

SECTION 6: GENERAL REGULATIONS

6.1 Within the Corporate limits of the Municipality, no person or persons shall use any land or erect or use any building or structure for any purpose other than one or more of the uses listed under the heading "Permitted Uses" for the zoning category in which such land, building or structure is located.

6.2 Within the Corporate limits of the Municipality, no person or persons shall use any land or erect or use any building or structure which does not conform to the provisions set out in this Section and to the regulations set out under the heading "Regulations" for the zoning category in which such land, building or structure is located.

6.3 REDUCTION OF MINIMUM LOT AREAS PROHIBITED

No lot area shall be so reduced that the yards or other open spaces shall be smaller than those prescribed in this By-law.

When any part of a lot is required by this By-law to be reserved as a yard or other open space, it shall continue to be so used regardless of changes in the ownership of such lands or part thereof and shall not be deemed to form a part of an adjacent lot for the purpose of computing the area thereof available for building purposes.

6.3A BUILDING HEIGHT

No person shall erect or cause to be erected any building which is greater than three (3) stories in height.

6.4 ACCESSORY BUILDINGS OR STRUCTURES

6.4.1 No person shall erect or cause to be erected an accessory building within a required side yard or between any building lines established by this By-law.

6.4.2 No person shall erect any accessory building or structure any part of which is within 3 metres (10 feet) of any main building on an adjoining lot and in no case shall any accessory building or structure be located closer than 1 metre (3 feet) from any interior or rear lot line. In all zones with the exemption of Z1 (See Section 7.2.3(b)).

6.4.3 Notwithstanding the above, two adjoining property owners may erect private garages within a rear yard which has a common wall located on the lot line and extending from ground to roof throughout the entire length of the structure.

6.4.4 No dwelling unit or habitable room may be established within, on, above or attached to an accessory building.

6.4.5 No accessory building shall be used in any zone for the housing, breeding or raising of livestock of any kind with the exception of Zone 1 (Rural/Agricultural) - Z1.

6.4.6 In any Zone 1, 6, 7, 8, 9, 10, 11 and 13, the total coverage of all accessory buildings shall not exceed ten percent (10%) of the lot area. In all other zones, the total floor coverage of all accessory buildings shall not exceed the maximum floor area as provided in sub-section 8.3.

- 6.4.7 Except in Zone 1, 9, 10 and 11, no accessory building shall exceed 5.2 metres (17 feet) in building height.
- 6.4.8 Notwithstanding any other provision of this By-law, in Zone 2, Zone 3, Zone 4 or Zone 5, no accessory building shall be located so that any part or parts of said accessory building is closer to the street line than the front wall of the principal or main building located on the same lot.

6.5 PROHIBITED OBSTRUCTIONS

- 6.5.1 Except as specifically permitted elsewhere in this By-law, no person shall construct or locate any building or structure between the street line or lines and any building line established by this By-law, but this provision shall not apply to the construction or location of uncovered landings, terraces or steps provided that such landings, terraces or steps are not more than 1.2 metres (4 feet) above the finished ground level.
- 6.5.2 No person in any zone shall construct or locate any building or structure in any side yard required to be provided under this By-law, but this provision shall not apply to the construction or location of uncovered landings, terraces or steps provided that such lands, terraces or steps are not more than 1.2 metres (4 feet) above the finished ground level.
- 6.5.3 Notwithstanding the above, in any yard there may be erected or maintained the usual projections of windowsills, chimney breasts, belt course, cornices, eaves and other architectural features, provided however that no such feature shall project more than 0.3 metres (1 foot) into any required side yard nor more than 0.6 metres (2 feet) into any other required yard except for open iron or steel fire escapes, one or more of which may be erected or maintained.

6.6 CORNER LOTS

- 6.6.1 No Obstruction on Corners

At the intersection of two streets and within the triangular space formed by joining the point of each street line distant 15 metres (50 feet) from the point of intersection of the said street line, no shrub, foliage or structure other than a permitted building shall be maintained in such a location or manner so as to obstruct the view of the driver of a vehicle approaching the intersection and in no case shall such shrub, foliage or structure be maintained to a height or more than 0.75 metres (2.5 feet) above the finished grade of either abutting street.

- 6.6.2 Special Yard Provisions

In any zone where a Residential Building - One Unit or a Residential Building - Duplex or a Residential Building - Semi-Detached is permitted, a side yard requirement may be substituted for a rear yard requirement when such Residential Building is located on a corner lot.

6.7 ONE RESIDENTIAL BUILDING

No person shall erect, locate or use more than one (1) Residential Building on any one lot except where specifically permitted by this By-law.

6.8 FRONTAGE ON PUBLIC STREET

No lot shall be used nor shall any building or structure be erected thereon or used for any purpose in any zone unless the front line of such lot abuts a public street as defined by this By-law.

6.9 PUBLIC SERVICES AND UTILITIES

Notwithstanding anything contained in this By-law, the Township or any local board or commission thereof, the Regional Municipality of Waterloo, any telephone or telegraph company, a transportation system owned or operated by or for the Township or the Regional Municipality of Waterloo, a gas company holding a franchise under the provisions of the Municipal Franchise Act, as amended, and any department of the Federal or Provincial Governments including Ontario Hydro or the Hydro-Electric Power Commission of Cambridge and North Dumfries may, for the purpose of the public service, use any land or erect or use any building or structure in any zone, notwithstanding that such building or structure or proposed use does not conform to the provisions of this By-law for such zone. There shall be no exterior storage in yards of goods, materials or equipment in any Zone 2, 2a, 3, 4, 4a or 5. Outdoor storage in any other zone shall conform to the regulations of the zone relative to outdoor storage in the zone. Any buildings erected or used under the provisions of this sub-section within any Zone 2, 2a, 3, 4, 4a or 5 shall be designed and maintained in general harmony with the Residential Buildings of the type permitted in the said zone.

6.10 BUILDING LINE OR SETBACK REQUIREMENT

Except as specifically provided elsewhere in this By-law, on all streets and roads within the municipality, building lines or setback requirements are hereby established as follows:

6.10.1 For buildings existing on the day of the passing of this By-law, the building setback shall be a distance equal to the distance between the street line and the closest point of the existing building or as set out in paragraph 6.10.2 below, whichever is the lesser.

6.10.2 In Zone 1, the building line shall be 16 metres from any street line for:

- a) Residential Building - One Unit
- b) Group Home Type 'A'
- c) Veterinary Clinic or Office
- d) Buildings or structures accessory to the foregoing use

In Zone 1, the building line shall be 30 metres from any street line for:

- i) Farming
- ii) Buildings or structures used in the raising, training or boarding of horses including Riding Stable or Riding Academy
- iii) Buildings or structures accessory to the foregoing uses

6.10.3 In Zone 6, the building line shall be the front lot line.

6.10.4 a) In any zone other than Zone 1 or Zone 6, the building line shall be 7.5 metres from the lot line.

- b) In any zone, other than Zone 1 and Zone 6, the minimum required flankage yard shall be 6.0 metres.

Notwithstanding the foregoing:

- 6.10.5 On any lot between two existing buildings which are not more than 60 metres apart and both of which are between the street line and the building line established by this subsection, a building may be erected the front wall of which is in line with the front wall of the existing building closer to the required building line.
- 6.10.6 On any lot between two existing buildings which are not more than 60 metres apart and both of which are farther from the street line than the building line established by this subsection, the line of the front wall of the building closer to the street line shall be deemed to be the building line.

6.11 OFF-STREET PARKING AND OFF-STREET LOADING

The entrances, driveways, service areas, off-street parking and off-street loading areas, if not paved, shall be properly levelled, drained and treated to prevent the escape of dust.

6.12 OFF-STREET LOADING REQUIREMENTS

In any zone where off-street loading spaces are required, no commercial, industrial or institutional building to which or from which regular deliveries are made by truck shall be used or erected unless there is provided space off a street or lane for the standing, loading or unloading of trucks in conformity with the following regulations:

- 6.12.1 Shall be located to the rear of the building line or lines;
- 6.12.2 Shall be so arranged to avoid interference with the movement of traffic on public streets or lanes;
- 6.12.3 Each off-street loading space shall have a minimum dimension of 3.5 metres (12 feet) by 10.5 metres (35 feet) and a minimum overhead clearance of 4.5 metres (15 feet);
- 6.12.4 One off-street loading space shall be provided for each 2,300 square metres (25,000 square feet) or part thereof of building floor area.

6.13 OFF-STREET PARKING REQUIREMENTS

- 6.13.1 Unless specifically permitted elsewhere in this By-law:
 - a) all off-street parking areas required by this By-law shall be provided and maintained on the same lot and in the same zone as the one requiring such area;
 - b) all off-street parking areas shall be situated to the rear of the building line or lines.
- 6.13.2 Where, in accordance with the requirements of this By-law, any part of a lot is required to be reserved for off-street parking, such space shall continue to be so reserved.

- 6.13.3 No off-street parking area designed to contain more than four (4) off-street parking spaces shall be located within 1.5 metres (5 feet) of any lot line.
- 6.13.4 When calculating the number of parking spaces required in accordance with the regulations of this By-law, any fraction or part of a parking space so calculated shall be considered to be a requirement for one additional parking space.
- 6.13.5 In any zone where off-street parking is required, such off-street parking spaces shall be provided and maintained on the same lot in conformity with the following:

<u>Permitted Use</u>	<u>Required Off-Street Parking Space</u>
Residential Building	
One Unit	1 space per dwelling unit
Duplex	
Semi-Detached	
Bed and Breakfast Establishment	1 space per bedroom available
Apartment Row	1½ spaces per dwelling unit
Golf Course	
18 hole	125 spaces
9 hole	75 spaces
Golf Driving Range/ Miniature Golf Course	3 spaces for each 2 tees or holes
Doctor's Office in Private Residence	3 spaces plus 1 space for the Residential Unit
Medical Clinic	6 spaces for each physician or practitioner
Day Nursery	5 spaces
Funeral Home	20 spaces
Church, Auditorium, Community Centre, Stadium or any use involving assembly of persons	1 space for every 7 seats or 8 spaces for each 100 square metres (1075 square feet) of floor area available to the public, whichever is greater
Commercial Floor Area devoted to retail sales or merchandising	1 space for each 18.5 square metres (200 square feet) of such floor area
Commercial Floor Area not devoted to retail sales or merchandising	1 space for each 30 square metres (325 square feet) of such floor area
Schools	

Elementary	1 space for each classroom plus the additional requirement for an auditorium
Secondary and Other	3 spaces for each classroom plus the additional requirement for an auditorium
Hospital, Rest Home, Nursing Home or Convalescent Home	1 space for every 4 beds plus 1 space for every 4 employees
Hotel, Motel, Motor Hotel, Tourist Home, Cabins and similar uses providing sleeping accommodation for hire	1 space per rentable bedroom unit additional requirements for restaurant or place for dispensing refreshment to the public
Restaurant or Place for Dispensing Refreshment to the Public	1 space for each 4.5 square metres (50 square feet) of floor area devoted to public use
Industry	1 parking space for each 2 employees
Warehousing	1 parking space for each 1,500 square metres of the gross floor area
Service Station or Repair Garage	4 spaces for each service bay
Fraternal Organization, Club or similar use	1 space for each 18.5 square metres (200 square feet) of building floor area
Car Washing Establishment	5 spaces per bay but a minimum of 15 spaces per car washing establishment
Drive-In Restaurant	15 spaces per 100 square metres (1075 square feet) of building floor area
Lodging, Rooming or Boarding House	1 space for each dwelling unit plus 1 additional space for each 2 guest rooms
Other Permitted Uses	1 space for each 45 square metres (485 square feet) of floor area

6.14 OUTDOOR STORAGE AND DISPLAY

Except as specifically provided elsewhere in this By-law, the outdoor storage or display of goods, materials, parts, machinery or finished products is prohibited.

6.15 BUFFER STRIPS

In any zone where a buffer strip is required, such buffer strip shall:

- 6.15.1 have a minimum width throughout of not less than 1.5 metres (5 feet);
- 6.15.2 be located abutting the zone or lot limit save and except that no buffer strip shall be located between the street line and any building line established by this By-law;
- 6.15.3 be in addition to all other yards required in the said zone;
- 6.15.4 be kept free of all parking, building or structures except for a legal boundary fence or wall;
- 6.15.5 be used only for the planting of grass, flowers, shrubs or trees.

6.16 LIGHTS AND SIGNS

No person shall erect a sign or outside lighting except in conformity with the Sign By-law Number 925-86, as amended.

6.17 PUBLICLY OWNED PARKS, PUBLICLY OWNED RECREATION AREAS AND PUBLICLY OWNED CONSERVATION AREAS

Notwithstanding anything contained in this By-law, publicly owned parks, publicly owned recreation areas and publicly owned conservation areas shall be permitted uses in any zone as defined in this By-law.

6.18 REGULATIONS FOR A HOME OCCUPATION OR OFFICE, BASE OR HEADQUARTERS FOR THE OCCUPANT OF A PERMITTED DWELLING UNIT

No person or persons shall use any part of a dwelling unit for a home occupation or an office, base or headquarters for the occupant of a permitted dwelling unit except in conformity with the following regulations:

- 6.18.1 That such home occupation or office, base or headquarters for the occupant of a permitted dwelling unit shall be located within a private dwelling unit and be for the exclusive use of the occupants of the private dwelling, but may also employ not more than one (1) person who does not reside in the dwelling in which the home occupation or office, base or headquarters is permitted.
- 6.18.2 That an area equal to not more than twenty-five percent (25%) of the ground floor area of a private dwelling unit shall be used for such use.
- 6.18.3 That there shall be no outdoor storage of goods or materials.
- 6.18.4 That the use of the premises in connection with such home occupation or office, base or headquarters shall in no way be offensive, obnoxious or dangerous to the neighbours or the area by reason of the emission of light, heat, fumes, noise, vibration, gas, dust, smoke, fire, odour, air or water borne waste or pollution, interference with radio or television, or through frequency of deliveries by commercial carriers.

- 6.18.5 That no retail sales or wholesale merchandising or repair service shall be operated on the premises.
- 6.18.6 That no machinery or mechanical equipment of any kind other than normal household, hobby or office equipment shall be used on the premises in connection with such home occupation.
- 6.18.7 That the home occupation or office, base or headquarters shall be clearly incidental and secondary to the main residential use to which it is secondary.
- 6.18.8 That no exterior alterations shall be made to the building or premises in connection with such home occupation or office, base or headquarters for the occupant of a permitted dwelling unit.
- 6.18.9 That off-street parking shall be provided at a minimum rate of one space for each unit, one space for the non-resident employee, and one space for each home occupation or office, base or headquarters.

6.19 REGULATIONS FOR HOTEL OR MOTEL

No hotel or motel shall be erected or used except in conformity with the following regulations:

- 6.19.1 Minimum Lot Area 2000 square metres (21,528 square feet) or the area of a Recognized Lot
- 6.19.2 Minimum Lot Width 30 metres (100 feet)
- 6.19.3 Minimum Side Yard (Each side) 6 metres (20 feet)
- 6.19.4 Minimum Rear Yard 7.5 metres (25 feet)
- 6.19.5 Notwithstanding the foregoing, where rentable rooms have direct access to a side or rear yard, the minimum width of such yard shall not be less than 9 metres (30 feet).
- 6.19.6 Off-Street Parking and Off-Street Loading In conformity with the provisions of sub-sections 6.11, 6.12 and 6.13
- 6.19.7 Lights and Signs In conformity with the provisions of sub-section 6.16
- 6.19.8 Buffer Strips In conformity with the provisions of sub-section 6.15 along all zone limits where such Hotel or Motel abuts a zone which permits a Residential Building
- 6.19.9 Accessory Uses Accessory uses to a Hotel or Motel shall not be interpreted to include an automobile service station, a repair garage, a gasoline pump or a retail store

6.20 TITLE SEPARATION OF ATTACHED DWELLINGS

Nothing in this By-law shall be deemed to prevent separate and distinct ownership of the individual dwelling units in Residential Buildings - Semi-Detached so long as the total aggregate requirements set forth in this By-law for each such building lot are maintained and so long as the following regulations are adhered to:

6.20.1 Each separated parcel shall:

- a) have frontage on a public street;
- b) have a lot area of not less than 275 square metres (2960 square feet);
- c) provide off-street parking space in conformity with the provisions of sub-sections 6.11 and 6.13 of this By-law.

6.21 THE CONDOMINIUM ACT, R.S.O. 1990, AS AMENDED

Nothing in this By-law shall be deemed to forbid or restrict the registration of a declaration and description made pursuant to the provisions of The Condominium Act, R.S.O. 1990, as amended.

6.22 PITS AND QUARRIES

Except by amendment to this By-law, the making or establishment of pits and quarries within the Township is hereby prohibited save and except for those areas located in Zone 14 (Z.14) as shown on the maps forming Schedule 'B' to this By-law and except for those areas shown on the maps forming sections 2.1.111, 20.1.112 and 20.1.113 of Schedule 'A' to this By-law subject to the provisions of sub-section 19A.2 of the said Zone 14.

Nothing in this By-law shall prevent the making or establishment of a wayside pit or wayside quarry as defined in this By-law.

6.23 REGULATIONS FOR FARM-RELATED OCCUPATIONS

Where a farm-related occupation is a permitted use, such occupation shall be established only in conformity with the following:

6.23.1 All buildings, structures, storage, parking and loading areas used in connection with a farm-related occupation shall not occupy an area exceeding 0.4 hectares in area.

Not more than two (2) employees who are not permanent residents on the property shall be engaged in the farm-related occupation.

No farm-related occupation shall be permitted until a Certificate of Occupancy has been issued by the Township. No change in use shall be made without the issuance of a new Certificate of Occupancy.

Any building or structure erected or used in connection with a farm-related occupation shall be located to the rear of the building line or lines established by this By-law and in no case closer to a road than the wall of the existing building closest to the road.

6.24 REGULATIONS FOR MOBILE HOME AS SECOND DWELLING UNIT ON A FARM

In a Z1 (Rural/Agricultural) a mobile home as a second dwelling unit on a farm shall only be permitted by Council permission via a development agreement and the submission of approved site plans and Regional Health Unit clearance. This agreement to be reviewed on an annual basis and further extensions will be evaluated on the demonstration of need.

6.25 REGULATIONS FOR CONVERSIONS OF AN EXISTING RESIDENTIAL BUILDING

In any zone where conversion of an existing Residential Building is permitted, such conversion shall be permitted only in conformity with the following:

- 6.25.1 That the Residential Building was lawfully used as a Residential Building on the day of the passing of this By-law and that such Residential Building had a floor area of not less than 140 square metres.
- 6.25.2 Where municipal sewage collection and treatment are not available, that private sewage disposal and/or treatment facilities have been approved by the Waterloo Regional Health Unit.
- 6.25.3 That the building when converted will conform to the requirements of all other by-laws of the municipality.
- 6.25.4 That each residential dwelling unit created shall be fully self-contained and shall have a floor area of not less than 50 square metres (550 square feet).
- 6.25.5 Except in Zone 1, that each residential dwelling unit shall have a direct means of access to a public street by means of halls or stairs.
- 6.25.6 That there shall be no exterior stairways except open metal fire escapes which shall be located only in a rear yard or side yard.
- 6.25.7 That not less than one (1) off-street parking space shall be provided for each residential dwelling unit.
- 6.25.8 That no side or rear yard shall be reduced below the minimum requirement for the zone within which the conversion is taking place.

6.26 EXTENSION OF NON-COMPLYING BUILDINGS OR STRUCTURES

In any zone where, on the day of the passing of this By-law, a building or structure exists legally, the use of which conforms and complies with the uses permitted in the zone within which such building or structure is located, but which building or structure does not comply with the regulations for such zone, extension or addition to such building or structure may be permitted subject to the following:

- 6.26.1 That the lot or parcel on which the non-complying building or structure exists conforms to the minimum lot area, width and frontage requirements for the zone within which such lot is located.

- 6.26.2 That the extension or addition will conform to all of the requirements and regulations for the said zone including all off-street parking and off-street loading requirements, except that the extension or addition may take place within a required yard or setback so long as it does not further encroach upon such required yard or setback than does the non-complying building or structure or extend beyond the boundaries of the lot.
- 6.26.3 That the combined existing building plus the extension or addition will not exceed the maximum lot coverage or the maximum building height established for the zone.

6.27 REGULATIONS FOR A HAIRDRESSER OR BARBER FOR THE OCCUPANT OF A RESIDENTIAL BUILDING - ONE UNIT

- 6.27.1 That such hairdressing or barbering facility be located within a Residential Building - One Unit and be operated by the occupant of the private dwelling unit and employ not more than one (1) person who does not reside in the dwelling in which such hairdresser or barber is permitted;
- 6.27.2 That an area not exceeding twenty-five percent (25%) of the ground floor area of the Residential Building - One Unit shall be used for the hairdressing or barbering facility.
- 6.27.3 That there shall be no external evidence of the hairdressing or barbering facility except for an identification sign which is not to exceed 0.2 square metres (2 square feet) in area.
- 6.27.4 That off-street parking shall be provided at a minimum rate of one space for the Residential Building - One Unit, one space for the non-resident employee, and two spaces for the hairdressing or barbering facility.

6.28 BUILDINGS USED FOR LIVESTOCK OR MANURE STORAGE

No building used for the housing, breeding or raising of livestock for commercial purposes nor any building or structure or lagoon intended for the keeping or storage of manure shall be located within 300 metres of any zone limit established by this By-law nor within 300 metres of any non-farm Residential Building unless the applicant can provide a letter issued by the Ministry of Agriculture and Food which indicates that the proposed building, structure or lagoon will comply with the Minimum Distance Separation Formula devised by that Ministry when the areas zoned other than Zone 1 are fully developed.

6.29 MINIMUM DISTANCE SEPARATION – MDS I and MDS II

6.29.1 MDS I - New Non-Farm Uses

Notwithstanding any other yard or setback provisions of this By-law to the contrary, no residential, mobile home development, institutional, commercial, industrial, or recreational use, located on a separate lot and permitted within a zone, shall be erected or altered unless it complies with the Minimum Distance Separation (MDS I), as may be amended, calculated using the formulas provided by the Ontario Ministry of Agriculture, Food and Rural Affairs.

6.29.2 MDS II - New or Expanding Livestock Facilities

Notwithstanding any other yard or setback provisions of this By-law to the contrary, no livestock facility shall be erected or expanded unless it complies with the Minimum Distance Separation (MDS II), as may be amended, calculated using the formulas provided by the Ontario Ministry of Agriculture, Food and Rural Affairs

6.30 DISTANCE SEPARATION - GROUP HOME

6.30.1 Within Zone 1, no group home shall be located on any parcel of land, any part of which is within 1000 metres of any part of a parcel which contains an existing group home.

6.30.2 Within any zone other than Zone 1 where group homes are a permitted use, no group home shall be located on any parcel of land, any part of which is within 400 metres of any part of a parcel of land abutting the same street and which parcel contains an existing group home.

6.31 Notwithstanding any other provisions of this By-law, the storage, repair or restoration of inoperative motor vehicles shall only be permitted in a building or an enclosed area screened by a wall or fence so that the use is not visible from any street.

6.32 LOTS WITH MORE THAN ONE USE OR ZONE

6.32.1 More than One Use

- i) Where a lot contains more than one permitted use defined separately herein, other than an accessory use, each such use shall conform to the provisions of this By-law which are applicable to such use in the Zone in which the said lot is located as if such use existed independently of any other use.
- ii) Where standards or provisions pertaining to two or more uses on one lot are in conflict, the highest or more restrictive standards or provisions shall prevail.

6.32.2 More than One Zone

- i) Except as otherwise provided in Paragraph (ii) of this Clause, where a lot is divided into two or more zones, each such portion of the said lot shall be considered a separate lot as defined herein and shall be used in accordance with the provisions of this By-law which are applicable to the zone wherein such portion of the said lot is located.
- ii) Notwithstanding anything to the contrary in Paragraph (i) of this Clause, where the use or uses of a lot divided into two or more zones are permitted in all such zones, the said lot shall be considered to be a single lot as defined herein and the highest or most restrictive zone requirements pertaining to such use or uses in all the said zones shall apply throughout the said lot.

6.33 DERELICT VEHICLES

Derelict vehicles shall not be stored in any zone other than on premises where the storage of such vehicles is accessory to a business lawfully conducted on the premises, provided no vehicle or equipment, excluding agriculture equipment, not actively under repair shall be stored for more than 14 days.

Within the municipality the following is restricted either alone or in conjunction with other uses except as otherwise permitted in this By-law:

- i) The locating or storing on any land for any purpose whatsoever any disused railroad car, street car body, truck body or trailer without wheels, whether or not the same is situated on a foundation.

6.34 PORTABLE BUILDINGS

Except for temporary contractor's shed, temporary real estate sales offices and portable school classroom buildings, and except as specifically provided elsewhere in this By-law, the use of portable buildings and/or structures is prohibited.

6.35 BED AND BREAKFAST ESTABLISHMENT (B & B)

No person or persons shall use any part of a dwelling unit for a Bed & Breakfast Establishment except in conformity with the following regulations:

- 6.35.1 That the Bed and Breakfast is located within the main residential building – one unit
- 6.35.2 That a maximum of four bedrooms be available for the accommodation of guests
- 6.35.3 That one off-street parking space be provided for each bedroom available to the public in addition to the space(s) required for the residential unit
- 6.35.4 That any exterior stairways required for the B & B shall be located in a side or rear yard
- 6.35.5 Bed and Breakfast Establishments are not permitted until a Certificate of Occupancy has been issued by the Township of North Dumfries Chief Building Official.

6.36 LAND USE COMPATIBILITY AND SENSITIVE LAND USES

Notwithstanding any other provisions of this By-law, the Township may utilize the Ministry of the Environment (MOE) Guidelines D-1 for “Land Use Compatibility:”, or other current policies and guidelines, as a parameter to assess the relationship of industrial uses to sensitive lands by regulating permitted uses, separation distances, and operation intensity, as recommended in the guidelines.

6.37 REDUCTION IN REGULATIONS RESULTING FROM STREET WIDENING

If the acquisition of land, by registration on title on or after March 22, 1999, to widen a street results in non-compliance with regulations existing on the date of acquisition and respecting lot area, floor space ratio, lot width or yards, a building or use shall be deemed to comply with such regulations only in the circumstances which follows:

- 6.37.1 where the building or use existed at the date of the acquisition;
- 6.37.2 where a building or use is proposed to be developed by the same owner who conveyed the land for street widening; or
- 6.37.3 where a building or use is proposed to be developed in strict accordance with an approved site plan applied for by a previous owner, which required the conveyance of land for street widening, provided that:
 - i) where the lot is rezoned after the acquisition of land for street widening, no greater benefit shall be obtained than that which could be obtained based on the zoning in effect on the date of such acquisition; and
 - ii) the provisions of this section shall not apply in circumstances where the conveyance of land for street widening is a requirement of a subdivision of land approval.

6.38 QUONSET HUT

A quonset hut shall not be used as an accessory building within Residential Zones 4, 4(a), 4(b), 4(c), and 4(d); Residential Zones 5, 5(a); Industrial Zones 9, 10, and 11.