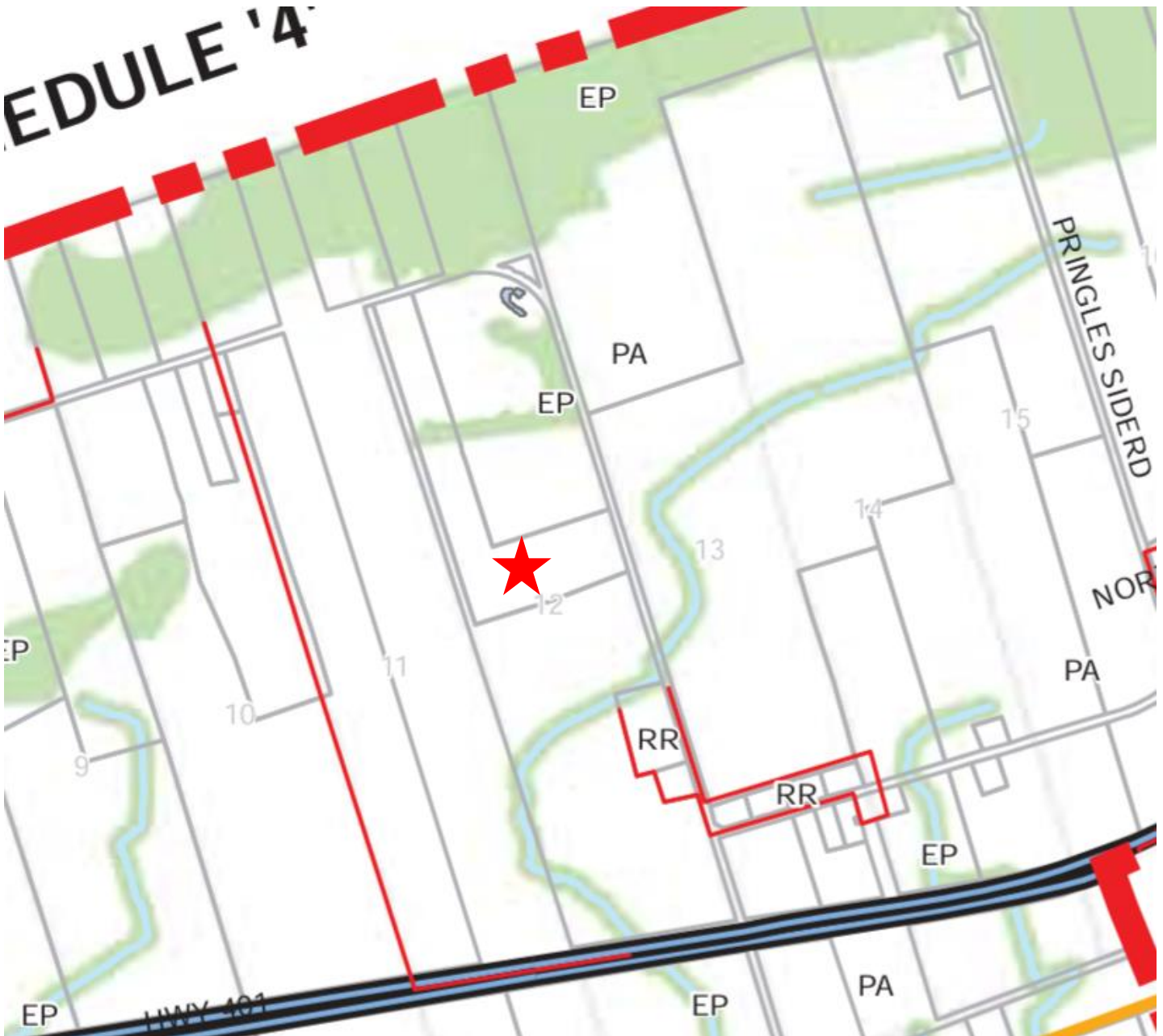


Zoning Information

272 Beechwood Road Napanee



RU – Rural Residential Zone
& EP – Environmental Protection Zone

BY-LAW 02-22

THE ZONING BY-LAW OF THE

TOWN OF GREATER NAPANEE

OFFICE CONSOLIDATION MARCH 2020

NOTE: **This in an office consolidation prepared solely for convenience. The original Zoning By-law, and Zoning By-law Amendments and any subsequent Ontario Municipal Board Orders should be consulted for accurate reference.**

Prepared by:

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(Project No. 8692-P/10758)



5.2 ENVIRONMENTAL PROTECTION (EP) ZONE

No person shall within any Environmental Protection (EP) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

The Environmental Protection Zone includes: Provincially Significant Wetlands, significant Areas of Natural and Scientific Interest (life and earth sciences), waterbodies and watercourses (fish habitat), locally significant and unevaluated wetlands, and lands within the Floodplain.

(By-law No. 2016-0049)

5.2.1 Uses Permitted**a) Residential Uses**

- Prohibited.

b) Non-Residential Uses

- Existing farm, exclusive of any permanent building;
- Conservation use;
- Forestry use;
- Park, exclusive of any permanent building;
- Public use in accordance with the General Provisions of this By-law but exclusive of any permanent buildings;
- Structures for flood or erosion control.

(By-law Number 2016-0049)

c) Accessory Uses:

Uses, buildings and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law.

5.2.2 Zone Provisions**a) Yards (minimum):**

- | | |
|-------------------------------|-----|
| i) Front Yard | N/A |
| ii) Exterior Side Yard | N/A |
| iii) Interior Side Yard | N/A |
| iv) Rear Yard | N/A |

b) Lot Coverage (Maximum)..... N/A**c) Height of Building (Maximum)..... N/A****5.2.3 General Provisions**

In accordance with Section 4, General Provisions, of this By-law.

5.2.4 Exception Provisions - Environmental Protection (EP) Zone

5.2.4.1 Environmental Protection Exception One (EP-1) Zone

(Part of Lot 15, Concession 5, in the Geographic Township of North Fredericksburgh)

Within the EP-1 Zone, the following provisions apply:

Uses Permitted

The following additional uses are permitted:

a) Residential Uses

- Single detached dwelling house.

b) Non-Residential Uses

- Existing farm buildings and structures.

c) Provisions

- Lot Area (minimum) 0.65 ha
 - Lot Frontage (minimum)..... 100 metres
 - Front Yard (minimum)..... 11 metres
 - Rear Yard (minimum)..... 24 metres
 - Setback from High Water Mark (minimum)..... 24 metres
 - Interior Side Yard (minimum) 10 metres
 - Landscaped Open Space (minimum) 30 %
 - Setback from Street Centreline In accordance with the General Provisions
 - Number of Dwelling Houses per Lot (maximum) 1
 - Height of building (maximum) 10 metres
- (By-law No. 03-23)

5.2.4.2 Environmental Protection Exception Two (EP-2) Zone

(Part of Lot 30, Concession 3, in the Geographic Township of Adolphustown)

Within the EP-2 Zone the following provisions apply:

a) Permitted Uses

Residential Uses are restricted to:

- A single detached dwelling house

b) Provisions

- Lot Area (minimum) 0.2 ha
- Lot Frontage (minimum)..... 65 metres
- Setback from High Water Mark..... no new dwelling house building or structure is to be closer to the high water mark than the existing dwelling house, building or structure existing at the date of adoption of this by-law.
- Front Yard (minimum)..... 2.8 metres

- Interior Side Yard (minimum)5 metres
- Landscaped Open Space (minimum) 30 %
- Setback from Street CentrelineIn accordance with the General Provisions

- Dwelling Houses Per Lot (maximum) 1
- Height of Building (maximum)..... 10 metres
- Footprint of replaced single detached dwelling house not to exceed the footprint of the existing seasonal dwelling house.
- Basement or Crawl Spaceprohibited
- Elevation of lowest floor, and of exterior openings such as doors, vents, and windows..... 76.4 metres GSC
(By-law No. 07-41)

5.6 RURAL (RU) ZONE

No person shall within any Rural (RU) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

5.6.1 Uses Permitted**a) Residential Uses**

- Single detached dwelling house;
- Existing converted dwelling house;
- Group Home;
- Special Care Facilities, excluding the use of Warming/Cooling Centres;
- Transitional Housing Unit; and
- Home Occupation or Home Industry.

(By-law No. 2016-0049)(By-law No. 2020-0016)

b) Non-Residential Uses

- Cemetery (existing);
- Conservation and forestry uses;
- Equestrian centre;
- Estate Winery accessory to an agricultural use;
- Farm Winery accessory to an agricultural use;
- Farm;
- Farm produce sales outlet;
- Kennel;
- Nursery farm;
- Place of worship;
- Park;
- Public use in accordance with the general provisions of this By-law;
- School;
- Wayside pit or quarry and a portable asphalt plant as an accessory use to a permitted wayside pit or quarry.

(By-law No. 03-74)(By-law No. 2016-0049)

c) Accessory Uses

Uses, buildings and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law, including Shipping Containers.

(By-law No. 2020-0016)

5.6.2 Provisions for Residential Uses

a) Lot Area (minimum) 0.8 ha

(By-law No. 2016-0049)

b) Lot Frontage (minimum) 60 metres

c) Yards (minimum):

i) Front Yard 10 metres

ii) Exterior Side Yard 10 metres

- iii) Interior Side Yard.....5 metres
- iv) Rear Yard 10 metres
- d) Dwelling Unit Area (minimum) 90 square metres
- e) Lot Coverage (maximum)..... 30 percent
- f) Landscaped Open Space..... 30 percent
- g) Setback from Street Centreline:
 - In accordance with the General Provisions of this By-law.
- h) Number of Dwelling Houses per Lot (maximum)..... 1
- i) Height of Building (maximum)..... 10 metres
- j) Separation Requirements:
 - In accordance with the General Provisions of this By-law.

5.6.3 **Provisions for Non-Residential Uses**

- a) Lot Area (minimum) 4 ha
(By-law No. 2018-0005)
- b) Lot Frontage (minimum) 100 metres
(By-law No. 2018-0005)
- c) Yards (minimum):
 - i) Front Yard 30 metres
 - ii) Exterior Side Yard..... 30 metres
 - iii) Interior Side Yard..... 15 metres
 - iv) Rear Yard 30 metres
- d) Lot Coverage (maximum)..... 10 percent
- e) Landscaped Open Space 30 percent
- f) Setback from Street Centreline:
 - In accordance with the General Provisions of this By-law.
- g) Height of Building (maximum) 12 metres
- h) Separation Requirements:
 - In accordance with the General Provisions of this By-law.

5.6.4 **Provisions for Kennels**

No Kennel shall be erected within 50 metres of the lot line of adjacent lands which are held under distinct and separate ownership. Where a kennel existed as of the date of passing of this By-law which does not comply with the 50 metre setback, such kennel shall not be extended, enlarged, reconstructed or altered if the effect is to reduce or encroach on the setback.

5.6.5 Farm Wineries

- a) Lot Frontage (Minimum).....100 metres
- b) Lot Area (Minimum)..... 8 hectares
- c) Yard Requirements (Minimum)
 - i) Front Yard15 metres
 - ii) Exterior Side Yard.....15 metres
 - iii) Interior Side Yard.....10 metres
 - iv) Rear Yard15 metres
- d) Building Height (Maximum).....10.5 metres
- e) Outside Storage
 - Outside operations and storage of goods and materials, including refuse containers, shall only be permitted to the rear of the building and must be located outside of the required exterior side yard, required interior side yard and required rear yard.
 - Outside operations and storage of goods and materials are to be screened from view of adjacent properties by means of fencing and/or landscaping features.
- f) Gross Floor Area (Maximum).....
 - 300 square metres, which may include a maximum combined retail and hospitality room floor area of 150 square metres but excludes an underground wine storage facility for wines produced on same farm winery where the underground storage facility is located.
- g) Parking... ..In accordance with the General Provisions.
- h) Separation Requirements.....n accordance with the provisions of Section 4.4.
- i) A lot of record existing on the date of adoption of this by-law may be used for a farm winery provided the minimum lot area is 3.2 hectares.

(By-law No. 03-74)

5.6.6 Estate Wineries

- a) Lot Frontage (Minimum... ..175 metres
- b) Lot Area (Minimum)..... 8 hectares
- c) Yard Requirements (Minimum)
 - i) Front Yard.....20 metres
 - ii) Exterior Side Yard.....20 metres
 - iii) Interior Side Yard.....15 metres
 - iv) Rear Yard20 metres
- d) Building Height (Maximum).....10.5 metres
- e) Outside Storage

- Outside operations and storage of goods and materials, including refuse containers, shall only be permitted to the rear of the building and must be located outside of the required exterior side yard, required interior side yard and required rear yard.
 - Outside operations and storage of goods and materials are to be screened from view of adjacent properties by means of fencing and/or landscaping features
- f) Gross Floor Area (Maximum)
- 500 square metres, which may include a maximum combined retail and hospitality room floor area of 200 square metres but excludes an underground wine storage facility for wines produced on same Estate winery where the underground storage facility is located.
- g) ParkingIn accordance with the General Provisions.
- h) Separation Requirements.....n accordance with the provisions of Section 4.4.
(By-law No. 03-74)

5.6.7 **General Provisions**

In accordance with Section 4, General Provisions, of this By-law.

5.6.8 **Exception Provisions - Rural (RU) Zone**

5.6.8.1 **Rural Exception One (RU-1) Zone**

(Part of Lot 25, Concession 7, in the Geographic Township of North Fredericksburgh)

Within the RU-1 Zone, the following apply:

Additional Uses Permitted

- On site parking for up to four (4) school buses with six (6) additional buses being permitted during the period of regular maintenance of such buses; and
- A maintenance garage for school buses permitted on site.

Provisions

- a) Rear Yard (minimum)61 metres
- b) Maintenance Garage (maximum size)..... 186 sq. metres
- c) Maintenance Garage Location..... to the rear of the single unit dwelling house
- d) School Bus Parking Area
 - school buses shall not be parked in any required yard.

5.6.8.2 **Rural Exception Two (RU-2) Zone**

(Part of Lot 19, Concession 5, in the Geographic Township of North Fredericksburgh)

Within the RU-2 Zone, uses permitted include an equine veterinary facility.

5.6.8.3 **Rural Exception Three (RU-3) Zone**

(Part of Lot 20, Concession 6, in the Geographic Township of Richmond)

Within the RU-3 Zone, the uses permitted include:

- A workshop for servicing farm equipment and servicing of trucks.

The following provision apply:

- a) Lot Area (minimum)..... 0.4 hectares
- b) Lot Frontage (minimum)..... 100 metres
- c) Workshop Size (maximum)..... 155 sq. metres

5.6.8.4 Rural Exception Four (RU-4) Zone

(Part of Lot 1, Concession 5 Additional, in the Geographic Township of North Fredericksburgh)

Within the Rural Exception Four (RU-4) Zone, the uses permitted shall be those listed in the Rural Zone plus a 'shaving mill'. For purposes of this By-law, a shaving mill will refer to an establishment where wood products are further processed by mechanical means to create mulch and/or bedding materials for animals.

Within the RU-4 Zone the following provisions apply:

- a) Lot Frontage (minimum)..... 150 metres
- b) Lot Area (minimum)..... 3 hectares

5.6.8.5 Rural Exception Five (RU-5) Zone

(Part of Lot 4, Concession 4, in the Geographic Township of North Fredericksburgh)

(By-law No. 03-49)

(Repealed 2016-0049)

5.6.8.6 Rural Exception Six (RU-6) Zone

(Part of Lot 8, Concession 4, in the Geographic Township of North Fredericksburgh)

Within the RU-6 Zone, the following provisions apply to use of the lands for residential use:

- a) Lot Area (minimum)..... 2 ha
 - b) Lot Frontage (minimum) 6 metres
- (By-law No. 04-23)

5.6.8.7 Rural Exception Seven (RU-7) Zone

(Part of Lot 8, Concession 4, in the Geographic Township of North Fredericksburgh)

Within the RU-7 Zone, the following provisions apply to use of the lands for residential use:

i) Uses Permitted

- Single detached dwelling house;
- Group Home;
- Home Occupation or Home Industry;
- Conservation and forestry use;
- Public and/or private park; and
- Public use in accordance with the general provisions.

- ii) Lot Area (minimum)..... 2 hectares

iii) Lot frontage (minimum)60 metres

iv) Accessory Building and/or Structure

- the keeping of farm animals is prohibited
- the existing building/structure is permitted and recognized as a conforming use even though the primary use, a single detach dwelling house, is not constructed.

(By-law No. 04-23)

5.6.8.8 **Rural Exception Eight (RU-8) Zone**

(Part of Lot AA, lying between Concessions 2 and 3, in the Geographic Township of South Fredericksburgh)

Within the RU-8 Zone, the following provisions apply:

i) Uses Permitted

- Single detached dwelling house;
- Group Home;
- Home Occupation or Home Industry;
- Conservation and forestry use;
- Convenience store;
- Public and/or private park;
- Public use in accordance with the general provisions; and
- Eating establishment, takeout;

ii) Lot Area (minimum) 65 hectares

iii) Lot Frontage (minimum) 75 metres

iv) Eating establishment and/or convenience store

- The eating establishment and/or convenience store are restricted to the private garage;
- Floor area for eating establishment and/or convenience store (maximum) 33 sq. metres

(By-law No. 04-66)

5.6.8.9 **Rural Exception Nine (RU-9) Zone**

(Part of Lot 1, Concession 3, in the Geographic Township of North Fredericksburgh)

Within the RU-9 Zone, the following provisions apply:

i) Lot Area for non-residential uses (minimum) 4 hectares

ii) Calculation of lot area:

- The whole of the land described as part 2 on plan of survey 29R-8234 shall be included as part of the calculation of the lot area.

(By-law No. 04-83)

5.6.8.10 **Rural Exception Ten (RU-10) Zone**

(Part of Lot 14, Concession 5, in the Geographic Township of North Fredericksburgh)

Within the RU-10 Zone, the following provisions apply:

a) Permitted Uses are restricted to:

- A single detached dwelling house.

b) Lot Area (minimum) 928 square metres

- c) Lot Frontage (minimum)0 metres
- d) Rear Yard (minimum)0 metres
- e) Interior Side Yard for that side yard abutting the property line (minimum).....5 metres
- f) Elevation of exterior openings such as doors and windows (minimum) 78.75 metres GSC
(By-law No. 07-38)

5.6.8.11 Rural Exception Eleven (RU-11) Zone

(Part of Lot 22, Concession 5, in the Geographic Township of Richmond)

Within the RU-11 Zone, the following provisions apply:

- a) Permitted Uses:
Residential:
 - A two (2) unit dwelling house.Non-Residential
 - A riding centre; and
 - Agricultural uses which do not include the housing of livestock.
- b) Lot Area (minimum) 14 hectares
- c) Lot Frontage (minimum).....150 metres
- d) Definition: Riding Centre: for the purposes of the RU-11 zone means the use of land, building or structures for the boarding of no more than 5 horses, training of horses and riders, staging of equestrian events, but does not include the racing of horses.
(By-law No. 07-39)

5.6.8.12 Rural Exception Twelve (RU-12) Zone

(Part of Lots 13 and 14, Concession 6, in the Geographic Township of North Fredericksburg)

Within the RU-12 Zone, the following applies:

- a) Additional uses permitted are limited to:
 - An existing manufacturing, processing, assembling or fabricating plant; and
 - Building Supply Outlet.
- b) Lot Area (minimum) 7 hectares
- c) Lot Frontage (minimum).....30 metres
(By-law No. 08-21)

5.6.8.13 Rural Exception Thirteen (RU-13) Zone

(Part of Lot 12, Concession 5 Additional, in the Geographic Township of North Fredericksburg)

Within the RU-13 Zone, the following provisions apply:

- a) Uses Permitted
 Uses permitted are restricted to:
 - Uses listed in the Rural (RU) Zone;
 - An existing barn to be used for non-agricultural uses. The keeping of farm animals is prohibited.
(By-law No. 2010-03)

5.6.8.14 Rural Exception Fourteen (RU-14) Zone

(Part of Lot 18, Concession 6, in the Geographic Township of North Fredericksburgh)

Within the RU-14 Zone, the following provisions apply:

a) Uses Permitted

Uses permitted are restricted to:

- A single detached dwelling house;
- A home occupation or home industry;
- A group home;
- Conservation and forestry use;
- Golf driving range;
- Nursery farm;
- Park; and
- A public use in accordance with the general provisions of this by-law.

(By-law No. 10-08 repealed)

(By-law 2013-12)

5.6.8.15 Rural Exception Fifteen (RU-15) Zone

(Part of Lots 10 & 11, Concessions 3 & 4, Plan of Survey 29R-10074, in the Geographic Township of North Fredericksburgh)

Within the RU-15 Zone, the following provisions apply:

a) Uses Permitted

Uses permitted are restricted to:

- Uses listed in the Rural (RU) Zone; and
- Self storage facility.

b) The self storage facility shall not be permitted in any dwelling, building or structure on the subject property existing at the date of adoption of this by-law.

c) Self storage facility gross floor area (maximum)..... 744 square metres

d) The buildings and associated structures for the self storage facility use are to be located within 175 metres from the lot line abutting County Road 9 where it meets the west property line.

e) Lot frontage (minimum) 114 metres

f) West interior side yard (minimum)..... 25 metres

g) East interior side yard (minimum) 45 metres

(By-law No. 2014-52)

5.6.8.15 Rural Exception Sixteen (RU-16) Zone

(Part of Lot 10, Concession 4, in the Geographic Township of North Fredericksburgh)

Within the RU-16 Zone, the following provisions apply:

a) Uses Permitted

Uses permitted are restricted to:

- Uses listed in the Rural (RU) Zone

b) Lot frontage (minimum) 58 metres

c) Interior side yards (minimum) as existing on the date of passage of this by-law.

(By-law No. 2015-30)