



5.18 ENVIRONMENTAL PROTECTION - EP

No *person* shall *use* any land or *erect, alter* or use any *building* or *structure* in the Environmental Protection (EP) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

5.18.1 Permitted Uses

- *Conservation Use*
- *Forestry Use*
- *Natural Heritage Features and Areas* (see Sections 4.26 and 4.27)
- *Public Service Use/Public Utility* (see Section 4.42)

5.18.2 Zone Requirements

5.18.3 Additional Provisions

1. No *development* or *site alteration* shall be permitted in an Environmental Protection (EP) Zone except where required for flood control under **Section 4.17** of this By-law.
2. All land under water is within the Environmental Protection (EP) Zone and *uses* of such land shall be limited to only those specifically approved by the Ministry of Natural Resources and/or the appropriate Conservation Authority.
3. See also requirements of **Section 4.26** of this By-Law for separation distances for various land uses.
4. All applicable *zone regulations* of **Section 4 – General Provisions** shall apply.

5.18.4 Exception Zones

1. Environmental Protection Constraint Overlay (EP-1) Zone

No *person* shall *use* any land or *erect, alter* or *use* any *building* or *structure* in the Environmental Protection Constraint Overlay (EP-1) zone except in accordance with the provision of this Section and any other relevant Sections of this By-law.

Permitted uses

Development shall be permitted for uses in the underlying zone unless the lands are rezoned to a zone appropriate for the proposed use, subject to verification that acceptable engineering techniques can be utilized for construction on organic soils. *Existing uses* shall be *permitted* and extensions thereto subject to the requirements of the Building Code.

2. Environmental Protection (EP-PSW) Zone – Provincially Significant Wetland

No *person* shall *use* any land or *erect, alter* or use any *building* or *structure* in the Environmental Protection (EP-PSW) zone except in accordance with the provision of this Section and any other relevant Sections of this By-law.

Permitted Uses

- *Provincially Significant Wetland*

Additional Provisions

- No *development* shall be *permitted* in a *provincially significant wetland*.

3. Environmental Protection (EP-LSW) Zone – Locally Significant Wetland

No *person* shall *use* any land or *erect, alter* or use any *building* or *structure* in the Environmental Protection (EP-LSW) zone except in accordance with the provision of this Section and any other relevant Sections of this By-law.

Permitted Uses

- *Locally Significant Wetland*

Additional Provisions

- No *development* shall be *permitted* in a *locally significant wetland*.

4. Environmental Protection (EP-C) Zone – Parks, Conservation Areas and Crown Land

No *person* shall *use* any land or *erect, alter* or use any *building* or *structure* in the Environmental Protection (EP-C) zone except in accordance with the provision of this Section and any other relevant Sections of this By-law.

Permitted Uses

- Crown land
- *Conservation Area*
- Provincial Park
- Conservancy Area (i.e., lands owned or in trust by a conservation interest such as Duck's Unlimited)

5. Environmental Protection Constraint Overlay (EP-ANSI) Zone (Area of Natural and Scientific Interest)

No *person* shall *use* any land or *erect, alter* or use any *building* or *structure* in the Environmental Protection Constraint Overlay (EP-ANSI) zone except in accordance with the provision of this Section and any other relevant Sections of this By-law.

Permitted Uses

Development shall be *permitted* for *uses* in the underlying *zone* subject to verification that there will be no *negative impacts* on the natural features of the *Area of Natural and Scientific Interest* (ANSI).

5.16 RURAL – R ZONE

No *person* shall *use* any land or *erect, alter* or *use* any *building* or *structure* in the –rural (R) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

5.16.1 Permitted Uses

- *Agricultural Use*
- *Agriculturally Related Commercial/Industrial Uses*
- *Airfield, Private*
- *Ambulance Base*
- *Animal Shelter*
- *Brewery or Winery*
- *Camp* (see section 4.7)
- *Campground*
- *Cemetery* (see Section 4.30)
- *Commercial Greenhouse*
- *Communications Facility*
- *Community Centre*
- *Conservation Use*
- *Construction Yard or Contractors Yard*
- *Custom Workshop*
- *Day Care for Children* (see Section 4.10)
- *Day Nursery*
- *Dwelling - Duplex*
- *Dwelling – Mobile Home*
- *Dwelling - Modular*
- *Dwelling – Park Model Trailer*
- *Dwelling – Seasonal*
- *Dwelling – Semi-detached*
- *Dwelling – Single Detached*
- *Dwelling – Tiny House*
- *Equestrian Establishment*
- *Farm Produce Outlet*
- *Forestry Use*
- *Geothermal Power Facility*
- *Group Home* (see Section 4.119)
- *Helipad*
- *Hobby Farm*
- *Institutional Use*
- *Kennel*
- *Live/Work Unit* (see Section 4.20.4)
- *Log Hauling Operation*
- *Logging Camp*
- *Maple Syrup Processing Establishment*
- *Marine Facility*
- *Nature Trail*
- *Park, Playground, Outdoor Recreation Use*
- *Parking Area*
- *Place of Assembly*
- *Place of Worship*
- *Portable Asphalt/Concrete Plant* (see Section 4.26.3)
- *Private Club*
- *Public Service Use/Public Utility* (see Section 4.42)
- *Renewable Energy System*
- *School*
- *Shooting Range or Rifle Club*
- *Studio*
- *Tourist Outfitters Establishment*
- *Wayside Quarry* (see Section 4.26)
- *Wayside Pit* (see Section 4.26)

Accessory Uses, Buildings and Structures (see Section 4.1)

- *Accessory Dwelling* (see Subsection 5.16.3[e])
- *Additional Residential Unit* (see Section 4.2)
- *Camp* (see Section 4.6)
- *Bed and Breakfast Establishment* (see Section 4.4)
- *Boat House*
- *Dock* (see Section 4.1.1.12-14)
- *Farm Vacation Establishment*
- *Garden Suite* (see Section 4.2)
- *Home Based Business* (see Section 4.20)
- *On-farm Diversified Uses*
- *Recreational Vehicle* (see Section 4.1.2)
- *Sleep Cabin* (see Section 4.2)
- *Solar Collector (non-commercial)*
- *Storage Container* (see 4.1.3)
- *Swimming Pool* (see Section 4.1.4)
- *Temporary Car Shelter* (see 4.1.3)
- *Wind Turbine (non-commercial)*
- *Yurt*

5.16.2 Zone Requirements

1. *Kennel* (see Section 4.22)

Minimum Lot Area.....4 ha [9.9 ac.]
 Minimum Lot Frontage.....92 m [301.8 ft.]

Minimum Yard Requirements

All Yards.....30 m [98.4 ft.]

Maximum Building Height.....10 m [32.8 ft.]
 Maximum Building Height - Accessory Building....6 m [19.7 ft.]

2. *Residential Uses*

Minimum Lot Area0.8 ha [2 ac.] plus
 0.4 ha [1 ac.] for each additional dwelling unit
 Minimum Lot Frontage.....46 m [150.9 ft.]

Minimum Yard Requirements

Front Yard.....7 m [22.9 ft.]
 Rear Yard.....7 m [22.9 ft.]
 Interior Side Yard.....3 m [9.8 ft.]
 Exterior Side Yard.....7 m [22.9 ft.]

Maximum Building Height

Main Building.....10 m [32.8 ft.]
Accessory Building.....6 m [19.7 ft.]

Maximum Lot Coverage

Main Building

15% to a maximum ground floor area footprint of 375 m² [4,036 ft.²]

Accessory Uses, Buildings and Structures

5% to a maximum ground floor area footprint of 93 m² [1,001 ft.²]

Minimum Gross Floor Area per Dwelling..... 27.9 m² [300 ft.²]

Maximum Number of Dwelling Units per Lot

Dwelling - Single detached, mobile home, seasonal, group home
(excluding *additional residential units*) 1

3. Agricultural Uses

Minimum Lot Area.....4 ha [9.88 ac.]
Minimum Lot Frontage.....61 m [200.13 ft.]

Minimum Yard Requirements

Front Yard.....15 m [49.2 ft.]
All Other Yards.....10 m [32.8 ft.]

Maximum Lot Coverage - all buildings and structures 10%
Maximum Building Height - Main Building.....10 m [32.8 ft.]
Maximum Building Height - Accessory Building.....8 m [26.25 ft.]

4. Camp (see Section 4.7)

Minimum Lot Area.....5 ha [12.35 ac.]

Minimum Yard Requirements

All Yards.....15 m [161.42 ft.]

5. All Other Uses Including a Hobby Farm

Minimum Lot Area.....8,000 m² [2 ac.]
Minimum Lot Frontage.....46 m [150.9 ft.]

Minimum Yard Requirements

Front Yard.....15 m [49.2 ft.]
All Other Yards.....10 m [32.8 ft.]

Maximum Lot Coverage - all uses, buildings and structures 20%

Maximum Building Height - Main Building.....10 m [32.8 ft.]

Maximum Building Height - Accessory Building.....6 m [19.7 ft.]

5.16.3 Additional Provisions

1. Despite anything in **Section 5.16.2** to the contrary, on land within 300 m [984.2 ft.] of the *high-water mark* of Silver Lake, Crow Lake, Eagle Lake and the west basin of Sharbot Lake, the maximum *permitted* number of *dwelling units* per *lot* shall be one (1).
2. Despite anything in **Section 5.16.2** to the contrary, *wayside pits* and *wayside quarries* shall be subject only to a minimum *yard* requirement of 15 m [49.2 ft.].
3. No *person* shall *erect* any *building* or *structure* in the Rural (R) Zone unless the *lot* upon which such *building* or *structure* is to be *erected* has *frontage* onto and direct access to a *public street*. [See **Section 4.18**]
4. Recreational Vehicle – see **Section 4.1.2**
5. An *accessory dwelling* may be located within a *building* occupied by any *commercial use* except an automotive use or may be detached. Where the *dwelling unit* is detached, the minimum *lot area* shall be as set out in the General Residential (R1) Zone and shall be added to the minimum *lot area* in the Rural (R) Zone.
6. Despite the Maximum Number of *Dwellings Units* per Lot allowed in the Rural (R) Zone, an *additional residential dwelling* shall be permitted in accordance with **Section 4.2**.
7. *Accessory uses, buildings* and *structures*, parking, special separation distances and other general provisions shall be in accordance with **Section 4** of this By-law.
8. **Domestic Poultry and Livestock**
 - (a) A *lot*, vacant lands or lands occupied by a *dwelling unit* may be *used* for the keeping of domestic livestock kept or used for non-commercial food production including domestic poultry (i.e., chickens, ducks, geese, pigeons, quail, pheasants, turkeys), and domestic livestock (i.e., rabbits) based on the following *nutrient unit* to *lot area* ratio:

up to 0.1 *nutrient unit* provided the minimum *lot area* shall be 0.2 ha [0.5

ac.]
 up to 0.2 **nutrient unit** provided the minimum **lot area** shall be 0.4 ha [1 ac.]
 up to 0.4 **nutrient unit** provided the minimum **lot area** shall be 0.8 ha [2 ac.]
 up to 0.6 **nutrient unit** provided the minimum **lot area** shall be 1.21 ha [3 ac.]
 up to 0.8 **nutrient unit** provided the minimum **lot area** shall be 1.61 ha [4 ac.]
 up to 1.0 **nutrient unit** provided the minimum **lot area** shall be 2.02 ha [5 ac.]
 between 1.0 and 5.0 **nutrient units** provided the minimum **lot area** shall be 4.04 ha [10 ac.]
 greater than five (5) **nutrient units** provided the minimum **lot area** exceeds 4.04 [10 ac.]
 and provided any associated **livestock facility** and manure storage facility complies with the **Minimum Distance Formula**.

- (b) Domestic livestock shall not be deemed to include swine, goats, cattle, horses and donkeys or similar large animals.
- (c) Domestic livestock and poultry may run free range provided the **lot** is fenced and provided all livestock are internally sheltered overnight and that caged **structures** comply with the required **zone regulations** for **setbacks**.

- 9. The minimum lot frontage for a Shoreline Lot on a Narrow Channel shall be:
 - Channel Width of 90 m [295.2 ft.] or less - 120 m [393.7 ft.]
 - Channel Width of 90.1 m [295.6 ft.] to 150 m [492.1 ft.] - 90 m [295.2 ft.]
- 10. The provisions of **Section 4.4.5** through **4.4.8** shall apply to a **farm vacation establishment**.
- 11. All applicable **zone regulations** of **Section 4 – General Provisions** shall apply.

5.16.4 Exception Zones

1. R-X1, Part of Lot 14, Concession 9, Township of Kennebec

Despite any provision of **Section 5.16** to the contrary, on land identified as Rural Exception 1 (R-X1) Zone on any Schedule to this By-law, the following **zone regulations** shall apply:

On part of Lot 14, Concession 9, Township of Kennebec, (assessment roll