

SECTION 12: RURAL ZONES

12.1 AGRICULTURE (A1) ZONE

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within an Agriculture (A1) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

12.1.1 PERMITTED USES

Agriculture
Residential Care Facility
Secondary Uses to Agriculture
Single Detached Dwelling
Veterinary Service – Farm Animal

12.1.2 PROHIBITED USES

The following uses are prohibited:

- a) For lands located within Vulnerable Area 1 as delineated in Figures 5.0, 5.1, 5.2 and 5.3 of Schedule “F”-Special Figures:
 - i) Waste Disposal sites under Part V of Environmental Protection Act that include the following activities:
 - 1) storage, treatment and discharge of mine tailings;
 - 2) land farming of petroleum refining waste;
 - 3) storage of polychlorinated biphenyl (PCB) waste;
 - 4) application of untreated septage to land;
 - 5) injection of liquid waste into a well;
 - 6) storage of hazardous waste.
 - ii) hazardous waste management facility;
 - iii) waste management facility;

- iv) Salt Storage Facility that can accommodate 5,000 tonnes and greater;
 - v) snow storage facility greater than 1 ha in size;
 - vi) Motor Vehicle Service Station;
 - vii) motor vehicle collision repair establishment.
- b) For lands located within Vulnerable Area 2, as delineated in Figures 5.0, 5.1, 5.2 and 5.3 of Schedule "F"-Special Figures:
- i) Waste Disposal sites under Part V of Environmental Protection Act that include the injection of liquid waste into a well;
 - ii) waste disposal facility.
- c) For lands located within Vulnerable Area 3 as delineated on Figure 5.0 of Schedule "F"-Special Figures:
- i) Waste Disposal sites under Part V of Environmental Protection Act that include the application of untreated septage to land.
- d) Notwithstanding Section 12.1.1 and the definition of Agriculture, for lands located within Lower Stoney Creek as delineated on Figure 6.0 of Schedule "F" – Special Figures:
- i) Medical Marihuana Growing and Harvesting Facility;
 - ii) aquaponics facility.

SECTION 12: RURAL ZONES

12.1.3 REGULATIONS

**12.1.3.1 AGRICULTURE AND
VETERINARY SERVICE
– FARM ANIMAL
REGULATIONS**

- a) Minimum Lot Area
 - i) 40.4 hectares;
 - ii) Notwithstanding i) above, for the lots delineated on Figure “7.0” - Specialty Crop of Schedule “F” – Special Figures, the minimum Lot Area shall be 16.2 hectares.
- b) Minimum Front Yard 15.0 metres
- c) Minimum Side Yard 15.0 metres
- d) Minimum Rear Yard 15.0 metres
- e) Maximum Lot Coverage
 - i) 20%;
 - ii) Notwithstanding i) above, the maximum lot coverage for greenhouse operations shall be 70%.
- f) Outdoor Storage
 - i) Shall not be permitted in any minimum Front Yard or minimum Flankage Yard;
 - ii) Shall be located a minimum of 10 metres from any lot line, and screened by a visual barrier in accordance with Section 4.19 of this By-law;
 - iii) Sections i) and ii) above do not apply to the storage or parking of Agricultural vehicles or equipment.
- g) Accessory Buildings In accordance with the requirements of Sections 4.8 and 4.8.2 of this By-law.

- h) Parking In accordance with the requirements of Section 5 of this By-law.
- i) Small Scale Retailing of Agricultural Products
- i) The maximum gross floor area of all buildings and structures devoted to retailing of agricultural products grown primarily as part of the farm operation, exclusive of a Farm Produce/Product Stand, shall be 200.0 square metres;
 - ii) Shall not be permitted within a Dwelling or a Farm Labour Residence;
 - iii) In addition to Section 12.1.3.1 i) i), the maximum gross floor area of a Farm Produce/Product Stand shall be 18.5 square metres;
 - iv) Notwithstanding Sections 12.1.3.1 b), c) and d) and Section 4.8.2 a), a Farm Produce/Product Stand shall be permitted in any yard.
- j) Farm Labour Residence
- i) A maximum of one Farm Labour Residence shall be permitted on a lot;
 - ii) Where a Farm Labour Residence is in the form of a temporary detached dwelling or temporary bunk house, the following regulations shall apply:
 1. Shall be located within 30 metres of the farm Dwelling;
 2. Shall have a maximum building height of 10.5 metres;
 3. Shall utilize the existing driveway access to the farm Dwelling;
 4. Any temporary detached dwelling shall have a minimum

floor area of 65.06 square metres, and a maximum floor area of 116.2 square metres;

5. Any temporary bunk house shall have a minimum gross floor area of 65.06 square metres or 8.36 square metres per resident, whichever is greater.
 - iii) Where a Farm Labour Residence is in the form of an Accessory apartment attached to and forming part of the principal farm Dwelling, the Accessory apartment shall not exceed 25% of the gross floor area of the principal farm Dwelling.
- k) Mushroom Operations
- i) Notwithstanding Sections 12.1.3.1 b), c), and d) above, any buildings or structures used for a Mushroom Operation shall be set back a minimum of 30.0 metres from any lot line;
 - ii) No stockpiles of waste, manure, fertilizers or compost shall be permitted within 30.0 metres of any lot line.
- l) Nursery
- i) Retailing of horticultural products and bulk material shall be in accordance with Section 12.1.3.1 i);
 - ii) The outdoor storage of unenclosed piles of bulk product for retail purposes shall not exceed an aggregate area of 100.0 square metres.
- m) Cannabis Growing and Harvesting Facility
- i) The maximum gross floor area for all new buildings and structures devoted to a Cannabis Growing and

Harvesting Facility shall not exceed 2,000.0 square metres;

- ii) Notwithstanding Section 12.1.3.1 m) i) above, existing buildings may be used for a Cannabis Growing and Harvesting Facility;

- iii) The testing, packaging, and shipping shall be accessory to the Cannabis Growing and Harvesting Facility;

- iv) Notwithstanding Section 4.12 d), any building, structure used for a cannabis growing and harvesting facility shall be setback a minimum of 150 metres from:

1. Any portion of a lot line abutting Residential, Institutional, Commercial and Mixed Use Zones, Settlement Residential (S1), Settlement Commercial (S2), or Settlement Institutional (S3) Zone; or,

2. Any residential dwelling unit existing on the date of passing of the by-law, any building used for farm labour residence, mobile home, educational establishment, residential care facility, place of worship, day care or park;

- v) Notwithstanding Sections 12.1.3.1 b), c) and d) above, all buildings or structures associated with the use shall be set back a minimum of 30.0 metres from any lot line;

- vi) Notwithstanding Sections 12.1.3.1 f) i), ii) and iii) above, outdoor storage shall not be permitted;

vii) Notwithstanding Sections 12.1.3.1 i) i), ii), iii) and iv) above, retail sales shall not be permitted.
(By-law No. 15-173, July 10, 2015)
(NOT FINAL AND BINDING By-law No. 18-266, September 12, 2018)

12.1.3.2 SECONDARY USES TO AGRICULTURE – ADDITIONAL REGULATIONS

In addition to Section 12.1.3.1 above, the following additional regulations shall apply to Secondary Uses to Agriculture:

- a) Uses Permitted as Secondary to Agriculture
 - Agricultural Processing Establishment – Secondary
 - Agricultural Research Operation
 - Agritourism
 - Home Industry
 - Kennel
 - Agricultural Brewery/Cidery/Winery
 - Landscape Contracting Establishment – Secondary

- b) Minimum Lot Area
 - Notwithstanding Sections 12.1.3.1 a) and 4.12 d), Secondary Uses to Agriculture shall only be permitted on a lot with a minimum lot area of 5.0 hectares.

- c) Limitation on Uses
 - Notwithstanding Section 12.1.3.2 a), only one Home Industry or one Landscape Contracting Establishment – Secondary shall be permitted per lot.

- d) Agricultural Processing Establishment - Secondary
 - i) The maximum gross floor area for all buildings and structures devoted to an Agricultural Processing Establishment - Secondary shall not exceed 500.0 square metres;
 - ii) Notwithstanding Sections 12.1.3.1 b), c) and d), all buildings or structures associated with an Agricultural Processing Establishment - Secondary shall be set back a minimum of 30.0 metres

SECTION 12: RURAL ZONES

from any lot line;

- iii) Outdoor storage of goods, materials or equipment shall be permitted in accordance with Section 12.1.3.1 f), and shall not exceed an aggregate area of 100.0 square metres.

e) Agritourism

The maximum gross floor area of all buildings or structures devoted to the Agritourism use shall not exceed 500.0 square metres.

f) Home Industry

- i) All buildings or structures used as part of the Home Industry shall be set back a minimum of 15.0 metres from any lot line, and shall occupy no more than 250.0 square metres of gross floor area;
- ii) Shall be operated by a resident of the property, with no more than 3 non-resident employees;
- iii) Outdoor storage of goods, materials or equipment shall be permitted in accordance with Section 12.1.3.1 f), and shall not exceed an aggregate area of 100.0 square metres;
- iv) In addition to Section 5.3 b) a maximum of three Motor Vehicles associated with the Home Industry may be parked unenclosed. Additional Motor Vehicles associated with the use, including all Motor Vehicles – Commercial, must be parked in an enclosed building. This regulation does not apply to the storage or parking of Agricultural vehicles and equipment.

g) Kennel

- i) The maximum gross floor area for all buildings and structures devoted to a Kennel use shall be 500.0

- square metres;
- ii) Notwithstanding Sections 12.1.3.1 b), c) and d), all buildings or structures associated with a Kennel shall be set back a minimum of 60.0 metres from any lot line;
 - iii) No domestic animals shall be permitted to be kept in any open area within 60.0 metres of any lot line.
- h) Agricultural Brewery/Cidery/Winery
- i) Notwithstanding Sections 12.1.3.1 a), 12.1.3.2 b), and 4.12 d), an Agricultural Brewery/Cidery/Winery shall only be permitted on a lot with a minimum area of 4.0 hectares, of which a minimum of 2.0 hectares shall be used for the growing of grapes, fruits, hops or other produce directly associated with on-site beer, cider or wine production;
 - ii) The maximum building area devoted to an Agricultural Brewery/Cidery/Winery use shall be 500.0 square metres of gross floor area exclusive of the basement or cellar, of which a maximum of 25% of the gross floor area may be used for Retail and/or hospitality/tasting purposes.
- i) Landscape Contracting Establishment – Secondary
- i) Notwithstanding Section 12.1.3.2 a), a Landscape Contracting Establishment – Secondary shall only be permitted as a use Secondary to a Nursery;
 - ii) In addition to Section 12.1.3.2 b):
 1. On lots with a lot area of 7.0 hectares or greater, a minimum of 65 percent of the lot area zoned Agriculture

(A1), Rural (A2) and/or Conservation/Hazard Land – Rural (P6) shall be used for the growing of plants, shrubs, trees or similar vegetation as part of the Nursery operation, and may include the growing of other Agricultural products. In no case shall the portion of the lot zoned Agriculture (A1), Rural (A2) and/or Conservation/Hazard Land – Rural (P6) which is used for the growing of plants, shrubs, trees or similar vegetation as part of the Nursery operation be less than 3.0 hectares in area.

2. On lots with a lot area less than 7.0 hectares, a minimum of 50 percent of the lot area zoned Agriculture (A1), Rural (A2) and/or Conservation/Hazard Land – Rural (P6) shall be used for the growing of plants, shrubs, trees or similar vegetation as part of the Nursery operation. In no case shall the portion of the lot zoned Agriculture (A1), Rural (A2) and/or Conservation/Hazard Land – Rural (P6) which is used for the growing of plants, shrubs, trees or similar vegetation as part of the Nursery operation be less than 3.0 hectares in area.

- iii) All buildings or structures used as part of the Landscape Contracting Establishment – Secondary shall be set back a minimum of 15.0 metres

from any lot line, and the total gross floor area of all buildings or structures used as part of the Landscape Contracting Establishment – Secondary shall not exceed 250.0 square metres;

- iv) Notwithstanding Section 12.1.3.1 f), outdoor storage of goods, materials or equipment shall not exceed an aggregate area of 100.0 square metres, and shall be set back a minimum of 30.0 metres from any lot line and screened by a visual barrier in accordance with Section 4.19 of this By-law;
- v) In addition to Section 5.3 b) a maximum of three Motor Vehicles associated with the Landscape Contracting Establishment - Secondary may be parked unenclosed. Additional Motor Vehicles associated with the use, including all Motor Vehicles – Commercial, must be parked in an enclosed building. This regulation does not apply to the storage or parking of Agricultural vehicles or equipment or parking of employee Motor Vehicles.
- vi) Notwithstanding v) above all unenclosed parking areas associated with the Landscape Contracting Establishment – Secondary use shall be screened by a visual barrier in accordance with Section 4.19 of this by-law.

(By-law No. 15-173, July 10, 2015, As amended by OMB Decision PL151130 dated March 13, 2017)

12.1.3.3 SINGLE DETACHED DWELLING AND RESIDENTIAL CARE FACILITY

SECTION 12: RURAL ZONES

REGULATIONS

- | | |
|---|---|
| a) Minimum Lot Area | 0.4 hectares |
| b) Minimum Lot Width | 30.0 metres |
| c) Maximum Building Height | 10.5 metres |
| d) Minimum Front Yard | 10.0 metres |
| e) Minimum Side Yard | 3.0 metres |
| f) Minimum Rear Yard | 10.0 metres |
| g) Maximum Capacity for Residential Care Facility | Shall not exceed 10 residents. |
| h) Home Business Regulations | In accordance with the requirements of Section 4.21 of this By-law. |
| i) Accessory Buildings | In accordance with the requirements of Sections 4.8 and 4.8.2 of this By-law. |
| j) Parking | In accordance with the requirements of Section 5 of this By-law. |

(By-law No. 15-173, July 10, 2015)

(By-law No. 18-219, August 17, 2018)

(NOT FINAL AND BINDING By-law No. 18-266, September 12, 2018)