

## **SECTION 21 - ENVIRONMENTAL PROTECTION (EP) ZONE**

No person shall within an Environmental Protection (EP) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

### **21.1 PERMITTED USES**

- 21.1.1 residential uses are prohibited with the exception of an existing dwelling or an existing dwelling unit
- 21.1.2 an agricultural use, excluding buildings
- 21.1.3 a forestry use
- 21.1.4 a conservation area including outdoor recreation activities, nature study and wildlife areas, or other similar use which provides for the preservation of the natural environment
- 21.1.5 a private park
- 21.1.6 a public park
- 21.1.7 structures required for flood and erosion control
- 21.1.8 a marine facility
- 21.1.9 existing uses, buildings and structures

### **21.2 REGULATIONS FOR USES PERMITTED IN SECTION 21.1**

21.2.1	Minimum Lot Area	as existing
21.2.2	Minimum Lot Frontage	as existing
21.2.3	Minimum Front Yard Depth	12.0 m (39.37 ft.)
21.2.4	Minimum Exterior Side Yard Width	12.0 m (39.37 ft.)
21.2.5	Minimum Interior Side Yard Width	7.5 m (24.60 ft.)
21.2.6	Minimum Rear Yard Depth	7.5 m (24.60 ft.)

### **21.3 ALTERATIONS AND EXTENSIONS TO PERMITTED EXISTING USES**

Any alteration, enlargement, extension or reconstruction of any permitted existing use shall comply with the regulations imposed by the Otonabee Region Conservation Authority.

## **21.4 GENERAL ZONE PROVISIONS**

All provisions of Section 4, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Environmental Protection (EP) Zone shall apply.

## **21.5 SPECIAL ENVIRONMENTAL PROTECTION (EP) ZONES**

### **21.5.1 Environmental Protection-1 (EP-1) Zone**

By-law No. 2011-42

Godfreys Cottages      Part of Lots 12 & 13 Conc. 2

Notwithstanding any other provisions of this By-law to the contrary, within the Environmental Protection-1 (EP-1) Zone the following provisions shall apply:

(a) Permitted Uses:

- (i) All uses of Section 21.1.

(b) Special Regulations:

- (i) Notwithstanding the provisions of Section 4.29.2 or any other provision of this By-law, no new buildings or structures shall be permitted within 15.0 metres of the boundary of lands in the Environmental Protection-1 (EP-1) Zone.

### **21.5.2 Environmental Protection-2 (EP-2) Zone**

By-law 2015-41

ZBA Z13-15

By-law 2012-21

1506 010 002 0830      2074 David Fife Line      Part of Lot 25 Conc. 4

Notwithstanding any other provisions of this By-law to the contrary, within the Environmental Protection-2 (EP-2) Zone the following provisions shall apply:

(a) Permitted Uses:

- (i) A “paintball gaming operation” and a “laser tag gaming operation” shall be permitted uses on lands zoned Environmental Protection-2 (EP-2).

- (ii) For the purposes of the Environmental Protection-2 (EP-2) zone, a “paintball gaming operation” shall mean an outdoor commercial recreation facility, whereby participants engage in activities involving water-soluble paint pellets propelled from

markers. A “laser tag gaming operation” shall mean an outdoor commercial recreation facility, whereby participants engage in activities involving the use of hand-held infrared-emitting target devices.

- (iii) Notwithstanding the provisions of Section 21.1 of the Environmental Protection (EP) Zone, in addition to the permitted paintball gaming operation and the laser tag gaming operation, accessory buildings and structures shall be permitted in the EP-2 Zone, subject to the approval of the Municipality and Conservation Authority. Permitted accessory buildings may include an administrative office for the gaming operation business, storage, and for the sale of paintball pellets and pre-packaged refreshments (food and drink)
- (iv) An accessory building or structure shall not include kitchen facilities or be used for human habitation. A residential use shall be prohibited in the EP-2 Zone. A sewage disposal system shall be subject to applicable approval from the Health Unit.
- (v) A parking area shall be permitted, and shall be located in the area shown on Schedule “B” of By-law No. 2015-41.
- (vi) Outside storage shall be prohibited.
- (vii) All other uses of Section 21.1 of By-law No. 2010-65 shall be permitted in the EP-2 zone.

(b) Special Provisions:

- (i) No buildings or structures associated with a “paintball gaming operation” or a “laser tag gaming operation”, including a permitted accessory building or structure, shall be permitted below the elevation of the 205 metre ASL contour, as shown on Schedule “A” of By-law No. 2015-41. This shall include the lands within the EP-2 Zone, located between the 205 metre ASL contour line and then front lot line.
- (ii) Paintball and laser tag gaming activities shall only be permitted within the area shown on Schedule “B” of By-law 2015-41. The paintball and laser tag gaming area shown on Schedule “B” shall be enclosed by a fence having a minimum height of 3.66 metres (12.0 feet) (identified on Schedule “B” as “paintball safety netting”)
- (iii) Notwithstanding any other provisions of By-law No. 2015-65 to the contrary, the maximum combined total floor area of all accessory buildings and structures in the EP-2 Zone shall be

140 square metres.

(iv) All other provisions of Section 21.2 of By-law No. 2010-65 shall apply.

**21.5.3 Environmental Protection-3 (EP-3) Zone**

Casey's Propane

835 Highway 7                      Part of Lot 26, Concession 11

Notwithstanding any other provisions of this By-law to the contrary, within the Environmental Protection-3 (EP-3) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses:

- Prohibited

(ii) Non Residential Uses:

- All uses of Section 21.1, plus a fenced water storage pond for use in connection with and subordinate to the bulk storage of propane facility on the lands to the east, and any necessary connections and related structures required for the fire suppression system to serve the bulk storage of propane facility on the adjacent lot.

(b) Special Provisions:

(i) The water storage pond shall be located outside of the floodplain boundaries.

(ii) The provisions of By-law No. 2010-65, as amended, shall not apply to a water storage pond to be located within a fenced enclosure or any necessary connections and accessory structures required for the fire suppression system to serve the bulk storage of propane facility on the adjacent lot.

**21.5.4 Environmental Protection-4 (EP-4) Zone**

By-law 2015-13

1506 010 005 0420      1057 Highway 7      Part of Lot 26, Conc.10

Notwithstanding any other provisions of By-law to the contrary, within the Environmental Protection-4 (EP-4) Zone the following provisions shall apply:

(a) Special Regulations:

- (i) Notwithstanding any other provision of By-law No. 2010-65 to the contrary, parking areas for uses permitted in the adjacent General Commercial-7 (GC-7) Zone, including school bus parking, shall be permitted in the Environmental Protection-4 (EP-4) Zone, subject to the approval of the Otonabee Region Conservation Authority.

**21.5.5 Environmental Protection-5 (EP-5) Zone**

By-law 2015-20

1506 010 007 19301 1506 010 007 19900

Matchett Line & 1926 Matchett Line

Part of Lots 22 & 23 Concession 16

Notwithstanding any other provisions of By-law to the contrary, within the Environmental Protection-5 (EP-5) Zone the following provisions shall apply:

(a) Permitted Uses:

- (i) All of the uses of Section 21.1 shall be permitted, with the exception that the only permitted building or structure on a portion of the lot identified as Part 2, Plan 45R \_\_\_\_\_, shall be a shed existing as of April 13, 2015.

(b) Special Regulations:

- (i) Notwithstanding any other provisions of By-law No. 2010-65 to the contrary, the minimum lot frontage of a lot containing an Environmental Protection-5 (EP-5) Zone shall be 3.0 metres.
- (ii) Section 4.22 of By-law No. 2010-65 shall not apply with respect to the requirement for a minimum lot frontage of 15.0 metres for an existing lot of record that is divided into more than one zone.
- (iii) All other provisions of the Environmental Protection (EP) Zone shall apply.

**21.5.6 Environmental Protection-6 (EP-6) Zone**

By-law 2015-20

1506 010 007 19301 1506 010 007 19900

Matchett Line & 1926 Matchett Line

Part of Lots 22 & 23 Concession 16

Notwithstanding any other provisions of By-law to the contrary, within

the Environmental Protection-6 (EP-6) Zone the following provisions shall apply:

(a) Permitted Uses:

- (i) All of the uses of Section 21.1 shall be permitted.

(b) Special Regulations:

- (i) Minimum Lot Area: 0.25 hectares
- (ii) Minimum Lot Frontage: 19.0 metres
- (iii) Minimum Front Yard Depth for an Existing Dwelling: 3.4 metres
- (iv) Notwithstanding Section 4.29.1 of By-law No. 2010-65, the minimum setback for an existing dwelling from the high water mark of the Otonabee River shall be 28.0 metres.
- (v) Notwithstanding the provisions of Section 4.2.2.2 of By-law No. 2010-65, the minimum setback for an existing accessory shed from the rear lot line shall be 1.3 metres.
- (vi) For the purposes of the Environmental Protection-6 (EP-6) Zone, the word “existing” as it pertains to buildings and structures shall mean as existing on April 13, 2015.
- (vii) All other provisions of the Environmental Protection (EP) Zone shall apply.

**21.5.7 Environmental Protection-7 (EP-7) Zone**

2017-61

Part of Lot 11, in Concession 14, Otonabee Ward more particularly being Parts 1, 2 & 3 on Reference Plan 45R-16500  
40 Jones Road

Notwithstanding any other provisions of this By-law to the contrary, within the Environmental Protection Exception EP-7 Zone the following provisions shall apply:

(a) Permitted Uses:

The uses permitted in the EP-7 zone are limited to the following:

- (i) residential uses are prohibited with the exception of an existing seasonal dwelling
- (ii) existing Uses, Buildings and Structures

Section 21.3 continues to apply to the permitted uses.

(b) Special Regulations:

The following regulations apply to the EP-7 zone:

- (i) Minimum Lot Area: 0.152 hectares
- (ii) Minimum Lot Frontage: 30.48 m
- (iii) Minimum Front Yard Depth  
for an existing dwelling shall be:
  - 10.6 metres measured to the nearest wall of an existing dwelling to the water's edge
- (iv) Minimum Exterior Side Yard Width not applicable
- (v) Minimum Interior Side Yard Width 7.5 m
- (vi) Minimum Rear Yard Depth 7.5 m

a. Notwithstanding Section 4.29.1, the minimum setback of an existing dwelling shall be:

- 10.6 metres measured to the nearest wall of an existing dwelling from the water's edge

For the purposes of the EP-7 zone as set out in Section 21.5.7 and any subsections hereof, "existing" shall mean a building, structure or use existing on the lot on November 20, 2017, and shall be based on the location of such buildings or structures shown on a plan of survey by Elliott and Parr dated the 6<sup>th</sup> day of December, 2016.

(c) All other provisions of the Environmental Protection Zone (EP) Zone shall apply.

**21.5.8 Environmental Protection-8 (EP-8) Zone**

2017-61

Part of Lot 11, in Concession 14, Otonabee Ward (20 Jones Road)

Notwithstanding any other provisions of this By-law to the contrary, within the Environmental Protection-8 (EP-8) Zone the following provisions shall apply:

(a) Permitted Uses:

The uses permitted in the EP-8 zone are limited to the following:

- (i) Residential uses are prohibited with the exception of an existing dwelling as at November 20, 2017.
- (ii) Existing Uses, Buildings and Structures

Section 21.3 continues to apply to the permitted uses.

(b) Special Regulations:

The following regulations apply to the EP-8 zone:

- |       |  |               |
|-------|--|---------------|
| (i)   | Minimum Lot Area:  | 0.97 hectares |
| (ii)  | Minimum Lot Frontage<br>on County Road 2:  | 68.85 m       |
| (iii) | Minimum Front Yard Depth   | As existing   |
| (iv)  | Minimum Water Yard Depth<br>for an existing dwelling shall be:   |               |
|       | <ul style="list-style-type: none"><li>• 10.4 metres measured to the nearest wall of an existing dwelling to the water's edge</li><li>• 7.0 metres measured to the deck of an existing dwelling to the water's edge</li></ul> |               |
| (v)   | Minimum Exterior Side Yard Width   | 12.0 m        |
| (vi)  | Minimum Interior Side Yard Width   | 7.5 m         |
| (vii) | Minimum Rear Yard Depth  | 7.5 m         |

(c) Notwithstanding Section 4.29.1, the minimum setback of an existing dwelling shall be:

- 10.4 metres measured to the nearest wall of an existing dwelling to the water's edge
- 7.0 metres measured to the deck of an existing dwelling to the water's edge

For the purposes of the EP-8 zone as set out in Section 21.5.7 and any subsections thereof, "existing" shall mean a building, structure or use existing on the lot on November 20, 2017, and shall be based on the location of such buildings or structures shown on a plan of survey by Elliott and Parr dated the 6th day of December, 2016.

(d) All other provisions of the Environmental Protection Zone (EP) Zone shall apply."



**21.5.9 Environmental Protection-9 (EP-9) Zone**

By-law 2019-45 & 2019-58  
1506 010 004 06802  
33 Allandale Road  
Part of Lot 18 Concession 6

Notwithstanding any other provisions of By-law to the contrary, within the Environmental Protection-9 (EP-9) Zone, an open deck attached to a single detached dwelling may be permitted, in addition to all other uses permitted in the Environmental Protection (EP) Zone.

Special Provisions:

- |  |             |
|--|-------------|
| (i) Minimum Water Yard for open deck attached to a single detached dwelling      | 16.5 metres |
| (ii) Minimum Water Yard for an existing single detached dwelling                 | 22 metres   |
| (iii) Minimum Water Yard for an existing utility shed                            | 2.9 metres  |
| (iv) All other provisions of the Environmental Protection (EP) Zone shall apply. |             |

**21.5.10 Environmental Protection-10 (EP-10) Zone**