this By-law to the contrary, the provisions of Section 19.4.1 of By-law No. 6-ZB-1999, shall continue to apply to the land in the "C3-23" zone as shown on Key Map 25 of Schedule "A" to this By-law (also shown on Schedule "A" to By- law No. 75-2009).

(c) Notwithstanding any provisions of this By-law to the contrary, accessory structures on land in the “C3-23” zone as described above may have a maximum height of 16.76 m (55 ft.).

(d) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 48-2011

19.4.24 C3-24

(a) Location: Part of Lot 16, Concession 8 (Atwood, Elma Ward)

(b) Notwithstanding the provisions of Section 19.4 of this By-law, to the contrary, the following uses shall be permitted as additional permitted uses on the land within the "C3-24" zone as shown on Key Map 44 of Schedule "A" to By-law No. 6-ZB-1999 (also shown on Schedule "A" to By-law No. 48-2011): a transportation depot; a farm supplies outlet and a fertilizer blending operation; a recreational vehicle sales, service, rental and storage establishment; and contractor's shop, and accessory uses, buildings and structures.

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 71-2019

19.4.25 C3-25

(a) Location: Part of Lots 12 and 14, of Registered Plan 430 (365 Mitchell Road South), Elma Ward (Key Map 27).

(b) Notwithstanding any provisions of Section 19 of this By-law to the contrary, the land shown in the C3-25 zone as shown on Key Map 27 of Schedule "A" to this By-law shall have a minimum lot frontage of 31.1 m (102 feet).

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW No. 80-2019

19.4.26 C3-26

(a) Location: Part lot 15 of Registered Plan 487, Part 2 of Reference Plan 44R4535 (5977 David Street) in the Wallace Ward (Key Map 26).

(b) Notwithstanding any provisions of Section 19 of this By-law to the contrary, the land shown in the C3-26 zone as shown on Key Map 26 of Schedule "A" to this By-law shall have a minimum lot frontage of 0 m (0 feet).

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW NO. 62-2022

19.4.27 C3-27

(a) Location: Part Lot 31, Concession 1, Listowel Ward (300 Mitchell Road South)

(b) Notwithstanding any provisions of Section 5.37 to the contrary, the minimum number of required stacking spaces for a drive through facility shall be 6 spaces.

(c) Notwithstanding any provisions of Section 5.37 to the contrary, drive-through facilities shall be permitted in the front yard.

ADDED BY BY-LAW NO. 82-2023

19.4.28 C3-28

(a) Location: Part Lot 17 and Lot 25, Plan 185, Listowel Ward, Municipality of North Perth (Key Map 31);

(b) Notwithstanding the provisions of Section 19.1 of this By-law to the contrary, permitted uses are limited to the following:
   i. Business and Professional Office
   ii. Accessory Uses, buildings, and structures, in accordance with Sections 3 and 5;

(c) Notwithstanding the provisions of Sections 5 and 19.2 of this By-law to the contrary, the land zoned as C3-28 shall have a minimum front yard and exterior side yard setback of 7.5 m and shall not be required to provide a loading space;

(d) Notwithstanding the provisions of Section 19 of this By-law, a Business and Professional Office shall have a maximum gross floor area of 500m²; and

(e) All other applicable provisions of this By-law shall apply.

ADDED BY BY-LAW NO. 6-2024

19.4.29 C3-29

(a) Location: Reg. Plan 194, Pt Lot J, Part 1 on 44R-4545, Listowel Ward, Municipality of North Perth (670 Main Street E) (Key Map 33)

(b) Notwithstanding Section 19.1 through 19.3 the following site-specific uses and setbacks shall apply
   a. Rear 50% of the ground floor building area shall be permitted for residential and residential shall be permitted on the upper stories.
   b. The property shall permit no more than 20 dwelling units.
   c. Section 19.2.3 Front Yard Setback, Minimum shall be 5.5 m
   d. Section 19.2.4 Interior Side Yard Setback, Minimum shall be 6.61 m
   e. Section 19.2.7 Height, Maximum shall be 12.19 m

ADDED BY BY-LAW NO. 120-2024

19.4.30 C3-30

(a) Location: Part Lot 27 and Part Lot 28, Concession 1, Elma Ward, Municipality of North Perth

(b) Notwithstanding any provisions of Section 19 to the contrary, prior to removal of the H12 holding provisions road access shall be provided to the property known as 6175 Perth Line 86 which is the large parcel to the south.

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply

ADDED BY BY-LAW NO. 64-2025

19.4.31 C3-31

(a) Location: Part Park Lot 10, Plan 182, Part 1 of 44R-558, Listowel Ward, Municipality of North Perth

(b) Notwithstanding the provisions of Section 19 of By-law No. 6-ZB-1999 to the contrary, the following regulations shall apply to the land in the "C3-31" zone as shown on Key Map 29 Schedule "A" to By-law No. 6-ZB-1999:

i. The minimum lot area requirement shall be 1360 m^2;
ii. The minimum lot frontage requirement shall be 44 m;
iii. The minimum front yard set back requirement shall be 4 m;
iv. The minimum rear yard setback requirement shall be 3 m;
v. The minimum northern interior side yard requirement shall be 3 m

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

SECTION 20 - LOCAL CONVENIENCE COMMERCIAL ZONE (C4)

No person shall within any "C4" Zone use any land or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions;

20.1 Permitted Uses, Buildings, and Structures

(a) a convenience store (excluding any accessory gasoline bar or fuel sales), a personal service shop, a laundromat.

(b) accessory uses, buildings, and structures, including a dwelling unit in conjunction with a permitted commercial use, in accordance with Sections 3 and 5.

20.2 Requirements for Commercial/Business Uses Permitted by Section 20.2 (a)

AMENDED BY BY-LAW 1-2017

20.2.1 Lot Area, Minimum

(a)	Interior Lot	464m^2 (5,000 ft^2)
(b)	Corner Lot	557 m^2 (6,000 ft^2)

20.2.2 Lot Frontage, Minimum

(a)	Interior Lot	15 m (50 ft)
(b)	Corner Lot	18 m (60 ft)

20.2.3 Front Yard, Minimum 6 m (20 ft.)

20.2.4 Interior Side Yard, Minimum

3 m (10 ft.), except that where an ingress or egress driveway is located in an interior side yard, the minimum requirement for that interior side yard shall be 4.5 m (15 ft.).

20.2.5 Exterior Side Yard, Minimum 6 m (20 ft.)

20.2.6 Rear Yard, Minimum 7.5 m (25 ft.)

20.2.7 Building Height, Maximum 10.5 m (35 ft.)

20.2.8 Lot Coverage, Maximum 35%

AMENDED BY BY-LAW 1-2017

20.2.9 Commercial Use Floor Area, Maximum 185 m^2 (2,000 ft^2)

20.2.10 Number of Local Convenience Commercial Uses and Buildings per Lot

Not more than one (1) local convenience commercial use and not more than one (1) building for such commercial use is permitted per lot.

20.2.11 Landscaped Open Space, Minimum 20%

20.2.12 Planting Strip Requirement

In accordance with the provisions of Section 19.2.10.

20.2.13 Loading and Unloading Requirements
In accordance with the provisions of Section 5.9.

20.2.14 Parking Requirements
In accordance with the provisions of Section 5.18.

20.3 Requirements for Accessory Dwelling Units

20.3.1 Not more than one (1) accessory dwelling unit shall be permitted with a convenience commercial use on a lot.

20.3.2 Accessory dwelling units are to form part of the main building and shall be permitted only in the rear and/or upper portions of such building.

An accessory dwelling unit shall be completely self-contained and shall have a separate and direct access to a front, side, or rear yard.

REMOVED BY BY-LAW 1-2017
20.3.3 Removed

20.4 Special Provisions

REMOVED BY BY-LAW No. 62-2014
20.4.1 **Removed**

SECTION 21 - SPECIAL AREA COMMERCIAL ZONE (C5)

No person shall within any "C5" Zone use any land or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions:

21.1 Permitted Uses, Buildings, and Structures

(a) An automobile gasoline bar; an automobile service station; a bakeshop;
A bank or financial institution;
A business or professional office; a convenience store;
A clothing store;
A commercial recreational use; a commercial school;
A department store; a drug store;
A dry-cleaning depot or establishment; a dry-cleaning plant;
An eating establishment, restaurant; an eating establishment, take-out;
A film processing establishment; a florist shop;
A general discount merchandise store; a medical clinic;
A movie video rental and sales establishment; a personal service shop;
A retail store, excluding those dealing with heavy machinery, fuels, building supplies, new or used automobiles, snowmobiles, watercraft, motor homes, recreational vehicles, travel trailers, trailers, or motorcycles;
A rental shop;
A supermarket; and
A taxi or limousine depot.

(b) Accessory uses, buildings, and structures, in accordance with Sections 3 and 5.

21.2 Requirements for Commercial/Business Uses Permitted by Section 21.1 (a)

21.2.1 Lot Area, Minimum — 1.5 hectares (3.7 acres)

21.2.2 Lot Frontage, Minimum — 100 m (328.1 ft.)

21.2.3 Front Yard, Minimum — 12 m (39.37 ft.)

21.2.4 Interior Side Yard, Minimum
4.5 m (15 ft.), except that where a "C5" Zone abuts a Residential Zone, a minimum interior side yard of 12 m (40 ft.) shall be required.

21.2.5 Exterior Side Yard, Minimum — 12 m (40 ft.)

21.2.6 Rear Yard, Minimum
7.5 m (25 ft.), except that where a C5 Zone abuts a Residential Zone, a minimum rear yard of 12 m (40 ft.) shall be required.

21.2.7 Building Height, Maximum — 10.5 m (35 ft.)

21.2.8 Lot Coverage, Maximum — 25%

AMENDED BY BY-LAW 1-2017

21.2.9 Ground Floor Area, Maximum 4,200 m^2 (45,000 ft^2)

AMENDED BY BY-LAW 1-2017

21.2.10 Retail Floor Area, Maximum

(a)	Clothing store	930 m^2 (10,000 ft^2)
(b)	Convenience store	470 m^2 (5,000 ft^2)
(c)	Drug store	650 m^2 (7,000 ft^2)
(d)	Supermarket	2,100 m^2 (22,000 ft^2)

21.2.11 Landscaped Open Space

Landscaped open spaces shall be required as follows:

(a) A 3 metre (10 ft.) wide landscaped open space shall be required adjacent to the front lot line of a lot in the C5 Zone. Such landscaped open space shall be provided along the entire front lot line, except where interrupted by ingress and egress driveways.

(b) A 4.5 metre (15 ft.) wide landscaped open space shall be required adjacent to the side and rear lot lines of a lot in the C5 Zone where such side and rear lot lines abut a Residential Zone.

21.2.12 Loading and Unloading Requirements

In accordance with the provisions of Section 5.9.

21.2.13 Parking Requirements

In accordance with the provisions of Section 5.18, except that no parking shall be permitted in a side or rear yard that abut a Residential Zone.

21.2.14 Outdoor Storage

In accordance with the provisions of Section 19.2.13.

21.2.15 Retail Floor Area Limit

In accordance with the provisions of Section 17.2.13.

21.3 Special Provisions

AMENDED BY BY-LAW No. 2-ZB-2003

21.3.1 C5-1

(a) Location: Lot 2, Registrar's Compiled Plan No. 448 (Listowel Ward)

(b) Notwithstanding the provisions of Section 21.2.14 of this By-law to the contrary, two outdoor storage areas may be located in the front yard and southerly side yard in front of the front wall of the existing building on the land within the “C5-1” zone as shown on Key Map 29 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. 2-ZB-2003). One of the storage areas may be attached to the existing main building, while the other storage area may have a southerly interior side yard of 0 m (0 ft.).

(c) Notwithstanding the provisions of Section 21.1 of this By-law to the contrary, an

on-premises beer and wine making establishment shall be permitted as an additional use on the land within the "C5-1" zone as described in clause (b) above.

(d) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

AMENDED BY BY-LAW No. 108-ZB-2002 and AMENDED BY BY-LAW No. 106-2012

21.3.2 C5-2

(a) Location: Part of Lot 31, Conc. 1 (formerly Elma Township) (Listowel Ward)

(b) Notwithstanding the provisions of Section 21.1 of this By-law to the contrary, the following uses will be the only uses permitted on the land within the "C5-2" zone as shown on Key Map 34 of Schedule "A" to this By-law (also shown as Schedule "A" to By-law No. 106-2012):

(i) Retail stores;
(ii) A bank or financial institution;
(iii) A commercial recreational use;
(iv) An eating establishment, restaurant;
(v) A personal service shop;
(vi) A supermarket; and
(vii) Accessory uses, buildings, and structures.

(c) Notwithstanding the provisions of Section 21.2 of this By-law to the contrary, the following uses will be the only uses permitted on the land within the "C5-2" zone as described in clause (b), above:

(i)	Lot Area, Minimum	3.44 hectares (8.5 ac.)
(ii)	Lot Frontage Along Kincaid St., Minimum	144.4 m (475 ft.)
(iii)	Front Yard Along Kincaid St., Minimum	
	(a) For Main Building	27.43 m (90 ft.)
	(b) For Secondary Building	12.0 m (40 ft.)
(iv)	Side Yards for Main Building, Minimum	
	(a) Along Nelson Ave. South	9.0 m (30 ft.)
	(b) Along Mitchell Road, South	15.24 m (50 ft.)
(v)	Side Yards for Secondary Building, Minimum	
	(a) Along Nelson Ave. South	9.0 m (30 ft.)
	(b) Along Mitchell Road, South	14 m (45 ft.)
(vi)	Rear Yard, Minimum	0 m (0 ft.)
(vii)	Building Height, Maximum	10.66 m (35 ft.)
(viii)	Gross Floor Area, Maximum	
	(a) Supermarket 5,945.6 m^2 (64,000 ft^2) consisting of approximately 3,530.2 m^2 (38,000 ft^2) of food sales area; 743.2 m^2 (8,200 ft^2) of non-food sales area (e.g. floral, pharmacy, photo/customer service) and 1,653.62 m^2 (17,800 ft^2) of storage, mechanical and staff area.	
	(b) Other permitted uses 3,901.8 m^2 (42,000 ft^2)	
(ix)	Lot Coverage, Maximum	28%
(x)	Landscaped Open Space, Minimum	5%

ADDED BY BY-LAW No. 106-2012

21.3.3 C5-3

(a) Location: Part of Lot 31, Conc. 1 (formerly Elma Township) (Listowel Ward)

(b) Notwithstanding the provisions of Section 21.1 of this By-law to the contrary, the following uses will be the only uses permitted on the land within the “C5-3” zone as shown on Key Map 34 of Schedule “A” to this By-law (also shown as Schedule “A” to By-law No. 106-2012):
   (i) A department store; and
   (ii) Accessory uses, buildings, and structures.

(c) Notwithstanding the provisions of Section 21.2 of this By-law to the contrary, the following uses will be the only uses permitted on the land within the “C5-3” zone as described in clause (b), above:

(i)	Lot Area, Minimum	2.83 hectares (7 ac.)
(ii)	Lot Frontage Along Barnett St., Minimum	144.2 m (475 ft.)
(iii)	Front Yard Along Barnett St., Minimum	27.43 m (90 ft.)
(iv)	Side Yards, Minimum	
i.	along Nelson Ave. South	9.0 m (30 ft.)
ii.	along Mitchell Road, South	15.24 m (50 ft.)
(v)	Rear Yard, Minimum	0 m (0 ft.)
(vi)	Building Height, Maximum	10.66 m (35 ft.)
(vii)	Gross Floor Area, Maximum	
(viii)	Department Store	7,726.86 m^2 (83,000 ft^2)
(ix)	Lot Coverage, Maximum	28 per cent
(x)	Landscaped Open Space, Minimum	5 per cent

(d) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW 91-2020, AMENDED BY BY-LAW 64-2023

21.3.4 C5-4-h10

(a) Location: Part of Lot 30, Concession 1, Part Lot 16, Plan 430 (Elma Ward, Mitchell Road South)

(b) Notwithstanding any provisions of Section 21 to the contrary, the following uses will be the only uses permitted for lands within the "C5-4" zone:

Commercial/Business Uses

- A bakeshop;
- A bank or financial institution;
- A business or professional office;
- A convenience store, subject to a maximum retail floor area for commercial uses permitted in the C5-4 zone;
- A clothing store, subject to a maximum retail floor area for commercial uses permitted in
- The C5-4 zone;
- A commercial recreational use, excluding large scale commercial recreational uses;

- A commercial school;
- A drug store, subject to a maximum retail floor area for commercial uses permitted in the C5-4 zone;
- A dry-cleaning depot or establishment;
- An eating establishment, restaurant;
- An eating establishment, take-out;
- A film processing establishment;
- A florist shop;
- A general discount merchandise store;
- A medical clinic;
- A movie video rental and sales establishment;
- A personal service shop;
- A retail store, excluding those dealing with heavy machinery, fuels, building supplies, new or used automobiles, snowmobiles, watercraft, motor homes, recreational vehicles, travel trailers, trailers, or motorcycles; Sales of new or used automobiles is only permitted if the site does not include residential uses.
- A rental shop;
- A food store;
- A beer, wine, or liquor retail outlet;
- A day care centre;
- A furniture or appliance store;
- A home and automotive supply store;
- A laundromat;
- A motel/hotel;
- A printing establishment;
- A showroom;
- A veterinarian clinic; and
- A wholesale establishment.

Drive-Through Facilities are prohibited.

Non-Commercial/Business Uses

- Apartment buildings and/or Stacked Townhouses are permitted with a minimum net residential density of forty units per hectare, provided any residential building is located within a Mixed-Use Site, containing at least one non-residential use and a minimum non-residential gross floor area of 1,300 square m;
- One or more dwelling units in the upper portion of a mixed-use building, with non-residential uses on the ground floor; and
- Accessory uses, building and structures.

For the purposes of this Special Provision, a mixed-use building means a form of development in which a building contains both residential and non-residential uses, in accordance with Section 3.115.3 of this Zoning By-law.

(c) Notwithstanding the provisions of this By-law to the contrary, the following

provisions shall apply for permitted uses on land zoned "C5-4":

i. Lot Area, Minimum 930 sq. m (10,000 sq. ft.)

ii. Lot Frontage, Minimum 30 m (100 ft.)

iii. Front Yard, Minimum 3.0 m (9.8 ft.)

iv. Front Yard, Maximum 5.0 m (16.4 ft.)

v. Interior Side Yard, Minimum 3.0 m (9.84 ft.), except that where a "C5-4" zone abuts a Residential Zone or Residential (-h) Holding Zone, a minimum interior side yard of 7.5 m (24.61 ft.) shall be required.

vi. Exterior Side Yard, Minimum 3.0 m (9.8 ft.)

vii. Exterior Side Yard, Maximum 9.0 m (16.4 ft.)

viii. Rear Yard, Minimum 4.5 m (14.76 ft.), except that where a "C5- 4" zone abuts a Residential Zone or a Residential (-h) Holding Zone, a minimum rear yard of 7.5 m (24.61 ft.) shall be required

ix. Minimum ground floor building height 4.5 m (14.7 ft.)

x. Building Height, Minimum 7.0 m (24.6 ft.)

xi. Building Height, Maximum:

a. 11.0 m (36 ft.), within 3 storeys, for stand-alone commercial uses within a "C5-4" zone;
b. 17.0 m (56 ft.) (5 storeys) for a mixed-use building with residential uses on the upper floor of commercial uses or within a stand-alone residential apartment building;
c. 12.0 m for stand-alone stacked townhouse buildings; and,
d. Antennae, chimneys, spires, cupolas, elevator penthouses, or other similar features shall be disregarded in calculating building height.

xii. Residential Common Amenity Area, Minimum: 2 sq. m (22 sf)/dwelling unit (to a minimum total area of 40 sq. m.) A Residential Common Amenity Area means a private outdoor amenity area at ground level used for active or passive recreational use by residents of the residential component of the development. This common amenity area shall be in addition to any indoor common amenity areas provided within a residential building.

xiii. Minimum Width of Primary Ground Floor Façade: 50% of the length of the abutting street lines.

xiv. Facade Openings: For non-residential uses, not less than 40% of the area of a primary ground floor façade shall be devoted to display windows or entrances to the building; the horizontal distance between

display windows or entrances shall not exceed 4 m.

xv. Lot Coverage, Maximum 40%

xvi. Landscaped Open Space, Minimum 15%

xvii. Commercial/Business Floor Area, Minimums and Maximums:
   a. Minimum Commercial/Business Floor Area: 1,300 sq.m.
   b. Maximum Total Retail & Service Commercial Uses 2,973 sq. m.
   c. Maximum Total Retail Uses 1,765 sq. m.
   d. Maximum Clothing Store 930 sq. m.
   e. Maximum Convenience Store 470 sq. m.
   f. Maximum Drug Store 650 sq. m.
   g. Maximum Food Store 930 sq. m.
   h. Maximum Commercial Recreation 650 sq. m.
   i. All retail and service commercial uses shall not exceed a floor area of 2,973 sq. m), of which no more than 1,765 sq. m shall be permitted for retail uses.

xviii. Building Separation (Residential)
Where more than one apartment or stacked townhouse building is built on one lot, the buildings are required to be separated from each other according to the nature of the windows in the building faces. The minimum building separation is as follows;

   a. Both faces contain habitable room windows: 6 m (19.7 ft).
   b. Neither face contains habitable room windows: 3 m (9.8 ft).

xix. Loading and Unloading Requirements: In accordance with the provisions of Section 5.9, except that a required loading space for a commercial use may be located in the required exterior side yard, provided a 1.5 m landscape buffer or solid wood fence is erected to screen the loading space.

xx. Parking Requirements:
Notwithstanding the provisions of Section 5.18, the minimum parking requirements for a Mixed Use Site shall be:
   a. 1 space per dwelling for an apartment dwelling and stacked townhouse dwelling; and
   b. 1 space per 30 sq. m. for permitted Commercial/business uses within the C5-4 Zone.

xxi. Outdoor Storage: In accordance with the provisions of Section 19.2.13

xxii. Internal lot lines created on the site by:
   a. A registration of a plan of condominium; or

b. A plan or plans of condominium registered on all or a portion of a lot which is part of a comprehensively planned development subject to a Development Agreement pursuant to Section 41 of the Planning Act; shall not be construed to be lot lines for the purposes of zoning regulations provided that all applicable regulations of this by-law relative to the whole lot and its external lot lines, existing prior to any condominium plan registration are strictly observed. The original lot as existing on June 19, 2023 shall be considered the site.

(d) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply."

ADDED BY BY-LAW No 151-2022

21.3.5 C5-5

(a) Location: Part of Lot 30, Concession 1, Elma Ward, Registered Plan 44R3774

(b) For the area zoned "C5-5" a mixed-use site is permitted in accordance with Section 3.115.4.

(c) Notwithstanding any provision of Section 21.1 of this By-law to the contrary, the following commercial uses will be the only uses permitted within the "C5-5" zone:

- A bakeshop
- A bank or financial institution
- A business or professional office
- A convenience store, subject to the maximum retail floor area for commercial uses permitted in the C5-5 zone
- A clothing store, subject to the maximum retail floor area for commercial uses permitted in the C5-5 zone
- A commercial recreational use, excluding large scale commercial recreational uses;
- A commercial school;
- A drug store, subject to the maximum retail floor area for commercial uses permitted in the C5-5 zone;
- A dry-cleaning depot or establishment;
- An eating establishment, restaurant;
- An eating establishment, take-out;
- A film processing establishment;
- A florist shop;
- A general discount merchandise store;
- A medical clinic;
- A movie video rental and sales establishment;
- A personal service shop;
- A retail store, excluding those dealing with heavy machinery, fuels, building supplies, new or used automobiles, snowmobiles, watercraft,

motor homes, recreational vehicles, travel trailers, trailers, or motorcycles;

- A rental shop;
- A food store;
- A beer, wine or liquor retail outlet;
- A day care centre;
- A furniture or appliance store;
- A home and automotive supply store;
- A laundromat;
- A motel/hotel;
- A printing establishment;
- A showroom;
- A veterinarian clinic; and
- A wholesale establishment.

(d) The following residential uses are permitted within the C5-5 zone.

- Apartment building and/or apartment buildings with a minimum residential density of 70 units per hectare, and a maximum residential density of 98 units per hectare, provided the building and/or buildings are located within a mixed-use site that has been comprehensively planned with an approved site plan that contains a minimum of 13,900 m^2 commercial development fronting Mitchell Road South, with a minimum of 30% of the Mitchell Road South frontage being developed for commercial purposes
- Fifteen % of the total number of dwelling units developed in the area zoned C5-5 shall be affordable. For the purposes of the C5-5 zone, “affordable” shall mean rental rates that cost less than 30% of a household’s before tax income. The affordable rental rate will be based on the median income (at the time of occupancy) for renter households in the Municipality of North Perth.
- Accessory uses, buildings and structures.

(e) Zoning Requirements

Commercial uses are required to be located on the ground floor fronting Mitchell Road South. No residential uses are permitted on the ground floor fronting Mitchell Road South.

(i)	Lot area, minimum	930 sq. m (10,000 sq. ft)
(ii)	Lot frontage, minimum	30 m (100 ft)
(iii)	Front yard, minimum	3.0 m (9.8 ft)

(iv) Interior side yard, minimum 3.0 m (9.8 ft) except that where a “C5-5” zone abuts a Residential Zone the minimum interior side yard shall be 7.5 m (24.6 ft)

(v) Exterior side yard, minimum 3.0 m (9.8 ft)

(vi) Exterior side yard, maximum 5.0 m (16.4 ft)

(vii) Rear yard, minimum 4.5 m (14.8 ft) except that where a C5-5 zone abuts a Residential Zone the minimum rear yard shall be 7.5 m (24.6 ft)

(viii) Building height, minimum 7.5 m (24.6 ft)

(ix) Building height, maximum

a. 11.0 m (36 ft) within 3 storeys, for stand-alone commercial uses

b. 22.0 m (72 ft) within 6 storeys, for a mixed-use building with commercial uses on the ground floor and residential uses on the upper floors, or within a stand-alone residential building

c. Antennae, chimneys, spires, cupolas, mechanical rooms, or other similar features shall be disregarded in calculating building height.

(x) Lot coverage, maximum 40%

(xi) Landscaped Open Space, Minimum 15%

(xii) Planting Strip Requirement: A planting strip shall be required in accordance with the provisions of Section 5.22 for any lot line that abuts a Residential Zone.

Commercial Provisions:
The following zone requirements apply to Commercial uses in the C5-5 zone.
(i) Maximum Retail Floor Area

All retail and service commercial uses shall not exceed a floor area of 32,000 ft^2 (2973 m^2), of which no more than 19,000 ft^2 (1765 m^2) shall be permitted for retail uses.
The maximum floor area of specific retail uses are as follows:

Clothing Store	Maximum floor area of 930 m^2 (10,000 ft^2)
Convenience Store	Maximum floor area of 470 m2 (5000 ft^2)
Drug Store	Maximum floor area of 650 m^2 (7000 ft^2)
Food Store	Maximum floor area of 930 m^2 (10000 ft^2)
Commercial Recreation	Maximum floor area of 650 m^2 (7000 ft^2)

(ii) Minimum Retail Floor Area

(iii) The minimum commercial gross floor area shall be 13,900 ft^2.

(iv) Loading and Unloading spaces shall be required for Commercial uses in accordance with the provisions of Section 5.9.

(v) Outdoor Storage shall be permitted for Commercial uses in accordance with Section 19.2.13 of this By-law.

(vi) Parking requirements for residential uses: Notwithstanding the provisions of Section 5.18, the minimum parking requirement for an apartment dwelling shall be 1.25 spaces/dwelling, including visitor parking spaces, provided that the site is developed as a mixed-use site.

(vii) Parking requirements for non-residential uses: Notwithstanding the provisions of 5.18, the minimum parking requirement for commercial and offices uses for the area zoned C5-5 shall be 1 space per 30 m^2. The commercial parking may be also be used for visitor parking for the apartment buildings.

Residential Provisions:
The following zone requirements apply to Residential uses within the C5-5 zone.

(viii) A Residential Common Amenity Area, Minimum: 2 m^2 (22 ft^2) per dwelling unit to a minimum total area of 40 m^2 (430 ft^2) shall be provided.

A Residential Common Amenity Area means a private outdoor amenity area at ground level used for active or passive recreational use by residents of the subject property. The Residential Common Amenity Area shall be in addition to any indoor common amenity areas within a residential building.

SECTION 22 - HAMLET/VILLAGE COMMERCIAL ZONE (HVC)

No person shall within any "HVC" Zone use any land or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions:

22.1 <u>Permitted Uses, Buildings, and Structures</u>

(a) Commercial uses:
An ambulance depot;
An art, dance, music, or photography studio; an assembly hall;
An automobile parts supply store; a bakery;
A bank or financial institution;
A beer, wine, or liquor retail outlet; a bus depot;
A business or professional office; a commercial recreational use;
A commercial school; a convenience store;
A day nursery and/or nursery school; a drug store;
A dry-cleaning depot or establishment; an eating establishment, restaurant; an eating establishment, take-out;
An emergency services facility; a film processing establishment; a florist shop;
A funeral home;
A government office; a hotel;
An institutional use; a laboratory;
A laundromat;
A medical clinic;
A movie video rental and sales establishment; a parking area;
A personal service shop; a pet shop;
A post office;
A printing and/or publishing establishment; a private club;
A public utility;
A retail store, excluding those dealing with heavy machinery, fuels, building supplies, new or used automobiles, snowmobiles, watercraft, motor homes, recreational vehicles, travel trailers, trailers, or motorcycles;
A rental shop; a tavern;
A taxi stand and office.
A personal service shop;
A public park, in accordance with Section 28; and a rental or repair shop.

(b) Automobile-related commercial uses:
An automobile gasoline bar; An automobile service station;
An automobile sales and service station; and an automobile repair establishment.

AMENDED BY BY-LAW 1-2017

(c) An existing dwelling; and

(d) Accessory uses, buildings and structures, including an accessory office and/or an accessory dwelling located to the rear or above a commercial use, in accordance with Sections 3 and 5.

22.2 Requirements for Commercial Uses Listed in Section 22.1 (a)

AMENDED BY BY-LAW 1-2017

22.2.1 Lot Area, Minimum — 1,400 m^2 (15,000 ft^2)

22.2.2 Lot Frontage, Minimum — 30 m (100 ft.)

22.2.3 Front Yard, Minimum — 6 m (20 ft.)

22.2.4 Interior Side Yard, Minimum — 4.5 m (15 ft.); except no side yard is required
Where a commercial use abuts another commercial use in the "HVC" zone;

22.2.5 Exterior Side Yard, Minimum — 6 m (20 ft.)

22.2.6 Rear Yard, Minimum — 7.5 m (25 ft.)

22.2.7 Lot Coverage, Maximum — 35%

22.2.8 Building Height, Maximum — 10.5 m (35 ft.)

22.2.9 Landscaped Open Space, Minimum — 30%

22.2.10 Landscaping Requirements, Minimum
A landscaping area in the form of a planting strip shall be provided in accordance with the provisions of Section 5.22 of this By-law adjacent to every portion of any lot line that abuts a Residential Zone or an existing residential lot.

REMOVED BY BY-LAW 1-2017
22.2.11 Removed

REMOVED BY BY-LAW 1-2017
22.2.12 Removed

REMOVED BY BY-LAW 1-2017
22.2.13 Removed

22.2.14 Outdoor Storage
In accordance with the provisions of Section 19.2.13.

22.2.15 Outdoor Display Area
In accordance with the provisions of Section 19.2.14.

22.2.16 Parking Requirements
As contained in Section 5.18 of this By-law.

22.2.17 Retail Floor Area Limit

In accordance with the provisions of Section 17.2.13.

22.3 Requirements for Commercial Uses Listed in Section 22.1 (b)

22.3.1	Lot Area, Minimum	1,850 m^2 (20,000 ft^2)
22.3.2	Lot Frontage, Minimum	45 m (150 ft.)
22.3.3	Front Yard, Minimum	10.5 m (35 ft.)
22.3.4	Interior Side Yard, Minimum	6 m (20 ft.)
22.3.5	Exterior Side Yard, Minimum	7.5 m (25 ft.)
22.3.6	Rear Yard, Minimum	6 m (20 ft.)
22.3.7	Lot Coverage, Maximum	35%
22.3.8	Building Height, Maximum	10.5 m (35 ft.)
22.3.9	Landscaped Open Space, Minimum	30%

22.3.10 Landscaping Requirements, Minimum
A planting strip shall be provided in accordance with the provisions of Section 5.22 of this By-law adjacent to every portion of any lot line that abuts a Residential Zone or an existing residential lot.

22.3.11 Servicing Requirements
Any commercial use shall be of a nature that it does not require municipal water and sewage services.

AMENDED BY BY-LAW No. 2-2009
22.3.12 Fuel Pump Island Canopy Location
In accordance with the provisions of Section 17.3.2.

22.3.13 Loading Space Requirements
In accordance with the provisions of Section 5.9.

22.3.14 Parking Requirements
In accordance with the provisions of Section 5.18.

22.3.15 Driveway Requirements
In accordance with the provisions of Section 17.3.4.

22.3.16 Outdoor Storage
In accordance with the provisions of Section 19.2.13.

22.3.17 Outdoor Display Area

In accordance with the provisions of Section 19.2.14.

22.3.18 Accessory Residential Use

In accordance with the provisions of Section 22.2.12.

22.4 Special Provisions

22.4.1 HVC-1

(a) Location: Part of Lot 15, Concession 17 (Elma Ward)

(b) Notwithstanding the provisions of Section 22.1 of this By-law, to the contrary, the only uses permitted on land within the "HVC-1" zone as shown on Key Map 47 of Schedule "A" to this By-law shall be a farm equipment and machinery sales and service establishment; a public garage; and accessory uses, buildings and structures, including an accessory residential use in the form of a single-detached dwelling.

(c) The yard requirements for a single-detached dwelling as permitted by clause (a) above shall be as follows:

(i) Minimum Front Yard 12 m (40 ft.)
(ii) Minimum Westerly Side Yard 4.5 m (15 ft.)
(iii) Minimum Rear Yard 7.5 m (25 ft.)

(d) All other applicable provisions of this By-law, as amended, shall apply.

22.4.2 HVC-2

(a) Location:

(i) Part of Lots 3, 4, and 5 and Block E, Registered Plan No. 273 (Elma Ward)
(ii) Lots 88 and 89, Registered Plan No. 253 (Elma Ward)

(b) Notwithstanding the provisions of Section 22.1 of this By-law, to the contrary, the permitted uses on the on land within the "HVC-2" zone as shown on Key Map 48 of Schedule "A" to this By-law subject property shall include all those uses listed in Section 22.1 of this By-law except those uses found in Section 22.1(b) of the By-law.

(c) All other applicable provisions of this By-law, as amended, shall apply.

22.4.3 HVC-3

(a) Location: Part of Lot 15, Concession 10 (Newry, Elma Ward)

(b) Notwithstanding the provisions of Section 22.1 of this By-law, to the contrary, the only uses permitted on the land within the "HVC-3" zone as shown on Key Map 45 of Schedule "A" to this By-law shall be a

school bus terminal, a commercial greenhouse business, and accessory uses, buildings and structures.

(c) All other applicable provisions of this By-law, as amended, shall apply.

22.4.4 HVC-4

(a) Location: Part of Lot 21, Concession 10 (Wallace Ward)

(b) Notwithstanding the provisions of Section 22.1 of this By-law, to the contrary, the only uses permitted on the land within the "HVC-4" zone as shown on Key Map 2 of Schedule "A" to this By-law shall be a motel, restaurant, and accessory uses, buildings and structures.

(c) All other applicable provisions of this By-law, as amended, shall apply.

DELETED BY BY-LAW No. 3-2011

22.4.5 HVC-5

DELETED BY BY-LAW No. 3-2011

22.4.6 HVC-6

DELETED BY BY-LAW No. 3-2011

22.4.7 HVC-7

22.4.8 HVC-8

(a) Location: Part of Lot 16, Concession 10 (Newry, Elma Ward)

(b) Notwithstanding the provisions of Section 22.1 of this By-law, to the contrary, the only uses permitted on the land within the "HVC-8" zone as shown on Key Map 45 of Schedule "A" to this By-law shall be a truck depot, and a farm equipment sales and service establishment, and accessory uses, buildings and structures.

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 95-2008 and AMENDED BY BY-LAW No. 13-2011

22.4.9 HVC-9

(a) Location: Part of Lot 31, Concession 9 (Elma Ward)

(b) Notwithstanding any provisions of this By-law to the contrary, the only use permitted on the land within the "HVR-9" zone as shown on Key Map 46 of Schedule "A" to this By-law, shall be a light industrial use described as an embroidery and printing establishment, and related warehousing, and accessory uses, including a retail store.

(c) All other applicable provisions of this By-law, as amended, shall apply

ADDED BY BY-LAW No. 6-2020

22.4.10 HVC-10

(a) Location: Lot 7, Reg. Plan 465, Elma Ward (6994 Road 164)

(b) Notwithstanding any provisions of this By-law to the contrary, an additional permitted use on the land within the “HVR-10” zone as shown on Key Map 45 of Schedule “A” to this By-law, shall be a “mobile veterinary clinic and accessory uses”.

(c) Notwithstanding any provisions of Section 22.2 of this By-law to the contrary, the minimum lot frontage requirement shall be 26 m (85 feet) and the minimum lot area requirement shall be 793 m^2 (0.2 acres). Additionally, a mobile veterinary clinic is permitted to operate in the existing building (which has historically functioned as a single-detached dwelling).

(d) Notwithstanding any provisions of Section 5.18 of this By-law to the contrary, the minimum number of parking spaces for a mobile veterinary clinic shall be seven (7) spaces.

(e) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

SECTION 23 - AGRICULTURAL COMMERCIAL/INDUSTRIAL ZONE (ACM)

No person shall within any "ACM" Zone use any land or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions:

23.1 Permitted Uses, Buildings, and Structures

(a) A farm implement and machinery sales and/or service establishment;
(b) A farm equipment sales and/or service establishment;
(c) A livestock auction facility;
(d) A livestock assembly yard;
(e) A livestock trucking depot;
(f) A farm produce retail outlet;
(g) An animal clinic and/or operation providing animal husbandry services;
(h) A fuel supply depot;
(i) A feedmill;
(j) A grain and seed storage, drying and/or cleaning facility;
(k) A feed and/or fertilizer blending operation;
(l) A farm supplies outlet;
(m) A farm related welding establishment;
(n) A farm related construction and/or contracting establishment;
(o) A farm related storage/warehousing establishment;
(p) A business for the processing of farm products;
(q) A commercial greenhouse operation;
(r) A milk transport business;
(s) Accessory uses, buildings, and structures, in accordance with Sections 3 and 5, including an accessory office use and an accessory retail outlet, but excluding any accessory residential use.

23.2 Requirements for Uses Permitted by Section 23.1

23.2.1 Lot Area, Minimum — 2,700 m2 (26,000 ft2)

23.2.2 Lot Frontage, Minimum — 45 m (150 ft)

23.2.3 Front Yard, Minimum — 15 m (50 ft)

23.2.4 Interior Side Yard, Minimum

(a) Main Buildings — 4.5 m (15 ft) except that 9 m (30 ft) shall be required when the side yard abuts a Residential Zone or an existing residential lot

(b) Accessory Buildings — 3 m (10 ft) except that 6m (20 ft) structures shall be required when the side yard abuts a Residential Zone or an existing residential lot

23.2.5 Exterior Side Yard, Minimum — 15 m (50 ft)

23.2.6 Rear Yard, Minimum 7.5 m (25 ft.)

23.2.7 Lot Coverage, Maximum 35% 23.2.8

23.2.8 Building Height, Maximum

(a) Main buildings 12 m (40 ft.)

(b) Accessory buildings and structures 9 m (30 ft.)

23.2.9 Landscaped Requirements, Minimum

A landscaping area in the form of a planting strip shall be provided in accordance with the provisions of Section 5.22 of this By-law adjacent to every portion of any lot line that abuts a Residential Zone or an existing residential lot.

23.2.10 Servicing Requirement

Any agricultural commercial/industrial use shall be a "dry" use where the only waste water discharges in addition to storm drainage are from ancillary facilities/operations such as washrooms, cooling of machinery, and the pressure testing of equipment. An agricultural commercial/industrial use shall not be permitted if it produces liquid effluent or if it requires the direct consumption of water.

23.2.11 Open Storage

Open storage shall be permitted in all yards other than the front yard, but in no case shall be permitted closer than 3 m (9.84 ft.) to a lot line. Notwithstanding the foregoing, the display of farm machinery shall be permitted in a front yard provided such display is no closer than 3 m (9.84 ft.) from the front lot line.

23.2.12 Parking Requirements

As contained in Section 5.18 of this By-law.

AMENDED BY BY-LAW No. 57-2007

23.3 Supplementary Requirements

The establishment of any new agricultural commercial/industrial use shall satisfy the minimum distance separation requirements from adjacent livestock facilities as determined through the application of the MDS I.

The enlargement of existing agricultural commercial/industrial uses shall satisfy either the minimum distance separation requirement from adjacent livestock facilities as determined through the application of the MDS I or be located no closer to adjacent livestock facilities than the existing agricultural commercial/industrial use.

23.4 Special Provisions

AMENDED BY BY-LAW No. 80-2008 and 2-2009

23.4.1 ACM-1

(a) Location: Part of Lot 16, Concession 6 (Elma Ward)

(b) Notwithstanding the provisions of Section 23.1 of this By-law to the contrary, the only uses permitted on land in the "ACM-1" zone as shown on Key Map 12 of Schedule "A" to this By-law shall be a farm equipment sales and service establishment, as well as the sales and service of non-agriculturally related trailers (e.g. dumpers, skid steer trailers, and utility trailers) as a secondary component of the sales and service of livestock trailers on the subject property, and accessory uses, buildings and structures, including an accessory residential use. The permitted trailer sales and service shall be limited to trailers that have a maximum gross weight of 7100 kilograms).

(c) The minimum front yard for this parcel of land shall be 11.5 m (40 ft.).

(d) No storage or display of goods shall be permitted in the front yard.

(e) All other applicable provisions of this By-law, as amended, shall apply.

23.4.2 ACM-2

(a) Location: Part of Lot 15, Concession 7 (Elma Ward)

(b) Notwithstanding any provisions of this By-law to the contrary, no outside storage shall be permitted on land in the "ACM-2" zone as shown on Key Map 43 of Schedule "A" to this By-law.

(c) All other applicable provisions of this By-law, as amended, shall apply.

23.4.3 ACM-3

(a) Location: Part of Lot 30, Concession 1 (Elma Ward)

(b) Notwithstanding the provisions of Section 23.1 of this By-law to the contrary, the only uses permitted on land in the "ACM-3" zone as shown on Key Map 9 of Schedule "A" to this By-law shall be a farm-related wholesale establishment involved with the distribution and storage of field seeds and agricultural chemicals; agricultural uses, excluding livestock operations and excluding residential uses; a truck transportation terminal and freight operation, including the cross docking of freights; greenhouse uses accessory to any permitted use; office uses accessory to any permitted use; and accessory uses, buildings and structures, excluding accessory residential uses.

(c) Notwithstanding the provisions of Section 23.2.1, 23.2.3, 23.2.4, 23.2.5, and 23.2.6. of this By-law to the contrary, regulations for buildings and structures used for any of the permitted uses in clause (a) above are as follows:

(i)	Lot Area, Minimum	6 hectares
(ii)	Front Yard, Minimum	35 m (114.83 ft)
(iii)	Interior Side Yard, Minimum	10 m (32.80 ft)
(iv)	Exterior Side Yard, Minimum	35 m (114.83 ft)
(v)	Rear Yard, Minimum	10 m (32.80 ft)

(d) All other applicable provisions of this By-law, as amended, shall apply.

23.4.4 ACM-4

(a) Location: Part of Lot 15, Concession 6 (Elma Ward)

(b) Notwithstanding the provisions of Section 23.1 of this By-law to the contrary, the only uses permitted on land in the "ACM-4" zone as shown on Key Map 14 of Schedule "A" to this By-law shall be a use described as a cheese factory and accessory uses, buildings and structures.

(c) All other applicable provisions of this By-law, as amended, shall apply.

AMENDED BY BY-LAW 53-2026

23.4.5 ACM-5

23.4.5.1 Location: Part Lot 16, Concession 4, Elma Ward, Municipality of North Perth (Key Map 12)

23.4.5.2 Notwithstanding any provisions of this By-law, to the contrary, no personal shall within any ACM-5 Zone use any lot, or erect, alter or use any building or structure for the purpose except for the following:

a) All uses permitted in Section 23.1 of this By-law; and
b) A farm equipment parts manufacturing establishment

23.4.5.2.1 Notwithstanding any provisions of this By-law, to the contrary, no person shall within an ACM-5 Zone use any lot, or erect, alter or use any building or structure except in accordance with the following provisions:

23.4.5.2.2 Open storage shall be permitted in the front yard and shall not be permitted closer than 15m from the front lot line.

23.4.5.2.3 MDS I shall not apply to these lands

23.4.5.2.4 Up to two (2) accessory structures in the front yard

23.4.5.2.5 Parking
Minimum 20 spaces

23.4.6 ACM-6

(a) Location: Part of Lot 36, Concession 2 (Elma Ward)

(b) Notwithstanding the provisions of Section 23.1 of this By-law to the contrary, the only uses permitted on land in the “ACM-6” zone as shown on Key Map 13 of Schedule “A” to this By-law shall be a steel products and farm machinery manufacturing and sales and service establishment, an accessory office use, an accessory residential use, and other accessory uses, buildings and structures, to the aforementioned permitted uses.

(c) Notwithstanding the provisions of Sections 23.2.1 and Section 23.2.2 of this By-law to the contrary, the minimum lot area and the minimum lot frontage for permitted uses in the “ACM-6” zone shall be 2 hectares (4.94 acres) and 167.6 m (549.86 ft.), respectively.

(d) All other applicable provisions of this By-law, as amended, shall apply.

AMENDED BY BY-LAW 67-2026

23.4.7

23.4.7.1 ACM-7

23.4.7.1.1 Location: Part of Lot 14, Concession 2, Elma Ward, Municipality of North Perth (Key Map 11)

23.4.4.1.2 Notwithstanding any provisions of thus By-law, to the contrary, no person shall within any ACM-7 Zone, use any lot, or erect, alter or use any building or structure for any purpose except for the following:

a) All uses permitted in Section 23.1 of this By-law
b) That the site shall provide up to 23 parking spaces inclusive of accessible spaces

AMENDED BY BY-LAW 14-2010

23.4.8 ACM-8

(a) Location: Part of Lot 14, Concession 18 (Elma Ward)

(b) Notwithstanding the provisions of Section 23.1 of this By-law to the contrary, the only uses permitted on land in the “ACM-8” zone as shown on Key Map 47 of Schedule "A" to this By-law (also shown on Schedule “A” to By-law No. 14-2010), shall be a use described as a feed blending operation and accessory uses, buildings and structures, including an accessory office use, and an accessory retail outlet, but excluding any accessory residential use. A farm equipment manufacturing operation with a maximum gross floor area of 500 m^2 shall also be permitted on the land in the “ACM-8” zone.

(c) All other applicable provisions of this By-law, as amended, shall apply.

23.4.9 ACM-9

(a) Location: Part of Lot 30, Concession 8 (Elma Ward)

(b) Notwithstanding the provisions of Section 23.1 of this By-law to the contrary, the only uses permitted on land in the "ACM-9" zone as shown on Key Map 17 of Schedule "A" to this By-law shall be: a farm supplies outlet; a grain and seed handling and storage facility; and a fertilizer blending operation (excluding a rendering plant and the manufacturing of fertilizer ingredients) and accessory uses, buildings and structures, including an accessory office use and an accessory retail outlet, but excluding any accessory residential use.

(c) All other applicable provisions of this By-law, as amended, shall apply.

AMENDED BY BY-LAW No. 155-2015

23.4.10 ACM-10

(a) Location: Part of Lots 7 and 8, Concession 6 (Wallace Ward)

(b) Notwithstanding the provisions of Section 23.1 of this By-law to the contrary, the only uses permitted on the land located in the "ACM-10" zone as shown on Key Map 8 of Schedule "A" to this By-law shall be:

(i) a farm supplies outlet;
(ii) a feed and/or fertilizer blending operation (excluding a rendering plant);
(iii) a feed mill;
(iv) a grain and seed storage, drying and/or cleaning facility; and
(v) accessory uses, buildings and structures, excluding any residential uses.

(b) For the purposes of this By-law, the term "rendering plant" shall be defined as a premise at which dead animals are processed into hides, meat, animal foods, bone meal, meat meal or inedible fats.

(c) Notwithstanding the provisions of Sections 5.1 and 23.2 of this By-law to the contrary, for lands located in the "ACM-10" zone as shown on Key Map 8 of Schedule "A" to By-law No. 6-ZB-1999 (also shown as Schedule "A" to By-law No. 155-2015) the lot coverage shall be based on the area of the zone, the maximum height for accessory storage structures shall be 50 m, the maximum height for accessory offices and dwellings shall be 10.5 m, accessory offices may be attached to the main building, and accessory offices and dwellings may be located within the front yard.

(d) All other applicable provisions of this By-law, as amended, shall apply.

23.4.11 ACM-11

(a) Location: Part of Lot 28, Concession 9 (Wallace Ward)

(b) Notwithstanding the provisions of Section 23.1 of this By-law to the contrary, the only uses permitted on the land located in the "ACM-11" zone as shown on Key Map 2 of Schedule "A" to this By-law shall be:

(i) A farm supplies outlet;
(ii) A feed and/or fertilizer blending operation (excluding a rendering plant);
(iii) A feed mill;
(iv) A grain and seed storage, drying and/or cleaning facility; and
(v) Accessory uses, buildings and structures, excluding any residential uses.

(c) Notwithstanding the provisions of Section 23 of this By-law to the contrary, the maximum gross floor area of all buildings and structures on land located in the "ACM-11" zone shall be 1,750 m^2 (18,837.46 ft^2).

(d) The boundaries of the "ACM-11" zone are to be considered as lot lines for the purposes of determining yard setbacks. Notwithstanding the provisions of Section 23.2 of this By-law to the contrary, the following regulations shall apply to the land in the "ACM-11" zone:

(i)	Lot Area, Maximum	1.1 hectares (2.71 acres);
(ii)	Front Yard, Minimum	88 m (290 ft.);
(iii)	Westerly Side Yard, Minimum	6 m (20 ft.);
(iv)	Easterly Side Yard, Minimum	0 m (0 ft.); and
(v)	Rear Yard, Minimum	0 m (0 ft.).

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 121-ZB-2000

23.4.12 ACM-12

(a) Location: Part of Lot 25, Concession 3 (Wallace Ward)

(b) Notwithstanding the provisions of Section 23.1 of this By-law to the contrary, the only uses permitted on the land located in the "ACM-12" zone as shown on Key Map 7 of Schedule "A" to this By-law shall be a farm equipment manufacturing, sales and/or service establishment and accessory uses, buildings and structures, excluding any residential uses.

(c) All other applicable provisions of this By-law, as amended, shall apply.

REMOVED BY BY-LAW No. 108-2014

23.4.13 Removed

AMENDED BY BY-LAW No. 121-ZB-2000

23.4.14 ACM-14

(a) Location: Part of Lot 24, Concession 3 (Wallace Ward)

(b) Notwithstanding the provisions of Section 23.1 of this By-law to the contrary, the only uses permitted on the land located in the "ACM-14" zone as shown on Key Map 7 of Schedule "A" to this By-law shall be a farm implement sales and service establishment and accessory uses, buildings and structures, excluding any residential uses.

(c) All other provisions of this By-law, as amended, shall apply.

23.4.15 ACM-15

(a) Location: Part of Lot 23, Concession 2 (Wallace Ward)

(b) Notwithstanding the provisions of Section 23.1 of this By-law to the contrary, the only uses permitted on the land located in the "ACM-15" zone as shown on Key Map 9 of Schedule "A" to this By-law shall be: a farm and livestock auction facility and livestock holding /display area; a livestock assembly yard; a livestock trucking depot; a farm produce retail outlet; a farm supplies outlet; a feed and seed sales establishment; and accessory uses, buildings and structures, excluding residential uses.

(c) All other applicable provisions of this By-law, as amended, shall apply.

AMENDED BY BY-LAW Nos. 58-ZB-2004 and 138-2007

23.3.16 ACM-16

(a) Location: Part of Lot 15, Concession 12 (Elma Ward)

(b) Notwithstanding the provisions of Section 23.1 of this By-law to the contrary, the only uses permitted on the land located in the "ACM-16" zone as shown on Key Map 15 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. 138-2007) shall be an animal processing facility, including a rendering and gasification plant, and accessory uses, buildings, and structures.

(c) Notwithstanding the provisions of Section 23.2 of this By-law to the contrary, the minimum northerly interior side yard, and the minimum rear yard for the permitted uses, and accessory uses and structures, shall be 2.74 m (9 ft.) and 3.04 m (10 ft.), respectively.

(d) Notwithstanding any provisions of this By-law to the contrary, an accessory building which will house a gasification plant shall have a maximum building height of 21.34 m (70 ft.)

(e) All other provisions of this By-law, as amended, shall apply.

23.4.17 ACM-17

(a) Location: Part of Lot 41, Concession 1 (Elma Ward)

(b) Notwithstanding the provisions of Section 23.1 of this By-law to the contrary, the following additional uses are permitted on the land located in the "ACM-17" zone as shown on Key Map 40 of Schedule "A" to this Bylaw: a fairground; a farmer's market; a public park and/or playground; and a sports field, baseball diamond, curling rink, lawn bowling facility, swimming pool, tennis court, and accessory uses, buildings and structures.

(c) Notwithstanding the provisions of Section 23.1 of this By-law to the contrary, the following uses are not permitted on the land located in the "ACM-17" zone as shown on Key Map 40 of Schedule "A" to this By-law: a feedmill; a grain and seed storage, drying and/or cleaning facility; and a feed and/or fertilizer blending operation.

(d) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 121-ZB-2000

23.4.18 ACM-18

(a) Location: Part of Lot 25, Concession 4 (Wallace Ward)

(b) Notwithstanding the provisions of Section 23.1 of this By-law to the contrary, the only uses permitted on the land located in the "ACM-18" zone as shown on Key Map 7 of Schedule "A" to this By-law shall be a farm implement and/or farm equipment sales and service establishment and accessory uses, buildings and structures.

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 147-2018

23.4.19 ACM-19

(a) Location: Part of Lot 24, Concession 4 (8585 Road 164) Wallace Ward (Key Map 7).

(b) Notwithstanding any provisions of Section 23.1 of this By-law to the contrary, the only permitted use on land in the "ACM-19" zone as shown on Key Map 7 of Schedule "A" to this Bylaw shall be an equipment and tool sales, rental and/or service establishment and accessory uses, buildings and structures.

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BYLAW No. 118-2027

23.4.19B AMC-19

(a) Location: Part of Lot 36, Concession 6, Elma Ward (7408 Road 140)

(b) Notwithstanding the provisions of Section 23.1 of this By-law, farm drainage tile manufacturing and agricultural roof panel fabrication are additional uses permitted on lands zoned "ACM-19".

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 95-2019

23.4.20 ACM-20

(a) Location: Part of South Half of Lot 55 and 56, Concession 1 (6942 Line 86), Wallace Ward (Key Map 5).

(b) Notwithstanding any provisions of Section 23.1 of this By-law to the contrary, the only permitted use on land in the "ACM-20" zone as shown on Key Map 5 of Schedule "A" to this By-law shall be an agricultural parts business and accessory uses, buildings and structures.

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW 13-2021

23.4.21 ACM-21

(a) Location: Lot 10 and East Part of Lot 9, Concession 3, (6308 Line 81) (Elma Ward)

(b) Notwithstanding the provisions of Section 23.1 of this By-law to the contrary, an existing grain elevator operation and accessory uses, buildings and structures including the existing accessory residential use shall be the only permitted uses on land within the ACM-21 zone as shown on Key Map 11 of Schedule "A" to this By-law, as amended.

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 111-2021

23.4.22 ACM-22

(a) Location: Lot 13, Concession 1, (5428 Perth Line 86), Wallace Ward

(b) Notwithstanding any provisions of Section 23.1 and Section 5 of this By-law to the contrary, a farm equipment service establishment, a farm related welding establishment and a farm related storage/warehousing establishment and accessory uses (including an accessory office), buildings and structures shall be the only permitted uses on land within the ACM-22 Zone as shown on Key Map 10 of Schedule "A" to this By-law, as amended subject to the following provisions:

1) Rear Yard, Minimum 6.0 m

2) Lot Coverage, Maximum 42%
3) Loading Space Location The loading space or spaces may be located within the exterior side yard and front of the lot.

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW 56-2022

23.4.23 ACM-23

(a) Location: Lot 14, Concession 10, in the Wallace Ward (5471 County Line 91)

(b) Notwithstanding any provisions of Section 23.1 to the contrary, permitted uses for the ACM-23 zone shall include agricultural farming uses.

(c) Notwithstanding any provisions of Section 5.18 to the contrary, the minimum parking requirement for agricultural vehicle repair operation shall be 4 spaces, plus 1 per bay.

(d) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW 68-2023

23.4.24 ACM-24

(a) Location: South Part Lots 27 & 28, Concession 3, Elma Ward of North Perth (Key Map 13)

(b) The area zoned ACM-24 shall be subject to the provisions in Section 23.4.24 of this By-law;

(c) The ACM-24 zone shall have a minimum parking requirement of 5 spaces;

(d) The maximum area for the lands zoned "ACM-24" shall be 4.3 ha (10.8ac). The minimum lot area shall be 40ha. Areas for the same lot zoned “Natural Resource & Environment” (NRE2), “Agriculture” (A) and "Agricultural Commercial/ Industrial" (ACM-24) shall be included in the lot area calculation.

(e) All other applicable provisions of this By-law shall apply.

SECTION 24 - LIGHT INDUSTRIAL ZONE (M1)

No person shall within any "M1" Zone use any land or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions:

24.1 Permitted Uses, Buildings, and Structures

(a) Industrial uses which are primarily involved in manufacturing, assembling, processing, constructing, printing, preparing, finishing, treating, repairing, shipping, wholesaling, storing, or warehousing;
An animal clinic; an assembly hall;
An automobile repair establishment; an automobile washing establishment;
A catering establishment;
A cold storage plant;
A communications facility;
A contractor's shop and/or yard; a dry-cleaning plant;
An equipment sales and rental establishment;
A furniture refinishing, woodworking, and/or upholstery shop; a laboratory or research facility;
A machine shop; a parking area;
A public works yard, garage, warehouse, or storage yard; a recycling depot;
A service shop;
A transportation terminal; a welding shop;
A wholesale establishment;
A warehousing establishment, including mini-storage facilities.

(b) An automobile service station; an automobile gasoline bar.

(c) An existing dwelling, subject to the relevant provisions of Section 7 (for lands within a Serviced Urban Area) or Section 14 (for land located outside of a Serviced Urban Area) pertaining to such existing dwelling.

(d) Accessory uses, buildings, and structures, including accessory office and retail outlets, in accordance with Sections 3 and 5, excluding any accessory residential use.

AMENDED BY BY-LAW No. 2-2009

24.2 Requirements for Uses Permitted by Section 24.1 (a)

AMENDED BY BY-LAW 1-2017

24.2.1 Lot Area, Minimum — 930 m^2 (10,000 ft^2)

24.2.2 Lot Frontage, Minimum — 30 m (100 ft.)

24.2.3 Front Yard, Minimum — 9 m (30 ft.)

24.2.4 Interior Side Yard, Minimum
6 m (20 ft.), except that where an interior side yard abuts a Residential Zone, Residential (-h) Holding Zone, or Future Development Zone in an area designated

"Residential" in the Listowel Ward Official Plan, the minimum interior side yard shall be 12 m (40 ft.).

24.2.5 Exterior Side Yard, Minimum 9 m (30 ft.)

24.2.6 Rear Yard, Minimum 7.5 m (25 ft.)

24.2.7 Building Height, Maximum 12 m (40 ft.)

24.2.8 Lot Coverage, Maximum 50%

24.2.9 Number of Buildings Permitted
Notwithstanding any other provisions of this By-law to the contrary, more than one main building and accessory building shall be permitted on a lot in the M1 Zone.

24.2.10 Landscaped Open Space, Minimum 10%

24.2.11 Planting Strip Requirement
A planting strip shall be required in accordance with the provisions of Section 5.22 where an interior side or rear lot line of a lot being developed for industrial purposes abuts a lot in a Residential Zone, Residential (-h) Zone, or Future Development Zone in an area designated "Residential" in the Listowel Ward Official Plan.

24.2.12 Loading and Unloading Requirements
In accordance with the provisions of Section 5.9.

24.2.13 Parking Requirements
In accordance with the provisions of Section 5.18.

24.2.14 Open Air Operations, Storage, and Display
Open air operations, storage, and display of goods shall be permitted only in an interior side or rear yard and such shall be screened from view from an adjacent street(s) and any adjacent lot(s) in a Residential Zone, Residential (-h) Holding Zone, or Future Development Zone in an area designated "Residential" in the Listowel Ward Official Plan.

24.2.15 Servicing Requirement for Lands Located Outside of Serviced Urban Areas Any industrial use shall be a "dry" industrial operation where the only waste water discharges in addition to storm drainage are from ancillary facilities such as employee washrooms, the indirect cooling of machinery, and the pressure testing of equipment, and the industrial operation shall not produce liquid effluent from its processing nor require the direct consumption of water.

24.3 Requirements for Uses Permitted by Section 24.1 (b)

24.3.1 Lot Area, Minimum 1,400 m^2 (15,000 ft^2)

24.3.2	Lot Frontage, Minimum	45 m (150 ft.)
24.3.3	Front Yard, Minimum	10.5 m (35 ft.)
24.3.4	Interior Side Yard, Minimum	4.5 m (15 ft.)
24.3.5	Exterior Side Yard, Minimum	6 m (20 ft.)
24.3.6	Rear Yard, Minimum	6 m (20 ft.)
24.3.7	Building Height, Maximum	12 m (40 ft.)
24.3.8	Lot Coverage, Maximum	50%
24.3.9	Landscaped Open Space, Minimum	10%

24.3.10 Planting Strip Requirement
A planting strip shall be required in accordance with the provisions of Section 5.22 where an interior side or rear lot line for a lot being developed for light industrial purposes abuts a lot that is in a Residential Zone, Residential (-h) Holding Zone, or Future Development Zone in an area designated "Residential" in the Listowel Ward Official Plan.

24.3.11 Loading and Unloading Requirements
In accordance with the provisions of Section 5.9.

24.3.12 Parking Requirements
In accordance with the provisions of Section 5.18.

AMENDED BY BY-LAW No. 2-2009
24.3.13 Fuel Pump Island Canopy Location
In accordance with the provisions of Section 17.3.2

24.3.14 Driveway Requirements In accordance with the provisions of Section 17.3.4

24.3.15 Outdoor Storage and Display
In accordance with the provisions of Sections 19.2.13 and 19.2.14

AMENDED BY BY-LAW No. 57-2007
24.4 Supplementary Provisions
The establishment of any new, or the enlargement of existing general industrial uses located outside of a designated Settlement Area as identified on Schedule "A" to the County of Perth Official Plan shall satisfy the minimum distance separation requirement from adjacent livestock barns and manure storage facilities as determined through the application of the MDS I.

24.5 Special Provisions
24.5.1 M1-1

(a) Location: Part of Lots 25 and 26, Concession 2 (Wallace Ward)

(b) Notwithstanding the provisions of Section 24.1 of this By-law to the contrary, the only uses permitted on land in the "M1-1" zone as shown on Key Map 25 of Schedule "A" to this By-law shall be a warehousing and storage use, an existing single-detached dwelling, and accessory uses, buildings and structures.

(c) All other applicable provisions of this By-law, as amended, shall apply.

24.5.2 M1-2

(a) Location: Part of Lots 17 and 18, Registrar's Compiled Plan No. 458 (Kurtzville, Wallace Ward)

(b) Notwithstanding the provisions of Section 24.1 of this By-law to the contrary, a lumber yard and building supplies outlet shall be permitted as additional permitted uses in the "M1-2" zone as shown on Key Map 34 of Schedule "A" to this By-law.

(c) All other applicable provisions of this By-law, as amended, shall apply.

24.5.3 M1-3

(a) Location: Part of Lot 61, Concession 1 (Molesworth, Wallace Ward)

(b) Notwithstanding the provisions of Section 24.1 of this By-law to the contrary, a welding shop shall be permitted as additional permitted use in the "M1-3" zone as shown on Key Map 42 of Schedule "A" to this By-law.

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 35-ZB-2001

24.5.4 M1-4

(a) Location: Part of Lots 34, 35, and 36, Concession 1 (formerly Elma Township)

(b) In addition to the uses, buildings and structures permitted in Section 24.1 of this By-law, the following uses are also permitted on land within the "M1-4" zone as shown on Key Map 37 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. 35-ZB-2001):

(i) A commercial recreational use; a government office;
(ii) A miniature golf course;
(iii) An on premises brewing/wine-making establishment; a repair and service shop;
(iv) A showroom facility; and
(v) A surveying, engineering, or planning office.

(c) The establishment of any new, or the enlargement of an existing industrial use on land within the "M1-4" zone shall comply with the Ministry of Environment's Guideline on Land Use Compatibility "Industrial Categorization Criteria" (July, 1995) for a Class I industrial facility.

(d) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 3-2011

24.5.5 M1-5

(a) Location: Lots 5-7, and Pt. Lots 4, 8, 9, 10 Reg. Plan No. 257 (Atwood, Elma Ward)

(b) Notwithstanding the provisions of this By-law to the contrary, a school bus terminal, a contractor's shop and/or yard, and accessory uses, buildings and structures, shall be the only uses permitted on the land within the "M1-5" zone as shown on Key Map 43 of Schedule "A" to By-law No. 6-ZB-1999 (also shown on Schedule "A" to By-law No. 3-2011).

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 125-2025

24.5.6 M1-6

(a) Location: Part Lot 24, Concession 2 (8331 Road 164, Elma Ward)

(b) Notwithstanding any provisions of this By-law to the contrary, on lands zoned "M1-6" the following provisions apply:

i. Notwithstanding the Permitted Uses, Buildings and Structures in the M1 Zone (24.1 (a) the following uses are prohibited: manufacturing, assembling, automobile repair or washing, contractors or storage yards, public works yard or garage, or recycling depot;
ii. The Uses are only permitted within an enclosed building;
iii. No outdoor storage is permitted;
iv. No loading facilities or bay doors are permitted to face residential properties;
v. No speakers or sound amplification is permitted outdoors;
vi. Visual screening for rooftop equipment is required

(c) All other applicable provisions of this By-law, as amended, shall apply.

SECTION 25 - GENERAL INDUSTRIAL ZONE (M2)

No person shall within any "M2" Zone use any land or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions:

25.1 <u>Permitted Uses, Buildings, and Structures</u>

(a) Industrial uses which are primarily involved in manufacturing, assembling, processing, constructing, printing preparing, finishing, treating, repairing, shipping, wholesaling, storing, or warehousing;
An animal clinic; an assembly hall;
An auction sales facility, excluding a livestock auction facility; an automobile repair establishment;
An automobile washing establishment; a bakery;
A catering establishment; a coal yard;
A cold storage plant;
A communications facility;
A concrete plant or an asphalt plant; a contractor's shop and/or yard;
A dairy;
A dry-cleaning plant;
An equipment sales and rental establishment;
A farm implement sales and service establishment; a feed mill;
A flour mill;
A fuel storage and/or supply establishment;
A furniture refinishing, woodworking, and/or upholstery shop; a grain elevator;
A laboratory or research facility;
A lumber yard and building supply outlet; a machine shop;
A parking area;
A planing mill or saw mill;
A public works yard, garage, warehouse, or storage yard; a recycling depot;
A salvage or wrecking yard; a service shop;
A steel supply establishment; a transportation terminal;
A welding shop;
A wholesale establishment;
A warehousing establishment, including mini-storage facilities.

(b) Automobile service station; an automobile gasoline bar.

(c) An existing dwelling, subject to the relevant provisions of Section 7 (for lands within a Serviced Urban Area) or Section 14 (for land located outside of a Serviced Urban Area) pertaining to such existing dwelling.

(d) Accessory uses, buildings, and structures, including accessory office and retail outlets, in accordance with Sections 3 and 5, excluding any accessory residential uses.

25.2 Requirements for Uses Permitted by Section 25.1 (a)

AMENDED BY BY-LAW 1-2017

25.2.1 <u>Lot Area, Minimum</u> 930 m^2 (10,000 ft^2)

25.2.2 Lot Frontage, Minimum 30 m (100 ft.)

25.2.3 Front Yard, Minimum 9 m (30 ft.)

25.2.4 Interior Side Yard, Minimum
6 m (19.69 ft.), except that where an interior side yard abuts a Residential Zone, Residential (-h) Holding Zone, or Future Development Zone in an area designated "Residential" in the Listowel Ward Official Plan, the minimum interior side yard shall be 12 m (39.37 ft.).

25.2.5 Exterior Side Yard, Minimum 9 m (30 ft.)

25.2.6 Rear Yard, Minimum 7.5 m (25 ft.)

25.2.7 Building Height, Maximum 12 m (40 ft.)

25.2.8 Lot Coverage, Maximum 50 %

25.2.9 Number of Buildings Permitted
Notwithstanding any other provisions of this By-law to the contrary, more than one (1) main building and accessory building shall be permitted on a lot in the M2 Zone.

25.2.10 Landscaped Open Space, Minimum 10%

25.2.11 Planting Strip Requirement
In accordance with the provisions of Section 24.2.11.

25.2.12 Loading and Unloading Requirements
In accordance with the provisions of Section 5.9.

25.2.13 Parking Requirements
In accordance with the provisions of Section 5.18.

25.2.14 Open Air Operations, Storage, and Display
In accordance with the provisions of Section 24.2.14.

25.2.15 Servicing Requirement for Lands Located Outside of Serviced Urban Areas
In accordance with the provisions of Section 24.2.15.

25.3 Requirements for Uses Permitted by Section 25.1 (b)

AMENDED BY BY-LAW 1-2017

25.3.1 Lot Area, Minimum 1,400 m^2 (15,000 ft^2)

25.3.2 Lot Frontage, Minimum 45 m (150 ft.)

25.3.3 Front Yard, Minimum 10.5 m (35 ft.)

25.3.4 Interior Side Yard, Minimum 7.5 m (25 ft.)

25.3.5 Exterior Side Yard, Minimum 6 m (20 ft.)

25.3.6 Rear Yard, Minimum 6 m (20 ft.)

25.3.7 Building Height, Maximum 12 m (40 ft.)

25.3.8 Lot Coverage, Maximum 50%

25.3.9 Landscaped Open Space, Minimum 10%

25.3.10 Planting Strip Requirement
A planting strip shall be required in accordance with the provisions of Section 5.22 where an interior side or rear lot line for a lot being developed for light industrial purposes abuts a lot that is in a Residential Zone, Residential (-h) Holding Zone, or Future Development Zone in an area designated "Residential" in the Listowel Ward Official Plan.

25.3.11 Loading and Unloading Requirements
In accordance with the provisions of Section 5.9.

25.3.12 Parking Requirements
In accordance with the provisions of Section 5.18.

AMENDED BY BY-LAW No. 2-2009
25.3.13 Fuel Pump Island Canopy Location
In accordance with the provisions of Section 17.3.2.

25.3.14 Driveway Requirements
In accordance with the provisions of Section 17.3.4.

25.3.15 Outdoor Storage and Display
In accordance with the provisions of Sections 19.2.13 and 19.2.14.

AMENDED BY BY-LAW No. 57-2007
25.4 Supplementary Provisions
The establishment of any new, or the enlargement of existing general industrial uses located outside of a designated Settlement Area as identified on Schedule "A" to the County of Perth Official Plan shall satisfy the minimum distance separation requirement from adjacent livestock barns and manure storage facilities as determined through the application of the MDS I.

25.5 Special Provisions
25.5.1 M2-1
(a) Location: Part of Park Lots 10 and 11, Reg. Plan No. 191 (Listowel Ward)

(b) Notwithstanding the provisions of Section 5.27 of this By-law to the contrary, all buildings and structures erected on the land in the "M2-1" zone as shown on Key Map 36 of Schedule "A" to this By-law shall be set back a minimum distance of 6.1 m (20 ft.) from a municipal drain located on this land.

(c) All other applicable provisions of this By-law, as amended, shall apply.

25.5.2 M2-2

(a) Location: Part of Lots 31 and 32, Concession 1 (formerly Elma Township) (Listowel Ward)

(b) Notwithstanding the provisions of Section 25.2.7 of this By-law to the contrary, the maximum building height for buildings and structures on the land in the "M2-2" zone as shown on Key Map 34 of Schedule "A" to this By-law shall be 30 m (98.43 ft.).

(c) All other applicable provisions of this By-law, as amended, shall apply.

REMOVED BY BY-LAW No. 123-2016

25.5.3 Removed

AMENDED BY BY-LAW Nos. 2-2009 and 3-2011

25.5.4 M2-4

(a) Location:
   (i) Part of Lot 15, Concession 18 (Monkton, Elma Ward)
   (ii) Part of Lot 47, Concession 4 (Kurtzville, Wallace Ward)

(b) Notwithstanding the provisions of this By-law to the contrary, the only permitted uses on the land in the "M2-4" zone as shown on Key Maps 21 and 47 of Schedule "A" to this By-law shall be a use described as a feed mill, a grain storage facility, and accessory uses, buildings and structures.

(c) All other applicable provisions of this By-law, as amended, shall apply.

25.5.5 M2-5

(a) Location: Part of Lot 47, Concession 4 (Kurtzville, Wallace Ward)

(b) Notwithstanding the provisions of Section 25.1 of this By-law to the contrary, the only uses permitted on land within the "M2-5" zone as shown on Key Map 21 of Schedule "A" to this By-law shall be a staff and customer parking area and truck turnaround associated with the adjacent feed mill located in the "M2-4" zone, as shown on Key Map 6 of Schedule "A" to this By-law.

(c) All other provisions of this By-law, as amended, shall apply.

DELETED BY BY-LAW No. 4-ZB-2001

25.5.6 DELETED BY BY-LAW No. 4-ZB-2001

AMENDED BY BY-LAW No. 35-ZB-2001

25.5.7 M2-7

(a) Location: Part of Lots 31 - 34, Concession 1 (formerly Elma Township) (Listowel Ward)

(b) Notwithstanding the provisions of Section 25.1 of this By-law to the contrary, the land within the "M2-7" zone as shown on Key Map 37 of Schedule "A" to this By-law may be used for the "M2" permitted uses except the following uses shall not be permitted:

(i) A dry-cleaning plant; a feed mill;

(ii) A flour mill;

(iii) A furniture refinishing operation; a grain elevator;

(iv) A public works yard, garage, or storage yard if the use involves the storage of salt or chemicals; and

(v) A steel supply establishment if the use involves any etching or galvanizing operations.

(c) Notwithstanding any provisions of this By-law to the contrary, the maximum height of buildings or structures permitted within the "M2-7" zone, as described above, shall be 20.12 m (66 ft.).

(d) All other provisions of this By-law, as amended, shall apply.

25.5.8 M2-8

(a) Location: Part of Lot 24, Concession 3 (Wallace Ward)

(b) Notwithstanding the provisions of Section 25.1 of this By-law to the contrary, the only uses permitted on land within the "M2-8" zone as shown on Key Map 7 of Schedule "A" to this By-law shall be an oil storage and distribution depot and accessory uses, buildings and structures.

(c) All other provisions of this By-law, as amended, shall apply.

25.5.9 M2-9

(a) Location: Lots 1 - 7, 23 and 24, Registered Plan 382 (Listowel Ward)

(b) Notwithstanding any provisions of this By-law to the contrary, the minimum front yard, interior side yard, exterior side yard, and rear yard shall be 0 m (0 ft.) for buildings and structures on land within the "M2-9" zone as shown on Key Map 32 of Schedule "A" to this By-law.

(c) Notwithstanding any provisions of this By-law to the contrary, the maximum lot coverage, and minimum landscaped open space shall be 100 per cent, and 0 per cent respectively, for buildings and structures on land within the "M2-9" zone as described above.

(d) Notwithstanding clauses (b) and (c) above, a minimum setback from the top of the banks of the Middle Maitland River of 7.62 m (25 ft.) is required for all buildings and structures on land within the "M2-9" zone as described above.

(e) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 42-2009, AMENDED BY BY-LAW No. 34-2026

25.5.10 M2-10

(a) Location: Lot 6, Registered Plan No. 44M-31 and Part 1 and 4, Reference Plan 44R4909, Listowel Ward, Municipality of North Perth (Key Map 38 and 39) as amended shall be subject to the following criteria:

(b) Notwithstanding any provisions of this By-law to the contrary on lands zoned 'M-10', the following provisions shall be added:

a. Minimum Front Yard Setback: 14m
b. One (1) accessory structure may be permitted in the front yard (closer to the road than the main building)
c. Digester tanks for the proposed industrial use (ie biogas facility) on the lands in the "M2-10" zone as shown on Key Maps 38 and 39 of Schedule "A" to this By-law may have a maximum height of 26m (85.3 ft)

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 5-2022

25.5.11 M2-11

(a) Location: Lot 10, 11, 16 and 17, Reg. Plan 191 (580 Maitland Ave S), Listowel Ward

(b) Notwithstanding the provisions of Section 25 of this By-law to the contrary, the storage of products, supplies and equipment associated with the neighbouring steel warehouse shall be permitted as an additional use on land located in the "M2-11" zone as show on Key Map 36 of Schedule "A" to this By-law.

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

SECTION 26 - MINERAL AGGREGATE RESOURCES ZONE (MAR)

No person shall within any "MAR" Zone use any land or erect; alter; or use any building or structure for any purpose except in accordance with the following provisions:

26.1 Permitted Uses

(a) Operations of a pit or quarry for the purposes of extracting mineral resources from the earth including soil, sand, gravel, stone, rock;

(b) Processing of mineral resources, including screening, sorting, washing, crushing, stockpiling, and other similar operations allied to an extractive operation;

(c) Asphalt plants and readi-mix equipment, portable and/or permanent;

(d) Farm uses, excluding single-detached dwellings;

(e) Uses accessory to the above permitted uses, in accordance with Sections 3 and 5.

26.2 Permitted Buildings and Structures

(a) Buildings and structures for the permitted uses, excluding any building or structure used for human habitation;

(b) Buildings and structures accessory to the permitted uses.

AMENDED BY BY-LAW No. 108-ZB-2002

26.3 Aggregate Resources Act

The location of extracted areas, processing areas, buildings, structures, access lanes, berming, screening, planting strips and other requirements shall be in accordance with a licence approved under the Aggregate Resources Act, as amended.

Explanatory Note: The Aggregate Resources Act provides for input from land owners and from the municipality prior to the issuance of an aggregates licence.

AMENDED BY BY-LAW No. 57-2007

26.4 Requirements for livestock barns, manure storage buildings and structures, silos, feed bins and other farm buildings and structures

The provisions of Section 6.3 of this By-law shall apply to all livestock facilities and structures, silos, feed bins, and other farm buildings and structures permitted in the "MAR" zone.

26.5 Special Provisions

SECTION 27 - INSTITUTIONAL ZONE (IN)

No person shall within any "IN" Zone use any land or erect; alter; or use any building or structure for any purpose except in accordance with the following provisions:

27.1 Permitted Uses

(a) An ambulance dispatch depot;
(b) An arena;
(c) A cemetery;
(d) A church;
(e) A community centre;
(f) A day nursery;
(g) A firehall;
(h) A government administrative office;
(i) A hospital;
(j) A landfill site;
(k) A museum;
(l) A parking area; (m)a police station;
(n) A public library;
(o) A public park and/or playground;
(p) A public works garage, warehouse, or yard;
(q) A pumping station;
(r) An existing private club and expansion thereof;
(s) A recycling depot;
(t) A school;
(u) A sewage treatment facility;
(v) A sports field, baseball diamond, curling rink, lawn bowling facility, swimming pool, tennis court;
(w) A water supply and/or treatment facility, including a water tower; and
(x) Accessory uses; buildings; and structures, in accordance with Sections 3 and 5.

27.2 Requirements for Uses Permitted by Section 27.1

AMENDED BY BY-LAW 1-2017

27.2.1 Lot Area; Minimum

(a)	Interior Lot	557 m^2 (6,000 ft^2)
(b)	Corner Lot	650 m^2 (7,000 ft^2)

27.2.2 Lot Frontage; Minimum

(a)	Interior Lot	18 m (60 ft)
(b)	Corner Lot	21 m (70 ft)

27.2.3 Front Yard; Minimum 7.5 m (25 ft.)

27.2.4 Interior Side Yard; Minimum

4.5 m (14.76 ft.); except that where an ingress or egress driveway is located in an interior side yard; a minimum of 6 m (19.69 ft.) shall be required for that interior side yard.

27.2.5 Exterior Side Yard; Minimum 7.5 m (25 ft.)

27.2.6 Rear Yard; Minimum 7.5 m (25 ft.)

27.2.7 Building Height; Maximum 12 m (40 ft.)

27.2.8 Lot Coverage; Maximum 40%

27.2.9 Landscaped Open Space; Minimum 20%

27.2.10 Parking Requirements

In accordance with the provisions of Section 5.18.

27.2.11 Outdoor Storage Areas

(a) When adjacent to a Residential Zone; Residential (-h) Holding Zone; or Future Development Zone in an area designated "Residential" in the Listowel Ward Official Plan; outdoor storage associated with a permitted institutional use shall be confined to the rear yard area. Further; such outdoor storage shall be screened from the view of the adjacent lot(s) in a Residential Zone by a planting strip established in accordance with the provisions of Section 5.22.

(b) When adjacent to an Industrial Zone; outdoor storage associated with a permitted institutional use shall be permitted in the side and rear yard areas. Such outdoor storage shall be kept in a neat and orderly fashion.

AMENDED BY BY-LAW No. 57-2007

27.3 Supplementary Requirements

The enlargement of existing institutional uses located outside of a designated Settlement Area as identified on Schedule "A" to the County of Perth Official Plan shall satisfy the minimum distance separation requirement from adjacent livestock facilities as determined through the application of the MDS I.

Notwithstanding any provisions of this By-law to the contrary, existing closed cemeteries are a "Type "A" Land Use" for the purposes of MDS I.

27.4 Special Provisions

ADDED BY BY-LAW No. 17-ZB-2000

27.4.1 IN-1

(a) Location: Pt. Park Lot 7, Registered Plan 191 (Listowel Ward)

(b) Notwithstanding the provisions of Section 27.2 of By-law No. 6-ZB-1999 to the contrary, a building may have a minimum interior side yard of 2.44 m (8 ft.) and a minimum rear yard of 4.04 m (13.25 ft.) on the land within the AIN-1" zone as shown on Key Map 33 of Schedule "A" to By-law No. 6- ZB-1999 (also shown on Schedule "A" to By-law No. 17-ZB-2000).

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW No. 122-ZB-2000

27.4.2 IN-2

(a) Location: Pt. Lot 54, Reg. Plan 173 (661 Main St. E. Listowel Ward)

(b) Notwithstanding the provisions of Section 27.1 of this By-law to the contrary, a counseling office and food bank, and accessory uses, buildings and structures, including an accessory dwelling unit, shall be permitted as additional uses on the land located in the "IN-2" zone (as shown on Key Map 33 of Schedule "A" to this By-law).

(c) All other provisions of this By-law, as amended, shall apply.

REMOVED BY BY-LAW No. 2-2009

27.4.3 Removed

ADDED BY BY-LAW No. 45-ZB-2004, AMENDED BY 48-2026

27.4.4 IN-4

(a) Location: Part Lots 11 through 17, Plan 165, 580 Main Street West, Listowel Ward, Municipality of North Perth (Key Map 31) as amended shall be subject to the following criteria:

(b) Notwithstanding any provisions of Section 27.1 of this By-law to the contrary, an additional permitted use on the land within the "IN-4" zone as shown on Key Map 31 of Schedule "A" to this By-law, shall be a "Residential Care Facility" and the following provisions shall apply:

a. Maximum number of dwelling units: 15
b. Lot Frontage (min): 24 m
c. Rear Yard Setback (min): 5.0 m
d. Interior Side yard setback (minimum):
    i. Residential - 5.0 m
    ii. Institutional – 2 m
e. Parking (minimum): 7 spaces inclusive of 1 Barrier Free
f. One (1) accessory structure may be permitted in the front yard within 0.3 metres of an adjacent institutional zone and no closer than 1.5 metre to the front lot line. The accessory structure shall be no higher than 1.5 metres (5 feet) and not impact sight lines.

ADDED BY BY-LAW No. 2-2009

27.4.5 IN-5

(a) Location: Part of Lot 30, Concession 1 (Wallace Ward)

(b) Notwithstanding the provisions of this By-law to the contrary, the only permitted uses on the above-noted lands in the "Institutional Zone (IN-5)", as shown on Key Map 9 of Schedule "A" to this By-law, shall be a cemetery and accessory uses, and structures.

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW 1-2017

27.4.6 IN-6

(a) Location: North Part Lot 10, Concession 9 (Elma Ward) and Part Lots 13 & 14, Concession 2 (Elma Ward)

(b) Notwithstanding the provisions of Section 27.1 of this By-law to the contrary, the only permitted uses on the land within the "IN-6" zone shall be landfill sites and sewage treatment facilities, as well as accessory uses, buildings and structures in accordance with Sections 3 and 5.

(c) All other applicable provisions of this By-law, as amended, shall apply

ADDED BY BY-LAW 11-2025

27.4.7 IN-7

(a) Location: Part Lot 23, Concession 2 (5917 Line 87, Listowel Ward)

(b) Notwithstanding any provisions of this By-law to the contrary, on lands zoned "IN-7", the following provisions apply:

i. Permitted uses are to be in accordance with regulations of section 27, or regulations of the R5-26 zone, but not both and not any combination of both

ADDED BY BY-LAW 23-2026

27.4.8 IN-8

(a) Location: Part Lot 36, 46 and 47, Plan 155, Listowel Ward (156 Halstead Avenue North)

(b) Notwithstanding any provisions of this By-law to the contrary on lands zoned 'IN-8', the following provisions shall apply:

a. Minimum Interior Side Yard Width: 0.43 m (northern lot line)
b. Minimum Rear Yard Depth: 3.65 m
c. Minimum Front Yard Depth: 4.25 m
d. Minimum Parking Requirement: 11 spaces (inclusive of accessible parking spaces

SECTION 28 - PARK AND RECREATION ZONE (PR)

No person shall within any "PR" Zone use any land or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions:

28.1 Permitted Uses, Buildings, and Structures

(a) Recreational uses;
(b) Conservation areas;
(c) Community centres;
(d) Arenas; curling rinks; swimming pools; playgrounds and/or sports fields;
(e) Public or private parks;
(f) Golf courses;
(g) A parking area;
(h) A cemetery;
(i) Accessory uses, buildings and structures, in accordance with Sections 3 and 5.

28.2 Requirements for Uses Permitted by Section 28.1

28.2.1	Lot Area, Minimum	550 m^2 (5,900 ft^2)
28.2.2	Lot Frontage, Minimum	18 m (60 ft.)
28.2.3	Front Yard, Minimum	7.5 m (25 ft.)
28.2.4	Interior Side Yard, Minimum	4.5 m (15 ft.)
28.2.5	Exterior Side Yard, Minimum	7.5 m (25 ft.)
28.2.6	Rear Yard, Minimum	6 m (20ft.)
28.2.7	Lot Coverage, Maximum	25%
28.2.8	Building Height, Maximum	12 m (40 ft.)
28.2.9	Landscaped Open space, Minimum	30%
28.2.10	Parking Requirements	As contained in Section 5.18 of this By-law.

AMENDED BY BY-LAW No. 57-2007

28.3 Supplementary Provisions

The enlargement of existing park and recreation uses located outside of a designated Settlement Area as identified on Schedule "A" of the County of Perth Official Plan shall satisfy the minimum distance separation requirement from adjacent livestock facilities as determined through the application of the MDS I.

28.4 Special Provisions

28.4.1 PR-1

(a) Location: Part of Lot 31, Concession 2 (Wallace Ward)

(b) Notwithstanding the provisions of Section 28.1 of this By-law to the contrary, the only use permitted on land within the “PR-1” zone as shown on Key Map 9 of Schedule “A” to this By-law shall be an existing gun club and accessory uses, buildings and structures.

(c) All other applicable provisions of this By-law, as amended, shall apply.

AMENDED BY BY-LAW No. 03-2005 and 113-2010

28.4.2 PR-2

(a) Location: All lands within the “PR-2” zone

(b) Notwithstanding the provisions of Section 28.1 of By-law No. 6-ZB-1999 to the contrary, a storm water management area for use in conjunction with the surrounding lands shall be permitted on land within the “PR-2” zone as shown on Schedule “A” to By-law No. 6-ZB-1999, as amended.

(c) All other applicable provisions of this By-law, as amended, shall apply.

AMENDED BY BY-LAW No. 54-2011

28.4.3 PR-3

(a) Location: Part of Lot 25, Concession 1 (formerly Wallace Township)

(b) Notwithstanding the provisions of Section 28 of this By-law to the contrary, only conservation areas, recreational walking trails, and accessory uses shall be permitted on the land within the “PR-3” zone as shown on Key Map 28 of Schedule “A” to By-law No. 6-ZB-1999 (also shown on Schedule “A” to By-law No. 54-2011).

(c) All other applicable provisions of this By-law, as amended, shall apply.

AMENDED BY BY-LAW No. 11-2025

28.4.4 PR-4

a) Location: Part Lot 23, Concession 2 (5917 Line 87, Listowel Ward)

b) Notwithstanding any provisions of this By-law to the contrary, on lands zoned “PR”, the following provisions apply:

i. permitted uses are in accordance with the regulations of section 28.

SECTION 29 - FUTURE DEVELOPMENT ZONE (FD)

No person shall within any "FD" Zone use any land or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions:

29.1 Permitted Uses, Buildings, and Structures

(a) Uses, buildings, and structures lawfully existing on the date of passing of this By-law;

(b) Agricultural uses, excluding buildings and structures; and

(c) Accessory uses, buildings, and structures lawfully existing on the date of passing of this By-law.

29.2 Site and Building Requirements

(a) The minimum lot area, lot frontage, front yard, interior side yard, exterior side yard, and rear yard, and the maximum building height and lot coverage shall remain as they lawfully existed on the date of passing of this by-law;

(b) Notwithstanding the foregoing, the enlargement of an existing single-detached dwelling and the enlargement or establishment of buildings and structures accessory thereto shall be permitted, provided that such enlargement complies with the provisions of Section 7 (for lands within a Serviced Urban Area) or Section 14 (for land located outside of a Serviced Urban Area), as they relate to single- detached dwellings.

29.3 Special Provisions

29.3.1 FD-1

(a) Location: Part of Lot 16, Concession 7 (Elma Ward)

(b) Notwithstanding any provision of Section 29 of this By-law to the contrary, the only permitted uses and buildings in the "FD-1" zone as shown on Key Map 43 of Schedule "A" to this By-law shall be a single-detached dwelling, a small barn having a maximum floor area of 372 square m (4,004 sq. ft.) used to house no more than 5 animal units, and other accessory uses to the aforementioned permitted uses.

(c) All other applicable provisions of this By-law, as amended, shall apply.

29.3.2 FD-2

(a) Location: Part of Lot 31, Concession 1 (formerly Elma Township) (Listowel Ward)

(b) Notwithstanding any provision of Section 29 of this By-law to the contrary, a storm water management area for use in conjunction with the development of lands to the north shall be permitted on land in the "FD-2" zone as shown on Key Map 34 of Schedule "A" to this By-law.

(c) Notwithstanding the provisions of Section 29 of this By-law to the contrary, a minimum yard of 14 m (45.93 ft.) shall be required along the westerly

boundary of the land in the “FD-2” zone, as described above, for all building and structures, including retention ponds associated with the permitted storm water management area.

(d) All other applicable provisions of this By-law, as amended, shall apply.

29.3.3 FD-3

(a) Location: Part of Lot 33, Concession 1, formerly Elma Township (Listowel Ward)

(b) Notwithstanding any provision of Section 29 of this By-law to the contrary, a storm water management area for use in conjunction with the surrounding development lands shall be permitted in the “FD-3” zone as shown on Key Map 34 of Schedule “A” to this By-law.

(c) All other applicable provisions of this By-law, as amended, shall apply.

REMOVED BY BY-LAW No. 1-2017

29.3.4 Removed

ADDED BY BY-LAW No. 30-ZB-2002 and AMENDED BY BY-LAW No. 89-2010

29.3.5 FD-5

(a) Location: Part of Lot 9, Registered Plan No. 467 (Gowanstown, Wallace Ward)

(b) Notwithstanding the provisions of Section 29 of this By-law to the contrary, an automobile sales establishment shall be an additional permitted use on a portion of the subject property located in the "FD-5" zone as shown on Key Map 22 of Schedule "A" to this By-law (also shown as Schedule “A” to By-law No. 89-2010).

(c) All other applicable provisions of this By-law, as amended, shall apply.

REMOVED BY BY-LAW No. 25-2014

29.3.6 Removed

ADDED BY BY-LAW No. 34-ZB-2004

29.3.7 FD-7

(a) Location: Part of Park Lot 10, Registered Plan 182 (Listowel Ward)

(b) Notwithstanding the provisions of Section 29.1 of this By-law to the contrary, the parking of vehicles associated with the neighbouring car dealership shall be permitted as an additional permitted use on land located in the “FD-7” zone as shown on Key Map 29 of Schedule “A” to this By-law (also shown as Schedule “A” to By-law No. 34-ZB-2004).

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

29.3.8 Not Used.

ADDED BY BY-LAW No. 7-2007

29.3.9 FD-9

(a) Location: Part Lot 29, Concession 1 (Wallace Ward)

(b) Notwithstanding the provisions of Section 29 of By-law No. 6-ZB-1999 to the contrary, the minimum lot area and lot frontage for the land shown within the "FD-9" zone as shown on Key Map 27 of Schedule "A" to By-law No. 6-ZB-1999, as amended (also shown on Schedule "A" to By-law No. 7-2006) shall be 4.4 ha (10.9 ac.) and 20.12 m (66 ft.), respectively.

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 43-2007, AMENDED BY BY-LAW No. 115-2012

29.3.10 FD-10

(a) Location: Part of Lots 22 and 23, Concession 1 (former Wallace Township, now in the Listowel Ward)

(b) Notwithstanding the provisions of Section 29 of this By-law to the contrary, no new buildings may be constructed on the land located in the "FD-10" zone as shown on Key Map 30 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. 115-2012).

(c) The minimum lot area, and minimum lot frontage shall remain as they lawfully existed on the date of the passing of By-law No. 115-2012 (October 22, 2012).

(d) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 130-2016

29.3.11 FD-11

(a) Part of Lot 1, Plan 467, Wallace Ward (8652 Road 164, Gowanstown)

(b) Notwithstanding the provisions of Section 29.1 and 29.2 of this By-law to the contrary, for lands within the "FD-11" zone as shown on Key Map 22 of Schedule "A" to By-law No. 6-ZB-1999 a farm implement storage building having a maximum ground floor area of 460 m^2 (5,000 ft^2), a minimum front yard of 180 m (490 ft.), a minimum interior side yard of 30 m (100 ft.) and a minimum rear yard of 15 m (50 ft.) is permitted.

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW 84-2021

29.3.12 FD-12

(a) Location: Part Lots 16 & 17, Concession 8, (302 Woodview Drive, Atwood), Elma Ward

(b) Notwithstanding any provisions of Section 29.2 of this By-law to the contrary,

the following minimum lot area shall be 5.46 hectares (13.5 acres) with approximately 1.71 ha (4.23 ac.) within the Future Development (FD-12) Zone as shown on Key Map 27 of Schedule “A” to By-law No. 6-ZB-1999

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW 112-2025

29.3.13 FD-13

(a) Location: Part of Lot 16, Concession 2 (Elma Ward)

(b) A garden nursery is permitted;

(c) Commercial greenhouses is permitted;

(d) Garden display areas is permitted; and

(e) Accessory uses, including accessory retailing.

(f) Parking for no less than 80 spaces with accessible parking reflective of the parking provided;

(g) Parking shall be no closer than 3.0 metres from the front line

(h) All other provisions of this By-law, as amended, shall apply.

SECTION 30 - NATURAL RESOURCES/ENVIRONMENT ZONE ONE (NRE1)

No person shall within any "NRE1" Zone use any land or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions:

30.1 Permitted Uses

(a) Conservation;
(b) Forestry;
(c) Maple syrup production; and
(d) Uses existing on the date of passing of this By-law.

30.2 Permitted Buildings and Structures

Buildings and structures existing on the date of passing of this By-law.

30.3 Site and Building Regulations

The minimum front, rear, and side yards, the maximum lot coverage and building height of buildings and structures existing on the date of the passing of this By-law shall constitute the minimum or maximum requirements, as the case may be.

EXPLANATORY NOTE:
The "NRE1" zone classification applies to Provincially Significant Natural Resource/ Environment Areas (e.g. Provincially Significant Wetlands, Significant Wildlife Habitat, and Significant Areas of Natural and Scientific Interest (Life Science)) as identified in the County of Perth Official Plan.

30.4 Special Provisions

SECTION 31 - NATURAL RESOURCES/ENVIRONMENT ZONE TWO (NRE2)

No person shall within any "NRE2" Zone use any land or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions:

31.1 Permitted Uses

(a) Conservation;
(b) Forestry;
(c) Maple syrup production;
(d) Recreational trails existing on the date of passing of this By-law; and
(e) Uses existing on the date of passing of this By-law.

AMENDED BY BY-LAW No. 2-2009

31.2 Permitted Buildings and Structures

Buildings and structures existing on the date of passing of this By-law. Notwithstanding the foregoing, unenclosed livestock shelters (i.e. not barns) are permitted on lands that are used for the gazing of livestock which are not part of a woodlot. Such shelters must comply with the provisions of Section 6 "Agricultural Zone (A)" of By-law No. 6-ZB-1999 regarding setbacks for buildings and structures

AMENDED BY BY-LAW No. 2-2009

31.3 Site and Building Regulations

The minimum front, rear, and side yards, the maximum lot coverage and building height of buildings and structures existing on the date of the passing of this By-law shall constitute the minimum or maximum requirements, as the case may be.

Notwithstanding the foregoing, unenclosed livestock shelters (i.e. not barns) are permitted on lands that are used for the gazing of livestock which are not part of a woodlot. Such shelters must comply with the provisions of Section 6 "Agricultural Zone (A)" of By-law No. 6-ZB-1999 regarding setbacks for buildings and structures.

AMENDED BY BY-LAW No. 2-2009

EXPLANATORY NOTE:

The "NRE2" zone classification applies to significant woodlots 1 hectare (2.47 acres) and larger as identified in the County of Perth Official Plan.

31.4 Special Provisions

ADDED BY BY-LAW No. 3-ZB-2001

31.4.1 NRE2-1

(a) Location: Part of Lot 31, Concession 2 (Wallace Ward)

(b) Notwithstanding the provisions of Section 31.1 of this By-law to the contrary, the required safety buffer zone for an existing skeet shooting range on the adjacent land which is within the "Parks and Recreation Zone (PR-1)" shall be permitted on the land located in the "A-31" zone, as shown on Key Map 8 of Schedule "A" of By-law No. 6-ZB-1999 (also shown on Schedule "A" to By-law No. 3-ZB-2001).

(c) All other provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 17-ZB-2006

31.4.2 NRE2-2

(a) Location: Part Lot 19, Concession 11 (Elma Ward)

(b) Notwithstanding the provisions of Section 31 of By-law No. 6-ZB-1999 to the contrary, a new storage shed is permitted on the land shown within the "NRE2-2" zone as shown on Key Map 34 of Schedule "A" to By-law No. 6-ZB-1999, as amended (also shown on Schedule "A" to By-law No. 17-2006). The new storage shed shall be set back 2 m (6.56 ft.) from the tree drip-line of the woodlot on the subject property.

(c) All other applicable provisions of this By-law, as amended, shall apply.

ADDED BY BY-LAW No. 99-2021

31.4.3 NRE2-3

(a) Location: Part Lot 31 & Part Lot 32, Concession 14, Elma Ward (5247 Line 66)

(b) Notwithstanding the provisions of Section 31.1, 31.2 and 31.3 of this By-law to the contrary, the establishment of a storage shed is permitted on land within the "NRE2-3" Zone as shown on Key Map 20 of Schedule "A" to By-law No. 6-ZB-1999, as amended. The storage shed shall be subject to the following provisions:

1) Maximum Gross Floor Area, (371 sq. m (4,000 square feet)
2) Minimum Front Yard, 18 m (60 ft)
3) Minimum Interior Side Yard (westerly boundary), 140 m (460 ft)
4) Minimum Interior Side Yard (easterly boundary), 500 m (1,640 ft)
5) Minimum Rear Yard, 450 m (1,475 ft)
6) Maximum Building Height, 12 m (40 ft)

(c) All other applicable provisions of this By-law, as amended, shall apply.

SECTION 32 - FLOOD PLAIN ZONE (FP)

The "FP" zone is to be implemented where studies and detailed mapping have been approved by the appropriate Conservation Authority. The "FP" Zone applies to the flood plain (which includes floodway and the flood fringe). The "FP" Zone boundaries are intended to be coincident with the outer boundaries of the "Flood Plain" as shown on the detailed mapping approved by the appropriate Conservation Authority.

32.1 <u>Permitted Uses, Buildings, and Structures</u>

(a) A public park;
(b) Conservation;
(c) Forestry;
(d) Recreational trails; and
(e) Public works and utility facilities.

32.2 <u>Permitted Buildings and Structures</u>

Within the floodway portion of the flood plain only those buildings and structures necessary for flood or erosion control work or for necessary municipal services shall be permitted, to the extent allowed by the regulations made under the Conservation Authorities Act, as amended.

Within the flood fringe portion of the flood plain the permitted uses, buildings, and structures in the "FP" Zone shall be the same as those that are permitted in the applicable "adjacent" Zone as identified on Schedule "A" - Zone Maps to this By-law in accordance with the policies set forth in Section 13 of the County of Perth Official Plan, and Section 5.8.5.2 of the Listowel Ward Official Plan.

<u>EXPLANATORY NOTE</u>: Uses, buildings and structures as permitted by Sections 32.1 and 32.2 above are to be permitted to the extent allowed by the regulations made under the Conservation Authorities Act.

32.3 Special Provisions

SECTION 33 - FLOOD AND FILL CONSTRAINT AREA OVERLAY (FFCA)

The “FFCA” Overlay applies to the “flood plain” (which includes floodway and the flood fringe), natural slopes (e.g. fill lines), steep slopes, unstable soils (muck), and wetlands (for their flood control). The “FFCA” Overlay boundaries are intended to be coincident with the outer boundaries of the “Flood and Fill Constraint Area” designation as shown on Schedule “C” to the County of Perth Official Plan or in the “Flood Fringe” portion of the “Flood Plain” designation as shown on Schedule “A” to the Listowel Ward Official Plan. The provisions of the “FFCA” Overlay as established by this By-law are to be applied in conjunction with the zone provisions for the “adjacent” zones as established by this By-law.

33.1 Permitted Uses, Buildings, and Structures

The permitted uses, buildings, and structures in the “FFCA” Overlay shall be the same as those that are permitted in the applicable “adjacent” Zone as identified on Schedule “A” - Zone Maps to this By-law.

33.2 Permitted Buildings and Structures in Accordance with Section 14 of the County of Perth Official Plan

All uses, buildings, and structures permitted in the “adjacent” Zone must satisfy the policies of Section 14 of the County of Perth Official Plan or Section 5.8.5.2 of the Listowel Ward Official Plan before they are to be permitted and before any required building permits will be issued.

EXPLANATORY NOTE: Uses, buildings and structures as permitted by Sections 33.1 and 33.2 above are to be permitted to the extent allowed by the regulations made under the Conservation Authorities Act, as amended.

33.3 Special Provisions

AMENDED BY BY-LAW 1-2017

SECTION 34 - ADJACENT LAND AREA OVERLAP (AL)

The "AL" area is an "overlay" that applies to areas surrounding the following Natural Resource/Environment features: Provincially Significant Wetlands; Significant Habitat for Threatened or Endangered Species; Significant Wildlife Habitat; Areas of Natural and Scientific Interest (Life Science), Fish Habitat, and Significant Woodlands. The "AL" overlay boundaries are intended to implement the policies of Section 11.5 of the County of Perth Official Plan. The provisions of the "AL" overlay as established by this By-law are to be applied in conjunction with the zone provisions for the "underlying" zones as established by this By-law. The width of the "AL" overlay is dependent on the type of adjacent natural heritage feature(s), as shown on the following;

(a)	Provincially Significant Wetlands	120 m;
(b)	Significant Habitat for Threatened or Endangered Species	50 m;
(c)	Significant Wildlife Habitat	30 m;
(d)	Areas of Natural and Scientific Interest (Life Science)	30 m;
(e)	Fish Habitat	30 m;
(f)	Significant Woodlands	30 m.

34.1 Permitted Uses, Buildings, and Structures in Accordance with the County of Perth Official Plan

The permitted uses, buildings and structure in the "AL" overlay shall be the same as those that are permitted in the applicable "underlying" zone, but new development and site alterations are not permitted unless an Environmental Impact Study or other appropriate study, demonstrates that there will be no negative impacts on the adjacent natural features or on their ecological functions.

Notwithstanding these restrictions, the following apply:

(a) No development, except for extensions or enlargements of existing buildings and structures, is permitted within 15 m of any watercourse (including drains), regardless of impact; and

(b) The clean out of municipal drains shall be permitted in accordance with applicable regulations.

SECTION 35 - HOLDING ZONE (-H)

No person shall within any "(-h)" Zone use any land or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions:

35.1 Permitted Uses, Buildings and Structures

Uses, buildings, and structures lawfully existing on the date of the passing of the By- law which applies the Holding Zone (-h).

35.2 Zone Requirements

No new development or the enlargement of existing uses, buildings, and structures shall be permitted in a (-h) Zone until such time that Council has passed a Zoning By-law Amendment for the purpose of removing the holding symbol (-h).

AMENDED BY BY-LAW 1-2017

35.3 Special Provisions

AMENDED BY BY-LAW 1-2017

35.3.1 -h1

(a) Location: All lands that are within the "-h1" zone.

(b) Prior to the removal of the "-h1" provisions as established by this By-law, the owner of the lands shall enter into a Subdivision Agreement with the Municipality pursuant to Section 50 of the Planning Act R.S.O. 1990.

AMENDED BY BY-LAW 1-2017

35.3.2 -h2

(a) Location: All lands that are within the "-h2" zone.

(b) Prior to the removal of the "-h2" provisions as established by this By-law, the owner of the lands shall provide evidence that all financial and servicing requirements have been met for the proposed development."

AMENDED BY BY-LAW 1-2017

35.3.3 -h3

(a) Location: All lands that are within the "-h3" zone.

(b) Prior to the removal of the "-h3" provisions as established by this By-law, the owner of the lands shall enter into a Site Plan Agreement pursuant to Section 41 of the Planning Act R.S.O. 1990.

AMENDED BY BY-LAW 1-2017

35.3.4 -h4

(a) Location: All lands that are within the "-h4" zone.

(b) Prior to the removal of the "-h4" provisions as established by this By-law, the owner of the lands shall provide evidence that the property has been divided into two separate lots.

AMENDED BY BY-LAW 1-2017

35.3.5 Removed

AMENDED BY BY-LAW 152-2016, REPEALED BY BY-LAW 30-2025

35.3.6 –h6

ADDED BY BY-LAW 150-200, REPEALED BY BY-LAW 30-2025

35.3.7 -h8

ADDED BY BY-LAW 9-2023

35.3.7 (RR-12-h7)

(a) Location: Plan 509, Lot 5, Elma Ward, Municipality of North Perth

(b) Notwithstanding any provisions of Section 35 to the contrary, prior to the removal of the "-h7" provisions as established by this By-law, the owner of the land within the "h-7" zone shall complete a D-6 Compatibility Study to the satisfaction of the Municipality of North Perth

(c) All other applicable provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW 64-2023

35.3.10 (C5-4-h10)

(a) Location: Part of Lot 30, Concession 1, Part Lot 16, Plan 430, Elma Ward, Municipality of North Perth

(b) Notwithstanding any provisions of Section 35 to the contrary, prior to the removal of the "-h10" provisions as established by this By-law the permitted residential uses in C5-4 zone are limited to a maximum 140 dwelling units unless the Municipality of North Perth determines that additional municipal servicing capacity is available to the subject lands.

(c) All other applicable provisions of By-law No. 6-ZB-1999, as amended, shall apply.

ADDED BY BY-LAW 6-2024

35.3.11 (C5-4-h11)

(a) Location: Reg. Plan 194, Pt Lot J, Part 1 on 44R-4545, Listowel Ward, Municipality of North Perth (670 Main Street E) (Key Map 33)

(b) Prior to the removal of the "h11" provisions as established by this by-law, the owner shall provide the following information/reports:

a. Record of Site Condition

ADDED BY BY-LAW 120-2024

35.3.12 (C5-4-h12)

(a) Location: Part Lot 27 and Part Lot 28, Concession 1, Elma Ward, Municipality of North Perth

(b) Notwithstanding any provisions of Section 19 to the contrary, prior to

removal of the H12 holding provisions road access shall be provided to the property known as 6175 Perth Line 86 which is the large parcel to the south.

(c) All other provisions of By-law No. 6-ZB-1999, as amended, shall apply

ADDED BY BY-LAW 11-2025

35.3.13 (C5-4-h13)

a) Location: Part Lot 23, Concession 2 (5917 Line 87, Listowel Ward)

b) Notwithstanding any provisions of Section 35 to the contrary the area described as Part Lot 23, Concession 2, Wallace Ward, Municipality of North Perth is rezoned to add the suffice Special Holding Zone (H13), and shall be subject to the provisions of Section 35.3.13 (H13) of By-law No. 6-ZB-1999. The zoning on this land shall be shown as “R3-7-H13”, “R5-26-H13” and “R5-27-H13” on Key Map 9 of Schedule “A” to By-law No. 6-ZB-1999 as amended

c) Notwithstanding any provisions of Section 35 to the contrary, prior to removal of the H13 holding provisions the removal and relocation to an acceptable location of the adjacent helipad shall be completed.

CERTIFICATION

READ A FIRST AND SECOND TIME THIS 3rd DAY OF MAY, 1999.

READ A THIRD TIME AND FINALLY PASSED THIS 3rd DAY OF MAY, 1999.

” Vincent Judge”	” Gordon M. Burns”
Vincent Judge, Mayor	Gordon M. Burns, Clerk

Consolidation History

Date	By-law Numbers Updated	Key Maps Updated
April 2023	9-2023	40
	34-2023	26
	21-2023	1
July 2023	59-2023	10
	32-2023	43
	64-2023	27
October 2023	82-2023	31
	68-2023	13
	73-2023	8, 23 & 19
	108-2023	21
January 2024	149-2023	10
	145-2023	12
	129-2023	4
	130-2023	27
	148-2023	1
July 2024	32-2024	47
	23-2024	27
	42-2024	6
	6-2024	33
October 2024	37-2024	19
	87-2024	48
	56-2024	40
	75-2024	19
	79-2024	27
	83-2024	8
	88-2024	4
January 2025	87-2024	48
	37-2024	19
	120-2024	27
	113-2024	27
April 2025	11-2025	9
	34-2025	26
	4-2025	3
	12-2025	35
	13-2025	6
	30-2025	
July 2025	11-2025	9
	38-2025	20
	39-2025	8
	53-2025	17
	56-2025	45
October 2025	64-2025	29
	74-2025	13

	68-2025	6
	86-2025	19
Jan. 1, 2026	125-2025	25
	112-2025	12
	102-2025	35
	113-2025	8
	114-2025	9
	124-2025	7
	96-2025	35
	101-2025	18
	118-2017	13
April 1, 2026	23-2026	33
	16-2026	33
	15-2026	10
	118-2017	13
	19-2026	2
July 1, 2026	34-2026	38 / 39
	35-2026	2
	48-2026	31
Oct 1, 2026	50-2026	16, 43, 44
	73-2026	35
	74-2026	35
	67-2026	11
	53-2026	12
	75-2026	7
	76-2026	10