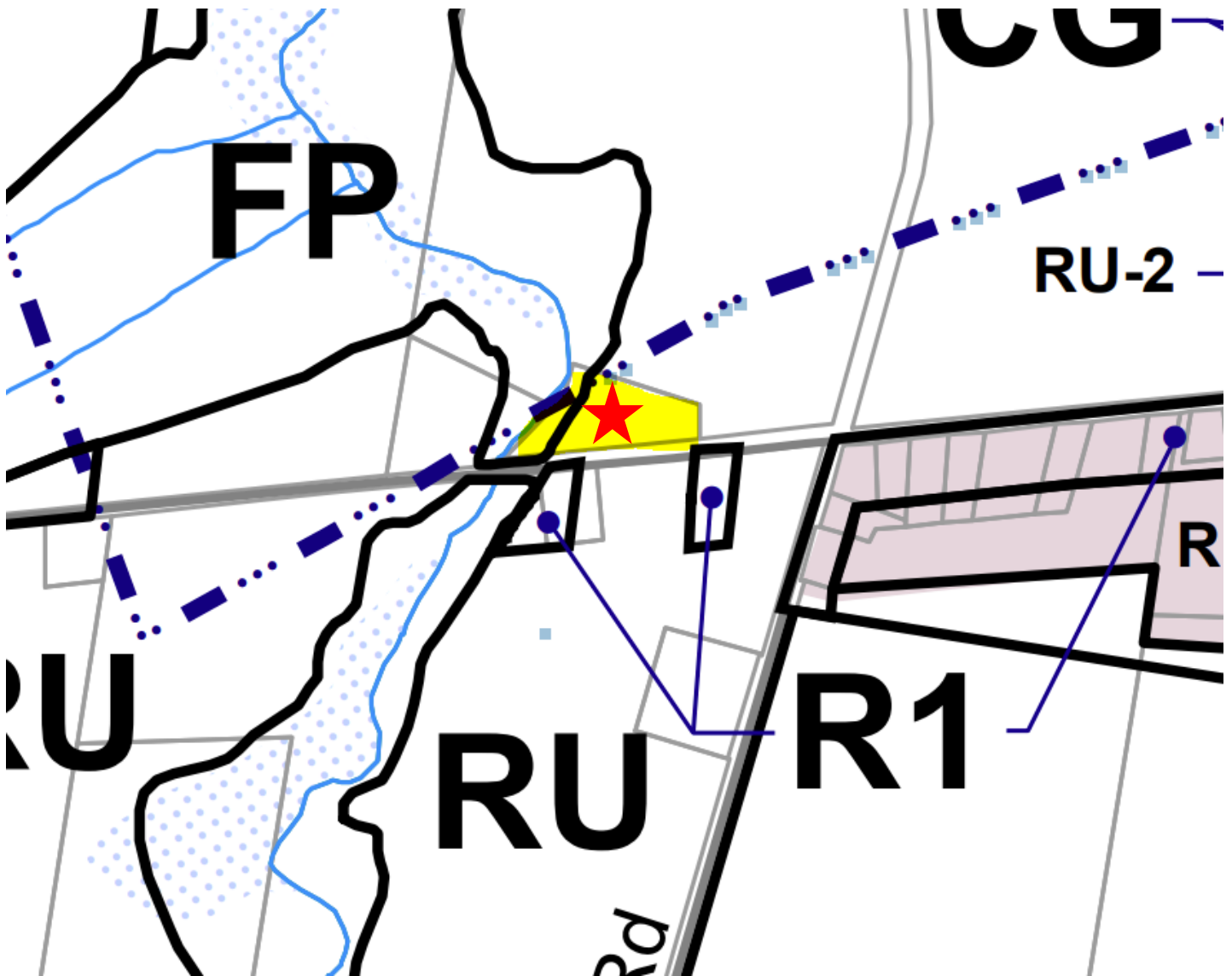


# Zoning Information

## 4464 Kilkenny Road, Elizabethtown-Kitley



RU – Rural Residential Zone

FP – Flood Plain

**TOWNSHIP  
OF  
ELIZABETHTOWN-KITLEY  
  
ZONING BY-LAW NO. 13-21**

**OCTOBER 2022 OFFICE CONSOLIDATION**

**Adopted by Council on May 13, 2013**

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## SECTION 10 - RURAL ZONES

### 10.1 Rural (RU) Zone

#### 1. Permitted Uses

accessory dwelling  
accessory dwelling unit  
agricultural use  
bed and breakfast  
conservation use  
existing cemetery  
group home, in accordance with Section 3.6  
home-based business, in accordance with Section 3.9  
hunting or fishing camp  
kennel, commercial and/or breeding  
kennel, hobby  
on-farm diversified use  
place of worship  
portable asphalt plant  
portable concrete plant  
second dwelling unit or second dwelling, in accordance with Section 3.21  
single dwelling  
wayside pit  
wayside quarry

#### 2. Zone Provisions

- Lot Area (minimum)
  - Agricultural use that includes the keeping of livestock 4 ha
  - Other permitted uses 0.4 ha
- Lot Frontage (minimum) 45 m
- Yards (minimum)
  - Front 10 m
  - Exterior Side 6 m
  - Interior Side 6 m
  - Rear 7.5 m
- Building Height (maximum) 10 m
- Lot Coverage (maximum) 20%
- Floor Space Index for lot abutting a water body (maximum) 10%
- Dwellings or Dwelling Units per Lot (maximum) 1

### 3. Additional Provisions

#### 1. General Provisions

In accordance with Section 3 hereof.

#### 2. Minimum Separation Distance of a New or Expanding Livestock Facility from a Dwelling

Notwithstanding any other provisions of this By-law, new or expanding livestock facilities shall comply with the Minimum Distance Separation II (MDS II), as issued by the Ministry of Agriculture, Food and Rural Affairs.

#### 3. Minimum Separation Distance for a Kennel

- As per the Kennel By-law No. 18-16, as may be amended

#### 4. Hunting or Fishing Camp Provisions

Notwithstanding the provisions of Sections 10.1. and 10.2, the following provisions shall apply to a hunting or fishing camp:

- A hunting or fishing camp shall not be permitted on a lot on which a dwelling is located;
- The maximum floor area of a hunting or fishing camp shall be 60 m<sup>2</sup>;
- All yards shall be a minimum of 100 m.

### 4. Special Exception Zones

#### 1. RU-1 (*Part of Lot 3, Con. 1, Part of Lot 25, Con. 1, Part of Lot 18, Con 3, Part of Lot 18, Con. 3, Part of Lot 6, Con. 4, Elizabethtown*)

Notwithstanding the provisions of Section 10.1.1 of this By-law to the contrary, on the lands zoned RU-1, an antique store shall be an additional permitted use and, further, the following provision shall apply in relation to such use:

- Floor Area (maximum) 465 m<sup>2</sup>

#### 2. RU-2 (*Various Settlement Area Lands*)

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned RU-2, the following uses shall not be permitted:

- Any new livestock barns or facilities or expansions thereto
- Any new manure storage areas or expansions thereto
- Wayside pit
- Wayside quarry
- Portable asphalt plant

- Portable concrete plant

3. **RU-3** (*Part of Lots 23 and 24, Con. 6, Kitley*)

Notwithstanding the provisions of Sections 10.1.1 and 10.1.2 of this By-law to the contrary, on the lands zoned RU-3, the following additional uses shall be permitted:

- Heating and air conditioning sales, repairs and installation
- Sheet metal fabrication and sales
- An office accessory to the foregoing uses.

Further, the following provisions shall prevail in relation to the foregoing uses:

- Floor Area (maximum) 204 m<sup>2</sup>
- Any open storage shall be contained within a fenced and screened enclosure in accordance with a site plan agreement between the owner and the Township.
- Parking and driveway areas are to be provided with permanent all-weather surfaces.

4. **RU-4** (*Part of Lot 4, Con. 2, Kitley – 0801-824-029-00700*)

Notwithstanding the provisions of Sections 10.1.1 and 10.1.2 of this By-law to the contrary, on the lands zoned RU-4, a concrete plant shall be an additional permitted use. Related accessory uses, buildings and structures such as large storage buildings, vehicle maintenance garages and other similar accessory uses shall also be permitted. The following provisions shall prevail in relation to a concrete plant and related accessory buildings and structures:

- Yards (minimum)
  - Front 50 m
  - North Interior Side 80 m
  - South Interior Side 30 m
  - Rear Yard 30 m
- Floor Area – Main concrete plant building (maximum) 465 m<sup>2</sup>
- Accessory Building Height (maximum) 7.5 m
- Existing treed areas to be retained/maintained to provide the following treed area depths:
  - Front Yard (north half of lot only) 40 m
  - North Interior Side Yard 75 m
  - Rear Yard 20 m

5. **RU-5** (*Part of Lots 22 and 23, Con. 9, Kitley*)

Notwithstanding the provisions of Section 10.1.1 of this By-law to the contrary,

on the lands zoned RU-5, a vehicle sales or rental establishment shall be an additional permitted use. The following provisions shall prevail in relation to a concrete plant and related accessory buildings and structures:

- Commercial Floor Area (maximum) 1,944 m<sup>2</sup>
- No parts, derelict vehicles, garbage or other waste or scrap materials associated with a commercial use shall be stored in the open, except within a fenced and screened enclosure approved by the Township and as shown on an approved site plan.
- Commercial parking and driveway areas are to be provided with permanent all-weather surfaces.

6. **RU-6** (*Part of Lot 37, Con. 11, Elizabethtown – 0801-000-050-20901*)

Notwithstanding the provisions of Section 10.1.1 of this By-law to the contrary, on the lands zoned RU-6, a tack shop for the retail sale of horse-related products shall be an additional permitted use, provided that the maximum floor area of the said use shall not exceed 56 m<sup>2</sup>.

7. **RU-7** (*Part of Lots 37 and 38, Con. 10, Part of Lot 33, Con. 7, Elizabethtown*)

Notwithstanding the provisions of Sections 10.1.1 and 10.1.2 of this By-law to the contrary, on the lands zoned RU-7, the following additional uses shall be permitted:

- Automobile Service Station
- Tradesperson's Establishment
- Service Outlet

Further, the following provisions shall prevail in relation to the foregoing uses:

- Floor Area (maximum) 465 m<sup>2</sup>
- Open storage shall only be permitted in a side or rear yard and shall be screened from the street.

8. **RU-8** (*Part of Lot 28, Con. 2, Elizabethtown*)

Notwithstanding the provisions of Section 10.1.1 of this By-law to the contrary, on the lands zoned RU-8, an indoor and/or outdoor archery range, including related retail sales and/or repair, shall be an additional permitted use.

9. **RU-9** (*Part of Lot 18, Con. 3, Elizabethtown – 0801-000-015-18001*)

Notwithstanding the provisions of Sections 10.1.1 and 10.1.2 of this By-law to the contrary, on the lands zoned RU-9, a contractor's yard shall be an additional permitted use. The following provisions shall prevail in relation to a contractor's yard:

- Floor Area (maximum) 274 m<sup>2</sup>
- Driveway access and signage shall be permitted within the abutting RU zone and shall conform to all requirements of the applicable road authority.

**10. RU-10** (*Part of Lot 6, Con. 11, Elizabethtown – 0801-000-055-05800*)

Notwithstanding the provisions of Section 3.5 of this By-law to the contrary, on the lands zoned RU-10, a hunting or fishing camp shall be permitted without frontage on an improved street. The Township shall have no obligation to assume the unopened road allowance as an improved street, to provide road maintenance or to guarantee emergency vehicle access.

**11. RU-11** (*Part of Lot 27, Con. 1, Elizabethtown – 0801-000-0606-15600*)

Notwithstanding the provisions of Section 10.1.2 of this By-law to the contrary, on the lands zoned RU-11, the following provisions shall prevail:

- Lot Frontage (minimum) 13.5 m
- Driveway access to an improved street may be permitted via an easement over Township-owned lands.
- In the case of a single dwelling, the street setback and front and interior side yards shall be as follows:
  - Front Yard (minimum) 179 m
  - West Interior Side Yard (minimum) 36.5 m

**12. RU-12** (*Part of Lot 2, Con. 2, Elizabethtown – 0801-000-010-17900*)

Notwithstanding the provisions of Sections 2 and 3.9 of this By-law to the contrary, on the lands zoned RU-12, a vehicle service and repair shop shall be permitted as a home-based business in accordance with the following:

- A vehicle service and repair shop shall include the service and repair of automobiles, light trucks, farm implements and equipment within a detached shop/garage, as well as incidental retail sales restricted to lubricants and parts directly associated with such service and repair work.
- The maximum floor area of the shop/garage shall be 148.6 m<sup>2</sup>.
- 10 parking spaces shall be provided in the side or rear yards adjacent to the shop/garage.
- A 1.82 m high screen, consisting of the existing hedge, a solid fence, or combination of the two, shall be provided in order to screen the property from the abutting residential use property at 2978 Kelly Road.
- Except as otherwise stated herein, the provisions of Section 3.9 shall apply.

**13. RU-13** (*Part of Lot 7, Con. 6, Elizabethtown – Part of 0801-000-035-03800*)

Notwithstanding the provisions of Sections 2 and 3.9 of this By-law to the contrary, on the lands zoned RU-13, a vehicle service and repair shop shall be

permitted as a home-based business in accordance with the following:

- A vehicle service and repair shop shall include the service and repair of automobiles, light trucks, farm implements and equipment within a detached shop/garage, as well as incidental retail sales restricted to lubricants and parts directly associated with such service and repair work.
- The maximum floor area of the shop/garage shall be 123 m<sup>2</sup>.
- 8 parking spaces shall be provided.
- Notwithstanding Section 3.9.3 of this By-law, a maximum of two signs shall be permitted, provided that they shall be located a minimum of 1 m from any lot line and, further, that they may be situated within the area between the RU-13 zone limits and the street line.
- Except as otherwise stated herein, the provisions of Section 3.9 shall apply.

**14. RU-14** (*Part of Lot 30, Con. 6, Elizabethtown – Part of 0801-000-050-02400, part of 7219 County Rd. 28*)

Notwithstanding the provisions of Section 10.1.1 of this By-law to the contrary, on the lands zoned RU-14, the following additional uses shall be permitted:

- A vehicle service and repair shop, excluding body shop work (which may include the service and repair of automobiles, light trucks, farm implements and equipment) as well as incidental retail sales restricted to lubricants and parts directly associated with such service and repair work;
- A tradesperson's establishment;
- A service outlet.

The following provisions shall prevail in relation to the foregoing uses:

- Floor area (maximum) shall be 223 sq.m.;
- 11 parking spaces shall be provided in relation to this shop area;
- 1 non-illuminated sign, not larger than 0.6 sq.m. may be located on the lot within the area between the RU-14 zone limits and the street line.

Further, the following additional use shall be permitted:

- A private personal use storage garage use, not associated or accessory to a dwelling on the property.

The following provision shall prevail in relation to the private personal use storage garage use:

- Combined Floor area (maximum) shall be 446 sq.m.

**15. RU-15** (*2930 2<sup>nd</sup> Concession Road, Part Lot A, Con. 2, Elizabethtown*)

Notwithstanding the provisions of Section 3.1.7 of this By-law to the contrary,



on the lands zoned RU-15, the following provision shall prevail:

- Interior Side Yard (minimum) for an existing pool shed 1.2 m

**16. RU-16** (2932 2<sup>nd</sup> Concession Road, Part Lot A, Con. 2, Elizabethtown)

Notwithstanding the provisions of Section 3.17.5.2 & Section 10.1.2 of this By-law to the contrary, on the lands zoned RU-16, the following provision shall prevail:

- Lot Area (minimum) 0.21 ha
- Lot Frontage (minimum) 38 m
- Interior Side Yard (minimum – west interior lot line) 1.98 m
- Rear Yard (minimum) 6 m
- Driveway Setback  
(minimum – rear and east interior lot line) 0 m

## **SECTION 14 - NATURAL HAZARD ZONES**

### **14.1 Flood Plain (FP) Zone**

#### **1. Permitted Uses**

agricultural use, excluding buildings  
conservation use, excluding buildings  
golf course, excluding buildings  
marine facility  
park, excluding buildings

#### **2. Zone Provisions**

Not Applicable

#### **3. Additional Provisions**

##### **1. General Provisions**

In accordance with Section 3 hereof.

##### **2. Special Provisions**

1. No fill shall be placed except with the written approval of the relevant Conservation Authority.
2. No building or structure shall be erected, altered or used except with the written approval of the relevant Conservation Authority.

#### **4. Special Exception Zones**

*(reserved)*