TOWNSHIP OF SOUTH FRONTEAC
COMPREHENSIVE ZONING BY-LAW
BY-LAW NO. 2003-75

PASSED SEPTEMBER 16, 2003
REVISED MAY 15, 2007
REVISED DECEMBER 18, 2012
REVISED JUNE 7, 2016
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<td>“E” and Text</td>
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SECTION 8 - RW - WATERFRONT RESIDENTIAL ZONE

SECTION 9 - RLS - LIMITED SERVICE RESIDENTIAL ZONE

SECTION 10 - RLSW - LIMITED SERVICE RESIDENTIAL - WATERFRONT ZONE

SECTION 11 - RLSI - LIMITED SERVICE RESIDENTIAL - ISLAND ZONE

SECTION 12 - R - RESIDENTIAL ZONE

SECTION 13 - MHR - MOBILE HOME RESIDENTIAL ZONE

SECTION 14 - UR1 URBAN RESIDENTIAL - FIRST DENSITY ZONE

SECTION 15 - UR2 - URBAN RESIDENTIAL - SECOND DENSITY ZONE

SECTION 16 - UMR - URBAN MULTIPLE RESIDENTIAL ZONE

SECTION 17 - RC - RURAL COMMERCIAL ZONE

SECTION 18 - RRC - RECREATIONAL RESORT COMMERCIAL ZONE

SECTION 19 - UC - URBAN COMMERCIAL ZONE

SECTION 20 - RI - RURAL INDUSTRIAL ZONE

SECTION 21 - UI - URBAN INDUSTRIAL ZONE

SECTION 22 - PA - PIT ‘A’ ZONE

SECTION 23 - PB – PIT ‘B’ ZONE

SECTION 24 - QA - QUARRY ‘A’ ZONE

SECTION 25 - QB - QUARRY ‘B’ ZONE

SECTION 26 - M - MINING ZONE

SECTION 27 - WD - WASTE DISPOSAL ZONE

SECTION 28 - SI - SALVAGE INDUSTRIAL ZONE

SECTION 29 - CF - COMMUNITY FACILITY ZONE

SECTION 30 - OS OPEN SPACE - PUBLIC ZONE

SECTION 31 - OSP - OPEN SPACE - PRIVATE ZONE

SECTION 32 - EP - ENVIRONMENTAL PROTECTION ZONE

APPENDIX 1 - MINIMUM DISTANCE SEPARATION FORMULAE (MDS I and MDS II)

APPENDIX 2 - SHORELINE SETBACKS

APPENDIX 3
SECTION 1 - PURPOSE
The purpose of the Comprehensive Zoning By-law is to implement the Official Plan which contains the goals and objectives of the municipality.

This comprehensive Zoning By-law is intended to prohibit the use of land and the erection or use of buildings or structures for or except for such purposes as set down in this by-law; to prohibit the erection or use of buildings on land which is subject to flooding, or on land by reason of its rocky, marshy or unstable character where the cost of construction of satisfactory waterworks, sewage, or drainage facilities is prohibitive; to regulate the height, bulk, location, size, floor area, spacing, character and use of buildings or structures; to regulate the minimum frontage and depth of a parcel of land and the portion of the area thereof that any building or structure may occupy; to require loading and parking facilities for buildings or structures erected or used for certain purposes; to prohibit the making or establishment of pits and quarries within defined areas and to regulate the making or establishment of pits and quarries within defined areas of the Township of South Frontenac.

SECTION 2 - TITLE
This By-law shall be cited as "Zoning By-law No. 2003-75" and shall apply to all land included within the Township of South Frontenac as shown on the attached schedules.

ZONING BY-LAWS OF THE FORMER TOWNSHIPS OF BEDFORD (BY-LAW 1997-16), LOUGHBOROUGH (BY-LAW 89-75), PORTLAND (BY-LAW 90-30) AND STORRINGTON (BY-LAW 1995-52) ARE HEREBY REPEALED.


Original Signed by: Mayor

I hereby certify that the following is a true copy of By-law No. 2003-75 as enacted by the Council of the Corporation of the Township of South Frontenac on the 16th day of September, 2003.

Clerk, Township of South Frontenac
SECTION 3 - DEFINITIONS
For the purposes of this By-law, the definitions and interpretations in this Section shall govern unless the context indicates otherwise. The word "shall" is mandatory and not directory. Words used in the present tense include the future tense and the reverse. Words used in the plural number include the singular number and the reverse.

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

"AGRICULTURE/AGRICULTURAL USE" shall mean the use of land, buildings or structures for the purposes of the growing of field crops, flower gardening, truck gardening, berry crops, tree crops, nurseries, aviaries, apiaries, maple syrup production, mushroom cultivation or farms for the grazing, breeding, raising, boarding of livestock or any other similar uses carried on in the field of general agriculture and aquaculture, including the sale of such produce, crops or livestock on the same lot.

"AGRICULTURE, INTENSIVE" shall mean land on which the predominant use is the commercial raising or feeding of cattle, hogs, poultry, rabbits or animals raised exclusively for their furbearing qualities, managed to maximize production and output in a confined area.

"AGRICULTURAL PRODUCE SALES OUTLET" shall mean a use accessory to a farm which consists of the retail sale of agricultural products produced on the farm where such outlet is located.

"ALTER" shall mean any alteration in a bearing wall or partition, column, beam, girder or other supporting member of a building or structure or any increase in the area or cubic contents of a building or structure.

“AREAS OF NATURAL AND SCIENTIFIC INTEREST (ANSI)” shall mean areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study, or education.

"ASSEMBLY OPERATION" shall mean the assembling of finished parts or materials into a final product but shall not include any large scale manufacturing operation or any operation discharging large amounts of liquids.

"AUCTION OUTLET" shall mean a building or part of a building where goods, merchandise, substances, articles or things are sold at a public sale to the person who bids or offers a higher price than any other is willing to pay.

"AUTOMOBILE" shall mean any vehicle propelled or driven otherwise than by muscular power, but does not include railway cars powered by steam, electricity or diesel fuel or other vehicles running upon rails.

"AUTOMOBILE BODY SHOP" shall mean a building where automotive cleaning, polishing, body repair and repainting is conducted but shall not include any other automotive use.
"AUTOMOBILE SALES AGENCY (New and Used)" shall mean a building and/or lot used for the display and sale of new and used automobiles and may include the servicing and repair of automobiles, the leasing or renting of utility or boat trailers and automobiles and the sale of automotive accessories and related products, but shall not include any other defined automotive use.

"AUTOMOBILE SERVICE STATION" shall mean a building or place where gasoline, propane, natural gas, diesel, oil, grease, anti-freeze, tires, tubes, tire accessories, spark plugs, batteries and other related items for automobiles, trucks, motorcycles, and snowmobiles are stored or kept for sale, or where such vehicles may be oiled, greased, washed or have their ignitions or brakes adjusted, tires inflated, batteries charged or more generally where repair or equipping of motor vehicles is executed or performed. An automobile service station may operate on a self-serve basis.

"BASEMENT" shall mean that portion of a building or structure which is partly underground and below the first floor and which has at least one half of its clear height above the adjoining ground level.

"BED AND BREAKFAST ESTABLISHMENT" shall mean a home occupation in a single detached dwelling containing not more than 4 guest rooms used or maintained for the short-term accommodation of the public, in which the owner or head lessee supplies, for hire or gain, lodgings with or without meals for 4 or more persons but does not include other establishments otherwise defined or classified herein.

"BOARDING OR ROOMING HOUSE" shall mean a dwelling in which long-term lodging with or without meals is supplied for gain to three (3) or more persons other than the lessee, tenant or owner of said dwelling, but does not mean or include a motel, hotel, hospital or similar commercial, community facility or institutional use, an apartment building or a bed and breakfast establishment.

"BUILDING (when used as a noun)" shall mean any structure whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials, or equipment. Any tent, awning, bin, silo, vessel or vehicle used for any of the said purposes shall be deemed a building.

"BUILDING, ACCESSORY" (when used as a noun) shall mean a detached, subordinate building or structure that is naturally and normally incidental and subordinate to a principal use of a building or structure and is located on the same lot, and shall include a detached private garage, detached carport and a shipping container.

"BUILDING HEIGHT" shall mean the vertical distance between the average established grade and the highest point of the building or structure but does not include chimneys, antennas or other similar objects.

"BUILDING LINE, ESTABLISHED" shall mean the average setback of the existing buildings. A building line is considered to be established when at least three buildings have been erected on any one side of a continuous 300 metres (984.3 ft.) of land with street frontage.
"BUILDING, SUPPLY OUTLET" shall mean an establishment involved in the storage, display and sales of building supplies including lumber, millwork, siding, roofing, plumbing, electrical, heating, air conditioning and similar items.

"BUILDING, PRINCIPAL" shall mean a building or structure in which the primary use is conducted.

"BULK STORAGE YARD" shall mean a place where land is used for the storage in the open of goods and materials, machinery, petroleum products and/or equipment, but does not include the storage of such items as would require approval under the Health Protection and Promotion Act, as amended, nor does it include a salvage yard as defined by this by-law.

"BUNKHOUSE" shall mean a separate building used or intended to be used for the seasonal accommodation of workers on a farm, in which lodging with or without meals is supplied or is intended to be supplied to such employees, and which use is not for profit, reward or gain.

"BUSINESS OFFICE" shall mean any building or part of a building in which one or more persons are employed in the management or direction of any agency, business, brokerage, labour or fraternal organization.

“BY-LAW ENFORCEMENT OFFICER" shall mean the officer or employee of the Township of South Frontenac appointed by the Corporation with the duty of administering and enforcing the provisions of all municipal by-laws.

"CARPORT" shall mean a building or structure of which at least forty percent (40%) of the area of the perimeter faces is open and unobstructed by any wall, door, post or pier and is used for the temporary parking or storage of private passenger motor vehicles or commercial vehicles of less than one tonne capacity and wherein neither servicing nor repairing of motor vehicles is carried on for remuneration.

"CAR WASH" shall mean building or structure for the operation of automobile washing.

"CAR WASH, AUTOMATIC" shall mean a car wash where the labour is not supplied by the patron.

"CAR WASH, COIN OPERATED" shall mean a car wash where the patron supplies the labour.

"CARTAGE OR EXPRESS TRUCK TERMINAL" shall mean a building, structure or place where trucks or tractor trailers are rented, leased, kept for hire, or stored or parked for remuneration, or from which trucks or transports, stored or parked on the property, are dispatched for hire as common carriers, and which may include a warehouse.

"CELLAR" shall mean the portion of a building or structure which is partly underground and below the first floor and which has at least one half of its clear height below the adjoining ground level.

"CEMETERY" shall mean a cemetery or columbarium within the meaning of the Cemetery Act, as amended.
"CERTIFICATE OF OCCUPANCY" shall mean a certificate issued by the Chief Building Official for the occupancy of any land, building or structure, residential, commercial or industrial purposes to the effect that the proposed use or activity complies with this By-law.

"CHIEF BUILDING OFFICIAL" shall mean the officer or employee of the Township of South Frontenac appointed by the Corporation with the duty of administering the provisions of the Ontario Building Code, Building By-law and Zoning By-law.

“CHIP TRUCK” shall mean a vehicular and mobile facility where light meals and drinks are prepared and served to the public and which does not necessarily provide for consumption thereof on the premises other than in parking areas.

"CHURCH" means a building for public worship and which may include a Church Hall, Auditorium, Sunday School, Convent, Monastery or other related uses, dedicated to public worship by a recognized religion that is:

a. charitable according to the laws of Ontario;
   b. organized for the conduct of religious worship; and
   c. permanently established both as to the continuity of its existence and as to its religious beliefs and practices.

"CLINIC" shall mean a building or part thereof used by qualified medical practitioners, dentists, osteopaths, or drugless practitioners, numbering more than two for public or private medical, surgical, physiotherapeutic or other human health purposes, but does not include a private or public hospital.

"CLUB" see "PRIVATE CLUB" and "COMMERCIAL CLUB".

"COMMERCIAL" shall mean the use of land, buildings or structures for the purpose of buying and selling commodities and supplying services as distinguished from such uses as the manufacturing or assembling of goods, warehousing, transport terminals, construction and other similar uses.

"COMMERCIAL CLUB" shall mean any club other than a private club.

"CONSERVATION/CONSERVATION USES" shall mean the preservation, protection, improvement and use of land and/or water for the purpose of planned management of these natural resources.

"COMMUNITY CENTRE" shall mean any tract of land, building or buildings used for community activities whether used for commercial purposes or not, the control of which is operated under the Community Centres Act, as amended from time to time.

"CONTRACTOR'S YARD" shall mean a place where land is used for the storage in the open, of goods and materials, machinery and/or equipment normally utilized by the construction industry and may include the repair of machinery, but does not include the storage of such items as would require approval under the Health Protection and Promotion Act, as amended, nor does it include a salvage yard as defined by this by-law nor equipment or materials used for blasting.
"CONVERTED DWELLING" see "DWELLING, CONVERTED".

"CORNER LOT" see "LOT, CORNER".

"CORPORATION" shall mean the Corporation of the Township of South Frontenac.

"COUNCIL" shall mean the Municipal Council of the Corporation of the Township of South Frontenac.

"CRAFT SHOP" shall mean a building or structure where manufacturing is performed by tradesmen or craftsmen requiring manual or mechanical skills and may include a carpenter's shop, a locksmith's shop, a gunsmith's shop, a tinsmith's shop, a potter's shop, a jeweller's shop, sculptor's studio or similar uses. A craft shop may also involve the sale of goods or materials manufactured on the premises.

"DECK" shall mean a horizontal surface supported on piers, free of any roof or other covering, and which may be surrounded by a railing the height of which is governed by the Ontario Building Code.

"DEVELOPMENT" shall mean the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act, but does not include activities that create or maintain infrastructure authorized under an environmental assessment process or works subject to the Drainage Act.

“DOCK” shall mean a structure built at the shoreline or anchored over water at which watercraft are berthed or stored and includes such structure whether floating or permanently anchored to the shore or the lake bed, but which excludes any structure used for human habitation.

"DRY CLEANING SHOP" see "LAUNDRY AND DRY CLEANING SHOP".

"DRIVE-IN RESTAURANT" see "RESTAURANT, DRIVE-IN".

"DRIVEWAY" shall mean an area of land which provides vehicular access from the travelled portion of a street to a parking aisle.

"DRY INDUSTRY" shall mean an industry which does not require the excessive use of water or other fluids in an industrial process.

"DUPLEX" see "DWELLING, DUPLEX".

"DWELLING" shall mean a separate residential building containing one or more dwelling units but does not include a hotel, a travel trailer, a bunkhouse or other similar use.

"DWELLING, ACCESSORY" shall mean a single detached dwelling which is accessory to a permitted non-residential use, located on the same lot therein and is occupied by either the owner or the person employed on the lot where such dwelling is located.
“DWELLING, SECONDARY” shall mean a self-contained residential household unit with kitchen and bathroom facilities located within an existing single detached dwelling - development of which is subject to the Building Code, Fire Code and the Township’s property standards by-laws.

"DWELLING UNIT" shall mean a group of rooms in a building which is designed and used or intended to be used as a single, independent and separate housekeeping establishment in which food preparation and sanitary facilities are provided for the use of the occupants, and which has a private entrance from outside the building or from a common hallway or stairway inside the building, but does not mean or include a tent, cabin, trailer, mobile home, seasonal residence or a room or suite of rooms in a boarding house, hotel, motel, motor hotel, or tourist home.

"DWELLING UNIT, ACCESSORY" shall mean a dwelling unit which is part of and accessory to a permitted non-residential building other than an automobile service station or commercial garage. Such dwelling unit shall be occupied by the owner of the non-residential building or by a person employed on the lot where such dwelling unit is located.

"DWELLING, CONVERTED" shall mean a dwelling altered to contain a greater number of dwelling units.

"DWELLING, DUPLEX" shall mean a building that is divided horizontally into two dwelling units, each of which has an independent entrance either directly or through a common vestibule.

"DWELLING, MULTIPLE" shall mean a separate building containing three or more dwelling units which are horizontally and vertically attached with masonry walls and which have separate private entrances from the exterior of the building or from a common hallway.

"DWELLING, SENIOR CITIZEN MULTIPLE" shall mean any multiple dwelling for senior citizen's sponsored and administered by any public agency or any service club, church or non-profit organization, either of which obtains its financing from Federal, Provincial or Municipal governments, or by public subscription or donation, or by any combination thereof, and such multiple dwellings shall include auxiliary uses such as club and lounge facilities, usually associated with senior citizen’s development.

"DWELLING, SEASONAL" shall mean a detached building constructed and used as a secondary place of residence for seasonal vacations and recreational purposes and not as the principal residence of the owner or occupant thereof.

"DWELLING, SEMI-DETACHED" shall mean a separate building containing two dwelling units separated vertically by a common wall, each unit having separate entrance and exit facilities.

"DWELLING, SINGLE DETACHED" shall mean a separate building designed and intended to be occupied as a single housekeeping unit.

"EATING ESTABLISHMENT" shall mean a building or part of a building where food is prepared and/or cooked for sale to the public, and includes a restaurant, a drive-in restaurant, a take-out restaurant and a snack bar.
“ENDANGERED SPECIES” shall mean any native species, as listed in the Regulations under the Endangered Species Act, that is at risk of extinction throughout all or a significant portion of its Ontario range if the limiting factors are not reversed.

"ERECT" when used in this By-law includes construction, reconstruction, and relocation of buildings and structures, and without limiting the generality of the work, also includes:

a. any preliminary physical operation such as excavating, filling, regrading or draining;
   b. altering any existing building or structure by adding, enlarging, extending, remodelling, renovating, moving, demolishing, or effecting other structural changes.

"ESTABLISHED GRADE" shall mean the average elevation of the ground level or sidewalk adjoining all outside walls of the building or structure.

"EXISTING" unless otherwise described, shall mean existing as of the date of the passing of this By-law.

"EXTERIOR SIDE LOT LINE" see "LOT LINE, EXTERIOR".

"EXTERIOR SIDE YARD" see "YARD, SIDE".

"FARM IMPLEMENT DEALER" shall mean an establishment for the repair and/or sale of agricultural implements including the sale of fuel, lubricants and related items for agricultural equipment on the same premises.

"FACTORY OUTLET" shall mean a building or part of a building in which the wholesale sale of products to the general public is carried on. The outlet may or may not be in the factory in which the goods were produced nor must the outlet be located on the same property in which the factory is located.

"FIRST FLOOR" shall mean the floor of a building at or immediately above the established grade.

“FISH HABITAT” shall mean the spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes.

"FLOOD PLAIN" shall mean:

a. the area, usually low lands, adjoining a watercourse which has been, or may be, covered by flood waters; or
b. where the high water mark is not known, any land situated between a watercourse and a line parallel to and at a distance of 15 metres (49.2 ft.) measured at right angles from the top of the bank of a watercourse; or
   c. where the high water mark is not known and the bank of a watercourse is not discernible, the horizontal area, 20 metres (65.6 ft.) wide, on either side of the centre of a watercourse.
"FLOOR AREA, GROSS" shall mean the total floor area of all the storeys of a building and shall include the floor area of any apartment or areas common to the tenants, which floor areas are measured between exterior faces of the exterior walls of the building at each floor level, but excluding car parking areas within the building and any finished or unfinished basement or cellar. For the purpose of this definition, the walls of an inner court are and shall be deemed to be exterior walls.

"FLOOR AREA, GROUND" shall mean the floor area of the lowest storey of a building, approximately at or first above the finished grade level, of which the area is measured between the exterior faces of the exterior walls at the floor level of such storey, but excludes car parking areas within the building and any finished or unfinished basement or cellar. For the purpose of this paragraph, the walls of an inner court are and shall be deemed to be exterior walls.

"FORESTRY/FORESTRY USES" shall mean the commercial management, development, cultivation and harvesting of timber resources to ensure the continuous production of wood or wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, protection and production of water supplies, and preservation of the recreation resource.

"FRONT LOT LINE" see "LOT LINE, FRONT".

"FRONT YARD" see "YARD, FRONT".

"FUNERAL HOME" shall mean a building, or a portion of a building, designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for interment or cremation.

"GARAGE, PRIVATE" shall mean a separate building or a part of the principal building used for the parking or storage of private passenger motor vehicles or commercial vehicles of less than one tonne capacity and wherein neither servicing nor repairing is carried on for remuneration.

"GARDEN SUITE" shall mean a manufactured detached dwelling consisting of separate modular or panelized sections which are designed to permit easy delivery to and assembly into one integral unit on a specific site, and which are reusable and designed to permit easy disassembly for transport back to the factory or to another site at an appropriate time. Under no circumstances shall a garden suite be defined to include a single wide or double wide mobile home, a travel trailer, tent trailer or trailer otherwise designed.

"GIFT SHOP" shall mean a building or part of a building where crafts, souvenirs, gifts or similar items are offered or kept for sale at retail to the general public but shall not include any other establishment otherwise defined or classified in this By-law.

"GOLF COURSE" shall mean a public or private area operated for the purpose of playing golf and includes a par 3 or larger golf course.

"GREENHOUSE" shall mean a building for the growing of plants, shrubs, trees and similar vegetation which are primarily intended to be transplanted outdoors.
"GROUP HOME" shall mean a dwelling unit in which not less than three nor more than six people receive specialized or sheltered residential care and accommodation by virtue of their physical, mental, emotional, social or legal status and which is approved or licensed in accordance with any Act of the Parliament of Ontario. Without limiting the generality of the foregoing, group homes include a home for foster children, a home for elderly persons, a home for mentally or physically challenged persons and a home for people who are convalescing after hospital treatment and are under medical supervision but does not include a facility maintained and operated primarily for persons:

a. who have been placed on probation under the Probation Act, The Criminal Code (Canada) or the Juvenile Delinquent Act (Canada); or
b. who have been released on parole under the Ministry of Correctional Services Act; the Parole Act (Canada) or the Provincial Offenses Act; or
c. who are admitted to the institution for correctional purposes.

“HEALTH SPA” shall mean a building or buildings and associated land, facilities and accessory buildings and uses which provide for the physical and emotional treatment of the human body.

"HEREAFTER" shall mean after the date of the passing of this By-law.

"HEREIN" shall mean in this By-law and shall not be limited to any particular section of this By-law.

"HIGH WATER MARK" shall mean the mark made by the action of water under natural conditions on the shore or bank of a waterbody, which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark.

“HOBBY FARM” shall mean an agricultural use as defined in Section 3.2 of this By-law which is carried out on a parcel of land which is 9.9 ha (24.2 acres) or less in size.

"HOME INDUSTRY" shall mean an industry which is clearly incidental or secondary to the residential use of a single detached dwelling and is conducted either entirely within a single detached dwelling or in an accessory building to a single detached dwelling, by an inhabitant thereof. Such industries shall include: a veterinary hospital or clinic; woodworking; welding; plumbing; a machine or automobile body shop, a blacksmith or similar use. Retail uses may be permitted as a secondary use to a home industry provided the goods offered for sale have been manufactured or assembled on site.

"HOME OCCUPATION" shall mean a use which is clearly incidental or secondary to the residential use of a dwelling and is conducted entirely within such a dwelling by an inhabitant thereof and shall not use more than 25% of the gross floor area, including any basement, of the dwelling. Such uses may, among others, include: an outlet or office for a real estate agent;
hairdresser; dressmaker; dentist; doctor; chiropractor; physiotherapist; licensed masseur or masseuse or osteopath or other professional; or a bed and breakfast establishment.

"HOSPITAL, PRIVATE" shall mean a hospital as defined by the Public Hospitals Act, as amended from time to time.

"HOSPITAL, PUBLIC" shall mean a hospital as defined by the Public Hospitals Act, as amended from time to time.

"HOTEL" which includes a motel, motor hotel or inn, shall mean a building or structure used for the purpose of catering to the needs of the travelling public by supplying sleeping accommodations, food and refreshments.

"INSTITUTION" AND "COMMUNITY FACILITY" shall mean a building or part of a building used for non-commercial purposes by a public authority, organized body, religious group or society such as a public hospital, library, church, school, nursery school, convent or similar use.

"INTERIOR SIDE YARD" see "YARD, SIDE".

"KENNEL" shall mean a building or structure for the care of four (4) or more dogs, cats or other domestic household pets where such animals are kept commercially for boarding, training, propagation, grooming or sale.

"LANDSCAPED" shall mean an area not built upon and not used for any purpose other than as a landscaped area and which shall include at least a hedgerow of hardy shrubs or similar type of vegetation not less than .3 metres (0.98 ft.) in height at the time of planting and which, when fully grown, will reach a height of not less than 2 metres (6.6 ft.), extending the full length of the landscaped area and be maintained in a healthy growing condition. A landscaped area does not include driveways, parking spaces or parking aisles.

"LAUNDRY AND DRY CLEANING SHOP" shall mean a building or part of a building used for the purpose of receiving articles or goods of fabric to be subjected to a commercial process of laundering, dry cleaning, dry dyeing or cleaning elsewhere and for the pressing and distribution of any such articles or goods which have been subjected to any such process and shall include self-service laundry and/or self-service dry cleaning establishments.

"LIVESTOCK FACILITY" shall mean a manure storage system, feedlot or a building used to house livestock and poultry such as dairy and beef cattle, horse, swine, sheep, pigs, mink, rabbits, goats, geese, hens, turkeys and chickens.

"LOADING SPACE" shall mean an unencumbered area of land which is provided and maintained upon the same lot or lots upon which the principal use is located and which area:

a. is provided for the temporary parking of one commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicle, and such parking shall not be for the purpose of sale or display;

b. is suitable for the temporary parking of one commercial motor vehicle;

c. is not upon or partly upon any street, lane or alley; and
d. has adequate access to permit ingress and egress of a commercial motor vehicle from a street by means of driveways, aisles, manoeuvring areas or similar areas, no part of which shall be used for the temporary parking or storage of one or more motor vehicles.

"LODGE" shall mean an establishment catering to the holidaying public by providing meals, and sleeping accommodation to at least five (5) guests in rooms or cabins, but shall not include any establishment otherwise defined herein.

"LOT" shall mean a parcel of land, the boundaries of which are defined in the last registered instrument by which legal or equitable title to the said parcel was lawfully and effectively conveyed or which is a whole lot as shown on a Registered Plan of Subdivision subject to the provisions of the Planning Act.

"LOT AREA" shall mean the total horizontal area within the lot lines of a lot, and in the case of a corner lot having street lines rounding at the corner with a radius of 6 metres (19.7 ft.) or less, the lot area of such lot is to be calculated as if the lot lines were projected to their point of intersection.

"LOT, CORNER" shall mean a lot situated at the intersection of two or more streets or private lanes, having an angle of intersection of not more than 135 degrees. The front lot line on a corner lot is deemed to be either lot line abutting the street.

"LOT COVERAGE" shall mean that percentage of the lot area covered by all buildings or structures but excluding any part of a building or structure which is constructed entirely below grade. For the purposes of calculating lot coverage, the lot coverage of each zone shall be deemed to apply only to that portion of such lot that is located within the said zone.

"LOT DEPTH" shall mean the horizontal distance between the midpoints of the front and rear lot lines, and where there is no rear lot line, lot depth means the length of a line within the lot between the midpoint of the front lot line and the most distant point of the apex(s) of a triangle formed by the side lot lines.

"LOT FRONTAGE" shall mean the horizontal distance between the side lot lines measured along the front lot line, but 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 measured 9 metres (29.5 ft.) back from the front lot line and parallel to the chord of the lot frontage. For the purpose of this paragraph the chord of the lot frontage is a straight line joining the two points where the side lot lines intersect the front lot line.

"LOT, INTERIOR" shall mean a lot other than a corner lot.

"LOT LINE" shall mean any boundary of a lot.

"LOT LINE, EXTERIOR SIDE" shall mean the longer of the lot lines of a corner lot which abuts a street.

"LOT LINE, FRONT" shall mean the line that divides a lot from a street, a private lane or a navigable waterway. In the case of a lot with frontage on a street, the front lot line shall be deemed to be the line that divides the lot from the street. In the case of a lot with frontage on a private lane and a navigable waterway, the lot line between the waterway and the lot shall be
deemed to be the front lot line. In the case of a corner lot either lot line may be deemed to be the front lot line. In the case of a lot with frontage on a public road and a navigable waterway, the lot line between the street and the lot shall be deemed to be the front lot line.

"LOT LINE, REAR" shall mean the lot line farthest from and opposite to the front lot line and where the side lot lines converge at the rear of the lot to form a triangular shaped parcel of land, the rear lot line shall mean the apex of the triangle formed by the side lot lines. Furthermore, where the rear lot line is situated adjacent to a body of water, such lot line shall be the line formed by the high water mark of a body of water.

"LOT LINE, SIDE" shall mean any lot line other than the rear or front lot line.

"LOT, THROUGH" shall mean a lot bounded on two opposite sides by streets provided however that if any lot qualifies as being both a corner lot and a through as herein defined, such lot shall be deemed a corner lot for the purpose of this By-law.

"MARINA" shall mean a building or structure with access to a body of water, where boats and boat accessories are berthed, stored, serviced, repaired or kept for sale and where facilities for the sale of marine fuels and lubricants may be provided.

“MARINE FACILITY” shall mean a dock, a boat launch, or a pumphouse, and shall not include boat houses.

"MARKET GARDEN" shall mean the use of land for the intensive commercial cultivation of vegetables, fruits or flowers.

“MERCHANDISING SERVICE SHOP” shall mean a building or part of a building in which persons are employed in furnishing the repair or servicing of articles, machines, goods or materials as opposed to the manufacture of same. Merchandising repair shops include such establishments as small engine repair of such items as lawn mowers, chain saws and snowmobiles.

“MINERAL AGGREGATE” shall mean gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailing or other material prescribed under the Mining Act.

“MINERAL AGGREGATE OPERATION” shall mean:

a. lands under license or permit, other than for a wayside pit or quarry, issued in accordance with the Aggregate Resources Act, or successors thereto;

b. for lands not designated under the Aggregate Resource Act, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and

c. associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate, or the production of secondary related products.
“MINERAL MINING OPERATION” shall mean mining operations and associated facilities, or, past producing mines with remaining mineral development potential that have not been permanently rehabilitated to another use.

"MINIMUM DISTANCE SEPARATION", as amended from time to time, shall mean a separation requirement as provided for in Appendix 1.

a. Minimum Distance Separation I provides minimum distance separation for new or expanding development from existing livestock facilities.

b. Minimum Distance Separation II provides minimum distance separation for new or expanding livestock facilities from existing or approved development.

“MOBILE HOME” shall mean any dwelling that is designed to be made mobile, and constructed or manufactured in accordance with CSA standards for mobile homes to provide a permanent residence for one or more persons, but does not include a modular home or travel trailer as defined herein.

“MODULAR HOME” shall mean a transportable factory built, single detached dwelling unit at least 6 metres (19.7 ft.) in width designed in more than one unit to be towed on its own chassis by a special towing vehicle or transported on a railway flat and assembled on the site into one integral unit, and which is designed for continuous occupancy on a year-round basis but shall not include a mobile home or travel trailer, as defined herein.

“MODULAR HOME SITE” shall mean a parcel of land for placement of a modular home and for the exclusive use of the occupants.

"MULTIPLE DWELLING" see "DWELLING, MULTIPLE".

"MUNICIPALITY" shall mean the Corporation of the Township of South Frontenac.

“NAVIGABLE WATERWAY” shall mean a body of water or a stream pursuant to the Beds and Navigable Waters Act or the Navigable Waters Protection Act.

"NON-COMPLYING USE" shall mean a permitted land use, building or structure existing at the date of the passing of this By-law which does not comply with a setback provision or provisions of the zone within which it is located.

"NON-CONFORMING USE" shall mean a building, structure or land existing at the date of the passing of this By-law which is used for purposes not permitted in the respective zone in which it is located.

"NURSERY OR GARDEN CENTRE" shall mean a place where young trees are grown to be sold for transplanting and may also include the sale of related accessory garden supplies as well as the sale of fruits and vegetables provided such sale is subordinate to the select nursery stock.

"NURSING HOME" shall mean a nursing home within the meaning of the Nursing Homes Act, as amended from time to time.
"NURSERY SCHOOL" shall mean a day nursery within the meaning of the Day Nurseries Act, as amended from time to time, and shall include a day care centre.

"OPEN SPACE/OPEN SPACE USES" shall mean the open, unobstructed space on a lot, including the open, unobstructed space accessible to all occupants of any residential or commercial building or structure, which is suitable and used for the growth of grass, flowers, bushes and other vegetation and may include any surface pedestrian walk, patio, pool, or similar area, but does not include any driveway, ramp or parking spaces, parking aisles, loading spaces, vehicular manoeuvring areas or similar areas.

"OUTSIDE STORAGE" shall mean an accessory storage area outside of the principal or main building on the lot.

"PARK, PRIVATE" shall mean a park other than a public park.

"PARK, PUBLIC" shall mean a recreational area owned or controlled by the Corporation or by any Board, Commission or other Authority established under any statute of the Province of Ontario or Government of Canada.

"PARKING AISLE" shall mean an area of land which abuts and provides direct vehicular access to one or more parking spaces.

"PARKING AREA" shall mean an off-street area of land which is provided and maintained and which area comprises all parking spaces of at least the minimum number and size required according to the provisions of this By-law, and all driveways, aisles, vehicular manoeuvring areas, entrances, exits and similar areas used for the purpose of gaining access to or egress from the said parking spaces.

"PARKING SPACE" shall mean an off-street area of land, exclusive of aisles or any other land used for access or vehicular manoeuvring, for the temporary parking of one motor vehicle. A parking space may be located in the open or within a private garage, carport, building or other covered area and shall have adequate access to permit ingress and egress of a motor vehicle from a street by means of driveways, aisles or similar areas.

"PERSON(S)" shall mean any human being, association, firm, partnership, private club, incorporated company, corporation, agent, or trustee and the heirs, executors, or other legal representatives of a person to whom the context can apply according to law.

"PERSONAL SERVICE SHOP" shall mean a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons. Personal service shops, include such establishments as barber shops, hairdressing salons, shoe repair and shoeshine shops and depots for collecting drycleaning and laundry.

“PET CEMETERY” shall mean land used as a burial ground for domestic pets and may include accessory buildings or structures.

"PIT" shall mean land or land under water from which unconsolidated aggregate is being or has been excavated, and that has not been rehabilitated, but does not mean land or land under water
excavated for a building or other work on the excavation site or in relation to which an order has been made under the Aggregate Resources Act.

"PRIVATE CLUB" shall mean a building or part of a building used as a meeting place for members of an organization and includes a lodge, a fraternity, and a labour union hall. Such private clubs shall not be operated for profit.

"PRIVATE GARAGE" see "GARAGE, PRIVATE".

"PRIVATE HUNTING CAMP" shall mean a premises designed to provide temporary sleeping accommodation for one or more persons engaged in hunting.

"PRIVATE LANE" shall mean a street other than a "Street" as defined in this By-law.

"PRIVATE PARK" see "PARK, PRIVATE".

"PROFESSIONAL OFFICE" for the purposes of this By-law, is defined as one or more of the following: the office of an Accountant, Advertising Agent, Architect, Auditor, Chiropractor, Dentist, Engineer, Hairdresser, Insurance Agent, Lawyer, Ontario Land Surveyor, Optometrist, Physician, Planner, and Real Estate Agent or other similar professional occupations.

"PUBLIC AUTHORITY" shall mean the Corporation of the Township of South Frontenac and any Boards or Commissions thereof, the Bell Telephone Company of Canada, any company supplying natural gas or electricity to the Township and any Department of the Government of Ontario and Canada, or other similarly recognized agencies.

"PUBLIC PARK" see "PARK, PUBLIC".

"QUARRY" shall mean land or land under water from which consolidated aggregate is being or has been excavated and that has not been rehabilitated, but does not mean land or land under water excavated for a building or other work on the excavation site or in relation to which an order has been made under the Aggregate Resources Act.

"REAR LOT LINE" see "LOT LINE, REAR".

"REAR YARD" see "YARD, REAR".

"RECREATIONAL USE" shall mean the use of land for parks, playgrounds, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, athletic fields, golf courses, picnic areas, swimming pools, riding clubs, day camps, community centres, snow skiing and all similar uses, together with necessary and accessory buildings and structures, but does not include an arcade, a track for the racing of animals, motor vehicles, snowmobiles or motorcycles.

"RECREATIONAL USE, ACTIVE OUTDOOR" shall mean uses such as golf courses, lawn bowling greens, tennis courts, outdoor skating rinks and swimming pools, together with necessary and accessory buildings and structures.
"RECREATIONAL USE, PASSIVE OUTDOOR" shall mean such uses as hiking and ski trails, nature observation locations and open space as opposed to (for example) tennis courts, golf courses and baseball diamonds.

"RECREATIONAL ESTABLISHMENT, COMMERCIAL" shall mean a building used or intended to be used for a theatre, bowling alley, curling rink, swimming pool, billiard parlour, health club, athletic club or similar uses.

"RELIGIOUS INSTITUTION" shall mean buildings used as dwellings by religious orders for their own members, such as a convent or monastery.

"RESEARCH FACILITY" shall mean a building or part of a building or an area of open space in which investigation or inquiry for the purpose of producing new information or products is carried on, and shall be conducted in accordance with the provisions of Sections 5.20 and 5.21 of this By-law.

"RESIDENTIAL" shall mean the use of land, buildings, or structures for human habitation.

"RESORT" shall mean a tourist establishment that operates throughout all or part of the year and that has facilities for serving meals and furnishing equipment, supplies or services to persons in connection with recreational or health enhancement purposes (eg. a spa).

"RESTAURANT" shall mean a building or part of a building where food is prepared and/or cooked and offered for sale or sold to the public and where dining tables and table service are provided.

"RESTAURANT, DRIVE-THROUGH" shall mean premises consisting of a building or structure, together with a parking lot, where food is prepared and/or cooked and offered for sale or sold to the public for consumption either in a motor vehicle parked on the parking lot or for consumption on the premises and where dining tables may be provided but table service is not provided.

"RESTAURANT, TAKE-OUT" shall mean a building or part of a building where food is prepared and/or cooked and offered for sale or sold to the public and where neither dining tables nor table service are provided.

"RETAIL STORE" shall mean a building or part of a building where goods, merchandise, substances, articles or things are offered for retail sale directly to the general public and includes storage on the store premises of such goods, merchandise, substances, articles or things sufficient only to service such store.

"RETAIL STORE, CONVENIENCE" shall mean a retail store serving the daily or occasional needs of the residents in the immediate area with a variety of goods such as groceries, meats, beverages, dairy products, patent medicines, sundries, tobacco, stationery, hardware, magazines and newspapers.

“RIDEAU CANAL” shall mean the bed of Cranberry Lake, Dog Lake, the Cataraqui River, Beaupre and adjacent federal crown islands which form part of the Rideau Canal system.
"RIDING CLUB" shall mean an organization devoted to the use of a stable in which horses are sheltered and fed and which is used to facilitate equestrian events and which use may include riding arenas and training tracks.

"SALVAGE YARD" shall mean a fenced lot and/or land for the storage and/or handling of scrap material, which, without limiting the generality of the foregoing, may include a junk yard, a scrap metal yard and an automobile wrecking yard, but shall not include the storage of tires.

"SCHOOL" shall mean a public, separate, or high school under the jurisdiction of the Board of Education or the Roman Catholic Separate School Board, a private school, a continuation school, a technical school, a vocation school, a college, a university or other educational institution, but not a commercial school.

"SEASONAL RESIDENCE" see "DWELLING, SEASONAL".

"SEMI-DETACHED DWELLING" see "DWELLING, SEMI-DETACHED".

"SENIOR CITIZEN HOUSING" shall mean housing owned and operated by the government or a non-profit housing authority to provide residential accommodation for senior citizens.

"SERVICE SHOP" shall mean a building or part of a building, whether connected with a retail shop or not, used for the repair or servicing of articles, small engines, machines, goods, or materials as distinguished from manufacturing of same.

"SETBACK" shall mean the least horizontal dimension between the centreline of a street allowance or highwater mark, measured at right angles to such right-of-way or highwater mark, and the nearest part of any excavation, building or structure on the lot, or the nearest open storage use on the lot.

"SHIPPING CONTAINER" shall mean a standardize, reusable steel box originally constructed to contain materials and products for storage and movement securely in the global containerized freight transport system – also termed ‘sea containers’, ‘storage containers’ and ‘cargo containers’.

"SHOPPING CENTRE" shall mean a group of commercial uses which has been designed and developed as a unit by a single owner or group of owners, as distinguished from a business area consisting of unrelated individual commercial uses.

"SHORELINE" shall mean any lot line or portion thereof that abuts a waterbody.

"SIDE LOT LINE" see "LOT LINE, SIDE".

"SIDE YARD" see "YARD, SIDE".

"SIGHT TRIANGLE" shall mean an area free of buildings or structures, which area is determined by measuring from the point of intersection of street lines on a corner lot or where a corner is rounded from the point at which the extended street lines meet, the distance required by this By-law along each such street line and joining such points with a straight line thereby creating a triangular-shaped parcel of land. This triangular-shaped parcel of land located between the
intersecting street lines and the straight line joining the points located the required distance along the street lines is the sight triangle.

“SITE ALTERATION” shall mean activities, such as fill, grading and excavation, that would change the landform and natural vegetative characteristics of a site.

"SLEEPING CABIN" shall mean an accessory and subordinate, single storey (with no basement), detached building or structure with a maximum footprint of 27.9 sq. metres (300 sq. ft.) designed as sleeping accommodation only, to permit the better or more convenient enjoyment of the principal residential dwelling and may contain plumbing or sanitary waste disposal systems provided such system is connected to the system accommodating the principal dwelling and approved by the local Health Unit. No kitchen facilities shall be included in a sleeping cabin. In no case shall the definition of a sleeping cabin be deemed to include premises for the temporary accommodation of members of the public for a fee.

"SOLAR COLLECTOR" shall mean any structure subordinate to a principal structure designed specifically for the collection of solar energy for experimental or ornamental purposes or for the purposes of converting such energy for heating, lighting, water production or any other domestic or commercial use that may be obtained from such source. For the purposes of this By-law a solar collector shall be considered an accessory structure.

"STREET" shall mean a public highway as defined under the Highway Traffic Act, as amended, from which access may be taken to an abutting lot and which is dedicated, assumed and maintained by the municipality. A street does not include an unopened road allowance, a lane or an unassumed road on a Registered Plan which has been deemed not to be a Registered Plan under the Planning Act.

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

"STRUCTURE" shall mean anything constructed or erected, the use of which requires location on the ground, or which is attached to something having location on the ground.

"TAKE-OUT RESTAURANT" see "RESTAURANT, TAKE-OUT".

"TAVERN" shall mean "a tavern" as defined by the Liquor Licence Act, as amended from time to time.

“TILLABLE AREA” shall mean lands where the depth of soil to bedrock is a minimum of six (6) inches.

"THROUGH LOT" see "LOT, THROUGH".

"TOP OF BANK" (Slope) shall mean a point which is the beginning of a significant change in the land surface, then from which the land surface slopes downward (at a grade of 30% or more) towards an abandoned or existing waterbody or watercourse. When there are two (2) or more slopes located together, separated by plateaus, the slope that is the closest to the highwater mark is the slope that is considered for the top of bank calculation.
"TOURIST ESTABLISHMENT" shall mean an operation that provides sleeping accommodation for the travelling 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, and without limiting the generality of the term, also includes a cabin establishment and a housekeeping cottage but does not include:

a. a camp operated by a charitable corporation approved under the Charitable Institutions Act;
   b. a summer camp within the meanings of the regulations under The Health Protection and Promotion Act; or
   c. a club owned by its members and operated without profit or gain.

"TOURIST HOME" shall mean a private dwelling that is not part of or used in conjunction with any other tourist establishment and in which there are at least five (5) rooms for rent to the travelling or holidaying public, whether rented regularly, seasonally or occasionally.

"TRAVEL TRAILER" shall mean any vehicle so constructed that is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, notwithstanding that such vehicle is jacked-up or that its running gear is removed, but not including any vehicle unless it is used or intended for the temporary living, sleeping or eating accommodation of persons therein, and shall be deemed to include a tent trailer and a motorhome.

"TRAVEL TRAILER PARK" shall mean a parcel of land maintained for the temporary parking of tents or travel trailers on individual sites, and shall be subject to the provisions of this By-law.

"TRAVEL TRAILER SITE" shall mean an area of land within a travel trailer park that is or is intended to be occupied by one tent or one trailer or similar vehicle within the meaning of a trailer as defined above with adequate access to a driveway or public street.

"USE" shall mean the purpose for which any land, building or structure is arranged, designed, or intended to be used, occupied or maintained.

"USE, ACCESSORY" shall mean a use customarily incidental and subordinate to the principal use or building located on the same lot.

"VETERINARY ESTABLISHMENT" shall mean a building or structure or part thereof used for the purpose of consultation, diagnosis and treatment of small domestic household animals, birds and pets and may also include boarding of such animals, birds and pets and accessory sales of pet supplies.

"WAREHOUSE" shall mean an establishment used for the storage and distribution of goods, ware, merchandise, substances, articles or things and may include an accessory retail use, but does not include a cartage or express truck terminal.

"WASTE DISPOSAL SITE" shall mean any land or land covered by water (such as in the case of a sewage lagoon) upon, into, in or through which or building or structure in which waste is
deposited or processed and any machinery or equipment or operation required for the treatment or disposal of waste.

"WASTE MANAGEMENT SYSTEM" shall mean all facilities, equipment and operations for the complete management of waste including the collection, handling, transportation, storage, processing and disposal thereof and may include one or more waste disposal sites.

"WATER FRONTAGE" shall all property abutting a waterbody measured perpendicular to the side lot lines in a straight line between the two said lot lines at a point where the side lot lines intersect with the highwater mark.

"WATERBODY" shall mean any natural or constructed body of water including lakes, rivers, streams, channels, wetlands and navigable waterways, but excludes a drainage or irrigation channel.

"WATERCOURSE" shall mean any surface stream or river and includes a natural channel for an intermittent stream and a municipal drain as defined by "The Drainage Act", as amended.

"WAYSIDE PIT" shall mean:
   a. a temporary sand or gravel pit opened and used by a governmental authority or authorized contractor for the purpose of a particular public project such as road construction, or
   b. a minor sand and gravel pit on a farm unit required only for the use of that farm unit.

"WAYSIDE QUARRY" shall mean a temporary quarry opened and used by a governmental authority or authorized contractor for the purpose of a particular public project such as road construction.

"WINDMILL/WIND POWERED ELECTRICAL GENERATOR" shall mean a structure consisting of rotating blades used to generate electrical energy from wind.

"WOODLOT" shall mean a wooded area in which the majority of trees are at least 10.2 centimetres (4.0 in.) in diameter and in which there is a minimum of a fifty (50) percent closed canopy of tree foliage.

"YARD" shall mean the space appurtenant to a building or structure on the same lot which is open, uncovered, and unoccupied except for such accessory buildings, structures, or uses which are specifically permitted by this By-law. In determining yard measurements, the minimum horizontal distance from the respective lot lines shall be used.

"YARD, FRONT" shall mean the yard extending across the full width of the lot between the front lot line of the lot and the nearest part of any buildings or structures on the lot. The "minimum" front yard shall mean the distance between the front lot line and the nearest wall of any principal or accessory building on the lot, according to the context in which the term is used.

"YARD, REAR" shall mean the yard extending across the full width of the lot between the rear lot line of the lot and the nearest part of any principal building or structure on the lot. Where a rear yard is required for an accessory building in this By-law then this definition shall apply except that the words "accessory building" shall be substituted for "principal building". The "minimum" rear yard shall mean the minimum distance between the rear lot line and the nearest wall of any
principal building or accessory building on the lot, according to the context in which the term is used.

"YARD, SIDE" shall mean the yard extending from the front yard to the rear yard between the side lot line and the nearest part of any building or structure on the lot.

"YARD, INTERIOR SIDE" shall mean the side yard extending from the front yard to the rear yard between the side lot line and the nearest part of any building or structure on any lot and excluding any exterior side yard. The "minimum" interior side yard shall mean the minimum distance between an interior side lot line and the nearest wall of any principal or accessory building on the lot, according to the context in which the term is used.

"YARD, EXTERIOR SIDE" shall mean the side yard of a corner lot in which the side yard extends from the front yard to the rear yard between the side street line and the nearest part of any building or structure on the corner lot. The "minimum" exterior side yard shall mean the distance between the exterior side lot line and the nearest wall of any principal or accessory building on the lot, according to the context in which the term is used.

"ZONE" shall mean a designated area of land use shown on the schedules of this By-law.
SECTION 4 - ADMINISTRATION

4.1 ZONING ADMINISTRATION
This By-law shall be administered by a person appointed by the Council of the Township of
South Frontenac as the Chief Building Official.

4.2 ISSUANCE OF BUILDING PERMITS
Where land is proposed to be used or a building or structure is proposed to be erected or
used in violation of this By-law, no permit or licence required under any by-law of the
Corporation for the use of the land or for the erection or the use of the building or structure
shall be issued.

4.3 APPLICATIONS FOR BUILDING PERMITS
In addition to the requirements of the Ontario Building Code, the Corporation's Building By-
law or any other by-law of the Corporation, every application for a building permit shall be
accompanied by plans which, depending on the nature and location of the work to be
undertaken, may be required by the Corporation to be based upon an actual survey
prepared by an Ontario Land Surveyor drawn to an appropriate scale and showing the
following:

4.3.1 the true shape and dimensions of the lot to be used or upon which it is proposed to erect
any building or structure;

4.3.2 the proposed location, height and dimensions of the building, structure or work in respect
of which the permit is being applied for;

4.3.3 the location of every building or structure already erected or partly erected on such lot;

4.3.4 the proposed locations and dimensions of yards, landscaped open spaces, parking areas,
and loading spaces required by this By-law;

4.3.5 proposed grading or change in elevation or contour of the land and the proposed method
for the disposal of storm and surface water from the land and from any building or
structures thereon;

4.3.6 a statement signed by the owner or his agent duly authorized thereunto in writing, filed with
the Chief Building Official, which statement shall set forth in detail the intended use of each
building and structure or part thereof and giving all information necessary to determine
whether or not every such building or structure conforms with the regulations of this By-
law;

4.3.8 in addition to the above requirements, every application which involves the installation,
enlargement or reconstruction of a sewage disposal system shall be accompanied by
approval in writing from the appropriate responsible authority for the method of sewage
disposal;
4.3.9 in addition to the above, where lands lie within established fill or flood lines, any building permit application in respect of such land shall be accompanied by the written approval and technical recommendations of the Conservation Authority having jurisdiction;

4.3.10 in addition to the above, the applicant shall indicate the source of potable water appropriate to the proposed development;

4.3.11 in addition to the above and where required, an Environmental Impact Study, site plan or other information which might be required by the Official Plan or this Comprehensive Zoning By-law.

4.4 INSPECTION OF LAND OR BUILDINGS
Where the Chief Building Official has reason to believe that any person has used land or used a building or structure contrary to this By-law, he/she, or an employee of the Township authorized by him/her, may at any reasonable hour, enter and inspect the land, building or structure.

4.5 VIOLATIONS AND PENALTIES
Any person who contravenes any provisions of the By-law is guilty of an offence, and for the purposes of this By-law, each day that a breach of this By-law continues shall constitute a separate offence and on summary, the offender shall be liable to be fined under the provisions of the Provincial Offences Act.

The conviction of an offender upon the breach of any of the provisions of this By-law shall not operate as a bar to a prosecution against the same offender upon any continued or subsequent breach of any such provision and any court of competent jurisdiction may convict any offender repeatedly for repeated breaches of the By-law.

4.6 OCCUPATION OF BUILDINGS
Occupation of all new buildings and converted dwellings shall require a Certificate of Occupancy from the Township Building Department in accordance with the Ontario Building Code and any other Township By-laws.

4.7 VALIDITY, EFFECTIVE DATE AND EXISTING BY-LAWS

4.7.1 Validity
If any section, clause or provision of the By-law, including anything contained on the schedules 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 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 the remaining sections, clauses or provisions of this By-law shall remain in full force and take effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

4.7.2 Effective Date
This By-law shall, subject to the approval of the Ontario Municipal Board, come into force and take effect upon being passed by the Council of the Township of South Frontenac.

4.7.3 Existing By-laws
All by-laws in force within the Corporation regulating the use of lands and the character, location, bulk, height and use of buildings and structures be and the same, are amended insofar only as it is necessary to give effect to the provisions of this By-law and the provisions of this By-law shall govern unless otherwise specified.

SECTION 5 - GENERAL PROVISIONS

5.1 APPLICATION
This By-law shall apply to all lands within the Township of South Frontenac, and shall take effect on the day it is enacted.

5.2 INTERPRETATION
Nothing in this By-law shall be construed to exempt any person from complying with the requirement of any by-law of the Municipality or the County of Frontenac or from any law of the Province of Ontario or Canada, or any regulations under the provisions of the Conservation Authorities Act of a Conservation Authority having jurisdiction or from any other law in force from time to time.

5.2.1 In this By-law, the word "shall" is mandatory.

5.3 ZONES

5.3.1 For the purpose of this By-law, the Township of South Frontenac has been divided into zones, the boundaries of which are shown on the attached schedules.

5.3.2 The zones are referred to by the following names or symbols and are identified on the attached schedules by the following symbols:

<table>
<thead>
<tr>
<th>ZONE</th>
<th>SYMBOL</th>
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<tbody>
<tr>
<td>AGRICULTURAL ZONE</td>
<td>A</td>
</tr>
<tr>
<td>RURAL ZONE</td>
<td>RU</td>
</tr>
<tr>
<td>WATERFRONT RESIDENTIAL ZONE</td>
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5.3.4 Where the boundary of any zone is uncertain, and the boundary is shown following a street, lane, railway right-of-way, electric transmission line, right-of-way or watercourse, then the centre line of the street, lane, railway right-of-way, electric transmission line, right-of-way or watercourse is the zone boundary.

5.3.5 Where the boundary line of a zone does not correspond to a property line, to the centre line of a street, highway line, right-of-way or watercourse, the location of said boundary line shall be scaled from the scale shown on the attached schedules.

5.3.6 Where the boundary of any zone is uncertain and notwithstanding the provisions of this subsection, the dimensions contained in any amending by-law shall apply.

5.3.7 Where the regulations of a zone include a requirement that the minimum yard of a lot or parcel of land shall be a specific number of metres, such minimum yard shall be determined by measuring at right angles from either the street line of the public street or the lot line abutting such yard in the direction of such lot or parcel of land a distance equal to the said specific number of metres in the relevant regulation of such zone.

5.3.8 Subject to the provisions of Section 5.12, the minimum lot area shall be as contained in the appropriate section of this By-law for the zone in which the lot is located or such larger area as may be required by the appropriate authority pursuant to the provisions of the Health Protection and Promotion Act.

5.4 HOLDING ZONES
Where any zone symbol as shown on the attached schedules is followed by the symbol "H", this signifies that only existing uses are permitted and no person shall use the land for any new use or erect, alter or enlarge any building or structure on said lands until such time as the holding symbol has been removed by the Township in accordance with the provisions of the Planning Act.

5.5 PROHIBITIONS

5.5.1 No person shall use any land or erect any building or structure within a zone except for a permitted use established or erected in accordance with the regulations provided by this By-law for the zone in which it is located.

5.5.2 No person, except a public authority engaged in the implementation of public works or services shall reduce in area or frontage any lot already built upon, either by conveyance or alteration, so that the lot coverage of the building exceeds the maximum permitted by this By-law, or so that the area or frontage of the lot will be less than the minimum permitted by this By-law for the zone in which the lot is located.
5.5.3 Except in a commercial or industrial zone, not more than one permitted use shall be allowed on a lot unless specifically permitted in this By-law. This section shall not prohibit the establishment of a home occupation or home industry in conjunction with a dwelling where such use is permitted.

5.5.4 The purpose for which any land or building is used shall not be changed, no new building or addition to any existing building shall be erected and no land shall be severed from a lot, if such change, erection or severance creates a situation that contravenes any of the provisions of this By-law applicable to each individual remaining building, accessory building or lot.

5.5.5 Except as otherwise provided in this By-law, no building or structure shall be erected, altered, extended or enlarged except upon a lot nor shall any land be used for any permitted use unless it comprises a lot as defined herein; but this provision shall not prevent the use of any parcel or tract of land for agricultural purposes excluding the erection or enlargement of any building or structure except a fence.

5.5.6 No person shall erect or use any building as a dwelling upon any lot whereon there then exists, or is in the course of construction, or for which a building permit has been issued, a building erected or used or intended to be used as a dwelling.

5.5.7 No person shall occupy or permit to be occupied a building or part of it, unless the chief building official or a person designated by the chief building official has issued a permit authorizing occupation of the building or part of it.

5.5.8 Mining or mine exploration shall be prohibited in any Waterfront Residential, Limited Service Residential, Limited Service Residential-Waterfront and Limited Service Residential-Island Zones.

5.5.9 No commercial clear cutting of trees shall be permitted within 90 metres of the highwater mark of any waterbody in the Township.

5.5.10 No development shall be permitted within 30 metres of the fill area of a sanitary landfill operation.

5.6 SETBACK FROM PRIVATE LANES AND PUBLIC ROADS

5.6.1 Notwithstanding any other provision contained in this By-law, all development shall be set back a minimum of 5 metres (16.4 ft.) from either the travelled portion or the surveyed edge, whichever is greater, of all private lanes.

5.6.2 Notwithstanding any other provision contained in this By-law, no building or structure shall be hereafter erected in any zone closer than the sum of the front yard or exterior side yard requirement for such zone and the following where applicable:

5.6.2.1 15.25 metres (50.0 ft.) from the centre of the right-of-way of the road allowance of former provincial highway 38 and former County of Frontenac roads; and
5.6.2.2 10 metres (32.8 ft.) from the centre of the right-of-way of all other public roads in the Township of South Frontenac

5.6.3 Notwithstanding the provisions of this by-law to the contrary, where a building, structure or accessory use thereto is to be erected in a built-up area where there is an established building line, such dwelling or accessory use is not to be erected closer to the street line or to the centre of the right-of-way of the road or street, as the case may be, than the established building line on the date of passing of this By-law.

5.7 **APPROVAL FOR SEWAGE DISPOSAL SYSTEMS**

No building permit shall be issued for any building or structure which requires a private sewage disposal system unless the building permit application is accompanied by approval in writing from the appropriate responsible authority for the proposed method of sewage disposal.

5.8 **FLOODING AND SHORELINE EROSION HAZARDS**

5.8.1 No building or structure shall be located within the flood plain of a watercourse or waterbody, including a municipal drain, except where a municipal drain forms part of a road allowance, notwithstanding that such watercourse is not shown on any schedule forming part of this By-law without the written consent of the Conservation Authority.

5.8.2 Notwithstanding anything in this By-law, no building or structure (other than a marine facility as defined in this by-law), or septic tank installation including the weeping tile field shall be located:

a. within 30 metres (98.4 ft.) horizontal of the highwater mark of a waterbody or permanent watercourse, notwithstanding that such body of water or watercourse is not shown on any schedule forming part of this By-law. Additional setbacks of up to a maximum of 90 metres (295.3 ft.) horizontal may be required and will be determined through the rezoning and/or building permit approval process in accordance with the guidelines contained in Appendix 2 ‘Shoreline Setbacks’. Notwithstanding the above, one accessory building or structure not exceeding 2.97 sq. metres (32 sq. ft.) may be permitted no closer than 8 metres (26.2 ft.) from any waterbody in the Township; or

b. within 15 metres (49.2 ft.) horizontal of the top of bank of any embankment, the slope of which is greater than 30% from horizontal (see illustration); or

c. within 30 metres (98.4 ft.) horizontal of an Environmental Protection zone

5.8.3 In the absence of detailed mapping, and where a flooding or erosion hazard is suspected, Council, in consultation with the local Conservation Authority, will require that a proponent of development detail the extent of any hazard lands and the measures that would be required to address the following requirements:

a. that vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
b. that new hazards are not created and existing hazards are not aggravated and that no adverse environmental impacts result;

c. the hazards can be safely addressed and carried out using established standards and procedures and the Conservation Authority has approved any floodproofing measures which are proposed;

d. a site plan and site plan agreement, if necessary, have been completed to the satisfaction of the Municipality in consultation with the appropriate Conservation Authority;

e. an amendment to the Zoning By-law setting out any applicable provisions has been obtained where required

Note: These provisions shall not apply to buildings, structures, and services requiring direct access to the water as an operational necessity such as a marina, marina service building or facility, pumphouse or other similar structure

5.8.4 Natural vegetative buffers should be maintained within 30 metres (98.4 ft.) of the highwater mark.

5.9 LEGAL NON-CONFORMING USES

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

5.9.2 Building Permit Issued
The provisions of this By-law shall not apply to prevent the erection or use for a purpose prohibited by this By-law of any building or structure, the plans for which have prior to the passing of this By-law been approved and a permit issued by the Township of South Frontenac's Chief Building Official so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided that the erection of such a building or structure is commenced within one year after the day of the passing of this By-law and the building or structure is completed within a reasonable time after the erection thereof is commenced.

5.9.3 Restoration to a Safe Condition
The provisions of this By-law shall not apply to prevent the strengthening to a safe condition of any non-conforming building or structure or part thereof provided such strengthening generally does not increase the height, size or volume, of such building or structure.
5.10 LEGAL NON-COMPLYING STRUCTURES

5.10.1 Buildings on Existing Lots
Where a building has been legally erected prior to the date of the passing of this By-law on a lot having less than the minimum frontage and/or area, or having less than the minimum front yard, side yard, rear yard or usable open space required by this By-law, the said building may be enlarged, reconstructed, repaired or renovated provided said enlargement, reconstruction, repair or renovation does not serve to further reduce a required yard or required usable open space and provided all other provisions of this By-law are complied with including the 30 metre (98.4 ft.) setback from the highwater mark of any waterbody or watercourse.

5.10.2 Existing Buildings Within 30 Metres (98.4 ft.) of a Waterbody or Watercourse
Where a building has been erected prior to the date of passing of this By-law on an existing lot and said building has less than the minimum 30 metre (98.4 ft.) setback from the highwater mark of a waterbody or watercourse, then said building may be repaired, renovated or strengthened to a safe condition provided there is no enlargement of the gross floor area or increase in height. In addition, no living space shall be added below grade to any existing building or structure.

5.11 REPLACEMENT OF BUILDINGS OR STRUCTURES
A building or structure, including a legal non-conforming and/or legal non-complying building or structure, may be replaced with a new building or structure in the case of partial or complete destruction caused by fire, lightning, explosion, tempest, flood or act of God, or demolition permit required by the Corporation of the Township of South Frontenac or other authority for safety, health or sanitation requirements, providing such building or structure is serviced by a potable water supply and sewage disposal system approved by the appropriate responsible authority. A building permit will only be issued, in the absence of zoning relief, provided no enlargement of the footprint or increase in gross floor area is proposed and provided the permit is applied for within 12 months of the partial or complete demolition/destruction. The replacement building shall be located on and not increase the footprint or gross floor area of the non-conforming/non-complying building. The applicant shall provide proof to the satisfaction of the Chief Building Official that there will be no increase in the size of the building footprint or gross floor area and that the replacement building will be located within the same footprint as the non-conforming/non-complying building. Where applicable, floodproofing and avoidance of erosion hazards should be considered.

5.12 EXISTING UNDERSIZED LOTS
Where a lot having a lesser lot area and/or lot frontage than that required herein is held under distinct and separate ownership from abutting lots, as shown by a registered conveyance in the records of the Registry or Land Titles Office on the date of passing of this By-law, or where such a lot is created as a result of an expropriation, such smaller lot may be used and a building or structure may be erected, altered or used on such smaller lot, provided that a suitable building envelope, outside of any hazards, which is appropriate for the intended use and which minimizes environmental impacts can be identified. Furthermore, the lot must demonstrate that an adequate supply of potable water is available to service the proposed use. Such erection, alteration or use shall not contravene
any other provisions of this by-law and all relevant regulations made under the Health Protection and Promotion Act and requirements of the local Health Unit.

5.13 **CELLAR**
Notwithstanding anything contained in this By-law, no cellar or part of a cellar of any building shall be used as a whole dwelling unit.

5.14 **YARD ENCROACHMENTS PERMITTED**

5.14.1 Except as otherwise provided in this By-law, every part of any required yard shall be open and unobstructed by any building or structure from the ground to the sky, except for:

5.14.1.1 sills, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters or other ornamental features, provided however that the same shall not project more than 0.6 metres (1.97 ft.) into any required yard;

5.14.1.2 drop awnings, clothes poles, garden trellises, windmills, TV or radio antennas, or similar accessories;

5.14.1.3 fences, solar collectors, parking lots, retaining walls, driveways, patios and other such uses as specifically permitted in this By-law;

5.14.1.4 signs, provided however that the same shall be erected in accordance with the provisions of any Sign By-law or policy of the Municipality;

5.14.1.5 light standards, fuel pump islands and fuel pumps of automobile service stations, provided however that the same shall be erected in accordance with the applicable provisions of this By-law;

5.14.1.6 fire escapes, provided however that the same shall project into any required side or rear yard a distance of not more than 1.5 metres (4.9 ft.).

5.14.2 Notwithstanding the yard provisions of this By-law to the contrary, canopies, steps and unenclosed and uncovered decks may project into any required front or rear yard a maximum distance of 2.5 metres (8.2 ft.) but not encroach with the setback from the highwater mark. For the purpose of this section, a "deck" shall mean a horizontal surface supported on piers, free of any roof or other covering, and which may be surrounded by a railing the height of which is governed by the Ontario Building Code.

5.15 **LANDS SEVERED BY PUBLIC UTILITY LINES**
Where lands are acquired for the purpose of a public utility line and such acquisition results in a parcel of land without street frontage, the part of such parcel without street frontage shall be deemed for the purpose of this By-law to have frontage on such street providing the land has a permanent right of access to such street.

5.16 **TEMPORARY USES**
Nothing in this By-law shall prevent the use of any land, except for lands zoned Environmental Protection or Environmentally Sensitive Lands, or the erection or use of any
building or structure for a construction camp, work camp, tool shed, scaffold, or other building or structure including a temporary sales or rental office, which is incidental to and necessary for construction work on the premises, but only for so long as such use, building or structure is necessary for such construction work which has not been finished or abandoned. "Abandoned" in this Section shall mean the failure to proceed expeditiously with the construction of a work, specifically abeyance of construction for six months. A mobile home or travel trailer may be permitted as temporary living accommodations provided a building permit has been obtained for the permanent dwelling, a sewage disposal permit has been obtained from the appropriate authority and a permit from the Township is issued in accordance with the municipality’s temporary living accommodations policy.

5.17 PUBLIC USES AND UTILITIES

5.17.1 Notwithstanding anything contained in this By-law, the Township of South Frontenac or any local board thereof, any transportation system owned, operated, or authorized by or for the Township of South Frontenac, any Department of the Federal or Provincial Government or any Conservation Authority established by the Government of Ontario, may, for purposes of public service, use any land or erect or use any building or structure in any zone except Environmental Protection Wetland provided:

5.17.1.1 that such use, building or structure, shall be in compliance with the height, coverage, landscaped open space and yard regulations prescribed for such a zone;

5.17.1.2 that there shall be no open storage of goods, materials, or equipment in the yards of any Residential Zone; and

5.17.1.3 that any building or structure erected or used in any Residential Zone shall be of a character and shall be maintained in general harmony with the buildings of the type permitted in the said zone.

5.17.2 Nothing in this By-law shall prevent the use of any land as a public park, a public street or for the location of a properly authorized traffic sign or signal, or any sign or notice of any Municipal, Provincial or Federal government department or authority.

5.18 MULTIPLE USES ON ONE LOT
Notwithstanding anything contained in this By-law, where any land or building is used for more than one purpose, all provisions of this By-law relating to each use shall be complied with, provided that no dwelling shall be located closer than 3 metres (9.8 ft.) to any other building on the lot. A dwelling or dwelling unit as an accessory use will be allowed where permitted by this By-law in accordance with Section 5.19 below.

5.19 DWELLING OR DWELLING UNIT AS AN ACCESSORY USE IN A NON-RESIDENTIAL SETTING

No person shall use any lot or erect, alter or use any building or structure for the purpose of a dwelling or dwelling unit where the zoning is not residential except in accordance with the following regulations:
5.19.1 A single detached dwelling may be permitted with a private water supply and sewage disposal system having the approval of the Ministry of the Environment and/or Health Unit, as provided in certain non-residential zones.

5.19.2 A dwelling unit shall have separate bathroom and kitchen facilities from those of the non-residential use.
5.19.3 Each dwelling unit shall have separate parking spaces as required by the parking requirements hereto.

5.19.4 The dwelling unit shall have a separate building entrance to that provided for the non-residential use.

5.19.5 In a Commercial zone, one dwelling unit shall be permitted in a non-residential building provided it is located on the second storey of such building, or at the rear of such building if on the main floor.

5.19.6 Notwithstanding the provisions of clause 5.19.2 of this subsection, the gross floor area of the residential portion of a non-residential building in a Commercial zone shall not exceed one hundred (100) percent of the non-residential floor area.

5.20 PROHIBITED USES

5.20.1 Except as otherwise specifically permitted in this By-law, the following uses are prohibited in any zone;

5.20.1.1 refining coal oil or petroleum products;
5.20.1.2 tanning hides or skins;
5.20.1.3 manufacturing gas;
5.20.1.4 boat houses;
5.20.1.5 manufacturing glue;
5.20.1.6 a track for the racing of motor vehicles, motorcycles, go-carts or snowmobiles; and
5.20.1.7 locating or storing on any land for any purpose whatsoever, any disused railroad car, truck, bus or coach body, whether or not the same is situated on a foundation.

5.20.2 In addition to the uses prohibited in Clause 5.20.1 of this subsection, any use is prohibited which by its nature or the materials used therein is declared under the Health Protection and Promotion Act or any regulations adopted thereunder to be a noxious trade, business or manufacturer.

5.20.3 In addition to the uses prohibited in Clause 5.20.1 of this subsection, all uses of land and the erection or use of any building or structure for a purpose not permitted under the
"Permitted Use" subsection of one or more zones established by this By-law are and shall be deemed to be prohibited in each such zone, except for those uses of land and the erection or use of any building or structure for a purpose expressly permitted under the applicable provisions of this By-law.

5.21 OBNOXIOUS USES
Notwithstanding anything contained herein, no land shall be used and no building or structure shall be erected, altered or used for any purpose which is obnoxious, and without limiting the generality of this subsection, for any purpose that creates or is likely to become a nuisance or offensive, or both;

5.21.1 by the creation of noise or vibration in excess of the limits of the Environmental Protection Act;

5.21.2 by reason of the emission of gas, fumes, smoke, dust or objectionable odour in excess of the limits of the Environmental Protection Act;

5.21.3 by any combination of those things described in Clauses 5.21.1 and 5.21.2 of this subsection.

5.22 TRUCK, BUS AND COACH BODIES
No truck, bus or coach body, other than a dwelling unit erected and used in accordance with this and all other By-laws of the Township shall be used for human habitation, whether or not the same is mounted on wheels or other form of mounting or foundation.

5.23 SWIMMING POOLS
Notwithstanding any other provisions of this By-law a swimming pool is permitted as an accessory use in any residential, agricultural, rural, commercial, community facility or open space zone provided that:

5.23.1 no part of such pool shall be located closer to any lot line or street line than the minimum distance required for an accessory building located on such lot;

5.23.2 any building or structure required for changing clothing or for pumping or filtering facilities, or other similar accessory uses shall meet all of the accessory building requirements of the zone in which the pool is located;

5.23.3 fencing and enclosures of pools shall be in accordance with the Township’s swimming pool by-law.

5.24 ACCESSORY BUILDINGS

5.24.1 The total lot coverage of accessory buildings and structures including detached private garages shall not exceed five (5) percent of the lot area. A swimming pool and/or a tennis court may be permitted on the property, for which an additional 5% lot coverage is permitted. In no case shall the lot coverage of all accessory buildings and structures on a lot (excluding pools and tennis courts) exceed the lot coverage of the existing principal building.
5.24.2 Except as otherwise may be specified in this by-law, any accessory building which is not part of the main building shall be erected to the rear of the projected front or exterior side wall of the main building. Where accessory buildings are located behind the main buildings, they shall be located in accordance with the provisions of the particular zone.

5.24.3 No person shall use an accessory building for human habitation except where a dwelling is permitted as an accessory building.

5.24.4 An accessory building shall not be built closer to any lot line than the minimum distance required by this By-law except that common semi-detached garages may be erected on a mutual side lot line.

5.24.5 Except in accordance with Section 5.16 no accessory building shall be erected prior to the erection of a principal building or structure.

5.24.6 The minimum distance between any building on a lot including accessory buildings and principal buildings shall be 3.0 metres (9.8 ft.) and in no case shall any overhang, eaves or gutter project into this required minimum area which shall be clear of any obstruction from the ground to the sky.

5.24.7 A sleeping cabin as an accessory structure to a principal dwelling is permitted on all lands abutting a navigable waterway regardless of the zone classification.

5.25 FRONTAGE ON A STREET

5.25.1 No person shall erect any building or structure in any zone unless the lot upon which such building or structure is to be erected fronts upon a street. For the purposes of this By-law a street does not include an unopened road allowance, a private lane, a right-of-way or an un-assumed road on a Registered Plan which has been deemed not to be a Registered Plan under the Planning Act. The above provisions shall not apply to prohibit the erection of any building on a lot on a registered plan of subdivision where a subdivision agreement has been entered into but the streets will not be assumed until the end of the maintenance period.

5.25.2 Notwithstanding the provisions of section 5.25.1 above, on lands situated within an RLS – Limited Service Residential Zone, an RLSW – Limited Service Residential-Waterfront or an RLSI – Limited Service Residential-Island Zone, a building permit may be issued for the erection of a building or structure on the lot with frontage on a private lane and/or a navigable waterway. Notwithstanding sections 5.30.1.1 and 5.30.1.2, at least two parking spaces shall be required for every dwelling unit. No building permit shall be issued for any lot whose only access is by means of a navigable waterway, unless adequate vehicular parking/boat docking is provided on the mainland. Legal use of mainland parking/docking areas shall be tied in perpetuity to the lot(s) for which the building permit is sought. The mainland area used for parking/docking shall have sufficient size for parking and sufficient water frontage for boat dockage. The parking area shall be set back a minimum of 15m, (49.2 ft.) from the high water mark.

5.25.3 No building permit shall be issued on an existing lot whose only means of access is by way of a Township unopened road allowance, unless the property owner has obtained
permission from the Township, and has entered into a licence agreement with the Township for use of the unopened road allowance.

5.26 RESIDENTIAL EXTERIOR SIDE YARDS
Notwithstanding the provisions of Sections 6 to 33 of this By-law to the contrary, the minimum required exterior side yard may be reduced to a minimum of 5 metres (16.4 ft.) provided that for every 1 metre (3.3 ft.) or part thereof, the exterior side yard is reduced below the minimum requirement, the minimum front yard shall be correspondingly increased by the same distance.

5.27 SIGHT TRIANGLES
Unless otherwise specified in this By-law, on a corner lot, within the triangular space formed by the street lines and a line drawn from a point in one street line to a point in the other street line, each point being measured 9 metres (29.5 ft.) along the street lines from the point of intersection of the street lines, no building or structure which would obstruct the vision of drivers of motor vehicles shall be erected and no trees, shrubs, hedges, fences or walls shall be planted, erected or maintained of greater height than 1 metres (3.3 ft.) above the centre line of the adjacent road at the lowest point. Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the tangents to the street lines.

5.28 HOME OCCUPATION
A home occupation is permitted in the zones as indicated in this By-law provided that:

5.28.1 there is no display, other than a sign of a maximum size of 0.3 square metres (3.22 sq. ft.) to indicate to persons outside that any part of the dwelling is being used for a purpose other than residential. Furthermore, such a sign shall be setback a minimum of 3 metres (10 ft.) from any lot line;

5.28.2 such home occupation is clearly secondary to the main residential use and does not change the residential character of the dwelling nor create or become a public nuisance; in particular, in regard to noise, obnoxious odours, emission of smoke, traffic or parking;

5.28.3 no more than 1 person not resident in the dwelling shall be employed;

5.28.4 such home occupation does not interfere with television or radio reception;

5.28.5 there shall be no outside storage associated with the home occupation;

5.28.6 not more than 25 percent of the gross floor area of the dwelling, including the basement, or 55.7 sq. metres (600 sq. ft.), whichever is greater, is used for the purposes of home occupation uses except in the case of a bed and breakfast establishment;

5.28.7 on-site parking is provided in accordance with the provisions of Section 5.30; and

5.28.8 where a bed and breakfast establishment is established as a home occupation, the above provisions shall not apply. However, not more than 4 guest rooms shall be maintained for the accommodation of the public.
5.29 HOME INDUSTRY
A home industry is permitted in the zones as indicated in this By-law provided that:

5.29.1 there is no external storage of goods or materials;
5.29.2 there is no display, other than a sign of a maximum size of .3 square metres (3.22 sq. ft.) to indicate to persons outside, that any part of the dwelling or accessory building is being used for a purpose other than residential. Furthermore, such a sign shall be set back a minimum of 3 metres (10 ft.) from any lot line;
5.29.3 the home industry is clearly secondary to the main residential use and does not change the residential character of the dwelling or lot nor create or become a public nuisance; in particular in regard to noise, noxious odours, emission of smoke, traffic or parking;
5.29.4 not more than 1 person not resident in the dwelling shall be employed;
5.29.5 the home industry does not interfere with television or radio reception;
5.29.6 there are no goods, wares or merchandise, publicly offered or exposed for sale on the premises outside of any buildings;
5.29.7 on-site parking is provided in accordance with Section 5.30;
5.29.8 the maximum square footage of the accessory structure or building to be used for a home industry shall not exceed 111.48 sq. m (1,200 sq. ft.) gross floor area;
5.29.9 the lot upon which the home industry is located is not less than 2 ha (4.9 acres) in size;
5.29.10 the accessory structure or building within which the home industry is located is not closer than 20 m (65.5 ft.) from any lot line and shall be located behind the dwelling on the lot.

5.30 OFF STREET PARKING PROVISION
For every building or structure to be erected for, altered for, or its use converted to any of the uses specified in the following table, off-street parking facilities shall be provided and maintained either on the same lot on which the principal use is located or, where this is not possible, on a lot within 60 metres (196.9 ft.) of the lot on which the principal use is located and in accordance with the following table and other provisions contained in this subsection unless otherwise specifically provided.

5.30.1 Minimum Parking Space Requirements

5.30.1.1 Residential - Two (2) spaces for every dwelling unit.
5.30.1.2 Marina - One (1) space for every 2 docking berths.
5.30.1.3 Senior Citizen Multiple Dwelling
   a. Up to 30 dwelling units, parking spaces shall equal 50 percent of the number of dwelling units.
   b. Between 30 and 60 units, parking spaces shall equal 40 percent of the number of dwelling units.
5.30.1.4 Nursing Home - One (1) space for every two (2) beds.

5.30.1.5 Private of Commercial Club, or Recreational Establishment - One (1) space for every three (3) persons to be accommodated in the design capacity of the building.

5.30.1.6 Funeral Home - One (1) space for every 3 chapel seating spaces or fraction thereof with a minimum of 10 spaces.

5.30.1.7 Church or Place of Worship, Community Hall, Arena - One (1) space for every three (3) persons to be accommodated according to maximum permitted capacity.

5.30.1.8 Schools - One (1) space per classroom, and one space for each 10 people of maximum design capacity of the assembly hall or auditorium.

5.30.1.9 Government or Public Utility Building - One (1) space for every 23 square metres (247.6 sq. ft.) of gross floor area.

5.30.1.10 Business or Professional Office - One (1) space for every 23 square metres (247.6 sq. ft.) of gross floor area and, notwithstanding the provision in section 5.30 above, for the office of a doctor, chiropractor or dentist, there shall be a minimum of three (3) parking spaces provided on the same lot.

5.30.1.11 Hotel/Motel/Resort - One (1) space for every guest room and one (1) space for every 8 square metres (86.1 sq. ft.) of gross floor area.

5.30.1.12 Boarding or Rooming House, Bed and Breakfast or Tourist Home - One (1) space for every two (2) bedrooms.

5.30.1.13 Place of Assembly such as Halls, Lodges, Labour Union Halls, Dance Halls, Community Centres, Theatres - One (1) space for every three (3) persons of maximum design capacity.

5.30.1.14 Bowling Lanes and Billiard Establishments - One (1) space for every two (2) persons of design capacity. Design capacity shall mean six (6) persons per bowling lane and two (2) persons per billiard table.

5.30.1.15 Drive-Through Restaurant or Take-Out Restaurant - One (1) space for every 2 square metres (21.5 sq. ft.) of gross floor area.

5.30.1.16 Restaurant, Tavern, Banquet Hall, Beverage Room, Lounge or Meeting Areas, excluding a Drive-Through or Take-Out Restaurant - One (1) space for every 4.5 square metres (48.4 sq. ft.) of public floor area or one (1) space for every four (4) persons of design capacity, whichever is the greater with a minimum of 10 spaces.
5.30.1.17 Retail, Wholesale Sales, Service Establishment or Studio - One (1) space for every 28 square metres (301.4 sq. ft.) of gross floor area.

5.30.1.18 Retail Lumber and Building Supply Outlet - One (1) space for every 28 square metres (301.4 sq. ft.) of retail floor space with a minimum of 6 spaces.

5.30.1.19 Automotive Sales Establishment, (New and Used) - A minimum of ten (10) spaces plus (1) space for every employee working on the premises during the peak business period.

5.30.1.20 Industrial Establishment - One (1) space for every 37 square metres (398.3 sq. ft.) of gross floor area.

5.30.1.21 Warehouse or Bulk Storage Yard - One (1) space for every employee working on the premises during the peak business period.

5.30.1.22 Post Offices, Museums, Art Galleries and Libraries - One space for every 46 square metres (495.2 sq. ft.) or fraction thereof of public floor area.

5.30.1.23 Home Occupation or Home Industry - One (1) space for every 18 square metres (193.8 sq. ft.) of floor area devoted to the use.

5.30.1.24 Uses Permitted by this By-law Other than Those Listed Above but Excluding Accessory Uses to Single Detached Dwellings - One (1) space for every 28 square metres (301.4 sq. ft.) of gross floor area.

5.30.2 Off-Street Parking Requirements

5.30.2.1 Each parking space must have a width of not less than 2.7 metres (8.9 ft.) and a length of not less than 6 metres (19.7 ft.) and must be readily accessible at all times and arranged in such a manner to provide access and manoeuvring space for the parking and removal of a motor vehicle without the necessity of moving any other motor vehicle, except that this shall not apply in the case of a single detached dwelling.

5.30.2.2 Ingress and egress to and from the parking aisles prescribed by this section shall be provided by a sufficient number of adequate, unobstructed driveways having a minimum width of 6 metres (19.7 ft.), except that in the case of a single detached dwelling, the width may be reduced to 3.5 metres (11.5 ft.).

5.30.2.3 All off-street parking spaces, driveways and aisles required herein shall be constructed and maintained with a stable surface.

5.30.2.4 Where a ramp to parking aisles provides access from a street, such a ramp shall not be located closer than 7.5 metres (24.6 ft.) from the street line and a level stopping space shall be provided between the ramp and the street grade so as to provide adequate vision to the street in both directions.
5.30.2.5 Where a lot, building or structure accommodates more than one type of use, the parking requirement for the whole building shall be the sum of the requirements for the separate parts of the lot, building or structure occupied by the separate types of uses.

5.30.2.6 The parking requirements referred to herein shall not apply to any building in existence at the date of enactment of this By-law so long as the gross floor area as it existed at that date is not increased or the use changed. If an addition is made or the use is changed, then additional parking spaces shall be provided up to the number required for such addition.

5.30.2.7 Where the application of ratios results in a fraction of a parking space, the required number of spaces shall be increased to the next whole number.

5.30.2.8 In the case of a parking structure completely or partly below finished grade, it shall not be necessary to comply with the setback requirements of the particular zone, except that the minimum distance between such a structure and the street line shall be 7.5 metres (24.6 ft.).

5.30.2.9 Where parking requirements are related to seating capacity and seating is by open benches, each .6 metres (2 ft.) of open bench shall be counted as one seat.

5.30.2.10 The lights used for illumination of parking spaces, aisles and driveways shall be so arranged as to divert the light away from adjacent lots and streets.

5.30.2.11 A structure not more than 4.5 metres (14.8 ft.) in height and not more than 4.5 square metres (14.8 ft.) in area may be erected in the parking area for the use of parking attendants.

5.30.2.12 No sign shall be erected in any parking area other than a directional sign, signs necessarily incidental to the efficient operation of a commercial parking lot, and a sign which gives the name of the owner. The maximum size of any such sign shall be 1 square metre (10.8 sq. ft.).

5.30.2.13 No gasoline pump or other service station equipment shall be located or maintained on any parking space or aisle.

5.30.2.14 In a Residential Zone, not more than 50 percent of the aggregate area of the side yards and rear yard shall be occupied by parking spaces, aisles or driveways.

5.30.2.15 Entrances and exits to parking spaces shall not pass through zones other than the zones requiring the parking spaces.

5.30.2.16 Where off-street parking abuts a Residential Zone, a wooden fence at least 1.5 metres (4.9 ft.) in height shall be erected and maintained and the land within 3 metres (9.8 ft.) of the Residential Zone shall be maintained in an open space condition.
5.30.2.17 No parking or loading facility or part thereof shall be located and no land shall be used for the parking or storage of any vehicle within 1 metre (3.3 ft.) of any lot line or street line, or within 3 metres (9.8 ft.) of the boundary of any Residential Zone.

5.30.2.18 Notwithstanding Section 5.30.1 of this by-law to the contrary, where any building, structure, use or activity is permitted or is legally in existence at the date of passing of this By-law within the Rural Commercial (RC), Recreational Resort Commercial (RRC), or Urban Commercial (UC) Zone classifications, and is subsequently changed in use or enlarged or extended in floor area, number of employees, number of dwelling units, seating capacity or otherwise which results in the reduction of the minimum required parking facilities and/or number of parking spaces and such number of parking spaces or part thereof cannot be provided in accordance with the minimum requirements, then such required parking spaces or part thereof shall be subject to a cash-in-lieu contribution towards municipal parking facilities, the cost of which shall be established by the Council of the Corporation of the Township of South Frontenac from time to time for the determined deficiency.

5.30.2.19 No person shall construct or make use of an entrance onto any property within the Township without first obtaining an entrance permit from the Township Roads Department.

5.30.2.20 In addition to the parking requirements of section 5.30.1, Barrier-Free parking spaces shall be provided and the number of such spaces required will be dependent on the total number of off-street spaces required as follows:

<table>
<thead>
<tr>
<th>Number of Parking Spaces Required (as per section 5.30.1 above)</th>
<th>Number of Barrier-Free Parking Spaces Also Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 – 50.--------------------------------------------------------</td>
<td>1</td>
</tr>
<tr>
<td>51 – 100.-----------------------------------------------------</td>
<td>2</td>
</tr>
<tr>
<td>101 – 200.----------------------------------------------------</td>
<td>3</td>
</tr>
<tr>
<td>201 – 300.----------------------------------------------------</td>
<td>4</td>
</tr>
<tr>
<td>301 – 400.----------------------------------------------------</td>
<td>5</td>
</tr>
<tr>
<td>401 – 600.----------------------------------------------------</td>
<td>6</td>
</tr>
</tbody>
</table>

5.31 OFF-STREET LOADING SPACE REQUIREMENTS

5.31.1 No person shall erect or use any building or structure in any zone for any commercial or industrial purpose involving the movement of goods unless off-street loading spaces are provided and maintained in accordance with the following provisions:

5.31.1.1 280 sq. m (3,013.99 sq. ft.) to 930 sq. m (10,010.8 sq. ft.) - 1 space

5.31.1.2 exceeding 930 sq. m (10,010.8 sq. ft.) - 2 loading spaces plus a minimum of 1 additional loading space for each 1400 sq. m (15,070.0 sq. ft.) or fraction thereof in excess of 930 square metres (10,010.8 sq. ft.).
5.31.2 Each loading space shall be at least 9.0 metres (29.5 ft.) long, 3.5 metres (11.5 ft.) wide and have a vertical clearance of at least 4.0 metres (13.1 ft.).

5.31.3 The required loading spaces shall be provided on the lot occupied by the building or structure for which the said loading spaces are required and shall not form a part of any street or lane.

5.31.4 For any commercial or industrial use, no loading space or part thereof shall be located and no land shall be used for loading purposes within 1.5 metres (4.9 ft.) of any lot line, or within 3 metres (9.8 ft.) of any street line or boundary of any Residential zone, or within 3 metres (9.8 ft.) of the lot line of a residential use.

5.31.5 Access to loading spaces shall be by means of a driveway at least 6 metres (19.7 ft.) wide contained within the lot on which the spaces are located and leading to a street or lane located within or adjoining the zone in which the use is located.

5.31.6 The driveways and loading spaces shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.

5.31.7 The loading requirements referred to herein shall not apply to any building in existence at the date of enactment of this By-law so long as the gross floor area as it existed at the date is not increased. If an addition is made, then additional loading spaces shall be provided up to the number required for such addition.

5.32 GROUP HOMES
Group Homes are permitted subject to a site specific amendment to this By-law subject to the following requirements;

5.32.1 in addition to the minimum parking requirements of Section 5.30, one additional parking space shall be provided for each attendant or staff member who resides outside of the group home; and

5.32.2 the provisions of the site specific zones in which the group home is situated shall be complied with.

5.32.3 group homes will be located only on public roads.

5.33 GARDEN SUITES
Notwithstanding the provisions of Section 5.5.3 of the By-law to the contrary, garden suites shall be permitted subject to the following requirements:

5.33.1 a garden suite, as defined in this by-law, may be permitted by Council under Section 39 of the Planning Act, subject to passage of a temporary use by-law to establish the period of time for which the use is to be permitted and to define the area to which the by-law applies;

5.33.2 the gross floor area of living space in such dwelling shall consist of a minimum of 49 square metres (527.4 sq. ft.) and a maximum of 62 square metres (667.4 sq. ft.);
5.33.3 the dwelling unit shall be self-contained and shall have a private entrance and separate culinary, sanitary, dining and sleeping area;

5.33.4 the sanitary sewage disposal, water supply and electrical services for the dwelling unit shall be derived from and connected to the services of the single detached dwelling upon which lot the garden suite is situated, subject to the approval of the authorities responsible for the various services;

5.33.5 all of the provisions of the respective zones in which the garden suite is situated shall be complied with in addition to the following special criteria:
   5.33.5.1 Rear Yard (Minimum) 4.5 metres (14.8 ft.)
   5.33.5.2 Building Height (Maximum) 4.5 metres (14.8 ft.)
   5.33.5.3 Separation Distance from the Principal Dwelling (Maximum) 4.5 metres (14.8 ft.)

5.34 RESIDENTIAL USE PROHIBITION (PITS AND QUARRIES)

5.34.1 Residential land uses shall be prohibited within 300 metres (984.3 ft.) of an existing or proposed quarry, within 150 metres (492 ft.) of an existing or proposed pit above the water table, and 300 metres (984.3 ft.) of an existing or proposed pit below the water table.

5.34.2 Residential land uses may be permitted on lands between 300 metres (984.3 ft.) and 500 metres (1,640 ft.) of an existing or proposed quarry provided a minor variance or rezoning application is approved by the Township.

5.35 AGRICULTURE - MINIMUM DISTANCE SEPARATION

a. Notwithstanding any other yard or setback provisions of this By-Law to the contrary, no residential, institutional, commercial, industrial or recreational use, located on a separate lot, outside of the boundaries of a “Settlement Area” and permitted in the Zone in which the lot is situated, shall be erected or altered unless it complies with the Minimum Distance Separation (MDS I) calculated using the Ministry of Agriculture, Food and Rural Affairs, “MDS Implementation Formulae and Guidelines”, as amended (Appendix 1). Despite the aforementioned, existing vacant lots which cannot be developed as a result of MDS I may be developed subject to the approval of the Committee of Adjustment. Within “Settlement Area” boundaries, MDS 1 will not be applied to proposed new development except where Council determines that special circumstances warrant such application.

b. Notwithstanding any other yard or setback provisions of this By-Law to the contrary, no livestock facility, shall be erected or expanded except in compliance with the Minimum Distance Separation (MDS II) calculated using the Ministry of Agriculture, Food and Rural Affairs, “MDS Implementation Formulae and Guidelines”, as amended (Appendix 1). Despite the aforementioned, existing livestock facilities which cannot be expanded as a result of MDS II may be expanded subject to the approval of the Committee of Adjustment.
c. Where a new or expanded livestock facility is proposed adjacent to a vacant non-farm residential parcel of land containing a lot area of 2 hectares (4.9 acres) or less, the minimum separation distance shall be calculated from the nearest part of the new or expanded agricultural use to the boundary of the vacant lot.

d. Where a new or expanded livestock operation is proposed adjacent to a vacant non-farm residential parcel of land containing a lot area greater than 2 hectares (4.9 acres), the minimum separation distance shall provide for a minimum building area on the vacant lot of 1 hectare (2.5 acres).

e. No livestock facility shall be located within 30 metres (98.4 ft.) of a dug well or within 15 metres (49.2 ft.) of a drilled well or within 30 metres (98.4 ft.) of a drilled well having less than 6 metres (19.7 ft.) of casing."

Note: Despite the Minimum Distance Separation requirements specified above, an MDS II calculated setback may be reduced from any cemetery listed in Appendix 4 to this By-law.

5.36 MINOR VARIANCE

The Committee of Adjustment may consider a variance to any provision of this By-law provided that:

a. the variance conforms with the intent of the Township Official Plan and Zoning By-law;

b. the variance is appropriate for the proper development of the property; and

c. the variance is minor in nature.

5.37 ENVIRONMENTALLY SENSITIVE OVERLAY

5.37.1 Environmentally Sensitive Lands identified on the schedules to this by-law include all lands that have significant biological, geological, zoological or other unique natural features such as sensitive groundwater recharge and discharge areas, natural connections between natural heritage features, fish habitat, significant wildlife habitat, significant woodlands, significant valleylands and areas of natural and scientific interest, as well as all lands within 300 metres of the highwater mark of highly sensitive lake trout lakes and 90 metres of the highwater mark of any other waterbody, 50 metres from Significant Areas of Natural and Scientific Interest and significant portions of the habitat of an endangered or threatened species, 30 metres from fish habitat and 120 metres of land zoned Environmental Protection. Development or site alteration in these areas shall take place in accordance with the underlying zone requirements but shall be accompanied by the written approval and technical recommendations of the Conservation Authority having jurisdiction. An Environmental Impact Assessment shall accompany all development or site alteration applications.

An Environmental Impact Assessment will consist of:

a. a description of the proposed development, its purpose including site planning details, a general locational map, proposed buildings, existing land uses and details showing the existing vegetation, site topography, drainage, soils and fish and wildlife habitat areas.
b. a description of the negative impacts that will be caused or which might reasonably be expected to be caused to the environment and the ecological functions and features associated with the feature;
c. description of the negative impacts the proposed development will have on fish habitat including water quality requirements or effect on other features and functions;
d. a statement indicating whether negative impacts will result from the proposal and a description of the actions necessary or which might be expected to be necessary to prevent change or to mitigate or remedy the negative impacts which might be expected to occur upon the environment and/or ecological functions and features as a result of the proposed development;
e. a description of how the mitigative measures will be implemented and/or enforced;
f. any measures, where deemed appropriate, to monitor the mitigation measures and to assess the long term impacts associated with the proposal.

5.37.2 In areas that are permanently inundated with water, the only permitted uses shall be water-oriented recreational activities and docks, provided they do not interfere with conditions necessary for safe boating and navigation and they receive all necessary approval from but not limited to the Conservation Authority, Ministry of Natural Resources or Parks Canada. In addition, riparian habitat, fish habitat and public lands should be considered for all water oriented recreational activities and docks. Landowners are advised to contact the Rideau Canal Office for permission to construct on or over the bed of the Canal or the relevant Conservation Authority and Ministry of Natural Resources for all other waterbodies in the Township.

5.38 LANDS ABUTTING AN OPEN SPACE SPECIAL ONE (OS-1) ZONE (CATARAQUI TRAIL)
All building on lands abutting an Open Space Special One (OS-1) Zone will be set back 3.0 metres (9.8 ft.) from the zone boundary.

5.39 SEASONAL ROADS
Sections of the public road system in the Township are seasonally maintained only, by the Township, and may not be able to be travelled at times of the year. The Township is under no obligation to provide access to properties taking access from these roads. Areas taking access from seasonally maintained roads have been zoned to a Special Limited Services Residential Zone (RLS-2).

5.40 POTABLE WATER FOR DEVELOPMENT OF NON-WATERFRONT LOTS CREATED BY CONSENT AFTER APRIL 30, 2002
Prior to stamping of the deed for any non-waterfront lot created by consent after April 30, 2002, the applicant shall submit a well drillers report demonstrating a potable water pumping capacity of 3.5 gallons per minute sustained over a 6 hour pump test.

5.41 HOBBY FARM
The number of livestock permitted on a Hobby Farm shall be in accordance with the following or the Minimum Distance Separation MDS formula, whichever is more restrictive:
<table>
<thead>
<tr>
<th>Minimum Lot Area Hectares (Acres)</th>
<th>Animal Units Permitted As defined in the MDS</th>
<th>Tillable Area Hectares (Acres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 1.2 (0 - 3)</td>
<td>Not permitted</td>
<td>N/A</td>
</tr>
<tr>
<td>1.2 - 1.6 (3 - 4)</td>
<td>1</td>
<td>1.2 (3)</td>
</tr>
<tr>
<td>1.6 - 2.4 (4 - 6)</td>
<td>2</td>
<td>1.2 (3)</td>
</tr>
<tr>
<td>2.4 - 4.8 (6 - 12)</td>
<td>3</td>
<td>2.4 (6)</td>
</tr>
<tr>
<td>4.8 - 7.3 (12 - 18)</td>
<td>4</td>
<td>3.6 (9)</td>
</tr>
<tr>
<td>7.3 - 9.9 (18 - 25)</td>
<td>5</td>
<td>4.8 (12)</td>
</tr>
</tbody>
</table>

Notwithstanding the above, on lots that are between 1 acre and 3 acres in size, a maximum of ten (10) hens shall be permitted.

5.42 BUILDINGS AND STRUCTURES IN THE WATER
No permanent building, structure or vessel located on or in a waterbody within the Township shall be used for human habitation on a year-round basis.

5.43 WINDMILLS/WIND POWERED ELECTRICAL GENERATORS
Notwithstanding anything in this by-law to the contrary, one (1) windmill or wind powered electrical generator is permitted, as an accessory structure to a permitted dwelling in any zone, provided:

a. it does not exceed 30 metres in height; and
b. it is located behind the principal use building on the property; and
c. it does not conflict with federal aviation regulations; and
d. it is located at a distance not less than one half its height from any lot line.

Additional windmill structures are permitted subject to the above provided they are used in conjunction with a permitted agricultural use.

5.44 LAKE TROUT LAKES
Lands abutting or adjacent to sensitive lake trout lakes shall be developed in accordance with the following provisions:

a. Highly Sensitive Lake Trout Lakes
Development or site alteration of lots existing on the day of adoption of the Official Plan (September 5, 2000) that are within 90 metres of a highly sensitive lake trout lake, shall only be undertaken on the basis of tertiary treatment sewage system technologies that can demonstrate that their use will not adversely impact lake water quality over the long term.

5.45 DEVELOPMENT ADJACENT TO OR WITHIN KNOWN MINERAL DEPOSITS OR ABANDONED MINE HAZARDS
In areas adjacent to (within 500 metres (1,640.4 ft.) or in known mineral deposits or in areas of mineral potential, development which would preclude or hinder the establishment of a new mining operation or expansion of an existing operation or which would prevent access to a mineral resource, will not be permitted unless:
a. resource use would not be feasible; or
b. the proposed land use or development serves a greater long term public interest; and
c. issues of public health and safety and environmental impacts are addressed.

In reviewing any planning or development application, Council shall verify that the
Ministry of Northern Development and Mine’s “Abandoned Mine Inventory System” (as
updated from time to time) does not indicate that a mine hazard (past or present) exists
within close proximity to the subject lands. If the Inventory indicates that a potential
hazard exists, the applicant shall be responsible for ensuring that any hazards are
mitigated such that the hazard is removed and that the property is safe for the
proposed development. Council may require proof by way of a technical study, that the
hazard has been removed.

5.46 CONSERVATION AUTHORITY ACT REGULATIONS
There are three Conservation Authorities (C.A.) having jurisdiction in the Township
(Cataraqui, Quinte and Rideau Valley). These C.A.’s may, in consultation with the
Township, enact Regulations under Section 28 of the Conservation Authorities Act to
control development on lands with environmental sensitivity and/or natural hazards. All
development or site alterations affected by these regulations must conform to these
regulations where applicable.

5.47 RIDEAU CANAL
Parts of the Township are located within the Rideau Canal. Where applicable, all
development and site alteration shall conform with federal regulations as they relate to
lands under the jurisdiction of the Rideau Canal.
SECTION 6 - AGRICULTURAL ZONE (A)

6.1 Within an A - Agricultural Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

6.2 PERMITTED USES

- agricultural uses, including a livestock facility and intensive agricultural uses,
- conservation uses including reforestation and other activities connected with the conservation of soil or wildlife,
- wood lots,
- wayside pits and wayside quarries,
- open space uses,
- a single detached dwelling as an accessory use to agriculture,
- a single detached dwelling,
- a dock, subject to approval from the appropriate authority,
- accessory buildings or uses to the above uses,
- a hobby farm,
- a home occupation, in accordance with the provisions of Section 5.28 of this By-law,
- a home industry, in accordance with the provisions of Section 5.29 of this By-law,
- a garden suite in accordance with the provisions of Section 5.33 of this By-law;
- an agricultural produce sales outlet.

6.3 ZONE REGULATIONS

6.3.1 Residential Uses

- Lot Area (Minimum) 8,000 sq. metres (86,114 sq. ft.)
- Lot Frontage (Minimum) 76 metres (249.3 ft.)
- Front Yard (Minimum) 20 metres (65.6 ft.)
- Rear Yard (Minimum) 10 metres (32.8 ft.)
- Interior Side Yard (Minimum) 3 metres (9.8 ft.)
- Exterior Side Yard (Minimum) 10 metres (32.8 ft.)
- Gross Floor Area (Minimum) 59 sq. metres (635.2 sq. ft.)
- Lot Coverage (Maximum) 30 percent
- Building Height (Maximum) 11 metres (36.1 ft.)
- Off-street parking shall be provided in accordance with Section 5.30.
- Setback from Highwater Mark (Minimum) 30 metres (98.4 ft.)

6.3.2 For All Other Uses

- Lot Area (Minimum) 35 hectares (86.5 acres)
- Lot Frontage (Minimum) 150 metres (492.1 ft.)
- Building Height (Maximum) 45 metres (147.6 ft.)
- Front Yard and Exterior Side Yard
(Minimum) 20 metres (65.6 ft.)
• No principal building or structure shall be located less than 10 metres (32.8 ft.) from an interior side lot line or a rear lot line.
• Off-street parking shall be provided in accordance with Section 5.30.
• Livestock facilities shall be located in accordance with Section 5.35.
• The minimum lot area and the number of livestock permitted on hobby farms shall be in accordance with Section 5.41 of this by-law.

6.3.3 For Accessory Buildings Not Attached to the Principal Building

• Rear Yard (Minimum) 3.0 metres (9.8 ft.)
• Interior Side Yard (Minimum) 3.0 metres (9.8 ft.)
• Exterior Side Yard (Minimum) 20 metres (65.6 ft.)
• Setback from Highwater Mark (Minimum) 30 metres (98.4 ft.)

6.4 GENERAL PROVISIONS
All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the A Agricultural Zone.

6.5 SPECIAL A - AGRICULTURAL ZONES

A-1 (Part Lot 9, Concession VIII, Storrington District – Sonneveld)
Notwithstanding the permitted uses of section 6.2 and the zone regulations in section 6.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Agricultural (A-1) Zone the following uses are prohibited:

• a single detached dwelling as an accessory use to agriculture
• a single detached dwelling
• a home occupation
• a home industry
• a garden suite

All other provisions of this by-law shall apply.
SECTION 7 - RU - RURAL ZONE

7.1 Within an RU- Rural Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

7.2 PERMITTED USES

- agricultural uses, including a livestock facility and intensive agricultural uses,
- conservation uses, including reforestation and other activities connected with the conservation of soil or wildlife,
- wood lots,
- wayside pits and wayside quarries,
- open space use,
- a kennel,
- an apiary,
- a riding club,
- a greenhouse,
- a cold storage warehouse,
- a grain drying facility,
- a hobby farm,
- a livestock assembly area or a livestock exchange,
- an agricultural sales barn,
- a veterinary clinic,
- a research facility,
- a single detached dwelling,
- a dock, subject to approval from the appropriate authority,
- accessory buildings or uses to the above uses, including a single detached dwelling as an accessory use to agriculture,
- a home occupation, in accordance with the provisions of Section 5.28 of this By-law,
- a home industry, in accordance with the provisions of Section 5.29 of this By-law,
- an agricultural produce sales outlet.

7.3 ZONE REGULATIONS

7.3.1 For Agricultural, Conservation, and Wood Lot Uses; A Kennel, A Riding Club, A Greenhouse, A Cold Storage Warehouse, A Grain Drying Facility, A Livestock Assembly Area, A Research Facility, A Livestock Exchange, An Agricultural Sales Barn, A Veterinary Clinic and A Hobby Farm:

- Lot Area (Minimum)  8000 sq. metres (86,114.0 sq. ft.)
- Building Height (Maximum)
  a. Agricultural Uses  45 metres (147.6 ft.)
  b. All other uses  25 metres (82.0 ft.)
- Front Yard and Exterior Side Yard (Minimum)  20 metres (65.6 ft.)
• No principal building or structure shall be located less than 10 metres (32.8 ft.) from an interior side lot line or a rear lot line.
• No building or structure used for the housing, training or care of animals in conjunction with a kennel as defined in this By-law, shall be located less than 150 metres (492.1 ft.) from a residential zone or existing residential use.
• No accessory building or structure shall be located less than 3 metres (9.8 ft.) from any interior side lot line or rear lot line.
• No accessory building or structure shall be greater than 6 metres (19.7 ft.) in height.
• Setback from Highwater Mark (Minimum) 30 metres (98.4 ft.)
• The minimum lot area and the number of livestock permitted on a hobby farm shall be in accordance with Section 5.41.
• Off-street parking shall be provided in accordance with Section 5.30.
• Livestock facilities shall be located in accordance with Section 5.35.

7.3.2 For Single Detached Residential Uses:
• Lot Area (Minimum) 8000 sq. metres (86,114.1 sq. ft.)
• Lot Frontage (Minimum) 76 metres (250 ft.)
• Front Yard (Minimum) 20 metres (65.6 ft.)
• Rear Yard (Minimum) 10 metres (32.8 ft.)
• Interior Side Yard (Minimum) 3 metres (9.8 ft.)
• Exterior Side Yard (Minimum) 10 metres (32.8 ft.)
• Gross Floor Area (Minimum) 59 sq. metres (635.1 sq. ft.)
• Lot Coverage (Maximum) 20 percent
• Building Height (Maximum) 11 metres (36.1 ft.)
• Off-street parking shall be provided in accordance with Section 5.30.
• Rear Yard (Minimum) for Accessory Buildings 3 metres (9.8 ft.)
• Interior Side Yard (Minimum) for Accessory Buildings 3 metres (9.8 ft.)
• Exterior Side Yard (Minimum) for Accessory Buildings 20 metres (65.6 ft.)
• Building Height for Accessory Buildings 6 metres (19.7 ft.)
• Setback from Highwater Mark (Minimum) 30 metres (98.4 ft.)

7.4 GENERAL PROVISIONS
All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the RU Rural Zone.

7.5 SPECIAL RU RURAL ZONES

RU-1 (Part Lot 6, Concession XIV, Portland District - Pepper)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RU-1) shall be used only in accordance with the following:
• One single detached dwelling shall be permitted in addition to those uses permitted in the RU zone.

All other provisions of this by-law shall apply.
RU-2 (Part Lot 18, Concession VII, Storrington District - Rural Lands/Leachate Treatment)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RU-2) shall be used only in accordance with the following:

- The treatment of leachate produced by and originating from the landfill site located to the immediate north of Washburn Road on Part of Lot 18, Concession 7;
- Leachate treatment systems located on the above described lands may include both passive and active systems such as, but not necessarily limited to, a marsh treatment system and a rotating biological disk type of leachate treatment plant. In more specific terms, whatever systems are most effective in the treatment of leachate generated by the adjacent landfill site may be utilized.
- Under no circumstances shall the above described lands be utilized for the landfilling of any waste.
- Adequate separation distances shall be provided between any residential building and any building devoted to the treatment of water polluted by the adjacent landfill site.

All other provisions of this by-law shall apply.

RU-3 (Part Lot 38, Concession VII, Storrington District - McGarvey Stone House)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RU-3) shall be used only in accordance with the following:

- The existing stone building may be converted into a maximum of four multiple unit dwelling units in accordance with the provisions of Sections 16.3 and 16.4 of this by-law.

All other provisions of this by-law shall apply.

RU-4 (Part Lot 10, Concession I, Storrington District - Heska Subdivision)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RU-4) shall be used only in accordance with the following:

- A single detached dwelling shall not be permitted.

All other provisions of this by-law shall apply.

RU-5 (Lot 5, Concession VII, Loughborough District - Sands)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RU-5) shall be used only in accordance with the following:

- Zone Provisions
  a. lot frontage (minimum) 42.1 m (138.2 ft.)
  b. interior side yard (minimum) 0.9 m (3 ft.)

All other provisions of this by-law shall apply.
RU-6 (Part Lot 22, Concession IV, Storrington District - Stewart)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RU-6) shall be used only in accordance with the following:

- Additional Permitted Use: duplex dwelling
- Permitted Dwelling Units per Lot (maximum): 2

All other provisions of this by-law shall apply.

RU-7 (Part Lot 20, Concession XII, Bedford District - Wallond)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RU-7) shall be used only in accordance with the following:

- Permitted Uses
  a. a multiple unit dwelling;
  b. a home occupation;
  c. an accessory building or use to the above uses.
- The maximum number of dwelling units per lot is 6.

All other provisions of this by-law shall apply.

RU-8 (Part Lot 6, Concession IV, Portland District - Beckwith)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RU-8) shall be used only in accordance with the following:

- Two dwelling units are permitted within an original single dwelling unit.

All other provisions of this by-law shall apply.

RU-9 (Part Lots 32 and 33, Concession XIII, Storrington District - Sullivan Pet Cemetery)
- Removed.

RU-10 (Lot 5, Concession I, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RU-10) shall be used only in accordance with the following:

- The minimum lot frontage shall be 106 metres (350 ft.).

All other provisions of this by-law shall apply.
RU-11 (Part Lot 1, Concession V, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RU-11) shall be used only in accordance with the following:

- A maximum of two (2) separate dwelling units shall be permitted in the existing building.

All other provisions of this by-law shall apply.

RU-12 (Part Lot 13, Concession V, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RU-12) shall be used only in accordance with the following:

- A maximum of two (2) separate dwelling units shall be permitted in the existing building.

All other provisions of this by-law shall apply.

RU-13 (Lots 1 and 2, Concession IX, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RU-13) shall be used only in accordance with the following:

- The physical joining of the new house with the original house building shall be permitted. A maximum of two (2) separate dwelling units shall be permitted in the combined building, one on each side of the joint between the new and original buildings.
- This exception applies only to the existing buildings (the new and the original houses), and not to any alteration or replacement of the existing buildings (the new and the original houses), except for the alteration required to physically join the two buildings.

All other provisions of this by-law shall apply.

RU-14 (Part Lot 2, Concession IV, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RU-14) shall be used only in accordance with the following:

- All uses as outlined in Section 7.2 of this by-law except a single detached dwelling and a home occupation shall be permitted in the Special Rural (RU-14) Zone.

All other provisions of this by-law shall apply.

RU-15 (Part Lot 1, Concession III, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RU-15) shall be used only in accordance with the following:

- Not more than 65 percent of the total floor area of the dwelling unit and/or up to 20.0 sq. metres (215.3 sq. ft.) in an accessory building may be used for trades purposes.

All other provisions of this by-law shall apply.
RU-16 (Part Lot 4, Concession XIII, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RU-16) shall be used only in accordance with the following:

- The minimum setback from the centre of county roads shall be 22.8 metres (74.8 ft.).

All other provisions of this by-law shall apply.

RU-17 (Part Lot 15, Concession V, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RU-17) shall be used only in accordance with the following:

- Two dwelling units shall be permitted in the existing building.

All other provisions of this by-law shall apply.

RU-18 (Part Lots 21 and 22, Concession XII, Loughborough District - Edwardson Development Corp.)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RU-18) shall be used only in accordance with the following:

- The minimum lot area shall be 23.4 hectares (58 acres).
- That any further division of lands zoned RU-18 shall proceed only by a plan of subdivision in accordance with Section 50 of the Planning Act RSO 1990.

All other provisions of this by-law shall apply.

RU-19 (Part Lot 3, Concession III, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RU-19) shall be used only in accordance with the following:

- Permitted Uses
  a. a semi-detached dwelling consisting of one 1-bedroom dwelling unit containing a maximum of 65.8 sq. metres (216 sq. ft.) of bedroom floor area and one 3-bedroom unit containing a maximum of 39.2 sq. metres (422 sq. ft.) of bedroom floor area;
  b. all uses other than additional residential uses permitted in Section 7.2 of this by-law.

All other provisions of this by-law shall apply.
RU-20 (Part Lot 1, Concession IV, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RU-20) shall be used only in accordance with the following:

- A semi-detached dwelling may be permitted.
- The minimum lot size for use for a semi-detached dwelling shall be 0.93 hectares (2.3 acres).

All other provisions of this by-law shall apply.

RU-21 (Lot 9, Concession II, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RU-21) shall be used only in accordance with the following:

- The minimum lot frontage shall be 39.3 metres (128 ft.).
- The minimum lot size shall be equal to the size of the retained portion (approximately 1.93 ha or 4.8 acres).

All other provisions of this by-law shall apply.

RU-22 (Lot 20, Concessions X and IX, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RU-22) shall be used only in accordance with the following:

- A multiple residential dwelling is a permitted use.

All other provisions of this by-law shall apply.

RU-23 (Lot 21, Concession X, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RU-23) shall be used only in accordance with the following:

- The minimum lot frontage shall be 21.9 metres (71.9 ft.).

All other provisions of this by-law shall apply.

RU-24 (Lot 23, Concession XIV, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RU-24) shall be used only in accordance with the following:

- Zone Provisions
  a. lot size (minimum) shall be equal to the size of the rezoned portion i.e., approximately 7.68 ha (19 acres)

All other provisions of this by-law shall apply.
RU-25 (Lot 20, Concession I, Storrington District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RU-25) shall be used only in accordance with the following:

- Permitted uses shall include a dwelling and one accessory dwelling unit in addition to those uses listed in Section 7.2 of this By-law.

All other provisions of this by-law shall apply.

RU-26 (Lot 37, Concession VII, Storrington District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RU-26) shall be used only in accordance with the following:

- an accessory storage building or structure shall be permitted prior to the construction of the primary use on the property;
- the storage building shall not be used for the purposes of human habitation.

All other provisions of this by-law shall apply.

RU-27 (Lot 23, Concession V, Storrington District - Martin)
Notwithstanding any provision of this by-law to the contrary, the following uses only shall be permitted on the lands zoned Special Rural (RU-27):

- Permitted Uses
  a. a welding and fabrication shop;
  b. a single detached dwelling;
  c. a home occupation;
  d. a home industry;
  e. accessory uses to the above.

All other provisions of this by-law shall apply.

RU-28 (Lot13, Concession III, Portland District - Selle)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RU-28) shall be used only in accordance with the following:

- In addition to the uses specified in section 7.2 of this By-law, the following uses are permitted;
  a. a sawmill and planing mill.

All other provisions of this by-law shall apply.
RU-29 (Part Lots 13 and 14, Concession IV, Loughborough District - Orser)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RU-29) shall be used in accordance with the following:

- access may be by way of a private right-of-way.

In the RU-29 zone there is no commitment or requirement by the Municipality to assume responsibility for ownership or maintenance of any private lane. Due to conditions of privately-maintained roads, there is no commitment or requirement by the Municipality to ensure that emergency vehicles are able to access privately-owned roads.

All other provisions of this by-law shall apply.

RU-30 (Part Lot 18, Concession III, Storrington District - Cumpson)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RU-30) Zone the following special provision shall apply:

- lot frontage (Minimum) 70 metres (230 ft.)

All other provisions of this by-law shall apply.

RU-31 (Part Lot 5, Concession V, Storrington District - Gordon)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RU-31) shall be used in accordance with the following:

- In addition to the uses permitted in section 7.2 of this By-law, the following uses are permitted
  a. a secondary temporary dwelling unit.

- In addition to the zone regulations in section 7.3 of this By-law, the following regulations apply
  a. street access to both dwellings (principal and secondary) is limited to one driveway only;
  b. the maximum permitted floor area of the temporary second dwelling is 55.7 sq. metres (600 sq. ft.);
  c. the maximum height of the temporary second dwelling is one storey or 4.5 metres whichever is the lower number;
  d. the temporary second dwelling shall be permitted for a maximum period of ten (10) years from the date of approval of this Zoning By-law Amendment on July 5, 2005.

All other provisions of this by-law shall apply.
RU-32 (Part Lot 7, Concession IV, Portland District - Kerr)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RU-32) shall be used only in accordance with the following:

- In addition to the uses permitted in section 7.2 of this By-law, the following uses are permitted
  a. storage warehousing including open storage.

All other provisions of this by-law shall apply.

RU-33 (Lot 22, Concession XI, Bedford District – Ellel Ministries)
Notwithstanding any provision of this by-law to the contrary, the following provisions shall apply in the Special Rural (RU-33) zone:

- Permitted Uses
  a. a healing wellness retreat accommodating up to 60 patrons;
  b. one dwelling unit;
  c. a home occupation;
  d. accessory uses and buildings to the above.

- The above permitted uses are subject to a site plan agreement registered on the title of the property and subject to approval of KFL&A Public Health or Ministry of the Environment depending on volume of septage.

All other provisions of this by-law shall apply.

RU-34 (Lot 17, Concession XIV, Portland District-Hartwick)
Notwithstanding any provision of this By-law to the contrary, the lands zoned Special Rural Exception (RU-34) Zone shall be used in accordance with the following:

- In addition to the uses permitted in section 7.2 of this By-law, the following uses are permitted:
  a. A golf driving range.
  b. A mini golf course

All other provisions of this by-law shall apply.

RU-35 (Lot 2, Concession I, Bedford District-Ogilvie)
Notwithstanding any provision of this By-law to the contrary, on the lands zoned Special Rural Exception (RU-35) Zone, the following uses only shall be permitted:

- Permitted Uses
  a. Vehicle and boat trailer parking.
  b. Accessory storage.

All other provisions of this by-law shall apply.
RU-36 (Lot 17, Concession V, Portland District-Poelwyk)
Notwithstanding the provisions of section 7.3.2 of this By-law, on the lands zoned Special Rural (RU-36) Zone, the following provisions shall apply:

- For Single Detached Residential Uses
  a. Lot Frontage (Minimum) 75 metres (246 ft.)
  b. Front Yard (Minimum) 100 metres (328 ft.)

All other provisions of this by-law shall apply.

RU-37 (Part Lot 3, Concession IV, Loughborough District, RKR Landholdings)
Notwithstanding any other provision of this By-law to the contrary, the following shall apply in the RU-37 zone:

- Lot Frontage (Minimum) 20 metres (66 ft.)
- Front Yard (Minimum) 100 metres (328 ft.)

All other provisions of this By-law shall apply.

RU-38 (Part Lot 24, Concession I, Storrington District – Green)
Notwithstanding any provision of this By-law to the contrary, on the lands zoned Special Rural (RU-38) Zone, the following provisions shall apply:

- In addition to those permitted in section 7.2 of this By-law, the following use is permitted:
  a. A secondary temporary dwelling unit.

- In addition to the regulations section 7.3 of this By-law the following regulations apply:
  a. street access to both dwellings (principal and secondary) is limited to one driveway only;
  b. the maximum permitted footprint area of the temporary secondary dwelling is 59 metres$^2$ (638ft.$^2$);
  c. the temporary second dwelling use shall be permitted for a maximum period of three (3) years
  d. from the date of the approval of this Zoning By-law Amendment of December 20, 2011.

All other provisions of this by-law shall apply.

RU-39 (Lot 22, Concession VIII, Loughborough District - Desgagne)
Notwithstanding any provision of this By-law to the contrary, on the lands zoned Special Rural (RU-39) Zone, the following provisions shall apply:
• In addition to the uses permitted in section 7.2 of this By-law the following use is permitted
  a. A garden suite.

• In addition to the zone regulations section 7.3 of this By-law the following regulations apply
  a. street access to both dwellings (principal and garden suite) is limited to one driveway only;
  b. the maximum permitted footprint area of the garden suite 59 metres$^2$ (667.4 ft.$^2$);
  c. the temporary second dwelling use shall be permitted for a maximum period of three (3) years
  d. from the date of the approval of this Zoning By-law Amendment being December 2, 2008.

All other provisions of this by-law shall apply.

RU-40 (Part Lot 26, Concession X, Storrington District – 1073650 Ontario Inc. & Part Lot 6, Concession XIV, Loughborough District, Pierce)
Notwithstanding any provision of this By-law to the contrary, on the lands zoned Special Rural (RU-40) Zone, the following uses only shall be permitted:

• Permitted Uses
  a. vehicle parking and boat moorage;
  b. accessory storage.

All other provisions of this by-law shall apply.

RU-41 (Part Lot 5, Concession IV, Portland District – Lambert)
Notwithstanding the zone regulations in section 7.3.2 or any other provision of this By-law to the contrary, on the lands zoned Special Rural (RU-41) Zone, the following provision shall apply:

• Lot Frontage (Minimum) 20 metres (66 ft.)

All other provisions of this by-law shall apply.

RU-42 (Lot 13, Concession V, Loughborough District, McGibbon)
Notwithstanding any provision of this By-law to the contrary, on the lands zoned Special Rural (RU-42), the following provisions shall apply:

• In addition to the uses permitted in section 7.2 of this By-law the following uses are permitted:
  a. A secondary temporary dwelling unit.
• In addition to the zone regulations section 7.3 of this By-law the following regulations apply:
  a. street access to both dwellings (principal and secondary) is limited to one driveway only;
  b. the maximum permitted gross floor area of the temporary secondary dwelling is 59 metres\(^2\) (638ft.\(^2\))
  c. the temporary second dwelling shall be permitted for a maximum period of three (3) years from
  d. the date of the approval of this Zoning By-law Amendment which is March 2, 2010.

All other provisions of this by-law shall apply.

**RU-43 (Lot 34, Concession XI, Storrington District, Aldridge)**
Notwithstanding any provision of this By-law to the contrary, on the lands zoned Special Rural (RU-43), the following provisions shall apply:

• In addition to the uses permitted in section 7.2 of this By-law the following uses are permitted:
  a. A secondary temporary dwelling unit.

• In addition to the zone regulations section 7.3 of this By-law the following regulations apply:
  a. street access to both dwellings (principal and secondary) is limited to one driveway only;
  b. the temporary second dwelling shall be permitted for a maximum period of three (3) years from
  c. the date of the approval of this Zoning By-law Amendment which is May 18, 2010.

All other provisions of this by-law shall apply.

**RU-44 (Lot 23, Concession I, Storrington District, Sloan-Latimer)**
Notwithstanding the zone regulations of section 7.3.2 or any other provision of this By-law to the contrary, on the lands zoned Special Rural (RU-44), the following provisions shall apply:

• Lot Frontage (Minimum) 50 metres (163 ft.)
• Rear Yard for Principal Building (Minimum) 150 metres (492 ft.)

All other provisions of this by-law shall apply.

**RU-45 (Part Lots 23 & 24, Con. III, Storrington District – 1073650 Ontario Inc.)**
Notwithstanding the zone regulations in section 7.3.2 or any other provision of this By-law to the contrary, on the lands zoned Special Rural (RU-45) Zone, the following provision shall apply:
• Setback from Highwater Mark (Minimum)  40 metres (131 ft.)

All other provisions of this by-law shall apply.

RU-46 (Part Lot 7, Concession VII, Portland District – Asselstine)
Notwithstanding the zone regulations in section 7.3.1 and 7.3.2 or any other provision of this By-law to the contrary, on the lands zoned Special Rural Zone (RU-46), the following provisions shall apply:

• For Single Detached Residential Buildings
  West Side Yard (Minimum)  30 metres (98.4 ft.)

• For All Other Buildings
  West Side Yard (Minimum)  40 metres (131 ft.)

All other provisions of this by-law shall apply.

RU-47 (Part Lot 2, Concession II, Loughborough District – Fellows)
Notwithstanding the zone regulations in section 7.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Rural (RU-47), the following provision shall apply:

• No development shall be located within 30 metres (98.4 ft.) of the rear lot line of any lot fronting on Forest Road.

All other provisions of this by-law shall apply.

RU-48 (Part Lot 6, Concession V, Portland District – Davis)
Notwithstanding the zone regulations in section 7.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Rural (RU-48), the following provision shall apply:

• No development shall be located behind the rear lot line of any existing lot that fronts on Wallace Road.

All other provisions of this by-law shall apply.

RU-49 (Part Lot 12, Concession XIV, Portland District – McInnes)
Notwithstanding the zone regulations in section 7.3.2 or McInnes of this By-law to the contrary, on the lands zoned Special Rural (RU-49), the following provision shall apply:

• Lot Frontage (Minimum)  72 metres (236 ft.)

All other provisions of this by-law shall apply.
RU-50 (Part Lot 1, Concession IV, Loughborough District - Bannon)
Notwithstanding the provisions of section 7.2 or any other provision of this By-law to the contrary, on the lands zoned Special Rural (RU-50), the following use is also permitted:

- A group home is permitted within the existing principal building.

All other provisions of this by-law shall apply.

RU-51 (Part Lot 6, Concession VII, Storrington District - Jespersen)
Notwithstanding any other provision of this By-law to the contrary, on the lands zoned Special Rural (RU-51), the following special provision applies:

i) Lot Frontage (Minimum)…………………….65 metres (213 ft.)

All other provisions of this By-law shall also apply.

RU-52 (Part Lot 36, Concession VII, Storrington District – Holland)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Rural (RU-52), the following provision shall apply:

- A secondary dwelling is permitted as part of the principal building.

All other provisions of this by-law shall apply.
SECTION 8 - RW - WATERFRONT RESIDENTIAL ZONE

8.1 Within an RW - Waterfront Residential Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

8.2 PERMITTED USES

- a single detached dwelling,
- a seasonal dwelling,
- a dock, subject to approval from the appropriate authority,
- accessory buildings or uses including one sleeping cabin,
- a home occupation, in accordance with the provisions of Section 5.28 of this By-law,
- a home industry, in accordance with the provisions of Section 5.29 of this By-law.

8.3 ZONE REGULATIONS

8.3.1 For the Single Detached or Seasonal Dwelling

- Lot Area (Minimum) 10,000 sq. metres (107,642 sq. ft.)
- Road Frontage (Minimum) 76 metres (250 ft.)
- Water Frontage (Minimum) 91 metres (300 ft.)
- Front Yard (Minimum) 20 metres (65.6 ft.)
- Rear Yard (Minimum) 10 metres (33 ft.)
- Interior Side Yard (Minimum) 3 metres (9.8 ft.)
- Exterior Side Yard (Minimum) 20 metres (65.6 ft.)
- Lot Coverage (Maximum) 5 percent
- Gross Floor Area (Minimum) 59 sq. metres (635.1 sq. ft.)
- Building Height (Maximum) 11 metres (36.1 ft.)
- Off-street parking shall be provided in accordance with Section 5.30.

8.3.2 For Accessory Buildings Not Attached To The Principal Building

- Rear Yard (Minimum) 3 metres (9.8 ft.)
- Interior Side Yard (Minimum) 3 metres (9.8 ft.)
- Exterior Side Yard (Minimum) 3 metres (9.8 ft.)
- Building Height (Maximum) 6 metres (19 ft.)

8.3.3 Notwithstanding any setbacks specified in sections 8.3.1 and 8.3.2 above, the minimum required setback from the highwater mark or floodline of a waterbody shall be 30 metres (98.4 ft.).

8.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot building, structure or use within the RW - Waterfront Residential Zone.
8.5 SPECIAL RW - WATERFRONT RESIDENTIAL ZONES

**RW-1 (Part Lot 23, Concession II, Bedford District - Cicuto/Matos)**
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Residential Waterfront (RW-1) shall be used only in accordance with the following:

- The minimum lot size shall be 6.5 ha (16.2 acres).
- The minimum setback from the highwater mark of Bob’s Lake and Eagle Creek for all buildings and structures shall be 40 metres (131.2 ft).

All other provisions of this by-law shall apply.

**RW-2 (Part Lot 24, Concession X, Bedford District)**
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Residential Waterfront (RW-2) shall be used only in accordance with the following:

- The minimum setback from the highwater mark of Wolfe Lake shall be 40 metres (131.2 ft.).
- No boathouses shall be permitted.

All other provisions of this by-law shall apply.

**RW-3 (Lot 8, Concession IX, Loughborough District)**
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Residential Waterfront (RW-3) shall be used only in accordance with the following:

- The minimum setback from the highwater mark of Cronk Lake to any new structure shall be no less than approximately 17.07 metres (56 feet).

All other provisions of this by-law shall apply.

**RW-4 (Lot 25, Concession XIV, Loughborough District)**
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Residential Waterfront (RW-4) shall be used only in accordance with the following:

- The minimum setback from the highwater mark of Buck Lake shall be 15 metres (49.2 ft.).

All other provisions of this by-law shall apply.
RW-5 (Lots 3 and 4, Concession XII, Loughborough District - Cordell)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Residential Waterfront (RW-5) shall be used only in accordance with the following:

• Permitted Uses
  a. The maximum number of lots to be zoned RW-5 shall be four (4). Additional lots on lands zoned RW-5 shall only be considered by the Township on the basis of a plan of subdivision.

• Zone Requirements
  a. Notwithstanding any other section of this by-law to the contrary, direct access to the lands zoned RW-5 may be from a private right-of-way. The location of the private lane entrance from Holleford Road shall be subject to the approval of the Township Road Superintendent.

All other provisions of this by-law shall apply.

RW-6 (Part Lot 6, Concession V; Part 1, Plan 10256, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Residential Waterfront (RW-6) shall be used only in accordance with the following:

• A single dwelling and accessory building or structure may be erected not closer than 9 metres (29.5 ft.) from the highwater mark of Sydenham Lake.

All other provisions of this by-law shall apply.

RW-7 (Lot 10, Concession X, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Residential Waterfront (RW-7) shall be used only in accordance with the following:

• A sundeck attached to an existing dwelling may be permitted to be located within 12.2 metres (40 feet) of the highwater mark of Gould Lake.

All other provisions of this by-law shall apply.

RW-8 (Lot 4, Concession XIII, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Residential Waterfront (RW-8) shall be used only in accordance with the following:

• All buildings or structures shall be constructed no closer to the highwater mark of Buck Lake than the present cottage is located.

All other provisions of this by-law shall apply.
**RW-9 (Lot 27, Concession IX, Bedford District)**
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Residential Waterfront (RW-9) shall be used only in accordance with the following:

- The minimum lot area shall be 20 ha (49.4 acres).
- The minimum width of the lot at the highwater mark of Green Lake shall be 180 metres (590.6 ft.).

All other provisions of this by-law shall apply.

**RW-10 (Part Lot 11, Concession XIV, Bedford District - Tett Subdivision)**
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Residential Waterfront (RW-10) shall be used only in accordance with the following:

- The following minimum setbacks from Devil Lake shall apply:
  a. Lots 8, 9, 11 and 12
     - Registered Plan 1812
     - Buildings: 18.0 metres (59.1 ft.)
     - Structures: 30.0 metres (98.4 ft.)
  b. Lot 10
     - Registered Plan 1812
     - Buildings: 24.0 metres (78.7 ft.)
     - Structures: 30.0 metres (98.4 ft.)

All other provisions of this by-law shall apply.

**RW-11 (Lot 13, Concession VI, Loughborough District)**
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Residential Waterfront (RW-11) shall be used only in accordance with the following:

- The minimum setback from the highwater mark shall be 23.0 metres (75.5 ft.) from the highwater mark of Sydenham Lake.

All other provisions of this by-law shall apply.

**RW-12 (Lot 1, Concession XII, Bedford District)**
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Residential Waterfront (RW-12) shall be used only in accordance with the following:

- Permitted Uses
  a. boat docking;
  b. parking for the exclusive use of water access only lots located in Lots 1 and 2, Concessions 12 and 13, Bedford District, on Porcupine and Buck Islands.

- Zone Requirements
a. number of boat docks/ships (maximum) 18
b. number of parking spaces (maximum) 7

All other provisions of this by-law shall apply.

**RW-13 (Lot 2, Concession XI, Bedford District - Snelgrove #2)**

Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Residential Waterfront (RW-13) shall be used only in accordance with the following:

- **Zone Requirements**
  a. lot frontage (minimum) along the highwater mark 24.7 m (81.0 ft.)
  b. setback from highwater mark of Buck Lake (North Bay) (Minimum) 52.5 m (172.2 ft.)

All other provisions of this by-law shall apply.

**RW-14 (Lot 26, Concession XI, Storrington District - Hughson)**

Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Residential Waterfront (RW-14) shall be used only in accordance with the following:

- **Permitted Uses**
  a. Parking for two cars and boat trailers.

All other provisions of this by-law shall apply.

**RW-15 (Lot 1, Concession XII, Bedford District - Daub)**

Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Residential Waterfront (RW-15) shall be used only in accordance with the following:

- **Permitted Uses**
  a. single detached dwelling;
  b. accessory buildings or structures.

- **Zone Requirements**
  a. lot area (minimum) 0.32 ha (.8 acres)
  b. setback from highwater mark of Buck Lake 9.1 m (30 ft.)

All other provisions of this by-law shall apply.

**RW-16 (Lot 1, Concession 12, Bedford District - Daub)**

Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Residential Waterfront (RW-16) shall be used only in accordance with the following:

- **Permitted Uses**
The following use shall be permitted in addition to uses permitted in the RW zone:

a. parking for the exclusive use of 33 water access only lots located on Porcupine Island and having deed rights to parking at this location.

- Zone Requirements
  a. number of parking spaces (maximum) 33

All other provisions of this by-law shall apply.

**RW-17 (Lot 12, Concession VII, Loughborough District – Chubaty/Reade)**
Notwithstanding any other provision of this By-law to the contrary, on the lands zoned Special Waterfront Residential (RW-17) Zone, the following provision shall apply:

- Water Frontage (Minimum) 86 metres (285 ft.)

All other provisions of this by-law shall apply.

**RW-18 (Lot 1, Concession I, Bedford District - Czychun)**
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Residential Waterfront (RW-18), the following shall apply:

- Zone Provisions
  a. existing vegetation shall be maintained within 30 metres (98.4 ft.) of Thirteen Island Lake.

- Zone Requirements
  a. Water Frontage (Minimum) 15.2 metres (50 ft.)
  b. Setback from the Highwater Mark of Thirteen Island Lake 91 metres (300 ft.)

All other provisions of this by-law shall apply.

**RW-19 (Lot 1, Concession I, Bedford District - Czychun)**
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Residential Waterfront (RW-19), the following shall apply:

- Zone Requirements
  a. use of the waterfront shall be limited to pedestrian traffic (walking trails);
  b. existing vegetation shall be maintained within 122 metres (400 ft.) of Thirteen Island Lake.

All other provisions of this by-law shall apply.
**RW-20 (Lot 18, Concession III, Bedford District - Nybom)**

Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Residential Waterfront (RW-20), the following use is permitted in addition to the uses permitted in section 8.2 of this By-law:

- a metal fabricating shop, the use of which is limited to the existing structure as of the date of passage of this by-law.

All other provisions of this by-law shall apply.

**RW-21 (Part Lots 2 and 3, Concession XII, Loughborough District – McKnight)**

Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Residential Waterfront (RW-21), the following provision shall apply:

- direct access may be from a private right-of-way.

All other provisions of this by-law shall apply.

**RW-22 (Part Lot 22, Concession VII, Loughborough District – Lyle/Walker)**

Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Residential Waterfront (RW-22), the following provision shall apply:

- Setback from highwater mark of a body of water (Minimum) 100 metres (328 ft.)

All other provisions of this by-law shall apply.

**RW-23 (Part Lot 22, Concession VII, Loughborough District – Lyle/Walker)**

Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Residential Waterfront (RW-23), the following provision shall apply:

- Waterfrontage (Minimum) 33.8 metres (111 ft.)

All other provisions of this by-law shall apply.

**RW-24 (Part Lot 4, Concession XII, Loughborough District – Pat Kerr)**

Notwithstanding the zone regulations in section 8.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Waterfront Residential (RW-24) Zone the following provisions shall apply:

- Setback from highwater mark or floodline of a waterbody (minimum) 50 metres (164 ft.).

The following special provision shall also apply:
• direct access may be from a private right-of-way

All other provisions of this by-law shall apply.

**RW-25 (Part Lot 4, Concession XII, Louhborough District – Pat Kerr)**
Notwithstanding the zone regulations in section 8.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Waterfront Residential (RW-24) Zone the following provisions shall apply:

• Setback from highwater mark or floodline of a waterbody (minimum) 40 metres (131 ft.).

All other provisions of this by-law shall apply.

**RW-26 (Part Lot 18, Concession IV, Storrington District, Heath)**
Notwithstanding any other provision of this By-law to the contrary, the following shall apply in the RW-26 zone:

• Setback of any septic system from the highwater mark or floodline of a waterbody (minimum) 300 metres (984 ft.)

All other provisions of this By-law shall apply.”

**RW-27 (Part Lot 18, Concession IV, Storrington District, Moore)**
Notwithstanding any other provision of this By-law to the contrary, the following shall apply in the RW-27 zone:

• Setback of any development from the highwater mark or floodline of a waterbody (minimum) 45 metres (148 ft.)

• Setback of any septic system from the highwater mark or floodline of a waterbody (minimum) 300 metres (984 ft.)

All other provisions of this By-law shall apply.

**RW-28 (Part Lot 9, Concession IX, Loughborough District – Rini)**
Notwithstanding any other provision of this By-law to the contrary, on the lands zoned Special Waterfront Residential (RW-28) Zone, the following provision shall apply:

• Road Frontage (Minimum) 47 metres (155 ft.)

All other provisions of this By-law shall apply.
**RW-29 (Part Lot 22, Concession V, Storrington District – Finucane)**
Notwithstanding the provisions of section 8.3.1 and 8.3.2 or any other provision of this By-law to the contrary, the following restrictions shall apply in the (RW-29) Zone:

- Lot Coverage for Principal Building (Maximum)  9 percent
- Gross Floor Area (Maximum)  415 m\(^2\) (4,467 ft.\(^2\))
- No accessory buildings are permitted except those existing on the date of adoption of this by-law.

A site plan agreement shall be entered into between the owners and the Township dealing with locations of buildings, environmental protection and management of the lands within the 30 metre setback area from the lake before, during and after the construction period.

All other provisions of this By-law shall apply.

**RW-30 (Part Lot 2, Concession XVII, Bedford District, Barton)**
Notwithstanding the zone regulations of section 8.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Waterfront residential Zone (RW-30), the following provision shall apply:

- Water Frontage (Minimum)  34 metres (112 ft.)

All other provisions of this By-law shall apply.

**RW-31 (Part Lot 2, Concession XVII, Bedford District, Barton)**
Notwithstanding the zone regulations of section 8.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Waterfront residential Zone (RW-31), the following provision shall apply:

- Water Frontage (Minimum)  41 metres (134 ft.)
- Setback from Highwater Mark or Floodline of a Waterbody (Minimum)  90 metres (295 ft.)

All other provisions of this By-law shall apply.

**RW-32 (Part Lot 16, Concession IV, Bedford District, Snavely)**
Notwithstanding any other provision of this By-law to the contrary, on the lands zoned Special Waterfront Residential Zone (RW-32), the following uses only are permitted:

- Vehicle and Boat Trailer Parking.
- Boat Mooring.
- Accessory Storage.

All other provisions of this By-law shall apply.
RW-33 (Part Lot 22, Concession VII, Bedford District, Greenslade)
Notwithstanding any other provision of this By-law to the contrary, on the lands zoned Special Waterfront Residential Zone (RW-33), the following provisions shall apply:

- Road Frontage (Minimum) 64 metres (210 ft.)

All other provisions of this By-law shall apply.

RW-34 (Part Lots 23 & 24, Concession X, Bedford District – Deneault)
Notwithstanding the zone regulations in section 8.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RW-34), the following provisions shall apply:

- Waterfrontage (Minimum) 85 metres (279 ft.)
- The uses permitted in the RW-34 zone are subject to a site plan agreement to be entered into between the owner(s) and the municipality and registered on the title of the property, specifying the siting of all buildings and septic systems at a location at least 30 metres from the inland wetland, 15 metres from the top-of-bank of the inland wetland and 120 metres from the Provincially Significant Wetland within Wolfe Lake.

All other provisions of this by-law shall apply.

RW-35 (Part Lots 23 & 24, Concession X, Bedford District – Deneault)
Notwithstanding the zone regulations in section 8.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RW-35), the following provisions shall apply:

- The uses permitted in the RW-35 zone are subject to a site plan agreement to be entered into between the owner(s) and the municipality and registered on the title of the property, specifying the siting of all buildings and septic systems at a location at least 30 metres from the inland wetland, 15 metres from the top-of-bank of the inland wetland and 120 metres from the Provincially Significant Wetland within Wolfe Lake and at the northwest portion of the lot.

All other provisions of this by-law shall apply.

RW-36 (Part Lot 16, Concession X, Loughborough District, Shales)
Notwithstanding any other provision of this By-law to the contrary, on the lands zoned Special Waterfront Residential Zone (RW-36), the following provisions shall apply:

- Lot Area (Minimum) 0.8 Hectare (2ac.)

All other provisions of this By-law shall apply.
**RW-37 (Part Lot 15, Concession IX, Storrington District, B. Campbell)**  
Notwithstanding the provisions of section 8.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Waterfront Residential Zone (RW-37), the following provisions shall apply:

- Water Frontage (Minimum) 86 Metres (236 ft.)

All other provisions of this By-law shall apply.

**RW-38 (Part Lot 9, Concession XIII, Bedford District – Amacher)**  
Notwithstanding the provisions of section 8.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Waterfront Residential (RW-38), the following provisions shall apply:

- Lot Area (Minimum) 4,000 metres$^2$ (1 ac.)
- Water Frontage (Minimum) 67 metres (220 ft.)
- Setback from highwater mark or floodline of a body of water for any new structure (Minimum) 30 metres (98.4 ft.)
- Gross floor area for any new principal building (Maximum) 185 metres$^2$ (2,000 ft.$^2$)
- Footprint for any new principal building (Maximum) 120 metres$^2$ (1,300 ft.$^2$)
- No living space shall be added below grade

All other provisions of this by-law shall apply.

**RW-39 (Part Lot 11, Concession VI, Loughborough District - Quintal)**  
Notwithstanding any other provision of this By-law to the contrary, on the lands zoned Special Waterfront Residential (RW-39), the following special provision applies:

i) Lot Area (Minimum)…………………………….5,261 metres$^2$ (1.3 ac.)

All other provisions of this By-law shall also apply.

**RW-40 (Part Lot 33, Concession VII, Storrington District – Corcoran)**  
Notwithstanding the provisions of section 8.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Waterfront Residential (RW-40), the following provisions apply:
ZONE REGULATIONS

For Single Detached Dwelling

- Size of Footprint (Maximum)…………………………….3,080 ft.²

For Accessory Buildings Not Attached to the Principal Building

- Total Footprint of All Structures (Maximum)…………..2,202 ft.²

The uses permitted in the RW-40 zone are subject to a site plan agreement to be entered into between the owner and the municipality and registered on the title of the property, specifying locations of all buildings and structures; well and septic system; requiring that all structures existing within the 30 metre setback from the lake on the day of passage of this by-law on May 1, 2018, be removed prior to any building permit being issued for new development; and that use of the land be in accordance with the Environmental Site Evaluation report dated April 23, 2018 from Ecological Services.

All other provisions of this By-law shall apply.

RW-41 (Part Lot 19, Concession XI, Portland District – McPherson)

Notwithstanding the provisions of section 8.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Waterfront Residential (RW-41), the following special provision shall apply:

ZONE REGULATIONS

Setback from highwater mark or floodline

of a body of water (Minimum)…………………………………23 metres (75 ft.)

All other provisions of this By-law shall apply.
SECTION 9 - RLS - LIMITED SERVICE RESIDENTIAL ZONE

9.1 Within an RLS - Limited Service Residential Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

In a Limited Service Residential Zone, there is no commitment or requirement by the municipality to assume responsibility for ownership or maintenance of any private lane. Due to road condition of privately maintained roads, there is no commitment or requirement by the municipality to ensure that emergency vehicles are able to access privately owned roads. The intent of the Limited Service Residential Zone is to recognize residential development on private lanes.

9.2 PERMITTED USES

- a seasonal dwelling,
- a single detached dwelling,
- accessory buildings or uses,
- a home occupation, in accordance with the provisions of Section 5.28 of this By-law.

9.3 ZONE REGULATIONS

9.3.1 For the Principal Building

- Lot Area (Minimum) 8,000 sq. metres (86,114 sq. ft.)
- Lot Frontage on a Private Lane (Minimum) 76 metres (250 ft.)
- Front Yard (Minimum) 20 metres (65.6 ft.)
- Rear Yard (Minimum) 10 metres (32.8 ft.)
- Interior Side Yard (Minimum) 3 metres (9.8 ft.)
- Exterior Side Yard (Minimum) 20 metres (65.6 ft.)
- Lot Coverage (Maximum) 10 percent
- Building Height (Maximum) 11 metres (36.1 ft.)
- Gross Floor Area (Minimum) 59 sq. metres (635.1 sq. ft.)
- Off-street parking shall be provided in accordance with Section 5.30.

9.3.2 For Accessory Buildings Not Attached To The Principal Building

- Rear Yard (Minimum) 3 metres (9.8 ft.)
- Interior Side Yard (Minimum) 3 metres (9.8 ft.)
- Exterior Side Yard (Minimum) 3 metres (9.8 ft.)
- Building Height (Maximum) 6 metres (19.7 ft.)

9.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot building, structure or use within the RLS - Limited Service Residential Zone.
9.5 SPECIAL RLS - LIMITED SERVICE RESIDENTIAL ZONES

RLS-1 (Part Lots 4/5, Concession 11, Portland District - Babcock, Sortberg)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential (RLS-1) shall be used only in accordance with the following:

- There shall be a maximum of four (4) seasonal dwellings and accessory buildings and uses.

All other provisions of this by-law shall apply.

RLS-2 (Land Adjacent to Seasonally Maintained Public Roads, Bedford & Storrington Districts)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential (RLS-2) shall be used only in accordance with the following:

- All lands with frontage on a seasonally maintained public road, including lands with additional frontage on water, shall only be used for the following permitted uses:
  
  a. a seasonal dwelling;
  b. a sleeping cabin;
  c. agricultural uses;
  d. conservation uses;
  e. woodlots;
  f. accessory uses, buildings or structures not including an accessory single detached dwelling as an accessory to any of the above uses.

All other provisions of this by-law shall apply.

RLS-3 (Lot 22, Concession 13, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential (RLS-3) Zone shall be used only in accordance with the following:

- The lot shall be used for vehicle parking with a maximum of four (4) motor vehicles only.

All other provisions of this by-law shall apply.

RLS-4 (Lot 2, Concession XIII, Bedford District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential (RLS-4) Zone shall be used only in accordance with the following:
• There shall be a private sewage disposal system serving the lot identified as Part 1, Reference Plan #13R-7401, deposited May 1, 1987.

All other provisions of this by-law shall apply.

RLS-5 (Lot 26, Concession X, Storrington District)
Notwithstanding the provisions of section 9.3.1 or any other provision of this by-law to the contrary, on the lands zoned Special Limited Service Residential (RLS-5) Zone, the following special provision shall apply:

• Setback from any inland pond (Minimum) 35 metres (115 ft.)

All other provisions of this by-law shall apply.

RLS-6 (Part Lots 20 & 21, Concession V, Storrington District - Applewood)
Notwithstanding the provisions of section 9.3.1 or any other provision of this by-law to the contrary, on the lands zoned Special Limited Service Residential (RLS-6) Zone, the following provisions shall apply:

• Lot Area (Minimum) 6,700 metres² (72,120 ft.²)
• Lot Frontage on a Private Lane (Minimum) 50 metres (164 ft.)
• Front Yard Setback (Minimum) 15 metres (50 ft.)
• For the purposes of Section RLS-6 the lane (common element) side of the lot is deemed to be the Front Yard.
• The holding (“H”) symbol is to be removed by by-law to permit development only when a Plan of Condominium Agreement between the property owner and the Township has been entered into and registered.

All other provisions to this by-law shall apply.

RLS-7 (Part Lots 23 & 24, Concessions VI & VII, Loughborough District – Magenta Waterfront Development; Johnston Point)
Notwithstanding the provisions of section 9.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential (RLS-7), the following provisions shall apply:

• Units 7 and 15
  a. Setback from Highwater Mark or Floodline of a waterbody (Minimum)
     i. Building 50 metres (164 ft.)
     ii. Septic 60 metres (197 ft.)

All other provisions of this by-law shall apply.
RLS-8 (Part Lots 23 & 24, Concessions VI & VII, Loughborough District – Magenta Waterfront Development; Johnston Point)
Notwithstanding the provisions of section 9.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential (RLS-8), the following provisions shall apply:

- Units 12 and 13
  - a. Setback from Highwater Mark or Floodline of a waterbody (Minimum)
     - i. Building 60 metres (197 ft.)
     - ii. Septic 60 metres (197 ft.)

All other provisions of this by-law shall apply.
SECTION 10 - RLSW - LIMITED SERVICE RESIDENTIAL - WATERFRONT ZONE

10.1 Within a RLSW - Limited Service Residential - Waterfront Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

In a Limited Service Residential Waterfront Zone, there is no commitment or requirement by the municipality to assume responsibility for ownership or maintenance of any private lane. Due to road condition of privately maintained roads, there is no commitment or requirement by the municipality to ensure that emergency vehicles are able to access privately owned roads. The intent of the Limited Service Residential Waterfront Zone is to recognize residential development on private lanes.

10.2 PERMITTED USES

- a seasonal dwelling,
- a single detached dwelling,
- a dock, subject to approval from the appropriate authority,
- accessory buildings or uses, including one sleeping cabin,
- a home occupation, in accordance with the provisions of Section 5.28 of this By-law.

10.3 ZONE REGULATIONS

10.3.1 For the Principal Building

- Lot Area (Minimum) 10,000 sq. metres (107,642 sq. ft.)
- Lot Frontage, Private Lane (Minimum) 76 metres (250 ft.)
- Water Frontage (Minimum) 91 metres (300 ft.)
- Front Yard (Minimum) 30 metres (98.4 ft.)
- Rear Yard (Minimum) 10 metres (32.8 ft.)
- Interior Side Yard (Minimum) 3 metres (9.8 ft.)
- Exterior Side Yard (Minimum) 10 metres (32.8 ft.)
- Gross Floor Area (Minimum) 59 sq. metres (635.1 sq. ft.)
- Lot Coverage (Maximum) 5 percent
- Building Height (Maximum) 11 metres (36.1 ft.)
- Setback from highwater mark or floodline of a body of water (Minimum) 30 metres (98.4 ft.)
- Off-street parking shall be provided in accordance with Section 5.30.
- Where communal docking facilities are proposed, such facilities shall be located a minimum of 60 metres (196.9 ft.) from the nearest residential use, residential land use designation or residential zone.

10.3.2 For Accessory Buildings Not Attached To The Principal Building

- Rear Yard (Minimum) 3 metres (9.8 ft.)
• Interior Side Yard (Minimum) 3 metres (9.8 ft.)
• Exterior Side Yard (Minimum) 3 metres (9.8 ft.)
• Building Height (Maximum) 6 metres (19.7 ft.)
• Setback from highwater mark or floodline of a body of water (Minimum) 30 metres (98.4 ft.)
• In the case of docks, where a rear yard or interior side yard abuts a body of water, then such rear yard and/or interior sideyard may be reduced to zero metres.

(See also section 5.6.1).

10.4 GENERAL PROVISIONS
All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot building, structure or use within the RLSW - Limited Service Residential-Waterfront Zone.

10.5 SPECIAL RLSW - LIMITED SERVICE RESIDENTIAL - WATERFRONT ZONES

RLSW-1 (Part Lot 1, Concession XII, Block 18, Registered Plan 1938, Portland District - McCaldon)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-1) shall be used only in accordance with the following:

• The issuance of a building permit within 40 metres (131.2 ft.) of the highwater mark of Fourteen Island Lake shall require the prior written approval of the Napanee Regional Conservation Authority.
• No accessory building shall be located in any front yard, except for a boathouse or dock which has been approved by the Napanee Region Conservation Authority and the Ministry of Natural Resources.
• The minimum lot area permitted is 10 hectares (24.7 ac).

All other provisions of this by-law shall apply.

RLSW-2 (Part Lot 2, Concession VIII, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-2) shall be used only in accordance with the following:

• A minimum setback of 122.0 metres (400.3 ft.) shall be required from the highwater mark of Knowlton Lake.

All other provisions of this by-law shall apply.
RLSW-3 (Part Lot 32, Concession 6, Part of Lots 33 and 34, Concession VII, Bedford District - Bob’s Lake Co-operative Limited)

Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-3) shall be used only in accordance with the following:

- Notwithstanding that the lands zoned RLSW-3 are inclusive of several parcels, the above named uses shall be permitted only as outlined in this by-law according to identification by R-Plan and Part numbers.
- Permitted uses shall include a total of fifty-two (52) campsites for recreational vehicles, inclusive of all parcels other than Plan R6236, Part 5.
- A maximum of ten (10) campsites shall be permitted on the portion of the lands located on Plan R98, Pts. 3-17 and R-166, Pts. 1 and 3.
- No trailers will be permitted on Plan R6236, Part 5.
- Zone Provisions:
  - a. Replacement of any existing trailers on the subject property will be subject to a minor variance application to determine the appropriateness of the size of the replacement trailer and location thereof.

All other provisions of this by-law shall apply.

RLSW-4 (Part Lot 8, Concession VI, Loughborough District - Guy)

Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-4) shall be used only in accordance with the following:

- The minimum rear yard requirement shall be 1 metre;
- The maximum floor area for a seasonal dwelling shall be 167 sq. metres (1,797.6 sq. ft.).

All other provisions of this by-law shall apply.

RLSW-5 (Part Lots 26, 27 and 28, Concession VI, Bedford District - Dewitt)

Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-5) shall be used only in accordance with the following:

- A minimum setback from the highwater mark of Bob’s Lake of 18.3 metres (60 ft.) shall be required for all existing structures.

All other provisions of this by-law shall apply.
**RLSW-6 (Part Lot 22, Concession XIII, Loughborough District)**
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-6) shall be used only in accordance with the following:
- The permitted land use shall be for a boathouse only.

All other provisions of this by-law shall apply.

**RLSW-7 (Part Lot 2, Concession XIII, Bedford District)**
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-7) shall be used only in accordance with the following:
- The minimum setback from the highwater mark of Buck Lake shall be 40 metres (131.2 ft.) on the lot identified as Parts 6 and 7, Reference Plan No. 13R-7401, deposited May 1, 1987.

All other provisions of this by-law shall apply.

**RLSW-8 (Part Lot 2, Concession XIII, Bedford District)**
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-8) shall be used only in accordance with the following:
- The minimum setback from the highwater mark of Buck Lake shall be 50 metres (164.0 ft.) on the lot identified as Parts 8, 9 and 10, Reference Plan No. 13R-7401, deposited May 1, 1987.

All other provisions of this by-law shall apply.

**RLSW-9 (Part Lot 22, Concession V, Bedford District)**
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-9) shall be used only in accordance with the following:
- A minimum setback of 40.0 metres (131.2 ft.) from the highwater mark of Green Bay shall be required for all buildings or structures, including septic tanks and tile fields.

All other provisions of this by-law shall apply.
RLSW-10 (Part Lots 28 and 29, Concession IV, Bedford District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-10) shall be used only in accordance with the following:

• A minimum setback of 75 metres (246.1 ft.) from the highwater mark of Crow Lake shall be required for all septic tanks and tile beds.

All other provisions of this by-law shall apply.

RLSW-11 (Part Lot 24, Concession X, Bedford District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-11) shall be used only in accordance with the following:

• No boathouses shall be permitted.

All other provisions of this by-law shall apply.

RLSW-12 (Part Lot 32, Concession VI, Bedford District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-12) shall be used only in accordance with the following:

• The minimum setback from the highwater mark of Mud Bay shall be 45 metres (147.6 ft.).

All other provisions of this by-law shall apply.

RLSW-13 (Part Lot 14, Concession III, Bedford District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-13) shall be used only in accordance with the following:

• The minimum setback from the highwater mark of White Lake shall be 42.0 metres (137.8 ft.).

All other provisions of this by-law shall apply.
RLSW-14 (Part Lot 7, Concession IV, Bedford District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-14) shall be used only in accordance with the following:

- The minimum setback from water for any sewage disposal system leaching bed shall be 36.5 metres (119.6 ft.).

All other provisions of this by-law shall apply.

RLSW-15 (Part Lot 14, Concession III, Bedford District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-15) shall be used only in accordance with the following:

- The minimum setback from the highwater mark of White Lake shall be 50.0 metres (164.0 ft.).

All other provisions of this by-law shall apply.

RLSW-16 (Part Lots 27 and 28, Concession IX, Bedford District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-16) shall be used only in accordance with the following:

- The minimum setback from water for a sewage disposal system leaching bed shall be 90.0 metres (295.3 ft.).

All other provisions of this by-law shall apply.

RLSW-17 (Part Lot 28, Concession IX, Bedford District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-17) shall be used only in accordance with the following:

- The minimum setback from water for a sewage disposal system leaching bed shall be 102.0 metres (334.6 ft.).

All other provisions of this by-law shall apply.

RLSW-18 (Part Lot 27, Concession IX, Bedford District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-18) shall be used only in accordance with the following:
• The minimum setback from water for a sewage disposal system leaching bed shall be 72.0 metres (236.2 ft.).

All other provisions of this by-law shall apply.

RLSW-19 (Part Lot 27, Concession IX, Bedford District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-19) shall be used only in accordance with the following:

• The minimum setback from water for a sewage disposal system leaching bed shall be 44.0 metres (144.4 ft.).

All other provisions of this by-law shall apply.

RLSW-20 (Part Lot 27, Concession IX, Bedford District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-20) shall be used only in accordance with the following:

• The minimum setback from water for a sewage disposal system leaching bed shall be 40.0 metres (131.2 ft.).

All other provisions of this by-law shall apply.

RLSW-21 (Part Lot 10, Concession XIII, Bedford District - Trickey)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-21) shall be used only in accordance with the following:

• Uses shall be limited to a private car parking, boat storage building and a marine facility.

All other provisions of this by-law shall apply.

RLSW-22 (Part Lot 2, Concession XI, Bedford District - Norman)

RLSW-23 (Part Lot 17, Concession II, Bedford District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-23) shall be used only in accordance with the following:

• The minimum setback from the highwater mark of Buck Bay shall be 76.0 metres (249.3 ft.)

All other provisions of this by-law shall apply.
RLSW-24 (Part Lots 1 and 2, Concession XV, Storrington District - McIlquham/Donovan)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-24) shall be used only in accordance with the following:

- Up to three sleeping cabins shall be permitted in conjunction with the principal dwelling.

All other provisions of this by-law shall apply.

RLSW-25 (Lots 22 and 23, Concession VI, Loughborough District - Lanark Firewood #1)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-25) shall be used only in accordance with the following:

- Permitted Uses
  a. the only permitted use shall be parking for the benefit of 5 water access residential lots.

All other provisions of this by-law shall apply.

RLSW-26 (Lot 15, Concession X, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-26) shall be used only in accordance with the following:

- The minimum setback from the highwater mark of Draper Lake shall be 45.7 metres (147.6 ft.).

All other provisions of this by-law shall apply.

RLSW-27 (Lot 1, Concession XII, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-27) shall be used only in accordance with the following:

- The minimum setback from the highwater mark of Fourteen Island Lake for Lots 1 and 2 shall be 45 metres (147.6 ft.).

All other provisions of this by-law shall apply.
RLSW-28 (Lot 8, Concession VI, Loughborough District - Ross)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-28) shall be used only in accordance with the following:

- A seasonal dwelling with a maximum floor area of 677.88 sq. metres (7,296.9 sq. ft.) may be permitted within 3.9 metres (13 feet) of the highwater mark of Sydenham Lake on a lot with a minimum area of 0.19 hectares (0.47 acres).
- These additions include a 116.5 sq. metre (1,254.0 sq. ft.) (10.2 m x 11.58 m) (33.5 ft. x 38.0 ft.) addition to a residence and a 20.81 sq. metre (224.0 sq. ft.) (4.27 m x 4.88 m) (14.0 ft. x 16.0 ft.) screened porch, which total 137.31 sq. metres (1,478.0 sq. ft.).
- Any building openings will have a minimum elevation of 131.9 m geodetic.
- The maximum size of the boathouse shall meet the requirements of the department of Fisheries and Oceans Authorization No. 525-3384.

All other provisions of this by-law shall apply.

RLSW-29 (Part Lots 9 and 10, Concession IV, Bedford District - Gulyas)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-29) shall be used only in accordance with the following:

- Permitted Uses
  a. two accessory structures shall be the only permitted buildings or structures, located no closer to the highwater mark of Norway Lake than on the day of adoption of this by-law.
- Zone Requirements
  a. gross floor area of shed (maximum) 11.89 sq. m (128 sq. ft.)
  b. gross floor area of trailer (maximum) 18.58 sq. m (200 sq. ft.)

All other provisions of this by-law shall apply.

RLSW-30 (Lot 2, Concession XIII, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-30) shall be used only in accordance with the following:

- The minimum setback from the highwater mark of Fourteen Island Lake shall be 15 metres (49.2 ft.)

All other provisions of this by-law shall apply.
**RLSW-31 (Lot 9, Concession VI, Loughborough District)**
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-31) shall be used only in accordance with the following:

- The minimum setback from the highwater mark of Sydenham Lake shall be 15 metres (49.2 ft.).

All other provisions of this by-law shall apply.

**RLSW-32 (Lot 1, Concession 13, Loughborough District)**
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-32) shall be used only in accordance with the following:

- The minimum setback from the highwater mark shall be 21 metres (68.9 ft.) from the highwater mark of Little John Lake.

All other provisions of this by-law shall apply.

**RLSW-33 (Lot 23, Concession XII, Loughborough District)**
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-33) shall be used only in accordance with the following:

- The minimum setback from the highwater mark of South Bay shall be 23 metres (75.5 ft.).

All other provisions of this by-law shall apply.

**RLSW-34 (Lot 3, Concession IX, Loughborough District)**
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-34) shall be used only in accordance with the following:

- The minimum setback from the highwater mark of Knowlton Lake shall be 12 metres (39.4 ft.).

All other provisions of this by-law shall apply.
RLSW-35 (Lot 8, Concession VI, Loughborough District - Ross)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-35) shall be used only in accordance with the following:

- The minimum setback from the highwater mark of Sydenham Lake shall be 9.14 metres (30.0 ft.).

All other provisions of this by-law shall apply.

RLSW-36 (Lot 7, Concession V, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-36) shall be used only in accordance with the following:

- The minimum setback from the highwater mark of Sydenham Lake shall be 24 metres (78.7 ft.).

All other provisions of this by-law shall apply.

RLSW-37 (Lot 22, Concession XII, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-37) shall be used only in accordance with the following:

- The minimum setback from the highwater mark of Buck Lake shall be 23 metres (75.5 ft.).

All other provisions of this by-law shall apply.

RLSW-38 (Part Lot 11, Concession IV, Bedford District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural (RLSW-38) shall be used only in accordance with the following:

- Forestry uses shall be the only uses permitted.

All other provisions of this by-law shall apply.

RLSW-39 (Lot 22, Concession XII, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-39) shall be used only in accordance with the following:

- The minimum setback from the highwater mark of South Bay shall be 22.8 metres (74.8 ft.).

All other provisions of this by-law shall apply.
RLSW-40 (Lots 7 and 8, Concession I, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-40) shall be used only in accordance with the following:

- The minimum setback from the highwater mark of Loughborough Lake shall be 19.0 metres (62.3 ft.).

All other provisions of this by-law shall apply.

RLSW-41 (Lot 22, Concession XI, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-41) shall be used only in accordance with the following:

- The minimum setback from the highwater mark of South Bay shall be 19.4 metres (63.6 ft.).

All other provisions of this by-law shall apply.

RLSW-42 (Lot 3, Concession IX, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-42) shall be used only in accordance with the following:

- The minimum setback from the highwater mark of Knowlton Lake shall be 21 metres (68.9 ft.).
- The roof runoff of all buildings shall be directed to the east, and not be allowed to discharge to the west or south where it could run directly into the lake.

All other provisions of this by-law shall apply.

RLSW-43 (Lot 2, Concession VIII, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-43) shall be used only in accordance with the following:

- A filter bed may be erected not closer than 21.0 metres (68.9 ft.) from the highwater mark of Knowlton Lake.

All other provisions of this by-law shall apply.
RLSW-44 (Lots 1 and 2, Concession IX, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-44) shall be used only in accordance with the following:

- The minimum setback from the highwater mark of Knowlton Lake shall be 24.38 metres (80.0 ft.).
- Structures shall be permitted to be built at a distance of approximately 7 metres (23 feet) from the right-of-way at the property.

All other provisions of this by-law shall apply.

RLSW-45 (Lot 16, Concession IX, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-45) shall be used only in accordance with the following:

- The minimum setback from the highwater mark of Indian Lake shall be 25 metres (82.0 ft.).

All other provisions of this by-law shall apply.

RLSW-46 (Lot 8, Concession VI, Loughborough District - McFarlane)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-46) shall be used only in accordance with the following:

- A seasonal dwelling with a maximum floor area of 92.9 sq. metres (1,000 sq. ft.) may be permitted within 5 metres (16 feet) of the highwater mark of Sydenham Lake.

All other provisions of this by-law shall apply.

RLSW-47 (Lot 1, Concession XIII, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-47) shall be used only in accordance with the following:

- A 93.18 sq. metre (1,003.0 sq. ft.) addition to an existing seasonal dwelling is permitted within 12.68 metres (41.6 ft.) of the highwater mark of Minktrap Lake.

All other provisions of this by-law shall apply.
RLSW-48 (Part Lot 1, Concession XII, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-48) shall be used only in accordance with the following:

• A seasonal dwelling and accessory building or structure may be erected not closer than 21.4 metres (70.2 ft.) from the highwater mark of Fourteen Island Lake.

All other provisions of this by-law shall apply.

RLSW-49 (Lot 2, Concession IX, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-49) shall be used only in accordance with the following:

• An addition to an existing seasonal dwelling may be constructed not closer than 19.5 metres (64 ft.) from the highwater mark of Knowlton Lake.

All other provisions of this by-law shall apply.

RLSW-50 (Lots 1 and 2, Concession XII, Portland District - Meredith)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-50) shall be used only in accordance with the following:

• On Lots 2, 3, 4, 8 and 9 of Plan 1889, all development shall be set back a minimum of 15 metres (49.2 ft.) from the shoreline of Fourteen Island Lake and on Lots 5, 6, 7, 10 and 11 of Plan 1889, development shall be set back a minimum of 30 metres (98.4 ft.) from the shoreline of Fourteen Island Lake.

• On the lands zoned RLSW-50, a building permit may be issued for a building or structure to be erected, extended or enlarged providing that all other provisions of this by-law are complied with.

All other provisions of this by-law shall apply.

RLSW-51 (Lots 1 and 2, Concession XII, Portland District - Fourteen Island Lake)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-51) shall be used only in accordance with the following:

• The issuance of a building permit, within 40 metres (131.2 ft.) of the highwater mark of Fourteen Island Lake, shall require the prior written approval of the Quinte Region Conservation Authority.
• No accessory building shall be located in any front yard, except for a boathouse or dock which has been approved by the Quinte Region Conservation Authority and the Ministry of Natural Resources.

All other provisions of this by-law shall apply.

RLSW-52 (Lots 1 and 2, Concession XI, Bedford District - Snelgrove)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-52) shall be used only in accordance with the following:

• The minimum lot frontage measured along the highwater mark of Milk Lake shall be 213.4 m (700 ft.).

All other provisions of this by-law shall apply.

RLSW-53 (Lot 2, Concession XI, Bedford District - Snelgrove)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-53) shall be used only in accordance with the following:

• Permitted Uses
  a. No more than one (1) additional lot may be created by consent on lands zoned RLSW-53, without plan of subdivision approval.

All other provisions of this by-law shall apply.

RLSW-54 (Lot 11, Concession X, Bedford District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-54) shall be used only in accordance with the following:

• Lot Area (Minimum) 5.3 ha (13 acres)
• Lot Frontage (Minimum) 182.9 m (600 ft.)

All other provisions of this by-law shall apply.

RLSW-55 (Lot 11, Concession IX, Bedford District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-55) shall be used only in accordance with the following:

• Lot Area (Minimum) 2.4 ha (6 acres)
• Lot Frontage (Minimum) 243.8 m (800 ft.)

All other provisions of this by-law shall apply.
RLSW-56 (Lot 11, Concession X, Bedford District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-56) shall be used only in accordance with the following:

- Lot Area (Minimum) 20.2 ha (50 acres)
- Lot Frontage (Minimum) 304.8 m (1,000 ft.)

All other provisions of this by-law shall apply.

RLSW-57 (Lot 5, Concession V, Loughborough District-Heney)
Notwithstanding the provisions of section 10.3.1 of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-57) Zone, the following provision shall apply:

- Zone Regulations
  a. Water Frontage (Minimum) 78 metres (256 ft.)

All other provisions of this by-law shall apply.

RLSW-58 (Lot 23, Concession VI, Loughborough District - Lanark Firewood)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-58) shall have the following special provisions:

- the only permitted use of the lands shall be parking for the benefit of 5 water access residential lots;
- lot area (minimum) 9,246.4 sq. m (2.3 acres)
- lot frontage (minimum) 39.0 m (127.95 ft.)

All other provisions of this by-law shall apply.

RLSW-59 (Lot 22, Concession VI, Loughborough District - Lanark Firewood)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-59) shall have the following special provisions:

- lot area (minimum) 2.5 ha (6.1 acres)
- lot frontage (minimum) 210.4 m (6590.3 ft.)

All other provisions of this by-law shall apply.
RLSW-60- H (Lot 22, Concession VI, Loughborough District - Lanark Firewood)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-60) shall have the following special provisions:

- lot area (minimum) 6.2 ha (15.3 acres)
- lot frontage (minimum) 217.2 m (712.6 ft.)

- The holding symbol shall be removed to allow development only when the subject land has been remediated in accordance with the Environmental Report dated November 17, 2011 from Ecological Services and to the satisfaction of the Township.

All other provisions of this by-law shall apply.

RLSW-61 (Lots 22 and 23, Concession VI, Loughborough District - Lanark Firewood)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-61) shall have the following special provisions:

- lot area (minimum) 31.7 ha (78.2 acres)
- lot frontage (minimum) 1,098.9 m (3,605.3 ft.)

All other provisions of this by-law shall apply.

RLSW-62 (Lot 22, Concession VI, Loughborough District - Lanark Firewood)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-62) shall have the following special provisions:

- lot area (minimum) 2.9 ha (7.3 acres)
- lot frontage (minimum) 642.2 m (2,106.95 ft.)

All other provisions of this by-law shall apply.

RLSW-63 (Lot 9, Concession IX, Storrington District)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-63) the following special provision shall apply:

- Minimum frontage (on a private right-of-way) 130 metres (426.5 ft.)

All other provisions of this by-law shall apply.
RLSW-64 (Lot 9, Concession IX, Storrington District)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-64) the following special provision shall apply:

- Lot Area (Minimum) 0.32 hectares (0.8 ac.)

All other provisions of this by-law shall apply.

RLSW-65 (Part Lots 5 and 6, Concession III, Bedford District - McGowan)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-65) the following special provision shall apply:

- Setback from Highwater mark or floodline of a waterbody (Minimum) 40 metres (131 ft.)

All other provisions of this by-law shall apply.

RLSW-66 (Part Lot 32, Concession VII, Storrington District - Card)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-66) the following special provision shall apply:

- Minimum frontage (on a private right-of-way) 30 metres (98.4 ft.)

All other provisions of this by-law shall apply.

RLSW-67 Part Lot 5, Concession XIV, Portland District - Gibson)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-67), the following special provisions shall apply:

- Permitted Uses Limited to:
  a. A single detached dwelling
  b. Accessory uses to the above

- Zone Regulations
  a. Setback from highwater mark or floodline of a body of water (Minimum) 3.6 metres (12 ft.)
  b. A tertiary sewage treatment system shall be installed and used for the treatment of all sanitary waste
  c. Development shall be subject to a site plan agreement registered on the title of the property.

All other provisions of this by-law shall apply.
RLSW-68 (Part Lot 25, Concession VI, Storrington District - Lake)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-68) the following special provision shall apply:

- Waterfrontage (Minimum) 40.5 metres (133 ft.)

All other provisions of this by-law shall apply.

RLSW-69 (Part Lot 20, Concession IX, Storrington District - Thompson)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-69) shall be used in accordance with the following:

- In addition to the uses permitted in section 10.2 of this By-law, the following uses are permitted:
  a. A temporary second dwelling unit.

- In addition to the zone regulations in section 10.3 of this By-law, the following regulations apply:
  b. Street access to both dwellings (principal and secondary) is limited to only one driveway;
  c. The maximum permitted floor area of the temporary second dwelling unit is 111.48 sq. metres (1200 sq. ft.);
  d. The maximum height of the temporary second dwelling structure is one storey or 4.5 metres, whichever is lesser;
  e. The temporary second dwelling shall be permitted for a maximum period of ten (10) years, the period ending on September 7, 2015.

All other provisions of this by-law shall apply.

RLSW-70 (Part Lot 31 Concession VII, Bedford District - Tallian)
Deleted as per OMB settlement agreement.

RLSW-71 (Part Lot 21 Concession V, Storrington District - Beach)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-71), shall be used only in accordance with the following:

- Permitted Uses Limited to:
  a. Car parking and boat mooring for the exclusive use of a water access lot on the adjacent peninsula lot and having deeded rights to parking, storage and mooring at this location.
• Zone Regulations
  a. Number of parking spaces permitted (maximum) 3

All other provisions of this by-law shall apply.

RLSW-72 (Lot 23, Concession XIV, Loughborough District – Snelgrove)
Notwithstanding any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-72) Zone, the following special provision shall apply:

• Water Frontage (Minimum) 427 metres (1,400 ft.)

All other provisions of this by-law shall apply.

RLSW-73 (Part Lot 2, Concession XIII, Bedford District - Gurr)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential-Waterfront (RLSW-73) shall be used in accordance with the following:

• In addition to the uses permitted in section 10.2 of this By-law, the following uses are permitted:
  a. A temporary second dwelling unit.

• In addition to the zone regulations in section 10.3 of this By-law, the following regulations apply:
  a. Street access to both dwellings (principal and secondary) is limited to only one driveway;
  b. The maximum permitted floor area of the temporary second dwelling unit is 62 sq. metres (667.4 sq. ft.);
  c. The temporary second dwelling shall be permitted for a maximum period of ten (10) years, the period ending on April 4, 2016.

All other provisions of this by-law shall apply.

RLSW-74 (Lot 8, Concession X, Portland District - Fink)
Notwithstanding any provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-74) Zone, the following provisions shall apply:

• In addition to the uses permitted in section 10.2 of this By-law the following uses are permitted:
  a. A temporary second dwelling unit.

• In addition to the zone regulations section 10.3 of this By-law the following regulations apply:
a. street access to both dwellings (principal and secondary) is limited to one driveway only;
b. the maximum permitted floor area of the temporary secondary dwelling is 59 metres\(^2\) (638 ft.\(^2\));
c. the maximum height of the structure housing the temporary secondary dwelling is one storey or 4.5 metres, whichever is the lower number;
d. the temporary second dwelling use shall be permitted for a maximum period of three (3) years, the period ending on September 5, 2009.

All other provisions of this by-law shall apply.

**RLSW-75 (Lots 10 and 11, Concession XI, Storrington District-Cashman)**
Notwithstanding any provisions of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-75) Zone, the following provision shall apply:

- **Zone Regulation:**
  - Waterfrontage (Minimum) 64 metres (210 ft.)

All other provisions of this by-law shall apply.

**RLSW-76 (Lot 17, Concession IX, Storrington District- Dubin)**
Defeated at OMB

**RLSW-77 (Lot 32, Concession VI, Bedford District-Bayside Woods Co-op)**
Notwithstanding any provisions of section 10.2 of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-77) Zone, the following uses are permitted:

- **Permitted Uses**
  - Thirteen (13) cottages and one (1) travel trailer
  - Accessory uses comprised of one (1) sleeping cabin and two (2) storage sheds only.

All other provisions of this by-law shall apply.

**RLSW-78 (Lot 9, Concession XIII, Bedford District-Purdon/Wilson)**
Notwithstanding any provisions of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-78) Zone, the following provision shall apply:

- **Zone Regulation:**
  - No development is permitted on the west side of the ‘narrow waterbody’ as defined in the Township of South Frontenac Official Plan.

All other provisions of this by-law shall apply.
RLSW-79 (Part Lot 3, Concession IX, Loughborough District, Bowes)
Notwithstanding the provisions of sections 10.3.1 and 10.3.2 or any other provision of this By-law to the contrary, the following restrictions shall apply in the RLSW-79 zone:

- Lot Coverage for Principal Building (Maximum) 9.5 percent
- Setback from highwater mark or floodline of a waterbody (minimum) 25 metres (82 ft.)
- Gross floor area (Maximum) 232 m² (2,500 ft.²)
- No accessory buildings are permitted except those existing on the date of adoption of this by-law (November 20, 2007).

All other provisions of this By-law shall apply.

RLSW-81 (Lot 23, Concession XIV, Loughborough District – Snelgrove)
Notwithstanding any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-81) Zone, the following special provision shall apply:

- Water Frontage (Minimum) 213 metres (700 ft.)

All other provisions of this by-law shall apply.

RLSW-82 (Lots 2 & 3, Concession XIII, Bedford District – MacComish; & Lot 35, Concession VIII, Bedford District – Crain; and Concession XI, Bedford District - Edge)
Notwithstanding any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-82) Zone, the following special provision shall apply:

- Setback From Highwater Mark or Floodline of a Body of Water (Minimum) 50 metres (164 ft.)

All other provisions of this by-law shall apply.

RLSW-83 (Part Lot 23, Concession III, Storrington District – Ilan)
Notwithstanding the zone regulations in section 10.3.1 and 10.3.2 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-83) Zone, the following provisions shall apply:

- For the Principal Building
  a. Front Yard (Minimum) 40 metres (131 ft.)
  Setback from highwater mark or
  b. Floodline of a waterbody (Minimum) 40 metres (131 ft.)
• For Accessory Buildings Not Attached to the Principal Building
  a. Setback from highwater mark
     or floodline of a waterbody     40 metres (131 ft.)

• The uses permitted in the RLSW-83 zone are subject to a site plan agreement to be entered into between the owner and the municipality and registered on the title of the property specifying location of the building envelope and septic system, placement of access road and implementation of all recommendations of the Environmental Site Evaluation report dated June 11, 2009 from 'Ecological Services'.

All other provisions of this By-law shall apply.

RLSW-84 (Part Lot 23, Concession III, Storrington District – Ilan)
Notwithstanding the zone regulations in section 10.3.1 and 10.3.2 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront Zone (RLSW-84), the following provisions shall apply:

• For the Principal Building
  a. Front Yard (Minimum)     45 metres (147 ft.)
     Setback from highwater mark or
  b. Floodline of a waterbody (Minimum)     45 metres (147 ft.)

• For Accessory Buildings Not Attached to the Principal Building
  a. Setback from highwater mark
     or floodline of a waterbody     45 metres (147 ft.)

• The uses permitted in the RLSW-84 zone are subject to a site plan agreement to be entered into between the owner and the municipality and registered on the title of the property specifying location of the building envelope and septic system, placement of access road and implementation of all recommendations of the Environmental Site Evaluation report dated June 11, 2009 from 'Ecological Services'.

All other provisions of this By-law shall apply.

RLSW-85 (Part Lot 5, Concession V, Loughborough District – Lacelle)
Notwithstanding section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront Zone (RLSW-85), the following provision shall apply:

• Zone Regulations
  a. Water Frontage (Minimum)     60 metres (200 ft.)

All other provisions of this By-law shall apply.
RLSW-86 (Part Lots 20 & 21, Concession IX, Storrington District – Moore)
Notwithstanding section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront Zone (RLSW-86), the following provision shall apply:

- Zone Regulations
  - Water Frontage (Minimum) 79 metres (260 ft.)

All other provisions of this By-law shall apply.

RLSW-87 (Part Lot 5, Concession XIII, Loughborough District – Pedersen/Milk Crate Farms)
Notwithstanding the zone regulations in section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront Zone (RLSW-87), the following provision shall apply:

- Zone Regulations
  - No portion of any building or structure shall be permitted beyond 35 metres (115 ft.) of the interior side lot line.

- The uses permitted in the RLSW-87 zone are subject to a site plan agreement to be entered into between the owner and the municipality and registered on the title of the property specifying locations of wells and including the implementation of all recommendations of the Ontario Lake Assessments report dated June 2008 and requirements contained in the CRCA’s letter dated March 4, 2010.

All other provisions of this By-law shall apply.

RLSW-88 (Part Lot 7, Concession V, Loughborough District – Gordon)
Notwithstanding section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront Zone (RLSW-88), the following provision shall apply:

- Zone Regulations
  - Water Frontage (Minimum) 61 metres (200 ft.)

All other provisions of this By-law shall apply.

RLSW-89 (Part Lot 35, Concession & VIII, Bedford District – Crain)
Notwithstanding the zone regulations in section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-89), the following provisions shall apply:

- Setback from highwater mark or Floodline of a Waterbody (Minimum) 70 metres (230 ft.)

All other provisions of this By-law shall apply.
RLSW-90 (Part Lot 26, Concession XIV, Loughborough District, Hosler)
Notwithstanding any provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential Waterfront (RLSW-90), the following uses only shall be permitted:

- Permitted Uses
  a. vehicle parking and boat moorage;
  b. accessory storage.

All other provisions of this by-law shall apply.

RLSW-91 (Part Lots 23 & 24, Concession VI & VII, Loughborough District – Gary and Martha Beach)
Notwithstanding the zone regulations in section 10.3.1 and 10.3.2 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-91), the following provisions shall apply:

- For the Principal Building
  a. Front Yard (Minimum) 35 metres (115 ft.)
  b. Floodline of a waterbody (Minimum) 35 metres (115 ft.)

- For Accessory Buildings Not Attached to the Principal Building
  a. Setback from highwater mark
  b. or floodline of a waterbody 35 metres (115 ft.)

The uses permitted in the RLSW-91 zone are subject to a site plan agreement to be entered into between the owners and the municipality and registered on the title of the property, specifying locations of building envelopes and septic systems behind the rise of land that exists near the lake shore, placement of the access road and implementation of all recommendations of the Environmental Report From dated December 2011, from ‘Ecological Services’.

All other provisions of this by-law shall apply.

RLSW-92 (Part Lots 23 & 24, Concession VI & VII, Loughborough District – Gary and Martha Beach)
Notwithstanding the zone regulations in section 10.3.1 and 10.3.2 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-92) Zone, the following provisions shall apply:

- For the Principal Building
  a. Front Yard (Minimum) 40 metres (131 ft.)
  b. Setback from highwater mark or
b. Floodline of a waterbody (Minimum) 40 metres (131 ft.)

- For Accessory Buildings Not Attached to the Principal Building
  a. Setback from highwater mark
  b. or floodline of a waterbody 40 metres (131 ft.)

All other provisions of this By-law shall apply.

**RLSW-93 (Part Lots 23 & 24, Concession X, Bedford District – Deneault)**
Notwithstanding the zone regulations in section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-93), the following provisions shall apply:

- Waterfrontage (Minimum) 85 metres (279 ft.)

- The uses permitted in the RLSW-93 zone are subject to a site plan agreement to be entered into between the owner(s) and the municipality and registered on the title of the property, specifying the siting of all buildings and septic systems at a location at least 30 metres from the inland wetland, 15 metres from the top-of-bank of the inland wetland and 120 metres from the Provincially Significant Wetland within Wolfe Lake.

All other provisions of this by-law shall apply.

**RLSW-94 (Part Lot 8 Concession I, Loughborough District - Harvie)**
Notwithstanding the zone regulations in section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront Zone (RLSW-94) the following provisions shall apply:

- Setback of septic system from highwater mark (Minimum) 300 metres (984 ft.),
- Setback of septic system from inland watercourse (Minimum) 30 metres (98.4 ft.),
- Setback for all development from the highwater mark (Minimum) 120 metres (394 ft.).

All other provisions of this by-law shall apply.

**RLSW-95 (Part Lot 18, Concession IX, Storrington District – George)** OMB approved
Notwithstanding the zone regulations in section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-94), the following provisions shall apply:

- Lot coverage for Principal Building (Maximum) 10 percent
- Front Yard (Minimum) 15 metres (50 ft.)
- Rear Yard (Minimum) 4.6 metres (15 ft.)
- Setback from Highwater Mark (Minimum) 15 metres (50 ft.)

- Except for the one Principal Building no other buildings or structures are permitted.
• For the purposes of this By-law, a walkout basement area is permitted at a maximum area of 340 ft.\(^2\) and with a ceiling height of 8 feet or more. An additional basement area is permitted at a maximum area of 460 ft.\(^2\) and with a maximum ceiling height of 6 feet.

All other provisions of this By-law shall apply.

RLSW-96 (Part Lot 23, Concession III, Storrington District – 1324789 Ontario Inc.)
Notwithstanding the zone regulations in section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-96), the following provisions shall apply:

• Front Yard (Minimum) 35 metres (115 ft.)
• Setback from Highwater Mark or Floodline of a body of water (Minimum) 35 metres (115 ft.)

• The uses permitted in the RLSW-96 zone are subject to a site plan agreement registered on the title of the property, specifying siting of all buildings and septic systems at a location at least 35 metres from Inverary Lake.

All other provisions of this By-law shall apply.

RLSW-97 (Part Lot 26, Concession X, Storrington District – Thomson)
Notwithstanding the zone regulations in section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-97), the following special provision shall apply:

• Setback From Flood Control Elevation of 98.65 GSC (highwater mark of lake) (Minimum) 35 metres (115 ft.)

All other provisions of this By-law shall apply.

RLSW-98 (Part Lot 26, Concession X, Storrington District – Thomson)
Notwithstanding the zone regulations in section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-98), the following special provisions shall apply:

• Rear Yard Setback (Minimum) 5 metres (16 ft.)
• Setback from Flood Control Elevation of 98.65 GSC (highwater mark of lake or inland waterway) (Minimum) 30 metres (98.4 ft.)

All other provisions of this By-law shall apply.
RLSW-99 (Part Lots 20 & 21, Concession V, Storrington District – Applewood)
Notwithstanding the zone regulations in section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-99), the following special provisions shall apply:

- Front Yard Setback (Minimum) 8 metres (26 ft.)
- Setback from wetland boundary (Minimum) 40 metres (131 ft.)

- For the purposes of special zone RLSW-99, the lane (common element) side of the lot is deemed to be the front yard.

- The holding `H` symbol is to be removed by by-law to permit development only when a Plan of Condominium Agreement between the property-owner and the Township has been entered into and registered.

All other provisions of this By-law shall apply.

RLSW-100 (Part Lots 20 & 21, Concession V, Storrington District – Applewood)
Notwithstanding the zone regulations in section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-100), the following special provisions shall apply:

- Lot Frontage on a Private Lane (Minimum) 50 metres (164 ft.)
- Setback from Wetland Boundary (Minimum) 40 metres (131 ft.)
- Setback from Loughborough Lake (Minimum) 30 metres (98.4 ft.)
- The holding `H` symbol is to be removed by by-law to permit development only when a Plan of Condominium Agreement between the property-owner and the Township has been entered into and registered.

All other provisions of this By-law shall apply.

RLSW-101 (Part Lots 20 & 21, Concession V, Storrington District – Applewood)
Notwithstanding the zone regulations in section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-101), the following special provisions shall apply:

- Lot Area (Minimum) 8000 metres² (86,114 ft.²)
- Lot Frontage on a Private Lane (Minimum) 50 metres (164 ft.)
- Lot Frontage on Wetland (Minimum) 50 metres (164 ft.)
- Setback from Wetland Boundary (Minimum) 40 metres (131 ft.)
- Front Yard Setback (Minimum) 15 metres (50 ft.)

- For the purposes of special zone RLSW-101, the lane (common element) side of the lot is deemed to be the front yard.
• The holding ‘H’ symbol is to be removed by by-law to permit development only when a Plan of Condominium Agreement between the property-owner and the Township has been entered into and registered.

All other provisions of this By-law shall apply.

RLSW-102 (Part Lot 21, Concession XI, Bedford District - McCulloch)
Notwithstanding the provisions of section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-102), the following provision shall apply:

• Front Yard Setback (Minimum) 40 metres (131 ft.)
  Setback from Highwater Mark
• or Floodline of a waterbody (Minimum) 40 metres (131 ft.)

All other provisions of this by-law shall apply.

RLSW-103 (Part Lots 23 & 24, Concessions VI & VII, Loughborough District – Magenta Waterfront Development; Johnston Point)
Notwithstanding the provisions of section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-103), the following provisions shall apply:

• Units 1 and 8
  a. Setback from Highwater Mark
  b. or Floodline of a waterbody (Minimum)
     i. Building 40 metres (131 ft.)
     ii. Septic 45 metres (147 ft.)

• On lands zoned RLSW-103 the only permitted uses within 40 metres of the highwater mark of Loughborough Lake shall be a walkway and a dock.
  a. Maximum number of docks that are permitted per unit 1 only
  b. Dock area (Maximum) 20 metres$^2$ (215 ft.$^2$)
  c. Dock length (Maximum) 8 metres (26 ft.)
  d. Walkway width (Maximum) 1.5 metres (5 ft.)

All other provisions of this by-law shall apply.

RLSW-104 (Part Lots 23 & 24, Concessions VI & VII, Loughborough District – Magenta Waterfront Development; Johnston Point)
Notwithstanding the provisions of section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-104), the following provisions shall apply:

• Unit 2
a. Lot Frontage on a Private Lane (Minimum)  50 metres (164 ft.)
Setback from Highwater Mark or Floodline of a waterbody (Minimum)
   i.    Building  40 metres (131 ft.)
   ii.   Septic      50 metres (164 ft.)

- On lands zoned RLSW-104 the only permitted uses within 40 metres of the highwater mark of Loughborough Lake shall be a walkway and a dock.
  a. Number of docks permitted per unit 1 only
  b. Dock area (Maximum) 20 metres\(^2\) (215 ft\(^2\))
  c. Dock length (Maximum) 8 metres (26 ft.)
  d. Walkway width (Maximum) 1.5 metres (5 ft.)

All other provisions of this by-law shall apply.

**RLSW-105 (Part Lots 23 & 24, Concessions VI & VII, Loughborough District – Magenta Waterfront Development; Johnston Point)**

Notwithstanding the provisions of section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-105), the following provisions shall apply:

- Unit 3
  a. Setback from Highwater Mark or Floodline of a waterbody (Minimum)
     i.    Building  50 metres (164 ft.)
     ii.   Septic      50 metres (164 ft.)

- On lands zoned RLSW-105 the only permitted uses within 50 metres of the highwater mark of Loughborough Lake shall be a walkway and a dock.
  a. Number of docks permitted per unit 1 only
  b. Dock area (Maximum) 15 metres\(^2\) (161 ft\(^2\))
  c. Dock length (Maximum) 8 metres (26 ft.)
  d. Walkway width (Maximum) 1.5 metres (5 ft.)

All other provisions of this by-law shall apply.

**RLSW-106 (Part Lots 23 & 24, Concessions VI & VII, Loughborough District – Magenta Waterfront Development; Johnston Point)**

Notwithstanding the provisions of section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-106), the following provisions shall apply:

- Units 4, 5 and 6
  a. Setback from Highwater Mark or Floodline of a waterbody (Minimum)
     i.    Building  50 metres (164 ft.)
     ii.   Septic      60 metres (197 ft.)
• On lands zoned RLSW-106 the only permitted uses within 50 metres of the highwater mark of Loughborough Lake shall be a walkway and a dock.
  b. Number of docks permitted per unit  1 only
  c. Dock area (Maximum)  15 metres$^2$ (161 ft.$^2$)
  d. Dock length (Maximum)  8 metres (26 ft.)
  e. Walkway width (Maximum)  1.5 metres (5 ft.)

All other provisions of this by-law shall apply.

RLSW-107 (Part Lots 23 & 24, Concessions VI & VII, Loughborough District – Magenta Waterfront Development; Johnston Point)
Notwithstanding the provisions of section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-107), the following provisions shall apply:

• Unit 9
  a. Setback from Highwater Mark or Floodline of a waterbody (Minimum)
     i. Building  60 metres (197 ft.)
     ii. Septic  60 metres (197 ft.)

• On lands zoned RLSW-107 the only permitted uses within 60 metres of the highwater mark of Loughborough Lake shall be a walkway.
  a. Walkway width (Maximum)  1.5 metres (5 ft.)

All other provisions of this by-law shall apply.

RLSW-108 (Part Lots 23 & 24, Concessions VI & VII, Loughborough District – Magenta Waterfront Development; Johnston Point)
Notwithstanding the provisions of section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-108), the following provisions shall apply:

• Units 10 and 11
  a. Setback from Highwater Mark or Floodline of a waterbody (Minimum)
     i. Building  40 metres (131 ft.)
     ii. Septic  60 metres (197 ft.)

• On lands zoned RLSW-108 the only permitted uses within 40 metres of the highwater mark of Loughborough Lake shall be a walkway and a dock.
  a. Number of docks permitted per unit  1 only
  b. Dock area (Maximum)  20 metres$^2$ (215 ft.$^2$)
  c. Dock length (Maximum)  8 metres (26 ft.)
  d. Walkway width (Maximum)  1.5 metres (5 ft.)

All other provisions of this by-law shall apply.
RLSW-109 (Part Lots 23 & 24, Concessions VI & VII, Loughborough District – Magenta Waterfront Development; Johnston Point)
Notwithstanding the provisions of section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-109), the following provisions shall apply:

- Unit 14
  - Setback from Highwater Mark or Floodline of a waterbody (Minimum)
    1. Building  35 metres (115 ft.)
    2. Septic  35 metres (115 ft.)

- On lands zoned RLSW-109 the only permitted uses within 35 metres of the highwater mark of Loughborough Lake shall be a walkway and a dock.
  - Maximum number of docks permitted per unit 1 only
  - Dock area (Maximum)  20 metres² (215 ft.²)
  - Dock length (Maximum)  8 metres (26 ft.)
  - Walkway width (Maximum)  1.5 metres (5 ft.)

All other provisions of this by-law shall apply.

RLSW-111 (Part Lot 6, Concession V, Bedford District – James Campbell)
Notwithstanding the zone regulations in section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-111), the following special provisions shall apply:

- Front Yard (Minimum)  45 metres (147 ft.)
- Setback from highwater mark or floodline of a body of water (Minimum)  45 metres (147 ft.)

All other provisions of this By-law shall apply.”

RLSW-112 (Part Lot 11, Concession I, Storrington District – Tripp)
Notwithstanding the provisions of section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-112), the following special provision shall apply:

- Lot Area (Minimum)  8,000 metres² (2 ac.)

All other provisions of this by-law shall apply.

RLSW-113 (Part Lot 11, Concession I, Storrington District – Tripp)
Notwithstanding the provisions of section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-113), the following provisions shall apply:
- Lot Area (Minimum) 4,000 metres$^2$ (1 ac.)
- Setback from highwater mark or floodline of a body of water for any new structure (Minimum) 36 metres (118 ft.)
- Gross floor area for any new principal building (Maximum) 74 metres$^2$ (800 ft.$^2$)
- Footprint for any new principal building (Maximum) 79 metres$^2$ (850 ft.$^2$)
- No living space shall be added below grade

All other provisions of this by-law shall apply.

**RLSW-114 (Part Lots 20 & 21, Concession IX, Storrington District: Stricelj OMB)**

Notwithstanding the provisions of section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-114), the following provisions shall apply:

- Setback from highwater mark or floodline of a body of water for any new structure (Minimum) 36 metres (118 ft.)

For Principal Building (Minimum) 8.1 metres (26.6 ft.) as specified on Schedule “J” which forms part of this By-law,

For Deck (Minimum) 8.1 metres (26.6 ft.) as specified on Schedule “J” which forms part of this By-law,

All other provisions of this by-law shall apply.

**RLSW-115 (Part Lots 23 & 24, Concession III, Storrington District - 1324789 Ontario Inc.)**

Notwithstanding any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-115), the following special provision applies:

i) Setback from Highwater Mark (Minimum) 40 metres (131 ft.)

All other provisions of this By-law shall also apply.

**RLSW-116 (Part Lots 28 & 29, Concession IV, Portland District – Kerr)**

Notwithstanding the provisions of section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-116), the following provisions shall apply:

- Waterfrontage (Minimum) 150 metres (492 ft.)

All other provisions of this by-law shall apply.
RLSW-117 (Part Lot 19, Concession IV, Bedford District – Brown)
Notwithstanding the provisions of section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-117), the following provisions shall apply:

- Waterfrontage (Minimum) 83 metres (272 ft.)
- Setback from Highwater Mark
  For any Structure (Minimum) 50 metres (164 ft.)
- For Septic System (Minimum) 50 metres (164 ft.)

All other provisions of this by-law shall apply.

RLSW-118 (Part Lot 17, Concession VIII, Storrington District – Ross/Rank)
Notwithstanding the provisions of section 10.2 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-118), the following provisions shall apply:

- A secondary dwelling is permitted within the existing principal building.

All other provisions of this by-law shall apply.

RLSW-119 (Part Lots 24 & 25, Concession XIII, Loughborough District – Hamilton)
Notwithstanding the provisions of section 10.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Limited Service Residential-Waterfront (RLSW-119), the following provisions shall apply:

- Setback from Highwater Mark
  For any Structure or Septic System (Minimum) 40 metres (164 ft.)

All other provisions of this by-law shall apply.
SECTION 11 - RLSI - LIMITED SERVICE RESIDENTIAL - ISLAND ZONE

11.1 Within a RLSI - Limited Service Residential - Island Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

11.2 PERMITTED USES

- a seasonal dwelling,
- a dock, subject to approval from the appropriate authority,
- accessory buildings or uses, including one sleeping cabin,
- a home occupation, in accordance with the provisions of Section 5.28 of this By-law.

11.3 ZONE REGULATIONS

11.3.1 For the Principal Building

- Lot Area (Minimum) 2.0 hectares (4.9 acres)
- Lot Water Frontage (Minimum) 91 metres (300 ft.)
- Lot Width at Rear Lot Line (Minimum) 76 metres (250 ft.)
- Front Yard (Minimum) 30 metres (98.4 ft.)
- Rear Yard (Minimum) 10 metres (32.8 ft.)
- Interior Side Yard (Minimum) 3 metres (9.8 ft.)
- Exterior Side Yard (Minimum) 3 metres (9.8 ft.)
- Gross Floor Area (Minimum) 59 sq. metres (635.1 sq. ft.)
- Lot Coverage (Maximum) 5 percent
- Building Height (Maximum) 11 metres (36.1 ft.)
- Setback from Highwater Mark or Floodline of a Body of Water (Minimum) 30 metres (98.4 ft.)
- Off-street parking shall be provided in accordance with Section 5.25 of this By-law.
- Where communal docking facilities are proposed, such facilities shall be located a minimum of 60 metres (196.9 ft.) from the nearest residential use, residential land use designation or residential zone.

11.3.2 For Accessory Buildings Not Attached To The Principal Building

- Rear Yard (Minimum) 3 metres (9.8 ft.)
- Interior Side Yard (Minimum) 3 metres (9.8 ft.)
- Exterior Side Yard (Minimum) 3 metres (9.8 ft.)
- Building Height (Maximum) 6 metres (19.7 ft.)
- Setback from Highwater Mark or Floodline of a Body of Water (Minimum) 30 metres (98.4 ft.)
- In the case of docks, where a rear yard or interior side yard abuts a body of water, then such rear yard and/or interior sideyard may be reduced to zero metres.
11.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the RLSI - Limited Service Residential - Island Zone.

11.5 SPECIAL RLSI - LIMITED SERVICE RESIDENTIAL - ISLAND ZONES

RLSI-1 (Part Lots 2 and 3, Concession XII, Portland District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential Island (RLSI-1) shall be used only in accordance with the following:

- The total number of lots on lands zoned RLSI-1 shall not exceed one (1).
- On lands zoned RLSI-1, all buildings and structures shall be set back a minimum distance of 45 metres (147.6 ft.) from the shoreline of Fourteen Island Lake.

All other provisions of this by-law shall apply.

RLSI-2 (Part Lots 27, 28, 29, Concession VI, Bedford District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential Island (RLSI-2) shall be used only in accordance with the following:

- A maximum of seven (7) single seasonal dwellings may be permitted.

All other provisions of this by-law shall apply.

RLSI-3 (Lot 9, Concession VI, Loughborough District - McCracken)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential Island (RLSI-3) shall be used only in accordance with the following:

- The minimum setback from the highwater mark of Sydenham Lake shall be 7 metres (23 ft.) for the main dwelling and 5 metres (16.4 ft.) for an open deck structure.
- All existing mature vegetation within 30 metres (98.4 ft.) of the highwater mark should be retained and new plantings be provided to adequately screen the proposed dwelling from adjacent properties and to prevent erosion of the soil mantle into Sydenham Lake.

All other provisions of this by-law shall apply.
RLSI-4 (Lot 15, Concession X, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential Island (RLSI-4) shall be used only in accordance with the following:

- A sleeping cabin may be erected having a minimum setback from the highwater mark of 15.0 metres (49.2 ft.) from the east shore and 22.5 metres (73.8 ft.) from the west shore of Draper Lake.
- The total coverage of all accessory uses shall be 55 sq. metres (592 sq. ft.).

All other provisions of this by-law shall apply.

RLSI-5 (Lots 11 and 12, Concession XI, Storrington District - Fabbio)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Limited Service Residential Island (RLSI-5) shall be used only in accordance with the following:

- An existing seasonal residential dwelling having a minimum setback of 10.9 m (36 ft.) from the west shore and 14.0 m (46 ft.) from the east shore of Birch Island.

All other provisions of this by-law shall apply.

RLSI-6 (Part Lot 21, Concession V, Storrington District - Beach)
Notwithstanding the provisions of section 11.3.1 or any other provision of this by-law to the contrary, on the lands zoned Special Limited Service Residential Island (RLSI-6) Zone the following provisions shall apply:

- Zone Regulations
  a. a seasonal dwelling having a maximum footprint area of 71 square metres (768 sq. ft.).
  b. all setbacks shall be as specified in site plan agreement entered into on July 26, 2006.

All other provisions of this by-law shall apply.
SECTION 12 - R - RESIDENTIAL ZONE

12.1 The Residential (R) Zone is intended to be used for multiple lot residential subdivisions only. Within an R - Residential Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

12.2 PERMITTED USES

- a single detached dwelling,
- a public park,
- a dock, subject to approval from the appropriate authority,
- accessory buildings or uses to the above uses,
- a home occupation, in accordance with the provision of Section 5.28 of this By-law.

12.3 ZONE REGULATIONS

12.3.1 For the Principal Building

- Lot Area (Minimum) 8000 sq. metres (86,114.1 sq. ft.)
- Lot Frontage (Minimum) 76 metres (250 ft.)
- Front Yard (Minimum) 20 metres (65.6 ft.)
- Rear Yard (Minimum) 10 metres (32.8 ft.)
- Interior Side Yard (Minimum) 6 metres (19.7 ft.)
- Exterior Side Yard (Minimum) 10 metres (32.8 ft.)
- Gross Floor Area (Minimum) 89 sq. metres (958.0 sq. ft.)
- Lot Coverage (Maximum) 20 percent
- Building Height (Maximum) 11 metres (36.1 ft.)
- Off-street parking shall be provided in accordance with Section 5.30.

12.3.2 For Accessory Buildings Not Attached To The Principal Building

- Rear Yard (Minimum) 3 metres (9.8 ft.)
- Interior Side Yard (Minimum) 3 metres (9.8 ft.)
- Exterior Side Yard (Minimum) 10 metres (32.8 ft.)
- Height (Maximum) 6 metres (19.7 ft.)

12.3.3 Notwithstanding any setback specified in sections 12.3.1 and 12.3.2 above, the minimum required setback from the highwater mark or floodline of a waterbody shall be 30 metres (98.4 ft.).

12.4 GENERAL PROVISIONS

All special provisions of section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the R - Residential Zone.
12.5 SPECIAL R - RESIDENTIAL ZONES

R-2 (Lots 11/12, Concessions I and II, Storrington District - Loughborough Shores Phase 2)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Residential (R-2) shall be used only in accordance with the following:

- The minimum lot area shall be 18 hectares (44.5 acres).

All other provisions of this by-law shall apply.

R-4 (Lot 11, Concessions I & II, Storrington District - Loughborough Shores Phase 2)
Notwithstanding anything in this by-law to the contrary, the lands zoned Special Residential-4 (R-4) shall be used only in accordance with the following:

- All septic systems located on the lot shall be set back a minimum of 100 metres (328.1 ft.) from the highwater mark of Loughborough Lake.

All other provisions of this by-law shall apply.

R-5 (Lots 9 and 10, Concession VI, Loughborough District - Sydenham Woods)
Notwithstanding any other provision of this by-law to the contrary, on the lands zoned Special Residential (R-5) Zone, the following uses shall be permitted:

- Permitted Uses
  a. a maximum of twelve single detached dwellings;
  b. accessory home occupations;
  c. accessory buildings and structures

All other provisions of this by-law shall apply.

R-6 (Lot 23, Concession VII Storrington District - Deer Creek Subdivision Phase 1)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Residential (R-6) shall be used only in accordance with the following:

- No building or structure including septic systems shall be located within 15 metres (49.2 ft.) of a natural or engineered stormwater drainage course, and no buildings or accessory structures shall be erected within 15 metres (49.2 ft.) of the rear lot line.
- Proof of an adequate supply of potable water shall be supplied to the Township at the time of the sale of lots zoned R-6.

All other provisions of this by-law shall apply.
R-7 (Part Lots 25 to 29, Concession VII, Storrington District - Collins Lake Estates)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Residential (R-7) shall be used only in accordance with the following:

- Permitted Uses
  a. The uses permitted shall include the uses existing as of the date of passage of this by-law.
  b. A golf course and uses accessory to a golf course shall be permitted.
  c. Additional uses in the Residential (R) Zone will be permitted only following the removal of the Holding (H) symbol.

- Zone Requirements
  a. The lands zoned R-7 shall be used in accordance with the zone requirements outlined in Section 12.3 to this By-law only following the removal of the Holding (H) symbol.

- Removal of the Holding Symbol
  a. The Holding (H) symbol will be removed from the lands so zoned upon submission and approval of appropriate sewage disposal and water supply servicing system plans. Review and approval of such systems plans shall be undertaken by the Township of South Frontenac, Kingston Frontenac Lennox and Addington Public Health and the Ministry of Environment.

All other provisions of this by-law shall apply.

R-8 (Part Lot 25, Concession III, Storrington District - Belanger)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Residential (R-8) Zone shall be used only in accordance with the following:

- A dwelling unit in an accessory building (in addition to the single detached dwelling existing on the property) shall be permitted.

All other provisions of this by-law shall apply.

R-9 (Lot 23, Concession VII, Storrington District - Deer Creek Subdivision Phase 2)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Residential (R-9) Zone, the following provisions shall apply:

- Lot Area (Minimum) 6,100 sq. metres (1.5 ac.)
- Setback from Highwater Mark of Creek 15 metres (50 ft.)

All other provisions of this by-law shall apply.
R-10 (Part Lot 31, Concession VII, Storrington District – Lyons Landing Phase 2)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Residential (R-10) Zone shall be used only in accordance with the following:

• Zone Provisions
  a. lot frontage (minimum) 55 metres (180.4 ft.)
  b. front yard setback (minimum) 20 metres (65.6 ft.)
  c. rear yard setback (minimum) 10 metres (32.8 ft.)
  d. side yard setback (minimum) 10 metres (32.8 ft.)

• Determination of Lot Frontage
  a. Despite the definition of ‘Lot Frontage’ in section 3.111, on the lands zoned R-10, ‘Lot Frontage’ shall mean the distance being measured along a line which is parallel to the front lot line measured at a point equal to the minimum required front yard setback.

All other provisions of this By-law shall apply.

R-11 (Part Lot 33, Concession VI, Bedford District)
Notwithstanding any other provision of this By-law to the contrary, on the lands zoned Special Residential (R-11) Zone, the following provisions shall apply;

• Lot Area (Minimum) 10,000 m² (2.5 ac.)
• Lot Frontage (Minimum) 60 metres (197 ft.)
• Water Frontage (Minimum) 91 metres (300 ft.)
• Gross Floor Area (Minimum) 93 sq. metres (1,000 sq. ft.)
• Lot Coverage (Maximum) 5%
• Interior Side Yard (Minimum) 15 metres (50 ft.)
• Setback from highwater mark or floodline of a body of water(Min) 35 metres (115 ft.)
• Accessory sleeping cabin maximum permitted size. 37 sq. metres (300 sq. ft.)

All other provisions of this by-law shall apply.

R-12 (Part Lots 33 and 35, Concessions V and VI, Bedford District)
Notwithstanding any other provision of this By-law to the contrary, on the lands zoned Special Residential (R-12) Zone, the following provisions shall apply;

• Lot Area (Minimum) 1.6 hectares (4 ac.)
• Water Frontage (Minimum) 91 metres (300 ft.)
• Gross Floor Area (Minimum) 93 sq. metres (1,000 sq. ft.)
• Lot Coverage (Maximum) 5%
• Interior Side Yard (Minimum) 15 metres (50 ft.)
• Setback from highwater mark or floodline of a body of water (Min) 40 metres (131 ft.)
• Accessory sleeping cabin maximum permitted size 37 sq. metres (300 sq. ft.)

All other provisions of this by-law shall apply.

**R-13 (Part Lot 33, Concession VI, Bedford District)**
Notwithstanding any other provision of this By-law to the contrary, on the lands zoned Special Residential (R-13) Zone, the following provisions shall apply;

• Lot Area (Minimum) 2.2 hectares (5.4 ac.)
• Gross Floor Area (Minimum) 93 sq. metres (1,000 sq. ft.)
• Interior Side Yard (Minimum) 15 metres (50 ft.)
• Setback from highwater mark or floodline of a body of water (Min) 30 metres (98.4 ft.)

All other provisions of this by-law shall apply.

**R-14 (Part Lot 33, Concession VI, Bedford District)**
Notwithstanding any other provision of this By-law to the contrary, on the lands zoned Special Residential (R-14) Zone, the following provisions shall apply;

• Water Frontage (Minimum) 91 metres (300 ft.)
• Gross Floor Area (Minimum) 93 sq. metres (1,000 sq. ft.)
• Lot Coverage (Maximum) 5%
• Interior Side Yard (Minimum) 15 metres (50 ft.)
• Setback from highwater mark or floodline of a body of water (Min) 50 metres (164 ft.)
• Accessory sleeping cabin maximum permitted size 37 sq. metres (300 sq. ft.)

All other provisions of this by-law shall apply.

**R-15 (Part Lots 33 to 35, Concessions V and VI, Bedford District)**
Notwithstanding any other provision of this By-law to the contrary, on the lands zoned Special Residential (R-15) Zone, the following provisions shall apply;

• Lot Area (Minimum) 3.8 hectares (9.4 ac.)
• Gross Floor Area (Minimum) 93 sq. metres (1,000 sq. ft.)
• Interior Side Yard (Minimum) 15 metres (50 ft.)
• Setback from highwater mark or floodline of a body of water (Min) 30 metres (98.4 ft.)

All other provisions of this by-law shall apply.
R-16 (Part Lots 33 to 35, Concessions V and VI, Bedford District)
Notwithstanding any other provision of this By-law to the contrary, on the lands zoned Special Residential (R-16) Zone, the following provisions shall apply;

- Water Frontage (Minimum) 91 metres (300 ft.)
- Gross Floor Area (Minimum) 93 sq. metres (1,000 sq. ft.)
- Lot Coverage (Maximum) 5%
- Interior Side Yard (Minimum) 15 metres (50 ft.)
- Setback from highwater mark or floodline of a body of water (Min) 30 metres (98.4 ft.)
- Accessory sleeping cabin maximum permitted size 37 sq. metres (300 sq. ft.)

All other provisions of this by-law shall apply.

R-17 (Lot 1, Concession XIII, Portland District, Rafferty)
Notwithstanding any provision of this By-law to the contrary, the lands zoned Special Residential Exception (R-17) shall be used only in accordance with the following:

In addition to the uses permitted in section 12.2 of this By-law the following uses are permitted:

- A secondary temporary dwelling unit.

In addition to the zone regulations section 12.3 of this By-law the following regulations apply:

- street access to both dwellings (principal and secondary) is limited to one driveway only;
- the maximum permitted floor area of the temporary second dwelling is 76.5 metres$^2$ (823 ft.$^2$);
- the maximum height of the garden suite structure is one storey or 4.5 metres, whichever is the lower number;
- the garden suite shall be permitted for a maximum period of ten (10) years from the date of the approval of this Zoning By-law Amendment which is August 3, 2004.

All other provisions of this by-law shall apply.
R-18 (Lot 1, Concession XIII, Portland District, Gilbert)
Notwithstanding section 12.3.1, 12.3.3, or any other provision of this By-law to the contrary, on the lands zoned Special Residential Exception (R-18), the following special provisions shall apply:

- Lot Frontage on Public Road (Minimum) 30 metres (98.4 ft.)

The uses permitted in the R-18 zone shall be subject to a site plan agreement to be entered into between the owner and the municipality and registered on the title of the property, implementing all the recommendations of the environmental report dated August 15, 2009 from Ecological Services and requiring that the building that exists on the property on the date of passing of this by-law be removed.

All other provisions of this By-law shall apply.

R-19 (Lot 23, Concession VII, Storrington District, Deer Creek Subdivision Phase 2)
Notwithstanding any other provision of this By-law to the contrary, on the lands zoned Special Residential Exception (R-19) Zone, the following special provisions shall apply:

- Lot Area (Minimum) 5,350 sq. metres (1.3 ac.)

All other provisions of this By-law shall apply.

R-20 (Lot 23, Concession VII, Storrington District, Deer Creek Subdivision Phase 2)
Notwithstanding any other provision of this By-law to the contrary, on the lands zoned Special Residential Exception (R-20) Zone, the following special provisions shall apply:

- Lot Area (Minimum) 6,100 sq. metres (1.5 ac.)
- Lot Frontage (Minimum) 100 metres (328 ft.)

All other provisions of this By-law shall apply.

R-21 (Lot 23, Concession VII, Storrington District, Deer Creek Subdivision Phase 2)
Notwithstanding any other provision of this By-law to the contrary, on the lands zoned Special Residential Exception (R-21) Zone, the following special provisions shall apply:

i) Lot Area (Minimum) 5,900 sq. metres (1.4 ac.)

ii) Lot Frontage (Minimum) 35 metres (115 ft.)

All other provisions of this By-law shall apply.
R-22 (Lot 23, Concession VII, Storrington District, Deer Creek Subdivision Phase 2)
Notwithstanding the permitted uses in section 12.2 or any other provision of this By-law to the contrary, on the lands zoned Special Residential Exception (R-22) Zone, the following provision shall apply:

- No structure or building shall be permitted.

All other provisions of this By-law shall apply.

R-23 (Lot 2, Concession V, Loughborough District, Keller)
Notwithstanding any provision of this By-law to the contrary, on the lands zoned Special Residential Exception (R-23), the following provisions shall apply:

In addition to the uses permitted in section 12.2 of this By-law the following uses are permitted:

- A secondary temporary dwelling unit.

In addition to the zone regulations section 12.3 of this By-law the following regulations apply:

- street access to both dwellings (principal and secondary) is limited to one driveway only;
- the temporary second dwelling shall be permitted for a maximum period of three (3) years from the date of the approval of this Zoning By-law Amendment which is June 15, 2010.

All other provisions of this by-law shall apply.

R-24 (Part Lot 22, Concession II, Storrington District – Sandstone Shores)
Notwithstanding the provisions of section 12.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Residential (R-24), the following provision shall apply.

- For the Principal Building
  a. Rear Yard - the rear yard shall incorporate a “no build” area for the principal building as specified on Schedule “I” to this By-law.

All other provisions of this by-law shall apply.

R-25 (Part Lot 3, Concession IV, Loughborough District – Valleyview Estates)
Notwithstanding the provisions of sections 5.8.2, 12.3, 32.3 or any other provision of this By-law to the contrary, on the lands zoned Special Residential Zone (R-25), the following provisions shall apply.

- Zone Regulations
a. Lot Area (Minimum)  4,000 sq. m (1 ac.)

b. Lot Frontage (Minimum)  25 metres (82 ft.)

c. Front Yard (Minimum)  6 metres (20 ft.)

d. Interior Side Yard (Minimum)  1.5 metres (5 ft.) on one side and 3 metres (10 ft.) on the other

• Rear Yard
  a. no building or structure shall be located within the 30 metre setback from the wetland

All other provisions of this by-law shall apply.

R-26 (Part Lot 3, Concession IV, Loughborough District – Valleyview Estates)
Notwithstanding the provisions of section 12.3 or any other provision of this By-law to the contrary, on the lands zoned Special Residential (R-26) Zone, the following provisions shall apply.

• Zone Regulations
  a. Lot Area (Minimum)  4,000 sq. m (1 ac.)
  b. Lot Frontage (Minimum)  25 metres (82 ft.)
  c. Rear Yard (Minimum)  6 metres (20 ft.) for principal building 3 metres (9.8 ft.) for accessory buildings
  d. Interior Side Yard (Minimum)  1.5 metres (5 ft.) on one side and 3 metres (10 ft.) on the other

All other provisions of this by-law shall apply.

R-27 (Part Lots 9 and 10, Concession IX, Storrington District – Ouellette Subdivision)
Notwithstanding the provisions of section 12.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Residential Zone (R-27), the following provisions shall apply.

• Zone Regulations
  a. Lot Frontage (Minimum)  50 metres (164 ft.)
  b. Front Yard (Minimum)  12 metres (40 ft.)

All other provisions of this by-law shall apply.

R-27-H (Part Lot 19, Concession II, Storrington District – Ouellette Subdivision)
Notwithstanding the provisions of section 12.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Residential Holding Zone (R-27-h), the following provisions shall apply.

• Zone Regulations
  a. Lot Frontage (Minimum)  50 metres (164 ft.)
  b. Front Yard (Minimum)  12 metres (40 ft.)
• No development is permitted on the lands identified on Schedule ‘1’, which is a circle, 40 metres in diameter, until a Stage 4 archaeological excavation of the site is undertaken in accordance with the Archaeological Assessment Report, dated October 11, 2011, by Abacus Archaeological Services and until a concurrence letter from the Ministry of Tourism, Culture and Sport is issued at which time the Holding (‘h’) symbol may be removed from the zoning map by amendment to this By-law.

All other provisions of this by-law shall apply.

R-28 (Part Lot 19, Concession II, Storrington District – Willowbrook Estates)
Notwithstanding the provisions of section 12.3 or any other provision of this By-law to the contrary, on the lands zoned Special Residential (R-28), the following special provisions shall apply:

• Lot Area (Minimum) 6,000 metres² (1.5 ac.)
• Lot Frontage (Minimum) 52 metres (170 ft.)
• No building or structure shall be located within 5 metres (16.4 ft.) of the 1:100 year flood plain.

All other provisions of this by-law shall apply.

R-29 (Part Lots 14 & 15, Concession VIII, Loughborough District – McFadden Road Subdivision)
Notwithstanding the provisions of section 12.3.3 or any other provision of this By-law to the contrary, on the lands zoned Special Residential (R-29), the following special provision shall apply:

• Setback from the highwater mark or floodline of a waterbody (Minimum) 15 metres (50 ft.)

All other provisions of this by-law shall apply.
SECTION 13 - MHR - MOBILE HOME RESIDENTIAL ZONE

13.1 Within a MHR - Mobile Home Residential Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

13.2 PERMITTED USES

- a detached mobile home,
- an administrative or rental office,
- a recreational centre,
- a general storage compound,
- a public or private park,
- a storage shed or private garage for each mobile home,
- a home occupation in accordance with the provisions of Section 5.28 of this By-law.

13.3 ZONE REGULATIONS

13.3.1 For the Mobile Home Park

- Park Area (Minimum) 4 hectares (9.9 acres)
- Park Area (Maximum) 6.5 hectares (16.1 acres)
- Park Frontage (Minimum) 100 metres (328.1 ft.)
- Park Density (Maximum) 5 mobile homes per gross hectare
- Off-street parking shall be provided in accordance with Section 5.30.

13.3.2 For The Mobile Home Site

- Mobile Home Site Setback From Mobile Home Park Boundary (Minimum) 8 metres (26.2 ft.)
- Mobile Home Site Area (Minimum):
  a. with communal water and septic tank facilities 2,000 sq. metres (21,528.5 sq. ft.)
  b. with well and septic tank facilities 4,000 sq. metres (43,057.0 sq. ft.)
- Mobile Home Site Width (Minimum) 15 metres (49.2 ft.)
- Mobile Home Site Coverage (Maximum) 35 percent
- Mobile Home Setbacks (Minimum):
  a. Front Yard 7.5 metres (24.6 ft.)
  b. Rear Yard 9 metres (29.5 ft.)
  c. Interior Side Yard 3 metres (9.8 ft.)
  d. Exterior Side Yard (Minimum) 7.5 metres (24.6 ft.)
- Mobile Home Gross Floor Area (Minimum) 60 sq. metres (645.9 sq. ft.)
- Building Height (Maximum) 7 metres (23.0 ft.)
- Maximum Number of Mobile Homes On A Mobile Home Site 1 mobile home
- Off-street parking shall be provided in accordance with Section 5.30.
13.3.3 For Accessory Buildings Not Attached To The Principal Building

- **Maximum Area To Be Covered Per Mobile Home site**
  - For A Private Garage: 25 sq. metres (269.1 sq. ft.)
  - For All Other Accessory Buildings: 15 sq. metres (161.5 sq. ft.)
- **Building Height (Maximum)**: 4 metres (13.1 ft.)
- **Minimum Setback From Site Boundary**
  - Lot Lines: 3 metres (9.8 ft.)

13.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the MHR - Mobile Home Residential Zone.

13.5 SPECIAL MHR - MOBILE HOME RESIDENTIAL ZONES
SECTION 14 - UR1 URBAN RESIDENTIAL - FIRST DENSITY ZONE

14.1 Within a UR1 Urban Residential First Density Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

14.2 PERMITTED USES

- a single detached dwelling,
- existing agricultural uses,
- a public park,
- a dock, subject to approval from the appropriate authority,
- accessory buildings or uses to the above uses,
- a home occupation, according to the provisions of Section 5.28 of this By-law,
- a home industry, according to the provisions of Section 5.29 of this By-law,
- a garden suite according to the provisions of Section 5.33 of this By-law.

14.3 ZONE REGULATIONS

14.3.1 For a Single Detached Dwelling

- Lot Area (Minimum) 8000 sq. metres (86,114.1 sq. ft.)
- Lot Frontage (Minimum) 76 metres (250 ft.)
- Front Yard (Minimum) 7.5 metres (24.6 ft.)
- Rear Yard (Minimum) 7.5 metres (24.6 ft.)
- Interior Side Yard (Minimum) 2.5 metres (8.2 ft.)
- Exterior Side Yard (Minimum) 7.5 metres (24.6 ft.)
- Gross Floor Area (Minimum) 89 sq. metres (958.0 sq. ft.)
- Lot Coverage For Non-Waterfront Lots (Maximum) 30 percent
- Lot Coverage For Waterfront Lots (Maximum) 5 percent
- Building Height (Maximum) 11 metres (36.1 ft.)
- Off-street parking shall be provided in accordance with Section 5.30.

14.3.2 For Accessory Buildings Not Attached To The Principal Building

- Rear Yard (Minimum) 2.5 metres (8.2 ft.)
- Interior Side Yard (Minimum) 2.5 metres (8.2 ft.)
- Exterior Side Yard (Minimum) 7.5 metres (24.6 ft.)
- Building Height (Maximum) 6 metres (19.7 ft.)

14.3.3 For Home Industry Uses

Notwithstanding the provisions of subsection 14.3.2, where an interior side yard and/or rear yard abuts a residential zone, then such interior side yard and/or rear yard shall be a minimum of 15 metres (49.2 ft.). This 15 metre (49.2 ft.) area shall be retained in an open space condition and the open storage of goods or materials shall not be permitted within this 15 metre (49.2 ft.) area.
14.3.4 For Existing Agricultural Uses
The provision of Section 7.3.1 Zone Regulations for Agricultural uses in a Rural zone shall apply to existing Agricultural uses in an UR1 - Urban Residential - First Density Zone.

14.4 SPECIAL UR1- URBAN RESIDENTIAL - FIRST DENSITY ZONES

UR1-1 (Lot 14, Concession 7, Loughborough District - Pedersen)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Urban Residential First Density One (UR1-1) shall be used only in accordance with the following:

• The minimum lot area shall be 3,000 sq. metres (32,292.8 sq. ft.).

All other provisions of this by-law shall apply.

URI-2 (Lots 18 and 19, Concession 2, Storrington District - Moreland)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Urban Residential Two (URI-2) shall be used only in accordance with the following:

• Setbacks
  a. All development, including septic tile beds, shall be set back a minimum of 15 metres (49.2 ft.) from the land zoned “Special Environmental Protection (EP-5) and from any natural or man-made drainage courses on the property.

All other provisions of this by-law shall apply.

UR1-3 (Lot 4, Concession 4, Loughborough District - Radford)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Urban Residential (UR1-3) shall be used only in accordance with the following:

• Permitted Uses
  a. Internal division of the existing structure, presently used as a single detached dwelling, shall be permitted in order to create a professional office within a portion of the structure, which shall be in addition to one dwelling unit within the same existing structure;
  b. This exception applies only to the existing structure, and not to any enlargement or replacement of the existing structure.

All other provisions of this by-law shall apply.
UR1-4 [Lot 9, Concession XII, Portland District (Verona) – Harper]
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Urban Residential (UR1-4) Zone shall be used only in accordance with the following:

- Permitted Uses
  a. a home industry for the repair, display and retail sale of utility trailers;
  b. the repair of trailers shall only be undertaken within an enclosed garage building not exceeding 66.14 square metres (712 sq. ft.) in size. Outside display and sale of utility trailers shall be permitted. A low-level (ie., non-pedestal) non-illuminated sign not exceeding 2.97 square metres (32 sq. ft.) advertising the home industry shall be permitted.

All other provisions of this by-law shall apply.

UR1-5 [Lot 9, Concession X, Portland District (Verona) – Campeau]
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Urban Residential (UR1-5) Zone the following provisions shall apply:

- Zone Provisions
  a. lot frontage (Minimum) 20 metres (65.6 ft.)

All other provisions of this by-law shall apply.

UR1-6 [Lot 6, Concession V, Portland District- Harrowsmith Methodist Church]
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Urban Residential (UR1-6) Zone the following provisions shall apply:

- Zone Provisions For Single Detached Dwellings
  a. Lot Area (Minimum) 4,000 square metres (43,563 sq.ft.)
  b. Lot frontage (Minimum) 45.72 metres (150 ft.)

- Special Provision
  a. No building or structure shall be located within 22 metres (70 ft.) of the rear lot line of any abutting property.

All other provisions of this by-law shall apply.

UR1-7 [Lot 8 Concession VIII, Storrington District- Sonneveld]
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Urban Residential (UR1-7) Zone the following provision shall apply:

- Zone Provisions
  a. Lot frontage (Minimum) 26 metres (85 ft.)

All other provisions of this by-law shall apply.
UR1-8 (Part Lot 3, Concession IV, Loughborough District, RKR Landholdings)
Notwithstanding any other provision of this By-law to the contrary, the following shall apply in the UR1-8 zone:

- Lot Area (Minimum) 2,266 sq. metres (0.56 ac.)
- Lot Frontage (Minimum) 44 metres (145 ft.)

All other provisions of this By-law shall apply.

UR1-9 (Part Lot 6, Concession V, Portland District – Everett Kerr)
Notwithstanding the zone regulations in section 14.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Urban Residential-First Density (UR1-9) Zone the following provision shall apply:

- Lot Frontage (Minimum) 9 metres (30 ft.)

All other provisions of this by-law shall apply.

UR1-10 (Part Lot 19, Concession VI, Portland District – Joan Kerr)
Notwithstanding the zone regulations in section 14.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Urban Residential-First Density (UR1-10) Zone the following provision shall apply:

- Lot Frontage (Minimum) 30 metres (98 ft.)

All other provisions of this by-law shall apply.

UR1-11 (Part Lot 7, Concession IX, Storrington District – Freeman)
Notwithstanding the zone regulations in section 14.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Urban Residential-First Density (UR1-11) Zone the following provisions shall apply:

- Setback for Principal Building from any Farm Facility (Minimum) 65 metres (213 ft.)

All other provisions of this by-law shall apply.

UR1-12 (Part Lot 8, Concession IX, Storrington District – Freeman)
Notwithstanding the zone regulations in section 14.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Urban Residential-First Density (UR1-12) Zone the following provisions shall apply:
• Lot Frontage (Minimum)  64 metres (211 ft.)
• Lot Area (Minimum)  0.57 Hectares (1.4 ac.)

All other provisions of this by-law shall apply.

**UR1-13 (Part Lot 26, Concession II, Storrington District – Brett Campbell)**
Notwithstanding the zone regulations in section 14.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Urban Residential-First Density (UR1-13) Zone the following provisions shall apply:

• Lot Frontage (Minimum)  57 Metres (187 ft.)
• Lot Area (Minimum)  0.6 Hectares (1.48 ac.)

All other provisions of this by-law shall apply.

**UR1-14 (Part Lot 40, Concession VII, Storrington District – McCallum)**
Notwithstanding the zone regulations in section 14.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Urban Residential-First Density (UR1-14) Zone the following provisions apply:

• Lot Frontage (Minimum)  45 metres (150 ft.)
• All development must be set back a minimum of 30 metres (98.4 ft.) behind the rear lot line of any abutting property

All other provisions of this by-law shall apply.

Notwithstanding the zone regulations in section 14.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Urban Residential-First Density (UR1-15), the following provision applies:

• Lot Frontage (Minimum)  56 metres (183 ft.)

All other provisions of this by-law shall apply.

**UR1-16 (Part Lot 7, Concession 4, Portland District – Larcon Farms)**
Notwithstanding the zone regulations in section 14.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Urban Residential-First Density (UR1-16), the following provision applies:

• Lot Frontage (Minimum)  61 metres (200 ft.)

All other provisions of this by-law shall apply.
UR1-17 (Part Lot 19, Concession VI, Portland District – Kerr)
Notwithstanding the zone regulations in section 14.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Urban Residential-First Density (UR1-17), the following provisions apply:

- Waterfrontage (Minimum) 100 metres (328 ft.)
- Road Frontage (Minimum) 35 metres (115 ft.)

All other provisions of this by-law shall apply.

UR1-18 (Part Lot 7, Concession VIII, Storrington District – Howlett)
Notwithstanding the zone regulations in section 14.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Urban Residential-First Density (UR1-18), the following provisions apply:

- Lot Frontage (Minimum) 64 metres (210 ft.)
- No development shall occur behind the rear lot line of any abutting property.

All other provisions of this by-law shall apply.

UR1-19 (Part Lot 4, Concession V, Loughborough District – Morgan)
Notwithstanding the zone regulations in section 14.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Urban Residential-First Density (UR1-19), the following provisions apply:

- Lot Area (Minimum) 4,046 m² (1 ac.)
- Lot Frontage (Minimum) 64 metres (210 ft.)
- Setback from Highwater Mark or Floodline Of a Waterbody (Minimum) 30 metres (98.4 ft.)

All other provisions of this by-law shall apply.
SECTION 15 - UR2 - URBAN RESIDENTIAL - SECOND DENSITY ZONE

15.1 Within a UR2 Urban Residential Second Density Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

15.2 PERMITTED USES

- a single detached dwelling,
- a semi-detached dwelling,
- a duplex dwelling,
- a converted dwelling,
- a public park,
- accessory buildings or uses to the above uses,
- a home occupation, according to the provisions of Section 5.28 of this By-law,
- a home industry, according to the provisions of Section 5.29 of this By-law,
- a garden suite according to the provisions of Section 5.33 of this By-law.

15.3 ZONE REGULATIONS

15.3.1 For a Single Detached Dwelling

- Lot Area (Minimum) 8000 sq. metres (86,114.1 sq. ft.)
- Lot Frontage (Minimum) 76 metres (250 ft.)
- Front Yard (Minimum) 7.5 metres (24.6 ft.)
- Rear Yard (Minimum) 7.5 metres (24.6 ft.)
- Interior Side Yard (Minimum) 2.5 metres (8.2 ft.)
- Exterior Side Yard (Minimum) 7.5 metres (24.6 ft.)
- Gross Floor Area (Minimum) 89 sq. metres (958.0 sq. ft.)
- Lot Coverage (Maximum) 30 percent
- Building Height (Maximum) 11 metres (36.1 ft.)
- Off-street parking shall be provided in accordance with Section 5.30.

15.3.2 For a Semi-Detached Dwelling and A Duplex Dwelling

- Lot Area (Minimum) 8000 sq. metres (86,114.1 sq. ft.)
- Lot Frontage (Minimum) 76 metres (250 ft.)
- Front Yard (Minimum) 7.5 metres (24.6 ft.)
- Rear Yard (Minimum) 7.5 metres (24.6 ft.)
- Interior Side Yard (Minimum) 2.5 metres (8.2 ft.) on one side and nil on the attached side
- Exterior Side Yard (Minimum) 7.5 metres (24.6 ft.)
- Gross Floor Area (Minimum) 178 sq. metres (1,916.0 sq. ft.)
- Lot Coverage (Maximum) 30 percent
- Building Height (Maximum) 11 metres (36 ft.)
- Off-street parking shall be provided in accordance with Section 5.30.
15.3.3 For a Converted Dwelling

A converted dwelling shall be permitted on lands zoned UR2 in accordance with the following zone regulations.

- The minimum gross floor area of a one bedroom dwelling unit shall be 42 square metres (452.1 sq. ft.) plus an additional 13 square metres (139.9 sq. ft.) for each additional bedroom.
- The minimum lot area per dwelling unit shall be 1400 square metres (15,070.0 sq. ft.).
- No addition or enlargement shall be made to the external walls or roof of the dwelling.
- No external stairway other than an open fire escape shall be provided.
- Such dwelling shall be certified by the Chief Building Official to be structurally suitable for such conversion.
- The 3 metre (9.8 ft.) strip immediately adjacent to any lot line shall be landscaped.
- Off-street parking shall be provided in accordance with Section 5.30.

15.3.4 For Accessory Buildings Not Attached To The Principal Building

- Rear Yard (Minimum) 2.5 metres (8.2 ft.)
- Interior Side Yard (Minimum) 2.5 metres (8.2 ft.)
- Exterior Side Yard (Minimum) 7.5 metres (24.6 ft.)
- Building Height (Maximum) 6 metres (19.7 ft.)

15.3.5 For Uses Permitted Under Subsection 13.2.8

Notwithstanding the provisions of subsection 13.3, where an interior side yard and/or rear yard abuts a residential zone, then such interior side yard and/or rear yard shall be a minimum of 15 metres (49.2 ft.). This 15 metre (49.2 ft.) area shall be maintained in an open space condition and the open storage of goods or materials shall not be permitted within this 15 metre (49.2 ft.) area.

15.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the UR2 - Urban Residential - Second Density Zone.

15.5 SPECIAL UR2 - URBAN RESIDENTIAL - SECOND DENSITY ZONES

UR2-1 (Part Lot 2, Concession V, Loughborough District – RJM Classic Homes Ltd.)

Notwithstanding any provision of this by-law to the contrary, the following provisions shall apply in the Special Urban Residential (UR2-1) zone:

- Permitted Uses
  a. One dwelling unit in a semi-detached dwelling;
  b. A home occupation;
  c. Accessory uses and buildings to the above.

- Zone Regulations
a. Lot area per dwelling unit (Minimum) 4,000 square metres (1 ac.)
b. Lot frontage (Minimum) 32.6 metres (107 ft.)
c. Interior side yard per lot (Minimum) 2.5 metres (8.2 ft.) on open side and nil on the attached side.

- No building or structure shall be located within 22.8 metres (75 ft.) of the rear lot line of any abutting property.

All other provisions of this by-law shall apply.
SECTION 16 - UMR - URBAN MULTIPLE RESIDENTIAL ZONE

16.1 Within a UMR- Urban Multiple Residential Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

16.2 PERMITTED USES

- a multiple unit dwelling,
- a senior citizen multiple dwelling,
- a converted dwelling,
- a public park,
- accessory buildings or uses to the above uses.

16.3 ZONE REGULATIONS

16.3.1 For the Principal Building

- Lot Area (whichever is greater)
  a) Minimum                          8000 sq. metres (86,114.1 sq. ft.)
  b) Minimum Per Dwelling Unit        2000 sq. metres (21,528 sq. ft.)
- Lot Frontage (Minimum)     76 metres (250 ft.)
- Front Yard (Minimum)      10 metres (32.8 ft.)
- Rear Yard (Minimum)      10 metres (32.8 ft.)
- Interior Side Yard (Minimum):
  a. to a wall of a building containing windows to habitable rooms   8 metres (26.2 ft.)
  b. to a wall of a building containing no windows to habitable rooms 3 metres (9.8 ft.)
- Exterior Side Yard (Minimum)     10 metres (32.8 ft.)
- Building Height (Maximum)     11 metres (36.1 ft.)
- Lot Coverage (Maximum)     30 percent
- Gross Floor Area Per Dwelling Unit (Minimum)       42 sq. metres (452.1 sq. ft.)
  a. plus 13 sq. metres (139.9 sq. ft.) for each additional bedroom above one
- Minimum Number of Dwelling Units in One Principal Building 3 dwelling units
- Off-street parking shall be provided in accordance with Section 5.30.

16.3.2 For Accessory Buildings Not Attached To The Principal Building

- Rear Yard (Minimum)                          2.5 metres (8.2 ft.)
- Interior Side Yard (Minimum) 2.5 metres (8.2 ft.)
- Exterior Side Yard (Minimum)     10 metres (32.8 ft.)
- Building Height (Maximum)     4.5 metres (14.8 ft.)
16.3.3 For a Converted Dwelling
A converted dwelling shall be permitted on lands zoned UMR in accordance with the following regulations.

- The minimum gross floor area of a one bedroom dwelling unit shall be 42 square metres (452.1 sq. ft.) plus an additional 13 square metres (139.9 sq. ft.) for each additional bedroom.
- The minimum lot area per dwelling unit shall be 2,400 square metres (21,528 sq. ft.).
- No external stairway other than an open fire escape shall be provided.
- Such dwelling shall be certified by the Chief Building Official to be structurally suitable for such conversion.
- The 3 metre (9.8 ft.) strip immediately adjacent to any lot line shall be landscaped.
- Off-street parking shall be provided in accordance with Section 5.30.

16.3.4 For Accessory Buildings Not Attached To The Principal Building

- Rear Yard (Minimum) 2.5 metres (8.2 ft.)
- Interior Side Yard (Minimum) 2.5 metres (8.2 ft.)
- Exterior Side Yard (Minimum) 10 metres (32.8 ft.)

16.4 GENERAL PROVISIONS
All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the UMR - Urban Multiple Residential Zone.

16.5 SPECIAL UMR - URBAN MULTIPLE RESIDENTIAL ZONES

UMR-1 (Lot 19, Concession 11, Portland District - R. Ball)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Urban Multiple Residential (UMR-1) shall be used only in accordance with the following:

- Zone Provisions
  a. lot area (minimum) 0 m (0 ft.)
  b. front yard (minimum) 0 m (0 ft.)
  c. exterior side yard (minimum) 0 m (0 ft.)
  d. number of parking spaces (minimum) 6

All other provisions of this by-law shall apply.

UMR-2 (Lot 3, Concession IV, Loughborough District - Valleyview Estates)
Notwithstanding the provisions of sections 5.8.2, 16.3.1, 32.3 or any other provision of this by-law to the contrary, on the lands zoned Special Urban Multiple Residential (UMR-2) the following provisions shall apply:

- Zone Provisions
  a. Lot Frontage (Minimum) 30 m (98.4 ft.)
  b. Interior Side Yard (Minimum)
     - 1.5 metres (5 ft.) on south side

140
7.2 metres (24 ft.) on north side

c. Building Height (Maximum)
   - One storey - 7 metres (23 ft.)

d. Rear Yard
   - No building or structure shall be located within the 30 metre setback from the wetland.

e. Number of Buildings
   - The permitted uses may be contained in more than one building on the lot.

The uses permitted in the UMR-2 zone are subject to a site plan agreement to be entered into between the owner and the municipality and registered on the title of the property specifying, among other things, locations of all buildings and structures, septic system; stormwater treatment; lighting; garbage areas; landscaped buffers; parking and manoeuvring areas and aisles and entrance locations and design.

All other provisions of this by-law shall apply.

UMR-3 (Part Lot 7, Concession V, Portland District - Canadian Montessori Training)

Notwithstanding the provisions of section 16.2 or any other any provision of this by-law to the contrary, on the lands zoned Special Urban Multiple Residential (UMR-3), the following special provision applies:

- Special Provision
  A dwelling is permitted in a separate single detached building.

The uses permitted in the UMR-3 zone are subject to a site plan agreement to be entered into between the owner and the municipality and registered on the title of the property specifying, among other things, locations of all buildings and structures, septic system; and parking.

All other provisions of this by-law shall apply.
SECTION 17 - RC - RURAL COMMERCIAL ZONE

17.1 Within an RC - Rural Commercial Zone, no person shall use any land, erect, alter, enlarge or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

17.2 PERMITTED USES

- a farm implement dealer, including the sale and service of snowmobiles and lawn and garden equipment,
- an automobile sales agency,
- an agricultural equipment supply and repair outlet,
- a hotel,
- an auction outlet,
- a golf course;
- an eating establishment,
- a butcher shop and retail meat establishment,
- an establishment for the sale, service and storage or repair of small internal combustion engines such as snowmobiles, outboard motors and lawnmowers,
- a fertilizer mixing and sales establishment,
- a feed and seed mill,
- a sawmill or planing mill,
- a retail store,
- a nursery or garden centre,
- a building supply outlet,
- a bulk fuel dealer,
- a kennel,
- a craft shop,
- an abattoir,
- a merchandising service shop,
- one dwelling or dwelling unit as an accessory use for the owner or operator of a principal use, in accordance with the provisions of Section 5.19,
- accessory buildings or uses to the above uses,
- a wayside pit or wayside quarry.

17.3 ZONE REGULATIONS

17.3.1 For The Principal Building

- Lot Area (Minimum) 8000 sq. metres (86,114.1 sq. ft.)
- Lot Frontage (Minimum) 76 metres (250 ft.)
- Front Yard (Minimum) 8 metres (26.2 ft.)
- Rear Yard (Minimum) 8 metres (26.2 ft.)
- Interior Side Yard (Minimum) 3 metres (9.8 ft.)
• Exterior Side Yard (Minimum) 8 metres (26.2 ft.)
• Building Height (Maximum) 11 metres (36.1 ft.)
• Lot Coverage (Maximum) 40 percent
• Off-street parking and off-street loading facilities shall be provided in accordance with Sections 5.30 and 5.31.
• Access to a dwelling unit shall be separate from access to a rural commercial use.

17.3.2 For Accessory Buildings Not Attached To The Principal Building

• Rear Yard (Minimum) 1.5 metres (4.9 ft.)
• Interior Side Yard (Minimum) 1.5 metres (4.9 ft.)
• Exterior Side Yard (Minimum) 8 metres (26.2 ft.)
• Building Height (Maximum) 4.5 metres (14.8 ft.)

17.3.3 For Land Abutting A Residential Zone or Residential Use
Notwithstanding the provisions of subsection 17.3, where an interior side yard and/or a rear yard abuts a residential zone or any existing residential use, then such interior side yard shall be a minimum of 5 metres (16.4 ft.) and such rear yard shall be a minimum of 10 metres (32.8 ft.). The 3 metre (9.8 ft.) strip immediately adjacent to the rear and/or interior side lot lines shall be landscaped.

17.4 GENERAL PROVISIONS
All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure, or use within the RC- Rural Commercial Zone.

17.5 SPECIAL RC - RURAL COMMERCIAL ZONES

RC-2 (Part Lot 9, Concession VI, Storrington District - Dixon)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural Commercial (RC-2) shall be used only in accordance with the following:

• Permitted Uses
  a. uses permitted in Section 17.2 of this by-law;
  b. professional offices.

All other provisions of this by-law shall apply.

RC-3 (Part Lot 25, Concession VII, Storrington District - Collins Lake Estates)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural Commercial (RC-3) shall be used only in accordance with the following:

• Permitted Uses
  a. nursery schools, personal service shops, professional offices, grocery stores and retail stores.

All other provisions of this by-law shall apply.
RC-4 (Part Lot 1, Concession IV, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural Commercial (RC-4) shall be used only in accordance with the following:

- Permitted Uses
  a. antique shop;
  b. automobile service station;
  c. building supply outlet;
  d. convenience stores;
  e. craft shops;
  f. farm markets;
  g. funeral parlour;
  h. garden centre;
  i. gasoline retail facility;
  j. home occupation;
  k. motel, motor inn and/or hotel;
  l. offices;
  m. personal service establishment;
  n. plumbing and heating business;
  o. private club;
  p. recreational establishment;
  q. retail store;
  r. restaurant;
  s. service shop;
  t. truck terminals;
  u. veterinary establishment.

All other provisions of this by-law shall apply.

RC-5 (Part Lot 21, Concession 8, Bedford District - Burridge General Store)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural Commercial (RC-5) shall be used only in accordance with the following:

- Setback from Centreline of Township Road
  a. 7.3 metres (24.0 ft.) from centreline of road to porch;
  b. 9.5 metres (31.2 ft.) from centreline of road to principal building.

All other provisions of this by-law shall apply.

RC-6 (Part Lot 18, Concession 9, Bedford District - Fermoy Community Hall)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural Commercial (RC-6) shall be used only in accordance with the following:

- Permitted Uses
  a. commercial woodworking and wood products manufacturing establishment.
All other provisions of this by-law shall apply.

**RC-7 (Part Lot 9, Concession XIII, Bedford District - Jones)**

Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural Commercial (RC-7) shall be used only in accordance with the following:

- Permitted Uses
  - a. shall be restricted to an existing dwelling, bait shop, boat rental uses and a chip truck.

All other provisions of this by-law shall apply.

**RC-8 (Lot 9, Concession XIII, Portland District - Rivendell Golf Course)**

Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural Commercial (RC-8) shall be used only in accordance with the following:

- Permitted Uses
  - a. a golf course only.

All other provisions of this by-law shall apply.

**RC-9 (Lot 18, Concession II, Storrington District - Inverary Golf Course)**

Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural Commercial (RC-9) shall be used only in accordance with the following:

- Permitted Uses
  - a. a golf course only.

All other provisions of this by-law shall apply.

**RC-10 (Part Lot 1, Concession IV, Loughborough District - Cook)**

Notwithstanding the zone regulations of section 17.2 of this By-law to the contrary, on the lands zoned Special Rural Commercial (RC-10) Zone, the following uses only are permitted:

- Permitted Uses
  - a. a chiropractic clinic
  - b. accessory parking
  - c. accessory uses including an accessory dwelling

All other provisions of this by-law shall apply.
RC-11 (Part Lot 5, Concession IV, Loughborough District - Gordon)
Notwithstanding the permitted uses in section 17.2 or any other provision of this By-law to the contrary, on the lands zoned Special Rural Commercial (RC-11), the following uses only are permitted:

- Permitted Uses
  a. a public storage use which means a building or group of buildings for the storage of goods and wares where individual stalls and lockers are rented to different tenants,
  b. a personal service shop,
  c. a professional office,
  d. a business office,
  e. an eating establishment with a maximum seating capacity of 24 patrons,
  f. a butcher shop and retail meat establishment,
  g. a retail store,
  h. a nursery or garden centre,
  i. an automobile gas bar which means premises where gasoline, propane or diesel fuel is kept for sale, with or without lubricants or other items and accessories associated with the operation of automobiles and normally sold at a gasoline pump island, but where no servicing, repair or equipping of motor vehicles is carried out,
  j. a building supply outlet,
  k. a bulk fuel dealer,
  l. a craft shop,
  m. a merchandising service shop,
  n. one dwelling or dwelling unit as an accessory use for the owner or operator of a principal use, in accordance with the provisions of Section 5.19,
  o. accessory buildings or uses to the above uses.

- The uses permitted in the RC-11 zone shall be subject to a site plan agreement to be entered into between the owner and the municipality and registered on the title of the property specifying; among other things; locations of all buildings and structures; well; septic system; stormwater treatment; grading; parking and manoeuvring areas and aisles; and entrance locations and design.

All other provisions of this by-law shall apply.
RC-12 (Part Lot 2, Concession IV, Loughborough District - Silver)
Notwithstanding the zone regulations of section 17.2 of this By-law to the contrary, on the lands zoned Special Rural Commercial (RC-12) Zone, the following uses only are permitted:

- Permitted Uses
  a. a business and/or professional office
  b. accessory uses and buildings to the above uses

All other provisions of this by-law shall apply.

RC-13 (Part Lot 7, Concession VII, Portland District – Asselstine)
Notwithstanding the permitted uses in section 17.2 or any other provision of this of this By-law to the contrary, on the lands zoned Special Rural Commercial (RC-13) Zone, only the following uses are permitted:

- Permitted Uses
  a. a solar panel structure

All other provisions of this by-law shall apply.

RC-14 (Part Lot 1, Concession V, Loughborough District – Alton/Gossage)
Notwithstanding the permitted uses in section 17.2 or any other provision of this of this By-law to the contrary, on the lands zoned Special Rural Commercial (RC-14) Zone, the following uses only are permitted:

- Permitted Uses
  a. a nursery or garden centre
  b. accessory uses

The uses permitted in the RC-14 zone are subject to a site plan agreement to be entered into between the owner and the municipality and registered on the title of the property, specifying locations of all buildings and structures, buffers, fencing plantings and parking and manoeuvring areas and access aisles.

All other provisions of this by-law shall apply.
SECTION 18 - RRC - RECREATIONAL RESORT COMMERCIAL ZONE

18.1 Within a RRC - Recreational Resort Commercial Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

18.2 PERMITTED USES

- a marina, including a boat sales and service establishment and the sale of parts and petroleum products incidental thereto,
- a travel trailer park,
- a tourist establishment use, including hotels, lodges, tourist homes,
- a gift shop,
- an eating establishment,
- a convenience retail store,
- a miniature golf course, driving range or other similar recreational oriented use,
- a public or private park,
- a resort, including a health spa,
- one dwelling or dwelling unit as an accessory use for the owner or operator of the principal uses listed above, in accordance with the provisions of Section 5.19,
- accessory buildings or uses to the above principal uses.

18.3 ZONE REGULATIONS

18.3.1 For All Principal Uses

- Lot Area (Minimum) 8000 sq. metres (86,114 sq. ft.)
- Lot Frontage (Minimum) 76 metres (250 ft.)
- Front Yard (Minimum) 8 metres (26.2 ft.)
- Rear Yard (Minimum) 8 metres (26.2 ft.)
- Interior Side Yard (Minimum) 3 metres (9.8 ft.)
- Exterior Side Yard (Minimum) 8 metres (26.2 ft.)
- Lot Coverage (maximum) 40 percent
- Building Height (Maximum) 11 metres (36.1 ft.)
- Off-street parking and off-street loading facilities shall be provided in accordance with Sections 5.30 and 5.31.
- Access to an accessory dwelling unit shall be separate from access to a commercial use.
- All means of ingress and egress shall have a minimum width of 6 metres (19.7 ft.) and in the case of a corner lot, no means of ingress or egress shall be located within 15 metres (49.2 ft.) of the intersection of the street lines, or, where a corner is rounded, the points at which the extended streetlines meet.
18.3.2 For Accessory Buildings Not Attached To The Principal Building

- Rear Yard (Minimum) 1.5 metres (4.9 ft.)
- Interior Side Yard (Minimum) 1.5 metres (4.9 ft.)
- Exterior Side Yard (Minimum) 8 metres (26.2 ft.)
- Building Height (Maximum) 4.5 metres (14.8 ft.)

18.3.3 For Lands Abutting a Residential Zone or Residential Use
Notwithstanding the provisions of subsection 18.3, where a rear yard and/or an interior side yard abuts a residential zone or any existing residential use, then such interior side yard shall be a minimum of 5 metres (16.4 ft.) and such rear yard shall be a minimum of 10 metres (32.8 ft.). The 3 metre (9.8 ft.) strip immediately adjacent to the rear and/or interior side lot lines shall be landscaped.

18.3.4 Water oriented recreational resort commercial uses such as marinas or docks shall be located a minimum of 60 metres (196.9 ft.) from the nearest residential zone or use.

18.3.5 Additional Zone Regulations for A Marina
Notwithstanding the provisions of subsection 18.3, a marina use shall be subject to the following special provisions in addition to all other applicable provisions of this By-law.

- Where a rear yard and interior side yard abuts a navigable body of water, then such rear yard and/or interior side yard may be reduced to zero metres.
- No entrance channel, turning basin, dock or boat mooring area shall be located closer than 60 metres (196.9 ft.) to a residential zone, a residential use or a street line.
- Facilities for the refuelling of marine craft shall be provided at a separate pier or dock area from boat mooring facilities.
- Catwalks shall have a minimum width of .6 metres (1.96 ft.) and boat mooring docks shall have a minimum width of 1.2 metres (3.9 ft.).
- A minimum of one parking space shall be provided for every two boat slips.

18.3.6 Additional Zone Regulations For A Tent and/or Travel Trailer Park
Notwithstanding the provisions of subsection 18.3, a tent and/or travel trailer park use shall be subject to the following special provisions in addition to all other applicable provisions of this By-law.

- Lot Area (Minimum) 4.0 hectares (9.9 acres)
- The minimum distance of buildings or structures or a tent or travel trailer site from any lot line shall be 15 metres (49.2 ft.).
- The minimum distance of buildings or structures or a tent or travel trailer site from the centre of road allowance shall be 25 metres (82.0 ft.).
- Travel Trailer Park Density (Maximum) 50 sites
- Travel Trailer Site Area (Minimum) 100 sq. metres (1,076.4 sq. ft.)
- Travel Trailer Site Frontage (Minimum) 6 metres (19.7 ft.)
- Travel Trailer Park Usable Waterfront (Minimum) 7.5 metres/site (24.6 ft./site)
- Building Height (Maximum) 4.5 metres (14.8 ft.)
• Maximum Number of Travel Trailers on a Travel Trailer Site 1 travel trailer
• Lot Coverage (Maximum) 25 percent
• No campsite, building or structure except a marine facility for launching and/or servicing of boats or a water pump house is permitted within 50 metres (164.0 ft.) of the highwater mark of any water body.

18.3.7 Additional Zone Regulations for Hotels, Motels & Rental Cabins
Notwithstanding the provisions of subsection 18.3, motels, hotels and/or rental cabin uses shall be subject to the following special provisions in addition to all other applicable provisions of this By-law.

• Lot Area (Minimum) 2.0 hectares (4.9 acres)
• Maximum Density 1 unit/2000 m² to a maximum of 50 units
• Rental Cabin Usable Waterfront (Minimum) 7.5 metres/unit (24.6 ft./unit)
• No campsite, building or structure except a marine facility for launching and/or servicing of boats or a water pump house is permitted within 50 metres (164.0 ft.) of the highwater mark of any water body.

18.4 GENERAL PROVISIONS

18.4.1 All other special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land lot, building, structure or use within the RRC Recreational Resort Commercial Zone.

18.5 SPECIAL RRC - RECREATIONAL RESORT COMMERCIAL ZONES
The expansion of tent and/or travel trailer parks existing at the time of passage of this by-law and described below as Special Recreational Resort Commercial zones shall be subject to the provision of 7.5 metres (24.6 ft.) of usable waterfront for every existing and proposed additional tent and/or travel trailer site.

RRC-1 (Part Lots 9, 10 and 11, Concession X, Storrington District - Loughborough Inn)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-1), only the following uses are permitted and the following special provision applies:

• Permitted Uses
  a. a tourist establishment consisting of 26 cabins, 2 cottages having 2 units in each;
  b. 1 permanent single detached dwelling;
  c. a hotel/office building containing a maximum of 66 units;
  d. a marina
  e. accessory buildings and structures to the above uses.

• Special Zone Provision
  a. Height of Hotel/Office Building (Maximum) 16.7 metres (54.8 ft.)
All development is subject to a site plan agreement to be entered into with the municipality under section 41 of the Planning Act specifying the location of all buildings and structures, parking and loading areas, access aisles, septic systems and vegetative buffers and specifying any other conditions required by the Ministry of the Environment or the municipality.

All other provisions of this by-law shall apply.

**RRC-2 (Part Lots 20 and 21, Concession V, Storrington District - Dravis)**
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-2), only the following uses are permitted and the following special provisions apply:

- **Permitted Uses**
  - a health spa shall be permitted with uses limited to the following:
    - i. a tourist establishment;
    - ii. accessory buildings and structures to the above uses, including an accessory dwelling and an accessory dwelling unit.

- **Zone Provisions**
  - a. No building or structure other than a marine facility and except for existing boathouse(s) shall be located within 30 metres (98.4 ft.) of the highwater mark of Loughborough Lake and no private sewage disposal facilities shall be located closer than 30 metres (98.4 ft.) to any shoreline.

All other provisions of this by-law shall apply.

**RRC-3 (Part Lot 22, Concession IX, Storrington District - Sterner)**
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-3), only the following uses are permitted:

- **Permitted Uses**
  - a. a tourist establishment consisting of a travel trailer park with a maximum of 8 trailer sites;
  - b. a tourist establishment to be located within the 2 existing dwellings located on the property as of the day of the adoption of this by-law;
  - c. accessory buildings and structures to the above uses.

All other provisions of this by-law shall apply.

**RRC-4 (Part Lot 15, Concession VIII, Storrington District - Hiawatha’s Hideaway)**
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-4), only the following uses are permitted and the following special provisions shall apply:
• Permitted Uses
  a. a tourist establishment consisting of three 2-bedroom cottages and two 3-bedroom cottages;
  b. accessory buildings and structures to the above uses.

• Zone Provisions
  a. No building or structure other than a marine facility and except for 2 existing cabins and docks shall be located within 30 metres (98.4 ft.) of the highwater mark of Dog Lake. Reconstruction of these cabins within the 30 metre setback shall only be permitted provided there is no increase in their footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.

RRC-5 (Lot 25, Concession V, Bedford District - Robin Hood Cottages)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-5), only the following uses are permitted and the following special provisions shall apply:

• Permitted Uses
  a. a tourist establishment consisting of 5 tourist cabins;
  b. accessory buildings and structures to the above uses.

• Zone Provisions
  a. No building or structure other than a marine facility and except for 3 tourist cabins shall be located within 30 metres (98.4 ft.) of the highwater mark of Green Bay. Reconstruction of these cabins within the 30 metre setback shall only be permitted provided there is no increase in their footprint, height or gross floor area.

All other provisions of this by-law shall apply.

RRC-6 (Lot 28, Concession X, Storrington District - Elm Lodge)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-6), only the following uses are permitted and the following special provisions apply:

• Permitted Uses
  a. a tourist establishment consisting of seven (7) cabins, 2 cottages with 2 units each and 1 cottage with 4 units;
  b. 1 single detached dwelling;
  c. accessory buildings and structures to the above uses.
• Zone Provisions
  a. No building or structure other than a marine facility and except for an existing pumphouse and one dock shall be located within 30 metres (98.4 ft.) of the highwater mark of Cranberry Lake.

All other provisions of this by-law shall apply.

RRC-7 (Lot 19, Concession IV, Storrington District–Loughborough Campgrounds)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-7), only the following uses are permitted and the following special provisions shall apply:

• Permitted Uses
  a. a tourist establishment consisting of one 4-unit cottage, one single cottage and 14 trailer sites;
  b. one seasonal single detached dwelling/office;
  c. one (1) mobile home;
  d. accessory buildings and structures to the above uses.

• Zone Provisions
  a. No building or structure other than a marine facility and except for 2 existing cottages (1 four-unit, 1 single) and 4 existing trailer sites may be permitted within 30 metres (98.4 ft.) of the highwater mark of Harper Bay. Reconstruction of these cabins or replacement of these trailers within the 30 metre setback shall only be permitted provided there is no increase in their size, footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.

RRC-8 (Lot 13, Concession VII, Storrington District – Loughborough Lake Holiday Park)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-8), only the following uses are permitted and the following special provisions shall apply:

• Permitted Uses
  a. a tourist establishment consisting of 91 trailer/camp sites;
  b. accessory buildings and structures to the above uses.

• Zone Provisions
  a. No building or structure other than a marine facility and 12 serviced trailer sites shall be permitted within 30 metres (98.4 ft.) of the highwater mark of Loughborough Lake. Replacement of these trailers within the 30 metre setback shall only be permitted provided there is no increase in their size, footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.
**RRC-9 (Lot 26, Concession X, Storrington District - Hogan’s Haven)**
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-9), only the following uses are permitted and the following special provisions shall apply:

- **Permitted Uses**
  - a. a tourist establishment consisting of 86 trailer sites, 1 cabin and one cottage/trailer;
  - b. accessory buildings and structures to the above uses.

- **Zone Provisions**
  - a. No building or structure other than a marine facility and except for 3 existing docks and 12 trailer sites shall be located within 30 metres (98.4 ft.) of the highwater mark of Dog Lake. Replacement of these trailers within the 30 metre setback shall only be permitted provided there is no increase in their size, footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.

**RRC-10 (Lot 26, Concession XI, Storrington District - Baldwin Camp)**
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-10), only the following uses are permitted and the following special provisions shall apply:

- **Permitted Uses**
  - a. a tourist establishment consisting of 6 trailer sites, 1 mobile home and 1 cabin;
  - b. accessory buildings and structures to the above uses.

- **Zone Provisions**
  - a. No building or structure other than a marine facility and except for 6 trailer sites, 1 mobile home and 1 cabin shall be located within 30 metres (98.4 ft.) of the highwater mark of Crane’s Nest Lake. Reconstruction of the cabin and mobile home or replacement of these trailers within the 30 metre setback shall only be permitted provided there is no increase in their size, footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.

**RRC-11 (Lot 26, Concession XI, Storrington District - Camp Brylene)**
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-11), only the following uses are permitted and the following special provisions shall apply:
• Permitted Uses
  a. a tourist establishment consisting of 76 trailer sites and 2 cabins;
  b. a detached store/office;
  c. accessory buildings and structures to the above uses.

• Zone Provisions
  a. No building or structure other than a marine facility and except for 26 trailer sites, 2 existing docks, 2 cabins, gas pump and other marine facilities shall be located within 30 metres (98.4 ft.) of the highwater mark of Dog Lake. Reconstruction of these cabins and replacement of these trailers within the 30 metre setback shall only be permitted provided there is no increase in their size, footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.

RRC-12 (Lot 30, Concession X, Storrington District – Cranberry Lake Cottages)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-12), only the following use are permitted and the following special provisions shall apply:

• Permitted Uses
  a. a tourist establishment consisting of 3 tourist cabins;
  b. one permanent dwelling/office.

• Zone Provisions
  a. No building or structure other than a marine facility and except for one existing cabin shall be permitted within 30 metres of the highwater mark of Cranberry Lake. Reconstruction of this cabin shall only be permitted provided there is no increase in its footprint, height or gross floor area and provided it is no closer to the highwater mark.

All other provisions of this by-law shall apply.

RRC-13 (Lots 31 and 32, Concession X, Storrington District - Knapps)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-13), only the following uses are permitted and the following special provisions shall apply:

• Permitted Uses
  a. a tourist establishment consisting of 3 cabins and 70 trailer sites;
  b. accessory buildings and structures to the above uses.

• Zone Provisions
  a. No building or structure other than a marine facility and except for 2 existing cabins, 2 pit privies and 31 trailer sites shall be located within 30 metres (98.4 ft.) of the highwater mark of Cranberry Lake. Reconstruction of these cabins and
replacement of these trailers within the 30 metre setback shall only be permitted provided there is no increase in their size, footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.

RRC-14 (Lot 26, Concession X, Storrington District - Gerald Hogan)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-14), only the following uses are permitted and the following special provisions shall apply:

• Permitted Uses
  a. a tourist establishment consisting of 11 trailer sites;
  b. one single detached dwelling;
  c. accessory buildings and structures to the above uses.

• Zone Provisions
  a. No building or structure other than a marine facility and except for 11 trailer sites, 1 fish cleaning station and 1 boat launch shall be located within 30 metres (98.4 ft.) of the highwater mark of Dog Lake. Replacement of these trailers within the 30 metre setback shall only be permitted provided there is no increase in their footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.

RRC-15 (Lots 20 and 21, Concession IX Storrington District - Burnt Hills Lodge)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-15), only the following uses are permitted:

• Permitted Uses
  a. 1 single detached permanent dwelling;
  b. 2 sheds;
  c. 1 cottage;
  d. 9 trailers/park models:
  e. accessory buildings.

All other provisions of this by-law shall apply.

RRC-16 (Lots 21 and 22, Concession 8 and Lot 22, Concession IX, Storrington District - Melody Lodge)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-16), only the following uses are permitted and the following special provisions shall apply:
• Permitted Uses
  a. a tourist establishment consisting of 5 cabins and 24 permanent trailer sites;
  b. 1 single detached dwelling;
  c. 1 office;
  d. accessory buildings and structures to the above uses.

• Zone Provisions
  a. No building or structure other than a marine facility and except for a pump station, an existing dock, 1 pit privy, 5 trailer sites, 1 washroom facility and 1 marine accessory building shall be located within 30 metres (98.4 ft.) of the highwater mark of Dog Lake. Replacement of these trailers or buildings within the 30 metre setback shall only be permitted provided there is no increase in their size, footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.

RRC-17 (Lot 5, Concession VI, Storrington District - Gordon Camp Grounds)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-17), only the following uses are permitted:

• Permitted Uses
  a. a tourist establishment consisting of 1 single detached dwelling, 1 trailer site and 5 cabins;
  b. accessory buildings and structures to the above uses.

All other provisions of this by-law shall apply.

RRC-18 (Lot 15, Concession IX, Storrington District - Freeman Cottages)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-18), only the following uses are permitted and the following special provisions shall apply:

• Permitted Uses
  a. a tourist establishment consisting of 3 tourist cabins;
  b. two single detached dwellings (one with attached double garage);
  c. accessory buildings and structures to the above uses.

• Zone Provisions
  a. No building or structure other than a marine facility and 3 existing cottages shall be permitted within 30 metres (98.4 ft.) of the highwater mark of Dog Lake. Reconstruction of these cottages within the 30 metre setback shall only be permitted provided there is no increase in their footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.
RRC-19 (Lots 4 and 5, Concession V, Storrington District - Gordon Campground)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-19), only the following uses are permitted and the following special provisions shall apply:

- Permitted Uses
  a. a tourist establishment consisting of 2 cabins and 12 trailer sites.

- Zone Provisions
  No buildings or structures other than 2 cabins shall be permitted within 30 m (98.4 m) of the highwater mark of the Rideau Canal. Reconstruction of these cabins within the 30 metre setback shall only be permitted provided there is no increase in their footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.

RRC-20 (Lot 11, Concession VI, Loughborough District - Glen Lor Lodge)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-20), only the following uses are permitted and the following special provisions shall apply:

- Permitted Uses
  a. a tourist establishment consisting of twelve (12) cottages and 29 trailer sites, one single detached dwelling/lodge and one motor home;
  b. accessory buildings and structures to the above uses.

- Zone Provisions
  a. No building or structure other than a marine facility and except for 15 existing trailer sites and 3 existing cabins shall be permitted within 30 metres (98.4 ft.) of the highwater mark of Sydenham Lake. Reconstruction of these cabins and replacement of these trailers within the 30 metre setback shall only be permitted provided there is no increase in their size, footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.

RRC-21 (Lot 7, Concession XIV, Loughborough District - Snug Harbour)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-21), only the following uses are permitted and the following special provisions shall apply:

- Permitted Uses
  a. a tourist establishment consisting of 12 rental cottages and a lodge;
  b. accessory buildings and structures to the above uses.
• Zone Provisions
  a. No building or structure other than a marine facility, gas facility and 5 existing cottages and 2 existing docks shall be permitted within 30 metres (98.4 ft.) of the highwater mark of Desert Lake. Reconstruction of these cottages within the 30 metre setback shall only be permitted provided there is no increase in their footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.

RRC-22 (Lots 4 and 5, Concession XIII, Loughborough District - Desert Lake Resort)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-22), only the following uses are permitted and the following special provisions shall apply:

• Permitted Uses
  a. a tourist establishment and travel trailer park consisting of 145 serviced tent/trailer sites, one rental cabin, 1 permanent single detached dwelling, one office and convenience store (in same structure), and a separate 10 unit motel (Waterway Place Inn);
  c. one dwelling unit containing 3 rental apartments;
  d. accessory buildings and structures to the above uses.

• Zone Provisions
  a. Acknowledging that the lands zoned RRC-22 are inclusive of 5 parcels, the above named uses shall be permitted within any of the 5 parcels but shall not exceed the total number of permitted uses.
  b. No building or structure other than a marine facility and the existing 25 tent/trailer sites and 1 rental cabin and one existing dock may be permitted within 30 metres (98.4 ft.) of the highwater mark of Desert Lake. Reconstruction of these cabins and replacement of these trailers within the 30 metre setback shall only be permitted provided there is no increase in their size, footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.

RRC-23 (Lot 5, Concession XIII, Loughborough District - Lazy Acre Cottages)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-23), only the following uses are permitted and the following special provisions shall apply:

• Permitted Uses
  a. a tourist establishment consisting of:
  b. 9 cottages;
  c. one single detached seasonal dwelling with an administration office;
  d. accessory buildings and structures to the above uses.
• Zone Provisions
  a. No building or structure other than a marine facility and except for 4 existing cabins, one boat dock and the existing boathouse/sleeping area may be located within 30 metres (98.4 ft.) of the highwater mark of Desert Lake. Reconstruction of these cabins and boathouse/sleeping area structure within the 30 metre setback shall only be permitted provided there is no increase in their original size, footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.

RRC-24 (Lot 7, Concession I, Loughborough District - Mundell)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-24), only the following uses are permitted and the following special provisions shall apply:

• Permitted Uses
  a. a tourist establishment consisting of 4 cabins;
  b. accessory buildings and structures to the above uses.

• Zone Provisions
  a. No building or structure other than a marine facility and except for 4 existing cabins shall be permitted within 30 metres (98.4 ft.) of the highwater mark of Loughborough Lake. Reconstruction of these cabins shall only be permitted provided there is no increase in their original size, footprint, height or gross floor area and provided they are no closer to the highwater mark of the lake.

All other provisions of this by-law shall apply.

RRC-25 (Part Lots 30 and 31, Concessions VIII and IX, Bedford District - Long Bay Camp)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-25), only the following uses are permitted and the following special provisions shall apply:

• Permitted Uses
  a. a tourist establishment consisting of:
     i. agricultural uses;
     ii. 25 tourist cabins each having a floor area not exceeding 40.0 m²
     iii. 50 tourist campsites, each to be occupied by a maximum of one tent or one recreational vehicle, each campsite having an area not less than 230.0 m² and a frontage not less than 15.0 m (49.2 ft.) along the park road;
     iv. dining hall and tuck shop;
     v. one accessory dwelling;
vi. other accessory buildings and structures to the above uses.

- Zone Provisions
  a. No building or structure other than a marine facility may be located less than 30 metres (98.4 ft.) from the highwater mark of Long Bay or less than 60.0 metres (196.9 ft.) from any other lot line.
  b. Notwithstanding any provision of this by-law to the contrary, no dock, boat launching ramp, or other marine facility shall be located less than 300.0 metres (984.3 ft.) from the northerly limit of the subject property.
  c. Notwithstanding any provisions of this by-law to the contrary, no more than 25 campsites shall be permitted within 400.0 metres (1,312.3 ft.) of the northerly limit of the subject property.

All other provisions of this by-law shall apply.

RRC-26 (Lot 11, Concession VIII, Loughborough District - Thake)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-26), only the following uses are permitted and the following special provisions shall apply:

- Permitted Uses
  a. a tourist establishment consisting of 3 cabins;
  b. accessory buildings and structures to the above uses.

- Zone Provisions
  a. No building or structure other than a marine facility and except for 3 cabins and their septic systems shall be permitted within 30 metres (98.4 ft.) of the highwater mark of Eel Bay. Reconstruction of these cabins within the 30 metre setback shall only be permitted provided there is no increase in their original footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.

RRC-27 (Part Lot 24, Concession VI, Bedford District)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-27), only the following uses are permitted and the following special provision shall apply:

- Permitted Uses
  a. workshop/storage building having a maximum floor area of 200 m\(^2\) (2,152.9 ft\(^2\));
  b. open storage of vehicles, boats, trailers, recreational vehicles, wood and equipment accessory to a tourist establishment;
  c. recreational facilities excluding buildings;
  d. accessory buildings and structures to the above uses.

- No well shall be permitted on the land zoned RRC-27.

All other provisions of this by-law shall apply.
RRC-28 (Part Lot 19, Concession IX, Bedford District - Aqua Bats)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-28), only the following uses are permitted:

- **Permitted Uses**
  - a. a tourist establishment consisting of six (6) existing tourist cabins (no extensions or enlargements shall be permitted within 30 metres of the highwater mark) and one additional tourist cabin having a maximum floor area of 75 m² (807.3 ft.²) connected to Class 1 (composting toilet) and Class 2 (grey water leaching pit) sewage systems;
  - b. a new communal sewage disposal system provided it is located a minimum of 90 m (295.3 ft.) from Wolfe Lake;
  - c. accessory buildings and structures to the above uses.

All other provisions of this by-law shall apply.

RRC-29 (Part Lot 26, Concession V, Bedford District - Irwin’s Cabins)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-29), only the following uses are permitted:

- **Permitted Uses**
  - a. a tourist establishment consisting of 2 tourist camp sites and 7 tourist cabins and 5 travel trailer sites;
  - b. one single detached dwelling;
  - c. accessory buildings and structures to the above uses;
  - d. all uses are subject to a site plan agreement.

All other provisions of this by-law shall apply.

RRC-30 (Part Lot 26, Concession V, Bedford District - Morter’s Lodge and Cabins)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-30), only the following uses are permitted and the following special provisions shall apply:

- **Permitted Uses**
  - a. a tourist establishment consisting of 4 tourist cabins;
  - b. an accessory dwelling unit;
  - c. open storage;
  - d. accessory buildings and structures to the above uses.

- **Zone Provisions**
  - a. No building or structure other than a marine facility and except for 1 tourist lodge and 4 tourist cabins shall be permitted within 30 metres (98.4 ft.) of the highwater mark of Bob’s Lake. Reconstruction of these cabins and this lodge within the 30 metre setback shall only be permitted provided there is no increase
in their original footprint, height or gross floor area and provided they are no
closer to the highwater mark.

All other provisions of this by-law shall apply.

**RRC-31 (Part Lot 24, Concession V, Bedford District - Whitehouse Campground)**
Notwithstanding any other provision of this By-law to the contrary, on lands zoned Special Recreational Resort Commercial (RRC-31), only the following uses are permitted and special provisions shall apply:

- Permitted Uses
  a. a tourist establishment consisting of 45 tourist camp sites, one single detached
dwelling/office/washroom, and one additional single dwelling;
  b. accessory buildings and structures to the above uses.

- Zone Provisions
  a. No building or structure other than a marine facility and except for 8 tourist camp
sites shall be permitted within 30 metres (98.4 ft.) of the highwater mark of
Green Bay. Replacement of trailers on these camp sites within the 30 metre
setback shall only be permitted provided there is no increase in their original size
and footprint and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.

**RRC-32 (Part Lots 13, 14 and 15, Concession VIII, Bedford District - Canoe Lake
Campground)**
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-32), only the following uses are permitted and the following special provisions shall apply:

- Permitted Uses
  a. a tourist establishment consisting of sixty seven (67) trailer sites;
  b. three (3) tourist cabins;
  c. one administration building with accessory dwelling unit;
  d. agricultural uses;
  e. accessory buildings and structures to the above uses.

- Zone Provisions
  a. No building or structure other than a marine facility and except for 40 tourist
camp sites, 3 tourist cabins and gas pumps shall be permitted within 30 metres
(98.4 ft.) of the highwater mark of Canoe Lake. Reconstruction of these cabins
or replacement of trailers on these camp sites within the 30 metre setback shall
only be permitted provided there is no increase in their size, footprint or gross
floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.
RRC-33 (Part Lot 24, Concession VI, Bedford District - Shillington Camp)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-33), only the following uses are permitted and the following special provisions shall apply:

- Permitted Uses
  a. a tourist establishment consisting of 4 tourist cabins;
  b. one single detached dwelling;
  c. accessory buildings and structures to the above uses.

- Zone Provisions
  a. No building or structure other than a marine facility and except for 4 tourist cabins shall be permitted within 30 metres (98.4 ft.) of the highwater mark of Green Bay. Reconstruction of these cabins shall only be permitted provided there is no increase in their original footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.

RRC-34 (Lot 8, Concession XIII, Bedford District - Jones’ Cabins)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-34) only the following uses shall be permitted:

- Permitted Uses
  a. a tourist establishment consisting of three (3) cabins;
  b. one single detached dwelling;
  c. an accessory storage shed.

All other provisions of this by-law shall apply.

RRC-35 (Part Lot 21, Concession XI, Bedford District - Brash’s Camp)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-35), only the following uses are permitted and the following special provisions shall apply:

- Permitted Uses
  a. a tourist establishment consisting of 5 tourist cabins;
  b. one single detached dwelling;
  c. accessory buildings and structures to the above uses.

- Zone Provisions
  a. No building or structure other than a marine facility and except for 5 tourist cabins shall be permitted within 30 metres (98.4 ft.) of the highwater mark of Wolfe Lake. Reconstruction of these cabins within the 30 metre setback shall
only be permitted provided there is no increase in their original footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.

**RRC-36 (Part Lot 19, Concession X, Bedford District - Chisamore Cottages)**
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-36), only the following uses are permitted and the following special provisions shall apply:

- **Permitted Uses**
  a. a tourist establishment consisting of 4 tourist cabins;
  b. accessory buildings and structures to the above uses.

- **Zone Provisions**
  a. No building or structure other than a marine facility and except for 3 tourist cabins and 1 boathouse shall be permitted within 30 metres (98.4 ft.) of the highwater mark of Wolfe Lake. Reconstruction of these cabins within the 30 metre setback shall only be permitted provided there is no increase in their original footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.

**RRC-37 (Part Lot 1, Concession XVI, Bedford District - Skycroft Campground)**
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-37), only the following uses are permitted and the following special provisions shall apply:

- **Permitted Uses**
  a. a tourist establishment consisting of 65 tourist camp sites and 2 tourist cabins;
  b. publishing business;
  c. one administration building with accessory dwelling unit;
  d. accessory buildings and structures to the above uses.

- **Access**
  a. The RRC-37 zone takes access from a seasonally maintained road. The Township is under no obligation to provide year round road access to this property.

- **Zone Provisions**
  a. No building or structure other than a marine facility and except for 13 tourist campsites, 2 tourist cabins, a camp administration building/accessory dwelling unit and recreation hall/workshop shall be permitted within 30 metres (98.4 ft.) of the highwater mark of Opinicon Lake. Reconstruction of these cabins and administration building and replacement of these trailers within the 30 metre
setback shall only be permitted provided there is no increase in their original size, footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.

RRC-38 (Part Lot 21, Concession II, Bedford District - Sunset Country Campground)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-38), only the following uses are permitted and the following special provisions shall apply:

- Permitted Uses
  a. a tourist establishment consisting of 107 trailer sites and two tourist cabins;
  b. one administration office/convenience store and accessory dwelling unit building;
  c. accessory buildings and structures to the above uses.

- Zone Provisions
  a. No building or structure except 2 tourist camp sites and one administration office/convenience store, single detached dwelling unit with two upper level rental units and an accessory dwelling unit building shall be permitted within 30 metres (98.4 ft.) of the highwater mark of Bob’s Lake. Reconstruction of any of these structures or replacement of trailers within the 30 metre setback is only permitted provided there is no increase in their original size, footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.

RRC-39 (Part Lot 32, Concession VII, Bedford District - Bowers Camp)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-39), only the following uses are permitted and the following special provisions shall apply:

- Permitted Uses
  a. a tourist establishment consisting of 11 tourist cabins;
  b. one single detached dwelling;
  c. accessory buildings and structures to the above uses.

- Zone Provisions
  a. No building or structure other than a marine facility and except for 8 tourist cabins shall be located within 30 metres (98.4 ft.) of the highwater mark of Mud Bay. Reconstruction of these cabins within the 30 metre setback shall only be permitted provided there is no increase in the original footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.
RRC-40 (Part Lot 25, Concession V, Bedford District - Twin Oaks)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-40), only the following uses are permitted and the following special provisions shall apply:

- Permitted Uses
  a. a tourist establishment consisting of 17 tourist camp sites and 4 tourist cabins;
  b. one single detached dwelling with administration office;
  c. accessory buildings and structures to the above uses.

- Zone Provisions
  a. No building or structure other than a marine facility and except for 2 tourist cabins, 1 camp site, a pump house and a single detached dwelling with camp administration office shall be located within 30 metres (98.4 ft.) of the highwater mark of Bob’s Lake. Reconstruction of these cabins and administration office and replacement of any trailer within the 30 metre setback shall only be permitted provided there is no increase in their original size, footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.

RRC-41 (Part Lot 25, Concession IV, Bedford District - Pine Shores Marine)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-41), only the following uses are permitted:

- Permitted Uses
  a. a parking and boat launching facility for water access only lots;
  b. a retail store;
  c. service and repair shop;
  d. accessory buildings and structures to the above uses.

All other provisions of this by-law shall apply.

RRC-42 (Part Lot 28, Concession IV, Bedford District – Brown’s Lakeview Camp)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-42), only the following uses are permitted:

- Permitted Uses
  a. a tourist establishment consisting of 40 tourist camp sites, 3 tourist cabins and one trailer;
  b. one single detached dwelling with a camp administration office/retail convenience store;
  c. accessory buildings and structures to the above uses.

- Zone Provisions
  a. No building or structure other than a marine facility and except for 2 tourist cabins shall be located within 30 metres (98.4 ft.) of the highwater mark of Crow Lake. Reconstruction of these cabins within the 30 metre setback shall only be
permitted provided there is no increase in their original footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.

RRC-43 (Part Lot 24, Concession V, Bedford District - Green Bay Heritage Cabins)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-43), only the following uses are permitted and the following special provisions shall apply:

- Permitted Uses
  a. a tourist establishment consisting of 7 tourist cabins;
  b. one single detached dwelling;
  c. camp office/retail convenience store;
  d. accessory buildings and structures to the above uses.

- Zone Provisions
  a. No building or structure other than a marine facility and except for 7 tourist cabins and a camp office/retail convenience store shall be located within 30 metres (98.4 ft.) of the highwater mark of Green Bay. Reconstruction of these structures within the 30 metre setback shall only be permitted provided there is no increase in their original footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.

RRC-44 (Part Lot 27, Concession IV, Bedford District - Ayrvale Park)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-44), only the following uses are permitted and the following special provisions shall apply:

- Permitted Uses
  a. a tourist establishment consisting of 40 tourist camp sites, 1 tourist cabin and 1 tourist office/store/workshop;
  b. accessory buildings and structures to the above uses.

- Zone Provisions
  a. No building or structure other than a marine facility and except for 3 tourist camp sites, 1 tourist cabin and 1 office/store/workshop shall be located within 30 metres (98.4 ft.) of the highwater mark of Crow Lake. Reconstruction of these structures within the 30 metre setback shall only be permitted provided there is no increase in their original footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.
RRC-45 (Part Lot 12, Concession VII, Bedford District - Neece Cabins)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-45), only the following uses are permitted and the following special provisions shall apply:

- **Permitted Uses**
  - a tourist establishment consisting of 3 tourist cabins;
  - a seasonal residential dwelling;
  - accessory buildings and structures to the above uses.

- **Zone Provisions**
  - No building or structure other than a marine facility and except for 3 tourist cabins shall be located within 30 metres (98.4 ft.) of the highwater mark of Canoe Lake. Reconstruction of these cabins within the 30 metre setback shall only be permitted provided there is no increase in their original footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.

RRC-46 (Part Lot 1, Concession IV, Bedford District - Abrams Cabins)
Notwithstanding the provisions of section 14.2, or any other provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-46), only the following uses are permitted:

- **Permitted Uses**
  - a tourist establishment consisting of six (6) tourist cabins;
  - one (1) seasonal residential dwelling;
  - accessory buildings and structures to the above uses.

- **Zone Provisions**
  - No building or structure other than a marine facility and except for 6 tourist cabins shall be located within 30 metres (98.4 ft.) of the highwater mark of Desert Lake. Reconstruction of these cabins within the 30 metre setback shall only be permitted provided there is no increase in their original footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.

RRC-47 (Part Lot 12, Concession II, Bedford District - Glenford Trailer Park)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-47), only the following uses are permitted and the following special provisions shall apply:

- **Permitted Uses**
  - a tourist establishment consisting of 50 trailer sites;
  - 1 camp administration trailer;
(accessory buildings and structures to the above uses).

- **Zone Provisions**
  a. No building or structure other than a marine facility and except for 10 trailer sites and 1 camp administration trailer shall be located within 30 metres (98.4 ft.) of the highwater mark of White Lake. Replacement of any trailer allowed within the 30 metre setback shall only be permitted provided there is no increase in its original size, footprint, height or gross floor area and provided it is no closer to the highwater mark.

All other provisions of this by-law shall apply.

**RRC-48 (Part Lot 5, Concession XII, Bedford District - Harold Green)**

Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-48), only the following uses are permitted and the following special provisions shall apply:

- **Permitted Uses**
  a. a tourist establishment consisting of 50 camp sites and 7 tourist cabins;
  b. accessory buildings and structures to the above uses.

- **Zone Provisions**
  a. No building or structure other than a marine facility and except for 45 camp sites and 7 tourist cabins shall be located within 30 metres (98.4 ft.) of the highwater mark of Devil Lake. Replacement of any trailer on these campsites or reconstruction of these structures within the 30 metre setback shall only be permitted provided there is no increase in their original size, footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.

**RRC-49 (Part Lot 32, Concession VII, Bedford District - Cedar Haven)**

Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-49), only the following uses are permitted and the following special provisions apply:

- **Permitted Uses**
  a. a tourist establishment consisting of 8 single storey tourist cabins, 1 one storey two unit cabin, 2 two storey 2 unit cabins and, 1 four unit tourist lodge and 1 single detached dwelling;
  b. accessory buildings and structures to the above uses.

- **Zone Provisions**
  a. No building or structure other than marine facilities, 8 single storey tourist cabins, 1 one storey two unit cabin, 2 two storey 2 unit cabins and, 1 four unit tourist lodge and 1 fish cleaning hut shall be located within 30 metres (98.4 ft.) of the
highwater mark of Bob’s Lake. Reconstruction of these structures within the 30 metre setback shall only be permitted provided there is no increase in their original footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.

RRC-50 (Part Lot 8, Concession IX, Bedford District - Michaels)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-50), only the following uses are permitted and the following special provisions shall apply:

- Permitted Uses
  a. a tourist establishment consisting of 12 camp sites and 5 tourist cabins;
  b. one mobile home;
  c. one camp administration building and accessory dwelling unit;
  d. accessory buildings and structures to the above uses.

- Zone Provisions
  a. No building or structure other than a marine facility and except for 7 camp sites and 1 tourist cabin shall be located within 30 metres (98.4 ft.) of the highwater mark of Devil Lake. Replacement of any trailer on these camp sites or reconstruction of this cabin within the 30 metre setback shall only be permitted provided there is no increase in their original size, footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.

RRC-51 (Part Lot 5, Concession XII, Bedford District - Pine Haven)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-51), only the following uses are permitted and the following special provisions shall apply:

- Permitted Uses
  a. a tourist establishment consisting of 63 camp sites;
  b. 1 camp administration building/accessory dwelling unit;
  c. accessory buildings and structures to the above uses.

- Zone Provisions
  a. No building or structure other than a marine facility and except for 3 camp sites and 1 camp administration building/accessory dwelling unit shall be located within 30 metres (98.4 ft.) of the highwater mark of Devil Lake. Replacement of any trailer on these camp sites or reconstruction of this building/dwelling within the 30 metre setback shall only be permitted provided there is no increase in its original size, footprint, height or gross floor area and provided it is no closer to the highwater mark.

All other provisions of this by-law shall apply.
RRC-52 (Part Lot 23, Concession III, Bedford District - Agnes Steele’s Camp)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-52), only the following uses are permitted and the following special provisions shall apply:

• Permitted Uses
  a. a tourist establishment consisting of 14 camp sites, a single detached dwelling/camp administration office;
  b. accessory buildings and structures to the above uses.

• Zone Provisions
  a. No building or structure other than a marine facility and except for 14 camp sites, 1 storage/workshop building, 6 pit privies and a trailer with attached deck and porch shall be located within 30 metres (98.4 ft.) of the highwater mark of Bob’s Lake. Replacement of any trailer on these camp sites or reconstruction of these structures within the 30 metre setback shall only be permitted provided there is no increase in its original size, footprint, height or gross floor area and provided is no closer to the highwater mark.

All other provisions of this by-law shall apply.

RRC-53 (Part Lot 4, Concession XII, Bedford District – Green’s Camp)
Notwithstanding the zone regulations in section 18.2 or any other provision of this By-law to the contrary, on the lands zoned Special Rural (RU-46) Zone, only the following uses are permitted:

• Permitted Uses
  a. a tourist establishment consisting only of six (6) trailers,
  b. accessory buildings and structures to the above uses.

• The uses permitted in the RRC-53 zone be subject to a site plan agreement to be entered into between the owner and the municipality and registered on the title of the property specifying locations of all travel trailers; greywater systems; entrance location and design; and access aisles.

All other provisions of this by-law shall apply.

RRC-54 (Lots 1 and 2, Concession XI, Storrington District - Hewlett-Packard Employee Campgrounds)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-54), only the following uses are permitted and the following special provisions shall apply:

• Permitted Uses
  a. a private tourist establishment consisting of 11 cabins;
  b. a day lodge;
c. a single detached dwelling;
d. accessory buildings and structures to the above uses.

- **Zone Provisions**
  a. No building or structure other than a marine facility, a day lodge, 1 cabin and a recreation hall shall be located within 30 metres (98.4 ft.) of the highwater mark of Elbow Lake. Reconstruction of these structures within the 30 metre setback shall only be permitted provided there is no increase in their original footprint, height or gross floor area and provided they are no closer to the highwater mark.

All other provisions of this by-law shall apply.

**RRC-55 (Lots 20 and 21, Concession IX, Storrington District - Moore)**
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-55), only the following uses are permitted and the following special provisions shall apply:

- **Permitted Uses**
  a. a tourist establishment consisting of 2 cabins;
  b. accessory buildings and structures to the above uses.

- **Regulations**
  a. maximum gross floor area for each cottage 37 sq. metres (400 sq. ft.)

All other provisions of this by-law shall apply.

**RRC-56 (Lots 1 and 2, Concession XIV, Storrington District - Lake Sun Nudist Camp (Behrmann's))**
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-56), only the following uses are permitted and the following special provisions shall apply:

- **Permitted Uses**
  a. a tourist establishment consisting of 19 trailer sites, 7 cabins and 1 single detached dwelling;
  b. a recreation hall;
  c. an office;
  d. accessory buildings and structures to the above uses.

- **Zone Provisions**
  a. No building or structure other than 3 trailer sites and a dock shall be located within 30 metres (98.4 ft.) of the highwater mark of Davis Lake. Replacement of any of these trailers within the 30 metre setback shall only be permitted provided there is no increase in its original size, footprint, height or gross floor area and provided it is no closer to the highwater mark.

All other provisions of this by-law shall apply.
RRC-57 (Lot 22, Concession XI, Loughborough District - Hidden Valley Park))
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-57), only the following uses are permitted and the following special provisions shall apply:

- **Permitted Uses**
  a. a tourist establishment consisting of 10 trailer sites;
  b. 2 privies;
  c. 1 shower facility;
  d. 1 boathouse and dock;
  e. accessory buildings and structures to the above uses.

- **Zone Provisions**
  a. No building or structure other than a dock and 6 trailer sites shall be permitted within 30 metres (98.4 ft.) of the highwater mark of South Bay (Buck Lake). Replacement of any of these trailers within the 30 metre setback shall only be permitted provided there is no increase in its original size, footprint, height or gross floor area and provided it is no closer to the highwater mark.

All other provisions of this by-law shall apply.

RRC-58 (Lot 1, Concession XII, Bedford District - Daub)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-58), only the following uses are permitted and the following special provisions shall apply:

- **Permitted Uses**
  a. boat dockage.

- **Zone Provisions**
  b. lot area for dockage (minimum) 92.9 sq. m (1,000 sq. ft.)
  c. number of boat docks (maximum) 25

All other provisions of this by-law shall apply.

RRC-59 (Part Lots 6 & 7, Concession VIII, Bedford District – Karem)
Notwithstanding the zone regulations in section 18.2 or any other provision of this By-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-59) Zone, the following uses only are permitted:

- a maximum of five (5) recreational tourist structures to a maximum size of 350 square feet each.

All other provisions of this By-law shall apply.
RRC-60 (Part Lot 26, Concession V, Bedford District - Morter’s Lodge and Cabins)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-60) Zone, only the following uses are permitted and the following special provisions shall apply:

- **Permitted Uses**
  a. a tourist establishment consisting of one tourist lodge and five tourist cabins;
  b. an accessory dwelling unit;
  c. open storage;
  d. accessory buildings and structures to the above uses.

- **Zone Provisions**
  a. No building or structure other than a marine facility and except for four (4) tourist cabins shall be permitted within 30 metres (98.4 ft.) of the highwater mark of Bob’s Lake. Reconstruction of any of these cabins within the 30 metre setback shall only be permitted provided there is no increase in its original footprint, height or gross floor area and provided it is no closer to the highwater mark.

All other provisions of this by-law shall apply.

RRC-61 (Part Lot 8, Concession XIII, Bedford District – Jones)
Notwithstanding any other provision of this By-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-61) Zone, the following uses only are permitted:

- **Permitted Uses**
  a. vehicle parking and boat mooring to access an island property,
  b. an accessory storage shed.

All other provisions of this By-law shall apply.

RRC-62 (Part Lot 20 & 21, Concession IX, Storrington District – Normand)
Notwithstanding any other provision of this By-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-62) Zone, the following uses only are permitted:

- cottages,
- 1 trailer,
- accessory buildings.

All other provisions of this By-law shall apply.
RRC-63 (Part Lot 1, Concession IV, Bedford District)
Notwithstanding any other provision of this By-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-63), the following uses are permitted:

- Permitted Uses
  a. a tourist establishment consisting of one (1) tourist cabin
  b. one seasonal dwelling
  c. accessory buildings and structures

- No building or structure other than a marine facility and except for one (1) tourist cabin shall be permitted within 30 metres (98.4 ft.) of the highwater mark of Desert Lake. Reconstruction of any of this cabin within the 30 metre setback shall only be permitted provided there is no increase in its original footprint, height or gross floor area and provided it is no closer to the highwater mark.

All other provisions of this by-law shall apply.

RRC-64 (Part Lots 13, 14 & 15, Concession VIII, Bedford District)
Notwithstanding any other provision of this By-law to the contrary, on the lands zoned Special Recreational Resort Commercial (RRC-64), the following uses are permitted:

- Permitted Uses
  a. a tourist establishment consisting of eleven (11) trailer sites
  b. one administration building with accessory dwelling
  c. accessory buildings and structures.

All other provisions of this by-law shall apply.
SECTION 19 - UC - URBAN COMMERCIAL ZONE

19.1 Within UC - Urban Commercial Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

19.2 PERMITTED USES

- a retail store,
- a convenience retail store,
- a service shop including a personal service shop,
- a lawn, garden and farm equipment and supplies sales outlet,
- a laundry and/or dry cleaning shop,
- an eating establishment including a banquet hall,
- a tavern,
- a hotel,
- a bank and/or trust company,
- a business and/or professional office,
- a theatre, cinema or other place of entertainment,
- a commercial recreational establishment such as a bowling or billiard establishment or other similar use,
- a funeral home,
- a medical clinic,
- a post office,
- a bake shop,
- a private or commercial club,
- a restaurant, take-out,
- a gift shop,
- a nursery school,
- a veterinary establishment,
- a public or private parking area, including parking facilities associated with the principal use(s) permitted under this section,
- an automobile service station,
- an automobile sales agency,
- one dwelling unit in the form of an apartment as an accessory use in buildings in which commercial uses are permitted, except automobile service stations or other uses involving the sale of gasoline or other similar petroleum products, in accordance with the provisions of Sections 5.19 and 5.20,
- accessory buildings or uses to the above uses.

19.3 ZONE REGULATIONS
19.3.1 For All Uses Except An Automobile Service Station

- Lot Area (Minimum) 8000 sq. metres (86,114 sq. ft.)
- Lot Frontage (Minimum) 76 metres (250 ft.)
- Front Yard (Minimum) 6 metres (19.7 ft.)
- Rear Yard (Minimum) 6 metres (19.7 ft.)
- Interior Side Yard (Minimum) 3 metres (9.8 ft.)
- Exterior Side Yard (Minimum) 8 metres (26.2 ft.)
- Lot Coverage (Maximum) 40 percent
- Building Height (Maximum) 11 metres (36.1 ft.)
- Off-street parking and off-street loading facilities shall be provided in accordance with Sections 5.30 and 5.31.
- Access to an accessory dwelling unit shall be separate from access to a commercial use.

19.3.2 For An Automobile Service Station

- Lot Frontage (Minimum) 45 metres (147.6 ft.)
- Lot Depth (Minimum) 45 metres (147.6 ft.)
- Front Yard (Minimum) 15 metres (49.2 ft.)
- Rear Yard (Minimum) 7.5 metres (24.6 ft.)
- except where the rear yard abuts a residential zone, the rear yard shall be a minimum of 15 metres (49.2 ft.) of which the 4.5 metres (14.8 ft.) adjacent to the lot line shall be retained in an open space condition.
- Side Yard (Minimum) 7.5 metres (24.6 ft.)
- except where one or both side yards abut a residential zone, the side yard shall be a minimum of 15 metres (49.2 ft.) of which the 4.5 metres (14.8 ft.) adjacent to the lot line shall be retained in an open space condition.
- A sight triangle of 15 metres (49.2 ft.) minimum shall be provided on a corner lot.
- Light stands and signs may be located in any required minimum yard at a minimum distance of 2.5 metres (8.2 ft.) from any street line. Fuel pump islands and fuel pumps may be located in any required minimum yard at a minimum distance of 6 metres (19.7 ft.) from any street line. A sight triangle is not to be construed to be part of the required minimum yard for the purposes of this paragraph.
- The distance between means of access or ramps shall be 12 metres (39.4 ft.) and on a corner lot, no ramp may be located within 15 metres (49.2 ft.) of the intersection of the street lines.
- Each ramp shall have a width of 7.5 metres (24.6 ft.) and the interior angle formed between the lot line and the centre line of the ramp shall be between seventy (70) and ninety (90) degrees.
- No ramp shall be located within 4.5 metres (14.8 ft.) of a side lot line.
- Off-street parking and off-street loading facilities shall be provided in accordance with Sections 5.30 and 5.31.

19.3.3 For Accessory Buildings Not Attached To The Principal Building

- Rear Yard (Minimum) 1.5 metres (4.9 ft.)
- Interior Side Yard (Minimum) 1.5 metres (4.9 ft.)
• Exterior Side Yard (Minimum) 3 metres (9.8 ft.)
• Minimum distance from any other building on the lot shall be 3 metres (9.8 ft.) provided that in no case shall any overhang, eaves or gutter project into this required minimum area which shall be clear of any obstruction from the ground to the sky.

19.3.4 For Lands Abutting A Residential Zone
Notwithstanding the provisions of subsection 19.3.1 of this part, where an interior side yard and/or rear yard abuts a residential zone then such interior side yard shall be a minimum of 5 metres (16.4 ft.) and such rear yard shall be a minimum of 9 metres (29.5 ft.). The 1 metre (3.3 ft.) strip immediately adjacent to the rear and/or interior side lot line shall provide a buffer from surrounding land uses and shall consist of landscaping, fencing, berming or any of a combination of the foregoing.

19.4 GENERAL PROVISIONS
All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the UC - Urban Commercial Zone.

19.5 SPECIAL UC - URBAN COMMERCIAL ZONE
UC-1 (Part Lot 6, Concession V, Harrowsmith, Portland District - Rider)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Urban Commercial (UC-1) shall be used only in accordance with the following:

• The following uses shall not be permitted:
  a. a laundry and dry cleaning shop;
  b. a restaurant including a banquet hall, tavern or take-out restaurant;
  c. a billiard or bowling establishment;
  d. a place of entertainment other than a cinema or theatre which shall be permitted;
  e. a motor vehicle gasoline bar or motor vehicle dealership.

• On lands zoned UC-1 a "snack bar" shall be permitted as an accessory use to a retail store. For the purposes of this by-law, the following definition shall apply to lands zoned UC-1 and shall not be construed to effect the nature of the uses permitted in any other zone; specifically:
  a. Definition of “Snack Bar”
  “Snack Bar” means a part of a building in which the principal use is a “retail store”, where food is prepared and/or offered for sale to the general public for consumption on the premises as an additional service to customers of the principal retail commercial use.

All other provisions of this by-law shall apply.
UC-2 (Part Lot 7, Concession VIII, Hartington, Portland District - Brawley/Brown)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Urban Commercial (UC-2) shall be used only in accordance with the following:

- The following uses shall be permitted:
  a. a business and/or professional office.

All other provisions of this by-law shall apply.

UC-3 (Part Lot 6, Concession V, Harrowsmith, Portland District - Shoom)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Urban Commercial (UC-3) shall be used only in accordance with the following:

- In addition to the uses permitted in Section 19.2 of this by-law, including an antique shop, a residential dwelling unit may be permitted as an accessory use on lands zoned Special Urban Commercial (UC-3) Zone.

All other provisions of this by-law shall apply.

UC-4 (Part Lots 19 and 20, Registered Plan 24, Inverary, Storrington District - Bilow)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Urban Commercial (UC-4) shall be used only in accordance with the following:

- A maximum of six dwelling units shall be permitted over permitted commercial uses.

All other provisions of this by-law shall apply.

UC-5 (Part Lots 19 and 20, Concession II, Inverary, Storrington District - Barr)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Urban Commercial (UC-5) shall be used only in accordance with the following:

- One or more apartment dwelling units shall be permitted over a permitted commercial use.
- The maximum number of dwelling units will be determined by the site’s capability of being serviced with a private sewage disposal system to the satisfaction of Council and the local health unit.

All other provisions of this by-law shall apply.
**UC-6 (Part Lot 4, Concession V, Loughborough District)**
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Urban Commercial (UC-6) shall be used only in accordance with the following:

- Commercial uses shall be limited to the ground floor.
- Two dwelling units shall be permitted.

All other provisions of this by-law shall apply.

**UC-7 (Part Lot 7, Concession II, Loughborough District - Benedikt)**
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Urban Commercial (UC-7) shall be used only in accordance with the following:

- No table service nor dining tables shall be provided, either within or outside the building or structure used for the preparation and sale of food from the permitted take-out restaurant.
- Appropriate signage shall be located on-site indicating that the consumption of food shall not take place at any outside table area which is used exclusively for the owner/occupant of the accessory dwelling. Bench-type seating adjacent to the existing retail sore may be permitted.

All other provisions of this by-law shall apply.

**UC-8 (Part Lot 2, Concession V, Loughborough District - Silverbrook Estates)**
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Urban Commercial (UC-8) shall be used only in accordance with the following:

- **Permitted Uses**
  a. an accessory dwelling unit;
  b. antique store;
  c. business office;
  d. clinic;
  e. craft shop;
  f. professional office;
  g. personal service establishment;
  h. retail store;
  i. pharmacy.

- **Zone Provisions**
  a. the property will be developed in accordance with an approved site plan to address all servicing, access, parking and buffering criteria.

All other provisions of this by-law shall apply.
UC-9 (Lot 1, Concession VII, Storrington District - Storrington Fire Hall)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Urban Commercial (UC-9) shall be used only in accordance with the following:

• Permitted Uses
  a. a retail store;
  b. a convenience retail store;
  c. a service shop including a personal service shop;
  d. a lawn, garden and farm equipment and supplies sales outlet;
  e. a laundry and/or dry cleaning shop;
  f. an eating establishment;
  g. a bank and/or trust company/financial institution;
  h. a business and/or professional office;
  i. a commercial recreational establishment such as a bowling or billiard establishment or other similar use;
  j. a medical clinic;
  k. a post office;
  l. a bake shop;
  m. a private or commercial club.

• Zone Provisions
  a. Lot Frontage (minimum) 27.0 metres (88.5 ft.)
  b. Interior Side Yard (minimum) 0.9 metres (3 ft.)

All other provisions of this by-law shall apply.

UC-10 (Lot 19, Concession VI, Loughborough District - Rogers)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Urban Commercial-Holding (UC-10) shall be used only in accordance with the following:

• Permitted Uses
  a. auction centre;
  b. manufacturing;
  c. food processing, bakery and sales outlet;
  d. an accessory dwelling unit;
  e. accessory uses including open storage;
  f. building supply outlet;
  g. construction yard;
  h. custom workshop;
  i. feed supply outlet;
  j. garden centre;
  k. machine and metal working shop;
  l. produce grading station or storage facility;
  m. farm machinery and equipment sales and service outlet;
  n. veterinary establishment;
  o. well drilling establishment;
  p. wood products manufacturing shop;
• Removal of the Holding Symbol
  a. The Holding (H) symbol may be removed by Council once Council is satisfied that a site plan addressing issues of landscaping, signage, access, parking, fencing, drainage and servicing have been approved by Council.

All other provisions of this by-law shall apply.

UC-11 (5009 Highway 38, Harrowsmith, Portland District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Urban Commercial (UC-11) shall be used only in accordance with the following:

• Permitted Uses
  a. a mix of residential and commercial uses provided the property is served by a private sewage disposal system capable of serving the proposed commercial and residential uses.

All other provisions of this by-law shall apply.

UC-12 (4358 Mill Street, Sydenham, Loughborough District - Coburn)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Urban Commercial (UC-12) Zone the following special provision shall apply:

• Zone Regulations
  • Side Yard (Minimum) 1.4 metres (4.6 ft.)

All other provisions of this by-law shall apply.

UC-14 (Lot 7, Concession VII, Harrowsmith, Portland District-Bowes)
Notwithstanding any provision of this By-law to the contrary, the following uses only are permitted in the Special Urban Commercial (UC-14) Exception Zone:

• a retail store,
• a convenience retail store,
• a service shop including a personal service shop,
• a lawn, garden and farm equipment and supplies sales outlet,
• a bank and/or trust company,
• a business and/or professional office,
• a post office,
• a gift shop,
• a veterinary establishment,
• a public or private parking area, including parking facilities associated with the principal use(s) permitted under this section,
• an automobile service station,
• an automobile sales agency,
• one dwelling unit in the form of an apartment as an accessory use in buildings in which commercial uses are permitted, except automobile service stations or other uses involving the sale of gasoline or other similar petroleum products, in accordance with the provisions of Sections 5.19 and 5.20,
• accessory buildings or uses to the above uses.

All other provisions of this by-law shall apply.

UC-15 (Lot 6, Concession VII, Hartington, Portland District-Assestine)
Notwithstanding any provision of this By-law to the contrary, the lands zoned Special Urban Commercial (UC-15) Exception Zone shall be used only in accordance with the following:

• The following uses only shall be permitted:
  a. A commercial car wash operation.
  b. A commercial indoor storage warehouse.
  c. Accessory uses.
• The uses permitted in the UC-15 zone shall be subject to a site plan agreement to be entered into between the owner and the municipality and registered on the title of the property, specifying locations of all buildings and structures; well; septic system; entrance; parking and manoeuvring areas; landscaping areas and timing of construction.

All other provisions of this by-law shall apply.

UC-16 (Lot 25, Concession I, Storrington District-Sunbury Autobody)
Notwithstanding any other provision to the contrary, on the lands zoned Special Urban Commercial (UC-16) Zone, the following use is permitted in addition to the list of uses contained in section 19.2:

• an auto body shop

All other provisions of this by-law shall apply.

UC-17 (Part Lot 19, Concession III, Storrington District – North Country Marine)
Notwithstanding any other provision of this By-law to the contrary, on the lands zoned Special Urban Commercial (UC-17) Zone, the following provision shall apply:
• A site plan agreement is required to be entered into between the owner and the municipality and registered on the title of the property, specifying locations of all buildings and structures; storage areas; buffer areas, wells and septic systems prior to the issuance of any building permit.

All other provisions of this by-law shall apply.

**UC-18 (Part Lot 9, Concession XI, Portland District – Yateman/Bowe)**

Notwithstanding any other provision of this By-law to the contrary, on the lands zoned Special Urban Commercial (UC-18) Zone, the following uses only are permitted:

• Permitted Uses
  a. a single detached dwelling,
  b. a home occupation in accordance with the provisions of section 5.28 of this By-law,
  c. a computer repair and sales shop,
  d. accessory uses and buildings to the above uses.

• A site plan agreement is required to be entered into between the owner and the municipality and registered on the title of the property, specifying locations of all buildings and structures, well, septic system, parking and manoeuvring areas and access aisles.

All other provisions of this by-law shall apply.

**UC-19 (Part Lot 7, Concession IV, Portland District – Redden/Close)**

Notwithstanding any other provision of this By-law to the contrary, on the lands zoned Special Urban Commercial (UC-19) Zone, the following uses only are permitted:

• Permitted Uses
  a. a greenhouse,
  b. a retail store,
  c. an accessory single detached dwelling,
  d. an accessory business or professional office.

• A site plan agreement is required to be entered into between the owner and the municipality and registered on the title of the property, specifying locations of all buildings and structures, buffer areas, outside storage areas, well, septic system, parking and manoeuvring and loading areas.

All other provisions of this by-law shall apply.

**UC-20 (Lot 6, Concession VI, Portland District – Kerr/Dee)**

Notwithstanding the uses permitted in section 19.2 or any other provision of this By-law to the contrary, on the lands zoned Special Urban Commercial (UC-20), the following uses only are permitted:
• Permitted Uses
  a. a bake shop;
  b. a meat shop;
  c. retail store;
  d. commercial retail store;
  e. a restaurant, take-out;
  f. a gift shop;
  g. a nursery school;
  h. a medical clinic;
  i. a post office;
  j. a business and/or professional office;
  k. a service shop including a personal service shop;
  l. four accessory dwellings in the form of apartments in a building in which commercial uses are permitted;
  m. accessory uses and buildings to the above uses;
• A site plan agreement is required to be entered into between the owner and the municipality and registered on the title of the property, specifying locations of all buildings and structures, buffer areas, outside storage areas, well, septic system, parking and manoeuvring and loading areas.

All other provisions of this by-law shall apply.

UC-21 (Part Lots 18 & 19, Concession II, Storrington District – Matias)
Superseded by by-law 2014-28

UC-22 (Part Lot 19, Concession II, Storrington District – Barr/Campbell)
Notwithstanding the permitted uses in section 19.2 or any other provision of this By-law to the contrary, on the lands zoned Special Urban Commercial (UC-22) Zone, only the following uses are permitted.
• Permitted Uses
  a. concealed warehousing/mini storage,
  b. concealed equipment storage garage with accessory office and two accessory dwellings in the form of apartments within one building,
  c. a service shop including a personal service shop,
  d. a bank and/or trust company,
  e. a business and/or professional office,
  f. a funeral home,
  g. a medical clinic,
  h. a post office,
  i. a bake shop,
  j. a private or commercial club,
  k. a gift shop,
  l. a nursery school,
  m. a veterinary establishment,
  n. accessory buildings or uses to the above uses.

All other provisions of this by-law shall apply.
UC-23 (Part Lot 20, Concession III, Storrington District – P.M. Snelgrove)
Superseded by By-law 2014-42

UC-24 (Part Lot 6, Concession V, Portland District – 8334692 Canada Inc.)
Notwithstanding the permitted uses in section 19.2, or any other provision of this By-law to the contrary, on the lands zoned Special Urban Commercial (UC-24) Zone, only the following uses are permitted.

- Permitted Uses
  - a business and/or professional office,
  - a medical clinic,
  - a nursery school,
  - a veterinary establishment,
  - one dwelling unit in the form of an apartment as an accessory use in buildings in which the commercial use is permitted,
  - an accessory home occupation,
  - accessory uses to the above uses.

- The uses permitted in the UC-24 zone shall be subject to a site plan agreement entered into between the owner and the municipality and registered on the title of the property, specifying the general location of all buildings and structures; parking and manoeuvring areas; access aisles and landscaped buffers.

All other provisions of this by-law shall apply.

UC-26 (Part Lot 6, Concession V, Portland District – Saputo)
Notwithstanding the provisions of section 19.2 or any other provision of this By-law to the contrary, on the lands zoned Urban Commercial (UC-26), only the following uses shall be permitted:

- a retail store,
- a convenience retail store,
- a service shop including a personal service shop,
- a lawn, garden and farm equipment and supplies sales outlet,
- a laundry and/or dry cleaning shop,
- a bank and/or trust company,
- a business and/or professional office,
- a commercial recreational establishment such as a bowling or billiard establishment or other similar use,
- a funeral home,
- a medical clinic,
- a post office,
- a bake shop,
- a private or commercial club,
- a restaurant, take-out,
- a gift shop,
• a nursery school,
• a veterinary establishment,
• a public or private parking area, including parking facilities associated with the principal use(s) permitted under this section,
• an automobile sales agency,
• one dwelling unit in the form of an apartment as an accessory use in buildings in which commercial uses are permitted, except automobile service stations or other uses involving the sale of gasoline or other similar petroleum products, in accordance with the provisions of Sections 5.19 and 5.20,
• accessory buildings or uses to the above uses.

Also, prior to any development of the land, a site plan agreement shall be entered into between the owner and the municipality and registered on the title of the property, specifying locations of all buildings and structures; entrancements or improvements to the public road as per any required traffic study; and buffering/landscaping measures. All other provisions of this by-law shall apply.

UC-25 (Part Lot 19, Concession II, Storrington District – 1059823 Ontario Ltd. Matias)
Notwithstanding any other provision of this By-law to the contrary, on the lands zoned Special Urban Commercial (UC-25), the following special provision applies and the following uses are permitted in addition to the uses permitted in section 19.2:

• a contractor’s yard (with concealed storage),
• a market garden,
• a nursery or garden centre,
• a public self-storage use (mini-storage),
• accessory uses and buildings to the above uses.

• Setback from the 1:100 year flood plain (Minimum)  6 metres (19 ft.)

All other provisions of this By-law shall apply.
SECTION 20 - RI - RURAL INDUSTRIAL ZONE

20.1 Within an RI - Rural Industrial Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

20.2 PERMITTED USES

- any manufacturing, processing, or warehousing undertaking including storage warehousing, a canning factory and cheese factory,
- any cartage, express or truck terminal,
- any workshop for the repair, processing, or treatment of small goods and wares, and any other service industries,
- any yard for the open or concealed storage of goods or materials,
- any business or professional office accessory to a permitted industrial use, including a union hall,
- an agricultural equipment supply and repair outlet,
- an automobile body shop,
- a contractor's yard,
- a welding shop,
- a bulk storage yard,
- a motor vehicle repair garage,
- a lumber mill, sawmill and a planing mill,
- a seed and feed mill,
- a merchandising service shop,
- a machine shop,
- an assembly operation,
- a retail and/or wholesale building supply outlet,
- a factory outlet,
- an accessory dwelling or dwelling unit for a caretaker or security guard, in accordance with the provisions of Section 5.19,
- a research facility,
- accessory buildings or uses to the above uses including a bank, a cafeteria and a retail outlet for the purpose of selling goods manufactured, stored and/or assembled on the premises, provided such outlet is part of the principal building, and occupies not more than five (5) percent of the gross floor area of the principal building,
- a wayside pit or wayside quarry.

20.3 ZONE REGULATIONS

20.3.1 For All Principal Buildings or Uses

- Lot Area (Minimum) 8000 sq. metres (2 ac.)
- Lot Frontage (Minimum) 76 metres (250 ft.)
- Front Yard (Minimum) 8 metres (26.2 ft.)
• Rear Yard (Minimum) 8 metres (26.2 ft.)
• Interior Side Yard (Minimum) 3 metres (9.8 ft.)
• Exterior Side Yard (Minimum) 8 metres (26.2 ft.)
• Lot Coverage (Maximum) 40 percent
• Building Height (Maximum) 15 metres (49.2 ft.)
• Off-street parking shall be provided in accordance with Section 5.30.
• Off-street loading facilities shall be provided in accordance with Section 5.31.
• A sight triangle of 15 metres (49.2 ft.) minimum shall be provided on a corner lot.
• Open Storage uses shall be set back in accordance with the minimum yard provisions set out in this subsection and where accessory to a principal Rural Industrial use, no open storage use shall be permitted in any front or exterior side yard.

20.3.2 For Lands Abutting A Residential Zone or A Residential Use
Notwithstanding the provisions of subsection 19.3, where an interior side yard and/or rear yard abuts a residential zone or residential use then such interior side yard and/or rear yard shall be a minimum of 22 metres (72.2 ft.). This 22 metre (72.2 ft.) area shall be maintained in an open space condition and no open storage of goods or material shall be permitted within this 22 metre (72.2 ft.) area.

20.3.3 For Lands Abutting A Public Road Allowance or Private Lane or Opposite a Residential Zone
Where any lot line in a RI - Rural Industrial Zone abuts a public road allowance or private lane or where the lot on the opposite side of a street or a public road allowance or private lane is in a residential zone, a buffer planting strip adjoining such abutting lot line shall be provided on the RI Zone lot.

• Contents
The buffer/planting strip shall consist of an earth berm and/or a continuous unpierced hedgerow of tree, evergreens or shrubs, not less than 2.0 metres (6.6 ft.) high and 3 metres (9.8 ft.) wide immediately adjoining the lot line or portion thereof along which such planting strip is required. The earth berm shall not be greater than a 3:1 slope.

• Maintenance
A buffer/planting strip shall be planted, nurtured and maintained by the owner or owners of the lot on which the strip is located.

• Landscaped Open Space
A buffer/planting strip referred to in this subsection may form a part of any landscaped open space required by this By-law.

• Interruption for Driveways or Pedestrian Walks
In all cases where ingress and egress driveways or walks extend through a buffer/planting strip or it shall be permissible to interrupt the strip within 3.0 metres (9.8 ft.) of the edge of such driveway or within 1.5 metres (4.9 ft.) of the edge of such walk.
20.4 GENERAL PROVISIONS
All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the RI - Rural Industrial Zone.

20.5 SPECIAL RI RURAL INDUSTRIAL ZONES

RI-1 (Part Lot 7, Concession 2, Portland District - Smith)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural Industrial (RI-1) Zone shall be used only in accordance with the following:

- Storage of materials within an enclosed building shall be a permitted use.
- Uses accessory to the concealed storage use shall be permitted within the same building.

All other provisions of this by-law shall apply.

RI-2 (Lot 17, Concession 11, Storrington District - Yeatman)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural Industrial (RI-2) Zone shall be used only in accordance with the following:

- Where a Rural Industrial (RI-2) Zone abuts a Residential, Agricultural or Rural Zone or where the lot on the opposite side of a street, a public road allowance or a private lane is in a Residential, Agricultural or Rural Zone, screening adjoining such abutting lot line shall be provided on the Special Rural Industrial (RI-2) Zone lot.
- Where screening is required on a lot, such lot shall be used for no other purpose than that which existed at the date of passing of this by-law, unless and until the required screening is in place.
- The screening shall consist of a continuous un-pierced metal clad fence, not less than 2.5 metres (8.2 ft.) high immediately adjoining the lot line or portion thereof along which such screening is required.
- Interruption for Driveways or Pedestrian Walks
  In all cases where ingress and egress driveways or walks extend through screening, it shall be permissible to interrupt the screening within 3.0 metres (9.8 ft.) of the edge of such driveway or within 1.5 metres (4.9 ft.) of the edge of such walk.

All other provisions of this by-law shall apply.

RI-3 (Part Lot 21, Concession XII, Bedford District - Wallond)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural Industrial (RI-3) Zone shall be used only in accordance with the following:

- Permitted Uses
  - an accessory dwelling or dwelling unit;
b. a craft shop;
c. a garden centre;
d. a marina;
e. an office;
f. a milk receiving or transfer station;
g. a warehouse;
h. a veterinary establishment;
i. a retail store;
j. a custom workshop
k. a bakery;
l. an equipment rental establishment;
m. a bait shop;
n. an electrician’s or plumber’s shop;
o. a welding shop;
p. a well drilling establishment;
q. a manufacturing or fabrication shop;
r. a greenhouse;
s. a vehicle sales and service establishment;
t. a service outlet;
u. an auto body shop;
v. a building supply outlet.

All other provisions of this by-law shall apply.

**RI-4 (Part Lot 3, Concession III, Bedford District - Wood)**
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Rural Industrial (RI-4) Zone shall be used only in accordance with the following:

- **Permitted Uses**
  a. a sawmill;
  b. drying kilns;
  c. wood craft production.

All other provisions of this by-law shall apply.

**RI-5 (Part Lot 7, Concession II, Bedford District - Glen McNichols)**
Notwithstanding the setback provisions of section 20.3 of this By-law to the contrary, on the lands zoned Special Rural Industrial (RI-5) Zone the following regulations shall apply:

- One accessory building may be permitted to within 2.5 metres (8.2 ft.) of the interior side lot line.

All other provisions of this by-law shall apply.
RI-6 (Part Lot 27, Concession X, Storrington District - Hogan)
Notwithstanding the uses permitted in section 20.2 or any other section of this By-law to the contrary, on the lands zoned Special Rural Industrial (RI-6) Zone, the following uses only shall be permitted:

- Permitted Uses
  a. bus storage, maintenance and repair;
  b. accessory uses.

All other provisions of this by-law shall apply.

RI-7 (Part Lot 17, Concession VI, Loughborough District - Terry)
Notwithstanding the uses permitted in section 20.2 of this By-law to the contrary, on the lands zoned Special Rural Industrial (RI-7) Zone, the following uses only shall be permitted:

- Permitted Uses
  a. a contractor’s yard.

All other provisions of this by-law shall apply.

RI-8 (Part Lot 17, Concession VIII, Loughborough District - Lynch)
Deleted

RI-9 (Part Lot 15, Concession VI, Storrington District – Serre/Williams)
Notwithstanding the permitted uses in section 20.2 or any other provision of this By-law to the contrary, on the lands zoned Special Rural Industrial (RI-9) Zone, only the following uses are permitted:

- Permitted Uses
  a. a research facility and accessory assembly operation,
  b. a single detached dwelling,
  c. a home occupation,
  d. accessory uses to the above principal uses.
- Zone Regulations
  a. Gross Floor Area (Maximum) 232 sq. metres (2,500 sq. ft.)

All other provisions of this By-law shall apply.

RI-10 (Part Lot 5, Concession III, Loughborough District – P. Snider)
Notwithstanding the uses permitted in section 20.2 and 20.4 or any other provision of this By-law to the contrary, on the lands zoned Special Rural Industrial (RI-10), the following uses only are permitted and special provisions apply:
• Permitted Uses
  a. a bulk storage yard
  b. equipment storage and repair including welding
  c. accessory uses to the above

Special Provision
  The minimum 22 metre setback buffer between development and any abutting residential use shall not be required on the east side of the subject lot.

• The holding “h” symbol included in the R-10-h zone on Schedule “B” shall be removed to allow development only when a site plan agreement is entered into between the Owner and the Municipality and is registered on the title of the property, specifying locations of all buildings and structures, entrance design, well and septic system locations, manoeuvring areas and access aisles and buffering/landscaping measures.

All other provisions of this by-law shall apply.
SECTION 21 - UI - URBAN INDUSTRIAL ZONE

21.1 Within a UI - Urban Industrial Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

21.2 PERMITTED USES

- any manufacturing, processing, or warehousing undertaking including storage warehousing,
- any workshop for the repair, processing, or treatment of small goods and wares, and any other service industries,
- any yard for the open or concealed storage of goods or materials,
- a motor vehicle repair garage not including an automobile body shop,
- a research facility,
- a merchandising service shop,
- any business or professional offices accessory to a permitted industrial use,
- an accessory dwelling unit for a caretaker or security guard, in accordance with the provisions of Section 5.19,
- accessory buildings or uses to the above uses including a retail outlet for the purpose of selling goods manufactured, stored and/or assembled on the premises, provided such outlet is part of the principal building, and occupies not more than five (5) percent of the gross floor area of the principal building.

21.3 ZONE REGULATIONS

21.3.1 For All Principal Buildings or Uses

- Lot Area (Minimum) 8000 sq. metres (86,114 sq. ft.)
- Lot Frontage (Minimum) 76 metres (250 ft.)
- Front Yard (Minimum) 8 metres (26.2 ft.)
- Rear Yard (Minimum) 8 metres (26.2 ft.)
- Interior Side Yard (Minimum) 3 metres (9.8 ft.)
- Exterior Side Yard (Minimum) 8 metres (26.2 ft.)
- Lot Coverage (Maximum) 40 percent
- Building Height (Maximum) 11 metres (36 ft.)
- Off-street parking shall be provided in accordance with Section 5.30.
- Off-street loading facilities shall be provided in accordance with Section 5.31.
- A sight triangle of 15 metres (49.2 ft.) minimum shall be provided on a corner lot.

21.3.2 For Accessory Buildings Not Attached To The Principal Building

- Rear Yard (Minimum) 1.5 metres (4.9 ft.)
- Interior Side Yard (Minimum) 1.5 metres (4.9 ft.)
- Exterior Side Yard (Minimum) 8 metres (26.2 ft.)
- Building Height (Maximum) 4.5 metres (14.8 ft.)
21.3.3 For Lands Abutting A Residential Zone or Residential Use
   Notwithstanding the provisions of subsection 20.3, where an interior side yard and/or rear yard abuts a residential zone then such interior side yard and/or rear yard shall be a minimum of 22 metres (72.2 ft.). This 22 metre (72.2 ft.) area shall be maintained in an open space condition and the open storage of goods or materials shall not be permitted within this 22 metre (72.2 ft.) area.

21.3.4 For Lands Abutting a Public Road Allowance or Private Lane or Opposite a Residential Zone
   Where any lot line in an UI Zone abuts a public road allowance or a private lane or where the lot on the opposite side of a street or a public road allowance or private lane is in a residential zone, a buffer planting strip adjoining such abutting lot line shall be provided on the UI Zone lot.
   
   • Contents
     The buffer/planting strip shall consist of an earth berm and/or a continuous unpierced hedgerow of tree, evergreens or shrubs, not less than 2.0 metres (6.6 ft.) high and 3 metres (9.8 ft.) wide immediately adjoining the lot line or portion thereof along which such planting strip is required. The earth berm shall not be greater than a 3:1 slope.
   
   • Maintenance
     A buffer/planting strip shall be planted, nurtured and maintained by the owner or owners of the lot on which the strip is located.
   
   • Landscaped Open Space
     A buffer/planting strip referred to in this subsection may form a part of any landscaped open space required by this By-law.
   
   • Interruption for Driveways or Pedestrian Walks
     In all cases where ingress and egress driveways or walks extend through a buffer/planting strip or it shall be permissible to interrupt the strip within 3 metres (9.8 ft.) of the edge of such driveway or within 1.5 metres (4.9 ft.) of the edge of such walk.

21.4 GENERAL PROVISIONS
   All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the UI Urban Industrial Zone.

21.5 SPECIAL UI - URBAN INDUSTRIAL ZONES
   UI-1 (Part Lot 13, Concession V, Loughborough District)
   Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Urban Industrial (UI-1) Zone shall be used only in accordance with the following:
   
   • Permitted Uses
     a. manufacturing;
b. food processing, bakery and sales outlet;
c. an accessory dwelling unit;
d. accessory uses including open storage;
e. building supply outlet;
f. construction yard;
g. custom workshop;
h. feed supply outlet;
i. garden centre;
j. machine and metal working shop;
k. produce grading station or storage facility;
l. farm machinery and equipment sales and service outlet;
m. veterinary establishment;
n. well drilling establishment;
o. wood products manufacturing shop;
p. retail sales outlet;
q. food services industry.

All other provisions of this by-law shall apply.

UI-2 (Part Lot 19, Concession II, Inverary, Storrington District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Urban Industrial (UI-2) shall be used only in accordance with the following:

- Permitted Uses
  a. In addition to the uses permitted in Section 21.2, a single detached dwelling shall also be permitted.

All other provisions of this by-law shall apply.

UI-3 (Part Lot 4, Concession IV, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Urban Industrial (UI-3) Zone, the following provisions shall apply:

- Zone Regulations
  a. the regulations of sections 21.3.1 and 21.3.2 shall not apply to any public use, building or structure.

All other provisions of this by-law shall apply.

UI-4 (Part Lot 7, Concession III, Loughborough District – Roy)
Notwithstanding any other provision of this By-law to the contrary, on the lands zoned Special Urban Industrial (UI-4) Zone, the following uses only are permitted:

- Permitted Uses
  a. a single detached dwelling,
b. a home occupation, in accordance with the provisions of section 5.28 of this By-law,
c. an upholstery shop,
d. accessory uses and buildings to the above uses
e. The uses permitted in the UI-4 zone be subject to a site plan agreement to be entered into between the owner and the municipality specifying locations of all buildings and structures; buffer areas, wells; septic systems, parking and loading areas and access aisles.

All other provisions of this by-law shall apply.

**UI-5 (Part Lots 18 & 19, Concession II, Storrington District – Matias)**


**UI-6 (Part Lot 11, Concession IX, Storrington District – Roney)**

Notwithstanding any other provision of this By-law to the contrary, on the lands zoned Special Urban Industrial (UI-6) Zone, only the following regulations apply and only the following uses are permitted:

- Permitted Uses
  - indoor storage.

- Zone regulations
  - Lot Area (Minimum) 0.55 hectares (1.37 ac.)
  - Gross Floor Area (Maximum) 93 sq. metres (1000 sq. ft.)

All other provisions of this by-law shall apply.

**UI-7 (Part Lot 7, Concession IV, Portland District – Dirkson)**

Notwithstanding sections 21.2 and 21.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Urban Industrial (UI-7), only the following uses are permitted and regulations apply:

- Permitted Uses
  - a. a manufacturing or processing use provided that any such use shall be limited to a Class I Industrial Facility. For purposes of this zone a Class I Industrial Facility shall mean a place of business for a small scale, self-contained plant or building which produces/stores a product which is contained in a package and does not produce offensive, fugitive emissions. Operations shall be restricted to daytime operations only, with infrequent movement of products and/or heavy trucks and no outside storage of products produced at the facility;
  - b. any warehousing undertaking including storage warehousing;
  - c. any workshop for the repair, processing or treatment of small goods and wares, and any other service industry;
d. a motor vehicle repair garage, provided that such use shall not include auto body repair;
e. a research facility;
f. a merchandising service shop;
g. any business or professional office accessory to a permitted industrial use;
h. an accessory dwelling unit for a caretaker or security guard, in accordance with the provisions of section 5.19;
i. accessory buildings or uses to the above uses including a retail outlet for the purpose of selling goods manufactures, stored and/or assembled on the premises, provided such outlet is part of the principal building, and occupies not more than five (5) percent of the gross floor area of the principal building.

- Zone Regulations
  a. Building Height (Maximum) 11metres (36 ft.)

- The uses permitted in the UI-7 zone shall be subject to a site plan agreement registered on the title of the property specifying all of the requirements of the UI zone for mitigative buffers and planting strips in addition to siting of all buildings and septic systems, entrance design, parking, access and fire routes, grading and stormwater management.

All other provisions of this By-law shall apply.
SECTION 22 - PA - PIT ‘A’ ZONE

22.1 Within an PA - Pit ‘A’ Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

22.2 PERMITTED USES
• a pit which produces less than 20,000 tonnes per year (19,685 tons per year),
• open space, conservation and agricultural uses,
• the processing of mineral aggregates, including aggregate crushing, screening and washing,
• asphalt plants, ready-mix concrete plants and aggregate transfer stations,
• a single detached dwelling accessory to an agricultural use,
• accessory buildings or uses to the above uses,
• a wayside pit or wayside quarry.

22.3 ZONE REGULATIONS

22.3.1 For Excavation Area and Storage Uses
• Setback from rear and interior side lot lines (Minimum)  15 metres (49.2 ft.)
• Setback from front and exterior side lot lines (Minimum)  30 metres (98.4 ft.)
• Setback from residential, commercial, community facility zone or use (Minimum)  30 metres (98.4 ft.)
• Setback from any road right-of-way (Minimum)    30 metres (98.4 ft.)
• Setback from natural water course  30 metres (98.4 ft.)

22.3.2 For Open and Enclosed Pit Processing Operations
• Setback from rear and interior side lot lines (Minimum)  15 metres (49.2 ft.)
• Setback from front and exterior side lot lines (Minimum)  30 metres (98.4 ft.)
• Setback from residential, commercial, community facility zone or use (Minimum)  90 metres (295.3 ft.)
• Setback from any road right-of-way (Minimum)    30 metres (98.4 ft.)

22.3.3 For Accessory Buildings to Pit Operations
All yards (Minimum)  30 metres (98.4 ft.)
• Setback from residential, commercial, community facility zone or use (Minimum)  90 metres (295.3 ft.)
• Setback from any road right-of-way (Minimum)    30 metres (98.4 ft.)

22.3.4 For Conservation, Forestry and Agricultural Uses
The zone regulations contained in Section 7.3.1 of this By-law shall apply.
22.3.5 For Open Space Uses
The zone regulations contained in Section 30.3 of this By-law shall apply.

22.3.6 Landscaping
A strip of land not less than 15 metres (49.2 ft.) in width shall be reserved for landscaping purposes between any PA zone and any adjacent commercial, community facility or industrial zone or use and along any adjacent streetline or lot line. Where an A zone abuts a Residential Zone, or a roadway is the only separation between two such areas, then no aggregate extraction use shall be made of any kind within 30 metres (98.4 ft.) of the abutting lot line and no parking use shall be made of any land within 7.5 metres (24.6 ft.) of the abutting lot line. The intervening land shall be kept in an open space condition with grass, trees and shrubs and retained as part of the normal operation of the extraction activity.

22.4 GENERAL PROVISIONS
All special provisions of Section 5 "General Provisions" shall apply where applicable to any land, lot, building, structure, or use within the PA - Pit “A” Zone.

22.5 SPECIAL PIT “A” ZONES
SECTION 23 - PB – PIT ‘B’ ZONE

23.1 Within a PB – Pit ‘B’ Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

23.2 PERMITTED USES
• a pit which produces greater than 20,000 tonnes per year (19,685 tons per year),
• open space, conservation, forestry and agricultural uses,
• the processing of mineral aggregates, including aggregate crushing, screening and washing,
• asphalt plants, ready-mix concrete plants and aggregate transfer stations,
• a single detached dwelling accessory to an agricultural use,
• accessory buildings or uses to the above uses,
• a wayside pit or wayside quarry.

23.3 ZONE REGULATIONS

23.3.1 For Excavation Area and Storage Uses
• Setback from rear and interior side lot lines (Minimum) 15 metres (49.2 ft.)
• Setback from front and exterior side lot lines (Minimum) 30 metres (98.4 ft.)
• Setback from residential, commercial, community facility zone or use (Minimum) 30 metres (98.4 ft.)
• Setback from any road right-of-way (Minimum) 30 metres (98.4 ft.)
• Setback from natural water course 30 metres (98.4 ft.)

23.3.2 For Open and Enclosed Pit Processing Operations
• Setback from rear and interior side lot lines (Minimum) 15 metres (49.2 ft.)
• Setback from front and exterior side lot lines (Minimum) 30 metres (98.4 ft.)
• Setback from residential, commercial, community facility zone or use (Minimum) 90 metres (295.3 ft.)
• Setback from any road right-of-way (Minimum) 30 metres (98.4 ft.)

23.3.3 For Accessory Buildings to Pit Operations
All yards (Minimum) 30 metres (98.4 ft.)
• Setback from residential, commercial, community facility zone or use (Minimum) 90 metres (295.3 ft.)
• Setback from any road right-of-way (Minimum) 30 metres (98.4 ft.)
23.3.4 For Conservation, Forestry and Agricultural Uses
The zone regulations contained in Section 7.3.1 of this By-law shall apply.

23.3.5 For Open Space Uses
The zone regulations contained in Section 30.3 of this By-law shall apply.

23.3.6 Landscaping
A strip of land not less than 15 metres (49.2 ft.) in width shall be reserved for landscaping purposes between any PB zone and any adjacent commercial, community facility or industrial zone or use and along any adjacent streetline or lot line. Where an PB zone abuts a Residential Zone, or a roadway is the only separation between two such areas, then no aggregate extraction use shall be made of any kind within 30 metres (98.4 ft.) of the abutting lot line and no parking use shall be made of any land within 7.5 metres (24.6 ft.) of the abutting lot line. The intervening land shall be kept in an open space condition with grass, trees and shrubs and retained as part of the normal operation of the extraction activity.

23.4 GENERAL PROVISIONS
All special provisions of Section 5 "General Provisions" shall apply where applicable to any land, lot, building, structure, or use within the PB - Pit “B” Zone.

23.5 SPECIAL PIT “B” ZONES
SECTION 24 - QA - QUARRY ‘A’ ZONE

24.1 Within an QA - Quarry ‘A’ Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

24.2 PERMITTED USES
- a quarry, including drilling and blasting, which produces less than 20,000 tonnes per year (19,685 tons per year),
- open space, conservation, forestry and agricultural uses,
- the processing of mineral aggregates, including aggregate crushing, screening and washing,
- asphalt plants, ready-mix concrete plants and aggregate transfer stations,
- a single detached dwelling accessory to an agricultural use,
- accessory buildings or uses to the above uses,
- a wayside pit or wayside quarry.

24.3 ZONE REGULATIONS

24.3.1 For Excavation Area and Storage Uses
- Setback from rear and interior side lot lines (Minimum) 15 metres (49.2 ft.)
- Setback from front and exterior side lot lines (Minimum) 30 metres (98.4 ft.)
- Setback from residential, commercial, community facility zone or use (Minimum) 30 metres (98.4 ft.)
- Setback from any road right-of-way (Minimum) 30 metres (98.4 ft.)
- Setback from natural water course 30 metres (98.4 ft.)

24.3.2 For Open and Enclosed Quarry Processing Operations
- Setback from rear and interior side lot lines (Minimum) 15 metres (49.2 ft.)
- Setback from front and exterior side lot lines (Minimum) 30 metres (98.4 ft.)
- Setback from residential, commercial, community facility zone or use (Minimum) 90 metres (295.3 ft.)
- Setback from any road right-of-way (Minimum) 30 metres (98.4 ft.)

24.3.3 For Accessory Buildings to Quarry Operations
All yards (Minimum) 30 metres (98.4 ft.)
- Setback from residential, commercial, community facility zone or use (Minimum) 90 metres (295.3 ft.)
- Setback from any road right-of-way (Minimum) 30 metres (98.4 ft.)

24.3.4 For Conservation, Forestry and Agricultural Uses
The zone regulations contained in Section 7.3.1 of this By-law shall apply.
24.3.5 For Open Space Uses
The zone regulations contained in Section 30.3 of this By-law shall apply.

24.3.6 Landscaping
A strip of land not less than 15 metres (49.2 ft.) in width shall be reserved for landscaping purposes between any QA zone and any adjacent commercial, community facility or industrial zone or use and along any adjacent streetline or lot line. Where an QA zone abuts a Residential Zone, or a roadway is the only separation between two such areas, then no aggregate extraction use shall be made of any kind within 30 metres (98.4 ft.) of the abutting lot line and no parking use shall be made of any land within 7.5 metres (24.6 ft.) of the abutting lot line. The intervening land shall be kept in an open space condition with grass, trees and shrubs and retained as part of the normal operation of the extraction activity.

24.4 GENERAL PROVISIONS
All special provisions of Section 5 "General Provisions" shall apply where applicable to any land, lot, building, structure, or use within the QA - Quarry “A” Zone.

24.5 SPECIAL QUARRY ‘A’ ZONES
QA-1 (Part Lots 38 and 39, Concession VII Storrington District - McGarvey Bros.)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Quarry (QA-1) shall be used only in accordance with the following:

- The use of the land shall also include a pit.

All other provisions of this by-law shall apply.

QA-2 (Part Lots 39 & 40, Concession VII, Storrington District – McCallum)
Notwithstanding the permitted uses in section 24.2 of this By-law or any other provision of this By-law to the contrary, on the lands zoned Special Quarry “A” (QA-2) Zone, the following provisions shall apply:

- Permitted Uses Only
  a. a quarry which produces less than 20,000 tonnes (1,968.5 tons) per year
  b. open space, conservation, forestry and agricultural uses,
  c. a single detached dwelling accessory to an agricultural use,
  d. accessory buildings to the above uses.

- Prohibited Uses
  a. drilling and blasting,
  b. processing of mineral aggregates, including crushing, screening and washing,
  c. asphalt plants, ready mix concrete plants and aggregate transfer stations.

All other provisions of this By-law shall apply.
QA-3 (Part Lot 17, Concession VI, Portland District - Jackson)
Notwithstanding any provisions of section 24.2 and 24.3 or any other provision of this By-law to the contrary, on the lands zoned Special Quarry (QA-3), only the following uses are permitted and the following special provision applies:

- **Permitted Uses**
  a. a quarry which produces less than 20,000 tonnes per year (19,685 tons per year),
  b. opens space, conservation, forestry and agricultural uses,
  c. an accessory single detached dwelling,
  d. accessory buildings to the above uses.

- **Special Provision**
  a. Adjacent residential land uses may be permitted as close as 150 metres to the licensed quarry area.

All other provisions of this by-law shall apply.
SECTION 25 - QB - QUARRY ‘B’ ZONE

25.1 Within a QB - Quarry ‘B’ Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

25.2 PERMITTED USES
   • a quarry, including drilling and blasting, which produces greater than 20,000 tonnes per year (19,685 tons per year),
   • open space, conservation, forestry and agricultural uses,
   • the processing of mineral aggregates, including aggregate crushing, screening and washing,
   • asphalt plants, ready-mix concrete plants and aggregate transfer stations,
   • a single detached dwelling accessory to an agricultural use,
   • accessory buildings or uses to the above uses,
   • a wayside pit or wayside quarry.

25.3 ZONE REGULATIONS

25.3.1 For Excavation Area and Storage Uses
   • Setback from rear and interior side lot lines (Minimum) 15 metres (49.2 ft.)
   • Setback from front and exterior side lot lines (Minimum) 30 metres (98.4 ft.)
   • Setback from residential, commercial, community facility zone or use (Minimum) 30 metres (98.4 ft.)
   • Setback from any road right-of-way (Minimum) 30 metres (98.4 ft.)
   • Setback from natural water course 30 metres (98.4 ft.)

25.3.2 For Open and Enclosed Quarry Processing Operations
   • Setback from rear and interior side lot lines (Minimum) 15 metres (49.2 ft.)
   • Setback from front and exterior side lot lines (Minimum) 30 metres (98.4 ft.)
   • Setback from residential, commercial, community facility zone or use (Minimum) 90 metres (295.3 ft.)
   • Setback from any road right-of-way (Minimum) 30 metres (98.4 ft.)

25.3.3 For Accessory Buildings to Quarry Operations
   • All yards (Minimum) 30 metres (98.4 ft.)
   • Setback from residential, commercial, community facility zone or use (Minimum) 90 metres (295.3 ft.)
   • Setback from any road right-of-way (Minimum) 30 metres (98.4 ft.)

25.3.4 For Conservation, Forestry and Agricultural Uses
   • The zone regulations contained in Section 7.3.1 of this By-law shall apply.
25.3.5 For Open Space Uses
The zone regulations contained in Section 30.3 of this By-law shall apply.

25.3.6 Landscaping
A strip of land not less than 15 metres (49.2 ft.) in width shall be reserved for landscaping purposes between any QB zone and any adjacent commercial, community facility or industrial zone or use and along any adjacent streetline or lot line. Where an QB zone abuts a Residential Zone, or a roadway is the only separation between two such areas, then no aggregate extraction use shall be made of any kind within 30 metres (98.4 ft.) of the abutting lot line and no parking use shall be made of any land within 7.5 metres (24.6 ft.) of the abutting lot line. The intervening land shall be kept in an open space condition with grass, trees and shrubs and retained as part of the normal operation of the extraction activity.

25.4 GENERAL PROVISIONS
All special provisions of Section 5 "General Provisions" shall apply where applicable to any land, lot, building, structure, or use within the QB - Quarry “B” Zone.

25.5 SPECIAL QUARRY “B” ZONES

QB-1 (Part Lots 1 and 2, Concession VIII, Storrington District - Garrett)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Quarry (QB-1) shall be used only in accordance with the following:

- The use of the land shall be limited to a quarry to extract and stockpile aggregate material.
- Aggregate crushing shall be permitted on a limited basis utilizing portable crushing equipment only during the winter months (November 21 to March 21).
- All crushing will be completed on consecutive days and will not exceed a total of 21 days.
- The minimum setback from a natural watercourse for excavation areas and stockpiling purposes shall be 10 metres (32.8 ft.).

All other provisions of this by-law shall apply.

QB-2 (Part Lot 5, Concession VIII, Storrington District - Corporation of the Township of South Frontenac)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Quarry (QB-2) shall be used only in accordance with the following:

- The use of the land shall also include a pit.

All other provisions of this by-law shall apply.
QB-3 (Part Lots 10, 11 and 12, Concession VI, Storrington District - Sloan)

Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Quarry (QB-3) shall be used only in accordance with the following:

- The use of the land shall also include a pit.

All other provisions of this by-law shall apply.
SECTION 26 - M - MINING ZONE

26.1 Within an M-Mining Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

26.2 PERMITTED USES

- a mine that is approved and operated in accordance with the Mining Act.

26.3 ZONE REGULATIONS

The zone regulations for a mine will be determined through a site specific zoning by-law amendment process and will address, among other things, setbacks from water, access, buffering, conservation of natural environment and setbacks from neighbouring land uses.

26.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply where applicable to any land, lot, building, structure, or use within the M - Mining Zone.

26.5 SPECIAL M - MINING ZONES
SECTION 27 - WD - WASTE DISPOSAL ZONE

27.1 Within a WD - Waste Disposal Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure of any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

27.2 PERMITTED USES

- a sanitary landfill site,
- a sewage treatment plant,
- a sewage lagoon,
- a waste transfer station,
- a waste processing facility including the recycling and reprocessing of waste materials into new products,
- agricultural, open space, conservation and forestry uses, excluding dwellings,
- accessory buildings or uses to the above uses.

27.3 ZONE REGULATIONS

27.3.1 For Agricultural, Conservation and Forestry Uses

The zone regulations of Section 7.3.1 of this By-law shall apply.

27.3.2 For Open Space Uses

The zone regulations of Section 30.3 of this By-law shall apply.

27.3.3 For All Other Waste Disposal Uses

- No person, including the Township of South Frontenac, shall establish, alter, enlarge or extend a sanitary landfill site, a sewage treatment plant, a sewage lagoon, a transfer station, or a waste processing facility unless a Provincial Certificate of Approval has been issued by the Ministry of the Environment.
- All waste disposal sites shall be established and operated in accordance with the requirements of the Environmental Protection Act and the Environmental Assessment Act.
- A strip of land not less than 15 metres (49.2 ft.) in width shall be reserved for landscaping purposes between any sanitary landfill site, sewage treatment plant, sewage lagoon, transfer station or waste processing facility and any adjacent commercial, community facility or industrial zone or use and along any adjacent street line or adjoining lot line. Where such uses abut a residential zone or an existing residential use or a roadway is the only separation between two such areas, then no waste disposal use shall be made of any kind within 30 metres (98.4 ft.) of the abutting lot line. The land reserved for landscaping purposes shall be kept in an open space condition with grass, trees, and shrubs and maintained as part of the normal operation of the waste disposal activity.
27.4 GENERAL PROVISIONS
All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the WD Waste Disposal Zone.

27.5 SPECIAL WD - WASTE DISPOSAL ZONES

WD-1 (Part Lots 18 and 19, Concession XI, Storrington District - Boulton)

Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Waste Disposal (WD-1), the following use only shall be permitted:

- a domestic sewage waste stabilization treatment pond, which shall be constructed and operated in accordance with a Certificate of Approval issued by the Ontario Ministry of Environment.

All other provisions of this by-law shall apply.

WD-2 (Part Lot 14, Concession I, Portland District)

Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Waste Disposal (WD-2) shall be used only in accordance with the following:

- a closed sanitary landfill facility shall be the only permitted use of lands zoned WD-2.

All other provisions of this by-law shall apply.

WD-3 (Part Lot 7, Concession III, Loughborough District)

Notwithstanding the provisions of section 27.2 or 27.3.3 or any other provision of this by-law to the contrary, on the lands zoned Special Waste Disposal (WD-2) the following provisions shall apply:

- Permitted Uses; In the WD-3 zone only the following uses shall be permitted:
  a. a waste transfer station
  b. accessory uses and buildings to the above
  c. public works storage

- a closed sanitary landfill facility shall be the only permitted use of lands zoned WD-2.

- Zone Regulations
  a. In the WD-3 zone a strip of land not less than 13 metres (43 ft.) wide shall be reserved for landscaping purposes between the transfer station building and the street.

All other provisions of this by-law shall apply.
SECTION 28 - SI - SALVAGE INDUSTRIAL ZONE

28.1 Within a SI - Salvage Industrial Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure of any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

28.2 PERMITTED USES

- salvage yard.
- agriculture,
- conservation,
- forestry,
- an accessory dwelling unit,
- accessory uses including open storage,

28.3 ZONE REGULATIONS

- Lot Area (Minimum) 2 ha (4.9 acres)
- Lot Frontage (Minimum) 60 metres (196.9 ft.)
- Yard Requirements (Minimum)
  a. All Yards 15 metres (49.2 ft.)
  b. Abutting any Residential Zone or Separated From a Residential Zone by Only a Street 20 metres (65.6 ft.)

28.3.1 For a Salvage Yard

- No land shall be used for the storage or mechanized processing of goods, wares, merchandise, articles or things within 300 metres (984.3 ft.) of any residential or commercial zone or use, nor closer than 100 metres (328.1 ft.) to a lot line or a street line. Without limiting the generality of this subsection, mechanized processing includes the use of machinery or equipment to crush, compact, separate, refine, incinerate or similarly treat goods, wares, merchandise, articles or things.

- A strip of land not less than 15 metres (49.2 ft.) in width shall be reserved for landscaping purposes between any salvage yard site and any adjacent community facility, commercial or industrial zone or use, and along any adjacent street line or adjoining lot line. Where a salvage yard site abuts a residential zone or use or a roadway is the only separation between two such areas, then no salvage yard use of any kind shall be made within 30 metres (98.4 ft.) of the adjacent lot line. The land reserved for landscaping purposes shall be kept in an open space condition with grass, trees and shrubs and maintained as part of the normal operation of the salvage yard activity.

- The salvage yard site shall be sufficiently screened by a fence, a berm or a combination of the two so that waste materials being stored or processed on the site are not visible from adjacent roads. The screening shall extend a minimum of 3 metres (9.84 ft.) above grade or to a height equal to that of the goods, wares, merchandise,
articles or things being stored or processed within the salvage yard site, whichever is the greater. All fences shall be constructed of an opaque material and shall be painted or otherwise preserved and kept painted from time to time, so as to maintain the fences in good condition.

- An accessory weighing scale and recording office shall be permitted no closer than 30 metres (98.4 ft.) to a street line.
- A salvage yard site shall not be located on land covered by water or subject to flooding and shall be so located that no direct drainage leads to a watercourse.
- No open burning shall be permitted.
- No storage of tires shall be permitted.
- Prior to the storage or processing of any goods, wares, merchandise, articles or things all fluids shall be drained and disposed of in a manner approved by the Ministry of the Environment if they are not stored for the purposes of resale.

28.4 GENERAL PROVISIONS
All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the SI Salvage Industrial Zone.

28.5 SPECIAL SI - SALVAGE INDUSTRIAL ZONES
SECTION 29 - CF - COMMUNITY FACILITY ZONE

29.1 Within a CF - Community Facility Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

29.2 PERMITTED USES

- any undertaking established or maintained by a governmental board, authority, agency or commission,
- a church or other place of worship, with accessory uses including a cemetery and a dwelling unit,
- a cemetery,
- any undertaking of a utility company, such as a natural gas company or telephone company,
- an arena,
- a school,
- a commercial or private club,
- a public or private hospital,
- a community centre,
- a nursing home,
- a nursery school,
- a library,
- a group home, in accordance with the provisions of Section 5.32 of this By-law,
- a public park,
- any other institutional or community facility use,
- accessory buildings or uses to the above uses.

29.3 ZONE REGULATIONS

29.3.1 For All Principal Buildings

- Lot Area (Minimum) 8000 sq. metres (86,114 sq. ft.)
- Lot Frontage (Minimum) 76 metres (250 ft.)
- Front Yard (Minimum) 10 metres (32.8 ft.)
- Rear Yard (Minimum) 10 metres (32.8 ft.)
- Interior Side Yard (Minimum) 7.5 metres (24.6 ft.)
- Exterior Side Yard (Minimum) 10 metres (32.8 ft.)
- Lot Coverage (Maximum) 40 percent
- Building Height (Maximum) 15 metres (49.2 ft.)
- Off-street parking shall be provided in accordance with Section 5.30.

29.3.2 For Accessory Buildings Not Attached To The Principal Building

- Rear Yard (Minimum) 1.5 metres (4.9 ft.)
- Interior Side Yard (Minimum) 1.5 metres (4.9 ft.)
29.3.3 For Lands Abutting A Residential Zone or Residential Use

Notwithstanding the provisions of subsection 29.3.1, where a rear yard and/or interior side yard abuts a residential zone or existing residential use then such interior side yard shall be a minimum of 10 metres (32.8 ft.) and such rear yard shall be a minimum of 15 metres (49.2 ft.). The 1 metre (3.3 ft.) strip immediately adjacent to the rear yard and/or interior side yard shall be landscaped.

29.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the CF Community Facility Zone.

29.5 SPECIAL CF COMMUNITY FACILITY ZONES

CF-1 (Lot 6, Concession VII, Storrington District - St. John’s Anglican Church)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Community Facility (CF-1) shall be used only in accordance with the following:

- There shall be no off-street parking.
- The minimum lot area shall be 678 sq. metres (7,298.17 sq. ft.).
- The minimum lot frontage shall be 11.67 metres (38.3 ft.).
- The minimum rear yard shall be 2.4 metres (7.9 ft.).
- The minimum exterior side yard shall be 3.9 metres (12.8 ft.).

All other provisions of this by-law shall apply.

CF-2 (Part Lots 20 and 21, Concession VII, Loughborough District – Greek Orthodox Metropolis)
Notwithstanding any provision of this by-law to the contrary, on the lands zoned Special Community Facility (CF-2), the following provisions shall apply:

- Permitted Uses
  a. a summer camp
  b. religious facilities
  c. dormitory uses
  d. associated cooking and eating facilities
  e. associated play areas
  f. accessory uses to the above

- Special Provision
  A site development plan shall be prepared and submitted to the satisfaction of the Township of South Frontenac and a maintenance agreement be entered into, to ensure
future maintenance of the access right-of-way to the property, prior to the Holding (‘h’) symbol being removed from the zoning map by amendment to this By-law.

**CF-3 (Part Lot 9, Concessions VII and VIII, Bedford District – Upitis)**
Notwithstanding the permitted uses of section 29.2 or any other provision of this By-law to the contrary, on the lands zoned Special Community Facility (CF-3) Zone, the following uses only are permitted:

- a community centre for adult educational workshops in the arts and the environment consisting of:
  - a. three studio buildings
  - b. four cabins
  - c. four storage sheds
  - d. a lodge building
  - e. accessory uses to the above

All other provisions of this by-law shall apply.

**CF-4 (Part Lot 7, Concession III, Loughborough District – Township - Initiated)**
Notwithstanding the permitted uses of section 29.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Community Facility (CF-4) Zone, the following setback applies:

- Interior Side Yard (Minimum)  3 metres (10 ft.)

All other provisions of this by-law shall apply.

**CF-5 (Lot 4, Concession IV, Loughborough District – County Ambulance Base**
Notwithstanding the zone regulations in section 29.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Community Facility (CF-5) the following provisions shall apply:

- Lot Frontage (Minimum)  60.5 metres (200 ft.)
- Lot Area Minimum)  4,047 sq. metres (1 ac.)

All other provisions of this by-law shall apply.

**CF-6 (Lot 19 Concession VI, Portland District – Kerr**
Notwithstanding the zone regulations in section 29.3.1 or any other provision of this By-law to the contrary, on the lands zoned Special Community Facility (CF-5) the following provisions shall apply:

- Lot Area (Minimum)  857 metres$^2$ (0.2 ac.)
- Lot Area Minimum)  37 metres (121 ft.)

All other provisions of this by-law shall apply.
SECTION 30 - OS OPEN SPACE - PUBLIC ZONE

30.1 Within an OS - Open Space - Public Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

30.2 PERMITTED USES

- public open space and conservation uses, reforestation and other activities connected with the conservation of soil and wildlife,
- agricultural uses but not intensive agricultural uses,
- a fairground,
- a woodlot,
- a public park, conservation area, playground, playing field, recreational trail, swimming pool, wading pool, beach, picnic area, bandstand, skating rink, tennis court, bowling green, marine facility, campgrounds, interpretive centre, flood control structure, parking area or other similar outdoor recreational uses, both passive and active, all owned and/or operated by a public authority,
- an accessory dwelling or dwelling unit for a caretaker or security guard, in accordance with the provisions of Section 5.19 of this By-law,
- accessory buildings or uses to the above uses, including an accessory commercial building or use to serve an open space use.

30.3 ZONE REGULATIONS

- The minimum distance of buildings or structure from any lot line shall be 10 metres (32.8 ft.).
- The minimum distance of buildings or structures from the centre line of any road shall be 30 metres (98.4 ft.).
- Building Height (Maximum) 6 metres (19.7 ft.)
- Lot coverage (Maximum) 10 percent

30.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the OS Open Space Public Zone.

30.5 SPECIAL OS OPEN SPACE PUBLIC ZONES

OS-1 (Part Lots 3, 4, 5, 6, Concession 5, and Lots 7, 8, 9, 10, 11, Concession VI, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Open Space (OS-1) shall be used only in accordance with the following:
• The lands shall only be used for public recreational uses. For the purpose of this by-law, public recreational uses shall be limited to walking, hiking, biking, horseback riding, skiing and snowmobile riding. No buildings or structures, except underground utility and servicing facilities, shall be permitted on lands zoned Special Open Space. The terms and conditions for the use of the lands for recreational purposes shall be governed by an easement agreement between the landowner and the Cataraqui Region Conservation Authority. Specifically, the area zoned OS-1 includes those lands described as follows:
  a. Parts 2, 5, 7, 8, 9, 12, 13, Plan 13R-14606
  b. Parts 3, 6, 9, 15, 18, 21, 24, 25, 26, 27, 29, 31, Plan 13R-14563
  c. Parts 8, 15, 16, 17, 18, 20, 23, 25, 26, Plan 13R-14885
  d. Parts 2, 5, 8, 11, 14, 17, 20, 23, 26, Plan 13R-14881
• No building or structures except existing underground septic systems shall be located within 3.048 metres (10 feet) of any lands zoned Special Open Space (OS-1).

All other provisions of this by-law shall apply.

OS-2 (Part Lot 6, Concession VII, Loughborough District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Open Space (OS-2) shall be used only in accordance with the following:

• Permitted Uses
  a. skiing;
  b. an accessory dwelling unit.

All other provisions of this by-law shall apply.
SECTION 31 - OSP - OPEN SPACE - PRIVATE ZONE

31.1 Within an OSP - Open Space - Private Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

31.2 PERMITTED USES
- private open space and conservation uses, reforestation and other activities connected with the conservation of soil and wildlife.

31.3 GENERAL PROVISIONS
All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the OSP Open Space Private Zone.

31.4 SPECIAL OSP OPEN SPACE PRIVATE ZONES

OSP-1 (Part Lot 22, Concession V, Bedford District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Open Space Private (OSP-1) shall be used only in accordance with the following:

- Permitted Uses
  a. a marine facility;
  b. parking lot.

- No parking lot shall be located within 15.0 metres (49.2 ft.) of the highwater mark of any waterbody.

All other provisions of this by-law shall apply.

OSP-2 (Part Lot 11, Concession XIV, Bedford District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Open Space Private (OSP-2) shall be used only in accordance with the following:

- Uses, the following shall NOT be permitted:
  a. recreation on beaches;
  b. buildings or structures;
  c. marine facility such as docks, boathouses or boat ramps;
  d. sewage disposal facility;
  e. structures which would alter the shoreline.

All other provisions of this by-law shall apply.
OSP-3 (Part Lots 9 and 10, Concession XIV, Bedford District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Open Space Private (OSP-3) shall be used only in accordance with the following:

- Permitted Uses
  a. No buildings or structures shall be permitted;
  b. A natural bird sanctuary shall be the only use permitted.

All other provisions of this by-law shall apply.

OSP-4 (Part Lots 26 and 27, Concession V, Bedford District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Open Space Private (OSP-4) shall be used only in accordance with the following:

- Permitted Uses
  a. Forestry uses and walking trails shall be the only permitted uses.
  b. No buildings or structures shall be permitted.

All other provisions of this by-law shall apply.

OSP-5 (Part Lots 11 and 12, Concessions I and II, Storrington District - Loughborough Shores Phase 2)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Open Space Private (OSP-5) shall be used only in accordance with the following:

- Permitted Uses
  a. The lands shall be used only for uses existing on the day of adoption of this by-law.

- Zone Provisions
  a. No further severance or development of the lands zoned Special Open Space Private (OSP-5) is permitted unless a source of potable water is identified to the satisfaction of the municipality.

All other provisions of this by-law shall apply.

OSP-6 (Part Lot 1, Concession XIII, Bedford District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Open Space Private (OSP-6) shall be used only in accordance with the following:

- Permitted Uses
  a. Only boat launching and docking facilities approved by the Ministry of Natural Resources shall be permitted.
  b. No other uses shall be permitted.

- Zone Provisions
a. Lot Area (Minimum) 0.2 ha (2,000 m$^2$) (0.49 acres) (21,528.5 ft.$^2$)
b. Lot Frontage (Minimum) 30 metres (98.4 ft.)

All other provisions of this by-law shall apply.

**OSP-7 (Part Lot 6, Concession VI, Loughborough District)**
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Open Space Private (OSP-7) shall be used only in accordance with the following:

- Permitted Uses
  - Permitted uses shall be limited to facilities for stormwater detention.

All other provisions of this by-law shall apply.

**OSP-8 (Lot 23, Concession VII, Storrington District - Curragh)**
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Open Space Private (OSP-8) shall be used only in accordance with the following:

- Permitted uses shall be limited to facilities for stormwater detention.

All other provisions of this by-law shall apply.

**OSP-9 (Part Lots 21 and 22, Concession X, Bedford District - Camp Iawah)**
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Open Space Private (OSP-9) shall be used only in accordance with the following:

- Permitted uses shall be limited to a church camp as it existed on the day of passing of this zoning by-law, including all campsites, buildings and structures. Any future expansion of the camp shall require an amendment to the zoning by-law.

All other provisions of this by-law shall apply.

**OSP-10 (Part Lots 20 and 21, Concession V, Storrington District - Applewood)**
Notwithstanding the provisions of section 31.2 or any provision of this by-law to the contrary, on the lands zoned Special Open Space Private (OSP-10) the following uses are permitted:

- A marine facility.
- An accessory structure limited to a gazebo with storage.

All other provisions of this by-law shall apply.
OSP-11 (Part Lots 23 and 24, Concessions VI & VII, Loughborough District – Johnston Point)
Notwithstanding the provisions of section 31.2 or any provision of this by-law to the contrary, on the lands zoned Special Open Space Private (OSP-11) the following provisions shall apply:

- Permitted Uses
  a. Docks
  b. A walkway

- Zone Regulations
  a. Number of docks permitted on mainland portion of the property (Maximum) 1
  b. Number of docks permitted on the island portion of the property (Maximum) 1
  c. Mainland Dock area (Maximum) 30 metres²
  d. Mainland Dock perimeter (Maximum) 80 metres
  e. Island Dock area (Maximum) 60 metres²
  f. Island Dock perimeter Maximum) 45 metres
  g. Walkway width (Maximum) 1.5 metres
  h. Walkway setback from wetland boundary (Minimum) 3 metres

- For the purposes of this section, “perimeter” shall mean all surfaces that abut water.

All other provisions of this by-law shall apply.

OSP-12 (Part Lots 23 and 24, Concessions VI & VII, Loughborough District – Johnston Point)
Notwithstanding the provisions of section 31.2 or any provision of this by-law to the contrary, on the lands zoned Special Open Space Private (OSP-12) the following provisions shall apply:

- Permitted Uses
  a. A dock
  b. A walkway

- Zone Regulations
  a. Number of docks permitted (Maximum) 1
  b. Dock area (Maximum) 15 metres²
  c. Dock length (Maximum) 8 metres
  d. Walkway width (Maximum) 1.5 metres

All other provisions of this by-law shall apply.
SECTION 32 - EP - ENVIRONMENTAL PROTECTION ZONE

32.1 Within an EP - Environmental Protection Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section. Only lands which have been identified as provincially significant wetlands or where an engineered floodline has been established have been zoned Environmental Protection. All other lands which should be protected for their environmental value shall be developed in accordance with Section 5.37 of this by-law.

32.2 PERMITTED USES
  
b. existing agricultural uses,
c. a conservation use excluding any buildings,
d. a use that was in existence on or before the date of passage of the Official Plan,
e. a building or structure required by a public authority for flood or erosion control or for conservation or wildlife management purposes,
f. accessory uses to the above uses, excluding any buildings,
g. docks, subject to approval of the appropriate authority.

32.3 ZONE REGULATIONS
  
h. All applications for development adjacent to EP lands shall be dealt with on a site-by-site basis, at the time of application.
i. Additional zone regulations shall be established by Council at the time of application in consultation with the Conservation Authority, the Ministry of Natural Resources and/or the Canadian Parks Service.
j. The minimum separation distance between uses and EP lands shall be 30 metres (98.4 ft.).
k. The appropriate setbacks from the high water mark of any lake, river, creek, stream or wetland shall be established by Council at the time of application, in consultation with the Conservation Authority, the Ministry of Natural Resources, and/or the Canadian Parks Service.

32.4 GENERAL PROVISIONS
All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the EP - Environmental Protection Zone.

32.5 SPECIAL EP - ENVIRONMENTAL PROTECTION ZONES

EP-1 (Part Lots 1, 2 and 3, Concession XIII, Portland District - Meredith)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Environmental Protection (EP-1) shall be used only in accordance with the following:

- A building permit may be issued for an accessory building to a principal use providing that no building or structure is located below the contour elevation 139.29 metres G.S.C. (457.0 ft.).

All other provisions of this by-law shall apply.
EP-2 (Part Lots 17 and 18, Concession VII, Storrington District - Collins Lake Estates)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Environmental Protection (EP-2) shall be used only in accordance with the following:

- Boundary of Zone
  a. The boundary of the EP-2 zone shall be defined to encompass all lands situated within 30 metres (98.4 ft.) of the highwater mark of Collins Lake and all lands situated within 15 metres (49.2 ft.) of the highwater mark of the nameless stream traversing Part of Lots 27 and 28, Concession 7 in the District of Storrington.

- Permitted Uses
  a. The uses permitted within the EP-2 zone shall be limited to those uses existing as of the date of passage of this by-law, and walkways, boardwalks, a dock, a water intake pumping station for use in conjunction with a mechanical irrigation system, and conservation uses excluding buildings.

- Zone Requirements
  a. On lands zoned EP-2, no building, structure or private sanitary sewage disposal system, other than a dock, a walkway, a boardwalk and/or a water intake pumping station, shall be located within 30 metres (98.4 ft.) of the highwater mark of Collins Lake.
  b. On lands zoned EP-2, no building, structure or private sanitary sewage disposal system, other than a walkway and/or a boardwalk, shall be located within 15 metres (49.2 ft.) of the highwater mark of the nameless stream that traverses Part of Lots 27 and 28, Concession 7 in the District of Storrington.
  c. The maximum width of the site of a water intake pumping station, meaning the average horizontal distance between the two longest and opposite sides of the site, shall be 10 metres (32.8 ft.).

All other provisions of this by-law shall apply.

EP-3 (Part Lot 17, Concession VII, Storrington District - Collins Lake Estate Subdivision)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Environmental Protection (EP-3) shall be used only in accordance with the following:

- Boundary of Zone
  The boundary of the EP-3 zone shall be defined to encompass all lands situated within 30 metres (98.4 ft.) of the highwater mark of Collins Lake.

- Permitted Uses
  a. The uses permitted within the EP-3 zone shall be limited to those uses existing as of the date of passage of this by-law, and walkways, boardwalks and conservation uses excluding buildings.
Zone Requirements

On lands zoned EP-3, no building, structure or private sanitary sewage disposal system, other than a walkway and/or a boardwalk shall be located within 30 metres (98.4 ft.) of the highwater mark of Collins Lake.

All other provisions of this by-law shall apply.

EP-4 (Lot 21, Concession II, Storrington District - Matias Subdivision)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Environmental Protection (EP-4) shall be used only in accordance with the following:

- Permitted Uses
  a. facilities for stormwater detention;
  b. docks approved by the Ministry of Natural Resources.

- All other development including buildings, structures and septic systems, save and except for mantles or portions of mantles, shall not be permitted.

All other provisions of this by-law shall apply.

EP-5 (Part Lots 18 and 19, Concession II, Storrington District - Moreland)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Environmental Protection (EP-5) shall be used only in accordance with the following:

- Permitted Uses
  a. existing agricultural uses;
  b. existing residential uses;
  c. existing non-residential uses;
  d. conservation uses excluding buildings;
  e. forestry uses excluding buildings.

All other provisions of this by-law shall apply.

EP-6 (Lot 7, Concession XI, Portland District)
Notwithstanding any provision of this by-law to the contrary, the lands zoned Special Environmental Protection (EP-6) shall be used only in accordance with the following:

- Permitted Uses
  a. in addition to the uses permitted in the Environmental Protection Zone, the existing dwelling shall be a permitted use;
  b. the existing dwelling shall take access from Silver Rock Lane.

All other provisions of this by-law shall apply.
SCHEDULES ‘A’ TO ‘J’

TO BY-LAW NO. 2003-75

COMPREHENSIVE ZONING BY-LAW

OF THE

TOWNSHIP

OF

SOUTH FRONTEMAC

(Districts of Bedford, Portland, Loughborough and Storrington)
APPENDIX 1

MINIMUM DISTANCE SEPARATION FORMULAE (MDS I and MDS II)
The Minimum Distance Separation (MDS) Document
Formulae and Guidelines for Livestock Facility and Anaerobic Digester Odour Setbacks
Publication 853

Ministry of Agriculture, Food and Rural Affairs
Ontario
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The Minimum Distance Separation (MDS) Document — Formulæ and Guidelines for Livestock Facility and Anaerobic Digester Odour Setbacks

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1. OVERVIEW

The Minimum Distance Separation (MDS) Document represents the Minimum Distance Separation Formulae as defined in the Provincial Policy Statement, 2014 (PPS). It replaces all earlier versions of the MDS Formulae and Implementation Guidelines. The MDS Document is a land use planning tool developed by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA). The intent of this document is to prevent land use conflicts and minimize nuisance complaints from odour.

The MDS Document is designed to be read in conjunction with the Planning Act, 1990, the Building Code Act, 1992, the Nutrient Management Act, 2002, the policies of the PPS and other applicable laws and provincial plans. In addition, it is intended for individuals who have a basic understanding of livestock agriculture or a related discipline. It is not the purpose of this document to provide a basic education in livestock agriculture, or to provide the technical expertise for undertaking all the analyses required to satisfy all of the policies contained in the PPS. This MDS Document is aimed for use primarily by municipalities, planning boards and other similar planning authorities; as well as farmers, landowners, developers, land use planners, agrologists, nutrient management consultants, commissions, farm organizations, non-governmental organizations and the general public to ensure consistency with PPS policies related to the MDS Formulae. The intended audience of this MDS Document includes individuals involved in:

- the planning, design, layout, construction and operation of livestock facilities and anaerobic digesters;
- the development and review of land use planning documents;
- the review and approval of development applications, including but not limited to official plan amendments, zoning by-law amendments, consents to sever, minor variances, development permits and site plan agreements; and,
- matters before provincial boards and tribunals such as the Ontario Municipal Board and the Normal Farm Practices Protection Board.

The MDS Document provides technical guidance for implementing both the MDS Formulae and Implementation Guidelines as required in the PPS and other applicable provincial plans. This document is intended to support and clarify, but not add to or detract from the policies of the PPS or other applicable provincial plans.

In accordance with the PPS, new land uses in prime agricultural areas and on rural lands shall comply with the Minimum Distance Separation Formulae. Consequently, both the formulae and Implementation Guidelines contained in this MDS Document shall be referenced in municipal official plans, and detailed provisions included in municipal comprehensive zoning by-laws such that, as a minimum, MDS setbacks are required in all designations and zones where livestock facilities and anaerobic digesters are permitted.

Sections 1, 2, 6, 7 and 8 of this document are provided for information and background purposes. They are intended to provide broader context for the MDS Formulae and Implementation Guidelines, and to assist users with implementation, as well as provide information on related land use topics. Sections 1, 2, 6, 7 and 8 are not intended to be incorporated into municipal land use planning documents.

However, the remainder of this MDS Document (Sections 3, 4 and 5) comprise the Minimum Distance Separation Formulae as referenced in the PPS and provincial plans, and as such shall form the basis for MDS provisions that are incorporated into local land use planning documents. There are multiple approaches to incorporating this MDS Document into local land use planning documents that may achieve consistency with the PPS and provincial plans. More information on these approaches is found in Section 8. Regardless of the approach selected, it is recommended that a municipality seek its own legal advice regarding amending its planning documents to accommodate MDS provisions.
2. INTRODUCTION AND BACKGROUND

2.1 Preface

Livestock agriculture in Ontario is an important economic driver that contributes many jobs and billions of dollars each year to the provincial economy. But agriculture continues to evolve and change. Farms are increasing in size and complexity, and fewer people living in rural areas are farmers. Permitting development which is incompatible with livestock facilities and anaerobic digesters can have a detrimental impact on the ability of surrounding agricultural operations to expand. New development in the rural area introduces potential new sources for nuisance complaints regarding odour from livestock facilities and anaerobic digesters. Increasingly, farm operators are finding it difficult to expand or establish new livestock operations, especially in parts of the province where historically there has been more fragmentation of the agricultural land base through lot creation. Livestock operations generally prefer to locate on suitable agricultural land and away from potential land use conflicts with surrounding land uses. In recognition of the need to protect agricultural land for agricultural uses, the province has a long history of land use policies protecting agricultural land and farm operations.

2.2 History of MDS

Provincial direction for separation siting of Ontario livestock facilities originated in 1970, with the introduction of the publication entitled, A Suggested Code of Practice. Ontario was experiencing what at the time seemed like a proliferation of new, large livestock facilities. ‘Large’ at that time was 600 feeder hogs, 60 dairy cows or 15,000 chicken broilers. Today, large livestock facilities are commonly triple the size of those of the past, accommodating 2,000 feeder hogs, 250 dairy cows, or 50,000 chicken broilers at one time. To address nuisance effects associated with odour, A Suggested Code of Practice recommended fixed setbacks between livestock facilities and surrounding dwellings, residential zones, lot lines and roads. A Suggested Code of Practice rationalized that the effect of objectionable odours in a neighbourhood could be reduced if these uses were located as far as practically possible from surrounding dwellings. A Suggested Code of Practice also encouraged farmers to apply for a Certificate of Approval from the government, which outlined the minimum amount of land required, based on the number of animal units on the farm, to avoid the risk to groundwater pollution by nitrogen compounds. This matching of land base to animal units was the first rudimentary reference to a nutrient management plan, which a generation later helped form the basis for the Nutrient Management Act, 2002. Revisions were made in a subsequent edition of A Suggested Code of Practice in 1973. While it contained a framework for the establishment and expansion of livestock enterprises, it provided little protection from encroachment by other land uses.

In 1976, the Agricultural Code of Practice was published which incorporated a number of changes and provided a two-way approach to separating livestock facilities from non-compatible uses and vice-versa. It introduced the concept of a sliding scale for separation distances, since fixed distances were too restrictive, or too lenient, depending on the size and type of farm. As part of the Agricultural Code of Practice, the Minimum Distance Separation I (MDS I) formula was established to determine setbacks between proposed new development and existing livestock facilities. The Minimum Distance Separation II (MDS II) formula was established under the Agricultural Code of Practice to determine setbacks between proposed new, enlarged or renovated livestock facilities and other existing or approved development.

Both the MDS I and MDS II Formulae were updated slightly in 1995 in two publications entitled, Minimum Distance Separation I (MDS I) and Minimum Distance Separation II (MDS II), but the basic principles of the formulae from the Agricultural Code of Practice remained the same.

In 2006, both MDS I and MDS II formulae and guidelines were combined into one document, known as OMAFRA Publication 707, Minimum Distance Separation (MDS) Formulae: Implementation Guidelines. Both formulae were revised to use Nutrient Units, as defined in the Nutrient Management Act, 2002, for quantifying the size of the operation, rather than the former Animal Units and Livestock Units used in earlier versions of
the formulae. During the 2006 update, the methodology for calculating MDS I setbacks was also revised, so that calculated MDS I setback distances were more aligned with those generated by the MDS II formula for first and altered livestock facilities.

This MDS Document replaces all earlier versions of the MDS Formulae and Implementation Guidelines. Future reviews of this publication will be undertaken by OMAFRA in concert with other provincial regulatory, land use policy or plan reviews (e.g., PPS review), or earlier if OMAFRA deems necessary. The goal is to ensure the MDS Document reflects current land use planning practices and technological innovation within the livestock industry, and continues to meet the needs of agriculture and rural communities.

### 2.3 Policy Basis and Legislative Authority

The PPS is issued under the *Planning Act, 1990*, and provides policy direction on land use planning matters of provincial interest. Policy 2.3.1 of the statement reads:

> "Prime agricultural areas shall be protected for long-term use for agriculture.

Prime agricultural areas are areas where prime agricultural lands predominate. Specialty crop areas shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2 and 3 lands, and any associated Class 4 through 7 lands within the prime agricultural area, in this order of priority."

The PPS sets out policies for prime agricultural areas which are intended to protect these areas for long-term use for agriculture. The PPS also supports a diversified rural economy, and promotes protection of agricultural and other resource-related uses on rural lands. MDS applies in rural areas for both rural lands and prime agricultural areas, as directed in PPS policies 1.1.5.9 and 2.3.3.3.

> "New land uses, including the creation of lots, and new or expanding livestock facilities shall comply with the minimum distance separation formulae."

PPS policy 1.1.3.8 (d) states that a planning authority may only identify a settlement area or allow the expansion of a settlement area boundary where it has been demonstrated that:

> "The new or expanding settlement area is in compliance with the Minimum Distance Separation Formulae."
Likewise, PPS policy 2.3.6.1 (b) states that planning authorities may only permit limited non-residential uses in prime agricultural areas provided that, among other things:

"2. The proposed use complies with the Minimum Distance Separation Formulae."

The Planning Act, 1990, requires that decisions on land use planning matters shall be consistent with the PPS. This MDS Document represents the Minimum Distance Separation Formulae as defined in the PPS. Land use planning matters required to be consistent with the PPS include municipal official plans and zoning by-laws. Official plans and zoning by-laws must be updated to comply with the MDS requirements.

Updating zoning by-laws to require compliance with MDS is also important in relation to the issuance of building permits under the Building Code Act, 1992, for the construction of buildings, including new buildings, additions, alterations or change of use, etc. A chief building official must issue a building permit unless there is a contravention of the Building Code Act, 1992, building code or 'applicable law'. Municipal zoning by-laws are included in the list of 'applicable law' set out in the building code regulation (O Reg. 322/12). When MDS provisions are incorporated in a municipal zoning by-law, they become one of the requirements that a chief building official must consider when determining whether to issue a building permit.

While MDS setbacks are an important and effective tool for dealing with nuisance issues related to odour, they will not eliminate all potential odour complaints, nor will they address other nuisance issues such as noise, dust, light, smoke, vibration or flies as listed under the Farming and Food Production Protection Act, 1998. The proper application of MDS may incidentally reduce potential conflicts associated with these nuisances. This document is only intended to deal with odour generated from livestock facilities and anaerobic digesters, and is not intended to address nuisance issues related to odour from the land application of manure or digestate. In addition to applying the appropriate MDS setbacks, municipalities are encouraged to develop provisions in their official plans and zoning by-laws to address PPS policies 2.3.6.2 and 1.1.3.8 (e) and provide for mitigation of impacts from new or expanding settlement areas and non-agricultural uses on surrounding agricultural operations.

The separation distances calculated by the MDS Formulae will vary according to a number of variables including type of livestock, number of Nutrient Units, the degree of expansion proposed, type of manure system and the form of development present or proposed. History shows that, where there has been sufficient separation distance between differing rural uses, there have been few odour complaints.

2.4 Effective Date

This MDS Document applies to all Planning Act, 1990, applications submitted on or after March 1, 2017. References in the PPS to Minimum Distance Separation Formulae should be taken as reference to this MDS Document for all Planning Act, 1990, applications submitted on or after March 1, 2017. For building permit applications, the effective provision in the zoning by-law applies. Municipalities should update their planning documents to reflect this updated MDS Document.

2.5 How to Use this MDS Document

This MDS Document is more than a set of individual Implementation Guidelines. The document is intended to be read in its entirety and all the relevant Implementation Guidelines are to be applied to each situation as if they are specifically cross-referenced with each other. While specific Implementation Guidelines sometimes refer to other Implementation Guidelines for ease of use, these cross-references do not take away from the need to read this MDS Document as a whole.
This MDS Document uses the same approach for defined terms and meanings as is used in the PPS. Except for references to legislation and other document titles which are italicized, italicized terms in this MDS Document are defined in Section 3 — Definitions. For non-italicized terms, the normal meaning of the word applies. Terms may be italicized only in specific provisions; for these terms, the defined meaning applies where they are italicized and the normal meaning applies where they are not italicized. Defined terms in Section 3 are intended to capture both singular and plural forms of these terms in this MDS Document. References within this document to ‘municipalities’ should be taken to include planning boards or other approval authorities, where appropriate. In order to correctly apply MDS setbacks, municipalities should keep their official plans and zoning by-laws up-to-date with this MDS Document.

This MDS Document represents the provincial standard with respect to the calculation of MDS setbacks. The only circumstances where municipalities may alter the application of MDS is where options are explicitly stated in specific Implementation Guidelines. In order to exercise these options, the relevant municipal planning documents (e.g., official plan or zoning by-law) must provide clear direction outlining the preferred local approach. In the absence of explicit policies in the appropriate municipal planning documents addressing these specific options, the default approaches identified in this MDS Document apply. The default approaches are outlined in Section 8 of this MDS Document. The following are specific Implementation Guidelines where MDS options are available to municipalities:

- Implementation Guideline #7 — MDS I setbacks for building permits on existing lots
- Implementation Guideline #9 — MDS I setbacks and lot creation for a residence surplus to a farming operation
- Implementation Guideline #35 — MDS I setbacks for agriculture-related uses and on-farm diversified uses
- Implementation Guideline #35 — MDS II setbacks for agriculture-related uses and on-farm diversified uses
- Implementation Guideline #38 — MDS II setbacks for cemeteries

These five options, found in four separate Implementation Guidelines, combined with the potential reduction of MDS setbacks for limited site-specific circumstances in accordance with Implementation Guideline #43, are the only areas where municipalities may exercise flexibility with respect to MDS implementation approaches.

Municipal setbacks for livestock facilities and anaerobic digesters (i.e., MDS II) shall not exceed those calculated by the MDS II formula, in accordance with provincial standards. For instance, municipal planning documents that require fixed setbacks for livestock facilities or anaerobic digesters which are greater than those established by this MDS Document may be viewed as inconsistent with PPS policy 2.3.3.2, which states:

"In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards."

Municipalities who may be considering MDS setbacks for development (i.e., MDS I) which exceed those established by this MDS Document shall ensure they are consistent with PPS policy 4.9, which states:

"The policies of this Provincial Policy Statement represent minimum standards. This Provincial Policy Statement does not prevent planning authorities and decision-makers from going beyond the minimum standards established in specific policies, unless doing so would conflict with any policy of this Provincial Policy Statement."
Municipalities shall adopt MDS setback policies and provisions in their official plans and zoning by-laws respectively, so that the MDS setbacks are met through the appropriate implementation of this MDS Document.

### 2.6 Roles and Responsibilities for Implementing MDS

Municipalities are responsible for implementing MDS. While there are multiple tasks associated with ensuring the correct MDS setbacks are met, depending on the structure of the municipality, the person who is responsible for carrying-out those tasks may vary.

Figures 1 and 2 are designed to help understand who is responsible for each task in determining and applying MDS I or MDS II setbacks.

**MDS I Responsibility Flow Chart**

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<tr>
<th>Step</th>
<th>Task</th>
<th>Responsible Party*</th>
</tr>
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<tr>
<td>Step #1</td>
<td>Investigate surrounding area, map and list all applicable existing livestock facilities and anaerobic digesters in accordance with Implementation Guideline #6.</td>
<td>Municipal staff or, if directed by the municipality, the applicant, or applicant's agent/consultant</td>
</tr>
<tr>
<td>Step #2</td>
<td>Determine capacity, livestock type, lot size, manure type and manure storage type for each existing livestock facility identified. See Section 8 Additional Information for more guidance.</td>
<td>Municipal staff or, if directed by the municipality, the applicant, or applicant's agent/consultant</td>
</tr>
<tr>
<td>Step #3</td>
<td>Determine Factor E (encroaching land use factor) for the proposed land use (Type A or Type B) in accordance with Implementation Guidelines #29, #33 and #34.</td>
<td>Municipal staff (ideally at pre-consultation stage)</td>
</tr>
<tr>
<td>Step #4</td>
<td>Perform MDS I calculations using the above information to generate the required setback distances for livestock facilities on each lot.</td>
<td>Municipal staff or, if directed by the municipality, the applicant, or applicant's agent/consultant</td>
</tr>
<tr>
<td>Step #5</td>
<td>Confirm that all information used in the calculation is reasonable and reflects existing conditions for each lot with existing livestock facilities identified.</td>
<td>Municipal staff</td>
</tr>
<tr>
<td>Step #6</td>
<td>Verify actual MDS I setbacks using aerial photography, GIS, measuring instruments (e.g., laser single finkel, walking wheel) or if necessary a registered land survey. NOTE: GIS measurements may be slightly skewed, so depending on the relative distances involved, verification by other means may be necessary.</td>
<td>Municipal staff or, if directed by the municipality, the applicant, or applicant’s agent/consultant</td>
</tr>
<tr>
<td>Step #7</td>
<td>Issue/approve/defer/deny planning approval or building permit, as appropriate given results of MDS calculation.</td>
<td>Municipal staff, municipal council, land division committee, committee of adjustment or other responsible authority</td>
</tr>
</tbody>
</table>

*The municipality, or other planning authority, is ultimately responsible for making every effort to reasonably ensure the factors used in the MDS I calculation are correct. OMAFRA Rural Planners are available to provide technical guidance interpreting Implementation Guidelines to all parties throughout the process.

**Figure 1.** MDS I responsibility flow chart.
*The municipality, or other approval authority, is ultimately responsible for making every effort to reasonably ensure the factors used in the MDS II calculation are correct. OMAFRA Environmental Specialists and Engineers are available to provide technical guidance interpreting Implementation Guidelines to all parties throughout the process.

Figure 2. MDS II responsibility flow chart.

Although OMAFRA staff is available to assist municipalities with specific technical MDS questions, it is ultimately the municipality who is responsible for ensuring MDS is properly calculated and for making the final decision on related planning or building permit applications. Municipalities may assume the liability associated with making these decisions. Therefore, it is recommended that municipalities make every effort to determine if the information used to carry-out an MDS calculation is reasonably accurate and reflects the existing conditions or proposed construction.

As a best practice, municipal staffs are strongly encouraged to specify when a building permit is for a livestock facility or anaerobic digester. The permit can include details regarding the type and number of livestock to be housed in the facility to be constructed or altered. This approach is more effective than issuing a permit for a generic agricultural building, which may or may not include the housing of livestock, and it could assist with the evaluation of potential building changes in the future.
2. INTRODUCTION AND BACKGROUND

2.7 Other Required Setbacks

There may be instances where additional setbacks for livestock facilities and anaerobic digesters are required under other legislation. For example, setbacks may be required for anaerobic digesters by O. Reg. 267/03 under the Nutrient Management Act, 2002. In instances where other setbacks are required by law, the greater setback would normally apply, except where the relevant statute or regulation provides otherwise.

2.8 The MDS Software

To assist in the calculation of MDS setbacks, OMAFRA has developed a new software program — Ontario Agricultural Planning Tools Suite ("AgriSuite") for use with this MDS Document.

As of March 1, 2017, the 2006 MDS software (Version 1.0.2), or earlier versions, distributed by OMAFRA are no longer considered the current version for purposes of calculating MDS setbacks. Instead, a new version is available through OMAFRA's website (ontario.ca/omafra) and can be used as a web application or downloaded and installed. Any subsequent software updates will automatically be available when the user has online connectivity. It is the sole responsibility of the person using this MDS Document and the AgriSuite software to verify the accuracy and correctness of the data and information used. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information, mistakes in calculation, errors arising out of modification of the software or errors arising out of incorrect inputting of data. Verify all data and calculations before acting on them.

2.9 Additional Information

When a neighbour is bothered by what they perceive as abnormal odours, noise, dust, light, vibration, smoke or flies, they should first try resolving the matter by speaking with the farmer believed to be creating the nuisance. If further mediation is still necessary, neighbours or farmers can contact OMAFRA's Agricultural Information Contact Centre at 1-877-424-1300 or by email at ag.info.omafra@ontario.ca. The Contact Centre will arrange for the appropriate OMAFRA staff person to contact the parties and facilitate a conflict resolution process. For those issues that cannot be resolved through mediation, the Normal Farm Practices Protection Board, established under the Farming and Food Production Protection Act, 1998, provides a forum for complaint resolution.
3. DEFINITIONS

Except for references to legislation and other document titles which are traditionally in italics, italicized terms in this MDS Document are defined below. For other terms, the normal meaning of the word applies. Terms may be italicized only in specific Implementation Guidelines; for these terms, the defined meaning applies where they are italicized and the normal meaning applies where they are not italicized. The following defined terms are intended to capture both singular and plural forms of these terms throughout this MDS Document.

**Agricultural uses**: The growing of crops, including nursery, biomass and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; associated on-farm buildings and structures, including but not limited to livestock facilities, manure storages, value-retaining facilities and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

**Agri-tourism uses**: Those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

**Agriculture-related uses**: Those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations and provide direct products and/or services to farm operations as a primary activity.

**Altered livestock facility**: Any building activity occurring on, or in, an existing livestock facility that requires a building permit issued under the Building Code Act, 1992, and results in a change in design capacity. This also includes the alteration of earthen manure storages.

**Anaerobic digester**: A permanent structure designed for the decomposition of organic matter by bacteria in an oxygen-limiting environment. For the purposes of this MDS Document, anaerobic digesters include, but are not limited to, associated components, which may produce nuisance odours such as: digestion vessels, storages for anaerobic digestion materials, storages for anaerobic digestion output (digestate), loading and unloading areas, gas flares and solid/liquid material separators. Anaerobic digesters also include the anaerobic digester vessels and components that do not currently operate, but have operated in the past and continue to be structurally sound and reasonably capable of operating.

**Anaerobic digestion materials**: Solid or liquid organic input materials that are intended for treatment in an anaerobic digester, whether the materials are generated at the agricultural operation or received at the agricultural operation from an outside source.

**Anaerobic digestion output (digestate)**: Any solid or liquid materials that result from the treatment of anaerobic digestion materials in an anaerobic digester.

**Design capacity**: The maximum number of livestock that can be reasonably housed in all of the livestock barns on a lot, and/or the maximum volume of manure that can reasonably be stored in all of the manure storages on a lot. For livestock barns, this is measured in number of livestock, area of livestock housing or Nutrient Units. For manure storages, this is measured in volume or Nutrient Units. For the purposes of this MDS Document, this term does not apply to anaerobic digesters.

**Development**: The creation of a new lot, or a change in land use to permit a non-agricultural use or residential use which required or requires approval under the Planning Act, 1990. However, this does not include the construction of a dwelling accessory to an agricultural use.

**Dwelling**: Any permanent building that is used, or intended to be used, continuously or seasonally, as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities.
**Existing livestock facility:** A *livestock facility*, or a portion of a *livestock facility*, which has already been constructed, or for which a building permit has been issued under the *Building Code Act, 1992*.

**First livestock facility:** Any building activity to construct a new *livestock facility* on a *lot* that requires a building permit issued under the *Building Code Act, 1992*, where there is currently no *existing livestock facility* on that *lot*. This also includes the construction of earthen *manure storages*.

**Infrastructure:** Physical structures (facilities and corridors) that form the foundation for development. *Infrastructure* includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications, transit and transportation corridors and facilities, and oil and gas pipelines and associated facilities.

**Livestock:** Includes beef cattle, birds, dairy cattle, deer and elk, fur-bearing animals, game animals, goats, horses, poultry, ratites, sheep, swine and other animals as identified in Table 1.

**Livestock barns:** One or more permanent buildings located on a *lot* which are intended for housing *livestock*, and are structurally sound and reasonably capable of housing *livestock*.

**Livestock facilities:** All *livestock barns* and *manure storages* on a *lot*, as well as all *unoccupied livestock barns* and *unused manure storages* on a *lot*.

**Livestock occupied portion:** Areas of a *livestock barn* where *livestock* spend the majority of their time, allowing substantial amounts of manure to accumulate. This *DOES NOT* include areas such as: alleys, equipment storages, feed bins, feed storage/preparation areas, field shade shelters, assembly areas, loading chutes, machinery sheds, milking centres, milking parlour holding areas, offices, pastures, riding arenas, silos, tack rooms, utility rooms and washrooms.

**Lot:** A parcel or tract of land, within a registered plan of subdivision or described in a deed or other legal document, that is capable of being legally conveyed.

**Manure storage:** A permanent storage which is structurally sound and reasonably capable of storing manure and which typically contains liquid manure (<18% dry matter) or solid manure (≥18% dry matter), and may exist in a variety of:

- locations (under, within, near, or remote from barn);
- materials (concrete, earthen, steel, wood);
- coverings (open top, roof, tarp, or other materials);
- configurations (rectangle, circular); and,
- elevations (above, below or partially above-grade).

**Minimum Distance Separation Formulae:** Formulae and guidelines developed by the province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

**Non-agricultural uses:** Buildings designed or intended for a purpose other than an *agricultural use*; as well as land, vacant or otherwise not yet fully developed, which is zoned or designated such that the principal or long-term use is not intended to be an *agricultural use*, including, but not limited to: commercial, future urban development, industrial, institutional, *open space uses*, *recreational uses*, *settlement area*, urban reserve, etc. However, this does not include *agriculture-related uses*, *on-farm diversified uses* and *residential uses*. 
Normal farm practices: A practice, as defined in the Farming and Food Production Protection Act, 1998, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. Normal farm practices shall be consistent with the Nutrient Management Act, 2002, and regulations made under that Act.

Nutrient Unit: The amount of nutrients that give a fertilizer replacement value of the lower of 43 kg of nitrogen or 55 kg of phosphate as nutrient (as defined in O. Reg. 267/03 made under the Nutrient Management Act, 2002).

On-farm diversified uses: Uses that are secondary to the principal agricultural use of the property and are limited in area. On-farm diversified uses include, but are not limited to: home occupations, home industries, agri-tourism uses and uses that produce value-added agricultural products.

Open space uses: Environmental areas and parks that have limited public visitation and usually do not require buildings or alter the natural topography, such as conservation areas and parks typically without buildings and infrastructure.

Prime agricultural area: Areas where prime agricultural lands predominate. This includes areas of prime agricultural lands and associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. Prime agricultural areas may be identified by the Ontario Ministry of Agriculture, Food and Rural Affairs using guidelines developed by the Province as amended from time to time. A prime agricultural area may also be identified through an alternative agricultural land evaluation system approved by the Province.

Prime agricultural land: Specialty crop areas and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection.

Recreational uses: Uses that generate frequent or regular public visitation and usually require buildings or infrastructure, such as campgrounds, golf courses, sports fields and trailer parks.

Residence surplus to a farming operation: An existing habitable farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

Residential uses: Land, vacant or otherwise not yet fully developed, for which the zoning or designation permits dwellings for human habitation as the principal use, including, but not limited to: estate residential, low-density residential, rural residential, etc. However, this does not include dwellings accessory to an agricultural use.

Rural areas: A system of lands within municipalities that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and resource areas.

Rural lands: Lands which are located outside settlement areas and which are outside prime agricultural areas.

Settlement areas: Urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are:

a) built-up areas where development is concentrated and which have a mix of land uses; and
b) lands which have been designated in an official plan for development over the long-term planning horizon.
Specialty crop area: Areas designated using guidelines developed by the Province, as amended from time to time. In these areas, specialty crops are predominantly grown such as tender fruits (i.e., peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops and crops from agriculturally-developed organic soil, usually resulting from:

a) soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both;

b) farmers skilled in the production of specialty crops; and

c) a long-term investment of capital in areas such as crops, drainage, infrastructure and related facilities and services to produce, store or process specialty crops.

Unoccupied livestock barn: A livestock barn that does not currently house any livestock, but that housed livestock in the past and continues to be structurally sound and reasonably capable of housing livestock.

Unused manure storage: A manure storage that does not currently store any manure, but that stored manure in the past and continues to be structurally sound and reasonably capable of storing manure.
## 4. IMPLEMENTATION GUIDELINES

The following outlines the specific Implementation Guidelines which shall be executed during the application of the *Minimum Distance Separation (MDS)* Formulae to calculate setbacks.

<table>
<thead>
<tr>
<th>MDS I</th>
<th>MDS II</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>#1. Referencing MDS in Municipal Planning Documents</strong></td>
<td></td>
</tr>
<tr>
<td>In accordance with the Provincial Policy Statement, 2014, this MDS Document shall apply in <em>prime agricultural areas</em> and on <em>rural lands</em>. Consequently, the appropriate parts of this MDS Document shall be referenced in municipal official plans, and detailed provisions included in municipal comprehensive zoning by-laws such that, at the very least, MDS setbacks are required in all designations and zones where <em>livestock facilities</em> and <em>anaerobic digesters</em> are permitted.</td>
<td></td>
</tr>
<tr>
<td>Sections 1, 2, 6, 7 and 8 of this document are primarily provided for information purposes, and are not required for inclusion in municipal planning documents; however, Sections 3, 4 and 5 comprise the <em>Minimum Distance Separation Formulae</em> as referenced in the PPS, and as such shall form the basis for MDS provisions enshrined in local land use planning documents. To exercise the various options available to municipalities under Implementation Guidelines #7, #9, #35 and #38, appropriate references must be included in the appropriate implementing land use planning document (official plan and/or comprehensive zoning by-law depending on the trigger for MDS); otherwise, the default approaches outlined in Implementation Guidelines #7, #9, #35 and #38 shall apply as written in this MDS Document.</td>
<td></td>
</tr>
</tbody>
</table>

| **#2. For What, and When, is an MDS Setback Required?** |  |
| The MDS I setback distances shall be met prior to the approval of: proposed lot creation in accordance with Implementation Guidelines #8 and #9; rezonings or re-designations in accordance with Implementation Guideline #10; building permits on a lot which exists prior to March 1, 2017 in accordance with Implementation Guideline #7; and as directed by municipalities for local approvals for *agriculture-related uses* or *on-farm diversified uses* in accordance with Implementation Guideline #35.  |
| The MDS II setback distances shall be met prior to the approval of the building permit application for a *first or altered livestock facility* occupying an area greater than 10 m² or any *anaerobic digester*.  |
| The information used to carry out an MDS II calculation must reflect the circumstances at the time that the municipality deems the planning or building permit application to be complete.  |
#3. For What, and When, is an MDS Setback NOT Required?

<table>
<thead>
<tr>
<th>MDS I</th>
<th>MDS II</th>
</tr>
</thead>
<tbody>
<tr>
<td>Certain proposed uses are not reasonably expected to be impacted by existing livestock facilities or anaerobic digesters and as a result, do NOT require an MDS I setback. Such uses may include, but are not limited to:</td>
<td>Certain things that may or may not be associated with agriculture do NOT require MDS II setbacks. Such things may include, but are not limited to:</td>
</tr>
<tr>
<td>• extraction of minerals, petroleum resources and mineral aggregate resources;</td>
<td>• apiaries;</td>
</tr>
<tr>
<td>• infrastructure; and</td>
<td>• aquaculture facilities;</td>
</tr>
<tr>
<td>• landfills.</td>
<td>• deadstock handling facilities;</td>
</tr>
<tr>
<td>However, if one of the uses exempted from MDS I by this Implementation Guideline is later proposed to be rehabilitated or redeveloped to a use that is not an agricultural use, then MDS I setbacks shall be met prior to the approval of any required planning or building permit application.</td>
<td>• fairground buildings;</td>
</tr>
<tr>
<td>In addition, MDS I setbacks are NOT required from:</td>
<td>• feed storages;</td>
</tr>
<tr>
<td>• livestock barns occupying an area less than 10 m²;</td>
<td>• field shade shelters;</td>
</tr>
<tr>
<td>• certain unoccupied livestock barns in accordance with Implementation Guideline #20;</td>
<td>• greenhouses;</td>
</tr>
<tr>
<td>• certain unused manure storages in accordance with Implementation Guideline #21;</td>
<td>• kennels;</td>
</tr>
<tr>
<td>• apiaries;</td>
<td>• machinery sheds;</td>
</tr>
<tr>
<td>• aquaculture facilities;</td>
<td>• meat plants (including abattoirs and slaughterhouses);</td>
</tr>
<tr>
<td>• deadstock handling facilities;</td>
<td>• mushroom facilities;</td>
</tr>
<tr>
<td>• fairground buildings;</td>
<td>• pastures;</td>
</tr>
<tr>
<td>• feed storages;</td>
<td>• poultry hatcheries;</td>
</tr>
<tr>
<td>• field shade shelters;</td>
<td>• stockyards;</td>
</tr>
<tr>
<td>• greenhouses;</td>
<td>• temporary field nutrient storage sites (as defined under the Nutrient Management Act, 2002);</td>
</tr>
<tr>
<td>• kennels;</td>
<td>• veterinary clinics with housing for livestock; and</td>
</tr>
<tr>
<td>• machinery sheds;</td>
<td>• zoos.</td>
</tr>
<tr>
<td>• meat plants (including abattoirs and slaughterhouses);</td>
<td>In addition, MDS II setbacks are NOT required from:</td>
</tr>
<tr>
<td>• mushroom facilities;</td>
<td>• extraction of minerals, petroleum resources and mineral aggregate resources;</td>
</tr>
<tr>
<td>• pastures;</td>
<td>• infrastructure; and</td>
</tr>
<tr>
<td>• poultry hatcheries;</td>
<td>• landfills.</td>
</tr>
<tr>
<td>• stockyards;</td>
<td></td>
</tr>
</tbody>
</table>
4. IMPLEMENTATION GUIDELINES

#4. MDS Setbacks for Manure Transfer Facilities

Some livestock facilities and anaerobic digesters require transfer facilities that store manure for less than 14 days before transfer to a longer-term permanent storage, or transfer to field spreading areas, or transfer off the farm.

Transfer facilities include, but are not limited to: areas for settling sand out of liquid manure, small sumps for collection or mixing of liquid manure from several areas of a livestock barn, or outside concrete pads where solid manure is temporarily stored awaiting pickup by a custom manure broker.

Manure transfer facilities are not considered permanent manure storages and instead will receive the same MDS setbacks as the livestock barn. In other words, the MDS setback for a transfer facility is the same as Building Base Distance ‘F’, and shall not generate its own separate Storage Base Distance ‘S’.

#5. MDS Setbacks for Earthen Manure Storages

MDS setbacks are applied to first or altered livestock facilities (MDS I) and, reciprocally, from existing livestock facilities (MDS II), which in both cases includes earthen manure storages, despite these storages not being considered ‘buildings’ and, consequently, not requiring building permits at the time of construction. Simply because earthen manure storages do not require building permits does not exclude them from MDS setbacks, as these livestock facilities are permanent manure storages with defined boundaries and represent an odour source with the highest odour potential according to Table 5.

#6. Required Investigation Distances for MDS

A separate MDS I setback shall be required to be measured from all existing livestock facilities and anaerobic digesters on lots in the surrounding area that are reasonably expected by an approval authority to be impacted by the proposed application.

As part of municipal consideration of planning or building permit applications, all existing livestock facilities or anaerobic digesters within a 750 m distance of a proposed Type A land use and within a 1,500 m distance of a proposed Type B land use shall be investigated and MDS I setback calculations undertaken where warranted.

In circumstances where large livestock facilities (e.g., >1,200 Nutrient Units) exist beyond the 750 m or 1,500 m study area, MDS I setbacks from these facilities should also be calculated.

When investigating the surrounding area for applications to permit a first or altered livestock facility or anaerobic digester, MDS II setbacks shall be required to be measured from all existing and approved sensitive receptors reasonably expected by an approval authority to be impacted by the proposed first or altered livestock facility or anaerobic digester, including all existing and approved development and all dwellings on lots in the surrounding area.
#7. MDS I Setbacks for Building Permits on Existing Lots

<table>
<thead>
<tr>
<th>MDS I</th>
<th>MDS II</th>
</tr>
</thead>
<tbody>
<tr>
<td>MDS I setbacks are not required for <em>dwelling</em> additions and renovations proposed on existing lots, even where an addition results in the existing <em>dwelling</em> being closer to a surrounding <em>livestock facility</em> or <em>anaerobic digester</em>. However, MDS I setbacks are required for all other building permit applications for <em>dwelling</em> on lots that existed prior to March 1, 2017, unless otherwise specified in a municipality’s zoning by-law or where otherwise not required by this MDS Document.</td>
<td>Not applicable</td>
</tr>
</tbody>
</table>

For lots created after March 1, 2017, MDS I setbacks shall be required for building permit applications for *dwelling* unless otherwise not required by this MDS Document.

Where a setback is required, MDS I measurements shall be taken as the shortest distance between the proposed building to be constructed and either the *manure storages*, or *anaerobic digesters*, or the *livestock occupied portions* of the *livestock barns*.

While municipalities have the option to exempt buildings proposed through building permit applications on lots which exist prior to March 1, 2017, they are strongly discouraged from exempting these applications.

If local exemptions are supported for building permits on existing lots, a municipality shall adopt provisions in their comprehensive zoning by-law which clearly state the details for such exemptions. Examples of such provisions may include, but are not limited to, those which only require an MDS I setback for building permit applications:
- on existing lots that are in a particular land use zone or designation (e.g., rural residential, estate residential);
- on existing lots that are above or below a certain size threshold (e.g., 4 ha);
### MDS I

- on existing lots which are vacant (e.g., no existing dwellings or other buildings);
- on existing lots, but where the MDS I setback cannot be met, then through a planning application, allow a dwelling provided that it be located as far as possible from the existing livestock facility from which the setback cannot be met;
- on lots which exist prior to a specific date (e.g., March 1, 2017 or the date of adoption of comprehensive zoning by-law); or,
- for certain types of buildings (e.g., dwellings).

### MDS I Setbacks for Lot Creation

Where lot creation is proposed, including new lots for agricultural uses, an MDS I setback is required for both the severed and retained lot.

However, an MDS I setback is not required:
- for a severed or retained lot for an agricultural use when that lot already has an existing dwelling on it;
- for purposes such as easements, corrections of deeds, quit claims and minor boundary adjustments which do not result in the creation of a new lot;
- for a severed or retained lot for infrastructure in accordance with Implementation Guideline #3;
- for a severed or retained lot for an existing non-agricultural use;
- for a severed or retained lot for agriculture-related uses, except where required by a municipality in accordance with Implementation Guideline #35; or
- where noted in Implementation Guideline #9.

NOTE: The lot creation policies contained in the PPS, provincial plans and other local lot creation policies continue to apply despite any exemptions from MDS I setbacks.
For a proposed severance of a residence surplus to a farming operation:

1. Where the existing dwelling to be severed and the nearby livestock facility or anaerobic digester are located on separate lots prior to the consent, an MDS I setback is not required for the consent application (or associated rezoning) unless otherwise required by a municipal official plan policy. This is because a potential odour conflict may already exist between those surrounding livestock facilities or anaerobic digesters and the existing dwelling.

2. An MDS I setback is always required for a proposed lot with an existing dwelling when prior to the consent, that dwelling is located on the same lot as an existing livestock facility or anaerobic digester and after the consent, the dwelling would be on a lot separate from that same existing livestock facility or anaerobic digester. This is because such a proposal could create a potential odour conflict as the dwelling and the livestock facility or anaerobic digester will be on separate conveyable lots if the severance is approved. This is the case regardless of how a municipality chooses to treat existing livestock facility on lots separate from the dwelling prior to the consent.

3. Where a new lot is proposed with an existing dwelling AND an existing livestock facility or anaerobic digester on it, an MDS I setback is not required for that livestock facility or anaerobic digester in accordance with Implementation Guideline #14.

Refer to Figure 3 in Section 7 of this MDS Document for a drawing illustrating these three scenarios.

NOTE: For severances of a residence surplus to a farming operation, an MDS I setback shall only be required for the newly created surplus dwelling lot and shall not be required for the remnant farm parcel nor for any associated rezonings of the severed or retained parcels.
### #10. MDS I Setbacks for Zoning By-Law Amendments and Official Plan Amendments

An MDS I setback is required for all proposed amendments to rezone or redesignate land to permit development in prime agricultural areas and rural lands presently zoned or designated for agricultural use. This shall include amendments to allow site-specific exceptions which add non-agricultural uses or residential uses to the list of agricultural uses already permitted on a lot, but shall exclude applications to rezone a lot for a residence surplus to a farming operation (e.g., to a rural residential zone) in accordance with Implementation Guideline #9 above.

Amendments to rezone or redesignate land already zoned or designated for a non-agricultural use, shall only need to meet the MDS I setbacks if the amendment(s) will permit a more sensitive land use than existed before. In other words, if the proposal is to change an existing Type A land use (e.g., industrial use outside of a settlement area) to a Type B land use (e.g., commercial) in accordance with Implementation Guidelines #33 and #34, then an MDS I setback shall be required.

### #11. MDS Setbacks for Reconstruction

Where a municipality explicitly requires MDS I setbacks for building permit applications on lots which exist prior to March 1, 2017, in accordance with Implementation Guideline #7, an MDS I setback is NOT required for building reconstruction provided ALL of the following conditions are met:

- the building which existed before the application was habitable;
- the proposed building is for the same or less sensitive land use type (i.e., Type A or Type B in accordance with Implementation Guidelines #33 and #34) than the former building; and

MDS II setbacks are NOT required for livestock facility reconstruction provided the resulting livestock facility is built no closer to the surrounding existing or approved development or dwelling than the livestock facility which existed before the building permit application.

However, MDS II setbacks shall be required if the proposed reconstruction includes an anaerobic digester or a livestock facility that meets at least ONE of the following conditions:

- will house a different livestock type(s) which is more odorous than existed before reconstruction (resulting in a greater value for Factor A); or

---

<table>
<thead>
<tr>
<th>MDS I</th>
<th>MDS II</th>
</tr>
</thead>
<tbody>
<tr>
<td>#10. MDS I Setbacks for Zoning By-Law Amendments and Official Plan Amendments</td>
<td>Not applicable</td>
</tr>
<tr>
<td>An MDS I setback is required for all proposed amendments to rezone or redesignate land to permit development in prime agricultural areas and rural lands presently zoned or designated for agricultural use. This shall include amendments to allow site-specific exceptions which add non-agricultural uses or residential uses to the list of agricultural uses already permitted on a lot, but shall exclude applications to rezone a lot for a residence surplus to a farming operation (e.g., to a rural residential zone) in accordance with Implementation Guideline #9 above.</td>
<td></td>
</tr>
<tr>
<td>Amendments to rezone or redesignate land already zoned or designated for a non-agricultural use, shall only need to meet the MDS I setbacks if the amendment(s) will permit a more sensitive land use than existed before. In other words, if the proposal is to change an existing Type A land use (e.g., industrial use outside of a settlement area) to a Type B land use (e.g., commercial) in accordance with Implementation Guidelines #33 and #34, then an MDS I setback shall be required.</td>
<td></td>
</tr>
<tr>
<td>#11. MDS Setbacks for Reconstruction</td>
<td>MDS II setbacks are NOT required for livestock facility reconstruction provided the resulting livestock facility is built no closer to the surrounding existing or approved development or dwelling than the livestock facility which existed before the building permit application.</td>
</tr>
<tr>
<td>Where a municipality explicitly requires MDS I setbacks for building permit applications on lots which exist prior to March 1, 2017, in accordance with Implementation Guideline #7, an MDS I setback is NOT required for building reconstruction provided ALL of the following conditions are met:</td>
<td>However, MDS II setbacks shall be required if the proposed reconstruction includes an anaerobic digester or a livestock facility that meets at least ONE of the following conditions:</td>
</tr>
<tr>
<td>- the building which existed before the application was habitable;</td>
<td>- will house a different livestock type(s) which is more odorous than existed before reconstruction (resulting in a greater value for Factor A); or</td>
</tr>
<tr>
<td>- the proposed building is for the same or less sensitive land use type (i.e., Type A or Type B in accordance with Implementation Guidelines #33 and #34) than the former building; and</td>
<td></td>
</tr>
</tbody>
</table>
The Minimum Distance Separation (MDS) Document — Formulae and Guidelines for Livestock Facility and Anaerobic Digester Odour Setbacks

<table>
<thead>
<tr>
<th>MDS I</th>
<th>MDS II</th>
</tr>
</thead>
<tbody>
<tr>
<td>• the proposed building is built no closer to the surrounding livestock facilities or anaerobic digesters than the former building.</td>
<td>• will house a greater number or area of livestock or store a greater volume of imported manure than existed before reconstruction (resulting in a greater value for Factor B); or</td>
</tr>
<tr>
<td></td>
<td>• will change from a solid to a liquid manure system (resulting in a greater value for Factor D); or</td>
</tr>
<tr>
<td></td>
<td>• will have a new manure storage with an increased relative odour potential (based on Table 5) than existed before reconstruction (e.g., going from a ‘Very Low’ to a ‘Low’ odour potential).</td>
</tr>
</tbody>
</table>

#12. Existing Uses that Do Not Conform to MDS

An MDS I setback is required for proposed development or dwellings, even though there may be existing or approved development or dwellings nearby that do not conform to MDS I requirements.

However, a reduced MDS I setback may be permitted provided there are four, or more, non-agricultural uses, residential uses and/or dwellings closer to the subject livestock facility than the proposed development or dwellings and those four or more non-agricultural uses, residential uses and/or dwellings are:

1. Located within the intervening area (120° field of view shown in Figure 4 in Section 7 of this MDS Document) between the closest part of the proposed development or dwelling and the nearest livestock facility or anaerobic digester;
2. Located on separate lots; and
3. Of the same or greater sensitivity (i.e., Type A or Type B in accordance with Implementation Guidelines #33 and #34) as the proposed development or dwelling.

Even though there may be a portion of the existing livestock facility or existing anaerobic digester that does not conform to the MDS II setbacks, building permit applications for any altered livestock facility or anaerobic digester are still required to meet the MDS II setbacks.
### 4. IMPLEMENTATION GUIDELINES

<table>
<thead>
<tr>
<th>MDS I</th>
<th>MDS II</th>
</tr>
</thead>
<tbody>
<tr>
<td>If ALL of the above conditions are met, the MDS I setback for the</td>
<td>MDS II setbacks shall NOT be required from existing structures accessory to a dwelling, including, but not limited to: decks, garages, gazebos, greenhouses, outbuildings, patios, picnic areas and sheds.</td>
</tr>
<tr>
<td>proposed development or dwelling may be reduced such that it is</td>
<td></td>
</tr>
<tr>
<td>located no closer to the livestock facility or anaerobic digester</td>
<td></td>
</tr>
<tr>
<td>than the furthest of the four non-agricultural uses, residential</td>
<td></td>
</tr>
<tr>
<td>uses and/or dwellings as shown in Figure 4.</td>
<td></td>
</tr>
</tbody>
</table>

#### #13. Non-Application of MDS to Accessory Structures

When an MDS I setback is required by a municipality for building permit applications on a lot which existed prior to March 1, 2017, in accordance with Implementation Guideline #7, an MDS I setback shall NOT be required for proposed structures accessory to a dwelling, including, but not limited to: decks, garages, gazebos, greenhouses, outbuildings, patios, picnic areas and sheds.

MDS II setbacks shall NOT be required from existing structures accessory to a dwelling, including, but not limited to: decks, garages, gazebos, greenhouses, outbuildings, patios, picnic areas and sheds.

#### #14. Uses Located on the Same Lot

An MDS I setback is NOT required to be met for proposed development, dwelling, agriculture-related use, or on-farm diversified use from an existing livestock facility or anaerobic digester located on the same lot as the proposal.

MDS II setbacks are NOT required to be met for the first or altered livestock facility or anaerobic digester to any existing or approved development, dwelling, agriculture-related use, or on-farm diversified use located on the same lot.

#### #15. Same Ownership

An MDS I setback is required for proposed development or dwellings even if the lot on which they are proposed is held by the same owner as the existing livestock facility or anaerobic digester nearby. This recognizes that a lot may be sold to a new owner, possibly resulting in a potential future land use conflict.

MDS II setbacks are required for a proposed first or altered livestock facility or anaerobic digester even if the lot on which they are proposed is held by the same owner as the existing or approved development or dwellings nearby. This recognizes that a lot may be sold to a new owner, possibly resulting in a potential future land use conflict.
#16. Obtaining Required Information to Calculate MDS Setbacks

<table>
<thead>
<tr>
<th>MDS I</th>
<th>MDS II</th>
</tr>
</thead>
<tbody>
<tr>
<td>The preferred method for obtaining information (e.g., livestock and</td>
<td>The only method for obtaining information (e.g., livestock and manure</td>
</tr>
<tr>
<td>manure type as well as design capacity) to be used in MDS I</td>
<td>and manure type as well as design capacity) to be used in MDS II</td>
</tr>
<tr>
<td>calculations for a complete planning application is visiting the</td>
<td>calculations for the first or altered livestock facility is from the</td>
</tr>
<tr>
<td>site and getting information directly from the farm operator(s) or</td>
<td>owner(s) or their agent with the application for the proposed</td>
</tr>
<tr>
<td>owner(s) of the property where the livestock facilities or anaerobic</td>
<td>construction.</td>
</tr>
<tr>
<td>digesters are located.</td>
<td></td>
</tr>
<tr>
<td>If cooperation is not forthcoming, or there is concern about the</td>
<td>In some circumstances where information is missing, or there is a</td>
</tr>
<tr>
<td>accuracy of the information available, it may be helpful to obtain</td>
<td>concern about the accuracy of the information available, it may be</td>
</tr>
<tr>
<td>independent information by consulting other sources, including, but</td>
<td>helpful to obtain independent information by carrying out a site</td>
</tr>
<tr>
<td>not limited to:</td>
<td>visit or consulting other sources, including, but not limited to:</td>
</tr>
<tr>
<td>• aerial photography;</td>
<td>• aerial photography;</td>
</tr>
<tr>
<td>• best professional judgement about the past/most recent use of</td>
<td>• best professional judgement about the past/most recent use of</td>
</tr>
<tr>
<td>building(s);</td>
<td>building(s);</td>
</tr>
<tr>
<td>• current farm owner or operator (if different than the original</td>
<td>• current farm operator (if different than the owner/agent);</td>
</tr>
<tr>
<td>information source);</td>
<td>• existing municipal building permits on record;</td>
</tr>
<tr>
<td>• existing municipal building permits on record;</td>
<td>• Municipal Property Assessment Corporation (MPAC) records;</td>
</tr>
<tr>
<td>• Municipal Property Assessment Corporation (MPAC) records;</td>
<td>• neighbouring landowners;</td>
</tr>
<tr>
<td>• neighbouring landowners;</td>
<td>• qualified consultant(s) knowledgeable about livestock facilities;</td>
</tr>
<tr>
<td>• qualified consultant(s) knowledgeable about livestock facilities;</td>
<td>• OMAFRA staff.</td>
</tr>
<tr>
<td>• OMAFRA staff.</td>
<td>NOTE: Even though information may be provided by the applicant or</td>
</tr>
<tr>
<td>NOTE: Even though information may be provided by the applicant or</td>
<td>their agent, ultimately, it is the responsibility of the municipality</td>
</tr>
<tr>
<td>their agent, ultimately, it is the responsibility of the municipality</td>
<td>to determine if information used for an MDS II calculation is</td>
</tr>
<tr>
<td>to determine if information used for an MDS I calculation is</td>
<td>reasonably accurate and reflects the proposed construction.</td>
</tr>
<tr>
<td>reasonably accurate and reflects existing conditions.</td>
<td></td>
</tr>
</tbody>
</table>
### #17. Fewest Number of Nutrient Units Used when Calculating MDS

The fewest number of Nutrient Units used in calculating MDS I setbacks is 5 Nutrient Units, even if the actual design capacity is fewer than 5 Nutrient Units.

Accordingly, the MDS software will automatically round-up to the minimum of 5 Nutrient Units.

### #18. MDS II for Building Permit Applications to Renovate Existing Livestock Facilities

An MDS II setback is required prior to the approval of a building permit application to renovate existing livestock facilities that would result in an altered livestock facility.

This is true even if the renovation results in the same design capacity, or a lower design capacity than what existed before. For example, an existing livestock facility to be renovated is more than 3 years old and has a design capacity of 150 Nutrient Units for swine feeders on a liquid manure system with an outside, uncovered, straight-walled liquid manure storage (M1 storage in Table 5). After the proposed renovation, the altered livestock facility will instead have a design capacity of 50 Nutrient Units for chicken broilers on a solid manure system with an outside, uncovered, solid manure storage (V3 storage in Table 6).

NOTE: This would result in fewer Nutrient Units than before the renovation.

- Factor A = 0.7 for chicken broilers (just for those livestock being added)
- Factor B = 260 for 50 Nutrient Units
- Factor C = 0.5 for a -66.7% increase (or 66.7% decrease), but Factor C always equals 0.5 for any decrease in Nutrient Units
- Factor D = 0.7 for solid manure (just for those livestock being added)
<table>
<thead>
<tr>
<th>MDS I</th>
<th>MDS II</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not applicable</td>
<td>Building Base Distance</td>
</tr>
<tr>
<td></td>
<td>('F') = 0.7 x 260 x 0.5 x 0.7 = 63.7 m</td>
</tr>
<tr>
<td></td>
<td>Storage Base Distance</td>
</tr>
<tr>
<td></td>
<td>('S') = 63.7 m (for a V3 storage)</td>
</tr>
</tbody>
</table>

Likewise, an MDS II setback is also required prior to the approval of a building permit application to renovate existing anaerobic digesters in accordance with Implementation Guideline #22.

#19. Cumulative Design Capacity of Livestock Facilities on a Lot

MDS calculations shall be based on the combined design capacity for all livestock barns on a lot, even if they are unoccupied livestock barns or separated by a substantial distance on the lot.

Where there are no livestock barns on a lot, MDS calculations shall be based on the combined design capacity for all manure storages on a lot, even if they are unused manure storages or separated by a substantial distance on the lot.

#20. MDS Setbacks for Unoccupied Livestock Barns

Design capacity for an MDS I calculation shall include all unoccupied livestock barns on a lot in accordance with this Implementation Guideline.

First and foremost, the number of livestock or the area of livestock housing of unoccupied livestock barns should be based on information supplied by the farm operator(s) and/or owner(s). Only after concerted, documented effort has been made to obtain information from the farm operator(s) and/or owner(s), but obtaining information was not possible, then the following default Factors apply for unoccupied livestock barns:

- Factor A = 1.0
- Factor B is based on 1 Nutrient Unit/20 m² of area of livestock housing  
  (NOTE: Assume the barn is only one-story high if using aerial photography.)
- Factor D = 0.7

Design capacity for an MDS II calculation shall include all unoccupied livestock barns on a lot.

However, buildings deemed by a municipal building official, with input from a professional engineer or a consultant knowledgeable about livestock facilities where appropriate, as no longer being structurally sound, or reasonably capable of housing livestock shall not be included in an MDS II calculation.
### MDS Setbacks for Unused Manure Storages

**Design capacity** for an MDS I calculation shall include all manure storages on a lot in accordance with this Implementation Guideline, even if those storages are unused and not storing manure at the time of the MDS I application.

First and foremost, the volume of unused manure storages should be based on information supplied by the farm operator(s) and/or owner(s).

**Unused manure storages for SOLIDS:** Only after concerted, documented effort has been made to obtain information from the farm operator(s) and/or owner(s), but obtaining information was not possible, then the following Factors apply for unused manure storages for SOLIDS:

- Factor A = 1.0
- Factor B is based on 1 Nutrient Unit/19.8 m³ of volume for storages with two or more walls (NOTE: Assume manure is stored 1 m deep over the area enclosed by the two or more walls if using aerial photography).
- Factor D = 0.7

**Design capacity** for an MDS II calculation shall include all manure storages on a lot, even if those storages are unused and not storing manure at the time of an MDS II application.

However, structures deemed by a municipal building official, with input from a professional engineer or a consultant knowledgeable about livestock facilities where appropriate, as no longer being structurally sound, or reasonably capable of storing manure, shall not be included in an MDS II calculation.
<table>
<thead>
<tr>
<th>MDS I</th>
<th>MDS II</th>
</tr>
</thead>
<tbody>
<tr>
<td>However, an MDS I setback is not required when:</td>
<td></td>
</tr>
<tr>
<td>- there is only one, or no, walls; or,</td>
<td></td>
</tr>
<tr>
<td>- the structure has been deemed by a municipal building official, with input from a professional engineer or a consultant knowledgeable about livestock facilities where appropriate, as no longer being structurally sound or reasonably capable of storing manure; or,</td>
<td></td>
</tr>
<tr>
<td>- the portion of the lot on which the unused manure storage is located is zoned such that the structure shall not be used for storing manure; or,</td>
<td></td>
</tr>
<tr>
<td>- the floor area of the unused manure storage is &lt;100 m².</td>
<td></td>
</tr>
</tbody>
</table>

Unused manure storages for LIQUIDS: Only after concerted, documented effort has been made to obtain information from the farm operator(s) and/or owner(s), but obtaining information was not possible, then the following Factors apply for unused manure storages for LIQUIDS:

- Factor A = 1.0
- Factor B is based on 1 Nutrient Unit/19.8 m³ of design capacity (NOTE: Assume manure is stored 2.5 m deep and level over the area enclosed by storage walls if using aerial photography).
- Factor D = 0.8

However, an MDS I setback is not required when:

- the structure has been deemed by a municipal building official, with input from a professional engineer or a consultant knowledgeable about livestock facilities where appropriate, as no longer being structurally sound or reasonably capable of storing manure; or,
- the portion of the lot on which the unused manure storage is located is zoned such the structure shall not be used for storing manure; or,
- the floor area of the unused manure storage is <40 m².
#22. MDS Setbacks for Anaerobic Digesters

There is no calculation for an MDS I setback from an anaerobic digester. Instead, the required MDS I setbacks are fixed as follows:

- 200 m to proposed Type A land uses
- 450 m to proposed Type B land uses
- 200 m to proposed dwellings

Refer to Figure 5 in Section 7 of this MDS Document.

Secondary elements related to the anaerobic digester such as gas and water pipes and electrical generator buildings or wires are not subject to MDS I setbacks.

MDS I setbacks are measured from the closest associated component of the existing anaerobic digester.

#23. Calculating Building Base Distance (‘F’)

The MDS I formula for calculating Building Base Distance (‘F’) is: ‘F’ = Factor A x B x D x E.

NOTE: Factor C is NOT used in MDS I.

The MDS II formula for calculating Building Base Distance (‘F’) is: ‘F’ = Factor A x B x C x D.

NOTE: Factor E is NOT used in MDS II.

#24. Determining Storage Base Distance (‘S’)

Storage Base Distance (‘S’) is NOT calculated, but read directly from Table 6. First calculate the Building Base Distance (‘F’) in accordance with Implementation Guideline #23, then select the manure storage type from Table 5 that best matches the manure storage type on the lot and use this information to determine the corresponding value on Table 6.

If there are multiple manure storage types on the lot, the storage type with the highest relative Storage Odour Potential is selected from Table 5.
**Factor A: Odour Potential Factor (Table 1)**

Factor A is determined by selecting the value aligned with the applicable livestock/manure description on Table 1. Factor A is based on the relative potential for emanating offensive odours. The greater the value of Factor A, the higher the odour potential and the further the resulting MDS setbacks, all other things being equal.

**Factor B: Nutrient Units Factor (Table 2)**

Factor B used in MDS I setbacks for settlement area expansions shall only be based on the design capacity for all livestock facilities on a lot.

In addition, for other MDS I setbacks where the livestock facilities are located on lots ≤5 ha, Factor B is also only based on the design capacity for all livestock facilities on the lot.

For all other MDS I setbacks where the livestock facilities are located on lots >5 ha, Factor B is based on the possible future expansion of the existing livestock facilities on the lot, known as the ‘potential’ design capacity.

More specifically, the potential design capacity for MDS I is determined by knowing the design capacity for all livestock facilities on the lot, and the total area of the lot. With both of these pieces of information, use the table below to determine the appropriate potential design capacity. This value should then be used to find the value of Factor B for the purposes of calculating an MDS I setback where the livestock facilities are located on a lot >5 ha.

For MDS II, Factor B is based on the design capacity for all livestock facilities on a lot.

In accordance with Table 2, the more Nutrient Units, the greater the value for Factor B and the further the resulting MDS II setbacks, all other things being equal.

While using Table 2, it may be necessary to interpolate a value for Factor B. When interpolating, do not include more than two decimal places, rounded accordingly.
4. IMPLEMENTATION GUIDELINES

<table>
<thead>
<tr>
<th>Design Capacity (NU)</th>
<th>Total Lot Size ≤5 ha</th>
<th>Total Lot Size &gt;5 ha, but ≤25 ha</th>
<th>Total Lot Size &gt;25 ha, but ≤50 ha</th>
<th>Total Lot Size &gt;50 ha</th>
</tr>
</thead>
<tbody>
<tr>
<td>≤5 NU</td>
<td>Factor B based on design capacity only</td>
<td>Factor B based on design capacity only</td>
<td>Factor B based on design capacity only</td>
<td>Factor B based on design capacity only</td>
</tr>
<tr>
<td>&gt;5 NU, but ≤25 NU</td>
<td>Factor B based on design capacity only</td>
<td>Factor B based on 2 x design capacity</td>
<td>Factor B based on 2 x design capacity</td>
<td>Factor B based on 2 x design capacity</td>
</tr>
<tr>
<td>&gt;25 NU, but ≤125 NU</td>
<td>Factor B based on design capacity only</td>
<td>Factor B based on 2 x design capacity</td>
<td>Factor B based on 3 x design capacity</td>
<td>Factor B based on 3 x design capacity</td>
</tr>
<tr>
<td>&gt;125 NU</td>
<td>Factor B based on design capacity, to max of 300 NU</td>
<td>Factor B based on 3 x design capacity, to max of 450 NU</td>
<td>Factor B based on 3 x design capacity, to max of 600 NU</td>
<td>Factor B based on 3 x design capacity, to max of 600 NU</td>
</tr>
</tbody>
</table>

NOTE: To determine design capacity for unoccupied livestock barns or unused manure storages, see Implementation Guidelines #20 and #21 respectively.

In accordance with Table 2, the more Nutrient Units, the greater the value for Factor B and the further the resulting MDS I setbacks, all other things being equal.

While using Table 2, it may be necessary to interpolate a value for Factor B. When interpolating, do not include more than two decimal places, rounded accordingly.
<table>
<thead>
<tr>
<th>MDS I</th>
<th>MDS II</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>#27. Factor C: Expansion Factor (Table 3)</strong></td>
<td>Factor C only applies for MDS II, and is based on the percentage increase in the number of Nutrient Units for the proposed construction of a first or altered livestock facility, compared to the Nutrient Units of all existing livestock facilities on the lot. The greater the percentage increase, the greater the value for Factor C and the further the resulting MDS II setbacks, all things being equal.</td>
</tr>
<tr>
<td>Not applicable</td>
<td>Expansion of a livestock facility is a necessary and typical process for most farm operations, and can reasonably be expected over time.</td>
</tr>
<tr>
<td></td>
<td>Factor C is 1.14 (Table 3) for the first livestock facility on a lot, resulting in a building location that will allow for future expansion of most subsequent livestock facilities within a reasonable building envelope.</td>
</tr>
<tr>
<td></td>
<td>Factor C is 0.5 (Table 3) for no increase in Nutrient Units (0% increase) and for decreases in Nutrient Units.</td>
</tr>
<tr>
<td></td>
<td>Where an existing livestock facility is to be expanded, the percentage increase shall be calculated using the total additional Nutrient Units proposed as the numerator and the total existing Nutrient Units as the denominator, with the result multiplied by 100.</td>
</tr>
<tr>
<td></td>
<td>For example, if an existing livestock facility currently has a design capacity of 200 Nutrient Units and proposes to increase design capacity by 100 additional Nutrient Units, the percentage increase is calculated as 100 Nutrient Units (numerator) divided by 200 Nutrient Units (denominator) and multiplied by 100 for a value of 50% (100/200) x 100 = 50%. From Table 3, Factor C = 0.8100.</td>
</tr>
<tr>
<td></td>
<td>Where a livestock facility is to be expanded, and one or more building permits to establish or expand that livestock facility were already issued within the previous 3 years, the percentage increase shall be calculated using the total additional Nutrient Units established or added by building permit(s) issued during the previous 3-year period, plus the proposed expansion, as the numerator, and the total existing...</td>
</tr>
</tbody>
</table>
4. IMPLEMENTATION GUIDELINES

**MDS I**

Nutrient Units prior to the previous 3-year period as the denominator.

For example, an existing livestock facility currently has a design capacity of 200 Nutrient Units and proposes to increase design capacity by 100 additional Nutrient Units. A building permit for this livestock facility was issued 2 years ago which increased the size of the operation at that time from 100 Nutrient Units to 200 Nutrients Units. In this case, the percentage increase is calculated as 200 Nutrient Units (numerator) (100 Nutrient Units for this expansion plus 100 Nutrient Units for expansion 2 years ago) divided by 100 Nutrient Units (denominator) (the design capacity of the livestock facility 3 years ago) and then multiplied by 100 for a value of 200% \( \frac{200 + 100}{100} \times 100 = 200\% \).

From Table 3, Factor C = 1.0000.

In using Table 3, it may be necessary to **interpolate** a value for Factor C. When interpolating, do not include more than four decimal places, rounded accordingly.

---

#28. **Factor D: Manure Type (Table 1)**

Factor D is determined by selecting the value aligned with the applicable manure type (liquid manure or solid manure) in Table 1. Factor D is based on the physical state of manure (liquid or solid) on the lot and its relative potential for emanating offensive odours. The greater the value for Factor D, the higher the odour potential and the further the resulting MDS setbacks, all other things being equal.

---

#29. **Factor E: Encroaching Land Use Factor (Table 4)**

Factor E is determined by selecting the encroaching land use factor in Table 4 (Type A Land Use or Type B Land Use) that best matches the descriptions in Implementation Guidelines #33 and #34. Factor E is based on the relative sensitivity of an encroaching land use as it relates to odour from an existing livestock facility. The more sensitive the land use (based on an anticipated higher density of human occupancy, habitation or activity), the greater the value (1.1 or 2.2) of the encroaching land use factor and the further the resulting MDS setbacks, all other things being equal.

Not applicable
### #30. Determining Factor A When More Than One Type of Livestock are Housed and/or More Than One Type of Manure are Stored, With Differing Values for Factor A

In MDS I, Factor A will require a weighted average when there is more than one type of livestock housed and/or more than one type of manure stored on a lot with differing values for Factor A.

For example, if a livestock facility on a lot has 50 Nutrient Units of chicken broilers (Factor A = 0.7), as well as 100 Nutrient Units of swine feeders (Factor A = 1.2), then the weighted average Factor A is:

\[
\frac{(50 \times 0.7) + (100 \times 1.2)}{(50 + 100)} = 1.03
\]

When calculating a weighted average, the value of Factor A should not include more than two decimal places, rounded accordingly.

In MDS II, Factor A will require a weighted average when there is more than one type of livestock proposed to be added and/or more than one type of manure proposed to be added at the same time with differing values for Factor A.

For example, if a farmer proposes to expand a livestock facility by adding 50 Nutrient Units of chicken broilers (Factor A = 0.7), as well as adding 100 Nutrient Units of swine feeders (Factor A = 1.2) at the same time, then the weighted average Factor A is:

\[
\frac{(50 \times 0.7) + (100 \times 1.2)}{(50 + 100)} = 1.03
\]

When calculating a weighted average, the value of Factor A should not include more than two decimal places, rounded accordingly.

### #31. Determining Factor D When BOTH Solid and Liquid Manure are Stored on a Lot

In MDS I, Factor D will require a weighted average when BOTH solid and liquid manure are being stored on a lot.

For example, if a livestock facility has 50 Nutrient Units of chicken broilers with a solid manure system (Factor D = 0.7) AND 100 Nutrient Units of swine feeders with a liquid manure system (Factor D = 0.8) then the weighted average Factor D is:

\[
\frac{(50 \times 0.7) + (100 \times 0.8)}{(50 + 100)} = 0.77
\]

When calculating a weighted average, the value of Factor D should not include more than two decimal places, rounded accordingly.

In MDS II, Factor D will require a weighted average when BOTH solid and liquid manure storages are being proposed as part of the same building permit application.

For example, if a farmer proposes to add 50 Nutrient Units of chicken broilers with a solid manure system (Factor D = 0.7) AND 100 Nutrient Units of swine feeders with a liquid manure system (Factor D = 0.8) then the weighted average Factor D is:

\[
\frac{(50 \times 0.7) + (100 \times 0.8)}{(50 + 100)} = 0.77
\]

When calculating a weighted average, the value of Factor D should not include more than two decimal places, rounded accordingly.
### #32. Rounding of MDS Calculations

All resulting calculated separation distances are rounded **up** to the nearest metre. For example, if the final MDS setback is 364.72 m, round up to 365 m.

### #33. Type A Land Uses (Less Sensitive)

For the purposes of MDS I, proposed Type A land uses are characterized by a lower density of human occupancy, habitation or activity including, but not limited to:

- industrial uses outside a settlement area;
- open space uses;
- building permit applications on existing lots outside a settlement area for dwellings, unless otherwise specified in a municipality's zoning by-law in accordance with Implementation Guideline #7;
- the creation of lots for agricultural uses, in accordance with Implementation Guideline #8; and
- the creation of one or more lots for development on land outside of a settlement area that would **NOT** result in four or more lots for development in immediate proximity to one another (e.g., sharing a common contiguous boundary, across the road from one another, etc.), regardless of whether any of the lots are vacant.

For the purposes of MDS II, existing Type A land uses are characterized by a lower density of human occupancy, habitation or activity including, but not limited to:

- industrial uses outside a settlement area;
- open space uses; and,
- dwellings on lots which are located outside of a settlement area and are not recognized through an official plan designation for development; includes dwellings that are located on lots zoned for agriculture uses, residential uses or non-agricultural uses (such as zones for general agriculture, rural residential, estate residential, etc.), provided the lot remains in a prime agricultural area or rural lands type designation.

### #34. Type B Land Uses (More Sensitive)

For the purposes of MDS I, proposed Type B land uses are characterized by a higher density of human occupancy, habitation or activity including, but not limited to:

- new or expanded settlement area boundaries;

For the purposes of MDS II, existing Type B land uses are characterized by a higher density of human occupancy, habitation or activity including, but not limited to:

- settlement area boundaries; and
- existing development outside of a settlement area which is recognized through an official plan designation.
The Minimum Distance Separation (MDS) Document — Formulæ and Guidelines for Livestock Facility and Anaerobic Digester Odour Setbacks

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- An official plan amendment to permit development, excluding industrial uses, on land outside a settlement area;
- A zoning by-laws amendment to permit development, excluding industrial uses or dwellings, on land outside a settlement area; and
- The creation of one or more lots for development on land outside a settlement area, that results in four or more lots for development, which are in immediate proximity to one another (e.g., sharing a common contiguous boundary, across the road from one another, etc.), regardless of whether any of the lots are vacant.

Because of the increased sensitivity of these uses, a new or expanding Type B land use will generate an MDS I setback that is twice the distance as the MDS I setback for a Type A land use. This is reflected in the value of Factor E which is 2.2 for Type B versus 1.1 for Type A.

### MDS II

Because of the increased sensitivity of these uses, an MDS II setback from existing Type B land uses is twice the distance from existing Type A land uses.

### #35. MDS Setbacks for Agriculture-Related Uses and On-Farm Diversified Uses

MDS I setbacks from existing livestock facilities and anaerobic digesters will generally not be needed for land use planning applications which propose agriculture-related uses and on-farm diversified uses. However, some proposed agriculture-related uses and on-farm diversified uses may exhibit characteristics that could lead to potential conflicts with surrounding livestock facilities or anaerobic digesters. Therefore, it may be appropriate for municipalities to require an MDS I setback to permit certain types of these uses.

Typically, this subset of uses may be characterized by a higher density of human occupancy or activity or will be uses that may generate significant visitation by the broader public to an agricultural area. Examples include, but are not limited to: food service, accommodation, agri-tourism uses and retail operations.

MDS II setbacks to existing agriculture-related uses and on-farm diversified uses will generally not be needed for building permit applications for first or altered livestock facilities and anaerobic digesters. However, some existing agriculture-related uses and on-farm diversified uses may exhibit characteristics that could lead to potential conflicts with first or altered livestock facilities or anaerobic digesters. Therefore, it may be appropriate for municipalities to require MDS II setbacks to certain types of these uses.

Typically, this subset of uses may be characterized by a higher density of human occupancy or activity, or are uses that generate significant visitation by the broader public to an agricultural area. Examples include, but are not limited to: food service, accommodation, agri-tourism uses and retail operations. Surrounding land uses and geographic context can also play a role in determining the
**MDS I**

Surrounding land uses and geographic context can also play a role in determining the suitability of applying MDS I setbacks to proposed *agriculture-related uses, on-farm diversified uses* and *agricultural uses*.

For these reasons, and in keeping with the intent of this MDS Document, municipalities may choose to require an MDS I setback for proposals, including *lot creation*, to permit certain types of *agriculture-related uses* or *on-farm diversified uses*. In these circumstances, *agriculture-related uses* and *on-farm diversified uses* shall be considered as Type A land uses. Municipalities shall include specific provisions in their comprehensive zoning by-law to clearly indicate the types of *agriculture-related uses* and *on-farm diversified uses* that will be required to meet MDS I setbacks, including provisions related to the measurement of MDS I setbacks from *existing livestock facilities* and *anaerobic digesters*. Otherwise, MDS I setbacks will NOT be required for these types of uses.

Municipalities are strongly encouraged to develop policies in their official plans and provisions in their comprehensive zoning by-law to provide consistent direction on this issue.

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suitability of applying MDS II setbacks from existing *agriculture-related uses, on-farm diversified uses* and *agricultural uses*.

For these reasons, and in keeping with the intent of this MDS Document, municipalities may choose to require MDS II setbacks for *new or altered livestock facilities* and *anaerobic digesters* to certain types of existing *agriculture-related uses* or *on-farm diversified uses*. In these circumstances, *agriculture-related uses* and *on-farm diversified uses* shall be considered as Type A land uses. Municipalities shall include specific provisions in their comprehensive zoning by-law to clearly indicate the types of *agriculture-related uses* and *on-farm diversified uses* that MDS II setbacks are applied to and how they are measured. Otherwise, MDS II setbacks will NOT be required for these types of uses.

Municipalities are strongly encouraged to develop policies in their official plans and provisions in their comprehensive zoning by-law to provide consistent direction on this issue.

**#36. Non-Application of MDS Within Settlement Areas**

MDS I setbacks are **NOT** required for proposed land use changes (e.g., consents, rezonings, redesignations, etc.) within approved settlement areas, as it is generally understood that the long-term use of the land is intended to be for non-agricultural purposes.

MDS II setbacks are **NOT** required where municipalities permit *first or altered livestock facilities* (e.g., urban agriculture) or *anaerobic digesters* within approved *settlement area* designations, as MDS II was not designed to be used in an urban setting. However, because other issues could be considered when raising *livestock* in settlement areas, municipalities may choose to establish local approaches governing urban agriculture.
#37. MDS Setbacks for Churches, Schools and Cemeteries Used Primarily by a Community Reliant on Horse-Drawn Transportation

Normally churches, schools and cemeteries are considered Type B land uses as they are institutional uses; however, existing, new and expanding churches, schools and cemeteries intended to primarily serve a community which relies on horse-drawn vehicles as a predominate mode of transportation, shall be considered as Type A land uses for the purposes of both MDS I and MDS II.

#38. MDS Setbacks for Cemeteries

Except where noted in Implementation Guideline #37, for the purposes of MDS I, new cemeteries and expansion to existing cemeteries are considered Type B land uses, as they are institutional uses.

For the purposes of MDS II, existing cemeteries are considered Type B land uses, as they are institutional uses.

However, certain cemeteries may be treated as Type A land uses at the discretion of the municipality. For example, those cemeteries which are closed, or receive low levels of visitation, or where no place of worship is present, in addition to where noted in Implementation Guideline #37.

NOTE: Cemeteries meeting the above criteria shall be clearly identified in the municipality's planning documents on a comprehensive basis in order to be treated as Type A land uses. Otherwise all cemeteries will continue to be treated as Type B land uses, except where noted in Implementation Guideline #37.

#39. MDS II Setbacks for Rear Lot Lines, Side Lot Lines and Road Allowances

In addition to setbacks from surrounding Type A and Type B land uses, first or altered livestock facilities shall also meet the following MDS II setbacks:

- Rear and side lot line MDS II setbacks are calculated as 0.1 multiplied by the Building Base Distance ‘F’ and Storage Base Distance ‘S’ to a maximum of 30 m.
<table>
<thead>
<tr>
<th>MDS I</th>
<th>MDS II</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not applicable</td>
<td>For example, if an MDS II calculation yields values of 100 m for Building Base Distance 'F' and 123 m for Storage Base Distance 'S', the MDS II setback for the livestock barn from the ear and side lot lines would be 10 m (100 m x 0.1 = 10 m). The MDS II setback for the manure storage from the rear and side lot lines would be 12.3 m (123 m x 0.1 = 12.3 m). This value is rounded to the nearest whole number, so in this instance, the setback for the manure storage would be 12 m. As another example, if an MDS II calculation yields values of 350 m for Building Base Distance 'F' and 400 m for Storage Base Distance 'S', the MDS II setback for the livestock barn from the rear and side lot lines would be 30 m (350 m x 0.1 = 35 m, but reduced to the maximum of 30 m). The MDS II setback for the manure storage from the rear and side lot lines would be 30 m (400 m x 0.1 = 40 m, but reduced to the maximum of 30 m). Road allowance MDS II setbacks are calculated as 0.2 multiplied by the Building Base Distance 'F' and Storage Base Distance 'S' to a maximum of 60 m. For example, if an MDS II calculation yields values of 100 m for Building Base Distance 'F' and 123 m for Storage Base Distance 'S', the MDS II setback for the livestock barn from the edge of the road allowance would be 20 m (100 m x 0.2 = 20 m). The MDS II setback for the manure storage from the edge of the road allowance would be 24.6 m (123 m x 0.2 = 24.6 m). This value is rounded to the nearest whole number, so in this instance, the setback for the manure storage would be 25 m. As another example, if an MDS II calculation yields values of 350 m for Building Base Distance 'F' and 400 m for Storage Base Distance 'S', the MDS II setback for the livestock barn from the edge of the road allowance would be 60 m (350 m x 0.2 = 70 m, but reduced to the maximum of 60 m).</td>
</tr>
<tr>
<td>MDS I</td>
<td>MDS II</td>
</tr>
<tr>
<td>-------</td>
<td>--------</td>
</tr>
<tr>
<td>60 m). The MDS II setback for the manure storage from the edge of the road allowance would be 60 m (400 m x 0.2 = 80 m, but reduced to the maximum of 60 m). Rear and side lot line and road allowance MDS II setbacks for anaerobic digesters are found in Implementation Guideline #22. These MDS II setbacks are measured as the shortest distance between the point of new construction for the manure storages, or the anaerobic digester, or the livestock occupied portions of each of the surrounding livestock barns and the side and rear lot lines, as well as the edge of the road allowance.</td>
<td></td>
</tr>
</tbody>
</table>

### #40. Measurement of MDS Setbacks for Development and Dwellings

For proposed development, MDS I setbacks are measured as the shortest distance between the area proposed to be rezoned or redesignated to permit development and either: the surrounding livestock occupied portions of livestock barns, manure storages or anaerobic digesters. Refer to **Figure 7** in Section 7 of this MDS Document. This shall include areas proposed to be rezoned or redesignated with site-specific exceptions that add non-agricultural uses or residential uses to the list of agricultural uses already permitted on a lot.

For building permit applications for proposed dwellings, where required in accordance with Implementation Guideline #7, MDS I setbacks are measured as the shortest distance between the proposed dwelling and either the surrounding manure storages, anaerobic digesters or the livestock occupied portions of the livestock barns.

For existing development, MDS II setbacks are measured as the shortest distance between the point of new construction for the livestock occupied portions of the livestock barns, manure storages, anaerobic digesters and the surrounding area that is zoned or designated to permit non-agricultural uses or residential uses in a zoning by-law or official plan respectively, even if there are portions of the existing livestock facility or existing anaerobic digester that do not conform to the MDS II setbacks.

For existing dwellings, MDS II setbacks are measured as the shortest distance between the point of new construction for the livestock occupied portions of the livestock barns, manure storages or anaerobic digesters, and the surrounding dwellings, even if there are portions of the existing livestock facility or existing anaerobic digester that do not conform to the MDS II setbacks. Refer to **Figure 8** in Section 7 of this MDS Document.

NOTE: Where there are two dwellings on the same lot, the MDS II setback shall be measured to both.
### MDS I

<table>
<thead>
<tr>
<th>#41. Measurement of MDS I Setbacks for the Creation of Lots</th>
</tr>
</thead>
<tbody>
<tr>
<td>Where an MDS I setback is required for the creation of a lot, in accordance with Implementation Guideline #8 or #9, measurement of the MDS I setback should be undertaken as follows:</td>
</tr>
<tr>
<td>1. For proposed lots with an existing dwelling that are ≤1 ha, MDS I setbacks are measured as the shortest distance between the proposed lot line and either the surrounding livestock occupied portions of the livestock barns, manure storages or anaerobic digesters.</td>
</tr>
<tr>
<td>2. For proposed lots with an existing dwelling that are &gt;1 ha, MDS I setbacks are measured as the shortest distance between the existing dwelling and either the surrounding livestock occupied portions of the livestock barns, manure storages or anaerobic digesters.</td>
</tr>
<tr>
<td>3. For proposed lots without an existing dwelling that are ≤1 ha, MDS I setbacks are measured as the shortest distance between the proposed lot line and either the surrounding livestock occupied portions of the livestock barns, manure storages or anaerobic digesters.</td>
</tr>
<tr>
<td>4. For proposed lots without an existing dwelling that are &gt;1 ha, MDS I setbacks are measured as the shortest distance between a 0.5 ha or larger building envelope (for a potential dwelling) and either the surrounding livestock occupied portions of the livestock barns, manure storages or anaerobic digesters.</td>
</tr>
</tbody>
</table>

For lots created after March 1, 2017, MDS I setbacks shall be required for all building permit applications for non-agricultural uses and dwellings in accordance with Implementation Guideline #7.
#42. Non-Effect of Wind Direction, etc. on MDS Setbacks

The direction of prevailing wind, surrounding topography, and presence of trees, berms or other screening are not part of, and are not intended to affect, the calculation of MDS setbacks. However, these or other similar elements could be considered in applications to vary or reduce MDS setbacks, where appropriate, and in accordance with Implementation Guideline #43.

#43. Reducing MDS Setbacks

<table>
<thead>
<tr>
<th>MDS I Setbacks should not be reduced except in limited site specific circumstances that meet the intent of this MDS Document. Examples include circumstances that mitigate environmental or public health and safety impacts, or avoid natural or human-made hazards. If deemed appropriate by a municipality, the processes by which a reduction to MDS I may be considered could include a minor variance to the local zoning by-law provisions, a site specific zoning by-law amendment or an official plan amendment introducing a site specific policy area.</th>
</tr>
</thead>
<tbody>
<tr>
<td>MDS II Setbacks should not be reduced except in limited site specific circumstances that meet the intent of this MDS Document. Examples include circumstances that mitigate environmental or public health and safety impacts, or avoid natural or human-made hazards. If deemed appropriate by a municipality, the process by which a reduction to MDS II may be considered would typically be through a minor variance to the local zoning by-law provisions. To a lesser extent a site specific zoning by-law amendment may also be appropriate.</td>
</tr>
</tbody>
</table>
Table 1. Factor A (odour potential) and Factor D (manure type)

<table>
<thead>
<tr>
<th>Livestock/Manure Type</th>
<th>Livestock/Manure Description</th>
<th>Number per Nutrient Unit</th>
<th>Factor A</th>
<th>Manure Type and Storage Description</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Liquid Manure (&lt;18% dry matter)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Solid Manure (≥18% dry matter)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Factor D = 0.8</td>
<td>Factor D = 0.7</td>
</tr>
<tr>
<td>Swine</td>
<td>Sows with litter, dry sows or boars</td>
<td>3.5</td>
<td>1.0</td>
<td>Most systems have liquid manure stored under the barn slats for short or long periods or in storages located outside</td>
</tr>
<tr>
<td></td>
<td>Breeder gilts (entire barn designed specifically for this purpose)</td>
<td>5</td>
<td></td>
<td>Systems with solid manure inside on deep bedded packs or with scraped alleys</td>
</tr>
<tr>
<td></td>
<td>Weaners (7–27 kg)</td>
<td>20</td>
<td>1.1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Feeders (27–136 kg)</td>
<td>5.25</td>
<td>1.2</td>
<td></td>
</tr>
<tr>
<td>Dairy cattle milkling-age cows (dry or milking)</td>
<td>Large-framed; 545–658 kg (e.g., Holsteins)</td>
<td>0.7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dairy cattle heifers (5 months to freshening)</td>
<td>Medium-framed; 455–545 kg (e.g., Guernseys)</td>
<td>0.85</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dairy cattle calves (0–5 months)</td>
<td>Large-framed; 182–545 kg (e.g., Holsteins)</td>
<td>2</td>
<td>0.7</td>
<td>Free-stall barns with minimal bedding or sand bedding, or tie-stall barns with minimal bedding and milking centre washwater added</td>
</tr>
<tr>
<td></td>
<td>Medium-framed; 148–455 kg (e.g., Guernseys)</td>
<td>2.4</td>
<td></td>
<td>Tie-stall barns with lots of bedding or loose housing with deep bedded pack and with or without outside yard access</td>
</tr>
<tr>
<td></td>
<td>Small-framed; 364–455 kg (e.g., Jerseys)</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Large-framed; 45–182 kg (e.g., Holsteins)</td>
<td>6</td>
<td>0.7</td>
<td>Free-stall barns with minimal bedding, or sand bedding, or tie-stall barns with minimal bedding and milking centre washwater added</td>
</tr>
<tr>
<td></td>
<td>Medium-framed; 39–148 kg (e.g., Guernseys)</td>
<td>7</td>
<td></td>
<td>Bedded pens or stalls or heavily bedded calf hutches that are outside</td>
</tr>
<tr>
<td></td>
<td>Small-framed; 30–125 kg (e.g., Jerseys)</td>
<td>8.5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Beef cattle</td>
<td>Cows, including calves to weaning (all breeds)</td>
<td>1</td>
<td>0.7</td>
<td>Not applicable</td>
</tr>
<tr>
<td></td>
<td>Feeders (7–16 months)</td>
<td>3</td>
<td>0.8</td>
<td>Slatted floor systems, or barns with minimal bedding and yard scraped to a liquid storage</td>
</tr>
<tr>
<td></td>
<td>Backgrounders (7–12.5 months)</td>
<td>3</td>
<td></td>
<td>Bedded pack barns with or without outside yard access</td>
</tr>
<tr>
<td></td>
<td>Shortkeepers (12.5–17.5 months)</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Veal</td>
<td>Milk-fed</td>
<td>6</td>
<td>1.1</td>
<td>Slatted floor or slatted stall systems</td>
</tr>
<tr>
<td></td>
<td>Grain-fed</td>
<td>6</td>
<td>0.8</td>
<td>Heavily bedded pack barns</td>
</tr>
<tr>
<td>Goats</td>
<td>Does and bucks (for meat kids; includes unweaned offspring and replacements)</td>
<td>8</td>
<td>0.7</td>
<td>Not applicable</td>
</tr>
<tr>
<td></td>
<td>Does and bucks (for dairy; includes unweaned offspring and replacements)</td>
<td>8</td>
<td></td>
<td>All goat systems</td>
</tr>
<tr>
<td></td>
<td>Kids (dairy or feeder kids)</td>
<td>20</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Livestock/Manure Type</td>
<td>Livestock/Manure Description</td>
<td>Number per Nutrient Unit</td>
<td>Factor A</td>
<td>Manure Type and Storage Description</td>
</tr>
<tr>
<td>-----------------------</td>
<td>-----------------------------------------------------------------------------------------------</td>
<td>--------------------------</td>
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<td>-------------------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Liquid Manure (&lt;18% dry matter)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Factor D = 0.8</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Solid Manure (≥18% dry matter)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Factor D = 0.7</td>
</tr>
<tr>
<td>Sheep</td>
<td>Ewes and rams (for meat lambs; includes unweaned offspring and replacements)</td>
<td>8</td>
<td>0.7</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Sheep</td>
<td>Ewes and rams (dairy operation; includes unweaned offspring and replacements)</td>
<td>6</td>
<td>0.7</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Sheep</td>
<td>Lambs (dairy or feeder lambs)</td>
<td>20</td>
<td></td>
<td>All sheep systems</td>
</tr>
<tr>
<td>Horses</td>
<td>Large-framed, mature; &gt;681 kg (e.g., draft or draft cross breeds including unweaned offspring)</td>
<td>0.7</td>
<td>0.7</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Horses</td>
<td>Medium-framed, mature; 227–680 kg (e.g., saddle, riding and racing breeds including unweaned offspring)</td>
<td>1</td>
<td>0.7</td>
<td>All horse systems</td>
</tr>
<tr>
<td>Horses</td>
<td>Small-framed, mature; &lt;227 kg (e.g., ponies and miniatures including unweaned offspring)</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chickens</td>
<td>Layer hens (for eating eggs; after transfer from pullet barn)</td>
<td>150</td>
<td>1.0</td>
<td>Birds in cages, manure belts, no drying of manure, water added</td>
</tr>
<tr>
<td>Chickens</td>
<td>Layer pullets (day-olds until transferred into layer barn)</td>
<td>500</td>
<td></td>
<td>Birds in cages, manure belts and drying, or floor systems</td>
</tr>
<tr>
<td>Chickens</td>
<td>Broiler breeder growers (males/females transferred out to layer barn)</td>
<td>300</td>
<td></td>
<td>Bedded floors</td>
</tr>
<tr>
<td>Chickens</td>
<td>Broiler breeder layers (males/females transferred in from grower barn)</td>
<td>100</td>
<td>0.7</td>
<td>Cage or slatted floor systems</td>
</tr>
<tr>
<td>Chickens</td>
<td>Broilers on any length of cycle</td>
<td>24.8 m² (267 ft²) floor area</td>
<td></td>
<td>Bedded floor systems</td>
</tr>
<tr>
<td>Livestock/Manure Type</td>
<td>Livestock/Manure Description</td>
<td>Number per Nutrient Unit</td>
<td>Factor A</td>
<td>Manure Type and Storage Description</td>
</tr>
<tr>
<td>-----------------------</td>
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<td>-------------------------------------</td>
</tr>
<tr>
<td><strong>Turkeys</strong></td>
<td>Turkey poults (day-old until transferred to grow-out turkey barn)</td>
<td>267</td>
<td></td>
<td>0.7</td>
</tr>
<tr>
<td></td>
<td>Turkey breeder layers (males/females transferred in from grower barn)</td>
<td>67</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Breeder toms</td>
<td>45</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Broilers (day-olds to 6.2 kg)</td>
<td>133</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Hens (day-olds up to 6.2–10.8 kg; 7.5 kg is typical)</td>
<td>105</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Toms (day-olds to over 10.8–20 kg; 14.5 kg is typical)</td>
<td>75</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Turkeys at any other weights, or if unknown</td>
<td>24.8 m² (267 ft²) floor area</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Quail</strong></td>
<td>All quail</td>
<td>24.8 m² (267 ft²) floor area</td>
<td></td>
<td>0.7</td>
</tr>
<tr>
<td><strong>Partridge</strong></td>
<td>All partridge</td>
<td>24.8 m² (267 ft²) floor area</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Pheasants</strong></td>
<td>All pheasants</td>
<td>24.8 m² (267 ft²) floor area</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Squab</strong></td>
<td>All squab</td>
<td>24.8 m² (267 ft²) floor area</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Livestock/Manure Type</td>
<td>Livestock/Manure Description</td>
<td>Number per Nutrient Unit</td>
<td>Factor A</td>
<td>Manure Type and Storage Description</td>
</tr>
<tr>
<td>------------------------</td>
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<td>------------------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>0.7</td>
<td>Liquid Manure (&lt;18% dry matter)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Factor D = 0.8</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Solid Manure (≥18% dry matter)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Factor D = 0.7</td>
</tr>
<tr>
<td>Rheas</td>
<td>Adults (includes replacements and market birds)</td>
<td>13</td>
<td>0.7</td>
<td>Not applicable</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Bedded floor systems</td>
</tr>
<tr>
<td>Emus</td>
<td>Adults (includes replacements and market birds)</td>
<td>12</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ostriches</td>
<td>Adults (includes replacements and market birds)</td>
<td>4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Donkeys</td>
<td>Jacks, jennies, mules, hinnies (includes unweaned foals)</td>
<td>2</td>
<td>0.7</td>
<td>Not applicable</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>All donkey systems</td>
</tr>
<tr>
<td>Ducks</td>
<td>Peking</td>
<td>105</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ducks</td>
<td>Muscovy</td>
<td>24.8 m² (267 ft²) floor area</td>
<td>0.8</td>
<td>Wire mesh flooring systems</td>
</tr>
<tr>
<td>Ducks</td>
<td>All geese</td>
<td>24.8 m² (267 ft²) floor area</td>
<td>0.8</td>
<td>Bedded floor systems</td>
</tr>
<tr>
<td>Rabbits</td>
<td>Breeding females (including males, replacements and market animals)</td>
<td>40</td>
<td>0.8</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Chinchillas</td>
<td>Breeding females (including males, replacements and market animals)</td>
<td>320</td>
<td>0.8</td>
<td>Cage or floor systems</td>
</tr>
<tr>
<td>Fox</td>
<td>Breeding females (including males, replacements and market animals)</td>
<td>25</td>
<td>1.0</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Mink</td>
<td>Breeding females (including males, replacements and market animals)</td>
<td>60</td>
<td></td>
<td>Cage system — manure accumulates underneath</td>
</tr>
<tr>
<td>Bison</td>
<td>Adults (includes unweaned calves and replacements)</td>
<td>1.3</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Feeders (170–477 kg)</td>
<td>4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Llama</td>
<td>Adults (includes unweaned young and replacements)</td>
<td>5</td>
<td>0.7</td>
<td>Not applicable</td>
</tr>
<tr>
<td></td>
<td>Feeders (45–86 kg)</td>
<td>16</td>
<td></td>
<td>Bedded pack barns with outside access OR outside confinement areas</td>
</tr>
<tr>
<td>Alpaca</td>
<td>Adults (includes unweaned young and replacements)</td>
<td>8</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Feeders (23–48 kg)</td>
<td>26</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Livestock/Manure Type</td>
<td>Livestock/Manure Description</td>
<td>Number per Nutrient Unit</td>
<td>Factor A</td>
<td>Manure Type and Storage Description</td>
</tr>
<tr>
<td>-----------------------</td>
<td>------------------------------</td>
<td>--------------------------</td>
<td>----------</td>
<td>-------------------------------------</td>
</tr>
<tr>
<td>Wild boar</td>
<td>Breeding age sows (includes boars, replacements and weaned piglets to 27 kg)</td>
<td>5</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Finishing boars (27–86 kg)</td>
<td>7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>White tailed deer</td>
<td>Adults &gt;24 months (including unweaned offspring)</td>
<td>11</td>
<td>0.7</td>
<td>Not applicable</td>
</tr>
<tr>
<td></td>
<td>Feeders</td>
<td>21</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Red deer</td>
<td>Adults &gt;24 months (including unweaned offspring)</td>
<td>7</td>
<td>0.7</td>
<td>Not applicable</td>
</tr>
<tr>
<td></td>
<td>Feeders</td>
<td>14</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Elk</td>
<td>Adults &gt;24 months (including unweaned offspring)</td>
<td>2</td>
<td>0.7</td>
<td>Not applicable</td>
</tr>
<tr>
<td></td>
<td>Feeders</td>
<td>6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Elk/Deer hybrids</td>
<td>Adults &gt;24 months (including unweaned offspring)</td>
<td>4</td>
<td>0.7</td>
<td>Not applicable</td>
</tr>
<tr>
<td></td>
<td>Feeders</td>
<td>10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fallow deer</td>
<td>Adults &gt;24 months (including unweaned offspring)</td>
<td>13</td>
<td>0.7</td>
<td>Not applicable</td>
</tr>
<tr>
<td></td>
<td>Feeders</td>
<td>23</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other animals</td>
<td>All other animals</td>
<td>Total live weight of animals divided by 453.6 kg (1,000 lbs)</td>
<td>0.8</td>
<td>All storages with liquid manure</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>All storages with solid manure</td>
</tr>
<tr>
<td>Imported manure</td>
<td>Use the volume of manure storage(s)</td>
<td>19.8 m³ (700 ft³)</td>
<td>1.0</td>
<td></td>
</tr>
<tr>
<td>Unoccupied livestock barns</td>
<td>A livestock barn that does not currently house any livestock, but that housed livestock in the past and continues to be structurally sound and reasonably capable of housing livestock.</td>
<td>20 m² (215 ft²) of area of livestock housing</td>
<td>1.0</td>
<td>Not applicable</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>All unoccupied livestock barns</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

NOTE: This should only be used where obtaining information from the farm operator(s) and/or owner(s) was not possible (see Implementation Guideline #20 for more information).
<table>
<thead>
<tr>
<th>Livestock/Manure Type</th>
<th>Livestock/Manure Description</th>
<th>Number per Nutrient Unit</th>
<th>Factor A</th>
<th>Manure Type and Storage Description</th>
<th>Liquid Manure (≤18% dry matter)</th>
<th>Solid Manure (≥18% dry matter)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Unused manures storage for solids</strong></td>
<td>A manure storage that does not currently store any solid manure, but that stored solid manure in the past and continues to be structurally sound and reasonably capable of storing solid manure. NOTE: This should only be used where obtaining information from the farm operator(s) and/or owner(s) was not possible (see Implementation Guideline #20 for more information).</td>
<td>19.8 m³ (700 ft³) of volume for storages with two or more walls</td>
<td>1.0</td>
<td>Not applicable</td>
<td></td>
<td>All unused manure storages for solids</td>
</tr>
<tr>
<td><strong>Unused manures storage for liquids</strong></td>
<td>A manure storage that does not currently store any liquid manure, but that stored liquid manure in the past and continues to be structurally sound and reasonably capable of storing liquid manure. NOTE: This should only be used where obtaining information from the farm operator(s) and/or owner(s) was not possible (see Implementation Guideline #20 for more information).</td>
<td>19.8 m³ (700 ft³) of volume</td>
<td>1.0</td>
<td>All unused manure storages for liquids</td>
<td></td>
<td>Not applicable</td>
</tr>
</tbody>
</table>

a. On farms with 100 milking-age cows (dry and milking), there are usually about 20 replacement calves and 80 replacement heifers.
b. Average value for typical types of manures that might be imported to a lot, such as poultry, dairy, beef, swine or horse.
Table 2. Factor B (Nutrient Units factor)

When using Table 2 to determine Factor B, it may be necessary to determine a value for Factor B, which is not listed in the table. For example, if you determine the total number of Nutrient Units on a lot to be 255 Nutrient Units, Table 2 only provides a value for Factor B for 250 Nutrient Units and for 260 Nutrient Units, but not for 255 Nutrient Units. The value of Factor B for 250 Nutrient Units is 435 and the value of Factor B for 260 Nutrient Units is 441. Therefore, to determine Factor B for 255 Nutrient Units select a number between the numbers 435 and 441. In this example, the value of Factor B for 255 Nutrient Units is 438.

NOTE: When selecting a value for Factor B, do not include more than two decimal places. Interpolated values with more than two decimal places are rounded accordingly. For example, if an interpolated value for Factor B is calculated as 499.238, then use a value of 499.24 for Factor B in the MDS calculation.

For operations with fewer than 5 Nutrient Units, do not interpolate, but use a Factor B of 150. For operations with >5,000 Nutrient Units, refer to the MDS software (AgriSuite) to determine Factor B.

<table>
<thead>
<tr>
<th>Nutrient Units</th>
<th>Factor B</th>
</tr>
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<td>5,000</td>
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$>5,000$ Nutrient Units: Refer to the MDS software (AgriSuite)
Table 3. Factor C (expansion factor)

When using Table 3 to determine Factor C, it may be necessary to determine a value for Factor C, which is not listed in the table. For example, the percentage increase at a livestock facility is 155%. Table 3 provides a value for Factor C for a 150% increase and for a 160% increase, but not for a 155% increase. The value of Factor C for a 150% increase is 0.9371 and the value of Factor C for a 160% increase is 0.9497. To determine Factor C for a 155% increase, interpolate between the numbers 0.9371 and 0.9497. In this example, the value of Factor C for a 155% increase is 0.9434.

NOTE: When selecting a value for Factor C, do not include more than four decimal places. Interpolated values with more than four decimal places are rounded accordingly. For example, if an interpolated value for Factor C is calculated as 0.977643, then use a value of 0.9776 for Factor C in the MDS calculation.

For operations with a 0% increase, or a decrease in Nutrient Units, use a value of 0.5000 for Factor C. Do not interpolate below a value of 0.5000. For operations with a 700% increase or greater, or for a first livestock facility, use a value of 1.1400 for Factor C. Do not interpolate above a value of 1.1400.

<table>
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<th>Percent Increase in Nutrient Units</th>
<th>Factor C</th>
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<td>0% increase OR decrease</td>
<td>0.5000</td>
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<tr>
<td>1%</td>
<td>0.5062</td>
</tr>
<tr>
<td>2%</td>
<td>0.5124</td>
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<tr>
<td>3%</td>
<td>0.5186</td>
</tr>
<tr>
<td>4%</td>
<td>0.5248</td>
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<tr>
<td>5%</td>
<td>0.5310</td>
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<tr>
<td>6%</td>
<td>0.5372</td>
</tr>
<tr>
<td>7%</td>
<td>0.5434</td>
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<tr>
<td>8%</td>
<td>0.5496</td>
</tr>
<tr>
<td>9%</td>
<td>0.5558</td>
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<tr>
<td>10%</td>
<td>0.5620</td>
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<tr>
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<td>0.5682</td>
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<tr>
<td>12%</td>
<td>0.5744</td>
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<tr>
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<td>0.5806</td>
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<tr>
<td>14%</td>
<td>0.5868</td>
</tr>
<tr>
<td>15%</td>
<td>0.5930</td>
</tr>
<tr>
<td>16%</td>
<td>0.5992</td>
</tr>
<tr>
<td>17%</td>
<td>0.6054</td>
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<tr>
<td>18%</td>
<td>0.6116</td>
</tr>
<tr>
<td>19%</td>
<td>0.6178</td>
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<tr>
<td>20%</td>
<td>0.6240</td>
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<td>0.6302</td>
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<td>22%</td>
<td>0.6364</td>
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<td>23%</td>
<td>0.6426</td>
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<table>
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<th>Percent Increase in Nutrient Units</th>
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<td>0.6488</td>
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<td>25%</td>
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<td>0.6674</td>
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<td>0.6798</td>
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<td>0.6860</td>
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<tr>
<td>31%</td>
<td>0.6922</td>
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<td>32%</td>
<td>0.6984</td>
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<td>33%</td>
<td>0.7046</td>
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<td>0.7480</td>
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<td>44%</td>
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<td>46%</td>
<td>0.7852</td>
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<td>47%</td>
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<td>48%</td>
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### Table 4. Factor E (encroaching land use factor)

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<th>Encroaching Land Use</th>
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<tbody>
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<td>Type A land use (less sensitive; see Implementation Guideline #33)</td>
<td>1.1</td>
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<tr>
<td>Type B land use (more sensitive; see Implementation Guideline #34)</td>
<td>2.2</td>
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### Table 5. Manure Storage Types

**Solid manure:** 18% dry matter, or more  
**Liquid manure:** <18% dry matter

<table>
<thead>
<tr>
<th>Storage Odour Potential</th>
<th>Manure Type</th>
<th>Inside or Outside Livestock Barn</th>
<th>Storage Type (to use in Table 6)</th>
<th>Description of Manure Storages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very low</td>
<td>Solid</td>
<td>Inside</td>
<td>V1</td>
<td>Solid, inside, bedded pack (manure accumulates under livestock over time)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Outside</td>
<td>V2</td>
<td>Solid, outside, covered (cover keeps off precipitation to prevent runoff)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>V3</td>
<td>Solid, outside, no cover, ≥30% dry matter (manure is dry enough that a flowpath option can be used for runoff control (<em>Nutrient Management Act, 2002</em>)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>V4</td>
<td>Solid, outside, no cover, 18%--&lt;30% dry matter, with covered liquid runoff storage (manure not dry enough to soak up precipitation, so a liquid runoff storage is needed; storage has a permanent, tight-fitting cover)</td>
</tr>
<tr>
<td>Liquid</td>
<td></td>
<td>Inside</td>
<td>V5</td>
<td>Liquid, inside, underneath slatted floor (manure is stored under the animals in the barn)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Outside</td>
<td>V6</td>
<td>Liquid, outside, with a permanent, tight-fitting cover (negative pressure tarp, concrete lid, inflatable dome, etc.)</td>
</tr>
<tr>
<td>Low</td>
<td>Solid</td>
<td>Outside</td>
<td>L1</td>
<td>Solid, outside, no cover, 18%--&lt;30% dry matter, with uncovered liquid runoff storage (manure not dry enough to soak up precipitation, so a liquid runoff storage needed; it is uncovered, producing more odour than a V4 storage)</td>
</tr>
<tr>
<td></td>
<td>Liquid</td>
<td></td>
<td>L2</td>
<td>Liquid, outside, with a permanent floating cover (tarps, foam panels, plastic hexagon discs, etc.)</td>
</tr>
<tr>
<td>Medium</td>
<td>Liquid</td>
<td>Outside</td>
<td>M1</td>
<td>Liquid, outside, no cover, straight-walled storage (usually circular or rectangular concrete or steel storages)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>M2</td>
<td>Liquid, outside, roof, but with open sides (roof keeps off precipitation, but the open sides allow wind to travel over the manure and carry odours)</td>
</tr>
<tr>
<td>High</td>
<td>Liquid</td>
<td>Outside</td>
<td>H1</td>
<td>Liquid, outside, no cover, sloped-sided storage (earthen manure storages, but NOT earthen runoff storages associated with a solid manure storage which are L1)</td>
</tr>
</tbody>
</table>
Table 6. MDS I and MDS II Setbacks for Manure Storage(s)

When using this table to determine a value for Storage Base Distance ‘S’, it may be necessary to interpolate a value. For example, if you determine the value for Building Base Distance ‘F’ is 106 m, and from Table 5 the livestock facility has a manure storage with an odour potential that is considered medium (M1), note that Table 6 provides a value for Storage Base Distance ‘S’ for an M1 Storage with a Building Base Distance ‘F’ of 100 m and for an Building Base Distance ‘F’ of 110 m, but not for a Building Base Distance ‘F’ of 106 m. The value of Storage Base Distance ‘S’ for an M1 Storage with a Building Base Distance ‘F’ of 100 m, is 190 m. The value of Storage Base Distance ‘S’ for an M1 Storage with a Building Base Distance ‘F’ of 110 m, is 199 m. Therefore, to determine the value of Storage Base Distance ‘S’ for an M1 Storage, with a Building Base Distance ‘F’ of 106 m, interpolate between the numbers 190 and 199. In this example, the value of Storage Base Distance ‘S’ for an M1 Storage, with a Building Base Distance ‘F’ of 106 m is 195.4 m. This value is rounded to the nearest whole number — 195 m.

NOTE: When selecting a value for Storage Base Distance ‘S’ do not include any decimal places. Interpolated values with decimal places are rounded accordingly. For example, if an interpolated value for Storage Base Distance ‘S’ is calculated as 202.83 m, then use a value of 203 m for Storage Base Distance ‘S’.

In all instances, where Building Base Distance ‘F’ exceeds 1,000 m, then the Storage Base Distance ‘S’ will be the same value as ‘F’.

<table>
<thead>
<tr>
<th>Building Base Distance ‘F’ (metres)</th>
<th>Very Low Odour Storages V1 to V6</th>
<th>Low Odour Storages L1 to L2</th>
<th>Medium Odour Storages M1 to M2</th>
<th>High Odour Storages H1</th>
</tr>
</thead>
<tbody>
<tr>
<td>40</td>
<td>40</td>
<td>64</td>
<td>136</td>
<td>232</td>
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<td>Building Base Distance ‘F’ (metres)</td>
<td>Storage Base Distance ‘S’ (metres)</td>
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<td>Low Odour Storages L1 to L2</td>
<td>Medium Odour Storages M1 to M2</td>
<td>High Odour Storages H1</td>
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<td>800</td>
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</tr>
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<td>1,000</td>
<td>1,000</td>
<td>1,000</td>
<td>1,000</td>
<td>1,000</td>
</tr>
<tr>
<td>&gt;1,000 m</td>
<td>Storage Base Distance ‘S’ is the same as Building Base Distance ‘F’</td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>
6. CALCULATION FORMS

6.1 MDS I Calculation Form

Introduction

Implementation Guidelines #2 through #5 and #7 through #15 provide direction on the types of applications and situations which generally trigger the need to complete an MDS I setback calculation(s).

Generally, the preferred method for calculating MDS setbacks is to use the software provided by OMAFRA (AgriSuite). However, on occasions where a 'by hand' calculation is preferred or the software is not available, the following information is intended to assist with the calculation of MDS I setbacks. It is not intended to detract or add to the information found in specific Implementation Guidelines or tables located in Sections 4 and 5 of this MDS Document.

MDS I setbacks are calculated for each livestock facility that may be reasonably impacted by the proposed Planning Act, 1990, application or building permit application. MDS I setbacks for anaerobic digesters do not need to be calculated, but are required in accordance with Implementation Guideline #22. In some circumstances, a proposed development or dwelling may only trigger one MDS I setback if there is only one livestock facility in the vicinity. In circumstances where there are multiple livestock facilities in the vicinity, multiple MDS I calculations are necessary.

Implementation Guideline #6 provides direction on conducting MDS I calculations. It states that as part of municipal consideration of planning or building permit applications, existing livestock facilities or anaerobic digesters within a 750 m distance of Type A applications and within a 1,500 m distance of Type B applications shall be investigated, and MDS I setback calculations undertaken where warranted. In circumstances where large livestock facilities (e.g., >1,200 Nutrient Units) exist beyond the 750 m or 1,500 m study area, MDS I setbacks from these facilities should also be calculated.

Steps 1 and 2 are completed once for any given application. Steps 3 through 14 are repeated for each livestock facility for which an MDS I setback is required.

Step 1: Data Collection — Applicant Contact Information

Fill in the pertinent contact information for the applicant. If all of this information is not available, include sufficient information so that the applicant can be identified and contacted if necessary.

<table>
<thead>
<tr>
<th>Contact Information — Applicant</th>
</tr>
</thead>
<tbody>
<tr>
<td>First name</td>
</tr>
<tr>
<td>Last name</td>
</tr>
<tr>
<td>Company/organization (if applicable)</td>
</tr>
<tr>
<td>Agent (if applicable)</td>
</tr>
<tr>
<td>Mailing address</td>
</tr>
<tr>
<td>City/town</td>
</tr>
<tr>
<td>Province</td>
</tr>
<tr>
<td>Postal code</td>
</tr>
<tr>
<td>Telephone number</td>
</tr>
<tr>
<td>Alternative telephone number</td>
</tr>
<tr>
<td>Fax number</td>
</tr>
<tr>
<td>Email</td>
</tr>
</tbody>
</table>
Step 2: Data Collection — Location and Description of the Proposed Application

Fill in the pertinent information regarding the proposed application. If all of this information is not available, include sufficient information to identify if the proposed application involves a settlement area boundary expansion and if the proposal is a Type A or Type B land use.

<table>
<thead>
<tr>
<th>Location and Description of the Proposed Application</th>
</tr>
</thead>
<tbody>
<tr>
<td>Upper tier/single tier municipality</td>
</tr>
<tr>
<td>Lower tier municipality (if applicable)</td>
</tr>
<tr>
<td>Lot</td>
</tr>
<tr>
<td>Concession</td>
</tr>
<tr>
<td>911 number</td>
</tr>
<tr>
<td>Roll number</td>
</tr>
<tr>
<td>Application type (e.g., building permit, plan of subdivision, rezoning, official plan amendment, etc.)*</td>
</tr>
<tr>
<td>General description of the proposed application*</td>
</tr>
</tbody>
</table>

*Indicates information required to complete an MDS calculation

Step 3: Data Collection — Contact Information for the Surrounding Livestock Facility

Fill in the pertinent contact information for the farmer or the owner of the surrounding livestock facility. If all of this information is not available, include sufficient information so that the farm owner or operator can be identified and contacted if necessary.

<table>
<thead>
<tr>
<th>Contact Information — Farm Owner or Operator</th>
</tr>
</thead>
<tbody>
<tr>
<td>First name</td>
</tr>
<tr>
<td>Last name</td>
</tr>
<tr>
<td>Company/organization (if applicable)</td>
</tr>
<tr>
<td>Agent (if applicable)</td>
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<td>Mailing address</td>
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<td>City/town</td>
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<td>Telephone number</td>
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<tr>
<td>Alternative telephone number</td>
</tr>
<tr>
<td>Fax number</td>
</tr>
<tr>
<td>Email</td>
</tr>
</tbody>
</table>
**Step 4: Data Collection — Location of the Livestock Facility**

Fill in the pertinent information regarding the location of the livestock facility. If all of this information is not available, include sufficient information so that the livestock facility can be located if required. **NOTE:** It is important to know the size of the lot on which the livestock facility is located.

<table>
<thead>
<tr>
<th>Location of the Livestock Facility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Upper tier/single tier municipality</td>
</tr>
<tr>
<td>Lower tier municipality (if applicable)</td>
</tr>
<tr>
<td>Lot number</td>
</tr>
<tr>
<td>Concession</td>
</tr>
<tr>
<td>911 number</td>
</tr>
<tr>
<td>Roll number</td>
</tr>
<tr>
<td>Size of lot where livestock facility is located (indicate acres or hectares)*</td>
</tr>
</tbody>
</table>

*Indicates information required to complete an MDS I calculation

**Step 5: Data Collection — Information Regarding the Livestock Facility**

Gather the pertinent information regarding the livestock facility that is required to complete the MDS calculation in the following steps. Often, the operator of the livestock facility is the best contact to obtain this information.

A livestock facility may have two components:

1. livestock barn(s), with associated manure storage(s)
2. imported manure storage(s)

An anaerobic digester may also be present on the lot. The type and amount of information needed will depend on the nature of the specific livestock facility, which components are present and whether there is an anaerobic digester on the lot.

If the livestock facility includes a livestock barn, gather information on the animal housing including information on all the types of livestock housed, the barn's capacity for each type of livestock and the manure system used in the barn (see Table 1).

If the barn is presently empty, but the type of livestock housed and capacity can be reasonably estimated by one or more of the parties involved, use this approach and note that the barn's capacity is estimated. However, if the barn is empty and its capacity cannot be readily estimated by one or more of the parties involved, then record the information for an unoccupied livestock barn as found in Table 1.

Typically, a livestock facility with a livestock barn will include at least one manure storage, but it is possible to have a livestock barn without one. If present, identify the type of manure storage at the livestock facility (see Table 6). If more than one type of manure storage is present, identify each different type. If the manure storage is unused, but the type of livestock and the capacity for the barn was estimated, then indicate the type of manure storage. However, if the manure storage is unused, and the information for an unoccupied livestock barn was used to determine the capacity for the livestock barn, then proceed to identify the manure storage type. Enter information for a solid or liquid unused manure storage as per Table 1.
If the *livestock facility* includes an imported *manure storage*, gather information on the size of the *manure storage* and type of manure stored (i.e., solid or liquid). As well, identify the appropriate *manure storage* type (see Table 6). If more than one type of imported *manure storage* is present, identify each different type.

If there is an *anaerobic digester* on the lot simply record this information as no additional detailed information is required.

To assist with this step, Implementation Guideline #16 provides direction on obtaining information to calculate MDS setbacks. A sample MDS I Data Collection Form is provided in Section 6.

**Step 6: Livestock/Manure Types and Descriptions Housed and/or Stored**

On Calculation Form A, identify all livestock/manure types that are housed and/or stored as part of the **livestock facility**, based on the information provided by the farm operator in Step 5. Table 1 provides a listing of all types of livestock. For each type of livestock/manure complete a separate row in Form A. For each row and each livestock/manure type, rely on Table 1 for information regarding description, ‘number/NU’ and manure type.

1. In Cell A2, identify the type of livestock (e.g., dairy).
2. In Cell B2, identify the appropriate description for the livestock (e.g., milking-age cows (dry or milking) large-framed (e.g., Holsteins)).
3. NOTE: There is no description for imported manure, therefore Cell B2 would remain blank.
4. In Cell C2, record the ‘number/NU’ from Table 1 (e.g., 0.7).
5. In Cell D2, identify the manure type (e.g., liquid). If Table 1 provides more than one option for manure type (i.e., both liquid and solid are options), indicate which type is present or proposed, based on information supplied by the farm operator.
6. Enter the existing maximum number of livestock that can be housed, or maximum area that can be used to house livestock or the maximum volume of manure that can be stored in Cell E2 based on information supplied by the farm operator. The value entered should be the maximum capacity of the livestock barn or manure storage for that type of livestock or manure and not the present number or area of livestock housed or present volume of manure stored.
7. Repeat this step for each type of livestock/manure that exists using rows 3 through 6 as needed.
   If more than five types of livestock (and imported manure) are currently, or will be housed, add additional rows to the table. For some types of livestock more than one row will be needed if the operation houses more than one description of livestock. For example, a dairy operation that houses milking-age cows, heifers and calves would need three rows, one for each description.
8. For *unoccupied livestock barns*, where the livestock type that can be housed is known, or can reasonably be estimated by one or more of the parties involved, enter that livestock type and capacity for the empty facility. This information can be obtained from the farm owner. However, where the livestock type that can be housed in the *unoccupied livestock barn* is unknown, or reliable information is unavailable, complete Calculation Form A using the *unoccupied livestock barn* option provided in Table 1 and described further in Implementation Guideline #20. Follow a similar process for *unused manure storages* as described in Implementation Guideline #21.
Step 7: Convert Livestock/Manure Information to Nutrient Units

1. For each livestock/manure type and description outlined on Calculation Form A, calculate how many Nutrient Units are associated with the livestock facility. Determine this by taking the existing maximum number of livestock that can be housed, or maximum area that can be used to house livestock, or the maximum volume of manure that can be stored in Cell E2 and divide it by the 'Number/NU' in Cell C2. Record this new value in Cell F2. If necessary, repeat this step for each type of livestock/manure identified.

2. Next calculate the design capacity of all livestock facilities on the lot. To determine the design capacity as expressed in Nutrient Units, add values in Cells F2 through F6 on Calculation Form A and record this value in Cell B1 on Calculation Form B.

Step 8: Factor A

1. For each livestock/manure type and description outlined on Calculation Form A, determine the value of Factor A. For the livestock/manure type described in Cells A2 and B2, enter the value of Factor A from Table 1 in Cell G2 on Calculation Form A. For example, if Cells A2 and B2 describe dairy cattle, milking-age cows, large-framed (e.g., Holsteins), record the value 0.7 in Cell G2. If necessary, repeat this step for each type of livestock/manure identified.

2. Review Cells G2 through G6. For cells where there is a recorded value for Factor A, if the value for Factor A is the same in every cell, then enter this value in Cell B2 on Calculation Form B. If there is more than one value for Factor A in Cells G2 through G6 on Calculation Form A, then it is necessary to calculate a weighted average for Factor A. For example, if dairy cattle milking-age cows, heifers and calves are recorded, there is no need to calculate a weighted average for Factor A, as the value of Factor A (i.e., 0.7) is the same for all three types of livestock. Similarly, if horses are recorded...
(large-framed) and sheep (lambs), there is no need to calculate a weighted average for Factor A, as the value of Factor A (i.e., 0.7) is the same for both types of livestock. However, if sheep (lambs) and rabbits are recorded, calculate a weighted average for Factor A, as the value of Factor A is different for these types of livestock.

3. To calculate a weighted average for Factor A, see Implementation Guideline #30, and use the values for Factor A recorded in Cells G2 through G6 and the number of Nutrient Units recorded in Cells F2 through F6. When calculating a weighted average, the value of Factor A should not include more than two decimal places and may need to be rounded accordingly. Record the weighted average for Factor A in Cell B2 on Calculation Form B.

**Step 9: Factor D**

1. For each livestock/manure type and description outlined on Calculation Form A, determine the value of Factor D. For the manure type described in Cell D2 enter the value of Factor D from Table 1 in Cell H2. For example, if Cell D2 says liquid manure, record the value 0.8 in Cell H2. If necessary, repeat this step for each type of livestock/manure identified.

2. Review Cells H2 through H6. For cells where a value is recorded for Factor D, if the value for Factor D is the same in every cell, then enter this value on Calculation Form B, Cell B3. If there is more than one value for Factor D in Cells H2 through H6 on Calculation Form A, then it is necessary to calculate a weighted average for Factor D.

For example, if solid manure for all types of livestock is recorded in the Calculation Form, there is no need to calculate a weighted average for Factor D, as the value of Factor D (i.e., 0.7) is the same for all types of livestock. However, if there is a record for both solid manure and liquid manure for various types of livestock on Calculation Form A, calculate a weighted average for Factor D as the type of manure is different for these types of livestock.

3. To calculate a weighted average for Factor D, see Implementation Guideline #31, and use the values for Factor D recorded in Cells H2 through H6 and the number of Nutrient Units recorded in Cells G2 through G6 on Calculation Form A. When calculating a weighted average, the value of Factor D should not include more than two decimal places and may need to be rounded accordingly. Record the weighted average for Factor D in Cell B3 on Calculation Form B.

**Step 10: Factor E**

1. Now determine Factor E which is based on the type of land use that is proposed as part of the land use planning or building permit application. Based on the information provided by the applicant in Step 2, as well as on direction found in Implementation Guidelines #33 and #34, determine if the proposed use is a Type A or Type B land use. Implementation Guidelines #35 through #38, and direction in local planning documents, may also help in determining if the proposed land use is a Type A or Type B land use.

2. On Calculation Form B, in Cell B4, record if the proposed land use is a Type A or Type B land use. If the proposed use is a Type A land, use Table 4 to enter a value of 1.1 in Cell B5 on Calculation Form B. If the proposed use is a Type B land, use Table 4 to enter a value of 2.2 in Cell B5 on Calculation Form B.
Step 11: Factor B

1. Next determine Factor B which is based on the design capacity for the livestock facility expressed in Nutrient Units, in combination with the size of the lot on which the livestock facility is located as a consideration for the potential future expansion of the livestock facility. If based on Step 2 and Step 10, it is determined that the proposed application is for a settlement area expansion (Type B land use), or if the lot is ≤ 5 ha, then take the value of the design capacity for the livestock facility expressed in Nutrient Units found on MDS I Calculation Form B, Cell B1, and record this in Cell B6 on MDS I Calculation Form C and skip to #7 below. If the proposed application is not for a settlement area expansion, take the value of design capacity for the livestock facility found on MDS I Calculation Form B, Cell B1, and record this in Cell B1 on MDS I Calculation Form C.

2. Based on the information provided in Step 4 by the farm operator or other reliable source, record in Cell B2 on Calculation Form C the lot size (in hectares or acres) of the lot on which the livestock facility is located. Do not enter the size of the entire farm operation; instead only consider the lot on which the livestock facility is located. For example, if a farm operation comprised 200 ha in its entirety, but the livestock facility is located on a 40 ha conveyable lot, record the 40 ha.

3. If the design capacity recorded in Cell B1 on MDS I Calculation Form B exceeds 125 Nutrient Units (NU), then record the applicable cap size in Cell B3 on Calculation Form C. If the design capacity does not exceed 125 NU, then indicate “Not Applicable” in Cell B3 on Calculation Form C. If the design capacity exceeds 125 NU, then determine the appropriate cap size based on the lot size recorded in Cell B2.

4. If the lot size recorded in Cell B2 is ≤ 5 ha, then record the phrase “Not Applicable” in Cell B3. If the lot size recorded in Cell B2 is > 5 ha, but ≤ 25 ha, record a value of 300 in Cell B3. If the lot size recorded in Cell B2 is > 25 ha, but ≤ 50 ha, record a value of 450 in Cell B3. If the lot size recorded in Cell B2 is > 50 ha, record a value of 600 in Cell B3.

5. Determine the multiplication factor used to calculate the potential design capacity for the livestock facility as expressed in Nutrient Units, described in Implementation Guideline #26. To do this, use MDS I Calculation Form D which is derived from the table found in Implementation Guideline #26. Take the design capacity found in Cell B1 on Calculation Form C, cross reference that with the lot size found in Cell B2 on Calculation Form C and use these two values to determine the appropriate multiplication factor using Calculation Form D. Enter the value of the multiplication factor in Cell B4.

For example, if the design capacity found in Cell B1 equals 15 NU and the lot size found in Cell B2 equals 20 ha, using Calculation Form D, enter a value of 2 in Cell B4 on Calculation Form C. If the design capacity found in Cell B1 equals 200 NU and the lot size found in Cell B2 equals 40 ha, using Calculation Form D, enter a value of 3 in Cell B4 on Calculation Form C. If the design capacity found in Cell B1 equals 5 NU and the lot size found in Cell B2 equals 55 ha, using Calculation Form D, enter a value of 1 in Cell B4 on Calculation Form C, etc.

6. Now take the value in Cell B1 on Calculation Form C and multiple it by the value in Cell B4 on Calculation Form C and enter the result in Cell B5 on Calculation Form C. For example, if the value in Cell B1 is 80 NU and the value in Cell B4 is 3, enter 240 NU in Cell B5.

7. Next, determine if the value in Cell B5 on Calculation Form C exceeds the cap size. If Cell B3 on Calculation Form C says “Not Applicable”, enter the value from Cell B5 into Cell B6 on Calculation Form C. If Cell B3 on Calculation Form C contains a numeric value (i.e., 300, 450 or 600), compare this to
the value found in Cell B5 on Calculation Form C. If the value in Cell B5 is less than the value in Cell B3, enter the value found in Cell B5 into Cell B6 on Calculation Form C.

For example, if Cell B5 has a value of 240 NU and Cell B3 has a value of 300 NU, then enter a value of 240 NU in Cell B6. If the value in Cell B5 is equal to or greater than the value in Cell B3, enter the value found in Cell B3 into Cell B6 on Calculation Form C. For example, if Cell B5 has a value of 320 NU and Cell B3 has a value of 300 NU, then enter a value of 300 NU in Cell B6.

8. The value in Cell B6 is the potential design capacity for the livestock facility as expressed in Nutrient Units and is used to determine Factor B. Use this number to determine Factor B from Table 2 by looking up the value of Factor B in Table 2 based on the potential design capacity. In some cases, it is necessary to interpolate Factor B from Table 2, when the exact value is not specifically identified in Table 2. Implementation Guideline #26 provides more specific direction on Factor B, and information on interpolation and rounding can be found in the text accompanying Table 2.

9. Once the value of Factor B is determined, record this number in Cell B7 on Calculation Form C.

### MDS I -- Calculation Form C

<table>
<thead>
<tr>
<th></th>
<th>A</th>
<th>B</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Design capacity</td>
<td>Nutrient Units</td>
</tr>
<tr>
<td>2</td>
<td>Lot size</td>
<td>Hectares</td>
</tr>
<tr>
<td>3</td>
<td>Cap size (if applicable)</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Multiplication factor</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(from Implementation Guideline #26 and Calculation Form D)</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Multiplication factor multiplied by design capacity</td>
<td>Nutrient Units</td>
</tr>
<tr>
<td>6</td>
<td>Potential design capacity</td>
<td>Nutrient Units</td>
</tr>
<tr>
<td>7</td>
<td>Final Factor B</td>
<td></td>
</tr>
</tbody>
</table>

### MDS I -- Calculation Form D

<table>
<thead>
<tr>
<th>Design Capacity of Livestock Facility (NU)</th>
<th>Total Lot Size</th>
<th>Total Lot Size</th>
<th>Total Lot Size</th>
<th>Total Lot Size</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>≤5 ha</td>
<td>&gt;5 ha, but ≤25</td>
<td>&gt;25 ha, but ≤50 ha</td>
<td>&gt;50 ha</td>
</tr>
<tr>
<td>≤5 NU</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>&gt;5 NU, but ≤25 NU</td>
<td>1</td>
<td>2</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>&gt;25 NU, but ≤125 NU</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>&gt;125 NU</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>3</td>
</tr>
</tbody>
</table>
Step 12: Calculate Building Base Distance ‘F’

1. To calculate Building Base Distance ‘F’, enter the value for:
   - Factor A (found on Calculation Form B, Cell B2) into Cell A2 on Calculation Form E
   - Factor B (found on Calculation Form C, Cell B7) into Cell B2 on Calculation Form E
   - Factor D (found on Calculation Form B, Cell B3) into Cell C2 on Calculation Form E
   - Factor E (found on Calculation Form B, Cell B5) into Cell D2 on Calculation Form E

2. Calculate Building Base Distance ‘F’ by multiplying Factor A, Factor B, Factor D and Factor E. In other words, multiply the values in Cells A2, B2, C2 and D2 together and enter this result in Cell E2 on Calculation Form E.

MDS I — CALCULATION FORM E

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Factor A</td>
<td>Factor B</td>
<td>Factor D</td>
<td>Factor E</td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Step 13: Determine Storage Base Distance ‘S’

1. Enter Building Base Distance ‘F’ as found in Calculation Form E, Cell E2, in Calculation Form F, Cell B1. If the livestock facility does not have a manure storage, enter a value of 0 in Cell B3, Storage Base Distance, on Calculation Form F. If the livestock facility does have a manure storage, proceed to determining Storage Base Distance ‘S’ starting with Table 5. Compare the 11 types of manure storages described in Table 5 (i.e., V1, V2, V3, V4, V5, V6, L1, L2, M1, M2 and H1) with the information provided by the farm operator regarding the livestock facility (Step 5). Select the manure storage type that best fits the application. The manure storage type selected should also reflect the value of Factor D used in the calculation.

   For example, if Factor D in the calculation is based on solid manure (value of 0.7) it is not appropriate to select the V6 manure storage type. Enter the manure storage type (e.g., V6) in Cell B2 on Calculation Form F. If more than one type of manure storage is present, select the manure storage type with the highest odour potential. For example, if a livestock facility has both a V6 and a H1 manure storage, enter H1 in Cell B2 on Calculation Form F.

2. Use the manure storage type (Cell B2 on Calculation Form F) and the Building Base Distance ‘F’ (Cell B1 on Calculation Form F) and determine the value of Storage Base Distance ‘S’ from Table 6 by looking up the value of the Storage Base Distance ‘S’ based on these two numbers. In some cases, it will be necessary to interpolate Storage Base Distance ‘S’ from Table 6 when the actual distance is not specifically identified in Table 6. Information on interpolation and rounding can be found in the text accompanying Table 6.
Step 14: Final MDS I Setbacks

1. The calculation of MDS I setbacks is now complete. The value in Cell B1 on MDS I Calculation Form F is the required MDS I setback between the proposed development or dwelling (i.e., planning or building permit application respectively) and the existing livestock barn.

2. The value in Cell B3 on MDS I Calculation Form F is the required MDS I setback between the proposed development or dwelling and the existing manure storage. If in Step 5 there was an anaerobic digester present on the lot, the MDS I setback between the proposed development or dwelling and all components of the anaerobic digester is 200 m for a Type A land use, and 450 m for a Type B land use (see Implementation Guideline #22).

3. Now apply these MDS I setbacks to the proposed development or dwelling as appropriate. Implementation Guidelines #39 through #41 provide information on the measurement of MDS setbacks. Implementation Guidelines #42 and #43 provide information on reducing and varying MDS setbacks. Repeat Steps 3 through 14 if MDS I setbacks are required for other livestock facilities.
### 6.2 MDS I Sample Data Collection Form

#### Information Regarding the Existing Facilities

<table>
<thead>
<tr>
<th>Facility Type</th>
<th>Present on the Lot? (yes or no)</th>
<th>Chart Sections to Complete</th>
</tr>
</thead>
<tbody>
<tr>
<td>Livestock barn and/or manure storage</td>
<td>If yes, complete Section A</td>
<td></td>
</tr>
<tr>
<td>Imported manure storage</td>
<td>If yes, complete Section B</td>
<td></td>
</tr>
<tr>
<td>Anaerobic digester</td>
<td>No additional information required</td>
<td></td>
</tr>
</tbody>
</table>

#### Section A

**Livestock**

1. Enter *livestock* information below.

2. If the barn is empty, but *livestock* type and capacity can be reasonably estimated by one or more of the parties involved enter information below, and indicate that the capacity was estimated.

3. If the barn is empty, and capacity cannot be reasonably estimated by one or more of the parties involved, then proceed to the bottom of the *livestock* type list, and enter information for an unoccupied livestock barn.

<table>
<thead>
<tr>
<th>Livestock Type</th>
<th>Livestock Description</th>
<th>Number of Livestock or Area</th>
<th>Unit</th>
<th>Manure System (indicate solid or liquid if no default provided)</th>
<th>Estimate for an Empty Barn? (yes or no)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alpacas</td>
<td>Adults (includes unweaned young and replacements)</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Feeders (23–48 kg)</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Beef</td>
<td>Cows, including calves to weaning (all breeds)</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Feeders (7–16 months)</td>
<td>Number of livestock</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Backgrounders (7–12.5 months)</td>
<td>Number of livestock</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Shortkeepers (12.5–17.5 months)</td>
<td>Number of livestock</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bison</td>
<td>Adults (includes unweaned calves and replacements)</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Feeders (170–477 kg)</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Livestock Type</td>
<td>Livestock Description</td>
<td>Number of Livestock or Area</td>
<td>Unit</td>
<td>Manure System (indicate solid or liquid if no default provided)</td>
<td>Estimate for an Empty Barn? (yes or no)</td>
</tr>
<tr>
<td>---------------</td>
<td>--------------------------------------------------------------------------------------</td>
<td>-----------------------------</td>
<td>---------------</td>
<td>---------------------------------------------------------------</td>
<td>----------------------------------------</td>
</tr>
<tr>
<td><strong>Chicken</strong></td>
<td>Layer hens (for eating eggs; after transfer from pullet barn)</td>
<td>Number of livestock</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Layer pullets (day-olds until transferred into layer barn)</td>
<td>Number of livestock</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Broiler breeder growers (males/females transferred out to layer barn)</td>
<td>Number of livestock</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Broiler breeder layers (males/females transferred in from grower barn)</td>
<td>Number of livestock</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Broilers on any length of cycle use the floor area of the livestock barn</td>
<td>m² or ft²</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Chinchillas</strong></td>
<td>Breeding females (including males, replacements and market animals)</td>
<td>Number of livestock</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Dairy</strong></td>
<td>Milking-age cows (dry or milking); large-framed; 545–658 kg (e.g., Holsteins)</td>
<td>Number of livestock</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Milking-age cows (dry or milking); medium-framed; 455–545 kg (e.g., Guernseys)</td>
<td>Number of livestock</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Milking-age cows (dry or milking); small-framed; 364–455 kg (e.g., Jerseys)</td>
<td>Number of livestock</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Heifers (5 months to freshening); large-framed; 182–545 kg (e.g., Holsteins)</td>
<td>Number of livestock</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Heifers (5 months to freshening); medium-framed; 148–455 kg (e.g., Guernseys)</td>
<td>Number of livestock</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Heifers (5 months to freshening); small-framed; 125–364 kg (e.g., Jerseys)</td>
<td>Number of livestock</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Dairy</strong></td>
<td>Calves (0–5 months); large-framed; 45–182 kg (e.g., Holsteins)</td>
<td>Number of livestock</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Calves (0–5 months); medium-framed; 39–148 kg (e.g., Guernseys)</td>
<td>Number of livestock</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Calves (0–5 months); small-framed; 30–125 kg (e.g., Jerseys)</td>
<td>Number of livestock</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Livestock Type</td>
<td>Livestock Description</td>
<td>Number of Livestock or Area</td>
<td>Unit</td>
<td>Manure System (indicate solid or liquid if no default provided)</td>
<td>Estimate for an Empty Barn? (yes or no)</td>
</tr>
<tr>
<td>----------------</td>
<td>------------------------</td>
<td>------------------------------</td>
<td>------</td>
<td>---------------------------------------------------------------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td>White tailed deer</td>
<td>Adults &gt;24 months (including unweaned offspring)</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Feeders</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Red deer</td>
<td>Adults &gt;24 months (including unweaned offspring)</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Feeders</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Elk</td>
<td>Adults &gt;24 months (including unweaned offspring)</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Feeders</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Elk/deer hybrids</td>
<td>Adults &gt;24 months (including unweaned offspring)</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Feeders</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fallow deer</td>
<td>Adults &gt;24 months (including unweaned offspring)</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Feeders</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Donkey</td>
<td>Jacks, jennies, mules, hinnies (includes unweaned foals)</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ducks</td>
<td>Muscovy (use the floor area of the livestock barn)</td>
<td>m² or ft²</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Peking</td>
<td>Number of livestock</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Emu</td>
<td>Adults (includes replacements and market birds)</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fox</td>
<td>Breeding females (including males, replacements and market animals)</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Geese</td>
<td>Use the floor area of the livestock barn</td>
<td>m² or ft²</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Goats</td>
<td>Does and bucks (for meat kids; includes unweaned offspring and replacements)</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Does and bucks (for dairy; includes unweaned offspring and replacements)</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Kids (dairy or feeder kids)</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Livestock Type</td>
<td>Livestock Description</td>
<td>Number of Livestock or Area</td>
<td>Unit</td>
<td>Manure System (indicate solid or liquid if no default provided)</td>
<td>Estimate for an Empty Barn? (yes or no)</td>
</tr>
<tr>
<td>---------------</td>
<td>-----------------------</td>
<td>-----------------------------</td>
<td>------</td>
<td>---------------------------------------------------------------</td>
<td>--------------------------------------</td>
</tr>
<tr>
<td>Horses</td>
<td>Large-framed, mature; &gt;681 kg (e.g., draft or draft cross breeds including unweaned offspring)</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Medium-framed, mature; 227–680 kg (e.g., saddle, riding and racing breeds including unweaned offspring)</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Small-framed, mature; &lt;227 kg (e.g., ponies and miniatures including unweaned offspring)</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Llama</td>
<td>Adults (includes unweaned young and replacements)</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Feeders (45–86 kg)</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mink</td>
<td>Breeding females (including males, replacements and market animals)</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ostriches</td>
<td>Adults (includes replacements and market birds)</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Partridge</td>
<td>Use floor area of the livestock barn</td>
<td>m² or ft²</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pheasants</td>
<td>Use floor area of the livestock barn</td>
<td>m² or ft²</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Quail</td>
<td>Use floor area of the livestock barn</td>
<td>m² or ft²</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rabbits</td>
<td>Breeding females (including males, replacements and market animals)</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rheas</td>
<td>Adults (includes replacements and market birds)</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sheep</td>
<td>Ewes and rams (for meat lambs; includes unweaned offspring and replacements)</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ewes and rams (dairy operation; includes unweaned offspring and replacements)</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Lambs (dairy or feeder lambs)</td>
<td>Number of livestock</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Squab (pigeon)</td>
<td>Use the floor area of the livestock barn</td>
<td>m² or ft²</td>
<td>Solid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Livestock Type</td>
<td>Livestock Description</td>
<td>Number of Livestock or Area</td>
<td>Unit</td>
<td>Manure System (Indicate solid or liquid if no default provided)</td>
<td>Estimate for an Empty Barn? (yes or no)</td>
</tr>
<tr>
<td>---------------</td>
<td>---------------------------------------------------------------------------------------</td>
<td>----------------------------</td>
<td>-----------------------------</td>
<td>---------------------------------------------------------------</td>
<td>----------------------------------------</td>
</tr>
<tr>
<td>Swine</td>
<td>Sows with litter, dry sows or boars</td>
<td>Number of livestock</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Breeder gilts (entire barn designed specifically for this purpose)</td>
<td>Number of livestock</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Weaners (7–27 kg)</td>
<td>Number of livestock</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Feeders (27–136 kg)</td>
<td>Number of livestock</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Turkey</td>
<td>Turkey poults (day-old until transferred to grow-out turkey barn)</td>
<td>Number of livestock</td>
<td></td>
<td>Solid</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Turkey breeder layers (males/females transferred in from grower barn)</td>
<td>Number of livestock</td>
<td></td>
<td>Solid</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Breeder toms</td>
<td>Number of livestock</td>
<td></td>
<td>Solid</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Broilers (day-olds to 6.2 kg)</td>
<td>Number of livestock</td>
<td></td>
<td>Solid</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Hens (day-olds up to 6.2–10.8 kg; 7.5 kg is typical)</td>
<td>Number of livestock</td>
<td></td>
<td>Solid</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Toms (day-olds to over 10.8–20 kg; 14.5 kg is typical)</td>
<td>Number of livestock</td>
<td></td>
<td>Solid</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Turkeys at any other weights, or if unknown use the floor area of the livestock barn</td>
<td>m² or ft²</td>
<td></td>
<td>Solid</td>
<td></td>
</tr>
<tr>
<td>Veal</td>
<td>Milk-fed</td>
<td>Number of livestock</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Grain-fed</td>
<td>Number of livestock</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wild boar</td>
<td>Breeding age sows (includes boars, replacements and weaned piglets up to 27 kg)</td>
<td>Number of livestock</td>
<td></td>
<td>Solid</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Finishing boars (27–86 kg)</td>
<td>Number of livestock</td>
<td></td>
<td>Solid</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>Other animals not listed in this table</td>
<td>Enter total weight of livestock</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
1. Identify the appropriate manure storage type from the list below; if more than one type of manure storage is present identify all types that are applicable. The types of manure storage selected should reflect the types of manure systems associated with each livestock type identified above (e.g., if dairy housing based on liquid manure was identified above, then select a liquid manure storage from below).

2. If the manure storage is unused, but the livestock type and capacity for the barn were estimated in the previous section, then indicate the type of manure storage.

3. If the manure storage is unused, and in the section above, unoccupied livestock barn was used to determine capacity, then proceed to identify the manure storage type. Enter the information for a solid or liquid unused manure storage.

<table>
<thead>
<tr>
<th>Manure Storage Type</th>
<th>Manure Storage Description</th>
<th>Present on the Lot? (yes or no)</th>
</tr>
</thead>
<tbody>
<tr>
<td>V1</td>
<td>Solid, inside, bedded pack (manure accumulates under livestock over time)</td>
<td></td>
</tr>
<tr>
<td>V2</td>
<td>Solid, outside, covered (cover keeps off precipitation to prevent runoff)</td>
<td></td>
</tr>
<tr>
<td>V3</td>
<td>Solid, outside, no cover, ≥30% dry matter (manure is dry enough that a flowpath option can be used for runoff control (Nutrient Management Act, 2002))</td>
<td></td>
</tr>
<tr>
<td>V4</td>
<td>Solid, outside, no cover, 18%–&lt;30% dry matter, with covered liquid runoff storage (manure not dry enough to soak up precipitation, so a liquid runoff storage needed, but it has a permanent, tight-fitting cover)</td>
<td></td>
</tr>
<tr>
<td>V5</td>
<td>Liquid, inside, underneath slatted floor (manure is stored under the animals in the barn)</td>
<td></td>
</tr>
</tbody>
</table>
6. CALCULATION FORMS

<table>
<thead>
<tr>
<th>Manure Storage Type</th>
<th>Manure Storage Description</th>
<th>Present on the Lot? (yes or no)</th>
</tr>
</thead>
<tbody>
<tr>
<td>V6</td>
<td>Liquid, outside, with a permanent, tight-fitting cover (negative pressure tarp, concrete lid, inflatable dome, etc.)</td>
<td></td>
</tr>
<tr>
<td>L1</td>
<td>Solid, outside, no cover, 18%–&lt;30% dry matter, with uncovered liquid runoff storage (manure not dry enough to soak up precipitation, so a liquid runoff storage needed, but it is uncovered, producing more odour than in V4)</td>
<td></td>
</tr>
<tr>
<td>L2</td>
<td>Liquid, outside, with a permanent floating cover (tarps, foam panels, etc.)</td>
<td></td>
</tr>
<tr>
<td>M1</td>
<td>Liquid, outside, no cover, straight-walled storage (usually circular or rectangular concrete or steel storages)</td>
<td></td>
</tr>
<tr>
<td>M2</td>
<td>Liquid, outside, roof, but with open sides (roof keeps off precipitation, but the open sides allow wind to travel over the manure and carry odours)</td>
<td></td>
</tr>
<tr>
<td>H1</td>
<td>Liquid, outside, no cover, sloped-sided storage (earthen manure storages, but NOT earthen runoff storages associated with a solid manure storage which are L1)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Unused Manure Storage Type</th>
<th>Manure Storage Description</th>
<th>Total Volume</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Solid unused manure storage</td>
<td>A manure storage that does not currently store any solid manure, but that stored solid manure in the past and continues to be structurally sound and reasonably capable of storing solid manure</td>
<td></td>
<td>m³ or ft³</td>
</tr>
<tr>
<td>Liquid unused manure storage</td>
<td>A manure storage that does not currently store any liquid manure, but that stored liquid manure in the past and continues to be structurally sound and reasonably capable of storing liquid manure</td>
<td></td>
<td>m³ or ft³</td>
</tr>
</tbody>
</table>

**Section B**

*Imported Manure*

1. Indicate the volume of the manure storage in cubic metres or cubic feet.
2. Indicate the type of manure stored (solid or liquid).
3. Identify the appropriate manure storage type from the list below; if more than one type of manure storage is present identify all types that are applicable.

<table>
<thead>
<tr>
<th>Manure storage volume (m³ or ft³)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of manure stored (solid or liquid)</td>
<td></td>
</tr>
<tr>
<td>Manure Storage Type</td>
<td>Manure Storage Description</td>
</tr>
<tr>
<td>---------------------</td>
<td>----------------------------</td>
</tr>
<tr>
<td>V1</td>
<td>Solid, inside, bedded pack (manure accumulates under livestock over time)</td>
</tr>
<tr>
<td>V2</td>
<td>Solid, outside, covered (cover keeps off precipitation to prevent runoff)</td>
</tr>
<tr>
<td>V3</td>
<td>Solid, outside, no cover, ≥30% dry matter (manure is dry enough that a flowpath option can be used for runoff control (Nutrient Management Act, 2002))</td>
</tr>
<tr>
<td>V4</td>
<td>Solid, outside, no cover, 18%–&lt;30% dry matter, with covered liquid runoff storage (manure not dry enough to soak up precipitation, so a liquid runoff storage needed, but it has a permanent, tight-fitting cover)</td>
</tr>
<tr>
<td>V5</td>
<td>Liquid, inside, underneath slatted floor (manure is stored under the animals in the barn)</td>
</tr>
<tr>
<td>V6</td>
<td>Liquid, outside, with a permanent, tight-fitting cover (negative pressure tarp, concrete lid, inflatable dome, etc.)</td>
</tr>
<tr>
<td>L1</td>
<td>Solid, outside, no cover, 18%–&lt;30% dry matter, with uncovered liquid runoff storage (manure not dry enough to soak up precipitation, so a liquid runoff storage needed, but it is uncovered, producing more odour than in V4)</td>
</tr>
<tr>
<td>L2</td>
<td>Liquid, outside, with a permanent floating cover (tarps, foam panels, etc.)</td>
</tr>
<tr>
<td>M1</td>
<td>Liquid, outside, no cover, straight-walled storage (usually circular or rectangular concrete or steel storages)</td>
</tr>
<tr>
<td>M2</td>
<td>Liquid, outside, roof, but with open sides (roof keeps off precipitation, but the open sides allow wind to travel over the manure and carry odours)</td>
</tr>
<tr>
<td>H1</td>
<td>Liquid, outside, no cover, sloped-sided storage (earthen manure storages, but NOT earthen runoff storages associated with a solid manure storage which are L1)</td>
</tr>
</tbody>
</table>
6.3 MDS II Calculation Form

Introduction

Implementation Guidelines #2 through #5 and #11 through #15 provide direction on the types of applications and situations that trigger the need to complete an MDS II setback calculation.

Generally, the preferred method for calculating MDS setbacks is to use the software provided by OMAFRA (AgriSuite). However, on occasions where a 'by hand' calculation is preferred or the software is not available, this information is intended to assist with the calculation of MDS II setbacks. It is not intended to detract or add to the information found in specific Implementation Guidelines or tables located in Sections 4 and 5 of this MDS Document.

MDS II setbacks are calculated for both a first or altered livestock facility and yield setbacks between various parts of the livestock facility, depending on the type of construction proposed, (i.e., livestock barn or manure storage), Type A and Type B land uses, road allowances, and rear and side lot lines. MDS II setbacks for anaerobic digesters do not need to be calculated, but are required in accordance with Implementation Guideline #22. MDS II setbacks are applied based on actual surrounding land uses and circumstances.

Step 1: Contact Information for Applicant

Fill in the pertinent contact information for the applicant who is proposing to construct a first or altered livestock facility. If all of this information is not available, include sufficient information so that the applicant can be identified and contacted if necessary.

<table>
<thead>
<tr>
<th>Contact Information — Applicant</th>
</tr>
</thead>
<tbody>
<tr>
<td>First name</td>
</tr>
<tr>
<td>Last name</td>
</tr>
<tr>
<td>Company/organization (if applicable)</td>
</tr>
<tr>
<td>Agent (if applicable)</td>
</tr>
<tr>
<td>Mailing address</td>
</tr>
<tr>
<td>City/town</td>
</tr>
<tr>
<td>Province</td>
</tr>
<tr>
<td>Postal code</td>
</tr>
<tr>
<td>Primary telephone number</td>
</tr>
<tr>
<td>Alternative telephone number</td>
</tr>
<tr>
<td>Fax number</td>
</tr>
<tr>
<td>Email</td>
</tr>
</tbody>
</table>
Step 2: Location and Description of the Proposed Application

Fill in the pertinent information for the lot where the proposed application is to be located. If all of this information is not available, include sufficient information to identify the proposed application location.

<table>
<thead>
<tr>
<th>Location and Description of the Proposed Application</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location and description of the proposed application</td>
</tr>
<tr>
<td>Upper tier/single tier municipality</td>
</tr>
<tr>
<td>Lower tier municipality (if applicable)</td>
</tr>
<tr>
<td>Lot</td>
</tr>
<tr>
<td>Concession</td>
</tr>
<tr>
<td>911 Number and road name</td>
</tr>
<tr>
<td>Property roll number</td>
</tr>
<tr>
<td>Application type (e.g., building permit)</td>
</tr>
<tr>
<td>File number</td>
</tr>
<tr>
<td>General description of the proposed application</td>
</tr>
</tbody>
</table>

Step 3: Livestock/Manure Types and Descriptions Housed and/or Stored

1. On Calculation Form A, identify all the types of livestock/manure that are currently, or could potentially be, housed and/or stored as part of the livestock facility, based on the information provided by the applicant. Table 1 provides a listing of livestock/manure. For each type of livestock/manure complete a separate row in Form A. For each row, and each livestock/manure type, use Table 1 for information regarding description, number/NU and manure type.

2. In Cell A2, identify the type of livestock/manure (e.g., dairy).

3. In Cell B2, identify the appropriate description for the livestock (e.g., milking-age cows (dry or milking) large-framed (e.g., Holsteins)).

4. NOTE: There is no description for imported manure, therefore Cell B2 remains blank.

5. In Cell C2 record the number/NU from Table 1 (e.g., 0.7).

6. In Cell D2 identify the manure type (e.g., liquid). If Table 1 provides more than one option for manure type (i.e., both liquid and solid are options), indicate which type is present or proposed, based on information supplied by the applicant.

7. Enter the existing maximum number of livestock that can be housed, or maximum area that can be used to house livestock, or the maximum volume of manure that can be stored in Cell E2 and the proposed capacity to be added in Cell G2 based on information supplied by the applicant. If the operation is a first livestock facility, enter a value of 0 for the existing capacity in Cell E2 on Calculation Form A.
8. Repeat this step for each applicable type of livestock/manure, using rows 3 through 6 as needed. If more than five types of livestock (or imported manure) are currently, or will be housed (or stored), add additional rows to the table. For some types of livestock more than one row is needed if the operation houses more than one description of livestock. For example, a dairy operation that houses milking-age cows, heifers, and calves would need three rows, one for each description.

**MDS II — CALCULATION FORM A**

<table>
<thead>
<tr>
<th></th>
<th>Livestock/Manure Type</th>
<th>Livestock/Manure Description</th>
<th>Number/NU (number of livestock or m² or m³)</th>
<th>Manure Type (solid or liquid)</th>
<th>Existing Maximum Number of Livestock or m² or m³</th>
<th>Existing Maximum Number of Nutrient Units</th>
<th>Proposed Added Number of Livestock or m² or m³</th>
<th>Proposed Added Number of Nutrient Units</th>
<th>Factor A</th>
<th>Factor D</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td>3</td>
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<td></td>
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<td></td>
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<tr>
<td>4</td>
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<td></td>
<td></td>
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<tr>
<td>5</td>
<td></td>
<td></td>
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<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**MDS II — CALCULATION FORM B**

<table>
<thead>
<tr>
<th></th>
<th>A</th>
<th>B</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Existing design capacity</td>
<td>Nutrient Units</td>
</tr>
<tr>
<td>2</td>
<td>Proposed total number of Nutrient Units to be added</td>
<td>Nutrient Units</td>
</tr>
<tr>
<td>3</td>
<td>Design capacity after alteration</td>
<td>Nutrient Units</td>
</tr>
<tr>
<td>4</td>
<td>Final Factor A</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Final Factor D</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Final Factor B</td>
<td></td>
</tr>
</tbody>
</table>

**Step 4: Convert Livestock Information to Nutrient Units**

1. For each livestock/manure type and description outlined on Calculation Form A, determine the existing maximum number of Nutrient Units and the proposed number of Nutrient Units to be added. Calculate existing maximum number of Nutrient Units by taking the existing maximum number of livestock that can be housed, or maximum area that can be used to house livestock, or the maximum volume of manure that can be stored in Cell E2 and dividing it by the number/NU in Cell C2. Record this new value in Cell F2.

2. Calculate the proposed number of Nutrient Units to be added by taking the proposed number of livestock to be added, or the area to be used to house livestock, or the volume of manure to be stored in Cell G2 and dividing it by the number/NU in Cell C2. Record this new value in Cell H2. If necessary, repeat this step for each type of livestock/manure identified.

3. Now calculate the existing design capacity, the proposed total number of Nutrient Units to be added and the design capacity after alteration, all three of which are expressed in Nutrient Units. To determine existing design capacity, add values in Cells F2 through F6 on Calculation Form A and record this value in Cell B1 on Calculation Form B.
4. To determine the proposed total number of Nutrient Units to be added, add values in Cells H2 through H6 and record this value in Cell B2 on Calculation Form B.

5. To determine the design capacity for the livestock facility after alteration, add values in Cells B1 and B2 on Calculation Form B and record this value in Cell B3 on Calculation Form B.

**Step 5: Factor A**

1. For each livestock/manure type and description outlined on Calculation Form A, where livestock/manure are being added, determine the value of Factor A. For the livestock/manure type described in Cells A2 and B2, and where indicated in Cell G2 that this type of livestock/manure is being added to the operation, enter the value of Factor A from Table 1 in Cell J2. For example, if Cell A2 and B2 describe dairy cattle, milking-age cows, large-framed (e.g., Holsteins), and Cell G2 indicates that 100 livestock are being added, record the value 0.7 in Cell J2.

2. Repeat this step for each type of livestock/manure (i.e., repeat this for rows 3 through 6 if livestock/manure types are identified for these rows) where livestock/manure are proposed to be added to the facility.

3. Review Cells J2 through J6. For cells that have recorded a value for Factor A, if the value for Factor A is the same in every cell, then enter this value in Cell B4 on Calculation Form B. If there is more than one value for Factor A in Cells J2 through J6 on Calculation Form A, then calculate a weighted average for Factor A.

   For example, if dairy cattle milking-age cows, heifers and calves are recorded there is no need to calculate a weighted average for Factor A, as the value of Factor A (i.e., 0.7) is the same for all three types of livestock. Similarly, if horses (large-framed) and sheep (lambs) were recorded there is no need to calculate a weighted average for Factor A, as the value of Factor A (i.e., 0.7) is the same for both types of livestock. However, if sheep (lambs) and rabbits were recorded then calculate a weighted average for Factor A, as the value of Factor A is different for these types of livestock.

4. To calculate a weighted average for Factor A (see Implementation Guideline #30), use the values for Factor A recorded in Cells J2 through J6 and the proposed total number of Nutrient Units to be added (numbers recorded in Cells H2 through H6). When calculating a weighted average, the value of Factor A should NOT include more than two decimal places and may be rounded accordingly. Record the weighted average for Factor A in Cell B4 on Calculation Form B.

**Step 6: Factor D**

1. For each livestock/manure type and description outlined on Calculation Form A, where livestock/manure is proposed to be added, determine the value of Factor D. For the manure type described in Cell D2 and where indicated in Cell G2 that this type of livestock/manure is being added to the operation, enter the value of Factor D in Cell J2 from Table 1. For example, if Cell D2 says liquid manure, record the value 0.8 in Cell J2. Repeat this step for each type of livestock/manure identified.

2. Review Cells J2 through J6. For cells where a value for Factor D is recorded, if the value for Factor D is the same in every cell, then enter this value on Calculation Form B, Cell B5. If there is more than one value for Factor D in Cells J2 through J6 on Calculation Form A, then it is necessary to calculate a weighted average for Factor D.
For example, if solid manure for all types of livestock is recorded in Calculation Form, there is no need to calculate a weighted average for Factor D, as the value of Factor D (i.e., 0.7) is the same for all types of livestock. However, if solid manure and liquid manure is recorded for various types of livestock in the Calculation Form, calculate a weighted average for Factor D as the type of manure is different for these types of livestock.

3. To calculate a weighted average for Factor D (see Implementation Guideline #31) use the values for Factor D recorded in Cells J2 through J6 and the proposed number of Nutrient Units to be added (which are recorded in Cells H2 through H6 on Calculation Form A). When calculating a weighted average, the value of Factor D should not include more than two decimal places and may be rounded accordingly. Record the weighted average for Factor D in Cell B5 on Calculation Form B.

**Step 7: Factor B**

1. Now determine Factor B which is based on the design capacity after the proposed construction (alteration) is completed. The design capacity after alteration is found in Cell B3 on Calculation Form B. Use this number as the ‘Final Nutrient Units’ to determine Factor B from Table 2, by looking up the value of Factor B based on the final Nutrient Units. In some cases, it will be necessary to interpolate Factor B from Table 2, when the exact value of the final Nutrient Units is not specifically identified in Table 2. Implementation Guideline #26 provides more specific direction on Factor B, and information on interpolation and rounding can be found in the text accompanying Table 2. Once the value of Factor B is determined, record this number in Cell B6 on Calculation Form B.

**Step 8: Determining Percentage Increase**

1. Determine Factor C to complete the MDS II calculation by defining the percentage increase for the livestock facility. There are four approaches for calculating percentage increase. Use the approach that most appropriately fits the situation:

   - if the operation is a *first livestock facility*, then use Approach (i)
   - if the operation is an *existing livestock facility* that is being altered, and the proposed building permit will result in an increase in design capacity, and no other building permits have been issued on this lot in the past 3 years that increased the design capacity of the livestock facility, then use Approach (ii)
   - if the operation is an *existing livestock facility* that is being altered, and the proposed building permit will result in an increase in design capacity, and a building permit has been issued on this lot within the past 3 years that increased the design capacity of the livestock facility, then use Approach (iii)
   - if the operation is an *existing livestock facility* and the proposed building permit will result in no change in design capacity, or a decrease in design capacity for the livestock facility, then use Approach (iv)
Approach (i)

For a first livestock facility the percentage increase is assumed to be 700%. Enter a value of 700% in Cell B5 on Calculation Form C.

Approach (ii)

Take the value of the proposed total number of Nutrient Units to be added (found in Cell B2 on Calculation Form B) and enter it in Cell D3 on Calculation Form C. Take the value of existing design capacity (found in Cell B1 on Calculation Form B) and enter it in Cell D4 on Calculation Form C. Calculate percentage increase by dividing the value in Cell D3 by the value in Cell D4. Multiply the result by 100. This is the percentage increase. Enter this value in Cell D5 on Calculation Form C.

Approach (iii)

Determine the number of Nutrient Units that were added to the livestock facility by building permit(s) issued within the past 3 years. Ask the applicant for this information; consult existing municipal files or records. If the building permit(s) issued within the past 3 years for this operation was (were) for a first livestock facility (i.e., there were no livestock housed and no manure stored on this lot 3 years ago), then use Approach (i) for this operation. Take the value of the proposed total number of Nutrient Units to be added (found in Cell B2 on Calculation Form B), add to it any additional Nutrient Units added by building permits issued within the past 3 years and enter this new value in Cell F3 on Calculation Form C. Take the value of the existing design capacity (NU) (found in Cell B1 on Calculation Form B), subtract from it any additional Nutrient Units added by building permits issued within the past 3 years and enter this new value in Cell F4 on Calculation Form C. Calculate percentage increase by dividing the value in Cell F3 by the value in Cell F4. Multiply the result by 100. This is the percentage increase. Enter this value in Cell F5 on Calculation Form C.

Approach (iv)

For an existing livestock facility where the proposed building permit will result in no change in design capacity, or a decrease in design capacity for the livestock facility, percentage increase is assumed to be 0%. Enter a value of 0% in Cell H5 on Calculation Form C.

Step 9: Factor C

1. Calculate Factor C, which is based on the percentage increase. Take the percentage increase found in Cell B5, D5, F5 or H5 (depending on the approach used in Step 8) found on Calculation Form C. Use this value to determine Factor C from Table 3, by looking up the value of Factor C based on the percentage increase in Nutrient Units. In some cases, it is necessary to interpolate Factor C from Table 3, when the actual percentage increase in Nutrient Units is not specifically identified in Table 3. Implementation Guideline #27 provides more specific direction on Factor C, and information on interpolation and rounding is found in the text accompanying Table 3.

2. Once the value of Factor C is determined, record this number in Cell B6 on Calculation Form C.
### MDS II — CALCULATION FORM C

<table>
<thead>
<tr>
<th></th>
<th>Approach (i)</th>
<th>Approach (ii)</th>
<th>Approach (iii)</th>
<th>Approach (iv)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>First livestock facility</td>
<td>Existing *design capacity is to increase; no previous building permits which added capacity were issued in the last 3 years</td>
<td>Existing *design capacity is to increase; a building permit had been issued which added capacity to the <em>livestock</em> facility within the last 3 years</td>
<td>Existing *design capacity is staying the same or decreasing</td>
</tr>
<tr>
<td>2</td>
<td></td>
<td>Proposed total number of <em>Nutrient Units</em> to be added</td>
<td>Proposed total number of <em>Nutrient Units</em> to be added plus additional <em>Nutrient Units</em> added by building permit(s) within the past 3 years</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td>Existing <em>design capacity</em></td>
<td>Existing *design capacity — additional <em>Nutrient Units</em> added by building permit(s) within the past 3 years</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Percentage increase</td>
<td>Percentage increase ([D3/D4]*100)</td>
<td>Percentage increase ([F3/F4]*100)</td>
<td>Percentage increase</td>
</tr>
<tr>
<td>6</td>
<td>Factor C</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Step 10: Calculate Building Base Distance ‘F’

1. To calculate Building Base Distance ‘F’, enter the value for:
   - Factor A (found on Calculation Form B, Cell B4) into Cell A2 on Calculation Form D
   - Factor B (found on Calculation Form B, Cell B6) into Cell B2 on Calculation Form D
   - Factor C (found on Calculation Form C, Cell B6) into Cell C2 on Calculation Form D
   - Factor D (found on Calculation Form B, Cell B5) into Cell D2 on Calculation Form D

2. Calculate Building Base Distance by multiplying Factor A, Factor B, Factor C and Factor D (multiply the values in Cells A2, B2, C2 and D2 together) and enter this result in Cell E2 on Calculation Form D.

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
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<tbody>
<tr>
<td>1</td>
<td>Factor A</td>
<td>Factor B</td>
<td>Factor C</td>
<td>Factor D</td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td>Building Base Distance ‘F’</td>
</tr>
</tbody>
</table>

Step 11: Determine Storage Base Distance ‘S’

1. Enter Building Base Distance ‘F’ (found in Calculation Form D, Cell E2) in Calculation Form E, Cell B1. If the proposed building permit does not result in the construction or expansion of a manure storage, enter a value of 0 in Cell B3, Storage Base Distance ‘S’, on Calculation Form E.

2. If the proposed building permit does result in the construction or expansion of a manure storage, proceed to establish Storage Base Distance ‘S’ starting with Table 5.
   - Compare the 11 types of manure storages in Table 5 (i.e., V1, V2, V3, V4, V5, V6, L1, L2, M1, M2 and H1) with the proposed project to be constructed by the applicant as part of the building permit application.
   - Select the manure storage type that best fits the application. The manure storage type selected should reflect the value of Factor D used in the calculation. For example, if Factor D is based on solid manure (value of 0.7) it is not appropriate to select the V6 manure storage type. Enter the manure storage type (e.g., V6) in Cell B2 on Calculation Form E. If more than one type of manure storage is proposed to be constructed as part of the building permit application, select the manure storage type with the highest odour potential. For example, if a building permit proposes to construct both a V6 and a H1 manure storage, enter H1 in Cell B2 on Calculation Form E.

3. Use the manure storage type (Cell B2 on Calculation Form E) and the Building Base Distance ‘F’ (Cell B1 on Calculation Form E) and determine the value of Storage Base Distance ‘S’ from Table 6, by looking up the value of the Storage Base Distance ‘S’ based on these two numbers. In some cases, it is necessary to interpolate Storage Base Distance ‘S’ from Table 6 when the actual distance is not specifically identified in Table 6. Information on interpolation and rounding is found in the text accompanying Table 6.
Step 12: Calculate Minimum Distance Separation II Setbacks

1. Now that the Building Base Distance ‘F’ and the Storage Base Distance ‘S’ have been calculated, determine setbacks from the nearest neighbour’s dwelling, Type A land uses, Type B land uses, road allowances and lot lines.

### MDS II — CALCULATION FORM E

<table>
<thead>
<tr>
<th></th>
<th>A</th>
<th>B</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Building Base Distance ‘F’</td>
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</tr>
<tr>
<td>2</td>
<td>Manure Storage Type (Table 5)</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Storage Base Distance ‘S’ (Table 6)</td>
<td></td>
</tr>
</tbody>
</table>

### MDS II — CALCULATION FORM F

<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td>Livestock Barn</td>
<td>Manure Storage</td>
</tr>
<tr>
<td>2</td>
<td>Building Base Distance ‘F’</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Nearest neighbours dwelling and Type A land use (1 x ‘F’)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Type B land use (2 x ‘F’)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Road allowance setback (0.2 x ‘F’ to a maximum of 60 m)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Rear and side lot line setback (0.1 x ‘F’ to a maximum of 30 m)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. Take the Building Base Distance ‘F’ (Cell B1 Calculation Form E) and enter this value in Cell B2 on Calculation Form F. Take the Storage Base Distance ‘S’ (Cell B3 Calculation Form E) and enter this value in Cell C2 on Calculation Form F. To determine various MDS II setbacks for the livestock barn and the manure storage, multiply these base distances by various factors.

3. To determine the MDS II setback for the livestock barn from the nearest neighbour’s dwelling and Type A land uses, multiple the value in Cell B2 by 1.0 and enter this value in Cell B3.

4. To determine the MDS II setback for the manure storage from the nearest neighbour’s dwelling and Type A land uses, multiple the value in Cell C2 by 1.0 and enter this value in Cell C3.

5. To determine the MDS II setback for the livestock barn from Type B land uses, multiple the value in Cell B2 by 2.0 and enter this value in Cell B4.

6. To determine the MDS II setback for the manure storage from Type B land uses, multiple the value in Cell C2 by 2.0 and enter this value in Cell C4.

7. To determine the MDS II setback for the livestock barn from a road allowance, multiple the value in Cell B2 by 0.2 and enter this value in Cell B5. If this value exceeds 60, enter a value of 60 in Cell B5.
8. To determine the MDS II setback for the manure storage from a road allowance, multiple the value in Cell C2 by 0.2 and enter this value in Cell C5. If this value exceeds 60, enter a value of 60 in Cell C5.

9. To determine the MDS II setback for the livestock barn from a rear or side lot line, multiple the value in Cell B2 by 0.1 and enter this value in Cell B6. If this value exceeds 30, enter a value of 30 in Cell B6.

10. To determine the MDS II setback for the manure storage from a rear or side lot line, multiple the value in Cell C2 by 0.1 and enter this value in Cell C6. If this value exceeds 30, enter a value of 30 in Cell C6.

The calculation of MDS II setbacks is now complete. Apply these MDS II setbacks to the building permit application as appropriate. Implementation Guidelines #39 through #41 provide information for the measurement of MDS setbacks. Implementation Guidelines #42 and #43 provide information on reducing and varying MDS setbacks.
Figure 3. Implementation Guideline #9 — MDS I setbacks and lot creation for a residence surplus to a farming operation.

An MDS I setback is required from the red livestock barn (B2) for the proposed surplus dwelling severance, but not from either of the two grey livestock barns (B1), unless local provisions state otherwise. This is because those two grey livestock barns (B1) are already on separate lots from the subject dwelling proposed to be severed and therefore a potential odour conflict already exists. The creation of the surplus dwelling lot only results in a new potential odour conflict with the red livestock barn (B2) as it is on the same lot as the subject dwelling prior to the consent being approved and will be on a separate lot after the consent is approved. In accordance with Implementation Guideline #14, there is no MDS I setback required from the green livestock barn (B3), as it will remain on the same lot as the subject dwelling proposed to be severed.
Figure 4. Implementation Guideline #12 — existing uses that do not conform to MDS.

Step 1: Draw a line (orange arrow) connecting the livestock occupied portion of the existing livestock barn and the nearest edge of the proposed dwelling’s building envelope (or the proposed development — not this example).

Step 2: At the base of the arrow, looking in the direction the arrow is pointing and using a protractor, plot 60° to the right of the arrow and another 60° to the left of the arrow, effectively creating a 120° ‘field of view’ from the base of the arrow.

Step 3: Draw an arc using the length of the arrow from Step 1 as the radius and connect the two edges of the 120° field of view, forming a wedge shape. This wedge comprises the ‘intervening area’ referenced in Implementation Guideline #12.

Step 4: Count the number of existing or approved dwellings or development partially or entirely captured within the intervening area.

Step 5: If there are 4, or more, non-agricultural uses (NAUs), residential uses, and/or dwellings that fall within the intervening area, the actual MDS I setback may be reduced to become the distance of the furthest of the qualifying non-agricultural uses, residential uses and/or dwellings. In this example, there is one qualifying NAU and three qualifying dwellings totalling four. So a reduced MDS I may be permitted and the proposed dwelling can be constructed despite it not meeting the actual MDS I setback generated by the subject livestock barn. This process may need to be repeated for manure storages and/or anaerobic digesters that may also be located in the investigation distance area established in Implementation Guideline #6.
Figure 5. Implementation Guideline #22 — MDS I setbacks for anaerobic digesters.

This figure shows where to measure the fixed MDS I setbacks from existing anaerobic digesters.
Figure 6. Implementation Guideline #22 — MDS II setbacks for anaerobic digesters.

This figure shows where to measure the fixed MDS II setbacks from existing non-agricultural uses and dwellings.
Figure 7. Implementation Guideline #40 — measurement of MDS I setbacks for development and dwellings.

This figure shows MDS I setbacks for livestock facilities near a proposed non-agricultural use (i.e., institutional zone). NOTE: The MDS I setbacks are measured from the shortest distance between the area proposed to be rezoned to permit the non-agricultural uses and the surrounding livestock occupied portions of the livestock barns and manure storages.
Figure 8. Implementation Guideline #40 — measurement of MDS II setbacks for development and dwellings.

This figure shows MDS II setbacks for a first livestock facility near an existing non-agricultural use (i.e., institutional zone) and dwelling. NOTE: The MDS II setbacks are measured from the shortest distance between the points of new construction for the livestock occupied portion of the livestock barn and manure storage, and the existing non-agricultural use and dwelling.
8. ADDITIONAL INFORMATION

This section provides guidance and direction on a number of common issues and questions that have been raised by previous users of MDS and covers the following topics:

- incorporation of this MDS Document into local land use planning documents, including transition and implementation issues between previous versions of this MDS Document, as well as optional applications of MDS for municipalities to address
- considerations when reducing or varying MDS setbacks
- determining types of livestock barns and manure storages
- determining design capacity for livestock facilities
- assessing if a livestock facility is structurally sound or reasonably capable of housing livestock

8.1 Incorporating this MDS Document into Local Land Use Planning Documents

Introduction

The following is intended to assist municipalities when incorporating the appropriate portions of this MDS Document into their land use planning documents. It includes a review of the various options available to municipalities that must be enshrined in policy or provisions to take effect locally.

In preparing this information to help municipalities and users of this MDS Document, OMAFRA recognizes that municipalities are responsible for making local decisions, including compliance with any applicable statutes or regulations. As this portion of the Document deals in a summary fashion with complex matters and reflects legislation, policies and practices that are subject to change, the material herein should not be relied upon as a substitute for specialized legal or professional advice in connection with any particular matter. OMAFRA strongly recommends that municipalities seek their own legal advice to determine if their planning documents adequately address the provisions contained in this MDS Document as required by the PPS and enabled by the Planning Act, 1990.

The Planning Act, 1990, requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act. As it pertains to MDS, the aforementioned policy statements include policies 1.1.5.9 and 2.3.3.3 contained in the PPS, which respectively state that on rural lands and in prime agricultural areas, “new land uses, including the creation of lots, and new or expanding livestock facilities shall comply with the Minimum Distance Separation Formulae”.

On March 1, 2017, this revised version of the Minimum Distance Separation Formulae (known as the MDS Document) came into effect. Therefore, in order to be consistent with the PPS, all planning decisions made on or after March 1, 2017, for new land uses, including the creation of lots, need to comply with this MDS Document. The way that municipalities ensure consistency with these PPS policies at the local level is through the inclusion of the MDS Implementation Guidelines, definitions and Factor tables in their municipal official plan and/or their comprehensive zoning by-law. Deciding which of these two local documents the various aforementioned MDS components should be enshrined will depend on the nature of the application being considered (e.g., official plan amendment, zoning by-law amendment, land division consent, building permit, etc.) and whether the application may require an MDS I or an MDS II setback.

All planning decisions made on or after March 1, 2017, for new land uses, including the creation of lots, need to comply with this MDS Document.
Many MDS I setbacks are applied to new or expanding land uses rather than new or expanding buildings, as is always the case for MDS II setbacks. To elaborate, with the exception of MDS I setbacks required for proposed construction on a lot which existed prior to March 1, 2017, most MDS I setbacks are implemented when land use planning applications are made under the Planning Act, 1990; whereas, MDS II setbacks are applied to first or altered livestock facilities or anaerobic digesters and are primarily implemented when complete building permit applications are submitted under the Building Code Act, 1992.

Before construction can begin on a livestock facility or anaerobic digester (MDS II) or a dwelling/non-agricultural use (MDS I), a building permit is required subject to the Building Code Act, 1992. Municipal chief building officials are required to issue building permits under the Building Code Act, 1992, unless the proposed construction will contravene the Building Code Act, 1992, the building code(s) or any other “applicable law”. Applicable law is a list of statutes, regulations and by-laws set out in the building code(s). As it relates to MDS, the list of applicable law in the building code includes “by-laws made under section 34 or 38 of the Planning Act, 1990”. As a result, construction which requires a building permit is subject to the provisions of local municipal comprehensive zoning by-laws. Therefore, by incorporating the appropriate provisions in the comprehensive zoning by-law, that construction will be required to meet the MDS I or MDS II setbacks before a building permit is issued. When MDS I and MDS II setbacks for building construction (e.g., livestock facilities, anaerobic digesters, dwellings, etc.) are incorporated in a municipal zoning by-law, they become one of the requirements that a chief building official must consider when determining whether to issue a building permit. It is important that municipalities craft their comprehensive zoning by-law provisions for MDS thoughtfully.

In addition, because applications for building permits must meet whatever requirements are currently in place in the local comprehensive zoning by-law, municipalities are strongly encouraged to review and potentially update their comprehensive zoning by-laws to ensure that this MDS Document is implemented appropriately, in accordance with the requirements of the PPS. Regular updates help avoid potentially unequal situations where a municipality may be carrying out their MDS I calculations under the March 1, 2017, MDS Document, whereas their MDS II calculations are still being done under a previous (1976, 1995 or 2007) version of MDS.

Municipalities are strongly encouraged to review and potentially update their comprehensive zoning by-law and official plan to ensure that the MDS Document is implemented appropriately, in accordance with the requirements of the PPS.

Municipalities may develop MDS provisions in their planning documents to reflect local circumstances and the layout and format of their existing official plan and comprehensive zoning by-law, however, the following key components with respect to the implementation of this MDS Document shall be included.

**Minimum Sections to Incorporate from this MDS Document**

In accordance with the PPS, this MDS Document shall apply in prime agricultural areas or rural lands. Where either prime agricultural areas or rural lands are present, both the MDS Formulae and Implementation Guidelines contained in this MDS Document shall be referenced in municipal official plans, and detailed provisions included in comprehensive zoning by-laws such that, as a minimum, the appropriate MDS setbacks are required in all designations and zones where livestock facilities or anaerobic digesters are a permitted use.

Sections 1, 2, 6, 7 and 8 of this MDS Document are provided for information and background purposes. Because these sections are primarily intended to provide broader context for the more specific MDS Formulae and Implementation Guidelines, as well as information on related land use topics, they are not required to be incorporated into municipal land use planning documents.
However, the remainder of this MDS Document, Sections 3, 4 and 5, form the basis for incorporating MDS into local land use planning documents, including the Definitions, Implementation Guidelines and the Factor tables. Implementation Guidelines #7, #9, #35 and #38 address areas where municipalities have options when implementing MDS locally, and shall be clearly addressed by a municipality in the appropriate implementing land use planning document (e.g., official plan or comprehensive zoning by-law).

Sections 3, 4 and 5 of this MDS Document form the basis for incorporating MDS into local land use planning documents, including relevant definitions, Implementation Guidelines and the Factor tables.

The nature of the policies developed for adoption in municipal planning documents depends on the type of application anticipated to be processed. For example, a land use change may require an amendment to either the official plan, the comprehensive zoning by-law or an application to create a lot. Requiring compliance with the MDS setbacks in the official plan will result in a consideration of either an official plan amendment, zoning by-law amendment or an application to create a lot, in relation to the application. This MDS Document applies to all planning act applications submitted on or after March 1, 2017. References in the PPS to Minimum Distance Separation Formulae should be taken as reference to this MDS Document for all applications submitted on or after March 1, 2017. For building permit applications, the effective provision in the zoning by-law applies. Municipalities should update their zoning by-laws to reflect this updated MDS Document.

There are multiple approaches to effectively incorporate this MDS Document into local land use planning documents that may achieve consistency with the PPS. Common approaches used by municipalities in the past include: adopting the entire MDS Document as a schedule or appendix; adopting only the definitions (Section 3), Implementation Guidelines (Section 4) and Factor tables (Section 5) in a schedule or appendix; or including a text reference to this MDS Document in official plan policies or zoning by-law provisions. Many municipalities also include a provision that refers to MDS, “as amended by the Province from time to time”.

OMAFRA does not specify a preferred approach for incorporating this MDS Document into local land use planning documents. OMAFRA's primary concern is to ensure that consistency with the PPS is achieved; that Sections 3, 4 and 5 of this MDS Document are effectively implemented; and that municipalities address areas where they have options related to implementation. OMAFRA encourages municipalities to seek their own legal advice and direction on approaches for incorporating this MDS Document into their local land use planning documents in a manner that achieves consistency with the PPS, while considering the approach, format and layout used in their local land use planning documents.

For example, official plans shall, as a minimum, contain policies which require compliance with MDS setbacks when seeking a change in the land use from a prime agricultural area or rural lands type designation to development. The comprehensive zoning by-law shall, as a minimum, contain provisions which make it a requirement to meet both MDS I and MDS II setbacks when seeking a rezoning to change the land use from an “agriculture or rural” type zone to another land use.

Finally, if not already defined in the municipal official plan or comprehensive zoning by-law, OMAFRA recommends that the appropriate definitions found in Section 3 of this MDS Document be included in the ‘definitions’ or ‘glossary of terms’ portion of the relevant local planning document.

Regardless of the approach selected, it is recommended that a municipality seek its own legal advice regarding amending its planning documents to accommodate MDS provisions.
Why Choosing the Correct Planning Document is Important

Aside from updating local planning documents to reflect the most recent version of MDS, deciding whether a specific MDS option should be enshrined in the official plan and/or comprehensive zoning by-law is also an important consideration.

For example, in the case of a settlement area boundary expansion, MDS I setbacks shall be addressed at the time of an official plan amendment application to change the land use from a prime agricultural area or rural lands type designation to a settlement area type designation. Thus the ideal planning document to address MDS for this type of land use change is the municipal official plan, rather than the comprehensive zoning by-law. This approach ensures consistency with policy 1.1.3.8 (d) of the PPS which states that planning authorities may only allow the expansion of a settlement area boundary where it has been demonstrated that “the new or expanding settlement area is in compliance with the Minimum Distance Separation Formulae”. It also ensures that setbacks from surrounding livestock facilities and anaerobic digesters are established early in this process, rather than potentially introducing incompatible land uses by waiting for the zoning by-law amendment or the plan of subdivision/condominium stage to implement the required MDS I setbacks.

Conversely, in the case of constructing a first or altered livestock facility or anaerobic digester, address the MDS II setbacks at the time the building permit application is made for the proposed building. The corresponding provision for this type of application should be reflected in the municipal comprehensive zoning by-law, rather than the official plan.

Selecting the appropriate planning document for the various MDS Implementation Guidelines depends on the nature of the application being sought.

Municipal Options for Implementing MDS

Within the various Implementation Guidelines contained in Section 4 of the MDS Document, there are five options available to municipalities that should be incorporated into the appropriate local planning document — either the comprehensive zoning by-law or the official plan. In order to achieve a transparent and consistent approach to processing files, municipalities are urged to address these options on a proactive and comprehensive basis. If the relevant planning document does not expressly address the options, then the default approaches outlined in the corresponding Implementation Guidelines shall apply.

At the time of a comprehensive review of either an official plan or comprehensive zoning by-law, or through a housekeeping amendment related to either planning document, municipal staff should evaluate the various options available, and after conducting an analysis, adopt provisions which outline the municipality’s preferred approach to these options.

To elaborate, under this MDS Document, municipalities have the option to alter the application of MDS I with respect to three issues (OPTIONS A to C):

OPTION A: Implementation Guideline #7 — MDS I setbacks for building permit applications on existing lots (locate local provisions in zoning by-law)

MDS I setbacks are required for all building permit applications on lots which are created after March 1, 2017. There is no municipal option to exempt MDS I setbacks from building permits on these new lots.

MDS I setbacks are also required for all building permit applications proposed on lots which exist prior to March 1, 2017, unless otherwise specified in a municipality’s zoning by-law. While municipalities maintain
the option to choose whether MDS I setbacks for building permit applications on existing lots are required, they are strongly encouraged to apply the setbacks. It is important to note that only where a municipality has specifically exempted certain building permit applications from an MDS I setback in their comprehensive zoning by-law shall an MDS I setback not be required. MDS I setbacks shall be required for all types of building permit applications on all lots in municipalities where the comprehensive zoning by-law is silent or does not contain any direction on this issue. However, note that MDS I setbacks are not required for dwelling additions and renovations on lots which exist prior to March 1, 2017, even where an addition results in the existing dwelling being closer to a surrounding livestock facility or anaerobic digester.

If a local exemption from MDS I setbacks for building permit applications on lots which exist prior to March 1, 2017 is chosen, there are numerous measures and variations that a municipality can use recognizing the exemption does not need to apply to all building permit applications on all lots which exist prior to March 1, 2017. For example, the municipality could only require MDS I setbacks:

- on existing lots that are in a particular land use zone or designation (e.g., rural residential, estate residential), or
- on existing lots that are above or below a certain size threshold (e.g., 4 ha), or
- on existing lots which are vacant (e.g., no existing dwellings or buildings), or
- on existing lots, but where the MDS I setback cannot be met, then through a planning application permit a dwelling provided that it be located as far as possible from the existing livestock facility or anaerobic digester from which the setback cannot be met, or
- on lots which exist prior to a date which is later than the required March 1, 2017 (e.g., date of adoption of former official plan), or
- for certain types of buildings and not others (e.g., dwellings).

Regardless of the approach selected, if an exemption is chosen, the local municipality shall include provisions in their comprehensive zoning by-law which clearly state the details of the exemption, because the trigger for the application of MDS I setbacks on lots which exist prior to March 1, 2017 will be construction for which a building permit is required under the Building Code Act, 1992. Consequently, the document for implementing this option is the municipal comprehensive zoning by-law in order for it to become applicable law under the Building Code Act, 1992.

It is important to remember that municipalities with a previous version of MDS (1976, 1995, 2007) referenced in their comprehensive zoning by-law which clearly state the details of the exemption, because the trigger for the application of MDS I setbacks on lots which exist prior to March 1, 2017 will be construction for which a building permit is required under the Building Code Act, 1992. Consequently, the document for implementing this option is the municipal comprehensive zoning by-law in order for it to become applicable law under the Building Code Act, 1992.

OPTION B: Implementation Guideline #9 — MDS I setbacks from surrounding livestock facilities on different lots than the residence surplus to a farming operation proposed to be severed (locate local provisions in official plan)

Where a new lot is proposed with an existing dwelling, and that dwelling is already located on a different lot from the surrounding livestock facilities or anaerobic digesters, MDS I is not applied as a potential odour conflict is already present between the surrounding livestock facilities or anaerobic digesters and the existing dwelling because they have the ability for separate ownership. However, municipalities may choose to apply MDS I from the surrounding livestock facilities or anaerobic digesters that are already on different lots than the
surplus dwelling proposed to be severed. Direction to apply MDS I in these circumstances should be clearly indicated in the consent policies of the municipality’s official plan.

**OPTION C: Implementation Guideline #35 — MDS I setbacks for agriculture-related uses and on-farm diversified uses**
(located local provisions in official plan and zoning by-law)

Municipalities have to decide whether or not they wish to require an MDS I setback for new or expanding agriculture-related uses and on-farm diversified uses. These uses are compatible with, and complement agricultural uses. Planning applications to permit these uses may not need to meet MDS I setbacks from existing livestock facilities or anaerobic digesters. However, some proposed agriculture-related uses and on-farm diversified uses may exhibit characteristics that could lead to potential conflicts with surrounding livestock facilities or anaerobic digesters. Therefore, it may be appropriate to require an MDS I setback to permit this subset of uses. Usually these more sensitive uses are characterized by a higher density of human occupancy or activity, or uses that generate significant visitation by the broader public to an agricultural area. For example, food service, accommodation, agri-tourism uses and retail operations such as a winery with an outdoor patio for light meals, an on-farm tea room, or a bed and breakfast with a farm-themed cooking school might be types of uses that a municipality could focus on ensuring meet the required MDS I setbacks. Conversely, industrial type on-farm diversified uses, such as an accessory welding fabrication shop or agriculture-related uses, such as a grain-handling facility may not be as sensitive of odour receptors, and therefore may be the types of uses that a municipality would continue to exempt from MDS I setbacks.

Based on a careful review of existing uses, municipalities may choose to require an MDS I setback for proposals, including lot creation, to permit certain types of agriculture-related uses or on-farm diversified uses. In situations where it is determined that MDS I shall apply, agriculture-related uses and on-farm diversified uses shall be considered as Type A land uses and the local planning documents which mandate an MDS I setback shall reflect that. If a municipality wishes to require MDS I setbacks for certain agriculture-related uses and on-farm diversified uses, they shall include specific provisions in the appropriate planning document to outline the desired approach. The language adopted in the local planning documents shall clearly indicate the specific types of uses that are required to meet MDS I setbacks. Otherwise, the provision in Implementation Guideline #35 shall apply and MDS I setbacks will not be required for either of these two categories of land uses.

In addition to the three MDS I options outlined above, municipalities also have the option to alter the application of MDS II with respect to two issues (OPTIONS D to E):

**OPTION D: Implementation Guideline #35 — MDS II setbacks for agriculture-related uses and on-farm diversified uses**
(located local provisions in zoning by-law)

Much like Option C for MDS I, Option D is the reciprocal. Under this MDS Document, first or altered livestock facilities and anaerobic digesters do not need to meet MDS II setbacks for existing agriculture-related uses and on-farm diversified uses. However, some existing agriculture-related uses and on-farm diversified uses may exhibit characteristics that could lead to potential conflicts with first or altered livestock facilities and anaerobic digesters. Therefore, it may be appropriate to require MDS II setbacks from these types of uses. Typically, these uses are characterized by a higher density of human occupancy or activity, or are uses that generate significant visitation by the broader public to an agricultural area. Similar to MDS I, examples of these uses which may warrant the application of MDS II setbacks include, but are not limited to: food service, accommodation, agri-tourism uses and retail operations. Surrounding land uses and geographic context can also play a role in determining the compatibility of agriculture-related uses and on-farm diversified uses with first or altered livestock facilities and anaerobic digesters.
Based on a careful review of the state of the local agricultural industry, municipalities may choose to require MDS II setbacks between first or altered livestock facilities or anaerobic digesters and certain types of existing agriculture-related uses or on-farm diversified uses. Similar to MDS I, in those situations where a municipality chooses to require an MDS II setback, agriculture-related uses and on-farm diversified uses shall be considered Type A land uses. If MDS II setbacks are applied, municipalities shall include provisions in their comprehensive zoning by-law to clearly indicate the specific types of agriculture-related uses and on-farm diversified uses that MDS II setbacks will be measured to. Otherwise MDS II setbacks will not be required between first or altered livestock facilities or anaerobic digesters and these two categories of uses. In all instances, municipalities are strongly encouraged to develop provisions in their comprehensive zoning by-law that provide consistent direction on this issue.

**OPTION E: Implementation Guideline #38 — MDS II setbacks from cemeteries**

The final MDS option relates to MDS II setbacks between first or altered livestock facilities or anaerobic digesters and existing cemeteries. Except for cemeteries which are intended to primarily serve a community which relies on horse-drawn vehicles as a predominate mode of transportation, this MDS Document generally treats cemeteries as a Type B land uses (see Implementation Guideline #37). However, in some instances, where a cemetery is closed and receives low levels of visitation, a municipality may choose to treat it as a Type A land use for the purposes of MDS II.

It is strongly recommended that municipalities conduct a comprehensive evaluation of existing cemeteries across their entire jurisdiction and clearly identify the specific cemeteries affected in their zoning by-law. This exercise should result in a transparent list, map and/or appendix of cemeteries that will accompany a zoning by-law.

This option is limited to treating specified cemeteries as Type A land uses, rather than the typical Type B land uses. The option does not permit a municipality to fully exempt the first or altered livestock facility or anaerobic digester from an MDS II setback from a cemetery altogether.

With respect to MDS I, except for cemeteries which are intended to primarily serve a community which relies on horse-drawn vehicles as a predominate mode of transportation, new or expanding cemeteries are always treated as a Type B land uses because they are obviously not closed, and typically receive higher levels of visitation.

**Summary of MDS Options**

Aside from reducing MDS setbacks for specific applications in accordance with Implementation Guideline #43, these five options (contained in four separate Implementation Guidelines) are the only areas where municipalities have options with respect to MDS implementation approaches. Municipal setbacks for livestock facilities and anaerobic digesters (i.e., MDS II) shall not exceed those calculated by the MDS II formulae, in accordance with provincial standards. For instance, municipal policies which require fixed setbacks for livestock facilities or anaerobic digesters larger than those established by this MDS Document may be viewed as contrary to section 2.3.3.2 of the PPS, which states:

> "In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards."
Municipalities considering MDS setbacks for development or dwellings (i.e., MDS I) that exceed those established by this MDS Document shall ensure they are consistent with policy 4.9 of the PPS.

In addition to establishing specific policies or provisions on the five municipal MDS options, municipalities should be aware that there are two other MDS options which are no longer available to them in the current MDS Document. Those municipalities which have adopted local policies to address these former options should remove them from their planning documents. In order to assist in this process, the following illustrates how those former options have been modified:

<table>
<thead>
<tr>
<th>Application of MDS after a Catastrophe</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2006 MDS I</strong></td>
</tr>
<tr>
<td>Where municipalities required MDS I setbacks for buildings on existing lots, they were also able to choose whether or not MDS I setbacks were required for those buildings which were destroyed by a catastrophe, provided they weren't built any closer to livestock facilities than before the catastrophe.</td>
</tr>
<tr>
<td><strong>2017 MDS I</strong></td>
</tr>
<tr>
<td>MDS I setbacks are not required for building reconstruction, provided the reconstructed building is no closer to surrounding livestock facilities or anaerobic digesters than before the reconstruction.</td>
</tr>
<tr>
<td><strong>2006 MDS II</strong></td>
</tr>
<tr>
<td>Municipalities were able to choose whether or not MDS II setbacks were required for livestock facilities which were destroyed by a catastrophe, provided all Factor values remain the same.</td>
</tr>
<tr>
<td><strong>2017 MDS II</strong></td>
</tr>
<tr>
<td>MDS II setbacks are not required for livestock facility reconstruction, provided all Factor values remain the same.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Application of MDS within Settlement Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2006 MDS I</strong></td>
</tr>
<tr>
<td>Municipalities were able to choose whether or not MDS I setbacks were required for development in a settlement area.</td>
</tr>
<tr>
<td><strong>2017 MDS I</strong></td>
</tr>
<tr>
<td>MDS I setbacks are not required in a settlement area.</td>
</tr>
<tr>
<td><strong>2006 MDS II</strong></td>
</tr>
<tr>
<td>In rare circumstances where livestock facilities were permitted in a settlement area, municipalities were able to choose whether or not MDS II setbacks were required in a settlement area.</td>
</tr>
<tr>
<td><strong>2017 MDS II</strong></td>
</tr>
<tr>
<td>Where municipalities permit first or altered livestock facilities or anaerobic digesters in a settlement area, MDS II setbacks shall not be required.</td>
</tr>
</tbody>
</table>

Municipalities should update their existing official plan and comprehensive zoning by-law to recognize these options are no longer available. If a local planning document is not updated to address these changes, municipalities may be faced with implementation challenges. In the absence of municipal policy direction, the default approaches to each of the above options are:

A) MDS I setbacks are required for ALL building permits applications on ALL lots which exist prior to March 1, 2017.
B) MDS I setbacks are NOT required for surplus farm dwelling severances from livestock facilities or anaerobic digesters on separate lots surrounding the proposed consent application.
C) MDS I setbacks do NOT apply to any new or expanding agriculture-related or on-farm diversified uses.
D) MDS II setbacks do NOT apply from any existing agriculture-related or on-farm diversified uses.
E) MDS II setbacks apply to ALL existing cemeteries as Type B land uses, except for those noted in Implementation Guideline #37.
Conclusion

Municipalities shall include policies and provisions in their official plans and zoning by-laws so that the MDS setbacks are met through the appropriate implementation of this MDS Document.

This MDS Document represents the standard with respect to the calculation of MDS setbacks, and the only circumstances that municipalities may alter application of MDS is where options are explicitly made available in specific Implementation Guidelines. Even then, written policies must be adopted in the relevant municipal planning documents to clearly state the intention to exercise these options.

The above are general guidelines; seek legal counsel regarding the specific details of implementing the latest version of this MDS Document into the context and structure of a municipality’s official plan and comprehensive zoning by-law. There are different approaches for updating by-laws depending on the current structure of the relevant municipal planning document. OMAFRA staff may be available to provide assistance.

8.2 Reducing MDS Setbacks

Introduction

MDS setbacks are used to reduce odour conflicts by separating incompatible uses. There are various circumstances where a Planning Act, 1990, application or construction requiring a building permit may meet the intent of this MDS Document, if not the precise setbacks required by MDS I or MDS II. In some circumstances, it may be appropriate for a municipality or other approval authority to consider the merits of allowing for a reduced MDS setback through a minor variance or other type of Planning Act, 1990, application.

Generally, OMAFRA does not support or encourage reductions to MDS setbacks. Allowing for reductions to MDS setbacks can increase the potential for land use conflicts and undermine the intent of this MDS Document. Approach the issue of reducing MDS setbacks with caution. While a MDS setback does not specifically need to be considered in the context of a minor variance application, it is appropriate to consider the tests for a minor variance as a mechanism to assess specific situations and potential reductions to MDS setbacks.

The four considerations for a minor variance are:

1. Does the reduction in the MDS setback keep with the intent of the official plan?
2. Does the reduction in the MDS setback keep with the intent of the zoning by-law?
3. Is the reduction in the MDS setback desirable and appropriate for the area?
4. Is the reduction in the MDS setback minor in nature?

The intent of municipal official plans and zoning by-laws in prime agricultural areas will generally be consistent with the goals of complying with the Minimum Distance Separation Formulae, and promoting and protecting agriculture in prime agricultural areas (various policies in section 2.3 of the PPS). Therefore, any proposal to reduce MDS setbacks should be considered in light of this same general intent. For rural lands, municipal official plans and zoning by-laws may have a broader and more diverse set of goals and objectives, but should still reflect the general requirement to comply with the Minimum Distance Separation Formulae and should promote and protect agricultural uses (various policies in section 1.1.5 of the PPS).
Deciding if a minor reduction to an MDS setback is desirable and appropriate for an area should involve consideration of several specific aspects, such as:

- Is the MDS setback reduction really necessary or should another suitable alternative location (relocating the proposed lot/designation/building) be considered?
- Is the reduced setback going to impact the type, size or intensity of agricultural uses in the surrounding area?
- Is the reduced setback going to impact flexibility for existing or future agricultural operations, including their ability to expand if desired? If this reduced setback is allowed, will it set precedent for others in the local community?

Determining if a proposed reduction in MDS setbacks is minor depends on the context in which the reduction is being proposed. Minor means different things to different people. OMAFRA does not endorse a specific % decrease (e.g., 5% or 10%) for MDS setbacks. In some circumstances, a very small reduction in an MDS setback may not be considered minor given the surrounding land uses and potential odour conflicts. In other instances, a significant reduction in an MDS setback may be considered minor. The perception of what is ‘small’ or ‘minor’ in nature will vary depending on local and site specific circumstances.

Determining if a reduction to MDS setbacks is appropriate in a given circumstance is the responsibility of the local municipality.

It is important to note that granting one reduction in MDS setbacks will lead to future applications to reduce or vary MDS setbacks. For example, granting a minor variance to a new livestock facility or anaerobic digester may lead to future applications to vary distances for the same operation in the future, if it expands. Applications to reduce MDS setbacks for new development or dwellings may lead to applications to reduce MDS setbacks for surrounding livestock facilities or anaerobic digesters if they look to expand in the future. While applications to reduce MDS setbacks should be considered on their own merits, it is important to consider the broader context and the potential for cumulative impacts over the long term.

The following provides some general comments regarding reductions in MDS setbacks from the perspective of OMAFRA.

**Reducing MDS I Setbacks**

Implementation Guideline #43 from this MDS Document provides specific direction on reducing required MDS I setbacks; it states:

“MDS I setbacks should not be reduced except in limited site specific circumstances that meet the intent of this MDS Document. Examples may include circumstances that mitigate environmental or public health and safety impacts, or avoid natural or human-made hazards.

If deemed appropriate by a municipality, the processes by which a reduction to MDS I may occur could include a minor variance to the local zoning by-law, a site specific zoning by-law amendment or an official plan amendment introducing a site specific policy area.”

OMAFRA does not generally support or encourage reductions to MDS I distances, especially for new development. The intent of MDS I is to minimize nuisance complaints associated with livestock facilities and anaerobic digesters due to odour and thereby reduce potential land use conflicts. It may be possible to find opportunities to site new development and dwellings where MDS setbacks can be met. The requirement to meet MDS I is something that should be assessed at the time when considering finding alternative sites to locate development or dwellings.
It may be appropriate to consider reductions to MDS I distances in situations where MDS I is being applied in the context of expanding an existing or approved development. It is only appropriate to consider reductions to MDS I setbacks when reasonable alternative locations are limited, and where there is an attempt to reduce potential odour conflicts while balancing or mitigating against other potential concerns, such as environmental impacts, public health and safety or natural and human-made hazards.

The following is a list of questions a municipality or a committee of adjustment may ask when considering a reduction to an MDS I setback. Think through these questions as per Implementation Guideline #43. The list of questions does not represent an exhaustive list, as other site specific circumstance might be relevant. Consider the questions (and other relevant issues) with any one or more of them not necessarily being determinative. In some cases, a surrounding land use, environmental, safety or practicality issue may warrant a reduced MDS I setback if the intent of this MDS Document can still be met.

**Surrounding Land Uses**

- Is the proposed development similar to others on surrounding lands in the vicinity?
- Is the proposed location further away from the surrounding livestock facility or anaerobic digester than other existing development or dwellings in the area?
- Is there a history of complaints in the area related to nuisance issues?

**Environmental Concerns**

- Would meeting the MDS setback mean that the proposed development or building would affect surface water features (e.g., streams, ditches, municipal drinking water intake protection zones, drains, ponds, lakes, open catch-basins, etc.)?
- Would meeting the MDS setback mean that the proposed development or building would affect groundwater features (e.g., municipal wells, bedrock, aquifers, municipal drinking water wellhead protection areas, surrounding wells, etc.)?
- Are there other natural or environmental features on the lot that should be considered (e.g., wetlands, woodlots, etc.)?
- Would meeting the MDS setback mean that the proposed development or building would require a stream crossing or create more potential for environmental risk?

**Safety**

- Is there a safety issue related to the poor state of repair of an existing building that should be replaced?
- Would siting the new building or development in a location that met MDS I setbacks result in a public safety concern, (e.g., building would be located within a ‘sight triangle’ of an intersection, accessed from a busy road when another safer entrance is available, located in proximity to an active gas well or some other human-made hazard or located within a flood plain or some other natural hazard?)

**Practicality**

- Would the proposed development or building improve the existing situation (e.g., the new building is further away from the surrounding livestock facility or anaerobic digester than an existing building on site it is replacing, but still doesn’t meet the required setback)?
- Does the proposed reduction to the MDS I setback permit the new development or building to meet some other regulatory setback requirement?
- Is the proposed development or building a logical extension of an existing development or building which may have been successfully sited in accordance with a previous version of the MDS Formulae and Guidelines?
Can site plan design assist in reducing the potential for nuisance complaints? For example, a golf course is zoned to a lot line, but lands within an MDS setback are designated as ‘out of play’ and are not part of the golf course; or a settlement area boundary is extended to a lot line, but lands within an MDS setback may only be used for infrastructure, such as a storm water management pond.

Reducing MDS II Setbacks

Implementation Guideline #43 from the MDS Formulae provides specific direction on minor variances and reducing required MDS II setbacks; it states:

“MDS II setbacks should not be reduced except in limited site specific circumstances that meet the intent of this MDS Document. Examples may include circumstances that mitigate environmental or public health and safety impacts, or avoid natural or human-made hazards.

If deemed appropriate by a municipality, the process by which a reduction to MDS II may occur is typically a minor variance to the local zoning by-law or to a lesser extent a site specific zoning by-law amendment.”

NOTE: The MDS II setbacks for anaerobic digesters referenced in Implementation Guideline #22 cannot be reduced through Implementation Guideline #43. The following only speaks to reductions to MDS II setbacks for livestock facilities.

OMAFRA does not generally support or encourage reductions to MDS II distances. The intent of MDS II is to minimize nuisance complaints associated with livestock facilities and anaerobic digesters due to odour, thereby reduce potential land use conflicts. It may often be possible to find opportunities to site first or altered livestock facilities where MDS setbacks can be met. Assess the requirement to meet MDS II at the time when considering new on-farm construction projects for first or altered livestock facilities.

This Implementation Guideline provides two main points to consider regarding minor variances for reducing MDS II setbacks. First, this document recognizes that reductions to MDS II setbacks can be considered and may be appropriate in some circumstances, especially to address issues related to expansions of existing operations. Second, the types of setback reductions that could be considered and may be appropriate are those that attempt to reduce potential odour conflicts while balancing or mitigating against other potential concerns, such as environmental impacts, public health and safety, or natural and human-made hazards.

There are many reasons why a livestock facility cannot meet MDS II setbacks, especially for existing operations that are looking to expand. Due to their age, there are many existing livestock facilities that simply were not sited in accordance with MDS II setbacks, and yet have existed adjacent to surrounding development or dwellings for many years with no nuisance complaints related to odour. Farm operations were traditionally sited near roads and water courses; however, these types of locations, especially for existing operations which are expanding, impose other types of constraints rather than odour that may be more important to address. In some circumstances, it may be more important to address environmental concerns, public safety issues or potential hazards rather than meet an MDS II setback. Considering appropriate reductions to MDS II setbacks provides an opportunity for these types of issues to be considered at the local level.

The following is a list of questions a municipality or a committee of adjustment may ask when considering a reduction to an MDS II setback. Think through these questions as per Implementation Guideline #43. The list of questions does not represent an exhaustive list, as other site specific circumstance might be relevant. Consider the questions (and other relevant issues) with any one or more of them not necessarily being determinative. In some cases, a surrounding land use, environmental, safety or practicality issue may warrant a reduced MDS II setback if the intent of this MDS Document can still be met.
Surrounding Land Uses

- Is the proposed livestock facility similar to others on surrounding lands?
- Is there much existing development or many dwellings surrounding the subject lands?
- Is the proposed location of the first or altered livestock facility farther away from surrounding development or dwellings than any previous or existing livestock facilities on the lot?

Environmental Concerns

- Is there a history of environmental issues or nuisance complaints related to the farm operation which can be addressed through the proposal?
- How does the proposed livestock facility affect surface water features (e.g., streams, ditches, municipal drinking water intake protection zones, drains, ponds, lakes, open catch-basins, etc.)?
- How does the proposed livestock facility affect groundwater features (e.g., municipal wells, bedrock, aquifers, municipal drinking water wellhead protection areas, surrounding wells, etc.)?
- Are there other natural features or environmental features on the lot that should be considered (e.g., wetlands, woodlots, etc.)?
- Would a location that met MDS reduce or increase the need to move equipment over a stream and create more potential for environmental risk?
- Would permitting a larger manure storage that does not meet the MDS II setback reduce manure spreading events, especially during winter months, or improve nutrient management practices?

Safety

- Is there a safety issue related to the poor state of repair of an existing livestock facility (e.g., existing manure storage is aged, in disrepair and should be replaced)?
- Would a location that met MDS place a livestock facility near an active gas well?
- Would a location that met MDS place a livestock facility in a flood plain?
- Would a location that met MDS place a livestock facility in a ‘sight triangle’ of an intersection or result in a location that will create a driveway that may be unsafe for accessing the road?

Practicality

- Is the proposed livestock facility consistent with the intent of local zoning?
- Is there likely to be any noticeable increase in odour produced from the proposed livestock facility?
- Does the proposed livestock facility improve odour conditions compared to existing buildings on the lot (e.g., an uncovered storage is being replaced with a covered storage)?
- Is a reduced setback needed from the edge of a road allowance or lot line in order to meet an MDS II setback from a dwelling?
- Is a reduced MDS II setback needed from an unopened road allowance?

When considering reductions to an MDS II setback, municipalities may wish to consult with OMAFRA staff for input regarding technical questions or issues. OMAFRA staff will not provide recommendations regarding specific applications to reduce or vary MDS II setbacks, as the decision to grant a minor variance rests with the municipality’s committee of adjustment.
8.3 Livestock Barn Identification

Introduction

Livestock barns are agricultural buildings with many uses, such as housing livestock, storing grain and farm equipment, workshops and garages. MDS setbacks are only applied to agricultural buildings that are structurally sound and reasonably capable of housing livestock — at which point they qualify as livestock barns. To calculate the MDS setback distance, the type and number of livestock that can be housed in the livestock barn must be known.

If the livestock barn is empty, an estimate of the number of livestock that can be reasonably housed is required. The farm operator is a reliable source for the majority of this information including the number, type and description of livestock housed, and the area that could reasonably be used to house livestock. In some instances, there may be a need to obtain independent verification of the information provided by the owner of the livestock facility. In these circumstances, livestock barn identification can be an important skill for land use planners and building officials.

The barn layout will convey the type of livestock housed within; however, relying on structural characteristics alone can be misleading, especially with older livestock barns such as bank barns. Various structural features may help in determining the type of livestock housed in the barn. Indicators of maintenance and the relative size of buildings are also important in determining the type of livestock housed in the barn.

The following provides some information that may assist in the identification of various livestock barns.

Dairy Barns: Tie Stall Barn

<table>
<thead>
<tr>
<th>Identifier</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Typical number of animals housed</td>
<td>Smaller herds between 30 to 60 cows</td>
</tr>
<tr>
<td>Number of stories</td>
<td>One-story in newer barns, two-story in older barns</td>
</tr>
<tr>
<td>Things to look for</td>
<td>Calf hutch, milking equipment room, vertical silos, solid manure pile, stable cleaner</td>
</tr>
<tr>
<td>Typical manure storage types</td>
<td>Solid manure, but liquid manure systems are becoming popular</td>
</tr>
</tbody>
</table>

Figure 9. Exterior of a tie stall dairy barn.  
Figure 10. Interior of a tie stall dairy barn.
Dairy Barns: Free Stall Barn

<table>
<thead>
<tr>
<th>Identifier</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Typical number of animals housed</td>
<td>Herds from 40 to 500 cows or more</td>
</tr>
<tr>
<td>Number of stories</td>
<td>One-story</td>
</tr>
<tr>
<td>Things to look for</td>
<td>Calf hutchs, attached milking parlors, vertical silos, large horizontal bunker silos, open side wall curtains, modular natural ventilation chimneys along roofline for ventilation, drive-through feed alleys (large end doors)</td>
</tr>
<tr>
<td>Typical manure storage types</td>
<td>Liquid manure in earthen, concrete or steel storages; possibly an anaerobic digestion system</td>
</tr>
</tbody>
</table>

**Figure 11.** Exterior of a free stall dairy barn.

**Figure 12.** Interior of a free stall dairy barn.*

*Source: Farm and Food Care Ontario*
Swine Barns: Sow Barn

<table>
<thead>
<tr>
<th>Identifier</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Typical number of animals housed</td>
<td>100 to 3,000 sows or more</td>
</tr>
<tr>
<td>Number of stories</td>
<td>One-story</td>
</tr>
<tr>
<td>Things to look for</td>
<td>Concrete sandwich wall construction (concrete walls, ventilation fans on side walls or through the roof, few, if any, windows, loading chute</td>
</tr>
<tr>
<td>Typical manure storage types</td>
<td>External earthen, concrete or steel liquid manure storage, or under-barn storage with external pump outs visible</td>
</tr>
</tbody>
</table>

Figure 13. Exterior of a one-story sow barn.*

*Source: Farm and Food Care Ontario

Swine Barns: Weaner Barn

<table>
<thead>
<tr>
<th>Identifier</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Typical number of animals housed</td>
<td>1,000 to 4,000 weaners or more</td>
</tr>
<tr>
<td>Number of stories</td>
<td>One-story</td>
</tr>
<tr>
<td>Things to look for</td>
<td>Concrete sandwich wall construction, ventilation fans on side walls or through the roof, no windows, loading chutes, feed bins one end</td>
</tr>
<tr>
<td>Typical manure storage types</td>
<td>Liquid manure is stored in external earthen, concrete or steel storages, or under barn storage with external pump outs visible</td>
</tr>
</tbody>
</table>
Swine Barns: Feeder Pigs (Farrow and Finish)

<table>
<thead>
<tr>
<th>Identifier</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Typical number of animals housed</td>
<td>1,000 to 2,000 pigs per barn</td>
</tr>
<tr>
<td>Number of stories</td>
<td>One-story</td>
</tr>
<tr>
<td>Things to look for</td>
<td>Ventilation fans on side walls or through the roof, or wide open curtain walls for natural ventilation, loading chutes, feed bins on end</td>
</tr>
<tr>
<td>Typical manure storage types</td>
<td>Liquid manure under barn</td>
</tr>
</tbody>
</table>

**Figure 14.** Exterior of a finishing swine barn with liquid *manure storage* under the barn.

**Figure 15.** Interior of a finishing swine barn with liquid *manure storage* tanks under the barn.*

*Source: Farm and Food Care Ontario*
Chicken Barns: Broiler Barns

<table>
<thead>
<tr>
<th>Identifier</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Typical number of animals housed</td>
<td>Housing 10,000 to 30,000 broilers</td>
</tr>
<tr>
<td>Number of stories</td>
<td>Historically these were two-story, but the trend in recent years has been to one-story</td>
</tr>
<tr>
<td>Things to look for</td>
<td>Wood frame/metal clad construction, large ventilation fans often on one end with smaller side ventilation fans, feed bins on one end, big cleanout doors on one end, concrete area at that end for cleanout, small man doors located approximately every 15 m down one side of the building for loading birds</td>
</tr>
<tr>
<td>Typical manure storage types</td>
<td>Solid manure that is cleaned out between each crop (4–6 crops/yr) and stored in open or covered bunker type storage OR removed from farm entirely</td>
</tr>
</tbody>
</table>

Figure 16. Exterior of a chicken broiler barn.*

Figure 17. Interior of a chicken broiler barn.*

*Source: Farm and Food Care Ontario
Chicken Barns: Laying Hen Barns

<table>
<thead>
<tr>
<th>Identifier</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Typical number of animals housed</td>
<td>Housing several thousand layers in tiered cages</td>
</tr>
<tr>
<td>Number of stories</td>
<td>One-story, but could be two-story</td>
</tr>
<tr>
<td>Things to look for</td>
<td>Wood frame/metal clad construction, ventilation fans on side walls, high sidewalls 3–6 m, egg packing room at front of barn with truck loading door</td>
</tr>
<tr>
<td>Typical manure storage types</td>
<td>Newer barns have solid manure storage off to side or at end filled by attached augers or conveyors from barn, older ones may have manure stored on ground floor or in liquid storage</td>
</tr>
</tbody>
</table>

Figure 18. Exterior of a chicken layer barn.*

Figure 19. Interior of a chicken layer barn.*

*Source: Farm and Food Care Ontario
Horse Barns

<table>
<thead>
<tr>
<th>Identifier</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Typical number of animals housed</td>
<td>Usually 1 to 50 horses</td>
</tr>
<tr>
<td>Number of stories</td>
<td>Typically two-story, as horse farms often store hay above the stable, but some newer barns are one-story with hay stored at one end; hip roof barns are common</td>
</tr>
<tr>
<td>Things to look for</td>
<td>Lots of windows (with metal bars), often a large riding arena attached to one end, side ventilation fans, wood fences</td>
</tr>
<tr>
<td>Typical manure storage types</td>
<td>Solid manure that is cleaned out daily and is often stored on site for long periods and taken directly off farm in many cases</td>
</tr>
</tbody>
</table>

**Figure 20.** Exterior of a horse barn.**

**Figure 21.** Interior of a horse barn.**

**Source: Shutterstock**
Sheep Barns

<table>
<thead>
<tr>
<th>Identifier</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Typical number of animals housed</td>
<td>10 to 1,000 ewes, usually for meat purposes (seeing an increase in dairy ewe operations)</td>
</tr>
<tr>
<td>Number of stories</td>
<td>Two-story, although some larger facilities are one-story</td>
</tr>
<tr>
<td>Things to look for</td>
<td>Many hobby size operations, usually older bank barn facilities; newer construction may have curtain side wall/roofline chimneys; drive-through feed alley</td>
</tr>
<tr>
<td>Typical manure storage types</td>
<td>Solid manure pack under the sheep that is only cleaned out periodically</td>
</tr>
</tbody>
</table>

Figure 22. Exterior of a sheep barn and yard.  
Figure 23. Interior of a sheep barn.
Beef Barns: Barn with External Yard

<table>
<thead>
<tr>
<th>Identifier</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Typical number of animals housed</td>
<td>10 to 200 cattle (although there are larger cattle operations)</td>
</tr>
<tr>
<td>Number of stories</td>
<td>One-story in newer barns, two-story in older barns</td>
</tr>
<tr>
<td>Things to look for</td>
<td>Cattle outside of the barn in the yard area or pasture,</td>
</tr>
<tr>
<td></td>
<td>windbreak fences along yard, hay feeders in yard or</td>
</tr>
<tr>
<td></td>
<td>fenceline feedbunk, round bales or baleage stored near barns</td>
</tr>
<tr>
<td>Typical manure storage types</td>
<td>Solid manure pack in barn that is cleaned out periodically</td>
</tr>
</tbody>
</table>

Figure 24. Exterior of an open front beef barn with yard.
### Beef Barns: Confined Feedlot Arrangement

<table>
<thead>
<tr>
<th>Identifier</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Typical number of animals housed</td>
<td>50 to 2,000 cattle</td>
</tr>
<tr>
<td>Number of stories</td>
<td>Usually one-story but may include parts of older bank barn</td>
</tr>
<tr>
<td>Things to look for</td>
<td>Barn similar to dairy barns — curtain sidewall/panels with ventilation chimneys along rooftop, drive-through feed alley, large bunker silos and loading chutes near front of barn</td>
</tr>
<tr>
<td>Typical manure storage types</td>
<td>Solid manure pack inside barn or fully slatted floor with liquid manure storage underneath</td>
</tr>
</tbody>
</table>

**Figure 25.** Interior of a beef barn.
Turkey Barn: Hens or Toms

<table>
<thead>
<tr>
<th>Identifier</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Typical number of animals housed</td>
<td>Usually 500 to 4,000 turkeys</td>
</tr>
<tr>
<td>Number of stories</td>
<td>One or two-story</td>
</tr>
<tr>
<td>Things to look for</td>
<td>Wood frame construction with metal cladding, mechanically ventilated look similar to broiler chicken barns, naturally ventilated side walls with ‘turkey’ curtains, big cleanout doors on one end, concreted area at that end for cleanout</td>
</tr>
<tr>
<td>Typical manure storage types</td>
<td>Solid manure that is cleaned out between each crop</td>
</tr>
</tbody>
</table>

Figure 26. Exterior of a turkey barn.

Figure 27. Interior of a turkey barn.

Field Shade Shelters

Field shade shelters are NOT livestock barns, and as such do not require an MDS setback in accordance with the definition of livestock barn and Implementation Guideline #3 (Figure 28). These buildings are often located in a pasture and generally have a floor area <10 m², although some may be marginally larger than this. Usually these buildings do not have poured concrete foundations and are not entirely enclosed on all sides. Field shade shelters are intended to provide TEMPORARY shelter from the elements (e.g., sun, wind and precipitation) for grazing livestock, and are not intended, nor designed to house livestock for extended periods of time.

Figure 28. Field shade shelter.
8.4 Manure Storage Identification

Introduction

Manure is a valuable resource for plant growth; however, it requires careful management to protect neighbors and the environment. There are several choices for storing manure and options continue to improve, expand and evolve. The Nutrient Management Act, 2002, establishes standards for the construction, siting and sizing of new manure storages. Information on constructing manure storages is available at ontario.ca/omafra.

Solid manure usually has bedding material added (e.g., straw or wood shavings) so that it can be easily stacked in a pile. Adding bedding material also helps keep the manure as dry as possible, therefore reducing odour. Under both this MDS Document and the Nutrient Management Act, 2002, solid manure is considered to have a dry matter content of at least 18%. Manure with at least 30% dry matter content is easier to pile and produces few odours; ease of storage diminishes and odour increases when there is <30% dry matter content.

Liquid manure has a dry matter content of <18% and is stored under the barn or in in-ground storage tanks. Liquid manure storage tanks are sometimes left uncovered; odour can be significantly reduced with the use of a variety of different types of permanent covers.

Storages with Very Low Odour Potential

V1 Storage Type (See Tables 5 and 6)

<table>
<thead>
<tr>
<th>Identifier</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inside barn/outside barn</td>
<td>Inside</td>
</tr>
<tr>
<td>Covered/not covered</td>
<td>Covered</td>
</tr>
<tr>
<td>Solid/liquid</td>
<td>Solid</td>
</tr>
<tr>
<td>Typical associated livestock</td>
<td>Swine, dairy, poultry, beef, sheep, goats</td>
</tr>
<tr>
<td>Additional features</td>
<td>Bedded pack, usually with layers of straw or shavings</td>
</tr>
</tbody>
</table>

Figure 29. Interior of a swine barn with bedded pack manure system (V1).

Figure 30. Interior of a sheep barn with bedded pack manure system (V1).*

*Source: Jillian Craig
V2 Storage Type (See Tables 5 and 6)

<table>
<thead>
<tr>
<th>Identifier</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inside barn/outside barn</td>
<td>Outside</td>
</tr>
<tr>
<td>Covered/not covered</td>
<td>Covered — roof-like structure that may take various forms</td>
</tr>
<tr>
<td>Solid/liquid</td>
<td>Solid</td>
</tr>
<tr>
<td>Typical associated livestock</td>
<td>Chickens (layers or broilers), dairy</td>
</tr>
<tr>
<td>Additional features</td>
<td>Cover keeps off precipitation to prevent runoff, storage is usually located right beside the barn and is filled by augers, conveyor belts or the manure is manually pushed into them</td>
</tr>
</tbody>
</table>

**Figure 31.** Covered solid manure storage (V2) with slatted walls.

**Figure 32.** Covered solid manure storage (V2) with slatted walls.
### V3 Storage Type (See Tables 5 and 6)

<table>
<thead>
<tr>
<th>Identifier</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inside barn/outside barn</td>
<td>Outside</td>
</tr>
<tr>
<td>Covered/not covered</td>
<td>No cover</td>
</tr>
<tr>
<td>Solid/liquid</td>
<td>Solid ≥30% dry matter (manure is dry enough that a flow path option is used for runoff control, as per the <em>Nutrient Management Act, 2002</em>); a flow path control is a permanently vegetated area (PVA) that separates the storage from sensitive environmental features</td>
</tr>
<tr>
<td>Typical associated livestock</td>
<td>Horses, chickens (broilers), turkey</td>
</tr>
<tr>
<td>Additional features</td>
<td>Requires a lot of bedding to make it dry enough</td>
</tr>
</tbody>
</table>

**Figure 33.** An outdoor, uncovered solid manure storage (V3).
### V4 Storage Type (See Tables 5 and 6)

<table>
<thead>
<tr>
<th>Identifier</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inside barn/outside barn</td>
<td>Outside</td>
</tr>
<tr>
<td>Covered/not covered</td>
<td>Covered</td>
</tr>
<tr>
<td>Solid/liquid</td>
<td>Solid 18—&lt;30% dry matter, with a covered liquid runoff storage (manure not dry enough to soak up precipitation, so a liquid runoff storage is needed but has a permanent tight-fitting cover)</td>
</tr>
<tr>
<td>Typical associated livestock</td>
<td>Dairy, beef</td>
</tr>
<tr>
<td>Additional features</td>
<td>Milk house washwater generally is placed into the runoff storage as well — this type is not commonly built</td>
</tr>
</tbody>
</table>

**Figure 34.** An uncovered solid *manure* storage with covered liquid runoff storage (V4).
V5 Storage Type (See Tables 5 and 6)

<table>
<thead>
<tr>
<th>Identifier</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inside barn/outside barn</td>
<td>Inside</td>
</tr>
<tr>
<td>Covered/not covered</td>
<td>Covered (under barn)</td>
</tr>
<tr>
<td>Solid/liquid</td>
<td>Liquid</td>
</tr>
<tr>
<td>Typical associated livestock</td>
<td>Swine, dairy, beef</td>
</tr>
<tr>
<td>Additional features</td>
<td>Underneath slatted floor (i.e., manure is stored under animals in the barn or in tanks found on one side of the barn)</td>
</tr>
</tbody>
</table>

Figure 35. Slatted floor of barn for liquid manure storage under the barn (V5).
V6 Storage Type (See Tables 5 and 6)

<table>
<thead>
<tr>
<th>Identifier</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inside barn/outside barn</td>
<td>Outside</td>
</tr>
<tr>
<td>Covered/not covered</td>
<td>Covered, permanent tight-fitting lid (negative pressure tarp, concrete lid, inflatable dome cover, etc.)</td>
</tr>
<tr>
<td>Solid/liquid</td>
<td>Liquid</td>
</tr>
<tr>
<td>Typical associated livestock</td>
<td>Swine, dairy, chicken (layers), mink</td>
</tr>
<tr>
<td>Additional features</td>
<td>A permanent cover that remains in place over time is the key feature for this storage type</td>
</tr>
</tbody>
</table>

Figure 36. Tight-fitting negative pressure tarp for liquid earthen manure storage (V6).

Figure 37. Raised base of liquid storage with tightly-sealed inflatable dome cover visible (V6).
Storages with Low Odour Potential

L1 Storage Type (See Tables 5 and 6)

<table>
<thead>
<tr>
<th>Identifier</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inside barn/outside barn</td>
<td>Outside</td>
</tr>
<tr>
<td>Covered/not covered</td>
<td>Not covered</td>
</tr>
<tr>
<td>Solid/liquid</td>
<td>Solid (18-30% dry matter with uncovered liquid runoff storage)</td>
</tr>
<tr>
<td>Typical associated livestock</td>
<td>Dairy, beef</td>
</tr>
<tr>
<td>Additional features</td>
<td>Manure is not dry enough to soak up precipitation, so liquid runoff storage is needed; it is uncovered producing more odour than with V4 storage; milk house washwater can be put in the runoff storage as well</td>
</tr>
</tbody>
</table>

Figure 38. Uncovered liquid runoff storage (L1).

Figure 39. A solid, uncovered outdoor storage with uncovered liquid runoff storage (L1).
L2 Storage Type (See Tables 5 and 6)

<table>
<thead>
<tr>
<th>Identifier</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inside barn/outside barn</td>
<td>Outside</td>
</tr>
<tr>
<td>Covered/not covered</td>
<td>Permanent floating cover (e.g., tarps, foam panels, plastic hexagon discs, etc.)</td>
</tr>
<tr>
<td>Solid/liquid</td>
<td>Liquid</td>
</tr>
<tr>
<td>Typical associated livestock</td>
<td>Swine, chicken (layers), mink</td>
</tr>
<tr>
<td>Additional features</td>
<td>A permanent floating cover that remains in place over time is the key feature</td>
</tr>
</tbody>
</table>

Figure 40. Round liquid manure storage with floating permanent cover comprised of plastic hexagon discs (L2).
8. ADDITIONAL INFORMATION

Storages with Medium Odour Potential

**M1 Storage Type (See Tables 5 and 6)**

<table>
<thead>
<tr>
<th>Identifier</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inside barn/outside barn</td>
<td>Outside</td>
</tr>
<tr>
<td>Covered/not covered</td>
<td>Not covered</td>
</tr>
<tr>
<td>Solid/liquid</td>
<td>Liquid</td>
</tr>
<tr>
<td>Typical associated livestock</td>
<td>Swine, dairy, beef, mink</td>
</tr>
<tr>
<td>Additional features</td>
<td>Straight or vertical walls reduce the catchment area for precipitation on the storage, unlike the sloped sides of the H1 earthen manure storage — these storages are common</td>
</tr>
</tbody>
</table>

**Figure 41.** In-ground, uncovered, vertical wall liquid manure storage (M1).

**Figure 42.** An above-grade, uncovered, vertical wall liquid manure storage and clean-out access ramp (M1).
M2 Storage Type (See Tables 5 and 6)

<table>
<thead>
<tr>
<th>Identifier</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inside barn/outside barn</td>
<td>Outside</td>
</tr>
<tr>
<td>Covered/not covered</td>
<td>Covered (roof)</td>
</tr>
<tr>
<td>Solid/liquid</td>
<td>Liquid</td>
</tr>
<tr>
<td>Typical associated livestock</td>
<td>Dairy, chicken (layers)</td>
</tr>
<tr>
<td>Additional features</td>
<td>Roof keeps out precipitation, but open sides allow wind to travel over manure and carry away odours these are not common manure storages</td>
</tr>
</tbody>
</table>

Figure 43. Front view of a roofed liquid storage facility (M2).
8. ADDITIONAL INFORMATION

Storages with High Odour Potential

H1 Storage Type (See Tables 5 and 6)

<table>
<thead>
<tr>
<th>Identifier</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inside barn/outside barn</td>
<td>Outside</td>
</tr>
<tr>
<td>Covered/not covered</td>
<td>Not covered</td>
</tr>
<tr>
<td>Solid/liquid</td>
<td>Liquid</td>
</tr>
<tr>
<td>Typical associated livestock</td>
<td>Swine, dairy, beef, mink</td>
</tr>
<tr>
<td>Additional features</td>
<td>Earthen manure storages are NOT earthen runoff storages associated with solid manure storages listed as L1; earthen storages have sloped sides which have a greater catchment area for precipitation than the M1 type; they are a common storage, catch a lot of precipitation and have a larger surface area which increases odour production</td>
</tr>
</tbody>
</table>

Figure 44. An earthen manure storage; note the sloped sides and no cover (H1).
The following is a summary of the *manure storage* types and the most common or likely *livestock* types that may be associated with them. Use this table as a reference when little detail is known about the farm operation for which an MDS calculation is being prepared. It is helpful to approximate the most likely *manure storage* type; however, never use it as a substitute for proper field research and outreach to the landowner or farm operator.

<table>
<thead>
<tr>
<th>Manure Storage Type</th>
<th>Livestock Commonly Associated</th>
</tr>
</thead>
<tbody>
<tr>
<td>V1</td>
<td>beef cow/calf, dairy heifer/dry cow and swine operations with solid manure systems, as well as goat and sheep</td>
</tr>
<tr>
<td></td>
<td>litter based poultry operations (e.g., broiler chickens, broiler breeders, turkeys, ducks, pheasants, guinea fowl, etc.)</td>
</tr>
<tr>
<td>V2</td>
<td>litter based poultry operations (e.g., broiler chicken, broiler breeder, turkey, ducks, pheasants, guinea fowl, layer hens, etc.)</td>
</tr>
<tr>
<td></td>
<td>mink operations with solid manure systems as well as horse and rabbit operations</td>
</tr>
<tr>
<td>V3</td>
<td>litter based poultry operations (e.g., broiler chicken, turkey, ducks, pheasants, guinea fowl, etc.)</td>
</tr>
<tr>
<td></td>
<td>horse, donkey, sheep or goat operations</td>
</tr>
<tr>
<td>V4</td>
<td>dairy, beef and swine operations with solid manure systems</td>
</tr>
<tr>
<td>V5</td>
<td>dairy, beef and swine operations with liquid manure systems</td>
</tr>
<tr>
<td></td>
<td>veal or duck operations with liquid manure systems</td>
</tr>
<tr>
<td>V6</td>
<td>mink, layer hen and swine operations with liquid manure systems</td>
</tr>
<tr>
<td>L1</td>
<td>dairy and beef operations with solid manure systems</td>
</tr>
<tr>
<td>L2</td>
<td>dairy, beef and swine operations with solid manure systems that utilize uncovered liquid runoff tanks as part of the manure storage</td>
</tr>
<tr>
<td>M1</td>
<td>mink, layer hen and swine operations with liquid manure systems</td>
</tr>
<tr>
<td>M2</td>
<td>dairy, beef and layer hen operations with liquid manure systems that use <em>manure storages</em> which have a roof but open sides</td>
</tr>
<tr>
<td>H1</td>
<td>dairy, beef and swine operations with liquid manure systems that use earthen <em>manure storages</em></td>
</tr>
</tbody>
</table>
8.5 Structural Capability of Housing Livestock or Storing Manure

Introduction

This MDS Document requires that MDS I and MDS II are applied to livestock facilities that are structurally sound and reasonably capable of housing livestock or storing manure. Barns (or storages) that are NOT structurally sound or reasonably capable of housing livestock or storing manure should NOT be considered in MDS, because of safety, environmental and functionality reasons.

When evaluating whether barns and storages are structurally sound and reasonably capable of housing livestock or storing manure, evaluators should assume the barn (or storage) passes both these tests, until it is demonstrated otherwise. Only professional engineers or consultants knowledgeable about livestock facilities should provide input on these decisions, with the municipal building official ultimately making the final determination using any valid internal or external input. There is no all-inclusive prescriptive checklist to make these determinations.

The following questions may be helpful for municipal building officials, professional engineers and/or consultants, knowledgeable about livestock facilities, to consider. The more questions answered ‘Yes’, means a barn (or storage) is less likely considered viable. Questions are not equally weighted, because if a barn (or storage) is not structurally sound the remainder of the questions do not matter.

Structural Considerations for Livestock Barns

Foundation

The foundation of a barn provides structural support for the entire building.

- Is it crumbling, missing mortar and in disrepair?
- Is there a dirt floor in part, or throughout the entire barn?
- Is there evidence of water damage either inside or outside the barn walls?
- Has the main barn structure shifted away from a bank bridge (if present)?
- Is there major concrete work needed inside?
- Would reasonable people avoid spending money to repair the foundation properly?

Walls

The walls of a barn provide support for the roof and additional stories, shelter from the elements, natural lighting and ventilation through windows, amongst other functions.

- Are any walls no longer vertical and leaning in one or more directions?
- Do the windows need replacement?
- Is there missing insulation, or was there never any insulation at all?
- Is there a modern ventilation system with exhaust fans, controlled air inlet systems or thermostatic controls?
- Have load-bearing walls been removed without replacing them with comparable support?
- Would reasonable people avoid spending money to repair the walls properly?
Roof

The roof can be costly to replace, upgrade or repair. It can also be a potential hazard if it has gone without inspection and upgrades for some time. Leakage and structural concerns can pose a safety risk, especially when expensive livestock, equipment, etc. are stored within.

- Does the roof show evidence of leaking?
- Are there structural issues such as sagging, cracked rafters or missing components?
- Do truss gusset plates show any rust?
- Does the roof system look outdated?
- Does the roof system appear to be out of compliance with current building code standards?
- Would reasonable people avoid spending money to repair the roof properly?

Internal Structure

Alterations over time to the inside of the barn may have unintentionally removed required posts, structural beams, joists, studs or other important components, reducing the safety of the building. Additional wear and tear on these components may have weakened the structure. The cost to repair these features may outweigh the usefulness of the barn.

- Is there evidence of posts, structural beams or joists having been cut out or removed?
- Are there damaged posts or sagging beams that appear in poor shape?
- Is there evidence of rotten wood so that you can push a jackknife right into them?
- Is there evidence of damage from vermin?
- Does the barn have a musty odour, suggesting water damage?
- Does the floor need to be entirely replaced?
- Would reasonable people avoid spending money to repair the internal structure properly?

“Reasonably Capable” Considerations for Livestock Barns

Barn Location

Barn location can influence the overall desirability of using the barn for livestock. Its location may increase the appeal to use it as a garage, workshop or other non-livestock housing use.

- Is the barn close to a road, stream, residential area or features that might prevent someone from wanting to use the building for livestock?
- Is the barn close enough to an owner’s house that they’d likely not use it for livestock?
- Is expansion of this barn going to be difficult given the location of surrounding uses?
- Is the barn located in a zone that doesn’t permit agricultural uses (e.g., settlement area)?
- Would reasonable people avoid spending money to repair the barn given its location?

Size and Shape of the Barn

The size and shape of a barn can influence its potential use. Small barns that are not easily expanded may be desirable for small hobby operations, but perhaps not suitable for someone with the intent to pursue a commercial operation. Low ceiling heights might preclude horses or other tall livestock.

- Is the barn quite small for the type of livestock typically housed in that type of barn?
- Is the barn one-story without any spot for hay or straw storage, if required for the type of livestock likely to be housed?
8. ADDITIONAL INFORMATION

- Is the barn narrow (<8 m wide)?
- Is the ceiling height low (<2 m high)?
- Would reasonable people avoid spending money to renovate given the barn size and shape?

**Historical Use of Barn for Livestock**

The history of a barn may influence decisions about whether it can still house livestock. Stalls, water and feed troughs, electrical upgrades, manure systems, etc. may help in figuring out how long it has been since the barn last housed livestock. It may also provide evidence regarding what else the barn may have been used for in the past.

- Was the building originally constructed for purposes other than housing livestock, such as fruit packing, tobacco packing, machinery shed, etc.?
- Are elements from these previous uses still present inside the barn?
- Would reasonable people avoid spending money to renovate given the original use of barn?

**Era of the Barn**

The barn age may provide clues as to the types of damage that should be looked for in the foundation, walls and roof. It may also influence the size and shape of the barn. When the barn was built may affect its ability to be converted for other types of livestock, besides what it was originally constructed for.

- If the barn was originally constructed to house a specific type of livestock, has the industry standard for that livestock changed significantly?
- Was the barn constructed more than a generation ago?
- Would reasonable people avoid spending money to repair the barn given its construction era?

**Current Use of the Barn**

Current uses of the barn, or parts of it, may have altered the barn from its original layout and function. This may include removing stalls, feeding and watering troughs, stable cleaner, etc. These features might have to be replaced to use the barn for housing livestock.

- Is the barn used now as storage for machinery, boats, feed, lumber, etc.?
- Is the barn used as a workshop or for any other purposes?
- Have interior features of the barn been removed (e.g., stalls) and must now be replaced?
- Could these features be replaced without requiring a building permit?
- Is the facility, or could the facility be, insured?
- Would reasonable people avoid spending money to put the barn back to its original use?

**Other Livestock Facilities and Related Buildings**

The presence and condition of related infrastructure or other buildings on site in addition to the barn in question may influence the type of activities or type of livestock that the barn could still house. The costs associated with replacing or upgrading these features, and whether they are still required for the type of livestock most likely to be housed on site, may influence the usability of the barn for housing livestock.

- Is this the only livestock barn on the site that has any opportunity of being used?
- Is this the only livestock barn in the surrounding area?
The Minimum Distance Separation (MDS) Document — Formulæ and Guidelines for Livestock Facility and Anaerobic Digester Odour Setbacks

- Is there missing 'supporting infrastructure' on site that would normally be associated with a livestock building such as electrical power, water wells, water lines, silos, feed bins, hay storage, feed bunks, manure storage and other equipment?
- Would reasonable people avoid spending money to replace or upgrade infrastructure on site?

**STRUCTURAL CONSIDERATIONS FOR Manure Storages**

**Foundation/Walls/Roof/Internal Structure**

Manure storages, especially liquid manure storages, have improved over the past generation. The first liquid manure storages (concrete, steel, earthen) appeared in the 1960s. The first concrete liquid manure storages were <10 m in diameter and about 2 m deep.

- Is there evidence the foundation has been undermined by damage?
- Is there evidence the storage has leaked manure with staining on the outside?
- Are any walls no longer vertical and leaning in one or more directions?
- Is there evidence of rusted reinforcing bars in the concrete?
- Would reasonable people avoid spending money to repair the manure storage properly?

**"Reasonably Capable" Considerations for Manure Storages**

**Storage Location, Size and Shape, Historical Use, Era, Current Use, Other Facilities**

- Is the manure storage close to a road, stream, residential area or features that might prevent someone from wanting to use the structure for storing manure?
- Is the manure storage so close to an owner’s house that they likely would not use it?
- Is the manure storage small by today’s standards on other farms?
- Is adding additional storage capacity going to be difficult given the location of surrounding uses?
- Was the structure used as manure storage before the *Nutrient Management Act, 2002*, came into effect?
- Is there missing ‘supporting infrastructure’ on site that would normally be associated with a manure storage, such as pumps, loaders, manure spreader, tractor, etc.?
- Would reasonable people avoid using the storage because it is functionally outdated?

**8.6 Design Capacity of Livestock Facilities**

**Introduction**

MDS calculations cannot be completed without knowing the number of livestock, area of livestock housing, or Nutrient Units for livestock barns, and the volume, or Nutrient Units for manure storages. The best information comes from the owner/operator who knows the type and number of livestock on the farm, and the type and size of manure storages. However, it may be necessary to estimate this information because it is not available from the owner/operator, or the livestock barn is unoccupied or the manure storage is unused.

There are two methods available for MDS users to consider for guidance since there are so many factors that affect design capacity such as owner/operator preference, buyer requirements with respect to animal welfare space, animal age, type of housing system, age and available space of a barn, wider feed alleys to accommodate new feeding technologies, site specific circumstances, etc. It is reasonable to accept some variation between the design capacity estimated by the MDS software (AgriSuite) versus that provided by an owner/operator. If the variation is reasonable, it is recommended that the information provided by
an owner/operator be used. Ontario has a diverse agricultural community, with a wide variety of livestock facilities that have been constructed over a long period of time, with different local, cultural and management considerations. It is not unreasonable to state no two livestock barns are alike.

1. Estimating Number of Animals Using the Database in the MDS Software (AgriSuite)

   The MDS software (AgriSuite) includes many different floor area/animal (m²/animal) averages based on typical animal types, sizes and housing methods used on Ontario farms. Unfortunately, it is impossible to include every possible system in use because there can be significant variation between livestock barns. The MDS software is helpful to give first approximations about how much floor area makes sense for a typical livestock barn:

   a) Open the MDS software (AgriSuite) and proceed as if to complete an MDS calculation.
   b) In the Livestock/Manure Information area, click on the Add Livestock/Manure button. This opens Livestock/Manure screen. Enter information for three drop-down menus on livestock type, description and system. For example, choose Swine.... Feeders (27-129.5 kg).... Full Slats.
   c) Click on the button marked with a calculator logo to show two things:
      i. first, a box to enter the total floor area of the livestock barn (m² or ft²)
      ii. second, the estimated floor area per animal based on earlier inputs
   d) Type in the total floor area and hit Tab or click OK. The MDS software then calculates an estimate of the maximum number of livestock that can be housed in the livestock barn.

2. Estimating Number of Livestock, Area of Livestock Housing and/or Volume for Unoccupied Livestock Barns or Unused Manure Storages

   When livestock barns or manure storages have not been used for some time, or there is a new owner, they may not know how many, or what type of livestock could be housed within the building. Apply MDS if the livestock barns are structurally sound and reasonably capable of housing livestock. Also consider the potential for manure storage. Base MDS on the most probable values for Factors A, B and D given site specific circumstances.

   a. Unoccupied Livestock Barns

      The best information comes from the owner/operator who knows, or knew, the type and number of livestock housed. If unable to obtain more specific information as outlined in Implementation Guideline #16, the following Factors may apply for unoccupied livestock barns:

      - Factor A = 1.0
      - Factor B, based on 1 Nutrient Unit/20 m² of floor area (use one floor only)
      - Factor D = 0.7 (based on most probable barn use; solid manure)

      However, an MDS I setback is not required for any unoccupied livestock barns when:

      - the building has been deemed by a municipal building official, with input from a professional engineer or a consultant knowledgeable about livestock facilities where appropriate, as being not structurally sound nor reasonably capable of housing livestock; or
      - the portion of the lot on which the unoccupied livestock barn is located is zoned such that livestock facilities are not permitted; or
      - the floor area of the unoccupied livestock barn is <100 m².
b. Unused Manure Storages for Solids

It is not often that one needs to know the volume of manure storage in order to calculate an MDS setback. It only occurs when there are no livestock on a lot. The best information comes from the owner/operator who knows, or knew, the type and volume of the manure storage. If unable to obtain more specific information as outlined in Implementation Guideline #16, apply the following Factors for unused manure storages for solids:

- Factor \( A = 1.0 \)
- Factor \( B \), based on 1 Nutrient Unit/19.8 m\(^3\) of volume for storages with two or more walls (NOTE: Assume manure is stored 1 m deep over the area enclosed by the two or more walls if using aerial photography.)
- Factor \( D = 0.7 \) (based on solid manure)

However, an MDS setback is not required for any unused manure storages for solids when:

- there are only one, or no, walls; or
- the storages have been deemed by a municipal building official, with input from a professional engineer or a consultant knowledgeable about livestock facilities where appropriate, as being not structurally sound nor reasonably capable of storing manure; or
- the portion of the lot on which the unused manure storage is located is zoned such that livestock facilities are not permitted; or
- the floor area of the unused manure storage is <100 m\(^2\).

c. Unused Manure Storages for Liquids

The best information comes from the owner/operator who knows, or knew, the type and volume of manure storage. If unable to obtain more specific information as outlined in Implementation Guideline #16, apply the following Factors for unused manure storages for liquids:

- Factor \( A = 1.0 \)
- Factor \( B \), based on 1 Nutrient Unit/19.8 m\(^3\) of volume (NOTE: assume manure is stored 2.5 m deep and level over the area enclosed by storage walls if using aerial photography.)
- Factor \( D = 0.8 \) (based on liquid manure)

However, an MDS setback is not required for any unused manure storages for liquids when:

- the storages have been deemed by a municipal building official, with input from a professional engineer or a consultant knowledgeable about livestock facilities where appropriate, as being not structurally sound nor reasonably capable of storing manure; or
- the portion of the lot on which the unused manure storage is located is zoned such that livestock facilities are not permitted; or
- the floor area of the unused manure storage is <40 m\(^2\).
APPENDIX 2

SHORELINE SETBACKS
5.3 SHORELINE SETBACKS

5.3.1 Overview

The Sewage System Regulations under the Environmental Protection Act require that sewage systems be set back 15 m from shorelines. This requirement is designed to protect surface water quality from effluent originating in tile fields and leaching beds on the basis of public health concerns. In recent years, the Ontario Ministries of the Environment and Natural Resources have been requesting setbacks for sewage systems and buildings on lake trout lakes which exceed those currently required for sewage systems only. As well, as noted in Section 5.1, some study area municipalities also require building and sewage system setbacks in excess of provincial requirements. The recent concerns advanced by the approval agencies relate to potential changes in lake trophic state due to phosphorus migration from tile fields and related shoreline development to surface waters, and the resulting effects on lake aesthetics and fish and wildlife habitat. Approval agencies are now viewing more extended setbacks as effective mechanisms to reduce impacts resulting from shoreline development.

The underlying principle of an extended setback is that, the greater the distance the tile field and development are from the lake, the greater the capacity of the intervening land base to intercept and retain phosphorus. Some of the factors contributing to phosphorus retention by soils are soil chemistry and absorbance capacity, phosphorus concentration in and loading rate of septic tank effluent, composition and density of the vegetation cover, and slope conditions. It is logical to expect variations in the degree of effectiveness of different landscapes to mitigate potential trophic state impacts. For example, deep, sandy loam soils supporting continuous forest growth on level sites would naturally retain more phosphorus than shallow, discontinuous mantles over steeply sloping bedrock. It follows, therefore, that a development located on sites of the former type would not need as great a setback as one located on sites of the latter type.

The degree of setback required remains a matter of conjecture, and the research on the subject is inconclusive. Depending on their viewpoint and objectives, resource manager may phrase the question in one of two ways:

- how far back from a lakeshore must development be situated in order to significantly reduce phosphorus loads from tile fields and surface uses?
- or, how far back must development be situated before it can be assumed that no phosphorus above natural background levels will enter the lake?

Dillon and Rigler (1975) indicated that in Ontario’s lake country, development beyond 305 m (1,000 ft.) of the shoreline of a lake or its inflowing streams or rivers should not have any phosphorus impact on the lake. However, this value was essentially picked out of the air.

In 1974, a joint Ministry of the Environment-Ministry of Natural Resources committee in Southeastern Ontario recommended a number of precautionary measures for new development on all recreational waters. The recommended measures were as follows (Aitkens 1975, p.3).
(a) Set back of [30 m] as a buffer zone for the cottage and waste disposal systems.

(b) Preservation of the natural vegetation between the cottage and the lake in the buffer zone.

(c) The use of a tile bed with selected material with a good phosphate retention capability and the use of a siphon or pump to provide an even distribution of septic tank effluent to the tile bed.

"The proposal put forward by the Joint Committee for engineered tile bed systems combined with a [30 m] setback requirement for the primary structure (cottage) and waste disposal facility is intended as a total package for limiting phosphorus export from a cottage lot to sensitive recreational lakes. The tile bed system would be designed to ensure nutrient containment of the domestic wastes and the [30 m] buffer zone is intended primarily to limit the nutrient export associated with surface drainage (i.e. roof runoff, roads, parking space and soil disturbed during construction of the dwelling and waste disposal facility). As a secondary consideration, the [30 m] buffer zone of undisturbed soil mantle would provide an added margin of protection in the form of phosphorus retention for nutrients which might leave the tile field."

Field studies undertaken by Brandes (1974) on subsurface movement of pollutants showed that when tile field systems were constructed on soils containing more than 40% clay and silt, and the distance of the tile field to the lake or river was more than about 20 m, no chemical or microbiological pollutants reached the water body. However, when coarse sands (diameter 1.0 to 2.5 mm) were used to construct filter beds 100 cm in depth, a very insignificant removal of phosphorus was observed. Studies by Aitkens (1977) on phosphorus retention capabilities of granular soils on the Precambrian Shield indicated that the main limitation was soil depth, and recommended a 30 m setback for sensitive lakes in Southeastern Ontario. However, the literature also points out that the effluent does not necessarily fan out uniformly from tile fields, and, depending on local relief, soil depth, and the topography and character of the underlying bedrock or comparably impermeable subsoil, may form more concentrated plumes. While the use of a siphon or pump to provide an even distribution of septic tank effluent to the tile bed will obviously assist in mitigating or eliminating this problem, under certain site characteristics, the effluent may run along the soil-bedrock interface and not actually pass through much soil before reaching water bodies.

In a recent report presenting timber management guidelines for protecting fish habitats, the Ministry of Natural Resources (1988b) recommended varying buffer widths around water bodies, depending on slope characteristics, as follows. Figure 5.1, below, shows the relationship between slope percentages and angles.
Although the above setbacks focus on timber operations rather than residential or cottage development, one of the key reasons for applying them relates to reducing "the input of phosphorus to water courses by reducing surface runoff and by trapping phosphorus-bearing sediment and logging debris" (Ontario Ministry of Natural Resources 1988b, pg. 1). In this sense, these setbacks might also be applied more generally to address trophic state concerns related to shoreline development.

However, we are of the opinion that factors other than slope are more important in setting out possible setback guidelines for shoreline development. In the following paragraphs, we describe those biophysical features which we consider to be important (soil depth, soil texture, slope, and vegetation cover), and a proposed scoring system which is subsequently related to recommended shoreline setbacks. We acknowledge that the suggested approach has not been developed on the basis of reams of data collected in a rigorous and scientific fashion; rather, it represents the results of the experience in applying and implementing development setbacks in a wide range of biophysical landscapes across Ontario for a variety of environmental protection and resource management purposes. Also, we emphasize that the discussion which follows relates to existing or predevelopment terrain conditions. An obvious consideration is how far back from the shoreline an analysis must be undertaken for any given lot or landscape. In certain situations, it will be immediately clear that a site has good development capability, and an evaluation of limited extent will be required. However, more complex sites will require more extensive analysis. In effect, the scope of any evaluation is clearly site dependent.

### 5.3.2 Soil Depth

The Ontario Sewage Systems Regulations require that the bottoms of distribution line trenches be at least 90 cm above impermeable surfaces, such as bedrock or compact clay. Given that the trenches themselves need to be from 60 to 90 cm deep, it follows that the deeper the soil, the more suitable it is for tile field installation. However, soil depth has other implications, the most critical being nutrient, and in particular phosphorus, retention. In this regard, Robertson, Cherry, and Sudicky (1991) reported that phosphorus concentrations in groundwater (expressed as phosphate phosphorus) rapidly decreased with depth directly under weeping tiles; for example, they noted concentrations of 10 mg/L approximately 50 cm below the tiles, 1 mg/L about 100 cm below, and 0.1 mg/L about 150 cm below.

Based on the above considerations, the following scores are suggested for soil depth at the site of a proposed tile field.
5.3.3 Soil Texture

The influence of soil texture on water infiltration is well known, and forms much of the basis for establishing total distribution line lengths for septic tile field systems. In this regard, the optimum soils are those that have neither too fast a percolation rate (such as gravels and very coarse sands which do not allow sufficient time for pollutants in tile field effluent to be absorbed by soil particles), nor too slow a percolation rate (such as dense clays which could promote saturation of the tile bed). The Ministry of the Environment’s manual for private sewage systems (1984) notes that percolation rates in the order of 0.1 to 0.001 mm/sec are characteristic of soils that are permeable to moderately permeable; these soils are well-suited for tile fields. Soils with faster percolation rates (in the order of 1 mm/sec) than this range are unacceptable for tile fields. Soils with slow rates (in the order of 0.0001 to 0.00001 mm/sec) are classified as having low permeabilities, while those with even slower rates are unacceptable for tile fields. The specific percolation rates of native soils depend on the distribution of various particle sizes, with the percentage of fines (silts and clays) perhaps being the most critical factor. Imported fill of suitable texture and to adequate depths (raised tile beds) is generally required to amend those soils having low to unacceptable percolation rates.

Apart from affecting percolation rates, textural characteristics also influence to some degree a soils ability to retain phosphorus; soil chemistry (for example, aluminum, iron, and calcium concentrations) is perhaps of equal or greater important in this regard. Information on the specific phosphorus retention capacities of various soil texture classes is not well documented; however, data from various publications are informative and allow some generalizations. For example, studies on the subsurface movement of effluent from private sewage disposal systems (Brandes 1974 and 1975, and Robertson, Cherry, and Sudicky 1991) indicate that a decrease in phosphorus concentration below and downgradient of the tile fields is generally relatively rapid, regardless of soil type. Based on the studies of Brandes (1974 and 1975), concentrations decreased most rapidly with increasing silt and clay content in the soil; up to 98% of phosphorus was removed in soils containing 40% silt and clay, with significant reductions in concentrations within the first 3 m of the tile fields. Although the reductions are not as dramatic with sandy soils, as much as 78% phosphorus removal was reported by Brandes (1974), and phosphorus concentrations were typically reduced to 0.1 mg/L within 20 m of the tile fields. Brandes (1974) concluded that the bulk of the effluent phosphorus was fixed within the native soil matrix directly below and downgradient of the tile fields, so that phosphorus
concentrations reaching the groundwater and/or nearby water bodies were very low, even where sandy soils predominated.

Robertson, Cherry and Sudicky (1991) undertook detailed groundwater monitoring of two single family residences to determine the impact of septic systems on shallow unconfined aquifers in southern Ontario. One site at Cambridge, located on a carbonate-rich sand aquifer, was in operation for over 12 years, while the other site on the Muskoka River near Bracebridge, on a poorly buffered, carbonate-depleted sand aquifer, was in operation for one year. While high levels (about 10 mg/L) of phosphorus were found in the septic tank effluent, concentrations were substantially attenuated immediately below the tile bed. For example, at the Cambridge site, "... phosphate phosphorus > 1 mg/L was mostly confined to the aquifer area immediately below the tile bed, while at Muskoka, no detectable phosphate phosphorus (>0.02 mg/L) was observed in the groundwater zone." (Robertson, Cherry and Sudicky 1991, p. 9). While the precise mechanism of attenuation was not confirmed at either site, the geochemistry of the groundwater suggests a hydroxylapatite phosphate phosphorus complexing process at the Cambridge site, while at the Bracebridge site, attenuation was likely controlled by the presence of sparsely soluble phosphate minerals such as stregnite (an iron complex) or varisite (an aluminum-based compound), or by absorption.

There is no question that identifying, understanding, and confirming the mechanisms which determine the limits to phosphorus attenuation in different shoreline landscapes is important. For example, if the control is soil surface absorption, then phosphorus mobility will increase when the number of absorption sites are filled. However, if the controlling process continues indefinitely, as in the case of chemical combination with other effluent and soil constituents to form minerals, then phosphorus transport will not be a concern as long as the septic system continues to operate properly. In our opinion, it is probably not one mechanism or the other which operates in any one situation; rather, both mechanisms are likely in effect at most lakeshore sites. Regardless, some guidelines on the phosphorus retention capacity of soils are available; in this regard, the following are reproduced from Aitkens (1977, p. 9):

"1. Good phosphorus retention capability - generally greater than 7 mg/100 g of soil. Generally uniform results.
2. Acceptable phosphorus retention - generally greater than 6 mg/100 g of soil.
3. Marginally acceptable phosphorus retention - generally greater than 5 mg/100 g of soil.
4. Not acceptable - generally less than 5 mg/100 g of soil."

From the foregoing, it is difficult to designate a score based on soil texture, simply because coarse and fine textured soils influence percolation and phosphorus retention capacity in different ways. In this regard, tile fields installed on clay soils often need to be partially or fully raised due to the clay’s low permeability. The site modifications necessary for this type of site would suggest implementing a more stringent setback than on a site where no soil-based modifications would be required. However, clay has a
relatively high phosphorus retention capacity, which would suggest that limited setbacks are required. As a result, the best approach, until such time as more data becomes available, would be to base the score for each soil type on whichever of its percolation and phosphorus retention characteristics is less desirable, as suggested in the following table.

| Characteristics |
|-----------------|-----------------|-----------------|-----------------|
| **Soil Type**   | **Percolation Rate** | **Phosphorus Retention Capacity** | **Score** |
| coarse sand and gravel | excessively rapid | low | 10 |
| silty clay and clay | low to impermeable | high | 7 |
| well-graded sands | permeable to moderate | low to medium | 5 |
| silty sand, clayey sand, silt and fine sand | moderate to low | medium to high | 3 |
| sandy loam | moderate to low | medium to high | 3 |
| loam | permeable to moderate | medium to high | 0 |

5.3.4 Slope

The Ministry of the Environment (1983a) indicated that the most suitable slopes for installing tile fields are from 0 to 9%. Slopes ranging from 10% to 25% necessitate special installation techniques, while slopes greater than 25% are unacceptable. However, apart from these engineering considerations, slopes can also affect the volume and direction of groundwater flow where bedrock is close to the surface (Ontario Ministry of Agriculture and Food 1983), and by implication, the flow of tile field effluent. Further, the greater the slope, the faster the flow and the greater the erosive potential and sediment-bearing capacity of runoff. As mentioned above, the Ministry of Natural Resources has recommended various setbacks for timber operations from watercourses according to shoreline slope classes to reduce sediment and phosphorus loadings.

Given the above, the following scores are suggested for the average slope of the shoreline (see Figure 5.1 for illustration of the relationship between slope percentages and angles).

<table>
<thead>
<tr>
<th>Slope</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 9%</td>
<td>0</td>
</tr>
<tr>
<td>10% - 25%</td>
<td>5</td>
</tr>
<tr>
<td>&gt; 25%</td>
<td>10</td>
</tr>
</tbody>
</table>
Expressing slope as a percentage permits easy comparison of the relationship of the vertical (rise) to the horizontal (run). For example, a 30% slope will rise 30 m vertically over a horizontal distance of 100 m.
This system should work well where slopes are uniform; however, there will be an obvious difficulty in assigning a single value to the varied slope conditions typical of the shorelines of many Ontario lakes, particularly those situated on the Canadian Shield. An example of one approach for addressing this problem is provided by Wischmeier and Smith (1978). In deriving the Universal Soil Loss Equation, they dealt with irregular slopes by segmenting them into uniform, or relatively uniform, grades, after which the slope sections were weighted using predetermined slope length and steepness and soil loss factors. A similar kind of methodology could be used here, as follows:

- identify slope segments according to the three broad slope classes noted above;
- measure the total horizontal lengths of each slope class and determine their respective percentages of the total slope length;
- multiply the percentages by the appropriate scores (see above), and sum the products to yield a weighted score for the entire slope.

The following example shows how this might work for a representative 80 m slope.

### Horizontal Length of Class

<table>
<thead>
<tr>
<th>Slope Class</th>
<th>m</th>
<th>%</th>
<th>Class Score</th>
<th>Weighted Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 9%</td>
<td>10</td>
<td>12.5%</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>10% to 25%</td>
<td>30</td>
<td>37.5%</td>
<td>5</td>
<td>1.875</td>
</tr>
<tr>
<td>&gt; 25%</td>
<td>40</td>
<td>50%</td>
<td>10</td>
<td>6.875 = 7</td>
</tr>
<tr>
<td>Total</td>
<td>80</td>
<td>100%</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### 5.3.5 Vegetation Cover

The primary influences of vegetation cover in terms of mitigating phosphorus input to water bodies are through direct uptake by roots from the soil solution (although this generally would only apply to the upper soil horizons where the bulk of the rooting systems occur), and through interception of rainfall and runoff and consequent reduction of erosion potential and transport of phosphorus-bearing sediments and particles. The relative important of different cover conditions in terms of these interrelated values has been expressed in varying ways, for example, vegetation cover types (forest, pasture, cultivated, wetland, etc.) as input factors for erosion soil loss equations. In this regard, the differences in the relative amounts of runoff from natural woodland, old field (permanent pasture), and meadow landscapes are quite minor. Assuming that these plant community types are undisturbed, runoff is typically low; however, trampling and grazing of fields generally produce greater amounts of runoff than woods, old fields, and meadows, with some variation depending on specific crops and cultivation practices. For example, runoff from areas planted with row crops is generally greater than from areas
planted with small grains or legumes or from rotation meadows. Runoff is greatest from straight row treatments, but somewhat less from contoured fields, and less still from contoured and terraced fields. As might be expected, fallow fields produce the greatest amounts of runoff (Wischmeier and Smith 1978 and Dickinson n.d.).

Given the above, an appropriate approach to addressing vegetation cover would be to assign scores to broad cover types, determine the percentage of the area under question covered by each type, and calculate a weighted score in the same manner as was done for slopes. Suggested cover types and their respective scores are as follows.

<table>
<thead>
<tr>
<th>Vegetation Cover Type</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Undisturbed woodlands, old fields and meadows</td>
<td>0</td>
</tr>
<tr>
<td>Disturbed woodlands, old fields and meadows</td>
<td>3</td>
</tr>
<tr>
<td>Close-seeded legumes (clover, alfalfa) and rotation meadows</td>
<td>5</td>
</tr>
<tr>
<td>Row crops</td>
<td>7</td>
</tr>
<tr>
<td>Fallow fields and base bedrock outcrops</td>
<td>10</td>
</tr>
</tbody>
</table>

An example of how this approach might be applied to a 20 ha site with varying vegetation cover characteristics is as follows:

<table>
<thead>
<tr>
<th>Cover Type</th>
<th>Area Covered</th>
<th>%</th>
<th>Class Score</th>
<th>Weighted Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Undisturbed woodland</td>
<td>4</td>
<td>20%</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Rotation meadow</td>
<td>6</td>
<td>30%</td>
<td>3</td>
<td>0.9</td>
</tr>
<tr>
<td>Row crops</td>
<td>10</td>
<td>50%</td>
<td>7</td>
<td>2.5</td>
</tr>
<tr>
<td>Total</td>
<td>20</td>
<td>100%</td>
<td></td>
<td>4.4 = 4</td>
</tr>
</tbody>
</table>

In addition, we would suggest that 5 points be deducted from the vegetation cover score for shorelines fronted by wetlands which extend a minimum of 10 m offshore and consist of dense emergent aquatics and/or lowland thickets or forests, and which are to be retained intact. In this regard, the effect of phosphorus loading on a receiving lake or rover is strongly dependent upon the timing and rate of addition. If phosphorus is added at a time when other factors are limiting algal growth, or when phosphorus is already abundant, little additional growth will occur. Factors which control the entry rates and timing of phosphorus loadings to lakes can effectively function to suppress unwanted growth. Accordingly, nearshore wetlands and the vegetation of the land-water interface are important in regulating the timing and rate of phosphorus loading; significant in this regard is the zone of emergent plants including species such as cattails and bulrushes, and the complex community of microflora (algae and bacteria) that grow on the surfaces of the plants and sediments. When phosphorus is added to this zone, it is not immediately utilized and incorporated into plant tissue; rather it tends to be first assimilated by
microflora in the sediments and on decaying plant material. The phosphorus is later recycled to the emergent plants, and eventually becomes part of the bottom sediments following aging and death of the plants.

It should be emphasized that the above vegetation cover type categories are defined at a general level for practical planning purposes. In reality, the actual runoff can vary widely within each category, depending on a number of specific factors such as species composition, plant physiognomy, and stand height, age, and density; however, measurement of these factors would require detailed scientific study.

5.3.6 Recommended Shoreline Setback and Tile Field Fill Guidelines

We propose that a site be assigned a recommended minimum horizontal setback from water, based on its total score as shown in the following table. The setbacks would be not only from the lakes themselves, but also from all permanent and seasonal watercourses tributary to the lakes. Within these setbacks, there should be no buildings, campsites or sewage systems. Vegetation within the setbacks should be disturbed as little as possible, and the soil mantle should not be altered.

<table>
<thead>
<tr>
<th>Total Score</th>
<th>Recommended Horizontal Setback Distance (m)</th>
</tr>
</thead>
<tbody>
<tr>
<td>36 - 40</td>
<td>90</td>
</tr>
<tr>
<td>31 - 35</td>
<td>80</td>
</tr>
<tr>
<td>26 - 30</td>
<td>70</td>
</tr>
<tr>
<td>21 - 25</td>
<td>60</td>
</tr>
<tr>
<td>16 - 20</td>
<td>50</td>
</tr>
<tr>
<td>11 - 15</td>
<td>40</td>
</tr>
<tr>
<td>≤10</td>
<td>30</td>
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</tbody>
</table>

To illustrate how the scoring system would be applied, we provide here five examples representative of typical site characteristics of the Rideau Lakes basin.

1. Rugged terrain dominated by Precambrian bedrock, discontinuous mantles of permeable, sandy soil, and forest cover interspersed with bare outcrops (for example, the north shore of Westport Sand Lake, and the north shore of Upper Rideau Lake east of Westport).

- soil depth < 25 cm 10
- permeable sandy soil 5
- slope > 25% 10
- vegetation cover 8
- setback = 80 m 33
2. Moderately rolling lands underlain by Precambrian bedrock, with shallow but continuous soil and forest cover (for example, the north shore of Big Rideau Lake near Murphy’s Point Provincial Park).

- soil depth 25 - 50 cm 8
- coarse-textured sand 10
- slope 10% - 25% 5
- vegetation cover 0
- setback = 60 m 23

3. Level to moderately sloping lands underlain by limestone bedrock, with shallow but continuous soil and plant cover, varying from forest to uniformly dense old field communities (for example, the south shore of Big Rideau Lake near Jacklins Bay).

- soil depth 25 - 50 cm 8
- silty sands 3
- slope 0 - 9% 0
- vegetation cover 0
- setback = 40 m 11

4. Level to moderately sloping lands underlain by limestone bedrock, with deep soils and plant cover consisting predominantly of old fields, meadows, and cultivated fields (for example, the south shore of Westport, Sand Lake and the south shore of Upper Rideau Lake east of Westport).

- soil depth > 150 cm 0
- sandy loam 3
- slope 0 - 9% 0
- vegetation cover 3
- setback = 30 m 6

Coupled with these setbacks would be requirements to ensure sufficient phosphorus retention within tile fields. To this end, tile field fill should be installed with and regularly maintained to a phosphorus retention capability of at least 6 mg/100 g of soil (Aitkens 1977).

Also, consideration should be given to approving a given setback, on condition that the applicant undertake to modify or abandon cultivation and revegetate the property to the extent required to qualify for that setback through a reduced vegetation cover score.

In conclusion, we believe that if shoreland properties are developed in accordance with the above setback and fill guidelines, the phosphorus impacts of development on lake trophic state will be statistically insignificant.
Our proposed approach to setbacks and fill is based on a review of literature most relevant to Ontario and a wide range of practical experience throughout the province. However, these guidelines are not definitive, and are put forward on the assumption that they will be improved and refined over time as municipalities, resource management agencies, and landowners gain experience in working with them. If the guidelines are implemented, we recommend that after three to five years, a comprehensive evaluation of their strengths, weaknesses and potentials for improvement be conducted.
APPENDIX 3
LOT LINE, BUILDING TYPES, AND SETBACK DESCRIPTIONS
NOTE: This appendix is to be used for illustration purposes only and does not form part of the By-law.
NOTE: This appendix is to be used for illustration purposes only and does not form part of the By-law.
APPENDIX 3
ILLUSTRATION OF DWELLING TYPES

- **SINGLE DETACHED DWELLING**
  - UNIT A

- **SEMI-DETACHED DWELLINGS**
  - UNIT A
  - UNIT B

- **DUPLEX DWELLINGS**
  - UNIT A
  - UNIT B

- **MULTIPLE DWELLINGS**
  - UNIT A
  - UNIT B
  - UNIT C

**NOTE:** This appendix is to be used for illustration purposes only and does not form part of the By-law.
APPENDIX 3
YARD AND LOT LINE DEFINITIONS
ON A CORNER LOT WITH PARALLEL LOT LINES

PUBLIC ROAD

EXTERIOR SIDE LOT LINE

EXTERIOR SIDE YARD

REAR LOT LINE

REAR YARD

BUILDING

FRONT LOT LINE

FRONT YARD

INTERIOR SIDE LOT LINE

INTERIOR SIDE YARD


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APPENDIX 3
YARD AND LOT LINE DEFINITIONS
ON AN IRREGULAR LOT WITH NO REAR LOT LINE

LOT FRONTAGE

1. MID-POINT OF FRONT LOT LINE.
2. POINT WHERE THE TWO INTERIOR SIDE LOT LINES INTERSECT.

LOT FRONTAGE MEASURED AT RIGHT ANGLES TO THE LINE JOINING POINTS 1 AND 2 AT A DISTANCE OF 8 METRES FROM THE MID-POINT OF THE FRONT LOT LINE.


NOTE: This appendix is to be used for illustration purposes only and does not form part of the By-law.
APPENDIX 3
YARD AND LOT LINE DEFINITIONS
ON A CORNER LOT WITH CURVED LOT LINES


NOTE: This appendix is to be used for illustration purposes only and does not form part of the By-law.

NOTE: MINIMUM REQUIRED DISTANCE $ab$ FROM BUILDING TO LANE IS 5 METRES.
SCHEDULES ‘A’ TO ‘J’

TO BY-LAW NO. 2003-75

COMPREHENSIVE ZONING BY-LAW

OF THE

TOWNSHIP

OF

SOUTH FRONTENAC

(Districts of Bedford, Portland, Loughborough and Storrington and Two Specific Properties)
SCHEDULE ‘I’
TO BY-LAW NO. 2003-75
STORRINGTON DISTRICT

[No Build Area Diagram]
SCHEDULE 'J'
TO BY-LAW NO. 2003-75
THE COMPREHENSIVE ZONING BY-LAW
TOWNSHIP OF SOUTH FRONTENAC
STORRINGTON DISTRICT
APPENDIX 4

RURAL CEMETERIES NOT REQUIRING MINIMUM DISTANCE SEPARATION II CALCULATIONS FOR DEVELOPMENT ON ADJACENT FARM LANDS

Where new livestock facilities or expanded livestock facilities are proposed adjacent to the following cemetery properties no MDS II calculated setback is required:

Roll Number
102908003003720 - Harrowsmith
102908001001900 - Murvale
102904001023900 - Latimer
102906004009700 - Sand Hill
102906005007710 - Van Luven
102906007017210 - Opinicon
102901001027200 - Salem