Council Direction:

Not Applicable.

Information:

The purpose of this report is to update Members of the Economic Development and Planning Committee on the status of the new Rural and Agricultural Zoning component for the City of Hamilton’s Comprehensive Zoning By-law 05-200, and to receive the information prior to its presentation at Public Information Centres for review and comment, which will also be used as the formal Public Open House as required by the Planning Act.

1.0 Background

The City of Hamilton’s new Comprehensive Zoning By-law 05-200, came into effect on May 25, 2005, and is being implemented in stages. The new Zoning By-law 05-200 is being developed in order to consolidate all of the former Municipal Zoning By-laws to create consistency across the entire City. The first stage completed Downtown Zones; the second stage brought forward the Open Space and Parks Zones and the third stage brought forward the Institutional Zones. Currently work is being done to complete the next stages to implement the new Industrial and Commercial/Mixed Use Zones.
On September 26, 2006, Hamilton’s Economic Development and Planning Committee adopted a new Rural Official Plan. The policies within this Plan create a consistent policy framework for the entire Rural Area of the amalgamated City Of Hamilton. This Plan also brings the City of Hamilton’s Rural Official Plan policies into conformity with the Greenbelt Plan as well as the Provincial Policy Statement.

The Plan was approved by the Ministry of Municipal Affairs and Housing on December 24, 2008 and is currently before the Ontario Municipal Board under appeal.

After a significant amount of time mapping and zoning every property located within the Rural Area, staff are prepared to initiate a consultation process to engage the public in the review of the proposed new zones.

Staff will bring forward recommendations on the new Rural and Agricultural Zones to a Special Meeting of the Economic Development and Planning Committee once the appeals of the Rural Official Plan has been finalized at the Ontario Municipal Board.

2.0 Development and Intent of Rural and Agricultural Zones

The Greenbelt Plan has changed the way in which the Rural Area is planned and as a consequence has affected the range of uses permitted within the Rural Area. The Rural Official Plan has implemented the Greenbelt Plan directions.

The goals of the new Rural Official Plan are to:

- reinforce and support the significant contribution agriculture makes to the lifestyle, environment and economy of the City;
- maintain and promote the right-to-farm throughout Rural Hamilton;
- preserve and enhance prime agricultural areas and specialty crop areas exclusively for farming;
- encourage all lands used for agriculture to remain in agriculture;
- preserve and protect the Natural Areas;
- direct non-farm, rural-oriented development to Rural Settlement Areas and Rural Areas;
- recognize the diverse and innovative nature of agriculture by providing opportunities for on-farm diversification;
- recognize and protect potential mineral aggregate resource areas; and
- to recognize and protect petroleum resources.

The new Rural and Agricultural Zones take their direction from the goals and the new Rural Hamilton Official Plan (RHOP).

A total of six new Rural and Agricultural Zones have been created and attached to this Report as Appendix “A”. The focus of these zones is to limit the Rural Area to
agricultural uses and provide for a limited range of uses in the Rural Settlement Area, that support the Rural Settlement Areas and surrounding rural community. The Zones also establish clear and consistent regulations for these uses throughout the City’s existing rural areas.

The new Zoning By-law is to be a “living document”, which is flexible, user friendly, and responsive to the needs of the community. The new Rural and Agricultural Zones establish a consistent approach to the management of the City’s rural and agricultural lands and creates opportunity for creative, resourceful and innovative agricultural practices. In developing the zones, staff conducted extensive background research in order to help shape the direction of the Rural and Agricultural Zones within the new Comprehensive Zoning By-law. This research included reviewing existing planning legislation, such as the Provincial Policy Statement and the Greenbelt Plan, existing Zoning By-laws, other municipal Zoning By-laws, existing site specific zoning as well as current trends in Rural and Agricultural development.

The Greenbelt Plan specifically states that no new non-agricultural uses shall be permitted within the Protected Countryside Designation. As such, the uses found in the new Rural Zoning only permit non-agricultural uses that legally exist at the time of the passing of the by-law.

While developing the new Rural and Agricultural Zones, staff also conducted a number of site visits in order to: evaluate existing special exceptions, better understand the character of the City’s Rural and Agricultural areas and to see how the new zones would apply.

3.0 Rural and Agricultural Zones

There are six new Rural and Agricultural zones, which are being brought forward for consideration at upcoming Public Information Centres: Agriculture (A) Zone, Rural Industrial (MR) Zone, Extractive Industrial (ME) Zone, Settlement Residential (SR) Zone, Settlement Commercial (SC) Zone and Settlement Institutional (SI) Zone.

The permitted uses, prohibited uses and zoning regulations were developed based on the new Rural Official Plan policies and the character of existing Rural areas. In zoning the Rural Area, existing Parks and Open Space Zones will also be utilized.

3.1 Agriculture (A) Zone

The Agriculture (A) Zone applies to all lands found in the Rural Area of the City that have been designated Rural, Agriculture or Specialty Crop in the City’s new Rural Official Plan.

Only one zone has been created to implement these three designations. The ‘A’ Zone is the most generic and as such addresses the requirements of the Agriculture
designation; some permitted uses in this zone include: standard Agricultural uses, Agricultural-Related uses, Farm Labour Residences and Home Businesses.

A separate zone has not been created for the Rural designation as the permitted uses that are found within this designation require a Zoning By-law amendment and Site Plan approval, as per Official Plan policy.

Specialty Crop Areas generally located on Stoney Creek Mountain between the Niagara Escarpment and Mud Street are also zoned Agriculture (A) Zone as the Greenbelt Plan restricts uses to agriculture, agriculture-related and secondary uses. This is consistent with the proposed A Zone. This area has been identified in Schedule “F” – Special Figures of the Zoning By-law where only the Specialty Crop provisions of the new Rural Official Plan shall apply, related to minimum lot size and regulations related to small scale wineries.

The regulations found within the A Zone are intended to permit flexibility within the scope of the Greenbelt Plan and the Rural Official Plan.

3.2 Rural Industrial (MR) Zone

The intent of the Rural Industrial (MR) Zone is to recognize and permit industrial uses in areas where the uses currently exist or in areas developed for Rural Industry under former Zoning By-laws, for example the Ofield Rural Industrial Area in Flamborough. However, new Industrial uses should be located within the City’s Business Parks. This is due to the need to protect existing uses, allowing for changes in activities and maintaining legal status.

Staff does not believe that if the existing industrial uses were to stop operating that agricultural uses would be established in their place. It is for this reason that staff has decided to permit the existing legal uses as well as some other limited industrial uses, consistent with existing zoning permissions that were permitted under current zoning. The MR Zone also permits the change of uses within the zone so that existing buildings can be economically utilized instead of remaining vacant.

3.3 Extractive Industrial (ME) Zone

This zone permits extractive uses, as well as passive recreation uses and agriculture uses if the extractive use is no longer viable or ceases operation. As the Ministry of Natural Resources (Aggregate Resources Act) Site Plan requirements regulate all extractive uses, minimal zoning regulations associated with these uses are required in developing the new ‘ME’ Zone. The City is only a commenting agency, versus a regulating agency, on the Ministry of Natural Resources site plan applications. No new lands have been zoned ‘ME’ beyond the properties designated as Mineral Aggregate Resource Areas under the Rural Official Plan.
3.4 Rural Settlement Areas (RSA’s)

As per the Rural Official Plan, RSA’s are small communities where a variety of land uses and developments have clustered together on a small scale outside the designated Urban Area. These areas are intended to be for residential uses as well as service centres that serve the immediate community and the surrounding rural area. As such, there are three zones that have been created in the by-law which permit and regulate Residential, Commercial and Institutional uses within the RSA’s.

3.4.1 Settlement Residential (SR) Zone

The SR Zone only permits Single Detached dwellings and accessory uses such as: Home Business and Residential Care Facilities.

This zone has been applied to all existing residential areas. The areas zoned SR provide only limited opportunities for new residential developments within the Rural Settlement Areas.

3.4.2 Settlement Commercial (SC) Zone

The SC Zone applies to areas that have been designated as Settlement Commercial in the Rural Official Plan. The zone provides opportunities for small scale commercial, professional or personal services primarily related to the needs of the residents of the Rural Settlement Area; some examples include: Catering Service, Commercial Recreation, Craftsperson Shop, Financial Establishment, Medical Clinic and Motor Vehicle Gas Bar.

3.4.3 Settlement Institutional (SI) Zone

Properties that are zoned SI are designated Settlement Residential in the Rural Official Plan and permit, along with a Single Detached Dwelling and Accessory Uses, a Day Nursery, Educational Establishment and Place of Worship.

The uses found within these areas serve the rural community and as a result ensure that residents of the Rural Area do not need to travel far to find services to fulfil their daily needs.

3.5 Open Space and Park Zones

These zones, already created as part of the Comprehensive Zoning By-law, establish a hierarchy of parks for the City and implement Official Plan policy. These zones are now being implemented in the Rural Area. The Neighbourhood Park (P1) and Community Park (P2) Zones are only found within Rural Settlement Areas as they serve the needs of small Neighbourhoods and Communities. The City Wide (P3) and Open Space (P4)
Zones serve the needs of the whole City and so they can be found throughout the Rural area. The Conservation/Hazard Land (P5) Zone is used to recognize the Conservation Authority’s defined Hazard Lands.

### 3.5.1 Neighbourhood Park (P1) Zone

The P1 Zone permits Neighbourhood scale parks with limited sports fields and play structures. It permits Recreation with restricted uses, including: Arenas, Community Centres, Swimming Pools, Tennis Courts and Lawn Bowling so that the smaller sized park is maintained.

### 3.5.2 Community Park (P2) Zone

This zone is intended to meet the needs of the greater community. It permits all types of recreation, including: Arenas, Community Centres, Stadiums, Swimming Pools and Tennis Courts.

### 3.5.3 City Wide (P3) Zone

The P3 Zone permits a broader range of recreational services and entertainment uses for all City residents and visitors. This zone permits Recreation, Commercial Entertainment, Marinas, Restaurants and Retail, with the exception of a drive-through facility.

### 3.5.4 Open Space (P4) Zone

This zone permits a range of Open Space uses including: Golf Courses, Cemeteries, Botanical Gardens, Marinas and Camp Grounds. Agriculture is also permitted within this zone.

### 3.5.5 Conservation/Hazard Land (P5) Zone

The P5 Zone is the most restrictive of the Open Space and Park Zones. It is intended to preserve and conserve natural heritage. In this zone the only permitted uses are Conservation, Flood and Erosion Control Facilities and Passive Recreation. There are no buildings permitted in this zone.

### 4.0 Permitted Uses

Former Municipal Zoning By-laws had a very specific definition for an Agricultural Use. The intent of the new definition is to be broad and allow for a range of agricultural uses to try to capture all the existing and anticipate future agricultural uses. Zoning By-law 05-200 defines an Agricultural Use as follows:
Agricultural Use

Shall mean the growing of crops, including nursery and horticultural crops; raising of livestock; raising, boarding and training of horses; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; small scale retailing of agricultural products grown primarily on site; and associated on-farm buildings and structures, including a farm residence and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

The new Rural and Agricultural Zones permit a wide range of Agricultural uses which, along with the definitions, are designed to be more inclusive and flexible. This will broaden the scope of the permitted agricultural uses.

The definitions applicable to the new Rural and Agricultural Zones are attached to this Information Report PED10064 as Appendix “B”.

5.0 Prohibited Uses

The only two Zones in the new Rural and Agricultural Zoning that contain prohibited uses are Rural Industrial (MR) Zone and Settlement Commercial (SC) Zone.

In the MR Zone the prohibited uses are related to Manufacturing. Because the definition of Manufacturing is so generic and broad, components of this use need to be restricted due to the potential impact on and proximity to sensitive land uses. Some examples of the prohibited uses include: the manufacturing of asbestos, phosphate or sulphur products; the primary production of chemicals, synthetic rubber, plastic, asphalt or cement, not including mixing, blending, treatment or similar process and the processing or refining of petroleum or coal. These uses are prohibited even as accessory uses.

In the SC Zone the only prohibited use is a dry cleaning plant. The dry cleaning plant is a prohibited use because it could be interpreted as a permitted use under a ‘personal service’ use and, due to its industrial nature, may have potential impacts on sensitive land uses.

6.0 Rural Exceptions

Following the development of the new Rural and Agricultural Zones and associated regulations, a comprehensive review was conducted of all existing and recently approved site specific exceptions within the former Municipal Zoning By-laws. Each site specific provision was evaluated against the new Zones, and a series of criteria were established which helped provide the rationale for which site specific permissions would or would not be carried forward into the new by-law. Where a site specific was adding a use, staff compared the use against the new Rural and Agricultural Zones. Staff evaluated whether the site specific regulations were required to continue. In some
cases, new site specifics were created in order to recognize specific uses which are no longer permitted as-of-right through the new Rural and Agricultural Zones, but for which there is merit in recognizing the use.

Approximately 214 site specifics are being proposed as part of the new Rural and Agricultural Zoning. This number may change based on one-on-one meetings with property owners and through an evaluation of the merits of recognizing the use on a site by site basis. In some cases, where a use was previously permitted as-of-right through the existing zoning and is no longer permitted through the new Rural and Agricultural Zones the existing use will become legal non-conforming. A legal non-conforming use is a use that is not permitted under the new Zoning By-law, but which lawfully existed prior to the new Zoning By-law being approved. Under the Planning Act, these uses have a right to continue and cannot be “zoned” out of existence. The Planning Act also contains provisions through applications to the Committee of Adjustment for expansion or change of use under legal non-conforming status. However, the long term intent is for a legal non-conforming use to cease and to be replaced by a use that conforms to the Zoning By-law and Official Plan.

The same evaluation process was used for Holding Provisions, of which there are approximately 24 being carried forward as there are still some properties that require further study prior to new development occurring on the property.

7.0 Anticipated Issues

7.1 Greenbelt Implementation

The Greenbelt Plan restricts the range of permitted uses allowed within the Rural and Agricultural Areas. As a result the City is unable to permit and/or legalize many illegal uses found in the Rural and Agricultural Area, such as contractors, motor vehicle repair and landscape contractors.

Uses that legally exist within the Rural Area will continue to be permitted through the new Rural Zones or through a special exception on the property. There will be some uses that remain as legal non-conforming and these uses can continue indefinitely until the use ceases. The legal non-conforming use relates to the use on the land and not the ownership of the land or business allowing for transfer of ownership without issue. However, if there are illegal uses within the Rural Area that do not conform to the permissions under the Greenbelt Plan nor the Rural Official Plan, we are unable to recognize these uses.

7.2 Conservation/Hazard Land (P5) Zone Implementation

Through the Conservation Authority (CA) process of creating Generic Regulations, the limits of what the CA determines to be hazard land, based on the best information
available, may have changed from the existing zoning. Where a property or area has been determined as hazard land by the CA, staff has zoned this area as a P5 and only the CA can alter the hazard limits. In some cases land is less constrained, but in others the hazard is much larger.

The Conservation Authorities are constantly reviewing and modifying their hazard limit mapping and providing it to the City; as such, regular housekeeping amendments will be required in order to maintain an up-to-date P5 zoning layer.

The ‘P5’ Zone has been created by combining the Greenbelt Plan’s Natural Heritage System lands as well as natural heritage lands that have been identified by the new Rural Official Plan. Consultation has taken place with the City’s Natural Heritage Planner to determine the extent of these hazards.

7.3 Greenbelt/Rural Official Plan Environmental Impact Statement (EIS) Requirement

The Greenbelt Plan and the City’s new Rural Official Plan require individuals to complete an Environmental Impact Statement (EIS) where new development and site alteration occurs within or adjacent to any Core Area within the Protected Countryside of the Greenbelt Plan Area as noted in Schedule B – Natural Heritage System of the Rural Official Plan.

The Provincial Greenbelt Plan requires that a proposal for new development or site alteration within 120 metres of a key natural heritage feature within the Natural Heritage System or a key hydrologic feature anywhere within the Protected Countryside requires a natural heritage evaluation and hydrological evaluation.

In order to implement these policy directions and protect the City’s natural environment staff is currently exploring the potential use of one of three implementation strategies which require a Planning Act application to require the EIS prior to new development: an amended site plan control process, a Development Permit System (DPS) or a Minor Variance process.

The Site Plan process would enable staff to evaluate the impact of development within a core area or within an area 120 metres from of core area features that have been identified by the Greenbelt Plan and the new Rural Official Plan. This process would require an individual to go through an amended site plan application process. This area would be defined as an additional Schedule to the Site Plan Control By-law, which would need to be amended.

The DPS would require the development of new Official Plan policy and would combine zoning, site plan and minor variance into one application and permit approval process. Before the City would be able to use a DPS it would have to develop a framework for
the system within the City’s Official Plan. Council would have to amend the Official Plan to identify the DPS area, outline the vision and goals for the area and provide the policy requirements for how the system would work. Council would also have to pass a development permit by-law for the DPS area. This by-law would be similar to a Zoning By-law as it would contain a list of permitted uses and standards. The by-law may also identify “discretionary” uses, those that may be permitted subject to fulfilling certain criteria, permit some variation from development standards, and set out conditions that may be applied to the issuance of a development permit.

Finally, the Rural Minor Variance process would see the Zoning By-law prohibit buildings and structures within a core area or 120 metres from a core area feature. In order for a property owner to have buildings and/or building expansions permitted, they would be required to go through the minor variance application process to have the Committee of Adjustment permit the specific building or structure in a specific location on the property.

8.0 Official Plan Amendment related to Rural Zoning

As a result of a property by property assessment, there are a number of refinements to the designations within the Rural Hamilton Official Plan. Many of the changes are within the Rural Settlement Areas; the most significant changes are the location of the hazard lands. When the City adopted the Rural Hamilton Official Plan in 2006, the detailed information from the Conservation Authorities was not available. To implement the zoning, staff will be preparing an amendment/modification to the Rural Hamilton Official Plan to effect these changes. The amendments/modifications will be brought forward concurrently with the new Rural Zoning at the Public Open Houses and Economic Development and Planning Committee.

The changes to the OP will be made available at the Public Information centres and will be brought forward at the same time as the Public Meeting for the Rural Zoning.

9.0 Consultation To-Date

The draft Rural and Agricultural Zones, without mapping, were presented to City staff in the summer of 2008. A variety of individuals from various departments were in attendance and given the opportunity to provide feedback on the proposed zones.

Also in 2008, a separate meeting was held with the City’s Building Services Division and further feedback on the zones and definitions was provided by this group.

Later that year, further comments were also received from Development Planning and have since been integrated into the proposed Rural and Agricultural Zones and associated definitions.
Finally, staff has had the opportunity to meet with the Agriculture and Rural Affairs Advisory Committee on three occasions, in 2008, 2009 and 2010, where feedback was provided on the proposed zones and Greenbelt/Rural Official Plan Environmental Impact Statement (EIS) process.

At the most recent Agricultural and Rural Affairs Advisory Committee meeting, on February 10, 2010 concerns were raised with respect to a few key issues:

a. General Contractors;

   General Contractors would be permitted under the Home Business regulations but are limited in size, number of employees, etc. Under the Greenbelt Plan and the new Rural Official Plan, where these uses do not conform to the regulations, we cannot recognize/legalize these uses as they are not permitted in either document.

b. Farm Labour Residences;

   Discussion related to the proximity of a Farm Labour Residence to the farm dwelling on the property. Changes will be made that require the Farm Labour Residence to be located in proximity to the farm cluster of buildings which may be the farm dwelling or may be the associated farm buildings.

c. Agriculture Related Uses;

   Discussion related to value added processes on farms as well as Agri-tourism uses such as plough matches, livestock shows, etc. Further research will be undertaken on these items.

d. Implementation of the Greenbelt Plan and Rural Official Plan EIS requirement;

   There was discussion about how to implement the Greenbelt Plan and new Rural Official Plan requirements for Environmental Impact Statement for any new development and potential alternatives to implement this policy direction. Further discussion and research is being undertaken.

e. Definition of Agriculture; and

   Discussion as to clarification that agricultural uses related to the equine industry was included. The definition is being clarified to remove the confusion.
f. Management of Illegal Uses

Discussion related to how the City will deal with illegal uses within the Rural Area. The response was that enforcement is currently being conducted on a complaint basis and any illegal use found would not be supported by staff given the planning legislation dictating the permitted uses within the Rural Area.

Public consultation was not initiated to date.

10.0 Next Steps and Timing

With the completion of the new draft zones, staff will now commence a final round of formal consultation, both with internal departments and external agencies beginning in March 2010. A direct mailing to all rural property owners will occur in March 2010, and meetings will be held with the Agricultural and Rural Affairs Advisory Committee and interested property owners through the end of April. Staff will be holding three (afternoon and evening sessions) Public Information Centres (PICS) in April to obtain public feedback on the proposed Agricultural and Rural Zones. These PICS will be held in Flamborough, Glanbrook and Ancaster:

Millgrove Community Centre 855 Millgrove Side Road, Millgrove April 19th (1:00 pm to 3:00 pm) (6:30 pm to 9:00 pm)
Binbrook Fairgrounds 2600 Highway #56, Glanbrook April 21st (1:00 pm to 3:00 pm) (6:30 pm to 9:00 pm)
Ancaster Fairgrounds (Marriott Hall) 630 Trinity Road, Jerseyville April 26th (1:00 pm to 3:00 pm) (6:30 pm to 9:00 pm)

These PICS will also be the formal Public Open House that is required by the Planning Act.

Once the appeals of the Rural Official Plan are resolved at the Ontario Municipal Board it is staff’s intent to bring forward the new Agricultural and Rural Zones to a Special Economic Development and Planning Committee.
SECTION 12: RURAL AND AGRICULTURAL ZONES

12.1 AGRICULTURE (A) ZONE

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within an Agricultural (A) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

12.1.1 PERMITTED USES

Agriculture
Agriculture Processing Establishment
Agriculture Research Operations
Farm Labour Residence
Farm Product Supply Establishment
Feed Mills
Grain and Seed Storage Facilities
Grain Dryers
Home Business
On-Farm Secondary Uses
Primary Farm Produce Bulk Storage
Residential Care Facility
Single Detached Dwelling
Small Scale Winery

12.1.2 REGULATIONS (For All Uses)

a) Minimum Front Yard 7.5 metres

b) Minimum Side Yard and Flankage Yard 3.0 metres

c) Minimum Rear Yard 7.5 metres

12.1.2.1 AGRICULTURE

a) Minimum Lot Area
   i) 40.5 hectares
   ii) For the lots delineated as Specialty Crop on Figure “3” of Schedule “F” – Special Figures the minimum lot area shall be 16.2 hectares.
12.1.2.2 FARM LABOUR RESIDENCE

i) A maximum of one Farm Labour Residence is permitted per lot.

ii) Shall only be permitted as an accessory apartment in a temporary detached dwelling without a basement or cellar.

iii) Where a Single Detached Dwelling exists on a property a farm labour residence and/or any accessory farm buildings, associated with On-Farm Secondary Uses, shall be located within 30m of the Single Detached Dwelling.

12.1.2.3 ON-FARM SECONDARY USE AND SMALL SCALE WINERY REGULATIONS

a) Agritourism

i) Where an Agritourism use requires building(s) or structure(s), only existing building(s) or structure(s) shall be used.

b) Small Scale Retailing

i) Permitted to a Maximum Gross Floor Area of 100 square metres.

ii) Not permitted within the principal farm residence or any other dwelling on the property.

c) Farm Vacation Home

i) Maximum of one Farm Vacation Home is permitted per lot.

ii) A maximum of 3 guest rooms are permitted.
d) Home Industry

i) Shall be located within an existing building or structure.

ii) Shall be operated by a resident of the property, with no more than 3 non-resident employees.

iii) No outdoor storage shall be permitted.

iv) Shall be a maximum of 100 square metres in size.

v) A maximum of one home industry shall be permitted per lot.

e) Kennel

i) The maximum gross floor area devoted to a Kennel shall be 450 square metres.

ii) Any buildings or structures associated with a Kennel shall be setback a minimum of 60 metres from any lot line, and shall be situated a minimum of 150 metres from any residential use on any adjacent lot.

iii) No animals shall be permitted to be kept in any open area within 60 metres of any lot line, or within 150 metres of any adjacent lot on which a residential building is located.

f) Small Scale Winery

i) Shall only be permitted within the area shown as Specialty Crop on Figure “3” of Schedule “F”.
ii) Shall only be permitted on a lot with a minimum area of 4 hectares, of which a minimum of 2 hectares shall be used for the production of grapes or other produce directly associated with on-site wine production.

iii) The maximum building area devoted to a Small Scale Winery use shall be 1.5% of the lot area, or 2,323 square metres of gross floor area exclusive of the basement or cellar, whichever is greater, of which a maximum of 25% of the gross floor area may be used for Retail purposes.

12.1.2.4 AGRICULTURE PROCESSING ESTABLISHMENT, AGRICULTURE RESEARCH OPERATIONS, FARM PRODUCT SUPPLY ESTABLISHMENT, FEED MILLS, GRAIN AND SEED STORAGE FACILITIES, GRAIN DRYERS, LIVESTOCK ASSEMBLY POINTS, PRIMARY FARM PRODUCE BULK STORAGE

a) Minimum Lot Area 2 hectares
12.1.2.5 SINGLE DETACHED DWELLING AND RESIDENTIAL CARE FACILITY REGULATIONS

a) Minimum Lot Area 0.4 hectares

b) Minimum Lot Width 30 metres

c) Maximum Building Height 10.5 metres

d) Location of Residential Care Facility

i) Shall be located within a Single Detached Dwelling.

ii) Except as provided for in Subsection iii), herein, every Residential Care Facility shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by a Residential Care Facility, Emergency Shelter, Corrections Residence or Correctional Facility.

iii) Where the radial separation distance from the lot line of a Residential Care Facility existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing Residential Care Facility, Emergency Shelter, Corrections Residence or Correctional Facility, the existing Residential Care Facility may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.
e) Maximum Capacity for Residential Care Facility

Shall not exceed 6 residents.

12.1.2.6 HOME BUSINESS REGULATIONS

In accordance with the requirements of Section 4.21 of this By-law.

12.1.2.7 ACCESSORY BUILDINGS

With the exception of the following, accessory buildings shall be in accordance with the requirements of Section 4.8 of this By-law:

i) Not permitted in any required front yard.

ii) The maximum gross floor area (GFA) including areas devoted exclusively to parking, shall be 130 square metres.

12.1.2.8 PARKING

In accordance with the requirements of Section 5 of this By-law.
12.2 RURAL INDUSTRIAL (MR) ZONE

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within a Rural Industrial (MR) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

12.2.1 PERMITTED USES

- Agricultural Processing Establishment
- Bulk Fuel & Oil Storage
- Manufacturing
- Motor Vehicle Gas Bar
- Motor Vehicle Service Station
- Processing, Milling or Packaging of Animal Feed
- Towing Establishment
- Transport Terminal
- Warehouse

12.2.2 PROHIBITED USES

Notwithstanding Section 12.2.1 of this By-law, the following types of manufacturing uses are prohibited, even as an accessory use:

- Beverage Distillation
- Explosives Manufacturing
- Manufacturing of Asbestos, Phosphate or Sulphur Products
- Primary Production of Chemicals, Synthetic Rubber, Plastic, Asphalt or Cement; not including mixing, blending, treatment or similar process
- Processing or Refining of Petroleum or Coal
- Pulp and Paper Mills
- Salvage, Recycling or Scrap Yard
- Slaughtering, Eviscerating, Rendering or Cleaning of Meat, Poultry or Fish or by-products thereof
- Smelting, Refining, Rolling, Forging, or Extruding of Ore or Metal
- Stamping, Blanking or Punch-Pressing of Metal
12.2.3 REGULATIONS

a) Minimum Lot Area 3,000 square metres

b) Minimum Floor Area Ratio: 0.6 of the lot area

c) Minimum Lot Width 45 metres

c) Minimum Front Yard 7.5 metres

d) Minimum Flankage Yard 6.0 metres

e) Minimum Yard Abutting a Residential or an Institutional Zone 6.0 metres from any portion of a property lot line abutting a property lot line within a Residential Zone or an Institutional Zone.

f) Maximum Height 15 metres

g) Landscaped Area Minimum 6.0 metre width shall be provided and maintained abutting a street, except for points of ingress and egress, and shall not include outdoor display.

h) Visual Barrier Shall be provided along that portion of a property lot line abutting a Residential Zone or an Institutional Zone, in accordance with Section 4.19 of this By-law.

i) Location and Screening of Outdoor Storage: Outdoor Storage of goods, materials and equipment shall be permitted only as an accessory use and the following regulations shall apply:

i) Outdoor Storage shall not be permitted in a Front Yard or a required Flankage Yard;
SECTION 12: RURAL AND AGRICULTURAL ZONES

ii) Outdoor Storage shall be screened from view from any abutting street by a Visual Barrier in accordance with Section 4.19 of this By-law.

j) Maximum Gross Floor Area for Accessory Retail and Showroom Area

25% of the gross floor area of the principal use or 500 square metres gross floor area, whichever is the lesser.

k) Parking

In accordance with the requirements of Section 5 of this by-law.
12.3 EXTRACTIVE INDUSTRIAL (ME) ZONE

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within an Extractive Industrial (ME) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

12.3.1 PERMITTED USES

Agriculture
Mineral Aggregate Operation
Recreation, Passive

In addition to the above all uses permitted within Section 12.1.1 of this By-law shall also be permitted.

12.3.2 REGULATIONS

Agriculture Use

In Accordance with the regulations contained in Section 12.1.2 of this By-law.
12.4 SETTLEMENT COMMERCIAL (SC) ZONE

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within a Settlement Commercial (SC) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

12.4.1 PERMITTED USES

Catering Service
Commercial Recreation
Craftsperson Shop
Day Nursery
Dwelling Unit
Farm Product Supply Dealers
Financial Establishment
Home Business
Medical Clinic
Medical Office
Motor Vehicle Gas Bar
Motor Vehicle Service Station
Multiple Dwelling
Office
Personal Services
Private Club or Lodge
Repair Service
Restaurant
Retail
Studio
Veterinary Service

12.4.2 PROHIBITED USES

Notwithstanding 12.4.1, the following use is prohibited, even as an accessory use:

Dry Cleaning Plant
SECTION 12: RURAL AND AGRICULTURAL ZONES

12.4.3 REGULATIONS

a) Minimum Lot Area 4,000 square metres
b) Minimum Yard Abutting a Street 3.0 metres
c) Minimum Side Yard
   i) 3.0 metres;
   ii) 6.0 metres abutting a Residential Zone;
   iii) 6.0 metres abutting a Institutional Zone.
d) Minimum Rear Yard 7.0 metres
e) Maximum Building Height 10.5 metres
f) Visual Barrier Requirements
   A visual barrier shall be required along any lot line abutting a Residential Zone and/or Institutional Zone in accordance with the requirements of Section 4.19 of this By-law.
g) Regulations for Motor Vehicle Related Uses
   i) Fuel pump islands, fuel pumps and canopies shall be setback a minimum 4.5 metres from any lot line; and
   ii) A minimum 3.0 metre planting strip shall be required abutting any street line.
h) Parking Requirements
   In accordance with the requirements of Section 5 of this By-law.
i) Outdoor Storage
   No outdoor storage of goods, materials or equipment shall be permitted. This shall not, however, prevent the display of goods or materials for retail purposes.
   i) Notwithstanding i) above, the display of goods or materials for retail purposes shall be permitted.
j) Restriction of Uses within a Building
   i) The following uses shall not be permitted in any portion of the building except within the ground floor:
      - Catering Service
      - Craftsperson Shop
      - Office
      - Printing Establishment
      - Repair Service
      - Restaurant
      - Retail
      - Veterinary Service
   ii) The following uses shall only be permitted above the ground floor, except for access and utility areas:
      - Dwelling Unit(s)
      - Multiple Dwelling

k) Home Business Regulations
   In accordance with the requirements of Section 4.2.1 of this By-law

l) Accessory Buildings
   In accordance with the requirements of Section 4.8 of this By-law.
12.5 SETTLEMENT INSTITUTIONAL (SI) ZONE

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within a Settlement Institutional (SI) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

12.5.1 PERMITTED USES

Day Nursery
Educational Establishment
Home Business
Place of Worship
Residential Care Facility
Single Detached Dwelling

12.5.2 REGULATIONS

12.5.2.1 SINGLE DETACHED DWELLING, RESIDENTIAL CARE FACILITY, AND PLACE OF WORSHIP REGULATIONS, DAY NURSERY

a) Minimum Lot Area 4,000 square metres

b) Maximum Lot Area for a Place of Worship 1 hectare

c) Minimum Lot Width 30 metres

d) Minimum Front Yard 6.0 metres

e) Minimum Side Yard and Flankage Yard 3.0 metres

f) Minimum Rear Yard 7.0 metres

g) Maximum Building Height 10.5 metres
h) Location of Residential Care Facility
   i) Shall be located within a Single Detached Dwelling.
   ii) Except as provided for in Subsection iii), herein, every Residential Care Facility shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by a Residential Care Facility, Emergency Shelter, Corrections Residence or Correctional Facility.
   iii) Where the radial separation distance from the lot line of a Residential Care Facility existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing Residential Care Facility, Emergency Shelter, Corrections Residence or Correctional Facility, the existing Residential Care Facility may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.

i) Maximum Capacity for Residential Care Facility
   Shall not exceed 6 residents.

j) Parking
   In accordance with the requirements of Section 5 of this By-law.

k) Accessory Buildings
   In accordance with the requirements of Section 4.8 of this By-law.

12.5.2.2 HOME BUSINESS REGULATIONS
   i) In accordance with the requirements of Section 4.21 of this By-law.
12.5.2.3 EDUCATIONAL ESTABLISHMENT REGULATIONS

a) Minimum Yard 6.0 metres where property line abuts a Residential Zone property line.

b) Maximum Building Height 10.5 metres

c) Parking In accordance with the requirements of Section 5 of this By-law.

d) Accessory Buildings In accordance with the requirements of Section 4.8 of this By-law.
12.6 SETTLEMENT RESIDENTIAL (SR) ZONE

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within a Settlement Residential (SR) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

12.6.1 PERMITTED USES

Home Business
Residential Care Facility
Single Detached Dwelling

12.6.2 SINGLE DETACHED DWELLING AND RESIDENTIAL CARE FACILITY REGULATIONS

a) Minimum Lot Area 4,000 square metres
b) Minimum Lot Width 30 metres
c) Minimum Front Yard 6.0 metres
d) Minimum Side Yard and Flankage Yard 3.0 metres
e) Minimum Rear Yard 7.0 metres;
f) Maximum Building Height 10.5 metres;
g) Location of Residential Care Facility
   i) Shall be located within a Single Detached Dwelling.
   ii) Except as provided for in Subsection iii), herein, every Residential Care Facility shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by a Residential Care Facility, Emergency Shelter, Corrections Residence or Correctional Facility.
iii) Where the radial separation distance from the lot line of a Residential Care Facility existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing Residential Care Facility, Emergency Shelter, Corrections Residence or Correctional Facility, the existing Residential Care Facility may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.

h) Maximum Capacity for Residential Care Facility

Shall not exceed 6 residents.

i) Parking

In accordance with the requirements of Section 5 of this By-law.

j) Accessory Buildings

In accordance with the requirements of Section 4.8 of this By-law.

12.6.3 HOME BUSINESS REGULATIONS

In accordance with the requirements of Section 4.21 of this By-law.
SECTION 3: DEFINITIONS

In this By-law, unless the contrary intention appears, words importing the singular number shall include more persons, parties or things of the same kind than one, and the converse. In this By-law, the word “shall” is to be construed as being always mandatory and not directory.

Note: Definitions identified by *Italics* are either new or are existing within Zoning By-law 05-200, but are being amended as part of the new Rural and Agricultural Zones.

*Agriculture*  
Shall mean the growing of crops, including nursery and horticultural crops; raising of livestock; raising, boarding and training of horses; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; small scale retailing of agricultural products grown primarily on site; and associated on-farm buildings and structures, including a farm residence and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

*Agriculture Processing Establishment*  
Shall mean a lot, building or structure used for the processing of products directly derived from agriculture and may include the processing, storage and transport of such products and an abattoir.

*Agricultural Supply Establishment*  
Shall mean the use of land, building or structure, or part thereof, for the sale and/or storage of seeds, fertilizers, farm equipment or other goods or materials used in agriculture.

*Building and Lumber Supply Establishment*  
Shall mean the use of land, building or structure, or part thereof, for a retail store predominantly selling a combination of lumber and a wide range of building and home decorating supplies along with ancillary sales of construction tools, gardening products, and home design products.
<table>
<thead>
<tr>
<th>Definition</th>
<th>Description</th>
</tr>
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<tbody>
<tr>
<td><strong>Bulk Fuel and Oil Storage Establishment</strong></td>
<td>Shall mean the use of land, building or structure, or part thereof, for the bulk storage or wholesale distribution of gasoline, oil, petroleum products or other flammable liquids, but shall not include a Motor Vehicle Service Station or a Motor Vehicle Gas Bar.</td>
</tr>
<tr>
<td><strong>Catering Service</strong></td>
<td>Shall mean a use where food and beverages are prepared for consumption off-site, but are not served on the premises or for immediate take-out consumption.</td>
</tr>
<tr>
<td><strong>Commercial Recreation</strong></td>
<td>Shall mean the use of an establishment, for a fee, for the provision of athletic and amusement facilities involving the active participation of the user-public in a sports-related activity and shall include but not be limited to such facilities as racquet courts, fitness clubs, billiard parlour, bowling alley, golf course, driving range, skating or curling surfaces, riding stables, water sports, go-kart track or amusement parks, but shall not include an amusement arcade.</td>
</tr>
<tr>
<td><strong>Conference or Convention Centre</strong></td>
<td>Shall mean an establishment, which is not a hotel, where facilities are provided for meetings, seminars, workshops, social gatherings and other similar activities including an exhibition facility, all which may include dining facilities for the exclusive use of conference or convention participants.</td>
</tr>
<tr>
<td><strong>Conservation</strong></td>
<td>Shall mean the use of land, buildings or structures for the purpose of the protection and management of the natural environment.</td>
</tr>
<tr>
<td><strong>Craftsperson Shop</strong></td>
<td>Shall mean an establishment used for the creation, finishing, refinishing or similar production of custom or hand-made commodities, together with the retailing of such commodities.</td>
</tr>
</tbody>
</table>
Day Nursery

Shall mean a facility licensed under the Day Nurseries Act which receives more than 5 children who are not of common parentage, primarily for the purpose of providing temporary care and/or guidance for a continuous period not exceed 24 hours, where children are a) under eighteen years of age in the case of a day nursery for children with a development disability, and b) under ten years of age in all other cases, but shall not include part of a school provided for under the Education Act.

Dry Cleaning Plant

Shall mean a building where dry cleaning, dry dyeing, washing or pressing of articles of clothing is conducted.

Dwelling

Shall mean a building used or intended to be used for human habitation but shall not include a recreational vehicle or tent.

Dwelling Unit - shall mean a room or suite of rooms used or intended to be used by one or more persons living together as one household, in which cooking and sanitary facilities are provided for the exclusive use of the household, and to which an independent entrance is provided from outside the building or from a common interior hallway, vestibule or stairway.

Multiple Dwelling – shall mean a building or part thereof containing three or more dwelling units but shall not include a street townhouse dwelling or semi-detached dwelling.

Single Detached Dwelling – shall mean a separate dwelling containing one dwelling unit.

Educational Establishment

Shall mean a Provincially approved institution for academic instruction and shall include a public, private or separate school, college or university.
SECTION 3: DEFINITIONS

**Equipment and Machinery Sales, Rental and Service Establishment**

Shall mean the use of land, building or structure, or part thereof, for the display, sale, lease, rental or repair of commercial or industrial equipment and machinery and which may include facilities for the storage and sale of parts accessory to such equipment and machinery, together with the repair, painting and service of such equipment and machinery.

**Farm Labour Residence**

Shall mean a secondary accommodation provided for full-time farm labour where the size and nature of the farm operation requires additional employment, in the form of either of the following:

a) An accessory apartment attached to and forming part of the principal farm residence; or

b) An accessory detached dwelling of temporary construction, such as a mobile home, located in close proximity to the farm cluster and serviced by the same private sewer and water systems used by the principal farm residence.

**Farm Product Supply Establishment**

Shall mean the use of land, buildings or structures for the sale and/or storage of seeds, fertilizers, farm equipment or other goods or materials used in agriculture.

**Farm Vacation Home**

Shall mean a use which is accessory to an Agricultural Use on the same lot, located within an existing single detached dwelling, in which individual rooms or the entire dwelling is made available by the residents of the lot or the operators of the farm for remuneration, for the temporary accommodation of travelers, and may include participation in farm activities, the provision of meals, services, facilities and amenities for the exclusive use of guests.

**Financial Establishment**

Shall mean a use where money is deposited, kept, lent and exchanged, and shall include but not be limited to banks, credit unions, trust companies or other similar banking services.
SECTION 3: DEFINITIONS

Garden Centre
Shall mean the use of land, building or structure, or part thereof, for the display and sale of plants, gardening and landscaping supplies and equipment.

Home Business
Shall mean a use conducted as a business in a dwelling unit which is secondary to the use of the dwelling unit as a private residence.

Home Industry
Shall mean a use which is located on the same lot as a permitted Agricultural Use, and which is limited to a small scale agricultural-related manufacturing or a Craftsperson Shop.

Lot Line
Side Lot Line – shall mean any lot line other than a front or rear lot line. The hypotenuse of a Daylight Triangle shall also be a side lot line.

Major Recreational Vehicle Sales and Service Establishment
Shall mean the use of land, building or structure, or part thereof, for the display and retail sale of travel trailers, recreational vehicles and boats and which may include the servicing, repair, cleaning, painting, polishing and greasing of such vehicles, trailers and boats and the sale of accessories and related products and the leasing or renting of such vehicles, but shall not include a Motor Vehicle Sales and Service Establishment.

Manufacturing
Shall mean the production, fabrication, compounding, processing, packaging, crafting, bottling, packing, recycling or assembling of raw or semi-processed or fully-processed goods or materials, and shall include but not be limited to a Biotechnological Establishment, Computer, Electronic and Data Processing Establishment, Pharmaceutical and Medical Establishment, Printing Establishment and/or a Science and Technology Establishment. Manufacturing may also include a Private Power Generation Facility as an accessory use, but shall not include a Waste Management Facility.
Medical Clinic

Shall mean a building, or part thereof, which is used jointly by three or more health professionals for the purpose of consultation, diagnosis and/or treatment of persons and shall include but not be limited to laboratories, dispensaries or other similar facilities, but shall not include overnight accommodation for in-patient care resulting from surgery.

Medical Office

Shall mean a building, or part thereof, in which a maximum of two health professionals provide consultative, diagnostic and treatment services.

Mineral Aggregate Resources

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

Mineral Aggregate Operation

Shall mean lands under license or permit, other than for wayside pits and quarries, issued in accordance with the Aggregate Resources Act or successors thereto. For lands not designated under the Aggregate Resources Act, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.
SECTION 3: DEFINITIONS

Motor Vehicle - Commercial

Shall mean a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, buses, tractors and tow trucks used for hauling purposes on the highways, but does not include:

a) A commercial motor vehicle, other than a bus, having a gross weight or registered gross weight of not more than 4,500 kilograms;

b) A commercial motor vehicle leased for no longer than thirty days by an individual for the transportation of goods kept for that individual's personal use or the gratuitous carriage of passengers; and

c) A commercial motor vehicle operated under the authority of an In-Transit permit.

Motor Vehicle Gas Bar

Shall mean a use on a lot, where fuel or lubricants are offered for sale but where no provision is made for the repair or maintenance of motor vehicles and may include the sale of foods and convenience items but shall not include a Motor Vehicle Repair Establishment, Motor Vehicle Wrecking Establishment or a Motor Vehicle Service Station.

Motor Vehicle Service Station

Shall mean an establishment used for the sale of fuel, automotive accessories and/or convenience goods, the repair or replacement of parts in a motor vehicle and shall include but not be limited to the repair or replacement of mufflers, exhaust systems, shock absorbers, transmissions, gears, brakes, clutch assemblies, steering systems, tires, wheels, windshields, windows and other mechanical or electrical parts or systems, the installation of undercoating, engine tuning, lubrication and engine conversion or replacement but shall not include Motor Vehicle Collision Repair Establishment, Motor Vehicle Sales and Service Establishment, Motor Vehicle Washing Establishment, and/or a Motor Vehicle Wrecking Establishment.
SECTION 3: DEFINITIONS

**Motor Vehicle Wrecking Establishment**

Shall mean the use of land, building or structure, or part thereof, for the storage, dismantling, crushing or demolition of unlicensed, inoperable or derelict Motor Vehicles or Commercial Motor Vehicles and which may include the storage and sale of salvaged material or parts obtained there from, but shall not include a Motor Vehicle Repair Establishment, Motor Vehicle Service Station, Motor Vehicle Washing Establishment or a Salvage Yard.

**Office**

Shall mean a building or part of a building in which management, clerical, administrative, consulting, advisory or training services are offered or performed and shall include but not be limited to an Industrial Administrative Office and a Surveying, Engineering, Planning or Design Business, but shall not include a Medical Clinic or a Medical Office.

**On-Farm Secondary**

Shall mean a use which is secondary to the primary agricultural use on the same lot and shall be limited to the following: Agri-Tourism; Farm Vacation Home; Home Industry; Kennel; and small-scale retailing of agricultural products.

**Personal Services**

Shall mean the provision of services involving the health, beauty or grooming of a person or the maintenance or cleaning of apparel, but shall not include a Dry Cleaning Plant or Body Rub Parlour.

**Place of Worship**

Shall mean a building used by any religious organization for public worship or other ecclesiastical functions and may include accessory or ancillary uses which shall include but not be limited to an assembly hall, auditorium, convent, monastery, rectory cemetery, day nursery and educational or recreational uses.

**Planting Strip**

Shall mean an area of land growing ornamental shrubs or trees or both, suitable to the soil and climatic conditions of the area of land for the sole purpose of providing a buffer.
SECTION 3: DEFINITIONS

Private Club or Lodge

Shall mean a building or part of a building used for social, literary, cultural, political, educational or recreational purposes which is operated for the exclusive use of members and their guests and not open to the general public on an equal basis, but shall not include a fitness club or a Labour Association Hall.

Recreation, Passive

Shall mean activities that involve relatively unorganized recreational pursuits, generally in the outdoors, such as walking, sitting and picnicking.

Repair Service

Shall mean the provision of maintenance or repair services for goods or equipment, excluding motor vehicles and major recreational equipment.

Residential Care Facility

Shall mean a group living arrangement, within a fully detached residential building occupied wholly by a minimum of four supervised residents and a maximum number of supervised residents as permitted by the zone, exclusive of staff, residing on the premises because of social, emotional, mental or physical handicaps or personal distress and which residential setting is developed for the well being of its residents through the provision of self-help, guidance, professional care and supervision not available within the resident’s own family, or in an independent living situation or if:

a) The resident was referred to the facility by a hospital, court or government agency; or

b) The facility is licensed, funded, approved by a contract or agreement with the Federal, Provincial or Municipal Governments. A residential care facility shall include a child’s residence and group home but shall not include an emergency shelter, lodging house, corrections residence or correctional facility.

Restaurant

Shall mean a building where food and/or drink is prepared and sold for immediate consumption, either on or off site, and which may offer commercial entertainment only if the premises are licensed under the Liquor Licence Act.
SECTION 3: DEFINITIONS

Retail
Shall mean the sale or rental of goods or materials to the ultimate consumer including "convenience retail" goods, but shall not include a restaurant or the sale or rental of motor vehicles, motor vehicle fuel or major recreational equipment.

Studio
Shall mean an establishment used for the study or instruction of a performing or visual art, such as but not limited to, dancing, singing, acting or modeling, or the workplace with accessory retail, of a painter, sculptor or photographer, or an establishment used for the making or transmission of motion pictures, radio or television programs.

Towing Establishment
Shall mean the use of land, building or structure, or part thereof, for the keeping of tow trucks, and to which disabled or impounded motor vehicles or mobile equipment are taken or towed and stored temporarily until reclaimed, but shall not include a Motor Vehicle Wrecking Establishment or a Salvage Yard.

Transport Terminal
Shall mean the use of land, building or structure, or part thereof where Commercial Motor Vehicles, trucks, trailers, rail cars, boats and/or containers are loaded, unloaded, temporarily stored, dispatched or parked for remuneration and may include freight handling facilities related to the trans-shipment of goods, materials or products.

Veterinary Service
Shall mean a use within a wholly enclosed building or part thereof, where domestic animals or household pets are provided treatment by a veterinarian and may include temporary indoor accommodation related to treatment and/or recovery and pet grooming but shall not include a kennel.

Warehouse
Shall mean the use of land, building or structure, or part thereof, for the bulk storage and/or distribution of goods to industrial, commercial or institutional business users or other wholesalers, but shall not include the retailing of goods to the general public. A Warehouse shall not include a Waste Management Facility, Scrap Yard or Towing Establishment.