

Section 7 – Marginal Agriculture (MA)

7.1 Preamble

Within a Marginal Agricultural Zone (MA), no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than a permitted use in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

7.2 7.2.1. Permitted Principal Uses

- a) A golf course;
- b) A grain drying facility;
- c) A kennel;
- d) A livestock assembly area or livestock exchange;
- e) A principal single detached dwelling;
- f) A riding club;
- g) A warehouse;
- h) Agricultural and uses including a livestock facility and intensive agricultural uses;
- i) An agricultural sales barn;
- j) Conservation uses including forestry, reforestation and other activities connected with the conservation of soil or wildlife;
- k) Medium Scale or Large Scale Fire Wood Processing Operation;
- l) Open space;
- m) Outdoor recreational uses such as hiking and cross-country ski trails;
- n) Passive outdoor recreational uses;
- o) Wayside pits and quarries; and/or
- p) Woodlots;

7.2.2. Permitted Accessory Uses

- a) A bed and breakfast establishment;
- b) A nursery;
- c) A research facility;
- d) A type “A” or a type “B” home occupation in accordance with the provisions of Section 5.33;
- e) A type “A” or a type “B” home industry in accordance with the provisions of Section 5.34;
- f) An accessory building to the above principal uses;
- g) An agricultural greenhouse;
- h) An agricultural produce sales outlet for the sale of raw produce grown on this location;

q) Additional residential unit(s) subject to the provisions of Section 5.44; and/or

i) Shipping containers where a building permit has been issued.

7.3 Zone Regulations

7.3.1. For the property:

a) Lot Area: 2 hectares (4.9 acres) minimum;

b) Lot Frontage: 60 metres (196.9 feet) minimum;

c) Off-street parking shall be provided in accordance with Section 5.35; and

d) Livestock facilities shall be in accordance with Section 5.40.

7.3.2. For Principal Building

a) Front Setback: 20 metres (65.6 feet) minimum;

b) Rear Setback: 20 metres (65.6 feet) minimum;

c) Interior Side Setback: 10 metres (32.8 feet) minimum;

d) Exterior Side Setback: 20 metres (65.6 feet) minimum;

e) Gross Floor Area of Dwelling: 90 square metres (968.7 square feet) minimum;

f) Building Height:

i. Agricultural uses: 45 metres (147.6 feet) maximum; and

ii. Other uses: 11 metres (36.1 feet) maximum.

g) No building or structure used for the housing, training or care of animals in conjunction with a kennel as defined in this By-law, shall be located less than 150 metres (492.1 feet) from a residential zone or an existing residential use on a neighbouring lot.

7.3.3. For Accessory Building

a) Front Setback: 20 metres (65.6 feet) minimum

b) Rear Setback: 10 metres (32.8 feet) minimum;

c) Interior Setback: 10 metres (32.8 feet) minimum;

d) Exterior Side Setback: 20 metres (65.6 feet): and

e) Building Height: 45 metres (147.6 feet) maximum.

7.4 General Provisions

All special provisions of Section 5 “General Provisions” shall apply, where applicable, to any land, lot, building, structure or use within the Marginal Agricultural (MA) Zone.

7.5 Special Marginal Agriculture (MA) Zones

All other provisions of the By-law shall apply except as specified by each special zoning requirement.

7.5.1 Special Marginal Agricultural - 1 (MA-1)

The lands subject to this By-law amendment are described as follows:

- Part Lot 19, Concession IX

Notwithstanding any provisions of this By-law to the contrary, on lands zoned MA-1 the following special provisions shall apply.

- a) Residential - A seasonal dwelling shall be permitted:
 - i. Lot frontage - 0.0 metres (0.0 feet) minimum;
 - ii. Lot area - 5.26 hectares (13.0 acres) minimum;
 - iii. Interior side yard - 13.7 metres (44.9 feet) minimum.

7.5.2 Special Marginal Agricultural - 2 (MA-2)

The lands subject to this By-law amendment are described as follows:

- Part Lot 5, Concession IV

Notwithstanding any provisions of this By-law to the contrary, on lands zoned MA-2 the following special provisions shall apply.

- a) Residential: The maximum floor area occupied by a home occupation in the accessory building shall not exceed 148.6 square metres (1,600 square feet).

7.5.3 Special Marginal Agricultural - 3 (MA-3)

The lands subject to this By-law amendment are described as follows:

- Part Lot 9, Concession IX

Notwithstanding any provisions of this By-law to the contrary, on lands zoned MA-3 the following special provisions shall apply.

- a) Residential: All residential uses are permitted.

7.5.4 Special Marginal Agricultural - 4 (MA-4)

The lands subject to this By-law amendment are described as follows:

- Part Lot 6, Concession IV

Notwithstanding any provisions of this By-law to the contrary, on lands zoned MA-4 the following special provisions shall apply.

- a) Non-Residential: Limited numbers of livestock may be kept and shall be limited to 3 horses, 15 chickens and 2 cows, in addition to all other permitted non-residential uses.

7.5.5 Special Marginal Agricultural - 5 (MA-5)

The lands subject to this By-law amendment are described as follows:

- Part Lot 21 Concession III
- 3032 Burnham Street North

Notwithstanding any provisions of this By-law to the contrary, on lands zoned MA-5 the following special provisions shall apply.

- a) Non-Residential: A business office and a truck terminal shall be permitted in addition to all other permitted uses.

7.5.6 Special Marginal Agricultural - 6 (MA-6) By-law 2003-06

The lands subject to this By-law amendment are described as follows:

- Pt Lot 10, Concession IX
- County Road 18/Rice Lake Scenic Drive

Notwithstanding any provisions of this By-law to the contrary, on lands zoned MA-6 the following special provisions shall apply.

a) Non-Residential:

- i. A run-in shelter 5.4 metres x 8.5 metres (18' x 28') maximum;
- ii. Limited livestock animals - 2 maximum;
- iii. Setback from watercourse - 20 metres (66 feet) minimum; and
- iv. Setback from right-of-way - 76.2 metres (250 feet) minimum.

For purposes of this By-law livestock animals shall mean horse or foal.

7.5.7A Special Marginal Agricultural - 7A (MA-7A) By-law 2004-52

The lands subject to this By-law amendment are described as follows:

- Pt Lot 25, Concession III
- 2992 Williamson Road

That the minimum lot frontage shall be 56.38 metres (185 feet).

7.5.7B Special Marginal Agricultural - 7B (MA-7B) By-law 2005-60

The lands subject to this By-law amendment are described as follows:

- Pt Lot 25, Concession III
- Plan RP 39R-11304, Part 4
- Williamson Road

That the minimum lot frontage shall be 54.86 metres (180 feet).

7.5.7C Special Marginal Agricultural - 7C (MA-7C) By-law 2005-61

The lands subject to this By-law amendment are described as follows:

- Pt Lot 25, Concession III
- Williamson Road

That the minimum lot frontage shall be 54.86 metres (180 feet).

7.5.7D Special Marginal Agricultural - 7D (MA-7D) By-law 2007-19

The lands subject to this By-law amendment are described as follows:

- Pt Lot 24, Concession IV
- Plan RP 39R- 1431, Part 1 & 2 and PR 39R-11636 Part 1
- 8075 & 8097 Jibb Road

That the minimum lot area shall be 1.2 hectares (2 acres).

7.5.8 Special Marginal Agricultural - 8 (MA-8) By-law 2007-18

The lands subject to this By-law amendment are described as follows:

- Pt Lot 1, Concession IV
- Plan RP 39R-11636, Part 1
- 9868 Ellis Road

Notwithstanding any provisions of this By-law to the contrary, on lands zoned MA-8 the following special provisions shall apply.

That Section 7.5.8 be added to the By-law to regulate the use of the land with respect to the following provisions.

7.5.8.1 Zone Regulations

For All Principal Buildings or Uses:

- a) Lot Frontage 58.8 metres (193 feet) minimum.

That Zoning By-law No. 2001-58, as otherwise amended, is hereby amended to give effect to the foregoing, that Zoning By-law No. 2001-58, as otherwise

amended, shall in all other respects remain in full force and effect save as it may otherwise be amended or thereafter dealt with.

7.5.9 Special Marginal Agricultural - 9 (MA-9) By-law 2004-45

The lands subject to this by-law amendment are described as follows:

- Pt Lot 6, Concession B

Notwithstanding any provisions of this By-law to the contrary, on lands zoned MA-9 the following special provisions shall apply.

That Section 7.5.9 be added to the By-law to regulate the use of the land with respect to the following provisions.

7.5.9.1 Permitted Uses

- a) An administrative office use associated with a church camp;
- b) Three single detached dwelling units;
- c) Accessory uses and structures to the above permitted use; and
- d) Uses permitted in Section 7.2

7.5.9.2 Zone Regulations

No development including the removal of vegetation, the placement or removal of fill or the construction of buildings or structures of any kind shall be permitted within 30 metres of the watercourse located east of the lands zoned MA-9.

That Zoning By-law No. 2001-58, as otherwise amended, is hereby amended to give effect to the foregoing, that Zoning By-law No. 2001-58, as otherwise amended, shall in all other respects remain in full force and effect save as it may otherwise be amended or thereafter dealt with.

7.5.10 Special Marginal Agricultural - 10 (MA-10) By-law 2010-06

The lands subject to this By-law amendment are described as follows:

- Part Lot 27, Concession VIII,
- Part 1 on RP 39R-11823

Notwithstanding any provisions of this By-law to the contrary, on lands zoned MA-10 the following special provisions shall apply.

That Section 7.5.10 be added to the By-law to regulate the use of the land with respect to the following provisions.

7.5.10.1 Zone Regulations

For All Principal Buildings or Uses:

- a) Lot Area - 1.2 hectares (2.994 acres) minimum.

That Zoning By-law No. 2001-58, as otherwise amended, is hereby amended to give effect to the foregoing, that Zoning By-law No. 2001-58, as otherwise amended, shall in all other respects remain in full force and effect save as it may otherwise be amended or thereafter dealt with.

7.5.11 Special Marginal Agricultural - 11 (MA-11) By-law 2011-51

The lands subject to this by-law amendment are described as follows:

- Part of Lot 17 & 18, Concession III

Notwithstanding any provisions of this By-law to the contrary, on lands zoned MA-11 the following special provisions shall apply.

That Section 7.5.11 be added to the By-law to regulate the use of the land with respect to the following provisions.

7.5.11.1 Zone Regulations

For All Principal Buildings or Uses:

- a) Lot Frontage (minimum) - A broken frontage of 56.69 metres (186 feet) plus 6.09 metres (20 feet) as illustrated on RP 39R-12521.

That Zoning By-law No. 2001-58, as otherwise amended, is hereby amended to give effect to the foregoing, that Zoning By-law No. 2001-58, as otherwise amended, shall in all other respects remain in full force and effect save as it may otherwise be amended or thereafter dealt with.

7.5.12 Special Marginal Agricultural - 12 (MA-12) (zone not used)

7.5.13 Special Marginal Agricultural - 13 (MA-13) By-law 2013-27

The lands subject to this By-law amendment are described as follows:

- Part of the South Half of Lot 7, Concession A,
- Part 1 on RP 39R-12875

Notwithstanding any provisions of this By-law to the contrary, on lands zoned MA-13 the following special provisions shall apply.

That the any existing Environmentally Sensitive Area (ESA) overlay identification shall remain on the lands.

That Section 7.5.13.1 be added to the By-law to regulate the use of the land with respect to the following provisions.

7.5.13.1 Zone Regulations

- a) For the Principal Building:
 - i. Lot Area - 4.03 hectares (9.9 acres) minimum;
 - ii. Lot Frontage - 201.78 metres (662 feet) minimum; and
 - iii. Side Yard - 125.28 metres (411.02 feet) from south lot line to any residential building or use minimum.

That Zoning By-law No. 2001-58, as otherwise amended, is hereby amended to give effect to the foregoing, that Zoning By-law No. 2001-58, as otherwise amended, shall in all other respects remain in full force and effect save as it may otherwise be amended or thereafter dealt with.

7.5.14 Special Marginal Agricultural - 14 (MA-14) By-law 2013-28

The lands subject to this By-law amendment are described as follows:

- Part of Lot 8, Concession 3,
- Part 2 on RP 39R-466

Notwithstanding any provisions of this By-law to the contrary, on lands zoned MA-14 the following special provisions shall apply.

That the any existing Environmentally Sensitive Area (ESA) overlay identification shall remain on the lands.

That Section 7.5.14.1 be added to the By-law to regulate the use of the land with respect to the following provisions.

7.5.14.1 Zone Regulations

- a) For the Principal Building:

- i. Lot Frontage - 20.11 metres (66 feet) on Race Track Road plus 401.42 metres (1317 feet) in broken frontage on Harwood Road/County Road 15 minimum.

That Zoning By-law No. 2001-58, as otherwise amended, is hereby amended to give effect to the foregoing, that Zoning By-law No. 2001-58, as otherwise amended, shall in all other respects remain in full force and effect save as it may otherwise be amended or thereafter dealt with.

7.5.15 Special Marginal Agricultural - 15 (MA-15) By-law 2013-54

The lands subject to this By-law amendment are described as follows:

- Part Lot 27, Concession 4,
- Part of Part 1 on RP 39R-2464

Notwithstanding any provisions of this By-law to the contrary, on lands zoned MA-15 the following special provisions shall apply.

That Section 7.5.15.1 be added to the By-law to regulate the use of the land with respect to the following provisions.

7.5.15.1 Zone Regulations

a) For the Principal Building:

- i. Lot Frontage - 30 metres (100 feet) on Bickle Hill Road minimum.

That the any existing Environmentally Sensitive Area (ESA) overlay identification shall remain on the lands.

That Zoning By-law No. 2001-58, as otherwise amended, is hereby amended to give effect to the foregoing, that Zoning By-law No. 2001-58, as otherwise amended, shall in all other respects remain in full force and effect save as it may otherwise be amended or thereafter dealt with.

7.5.16 Special Marginal Agricultural - 16 (MA-16) By-law 2014-09

The lands subject to this By-law amendment are described as follows:

- Part Lot 21 & 22, Concession 2
- Part 1 on RP 39R-12974 & Part 1 on RP 39R-3449

Notwithstanding any provisions of this By-law to the contrary, on lands zoned MA-16 the following special provisions shall apply:

That Section 7.5.16 be added to the By-law to regulate the use of the land with respect to the following provisions.

The following shall be the only permitted uses in the MA-16 zone:

- a) Farm equipment storage buildings;
- b) Conservation uses, including forestry, reforestation and other activities connected with the conservation of soil or wildlife;
- c) Open space;
- d) A principal single detached dwelling;
- e) A bed and breakfast establishment;
- f) An accessory building or use to the above uses;
- g) One accessory dwelling within a principal single detached dwelling subject to approval of (HKPRDHU) Health Unit (or it's successors);
- h) A Type 'A' and Type 'B' home occupation, in accordance with the provisions of Section 5.33 of this By-law; and/or

- i) A Type 'A' home industry, in accordance with the provisions of Section 5.34 of this By-law.

The following uses shall be prohibited in the MA-16 zone:

- a) Breeding, raising, training or boarding of livestock and fowl.

7.5.16.2 Zone Regulations

- a) For Principal Dwelling and Lot:
 - i. Lot Frontage - 94.56 metres (310.23 feet) minimum on Danforth Road West;
 - ii. Lot Area - 1.37 hectares (3.39 acres) minimum; and
 - iii. Front Setback - Dwelling as existing on date of passage of this By-law.

That the any existing Environmentally Sensitive Area (ESA) overlay identification shall remain on the lands.

That Zoning By-law No. 2001-58, as otherwise amended, is hereby amended to give effect to the foregoing, that Zoning By-law No. 2001-58, as otherwise amended, shall in all other respects remain in full force and effect save as it may otherwise be amended or thereafter dealt with.

7.5.17 Special Marginal Agricultural - 17 (MA-17) By-law 2014-10

The lands subject to this By-law amendment are described as follows:

- Part Lot 27 & 28, Concession 3
- Part 1 on RP 39R-12911

Notwithstanding any provisions of this By-law to the contrary, on lands zoned MA-17 the following special provisions shall apply.

That Section 7.5.17.1 be added to the By-law to regulate the use of the land with respect to the following provisions.

7.5.17.1 Zone Regulations

- a) For the Principal Building:
 - i. Lot Frontage 40.29 metres (132.18 feet) minimum on Theatre Road.
- That the any existing Environmentally Sensitive Area (ESA) overlay identification shall remain on the lands.

That Zoning By-law No. 2001-58, as otherwise amended, is hereby amended to give effect to the foregoing, that Zoning By-law No. 2001-58, as otherwise amended, shall in all other respects remain in full force and effect save as it may otherwise be amended or thereafter dealt with.

7.5.18 Special Marginal Agricultural - 18 (MA-18) By-law 2014-17

The lands subject to this By-law amendment are described as follows:

- Part Lot 14, Concession 4,
- South side of Ball Road

Notwithstanding any provisions of this By-law to the contrary, on lands zoned MA-18 the following special provisions shall apply.

That Section 7.5.18.1 be added to the By-law to regulate the use of the land with respect to the following provisions.

7.5.18.1 Zone Regulations

- a) For the existing detached accessory building:

- i. Front Setback - 6.16 metres (20.24 feet) minimum.

That the any existing Environmentally Sensitive Area (ESA) overlay identification shall remain on the lands.

That Zoning By-law No. 2001-58, as otherwise amended, is hereby amended to give effect to the foregoing, that Zoning By-law No. 2001-58, as otherwise amended, shall in all other respects remain in full force and effect save as it may otherwise be amended or thereafter dealt with.

7.5.19 Special Marginal Agricultural - 19 (MA-19) By-law 2014-18

The lands subject to this By-law amendment are described as follows:

- Part South Half of Lot 26, Concession 5
- Parts 4-7 on RP 39R-12978

Notwithstanding any provisions of this By-law to the contrary, on lands zoned MA-19 the following special provisions shall apply.

That Section 7.5.19.1 be added to the By-law to regulate the use of the land with respect to the following provisions.

7.5.19.1 Zone Regulations

- a) For Single Detached Dwellings:

- i. All residential uses shall be a minimum of 221.50 metres (727 feet) from the existing animal barn on the west side of Whitney Howard Road, in accordance with Minimum Distance Separation requirements, as of the date of the adoption of this By-law.

That the any existing Environmentally Sensitive Area (ESA) overlay identification shall remain on the lands.

That Zoning By-law No. 2001-58, as otherwise amended, is hereby amended to give effect to the foregoing, that Zoning By-law No. 2001-58, as otherwise amended, shall in all other respects remain in full force and effect save as it may otherwise be amended or thereafter dealt with.

7.5.20 Special Marginal Agricultural - 20 (MA-20) By-law 2014-46

The lands subject to this By-law amendment are described as follows:

- Part of Lot 5, Concession 4
- Part 1 on RP 39R-13063 and Part 13 on RP 39R-252

Notwithstanding any provisions of this By-law to the contrary, on lands zoned MA-20 the following special provisions shall apply.

That Section 7.5.20.1 be added to the By-law to regulate the use of the land with respect to the following provisions.

7.5.20.1 Zone Regulations

- a) Lot Frontage - Broken frontage 6.81 metres (22.34 feet) (minimum) and 41.28 metres (135.46 feet).

That the existing Oak Ridges Moraine zones shall remain in force and effect on the lands.

That any existing Environmentally Sensitive Area (ESA) overlay identification shall remain on the lands.

That Zoning By-law No. 2001-58, as otherwise amended, is hereby amended to give effect to the foregoing, that Zoning By-law No. 2001-58, as otherwise amended, shall in all other respects remain in full force and effect save as it may otherwise be amended or thereafter dealt with.

7.5.21 Special Marginal Agricultural - 21 (MA-21) By-law 2014-46

The lands subject to this By-law amendment are described as follows:

- Part of Lot 5, Concession 4
- Part 2 on RP 39R-13063 and Part 7 on RP 39R-252

Notwithstanding any provisions of this By-law to the contrary, on lands zoned MA-21 the following special provisions shall apply.

That Section 7.5.21.1 be added to the By-law to regulate the use of the land with respect to the following provisions.

7.5.21.1 Zone Regulations

- a) Lot Frontage - 30.38 metres (100 feet) minimum; and
- b) Accessory Buildings - Side setback as existing on the date of the passage of this By-law.

That the existing Oak Ridges Moraine zones shall remain in force and effect on the lands.

That any existing Environmentally Sensitive Area (ESA) overlay identification shall remain on the lands.

That Zoning By-law No. 2001-58, as otherwise amended, is hereby amended to give effect to the foregoing, that Zoning By-law No. 2001-58, as otherwise amended, shall in all other respects remain in full force and effect save as it may otherwise be amended or thereafter dealt with.

7.5.22 Special Marginal Agricultural - 22 (MA-22) By-law 2014-48

The lands subject to this By-law amendment are described as follows:

- Part Lot 22, Concession 5,
- Parts 1 through 10 on RP-39 R-12942
- Kennedy Road and Mulder Road

Notwithstanding any provisions of this By-law to the contrary, on lands zoned MA-22 the following special provisions shall apply.

That Section 7.5.22.1 be added to the By-law to regulate the use of the land with respect to the following provisions.

7.5.22.1 Zone Regulations

- a) For Single Detached Dwellings:
 - i. All residential uses shall be a minimum of 203.61 metres (668 feet) from the existing animal barn on the west side of Mulder Road, in accordance with Minimum Distance Separation requirements, as of the date of the adoption of this By-law.

That any existing Environmentally Sensitive Area (ESA) overlay identification or Environmental Protection (EP) zone shall remain on the lands.

That Zoning By-law No. 2001-58, as otherwise amended, is hereby amended to give effect to the foregoing, that Zoning By-law No. 2001-58, as otherwise amended, shall in all other respects remain in full force and effect save as it may otherwise be amended or thereafter dealt with.

7.5.23 Special Marginal Agricultural - 23 (MA-23) By-law 2015-13

The lands subject to this By-law amendment are described as follows:

- Part Lot 2 & 3, Concession 9, And part of former road allowance
- Part 1 on RP 39R-1231 and Part of Part 1 and Parts 9, 13, & 14 on RP 39R-1412

Notwithstanding any provisions of this By-law to the contrary, on lands zoned MA-23 the following special provisions shall apply.

That Section 7.5.23 be added to the By-law to regulate the use of the land with respect to the following provisions.

7.5.23 Zone Provisions

- a) The minimum lot frontage on the municipally maintained Young Street shall be 4.5 metres (14.89 feet), as per Part 1 on RP 39R-1231; and
- b) The minimum side setback for the existing barn shall be 2.37 metres (7.7 feet).

That any existing Environmental Protection-Wetland (EP-W) zone classification shall remain on the lands.

That any existing Environmentally Sensitive Area (ESA) overlay identification shall remain on the lands.

That Zoning By-law No. 2001-58, as otherwise amended, is hereby amended to give effect to the foregoing, that Zoning By-law No. 2001-58, as otherwise amended, shall in all other respects remain in full force and effect save as it may otherwise be amended or thereafter dealt with.

7.5.24 Special Marginal Agricultural – 24 (MA-24) By-law 2015-62

The lands subject to this by-law amendment are described as follows:

- Part Lot 17 & 18, Concession 6
- More particularly described as
- Parts 1 & 2 on RP 39R-9057
- Including an easement over Part 2
- Less Parts 6-26 on RP 39R-9026
- And less Part 1 on RP 39R-13267
- ## Harris Boatworks Road

That Section 7.5.24 be added to the by-law to regulate the use of the land with respect to the following provisions:

7.5.24.1 Zone Regulations

- a) For All Uses
 - i. Lot Frontage (minimum) Glen Lynden Road: 45.10 metres (148 feet);
 - ii. Lot Frontage (minimum) Harris Boatworks Road: 9.14 metres (30 feet).

7.5.24 (b) Special Marginal Agricultural – 24(b) (MA-24(b)) By-law 2017-25

The lands subject to this by-law amendment are described as follows:

- Vacant land on the north side of Danforth Road at Grimshaw Road
- Part Lot 3, Concession 1, Hamilton Township
- Save & except: Parts 1 & 2 on RP 39R-2563 and Parts 1, 2 & 3 on RP 39R-13544

That Section 7.5.24(b) be added to the by-law to regulate the use of the land with respect to the following provisions:

7.5.24 Zone Provisions

1. Notwithstanding any zone provisions to the contrary, the following zone provisions shall apply to this parcel:
 - a) The use of the existing farm buildings shall be restricted from any farm animal housing or manure storage areas as per the Minimum Distance Separation requirements;
 - b) Any future farm animal housing or manure storage area shall be permitted on the property subject to compliance with Minimum Distance Separation II calculations for the new structure/use.

7.5.26 Special Marginal Agricultural – 26 (MA-26) By-law 2017-29

The lands subject to this by-law amendment are described as follows:

- Part of Lot 5 & 6 in Concession 2, Hamilton Township
- More particularly described as
- Part 5 on RP 39R-3006 & Part of Part 3 on RP 39R-3430

That Section 7.5.26 be added to the by-law to regulate the use of the land with respect to the following provisions:

7.5.26 Zone Provisions

1. Notwithstanding any zone provisions to the contrary, the following zone provisions shall apply to this parcel:

- a) Minimum lot frontage: 23.29 metres (76.43 feet) on Hutsell Road.

7.5.27 Special Marginal Agricultural – 27 (MA-27) By-law 2017-47

The lands subject to this by-law amendment are described as follows:

- Part of Lot 19 in Concession 1, Hamilton Township
- More particularly described as
- Part of Part 1 on RP 39R-375

That Section 7.5.27 be added to the by-law to regulate the use of the land with respect to the following provisions:

7.5.27 Zone Provisions

- a) Minimum lot frontage shall be recognized as broken frontage on Ontario Street with
 - i. 20 metres (66 feet) at the south boundary;
 - ii. 20 metres (66 feet) directly across from Oliver's Lane; and
 - iii. 294 metres (965 feet) north of the property identified below

7.5.28 Special Marginal Agricultural – 28-ORM (MA-28-ORM) By-law 2017-50

The lands subject to this by-law amendment are described as follows:

- 4249 Burnham Street North
- Part Lot 15, Con 6
- Being Parts 3, 4 & 5 on RP 39R-3420

That Section 7.5.28 be added to the by-law to regulate the use of the land with respect to the following provisions:

7.5.28 Zone Provisions

- a) Minimum lot frontage shall be recognized as broken frontage on Burnham Street North (County Road 18) with
 - i. 51.51 metres (169 feet) at the south boundary; and
 - ii. 94.48 metres (310 feet) at the north boundary.

7.5.29 Special Marginal Agricultural – 29 (MA-29) By-law 2018-09

The lands subject to this by-law amendment are described as follows:

- (the severed parcel of application B-06/15)
- Vacant land on Division Street North
- Part of Lot 15 in Concession 2, Hamilton Township
- More particularly described as
- Part 1 on RP 39R-13681

That Section 7.5.29 be added to the by-law to regulate the use of the land with respect to the following provisions:

7.5.29.1 Permitted Uses

The following shall be the only permitted uses in this zone

- a) Principal Buildings and Uses
 - i. A principal single detached dwelling;
 - ii. Agricultural and farm uses, including a livestock facility;
 - iii. Conservation uses including forestry, reforestation and other activities connected with the conservation of soil or wildlife;
 - iv. Open space uses;
 - v. Passive outdoor recreational uses; and/or
 - vi. Woodlots.

- b) Accessory Buildings and Uses
 - i. A bed and breakfast establishment;
 - ii. A type "A" or a type "B" home occupation in accordance with the provisions of Section 5.33;
 - iii. An accessory building to the above principal uses; and/or
 - iv. One accessory dwelling unit within a principal single detached dwelling subject to approval for additional private sanitary septic system.

7.5.29.2 Zone Provisions

- a) Minimum Lot Area: 5 hectares (12.3 acres);
- b) Minimum Lot Frontage: 22.86 metres (75 feet);
- c) All buildings, structures, grading, clearing, excavation, fill and construction shall be within the defined building envelope only;
- d) Maximum area of defined building envelope to encompass the maximum footprint for a house, accessory building and private well and septic system: 0.10 hectares (0.25 acres); and
- e) Location of building envelope, as illustrated on Schedule B attached hereto and forming part of this By-law:
 - i. From north lot line: 16.8 metres (55.11 feet);
 - ii. From east lot line: 12 metres (39.87 feet);
 - iii. From south lot line: 53.5 metres (175.52 feet); and
 - iv. From west lot line: 272.2 metres (893.04 feet).

That Staff prepare an agreement under Section 41 of *The Planning Act*, R.S.O. 1990, c.P.13, as amended, to prevent the grading, clearing, excavation and fill on the property beyond the defined buildings envelopes as per Figure 1 of the Environmental Site Assessment-Addendum #2 dated January 5th, 2017, which will form part of the agreement and be registered on title."

7.5.30 Special Marginal Agricultural – 30 (MA-30) By-law 2018-09

The lands subject to this by-law amendment are described as follows:

- (the remnant parcel of application B-06/15)
- Vacant land on Division Street North
- Part of Lot 15 in Concession 2, Hamilton Township
- More particularly described as
- Part 1 on RP 39R-514 and Parts 1 & 2 on RP 39R-980,
- save and except Part 1 on RP 39R-1804, Part 1 on RP 39R-11433,
- Part 1 on RP 39R-12737 and Part 1 on RP 39R-13681

That Section 7.5.30 be added to the by-law to regulate the use of the land with respect to the following provisions:

7.5.30.1 Permitted Uses

The following shall be the only permitted uses in this zone

- a) Principal Buildings and Uses
 - i. A principal single detached dwelling;
 - ii. Agricultural and farm uses, including a livestock facility;
 - iii. Conservation uses including forestry, reforestation and other activities connected with the conservation of soil or wildlife;
 - iv. Open space uses;
 - v. Passive outdoor recreational uses; and/or
 - vi. Woodlots.

- b) Accessory Buildings and Uses
 - i. A bed and breakfast establishment;
 - ii. A type “A” or a type “B” home occupation in accordance with the provisions of Section 5.33;
 - iii. An accessory building to the above principal uses; and/or
 - iv. One accessory dwelling unit within a principal single detached dwelling subject to approval for additional private sanitary septic system.

7.5.30.2 Zone Provisions

- a) Minimum Lot Area: 10.5 hectares (25.9 acres);
- b) Minimum Lot Frontage: 22.86 metres (75 feet) at the northern boundary with an additional 36.98 metres (121.32 feet) of broken frontage at the southern boundary;
- c) All buildings, structures, grading, clearing, excavation, fill and construction shall be within the defined building envelope only;
- d) Maximum area of defined building envelope to encompass the maximum footprint for a house, accessory building and private well and septic system: 0.10 hectares (0.25 acres); and
- e) Location of building envelope, as illustrated on Schedule B attached hereto and forming part of this By-law:
 - i. From north lot line: 98.4 metres (322.83 feet);
 - ii. From east lot line: 20 metres (65.61 feet);
 - iii. From south lot line: 8.3 metres (27.23 feet); and
 - iv. From west lot line: 240.0 metres (787.40 feet).

That a portion of the property shall be identified as Environmental Protection – Wetland zone together with a 30 metre (98.4 feet) buffer surrounding the wetland to reflect the findings of the Environmental Site Assessments and referenced in the noted Development Agreement on the subject lands.

That Staff prepare an agreement under Section 41 of *The Planning Act*, R.S.O. 1990, c.P.13, as amended, to prevent the grading, clearing, excavation and fill on the property beyond the defined buildings envelopes as per Figure 1 of the Environmental Site Assessment-Addendum #2 dated January 5th, 2017, which will form part of the agreement and be registered on title.”

7.5.31 Special Marginal Agricultural – 31 (MA-31) By-law 2018-26

The lands subject to this by-law amendment are described as follows:

- (the severed parcel of application B-27/16)
- Vacant land on Grimshaw Road
- Part of Lot 2 in Concession 1, Hamilton Township
- More particularly described as
- Part 1 on RP 39R-13701

That Section 7.5.31 be added to the by-law to regulate the use of the land with respect to the following provisions:

7.5.31.1 Zone Provisions

- a) Minimum Lot Frontage (broken)
 - i. 18.29 metres (60 feet) at northern boundary; and
 - ii. 23.85 metres (78.24 feet) at the southern boundary.

7.5.32 Special Marginal Agricultural – 32 (MA-32) By-law 2018-26

The lands subject to this by-law amendment are described as follows:

- (the retained parcel of applications B-26, 27 & 28/16)
- Vacant land on Grimshaw Road
- Part of Lot 2 in Concession 1, Hamilton Township
- More particularly described as
- Being Part 1 & 2 on RP 39R-3093
- save and except Part 1 on RP 39R-3681 and Parts 1, 2 & 3 on RP 39R-13701

That Section 7.5.32 be added to the by-law to regulate the use of the land with respect to the following provisions:

7.5.32.1 Zone Provisions

- a) Minimum Lot Frontage: 58.24 metres (191.07 feet).

7.5.33 Special Marginal Agricultural – 33 (MA-33) By-law 2018-34

The lands subject to this by-law amendment are described as follows:

- (the retained parcel of applications B-23/17, B-24/17 & B-25/17)
- Vacant land on Payn Road
- Part of Lot 2 in Concession 2, Hamilton Township
- More particularly described as
- Part of Part 1 on RP 39R- 1442

That Section 7.5.33 be added to the by-law to regulate the use of the land with respect to the following provisions:

7.5.33.1 Zone Provisions

- a) The property enjoys broken frontages along Payn Road with the minimum frontage of 45.72 m (150 ft) south of the severed parcels noted herein.

That the remaining provisions of Section 7.3 shall remain in force and effect in respect of the MA-33 zone.

7.5.34 Special Marginal Agricultural – 34 (MA-34) By-law 2018-54

The lands subject to this by-law amendment are described as follows:

- Part of Lot 5 & 6 in Concession 2, Hamilton Township
- More particularly described as
- Part of Part 5 on RP 39R-3006 & Part of Part 3 on RP 39R-3430

That Section 7.5.34 be added to the by-law to regulate the use of the land with respect to the following provisions:

7.5.34 Zone Provisions

- a) Notwithstanding any zone provisions to the contrary, the following zone provisions shall apply to this parcel:
 - i. Minimum lot frontage: 23.29 metres (76.43 feet) on Hutsell Road; and
 - ii. Minimum lot frontage: 24.47 metres (80.28 feet) on Community Center Road.

7.5.35 Special Marginal Agricultural – 35 (MA-35) By-law 2018-55

The lands subject to this by-law amendment are described as follows:

- Vacant land on Timlin Road, Cold Springs
- Part Lot 14, Con 5
- Now including Parts 4, 6 & 9 on RP 39R-13821

That Section 7.5.35 be added to the by-law to regulate the use of the land with respect to the following provisions:

7.5.35.1 Zone Provisions

- a) Notwithstanding any zone provisions to the contrary, the following zone provisions shall apply to this parcel:
 - i. Minimum lot frontage: 14.94 metres (49.01 feet) on Timlin Road; and
 - ii. Minimum side setback: 9.85 metres (32.31 feet) of existing stucco building.

7.5.36 Special Marginal Agricultural – 36 (MA-36) By-law 2019-02

The lands subject to this by-law amendment are described as follows:

- 9525 Community Centre Road, Baltimore
- Part Lot 5, Con 2
- Being Part 1 on RP 39R-10528,
- Save & Except Parts 1 and 1 on RP 39R-13826

That Section 7.5.36 be added to the by-law to regulate the use of the land with respect to the following provisions

7.5.36 Zone Provisions

- a) Lot Frontage: 20.18 metres (66.20 feet) Community Centre Road minimum.

7.5.37 Special Marginal Agricultural – 37 (MA-37) By-law 2019-58

The lands subject to this by-law amendment are described as follows:

- 3663 Whitney Howard Road
- PT LOT 26, CON 5
- More particularly described as
- Parts 4-6 on RP 39R-12978

That Section 7.5.37 be added to the by-law to regulate the use of the land with respect to the following provisions:

7.5.37 Zone Provisions

7.5.37.1 Permitted Uses

The following shall be the only permitted uses in this zone

- a) Notwithstanding any other use to the contrary, a secondary dwelling unit, detached from the existing principal single dwelling unit on the lot, shall be permitted.

7.5.37.2 Provisions for Secondary Dwelling Unit Building/Use

- a) Setback from existing farming use on neighbouring lots: As existing on the date of the passage of this by-law;
- b) Dwelling unit area: 111.48 square metres (1200 square feet) maximum.

7.5.38 Special Marginal Agricultural – 38 (MA-38) By-law 2019-63

The lands subject to this by-law amendment are described as follows:

- (the retained/remnant lands of consent applications B-01, 02 & 03/19)
- Part of Lot 7, Con 3
- Now more specifically described as
- Part of Part 1 on RP 39R-233

That Section 7.5.38 be added to the by-law to regulate the use of the land with respect to the following provisions:

7.5.38 Zone Provisions

7.5.38.1

- a) The minimum lot frontage shall be recognized as 20 m (65.6 ft) along County Road 15/Harwood Road.

7.5.39 Special Marginal Agricultural – 39 (MA-39) By-law 2020-07

The lands subject to this by-law amendment are described as follows:

- (being the retained portion of applications B-09, 10 & 11/19)
- Part of Lot 7, Con 1

- Now more specifically described as
- Part 4 on RP 39R- 14068

That Section 7.5.39 be added to the by-law to regulate the use of the land with respect to the following provisions:

7.5.39 Zone Provisions

Notwithstanding the permitted uses in the Marginal Agricultural (MA) zone, the following special provisions shall apply:

- a) A Development Agreement shall be entered with the Township of Hamilton and registered on title of the lands prior to the stamping of the deeds for consents noted above. The Development Agreement shall address criteria identified in the October 9, 2019 comments received from the Ganaraska Region Conservation Authority in respect of the Environmental Impact Study completed by Niblett Environmental Associates Ltd. in August 2019.

7.5.40 Special Marginal Agricultural - 40 (MA-40) By-law 2020-64

The lands subject to this By-law amendment are the described as:

- 3667 Kennedy Road (part of) and 3647 Kennedy Road, Camborne
- PT LOT 19, CON 5,
- Being Parts 2, 3, 4 and 5 on RP 39R-14178 together with Part 1 on RP 39R-1756, save & except Part 6 on RP 39R-14178 (being the resultant parcel from consent application B-01/20 for lot addition)

That Section 7.5.40 be added to the By-law to regulate the use of the land and buildings with respect to the following provisions:

7.5.40.1 Zone Provisions

- a) Accessory building side setback: 9.89 metres (32.44 feet) for the existing wood shed.

7.5.41 Special Marginal Agricultural - 41 (MA-41) By-law 2021-05

The lands subject to this By-law amendment are the described as:

- 2505 HIRCOCK ROAD, BALTIMORE
- Part of Lot 9, Con 2
- Including Part 4 on RP 39R-6061,
- Save & except Parts 1 on RP 39R-3050, Parts 1-4 on RP 39R-12346 and Part 1 on RP 39R-14193 (being the retained parcel from consent application B-06/20 for lot creation)

That Section 7.5.41 be added to the By-law to regulate the use of the land and buildings with respect to the following provisions:

7.5.41.1 Zone Provisions

- a) Principal building front setback: 12.00 metres (39.37 feet);
- b) Principal building exterior side setback: 17.03 metres (55.87 feet).

7.5.42 Special Marginal Agricultural – 42 (MA-42) By-law 2021-25

That the lands subject to this By-law amendment are the described as:

- Part of Lot 18, Con 3
- More particularly described as
- Part 2, on RP 39R-14269 (being the retained parcel from consent application B05/20 for new lot creation)

That Section 7.5.42 be added to the By-law to regulate the use of the land and buildings with respect to the following provisions:

7.5.42.1 Zone Provisions

- a) Rear setback of detached frame shed: 6.72 metres (22.04 feet) as existing on the date of this By-law.

7.5.43 Special Marginal Agricultural – 43 (MA-43) By-law 2021-44

The lands subject to this By-law amendment are the described as:

- Jibb Road, Camborne
- Part of Lot 21, Con 4
- Including Part of Part 1 on RP 39R-10862
- Save & except Parts 1 on RP 39R-14306, (being the retained parcel from consent application B-17/20 for lot creation)

That Section 7.5.43 be added to the By-law to regulate the use of the land and buildings with respect to the following provisions:

7.5.43.1 Zone Provisions

- a) Lot Frontage: 42.71 metres (140.12 feet) minimum.

7.5.44 Special Marginal Agricultural – 44 (MA-44) By-law 2021-43

The lands subject to this By-law amendment are the described as:

- 9448 Stevenson Road, Harwood
- Part of Lot 6, Con 9
- Being Part 2 on RP 39R-202
- Save & except Parts 1 & 2 on RP 39R-14343 (being the retained parcel from consent application B-03 & 04/21 for lot creation)

That Section 7.5.44 be added to the By-law to regulate the use of the land and buildings with respect to the following provisions:

7.5.44.1 Zone Provisions

- a) Lot Frontage at Sully Road: 25.66 metres (84.18 feet) minimum.