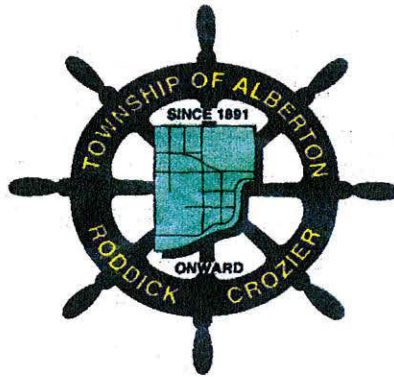


The Corporation of the Township of Alberton



Comprehensive Zoning By-Law No. 10/17

adopted March 8, 2017

The Corporation of the Township of Alberton
RR #1 - B2, 3 Highway 611 South
Fort Frances, Ontario
P9A 3M2



The Corporation of the Township of Alberton

COMPREHENSIVE ZONING BY-LAW #10/17

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SECTION 1 ADMINISTRATION

1.1 TITLE

This By-law may be referred to as the "Township of Alberton Zoning By-law."

1.2 AREA AFFECTED BY THIS BY-LAW

This By-law applies to all lands and lands under water within the Township of Alberton.

1.3 BUILDING PERMITS

The requirements of this By-law must be met before a Building Permit is issued for the erection of, addition to or alteration of any building or structure.

1.4 ENFORCEMENT

Any person convicted of a violation of this By-law is liable on first conviction to a fine of not more than \$25,000.00 and, on a subsequent conviction, to a fine of not more than \$10,000.00 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted in accordance with the *Planning Act*.

Any corporation convicted of violation of this By-law is liable on first conviction to a fine of not more than \$50,000.00 and on a subsequent conviction to a fine of not more than \$25,000.00 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted in accordance with the *Planning Act*.

In case any buildings or structures or any part thereof is to be erected, altered, reconstructed or extended, or any lot is being used or is to be used, in contravention of any requirement of this By-law, such contravention may be restrained by action at the instance of any rate-payer or of the Municipality pursuant to the provisions of the *Planning Act*, 1990, as amended, and/or the *Municipal Act*, 2001, as amended, and/or any other applicable legislation.

1.5 SEVERABILITY PROVISION

A decision of a Court that one or more of the provisions of this By-law are invalid in whole or in part does not affect the validity, effectiveness, or enforceability of the other provisions or parts of the provisions of this By-law.

1.6 REPEAL OF EXISTING BY-LAWS

Upon this By-law coming into force and effect, By-law No. 2002-39 of the Township of Alberton, and all amendments thereto, are hereby repealed.

1.7 EFFECTIVE DATE

This By-law shall come into force the day that it was passed where there are no appeals filed or, where appeals are filed, on the date on which all appeals are finally disposed of by the Ontario Municipal Board.

1.8 USE OF LAND

No lands within the Township, the whole of which is covered by this By-law, shall be used for any purpose unless as otherwise permitted by this By-law.

1.9 APPLICATION OF OTHER REGULATIONS

Nothing in this By-law shall serve to relieve any person from any obligation to comply with the requirements of any other by-law of the Township of Alberton or any other Federal or Provincial legislation that may affect the use of lands, buildings or structures in the Municipality.

SECTION 2

ESTABLISHMENT OF ZONES

2.1 ZONES

For the purposes of this By-law, the following Zones are established and they may be referred to by the name or by the symbol set opposite the name of the zone below:

RU	-	Rural
RR	-	Rural Residential
RMH	-	Mobile Home Residential
BP	-	Business Park
M1	-	Light Industrial
MX	-	Extractive Industrial
MD	-	Waste Disposal
I	-	Institutional
OS	-	Open Space
EP	-	Environmental Protection

2.2 ZONE SCHEDULE

The Zones and zone boundaries are shown on Schedule 'A' attached hereto, which forms part of this By-law.

2.3 SPECIAL ZONES

Where a Zone Symbol is followed by a dash and a number, (for example RR-1) there are special provisions that apply to the Zone. These special provisions are contained in the section of the by-law that applies to the primary zone.

2.4 DETERMINING ZONE BOUNDARIES

- i) A zone boundary shown approximately at a lot line, street or lane is considered to be at the boundary of the lot line, street or lane.
- ii) A zone boundary which lies within a lot shall be fixed by the scale set out in Schedule "A".
- iii) A zone boundary shown following approximately a shoreline of a river or the centre line of a creek, stream or channel is considered to be the shoreline or centre line and moves with any natural change in the shoreline, creek, stream or channel.
- iv) Where lands have not been identified as being in a zone on the Schedule, they shall be deemed to be in the Open Space (OS) Zone.

- vi) All lands below the surface of a water body or watercourse as of the date this By-law came into effect shall be deemed to be in the Open Space (OS) Zone.

2.5 COMPLIANCE WITH ZONING BY-LAW

No person shall change the use of any building, structure or land or erect or use any building or structure or occupy any land or building except in accordance with the provisions of this By-law.

Any use not specifically permitted by this By-law is not and shall not be permitted in the Township of Alberton.

In addition no person shall use any land or locate any building or structure such that the uses, buildings or structures on other lands would no longer comply with the provisions of this By-law.

2.6 HOLDING PROVISIONS

Where a zone symbol is followed by a dash and the letter "H" (for example: M-H), the lands shall be used only for existing uses and the expansion of those uses as of the date of adoption of this By-law.

Council may pass a By-law pursuant to Section 36 of the *Planning Act* to remove the Holding (H) Symbol, thereby placing the lands in the zone indicated by the Zone Symbol when all of the applicable following requirements have been met:

- i) the appropriate sanitary services have been approved to service the land;
- ii) all conditions of consent or subdivision have been fulfilled;
- iii) a site plan agreement has been registered on the title of the lands; and
- iv) the required permits from all other approval agencies have been issued.

SECTION 3 GENERAL PROVISIONS

3.1 APPLICATION

The provisions of this section of the By-law shall apply to all lands within the Township of Alberton unless otherwise specified.

3.2 ACCESSORY BUILDINGS, STRUCTURES AND USES

3.2.1 Permitted Uses

Where this By-law provides that a lot may be used or a building or structure may be erected or used for a purpose, that purpose shall include any accessory building or structure or accessory use, provided the principal building, structure or use is already in existence on the lot, but shall not include the following:

- i) any occupation for gain or profit conducted within or accessory to a dwelling unit or on such lot associated therewith, except as is specifically permitted in accordance with this By-law; or
- ii) any building or part thereof used for human habitation except in accordance with this By-law, and as is specifically permitted.

Legal non-conforming uses shall be permitted to have accessory uses, buildings and structures in accordance with the provisions in this Section of the By-law and the Provisions of the applicable zone.

3.2.2 Setback Requirements

Except as otherwise provided herein, in all Zones, any accessory building or structure, which is detached from the principal building, shall be erected in compliance with the yard and setback requirements of the Zone in which such building is located.

3.2.3 Lot Coverage and Height

Unless otherwise specified in this By-law the total lot coverage of all accessory buildings and structures, except swimming pools, shall not exceed 150 percent of the gross floor area of the principal building, nor shall the height of any accessory building or structure exceed 6.0 meters.

For the purposes of this By-law a barn shall be considered as a principal building in the Rural Zone only where the property owner holds a valid farm number.

Within a Business Park or Industrial Zone, accessory buildings shall have a minimum size of 278 square meters. The height of any accessory building or structure shall not exceed the height restrictions of the respective Zone.

3.2.4 Accessory Structure Encroachments

Notwithstanding the yard and setback provisions of this By-law to the contrary, drop awnings, clothes poles, garden trellises, retaining walls less than 1.0 meter above the average finished grade, fences, signs or similar uses which comply with the By-laws of the Township, shall be permitted in any required interior side or rear yard.

Swimming pools shall be constructed in accordance with the requirements of the *Ontario Building Code Act, 1992*, as has been or may be amended from time to time, and this By-law as it pertains to Accessory Buildings and Structures except that no water circulating or pumping equipment shall be located closer than 3.0 meters to any side or rear lot line.

Satellite antennas shall be required to meet the applicable yard requirements for principal uses in a Zone.

3.2.5 Boat Dock or Launching Ramp

Notwithstanding the yard provisions of this By-law to the contrary, and provided that any required permit is issued by the Ministry of Natural Resources or other approval authority, a boat launching ramp or a dock may be erected and used in any yard of a lot abutting or adjacent to a navigable waterway, except where specifically prohibited in the Zone abutting the waterway, provided such ancillary structure is located no closer than 3 meters to the side lot line or to a straight line projection of the side lot line where it meets the lot line which fronts the waterway. Unless specifically identified as a principal use, boat launching ramps and/or docks are permitted only as accessory structures.

3.2.6 Fire Escapes

Notwithstanding the yard and setback provisions of this By-law to the contrary, unenclosed fire escapes may encroach into any required rear yard a maximum distance of 1.5 meters.

3.2.7 Garages or Other Accessory Buildings or Structures

Notwithstanding the yard and setback provisions of this By-law to the contrary, a detached private garage or other detached building or structure accessory to a dwelling may be erected and used in an interior side, rear or front yard provided that the following requirements are met.

3.2.7.1 An accessory building or part thereof may be used for human habitation only if a building permit authorizing the change of use and an Occupancy Permit for same are issued by the Chief Building Official.

3.2.7.2 Minimum Setbacks:

- (i) *Interior Side Yard:* Where such accessory building or structure is located in an interior side yard, it shall not be closer than 1.5 meters to the interior side lot line.
- (ii) *Exterior Side Yard:* Where such accessory building or structure is located in an exterior side yard, it shall not be closer than 1.5 meters to the exterior side lot line.
- (iii) *Rear Yard:* Where such accessory building or structure is located in a rear yard, it shall not be closer than 1.5 meters to the rear lot line.
- (iv) *Front Yard:* Where such accessory building or structure is located in a front yard, it shall meet the required front yard setback of the zone in which it is located.
- (v) *Distance from Main Building:* Where such accessory building or structure is located in a side, rear or front yard, it shall not be closer than 2 meters to the main building.

3.2.8 Decks, Steps, Balconies, Verandas or Patios

Notwithstanding the yard and setback provisions of this By-law to the contrary, decks, steps, balconies and patios may project into any required yard or setback a maximum distance of 2.0 meters, but not closer than 1.5 meters to any lot line. Where the floor of any porch, balcony or deck is in excess of 1.0 meters above finished grade, the side yard and rear yard requirements for the principal building shall apply.

3.2.9 Garden Suite

Garden suites may be permitted as a temporary use in all Zones that permit a dwelling unit provided that:

- (a) the unit is occupied by an immediate family member of the occupant of the primary residential use, whether such familial connection is by birth, adoption, marriage, civil partnership or cohabitation;
- (b) the lot has sufficient sewage or septic system and water service facilities to accommodate the unit, as approved by the Northwestern Health Unit;
- (c) the unit does not exceed 40 square meters; and,
- (d) a written agreement formally approved by Council is entered into between the owner and the Township of Alberton that provides for the

installation and maintenance of the building as well as for removal of the building when it is no longer required.

- (e) The establishment of any new garden suite shall be subject to the passing of a Temporary Use By-Law and the use shall not exceed twenty (20) years plus (1) day from the date of the passing of such By-Law.

3.2.10 Gate House in Industrial Zone

Notwithstanding the yard and setback provisions of this By-law to the contrary, in an Industrial Zone, a gate house not exceeding 9.0 square meters shall be permitted in a required front or side yard or on the owner's property between the street line and the required yard.

3.2.11 Ornamental Structures and Windows

Notwithstanding the yard and setback provisions of this By-law to the contrary, sills, chimneys, cornices, eaves, gutters, parapets, pilasters, windows or other ornamental structures may project into any required yard a maximum distance of 0.6 meters.

3.2.12 Outdoor Wood-Burning Furnaces

Outdoor wood-burning furnaces shall be permitted only on lots having a minimum area of 1.0 ha, shall have a minimum stack height of 2.8 meters, shall be set back not less than 15 meters from any lot line, shall be set back not less than 7.5 meters from any other building, and shall not be located in a front yard.

3.3 ACCESS ON IMPROVED PUBLIC ROAD

No person shall erect any building or structure in any Zone after the date of passing of this By-law unless the lot upon which such building or structure is to be erected has at least 6.0 meters frontage upon an improved public road and such building or structure complies with the setback provisions of this By-law.

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

3.4 ESTABLISHED BUILDING LINE IN RESIDENTIAL ZONE

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

3.5 GROUP HOMES AND CRISIS CENTRES

A group home licensed by the appropriate Provincial Ministry shall be permitted within any single detached dwelling, semi-detached or duplex dwelling, subject to the following provisions:

- 3.5.1 Where a residential use building is converted to a group home, the group home must occupy the whole of the building, including all attached units within the building.
- 3.5.2 A Group Home or a Crisis Centre shall not be permitted to be established on a lot which does not meet the minimum regulations for permitted uses for the Zone in which it is permitted and located.
- 3.5.3 Site plan control shall apply to the Group Home and Crisis Centre uses in order to ensure that the size, scale and appearance of such facilities are compatible with, and integrate seamlessly with, existing residential structures and uses in the neighbourhood in which such facility is proposed to be located.
- 3.5.4 Group Home and Crisis Centre uses shall be permitted only where it can be demonstrated that such a use can be undertaken without any adverse long term impact to the environment, to neighbouring properties and to the rural character of the neighbourhood in which such facility is proposed to be located.
- 3.5.5 Group Homes and Crisis Centre uses shall be permitted only where it can be demonstrated that there is a need for same to be established in the Township in order to serve present and future residents of the regional market area, as same is defined in and governed by the *Provincial Policy Statement*, in which the Township is located.

3.6 HEIGHT EXCEPTIONS

Notwithstanding the height provisions of this By-law to the contrary, nothing in this By-law shall apply to prevent the erection, alteration, or use of a barn or silo, a church spire, a belfry, a flag pole, a clock tower, a chimney, a water tank, a windmill, a radio or television tower or antenna, an air conditioner duct, a grain elevator, incidental equipment required for processing, external equipment associated with internal equipment or machinery and conveying equipment, which exceeds the maximum height requirements provided the main or principal use is permitted within the Zone in which it is located and provided all other applicable provisions of this By-law are complied with.

3.7 HOME OCCUPATION

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

- 3.7.1 No person, other than a person or persons living on the premises and any employee who is not a resident in the dwelling, shall be engaged in the occupation of the selling, delivering or distributing merchandise to customers.
- 3.7.2 There shall be no display, other than a non-illuminated sign having a maximum surface area of 1.5 square meters, to indicate to persons outside that any part of the dwelling or dwelling unit is being used for a purpose other than residential.
- 3.7.3 There shall be no goods, wares, or merchandise displayed for sale or rent on the premises.
- 3.7.4 There shall be no outside storage of goods, materials, containers or animal enclosures used in conjunction with the home occupation.
- 3.7.5 Not more than 25 percent of the gross floor area of a dwelling, not including the basement of the dwelling or dwelling unit, shall be used for the purposes of the home occupation, and such home occupation shall be conducted entirely within the dwelling or dwelling unit or within an accessory building.
- 3.7.6 There shall be no mechanical or other equipment used except that which is customarily used in a dwelling or dwelling unit for domestic or household purposes or for use by a hairdresser or barber, dentist, drugless practitioner, physician, artist, teacher, or other professional person.
- 3.7.7 A home occupation shall not include a boarding or lodging house, an eating establishment, or a facility offering accommodation or meals other than a Bed and Breakfast establishment.
- 3.7.8 A home occupation shall be secondary to the principal residence and shall not change the residential character of the lot.
- 3.7.9 Only one Home Occupation shall be permitted in conjunction with a single detached dwelling.

3.8 HOME INDUSTRY

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

- 3.8.1 No person, other than a person or persons living on the premises and any employee who is not a resident in the dwelling, shall be engaged in the home industry at any time.
- 3.8.2 Such home industry may be located in part of a dwelling or in any accessory building located on a lot on which a dwelling is in existence, provided the total gross floor area utilized by the home industry does not exceed a maximum of 100 square meters.

- 3.8.3 There shall be no display, other than a non-illuminated sign having a maximum surface area of 1.5 square meters, to indicate to persons outside that any part of the dwelling, dwelling unit or an accessory building is being used for a purpose other than residential.
- 3.8.4 There shall be no outside storage of goods, materials or articles.
- 3.8.5 A maximum of two (2) commercial motor vehicles associated with the home industry may be parked or stored on the lot only within an interior side or rear yard. Commercial motor vehicles shall not impact abutting residential uses through idling or running on a property which is not located in the Business Park or in an Industrial zone.

3.9 LOADING SPACE REQUIREMENTS

3.9.1 Loading Space

Loading spaces are required under this By-law, in accordance with the Loading Space Requirement Table set forth herein, and the owner of every building or structure erected for any purpose involving the receiving, shipping, loading or unloading of persons, animals, goods, wares, merchandise or raw materials shall provide and maintain loading and unloading spaces on the lot accordingly. For the purposes of this By-law, each loading or unloading space shall be 15 meters in length, 3.5 meters in width and have a vertical clearance of at least 4.3 meters.

3.9.2 Loading Space Requirement Table

Gross Floor Area of Building	Loading Spaces Required
Less than 300 square meters	None
300 square meters to 2300 square meters or less	1 space
Exceeding 2300 square meters but not exceeding 7400 square meters	2 spaces
Exceeding 7400 square meters	1 space for each additional 7400 square meters

3.9.3 Access

Access to loading spaces shall be by means of a driveway of at least 3.5 meters in width contained on the lot on which the spaces are located and leading to a maintained public road.

3.9.4 Loading Space Surface

Driveways, loading spaces, and related aisles and turning areas shall be maintained with a stable surface that is treated to prevent the raising of dust. Such loading facilities shall, before being used, be surfaced with asphalt,

concrete, or crushed stone, gravel or brick and shall include provisions for drainage facilities.

3.9.5 Location

The loading spaces required shall be located in the interior side or rear yard unless such space or spaces are removed from the street line a minimum distance of 15 meters.

3.9.6 Additions to or Change in Use of Existing Buildings

The loading space requirements referred to herein shall not apply to any building in existence at the date of passing of this By-law so long as the gross floor area, as it existed at such date, is not increased by more than 300 square meters. If an addition is made to the building or structure which increases the gross floor area, then additional loading spaces shall be provided as required by this Section, in accordance with the provisions of the loading Space Requirement Table for such addition.

3.10 MOBILE HOMES

Mobile homes may be used as dwelling units in only in the Mobile Home Residential (RMH) Zone that permits mobile homes and provided such units meet the following requirements:

- 3.10.1 The structure must be constructed to C.S.A. Standard Z240 or Z241;
- 3.10.2 The structure is located on permanent foundations with the running gear and towing equipment removed;
- 3.10.3 The structure shall have at least 65 square meters of ground floor area;
- 3.10.4 The structure shall be completely enclosed from the surface of the finished grade to the roof; and,
- 3.10.5 The structure shall be fully serviced with running water, electricity and sanitary sewage facilities.

Building permits are required for the placement of mobile homes on any lands.

3.11 MULTIPLE ZONES ON ONE LOT

Where a lot is divided into more than one Zone under the provisions of this By-law, each such portion of this said lot shall be used in accordance with the Zone provisions of this By-law for the applicable Zone as if it were a separate lot.

3.12 NON-CONFORMING USES

3.12.1 Continuation of Existing Uses

The provisions of this By-law shall not apply to prevent the use of any existing lot, building or structure for any purpose prohibited by this By-law if such

existing lot, building or structure was lawfully used for such purposes, prior to the effective date of this By-law and provided that the lot, building or structure continues to be used for that purpose. Where the use ceases to exist for a period of two years, the use will be deemed to have been discontinued. For purposes of clarity, continuation of existing uses is also known as "grandfathering".

3.12.2 Permitted Exterior Extension, Alteration and Reconstruction

The exterior of any building or structure which was lawfully used prior to the effective date of this By-law for a purpose not permissible within the Zone in which it is located, shall not be enlarged, extended more than 0.2 meters, reconstructed or otherwise structurally altered, unless such building or structure is thereafter to be used for a purpose permitted within such Zone.

3.12.3 Permitted Interior Alteration

The interior of any building or structure which was lawfully used for a purpose not permissible within the Zone in which it is located prior to the effective date of this By-law, may be reconstructed or structurally altered, in order to render the same more convenient for the existing purpose for which such building or structure was lawfully used.

3.12.4 Restoration to a Safe Condition

Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any existing, legal non-conforming building or structure or part thereof, provided that the strengthening or restoration does not increase the building height, size or volume or change the existing, lawful use of such existing building or structure unless these changes are necessary to provide for floodproofing of the building.

3.12.5 Building Permit Issued

The provisions of this By-law shall not apply to prevent the erection or use, for a purpose prohibited by this By-law, of any building or structure, the plans for which have, prior to the date of passing of this By-law, been approved by the Chief Building Official, so long as the building or structure, when erected, is used and continues to be used for the purpose for which it was erected.

3.13 NON-COMPLYING LOTS, BUILDINGS, STRUCTURES AND USES

3.13.1 Permitted Buildings or Structures

Where a building or structure is located on a lot having less than the minimum frontage and/or lot area, and/or having less than the minimum setback and/or side yard and/or rear yard required by this By-law, the said building or structure may be enlarged, reconstructed, repaired and/or renovated provided that:

3.13.1.1 the enlargement, reconstruction, repair and/or renovation does not further reduce a front yard, and/or side yard and/or rear yard and/or lot coverage less than the minimum required by this By-law;

3.13.1.2 the building or structure is being used for a purpose permissible within the Zone in which it is located; and,

3.13.1.3 all other applicable Zone Provisions of this By-law are complied with.

3.13.2 Reconstruction of Existing Building

Nothing in this By-law shall apply to prevent the reconstruction of any permitted building or structure which is accidentally damaged or destroyed by causes beyond the control of the owner. Such permitted building may be reconstructed in accordance with the previously existing zoning standards, even if such did not conform with one or more of the provisions of this By-law, provided that the reconstruction occurs within 24 months of the damage being done.

3.13.3 Existing Undersized Lots of Record

Where a lot having a lesser lot area and/or lot frontage than required herein existed on the date of passing of this By-law, or where such a lot is created by a public authority, such smaller lot may be used and a permitted building or structure, may be erected, altered and/or used on such smaller lot provided that the lot has at least 30 meters of frontage on a maintained public road and complies with all other applicable Zone Provisions of this By-law.

Undersized lots which have been increased in size through addition or consolidation or otherwise following passing of this By-law may also be used in accordance with this provision.

3.14 NOXIOUS TRADE

Except as otherwise may be specifically permitted under this By-law, no use shall be permitted which, from its nature or the materials used therein, is a noxious trade, business, manufacture or use under the *Health Protection and Promotion Act* or any other relevant legislation, as may be amended from time to time, and the Regulations promulgated thereunder.

3.15 NUMBER OF DWELLING UNITS ON A LOT

Unless otherwise specifically permitted in this By-law, no more than one dwelling unit building shall be permitted on any lot where a residential use is permitted as a principal or accessory use.

Unless specifically permitted in this By-law, dwelling units are prohibited in the Business Park Zone and in all Industrial zones.

3.16 PARKING AREA REGULATIONS

3.16.1 Parking Space Requirements

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

Parking spaces are required under this By-law, in accordance with the Parking Space Requirement Table. Where the calculation of required spaces exceeds a whole space of more than .25, the number of required spaces shall be rounded up to the next whole number.

3.16.2 Parking Area Surface

Parking spaces for non-residential properties, or multiple unit residential parking areas and driveways connecting the parking spaces or area with a street, shall be maintained with a stable surface that is treated so as to prevent the raising of dust. Such parking spaces or areas shall, before being used, be constructed of asphalt, crushed stone, gravel, concrete or similar material and shall include provisions for drainage facilities.

3.16.3 Ingress and Egress Provisions

3.16.3.1 Ingress and egress to and from the required parking spaces and areas shall be provided by means of unobstructed driveways or passageways of at least 3 meters in width but not more than 9 meters in perpendicular width.

3.16.3.2 The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 9 meters.

3.16.3.3 The minimum distance between any two driveways on one lot or between a driveway and an intersection of street lines measured along the street line intersected by such driveway shall be 7.5 meters.

3.16.3.4 The minimum angle of intersection between a driveway and a street line shall be 60 degrees.

3.16.3.5 Every lot shall be limited to the following number of driveways, namely:

- (a) up to the first 15 meters of lot frontage, not more than one driveway;
- (b) greater than 15 meters of lot frontage but not more than 30 meters of frontage, not more than two driveways with a combined width not exceeding 30 percent of the lot frontage; and,
- (c) for each additional 30 meters of lot frontage, not more than one additional driveway.

3.16.3.6 Parking spaces shall have a minimum width of 3.0 meters and have a minimum area of 18.5 square meters. The length of any parking space and the width of the adjacent aisle shall be in accordance with the following:

Angle of parking space with Aisle	Minimum Length of Parking Space	Minimum Perpendicular Width of Aisle
60 degrees to 90 degrees	6.2 meters	6.9 meters
45 degrees to 59 degrees	6.2 meters	5.2 meters
30 degrees to 44 degrees	6.2 meters	3.7 meters
0 degrees to 29 degrees	6.2 meters	3.0 meters

3.16.4 More Than One Use on a Lot

When a building or structure accommodates more than one type of use, the parking space requirement for the whole building shall be the sum of the requirements for the separate parts of the building occupied by the separate types of use.

3.16.5 Parking Area Location on Lot

Notwithstanding the yard and setback provisions of this By-law to the contrary, parking areas shall be permitted in the required yards or in the area between the street line and the required setback except that, where a Business Park or Industrial Zone abuts a Residential Zone, parking shall not be located in the required yard and a landscaping strip having a width of not less than 3.0 meters shall be maintained between the parking area and the lot line.

3.16.6 Additions To, or Changes In, the Use of Existing Buildings and Structures

The parking space requirements referred to herein shall not apply to any building or structure lawfully in existence on the date of passage of this By-law, so long as the gross floor area is not increased and the use or number of dwelling units does not change. If any addition is made to a building or structure which increases its gross floor area, then parking spaces for the addition shall be provided as required by the Parking Space Requirement Table. Where a change in use occurs, parking spaces shall be provided for such new use in accordance with the requirements of the Parking Space Requirement Table.

3.16.7 Use of Parking Spaces and Areas

Parking spaces and areas required in accordance with this By-law shall be used for the parking of operative, currently licensed vehicles only and for vehicles used in an operation incidental to the permitted uses in respect of which such parking spaces and areas are required or permitted.

Notwithstanding the foregoing, the owner or occupant of any lot, building or structure in the Rural Residential Zone may use the lot, building or structure for the parking, storing or housing of one commercial motor vehicle or trailer provided that such vehicle does not exceed a 1000 kg capacity.

PARKING SPACE REQUIREMENT TABLE	
TYPE OF NATURE OF USE	MINIMUM OFF-STREET PARKING REQUIREMENTS
Assembly Hall, Auditorium, Arena, Community Centre, Place of Worship, Private Club, Theater, Farmers Market, Eating Establishment or Tavern or establishment licensed under the <i>Liquor License Act</i> or other similar places of assembly not otherwise specified herein	1 parking space for each four persons that may be legally accommodated at any one time, or each 9.0 square meters, whichever is greater
Eating Establishment, Drive-In	1 parking space for each 2 square meters or fraction thereof of gross floor area
Seniors Apartments, Assisted Living Facilities	1 parking space for each four beds or fraction thereof plus one space per two staff persons
Residential	2 parking spaces per dwelling unit
Group Homes and Special Needs Housing	1 per required caregiver
Lots with four (4) or more dwelling units	1 spaces per dwelling unit
Uses Permitted by this By-law other than those listed in this Table	1 parking space per 28 square meters of gross floor area

3.17 PEAT EXTRACTION, PITS AND QUARRIES

The extraction of peat, establishment or operation of pits or quarries is prohibited except in the locations permitted by this By-law, and in accordance with the provisions of this By-law and requirements contained in the Township's Official Plan. No person shall use land or erect any building or structure for the purpose of processing, washing, screening, sorting or crushing rock, sand and/or gravel and/or peat except as expressly provided for in this By-law.

3.18 LANDSCAPING STRIPS

3.18.1 Location

Where a lot in a Rural Residential RR-1, Institutional, Business Park or Industrial Zone abuts an interior side or rear lot line of a lot used for residential purposes

under this By-Law, including legal-nonconforming residential uses, a landscaping strip adjoining such abutting lot line, or portion thereof, shall be provided within the Rural Residential RR-1, Institutional, Business Park, or Industrial Zone with a minimum width of 3 meters.

3.18.2 Contents

Such required landscaping strip shall be used for no other purposes than planting a continuous, unpierced hedgerow of trees, evergreens or shrubs, or erecting solid fencing not less than 1.5 meters high, immediately adjacent to the lot line, or portion thereof, where such landscaping strip is required. The remainder of the landscaping strip shall be used for no purpose other than the planting of ornamental shrubs, flowering shrubs, flower beds, grass, continuation of fencing, or a combination thereof.

3.18.3 Driveways and Walkways

In all cases where ingress and egress, driveways, launching ramps or walkways extend through a required landscaping strip, the landscaping strip shall be interrupted within 3 meters of the edge of such driveway or within 1.5 meters of the edge of such walkway in order to ensure visibility of pedestrian, vehicular and other traffic.

3.18.4 Landscaped Open Space

A landscaping strip or buffer screen referred to in this Section may form a part of any landscaped open space required by this By-law.

3.19 PUBLIC USES

3.19.1 Public Services

Except as provided in paragraph 3.19.2 hereof, the provisions of this By-law shall not apply to prohibit the use of any lot or the erection or use of any building or structure for the purposes of public uses provided by the Township or by any Public Authority including any Agency, Department or Ministry of the Governments of Canada or Ontario or any Conservation Authority established by the Government of Ontario and, for the purposes of this Section, shall include Hydro One Networks Inc., any telephone, internet, telegraph, cable or satellite TV company and any natural gas distribution system operated by a company distributing gas to the residents of the Township, which company possesses all the necessary powers, rights, licenses and franchises.

3.19.2 Location Restrictions

Notwithstanding any other provision contained in this By-law to the contrary, where a public use is specifically mentioned as a permitted use within a specific Zone classification, then such public use shall be permitted only within that Zone or Zones and shall comply with the Zone Provisions of the Zone or Zones in which the public use is permitted, save and except that there shall be no

minimum lot area or lot frontage requirement. This provision shall not apply to Crown agencies.

3.19.3 Provisions

- 3.19.3.1 No goods, materials or equipment shall be stored outside the building or structure located on the lot, except as may otherwise be permitted under this By-law and shall not be stored closer than 60 meters from a residential use;
- 3.19.3.2 The Zone provisions of the Zone in which the use is located shall be complied with except as otherwise provided in this By-law;
- 3.19.3.3 No building or structure erected in accordance with the provisions of this Section shall be used for the purposes of an office or maintenance or works depot; and
- 3.19.3.4 The building or structure shall be designed and maintained in general harmony with the uses permitted within the Zone in which it is located.

3.19.4 Streets and Service Installations

Nothing in this By-law shall prevent land from being used as a street or highway, or prevent the installation of a gas main, pipeline, overhead or underground hydro, communication line, or of a high voltage electrical facilities owned, operated and maintained by Hydro One Networks Inc.

3.20 REDUCTION OF REQUIREMENTS

No person shall change the purpose for which any land, building or structure is used or erect any building, or structure, or addition to any existing building or structure, or reduce the area of any lot, if the effect of such action is to cause the original adjoining, remaining or new building, structure or lot to be in contravention with this By-law.

3.21 RESTRICTIONS ON DWELLING UNITS IN NON-RESIDENTIAL BUILDINGS

Notwithstanding any other provision of this By-law to the contrary, no dwelling unit shall be located within a portion of a non-residential building which has gasoline or other flammable fluids or hazardous materials stored in bulk for commercial purposes or in conjunction therewith and, without limiting the generality of the foregoing, a dwelling unit shall not be permitted within a building used for a motor vehicle service station, a motor vehicle repair garage, a motor vehicle body shop or a marine service shop.

3.22 SECOND DWELLING UNITS IN RESIDENTIAL BUILDINGS

A second dwelling unit is permitted within a residential building in addition to the principal dwelling unit of a single detached or semi-detached dwelling subject to the following:

- (a) One additional parking space is provided for the exclusive use of the second dwelling unit;

- (b) The external appearance of the front façade of the dwelling is not altered;
- (c) The requirements of the *Building Code* and *Fire Code* are met, as evidenced by inspection reports of the Chief Building Official and of the Township Fire Chief; and
- (d) The second unit does not exceed 40% of the gross floor area of the principal dwelling unit.

3.23 RESTRICTION ON LIVESTOCK

Notwithstanding any other provision of this By-law to the contrary with the exception of Section 3.12.1, livestock – which includes cattle, horses, sheep, goats, donkeys and swine – shall not be permitted on any lot in any Zone which has an area of five (5) acres or less and permits a residential use.

Owners of properties exceeding five (5) acres who wish to harbour livestock where such use is permitted must submit to the Township:

- (a) The appropriate completed MDS Calculation form in order that the Township may verify that the proposed livestock use conforms with the Minimum Distance Separation criteria established by the Ontario Ministry of Agriculture, Food and Rural Affairs. Where MDS does not apply, the MDS II Calculation Form is to be completed and submitted for Township purposes; and
- (b) A Nutrient Management Plan which clearly details:
 - (i) how waste from the livestock will be addressed; and
 - (ii) includes a sketch or aerial photo showing accurate proposed distance separation distances of not less than 30 meters between:
 - (A) any livestock shelter and any manure storage or collection area; and
 - (B) any well or residential uses, which residential uses on abutting properties shall include accessory structures and outdoor spaces for enjoyment of property; and
- (c) Township approval of the Nutrient Management Plan is required prior to commencement of the keeping of livestock on the subject property.

Where a livestock use exists on a property and new residential development is proposed on an abutting lot, the responsibility for compliance with the 30 meter setback requirement shall be that of the owner of the proposed new residential development.

3.24 SERVICES OR FACILITIES REQUIRED

No person shall erect or use a building or structure for a dwelling use on any lands unless approved sewage disposal or septic facilities and water supply services or facilities are available to the lot.

3.25 SIGHT TRIANGLES

On a corner lot fronting on two Township roads, within the triangular space formed by the street lines and a line drawn from a point in one street line to a point in the other street line, each such point being 6 meters measured along the street line from the point of intersection of the street lines, no motor vehicle, as defined in the *Highway Traffic Act*, shall be parked, no building or structure which would obstruct the vision of drivers of motor vehicles shall be erected, and no land shall be used for the purposes of growing shrubs or trees in excess of 1.0 meters in height. Such triangular space may hereinafter be referred to as a "sight triangle". Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

3.26 SIGNS

Unless otherwise specified, the provisions of this By-law shall not apply to prevent the erection, alteration or use of any sign provided that such sign complies with the By-laws of the Township and any applicable size restrictions set out herein.

3.27 SPECIAL SETBACKS

3.27.1 Livestock Facilities

Notwithstanding any other yard or setback provisions in this By-law to the contrary, no residential, institutional, commercial, industrial or recreational use, located on a separate lot and otherwise permitted by this By-law shall be commenced, erected or altered unless it complies with the Minimum Distance Separation (MDS I) Formulae calculated as set out in *Minimum Distance Separation (MDS) Formulae* prescribed by the Ontario Ministry of Agriculture, Food and Rural Affairs, as may be amended from time to time.

Notwithstanding any other yard or setback provision in this By-law to the contrary, no livestock facility use shall be commenced, erected or expanded unless it complies with the Minimum Separation Distance (MDS II) Formulae calculated as set out in *Minimum Distance Separation (MDS) Formulae* prescribed by the Ontario Ministry of Agriculture, Food and Rural Affairs, as may be amended from time to time.

3.27.2 Railways

No building or structure used for human habitation shall be located closer than 50 meters to the limit of a railway right of way to the main line of the CNR Railway.

3.27.3 Street Centre Lines

Where a lot abuts a road allowance less than 20 meters in width, the minimum setback from the street line shall be 10 meters from the centre line of the street plus the required front yard or exterior side yard within the zone.

3.27.4 Waste Disposal Areas

No habitable building or structure shall be located closer than 250 meters to any land used or formerly used as a waste disposal site.

3.27.5 Watercourses

Unless otherwise permitted by this By-law, no building or structure shall be located within 7.5 meters of the top of bank of any non-navigable watercourse, drainage ditch or lake. On lots abutting a navigable waterway, the required setback from the top of bank shall be 15 meters.

3.28 TEMPORARY USES PERMITTED

A tool shed, construction trailer, scaffold or other building or structure incidental to construction is permitted in all Zones within the Township on the lot or, in the case of a dock appurtenant to where it is situated, but, unless otherwise formally approved by Council, for only:

- (i) so long as it is necessary for the work in progress and until the work is completed or abandoned; or
- (ii) one year,

whichever is the lesser time. For the purpose of this Section, abandoned shall mean the discontinuation of work for more than 30 consecutive days and/or the failure to maintain a current building permit.

3.29 THROUGH LOTS

Where a lot, which is not a corner lot, has lot frontage on more than one street, the setback and front yard requirements contained herein shall apply on each street in accordance with the provisions of the Zone or Zones in which such lot is located.

3.30 TRAILERS, TRAVEL TRAILERS AND CAMPERS

The use of tractor-trailer truck trailers, recreational travel trailers, motor homes, truck campers, and camper trailers for commercial purposes shall be prohibited in all Zones except in areas where such use is permitted by this By-law.

Tents and recreational travel trailers may be used on a temporary basis not exceeding 30 days in any calendar year on lands where a permanent principal dwelling unit exists.

No other form of trailer or vehicle shall be used for human habitation unless expressly permitted by this By-law.

SECTION 4 ZONE PROVISIONS

4.1 BUSINESS PARK (BP) ZONE

No person shall within a Business Park (BP) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

4.1.1 Permitted Uses

- (a) accessory dwelling unit
- (b) animal shelter indoor facility
- (a) assembly hall
- (b) building supply and lumber outlet
- (c) business, professional or administrative office
- (d) car wash
- (e) clinic
- (f) convenience store
- (g) day nursery
- (h) fire hall
- (i) greenhouse
- (j) light manufacturing, processing or assembly within an enclosed building
- (k) motor vehicle fuel bar or service station
- (l) motor vehicle, marine or small engines sales, repair and service operation
- (m) place of worship
- (n) private club
- (o) recreational establishment
- (p) recreational vehicle sales and service operation
- (q) restaurant
- (r) retail store
- (s) service shop
- (t) tavern
- (u) veterinary hospital
- (v) warehouse including self storage facility
- (w) wholesale facility
- (x) workshop

4.1.2 Regulations for Permitted Uses

- (a) Minimum Lot Area 0.8 ha
- (b) Minimum Lot Frontage 30.0 m
- (c) Minimum Yard Requirements
 - (i) Front Yard 30.0 m
 - (ii) Interior Side Yard - principal buildings 6.0 m
 - accessory buildings 3.0 m
 - (iii) Exterior Side Yard 15.0 m
 - (iv) Rear Yard
 - principal buildings 7.5 m
 - accessory buildings 3.0 m
- (d) Maximum Lot Coverage 35%

- (e) Minimum Landscaped Open Space 15%
- (f) Maximum Height..... 10.5 m
- (g) Minimum setback from natural gas transmission pipeline easement for uses, outside areas or structures or buildings which result in occupancies of 20 or more persons on 50 or more days in any twelve month period 100 m
- (h) Minimum setback from natural gas transmission pipeline easement for a facility occupied by persons who are confined, are of impaired mobility, or who would be difficult to evacuate..... 100 m
- (i) Minimum setback from natural gas transmission pipeline easement for uses involving open flame indoors or outdoors 100 m

4.1.3 Exceptions

- (a) Business Park Exception One (BP-1) Zone:
Notwithstanding the provisions of Section 4.5.1, Permitted Uses, lands zoned as "BP-1" on Schedule "A" may, in addition to the permitted uses of the Business Park (BP-1) Zone, be used as an automotive salvage operation provided that such use was in effect prior to, and has been continuous since, the effective date of this By-Law.

4.2 ENVIRONMENTAL PROTECTION (EP) ZONE

No person shall, within any Environmental Protection (EP) Zone erect, alter or use any building or structure except in accordance with the following provisions:

4.2.1 Permitted Uses

- (a) agricultural use
- (b) conservation
- (c) marine facilities
- (d) passive public parks
- (e) resource management activities

4.2.2 Regulations for Permitted Uses

No buildings or structures including accessory buildings or structures with the exception of marine facilities, pumphouses, and buildings and structures for flood and erosion are permitted in the Environmental Protection (EP) Zone.

4.2.3 Exceptions

None as at date of adoption of this By-Law.

4.3 INDUSTRIAL: EXTRACTIVE INDUSTRIAL (MX) ZONE

No person shall within an Extractive Industrial (MX) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

4.3.1 Permitted Uses

- (a) mining
- (b) peat extraction
- (c) pits
- (d) portable asphalt or concrete batching plant
- (e) quarries
- (f) wayside pits and quarries

4.3.2 Regulations for Permitted Uses

- (a) Minimum Lot Area 2.0 ha.
- (b) Minimum Lot Frontage 100 m
- (c) Minimum Yard Requirements from limit of extraction
or buildings or structures)
 - (i) Front Yard 30.0 m
 - (ii) Interior Side Yard 30.0 m
 - (iii) Exterior Side Yard 30.0 m
 - (iv) Rear Yard 15.0 m
- (d) Minimum Setback from a Residential Lot 120 m
- (e) Maximum Lot Coverage (buildings and structures) 10%
- (f) Minimum Landscaped Open Space 10%
- (g) Minimum width of required landscaping strip or buffer screen for
all yards abutting a residential use property 10 m
- (h) Maximum Height 10.5 m

4.3.3 Exceptions

None as at date of adoption of this By-Law.

4.4 INDUSTRIAL: LIGHT INDUSTRIAL (M1) ZONE

No person shall within a Light Industrial (M1) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

4.4.1 Permitted Uses

- (a) building supply and lumber outlet
- (b) business, professional and administrative office
- (c) bulk fuel depot
- (d) concrete batching plant and product manufacturing
- (e) contractor's yard
- (f) equipment sales and services
- (g) light manufacturing, processing or assembly within an enclosed building
- (h) motor vehicle repair garage
- (i) motor vehicle body shop
- (j) retail sales accessory to a permitted use not exceeding 35% of the total floor area
- (k) sawmill
- (l) telecommunications tower
- (m) transmission towers and hydro-electric substations
- (n) transportation depot
- (o) warehouse including self storage facility
- (p) workshop

4.4.2 Regulations for Permitted Uses

- (a) Minimum Lot Area0.8 ha
- (b) Minimum Lot Frontage30.0 m
- (c) Minimum Yard Requirements
 - (i) Front Yard20.0 m
 - (ii) Interior Side Yard.....6.0 m
 - (iii) Exterior Side Yard15.0 m
 - (iv) Rear Yard.....12.0 m
- (c) Maximum Lot Coverage65%
- (d) Minimum Landscaped Open Space20%
- (e) Maximum Height.....10.5 m
- (g) Minimum width of required landscaping strip or buffer screen for all yards abutting a residential use property10 m
- (g) Minimum setback from natural gas transmission pipeline easement for uses, outside areas or structures or buildings which result in occupancies of 20 or more persons on 50 or more days in any twelve month period100 m
- (h) Minimum setback from natural gas transmission pipeline easement for a facility occupied by persons who are confined, are of impaired mobility, or who would be difficult to evacuate.....100 m
- (i) Minimum setback from natural gas transmission pipeline easement for uses involving open flame indoors or outdoors100 m

4.4.3 Exceptions

None as at date of adoption of this By-Law.

4.5 INDUSTRIAL: WASTE DISPOSAL INDUSTRIAL (MD) ZONE

No person shall within a Waste Disposal Industrial (MD) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

4.5.1 Permitted Uses

- (a) recycling facility
- (b) salvage or wrecking yard
- (c) sewage lagoon
- (a) solid waste disposal area or management facility

4.5.2 Regulations for Permitted Uses

- (a) Minimum Lot Area4.0 ha.
- (b) Minimum Lot Frontage100.0 m
- (c) Minimum Yard Requirements
 - (i) Front Yard.....30.0 m
 - (ii) Interior Side Yard20.0 m
 - (iii) Exterior Side Yard30.0 m
 - (iv) Rear Yard30.0 m
- (d) Maximum Lot Coverage75%
- (e) Minimum Landscaped Open Space20%
- (f) Minimum width of required landscaping strip or buffer screen for
all yards abutting a residential use property 10 m
- (g) Maximum Height.....10.5 m

4.5.3 Exceptions

None as at date of adoption of this By-Law.

4.6 INSTITUTIONAL (I) ZONE

4.6.1 Permitted Uses

No person shall within an Institutional (I) Zone, use any land or erect, alter or use any building or structure except for one or more of the following uses:

- (a) ambulance station
- (b) business, professional and administrative offices
- (c) community centre or facility
- (d) day nursery
- (e) fire station
- (f) library
- (g) nursing home
- (h) place of worship
- (i) school

4.6.2 Regulations for Permitted Uses

- (a) Minimum Lot Area1.0 ha
- (b) Minimum Lot Frontage60 m
- (c) Minimum Yard Requirements
 - (i) Front Yard.....7.5 m
 - (ii) Interior Side Yard7.5 m
 - (iii) Exterior Side Yard.....7.5 m
 - (iv) Rear Yard7.5 m
- (d) Maximum Lot Coverage35%
- (e) Minimum Landscaped Open Space10%

4.6.3 Exceptions

None as at date of adoption of this By-Law.

4.7 OPEN SPACE (OS) ZONE

No person shall within an Open Space (OS) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

4.7.1 Permitted Uses

- (a) camping establishment
- (b) cemetery
- (b) driving range
- (c) golf course
- (d) outdoor recreation, including trails
- (e) private recreational park
- (f) public park and accessory structures
- (g) community centre
- (h) resource management

4.7.2 Regulations for Permitted Uses

- (a) Minimum Lot Area 2.0 ha
- (b) Minimum Lot Frontage 60.0 m
- (c) Minimum Yard Requirements
 - (i) Front Yard 20 m
 - (ii) Interior Side Yard 15 m
 - (iii) Exterior Side Yard 20 m
 - (iv) Rear Yard 20 m
- (d) Maximum Lot Coverage 10%
- (e) Minimum Landscaped Open Space 50%
- (f) Maximum Height 10.5 m
- (g) Minimum setback from natural gas transmission pipeline easement for uses, outside areas or structures or buildings which result in occupancies of 20 or more persons on 50 or more days in any twelve month period 100 m
- (h) Minimum setback from natural gas transmission pipeline easement for a facility occupied by persons who are confined, are of impaired mobility, or who would be difficult to evacuate 100 m
- (i) Minimum setback from natural gas transmission pipeline easement for uses involving open flame indoors or outdoors 100 m

4.7.3 Lands Under Water

All lands situated below the surface of a waterbody or watercourse shall be deemed to be in the Open Space (OS) Zone. Notwithstanding the permitted uses in Section 4.10.1 to the contrary, the only permitted uses of such land shall be marine facilities accessory to permitted uses on the appertaining lands where such a use is permitted on the appertaining zone and in accordance with this By-law

4.7.4 Exceptions

None as at date of adoption of this By-Law.

4.8 RESIDENTIAL: RURAL RESIDENTIAL (RR) ZONE

4.8.1 Permitted Uses

No person shall within a Rural Residential (RR) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

- (a) bed and breakfast
- (b) boarding house
- (c) crisis centre
- (d) duplex dwelling
- (e) group home
- (f) home industry
- (g) home occupation
- (h) semi-detached dwelling
- (i) single detached dwelling
- (j) second dwelling unit

4.8.2 Regulations for Permitted Uses

- (a) Minimum Lot Area 1.5 ha
- (b) Minimum Lot Frontage 100 m
- (c) Minimum Yard Requirements
 - i) Front Yard 7.5 m
 - ii) Interior Side Yard 5.0 m
 - iii) Exterior Side Yard 7.5 m
 - iv) Rear Yard 7.5 m
- (d) Maximum Lot Coverage 10%
- (e) Maximum Height 10.5 m
- (f) Minimum setback from natural gas transmission pipeline easement for uses, outside areas or structures or buildings which result in occupancies of 20 or more persons on 50 or more days in any twelve month period 100 m
- (g) Minimum setback from natural gas transmission pipeline easement for a facility occupied by persons who are confined, are of impaired mobility, or who would be difficult to evacuate 100 m
- (h) Minimum setback from natural gas transmission pipeline easement for uses involving open flame indoors or outdoors 100 m

4.8.3 Exceptions

4.8.3.1 Rural Residential Exception One (RR-1) Zone:

Notwithstanding the provisions of Section 4.3.1, Permitted Uses, lands zoned as "RR-1" on Schedule "A" as amended, may, in addition to the permitted uses of the Rural Residential (RR-1) Zone, be used as an apartment complex or multi-unit dwelling.

4.9 RESIDENTIAL: MOBILE HOME RESIDENTIAL (RMH) ZONE

No person shall within a Residential Mobile Home (RMH) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

4.9.1 Permitted Uses

- (b) single detached dwelling
- (c) mobile home dwelling
- (d) home occupation

4.9.2 Regulations for Permitted Uses

- (a) Minimum Lot Area 1.5 ha
- (b) Minimum Lot Frontage 100 m
- (c) Minimum Yard Requirements
 - (i) Front Yard 7.5 m
 - (ii) Interior Side Yard 5.0 m
 - (iii) Exterior Side Yard 7.5 m
 - (iv) Rear Yard 7.5 m
- (d) Maximum Lot Coverage 10%
- (e) Maximum Height 10.5 m
- (f) Minimum setback from natural gas transmission pipeline easement for uses, outside areas or structures or buildings which result in occupancies of 20 or more persons on 50 or more days in any twelve month period 100 m
- (g) Minimum setback from natural gas transmission pipeline easement for a facility occupied by persons who are confined, are of impaired mobility, or who would be difficult to evacuate 100 m
- (h) Minimum setback from natural gas transmission pipeline easement for uses involving open flame indoors or outdoors 100 metres

4.9.3 Regulations for individual Sites within a Mobile Home Park

- (a) Minimum Site Area 335 sq. m
- (b) Minimum Setbacks within a Site 1.5 m
- (c) Maximum Site Coverage 30%

4.9.4 Exceptions

None as at date of adoption of this By-Law.

4.10 RURAL (RU) ZONE

No person shall within any Rural (RU) Zone use any land, erect, alter or use any building or structure except in accordance with the following provisions:

4.10.1 Permitted Uses

- (a) animal shelter
- (b) bed and breakfast
- (c) extractive activities and operations compatible with surrounding uses and meeting all requirements set out in the Township of Alberton *Official Plan*
- (d) farm
- (e) farm produce sales outlet accessory to a farm
- (f) greenhouse
- (g) group home
- (h) healing lodge accessory to primary clinic use
- (i) home occupation
- (j) home industry
- (k) kennel
- (l) portable saw mill
- (m) resource management activities
- (n) riding school or boarding stables
- (o) single detached dwelling
- (p) second dwelling unit
- (q) veterinary hospital
- (r) wayside pit or a wayside quarry
- (s) communications and energy structures

4.10.2 Regulations for Permitted Uses

- (a) Minimum Lot Area 4.0 ha
- (b) Minimum Lot Frontage 100 m
- (c) Minimum Yard Requirements
 - i) Front Yard 30.0 m
 - ii) Interior Side Yard 15.0 m
 - iii) Exterior Side Yard 30.0 m
 - iv) Rear Yard 30.0 m
- (d) Maximum Lot Coverage 10 %
- (e) Maximum Height 10.5 m
- (f) Minimum setback from natural gas transmission pipeline easement for uses, outside areas or structures or buildings which result in occupancies of 20 or more persons on 50 or more days in any twelve month period 100 m
- (g) Minimum setback from natural gas transmission pipeline easement for a facility occupied by persons who are confined, are of impaired mobility, or who would be difficult to evacuate 100 m
- (h) Minimum setback from natural gas transmission pipeline easement for uses involving open flame indoors or outdoors 100 m

4.10.3 EXCEPTIONS

None as at date of adoption of this By-Law.

SECTION 5 DEFINITIONS

5.1 ACCESSORY BUILDING OR STRUCTURE

A detached building or structure that is not used for human habitation but the use of which is naturally and normally incidental to, subordinate to or exclusively devoted to a principal use or building and located on the same lot therewith, and includes a detached private garage, detached carport, boathouse or detached deck.

5.2 ACCESSORY USE

A use which is usually naturally and normally incidental to, subordinate to or exclusively devoted to, and located on the same lot as, the principal use.

5.3 AGRICULTURAL BUILDING

Any building or structure customarily used in connection with a farm other than a residence.

5.4 AGRICULTURAL USE

A use of land, building or structure for the purpose of animal husbandry, bee-keeping, dairying, fallow, field crops, forestry, fruit farming, horticulture, market gardening, pasturage, poultry-keeping or any other farming use excluding and excepting medium and larger scale hog farming; and includes the growing, raising, packing, treating, storing and sale of produce grown or raised on the premises and other similar uses customarily carried on in the field of general agriculture and which are not noxious.

5.5 ALTER

(a) When used in reference to a building or structure or part thereof, alter means:

- (i) to change any one or more of the external dimensions of such building or structure;
or
- (ii) to make any change in the supporting members or to the type of construction of the exterior walls or roof thereof;

(b) When used in reference to a lot, alter means:

- (i) to change the lot area, lot frontage or lot depth thereof;
- (ii) to change the width, depth or area of any required yard, landscaped open space or parking area; or
- (iii) to change the location of any boundary of such lot with respect to a street or a 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 a use, alter means to discontinue and replace a use with a use which is defined herein as being distinct from the discontinued use.

5.6 AIRPORT

The use of lands, buildings or structures for the purposes of air transportation services.

5.7 ANIMAL SHELTER

Lands and buildings used for the temporary keeping of animals or birds for a period of less than 30 days, and may be accessory to the premises of a veterinary surgeon.

5.8 ASSEMBLY HALL

A building, or part of a building, in which facilities are provided for such purposes as meetings for civic, educational, political, religious or social purposes and may include a bingo hall, a banquet hall, private club or fraternal organization.

5.9 ATTACHED

Affixed or fastened to.

5.10 BASEMENT

That portion of a building below the first floor and which is partly underground as defined in the *Building Code*, and does not mean or include a storey or part of a storey.

5.11 BED AND BREAKFAST

A dwelling in which not more than four (4) habitable rooms for overnight lodging are provided for gain, with breakfast included, to persons other than the lessee, tenant or owner of said dwelling, or any member of the owner's household, but does not include a hotel, motel, resort, trailer camp, seasonal camp or camping establishment.

5.12 BOARDING HOUSE

A dwelling in which the proprietor supplies, for a fee, sleeping accommodation with board for at least three persons and not more than ten persons exclusive of the proprietor, members of the proprietor's family and servants of the establishment but does not include a hostel, a Group Home or Crisis Centre.

5.13 BUILDING

Any structure consisting of walls and a roof, which is used or intended to be used for the shelter, accommodation or enclosure of persons, animals or chattels, and includes any structure defined as a building in the *Building Code Act*, excluding a sewage system and plumbing not located in a building or structure, and does not include a vehicle as defined herein.

5.14 BUILDING CODE

Any reference to the *Building Code* or *Building Code Act* shall mean the Ontario *Building Code Act, 1992*, S.O. 1992, as may be amended from time to time.

5.15 BUILDING SUPPLY AND LUMBER OUTLET

A building or structure in which building or construction and home improvement materials are offered or kept for sale at retail and may include the fabrication of certain materials related to home improvements.

5.16 BULK FUEL DEPOT

Lands, buildings and structures for the storage, distribution of fuels and oils but not including retail sales except key lock operations.

5.17 BUSINESS, PROFESSIONAL OFFICE OR ADMINISTRATIVE OFFICE

A building or part of a building in which one or more persons are employed in the management, direction or conducting of a business or where professionally qualified persons and their staff serve clients or patients who seek advice, consultation or treatment and may include the administrative offices of a non-profit or charitable organization.

5.18 CAMPING ESTABLISHMENT

Lands where people are temporarily accommodated in tents, motor homes, travel trailers, recreational vehicle or truck campers, whether or not water and toilet facilities are provided.

5.19 CAMP SITE

Land within a camping establishment that is maintained as a site for the location and temporary occupation of a tent, motor home, travel trailer, recreational vehicle or truck camper, but not a mobile home.

5.20 CELLAR

A portion of a building below the first storey floor which is partly or wholly underground and which has more than one-half of its height, from finished floor to finished ceiling or to the underside of the floor joints of the first floor, below the average finished grade level adjacent to the exterior walls of the building and having a floor to ceiling height of less than 1.8 meters (6.0 ft.) or as otherwise defined in the *Building Code*.

5.21 CEMETERY

The land that is set apart or used as a place for the internment of the dead or in which human bodies have been buried.

5.22 CHIEF BUILDING OFFICIAL

The official appointed by Council for the Township pursuant to the provisions of the *Building Code Act, 1992*, S.O., 1992 c.23, as amended from time to time, and charged with the duty of enforcing the provisions of the *Building Code Act*, or any legislation successor thereto, together with any Regulations made thereunder, and shall include any Inspector likewise appointed.

5.23 CHURCH

A building set aside by any religious organization for public worship and may include a church hall, auditorium, Sunday School, convent or parish hall.

5.24 CLINIC

An establishment used by two or more qualified health or medical practitioners, including physicians, dentists, chiropractors, physiotherapists, osteopaths or other drugless practitioners, and their staff for public or private medical, surgical, physiotherapeutic or other human health purposes, except when included within or accessory to a private or public hospital.

5.25 COMMERCIAL

The use of land, building or structure for the purpose of buying and selling commodities or supplying of services, as distinguished from such uses as manufacturing or assembling of goods, warehousing, fabrication, construction and other similar uses.

5.26 COMMUNITY CENTRE

Any tract of land or building, or any part of any buildings used for community activities whether used for commercial purposes or not, the control of which is vested in the Municipality, a local board or agent thereof, and may include but is not limited to a rink, park, auditorium, swimming pool, arena and fitness centre.

5.27 COMMUNITY FACILITY

Any facility, place or building which is maintained and operated to provide services open to residents and the general public whose primary focus is uses to sustain or foster community enhancement, interaction and participation.

5.28 CONSERVATION

The preservation, protection and improvement of the components of the natural environment through a comprehensive management and maintenance program administered by a public authority for individual or public use.

5.29 CONTRACTOR'S YARD

A yard of any general contractor or builder where equipment and materials are stored or where a contractor performs shop or assembly work but does not include any other yard or establishment otherwise defined or classified herein.

5.30 CONVENIENCE STORE

A retail commercial establishment, not exceeding 200 square meters of gross floor area, supplying groceries and other daily household necessities to the surrounding area, whether or not such store is open for business seven (7) days a week or not.

5.31 CORPORATION

The Corporation of the Township of Alberton.

5.32 COUNCIL

The Council of The Corporation of the Township of Alberton.

5.33 CRISIS CENTRE

A single housekeeping unit which provides shelter and assistance, including intensive intervention, programming and/or counseling, to sustain a person having a crisis through the acute phase of the crisis, and which is licensed or funded by the Province of Ontario for the short term accommodation (averaging 30 days or less) of three to nine persons, exclusive of staff, living under supervision who, by reason of either emotional, mental, social or physical condition or legal status, require a group living arrangement for their well-being. A Crisis Centre shall not be deemed to include a Group Home.

5.34 DAY NURSERIES

A day nursery operated for pre-school age children within the meaning of the *Day Nurseries Act*, as amended.

5.35 DECK

Deck shall mean a structure above the ground cantilevered from a dwelling unit or supported by the ground and open to the sky, located 0.3 m. or more above finished grade.

- 5.36 **DETACHED**
Not affixed or fastened to.
- 5.37 **DRIVEWAY**
A vehicle access provided between a highway or road and a parking area or loading space.
- 5.38 **DWELLING**
A separate building or factory-built double-wide home containing one or more dwelling units.
- 5.39 **DWELLING, APARTMENT**
A separate building containing three or more dwelling units sharing a common corridor or stairwell.
- 5.40 **DWELLING, DUPLEX**
The whole of a separate two-storey building divided horizontally into two separate dwelling units, each of which has an independent entrance either directly or through a common vestibule.
- 5.41 **DWELLING, SEMI-DETACHED**
The whole of a building divided vertically into two separate dwelling units. A semi-detached dwelling unit may include a modular home constructed in accordance with the *Building Code* and C.S.A. A-277 Regulations.
- 5.42 **DWELLING, SINGLE DETACHED**
A separate building or factory-built double-wide home containing one dwelling unit and used by not more than one household.
- 5.43 **DWELLING UNIT, ACCESSORY**
A second dwelling unit is being a room or suite of rooms located within a principal dwelling that was originally designed as a single detached dwelling, which functions as a self-contained housekeeping unit and which includes cooking, eating, living, sleeping and sanitary facilities as well as a private entrance from outside the building or from a common hallway or stairways inside of the building, and which unit is for the exclusive use of its residents as their domicile. A Group Home or Crisis Centre is excluded from this definition.
- 5.44 **ERECT**
With reference to a building or structure, erect means to build, construct, reconstruct or enlarge, and includes:
(a) any physical operation such as excavating, filling, grading or draining preparatory to building, construction, reconstruction; and
(b) the moving of a building or structure from one location to another.
- 5.45 **ESTABLISHED BUILDING LINE**
The average distance from the road line to existing buildings measured not more than 100 meters on either side of the lot where the frontage has been built upon, as of the date of passing of this By-law.

5.46 EXISTING

Legally existing, being a reality or an actuality as of the date of passing of this By-law.

5.47 FARM

A lot, with or without accessory building or structures, which is used for any farming or agricultural use and includes apiaries; aviaries; berry or bush crops; breeding, raising, training or boarding of horses or cattle; commercial greenhouses; farms devoted to the hatching, raising and marketing of chickens, turkeys, or other fowl or game birds, animals, fish or frogs; farms for grazing; flower gardening; field crops; goat or cattle dairies; growing, raising, picking, treating and storing of vegetables or fruit produce produced on the premises; nurseries; orchards; riding stables; the raising of sheep or goats; small-scale operations for the raising of swine; tree crops; market gardening; bee keeping; wood lots; such uses or enterprises as are customarily carried on in the field of general agriculture not including a specialized farm as defined.

A farm may include a single detached dwelling house and/or such principal buildings and structures as a barn or silo as allowed by Section 3.2.3, as well as accessory buildings and structures, which are incidental to the operation of the farm.

5.48 FINISHED GRADE

- (a) When used in reference to a building, finished grade means the average elevation of the finished surface of the ground adjoining the base of the longest exterior wall of such building or, where there are two or more such walls, the exterior wall having the lowest average elevation; or
- (b) When used in reference to any other structure, finished grade means the average elevation of the finished surface of the ground at the base of such structure.

5.49 FIRST STOREY

The storey with its floor closest to grade and having its ceiling more than 1.8 meters above grade or as defined in the *Building Code*.

5.50 FLOOR AREA, GROSS

With reference to a building, floor area means the total habitable floor area within a building which area is measured between the exterior faces of the exterior walls or from the center line of a common wall or party wall, but excludes any private garage, breezeway, porch, verandah, balcony, sun room not usable year-round, attic or basement.

5.51 FLOOR AREA, GROUND

The floor area of the lowest storey of a building approximately at or just above the finished grade level excluding any basement, which area is measured between the exterior faces of the exterior walls at the floor level of such storey, but excludes vehicle parking areas within the building.

5.52 GARAGE, DETACHED

A detached accessory building or portion of a dwelling house which is designed or used for the sheltering of a private motor vehicle and storage of household equipment incidental to the residential occupancy and which is fully enclosed and roofed and excludes a carport or other open shelter.

5.53 GARDEN SUITE

A free-standing dwelling, containing one dwelling unit, which is accessory to, and located on the same lot as, a single detached dwelling and which is designed to be temporary and portable, as described in the *Planning Act*, but excludes a recreational vehicle or camper.

5.54 GAZEBO

A freestanding roofed accessory structure which is not enclosed, except for screening, glass or lattice, and which is utilized for the purposes of relaxation which may include an unenclosed deck surround.

5.55 GRADE – See “Finished Grade”**5.56 GOLF COURSE**

A public or private area operated for the purpose of playing golf, and includes a par 3 golf course, club house and recreational facilities, accessory driving ranges and miniature golf courses, and similar uses.

5.57 GROUP HOME

A housekeeping unit in a residential dwelling in which 3 to 9 residents excluding staff or receiving family, live as a family under responsible supervision consistent with the requirements of its residents and includes a home licensed or formally approved under a Provincial statute as a Special Care Residential Home, Supportive Housing Program, Adult Community Mental Health Program, Children's Residence, Accommodation Services for the Developmentally Handicapped, Satellite Residences for Seniors and Homes for Physically Disabled Seniors, and in compliance with municipal by-laws. The Group Home use is distinct unto itself and is not interchangeable with any other use permitted under this By-Law, including but not limited to, any dwelling use. A Group Home use is deemed to be a primary use, not an accessory use.

5.58 HEAVY EQUIPMENT SALES AND RENTAL

A building or part of a building or structure in which heavy machinery and equipment are offered or kept for sale, rent, lease or hire under agreement for compensation, but shall not include any other establishment defined or classified in this By-law.

5.59 HEIGHT OF BUILDINGS

The vertical distance, measured between the average natural or finished grade at the front of the building, whichever is the lesser, and the highest point of the roof.

5.60 HIGH WATER MARK SETBACK

The setback will be measured from the normal controlled high water mark of the lake or river.

5.61 HOME INDUSTRY

Any occupation conducted entirely within a building or part of a building accessory to a single detached dwelling house or part of a dwelling unit, that includes processing, assembly, manufacturing or a workshop within an area not to exceed 100 square meters in gross floor area and shall not include outdoor storage.

5.62 HOME OCCUPATION

An occupation conducted for gain or profit as an accessory use within a dwelling or dwelling unit by one or more persons residing therein and includes a professional office, in connection with which goods may be displayed and stock-in-trade and commodities may be sold upon the premises.

5.63 IMPROVED PUBLIC ROAD

A road or highway under the jurisdiction of the Province of Ontario or the Township or a road within a registered Plan of Subdivision or Condominium which is maintained so as to allow normal vehicular access to adjacent properties and which, in the case of a municipal road, is a road which has been constructed to municipal standards and has been assumed by the municipality.

5.64 KENNEL

An establishment for the keeping, breeding and raising of domesticated animals for profit or gain, but shall not apply to the keeping of animals in a veterinary establishment for the purpose of observation and or recovery necessary to veterinary treatment.

5.65 LANDSCAPED OPEN SPACE

The open space from ground to sky at grade on a lot accessible by walking and which is suitable for the growth and maintenance of grass, flowers, trees, bushes, natural vegetation and other landscaping and includes any surfaced walk, patio or similar area but does not include any driveway or ramp, whether surfaced or not, any curb, retaining wall, parking area or any open space beneath or within any building or structure.

5.66 LANDSCAPING STRIP

An open space free of buildings or structures, other than fencing, which is used for the growing and maintenance of an unpierced row of shrubs, trees or other natural vegetation having a minimum height of 1.5 meters.

5.67 LIGHT EQUIPMENT SALES AND RENTAL ESTABLISHMENT

A building or structure or part of a building or structure in which light machinery and equipment such as air compressors and related tools and accessories; augers; automotive tools; cleaning equipment; light compaction equipment; concrete and masonry equipment; electric tools and accessories; fastening devices such as staplers and tackers; floor and carpet tools; gasoline generators; jacks and hydraulic equipment; lawn and garden tools; ladders; moving equipment; painting and decorating equipment; pipe tools and accessories; plumbing tools and accessories; pumps; hoses; scaffolding; welding equipment; and, other similar tools and appurtenances are offered or kept for sale, rent, lease, or hire under agreement for compensation, but shall not include any other establishment defined or classified in this By-law.

5.68 LOADING SPACE

An off-street space on the same lot as the building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, lane or other appropriate means of access.

5.69 LOT

A parcel or tract of land which is capable of being legally conveyed in accordance with the provisions of the *Planning Act*, as amended.

5.70 LOT AREA

The total horizontal area within the lot lines of a lot.

5.71 LOT, CORNER

A lot situated at the intersection of two or more highways or roads, or at the intersection of a highway or road and a railway right-of-way.

5.72 LOT COVERAGE

The percent of the lot area covered by buildings or structures excluding parking areas, driveways, decks and walkways but including structures and buildings constructed appertaining to the lot.

5.73 LOT FRONTAGE

The continuous horizontal distance of the front lot line between the side lot lines measures at right angles. Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be the horizontal distance of a straight line that is 7.5 meters back from and parallel to a continuous straight line joining the two points where the side lot lines intersect with the front lot line.

5.74 LOT, INTERIOR

A lot other than a corner lot.

5.75 LOT LINE

Any boundary of a lot.

5.76 LOT LINE, EXTERIOR

The side lot line which abuts the road on a corner lot.

5.77 LOT LINE, FRONT

- a) Where a lot abuts a Provincially or municipally maintained road and a navigable waterway, the lot line abutting the road shall be deemed the front lot line.
- b) In the case of a corner lot or through lot, the shorter lot line that abuts a road shall be deemed to be the front lot line and the longer lot line that abuts a road or shall be deemed an exterior side lot line, but,
- c) In the case of a corner lot or through lot with two lot lines of equal length abutting roads, the lot line that abuts the wider street shall be deemed to be the front lot line, but where the roads are of equal width, the lot line which abuts a Provincial Highway shall be deemed to be the front lot line, and in the case of both roads being under the same jurisdiction and of the same width, the lot line over which the property receives access shall be the front lot line.

5.78 LOT LINE, REAR

The lot line farthest from or opposite to the front lot line. Where the lot abuts a navigable waterway, the normal high water mark shall be deemed to be the rear lot line.

5.79 LOT LINE, SIDE

A lot line other than a front or rear lot line.

5.80 LOT, THROUGH

Any interior lot having two or more front lot lines.

5.81 MANUFACTURING, LIGHT

The assembly or repair or fabrication of goods and materials utilizing materials which have been manufactured in another location and which does not produce waste water in excess of 4500 litres per day, chemical by-products or utilize an area for outdoor storage of goods or materials except for equipment or vehicles which are for sale, lease or hire.

5.82 MARINA

A commercial establishment or premises, containing docking facilities or mooring facilities where boats or boat accessories are berthed, stored, serviced, repaired, constructed or kept for sale or rent and where facilities for the sale of marine fuels or lubricants, accessory retail sales and a taxi and/or barging service are provided and where waste water pumping facilities may be provided.

5.83 MARINE FACILITY

An accessory building or structure which is used to take boats into or out of a navigable waterway, or to moor boats. This definition includes a launching ramp, boat lift, or dock but does not include any building used for human habitation.

5.84 MOBILE HOME

Any dwelling that is designed to be mobile, and constructed or manufactured to provide a permanent residence for one or more persons in accordance with CSA Z240 or Z241 but does not include a travel trailer, camper trailer, recreational vehicle, tent trailer or trailer otherwise designed.

5.85 MODULAR HOME

Any dwelling that is designed in more than one component and is designed to be made mobile on a temporary basis, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a mobile home, recreational travel trailer or recreational motor vehicle as defined herein. A modular home shall meet C.S.A. A-277 standards.

5.86 MOTOR VEHICLE

There are three categories of Motor Vehicles:

- (a) A "Private Vehicle" is a passenger automobile, motorcycle, pickup truck, and/or passenger van, which is used for personal purposes.
- (b) A "Recreational Vehicle" is a Motor Vehicle designed exclusively for travel, recreation, and/or vacation. The term includes tent trailers, camper vans, motor homes, marine equipment, all-terrain vehicles, snowmobiles, travel trailers, trailers attached to a Private Vehicle and similar vehicles. This term excludes Garden Suites and Prefabricated Dwellings.

- (c) A "Commercial Vehicle" is a Motor Vehicles that is designed or used for commercial purposes and/or designed or used for carrying a load and/or cargo. The term includes buses and trailers used for hauling goods and/or materials.

A vehicle that meets the broad definition of "Motor Vehicle" but does not fall within the definitions of any of the three categories above is deemed to be "Heavy Equipment".

5.87 MOTOR VEHICLE BODY SHOP

A building or structure used for the painting or repairing of motor vehicle bodies, exterior and undercarriage, and in conjunction with which there may be towing service and motor vehicle rentals for customers while the motor vehicle is under repair, but shall not include any other establishment otherwise defined or classified in this By-law.

5.88 MOTOR VEHICLE DEALERSHIP

A building or structure where a dealer displays motor vehicles for sale or rent and in conjunction with which there may be used motor vehicle sales or rentals, a motor vehicle repair garage, a motor vehicle service station, a motor vehicle gasoline bar or a motor vehicle body shop, but shall not include any other establishment otherwise defined or classified in this By-law.

5.89 MOTOR VEHICLE FUEL BAR

One or more pump islands, each consisting of one or more motor vehicle fuel pumps, and a shelter, which shall include the sale of oils, antifreeze, gasoline additives, propane, natural gas and small accessories required for the operation of motor vehicles, boats and snowmobiles and shall not be used for repairs, oil changes or greasing.

5.90 MOTOR VEHICLE REPAIR GARAGE

A building or structure where the exclusive service performed or executed on motor vehicles for compensation shall include the installation of exhaust system, repair of the electrical system, transmission repair, brake repair, radiator repair, tire repair and installation, rustproofing, motor vehicle diagnostic centre, major and minor mechanical repairs or similar use and in conjunction with which there may be a towing service, a motor vehicle service station and motor vehicle rentals for the convenience of the customer while the motor vehicle is being repaired, but shall not include any other establishment otherwise defined or classified in this By-law.

5.91 MOTOR VEHICLE SERVICE STATION

A building or structure where gasoline, propane, natural gas, oil, grease, antifreeze, tires, tubes, tire accessories, electric light bulbs, sparkplugs, batteries and automotive accessories for motor vehicles and new retail goods are stored or kept for sale to the general public, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries charged, and where mechanical or running repairs essential to the actual operation of motor vehicles are executed or performed. Such service station shall require public washrooms.

5.92 MUNICIPAL OR PROVINCIAL MAINTENANCE AND/OR STORAGE YARD

Any land, building and/or structure owned by The Corporation of the Township of Alberton or the Province of Ontario and used for the storage, maintenance and/or repair of material, equipment, machinery and/or motor vehicle used in connection with civic works.

5.93 NON-COMPLYING

A lot, building or structure that does not fulfill the requirements of the zone provisions for the zone in which the lot, building or structure is located.

5.94 NON-CONFORMING

An existing use or activity of any land, building or structure which does not conform with the permitted uses or activities of this By-law for the Zone in which such existing land, building or structure is located, so long as it continues to be used for that purpose.

5.95 NURSERY OR GREENHOUSE, COMMERCIAL

A building or structure, and lands associated therewith, for the growing of flowers, fruits, vegetables, plants, shrubs, trees or similar vegetation, together with gardening tools and implements which are sold at retail from such building or lot to the general public.

5.96 OUTSIDE STORAGE

The storage of goods, merchandise or equipment in the open air and in unenclosed portions of building which are open to the air on one or more sides.

5.97 PARK, PRIVATE RECREATIONAL

A recreational area other than a public park which includes therein one or more of the following: swimming pool, wading pool, refreshment rooms, camping areas, boating facilities, tennis courts, bowling greens, gardens, golf courses, or similar open space recreational activities excluding the racing of animals or motorized vehicles, motorcycles, snowmachines or other vehicles. The permitted use may include accessory buildings, structures and parking areas appurtenant thereto.

5.98 PARK, PUBLIC

Any open space or recreational area, owned or controlled by the Corporation or by any Board, Commission or other Authority established under any statute of the Province of Ontario and may include therein neighbourhood, community, regional and special parks or areas and may include one or more athletic fields, field houses, community centres, bleachers, swimming pools, greenhouses, botanical gardens, zoological gardens, bandstands, skating rinks, tennis courts, bowling greens, bathing stations, curling rinks, refreshment rooms, fair grounds, arenas, interpretive trails, or similar uses.

5.99 PARKING AREA

An area or areas of land or a building or part thereof which is provided and maintained upon the same lot or lots upon which the principal use is located for the purpose of storing motor vehicles.

5.100 PARKING LOT

A parking area forming the principal use of a lot.

5.101 PARKING SPACE

An area having a minimum width of 3 meters and a minimum area of 18.5 square meters, exclusive of any aisles, ingress or egress lanes, for the parking or storage of motor vehicles.

5.102 PATIO

A platform or surfaced area without a roof, the surface of which is 0.299 meters or less above finished grade, which is designed and intended for use as an accessory to a dwelling or a commercial use.

5.103 PERSON

Any human being, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executor or other legal representatives of a person to whom the context can apply according to law.

5.104 PIT

A place where unconsolidated gravel, stone, sand, earth, clay, fill, peat or other material is being or has been removed by means of an excavation to supply materials for construction, industrial or manufacturing purposes, but does not include a wayside pit.

5.105 PLACES OF WORSHIP

Churches, chapels, temples, parish halls and synagogues, which may include offices for the administration of the religious institution, convents, seminaries, monasteries, rectories, parsonages and parish houses.

5.106 PLACE OF AMUSEMENT

Any premises or separate part of a premises wherein for profit or gain, two or more amusement machines are provided for use by the public.

5.107 PORTABLE PROCESSING PLANT

Any equipment for the crushing, screening or washing of sand and gravel aggregate materials, but not including a concrete batching plant or an asphalt plant, which equipment is capable of being readily drawn or readily propelled by a motor vehicle and which equipment is not considered permanently affixed to the site.

5.108 PRINCIPAL OR MAIN BUILDING

A building, other than a carport or a structure consisting of cloth, plastic or vinyl materials supported by a structural frame, in which is carried on the principal purpose for which the lot is used, and, subject to Section 3.2.3, includes a barn or silo used in conjunction with a farm.

5.109 PRIVATE CLUB

A non-profit, non-commercial organization, which carries on social, cultural, athletic and/or recreational activities.

5.110 PROVINCIAL HIGHWAY

A public improved road under the jurisdiction of the Ministry of Transportation.

5.111 PUBLIC AUTHORITY

Any Federal, Provincial, District or Municipal agencies, and includes any commission, board, authority or department established by any such agency and shall include Hydro One Networks Inc. and Bell Canada.

5.112 QUARRY

A place where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside quarry or open pit metal mine.

5.113 RECREATIONAL ESTABLISHMENT

Premises where entertainment is offered for gain or profit such as a motion picture or other theatre, public hall, billiard or pool rooms, an establishment offering three or more electronic games for public use, bowling alley, ice or roller skating rink, miniature golf course and other similar places of amusement.

5.114 RECYCLING FACILITY

Lands, buildings or structures used as a collection facility and distribution point for material to be recycled, but does not include processing except assembling or packaging of the materials for shipping and shall not include any outdoor storage of materials.

5.115 RESOURCE MANAGEMENT

The preservation, protection and improvement of the natural environment through comprehensive management and maintenance for both the individual and society's use, both in the present and the future. Resource Management Uses also means the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, the provision of proper environmental conditions for wildlife, the protection against floods and erosion, the protection and production of water supplies and the preservation of the recreational resource.

5.116 RESTAURANT

A building or part of a building where food is offered for sale or sold to the public primarily for immediate consumption.

5.117 RETAIL STORE

A building or part thereof in which goods, wares, merchandise, substances, articles or things, excluding unprocessed raw materials, are offered or kept for sale by retail directly to the public, and may include a retail establishment which accepts orders for the purchase of goods listed in a catalogue provided by the establishment.

5.118 RIDING SCHOOL OR BOARDING STABLE

An area of land which is used as an educational centre for horse training, handling, care, riding or for the lodging of horses.

5.119 SALVAGE OR WRECKING YARD

A place where:

- (a) motor vehicles are wrecked or disassembled and resold; or
- (b) a place where second-hand goods, including waste paper, bottles, automobile tires, clothing, other scrap materials and salvage are collected to be sorted or transported; or
- (c) a place where used lumber and used building materials, are stored for sale or resale.

5.120 SCHOOL

A public school, a separate school, a university, a community college or a private school, authorized by the Province of Ontario.

5.121 SELF-SERVICE STORAGE FACILITY

A building consisting of individual, self-contained units that are leased or owned for the storage of goods and materials including but not limited to business and household goods or contractor's supplies.

5.122 SERVICE SHOP

A building or part of a building, not otherwise defined or classified in this By-law, used for the servicing or repairing of articles, goods or materials, and for accessory retail sales.

5.123 SETBACK

The horizontal distance from the centre line of the street right-of-way, or defined physical feature measured at right angles to such centre line, to the nearest part of any building or structure on the lot.

5.124 SEWAGE

The refuse liquids or waste matter from any uses carried off by septic systems.

5.125 STOREY

A storey is that part of a building between the surface of one floor and the ceiling above, but excludes a cellar.

5.126 STREET LINE

The street line is the limit of the road allowance and is the dividing line between a lot and roadway.

5.127 STRUCTURE

Anything man-made that is fastened to or into the earth or to another structure or rests on the earth by its own mass.

5.128 SWIMMING POOL

Any body of water which is contained by artificial means, and either is:

- (a) located within a building or enclosed structure that is attached to or detached from the principal building; or
- (b) is not located within a building or structure and which is in-ground or above ground,

which is contained by artificial means, and is used and maintained for swimming, wading, diving or similar recreational or fitness purposes.

5.129 TAVERN

A tavern or public house as defined by the *Liquor License Act*, but does not include a hotel or restaurant.

5.130 TENT

Any kind of temporary portable shelter used for sleeping, usually made of nylon or canvas stretched over or attached to poles and fastened down by ropes attached to pegs driven into the ground, that is not permanently affixed to the site and that is capable of being easily moved and is not considered a structure.

5.131 TOWNSHIP

The Corporation of the Township of Alberton.

5.132 TRAILER

A vehicle, excluding a mobile home or park model home but including a tent trailer, 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 is capable of being used as an enclosed shelter for temporary living, sleeping or eating accommodation of persons, notwithstanding that such vehicle may be jacked-up or that its running gear is removed, and shall not be occupied either continuously or as a principal residence.

5.133 TRANSPORTATION DEPOT

Any building or land where buses, trucks or tractor-trailers are rented, leased, kept for hire, stored or parked for commercial purposes.

5.134 USE

- a) Any purpose for which a building or other structure or a parcel of land may be designed, arranged, intended, maintained, or occupied; or,
- b) Any activity, occupation, business or operation carried on, or intended to be carried on, in a building or other structure or on a parcel of land.

5.135 VETERINARY HOSPITAL

The premises of a veterinary surgeon where animals are treated or kept, and may include office and other space pertinent to the use, and may include an animal shelter as defined herein.

5.136 WAREHOUSE

A building or part of a building used for the commercial or industrial storage and distribution of goods, wares, merchandise, substances or articles, and may include facilities for a wholesale or retail commercial outlet, and shall not include a truck or transport terminal or yard.

5.137 WASTE DISPOSAL AREA

A landfill site where garbage, refuse, domestic or industrial waste, exclusive of liquid industrial waste, is disposed of or dumped.

5.138 WATERCOURSE

A waterbody or the natural channel for a perennial or intermittent stream of water including a river, creek or stream.

5.139 WAYSIDE PIT OR QUARRY

A temporary pit or quarry, including a portable asphalt plant or portable concrete batching plant opened with the formal approval of Council, temporarily opened and used by a public

road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

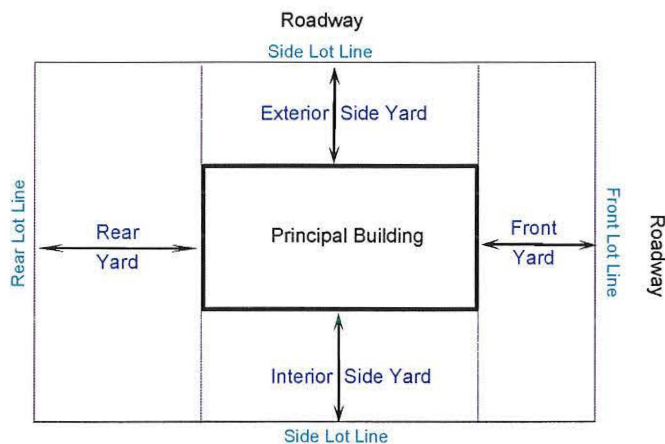
5.140 WORKSHOP

That portion of a building or structure used for the small-scale manufacturing, servicing or repair of goods and/or merchandise of a type which is provide by or sold from the premises of which the workshop is a part.

5.141 YARD

An open space on the same lot with a main building or structure, unoccupied and unobstructed from the ground to the sky, except as otherwise permitted by this By-Law. Natural features such as trees are not considered an obstruction.

In determining yard measurements, the minimum horizontal distance between the nearest wall of the main building or structure and the respective lot lines measured perpendicular from the lot line shall be used.



- (a) Front Yard: 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: A yard extending across the full width of a lot between the rear lot line and the nearest main wall of the main building or structure on the lot;
- (c) Side Yard: A yard between the nearest 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) Exterior Side Yard: A side yard immediately abutting a public road or highway; and
- (e) Interior Side Yard: A side yard extending from the front yard to the rear yard and from the interior side lot line to the nearest part of the principal building or structure on the lot.

5.142 ZONE

A designated area of land use identified on Schedule "A" hereto, permitted uses for which are set out under the corresponding Zone Provisions contained in Section 4 of this By-Law.

5.143 ZONE PROVISIONS

The permitted uses, regulations for permitted uses, and all other Zone provisions as set out in this By-law for each respective Zone.

SECTION 6 ENACTMENT

6.1 FORCE AND EFFECT

This By-law shall come into force and effect on the date it is passed by the Council of the Corporation of the Township of Alberton subject to the applicable provisions of the *Planning Act*, R.S.O., 1990, c.P.13, as amended.

6.2 READINGS BY COUNCIL

This By-Law read a first time on the 8th day of March, 2017.

This By-Law read a second time on the 8th day of March, 2017.

This By-Law read a third time and finally passed on the 8th day of March, 2017.

"MICHAEL HAMMOND"

Michael Hammond, Reeve

"DAWN HAYES"

Dawn Hayes, CAO/Clerk-Treasurer

(Seal)

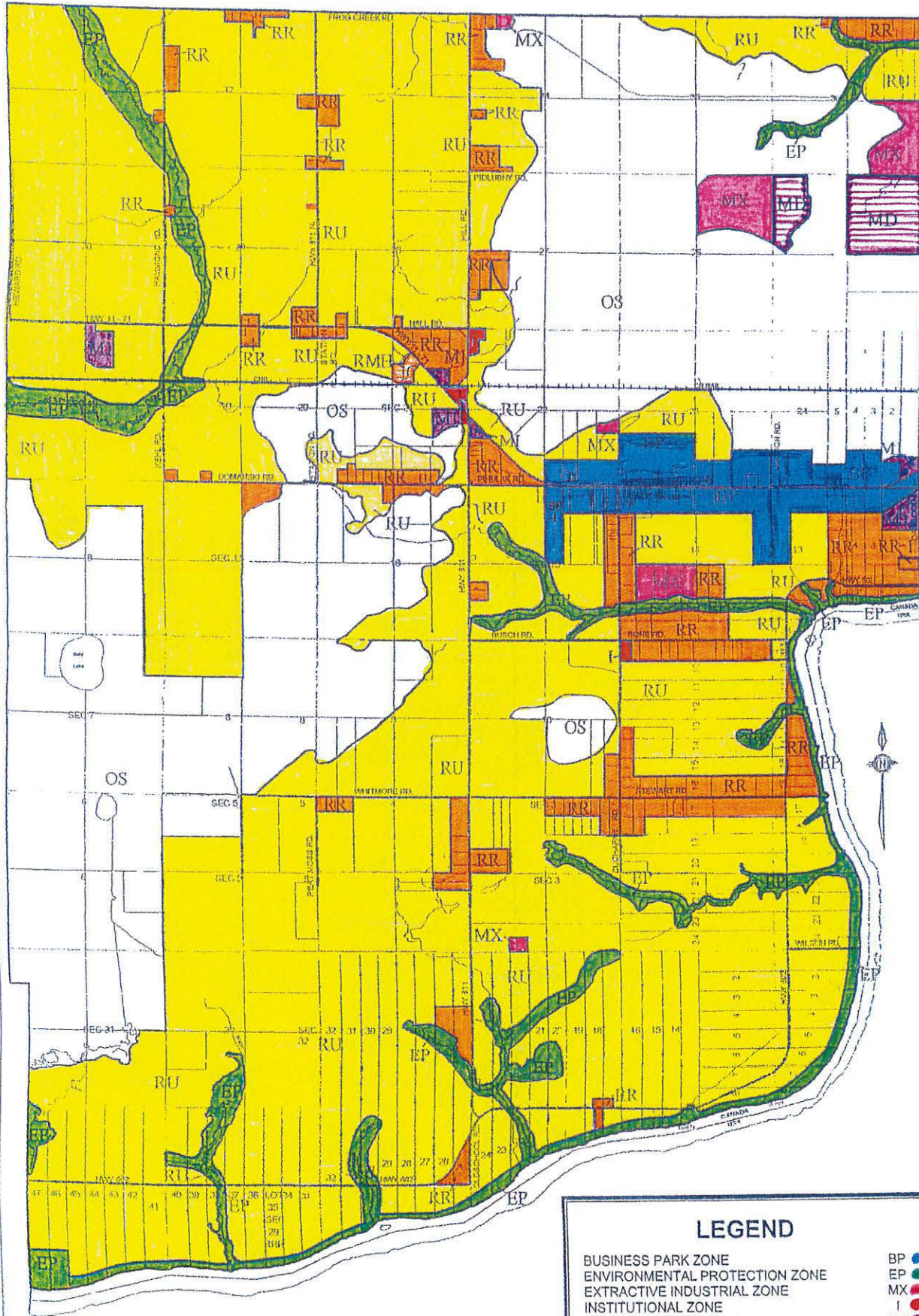
6.3 CERTIFICATION

I hereby that the foregoing is a true copy of Zoning By-law No. 10/17 as enacted by the Council of the Corporation of the Township of Alberton, on the 8th day of March, 2017.

Dawn Hayes, CAO/Clerk-Treasurer

TOWNSHIP OF ALBERTON ZONING MAP

Schedule A to By-Law No. 10/17



LEGEND

BUSINESS PARK ZONE
 ENVIRONMENTAL PROTECTION ZONE
 EXTRACTIVE INDUSTRIAL ZONE
 INSTITUTIONAL ZONE
 LIGHT INDUSTRIAL ZONE
 MOBILE HOME RESIDENTIAL ZONE
 OPEN SPACE ZONE
 RURAL ZONE
 RURAL RESIDENTIAL ZONE
 WASTE DISPOSAL ZONE

BP ●
 EP ●
 MX ●
 I ●
 M1 ●
 RMH ●
 OS ○
 RU ●
 RR ●
 MD ●

0 600 1600 2400
 (m)

MDS I CALCULATION FORM

SCHEDULE "B"

TO BY-LAW #10/17

The following outlines the 10 Steps on how to calculate setbacks to all adjacent *livestock facilities*, reasonably expected to be impacted by an applicant's proposed development. The applicable topics found in the Implementation Guidelines Chart on pages 1 to 17 and the applicable Tables are noted in the steps below.

Step 1	Location and contact information	Fill in the pertinent information about the applicant, and each adjacent <i>livestock facility</i> within 1000 m or more, of the proposed development. Each <i>livestock facility</i> must be on its own separate <i>lot</i> and should be treated as separate calculations. All barns and structures located on one <i>lot</i> should be treated as part of the same <i>livestock facility</i> . Implementation Guidelines #1 through #16 provide direction on the general rules and application of the Minimum Distance Separation Formulae.
Step 2	<i>Livestock facility</i> animal/material types	For the first <i>livestock facility</i> identified in Step 1, fill in all of its existing animal/material types, descriptions, the total maximum <i>housing capacity</i> , the number of animals/material per <i>Nutrient Unit</i> (NU) and associated manure forms. Information on the existing animal/material types, descriptions, the total number of animals/material, and associated manure forms should be obtained from the owner of the <i>livestock facility</i> . It may be necessary to verify this information independently. Information on the number of animals/material per <i>Nutrient Unit</i> (NU) can be determined from Table 1. Implementation Guidelines #17 through #20 provide guidance on determining <i>livestock facility</i> capacity. Implementation Guidelines #21 and #22 provide direction on dealing with <i>anaerobic digesters</i> .
Step 3	Existing <i>Nutrient Units</i> (NU)	Calculate the existing total maximum NU capacity of the <i>livestock facility</i> by dividing existing capacity of each animal/material type by the number of animals/material per NU as found in Table 1. Then, add all the existing NU together for all the types of animal/material present, to obtain the total maximum number of NU.

Step 4	Weighted Factor A	Determine Factor A (Odour Potential Factor) for each animal/material type present, from Table 1, and fill in the calculation form. If necessary, calculate the weighted average for Factor A, if Factor A is not the same for all animals/materials listed. See Implementation Guidelines #26 and #31 for further direction.
Step 5	Weighted Factor D	Determine Factor D (Manure Form in Permanent Storage Factor) from Table 1, for each animal/material type present, and fill in the calculation form. If necessary, calculate the weighted average Factor D, if Factor D is not the same for all animals/materials listed. See Implementation Guidelines #29 and #32 for further direction.
Step 6	<i>Tillable hectares</i> and potential NU	Fill in the maximum <i>tillable hectares</i> of land on the <i>lot</i> where the <i>livestock facility</i> is located, based on information obtained from the owner of the <i>livestock facility</i> . It may be necessary to verify this information independently. Calculate the potential total number of NU, which equals: # of <i>tillable hectares</i> x 7.5, up to a maximum of 300 NU. Implementation Guidelines #33 and #17 provide more specific information.
Step 7	Factor B and existing vs. potential NU	Compare the total number of existing NU calculated in Step 3 with the total number of potential NU calculated in Step 6. Using the greater of these two numbers, determine Factor B from Table 2, and fill in the correct space on the calculation form. In some circumstances, it will be necessary to interpolate Factor B from Table 2, when the number of NU is not specifically identified in the table. Implementation Guideline #27 provides more specific direction on Factor B.
Step 8	Determine Factor E	Determine and fill in Factor E (Encroachment Land Use Factor) on the calculation form. Factor E can be determined from Table 4. Implementation Guidelines #30 and #35 through #39 provide specific direction on Factor E and the determination of Type A and Type B land uses.
Step 9	F, Building Base Distance	Calculate F (Building Base Distance) = (Factor A) x (Factor D) x (Factor B) x (Factor E), which is the required MDS I setback from the proposed development to the nearest barn of the <i>livestock facility</i> . For further information, see Implementation Guidelines #23 and #34.

Step 10	S, <i>Manure Storage</i> Base Distance	<p>Establish S (<i>Manure Storage</i> Base Distance) by first using Table 5 to choose the existing storage at the <i>livestock facility</i> with the highest odour potential: Very Low, Low, Medium, and High. Then, enter Table 6 under the appropriate column and read across using 'F' calculated from Step 9. It may be necessary to interpolate. S, is the required MDS I setback from the proposed development to the nearest <i>manure storage</i> at the <i>livestock facility</i>. Implementation Guidelines #24 and #25 provide further information. Implementation Guidelines #21 and #22 provide further information on dealing with <i>anaerobic digesters</i>.</p> <p>Steps 2 through 10 should be completed for any other <i>livestock facilities</i> present, in accordance with Implementation Guideline #6.</p>
Now What?	Using calculated MDS	<p>The calculated values of MDS can now be used in the context of the land use planning application for which they have been prepared. Implementation Guidelines #35 through #40 provide direction around issues regarding Type A and Type B land uses. Implementation Guidelines #41 through #44 provide direction around issues of measurement of MDS setbacks, and, Implementation Guidelines #45 and #46 provide direction on issues regarding minor variances.</p>

MDS I CALCULATION BLANK FORM

Evaluator: _____

Date: _____

File Number: _____

Contact Information:

	Applicant Information	Owner of Adjacent Livestock Facility #1	Owner of Adjacent Livestock Facility #2, etc
File Name			
Last Name			
Farm/Company			
Address			
City/Town			
Province			
Postal Code			
Upper Tier			
Lower Tier			
Lot			
Concession			
911 Number			
Roll Number			
Telephone			
Fax			
Email			

MDS I CALCULATION BLANK FORM

Animal Type or Material	Description	Number per NU	Manure Form	Existing Maximum Housing Capacity	Existing NU	Factor A	Factor D
Total Number of NU							
Factor A (Odour Potential Factor)...a weighted average may be necessary							
Factor D (Manure Form Factor)...a weighted average may be necessary							
Factor B (<i>Nutrient Units</i> Factor)							
Factor E (Encroaching Land Use Factor)							
Maximum tillable hectares on the lot with the livestock facilities				X		=	(Maximum 300 NU)
F (Building Base Distance, m) = Factor A x Factor D x Factor B x Factor E							
S (Manure Storage Base Distance, m)							
Now What?		Repeat MDS calculation process as appropriate for other <i>livestock facilities</i> in the vicinity. Apply calculated MDS in the context of the land use planning application for which they were prepared.					

MDS II CALCULATION FORM

The following outlines the 10 Steps on how to calculate setbacks to all development reasonably expected to be impacted by a proposed *first* or *expanded livestock facility*. Applicable topics are found in the Implementation Guidelines Chart on pages 1 to 17 and applicable Tables are noted.

Step 1	Location and contact information	Fill in the pertinent information about the applicant who is proposing a <i>first</i> , or <i>expanded, livestock facility</i> . Implementation Guidelines #1 through #16 provide direction on the general rules and application of the Minimum Distance Separation Formulae.
Step 2	<i>Livestock facility</i> animal/material types	Fill in all existing, and proposed to be added, animal/material types, descriptions, the total maximum <i>housing capacity</i> , the number of animals/material per <i>Nutrient Unit</i> (NU) and associated manure forms. Table 1 and Implementation Guidelines #17 through #20 provide guidance on determining <i>livestock facility</i> capacity. Implementation Guidelines #21 and #22 provide direction on dealing with <i>anaerobic digesters</i> .
Step 3	Existing, and proposed to be added <i>Nutrient Units</i> (NU)	Calculate the existing, and proposed to be added, NU capacity of the <i>livestock facility</i> by dividing existing, and proposed to be added, capacity of each animal/material type by the number of animals/material per NU as found in Table 1. Then, add all the existing, and proposed to be added, NU together for all the types of animal/material present, to obtain the total number of NU.
Step 4	Weighted Factor A	Determine Factor A (Odour Potential Factor) from Table 1, for <u>only</u> each animal/material type proposed to be <u>added</u> , and fill in the calculation form. If necessary, calculate the weighted average for Factor A, if Factor A is not the same for all animals/materials added. See Implementation Guidelines #26 and #31 for further direction.

Step 5	Weighted Factor D	Determine Factor D (Manure Form in Permanent Storage Factor) from Table 1, for <u>only</u> each animal/material type <u>added</u> , and fill in the calculation form. If necessary, calculate the weighted average for Factor D, if Factor D is not the same for all animals/materials added. See Implementation Guidelines #29 and #32 for further direction.
Step 6	Factor B	Determine Factor B from Table 2, based on the Total NU to be housed at the <i>livestock facility</i> , and fill in the space on the calculation form. In some cases, it will be necessary to interpolate Factor B from Table 2, when the number of NU is not specifically identified in the table. Implementation Guideline #27 provides more specific direction on Factor B.
Step 7	Determining Percentage Increase for <i>livestock facility</i>	<p>Determine if a building permit was issued on this <i>lot</i> in the past 3 years that increased the <i>livestock</i> capacity of the <i>livestock facility</i>.</p> <p>If 'No', use Approach (i) below to calculate Percentage Increase.</p> <p>If 'Yes', use Approach (ii) below to calculate Percentage Increase.</p> <p>Approach (i)</p> <p>Enter total Added NU as calculated in Step 3 above. Enter total Existing NU as calculated in Step 3 above. If total Existing NU is zero (i.e. this is the <i>First Livestock Facility</i> on the <i>lot</i>), then the Percentage Increase is considered to be at its maximum, or 700% as per Table 3. If total Existing NU is not zero, divide Added NU by Existing NU and multiply by 100. This value is the Percentage Increase. In rare cases of downsizing, the Added NU would actually be 'negative'. In this case, the Percentage Increase is 'negative', but considered to be at its minimum, or 0% as per Table 3.</p> <p>Approach (ii)</p> <p>Enter total Added NU as calculated in Step 3 above, as well as the total number of NU added in the past 3 years by previous building permit(s). Enter total Existing NU of the <i>livestock facility</i> as it was 3 years ago, prior to the current application date. If total Existing NU 3 years ago was zero, then the <i>livestock facility</i> in this current application <u>and</u> the one(s) constructed in the past 3 years are all considered to be the <i>First Livestock Facility</i> on the <i>lot</i>, and the Percentage Increase is considered to be at its maximum, or 700% as per Table 3. If total Existing NU 3 years ago was <u>not</u> zero, divide Added NU</p> <p style="text-align: right;">continued...</p>

<p>Step 7</p> <p>continued...</p>		<p>continued...</p> <p>in this application <u>plus</u> Added NU over the past 3 years, by Existing NU 3 years ago and multiply by 100. This value is the Percentage Increase. In rare cases of downsizing, the Added NU would actually be 'negative'. In this case, the Percentage Increase is 'negative', but considered to be at its minimum, or 0% as per Table 3.</p> <p>Implementation Guideline #28 provides further direction and assistance on calculating Percentage Increase, and establishing Factor C.</p>
<p>Step 8</p>	<p>Factor C</p>	<p>Determine and fill in Factor C (Orderly Expansion Factor) on the calculation form, based on the Percentage Increase calculated in Step 7. Factor C can be determined from Table 3. In some instances, it may be necessary to interpolate Factor C. Implementation Guideline #28 provides direction on calculating the Percentage Increase in NU for the proposed construction.</p>
<p>Step 9</p>	<p>F, Building Base Distance</p>	<p>Calculate F (Building Base Distance) = (Factor A) x (Factor D) x (Factor B) x (Factor C), which is the required MDS II setback from <u>all</u> proposed <i>first or expanded livestock facilities</i> to the nearest development. For further information, see Implementation Guidelines #23 and #34.</p>
<p>Step 10</p>	<p>S, <i>Manure Storage</i> Base Distance</p>	<p>Establish S (<i>Manure Storage</i> Base Distance) by first using Table 5 to choose the proposed new storage at the <i>livestock facility</i> with the <u>highest</u> odour potential: Very Low, Low, Medium, and High. Then, enter Table 6 under the appropriate column and read across using 'F' calculated from Step 9. It may be necessary to interpolate from the table. 'S' is the required MDS II setback from <u>all</u> proposed new storages to the nearest development. Implementation Guidelines #24 and #25 provide further information. Implementation Guidelines #21 and #22 provide further information on dealing with <i>anaerobic digesters</i>.</p>
<p>Now What?</p>	<p>Using calculated MDS</p>	<p>The calculated values of MDS II can now be applied to the building permit application. Implementation Guidelines #35 through #39 provide direction around Type A and Type B land uses. For Type A land uses, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 1.0 to determine the required MDS setback. For Type B land uses, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 2.0 to determine the required MDS setback. Implementation Guideline #40 provides direction around setbacks from rear <i>lot</i> lines, side <i>lot</i> lines and road allowances. For rear and side <i>lot</i> lines, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 0.1 to determine the required</p> <p>continued...</p>

**Now
What?**

continued...

continued...

MDS setback. In accordance with Implementation Guideline #44, the required MDS setback from a rear or side *lot* line should never exceed 30 metres. For road allowances, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 0.2 to determine the required MDS setback. Implementation Guidelines #41 through #44 provide direction around issues of measurement of MDS II setbacks. Implementation Guidelines #45 and #46 provide direction on issues regarding minor variances.

MDS II CALCULATION BLANK FORM

Evaluator: _____

Date: _____

File Number: _____

Contact Information:

	Applicant Information	Owner of Adjacent Livestock Facility #1	Owner of Adjacent Livestock Facility #2, etc
File Name			
Last Name			
Farm/Company			
Address			
City/Town			
Province			
Postal Code			
Upper Tier			
Lower Tier			
Lot			
Concession			
911 Number			
Roll Number			
Telephone			
Fax			
Email			

MDS II CALCULATION BLANK FORM

Animal Type or Material	Description	Number per NU	Manure Form	Existing Maximum Housing Capacity	Existing NU	Proposed Maximum Housing Capacity	Added NU	Total NU	Factor A	Factor D
Totals										
Factor A (Odour Potential Factor) weighted average may be necessary										
Factor D (Manure Form Factor) weighted average may be necessary										
Factor B (Nutrient Units Factor)										
Has a building permit been issued for the <i>livestock facility</i> on this property, in the last 3 years that has increased its <i>livestock</i> capacity? No? Yes? <i>If No, proceed to Approach (i); if Yes, proceed to Approach (ii)</i>										
Approach (i) - No Building Permits in Last 3 Years					Approach (ii) - Building Permit(s) issued in Last 3 Years					
Calculation of Percentage Increase					Calculation of Percentage Increase					
Total 2 - Total Added NU (From Above)					Total 2 - Total Added NU (From Above) + Total Added NU from building permit(s) issued in the last 3 Years					
Total 1 - Total Existing NU (From Above)					Total 1 - Total Existing NU at <i>Livestock Facility</i> - 3 Years Ago					
If Total 1 = Zero - Treat as a <i>First Livestock Facility</i>					If Total 1 = Zero - Treat as a <i>First Livestock Facility</i>					
% Increase: (Total 2/Total 1) x 100					% Increase: (Total 2/Total 1) x 100					
Factor C (Orderly Expansion Factor)										
F (Building Base Distance, m) = Factor A x Factor D x Factor B x Factor C										
S (<i>Manure Storage</i> Base Distance, m)										
Now What?	<p>Apply MDS calculation to building permit application as appropriate. For Type A land uses, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 1.0 to determine the required MDS setback. For Type B land uses, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 2.0 to determine the required MDS setback. Implementation Guideline #40 provides direction around setbacks from rear <i>lot</i> lines, side <i>lot</i> lines and road allowances. For rear and side <i>lot</i> lines, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 0.1 to determine the required MDS setback. In accordance with Implementation Guideline #44, the required MDS setback from a rear or side <i>lot</i> line should never exceed 30 metres. For road allowances, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 0.2 to determine the required MDS setback.</p>									

FACTOR TABLES

**Table 1: Factor A (Odour Potential) and
Factor D (Manure or Material Form in Storage Facility)**

Animal Type or Material	Description	Number per NU	Factor A	Manure or Material Form in Permanent Storage	
				Liquid Manure: Factor D = 0.8 < 18% Dry Matter	Solid Manure: Factor D = 0.7 18 - 100% Dry Matter
Swine	Sows with litter, dry sows/boars Segregated Early Weaning (SEW)	3.33	1.0	Most systems have liquid manure stored under the barn slats for short or long periods, or in storages located outside	Systems with solid manure inside on deep bedded packs, or with scraped alleys
	Sows with litter, dry sows or boars (non-SEW)	3.5			
	Breeder gilts (entire barn designed specifically for this purpose)	5			
	Weaners (7 kg – 27 kg)	20	1.1		
	Feeders (27 – 105 kg)	6	1.2		
Dairy Cattle ¹	Milking-age cows (dry or milking) - Large-framed; 545 kg – 636 kg (e.g. Holsteins)	0.7	0.7	Free-stall barns with minimal bedding, or sand bedding, or tie-stall barns with minimal bedding & milking centre washwater added	Tie-stall barns with lots of bedding, or loose housing with deep bedded pack, and with or without outside yard access
	- Medium-framed; 455 kg – 545 kg (e.g. Guernseys)	0.85			
	- Small-framed; 364 kg – 455 kg (e.g. Jerseys)	1			
	Heifers (5 months to freshening) - Large-framed; 182 kg – 545 kg (e.g. Holsteins)	2			
	- Medium-framed; 148 kg – 455 kg (e.g. Guernseys)	2.4			
	- Small-framed; 125 kg – 364 kg (Jerseys)	2.9			
	Calves (0 – 5 months) - Large-framed; 45 kg – 182 kg (e.g. Holsteins)	6	0.7	Free-stall barns with minimal bedding, or sand bedding, or tie-stall barns with minimal bedding & milking centre washwater added	Bedded pens or stalls or heavily bedded calf hutches that are outside
	- Medium-framed; 39 kg – 148 kg (e.g. Guernseys)	7			
	- Small-framed; 30 kg – 125 kg (Jerseys)	8.5			
	Beef Cattle	Cows, including calves to weaning (all breeds)	1	0.7	N/A
Feeders (7 – 16 months)		3	0.8	Slatted floor systems, or barns with minimal bedding & yard scraped to a liquid storage	
Backgrounders (7 – 12.5 months)		3			
Shortkeepers (12.5 – 17.5 months)		2			

Animal Type, or Material	Description	Number per NU	Factor A	Manure or Material Form in Permanent Storage	
				Liquid Manure: Factor D = 0.8 Less than 18% Dry Matter	Solid Manure: Factor D = 0.7 18 to 100% Dry Matter
Veal	Milk-fed	6	1.1	Slatted floors or slatted stall system	Heavily bedded pack barns
	Grain-fed	6	0.8		
Goats	Does & bucks (for meat kids; includes unweaned offspring & replacements)	8	0.7	N/A	Heavily bedded pack barns
	Does & bucks (for dairy; includes unweaned offspring & replacements)	8			
	Kids (dairy or feeder kids)	20			
Sheep	Ewes & rams (for meat lambs; includes unweaned offspring & replacements)	8	0.7	N/A	All sheep systems
	Ewes & rams (dairy operation; includes unweaned offspring & replacements)	6			
	Lambs (dairy or feeder lambs)	20			
Horses	Large-framed, mature; > 681 kg (including unweaned offspring)	0.7	0.7	N/A	All horse systems
	Medium-framed, mature; 227 kg – 680 kg (including unweaned offspring)	1			
	Small-framed, mature; < 227 kg (including unweaned offspring)	2			
Chickens	Layer hens (for eating eggs; after transfer from pullet barn)	150	1.0	Birds in cages, manure belts, no drying of manure, water added	Birds in cages, manure belts & drying, or floor systems
	Layer pullets (day olds until transferred into layer barn)	500	0.7		
	Broiler breeder growers (males/females transferred out to layer barn)	300	0.7	N/A	Bedded floors
	Broiler breeder layers (males/females transferred in from grower barn)	100	0.7	N/A	Cage or slatted floor systems
	Broilers on an 8 week cycle	350	0.7	N/A	Bedded floor systems
	Broilers on a 9 week cycle	300			
	Broilers on a 10 week cycle	250			
	Broilers on a 12 week cycle	200			
	Broilers on any other cycle, or if unknown, use 24.8 m ² /NU	24.8 m ²			
	Turkey pullets (day old until transferred to layer turkey barn)	267	0.7	N/A	Bedded floor systems
Turkeys	Turkey breeder layers (males/females transferred in from grower barn)	67			
	Breeder toms	45			
	Broilers (day olds to 6.2 kg)	133			
	Hens (day olds up to 6.2 kg to 10.8 kg; 7.5 kg is typical)	105			
	Toms (day olds to over 10.8 to 20 kg; 14.5 kg is typical)	75			
	Turkeys at any other weights, or if unknown, use 24.8 m ² /NU	24.8 m ²			

Animal Type, or Material	Description	Number per NU	Factor A	Manure or Material Form in Permanent Storage	
				Liquid Manure: Factor D = 0.8 Less than 18% Dry Matter	Solid Manure: Factor D = 0.7 18 to 100% Dry Matter
Quail	Use 24.8 m ² /NU	24.8 m ²	0.7	N/A	Bedded floor systems
Partridge	Use 24.8 m ² /NU	24.8 m ²			
Pheasants	Use 24.8 m ² /NU	24.8 m ²			
Squab	Use 24.8 m ² /NU	24.8 m ²			
Rheas	Adults (includes replacements & market birds)	13			
Emus	Adults (includes replacements & market birds)	12			
Ostriches	Adults (includes replacements & market birds)	4			
Ducks	Peking	105	0.8	Wire mesh flooring systems	Bedded floor systems
	Muscovy, use 24.8 m ² /NU	24.8 m ²			
Geese	Use 24.8 m ² /NU	24.8 m ²			
Rabbits	Breeding females (including males, replacements & market animals)	40	0.8	N/A	Cage or floor systems
Chinchillas	Breeding females (including males, replacements & market animals)	320			
Fox	Breeding females (including males, replacements & market animals)	25			
Mink	Breeding females (including males, replacements & market animals)	90			
Bison	Adults (includes unweaned calves & replacements)	1.3	0.7	N/A	Bedded pack barns with outside access or outside confinement areas
	Feeders (170 kg – 477 kg)	4			
Llama	Adults (includes unweaned young & replacements)	5			
	Feeders (45 kg – 86 kg)	16			
Alpaca	Adults (includes unweaned young & replacements)	8			
	Feeders (23 kg – 48 kg)	26			
Wild Boar	Breeding age sows (includes boars, replacements & weaned piglets to 27 kg)	5			
	Finishing boars (27 kg – 86 kg)	7			
					Continued...

Animal Type, or Material	Description	Number per NU	Factor A	Manure or Material Form in Permanent Storage	
				Liquid Manure: Factor D = 0.8 Less than 18% Dry Matter	Solid Manure: Factor D = 0.7 18 to 100% Dry Matter
Deer	White tailed deer - Adults > 24 mo (including unweaned offspring)	11	0.7	N/A	Bedded pack barns with outside access <u>OR</u> outside confinement areas
	- Feeders	21			
	Red deer - Adults > 24 mo (including unweaned offspring)	7			
	- Feeders	14			
	Elk - Adults > 24 mo (including unweaned offspring)	2			
	- Feeders	6			
	Elk/deer hybrids - Adults > 24 mo (including unweaned offspring)	4			
	- Feeders	10			
	Fallow deer - Adults > 24 mo (including unweaned offspring)	13			
	- Feeders	23			
Other <i>livestock</i> not listed in this table	To determine the number per NU, add up the total maximum live weight of animals and divide by the weight of animals per NU in the next column	453.6 kg (1000 lbs)	0.8	All storages with liquid manure	All storages with solid manure
Manure imported to a <i>lot</i> not generating manure ²	Maximum capacity of permanent storages at any time: solid or liquid capacity	19.8 m ³ (700 ft ³)	1.2	All storages with liquid manure	All storages with solid manure
Storages for <i>digestate</i> from an <i>Anaerobic Digester</i> (odours reduced during this process)	Maximum capacity of permanent storages at any time: solid or liquid capacity	19.8 m ³ (700 ft ³)	0.5	All storages with liquid manure	All storages with solid manure

1. On farms with 100 milking-age cows (dry & milking), there are usually about 20 replacement calves and 80 replacement heifers.

2. Average value for typical types of manures that might be imported to a *lot*, such as poultry, dairy, beef, swine, horse or other manure.

N/A = Not Applicable

Table 2: Factor B (Nutrient Units Factor)

In using Table 2 to determine Factor B, it may be necessary to interpolate a value for Factor B. For example, you determine the total number of *nutrient units* at a *livestock facility* to be 255 NU. Table 2 provides a value for Factor B for 250 NU and for 260 NU, but not for 255 NU. The value of Factor B for 250 NU is 435 and the value of Factor B for 260 NU is 441. To determine Factor B for 255 NU interpolate between the numbers 435 and 441. In this example, the value of Factor B for 255 NU is 438.

When interpolating a value for Factor B do not include more than two decimal places. Interpolated values with more than two decimal places should be rounded accordingly. For example, if an interpolated value for Factor B is calculated as 499.238, then use a value of 499.24 for Factor B in the MDS calculation.

For operations less than 5 NU in size, do not interpolate, but use a Factor B of 150. For operations greater than 5000 NU in size, contact OMAFRA staff to determine Factor B.

Final NU	Factor B	Final NU	Factor B	Final NU	Factor B	Final NU	Factor B
Up to 5	150	46	252	124	340	390	508
6	153	47	254	126	342	400	513
7	157	48	256	128	344	410	517
8	160	49	258	130	346	420	522
9	163	50	260	135	351	430	526
10	167	52	264	140	355	440	530
11	170	54	268	145	360	450	535
12	173	56	272	150	364	460	539
13	177	58	276	155	368	470	543
14	180	60	280	160	372	480	547
15	183	62	282	165	376	490	551
16	187	64	284	170	380	500	555
17	190	66	285	175	384	520	562
18	193	68	287	180	388	540	570
19	197	70	289	185	392	560	577
20	200	72	291	190	395	580	584
21	202	74	293	195	399	600	591
22	204	76	294	200	402	620	598
23	206	78	296	205	406	640	605
24	208	80	298	210	409	660	611
25	210	82	300	215	413	680	618
26	212	84	301	220	416	700	624
27	214	86	303	225	419	750	639
28	216	88	305	230	423	800	654
29	218	90	307	235	426	850	668
30	220	92	309	240	429	900	681
31	222	94	310	245	432	950	694
32	224	96	312	250	435	1000	707
33	226	98	314	260	441	1100	731
34	228	100	316	270	447	1200	753
35	230	102	318	280	453	1300	775
36	232	104	320	290	458	1400	795
37	234	106	322	300	464	1500	815
38	236	108	324	310	469	2000	870
39	238	110	326	320	474	3000	980
40	240	112	329	330	480	4000	1090
41	242	114	331	340	485	5000	1200
42	244	116	333	350	490		
43	246	118	335	360	494		
44	248	120	337	370	499		
45	250	122	339	380	504		
						Greater than 5000	Contact OMAFRA staff

Table 3: Factor C (Orderly Expansion Factor)

In using Table 3 to determine Factor C, it may be necessary to interpolate a value for Factor C. For example, you determine the percentage increase at a *livestock facility* to be 155%. Table 3 provides a value for Factor C for a 150% increase, and for a 160% increase, but not for a 155% increase. The value of Factor C for a 150% increase is 0.9371 and the value of Factor C for a 160% increase is 0.9497. To determine Factor C for a 155% increase interpolate between the numbers 0.9371 and 0.9497. In this example, the value of Factor C for a 155% increase is 0.9434.

When interpolating a value for Factor C do not include more than four decimal places. Interpolated values with more than four decimal places should be rounded accordingly. For example, if an interpolated value for Factor C is calculated as 0.977643, then use a value of 0.9776 for Factor C in the MDS calculation.

For operations with a 0% increase, or a decrease, i.e. 'negative' percentage increase, use a value of 0.5000 for Factor C. Do not interpolate below a value of 0.5000. For operations with a 700% increase or greater, or for a *first livestock facility*, use a value of 1.1400 for Factor C. Do not interpolate above a value of 1.1400.

% Increase in <i>Nutrient Units</i>	Factor C	% Increase in <i>Nutrient Units</i>	Factor C	% Increase in <i>Nutrient Units</i>	Factor C
0% increase or decreases (‘negative’ increase)	0.5000	27%	0.6674	80%	0.8484
1%	0.5062	28%	0.6736	85%	0.8547
2%	0.5124	29%	0.6798	90%	0.8610
3%	0.5186	30%	0.6860	95%	0.8674
4%	0.5248	31%	0.6922	100%	0.8737
5%	0.5310	32%	0.6984	105%	0.8800
6%	0.5372	33%	0.7046	110%	0.8864
7%	0.5434	34%	0.7108	115%	0.8927
8%	0.5496	35%	0.7170	120%	0.8990
9%	0.5558	36%	0.7232	125%	0.9054
10%	0.5620	37%	0.7294	130%	0.9117
11%	0.5682	38%	0.7356	135%	0.9180
12%	0.5744	39%	0.7418	140%	0.9244
13%	0.5806	40%	0.7480	145%	0.9307
14%	0.5868	41%	0.7542	150%	0.9371
15%	0.5930	42%	0.7604	160%	0.9497
16%	0.5992	43%	0.7666	170%	0.9624
17%	0.6054	44%	0.7728	180%	0.9751
18%	0.6116	45%	0.7790	190%	0.9877
19%	0.6178	46%	0.7852	200%	1.0000
20%	0.6240	47%	0.7914	300%	1.0280
21%	0.6302	48%	0.7976	400%	1.0560
22%	0.6364	49%	0.8038	500%	1.0840
23%	0.6426	50%	0.8100	600%	1.1120
24%	0.6488	55%	0.8167	700% increase, or more, or <i>First Livestock Facility on lot of record.</i>	1.1400
25%	0.6550	60%	0.8230		
26%	0.6612	65%	0.8294		
		70%	0.8357		
		75%	0.8420		

Table 4: Factor E (Encroaching Land Use Factor)

Encroaching Land Use	Factor E
Type A Land Use	1.1
Type B Land Use	2.2

Table 5: Permanent *Manure or Material Storage* Types**Solid Manure:** 18% dry matter, or more**Liquid Manure:** Less than 18% dry matter**Digestate:** Less than 18% dry matter

Storage Odour Potential	Solid or Liquid System	Inside or Outside Livestock Facility	Number referred to in Table 6 (View images in Appendix A)	Description of permanent manure storages being sited by MDS II, or encroached upon through MDS I application
Very Low	Solid	Inside	V1	Solid, inside, bedded pack (manure accumulates under <i>livestock</i> over time)
		Outside	V2	Solid, outside, covered (cover keeps off precipitation to prevent runoff)
			V3	Solid, outside, no cover, greater than or equal 30% dry matter (manure is dry enough that a flowpath option can be used for runoff control (<i>Nutrient Management Act, 2002</i>))
			V4	Solid, outside, no cover, 18% to less than 30% dry matter, with covered liquid runoff storage (manure not dry enough to soak up precipitation, so a liquid runoff storage needed, but it has a permanent, tight cover)
	Liquid	Inside	V5	Liquid, inside, underneath slatted floor (manure is stored under the animals in the barn)
		Outside	V6	Liquid, outside, with a permanent, tight fitting cover (negative pressure tarp, concrete lid, inflatable dome, etc.)
			V7	Liquid, (digestate), outside, no cover (all manure has been treated through anaerobic digestion, or a similar process that reduces odours)
	Solid	Outside	L1	Solid, outside, no cover, 18% to less than 30% dry matter, with uncovered liquid runoff storage (manure not dry enough to soak up precipitation, so a liquid Low runoff storage needed, but it is uncovered, producing more odour than in V4 above)
	Liquid	Outside	L2	Liquid, outside, with a permanent floating cover (tarps, foam panels, etc.)
Medium	Liquid	Outside	M1	Liquid, outside, no cover, straight-walled storage (usually circular or rectangular concrete, or steel storages)
			M2	Liquid, outside, roof, but with open sides (roof keeps off precipitation, but the open sides allow wind to travel over the manure and carry odours)
High	Liquid	Outside	H1	Liquid, outside, no cover, sloped-sided storage (earthen <i>manure storages</i> , but <u>not</u> earthen runoff storages associated with a solid <i>manure storage</i> which are L1 above)

Table 6: MDS I/II Separation Distances for Permanent Manure or Material Storage Types in Table 5

In using Table 6 to determine a value for 'S' – Storage Separation Distance, in some instances it may be necessary to interpolate a value.

For example, you determine the value for Encroachment Base Distance 'F' to be 106 metres. From Table 5, you have determined that the *livestock facility* uses a storage facility with an odour potential that is considered medium (M1).

Table 6 provides a value for Storage Separation Distance 'S' for an M1 Storage for an Encroachment Base Distance 'F' of 100 metres and for an Encroachment Base Distance 'F' of 110 metres, but not for an Encroachment Base Distance 'F' of 106 metres. The value of Storage Separation Distance 'S' for an M1 Storage with an Encroachment Base Distance 'F' of 100 metres, is 190 metres. The value of Storage Separation Distance 'S' for an M1 Storage with an Encroachment Base Distance 'F' of 110 metres, is 199 metres. To determine the value of Storage Separation Distance 'S' for an M1 Storage, with an Encroachment Base Distance 'F' of 106 metres interpolate between the numbers 190 and 199. In this example, the value of Storage Separation Distance 'S' for an M1 Storage, with an Encroachment Base Distance 'F' of 106 metres is 195.4 metres. This value should be rounded to the nearest whole number, in this case 195 metres.

When interpolating a value for Storage Separation Distance 'S' do not include any decimal places. Interpolated values with decimal places should be rounded accordingly. For example, if an interpolated value for Storage Separation Distance 'S' is calculated as 202.83 metres, then use a value of 203 metres for Storage Separation Distance 'S'.

In all instances, where Encroachment or Building Base Distance 'F' exceeds 1000 metres, then Storage Separation Distance 'S' will be the same value as 'F'.

Table 6: MDS I/II Separation Distances for Permanent Manure

Building Base Distance (m) for MDS II ('F'), or Encroachment Base Distance for MDS I ('F')	Storage Separation Distances Based on Relative Odour Potential - Storage Base Distance, 'S' (m)			
	Very Low Odour Storages V1 to V7	Low Odour Storages L1 to L2	Medium Odour Storages M1 to M2	High Odour Storages H1
40	40	64	136	232
50	50	74	145	240
60	60	84	154	248
70	70	93	163	256
80	80	103	172	264
90	90	113	181	272
100	100	123	190	280
110	110	132	199	288
120	120	142	208	296
130	130	152	217	304
140	140	162	226	312
150	150	171	235	320
160	160	181	244	328
170	170	191	253	336
180	180	201	262	344
190	190	210	271	352
200	200	220	280	360
210	210	230	289	368
220	220	240	298	376
230	230	249	307	384
240	240	259	316	392
250	250	269	325	400
260	260	279	334	408
270	270	288	343	416
280	280	298	352	424
290	290	308	361	432
300	300	318	370	440
310	310	327	379	448
320	320	337	388	456
330	330	347	397	464
340	340	357	406	472
350	350	366	415	480
360	360	376	424	488
370	370	386	433	496
380	380	396	442	504
390	390	405	451	512
400	400	415	460	520
420	420	435	478	536
440	440	454	496	552
460	460	474	514	568
480	480	493	532	584
500	500	513	550	600
600	600	610	640	680
800	800	805	820	840
1000	1000	1000	1000	1000
Greater than 1000 m	Storage Base Distance, 'S', should be the same as Building Base Distance or Encroachment Base Distance - 'F'			