



Municipality of Oliver Paipoonge

By-Law 185-01

Zoning By-Law

MUNICIPALITY OF OLIVER PAIPOONGE

BYLAW # 185-01

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CONVERSION TABLE

SCHEDULES "A", "B" AND "C"

**SCHEDULE 1
BY-LAW**

A By-law to regulate the use of land and the character, location and use of buildings and structures in the Municipality of Oliver Paipoonge.

WHEREAS the Council of The Corporation of the Municipality of Oliver Paipoonge deems it necessary in the public interest to pass a restricted area By-law in order to regulate the use of land and the erection and use of buildings and structures;

AND WHEREAS authority is granted under Section 34 of The Planning Act, 1990, c.P.13 1996 edition to pass this By-law;

NOW THEREFORE the Council of The Corporation of the Municipality of Oliver Paipoonge ENACTS AS FOLLOWS:

SECTION 1 - INTERPRETATION AND ADMINISTRATION

1.1 TITLE

This By-law shall be known as the "Restricted Area (zoning) By-law" of The Corporation of the Municipality of Oliver Paipoonge.

1.2 APPLICATION

The provisions of this By-law shall apply to all lands within the boundaries of the Municipality as now or hereafter are legally constituted.

1.3 SCOPE

No lands shall be used and no buildings or structures shall be erected, altered, enlarged or used within the Municipality of Oliver Paipoonge except in conformity with the provisions of this By-law.

1.4 MINIMUM REQUIREMENTS

In interpreting and applying the provisions of this Bylaw, they are held to be the minimum requirements for the promotion of the health, safety, comfort, convenience, and general welfare of the inhabitants of the Municipality.

1.5 MEANING OF USE

Unless the context otherwise requires the expressions "use" or "to use" in this By-law include anything done or permitted by the owner or occupant of any land or building, directly or indirectly or by or through any trustee tenant, servant, or agent, acting for or with the knowledge or consent of such owner or occupant, for the purpose of making use of the said land or building.

1.6 MEANING OF SHALL

In this By-law, the word "shall" shall always be construed as mandatory.

1.7 NUMBER AND GENDER

In this By-law, unless the contrary intention appears, words imparting the singular number or the masculine gender only, shall include more persons, parties, or things of the same kind than one, and females as well as males, and the converse.

1.8 ADMINISTRATION

This By-law shall be administered by the Clerk and/or such other person or persons as the Council of the Municipality of Oliver Paipoonge designates.

1.9 LICENCES AND PERMITS

No municipal permit, certificate or licence shall be issued where the said permit is required for a proposed use of land or a proposed erection, alteration, enlargement or use of any building or structure that is in violation of any provisions of this By-law.

1.10 BUILDING TO BE MOVED

No building, residential or otherwise, shall be moved within the limits of the Municipality or shall be moved into the Municipality from outside, without a permit from the Clerk and/or such other person or persons as the Council of the Municipality of Oliver Paipoonge designates.

1.11 APPLICATION OF OTHER BY-LAWS

Nothing in this By-law shall serve to relieve any person from the obligation to comply with the requirements of any By-law of the Municipality in force from time to time or the obligation to obtain any licence, permit, authority or approval required under any By-law of the Municipality.

1.12 VALIDITY

Should any section, clause or provision of this By-law be held by a court of competent jurisdiction to be invalid, the validity of the remainder of the By-law shall not be affected.

1.13 REQUEST FOR AMENDMENT

Every request for an amendment to this By-law shall be accompanied by 2 copies of the appropriate application form provided by the Municipality of Oliver Paipoonge and payment of all required fees.

1.14 VIOLATIONS AND PENALTIES

- a) Every person who use any lot, or erects or uses any building or structure or any part of any lot, building or structure in a manner contrary to any requirements of this By-law, or who causes or permits such use or erection, or who violates any provisions of this By-law, or who causes or permits such a violation, shall be guilty of an offence, and upon conviction thereof is liable,
 - (i) on first conviction to a fine of not more than \$20,000 and
 - (ii) on a subsequent conviction to a fine of not more than \$10,000 for each day or part thereof upon which the contravention has continued after the day on which he was first convicted.

- b) Every corporation who uses any lot, or erects or uses any building or structure or any part of any lot, building or structure in a manner contrary to any requirements of this By-law, or who causes or permits such use or erection, or who violates any provision of this By-law, or who causes or permits such a violation, shall be guilty of an offence, and upon conviction thereof is liable,
 - (i) on first conviction to a fine of not more than \$50,000 and
 - (ii) on a subsequent conviction to a fine of not more than \$25,000 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted.

- c) Any building or structure which contravenes any requirement of this By-law may be removed or altered at the expense of the owner thereof by the Corporation of the Municipality of Oliver Paipoonge pursuant to the provisions of the Municipal Act, R.S.O. 1980 Section 210, paragraph 170 or any successor thereto.

1.15 REMEDIES

Where any building or structure is erected, altered, reconstructed or extended, or any part thereof is used, or any lot is used, in contravention of any requirements of this By-law, such contravention may be restrained by proceedings of the Corporation of the Municipality of Oliver Paipoonge pursuant to the relevant provisions of The Planning Act or The Municipal Act or The Building Code Act, as amended from time to time.

1.16 ISSUANCE OF BUILDING PERMITS

Notwithstanding the provisions of the Building By-law or any other By-law of the Corporation of the Municipality of Oliver Paipoonge to the contrary, no building permits shall be issued where a proposed building, structure or alteration to any existing building or structure would contravene in any way one or more of the provisions hereof.

SECTION 2 - DEFINITIONS

For the purpose of this By-law, the definitions and interpretations given herein shall govern.

- 2.1 ABUT shall mean to have a common boundary with, or border on.
- 2.2 ACCESSORY, when used to describe a use, building or structure, shall mean a use, a building or a structure that is normally incidental, subordinate and exclusively devoted to a main use, building or structure and that is located on the same lot therewith and includes a private garage and a dock.
- 2.3 AGRICULTURAL USE shall mean the cultivation of land, the production of crops and the selling of such product on the premises, and the breeding, raising and care of livestock and the selling of such livestock or the product of such livestock raised on the premises, and without limiting the generality of the foregoing includes animal husbandry, and the raising and harvesting of field, bush or tree crops, truck gardening, nurseries, greenhouses and bee-keeping.
- 2.4 AIRPORT OR AERODROME AIRCRAFT LANDING AREA, shall mean the use of or intended use of land, including water, runway, or other facility, either publicly or otherwise, for the landing or taking off of aircraft, including all necessary taxiways, aircraft storage, tie-down areas, hangars and other necessary buildings, structures and open spaces.
- 2.5 ALTER
- a) when used in reference to a building or structure or part thereof, shall mean to change any one or more of the external dimensions of such building or structure or to make any change in the supporting members or the type of construction of the exterior walls or roof thereof;
 - b) when used in reference to a lot, shall mean to change the area, frontage or depth thereof; to change the width, depth or area of any required yard, landscaped open space or parking area; or to change the location of any boundary of such lot with respect to a street or lane, whether such alteration is made by conveyance or alienation of any portion of such lot or otherwise; or
 - c) when used in reference to use, shall mean to discontinue and replace the use with a use which is defined herein as being distinct from the discontinued use.

- 2.6 ANIMAL HOSPITAL OR VETERINARY CLINIC, shall mean a building wherein animals, birds and other livestock are treated or kept under the care of a licensed veterinary surgeon.
- 2.7 APARTMENT BUILDING, shall mean a building that contains four or more dwelling units which units have one or more common entrances from street level and are served by a common corridor and the occupants of which units have the right to use in common the corridors, stairs, elevators, yards or one or more of them.
- 2.8 APPROVED shall mean approved by Council.
- 2.9 ASPHALT PLANT shall mean the structures and site where the processing and production of asphalt takes place.
- 2.10 ASPHALT PLANT, TEMPORARY shall mean the temporary location and operation of an asphalt plant for a period of time specified by Council or by a public road authority for the purpose of a particular project of public road construction.
- 2.11 ASSEMBLY HALL, shall mean a building or part thereof in which facilities are provided for such purposes as meetings for civic, educational, political, recreational, religious or social purposes and without limiting the generality of the foregoing may include such facilities as a banquet hall or private club.
- 2.12 ATTACHED, shall mean a building otherwise complete in itself, which depends for structural support, or complete enclosure, upon a division wall or walls shared in common with an adjacent building or buildings.
- 2.13 AUTOMOBILE BODY REPAIR SHOP, shall mean a building or structure used primarily for making repairs or alterations to the body or paint work of any vehicle within an enclosed building and may include facilities for the temporary storage of vehicles being repaired or painted.
- 2.14 AUTOMOBILE SERVICE STATION or SERVICE STATION, shall mean a building or part of a building or a clearly defined space on a lot used primarily for the retail sale of lubricating oils, gasoline, diesel fuel and propane for motor vehicles and may include the sale of automobile accessories and the servicing and repairing essential to the operation of motor vehicles but does not include an automobile body repair shop.
- 2.15 BANK, shall mean a place where money is deposited, kept, lent and exchanged.

- 2.16 BASEMENT, shall mean that portion of a building between two floor levels which is partly underground but has one-half or more of its height from finished floor to finished ceiling above adjacent finished grade.
3. 2.17 BED AND BREAKFAST shall mean a legally existing dwelling unit, which does not include a Mobile Home or a Modular Home, in which guest rooms are provided for the travelling public for overnight accommodation. A morning meal is usually provided using the cooking facilities of the dwelling unit. The operation shall be properly licensed by any other agency.
- 2.18 BODY REPAIR SHOP shall mean an establishment engaged primarily in the repairing or painting of vehicle bodies within an enclosed building and may include screened facilities for the temporary storage of vehicles being repaired or painted.
- 2.19 BOATHOUSE, shall mean a structure constructed for the purpose of storing boats and accessories but it shall not include a dwelling.
- 2.20 BUFFER STRIP, shall mean an area of land used for no other purpose than for the erection of a fence, or the planting and maintaining of a continuous row of natural evergreens or a continuous unpierced hedgerow of natural shrubs and the remainder of which is to be used for landscaping. A buffer strip may include a sidewalk, patio or fence but shall not include a driveway, ramp or parking area.
- 2.21 BUILDING, shall include any structure, whether temporary or permanent, used or intended for sheltering any use or occupancy but shall not include a boundary wall or fence.
- 2.22 BUILDING AREA, shall mean an area within which permitted buildings or other structures may be erected, used and maintained and shall be that part of a lot which is not part of a required yard.
- 2.23 BUILDING BY-LAW shall mean any By-law of the Corporation passed pursuant by The Building Code Act, as amended from time to time.
- 2.24 BUILDING PERMIT shall mean a permit required by the Building By-law.
- 2.25 BULK SALES ESTABLISHMENT, shall mean the use of land for the purpose of storing, buying and selling coal, fuel oil, propane, wood, lumber, building materials, ice, and allied chemicals but does not include any manufacturing, assembling or processing uses.
- 2.26 CARPORT, shall have the meaning attributed to it in the definition of Garage, Private.
- 2.27 CEMETERY, shall mean a cemetery, crematorium or columbarium, within the meaning of The Cemeteries Act, as amended from time to time.

- 2.28 CHURCH, shall mean a building dedicated to religious worship and may include a church hall, church auditorium, Sunday school, parish hall, church day nursery, synagogue and temple.
- 2.29 CHURCH CAMP shall mean the use of land owned by a religious organization, for the temporary accommodation of members in trailers, tents, tend trailers or other recreational vehicles designed for eating, sleeping. A bunk house, a dining hall and washroom facilities may also be permitted structures.
- 2.30 CLINIC, shall mean a building or structure that is used or intended for use by one or more physicians, dentists, chiropractors and/or drugless practitioners, or any one or more of them, as well as their staff and patients, for the purpose of consultation, diagnosis and office treatment.
- 2.31 COMMERCIAL USE, shall mean the use of land or buildings for the purposes of buying, selling, renting and/or leasing commodities and supplying services but does not include activities associated with the manufacturing, warehousing or assembling of goods or with any construction activity.
- 2.32 COMMUNITY CENTRE, shall mean a building used primarily for community activities and occasionally (not more than an average of once per week) for commercial purposes, the control of which is vested in the Municipality, a local board or trustees.
- 2.33 CONSERVATION USE, shall mean lands used solely for the preservation and enhancement of the natural environment and wildlife.
- 2.34 CORPORATION, shall mean the Corporation of the Municipality of Oliver Paipoonge.
- 2.35 COVERAGE, shall mean the combined area of all buildings or structures on the lot measured at the level of the lowest storey above grade, including all porches and verandahs open or covered, but excluding open, unenclosed patios at grade, steps, cornices, eaves, bay windows, chimney breasts, corbelling and similar projections, open parking areas and outdoor swimming pools.
- 2.36 CRAFT SHOP, shall mean a building or part thereof in which a handicraft is conducted for gain or profit and may include sales of such handicraft.
- 2.37 DOCK, shall mean a structure on land or in the water to be used for transferring goods or passengers to or from a boat or airplane.
- 2.38 DWELLING, shall mean a building, or part of a building, occupied or capable of being occupied, in whole or in part, exclusively as a home, residence or sleeping place by one or more persons, but shall not include hotels,

boarding houses, rooming houses or motels.

- 2.39 DWELLING, ACCESSORY, shall mean a dwelling unit accessory to a permitted non-residential use and occupied by either the owner or a person employed on the lot where such accessory dwelling is located.
- 2.40 DWELLING, DUPLEX, shall mean a building that is divided horizontally into two separate dwelling units each of which has an independent entrance either directly or through a common vestibule.
- 2.41 DWELLING, MODULAR, shall mean a prefabricated single detached dwelling transported to the building site in two or more parts which are joined and placed on a permanent wooden, concrete or mortared concrete block foundation and being so constructed or assembled that the shortest side of such dwelling is not less than six metres.
- 2.42 DWELLING, MULTIPLE, shall mean a building used, designed or intended to be used for occupancy as three or more dwelling units independently of each other.
- 2.43 DWELLING, SEMI-DETACHED, shall mean a building that is divided vertically into two dwelling units each of which has an independent entrance whether directly or through a common vestibule and which has no direct access between the two units.
- 2.44 DWELLING, SINGLE DETACHED, shall mean a building used, designed or intended to be used for occupancy as a single dwelling unit. This definition shall include a modular home as defined herein but not a mobile home, as defined herein.
- 2.45 DWELLING, TWO UNIT, shall mean a building used, designed or intended to be used for occupancy as two independent dwelling units and includes a duplex dwelling or semidetached dwelling.
- 2.46 DWELLING UNIT, shall mean one or a suite of two or more habitable rooms occupied or designed to be occupied by an individual or family as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the exclusive use of such individual or family, with a private entrance from outside the building or from a common hallway or stairway inside the building.
- 2.47 EASEMENT, shall have the meaning attributed to it in the definition of RIGHT-OF-WAY.
- 2.48 EQUIPMENT SALES AND SERVICE DEALERSHIP shall mean an establishment engaged and primarily in the sales and service of equipment and machinery.

- 2.49 **ERECT**, shall mean to do anything including the erection, building, construction, reconstruction, installation, enlargement, extension or material alteration or repair of a building or structure and shall include the relocation of a building or structure, the installation of a building unit fabricated or removed from elsewhere, the demolition or removal of a building or any part thereof and excavating, filling or draining. "Erected" and "erection" shall have corresponding meanings.
- 2.50 **EXISTING**, shall mean existing as of the date of the final passing of this By-law.
- 2.51 **FAMILY**, shall mean an individual, or two or more persons who are related by blood or marriage or legal adoption, or a group of not more than five unrelated persons, inclusive of servants, occupying a dwelling unit, and may include not more than two persons who receive their lodging, board or both for compensation.
- 2.52 **FARM**, shall mean land, with accessory buildings or structures, which is used for agriculture.
- 2.53 **FARM, VIABLE OPERATION** shall be considered to be a farm which under the operator's management generates sufficient income to:
- (i) provide a sufficient living for a farm household,
 - (ii) covers the costs of operation and maintenance,
 - (iii) repay all debts,
 - (iv) further develop the business, if necessary.
- In evaluating the above criteria, the Municipality may seek advice and guidance from local agricultural groups or committees.
- 2.54 **FLOOR AREA** shall mean the sum of the areas of all of the floors of a building or structure measured from the outside of all outside walls, excluding, in the case of a dwelling, any attached accessory building, terrace, verandah, unfinished attic, basement, cellar or porch.
- 2.55 **FORESTRY**, shall mean the raising and harvesting of wood and without limiting the generality of the foregoing includes the raising and cutting of fuel wood, pulp wood, lumber, Christmas trees and other forest products, but shall not include the processing of forest products.
- 2.56 **GARAGE, COMMERCIAL**, shall mean a building or structure or area of land which is used for the repair or storage of motor vehicles for remuneration.
- 2.57 **GARAGE, PRIVATE or CARPORT**, shall mean a building or portion of a building designed for the storage of private passenger motor vehicles wherein no service for

profit is rendered; where such structure is attached to the main building, it shall be deemed to be part of the main building and not an accessory building.

- 2.58 GARAGE, WOODLANDS shall mean an enclosed structure used for the storage and maintenance of machinery used in the wood industry.
- 2.59 GAS BAR, shall mean a lot containing gasoline, diesel fuel or propane dispensing devices and a structure used for the sale of fuel and lubricants for vehicles.
- 2.60 GASOLINE RETAIL OUTLET shall mean an establishment where vehicle fuels and lubricants are offered for retail sale.
- 2.61 GRADE shall mean the average level of finished ground adjoining a building at all exterior walls.
- 2.62 GRAVEL PIT shall mean any open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral in order to supply material for construction, manufacturing or industrial purposes, but shall not include the excavation incidental to the erection of a building or structure for which a building permit has been granted by the Corporation or an excavation incidental to the construction of any public works. This definition shall not include a wayside pit.
- 2.63 GREENHOUSE, shall mean a building or structure used for the growing of flowers, plants, shrubs, trees and similar vegetation which may be transplanted outdoors on the same lot. A greenhouse shall include the wholesale or retail selling of goods produced in the greenhouse and other types of garden products.
- 2.64 HAULED SEWAGE SYSTEM, shall mean works, installations, equipment, operations and land used in connection with the collection, hauling, treatment, transportation, storage, processing and disposal of hauled sewage but does not include:
- (i) equipment used for the storage or retention of sewage at the site where it is produced, or
 - (ii) a sewage works approved under Section 24 of the Ontario Water Resources Act or a predecessor thereof or a waste disposal site for which a certificate of approval has been issued under Part V of the Act.
- 2.65 HAZARD LAND, shall mean land which exhibits, or potentially exhibits, a hazardous condition as a result of its susceptibility to flooding, erosion, subsidence, inundation, or the presence of organic soils or steep slopes or where, by reasons of its low lying marshy or unstable character, the cost of construction of satisfactory waterworks, sewage or drainage facilities is prohibitive.

- 2.66 **HEIGHT**, when used with reference to a building or structure shall mean the vertical distance in metres between the finished grade and the highest point of the building or structure, exclusive of any roof structure used only as an ornament.
- 2.67 **HIGHWAY**, shall have the same meaning attributed to it in the definition of street.
- 2.68 **HOTEL**, shall mean any hotel, tavern, inn, lounge, or public house in one main building or in two or more buildings used mainly for the purposes of catering to the needs of the travelling public by supplying food and furnishing sleeping accommodations of not less than four (4) guest rooms, and shall include all buildings liable to be licensed under The Liquor Licence Act, R.S.O., 1980 and operating under The Tourist Act, R.S.O., 1980, as revised or amended from time to time.
- 2.69 **HOUSEHOLD** shall mean a group of related or unrelated individuals living as a single housekeeping unit in a dwelling.
- 2.70 **INDUSTRIAL USE**, shall mean the use of land, buildings or structures primarily for manufacturing, the processing of goods or raw materials, the warehousing and bulk storage of goods and the repair and servicing of goods and shall include transportation terminals and the storage of building and construction equipment and materials, but excluding retail sale on the premises.
- 2.71 **INDUSTRIAL, HEAVY** shall mean an industrial activity which produces high levels of:
- (a) noise, or
 - (b) vibration, or
 - (c) smoke, ordour, dust and other particulate matter, or
 - (d) radiation hazards, or
 - (e) heat, humidity, glare, or
 - (f) land, air or water pollution.
- Heavy industrial uses include, but are not limited to pulp and paper mills, hydro plants, grain elevators, railway yards, chemical plants, and concrete plants.
- 2.72 **INDUSTRIAL, LIGHT** shall mean a small scale industrial activity which is completely enclosed within a building and which does not constitute a nuisance to surrounding landowners. Light industrial uses include, but are not limited to warehouses and repair shops.
- 2.73 **INSTITUTIONAL USE**, shall mean the use of land, buildings or other structures for some public or social purpose and may include governmental, religious, educational, charitable, philanthropic, hospital or other similar uses.
- 2.74 **KENNEL, ANIMAL-BOARDING**, shall mean any lot, building or structure on or within which nine or more domesticated animals more than four months of age are housed, groomed, bred, boarded, trained or sold and which may offer provisions

for minor medical treatment but does not include a veterinary clinic or animal hospital.

- 2.75 KENNEL, ANIMAL-BREEDING shall mean any lot, building or structure on or within which not more than eight domesticated animals more than four months of age are housed, groomed, bred, boarded, trained or sold and which may offer provisions for minor medical treatment but does not include a veterinary clinic or animal hospital.
- 2.76 LANDSCAPED AREA, shall mean an area not built upon and not used for any purpose other than as a landscaped area which may include grass, shrubs, flowers, trees and similar types of vegetation and appurtenances, but does not include parking areas, parking lots, driveways or ramps.
- 2.77 LANE, shall mean a public thoroughfare or way, not more than 9.0 metres wide, which affords only a secondary means of access to abutting lots.
- 2.78 LOADING SPACE, shall mean a space or bay located on a lot which is used or intended to be used for the temporary parking of any commercial vehicle while loading or unloading goods, merchandise or materials used in connection with the main use of the lot or any building thereon, and which has unobstructed access to a street or lane.
- 2.79 LOT, shall mean a parcel or tract of land which is capable of being legally conveyed in accordance with Section 49 of The Planning Act, 1982, as amended or revised from time to time.
- 2.80 LOT AREA, shall be the total horizontal area within the lot lines of a lot.
- 2.81 LOT - CORNER, shall mean a lot situated at the intersection of, or abutting upon, two or more streets, provided that the angle of intersection of such streets is not more than 135 degrees and each street is at least 10.0 metres wide; where such adjacent sides are curved, the angle of intersection of the adjacent sides shall be deemed to be the angle formed by the intersection of the tangents to the street lines, drawn through the extremities of the interior lot lines.
- 2.82 LOT COVERAGE shall mean the percentage of the lot area covered by buildings and structures and including accessory buildings and structures.
- 2.83 LOT DEPTH shall mean the horizontal distance between the front and rear lot lines. If the front and rear lot lines are not parallel, "lot depth" shall mean the length of a straight line joining the middle of the front lot line with the middle of the rear lot line. When there is no rear lot line, "lot depth" shall mean the length of a straight line joining the middle of the front lot line with the apex of a triangle formed by the side lot lines.
- 2.84 LOT LINE shall mean any boundary of a lot.

- 2.85 LOT LINE, FRONT shall mean the line dividing the lot from the public road. In the case of a corner lot the shorter lot line abutting a public road shall be deemed the front lot line and the longer line abutting the public road shall be deemed a side lot line.
- 2.86 LOT LINE, REAR shall mean the lot line farthest from and opposite to the front lot line except in the case of a lot with less than four (4) lot lines whereupon there shall be deemed to be no rear lot line.
- 2.87 LOT LINE, SIDE shall mean a lot line other than a front or rear lot line.
- 2.88 LOT WIDTH shall mean the distance between the side lot lines measured perpendicular to the mid-point of a line joining the mid-point of the front lot line and the mid-point of the rear lot line. When no rear lot line exists, lot width shall mean the distance between the side lot lines measured perpendicular to the mid-point of a line joining the mid-point of the front lot line and the apex of the triangle formed by the side lot lines.
- 2.89 LOT INTERIOR shall mean a lot other than a corner lot which is situated between adjacent lots and has access to one street.
- 2.90 LOT THROUGH, shall mean a lot bounded on two opposite sides by streets each of which are at least ten (10) metres wide, provided, however, that if any lot qualifies as being both a corner lot and a through lot, such lot shall be conclusively deemed to be a corner lot.
- 2.91 LOT WIDTH, shall mean the distance between the side lot lines measured perpendicular to the mid-point of a line joining the mid-point of the front lot line and the midpoint of the rear lot line. When no rear lot line exists, "lot width" means the distance between the side lot lines measured perpendicular to the mid-point of a line joining the mid-point of the front lot line and the apex of the triangle formed by the side lot lines. Where the side lot lines are not parallel, the lot width shall be measured at that point from the front lot line which is equal to the required front yard depth of the zone in which the lot is situated.
- 2.92 MAIN USE, shall mean a use, building or structure which constitutes or in which is conducted the principal use for which the lot is used.
- 2.93 MAIN WALL, shall mean the exterior front, side or rear wall of a building and all structural members essential to the support of a fully enclosed space or roof.
- 2.94 MERCHANDISE REPAIR ESTABLISHMENT, shall mean a building or part thereof wherein articles or goods, other than vehicles or industrial toolage, are repaired or serviced or where replacement parts for such articles or goods are offered for sale.

- 2.95 MOBILE HOME, shall mean any dwelling that is designed to be made mobile and constructed or manufactured to provide a permanent residence for one or more persons and is designed to be towed in a single load, but does not include a travel trailer or tent trailer or trailer otherwise designed.
- 2.96 MOBILE HOME PARK shall mean a single parcel of land containing a minimum of two (2) mobile home sites and a maximum of thirty mobile home sites which is under unity of ownership and management.
- 2.97 MOBILE HOME SITE shall mean the specified area within a mobile home park which is occupied or intended to be occupied by a single wide mobile home.
- 2.98 MOTEL, shall mean one building, or two or more detached buildings, used for the purpose of catering to the needs of the travelling public by furnishing sleeping accommodation with or without supplying food and shall include a motor court, auto court and all buildings liable to be licensed under The Liquor Licence Act R.S.O., 1980 as amended or revised from time to time.
- 2.99 MUNICIPALITY, shall mean The Corporation of the Municipality of Oliver Paipooonge.
- 2.100 NON-COMPLYING, shall mean a use, building or structure which is existing but does not meet, comply or agree with the regulations of this By-law, but is a permitted use, building or structure within the Zone in which it is located.
- 2.101 NON-CONFORMING, shall mean a use, building or structure which lawfully existed on the date of the adoption of this By-law but which is not permitted in the Zone in which it is located.
- 2.102 OFFICE, BUSINESS, shall mean a building or part thereof in which one or more persons are employed in the management, direction or conducting of a public or private agency, a business, a brokerage or a labour or fraternal organization but does not include a retail store or a professional office.
- 2.103 OFFICE, PROFESSIONAL, shall mean a building or part thereof in which a legal, medical or other personal professional service is performed or consultation given but does not include a personal service shop, a business office or a veterinarian's clinic or an animal hospital or shelter.
- 2.104 OPEN STORAGE, shall mean the storage of goods, merchandise or equipment in the open air and in unenclosed portions of buildings which are open to the air on one or more sides.
- 2.105 PARK shall mean an area of land consisting primarily of open space for recreation and may include a playground or playfield for recreational activities including, but not limited to, athletic fields, field houses, community centres, bleachers, swimming pools,

wading pools, non-commercial greenhouses, bandstands, skating rinks, tennis courts, bowling greens, curling rinks, refreshment rooms, camping areas, arenas and golf courses but shall not include private clubs or commercial recreation facilities.

- 2.106 PARK PRIVATE, shall mean a park other than a public park.
- 2.107 PARK, PUBLIC, shall mean a park controlled or owned by the Municipality or a public authority which is normally open to the public and may include a playground, athletic field, swimming pools, camping areas and arenas but does not include private clubs or commercial recreation facilities.
- 2.108 PARKING LOT or PARKING AREA, shall mean an area for the parking of vehicles and may include aisles, parking spaces and related entrance and exit lanes, but shall not include any part of a street.
- 2.109 PARKING SPACE, shall mean an area not less than three metres by six metres enclosed in a building, or unenclosed, and set aside for the temporary storage of a motor vehicle.
- 2.110 PERMITTED, shall mean permitted by this By-law.
- 2.111 PERSON, shall include an individual, an association, a firm, a partnership or a corporation.
- 2.112 PERSONAL SERVICE SHOP, shall mean a building or part thereof wherein a personal service is performed, including, but not so as to limit the generality of the foregoing, a barber shop, a beauty salon, a shoe repair, a dry cleaning depot, a laundromat, a tailor's or dressmaking shop and a photographic studio but does not include a massage or body-rub parlour or any adult entertainment parlour as defined in The Municipal Act, R.S.O. 1980, as amended from time to time.
- 2.113 PETTY TRADE, shall mean an establishment, other than an automotive use, that provides a non-personal service or craft to the public, including, but not so as to limit the generality of the foregoing, a painter's shop, a carpenter's shop, an electrician's shop, a merchandise service shop, a bakery, a catering establishment, an egg grading station and a monument engraving shop.
- 2.114 PIT, shall mean a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an open excavation, and includes the processing thereof for commercial purposes including screening, sorting, washing, crushing, and other similar operations, together with required buildings and structures.

- 2.115 PUBLIC AUTHORITY, shall mean any Federal or Provincial agency, school board, public utility commission, transportation commission, public library board, board of parks management, board of health, board of commissions of police, planning advisory committee or other board or commission or committee or local authority established or exercising any power or authority under any general or special statute of Ontario with respect to any of the affairs or purposes of the Municipality or any portion thereof, and includes any committee or local authority established by By-law of the Municipality.
- 2.116 PUBLIC SERVICES, shall mean the buildings, structures and other related works necessary for supplying water, gas, oil, electricity, steam, hot water, telephone services, telecommunication services, sewage collection and treatment facilities and other services provided by a public authority.
- 2.117 PUBLIC UTILITY shall mean any utility owned by the Corporation or its Boards, an electrical power or energy generating, transmission or distributing system, natural or artificial gas works or supply system, a transportation system or a telephone system, and includes any lands, buildings or equipment required for the operation of any such system.
- 2.118 QUARRY, shall mean a place where consolidated rock has been or is being removed by means of an open excavation, and includes the processing thereof for commercial purposes including screening, sorting, washing, crushing, and other similar operations, required buildings and structures.
- 2.119 RESIDENTIAL USE, shall mean the use of a building or structure or parts thereof as a dwelling.
- 2.120 RESTAURANT, shall mean a building or part thereof, other than a tavern, where food is prepared and offered or kept for retail sale to the public for immediate consumption either on or off the premises.
- 2.121 RETAIL LUMBER YARD, shall mean the use of lands, buildings or structures for the storage of wood products for the purpose of wholesale or retail trade but shall not include a planing mill or sawmill or any process of wood treatment.
- 2.122 RETAIL OUTLET, BULK shall mean a building or part thereof in which primarily large, bulky or unwieldy items including, but not necessarily limited to, furniture or appliances, machinery, floor coverings, landscaping and garden supplies, and building materials, are offered or kept for sale or rental to the public, and includes a retail lumber yard or a furniture store, but shall not include any automotive use as defined herein.

- 2.123 RETAIL OR SERVICE STORE, shall mean a building or part of a building where goods, wares, merchandise, articles or things are stored, offered or kept for retail sale or rental
- 2.124 RIDING ACADEMIES shall mean the land and accessory buildings associated with the training of horses, but shall not include the boarding of horses.
- 2.125 RIGHT-OF-WAY or EASEMENT, shall mean any right, liberty or privilege in, over, along or under land which a person may have with respect to any land in the Municipality.
- 2.126 ROAD, shall have the meaning attributed to it in the definition of STREET.
- 2.127 ROAD, ACCESS shall mean a road located on land not owned by the Corporation and not dedicated and accepted as, or otherwise deemed at law to be, a public highway, that serves as a motor vehicle access route to one or more parcels of land.
- 2.128 ROAD, PUBLIC shall mean a public highway or public road or any part thereof and includes a street, bridge and any other structure or improvement thereto, under the jurisdiction of the Ministry of Transportation or the Corporation and which has been opened by Provincial Statute or regulation or by By-law for use by the general public and is maintained by the Ministry of Transportation or the Corporation. Road, public shall not mean an unopened road allowance or any road defined under the Road Access Act as amended from time to time.
- 2.129 SALVAGE YARD, shall mean a lot, building or structure used for wrecking, dismantling, storing or selling used goods, wares or material including, but not so as to limit the generality of the foregoing, rags, bottles, metals, clothing, furniture, paper, machinery, building materials, vehicles and parts thereof.
- 2.130 SCHOOL, COMMERCIAL shall mean a school operated by one or more persons for gain or profit.
- 2.131 SCHOOL, PRIVATE shall mean a school, other than a public school or commercial school, under the jurisdiction of a private board or trustees or governors, a religious organization or a charitable organization.
- 2.132 SCHOOL, PUBLIC shall mean a school under the jurisdiction of the Lakehead Board of Education or the Lakehead District Catholic School Board.
- 2.133 SETBACK, shall mean the horizontal distance between the nearest part of any main wall of any building or structure and the centre line of a street allowance measured at right angles to such centre line.

- 2.134 **SETBACK FROM WATER**, shall mean the horizontal distance between the normal or controlled high water mark of any navigable waterway and the nearest part of any main wall of any building or structure.
- 2.135 **SHOPPING CENTRE**, shall mean a building or group of buildings, planned, designed, developed or managed as a unit, having off-street parking provided on the same lot, and which building or buildings contain one or more retail stores, services and offices.
- 2.136 **SILLO** shall mean a structure, typically cylindrical in which fodder or forage is stored.
- 2.137 **SKI AREA** shall mean the use of buildings, structures and land for outdoor downhill skiing or outdoor cross-country skiing. Buildings and structures would be limited to a shop selling skiing equipment and apparel, a food and beverage concession, a ski clubhouse, and ski lift. Buildings and structures for human habitation are not permitted.
- 2.138 **STABLES** shall mean an establishment used for the purpose of boarding more than five (5) horses on a commercial basis for gain or profit.
- 2.139 **STAFF HOUSE**, shall mean an accessory dwelling to an agricultural use.
- 2.140 **STOREY**, shall mean that portion of a building:
- a) which is situated between the surface of any floor and the surface of the floor next above it and if there is no floor above it, that portion between the surface of any floor and the ceiling above it, and
 - b) which is more than 50% above the average finished grade, and
 - c) which has a height of not less than two metres and includes an attic having not less than two metres headroom for at least 50% of the attic floor area.
- 2.141 **STOREY, FIRST**, shall mean the lowest storey of a building whereby more than 50% of the storey is above finished grade.
- 2.142 **STREET, HIGHWAY OR ROAD**, shall mean a street, road or highway under the jurisdiction of the Municipality or the Province of Ontario but shall not include a lane or private right-of-way.
- 2.143 **STREET LINE**, shall mean the boundary between a street, road or highway and a lot.

- 2.144 STRUCTURE, shall mean anything that is erected, built or constructed of parts joined together and which is fixed to or supported by the soil but not a terrace, patio, sign, boundary wall, fence, clothes pole or permanent part of a railway or any paved surface located directly on the ground.
- 2.145 SUN DECK, shall mean a roofless, unenclosed structure accessory to a dwelling, consisting of a platform raised above finished grade, with or without steps.
- 2.146 TAVERN, shall mean a building where alcoholic beverages are sold to be consumed on the premises and shall include all such buildings operating or liable to be licensed under The Liquor Licence Act, R.S.O., 1980, as amended or revised from time to time.
- 2.147 TOURIST COMMERCIAL, shall mean a use or establishment which provides goods, lodging or meals to the vacationing public.
- 2.148 TOURIST PARK, shall mean land used for the temporary, outdoor accommodation of the travelling public in trailers, tents, tent trailers or other recreation vehicles designed for eating, sleeping or living.
- 2.149 TRAILER, shall mean a vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle and includes a vehicle capable of being used for the temporary living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked up or that its running gear is removed. This definition shall not include a mobile home as defined herein.
- 2.150 USE, when used as a noun, shall mean the purpose for which any land, building or structure is designed, used or intended to be used. when used as a verb, "use" shall mean to put to such purpose.
- 2.151 USE, CONTINUOUS, in the context of this By-law shall mean the continuous use of any lot, building or structure notwithstanding a change of ownership of the property where the use is located. Use shall further be deemed to be continuous if, after having ceased, the same use recommences within a period of one year from the date of cessation and/or if a structure is destroyed or damaged, it is rebuilt or repaired for the same use within a period of one year from the date of its destruction or damage.
- 2.152 VEHICLE, includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine, motorized snow vehicle and any vehicle drawn, propelled or driven by any kind of power.

- 2.153 VEHICLE REPAIR SHOP, shall mean an establishment or part thereof which contains facilities for the repair and maintenance of vehicles on the premises and in which vehicle accessories are sold and vehicle maintenance and repair operations are performed in return for remuneration but does not include an automobile body repair shop wherein the repairing or painting of vehicle bodies constitute the primary activity.
- 2.154 VEHICLE SALES OR RENTAL ESTABLISHMENT shall mean an establishment having as its main use the sale, rental or leasing of vehicles.
- 2.155 VEHICLE STORAGE YARD, shall mean land used for the temporary storage of vehicles for gain or profit.
- 2.156 VETERINARY CLINIC shall mean a building or part thereof, with or without related structures, wherein animals of any kind are treated by a registered veterinarian, and includes the sale of medicine and the temporary keeping of animals.
- 2.157 WAREHOUSE, shall mean a building or part thereof which is used primarily for the storage or wholesale distribution of goods, wares, merchandise, food-stuffs, substances, articles or things but does not include the storage of fuel.
- 2.158 WASTE shall include ashes, biodegradable domestic waste or municipal refuse.
- 2.159 WASTE DISPOSAL SITE shall mean any lands designated by the Corporation into, in, or through which waste is deposited or processed.
- 2.160 WATER, COMMUNAL SYSTEM shall mean a piped water distribution system operated by the Municipality with the approval of the Ministry of the Environment and Energy.
- 2.161 WATERCOURSE shall mean any bay, lake, natural watercourse or canal other than a drainage ditch or irrigation channel.
- 2.162 WAYSIDE PIT OR QUARRY shall mean a temporary source of consolidated or unconsolidated aggregate opened by a public road authority for the purpose of a particular project of public road construction.
- 2.163 YARD, shall mean a space located on the same lot as the main building or structure and which space is open, unoccupied and unobstructed from the ground to the sky, except as otherwise permitted by this By-law. In determining yard measurements, the minimum horizontal distance between the main building or structure and the respective lot lines measured perpendicular from the lot line shall be used:

- a) Front Yard shall mean a yard extending across the full width of a lot between the front lot line and the nearest main wall of the main building or structure on the lot;
- b) Rear Yard shall mean a yard extending across the full width of a lot between the rear lot line and the main building or structure on the lot;
- c) Side Yard shall mean a yard between the side wall of the main building or structure on the lot and the side lot line and extending from the front yard to the rear yard.
- d) Required Yard shall mean the yard required by the regulations of this By-law, irrespective of the location of any main wall.

2.164 ZONE, shall mean a designated area of land use shown on a Schedule to this By-law.

SECTION 3 GENERAL PROVISIONS

The contents of this Section are:

- 3.1 **ACCESSORY USES**
- 3.2 **ACCESS REGULATIONS**
- 3.3 **HEIGHT EXCEPTIONS**
- 3.4 **HOME OCCUPATION**
- 3.5 **HOME INDUSTRY**
- 3.6 **LOTS WITH MORE THAN ONE ZONE**
- 3.7 **NON-CONFORMING USES BUILDINGS AND LOTS**
- 3.8 **MAIN BUILDINGS ON A LOT**
- 3.9 **OFFENSIVE USES**
- 3.10 **PARKING**
- 3.11 **PUBLIC USES**
- 3.12 **YARD ENCROACHMENTS AND OBSTRUCTIONS**
- 3.13 **SETBACK FROM NON-NAVIGABLE WATERCOURSES, HAZARD LANDS
AND MUNICIPAL SURFACE DRAINS**
- 3.14 **YARD ENCROACHEMNTS AND OBSTRUCTIONS**

- 3.1 **ACCESSORY USES**
 - a) **USES PERMITTED:**

Where this By-law permits a lot to be used or a building or structure to be erected or used for a purpose, that purpose shall include any building structure or use accessory thereto, except the following:

- i) a gasoline retail outlet
- ii) a home occupation
- iii) a home industry
- iv) a salvage yard
- v) any building used for human habitation
- vi) a crusher

unless such use is specifically listed as a permitted use elsewhere in this By-law.

b) HEIGHT RESTRICTIONS

No accessory building or structure other than accessory dwellings or accessory farm buildings or structures shall exceed one ~~story~~ ^{storey} in height.

c) LOCATION

No accessory building or structure shall be located within 3 metres of any main building or structure or dwelling.

~~b) YARD REQUIREMENTS~~

~~No accessory building or structure shall be located in a required front yard unless specifically allowed in this By-law. The required side yard and rear yard requirements for accessory buildings and structures shall be 50% of the required side and rear yards for the main building in each zone.~~

Clothes poles, flag poles, garden trellises, fences, retaining walls and signs shall be exempt from the yard requirements of this By-law.

e) ISSUING BUILDING PERMIT

No building permit shall be issued for an accessory building until the main use has been established and any required building permits for a main building have been obtained.

3.2 ACCESS REGULATIONS

No building shall be erected on any lot which is not abutting an existing public road, unless it is located in an "Extractive Industrial Zone". The replacement, repair, and extension of existing buildings may take place on an existing access road approved by Council.

3.3 AUTOMOBILE SERVICE STATIONS AND GAS BARS

Notwithstanding any other provisions of this By-law, where a lot is used for an automobile service station or gas bar the following regulations shall apply:

	<u>Interior Lot</u>	<u>Corner Lot</u>
a) Minimum lot frontage	30 metres	45 metres
Minimum lot depth	38 metres	38 metres

b) No portion of any pump island shall be located closer than 6 metres from the streetline of any street;

c) The minimum distance from the intersection of two streetlines to the nearest ingress or egress ramp shall not be less than 9 metres;

- d) The maximum width of a curb ramp at the streetline shall not be more than 7 metres;
- e) The minimum distance between ramps shall not be less than 9 metres.

Notwithstanding any other provisions of this By-law, where a lot is used for a fuel supply station, the regulations of the Gasoline Handling Act shall apply.

3.4 HEIGHT EXCEPTIONS

Nothing in this By-law shall apply to restrict the height of any antenna, a barn, a chimney, a church spire, a flag pole, a hydro-electric transmission tower, a radio tower provided that such buildings and structures conform to all restrictions of other governmental authorities having jurisdiction.

3.5 HOME OCCUPATION

Where permitted in this By-law, a home occupation shall conform to the following provisions:

- a) the occupation shall be conducted entirely within a dwelling;
- b) it is clearly secondary to the use of the dwelling as a private residence;
- c) it does not change the character of the residence as a private residence;
- d) there is not display, no stock in trade and no material commodity sold upon the premises;
- e) there shall be no external storage of materials or finished products;
- f) there shall be no external storage of any vehicle which is used exclusively for the operation of the home occupation;
- g) the occupation shall be carried on only by the inhabitants of the dwelling, plus one additional person;
- h) no noise, dust or odour arising from such occupation shall escape to adjoining premises;
- i) the area devoted to such occupation shall not exceed twenty-five percent (25%) of the gross floor area of the dwelling.

3.6 HOME INDUSTRY

Where permitted in this By-law, a Home Industry shall conform to the following provisions:

- a) the home industry shall be conducted entirely within an accessory building'
- b) it shall be clearly secondary to the principle use of the property, that being residential;
- c) it shall not change the residential character of the property;
- d) no material commodity other than that produced on the premises may be sold, displayed or stocked for re-sale thereon;
- e) there shall be no external storage of materials or finished products;

- f) the number of persons engaged in the home industry shall be limited to a maximum of four and may include only the inhabitants of the dwelling on the subject property plus one additional person;
- g) no noise, dust or odour arising from such home industry shall escape to adjoining premises;
- h) the maximum size of an accessory building utilized for a home industry shall be 120 square metres.

3.7

LOTS WITH MORE THAN ONE ZONE

Where a lot is divided into more than one zone each such portion of said lot shall be considered separately for the purposes of determining zone provisions such as lot area, lot frontage, required front yard, required side yard and required rear yard and each such portion shall conform to the provisions of the appropriate zone, but no lot shall have more than one dwelling on the whole except as specifically provide in this by-law. In cases where one of the zones on a lot is the Use Limitation Zone, the Permitted Uses of the other zone shall be permitted only in the area zoned other than Use Limitation, while the Zone Provisions as outlined for the zone other than the Use Limitation Zone shall be determined by using the whole of the legally transferable lot in question.

3.8

NON-CONFORMING USES BUILDINGS AND LOTS

a) REPAIR PERMITTED

Nothing in this By-law shall prevent the rebuilding or repair of an existing or permitted building or structure, even though such building or structure or the lot on which such building or structure is located does not conform to one or more of the provisions of this By-law, provided that no exterior dimension is increased and the use is not altered except in accordance with the provisions of this By-law.

b) LOT AREA OR FRONTAGE LESS THAN REQUIRED

Where any lot on the date of passing of this By-law including:

- i) a lot created by a consent given pursuant to Section 53 of the Planning Act R.S.O. 1990, c.P. 13 as amended and subsequently conveyed and registered,
- ii) a lot within a plan of subdivision given draft approval by the Ministry of Municipal Affairs and subsequently registered,

has a lesser lot area or lot frontage than that required, then the said lot shall be deemed to conform to the requirements of this By-law with respect to the lot area or lot frontage, and the provisions hereof respecting lot area and lot frontage shall not apply to prevent the use of such lot, or the erection, alteration or use of a permitted building or structure there upon, provided that the use of the said lot remains unchanged from that which existed or was clearly intended on the date of passing hereof and in accordance with all other provisions

hereof except that any side yard requirement may be reduced to 30% of lot width,

c) **METRIC CONVERSION, EXPROPRIATION AND DEDICATION FOR PUBLIC USE**

Where any lot existing on the date of passing of this By-law is made non-conforming due to expropriation or dedication for public use, then said lot shall be deemed to conform with this By-law with respect to those provisions made non-conforming by metric conversion, expropriation or dedication for public use and the said provisions shall not apply to prevent the use of such lot, or the erection, alteration or use of a permitted building or structure thereupon, provided that the use of land remains the same, in accordance with all other provisions of this By-law and the nature of the non-conformity is not increased.

3.9 MAIN BUILDING ON A LOT

NUMBER PERMITTED:

No person shall erect more than one dwelling unit on a lot unless specifically allowed in a zone.

No person shall erect more than one (1) main building on a lot except for:

- a) commercial and industrial buildings located in commercial and industrial zones;
- b) mobile homes located in a Mobile Home Park Zone;
- c) farm related buildings located on an active farm;

3.10 OFFENSIVE USES

a) **GENERAL PROHIBITION:**

No use shall be permitted in any zone which, from its nature, materials used therein or emissions issued therefrom is declared to be an offensive trade, business or manufacture under the Health Protection Act, 1982 as amended from time to time, by the Province of Ontario, the Government of Canada, or any agencies thereof.

3.11 PARKING

a) **PARKING SPACES REQUIRED**

The owner of every building or structure erected or used for any purposes hereinafter set forth shall provide and maintain for the sole use of the owner, occupants or other persons entering upon or making use of the said premises from time to time, parking spaces and areas as follows:

TYPE OF USE

MINIMUM OFF STREET PARKING REQUIREMENT

- | | |
|---|---|
| i) Residential | 2 spaces per dwelling unit |
| ii) hotel, motel, motor hotel inn | 1 space per guest room plus 1 space for every 4 persons of seating capacity in any refreshment room, dining room or assembly hall |
| iii) nursing home | 1 parking space per 2 beds |
| iv) church | 1 parking space per 4 persons capacity |
| v) assembly hall
community hall | 1 parking space per 4 persons capacity |
| vi) eating establishments | 1 parking space per 4 persons capacity |
| vii) office, public building | 1 parking space per 30m ² of floor area |
| viii) a retail store other than a furniture store | 1 parking space per 20m ² of floor area |
| ix) a furniture store, a showroom | 1 parking space per 90m ² of floor area |
| x) a warehouse | 1 parking space per 90m ² of floor area devoted to the main use plus 1 parking space per 30m ² of accessory office or retail floor area |
-
- | | |
|---|---|
| xi) a personal service shop, a merchandise service shop | 1 parking space per 20m ² of floor area |
| xii) an industrial activity a petty trade | 1 parking space per 75m ² of floor area devoted to the main use plus 1 parking space per 30m ² of accessory office or retail floor area |
| xiii) a recreation use | 1 parking space per 4 patrons |
| xiv) other permitted uses not listed | 1 parking space per 30m ² of floor area |

b) **PARKING SPACE DIMENSIONS**

Each parking space shall be a minimum of 3 metres by 6 metres with an area of at least 18 square metres.

c) **PARKING AREAS**

Access to all required parking spaces for institution, commercial and institution, commercial and industrial uses shall be provided by means of unobstructed driveways and isles at least 7 metres in width. Access to all other uses shall be provided by means of unobstructed driveways and aisles at least 3 metres in width.

d) **ADDITION TO EXISTING USE**

When a building or structure, other than a single family residence, has insufficient parking space on the date of passing of this By-law to comply with the requirement herein, no addition may be built and no change of use may occur, unless the parking requirements are met for the entire use.

3.12 **PUBLIC USES**

a) **USES PERMITTED**

Nothing in this By-law shall prevent land to be used as a public road or sidewalk or prevent the installation of a water main, sanitary sewer main, storm sewer main, gas main, pipe line, overhead or underground hydro, telephone or supply and/or communication line, provide that the location of such main or line has been approved by Council.

Wayside pits and quarries and buildings or structures accessory thereto on the same lot are permitted in every zone except the Existing Residential 1 Zone, the Residential 2 Zone, the Residential 3 Zone, Residential 3-1 Zone, the Residential 4 Zone, the Residential 5 Zone, Residential 6 Zone and the Estate Residential Zone. A wayside pit or quarry shall not be located within 100 metres of a lot line and 30 metres of a road without amendment to the Zoning By-law.

3.13 **SETBACK FROM NON-NAVIGABLE WATERCOURSES, HAZARD LANDS AND MUNICIPAL SURFACE DRAINS**

Notwithstanding any other provisions of this By-law, no building in any Zone shall be closer than 7.5 metres from the top of the bank of any watercourse, or municipal drainage ditch, permanent or intermittent, which is not navigable. In the case of hazard lands, no part of any building shall be constructed closer than 7.5 metres to the nearest point of the area to which the hazardous condition is. deemed to exist.

3.14 **YARD ENCROACHMENTS AND OBSTRUCTIONS**

a) **PROJECTION INTO REQUIRED SIDE YARD**

No part of any required yard shall be obstructed by a building or structure or part thereof except one or more of the following:

- i) sills, bay windows, chimneys, cornices, eaves, gutters, parapets and similar architectural features, projecting not more than .5m into a required side yard;

- ii) functional and ornamental structures including, but not necessarily restricted to: drop awnings, clothes poles, ornamental foundations, statues, monuments, planters, garden trellises, fences, boundary and retaining walls, hedgerows and signs;
- iii) uncovered terraces, stoops, sun decks, and exterior steps, where such a structure projects not more than 2m into a required yard and there are no walls;
- iv) open balconies projecting not more than 1.5m in a required yard.

SECTION 4

4.1 OLIVER GENERAL AGRICULTURE (OAG) ZONE REGULATIONS

No person shall within any OAG Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.1.1 PERMITTED USES

- a) agriculture
- b) forestry
- c) stables, riding academies, animal kennels - boarding and breeding
- d) single detached dwellings
- e) a greenhouse operation
- f) a bee-keeping operation
- g) a market garden
- h) an accessory single detached dwelling, except accessory dwellings on new lots created for a forestry use and not more than two additional farm related dwelling units
- i) accessory buildings, structures and uses
- j) home occupation or home industry
- k) watershed management and conservation uses

4.1.2 ZONE PROVISIONS

- | | |
|--|---------------|
| a) Minimum Lot Area | 25 hectares |
| b) Minimum Lot Frontage | 300 metres |
| c) Minimum Front Yard | 30 metres |
| d) Minimum Side Yard | 15 metres |
| e) Minimum Rear Yard | 15 metres |
| f) Maximum Height | 10 metres |
| g) Single Detached Dwelling Minimum Floor Area | 70 sq. metres |
| h) Minimum Distance Between Dwelling Units | 30 metres |
| l) Maximum Lot Coverage | 15% |

4.2 PAIPOONGE GENERAL AGRICULTURE (PAG) ZONE

No person shall within any PAG Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.2.1 Permitted uses

- (i) agriculture
- (ii) forestry

- (iii) stables, riding academies, dog kennels
- (iv) watershed management and conservation uses
- (v) an accessory dwelling unit on a viable farm operation
- (vi) a staff house on a viable farm operation
- (vii) a single detached dwelling
- (viii) an apartment within an accessory dwelling as permitted by subsection (v) above
- (ix) a home occupation
- (x) a home industry
- (xi) buildings, structures and uses accessory to the above uses in accordance with Section 4.1 (a).

4.2.2 Zone Provisions

		a use defined in 4.2.1 (vii)
a) Minimum Lot Area	35 hectares	1 hectare
b) Minimum Lot Frontage	300 metres	60 metres
c) Minimum Lot Depth	300 metres	80 metres
d) Required Front Yard	15 metres	15 metres
e) Required Side Yard	15 metres	15 metres
f) Required Rear Yard	15 metres	15 metres
g) Maximum Height	n/a	n/a
h) Minimum Floor Area (dwelling)	80 sq. metres	80 sq. metres

4.2.3 Notwithstanding subsections 4.2.1 (v) (vi) and (viii), the total number of dwelling units on a viable farm operation shall not exceed three (3).

4.2.4 A staff house shall be located on the same lot as the main farm residence and not more than 400 metres from the main farm residence.

4.2.5 A mobile home may be used as a staff house subject to the issuance by the Chief Building Official of a Permit for a temporary building. A mobile home used as a staff house shall have unity of construction and a minimum floor area of 60 sq. metres.

4.2.6 Additions or enlargements to mobile homes may be permitted provided that such additions are immediately adjacent to the entrances to the main unit and do not in the aggregate exceed a maximum floor area of 10 sq. metres.

4.3 OLIVER LIMITED AGRICULTURE (OAL) ZONE REGULATIONS

No person shall within any OAL Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.3.1 PERMITTED USES

- a) agriculture
- b) a greenhouse operation
- c) a bee-keeping operation
- d) a market garden
- e) animal kennel - breeding

- f) hobby farms
- g) accessory dwelling units
- h) accessory buildings, structures and uses
- i) home occupations and home industries
- j) single detached dwelling

4.3.2 ZONE PROVISIONS

- a) Minimum Lot Area 4 hectares
- b) Minimum Lot Frontage 120 metres
- c) Minimum Front Yard 30 metres
- d) Minimum Side Yard 15 metres
- e) Minimum Rear Yard 15 metres
- f) Maximum Height 10 metres
- g) Single Detached Dwelling
Minimum Floor Area 70 square metres
- h) Maximum Lot Coverage 20%

4.3.3 ANIMAL UNITS AND LOT SIZES

- a) In the OAL Zone, one animal unit shall be permitted per hectare.
- b) The following table shall apply in determining animal units:

<u>Type of Livestock or Poultry</u>	<u>No. of Animal Units</u>
1 dairy cow (plus calf)	1
1 beef cow (plus calf)	1
1 bull	1
1 horse	1
4 sheep	1
4 sows (plus litter to weaning)	1
125 laying hens	1
100 female mink (plus associated males and kits)	1
4 goats	1
60 geese or ducks or turkeys or combination thereof	1
60 rabbits	1
60 pigeons	1
.5 beehives	1

4.3.4 SITE SPECIFIC PROVISIONS

- a) Notwithstanding any other provisions of this By-law, a maximum of twelve horses shall be permitted on those lands zoned "OAL-1" known as Plan 635, Part of Lot 16, Reference Plan 55R2976, Part 2 and Reference Plan 55R3308, Part 3 located within Part Lot 2, Concession 1, shown on Schedule 'A'. These lands are municipally known as the Wynalda property.

4.4 PAIPOONGE RESTRICTED AGRICULTURE (PAR) ZONE

No person shall within an PAR Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.4.1 PERMITTED USES

- (i) a bee-keeping operation
- (ii) a green house operation
- (iii) a livestock rest facility
- (iv) single detached dwelling
- (v) an accessory dwelling on a viable farm operation
- (vi) a home occupation
- (vii) a home industry
- (viii) buildings, structures and uses accessory to the above uses in accordance with Section 4.1 (a).

4.4.2 Zone Provisions

- | | |
|----------------------------------|------------------|
| a) Minimum Lot Area | 4 hectares |
| b) Minimum Lot Frontage | 120 metres |
| c) Minimum Lot Depth | 200 metres |
| d) Minimum Front Yard | 15 metres |
| e) Minimum Side Yard | 15 metres |
| f) Minimum Rear Yard | 15 metres |
| g) Maximum Height | n/a |
| h) Minimum Floor Area (dwelling) | 80 square metres |

4.5 RURAL (ORU) ZONE REGULATIONS

No person shall within any ORU Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.5.1 PERMITTED USES

- a) agriculture
- b) forestry
- c) mining
- d) electrical generation and distribution
- e) conservation uses and watershed management

4.5.2 ZONE PROVISIONS

- | | |
|---|------------|
| a) Minimum Lot Area | 4 hectares |
| b) Minimum Lot Frontage | 90 metres |
| c) Minimum Front Yard | 30 metres |
| d) For any building used to shelter animals | |

	Minimum Side Yard	30 metres
e)	All other cases	
	Minimum Side Yard	15 metres
f)	Minimum Rear Yard	15 metres
g)	Maximum Height	10 metres
h)	Maximum Lot Coverage	10%

4.5.3 BUILDINGS AND STRUCTURES PERMITTED

Notwithstanding the above, no building or structure shall be used, altered or erected in the ORU Zone except for the following:

- a sawmill and other buildings related to forestry uses, provided that these buildings are not for human habitation;
- buildings related to mining uses provided that they are not for human habitation;
- buildings related to agricultural uses, provided they are not for human habitation;
- buildings related to electrical generation and transmission, conservation uses and watershed management, provided they are not for human habitation.

4.6 PAIPOONGE RURAL (PRU) ZONE

No person shall within any PRU Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.6.1 Permitted Uses

- (i) agricultural
- (ii) forestry
- (iii) stables, riding academies, dog kennels
- (iv) watershed management and conservation uses
- (v) a single detached dwelling
- (vi) an accessory dwelling to a use listed in (i), (ii), or (iii)
- (vii) a home occupation
- (viii) a home industry
- (ix) buildings, structures and uses accessory to the above uses in accordance with Section 4.1 (a).

4.6.2 Zone Provisions

	Uses Listed in Section 4.6.1 <u>(v), (vii)</u>	Uses Listed in Section 4.6.1 <u>(i), (ii), (iii), (iv)</u>
a) Minimum Lot Area	1 hectare	4 hectares
b) Minimum Lot Frontage	60 metres	120 metres
c) Minimum Lot Depth	100 metres	200 metres
d) Minimum Front Yard	15 metres	15 metres
e) Minimum Side Yard	15 metres	15 metres

f) Minimum Rear Yard	15 metres	15 metres
g) Maximum Height	10 metres	10 metres
h) Minimum Floor Area (dwelling)	80 sq. metres	80 sq. metres

4.6.3 Other Provisions

- a) Notwithstanding the above provisions, the required side yard for any buildings used to shelter animals shall be 30 metres.

4.7 OLIVER RURAL RESIDENTIAL (ORR) ZONE REGULATIONS

No person shall within any ORR Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.7.1 PERMITTED USES

- a) a single detached dwelling
- b) home industries or home occupations * See pg. 25
- c) accessory buildings, structures and uses

4.7.2 ZONE PROVISIONS

a) Minimum Lot Area	2 hectares
b) Minimum Lot Frontage	90 metres
c) Minimum Front Yard	30 metres
d) Minimum Side Yard	15 metres
e) Minimum Rear Yard	15 metres
f) Maximum Height	10 metres
g) Single Detached Dwelling Minimum Floor Area	70 square metres
h) Maximum Lot Coverage	5 %

Accessory half for side & rear yards

4.7.3 ANIMAL UNITS AND LOT SIZES

- a) In the ORR Zone, one animal unit shall be permitted per hectare.
- b) The table set out in Section 6.3 shall apply in determining animal units.

4.7.4 SITE SPECIFIC PROVISIONS

On those lands zoned ORR-I shown on Schedule 'A' known as Lot 6 South 1/2, Concession 1, located on the corner of Point DeMeuron Road and Poleline Road, and owned by J. Deramanchuk an equipment repair shop, contractor's yard and equipment rental operation operated by the owner of the property as of the date of the passing of this By-law shall be permitted.

4.8 PAIPOONGE ESTATE RESIDENTIAL (PER) ZONE

No person shall within any PER Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.8.1 Permitted Uses

- (i) a single detached dwelling
- (ii) a home occupation
- (iii) buildings, structures and uses accessory to the above uses in accordance with Section 4.1 (a).

4.8.2 Zone Provisions

a) Minimum Lot Area	6000 sq. metres
b) Minimum Lot Frontage	60 metres
c) Minimum Lot Depth	80 metres
d) Minimum Front Yard	15 metres
e) Minimum Side Yard	15 metres
f) Minimum Rear Yard	15 metres
g) Maximum Height	10 metres
h) Minimum Floor Area (dwelling)	90 sq. metres

4.9 OLIVER FIRST DENSITY RESIDENTIAL (OR1) ZONE REGULATIONS

No person shall within any OR1 Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.9.1 PERMITTED USES

- a) a single detached dwelling
- b) a home occupation or home industry
- c) accessory buildings, structures and uses

4.9.2 ZONE PROVISIONS

a) Minimum Lot Area	1800 sq. metres
b) Minimum Lot Frontage	30 metres
c) Minimum Front Yard	7 metres
d) Minimum Side Yard	2 metres
e) Minimum Rear Yard	6 metres
f) Maximum Height	10 metres
g) Single Detached Dwelling Minimum Floor Area	70 sq. metres
h) Maximum lot coverage	35%

4.10 PAIPOONGE EXISTING RESIDENTIAL (PR1) ZONE

No person shall within any PR1 Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.10.1 Permitted Uses

- (i) a single detached dwelling
- (ii) a home occupation
- (iii) buildings, structures and uses accessory to the above uses in accordance with Section 4.1 (a).

4.10.2 Zone Provisions

- | | |
|----------------------------------|-----------------|
| a) Minimum Lot Area | 1200 sq. metres |
| b) Minimum Lot Frontage | 30 metres |
| c) Minimum Lot Depth | 40 metres |
| d) Minimum Front Yard | 6 metres |
| e) Minimum Side Yard | 6 metres |
| f) Minimum Rear Yard | 6 metres |
| g) Maximum Height | 10 metres |
| h) Minimum Floor Area (dwelling) | 80 sq. metres |

4.11 OLIVER SECOND DENSITY RESIDENTIAL (OR2) ZONE REGULATIONS

No person shall within any OR2 Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.11.1 PERMITTED USES

- a) a single detached dwelling
- b) a home occupation or home industry
- c) accessory buildings, structures and uses

4.11.2 ZONE PROVISIONS

- | | |
|--|-----------------|
| a) Minimum Lot Area | 2800 sq. metres |
| b) Minimum Lot Frontage | 45 metres |
| c) Minimum Front Yard | 7 metres |
| d) Minimum Side Yard | 2 metres |
| e) Minimum Rear Yard | 6 metres |
| f) Maximum Height | 10 metres |
| g) Single Detached Dwelling Minimum Floor Area | 70 sq. metres |
| h) Maximum lot coverage | 35% |

*accessory
half for
side
yard
&
rear
yard.*

4.12 PAIPOONGE RESIDENTIAL 2 (PR2) ZONE

No person shall within any PR2 Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.12.1 Permitted Uses

- (i) a single detached dwelling
- (ii) a home occupation
- (iii) buildings, structures and uses accessory to the above uses in accordance with Section 4.1 (a)

4.12.2 Zone Provisions

	<u>with communal water</u>	<u>without communal water</u>
a) Minimum Lot Size	1400 sq. metres	2800 sq. metres
b) Minimum Lot Frontage	30 metres	45 metres
c) Minimum Lot Depth	40 metres	45 metres
d) Minimum Front Yard	6 metres	6 metres
e) Minimum Side Yard	6 metres	6 metres
f) Minimum Rear Yard	6 metres	6 metres
g) Maximum Heights	10 metres	10 metres
h) Minimum Floor Area	90 sq. metres	90 sq. metres

4.13 OLIVER THIRD DENSITY RESIDENTIAL (OR3) ZONE REGULATIONS

No person shall within any OR3 Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.13.1 PERMITTED USES

- a) an apartment building or multiple dwelling
- b) a semi-detached dwelling, a duplex dwelling, a two-unit dwelling

4.13.2 ZONE PROVISIONS

a) Minimum Lot Area	2800 square metres for each dwelling unit
b) Minimum Lot Frontage	50 metres
c) Minimum Front Yard	7 metres
d) Minimum Side Yard	5 metres or ½ the height of the building whichever is greater
e) Minimum Rear Yard	6 metres
f) Maximum Height	10 metres
g) Maximum Lot Coverage	25%

4.13.3 SITE SPECIFIC PROVISIONS

a) Notwithstanding any other provisions of this By-law, the following regulations shall apply to those lands zoned "OR3-I" shown on Schedule 'B':

- Minimum Lot Area 1500 square metres for each dwelling unit

no part of any parking area, with the exception of a driveway, shall be permitted in any front yard, exterior side yard or within 1.0 metre of any lot line;

- structures used in the lighting of yards and parking areas shall be permitted in any yard.

4.14 PAIPOONGE RESIDENTIAL 3 (PR3) ZONE

No person shall within any PR3 Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.14.1 Permitted Uses

- (i) a single detached dwelling
- (ii) a home occupation
- (iii) buildings, structures and uses accessory to the above uses in accordance with Section 4.1 (a)

4.14.2 Zone Provisions

- | | |
|----------------------------------|-----------------|
| a) Minimum Lot Area | 6000 sq. metres |
| b) Minimum Lot Frontage | 60 metres |
| c) Minimum Lot Depth | 80 metres |
| d) Minimum Front Yard | 15 metres |
| e) Minimum Side Yard | 15 metres |
| f) Minimum Rear Yard | 15 metres |
| g) Maximum Height | 10 metres |
| h) Minimum Floor Area (dwelling) | 90 sq. metres |

4.15 PAIPOONGE MULTIPLE RESIDENTIAL (PR4) ZONE

No person shall within any PR4 Zone use any lot or erect, alter or use any building or structure except in accordance with the following:

4.15.1 Permitted Uses

- (i) a duplex dwelling
- (ii) a semi-detached dwelling
- (iii) an apartment

- (iv) buildings, structures and uses accessory to the above uses in accordance with Section 4.1 (a)

4.15.2 Zone Provisions

- a) Minimum Lot Area 4000 sq. metres
- b) Minimum Lot Frontage 45 metres
- c) Minimum Lot Depth 60 metres
- d) Minimum Front Yard 6 metres
- e) Minimum Side Yard 6 metres
- f) Minimum Rear Yard 6 metres
- g) Maximum Height 11 metres
- h) Minimum Floor Area 75 sq. metres per dwelling unit
- i) Minimum Distance Between Main Buildings 6 metres
- j) Maximum Density (gross) 5 dwelling units per hectare

4.16 PAIPOONGE RESIDENTIAL 5 (PR5) ZONE

No person shall within any PR5 Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.16.1 Permitted Uses

- (i) a single detached dwelling
- (ii) a home occupation
- (iii) buildings, structures and uses accessory to the above uses in accordance with Section 4.1 (a)

*accessory half of main bldg
side & rear*

4.16.2 Zone Provisions

- a) Minimum Lot Area 4500 sq. metres
- b) Minimum Lot Frontage 45 metres
- c) Minimum Lot Depth 100 metres
- d) Minimum Front Yard 15 metres
- e) Minimum Side Yard 10 metres
- f) Minimum Rear Yard 15 metres
- g) Maximum Height 10 metres
- h) Minimum Floor Area 90 sq. metres

4.17 PAIPOONGE MOBILE HOME PARK (PR6) ZONE

No person shall within any PR6 Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.17.1 Permitted Uses

A mobile home park containing a maximum number of thirty single-wide mobile homes and said park may include one or more of the following uses:

- (i) a single wide mobile home uses as a single dwelling
- (ii) a home occupation
- (iii) a private park
- (iv) buildings, structures and uses accessory to the above uses in accordance with Section 4.1 (a)

4.17.2 Zone Provisions

- | | |
|--------------------------------|------------|
| a) Minimum Lot Size | 3 hectares |
| b) Minimum Lot Frontage | 170 metres |
| c) Minimum Lot Depth | 150 metres |
| d) Minimum Required Front Yard | 30 metres |
| e) Minimum Required Side Yard | 15 metres |
| f) Minimum Required Rear Yard | 40 metres |

4.17.3 Permitted Uses Within a Mobile Home Park

In addition to the provisions of Section 4, the following provisions shall apply to a permitted use within a mobile home park.

- | | |
|--|----------------|
| a) Minimum Mobile Home Site Size | 540 sq. metres |
| b) Minimum Mobile Home Site Frontage | 15 metres |
| c) Minimum Mobile Home Site Depth | 30 metres |
| d) Minimum Required Mobile Home Site Front Yard | 3 metres |
| e) Minimum Required Mobile Home Site Side Yard | .5 metres |
| f) Minimum Required Mobile Home Site Rear Yard | 3 metres |
| g) Maximum Height | 4.5 metres |
| h) Minimum Distance Between Mobile Homes | 9 metres |
| i) Minimum Distance Between Mobile Homes and Accessory Buildings | 3 metres |

4.18 OLIVER GENERAL COMMERCIAL (OCI) ZONE REGULATIONS

No person shall within any OCI Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.18.1 PERMITTED USES

- a) any retail or service store or shop not engaged in manufacturing on the premises unless such manufacturing is accessory to the retail business, does not exceed 50% of the floor area and the products manufactured are primarily for sale at retail on the premises
- b) a general or professional office or clinic

- c) a bank
- d) a restaurant and fast food outlet and tavern
- e) a hotel or a motel
- f) a clubroom or private club or assembly hall
- g) a theater
- h) a laundry, laundromat or dry cleaning establishment
- i) a personal service shop
- j) a bowling alley
- k) a billiard or pool room
- l) a community centre
- m) a post office
- n) dwellings above or behind a permitted commercial use
- o) an agricultural implement or produce or farm supply sales outlet
- p) a taxi service establishment
- q) Brewer's Retail or Liquor Control Board of Ontario outlet
- r) vehicle sales and rental establishment
- s) transportation terminal
- t) a merchandise repair establishment
- u) an undertaking establishment
- v) an automobile service station
- w) a commercial garage or vehicle repair shop
- x) a gas bar or car wash
- y) a parking lot
- z) accessory buildings or structures, including dwelling units

- aa) a retail lumber yard
- bb) an animal hospital or veterinary clinic or grooming shop
- cc) a craft shop
- dd) a petty trade
- ee) bulk storage and sales establishment
- ff) construction materials outlet
- gg) automobile body repair shop

4.18.2 ZONE PROVISIONS

a)	Minimum Lot Area	.8 hectares
b)	Minimum Lot Frontage	60 metres
c)	Minimum Front Yard	30 metres
d)	Minimum Side Yard	20 metres
e)	Minimum Rear Yard	15 metres
f)	Maximum Height	10 metres
g)	Minimum Floor Area	10 sq. metres
h)	Maximum Lot Coverage	20%

4.18.3 OTHER PROVISIONS

- a) Where a OCI Zone abuts a Residential, Institutional or Open Space Zone, a buffer strip shall be provided along the abutting lot lines having a minimum width of 3.0 metres. Notwithstanding any other provisions of this By-law the aforementioned buffer strip may be part of the required yard.
- b) where the side lot line of any OCI Zone abuts another Commercial or Industrial Zone, the minimum side yard shall be 15 metres.

4.18.4 AUTOMOBILE SERVICE STATIONS

Automobile service stations gas bars shall conform to the provisions of Sections 4.39 and 4.41.

4.19 PAIPOONGE RURAL COMMERCIAL (PC1) ZONE

No person shall within any PC1 Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.19.1 Permitted Uses

- (i) an agricultural sales outlet
- (ii) a business and professional office
- (iii) a craft shop
- (iv) a bank
- (v) a personal service shop
- (vi) a petty trade
- (vii) a veterinary clinic
- (viii) buildings, structures and uses accessory to the above uses in accordance with Section 4.1 (a)
- (ix) an accessory dwelling

4.19.2 Zone Provisions

a) Minimum Lot Area	1 hectare
b) Minimum Lot Frontage	60 metres
c) Minimum Lot Depth	100 metres
d) Minimum Front Yard	15 metres
e) Minimum Side Yard	15 metres
f) Minimum Rear Yard	15 metres
g) Maximum Height	10 metres
h) Maximum Lot Coverage	40%
i) Minimum Distance Between Main Buildings	6 metres

4.19.3 Other Provisions

- a) Where a PC1 Zone abuts any commercial or industrial zone the required side yard shall be 10 metres

4.20 OLIVER VILLAGE COMMERCIAL (OC2) ZONE REGULATIONS

No person shall within any OC2 Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.20.1 PERMITTED USES

- a) a hotel or motel
- b) vehicle sales and rental establishment
- c) a gas bar, automobile service station, commercial garage, vehicle repair shop or Automobile body repair shop
- d) a restaurant or tavern or fast food outlet
- e) an animal hospital or veterinary clinic or grooming shop
- f) a craft shop
- g) Brewer's Retail or Liquor Control Board of Ontario outlet
- h) a transportation terminal
- i) a warehouse
- j) any retail or service store or shop not engaged in manufacturing on the premises unless such manufacturing is accessory to the retail business, does not exceed 50% of the floor area and the products manufactured are primarily for sale at retail on the premises;
- k) a general or professional office or clinic
- l) a merchandise repair establishment
- m) accessory buildings and structures including dwelling units
- n) a personal service shop
- o) a car wash
- p) dwelling units over or behind a commercial use
- q) institutional uses
- r) petty trades
- s) miniature golf establishment
- t) a parking lot
- u) a theater
- v) farm produce sales and agriculture implement dealer
- w) a laundry, laundromat and dry cleaning establishment
- x) recreation commercial uses
- y) a bank
- z) a post office

- aa) a clubroom, private club, assembly hall or community centre
- bb) a taxi service establishment
- cc) a bowling alley billiard room or pool room
- dd) an undertaking establishment

- ee) a retail lumber yard and construction materials outlet

4.20.2 ZONE PROVISIONS

a) Minimum Lot Area	1400 sq. metres
b) Minimum Lot Frontage	30 metres
c) Minimum Front Yard	6 metres
d) Minimum Side Yard	3 metres
e) Minimum Rear Yard	6 metres
f) Maximum Height	10 metres
g) Maximum Lot Coverage	50%
h) Minimum Floor Area	10 sq. metres

4.20.3 OTHER PROVISIONS

Where a OC2 Zone abuts a Residential, Institutional or Open Space Zone, a buffer strip shall be provided along the abutting lot lines having a Minimum width of 3.0 metres.

4.20.4 AUTOMOBILE SERVICE STATIONS AND GAS BARS

Automobile service stations and gas bars shall conform to the provisions of Section 4.39 and 4.41.

4.21 PAIPOONGE GENERAL COMMERCIAL (PC2) ZONE

No person shall within any PC2 Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.21.1 Permitted Uses

- (i) an automobile service station
- (ii) a bulk retail outlet
- (iii) a commercial garage
- (iv) a craft shop
- (v) an equipment sales and service dealership
- (vi) a gasoline retail outlet
- (vii) a hotel
- (viii) a merchandise repair shop
- (ix) a mobile home sale and service dealership
- (x) a personal service shop
- (xi) a restaurant
- (xii) a retail store
- (xiii) a vehicle sales or rental establishment
- (xiv) a veterinary clinic
- (xv) an accessory dwelling
- (xvi) buildings, structures and uses accessory to the above uses in accordance with Section 4.1 (a)

4.21.2 Zone Provisions

- a) Minimum Lot Area 1 hectare
- b) Minimum Lot Frontage 60 metres
- c) Minimum Lot Depth 100 metres
- d) Minimum Front Yard 15 metres
- e) Minimum Side Yard 20 metres
- f) Minimum Rear Yard 15 metres
- g) Maximum Height 10 metres
- h) Maximum Lot Coverage 40%
- i) Minimum Distance Between Main Buildings 6 metres

4.21.3 Other Provisions

- a) Where a PC2 Zone abuts any commercial or industrial zone, the required side yard shall be 15 metres

4.21.4 Exceptions

a) Notwithstanding any provisions in Section 4.24.2 above Lots 1 and 2, Registered Plan Number 169 shall have a required east side yard of 7 metres, a required west side yard of 1 metres and a required rear yard of .3 metres and a required front yard of 14 metres.

4.22 PAIPOONGE RECREATION COMMERCIAL (PC3) ZONE

No person shall within any PC3 Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.22.1 Permitted Uses

- (i) a ski area
- (ii) a ski club
- (iii) a marina, public dock or boat launch
- (iv) a vacation resort
- (v) a tennis court, skating rink or other similar outdoor recreation facility
- (vi) a sporting goods, sales or rental outlet associated with one of the above uses.
- (vii) a golf course
- (viii) an accessory dwelling
- (ix) buildings, structures and uses accessory to the above uses in accordance with Section 4.1 (a)

4.22.2 Zone Provisions

	<u>Uses Listed In Section 5.14.1 Parts (iii), (v)</u>	<u>Uses Listed in Section 5.14.1 Parts (i), (ii), (iv), (vii)</u>
a) Minimum Lot Area	1 hectare	10 hectares

b) Minimum Lot Frontage	60 metres	120 metres
c) Minimum Lot Depth	100 metres	200 metres
d) Minimum Front Yard	15 metres	15 metres
e) Minimum Side Yard	20 metres	20 metres
f) Minimum Rear Yard	15 metres	15 metres
g) Maximum Height	10 metres	10 metres
h) Maximum Lot Coverage	15%	1%
i) Minimum Distance Between Main Buildings	6 metres	6 metres

4.22.3 Other Provisions

- a) Where a PC3 Zone abuts any commercial or industrial zone the required side yard shall be 15 metres.

4.23 OLIVER TOURIST PARK (OC3) ZONE REGULATIONS

No person shall within a OC3 Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.23.1 PERMITTED USES

- a) a tourist park
- b) a service facility associated with a tourist park, including a variety storey a laundromat and a business office
- c) an accessory dwelling
- d) tourist and recreation commercial establishments
- e) accessory buildings, structures, and uses

4.23.2 ZONE PROVISIONS

a) Minimum Lot Area	10 hectares
b) Minimum Lot Frontage	120 metres
c) Minimum Front Yard	30 metres
d) Minimum Side Yard	20 metres
e) Minimum Rear Yard	15 metres
f) Maximum Height	10 metres
g) Maximum Lot Coverage (excluding trailers & tents)	1 %
h) Minimum Floor Area	10 sq. metres

4.23.3 OTHER PROVISIONS

- a) Where the side lot line of a OC3 Zone abuts any other Commercial or Industrial Zone along a side lot line, the required side yard shall be 15 metres on the abutting side.

- b) Where a OC3 Zone abuts a Residential Institutional or Open Space Zone₁ a buffer strip of 3 metres shall be required along all abutting lot lines.
- c) Tourist parks shall conform with the requirements of Section 4.40.

4.24 PAIPOONGE TOURIST PARK (PC4) ZONE

No person shall within a PC4 Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.24.1 Permitted Uses

- (i) a tourist park
- (ii) a service facility associated with a tourist park including a variety store, a Laundromat and a business office
- (iii) an accessory dwelling
- (iv) buildings, structures and uses accessory to the above uses in accordance with Section 4.1 (a)

4.24.2 Zone Provisions

- a) Minimum Lot Area 10 hectares
- b) Minimum Lot Frontage 120 metres
- c) Minimum Lot Depth 200 metres
- d) Minimum Front Yard 15 metres
- e) Minimum Side Yard 20 metres
- f) Minimum Rear Yard 15 metres
- g) Maximum Height 10 metres
- h) Maximum Lot Coverage (excluding trailers & tents) 1%
- i) Minimum Distance Between Main Buildings 6 metres
- j) Each camping space shall have a minimum area of 278 square metres and a minimum width of 12 metres and a minimum depth of 22 metres.

4.24.3 Other Provisions

- a) Where a PC4 Zone abuts any commercial or industrial zone, the required side yard shall be 15 metres.

4.25 OLIVER GENERAL INDUSTRIAL (OMI) ZONE REGULATIONS

No person shall within any OMI Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.25.1 PERMITTED USES

- a) a light industrial workshop
- b) a trucking depot
- c) an equipment sales and service establishment

- d) a welder's shop
- e) a carpenter or joiner's shop
- f) a concrete products factory
- g) a warehouse or storage facility
- h) a forest products processing plant
- l) a machine shop
- j) a bulk sales facility; including bulk fuel sales a public works yard
- i) a railway yard and transportation terminal
- u) an automobile service station, commercial garage, gas bar, vehicle repair shop or automobile body repair shop
- n) a contractor's yard
- o) a merchandise repair shop
- p) a retail lumber yard
- q) a hydro distribution or generating station
- r) an auto body shop
- s) a sewage treatment plant
- t) a vehicle storage yard
- u) a water treatment plant
- v) a petty trade
- w) accessory buildings and structures including an accessory dwelling unit
- x) accessory retail outlets and offices
- y) communication towers exceeding 30 metres in height
- z) airport or aerodrome or aircraft landing area

4.25.2 ZONE PROVISIONS

- | | |
|---|------------------|
| a) Minimum Lot Area | 2 hectares |
| b) Minimum Lot Frontage | 30 metres |
| c) Minimum Front Yard | 30 metres |
| d) Minimum Side Yard | 20 metres |
| e) Minimum Rear Yard | 15 metres |
| f) Maximum Height | 10 metres |
| g) Maximum Lot Coverage | 20% |
| h) Minimum Floor Area | 30 square metres |
| i) For An Accessory
Single Detached Dwelling | 70 square metres |

4.25.3 OTHER PROVISIONS

- a) Where a OMI Zone abuts a Residential, Institutional or Open Space Zone, a buffer strip shall be provided along the abutting lot lines having a minimum width of 10 metres.
- b) Where a side lot line of an OMI Zone abuts a Commercial or Industrial Zone, the required side yard shall be 15 metres.

4.25.4 AUTOMOBILE SERVICE STATIONS

Automobile service stations, commercial garages and gas bars, shall conform with Sections 4.39 and 4.41.

4.26 PAIPOONGE LIGHT INDUSTRIAL (PM1) ZONE

No person shall within any PM1 Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.26.1 Permitted Uses

- (i) light industrial activity
- (ii) a merchandise repair shop
- (iii) a petty trade
- (iv) a retail lumber yard
- (v) a warehouse
- (vi) a business office or commercial outlet associated
- (vii) an accessory dwelling
- (viii) buildings, structures and uses accessory to the above uses in accordance with Section 4.1 (a)

4.26.2 Zone Provisions

- | | |
|--|------------|
| a) Minimum Lot Area | 1 hectare |
| b) Minimum Lot Frontage | 60 metres |
| c) Minimum Lot Depth | 100 metres |
| d) Minimum Front Yard | 15 metres |
| e) Minimum Side Yard | 20 metres |
| f) Minimum Rear Yard | 15 metres |
| g) Maximum Height | 10 metres |
| h) Maximum Lot Coverage | 50% |
| i) Minimum Distance Between Main Buildings | 6 metres |

4.26.3 Other Provisions

- a) Where an PM1 Zone abuts any commercial or industrial zone, the required side yard shall be 15 metres.

4.27 OLIVER HEAVY INDUSTRIAL (OM2) ZONE REGULATIONS

No person shall within any OM2 Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.27.1 PERMITTED USES

- a) an abattoir
- b) auto wrecking yard
- c) salvage yard

- d) asphalt plant
- e) accessory buildings and structures including an accessory dwelling unit

4.27.2 ZONE PROVISIONS

a)	Minimum Lot Area	2 hectares
b)	Minimum Lot Frontage	90 metres
c)	Minimum Front Yard	30 metres
d)	Minimum Side Yard	30 metres
e)	Minimum Rear Yard	30 metres
f)	Maximum Height	10 metres
g)	Minimum Floor Area	10 sq. metres
i)	For An Accessory Single Detached Dwelling	70 sq. metres
h)	Maximum Lot Coverage	5%

4.27.3 OTHER PROVISIONS

- a) Where land is used for the purposes of an automobile wrecking yard, or scrap metal yard or similar Use, the storage of derelict automobiles, scrap metal, junk or similar materials shall not be permitted in that part of the land designated herein as the required "front yard", "side yard" or "rear yard" and a natural or artificial screen or buffer shall be provided to obscure the subject property from the street on which the lands abut and from any Opposite or adjoining properties to the side or rear of the subject property.
- b) Where a OM2 Zone abuts a Residential, Institutional or Open Space Zone, a buffer strip shall be provided along the abutting lot lines having a minimum width of 15 metres.
- c) Where a side lot line of an OM2 Zone abuts a Commercial or Industrial Zone, the required side yard shall be 15 metres

4.28 PAIPOONGE GENERAL INDUSTRIAL (PM2) ZONE

No person shall within any PM2 Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.28.1 Permitted Uses

- (i) an automotive use
- (ii) a commercial garage
- (iii) a construction firm
- (iv) an equipment sales and service dealership
- (v) a merchandise repair shop
- (vi) a mobile home sales and service dealership
- (vii) a petty trade
- (viii) a vehicle storage yard
- (ix) a warehouse
- (x) a business office or commercial outlet accessory to a permitted use

- (xi) buildings, structures and uses accessory to the above uses in accordance with Section 4.1 (a)

4.28.2 Zone Provisions

a) Minimum Lot Area	1 hectare
b) Minimum Lot Frontage	60 metres
c) Minimum Lot Depth	100 metres
d) Minimum Front Yard	15 metres
e) Minimum Side Yard	20 metres
f) Minimum Rear Yard	15 metres
g) Maximum Height	10 metres
h) Maximum Lot Coverage	40%
i) Minimum Distance Between Main Buildings	6 metres

4.28.3 Other Provisions

- a) Where an PM3 Zone abuts any industrial zone other than an M1 Zone, the required side yard shall be 15 metres.

4.29 PAIPOONGE HEAVY INDUSTRIAL (PM3) ZONE

No person shall within any PM3 Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.29.1 Permitted Uses

- (i) a body repair shop
- (ii) a brickyard
- (iii) a cement or concrete plant
- (iv) a railway yard
- (v) a salvage yard
- (vi) a sawmill and/ or planing mill
- (vii) a vehicle storage yard
- (viii) a warehouse
- (ix) a woodlands garage
- (x) a business office associated with one of the above uses
- (xi) buildings, structures and uses accessory to the above uses in accordance with Section 4.1 (a)

4.29.2 Zone Provisions

a) Minimum Lot Area	2 hectares
b) Minimum Lot Frontage	90 metres
c) Minimum Lot Depth	150 metres
d) Minimum Front Yard	30 metres
e) Minimum Side Yard	30 metres
f) Minimum Rear Yard	30 metres
g) Maximum Height	10 metres
h) Maximum Lot Coverage	40%

- i) Minimum Distance Between Main Buildings 6 metres

4.29.3 Other Provisions

- a) Where an PM3 Zone abuts any industrial zone other than PM1 Zone, the required side yard shall be 15 metres.

4.30 OLIVER EXTRACTIVE INDUSTRIAL (OM3) ZONE REGULATIONS

No person shall Within any OM3 Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance With the following:

4.30.1 PERMITTED USES

- a) pits and quarries for extracting sand, clay, gravel, earth, stone, shale, peat and amethyst.
- b) stockpiling of sand, clay, gravel, earth, stone, shale, peat and amethyst
- c) Processing accessory to the above including screening, sorting, Washing, and crushing
- d) accessory buildings, structures and uses

4.30.2 ZONE PROVISIONS

- | | |
|-------------------------|---------------|
| a) Minimum Lot Area | 5 hectares |
| b) Minimum Lot Frontage | 140 metres |
| c) Minimum Front Yard | 30 metres |
| d) Minimum Side Yard | 20 metres |
| e) Minimum Rear Yard | 20 metres |
| f) Maximum Height | 20 metres |
| g) Maximum Lot Coverage | 10% |
| h) Minimum Floor Area | 10 sq. metres |

4.30.3 OTHER PROVISIONS

- a) No excavation, building, equipment or Stockpile shall be located Within 120 metres of a building used for residential, recreational, institutional or commercial purposes.
- b) No excavation building, equipment or stockpile shall be permitted within 30 metres of any road or road allowance or adjoining property except a Property zoned Industrial.
- c) Where an OM3 Zone abuts a Residential, Institutional, Commercial or Open Space Zone, a buffer strip of not less than 10 metres shall be required along the abutting lot line(s).

4.31 PAIPOONGE EXTRACTIVE INDUSTRIAL (PM4) ZONE

No person shall within any PM4 Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.31.1 Permitted Uses

- (i) pits and quarries for extracting sand, clay, gravel, earth, stone, shale, peat and amethyst
- (ii) stockpiling of sand, clay, gravel, earth, stone, shale, peat and amethyst
- (iii) processing accessory to the above including screening, sorting and washing and crushing
- (iv) buildings, structures and uses accessory to the above uses in accordance with Section 4.1 (a)

4.31.2 Other Provisions

- a) No excavation, building, equipment or stockpile shall be located within 120 metres of a building used for residential, recreational, institutional or commercial purposes; within 45 metres of a building used for industrial purposes not associated with the operation of the pit or quarry; within 100 metres of a lot that is marked for residential, recreational or institutional uses.
- b) No excavation, building, equipment or stockpile shall be allowed within 15 metres of any road or road allowance or 30 metres from an adjoining property not identified by setbacks in section (a) above, except a property zoned PM4.

4.32 OLIVER DISPOSAL INDUSTRIAL (OM4) ZONE REGULATIONS

No person shall within any OM4 Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.32.1 PERMITTED USES

- a) a municipally owned and operated landfill site
- b) a hauled sewage system

c) buildings, structures and uses accessory to the above.

4.32.2 ZONE PROVISIONS

- | | |
|-------------------------|------------|
| a) Minimum Lot Area | 5 hectares |
| b) Minimum Lot Frontage | 100 metres |
| c) Minimum Front Yard | 30 metres |
| d) Minimum Side Yard | 30 metres |
| e) Minimum Rear Yard | 15 metres |
| f) Maximum Height | 10 metres |

4.32.3 OTHER PROVISIONS

- a) No disposal site shall be located within 120 metres of a building used for residential, recreational, institutional or commercial purposes.

- b) No disposal site shall be located within 60 metres of any road or road allowance except a road serving the disposal site, or within 60 metres of an adjoining zone except a property zoned OM4.
- c) Where an OM4 abuts a Residential, Institutional, Commercial or Open Space Zone, a buffer strip of not less than 10 metres shall be required along the abutting lot line(s).

4.33 PAIPOONGE DISPOSABLE INDUSTRIAL (PM5) ZONE

No person shall within any PM5 Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.33.1 Permitted Uses

- (i) a sanitary landfill site
- (ii) a hauled sewage system
- (iii) buildings, structures and uses accessory to the above uses in accordance with Section 4.1 (a)

4.33.2 Other Provisions

- a) No disposal site shall be located within 120 metres of a property used for residential, recreational, institutional or commercial purposes.
- b) No disposal site shall be located within 60 metres of any road or road allowance or adjoining property, except a property zoned PM5.

4.34 OLIVER INSTITUTIONAL (OI) ZONE REGULATIONS

No person shall within any OI Zone use any lot or erect alter or use any building or structure for any purpose except in accordance with the following:

4.34.1 PERMITTED USES

- a) a cemetery
- b) a church with or without a manse
- c) a community hall or assembly hall
- d) a fire station
- e) a municipal garage
- f) a municipal office
- g) a police station
- h) a school
- i) a museum
- j) accessory buildings, structures and uses
- k) post office
- l) sports facilities
- m) library

4.34.2 ZONE PROVISIONS

a) Minimum Lot Area	1400 sq. metres
b) Minimum Lot Frontage	30 metres
c) Minimum Front Yard	7 metres
d) Minimum Side Yard	3 metres
e) Minimum Rear Yard	6 metres
f) Maximum Height	10 metres
g) Maximum Lot Coverage	50%
h) Minimum Floor Area	100 sq. metres

4.34.3 SITE SPECIFIC PROVISIONS

- a) Notwithstanding any other provisions of this By-law, the following regulations shall apply to those lands zoned "OI-1" shown on Schedule 'B':

-no part of any parking area, with the exception of a driveway, shall be permitted in any required front yard or within 1.0 metre of any side or rear lot line;

-structures used in the lighting of yards and parking areas shall be permitted in any yard.

4.35 PAIPOONGE INSTITUTIONAL (I) ZONE

No person shall within any PI Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.35.1 Permitted Uses

- (i) a public or private school
- (ii) a cemetery
- (iii) a municipal office
- (iv) a municipal garage
- (v) a fire station
- (vi) a church or a church and manse
- (vii) a community hall
- (viii) buildings, structures and uses accessory to the above uses in accordance with Section 4.1 (a)

4.35.2 Zone Provisions

a) Minimum Lot Area	1 hectare
b) Minimum Lot Frontage	60 metres
c) Minimum Lot Depth	100 metres
d) Minimum Front Yard	15 metres
e) Minimum Side Yard	15 metres
f) Minimum Rear Yard	15 metres
g) Maximum Height	10 metres
h) Maximum Lot Coverage	n/a

4.36 OLIVER OPEN SPACE (OOS) ZONE REGULATIONS

No person shall within any OOS Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.36.1 PERMITTED USES

- a) a public or private park or camp
- b) outdoor rink
- c) fair grounds
- d) conservation uses
- e) sports facilities
- f) tennis courts
- g) accessory buildings, structures and uses

4.36.2 ZONE PROVISIONS

- | | |
|-------------------------|-----------------|
| a) Minimum Lot Area | 1800 sq. metres |
| b) Minimum Lot Frontage | 30 metres |
| c) Minimum Front Yard | 7 metres |
| d) Minimum Side Yard | 6 metres |
| e) Minimum Rear Yard | 6 metres |
| f) Maximum Height | 10 metres |
| g) Minimum Floor Area | 10 sq. metres |
| h) Maximum Lot Coverage | 50% |

4.37 PAIPOONGE OPEN SPACE (POS) ZONE

No person shall within an POS Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

4.37.1 Permitted Uses

- (i) a public or private park

4.37.2 Other Provisions

- a) No building or structure shall be allowed within 30 metres of an adjoining lot line or road or road allowance.

4.38 OLIVER HAZARD LAND (OHL) ZONE REGULATIONS

4.38.1 PERMITTED USES

No person shall within any OHL Zone use any lot for any purpose except in accordance with the following:

- a) a public or private park
- b) agricultural Uses
- c) outdoor recreation Uses
- d) water course protection, bank stabilization, flood or erosion control works
- e) conservation Uses and electrical generation and transmission

4.38.2 OTHER PROVISIONS

No person shall within any OHL Zone use, alter or erect any building or structure for any purpose except in accordance with the following:

- a) flood or erosion control
- b) water course protection works
- c) bank stabilization projects
- d) electrical generation and transmission

4.39 PAIPOONGE HAZARD LAND (PHL) ZONE

No person shall within any PHL Zone use any lot for any purpose except in accordance with the following:

4.39.1 Permitted Uses

- (i) agriculture
- (ii) conservation
- (iii) forestry
- (iv) wildlife management
- (v) watershed protection
- (vi) public and private parks
- (vii) golf course
- (viii) ski area
- (ix) other outdoor recreation uses

4.39.2 Other Provisions

No building or structure shall be permitted in the Hazard Land (PHL) Zone except where such are intended for:

- (i) flood or erosion control
- (ii) watercourse protection works

- (iii) bank stabilization projects

4.40 PAIPOONGE USE LIMITATION (PUL) ZONE

No person shall within any PUL Zone use any lot for any purpose except in accordance with the following:

4.40.1 Permitted Uses

- (i) agriculture
- (ii) conservation
- (iii) forestry
- (iv) wildlife management
- (v) watershed protection
- (vi) public and private parks
- (vii) golf course
- (viii) ski area
- (ix) other outdoor recreation uses

4.40.2 Other Provisions

No buildings or structures shall be permitted in the Use Limitation (UL) Zone except where such are intended for:

- (i) flood or erosion control
- (ii) watercourse protection works
- (iii) bank stabilization projects

PAIPOONGE SPECIAL ZONES

Where a zone symbol is followed by a dash and a number, the lands so designated shall be subject to and used in accordance with all provisions of the zone presented by such symbol except as otherwise specifically provided herein by the special provisions of the special zone.

1. PAIPOONGE SPECIAL INDUSTRIAL ZONES

(1) PM3-1 (PROPANE OUTLET)

Notwithstanding any provisions of this By-law to the contrary, within any area designated PM3-1 on Schedule "A" hereto the following special provisions shall apply:

a) Permitted Uses

- (i) a propane sales outlet.

(2) PMI-1 PRECAST CONCRETE PLANT

In addition to the permitted uses in the PM1 Zone the permitted uses in the M1-1 Zone shall include a precast concrete plant. An accessory dwelling is also permitted.

2. SPECIAL RESIDENTIAL ZONES

(1) PR3-1 (RESIDENTIAL PR3-1)

All provisions of Section 5.9, 5.91 and 5.92 shall apply to Zone PR3-1 save and except subsections 5.9.2(b) and 5.9.2(e). In Zone PR3-1, the minimum frontage shall be 30 metres, and the minimum side yard shall be 6 metres.