Zoning Map

8900 County Rd 2, Napanee



PA – Prime Agriculture

5.4 PRIME AGRICULTURE (PA) ZONE

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

5.4.1 Uses Permitted

a) Residential Uses

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

(By-law Number 2016-0049)(By-law Number 2020-0016)

b) Non-Residential Uses

- Cemetery, existing;
- Conservation;
- Equestrian centre;
- Estate Winery accessory to an agricultural use;
- Farm Winery accessory to an agricultural use;
- Farm;
- Farm produce sales outlet;
- Forestry;
- Kennel;
- Nursery farm;
- Park;
- Public use in accordance with the General Provisions of this By-law; and
- 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)

5.4.2 Provisions for Residential Uses

a) Lot Area (minimum) ..... 0.8 ha
(By-law Number 2016-0049)

b) Lot Frontage (minimum) .....60 metres

c) Yards (minimum):

i) Front Yard .....15 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) Landscaped Open Space (minimum) ..... 30 percent

f) Lot Coverage (maximum) ..... 10 percent
- On existing lots of record with an area of less than 0.2 ha., the maximum lot coverage may be increased to 15 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.

5.4.3 Provisions for Non-Residential Uses

a) Lot Area (minimum) ..... 40 ha
(By-law No. 2018-0005)

b) Lot Frontage (minimum) ..... 200 metres

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) ..... 5 percent

e) Setback from Street Centreline:
- In accordance with the General Provisions of this By-law.

f) Height of Building (maximum) ..... 12 metres

g) Separation Requirements:
- In accordance with the General Provisions of this By-law.

5.4.4 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.

5.4.5 Farm Wineries

a) Lot Frontage (Minimum).....100 metres

b) Lot Area (Minimum)..... 8 hectares

c) Yard Requirements (Minimum)
   i) Front Yard.....15 metres
   ii) Exterior Side Yard.....15 metres
   iii) Interior Side Yard.....10 metres
   iv) Rear Yard .....15 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)

5.4.6 Estate Wineries

a) Lot Frontage (Minimum).....175 metres

b) Lot Area (Minimum)..... 10 hectares

c) Yard Requirements (Minimum)
   i) Front Yard.....20 metres
   ii) Exterior Side Yard.....20 metres
   iii) Interior Side Yard.....15 metres
   iv) Rear Yard.....20 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) Parking .....In accordance with the General Provisions.

h) Separation Requirements.....n accordance with the provisions of Section 4.4.
(By-law No. 03-74)

5.4.7 General Provisions

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

5.4.8 Exception Provisions - Prime Agriculture (PA) Zone

5.4.8.1 Prime Agriculture Exception One (PA-1) Zone
(Part of Lot 17, Concession 3, in the Geographic Township of South Fredericksburgh**)**

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

a) Lot Area (minimum)..... 1.7 hectares
b) Lot Frontage (minimum) .....270 metres
c) Interior Side Yard located east of the existing dwelling (minimum).....178 metres

5.4.8.2 Prime Agriculture Exception Two (PA-2) Zone
(Part of Lot 7, Concession 1 Additional, in the Geographic Township of South Fredericksburgh)

Within the PA-2 Zone, the following provisions apply:

a) Lot Area (minimum)..... 6 hectares
b) Dwelling Unit Area for Caboose (minimum)..... 33 square metres
c) Caboose is recognized as a year round dwelling house.
d) Yard Setback for Caboose (minimum) ….as per provisions for residential use in the PA Zone.
(By-law No. 06-53)
e) Yard Setback for Non-Residential Uses (minimum):
   i) Interior Side Yard.....8 metres
   ii) Rear Yard .....23 metres

5.4.8.3 Prime Agriculture Exception Three (PA-3) Zone
(Part of Lots 20 and 21, Concession 5, in the Geographic Township of North Fredericksburgh)

Within the PA-3 Zone, the following provisions apply:

a) Front Lot Line in the unopened road allowance between Concessions 4 and 5.
b) Lot Frontage (minimum) .....0 metres

5.4.8.4 Prime Agriculture Exception Four (PA-4) Zone
(Part of Lots 12 & 13, Con1, Geographic Township of South Fredericksburgh**)**
Repealed (By-law 06-31)

5.4.8.5 Prime Agriculture Exception Five (PA-5) Zone
(Part of Lot 5, Concession 4, in the Geographic Township of Richmond)

Within the PA-5 zone the following provisions apply:

a) Residential uses – Prohibited
b) Lot area (minimum) ..... 10 hectares
c) Lot Frontage (minimum).....0 metres
(By-law No. 02-75)

5.4.8.6 Prime Agriculture Exception Six (PA-6) Zone
(Part of Lot 20, Concession 5, in the Geographic Township of North Fredericksburgh)

Within the PA-6 Zone, the following provisions apply:

a) The front lot line shall be the lot line at unopened road allowance between Concessions 4 and 5.
b) Frontage Upon an Improved Public Street.....0 metres

5.4.8.7 Prime Agriculture Exception Seven (PA-7) Zone
(Part of Lot 25 & 26, Concession 5, in the Geographic Township of North Fredericksburgh)

Within the PA-7 Zone the following provisions apply:

a) Residential Uses Permitted
Uses permitted include:
- Single detached dwelling house;
- Existing converted dwelling house;
- Group Home;
- Home Occupation or Home Industry

b) Non-Residential Uses Permitted are restricted to:
- Conservation;
- Equestrian Centre;
- Estate winery accessory to an agricultural use;
- Farm winery accessory to an agricultural use;
- Forestry;
- Kennel;
- Nursery Farm;
- Private or public park;
- Public use in accordance with General Provisions of By- law

c) Lot area (minimum) ..... 4.0 hectares
d) Lot Frontage (minimum) .....190 metres

(By-law No. 05-54)

5.4.8.8 Prime Agriculture Exception Eight (PA-8) Zone

(Part of Lot 23, Concession 4, in the Geographic Township of North Fredericksburgh)

Within the PA-8 Zone the following provisions apply:

a) Lot area (minimum) ..... 3.0 hectares
b) Residential Uses Permitted
- Single detached dwelling house;
- Existing converted dwelling house;
- Group Home;
- Home Occupation or Home Industry

c) Non-Residential Uses Permitted
- Conservation;
- Equestrian Centre;
- Estate winery accessory to an agricultural use;
- Farm winery accessory to an agricultural use;
- Forestry;
- Kennel;
- Nursery Farm;
- Private or public park;
- Public use in accordance with General Provisions of the By- law

(By-law No. 05-63)

5.4.8.9 Prime Agriculture Exception Nine (PA-9) Zone

(Part of Lot 23, Concession 4, in the Geographic Township of North Fredericksburgh)

Within the PA-9 Zone the following provisions apply:

a) Lot area (minimum) ..... 14 hectares
a) Residential Uses…..Prohibited

(By-law No.05-63)

5.4.8.10 Prime Agriculture Exception Ten (PA-10) Zone

(Part of Lot 26, Concession 4, in the Geographic Township of North Fredericksburgh)

Within the PA-10 Zone the following provisions apply:

a) Uses Permitted
Uses permitted include:
- Two (2) dwelling units per dwelling house

(By-law No. 06-20)

5.4.8.11 Prime Agriculture Exception Eleven (PA-11) Zone

(Part of Lots 25 & 26, Concession 2, in the Geographic Township of South Fredericksburgh)

(By-law No. 06-32)
(Repealed by By-law No. 2016-0049)

5.4.8.12 Prime Agriculture Exception Twelve (PA-12) Zone
(Part of Lots 25 & 26, Concession 2, in the Geographic Township of South Fredericksburgh)

Within the PA-12 Zone the following provisions apply:

a) Residential uses ..... Prohibited
b) Lot Frontage (minimum) ..... 92 metres
c) Lot Area (minimum) ..... 16 hectares

(By-law 06-32)

5.4.8.13 Prime Agriculture Exception Thirteen (PA-13) Zone
(Part of Lot 15, Concession 1, in the Geographic Township of Adolphustown)

(By-law No. 07-52)
(Repealed 2016-0049)

5.4.8.14 Prime Agriculture Exception Fourteen (PA-14) Zone
(Part of Lot 8, Concession 1, in the Geographic Township of South Fredericksburgh)

Within the PA-14-H Zone the following provisions apply:

a) The following additional use is permitted:
   - Solar Plant

b) Front lot line is that portion of the lot line abutting Bathurst Street from Highway 33 to King Street
c) Lot Coverage (maximum) ..... 90 percent
d) Setbacks:
   - From Environmental Protection Zone ..... 0 metres
   - From Highway 33 ..... 110 metres
   - From Bathurst Street from Highway 33 to King Street as shown on Registered Plan No. 69 ..... 30 metres
   - From northerly lot line abutting the Second Concession ..... 150 metres
   - From all other lot lines ..... 15 metres

e) Planting Strip in accordance with the provisions of Section 4.29, and:
   - Along the full width of the lands at the southern limit of the solar plant, and
   - Along the full frontage of Bathurst Street from Highway 33 to King Street.

f) "H" removal
   - in accordance with the general provisions and when confirmation is received from the Ministry of Environment and Climate Change as to approved site remediation. (By-law No. 2008-64)

5.4.8.15 Prime Agriculture Exception Fifteen (PA-15) Zone
(Part of Lot 12, Concession 1, in the Geographic Township of South Fredericksburgh)

Within the PA-15-H Zone the following provisions apply:

a) The following additional use is permitted:
   - Solar Plant

b) Lot Coverage (maximum) ..... 90 percent

c) Setbacks:
- From Environmental Protection Zone.....0 metres
- From Provincially Significant Wetland .....120 metres
- From Highway 33 .....300 metres

d) Planting Strip in accordance with the provisions of Section 4.29, and:
- Along the full width of the lands at the southern limit of the solar plant

e) "H" removal
- May be removed, in whole or in part in accordance with Section 36 of the Planning Act when the holding provision requirements contained in the General Provisions of the By-law have been satisfied, and plans for agricultural rehabilitation have been approved by the Town.

f) Uses permitted without the need to remove the "H" provision are those in the Prime Agriculture (PA) Zone.

(By-law No. 2008-62)

5.4.8.16 Prime Agriculture Exception Sixteen (PA-16) Zone

(Part of Lot 7, Concession 2, in the Geographic Township of Richmond)

Within the PA-16 Zone the following provisions apply:

a) Uses Permitted

Additional uses permitted include:
- Grain drying and storage facility
- Office use accessory to grain drying and storage facility use

b) Provisions

i. Yards:
- Front.....15 metres
- Exterior Side .....15 metres
- Interior Side.....6 metres
- Rear .....15 metres

ii. Lot Coverage (maximum)
- With grain drying and storage facility and an office use accessory thereto ..... 30 percent
- Without grain drying facility and storage facility and an office use accessory thereto ..... 5 percent

iii. Building Height (maximum)
- For grain drying and storage facility .....15 metres

(By-law No. 2012-23)

5.4.8.17 Prime Agriculture Exception Seventeen (PA-17) Zone

(Part of Lot 20, Concession 3, in the Geographic Township of Adolphustown)

Within the PA-17 Zone the following provisions apply:

a) Uses Permitted

Additional uses permitted include:
- Cemetery;
- Park;
- Public use in accordance with the General Provisions of this By-law.

b) Provisions
   i. Lot Area (minimum) ..... 0.35 hectares
   ii. Lot Frontage (minimum) .....30 metres
   iii. Yards (minimum)
      - Front.....10 metres
      - Interior Side.....6 metres
      - Rear.....10 metres
   iv. Lot Coverage (maximum) ..... 30 percent

(By-law No. 2012-27)

5.4.8.18 Prime Agriculture Exception Nineteen (PA-18) Zone

(Parts of Lot 24, Concession 5, Part 2, Part 3 North of Spring Creek, and Part 4, Plan of Survey 29R-8049)

Within the PA-18 Zone the following provisions apply:

- The keeping of livestock is a prohibited use within the barn.

(By-law No. 2014-21)

5.4.8.19 Prime Agriculture Exception Nineteen (PA-19) Zone

7243 County Road 9; Part of Lots 15 & 16, Concession 4, Town of Greater Napanee

Notwithstanding the provisions of Sections 4 and 5 hereof to the contrary, within the PA-19 Zone the following provisions apply:

- Residential uses are prohibited.
- The keeping of livestock is a prohibited use within the existing barn.
- The minimum interior east side yard for the existing barn shall be 13 metres.

(By-law No. 2020-0008)

5.4.8.20 Prime Agriculture Exception Twenty (PA-20) Zone

3256 County Road 11; Part of Lots 8 & 9, Concession 4, Town of Greater Napanee

Within the PA-20 Zone the following provisions apply:

a) Residential uses are prohibited;

5.4.8.21 Prime Agriculture Exception Twenty One (PA-21) Zone

1951 Storey Street; Part of Lot 11, Concession 4, Town of Greater Napanee

Within the PA-21 Zone, the following provisions apply:

a) Residential uses are prohibited;

5.4.8.22 Prime Agriculture Exception Twenty Two (PA-22) Zone

2914 Big Creek Road; Part of Lots 22 and 23, Concession 4, in the former geographic Township of South Fredericksburgh, Town of Greater Napanee

Within the PA-22 Zone, the following provisions apply:

a) Lot Area (minimum)…….0.5 hectares
b) Lot Frontage (minimum)……..……..30 metres

5.4.8.23 Prime Agriculture Exception Twenty Three (PA-23) Zone

1831 County Road 41; Part of Lot 22, Concession 6, Town of Greater Napanee

Within the PA-23 Zone, the following provisions apply:

a) Lot Area (minimum)……..0.40ha
b) Lot Frontage (minimum)……50m
c) Rear Yard Setback for existing shed (minimum)…….…….1.2m

5.4.8.24 Prime Agriculture Exception Twenty Four (PA-24) Zon

1831 County Road 41; Part of Lot 22, Concession 6, Town of Greater Napanee

Within the PA-24 Zone, the following provisions apply:

a) Residential uses are prohibited;
b) The keeping of livestock is a prohibited use within the existing barn;
c) The minimum interior west side yard for the existing barn shall be 2.4m