

SECTION 14

ENVIRONMENTAL (E1) ZONE

(1) USES PERMITTED

No person shall within any E1 zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following E1 uses, namely:

(a) RESIDENTIAL USES:

prohibited.

(b) NON-RESIDENTIAL USES:

an agricultural use, other than a building;
a conservation use, other than a building;
a flood control and erosion protection use;
an outdoor recreational use, other than a building;
a private park, other than a building;
a public park, other than a building;
a recreational trail, other than a building.

(2) ZONE PROVISIONS

No person shall within any E1 zone use any lot or erect, alter or use any building or structure without such lot being in accordance with the following provisions:

(a) EXCEPTION FOR ACCESSORY BUILDINGS AND STRUCTURES:

No accessory buildings or structures are permitted in relation to any E1 use, except a parking lot and a rest room.

(b) GENERAL PROVISIONS:

In accordance with the provisions of Section 3 hereof.

SECTION 15

SENSITIVE (S1) ZONE

(1) USES PERMITTED

No person shall within any S1 zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following S1 uses, namely:

(a) RESIDENTIAL USES:

prohibited.

(b) NON-RESIDENTIAL USES:

an archaeological site;
a conservation use;
a cultural/heritage use;
a display or interpretation centre;
a heritage site;
a wildlife and/or fish management area.

(2) ZONE PROVISIONS

No person shall within any S1 zone use any lot or erect, alter or use any building or structure without such lot being in accordance with the following provisions:

- (a) BUILDING AREA (maximum):** - 30%
- (b) BUILDING SEPARATION (minimum):** - 10.0 metres
- (c) BUILDING HEIGHT (maximum):** - 12.0 metres
- (d) EXCEPTION FOR ACCESSORY BUILDINGS AND STRUCTURES:**
No accessory buildings or structures are permitted in relation to any S1 use, except a parking lot and a rest room.
- (e) GENERAL PROVISIONS:**
In accordance with the provisions of Section 3 hereof.

SECTION 16

RURAL (A1) ZONE

(1) USES PERMITTED

No person shall within any A1 zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following A1 uses, namely:

(a) RESIDENTIAL USES:

- an accessory dwelling house;
- a bunkhouse;
- a group home;
- a modular dwelling house;
- a single detached dwelling house.

(b) NON-RESIDENTIAL USES:

- an agricultural use;
- a commercial greenhouse;
- an equipment storage building;
- a farm produce outlet;
- a forestry use;
- a home industry;
- a home occupation;
- a home profession;
- a kennel;
- a livestock facility;
- an open storage area;
- a post office, located in a detached dwelling house;
- a private fuel pump island;
- a private home daycare;
- a produce building;
- a recreational trail;
- a remote hunting or fishing camp;
- a rural home occupation;
- a tree nursery;
- a wayside pit;
- a wayside quarry.

REVISED: 1 April 2008

(2) ZONE PROVISIONS

No person shall within any A1 zone use any lot or erect, alter or use any building or structure without such lot being in accordance with the following provisions:

- | | | |
|---|--|-----------------|
| (a) LOT AREA (minima): | | |
| (i) an existing lot | | - 10.0 hectares |
| (ii) other lots | | - 30.0 hectares |
| (b) LOT FRONTAGE (minimum): | | - 365.0 metres |
| (c) DWELLING HOUSES PER LOT OTHER THAN A FARM LOT (maximum): | | - 1 only |
| (d) BUILDING AREA (maximum): | | - 1% |
| (e) BUILDING SETBACK, FRONT (minima): | | |
| (i) fronting on Highway No. 11 | | - 30.0 metres |
| (ii) fronting on any other street | | - 10.0 metres |
| (f) BUILDING SETBACK, FLANK (minima): | | |
| (i) fronting on Highway No. 11 | | - 30.0 metres |
| (ii) fronting on any other street | | - 10.0 metres |
| (g) BUILDING SETBACK, REAR (minima): | | |
| (i) Residential uses and Non-Residential uses | | - 10.0 metres |
| (ii) accessory buildings and structures | | - 5.0 metres |
| (h) BUILDING SETBACK, SIDE (minimum): | | - 9.0 metres |
| (i) BUILDING SEPARATION (minima): | | |
| (i) between residential and non-residential uses | | - 5.0 metres |
| (ii) between residential uses | | - 3.0 metres |
| (iii) between non-residential uses | | - 3.0 metres |
| (j) BUILDING HEIGHT (maximum): | | - 12.0 metres |

- (k) **DWELLING UNIT AREA (minima):**
- (i) accessory dwelling house
or a detached dwelling house
constructed prior to 1 June 2006 - 55.0 square metres
 - (ii) other detached dwelling houses
constructed after 31 May 2006 - 85.0 square metres
- (l) **ENTRANCES PER LOT (maximum):** - 1 only,
except where a field entrance has been approved for farm use
as a secondary entrance
- (m) **ENTRANCES WIDTH (maximum):** - 4.0 metres
- (n) **PARKING SPACES (minima):**
- (i) Residential uses - 1 per lot
 - (ii) home occupation, rural home occupation,
home profession, or home industry - the greater of: 2 per lot;
or 1 for each 20.0 square metres
of net floor area, or portion thereof
 - (iii) other Non-Residential uses - nil
- (o) **PRIVATE FUEL PUMP ISLAND LOCATION:**
No part of any private fuel pump island shall be located closer than 10.0 metres to
any street line, or 15.0 metres to any other lot line.
- (p) **OPEN STORAGE:**
No open storage area shall be permitted except in accordance with the following
provisions:
- (i) no open storage area shall be permitted in a front yard or a flank yard;
 - (ii) no open storage area shall be permitted in a rear yard adjacent to a rear lot
line of such lot which abuts a Residential zone;
 - (iii) no open storage area shall be permitted in a side yard adjacent to a side lot
line of such lot which abuts a Residential zone;
 - (iv) no portion of any open storage area for combustible materials shall be
located closer than 20.0 metres to any lot line; and
 - (v) no open storage area shall be permitted on a lot where Section 15(2)(q)
applies.

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(q) CONSENT GIVEN FOR RESIDENTIAL LOT:

Notwithstanding any provisions of Section 15(2)(a), Section 15(2)(b) or Section 15(2)(d) hereof to the contrary, where a consent is given to create a residential lot, such lot may be used for a single detached dwelling house, a group home or a modular dwelling house, in addition to a home occupation, a home profession or a private home day care, provided the minimum lot area is 1.0 hectare, the minimum lot frontage is 60.0 metres and the maximum building area is 20%.

(r) LAND USE PERMIT GIVEN FOR A REMOTE HUNTING/FISHING CAMP:

Notwithstanding any provisions of Section 16(2)(a) or Section 16(2)(b) hereof to the contrary, where a Land Use Permit has been given on Crown land, such land may be used for a remote hunting/fishing camp provided the minimum lot area is 1.0 hectares and the minimum lot frontage is 45.0 metres.

(s) EXCAVATION LOCATION:

No part of any excavation for a wayside pit that has not been closed shall be located closer than 70.0 metres to any lot line which abuts a zone other than a M2 Zone. No part of any excavation for a wayside quarry that has not been closed shall be located closer than 300.0 metres to any lot line which abuts a zone other than a M2 Zone.

(t) GENERAL PROVISIONS:

In accordance with the provisions of Section 3 hereof.

(3) USES PERMITTED IN A1-1 ZONE

No person shall within any A1-1 zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the uses of Section 16(2) hereof.

(4) ZONE PROVISIONS FOR A1-1 ZONE

No person shall within any A1-1 zone use any lot or erect, alter or use any building or structure without such lot being in accordance with the provisions of Section 3 and Section 16(2) hereof, except as provided in the following provisions:

REVISED: 1 April 2008

SECTION 16(4)(a)

RURAL (A1) ZONE

(a) LOT FRONTAGE (minima):

- (i) one lot - 28.5 metres
- (ii) second lot - 43.0 metres

(5) USES PERMITTED IN A1-2 ZONE

No person shall within any A1-2 zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the uses of Section 16(2) hereof.

(6) ZONE PROVISIONS FOR A1-2 ZONE

No person shall within any A1-2 zone use any lot or erect, alter or use any building or structure without such lot being in accordance with the provisions of Section 3 and Section 16(2) hereof, except as provided in the following provisions:

- (a) LOT FRONTAGE (minimum):** - 35.0 metres

REVISED: 1 April 2008

SECTION 17

ADMINISTRATION

(1) ZONING ADMINISTRATOR

This By-law shall be administered by the Zoning Administrator.

(2) ISSUANCE OF PERMITS AND LICENSES

Notwithstanding any provision of the Building By-law or any other by-law of the Corporation to the contrary, no permit or license shall be issued where the proposed building, structure or use would be in violation of any provision of this By-law.

(3) REQUESTS FOR AMENDMENTS

Every request for an amendment to this By-law shall be accompanied by three (3) copies of the Corporation's "APPLICATION FOR AMENDMENT TO OFFICIAL PLAN AND/OR ZONING BY-LAW".

(4) INSPECTIONS

(a) CONDITIONS FOR ENTRY:

Subject to clause (b) of this subsection, the Zoning Administrator, Chief Building Official or any other officer or employee of the Corporation, acting under the direction of Council, is hereby authorized to enter, at reasonable hours, upon any property or premises for the purpose of carrying out his duties under this By-law.

(b) RESTRICTIONS FOR ENTRY OF DWELLING UNITS:

Notwithstanding any provision of clause (a) of this subsection to the contrary, no officer or employee of the Corporation shall enter any room or place being used as a dwelling unit or part thereof without the consent of the occupant, except under the authority of a search warrant issued pursuant to the Provincial Offences Act, as amended.

(5) VIOLATIONS AND PENALTIES

Every person who contravenes a by-law passed under Section 34 or 38 or an Order made under Section 47 of the Planning Act and, if the person is a corporation, every director or officer of the corporation who knowingly concurs in the contravention, is guilty of an offence and, on conviction is liable, on a first conviction to a fine of not more than Twenty-five Thousand Dollars (\$25,000.00), and on a subsequent conviction to a fine of not more than Ten Thousand Dollars (\$10,000.00) for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted.

Where a corporation is convicted under the above, the maximum penalty that may be imposed is, on a first conviction, a fine of not more than Fifty Thousand Dollars (\$50,000.00), and on a subsequent conviction to a fine of not more than Twenty-five Thousand Dollars (\$25,000.00) for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted, and not as provided above.

If an offence has been committed under a by-law passed under Section 34 or 38 of the Planning Act, and a proceeding in respect of the offence is undertaken by the Municipality and a conviction has been entered, the proceeds of any fine in relation to the offence shall be paid to the Treasurer of the Municipality. Section 2 of the Administration of Justice Act, as amended and Section 4 of the Fines and Forfeitures Act, do not apply in respect of the fine.

(6) REMEDIES

Where any building or structure is to be erected or altered, or any 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 instance of any ratepayer or the Corporation pursuant to the provisions of the Planning Act or the Municipal Act 2001, S.O. 2001, as amended, in their behalf.

(7) VALIDITY

If any section, clause or provision of this By-law including anything contained in Schedules A, B and C 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 hereof, other than the section, clause or provision so declared to be invalid. 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 hereof shall have been declared to be invalid.

(8) LEGISLATIVE REFERENCE

All references to the Planning Act are for the Revised Statutes of Ontario, 1990, as amended, as of the date of the passing of this By-law. All other Provincial legislation is referenced to the R.S.O. 1990, unless otherwise identified. All Federal legislation is referenced to the date the legislation came into force.

CORPORATION OF THE TOWNSHIP OF VAL RITA-HARTY

BY-LAW No. 839-08

SECTION 18

REPEALS AND APPROVALS

All by-laws of the Corporation passed under Section 34 of the Planning Act, or a predecessor thereof are hereby repealed. These shall include, but are not limited to, By-law Nos. 350-86, 353-86, 390-87, 404-88, 414-88, 426-89, 434-89, 435-89, 456-90, 461-90, 462-90, 474-91, 472-91, 488-92, 491-92, 530-94, 531-94, 547-95, 580-97, 594-97, 604-98, 608-98, 634-99, 640-99, 684-01, 685-01, 686-01, and 707-02.

This By-law shall become effective on the date hereof subject to:

- (i) the expiration of the time period specified for the filing of objections by the notice of the passing of this By-law, provided that no notice of objection has been filed within the time period specified, or
- (ii) the determination or direction of the Ontario Municipal Board where an objection to the approval of this by-law has been filed within the time period specified in the notice of the passing of this By-law.

THIS BY-LAW read a first and second time this 26th day of June 2008.

Signed: 
(Mayor)

Signed: 
(Clerk)

THIS BY-LAW read a third time and passed this 16th day of July 2008.

Signed: 
(Mayor)

Signed: 
(Clerk)

I, Christiane Potvin, Treasurer for the Corporation of the Township of Val Rita-Harty do hereby certify that this document is a true copy of By-law #839-08 as shown in the minutes of Council as of this 16th day of July, 2008.



Christiane Potvin
Treasurer