

OFFICE CONSOLIDATION
CORPORATION
OF THE
VILLAGE OF COBDEN
ZONING BY-LAW

PREPARED FOR:
CORPORATION OF THE
VILLAGE OF COBDEN

PREPARED BY:
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ZONING BY-LAW

Corporation

of the

Village of Cobden

THE CORPORATION OF THE

VILLAGE OF COBDEN

ZONING BY-LAW NO. 1989-14

A BY-LAW TO REGULATE THE USE OF LANDS AND THE CHARACTER, LOCATION AND USE OF BUILDINGS AND STRUCTURES IN THE VILLAGE OF COBDEN.

WHEREAS authority is granted under Section 34 of The Planning Act, 1983, as amended, to pass this by-law.

NOW THEREFORE the Municipal Corporation of the Village of Cobden enacts as follows:

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SECTION 1 - TITLE, APPLICATION, SCOPE AND INTERPRETATION**1.1 Title of By-law**

This by-law shall be cited as the "Zoning By-law" of the Village of Cobden.

1.2 Application of By-law

The provisions of this by-law shall apply to all lands within the Corporation of the Village of Cobden as shown on Schedule "A".

1.3 Scope of By-law**(a) Conformity with By-law:**

No building or structure shall hereafter be erected or altered, nor shall the use of any building, structure or lot hereafter be changed, in whole or in part, except in conformity with the provisions of this by-law.

(b) Changes Causing Contravention of By-law:

No person shall change the purpose of which any lot, building or structure is used, or erect any new building or structure or alter any existing building or structure, or sever any lands from any existing lot, if the effect of such action is to cause the original, adjoining, remaining or new building, structure or lot to be in contravention of this by-law.

1.4 Interpretation

For the purposes of this by-law, words used in the present tense include the future; words in the singular number include the plural and words in the plural include the singular number; the word "shall" is mandatory; the word "used" shall also mean "designed to be used"; and the word "occupied" shall also mean "designated to be occupied".

SECTION 2 - SCHEDULE

SCHEDULE TO BY-LAW

The following schedule is included and form part of this by-law

SCHEDULE "A"

ZONING MAP

SECTION 3 - DEFINITIONS

For the purpose of this by-law the following words and phrases shall have the meaning given below:

- 3.1 Accessory Building or Structure: means a detached building or structure, including a private garage, swimming pool, garden shed, the use of which is incidental or secondary to that of the main building and located on the same lot with the main building.
- 3.2 Accessory Use: means a use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or buildings.
- 3.3 Assembly Hall: means a building or part of a building in which facilities are provided for such purposes as meetings of civic, education, political, religious or social purposes, and shall include a banquet hall.
- 3.4 Attached: shall mean a building otherwise complete in itself, which depends for structural support, or complete enclosure, upon a division wall or walls shared in common with adjacent building or buildings.
- 3.5 Automobile Service Station: shall mean a building where gasoline or oil is kept for sale and where only minor or emergency repairs essential to the actual operation of motor vehicles may also be performed, and where grease, anti-freeze, tires, spark plugs and other automobile accessories may be sold incidentally, and where motor vehicles may also be oiled, greased, or washed, but where no other activities of a public garage are carried on.
- 3.6 Brewers Retail Store shall mean a retail commercial establishment operating the business of a Brewers Retail store for the sale and distribution of brewery and related products.
- 3.7 Building: means any structure used or designed to be used for shelter, accommodation or enclosure of persons, animals or chattels.
- 3.8 Building Line: means a line within a lot drawn parallel to a lot line and establishes the minimum distance between that lot line and any building or structure, which may be erected.
- 3.9 Building Supply Store: means an establishment engaged in the selling of building supplies including lumber, mill work, siding, roofing, plumbing, electrical, heating, air conditioning and similar items.
- 3.10 Building Main: means a building in which the principal use is conducted on the lot on which the building is located. In the residential zone the dwelling is the main building.
- 3.11 Business Office: shall mean an office where one or more persons are employed in the management, direction or conducting of any agency, business, brokerage, labour or fraternal organization and shall include a newspaper plant, a radio and television broadcasting studio or theatre.
- 3.12 Camping Establishment: means a tourist establishment consisting of at least five camping lots and comprising land use or maintained as grounds for the camping or parking of recreational vehicles and tents.

- 3.13 Car Wash: shall mean a building or part of a building used for waashing or cleaning motor vehicles. A mechancial operation which moves or conveys the vehicle may be part of the building.
- 3.14 Church: means a building dedicated to religious worship and may include a church hall, church auditoriums, Sunday school, convent or parish hall.
- 3.15 Clinic: shall mean a public or private or private medical, surgical, physiotherapeutic or other human health clinic except when accessory to a private or public hospital.
- 3.16 Club, Commercial: means an athletic, recreational and/or social club operated for gain or profit.
- 3.17 Club, Private: means an athletic, recreational and/or social club located on private lands and not operated for gain or profit. This definition may include the premises of a fraternal organization.
- 3.18 Commercial Greenhouse: shall mean a building used for the growing of flowers, vegetables, shrubs, trees and similar vegetation for wholesale or retail sale. This definition shall not include any premises used for the growing of mushrooms.
- 3.19 Community Centre: means any tract of land or buildings or any part of any buildings used for community activities whether used for commercial purposes or not, and the control of which is vested in the municipality, a local board or agent thereof.
- 3.20 Contractor's Shop: shall mean an area of land including buildings of a contractor of any building trade where equipment and material are stored or where a contractor performs shop or assembly work but does not include any other yard or establishment otherwise defined or classified herein.
- 3.21 Convenience Store: means a retail commercial establishment supplying groceries, sundries and other daily household necessities to the immediate surrounding area.
- 3.22 Dwelling - apartment dwelling: means the whole of a building not otherwise defined herein, which contains four (4) or more dwelling units served by a common entrance, in which the occupants have the right to use in common any corridors, stairs or elevators contained therein, and the yards appurtenant thereto.
- 3.23 Day Nursery: shall mean a day nursery to which The Day Nurseries Act, R.S.O. 1970, Chapter 104 applies.
- 3.24 Dwelling - bachelor: shall mean a dwelling unit designed for occupancy by one or two persons and consisting of a bed-living room, a kitchen or kitchenette and a bathroom.
- 3.25 Dwelling - boarding or lodging house: means a dwelling of which not more than four (4) rooms are available for rent, with or without meals for the accommodation of the public, but does not include any other establishment otherwise defined herein. A bed and breakfast establishment shall have a corresponding meaning.
- 3.26 Dwelling - one family: means a separate building containing only one dwelling unit.
- 3.27 Dwelling - Rowhouse: shall mean one of a group of three or more attached single-family dwellings, each dwelling having an independent entrance directly from the outside but does not include any dwelling otherwise defined herein.
- 3.28 Dwelling - two family: means a separate building containing only two dwelling units that are divided either horizontally or vertically; each unit having an independent entrance.

- 3.29 **Dwelling - triplex:** means the whole of a building that is divided horizontally into three separate dwelling units, each of which has an independent entrance, either directly from the outside, or through a common vestibule.
- 3.30 **Dwelling Unit:** means one or more connecting rooms designed for use by and occupied by not more than one family and in which separate kitchen and sanitary facilities are provided for the exclusive use of such a family, with a private entrance from outside the building or from a common hallway or stairway inside the building.
- a) **Accessory Dwelling Unit:** shall mean a dwelling unit which is part of and accessory to a permitted non-residential building other than an automobile service station or commercial garage.
- 3.31 **Dwelling Unit Area:** means the floor area of a dwelling unit measured between the exterior faces of the exterior walls of the dwelling unit.
- 3.32 **Eating Establishment:** means a building or part thereof where food is offered for sale or sold to the public for consumption on or off the premises and includes a restaurant, drive-in restaurants, cafe, tea or lunch room, dairy bar, and refreshment room or stand and chip wagon or stand but does not include a boarding or lodging house.
- 3.33 **Equipment Rental Establishment:** means a building or part of a building wherein the primary use is the rental of machinery, equipment, furniture and fixtures, only of a size and type which would be used for a specific home improvement or household purpose and which could be transported by the individual household user.
- 3.34 **Erect:** shall mean build, construct, reconstruct, or relocate and shall include any preliminary physical operations such as cutting, grading, excavating, filling or drainage, or any altering of an existing building by an addition, extension or other structural change.
- 3.35 **Existing:** shall mean existing as of the date of final passage of this by-law.
- 3.36 **Farm:** means land used for the tillage of soil, the growing of vegetables, fruits, grains, and other staple crops. This definition may also apply to land used for livestock raising, dairying, or woodlots.
- a) **Specialized Farm:** means land on which the predominant economic activity consists of raising chickens, turkeys, or other fowl, the raising of fur bearing animals, the raising of swine or goats, the raising of cattle on feed lots, the raising or boarding of dogs or cats, or the growing of mushrooms.
- 3.37 **Family:** means one person or two or more persons who are interrelated by bonds of consanguinity, marriage or legal adoption, or a group of persons with or without one or more fulltime servants, occupying a dwelling unit.
- 3.38 **Floor Area, Gross:** means, for a dwelling, the total area of the storeys exclusive of basements, cellars, attic, garages, sunrooms, unenclosed verandahs or porches; and for a building other than a dwelling, the total area of all the floors contained within the outside walls of the building. Only that floor area having a clear height to the ceiling of at least two and one-quarter metres (2.25 metres) may be used to calculate floor area.
- 3.39 **Floor Area, Net:** shall mean only the habitable or useable floor space in a building exclusive of any foyer, hallways, stairwell, closet, washroom or toilet room and shall be measured from the inside walls.

- 3.40 **Forestry:** means the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, protection and production of water supplies, and preservation of the recreation resource.
- 3.41 **Fuel Storage Tank:** means a tank for the bulk storage of petroleum gasoline, fuel oil, gas or inflammable liquid or fluid but does not include a container for inflammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use of the premises where such tank is located.
- 3.42 **Funeral Home:** shall mean any premises where preparation of the dead human body for interment or cremation is undertaken. Funeral parlour and chapel shall have a corresponding meaning.
- 3.43 **Garage, Commercial:** shall mean a building where all functions of an automobile service station may be carried out and where major repairs of motor vehicles may be performed, including body work and welding but shall not include dismantling of motor vehicles for scrap or the storage of motor vehicles awaiting scrapping.
- 3.44 **Garage or Carport (Private):** shall mean an enclosed or partially enclosed structure in which no business, occupation or service is conducted for profit, and which structure is used primarily for the storage of one or more vehicles and storage of household equipment incidental to the residential occupancy.
- 3.45 **Gasoline Retail Facility:** shall mean a lot on which the retail sale of gasoline or other petroleum products for motor vehicles constitutes either the sole use, such as a gas bar or an accessory use. This definition shall not include an automobile service station.
- 3.46 **Gravel Pit:** means any open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral in order to supply material for construction, manufacturing or industrial purposes.
- 3.47 **Group Home:** means a single housekeeping unit in a residential dwelling in which three to ten residents live as a family under responsible supervision consistent with the requirements of its residents. The home is licensed or approved under provincial statute and federal statute.
- 3.48 **Hazard Land:** means land which is not suitable to be used for the erection of any buildings because the said land is on a flood plain, is subject to erosion, has steep slopes, has organic soil or has a high water table.
- 3.49 **Height:** means, when used with reference to a building, the vertical distance between the average elevation of the finished surface of the ground at the front of the building and;
- (1) in the case of a flat roof, the highest point of the roof surface or the parapet, whichever is the greater,
 - (2) in the case of a mansard roof, the deck roof line, and
 - (3) in the case of a gable, hip or gambrel roof, the mean height between the eaves and ridge.
- 3.50 **High Water Mark:** means the mark made by the action of water under natural conditions on the shore or bank of a body of water, which action has been so common and usual and so long continued that it has created a difference between

the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side.

- 3.51 Home Occupation: shall mean a use other than residential, conducted entirely within a dwelling and which provides gain or support for the resident of such dwelling and which is clearly secondary to the main use of the dwelling as a private residence. For greater clarity, a Home Occupation includes the office or consulting room of any of the health care professions or of a lawyer, engineer, accountant, insurance agent, architect, planner, real estate salesperson, teacher, musical instructor and the work room of a dressmaker, milliner, seamstress, tailor or antique shop. However, a Home Occupation does not include a clinic, any retail store, any shop, tearoom, tourist home, convalescent home, funeral home, secondhand shop, storage yard, parking area or plant for any of the trades.
- 3.52 Hospital:
- a) Private shall mean a hospital as defined in the Private Hospitals Act 1970, and a sanitarium as defined by the Private Sanitarium Act 1970.
 - b) Public shall mean a hospital as defined by the Public Hospital Act 1970.
- 3.53 Hotel: means any hotel, tavern, inn or public house in one building or in two or more connected or adjacent buildings used mainly for the purpose of catering to the needs of the travelling public by supplying sleeping accommodation of not less than ten bedrooms and includes all premises licensed under The Liquor License Act, but does not include boarding or lodging houses.
- 3.54 Institution: shall mean a building used for non-commercial purposes and operated by an organized body or society for providing a particular service.
- 3.55 Kennel: shall mean an establishment in which more than four dogs or domesticated animals more than 1 year old are housed, groomed, bred, boarded, trained or sold.
- 3.56 Lot: means a parcel or tract of land:
- (i) which is a whole lot as shown on a Registered Plan of Subdivision, but a Registered Plan of Subdivision for the purpose of this paragraph does not include a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under a by-law passed pursuant to Section 49 of The Planning Act, 1983.
 - (ii) which is a separate parcel of land the owner of which does not retain the fee or equity of redemption in, or a power or right to grant, assign, or exercise a power of appointment with respect to any abutting land, or
 - (iii) the description of which is the same as in a deed which has been given consent pursuant to Section 49 of The Planning Act, 1983.
- 3.57 Lot Area: means the total horizontal area within the lot lines of a lot. In the case of a corner lot having street lines rounding at the corner with a radius of six (6) metres, or less, the lot area of such land shall be calculated as if the lot lines were produced to their point of intersection.
- 3.58 Lot Corner: means a lot situated at the intersection of two streets, of which two adjacent sides, that abut the intersecting streets, contain an angle of not more than 135 degrees; where such adjacent sides are curved, the angle of intersection of the adjacent sides shall be deemed to be the angle formed by the intersection of the tangents to the street lines, drawn through the extremities of the interior lot lines,

provided that, in the latter case, the corner of the lot shall be deemed to be that point on the street lines nearest to the point of intersection of the said tangents.

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- 3.59 Lot Coverage: means that percentage of the lot area covered by buildings, including accessory buildings.
- 3.60 Lot Frontage: means the horizontal distance between the side lot lines measured along the front lot line. Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be measured along a line seven and one-half (7.5) metres back from and parallel to the street line.
- 3.61 Lot Interior: shall mean a lot situated between adjacent lots and having access to one street.
- 3.62 Lot Line Front: means, in the case of an interior lot, the line dividing the lot from the street.
- In the case of a corner lot, the shorter lot line abutting a street shall be deemed to be the front lot line.
- In the case of a corner lot with two street lines of equal lengths, the lot line that abuts the wider street, or abuts a Provincial or County road or highway shall be deemed to be the front lot line, and in the case of both streets being in the same jurisdiction and of the same width, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line.
- 3.63 Lot Line Rear: means the lot line opposite the front lot line.
- 3.64 Lot Line Side: means a lot line other than a front or rear lot line.
- 3.65 Mini Storage: A structure containing separate storage spaces of varying sizes leased or rented on an individual basis.
- 3.66 Mobile Home: means a prefabricated building used for permanent residential occupancy (non-transient) which is C.S.A. (Canadian Standards Association) approved and meets the requirements of the Ontario Building Code and is so constructed that it is suitable for being mounted on wheels and attached to a motor vehicle for the purpose of being drawn or propelled by the said motor vehicle notwithstanding that it may be jacked up and its running gear removed, but does not include a travel trailer or tent trailer or trailer otherwise defined.
- 3.67 Motel: means an establishment that consists of one or more than one building containing more than one rental unit for the purpose of catering to the travelling public, to whom the motor vehicle is the principal means of transportation by furnishing sleeping accommodation with or without meals, may include permanent staff accommodation and may or may not be licenced under The Liquor Licence Act, but does not include any other establishment otherwise defined or classified in this by-law.
- 3.68 Municipality: means the Municipality of the Village of Cobden. Corporation shall have a corresponding meaning.
- 3.69 Non-Conforming: shall mean that which does not conform, comply or agree with the regulations of this by-law as of the date of final passing thereof.
- 3.70 Nursing Home: shall mean a building in which the proprietor supplies for hire or gain lodging with or without meals and in addition provides nursing, medical or similar care and treatment if required; and shall include a rest home, convalescent

- home or dormitory home but shall not include any other establishment otherwise defined or classified herein.
- 3.71 **Obnoxious Use:** shall mean an offensive trade or any use which is offensive or dangerous by reason of the emission of odour, smoke, dust, noise, gas fumes, vibration or refuse matter.
- 3.72 **Open Storage:** shall mean storage or display of goods, merchandise or equipment outside of a building or structure on a lot or portion thereof.
- 3.73 **Park:** means an area, consisting largely of open space, which may include a recreational area, playground, playfield or similar use, but shall not include a mobile home park or recreational vehicle park.
- (a) **Public Park:** means a park owned or controlled by the Corporation, the County of Renfrew, or by any Ministry, Board, Commission or Authority established under any statute of Ontario or Canada.
- (b) **Private Park:** means a park other than a public park.
- 3.74 **Parking Space:** shall mean an area of not less than fifteen (15) square metres measuring (2.7) metres by (5.5) metres exclusive of driveways or aisles for the temporary parking or storage of motor vehicles.
- 3.75 **Person:** shall include an individual, an association, a chartered organization, a firm, a partnership or a corporation.
- 3.76 **Professional Office:** shall mean any office where professionally qualified persons, technical assistants and clerical staff are employed and where clients or patients seek advice, consultation, or treatment. Notwithstanding the foregoing, said office shall not be a hospital or any other use defined herein.
- 3.77 **Private Access Road:** means a registered right-of-way not dedicated and accepted as, or otherwise deemed at law to be a public highway, that serves as a privately maintained motor vehicle access-route to one or more parcels of land.
- 3.78 **Public Use:** means a building, structure or lot used for public services by the Corporation of the Village of Cobden or the County, any local board of either the Corporation or the County of Renfrew, any Conservation Authority established by the Government of Ontario, any Ministry or Commission of the Government of Ontario or Canada, including Ontario Hydro, any telephone gas or telegraph company or any railway company authorized under The Railway Act.
- 3.79 **Porch:** means a roofed open area, which may be glazed or screened, usually attached to or part of and with direct access to or from a building.
- 3.80 **Recreational Uses:** shall mean the use of land for parks, playgrounds, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, curling rinks, athletic fields, fairgrounds, golf courses, picnic areas, swimming pools, day camps, community centres together with necessary and ancillary buildings and structures, but does not include a track or area for the racing of animals, motor vehicles or motorcycles or golf driving ranges or miniature golf courses unless such driving courses are ancillary to a golf course.
- 3.81 **Recreational Vehicle:** means a structure or vehicle designed, intended and used exclusively for travel, recreation and vacation and which is either capable of being drawn by a passenger vehicle or is self-propelled, and shall include tent trailers, vans, motor homes, and similar transportable accommodation excepting a mobile home.

- 3.82 **Recreational Vehicle Park:** means a land used for the parking of more than one recreational vehicle and the said land being divided into individual lots.
- 3.83 **Retail Store:** means a building or part of a building in which goods, wares, merchandise, substance, articles or things are offered or kept for sale at retail, but does not include any establishment otherwise defined herein or specifically named elsewhere in this by-law.
- 3.84 **Retail Tourist Store:** means a building or part of a building in which goods, wares, merchandise, substance articles are offered or kept for sale which cater primarily to the travelling public. These stores would offer for sale such items as crafts, souvenirs, etc.
- 3.85 **Roadside Stand:** means a retail store not exceeding nineteen (19) square metres in floor area, in which the goods displayed or offered for sale are produced on the same land from agricultural uses.
- 3.86 **Salvage Yard:** means an establishment where goods, wares, merchandise, articles or things are processed for further use and where such goods, wares, merchandise, articles or things are stored wholly or partly in the open. This definition may include a junk yard, a scrap metal yard and an automobile wrecking yard or premises.
- 3.87 **Senior Citizen Home:** means any home for senior citizens sponsored and administered by any public agency or any service club, church or other non-profit organization, either of which obtains its financing from Federal, Provincial or Municipal Governments or agencies, or by public subscription or donation, or by any combination thereof, and such home shall include any auxiliary uses such as club and lounge facilities usually associated with senior citizens development.
- 3.88 **Service Shop:** shall mean an establishment wherein articles or goods such as appliances, furniture or similar items are repaired or serviced. Service shops shall also mean an establishment wherein a personal service is performed. This definition may include a barber shop, a beauty salon, a dressmaking shop, a shoe repair shop, a tailor shop and a photographic studio.
- 3.89 **School:** shall mean an educational establishment under the jurisdiction of a Board as defined by the Ministry of Education.
- 3.90 **Shopping Centre:** shall mean a group of commercial and service establishments related in size and type, primarily to the specific commodity needs of the community and designed, developed and managed as a unit whether by a single owner, a group of owners or tenants acting in collaboration and shall include as a primary establishment a department store. Generally but not prerequisite, the public access to individual functions within a Shopping Centre will be from an enclosed common mall area.
- 3.91 **Shopping Plaza:** shall mean a group of commercial and service establishments or uses, related in size and type, primarily to the day to day needs of a residential area and designed, developed and managed as a unit, whether by a single owner, a group of owners or tenants in collaboration. Access to individual functions generally may be from an open mall area.
- 3.92 **Stone Quarry:** means any open excavation made for the removal of any consolidated rock or mineral including limestone, sandstone or shale, in order to supply material for construction, industrial or manufacturing purposes, but shall not include an excavation incidental to the erection of a building or structure for which a building permit has been granted by the Corporation or an excavation incidental to the construction of any public works.

- 3.93 Street: means a public highway or public street under the jurisdiction of either the Municipality, the County of Renfrew or the Province of Ontario. This definition shall not include a lane or private access road. STREET ALLOWANCE shall have a corresponding meaning.
- (a) Improved Street: means a public road which has been constructed in such a manner so as to permit its use by normal vehicular traffic.
- 3.94 Street Line: means the limit of the road or street allowance and is the dividing line between a lot and a street.
- 3.95 Structure: means anything constructed or erected, the use of which requires location on or in the ground or attached to something having location on or in the ground.
- 3.96 Trailer: means any vehicle so constructed as to be suitable for attachment to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, and capable of being used for the temporary living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked up or that its running gear is removed.
- 3.97 Truck Terminal: means a building, structure or place where trucks or transports are rented, leased, kept for hire, or stand or parked for remuneration, or from which trucks or transports, stored or parked on the property are dispatched for hire as common carriers or which is a bonded warehouse.
- 3.98 Vehicle Sales or Rental Establishment: shall mean an establishment having as its main use the storage of vehicles for sale or the storage of vehicles for rent or lease. Accessory uses may include facilities for the repair or maintenance of such vehicles.
- 3.99 Water Setback: means the straight line horizontal distance from the high water mark of a watercourse, bay or lake to the nearest part of any excavation, building, structure or open storage use on the lot.
- 3.100 Warehouse: shall mean a building or part of building used primarily for the operation of general merchandise warehousing, cold storage and other storage facilities and also includes a centre for the distribution of wholesale goods and commodities for resale to retailers; to industrial, commercial, institutional or professional users; to the wholesalers.
- 3.101 Wayside Pit: means a temporary gravel pit or stone quarry opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.
- 3.102 Yard: means a space, appurtenant to a building, structure or excavation, located on the same lot as the building or structure, and which is open, uncovered and unoccupied from the ground to the sky except for such accessory buildings, structures or uses as are specifically permitted elsewhere in this by-law.
- 3.103 Yard Front: means a yard extending across the full width of a lot on which a building is situate, and from the front lot line to the nearest main wall of the building or buildings for which such front yard is required.
- 3.104 Yard Rear: means a yard extending across the full width of the building lot, on which a building is situate, and from the rear lot line to the nearest main wall of the building or buildings from which such rear yard is required.
- 3.105 Yard Side: means a yard extending from the front yard to rear yard and from the side lot line to the nearest main wall of the building or buildings for which such side yard is required.

- 3.105 Zone: means a designated area of land use shown on Schedule "A".
- 3.106 Zoning Administrator: means the officer or employee of the Corporation charged with the duty of enforcing the provisions of this by-law.

SECTION 4 - GENERAL PROVISIONS

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4.1 General Provisions Applicability

The requirements contained in the General Provisions shall apply to all zones.

4.2 Accessory Buildings and Structures

Accessory uses, buildings and structures shall be permitted in any zone within the Municipality but shall not:

- (i) be used for human habitation except where a dwelling is a permitted accessory use.
- (ii) be built closer to the front lot line or side yard line than the minimum distance required by this by-law for the main building on the lot. Where an accessory building is built on a corner lot, it shall be located in the rear yard or in the side yard which is not adjacent to the flanking street;
- (iii) be built closer than one (1.0) metre to the rear lot line except:
 - (a) that common semi-detached garages may be centred on the mutual side lot line, and
 - (b) for boat houses and boat decks which may be built to the lot line when such line corresponds to the water's edge;
- (iv) exceed ten and one-half (10.5) metres in height in any Commercial Zone;
- (v) exceed five metres (5) in height in any Residential Zone.
- (vi) exceed ten (10) percent coverage of the total lot area;
- (vii) be built within two (2) metres of the main building, unless the accessory building is constructed of fire retardant materials;
- (viii) be considered an accessory building if attached to the main building in any way.
- (ix) be constructed on lands subject to flooding, with the exception of docks, boat houses, and those buildings and structures otherwise permitted by this by-law.
- (x) where an accessory structure is a satellite dish or similar telecommunication device located in a Residential Zone such a structure shall be located in the rear yard or attached to the roof of the main building on the lot.

4.3 Attached Garage Side Yard

In any Residential Zone where a private garage is attached to a one family detached dwelling, then:

1. On the side where the garage is attached to the dwelling, the minimum side yard shall be one (1) metre.
2. In any Residential Zone where a portion of the dwelling unit extends over a private garage which is attached to the dwelling unit, the minimum side yard shall be one (1) metre.
3. On the other side, the minimum side yard shall be the distance required elsewhere in this by-law.

4.4 Automobile Service Stations

Where automobile service stations are permitted in this by-law, the following provisions shall apply in addition to zone provisions.

- (i) No portion of any pump island on a service station lot shall be located closer than six (6) metres from the street line of any street.
- (ii) the minimum distance from the intersection of two street lines to the nearest ingress or egress ramp shall be not less than nine (9) metres.
- (iii) the maximum width of a curb ramp at the street line shall not be not more than nine (9) metres and the minimum width not less than seven and one-half (7.5) metres. The width of the ramp shall be seven and one-half (7.5) metres.
- (iv) The minimum distance between ramps shall be not less than nine (9) metres.
- (v) The minimum interior angle of a ramp to a street line shall be forty-five (45) degrees and the maximum interior angle of a ramp to the street line shall be ninety (90) degrees.
- (vi) The minimum distance between the property line of the lot at the street line and the nearest ramp shall be three (3) metres.
- (vii) The area included between ramps or between ramps and a street line or property line as required by this by-law shall not be used for any purpose other than landscaping.

4.5 Building Lots and Yards

(a) Lots to Front on Streets

No person shall erect or use any building or structure on a lot unless such lot fronts on an improved street.

(b) Permitted Encroachments on Minimum Yards

Every part of any minimum required yard shall be open and unobstructed from the ground to the sky by any structure other than an accessory building permitted elsewhere in this by-law, provided however, that those structures listed in the following table shall be permitted to project into the minimum required yards indicated for the distances specified.

TABLE OF PERMITTED ENCROACHMENTS IN MINIMUM YARDS

Structure	Yards in which Projection is Permitted	Maximum Projection Permitted into Min. Required Yard
Sills, belt courses, cornices, eaves, gutters, chimneys or pilasters	All	.45 metres
Fire escapes and exterior staircases	Front and Rear only	1.5 metres over a maximum width of 3 metres
Window Bow	Front & Rear only	1 metre including eaves and cornices maximum 3 metres width
Balconies	Front and Rear only	2 metres
Open, roofed porches not exceeding one storey in height	Front & Rear only	2.5 metres including eaves and cornices; maximum length of 3 metres
Uncovered paved patios and decks	All	2.5 metres front yard; other yards unlimited

4.6 Buildings to be Moved

No building or structure shall be moved within the limits of the Municipality or shall be moved from outside the Municipality into the Municipality unless the building or structure is a permitted use and satisfies all of the requirements of the zone in which it is to be located and then only after a permit has been obtained from the Chief Building Official.

4.7 Conformity with Existing Setbacks

Nothing in this by-law shall prevent any main building on a lot from being erected within a built-up area, as defined by The Highway Traffic Act, R.S.O. 1980, as amended, where there is an established main building line on the lot. Such main building may be erected closer to the street line than required by this by-law provided such main building is not erected closer to the street line than the established building line on the lot on the date of passing of this by-law. In no case shall an accessory building or structure be permitted closer to the street line than the main building on the lot.

For the purposes of this subsection, the established building line means the average setback of the main wall of the existing buildings. A building line is considered to be established when at least three (3) buildings have been erected on any one side of a street block or 300 metres of land with street frontage. A porch shall not be construed to be part of the main wall of a building.

4.8 Dwellings Per Lot:

No more than one (1) residential dwelling shall be erected on any lot within any of the Residential One (R1) Zones as defined in this By-law.

4.9 Exceptions to Height Limitations

The height limitations of this by-law shall not apply to chimneys, church spires, public buildings, water tanks, elevator enclosures, flag poles, television or radio antennae, electrical transmission facilities, ventilators or skylights.

4.10 Existing Conditions

(a) Non-Conforming Uses

Nothing in this by-law shall prevent the use of any land, building or structure for any purpose prohibited by the by-law if such land, building or structure was lawfully used for such purpose on the day of passing of the by-law, so long as it continues to be used for that purpose. If a non-conforming use should be damaged or destroyed by cause beyond the control of the owner, nothing in this by-law shall prevent such a use from being restored and strengthened to a safe condition, provided the height and bulk are not increased and the use is not an obnoxious use. In areas that are affected by the 1:100 year flood, the replacement or reconstruction of damaged non-conforming buildings and structures shall meet all other applicable provisions of this by-law as specified.

(b) Existing Buildings with Inadequate Lot or Yard Size

Where a building has been erected prior to the date of passing of this by-law on a lot having less than the minimum frontage and/or area, or having less than the minimum setback and/or side yard and/or rear yard required by this by-law, said building may be enlarged, reconstructed, repaired or renovated provided that:

- Not Allowed (height is ok)*
- (reduced SETBACK)*
- (i) the enlargement, reconstruction, repair or renovation does not further reduce a front yard and/or side yard and/or rear yard having less than the minimum required by this by-law; and
 - (ii) all other applicable provisions of this by-law are complied with.

(c) Existing Undersized Lots

Nothing in this by-law shall prevent a vacant lot held in separate ownership from adjoining parcels on the date of passage of this by-law or created by expropriation subsequent to the date of passage having less than the minimum frontage and/or area required by this by-law, from being used for a purpose permitted in the zone in which the said lot is located provided that all other applicable provisions in this by-law are complied with.

(d) Prior Building Permits

Nothing in this by-law shall prohibit the erection of a building or structure for which a building permit has been issued prior to the date of passing of this by-law.

4.11 Gravel Pits, Stone Quarries, and Wayside Pits

A gravel pit or a stone quarry with the exception of a wayside pit or a wayside quarry, shall be prohibited in all zones. A wayside pit or a wayside quarry shall be permitted in all zones except in a Residential Zone.

4.12 Home Occupations

A home occupation shall be permitted in any Zone provided such home occupation conforms to the following provisions:

- (a) The use shall be conducted entirely within the dwelling unit and carried on only by members of the family dwelling unit.
- (b) There shall be no external display or advertising other than a non-illuminated sign not more than three-tenths (.3) of a square metre in area, to indicate to persons outside that any part of the dwelling unit or lot is being used for a purpose other than residential.
- (c) Not more than twenty-five percent (25%) of the dwelling unit area shall be used for the purpose of home occupation uses.
- (d) Such home occupation shall be clearly secondary to the main residential use and there shall be no change to the outside appearance of the dwelling unit or premises or any visible evidence of the conduct of a home occupation.
- (e) There shall be no storage of equipment, vehicles, or supplies associated with the home occupation outside the dwelling.
- (f) The use shall not require additional off-street parking spaces for clients or customers of the home occupation.
- (g) The use shall not generate additional pedestrian or vehicular traffic beyond that normal to the neighbourhood in which it is located.
- (h) There shall be no manufacturing, fabricating or assembly process taking place on the premises.
- (i) No equipment or process shall be used in a home occupation which creates excessive noise, vibration, glare, fumes, or odour detrimental to the health, safety, and general welfare of persons residing in the neighbourhood.

4.13 Mobile Homes

Mobile homes on individual lots shall be prohibited within the Municipality.

4.14 Noxious Uses

Within the Municipality no use shall be permitted which, from its nature or the materials used therein, is declared to be a noxious trade, business or manufacture under The Environmental Protection Act and Regulations thereunder.

4.15 Occupancy of Incomplete Buildings

In any residential zone, no dwelling shall be occupied before the main side walls and roof have been erected, the external siding and roofing have been completed and kitchen, heating and sanitary conveniences have been installed and rendered usable.

4.16 Occupation of Vehicles

No truck, bus or coach shall be used for permanent human habitation within the Municipality whether or not the same is mounted on wheels.

4.17 Other Governmental Restrictions

When the regulations and/or statutes of the Provincial or Federal Governments impose greater restrictions than the restrictions imposed by this By-law, then such greater restrictions shall prevail.

4.18 Parking and Loading Areas(a) Parking Requirements

- (i) In any zone the owner of every building hereafter erected, enlarged or changed in use after the passing of this by-law shall provide and maintain off-street parking space in accordance with the following table:

TABLE OF PARKING REQUIREMENTS

<u>Type of Use</u>	<u>Minimum Parking Space Requirement</u>
Residential Uses	1.5 parking space per dwelling unit within an apartment dwelling 1 parking space for all other dwelling units as defined in this By-law
<u>Non-Residential Uses</u>	
Church, Assembly Hall	1 parking space per 9 square metres of gross floor area
Park	5 parking spaces per 4,046 square metres
Eating Establishment	The greater of: (a) 1 parking space per 13.5 square metres of gross floor area or, (b) 1 parking space per 4 persons design capacity of the dining room
Retail Store	1 parking space per 28 square metres of gross floor area
School	The greater of: (a) 1.5 parking spaces per classroom, or (b) 1 parking space per 3.0 square metres of floor area in the gymnasium, or (c) 1 parking space per 3.0 square metres of floor area in the auditorium

Hotel, Motel and Boarding
or Lodging House

1 parking space per guest room, plus 1
parking space per 4 persons design
capacity of each tavern, dining room and
meeting room

Other Non-Residential
Uses Permitted by this
By-law

One parking space per 37 square metres
of gross floor area

- (ii) Where in this by-law, parking facilities for more than four (4) vehicles are required or permitted, parking areas shall conform to the following requirements:

The parking area shall be located within one hundred and fifty (150) metres of the location it is intended to serve and shall be situated in the same zone; and

The parking area and approaches shall be surfaced with concrete, asphalt, crushed stone, gravel or a combination thereof with a stable surface treated to prevent the raising of dust or loose particles; and

Provision for drainage facilities shall be made in compliance with the requirements of the Municipality; and

Every parking space shall be provided with unobstructed access to a street by a driveway, aisle, or land; and

Where two or more uses are permitted in any one building or on any one lot then the off-street parking requirements for each use shall be calculated as if each use is a separate use, and the total number of off-street parking spaces so calculated shall be provided.

(b) Loading Space Requirements

No person shall, in any Zone, erect or use any permitted building or structure for manufacturing, storage, warehouse, department store, retail store, wholesale store, market, freight or passenger terminal, hotel, hospital, mortuary, or other permitted uses similarly involving the frequent shipping, loading or unloading of persons, animals or goods, unless there is maintained in the same premises with every such structure or use, off-street space for standing, loading and unloading, which shall be at least one, three (3) metre by seven and one-half (7.5) metre area (with a minimum three and six-tenths (3.6) metre height clearance) for every one thousand eight hundred and fifty (1,850) square metres or fraction thereof of building floor area so used. The surface of such loading space and approaches shall be treated in accordance with the relevant provisions of Section 4.17 (a) (ii).

4.19 Public Uses of Land

The provisions of this by-law shall not apply to the use of any land or to the erection or use of any building or structure for the purpose of public service by the Municipality or by the Corporation of the County of Renfrew or by any local board thereof defined by the Municipal Affairs Act (R.S.O. 1980), any telephone, gas, telegraph or railway company, any department or agent of the Governments of Ontario or Canada, including Ontario Hydro and the County of Renfrew, provided that:

- (i) the lot coverage, parking and loading, setback and yard requirements prescribed for the zone in which such land, building or structure is located shall be complied with, and
- (ii) no goods, material, or equipment shall be stored in the open in a Residential Zone; and
- (iii) any building erected in a Residential Zone under the authority of this paragraph shall be designed and maintained in general harmony with residential buildings of the type permitted in the zone.
- (iv) Notwithstanding the provisions of subsection (1) above, additions or enlargements shall be permitted to any existing municipal building or structure. The zone provisions of the zone in which the building or structure is located shall not apply.

4.20 Setbacks

No person shall erect any building or structure in any Zone unless such building or structure conforms to the following setback requirements from road centrelines and waterbodies.

- (a) Provincial Highway 18 metres plus the minimum front yard depth required for such use in the Zone where it is located, such front yard depth being measured at the front lot line.
- (b) County Road
 - i) where the County Road is twenty (20) metres wide 10 metres
 - ii) where the County Road is twenty-six (26) metres wide 13 metres

plus the minimum front yard depth required for such use in the Zone where it is located, such front yard depth being measured at the front lot line.
- (c) Other Road 10 metres plus the minimum front yard depth required for such use in the Zone where it is located, such front yard depth being measured at the front lot line.
- (d) Water Setback

A minimum water setback of fifteen (15) metres shall be provided. Accessory boat houses and accessory boat docks shall be not required to meet the water setback.

4.21 Temporary Construction Uses Permitted

Nothing in this by-law shall prevent uses incidental to construction such as a construction camp or other such temporary work camp, a tool shed, scaffold or other building or structure incidental to the construction, a sign not more than four and one-half (4.5) square metres incidental to the construction provided that these uses are permitted only for so long as the same are necessary for work in progress which has neither been finished nor abandoned.

4.22 Visibility at Intersections in Residential Zone

On a corner lot in any Residential Zone, nothing shall be erected, planted or allowed to grow in such a manner as materially to impede vision between a height of eight-tenths (.8) of a metre excepting a chain link fence for school or park, and three (3) metres above the centreline grades of the intersecting streets in the area bounded by the points along said lines fifteen (15) metres from the point of intersection.

4.23 Open Storage

Open storage shall be permitted in a Mixed Use Commercial, Highway-Tourist Commercial, Urban Reserve and General Industrial Zone in accordance with the following:

- a) the open storage is accessory to the principle use of the lot;
- b) open storage, as defined in this By-law, shall not be permitted within any minimum required front yard or minimum required side yard adjacent to a flanking street nor within any minimum required side or rear yard where the side or rear lot line abuts any Residential or Community Facility Zone;
- c) any areas used for open storage shall be in addition to any minimum off-street parking or loading areas required by this By-law;
- d) any open storage use shall be concealed from view from any street by a solid wood fence, wall or similar method.

4.24 Standards - Cumulative

Unless permitted elsewhere in this by-law where a lot contains more than one use, the lot area requirements shall be the sum of the requirements for the separate uses thereof but the lot frontage requirements shall be no less than the greater of the lot frontage requirements for each individual use in the zone where such lot is located.

When a building, structure or lot accommodates more than one use, loading space requirement and parking space requirement for each building, structure or lot shall be the sum of the requirements for the separate uses thereof unless exempted elsewhere in this by-law.

SECTION 5 - ZONES5.1 Zone and Zone Boundaries(a) Zone Classification

For the purpose of this by-law, the following zones are established as shown on Schedule "A" (Zoning Map).

<u>Zones</u>	<u>Zone Symbol</u>
<u>Residential Zones</u>	
Residential One	R1
Residential Two	R2
Residential Three	R3
<u>Commercial Zones</u>	
Neighbourhood Commercial	NC
Highway-Tourist Commercial	HTC
Mixed Use Commercial	MC
<u>Industrial Zones</u>	
General Industrial	GM
("M" in the above symbols stands for "Industrial" or "Manufacturing")	
<u>Other Zones</u>	
Community Facility	CF
Parks and Open Space	POS
Urban Reserve	UR

(b) Zone Boundaries

Where the boundary of any zone, as shown on the attached Schedule, is uncertain the following provisions shall apply:

- (i) where the boundary is indicated as following a street, lane, railway right-of-way, other right-of-way or watercourse, the centreline of such street, land, railway right-of-way, other right-of-way or watercourse shall be the boundary;
- (ii) where the boundary is shown as approximately following a lot line or an extension of a lot line on a registered plan of subdivision or registered survey plan, the lot line or extension thereof shall be the boundary;
- (iii) where the boundary is shown as approximately following the shoreline of a watercourse, the high water mark as established by an Ontario Land Surveyor shall be the boundary;
- (iv) where any street, land, railway right-of-way, other right-of-way or watercourse as shown on Schedule 'A' is hereby closed or diverted, the land formerly included in such street, land, railway right-of-way, other

right-of-way or watercourse shall be included within the zone of the adjoining property on either side thereof.

- (v) In all other cases the location of the boundary shall be determined by map measurement in accordance with:

- Schedule "A" at the original scale of 1:15840

(c) Exception Zones

Where a zone classification is followed by the numbered suffix "- Exception One", this denotes the further classification as an Exception Zone. The corresponding zone symbol suffix is "-E1". Additional Exception Zones within the same zone classification are numbered consecutively (ie: Highway-Tourist Commercial -Exception One (HTC - E1), etc; or Residential One Exception One (R1 - E1), Residential One - Exception Two (R1 -E2) etc.

Exception Zone provisions are listed separately under the applicable zone classification requirements sections in the text of this by-law. All provisions of this by-law will apply equally to the respective Exception Zone classification, except as otherwise specified by the Exception Zone provisions.

For the purpose of this by-law, Exception Zones are established as shown on Schedule 'A' (zoning map).

(d) Holding Provisions - Principle of Development

Any parcel of land zoned for residential, commercial or industrial development where the principle of development has been established (ie. R1, HTC, R2) may be further classified as a holding zone with the addition of the suffix "-h". Certain criteria for development (ie. phasing, financial considerations, geotechnical studies, access etc.) must be met to the satisfaction of Council prior to the removal of the holding provision.

Under this holding zone, interim and passive uses such as open space and conservation will be permitted. Uses existing at the time of passing of the By-law will also be permitted. When the holding provision is removed these uses would no longer apply. The individual residential, commercial or industrial zone provisions (ie. R1, R2, HTC, etc.) as the case may be would then apply.

The removal of the holding provision shall require an amendment to this By-law. Pursuant to Section 35 of the Planning Act, 1983, no public participation with mechanism for appeal shall be required where the principle of development has been established.

SECTION 6 - REQUIREMENTS FOR RESIDENTIAL ONE (R1) ZONES6.1 Permitted Uses

No person shall use land or erect or use a building or structure in a Residential One (R1) Zone except for:

- a) Residential Uses
 - a one family dwelling
- b) Non-Residential Uses
 - a day nursery
 - public park
 - a private park

Uses, buildings and structures which are accessory to the foregoing.

6.2 Zone Provisions

No person shall use any lot or erect, alter or use any building or structure in a Residential One (R1) Zone except in accordance with the following provisions:

- a) Lot Area (minimum)
 - (i) on well and septic systems 2025 square metres ^{15070 sq'}
 - (ii) on municipal water and septic system 1400 square metres
 - (iii) on well and municipal sewer 1400 square metres
 - (iv) on municipal water and municipal sewer 550 square metres ⁵⁹²⁰
- b) Lot Frontage (minimum) 18 metres ^{59'}
- c) Front Yard Depth (minimum) 6 metres ^{19' 8"}
- d) Side Yard Width (minimum)
 - i) one side 3 metres
 - ii) other side 1 metre
- e) Rear Yard Depth (minimum) 7.5 metres
- f) Dwelling Unit Area (minimum) 75 square metres
- g) Lot Coverage (maximum) 33%
- h) Building Height (maximum) 10.5 metres
- i) Corner Lot Side Yard Width on a Flanking Street (minimum) ^{11.6'} 3.5 metres
- j) Dwelling Unit per Lot (maximum) 1 only

k) **Parking:**

Parking spaces shall be provided in accordance with Section 4 of this by-law.

6.3 **Zone Provisions** (Day Nursery)

Day nurseries are subject to the provisions of Section 6.2 above.

6.4 **Exception Zones:**(a) **Residential One - Exception One (R1-E1) Zones:**

Notwithstanding any other provision of this By-law to the contrary for the lands located in the Residential One-Exception One (R1-E1) Zone, a recreational sales and rental business shall be a permitted use.

(By-law 1990-18)

* (b) **Residential One-Exception Two (R1-E2) Zone:**

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the Residential One-Exception Two (R1-E2) Zone within part of the factory lots on Registered Plan 65 (known as 6 Main Street), a live bait and tackle shop shall be considered as a home occupation.*

(By-law 1991-27)

* (b) **Residential One - Exception Two (R1-E2) Zone:**

Notwithstanding any provisions of this by-law to the contrary, for the lands located within the Residential One - Exception Two (R1-E2) Zone in Part of Lot D, Registered Plan 65, Village of Cobden a one family dwelling on a lot which has private road access shall be permitted. Furthermore, the minimum water setback shall be thirty (30) metres.*

(By-law 1994-4)

* (c) **Residential One - Exception Three (R1-E3) Zone:**

Notwithstanding any other provisions of this by-law to the contrary, for lands located in the Residential One-Exception Three (R1-E3) Zone within Lot 255 and Part Lots 252 and 253, Plan 65 (5 Crawford Street), a funeral home shall be a permitted use in addition to the other uses permitted in the Residential One (R1) Zone.*

(By-law 1944-5)

* (d) **Residential One-Exception Four (R1-E4) Zone:**

Notwithstanding any other provisions of this by-law to the contrary, for the lands located in the Residential One-Exception Four (R1-E4) Zone within Lot 251 and Part of Lots 252 and 245, Plan 65 and located at 3 Crawford Street, a bad and breakfast establishment and a tea room shall be permitted uses. The following definitions shall also apply.

Bread and Breakfast Establishment: means a private single detached dwelling in which there are up to two rooms for rent for sleeping accommodation for overnight guests only and may include the provision of meals. This definition does not include boarding or lodging house.

Tea Room means an establishment within a building, originally designed and used as a single detached dwelling, where food, such as lunches, desserts and

light dinners are served to the public for immediate consumption on the premises, but shall not include any other use defined herein.

The parking requirement for the Bed and Breakfast establishment shall be one (1) parking space per guest room.

The parking requirement for the Tea Room shall be 1 parking space per 4 persons design capacity of the Tea Room.*

(By-law 1994-11)

* (e) Residential One - Exception Five (R1-E5) Zone:

Notwithstanding any provisions of this By-law to the contrary, for the lands in the Residential One - Exception Five (R1-E5) Zone within Lot 394, Plan 65 (14 Morton Street), Village of Cobden, a two unit dwelling shall be a permitted use. A two unit dwelling shall mean a separate building containing two dwelling units.*

The Council of the Corporation of the Village of Cobden passed a Comprehensive Zoning By-law (By-law 1989-14) that applies to the entire Village of Cobden, on June 13, 1989.

The purpose of this zoning by-law amendment is to rezone a residential lot in order to permit a hydraulics and pneumatics sales and service establishment in the existing garage on the property.

The effect of this zoning by-law amendment is to rezone the subject lot from Residential One (R1) to Residential One-Exception Six (R1-E6). All the provisions of the R1 Zone apply to the R1-E6 Zone with the exception of the following additional provisions.

- a hydraulics and pneumatics sales and service establishment is a permitted use.
- this use shall be restricted to the existing garage on the property.
- a hydraulics and pneumatics sales and service establishment is defined as a building or part of a building where hydraulic and pneumatic component parts are offered or kept for sale, and repaired and serviced.

The property affected by this amendment is located at 23 Meadow Street, and comprises Lot 120, Registered Plan 65, Village of Cobden. The location of the property is shown on the attached key map.

SECTION 7 - REQUIREMENTS FOR RESIDENTIAL TWO (R2) ZONES**7.1 Permitted Uses**

No person shall use land or erect or use a building or structure in a Residential Two (R2) Zone except for:

a) Residential Uses

- a two family dwelling
- boarding or lodging housing dwelling (Bed & Breakfast)

b) Non-Residential Uses

- Uses, buildings and structures which are accessory to the foregoing.

c) - Those uses permitted in 6.1(a) and 6.1(b).**7.2 Zone Provisions**

No person shall use any lot or erect, alter or use any building or structure in a Residential Two (R2) Zone except in accordance with the following provisions:

The zone provisions of the Residential One (R1) Zone shall apply to those uses permitted under subsection 7.1 c).

a) Lot Area (minimum)

- | | |
|---|-------------------|
| (i) two family dwelling
on municipal water and sewer | 650 square metres |
|---|-------------------|

b) Lot Frontage (minimum)

- | | |
|-------------------------|-----------|
| (i) two family dwelling | 21 metres |
|-------------------------|-----------|

c) Front Yard Depth (minimum)

6.0 metres

d) Side Yard Width (minimum)

- | | |
|----------------|----------|
| i) one side | 3 metres |
| ii) other side | 1 metre |

e) Rear Yard Depth (minimum)

7.5 metres

f) Dwelling Unit Area (minimum)

- | | |
|-------------------------|---------------------------------------|
| (i) two family dwelling | 65 square metres per
dwelling unit |
|-------------------------|---------------------------------------|

g) Lot Coverage (maximum)

33%

h) Building Height (maximum)

10.5 metres

- | | |
|---|------------|
| i) Corner Lot Side Yard Width on a
flanking street (minimum) | 3.5 metres |
|---|------------|

- j) Dwellings per Lot (maximum) No more than one building consisting of a one family dwelling or a two family dwelling shall be erected on any lot.
- k) Parking:
Parking spaces shall be provided in accordance with Section 4 of this by-law.
- l) Boarding House dwellings are subject to the provision of Section 6.2. Notwithstanding the provisions of Section 6.2 to the contrary, the dwelling unit area (minimum) for a boarding house dwelling is as follows:
 - i) Boarding House Dwelling (minimum) 9 square metres.

SECTION 8 - REQUIREMENTS FOR RESIDENTIAL THREE (R3) ZONES**8.1 Permitted Uses**

No person shall use land or erect or use a building or structure in a Residential Three (R3) Zone except for:

a) Residential Uses

- apartment dwelling house
- triplex
- rowhouse dwelling
- senior citizen's home
- nursing home

Uses, buildings and structures which are accessory to the foregoing.

Those uses permitted in 6.1 a), 6.1 b) and 7.1 a) and 7.1 b).

8.2 Zone Provisions (rowhouse and triplex)

No person shall use any lot or erect, alter or use any building or structure in a Residential Three (R3) Zone except in accordance with the following provisions:

The zone provisions of the Residential One (R1) and Residential Two (R2) zones apply to those uses permitted under Section 8.1 b) above.

a) Lot Area (minimum)

- | | | |
|----|--|----------------|
| a) | Rowhouse Dwelling (on water and sewer) | 240 sq. metres |
| b) | Triplex Dwelling (on water and sewer) | 720 metres |

- | | | |
|----|------------------------|-----|
| c) | Lot Coverage (maximum) | 35% |
|----|------------------------|-----|

d) Lot Frontage (minimum)

- | | | |
|----|-------------------|-----------|
| a) | Rowhouse dwelling | 6 metres |
| b) | Triplex dwelling | 18 metres |

e) Yard Requirements (minimum)

Rowhouse dwelling

- | | | |
|------|-------|-----------|
| i) | Front | 6 metres |
| ii) | Rear | 10 metres |
| iii) | Side | 3 metres |

f) Triplex dwelling

- | | | |
|------|-------|------------|
| i) | Front | 6 metres |
| ii) | Rear | 7.5 metres |
| iii) | Side | 3 metres |

- | | | |
|----|---------------------------|-------------|
| g) | Building Height (maximum) | 10.5 metres |
|----|---------------------------|-------------|

h) Dwelling Unit Area (minimum)

- | | | |
|------|-------------------|------------------|
| (i) | Rowhouse dwelling | 65 square metres |
| (ii) | Triplex dwelling | 65 square metres |

8.3 Zone Provisions (Apartment Senior Citizens and Nursing Homes)

- | | |
|---|---|
| Lot Area (minimum) (on water and sewer) | 2000 sq. metres |
| (b) Lot Frontage (minimum) | 24 metres |
| (c) Lot Coverage (maximum) | 40% |
| (d) Building Height (maximum) | 15 metres |
| (e) Yard Requirements (minimum) | |
| i) Front | 6.0 metres |
| ii) Rear | 10.5 metres or 1/2 the height whichever is the greater. |
| iii) Side | 4.5 metres or 1/2 the height whichever is the greater. |
| iv) Corner Lot Side Yard Width | 6.0 metres |

General Provisions

- | | |
|--------------------------------|--|
| (a) Dwelling Unit Area | |
| i) Bachelor Dwelling Unit | 40 square metres |
| ii) Senior Citizens Dwelling | 40 square metres |
| iii) 1 Bedroom Unit | 50 sq. metres |
| iv) With more than one bedroom | +9 sq. metres for each additional bedroom. |
| (b) Density (minimum) | 75 units per hectare |
| (c) Parking: | |
| | Parking spaces shall be provided in accordance with Section 4 of this by-law. |
| (d) Water Setback: | |
| | A water setback shall be provided in accordance with Section 4 of this by-law. |

(By-law 1994-3)

***8.4 Exception Zones:**

a) **Residential Three - Exception One (R3-E1) Zones:**

Notwithstanding any other provisions of this by-law to the contrary, for the lands located in the Residential Three-Exception One (R3-E1) Zone within Part of Block G, Registered Plan 65, Village of Cobden (and comprising Part 1 on Plan 49R-5911) the only permitted use shall be a building containing no more than four dwelling units.*

THE CORPORATION OF THE VILLAGE OF COBDEN

BY-LAW 1997-5

A By-law to amend By-law Number 1989-14 of the Corporation of the Village of Cobden, as amended.

PURSUANT TO SECTION 34 OF THE PLANNING ACT THE VILLAGE OF COBDEN
HEREBY ENACTS AS FOLLOWS:

1. THAT By-law Number 1989-14, as amended, be and the same is hereby further amended as follows:

(a) By adding the following new subsection to Section 8-Requirements for Residential Three (R3) Zones immediately after subsection 8.4 (a);

'b) Residential Three - Exception Two (R3-E2) Zone:

Notwithstanding any other provisions of this By-law to the contrary, for the land located within the R3-E2 Zone and comprising Lots 271 and 272 in Registered Plan 65 in the Village of Cobden, the provisions which apply to the following zone provisions in the Residential One (R1) Zone are:

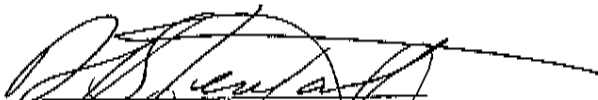
i)	Lot Area (minimum)	290 square metres
ii)	Lot Frontage (minimum)	12.0 metres
iii)	Front Yard Depth (minimum)	3.0 metres"

(b) Schedule 'A' is amended by rezoning the land described above from Residential Three (R3) to Residential Three-Exception Two (R3-E2) as shown on Schedule 'A' attached hereto.

2. THAT save as aforesaid all other provisions of By-Law 1989-14 as amended, shall be complied with.

3. This By-law shall come into force and take effect on the day of final passing thereof.

Read a first, second and passed upon the third reading this 8 Day of April 1997.


REEVE



From R3
To R3-E2



CORPORATION OF THE
VILLAGE OF COBDEN

This is Schedule "A" to By-law Number 1997-5
Passed the 9 day of April 19 97
Signatures of Signing Officers:

Reeve

Clerk

- R1 Residential One
- R2 Residential Two
- R3 Residential Three
- CF Community Facility

- MC Mixed Use Commercial
- R3-E2 Residential Three - Exception Two
- Area affected by this Amendment

SECTION 9 - REQUIREMENTS FOR NEIGHBOURHOOD COMMERCIAL (NC) ZONES

9.1 Permitted Uses

No person shall use land or erect or use a building or structure in a Neighbourhood Commercial (NC) Zone except for:

- a) **Residential Uses**
 - an accessory dwelling unit
- b) **Non-Residential Uses**
 - a convenience store

Uses, buildings and structures accessory to the foregoing permitted uses.

9.2 Zone Provisions

No person shall use any lot or erect, alter or use any building or structure in a Neighbourhood Commercial (NC) Zone except in accordance with the following provisions:

- a) **Lot Area (minimum)** 700 square metres
(on water and sewer)
- b) **Lot Frontage (minimum)** 23 metres
- c) **Front Yard Depth (minimum)** 6.0 metres
- d) **Rear Yard Width (minimum)** 7.5 metres provided that where the side lot line abuts a Residential zone the minimum rear yard depth shall be 10.5 metres.
- e) **Side Yard Width (minimum)** 3.0 metres provided that where the side lot line abuts a Residential Zone, the minimum side yard width shall be 6 metres
- f) **Lot Coverage (maximum)** 33%
- g) **Building Height (maximum)** 8.0 metres
- h) **Dwelling Unit Area (minimum)**
accessory dwelling unit:
 - i) Bachelor dwelling unit 40 square metres
 - ii) with one bedroom 50 square metres
 - iii) with more than one bedroom 50 square metres plus 9 square metres for each additional bedroom.

i) **Parking Spaces:**

Parking spaces shall be provided in accordance with Section 4 of this by-law.

SECTION 10 - REQUIREMENTS FOR HIGHWAY-TOURIST COMMERCIAL (HTC) ZONES

10.1 Permitted Uses

No person shall use land or erect or use a building or structure in a Highway-Tourist Commercial (HTC) Zone except for:

a) Residential Uses

- an accessory dwelling unit, EXCEPT in the case of an automobile service station or commercial garage, where the accessory dwelling unit shall be a one family dwelling
- an accessory one family dwelling

b) Non-Residential Uses

- automobile service station
- car wash
- existing commercial garage
- gasoline retail facility
- boat sales, snowmobile, trailer and cycle sales and rentals
- building supply stores
- convenience stores
- eating establishment
- motel
- tourist homes
- school bus terminal
- hotel
- mini storage
- park
- equipment rental establishment
- vehicular sales or rental establishment
- commercial club
- commercial greenhouse and nurseries
- truck terminal
- bus depot

- tourist retail store
- business and professional offices
- service shops, including those whose products are manufactured on the premises, provided that the space devoted to such manufacturing does not exceed 50% of the total floor area
- accessory retail stores, including those whose products are manufactured on the premises, provided that the space devoted to such manufacturing does not exceed 50% of the total floor area

Uses, buildings and structures which are accessory to the foregoing.

10.2 Zone Provisions

No person shall use any lot or erect, alter or use any building or structure in a Highway-Tourist Commercial (HC) Zone except in accordance with the following provisions:

- | | | |
|----|---|---|
| a) | Lot Area (minimum) | |
| | i) on well and septic tanks | 2025 sq. metres |
| | ii) on municipal water and septic system | 1400 sq. metres |
| | iii) on well and municipal sewer | 1400 sq. metres |
| | iv) on municipal water and sewer | 900 sq. metres |
| b) | Lot Frontage (minimum) | 35 metres |
| c) | Front Yard Depth (minimum) | |
| | i) motel, hotel, automobile service station, commercial garage | 10.5 metres |
| | ii) all other permitted uses | 6.0 metres |
| d) | Side Yard Width (minimum) | 3 metres provided that where the side lot line abuts a Residential Zone, the minimum side yard width shall be 6 metres |
| e) | Rear Yard Depth | 7.5 metres provided that where the rear lot line abuts a Residential Zone, the minimum rear yard depth shall be 10.5 metres |
| f) | Lot Coverage (maximum) | |
| | i) motel, hotel, automobile service station, commercial garage, automobile business | 33% |
| | ii) all other permitted uses | 25% |
| g) | Building Height (maximum) | 10.5 metres |

SECTION 10 - REQUIREMENTS FOR HIGHWAY-TOURIST COMMERCIAL (HTC) ZONES

10.1 Permitted Uses

No person shall use land or erect or use a building or structure in a Highway-Tourist Commercial (HTC) Zone except for:

a) **Residential Uses**

- an accessory dwelling unit, EXCEPT in the case of an automobile service station or commercial garage, where the accessory dwelling unit shall be a one family dwelling
- an accessory one family dwelling

b) **Non-Residential Uses**

- automobile service station
- car wash
- existing commercial garage
- gasoline retail facility
- boat sales, snowmobile, trailer and cycle sales and rentals
- building supply stores
- convenience stores
- eating establishment
- motel
- tourist homes
- school bus terminal
- hotel
- mini storage
- park
- equipment rental establishment
- vehicular sales or rental establishment
- commercial club
- commercial greenhouse and nurseries
- truck terminal
- bus depot

SECTION 11 - REQUIREMENTS FOR MIXED USE COMMERCIAL (MC) ZONES

11.1 Permitted Uses

No person shall use land or erect or use a building or structure in a Mixed Use Commercial (MC) Zone except for:

a) Residential Uses

- existing single family dwelling
- an existing two family dwelling
- a triplex
- boarding or lodging house
- apartments
- accessory dwelling units over permitted commercial uses except for defined automotive uses.

b) Non-Residential Uses

- assembly hall
- automobile service station
- business and professional office
- banks and other financial institutions
- brewers retail store
- car wash
- church
- clinic
- commercial club
- eating establishment
- funeral home
- hotel
- liquor store
- municipal offices and buildings including firehalls, libraries, police station, post office and other administrative offices of the Corporation, the County of Renfrew, the Province or the Dominion of Canada.
- private club

- retail stores, including those whose products are manufactured on the premises, provided that the space devoted to such manufacturing does not exceed 50% of the total floor area.
- shopping plaza
- shopping centre
- service shops, including those whose products are manufactured on the premises, provided that the space devoted to such manufacturing does not exceed 50% of the total floor area.
- taxi stand
- theatre
- existing bus line establishment
- Uses, buildings and structures which are accessory to the foregoing.

11.2 Zone Provisions

a)	Lot Area (minimum)	Nil
b)	Lot Frontage (minimum)	6 metres
c)	Front Yard Depth (minimum)	3 metres or in line with the existing established building line on the lot
d)	Rear Yard Depth (minimum)	7.5 metres
e)	Side Yard Width (minimum)	Nil
f)	Lot Coverage (maximum)	70%
g)	Building Height (maximum)	12 metres
h)	Dwelling Unit Area (minimum)	
	i) Bachelor Dwelling Unit	40 sq. metres
	ii) 1 Bedroom Unit	50 sq. metres
	iii) With more than one bedroom	+9 sq. metres for each additional bedroom.

i) Loading

Loading spaces shall be provided in accordance with Section 4 of this By-law.

j) Parking

Parking spaces shall be provided in accordance with Section 4 of By-law EXCEPT where an agreement has been signed under Section 39 of the Planning Act 1983, as amended, where the provisions of such agreement shall be complied with.

11.3 Exception Zones**a) Mixed Use Commercial-Exception One (MC-E1) Zone:**

Notwithstanding any provision of this By-law to the contrary, for the lands located within the Mixed Use Commercial-Exception One (MC-E1) Zone; located on Lots 364 and 365, Plan 65 known as 54 Main St. the rear yard depth shall be 3 metres.

SECTION 12 - REQUIREMENTS FOR GENERAL INDUSTRIAL (GM) ZONES12.1 Permitted Uses

No person shall use land or erect or use a building or structure in a General Industrial (GM) Zone except for:

a) Residential Uses

- an accessory one family dwelling if occupied by the owner, caretaker, watchman or other similar person employed full time on the lot on which such dwelling is located

b) Non-Residential Uses

- commercial garages
- contractor's and tradesman's shops and yards
- fabricating, manufacturing and processing plants
- fuel storage tanks
- retail outlets, wholesale outlets, and/or business offices, accessory to a permitted use
- truck terminals
- municipal garage
- warehouses

Uses, buildings and structures accessory to the foregoing permitted uses.

12.2 Zone Provisions

No person shall use any lot or erect, alter or use any building or structure in a General Industrial (GM) Zone except in accordance with the following provisions:

a) Lot Area (minimum) 2,000 square metres

b) Yards (minimum):

	<u>Abutting Industrial Zone</u>	<u>Abutting Any Other Zone</u>
i) Front Yard Depth	15 metres	22 metres
ii) Side Yard Width	3 metres	22 metres
iii) Rear Yard Depth	9 metres	22 metres

Provided that no side or rear yard is required along any portion of a lot line which abuts a railroad right-of-way

c) Lot Frontage (minimum) 35 metres

d) Lot Coverage (maximum) 50%

e) Dwelling Unit Area (minimum) 75 square metres

f) Parking and Loading Areas:

Parking and loading areas shall be provided in accordance with Section 4 of this by-law.

g) Dwelling Units per Lot (maximum) 1 only

SECTION 13 - REQUIREMENTS FOR COMMUNITY FACILITY (CF) ZONES

13.1 Permitted Uses

No person shall use land or erect or use a building or structure in a Community Facility (CF) Zone except for:

a) Residential Uses

- senior citizen's home

b) Non-Residential Uses

- assembly hall
- community centre
- hospital
- clinic
- cemeteries
- municipal county or provincial yard
- church
- institution
- school
- recreational uses
- club, commercial
- club, private
- an administrative office of the Municipality, the County, the Province or of the Dominion of Canada including municipal offices, libraries, post offices, police stations, firehalls

Uses, buildings and structures accessory to the foregoing permitted uses.

13.2 Zone Provisions

No person shall use any lot or erect, alter or use any building or structure in a Community Facility (CF) Zone except in accordance with the following provisions:

- | | | |
|----|----------------------------|---|
| a) | Lot Area (minimum) | Nil |
| b) | Front Yard Depth (minimum) | 10.5 metres |
| c) | Side Yard Width (minimum) | 5 metres or 1/2 the height of the building whichever is greater |

- d) **Rear Yard Depth (minimum)** 7.5 metres
- e) **Lot Coverage (maximum)** 20%
- f) **Building Height (maximum)** 10.5 metres
- h) **Parking:**

Parking spaces shall be provided in accordance with Section 4 of this by-law.

SECTION 14 - REQUIREMENTS FOR PARKS AND OPEN SPACE (POS) ZONES**14.1 Permitted Uses**

No person shall use land or erect or use a building or structure in a Parks and Open Space (POS) Zone except for:

- a) **Residential Uses**
 - prohibited
- b) **Non-Residential Uses**
 - existing water and sewer plant
 - public park
 - recreational uses

14.2 Zone Provisions

No person shall use any lot or erect, alter or use any building or structure in a Park and Open Space (POS) Zone except in accordance with the following provisions:

- a) Lot Area (minimum) NIL
- b) Front Yard Depth (minimum) 10.5 metres
- c) Side Yard Width (minimum) 5 metres
or 1/2 the height of the building whichever is greater.
- d) Rear Yard Depth (minimum) 15 metres
- e) Building Height (maximum) 10.5 metres
- f) Parking

Parking spaces shall be provided in accordance with Section 4 of this by-law.

SECTION 15 - REQUIREMENTS FOR URBAN RESERVE (UR) ZONES**15.1 Permitted Uses**

No person shall use land or erect or use a building or structure in an Urban Reserve (UR) Zone except for:

a) Residential Uses

- existing one family dwelling as of the date of passing of this by-law.

b) Non-Residential Uses

- forestry
- non-intensive recreational uses
- existing farms, including forestry, but not including a specialized farm, as described herein and excluding any additional dwellings associated with a farm use.
- accessory buildings and structures provided such accessory building and structures shall not exceed nine and three tenths (9.3) square metres.

15.2 Zone Provisions

No person shall use any lot or erect, alter or use any building or structure in an Urban Reserve (UR) Zone except in accordance with the following provisions:

- | | |
|-------------------------------|-------------|
| a) Front Yard Depth (minimum) | 10.5 metres |
| b) Side Yard Width (minimum) | 5 metres |
| c) Rear Yard Depth (minimum) | 15 metres |
| d) Building Height (maximum) | 5 metres |

SECTION 16 - ADMINISTRATION

16.1 Administrator

This by-law shall be administered by the Chief Building Official or by a Zoning Administrator appointed by Council, or by such other person as the Council may designate from time to time for such purpose.

16.2 Certificate of Occupancy

No change may be made in the type of use of any lot covered by this by-law or of any building or structure on any such lot or of any part of such lot, building or structure, until a Certificate of Occupancy has been issued by the Chief Building Official or Zoning Administrator to the effect that the proposed use complies with this by-law.

16.3 Application and Plans

In making an application for a building permit the owner of the lot or his duly authorized agent shall, in writing and/or in the form of plans and specifications, provide all information necessary to ensure that any building or use of the lot shall conform with the provisions of this By-law.

16.4 Inspection

The Zoning Administrator, Chief Building Official or any officer or employee of the Corporation, acting under the direction of the Council, is hereby authorized to enter, at all reasonable hours, upon any property or premises for the purpose of carrying out his duties under this by-law.

16.5 Penalty for By-law Contravention

Every person who contravenes any provision of this By-law on conviction is liable:

- a) on a first conviction to a fine of not more than \$20,000; and
- b) on a subsequent conviction to a fine of not more than \$10,000 for each day or part thereof upon which the contravention has continued after the day on which he was first convicted,

Every corporation which contravenes any provision of this By-law on conviction is liable:

- a) on a first conviction a fine of not more than \$50,000; and
- b) on a subsequent conviction a fine of not more than \$25,000 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted.
- c) Every such penalty described herein is subject to the provisions of Section 66 of the Planning Act, 1983, as amended, and will change from time to time in accordance with the said Act.

16.6 Remedies

In case any building or structure is to be erected, altered, reconstructed, extended or part thereof is to be used, or any lot is to be used, in contravention of any requirement of this By-law, such contravention may be restrained by action at the insistence of any ratepayer or of the Corporation pursuant to the provisions of The Planning Act or The Municipal Act on their behalf.

16.7 Validity

If any section, clause or provision of this by-law including anything contained in Schedule 'A' attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the by-law as a whole or any part thereof, other than the section, clause or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of this by-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

16.8 Other By-laws Repealed

All by-laws in force within the Municipality regulating the use of lands and the character, location, bulk, height and use of buildings and structures, be and the same, are hereby amended insofar as it is necessary to give effect to the provisions of this by-law and the provisions of this by-law shall govern.

16.9 Approval

This by-law shall become effective on the date of passing by Council.

This by-law given its FIRST and SECOND reading this day of _____, A.D., 19 ____.

REEVE

CLERK

This by-law read a THIRD time and finally passed this day of _____, A.D., 19 ____.

REEVE

(seal)

CLERK