

	maintain a minimum side yard and rear yard setback of 1.5m
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3.5 ENVIRONMENTAL AND HAZARD SETBACKS

3.5.1 Watercourses and Ponds

All buildings or structures shall be located a minimum of 30 metres from the high water mark of any lake or pond of more than 0.2 ha in size or the channel of any permanently flowing river, stream or creek with a drainage area of greater than 125 ha and a minimum distance of 15 m from a pond of less than 0.2 ha in size or a watercourse with a drainage area of less than 125 ha

3.5.2 Steep Slopes or Ravines

No building permit shall be issued for any building or structure on or within a distance of 15 m from the top of bank or toe of any slope with a gradient of more than 30 percent and a height greater than 6.0 m unless a geotechnical report acceptable to the Township and the NVCA has been approved.

3.5.3 Wetlands

No building permit shall be issued for any building or structure within any wetland or within a distance of 30 m from the edge of any Provincially Significant Wetland. No building or structure may be permitted closer than 30 m to any other wetland unless an environmental impact study acceptable to the Township has been approved.

3.6 HOME INDUSTRY

Where a *home industry* is permitted as an accessory use to a single detached dwelling the following provisions shall apply:

- i) All development shall be subject to site plan control.
- ii) Such *home industry* may be located in any accessory building located on a lot on which a dwelling is in existence, provided the total gross floor area utilized by the *home industry* does not exceed a maximum of 140 sq m.
- iii) There shall be no *outdoor storage* of goods, materials or articles.
- iv) Only currently licensed motor vehicles, associated with the *home industry* may be parked or stored on the lot in an interior side or rear yard.
- v) Additional parking shall be provided in accordance with Section 3.14.

3.7 HOME OCCUPATION

Where a *home occupation* is permitted the following provisions shall apply:

- i) In addition to persons living on the premises not more than one (1) employee shall be engaged in the business and working from the dwelling. In the case of a dentist, doctor or other health care providers there may be one additional employee permitted.
- ii) There shall be no goods, wares, or merchandise offered for sale or rent on the premises other than what is produced on the premises
- iii) There shall be no *outdoor storage* of goods, materials, containers or animal enclosures

- iv) Not more than 25 percent of the gross floor area not including the basement of the dwelling shall be used for the purposes of the *home occupation*, and such *home occupation* shall be conducted entirely within the dwelling.
- v) There shall be no mechanical or other equipment used except that which is customarily used in a dwelling for domestic or household purposes or for use by a hairdresser or barber, dentist, drugless *practitioner's clinic*, physician, or other professional person. A *home occupation* shall not include a *boarding house*, an eating establishment, or a facility offering accommodation or meals other than a *Bed and Breakfast* establishment. A catering business shall be permitted but a restaurant, including take-out shall not be permitted. Pick-up of frozen foods and bulk bakery items prepared on site, is permitted.
- vi) A *home occupation* shall be secondary to the principal residence and shall not change the residential character of the lot.
- vii) One *home occupation* only shall be permitted in conjunction with a single detached dwelling.
- viii) Additional parking shall be provided in accordance with Section 3.14.

3.8 LIVESTOCK AND MINIMUM DISTANCE SEPARATION

3.8.1 Livestock Facilities

Notwithstanding any other yard or setback provisions in this By-law to the contrary, no residential, institutional, commercial, industrial or recreational use, located on a separate lot and otherwise permitted by this By-law shall be erected or altered unless it complies with the Ministry's Minimum Distance Separation (MDS I) calculations and Guidelines related thereto.

Notwithstanding any other yard or setback provision in this By-law to the contrary, no *livestock facility*, anaerobic digester or manure storage facility shall be erected or expanded unless it complies with the Ministry's Minimum Separation Distance (MDS II) calculations and Guidelines related thereto.

For the purpose of implementing MDS, cemeteries shall be considered a Type A land use.

3.8.2 Livestock on Small Lots and in Existing Barns

Except where permitted by this by-law, no lot of less than 2.0 ha in size shall be used for any agricultural purpose, including the keeping of livestock.

Notwithstanding any other provision of this by-law to the contrary, where a barn legally exists on a lot of under 2.0 ha in size, the barn may be used to house livestock in numbers not exceeding its design capacity, provided MDS requirements are met and there is land adjacent that has been secured by a written agreement between the owner and adjacent owner(s) for pasturing the livestock and for the proper disposal of nutrients (animal waste), in accordance with best practices and, where applicable, *the Nutrient Management Act*. A copy of the agreement shall be filed with the Township annually. MDS shall not apply to a new dwelling on an existing vacant lot that cannot meet MDS.

By-law 19-18 regulates coops and the requirements for hen husbandry

3.8.3 ON-FARM DIVERSIFIED USES

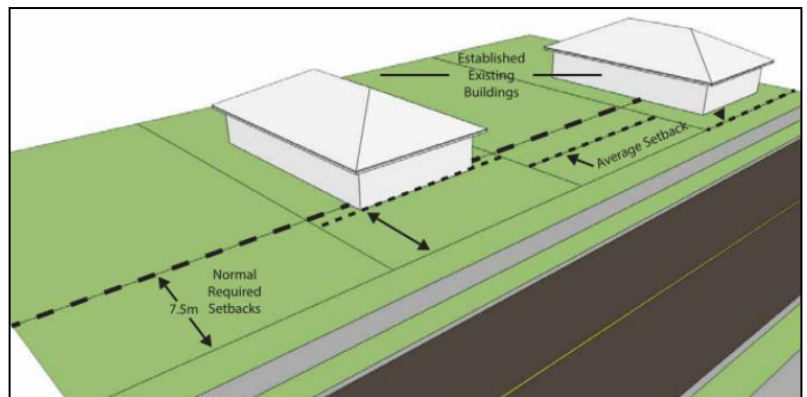
Where permitted, *on-farm diversified uses* shall be subject to the following provisions:

- i) The on-farm diversified use (including lands for buildings, structures, landscaping, servicing, buffering, parking) may occupy no more than 2% of the property on which the uses are located, to a maximum of 1 ha.
- ii) Maximum ground floor area of all buildings and structures building shall be 20% of the 2% of the lot area, to a maximum of 200 m².
- iii) The floor area of farm building that existed prior to 2012 may be used in the on-farm diversified use and calculated at 50% floor area towards the maximum 20% of the 2% lot area.
- iv) All on-farm diversified uses shall be subject to site plan approval.
- v) Except as otherwise permitted as an agricultural use, including but not limited to agri-tourism and farmer's market, all business use shall be conducted within a completely enclosed structure.
- vi) No outdoor storage shall be permitted.
- vii) An assembly hall any other event facility will only be considered through a site-specific amendment, to this by-law, or a special event permit.

3.9 LOT PROVISIONS AND APPLICATIONS

3.9.1 Established Building Line in Residential Zone

Notwithstanding any other provisions of this By-law, to the contrary, where a dwelling is to be erected in a Residential Zone between existing dwellings on the same street, such dwelling may be built with a front yard and setback equal to the average yard of the adjacent dwellings on the same side of the street within 100 m of the lot.



3.9.2 Frontage on Improved Public Road

No person shall erect any building or structure in any Zone after the date of passing of this By-law, unless the lot upon which such building or structure is to be erected has frontage upon an *improved public* road or an agreement is in place between the owner of the lot and the Township that provides for the maintenance of the road by the owner, at his/her expense, so that access by emergency vehicles during all weather conditions and at all times of the year is available, and such building or structure complies with the setback provisions of this By-law. This does not necessarily imply that the Township is, in any way, compelled to enter into any such agreement.

The above provisions shall not apply to prevent the erection of a permitted building or structure on a lot in a registered Plan of Subdivision where a properly executed Subdivision Agreement has been entered into with the Township, notwithstanding that the street or streets will not be assumed by the Township until the end of the maintenance period, nor shall it apply to prevent the enlargement, extension, renovation, reconstruction or other structural alteration of an existing building or structure which is located on a lot which does not have frontage upon an *improved public* road, provided the use of such building or structure does not change and is permissible within the zone in which it is located.