

Township of Red Rock

Zoning By-law

2013-1080

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SECTION 1

ADMINISTRATION AND INTERPRETATION

1.1 TITLE AND PURPOSE

This By-law shall be known as the “Zoning By-law” of the Municipality of the Township of Red Rock and is intended to replace By-law # 75-759 (the current zoning by-law). This by-law implements recent updates and revisions to the official plan as enacted in By-law # ____; updates and revises definitions and provisions; and provides alterations and amendments that are considered by Council to be necessary and appropriate due to changing community circumstances and to generally accepted good planning.

1.2 APPLICATION AND TOLERANCE

The provisions of this By-law shall apply to all of the lands that are contained within the boundaries of the Township of Red Rock.

Any provision of this By-law that is followed by the words “metres, square metres, or hectares” shall be deemed to have a tolerance of plus or minus 5 cm, in the case of a linear measurement, and 1.0 square metres in the case of an area expressed in square metres and 0.1 hectare in the case of an area expressed in hectares, unless specified otherwise in this By-law.

1.3 SCOPE OF THE BY-LAW

It is intended that the provisions set out in this By-law shall be the minimum requirements and provisions considered by Council to be necessary for the promotion of the health, safety, comfort, convenience, and general welfare of the present and future inhabitants of the Township.

No building shall be moved within the limits of the Township or shall be moved into the Township from outside, without a building permit being issued.

No lands shall be used and no buildings or structures shall be erected, altered, enlarged or used within the area to which this By-law applies, except in conformity with the provisions that are set out and contained in this By-law, provided that nothing herein shall prevent the use of lands, buildings, and/or structures for any use or purpose that is prohibited by this By-law, if such land, buildings or structures were legally used for such a purpose on the day that this by-law comes into force and effect.

No municipal permit, certification, or license shall be issued where such document is required for, or is sought as part of the implementation of a proposed use of land, building, or structure or for erection, alteration, or enlargement/expansion of a use that is in contradiction with or in violation of any provision of this by-law.

Nothing herein shall serve to relieve any person from the obligation to comply with the requirements of any other By-law of the municipality or any requirement, regulation or authority of any senior level of government which might be in force from time to time, or the obligation to obtain any relevant license, permit, or other approval of the Municipality or of any senior level of government.

Where any other regulation or requirement of any senior level of government imposes a regulation or requirement that exceeds the restrictions imposed by this By-law, the greater restrictions shall apply.

1.4 TERMINOLOGY

In this By-law the word “shall” is intended to be construed as mandatory. The term “use”, unless the context otherwise requires is intended to include anything done by the owner and/or the occupant of any land or building, directly, indirectly, or through an agent, trustee, tenant, servant, or employee.

1.5 SUSTAINABILITY

Sustainability is considered to be an important aspect of the character and functioning of the community, and where possible this concept shall be considered in the application of this By-law and in the determination of future amendments to it.

1.6 ADMINISTRATION

This By-law shall be administered by the Chief Building Official or such other municipal staff and/or other persons as the Council may designate from time to time.

1.7 CERTIFICATE OF OCCUPANCY

No change in the use of land or of a building or structure without a “Certificate of Occupancy” being issued by the Township. Such Certificate of Occupancy may be withheld pending compliance with this By-law and/or with all applicable By-laws of the Township.

1.8 VIOLATIONS AND PENALTIES

Any person, corporation, or other legal entity who contravenes any of the permitted uses provision, or any other regulation or provision of this By-law; and who is an occupant of and/or an owner of land, buildings, or structures erected, altered, or used in contradiction with the permitted uses provisions or any other regulation or provision of this By-law, is guilty of an offence and is liable, upon summary conviction to a fine as set out and provided for in The Planning Act, as may be amended from time to time, and such fine and all related costs incurred by the Township shall be recoverable under the Provincial Offences Act; all of the provisions of which apply hereto. In particular, the fines currently defined in The Planning Act are as follows;

- a) For a person
 - i) upon first conviction to a fine not more than \$ 25,000.00, and ;
 - ii) upon subsequent conviction to a fine not more than \$ 10,000.00 per day that the contravention continues.

- b) For a firm or a corporation
 - i) upon first conviction to a fine not more than \$ 50,000.00, and ;
 - ii) upon subsequent conviction to a fine not more than \$ 25,000.00 per day that the contravention continues.

- c) Where a conviction has been entered under Subsection 1.9.a) above of this By-law, in addition to any other remedy or any other penalty provided, the Court in which the conviction has been entered, and any Court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted.

1.9 REPEAL OF EXISTING ZONING BY-LAWS

By-law # 95-759 and all By-laws amending that said By-law are hereby repealed.

1.10 VALIDITY

Should any section, clause, or provision of this By-law be held by a court of competent jurisdiction to be invalid, the validity of the remainder of this By-law shall not be affected.

1.11 Official Plan and Force and Effect

This By-law is in accordance with the Official Plan of the Township of Red Rock.

This By-law shall come into force and effect upon completion of the legal notice and circulation provisions of the Planning Act, subject to appeal.

SECTION 2

DEFINITIONS

For the purpose of this By-law the following definitions shall apply;

- 2.1 **Accessory use** shall mean a use, a building, or a structure that is normally incidental, subordinate, and exclusively devoted to a main use, building, and/or structure and that is located on the same premises as the main structure and/or main use and used as part of the activity involved in the main use.
- 2.2 **Accessory apartment** shall mean a second dwelling unit contained within an existing single detached dwelling, a semi-detached dwelling or a duplex dwelling.
- 2.3 **Aggregate** shall mean gravel, sand, clay, earth, shale, stone, rock, or any other material so prescribed under the Aggregate Act.
- 2.4 **Aggregate use/gravel pit** shall mean the removal of aggregate from its natural setting by means of an open excavation, and may include extraction; stockpiling; treatment, including screening, washing, crushing; and hauling.
- 2.5 **Agricultural use** shall mean farming of the land, and shall include uses such as rearing and/or breeding of livestock, fowl, poultry, and/or fur bearing animals; the general conditioning and cultivation of land and associated production, processing, and storage of crops of all kinds, but shall not include tree farming.
- 2.6 **Alter** shall mean, when referring to a building or structure, or part thereof, to change the use of or the external dimensions of such building or structure, or to change the external or internal configuration; or to reduce expand or enlarge in size or volume. When used in reference to a lot, shall mean to change the area or frontage, or to change the width, depth, or area of any required yard, setback, landscaped open space, or parking; or to change the location of any boundary of the applicable lot.
- 2.7 **Airport** shall mean the use of land, building, and/or structure for facilitating the landing and handling of aircraft and their passengers and/or freight, but shall not include a water plane base.

- 2.8 Assembly Hall/Place of Assembly** shall mean the use of land, building, and/or structure or part thereof in which facilities are provided for meetings for civic, educational, political, recreational, or social purposes and may include facilities for a banquet hall.
- 2.9 Ambulance Service** shall mean the use of land, building, and/or structure as a base for the parking, storage, servicing, and/or dispatching of ambulance vehicles, and including the accommodation of drivers, paramedics or other such persons involved in the delivery of service.
- 2.10 Areas of Natural and Scientific Interest (ANSI)** shall mean lands designated by Ontario as having significant value relating to natural heritage or scientific interest.
- 2.11 Attached** shall mean a building otherwise complete in itself, which depends for structural support or complete enclosure, upon a division wall or walls shared in common with an adjacent building or buildings.
- 2.12 Automobile service station** shall mean the use of land, buildings, and/or structures where gasoline, propane and/or diesel fuels, oil, antifreeze, tires, automobile parts and/or equipment/accessories are kept for retail sales and where motor vehicles may be serviced, maintained and repaired, but excluding an auto body shop.
- 2.13 Automobile body shop** shall mean an establishment where vehicle cleaning, polishing, painting, body or frame re-alignment or repair is carried out.
- 2.14 Automobile gas bar** shall mean a premises, including gas pumps and a kiosk, where gasoline, propane and/or diesel fuels are sold for retail consumption, and may include minor maintenance and service including windshield washer, oil, brake fluid, transmission fluid. Confectionary or convenience goods may also be sold.
- 2.15 Automobile wrecking establishment** shall mean the use of land, building, and/or structure for the wrecking or dismantling of motor vehicles and for the storage and sale of scrap material, salvage and/or parts obtained therefrom.

- 2.16 Balcony** shall mean a structure without a roof attached to and extending horizontally from a wall or walls of a main building and having no separate foundation on the ground and no direct access from the ground.
- 2.17 Basement** shall mean that portion of a building, which shall include a cellar, below the first floor, and which is more than 50 % below ground level at the exterior walls.
- 2.18 Bed and Breakfast** shall mean that portion of a single dwelling, being not more than four bedrooms, and being one less bedroom than the total number of bedrooms provided in the dwelling, is used to supply overnight accommodation to the traveling or vacationing public, for profit or gain, and may include the provision of meals to such guests only, but not to the general public; and where the bed and breakfast operation is secondary to the main residential use.
- 2.19 Boarding house, rooming house** shall mean a dwelling in which the proprietor supplies sleeping accommodation for a fee to at least three persons and not more than ten persons exclusive of the proprietor and his family, but does not include a hostel, or a bed and breakfast.
- 2.20 Boathouse** shall mean a building used for the storage of boats and other water crafts, excluding aircraft, typically abutting or near to the water's edge.
- 2.21 Boat launch** shall mean the use of land and water for the purpose of floating or launching, and recovery of small pleasure boats and other water crafts, excluding aircraft, and related parking area for vehicles and boat trailers; and may include a dock.
- 2.22 Buffer, buffer strip** shall mean an area of land the size of which is defined in a regulation or requirement in the relevant zone, and containing fencing, grass, shrubs, bushes, berms, trees, or other vegetation.
- 2.23 Building** shall mean a structure consisting of a floor, walls and a roof and used for the shelter and/or accommodation of persons, animals, or goods, and shall include a deck that is attached or that otherwise supported by a building or that is closer than 0.2 metres to a building.. A **Main building** shall mean the building serving as the principal or primary use of the lot on which it is situated. **Building Area** shall mean that portion of a lot within which permitted buildings and/or

structures may be erected, and shall be calculated by deducting all related yards and setbacks from the gross area of the lot.

- 2.24 Building supply and lumber outlet** shall mean the use of land, building(s) and/or structure(s) for the storing and sale of lumber, building supplies, construction and home improvement materials, and construction tools are kept for sale at retail, and may include the cutting of lumber or other wood products to length.
- 2.25 Bulk fuel depot** shall mean the use of land, building(s), and/or structure(s) for the storage and distribution of fuels but not including retail sales except key lock operation.
- 2.26 Bulk fuel storage tank** shall mean a tank for the bulk fuel storage of petroleum, petroleum products, chemicals, gases or other similar substances.
- 2.27 Building line** shall mean a line within a lot drawn parallel to a lot line, or connecting a part of buildings on abutting properties, which establishes the minimum distance between that lot line and any part of a building or structure which may be erected.
- 2.28 Bunk house, guest house** shall mean an accessory building, or part of a building, not attached to a main building, no greater than 50.0 square metres in size, which is maintained for the temporary accommodation of individual(s) in association with a main building, and which contains no cooking facilities.
- 2.29 Carport** shall mean a partially enclosed structure with a roof, which is primarily intended and uses for the storage of one or more automobiles and in which no business, occupation or service, and no other storage is conducted, and which is accessed by a driveway.
- 2.30 Campsite ; RV/Trailer/tent campsite** shall mean a portion of a lot that is contained within an RV/tent and trailer park that is maintained for use as the location for temporary occupancy of a tent, travel trailer, motor home, recreational vehicle, or truck camper, but shall not include a mobile home.
- 2.31 Cemetery** shall mean the use of land, building, and/or structure for the burial of the dead, and may include crematoriums, mausoleums, mortuaries, or other such

- activities operated in conjunction and within the boundaries of such lands. A **Pet Cemetery** shall mean lands, building and/or structures utilized for the burial of pets, where operated as a separate and distinct function.
- 2.32 Church** shall mean a building dedicated to religious worship which may include one or more assembly area(s), Sunday School area, storage, and an administrative office space.
- 2.33 Clinic** shall mean the use of land or building for the professional practice of medical practitioners, and including drugless practitioners, for the purpose of consultation, diagnosis, and/or office treatment, and may include a pharmacy, optical dispensary, X-ray facility and/or laboratory or other similar features.
- 2.34 Club** shall mean a building or part thereof used as a meeting place or place of assembly for members of a chartered organization, and may include a social service club, lodge, fraternal organization, sorority house, or union hall, and similar uses, but shall not include a church.
- 2.35 Combined use facility** shall mean a group of two or more establishments that are permitted in the zone, that are conceived, designed, developed, and managed as an interdependent and interrelated unit whether by a single owner or tenant or by a group of owners or tenants acting in collaboration, and may include units of ownership held in condominium tenure, and which in total do not exceed 2,100 square metres gross floor area.
- 2.36 Commercial use** shall mean the individual use of land, building(s) and/or structure(s), for a purpose not defined or listed elsewhere, of buying and selling of commodities, supplies, goods, wares of all kinds, including but not limited to department store, food store, tourist trade store, electronics and/or furniture or appliance drug store; and the delivery of all legal forms of individual services including but not limited to travel agencies, photography, consulting services, laundromat, public sauna, and personal services. Shall also include a post office, video sales/rental store, theatre, taxi stand, bake shop and a funeral home, and accessory area for installation and/or maintenance of product sold. **Highway Commercial use** shall mean a commercial use or other use defined in the Highway/Tourism Commercial zone, which relies upon vehicle traffic and/or tourist traffic.

- 2.37 Commercial school** shall mean the use of land, building, and/or structure for the giving of instruction and/or the teaching of information, knowledge, skill, trade, or other such facilitation of learning, where conducted for a profit or gain.
- 2.38 Communication facility** shall mean the use of land, building(s) and/or structure(s) for the transmission, reception and/or relaying of information and communication, and may include a microwave tower, telephone, telegraph, radio, television, or satellite station or similar facilities.
- 2.39 Community facility** shall mean any facility, place or building which is maintained and operated to provide public service for the residents of the community.
- 2.40 Conservation, preservation** shall mean the preservation, protection, and improvement of the natural environment, or components thereof, through a management and/or maintenance program administered by a public authority.
- 2.41 Contractor's yard** shall mean the use of lands, building(s) and/or structure(s) where vehicles, equipment and/or materials used in the undertaking of construction and similar work are stored, serviced, and/or maintained, or where a contractor performs shop or assembly work, or the maintenance of equipment owned by the contractor; and may include an accessory office. Where service and/or maintenance are involved, such activity shall be limited to the vehicles and/or equipment of the contractor.
- 2.42 .Convenience store, variety store** shall mean a retail commercial establishment, not exceeding 300 square metres of gross floor area, supplying groceries and daily household necessities to the surrounding area, and which may include the sale of prepared foods for consumption off of the premises; the stocking and rental of video cassette recordings, tapes, discs, and related supplies; up to four video, pinball, or electronic machines available for public use; a satellite post office; a bank or cash machine.
- 2.43 Corporation** shall mean the Corporation of the Township of Red Rock.
- 2.44 Coverage** shall mean the combined area of all buildings and structures on the lot measured at the level of the lowest storey above the ground, including all porches or verandahs and decks, but not including outdoor swimming pool; open and unenclosed patios, steps, cornices, eaves, open parking area, or retainer walls.

- 2.45 Crisis residence** shall mean a single housekeeping unit licensed or funded by Ontario for the short term (averaging under thirty (30) days, accommodation not more than nine (9) persons, exclusive of staff, living under supervision, and by reason of emotional, mental, social, or physical condition require a group living arrangement for their well being, but excluding persons incarcerated for the committing of a crime, including young offenders.
- 2.46 Day Nursery/day care facility** shall mean the use of land, building, and/or structure or part thereof for profit, for the temporary care of children by licensed or otherwise certified staff in accordance with Provincial legislation established therefore, and where more than four children exclusive of the host family are involved.
- 2.47 Deck** shall mean a structure, without a roof, located above ground, attached and cantilevered from a dwelling unit and/or supported by the ground or support by a foundation, with or without direct access to the ground, the floor or which is greater than 0.6 metres above finished grade and shall not include a landing or stairs.
- 2.48 Density** shall mean the ratio of the number of dwelling units or the number of campsites to the total lot area of a property.
- 2.49 Development** shall mean the severance or subdivision of land to create new buildable lots; the erection of new building(s) and/or structure(s); the addition to existing building(s) and/or structure(s) that increase the size of such existing building(s) and/or structure(s) by more than 35 %; or the redevelopment of building(s) and/or structure(s).
- 2.50 Dock** shall mean an accessory structure used in conjunction with a main use for the mooring of boats and/or other water craft, attached to or forming part of the mainland.
- 2.51 Dwelling unit** shall mean a building or part of a building occupied or capable of being occupied by one or more persons as an independent and separate housekeeping establishment for the purpose of residing, sleeping, eating, and containing separate cooking, sleeping and sanitary facilities for the exclusive use of such person(s), with a private entrance from outside of the building or from a common hallway or stairway inside the building; but excluding a motel, hotel, or a group home. **Multiple residential building** shall mean a residential building

other than a townhouse, lodging house, or a boarding house, containing more than three (3) dwelling units, located on a single lot, being held under unity of ownership, or under a condominium tenure pursuant to The Condominium Act. **Single detached dwelling** shall mean one dwelling unit which is freestanding and detached from other main buildings or structures on a lot and shall include a modular home and/or a double wide mobile home when located on a foundation, but not a single wide mobile home. **Duplex building** shall mean a residential building that other than a townhouse, lodging or boarding house, or a semi-detached building, containing two separate dwelling units separated horizontally, and located on a single lot being held under unity of ownership or under condominium tenure pursuant to The Condominium Act. **Semi-detached building** shall mean a residential building that other than a townhouse, lodging or boarding house, or a duplex building, containing two separate dwelling units separated vertically by a party wall, and located on a single lot being held under unity of ownership or under condominium tenure pursuant to The Condominium Act. **Townhouse/rowhouse building** shall mean a residential building containing more than three (3) residential dwelling units attached together in whole or in part above and/or below ground and divided vertically from each other by a party wall, located on a single lot being held under unity of ownership or under condominium tenure pursuant to The Condominium Act. **Triplex building** shall mean a residential building containing three (3) dwelling units divided horizontally or vertically, located on a single lot being held under unity of ownership or under condominium tenure pursuant to The Condominium Act. **Quadruplex building** shall mean a residential building containing four (4) dwelling units divided horizontally or vertically, located on a single lot being held under unity of ownership or under condominium tenure pursuant to The Condominium Act. **Seasonal dwelling** shall mean a detached residential building containing one dwelling unit that is not utilized for continuous habitation as a permanent residence for the occupants, but rather for recreation and/or vacationing purposes, in conjunction with a permanent residence elsewhere. **Seniors dwelling unit** shall mean an apartment building providing accommodation to persons with an average age of sixty (60) years and over in each dwelling unit, and operated by a charitable or non-profit organization recognized as such by method of incorporation and/or by participation in government funding for the building program. **Retirement residence** shall mean the use of land, building(s) and/or structure(s) to provide accommodation primarily for retired persons, where separate and independent residential units are provided, but where common dining areas, lounges, and/or recreation rooms are provided; and where personal care staff may also be provided and individual care programs are arranged and delivered on an individual basis, but does not include a hospital, group residence, crisis residence, or rooming/lodging/boarding house. An **Accessory dwelling** shall mean an additional, self contained dwelling intended for the sole occupancy of one or more adult persons, located completely within a single detached dwelling.

- 2.52 Easement or right of way** shall mean any right, liberty, or privilege in, over, along, or under land which a person may have with respect to any land within the Township.
- 2.53 Erect** shall mean to build, construct, reconstruct, alter or relocate, including any preliminary physical activity such as excavating, grading, piling, cribbing, filling, draining; or structurally altering an existing building or structure by an addition, deletion, enlargement, or extension.
- 2.54 Existing** shall mean legally in existence as at the date of passing of this By-law, or where construction has not commenced, a building or use documented by the issuance of a building permit.
- 2.55 Financial Institution** shall mean an establishment for the keeping, lending, exchanging of money; the selling of mutual funds, stocks and/or bonds; insurance and other such services; and the delivering of investment and/or financial advice.
- 2.56 Finished grade** shall mean the average elevation of the natural surface of the ground adjoining each exterior wall excluding any localized depressions for windows or other such building features.
- 2.57 First storey** shall mean the storey with its floor closest to but not under finished grade.
- 2.58 Flea market** shall mean the use of land, building, and/or structure or part thereof for the occasional rental or other allocation of space and subsequent sales of crafts, garden products; second hand goods.
- 2.59 Flood control feature** shall mean the use of land along a watercourse or waterbody to control the elevation of water, including a dam, rip-rap, and walls and may include accessory features including a fish ladder.
- 2.60 Floor area** shall mean the total area of all floors contained within the outside walls of a building having a clear height of 2.1 metres, and shall include basements and cellars, but shall not include attached garage, carport, porch, veranda, or sunroom unless such is habitable for the entire year.

- 2.61 Food store** shall mean the use of land, building(s) and/or structure(s) for the retail selling of food and associated household items, and may include a butcher shop, bakery, and other such areas where food is prepared or cooked for sale, and areas for loading and/or receiving of product; where the minimum gross floor area of the building exceeds 300 square metres in size.
- 2.62 Forestry use** shall mean the harvesting, planting, and/or managing of timber resources, including tree farming.
- 2.63 Fuel island** shall mean a structure that is intended to house fuel pumps that dispense fuel for vehicles.
- 2.64 Garden suite** shall mean a free standing dwelling having a maximum floor area of 40 square metres situated on a lot upon which a single family detached residential dwelling exists. A garden suite shall only be occupied by an immediate family member of the occupant of the existing main dwelling.
- 2.65 Garage** shall mean a **Private Garage** being a detached building or a part of a main building used for the parking and storage of motor vehicles and household items, equipment, or supplies incidental to the main use, or a **Commercial Garage** being a detached building or a part of a main building used for the storage, maintenance/servicing, washing, and/or repair of any vehicle, but may not include the painting of vehicles and the conduct of body shop repairs.
- 2.66 Gazebo** shall mean a freestanding roofed accessory structure which is not enclosed, except by screening or by glass, and which is utilized for the purpose of relaxation in conjunction with a main use that typically provided accommodation or commercial service.
- 2.67 Golf Course** shall mean the use of land, building and/or structure for the purpose of playing golf and includes a driving or practice range, putting greens, and miniature golf course, and accessory clubhouse, pro shop, restaurant, and tavern, and administration area for golf related club or management. A **miniature golf course** shall mean the use of land, building and/or structure or part thereof for the playing of miniature golf, and may include accessory administration area, and area used for sale of non-alcoholic beverages and small food items.
- 2.68 Greenhouse/nursery** shall mean the use of buildings, structures and lands, or part thereof for the growing and sale of trees, shrubs, and/or plants, and may also

include the accessory sale of garden equipment, fertilizers, seeds, decorative pools, lawn ornaments, soils and other garden or landscaping related items.

- 2.69 Group home** shall mean a single housekeeping unit in a detached residential dwelling in which from three (3) to nine (9) unrelated residents, excluding staff or receiving family, live under responsible supervision; where such homes is licensed and/or approved under Provincial statute for the delivery of special care and/or services, but excluding a jail, youth offenders accommodation, or other such accommodation wherein the occupants are incarcerated for the committing of a crime.
- 2.70 Habitable** shall mean a building or a part of a building designed and/or used for living, cooking, sleeping, and eating.
- 2.71 Hardware Store** shall mean the use of land, building, and/or structure or part thereof for the purpose of the storage, display, and sale of goods and products used in general maintenance, renovation, repair and construction of buildings and/or properties.
- 2.72 Height (of building or structure)** shall mean the vertical distance measured from the average finished grade, excluding any artificial embankments, to the highest point of the building or structure, excluding chimneys, towers, steeples, or antenna, and excluding necessary electrical, ventilation, or mechanical features.
- 2.73 High Water Mark** shall mean the normal mark made by the action of water under natural conditions on the shore or bank of a body of water, or a watercourse, where the action has been so common and usual, and so long continued that it has created a difference between the character of the soil and/or vegetation on one side of the mark relative to the other side.
- 2.74 Home occupation/profession** shall mean the conduct of an occupation, trade, business, profession, or craft carried on by the resident or occupant of a dwelling as an accessory use to the main residential use of such dwelling, involving; instruction in or business involvement in music, academic subjects, dancing, arts and crafts, photography, painting, sewing, massage therapy, or up to two taxis, or similar activities; administration of a business involving work conducted primarily in other locations, such as electricians, plumbers, carpenters, where there is no storage of materials, supplies, inventory or equipment on the lot of the dwelling; business involving the repair of small appliances, knife sharpening, etc, but not including the repair of small motors; an office used by a single medical

practitioner, insurance agent, accountant, lawyer, consultant, or similar activity; creation and sale of crafts, items of clothing, or preparation of small goods carried on the premises for consumption elsewhere. Conduct of in-house work involving computer based information.

- 2.75 Hospital** shall mean the use of land, building, and/or structure for the treatment of persons affected with or suffering from sickness, disease, or injury or for the treatment of convalescent or chronically ill persons, as authorized by Ontario legislation, and may include a heliport, ambulance service, and such accessory uses as a coffee shop and/or gift shop.
- 2.76 Hotel/motel** shall mean a building or part of a building containing more than three suites that are rented for profit to the traveling, transient, or visiting public for short term accommodation, which suites typically contain no cooking facilities.
- 2.77 Human habitation** shall mean the occupancy and use of a room, building, structure or other space in whole or in part for one or more of living, cooking, eating or sleeping.
- 2.78 Industrial use** shall mean the use of land, buildings, and/or structures for the purpose of manufacturing, assembly, treatment, finishing, sorting, packing, whether or not a finished article results therefrom; a trucking terminal, construction/contractors yard; the dismantling or separating into parts of any article, machinery, or vehicle; repair of machinery and equipment; maintenance and repair of large vehicles; storage of inventory, product, equipment, vehicles; use of accessory activities for the provision of amenities for workers; administration and/or accounting; the sale of goods produced, provided that if such goods are displayed, such display area shall not exceed 10 % of the gross floor area of the building. A **light industrial use** shall mean the conduct of an industrial activity primarily within the confines of a building where the activity and related transit to and from the activity will not cause injury to or prejudicially impact or affect the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste products, grit or oil.
- 2.79 Institutional Use** shall mean the use of land, building, and/or structures for public or social purposes which may include government, religious, educational, charitable, philanthropic, hospital or other similar uses.

- 2.80 Kennel** shall mean the use of land, building, and/or structure or part thereof where dogs, cats, birds, reptiles or other similar domestic pets are bred and/or raised, or and/or boarded or kept for sale and sold.
- 2.81 Laboratory** shall mean the use of land, building and/or structure or part thereof for the conduct of scientific research, study and/or testing of substances or materials.
- 2.82 Landscaped open space/buffer** shall mean an unobstructed space from ground to sky, save for the growth of grass, flowers, shrubs, trees, bushes and/or natural vegetation, and may include surface patios, walkways, necessary retaining walls, but not driveways, aisleways, ramps, roads, parking areas, or overhanging buildings or structures.
- 2.83 Landing** shall mean a platform with or without a roof, having an area not exceeding 2.4 square metres, and extending horizontally from the wall of a building no more than 1.25 metres, adjacent to a door, and providing direct access to the ground or to a stair; or a similar platform being situated between flights of stairs.
- 2.84 Laundromat** shall mean a building or part of a building containing one or more clothes washing machines, each having a capacity of not greater than 23 kilograms, drying, ironing, or other such treatments for clothing, provided that only soaps or detergents are used and provided that such operation shall not emit noise or vibration which causes a nuisance or inconvenience within or external to the operation.
- 2.85 Legal use** shall mean a use of land, building(s) and/or structure(s) for one or more of the permitted uses set out in the relevant permitted uses section of the zone governing the lands, or determined to be a legally non-permitted use.
- 2.86 Loading space** shall mean an off street space on the same lot as a building, or contiguous to a group of buildings, for the temporary parking of a delivery vehicle/commercial vehicle while loading or unloading merchandise, product, supplies, inventory, furniture, or other materials and which abuts a street, lane, or appropriate driveway and/or aisleways.
- 2.87 Lot** shall mean a parcel or tract of land held as a unity of ownership in the same name and interest, distinct and separate from other lands, described in a deed or

other legal document which is legally capable of conveying title to land, and; which is the whole of a lot or block within a Registered Plan of Subdivision, or a separate lot or unit within Condominium, excluding any Subdivision that has been deemed under the provisions of the Planning Act not to be a registered plan, except where such lot or block constitutes a part of the lands needed in order to comply with the lot area requirements of any zone herein,; or which is a legally separated parcel of land in existence on the date of passing of this By-law. Where patent, private lands and Crown Lands are held and utilized for the conduct of one land use, such Crown Lands shall be deemed to be a part of the private lands and included within the definition of lot for the purposes of considering the various regulations and requirements of this By-law, including the listed permitted uses. Where Crown Lands are held under a land use permit or other such non-patent arrangements, the lands that are described within the arrangement are considered to be a lot for the purposes of considering the various regulations and requirements of this By-law, including the listed permitted uses. Notwithstanding i) above, which shall otherwise continue to apply, where a parcel of land held in the same name and interest involves more than one Lot in a registered plan of subdivision the sum total of all of the lands shall be considered to be the relevant lot, and any building or use of land that straddles the interior lot lines within such holding shall not be illegal by virtue of straddling such Lot line.

- 2.88 Lot area** shall mean the total horizontal area within the lot lines of a lot or if an island or waterlot, the area of land above the normal high water mark.
- 2.89 Lot frontage** shall mean the continuous horizontal distance between the side lot lines measured at right angles at the furthest point where the front yard touches the side yards.
- 2.90 Lot line** shall mean any boundary of a lot. Where a lot line changes direction by less than 45 degrees, it shall be considered to be one lot line. Where a lot line changes direction by 45 degrees or more, it shall be considered to be a separate lot line. **Interior lot line** shall mean a lot for which the side lot lines abut another lot. **Exterior lot line** shall mean a lot for which one or more of the side lot lines abuts a public street or highway. **Lot line, front** shall mean the shortest lot line that abuts a road, except in the case of a lot that abuts a waterbody or watercourse, or a shoreline allowance abutting such feature, whereupon the front lot line shall be the lot line abutting the high water mark of the waterbody or watercourse or shoreline allowance. **Lot line, rear** shall mean the lot line furthest from and opposite to the front lot line, except that where a lot has less than four lot lines, there shall be no rear lot line.

- 2.91 Main Wall** shall mean the exterior front, side or rear wall of a building, and all structural members essential to the support of a fully enclosed space or roof.
- 2.92 Main use** shall mean one or more uses of land, buildings and/or structures listed as permitted in the relevant zone, and being the primary activity carried on or conducted on the lot.
- 2.93 Marina** shall mean the use of land, building(s) and/or structure(s), including docking and mooring facilities, where boats and other watercraft are launched or recovered, berthed, stored, serviced, repaired, or kept for sale or rent, and may include the sale of marine fuels and/or lubricants, and similar marine servicing activities.
- 2.94 Mineral Exploration**, mining shall mean the searching for minerals in their natural setting, including delineation and staking of mining claims, aircraft survey, field sampling, trenching, exploratory drilling, confirmation drilling, and the construction of shafts and other features necessary to the proving up of an ore body to commercial quality, or subsequent extraction.
- 2.95 Mobile home** shall mean a dwelling that is designed to be transient or mobile and is constructed or manufactured to provide a permanent residence for one or more persons, in accordance with CSA standards, but not including a motor home, travel trailer.
- 2.96 Mobile home site** shall mean a part of a lot that is serviced and utilized as a mobile home park, which has been established and set aside for the exclusive use of one mobile home and its occupants.
- 2.97 Modular home** shall mean any dwelling that is designed in one or more units and is designed to be made mobile on a temporary basis for initial transit to a location where it is to be installed on a basement and/or foundation, and that is intended to provide a permanent residence for one or more persons, but shall not include a mobile home, recreational trailer or recreational motor vehicle.
- 2.98 Motor vehicle** shall mean any automobile, truck, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power, but excluding a railway train, motorized snow machine, farm equipment, road building machinery, aircraft, boats, and other watercraft.

- 2.99 Non-complying use** shall mean a building, structure or use of land that is in compliance with the permitted uses as set out in the particular relevant zone governing the lands, but which does not comply with or meet one or more of the regulations of this By-law, as set out in the particular zone; as set out in the general regulations; or as set out elsewhere in this By-law. **Legally non-complying** shall mean that such non-compliance existed at the date of passing of this by-law or otherwise deemed to be legally non-complying by Council.
- 2.100 Non-permitted use** shall mean an existing use or activity of land, building or structure which does not conform or comply with any of the permitted uses listed in the relevant zone governing the lands; or a structure that has been deemed in this by-law to be a non-permitted use. **Legally non-permitted shall** mean such use was legally in existence upon the passing of this By-law or otherwise deemed to be legally non-complying by Council.
- 2.101 Office** shall mean a building or part of a building used or intended to be used in the performance and transaction of service activity, including related administration and clerical activities.
- 2.102 Open storage** shall mean the storage of goods, merchandise, equipment, or not currently utilized vehicles outside of a building or structure on a lot or a portion of a lot, but does not include outdoor display for the purpose of sale, advertisement or rental.
- 2.103 Patio** shall mean a platform or surfaced area without a roof, the surface of which is not more than 0.6 metres above finished grade, and which is designed and intended to be used as an accessory activity area to a dwelling or commercial/institutional activity.
- 2.104 Park** shall mean the use of land, building, and/or structure for open space, recreational activity areas, sports or recreational facilities, conservation area, or playground.
- 2.105 Parcel of land** shall mean an area of land that is held in unity of ownership, separate and distinct from other lands in the same ownership interest.
- 2.106 Party wall** shall mean a wall of a building or structure that is jointly owned and/or jointly used by two or more parties or an extension of such a wall, which is

- erected on a lot line separating two parcels of land each of which is or is capable of being held in unity of ownership.
- 2.107 Parking lot** shall mean an open area within a lot that is used or intended to be used for the temporary parking of more than three motor vehicles.
- 2.108 Parking space** shall mean an open area within a lot that is used or intended to be used for the temporary parking of motor vehicles, and may include such space that is set out within a garage or carport.
- 2.109 Patio** shall mean a platform without a roof, with or without a foundation, attached to or abutting one or more walls of a building or constructed separate from a building, with or without direct access to the ground; the floor of which is not more than 0.6 metres above finished grade, but shall not include a landing or stair.
- 2.110 Person** shall mean any human being, any association, partnership, corporation, agent or trustee, and heirs and executors or other legal representatives of a human being.
- 2.111 Personal service shop** shall mean a building(s) and/or structure(s) for a business which is associated with the grooming or health of persons, or the maintenance or repair of personal wardrobe articles and/or accessories; and may include a barber shop, beauty parlour, hairdressing, shoe repair, photography shop, or similar activities.
- 2.112 Pit** shall mean a open excavation made for the removal of earth, clay, mud, sand, soil, gravel, or unconsolidated rock in order to supply material for construction, manufacturing, or industrial activity, but shall not include any excavation that is incidental to the construction of a building or structure.
- 2.113 Place of amusement** shall mean the use of land, building(s) and/or structure(s) or part thereof for profit or gain, for a movie theatre, covered arena, auditorium, dance hall, music hall, video arcade, billiard or pool room, bowling alley, miniature golf course, driving range, rink, curling rink, or similar use, but shall not include a race track.
- 2.114 Portable asphalt/concrete plant** shall mean a plant transported to and temporarily established and operated as part of the production of asphalt or

concrete and surfacing material, used in conjunction with a defined and executed road construction contract.

- 2.115 Principle residence** shall mean a dwelling unit occupied by an owner or a tenant as the primary location where such person typically and normally resides.
- 2.116 Private right of way** shall mean an access route from lands over one or more private properties and which ultimately provides access to a public street. **Private road** shall mean any private access route that crosses private property or a forest access road over Crown Lands which affords access to abutting lots and is not maintained by a public body.
- 2.117 Private club** shall mean a building and facilities owned and/or operated by a corporation, association, person or persons, for a social educational, or recreation purpose, but not primarily for profit or to deliver activity normally considered to be a business.
- 2.118 Provincial highway** shall mean a public road that is under the jurisdiction of the Province of Ontario, as administered by the Ministry of Transportation and Communications.
- 2.119 Public authority** shall mean any federal, provincial, district or municipal agency or office, and including commissions, boards, authorities, or other such bodies and shall include Hydro One.
- 2.120 Recreational vehicle** shall mean any vehicle so constructed that it is not wider than 2.6 metres and is suitable for being attached to a motor vehicle for the purpose of being transported, and is used or capable of being used for the short term living, eating, sleeping of persons, including a motor home, travel trailer, tent trailer and camper, but excluding any commercial tractor that may have sleeping accommodation.
- 2.121 Residential use** shall mean the use of land, building and/or structure or parts thereof as a dwelling.
- 2.122 Resort/ tourist establishment/lodge** shall mean the use of land, building(s) and/or structure(s) for the provision of accommodation throughout all or part of the year, and may include the serving of meals, and the furnishing of supplies,

services and equipment to persons in connection with angling, hunting, camping or general recreational activity, and may include a liquor licensed area and assembly area. Shall include such activity where the facility is owned and/or operated by a private club, or by a charitable organization.

2.123 Restaurant shall mean use of land, building(s), and /or structure(s), or part thereof where food is prepared and offered for sale to the public, and shall include a café, coffee/donut shop, refreshment service, chip wagon, or similar activity, and may include a drive-through or drive-in.

2.124 Retail store shall mean use of a building or part thereof where goods, wares, merchandise, substances, or articles are offered for sale directly to the general public, and may include the storage of such items, and administrative space relating to the operation of such activity.

2.125 RV/tent and trailer campground shall mean use of building(s) and/or structure(s) for the parking and temporary use for at least ten campsites, occupied by tents, trailers, motor homes, recreational vehicles, or truck campers, which may also include an administrative office, sanitary facilities, recreational facilities, and a convenience store.

2.126 Sale of tourist goods shall mean the use of land, building, and /or structure or part thereof for the display and sale of crafts, goods and/or products targeted primarily for the traveling public as small gifts and/or mementoes of their travel.

2.127 Salvage yard shall mean the use of land, building, and/or structures for the deposition, storage, and/or handling, recycling, dismantling and/or salvaging of waste or scrap materials, vehicles, appliances, or other such materials.

2.128 Seaplane base shall mean the use of land, building, and/or structure for the purpose of docking, storing, parking, loading, or repairing of seaplanes and for the supplying of associated services.

2.129 Service or repair shop shall mean the use of land, building, and/or structures for the servicing or repair of articles, small engines, goods or materials not otherwise defined, classified, or specifically established as a use in this By-law.

- 2.130 School** shall mean the use of land, building, and/or structure for the giving of instruction and/or the teaching of information, knowledge, skill, trade, or other such facilitation of learning, where conducted under a public authority authorized by Provincial legislation.
- 2.131 Setback** shall mean, when referring to a street the distance between the closest boundary of the street and the nearest building or structure; when referring to a building or a structure, the horizontal distance between separate buildings or structures; when referring to a lot line, the distance between the lot line and a building or structure; when referring to a zone boundary, the distance between the zone boundary line as set out on the relevant zoning schedule and any building or structure.
- 2.132 Shopping centre** shall mean a group of two or more establishments that are permitted in the zone, that are conceived, designed, developed, and managed as an interdependent and interrelated unit whether by a single owner or tenant or by a group of owners or tenants acting in collaboration, and may include units of ownership held in condominium tenure, and which in total exceeds 1,500 square metres gross floor area; or one large commercial establishment that exceeds 300 square metres in gross floor area, but is less than 1,500 square metres. Where residential use is one of the included uses, it shall be in addition to the aforementioned size limitations.
- 2.133 Shoreline** shall mean the existing physical high water mark made by a water body or watercourse, and shall include beaches, exposed rock, and other features that are a part of a beach or shore environment. Where the water's edge displays no evidence of a high water mark, the water's edge itself shall be the shoreline.
- 2.134 Shoreline allowance** shall mean a road or other allowance, typically being one chain (66 feet) in width, set out and/or reserved along the shoreline of a waterbody or watercourse.
- 2.135 Site Triangle** shall mean a triangular space that is formed by two intersecting street lines and a line drawn from a point in one street line across such lot to a point in the other street line, each such point being 9.0 metres from the point of the intersection of the said street lines. Where the two street lines do not intersect at a point, the point of the intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

- 2.136 Storey** shall mean a habitable portion of a building, other than a basement, cellar, or attic, between the surface of any floor and the surface of the floor, ceiling or roof above it. A first storey shall be considered to be the lowest storey at or nearest to finished grade.
- 2.137 Street/road, public road** shall mean a constructed public thoroughfare under the jurisdiction of an appropriate public roads authority, that is open on a year round basis, and maintained by such authority, and that affords practical access and the opportunity for unfettered travelled use by vehicular traffic. **Street/road allowance** shall mean a road that has been dedicated on a plan of subdivision or as an original road allowance that has been surveyed and transferred to the Township whether or not such road is open, traveled and maintained on a year round basis. A road allowance also includes a road surface, shoulders and ditching assumed under the Municipal Act as vesting in the municipality.
- 2.138 Structure** shall mean anything that is constructed, erected, or otherwise built, either permanent or temporary, the use of which requires location on the ground or attachment to something having location on the ground, excluding subsurface sewage treatment systems, swimming pools, fences, patios, and retaining walls. Any deck that is separated by more than 0.2 metres from a building shall be considered to be a separate structure.
- 2.139 Tavern, pub** shall mean a use of land, building and/or structure or part thereof for the serving of liquor, beer, wine, and other related beverages, and may include the sale of food, all for consumption on the premises; operated under a license under Ontario legislation.
- 2.140 Tower** shall mean a structure intended for transmission of or receiving of television, radio, or telephone communications, or as part of a wind turbine.
- 2.141 Tourist information office** shall mean use of land, building and/or structure or part thereof for the purpose of providing information and/or programs to tourists and the traveling public.
- 2.142 Tourist establishment** shall mean the use of land, buildings, and/or structures for the sleeping and accommodation of the traveling or vacationing public.
- 2.143 Tourist outfitters establishment** shall mean use of land, building(s) and/or structure(s) or part of building(s) and/or structure(s) as a base for the movement of

- tourists, equipment, supplies, and/or tourists, by aircraft or otherwise, to recreational locations elsewhere, but shall not include a seaplane base for general commercial repair and/or berthing of aircraft not involved in the business.
- 2.144 Trailer** shall mean a vehicle that is at any time pulled or drawn along a highway by a motor vehicle, but shall not include a mobile home. **Travel Trailer** shall mean any trailer which is designed to be temporarily utilized for living, shelter, and sleeping accommodation, with or without facilities for cooking; and which has running and towing gear permanently attached.
- 2.145 Transportation terminal** shall mean use of land, building(s) and/or structure(s) where buses, trucks, or tractor-trailers are rented, leased, kept for hire, stored, or parked; or where such vehicles are loaded and/or unloaded.
- 2.146 Use** shall mean any purpose for which land, building(s) and/or structure(s) may be designed, arranged, intended, maintained, or occupied; or any activity, occupation, or business or any occupancy. Where a use is defined in Section three of this By-law in specific terms, such use shall not be permitted to be interpreted as a part of a general term.
- 2.147 Vehicle** shall mean any automobiles, boat, commercial motor vehicle, farm implement, motorcycle, recreational vehicle, truck, snow machine, watercraft, or trailer, but shall not include a mobile home. **Parked vehicle**, including a RV vehicle, shall mean the short term, temporary, keeping of a vehicle when not in current or immediate use, provided that such vehicle is licensed and road worthy, and that is regularly and commonly being driven. **Stored vehicle**, including a RV vehicle, shall mean the longer term keeping of a vehicle that is not in regular use either due to seasonal or other factors, and that may or may not be licensed or road worthy.
- 2.148 Veterinary clinic** shall mean use of land, building(s) and/or structure(s), or part thereof for the treating and healing of domestic animals birds, or other livestock, and may include a kennel, but not a research facility.
- 2.149 Vehicle sales, rental establishment** shall mean the use of land, building and/or structures for the storage of vehicles for sale, rent, and/or for lease, and may include a service or repair facility and/or private gas pumps.

- 2.150 Video Rental/sales establishment** shall mean the use of land, building, and/or structure or part thereof for the purpose of renting video cassette recorders, video disc players, and or the rental of video tapes and/or discs, including DVD's.
- 2.151 Warehouse** shall mean use of land, building(s) and/or structure(s) for the storage and distribution of goods, wares, merchandise, substances, or articles, and may include facilities for a wholesale or retail commercial outlet, provided that such wholesale or retail activity does not exceed 10 % of the gross floor area; but shall not include a transportation terminal or bus terminal.
- 2.152 Waste disposal/landfill site** shall mean use of land, building(s) and/or structure(s) where garbage, refuse, domestic or industrial wastes, exclusive of liquid industrial wastes and sewage , are disposed of or dumped.
- 2.153 Watercourse** shall mean a stream, river, or other non-seasonal and non-intermittent flow of water through a defined course.
- 2.154 Waterbody** shall mean a lake, swamp, wetlands, beaver dam or other permanent standing body of water.
- 2.155 Water frontage** shall mean the boundary of a lot directly abutting a waterbody or an original shoreline allowance abutting a waterbody, but shall not include a boundary line abutting a watercourse.
- 2.156 Waterfront centre** shall mean the use of land, building and/or structure for a multiple use facility involving one or more of an interpretive centre, marina, reception area, amphitheatre, office, meetings and seminar rooms, cafeteria or restaurant, general activity room(s), and related administrative space, washrooms, laundry rooms, shower facilities, and the sale of convenience goods and/or gifts.
- 2.157 Water's edge** shall mean that point where the land and water meet.
- 2.158 Water supply/treatment facility** shall mean use of land, building, and/or structures for the storage, purification, and treatment of water intended for distribution in a public water distribution system.

- 2.159 Watercraft/boat launching facility** shall mean the use of land, building and/or structure for the launching and/or recovery of boats and other watercraft and including related temporary parking and trailer parking area.
- 2.160 Watercraft sales/service shop** shall mean the use of land, building, and/or structure for the purpose of displaying, selling, and/or servicing of watercraft, including boats, boat motors, skidoos and similar products and may include the display and sale of marine related items.
- 2.161 Wayside pit or quarry** shall mean use of land for a temporary pit or quarry opened and used solely in association with a particular road construction contract or project, and may be utilized for other casual and/or intermittent extraction or aggregate for small scale, individual use, and may be on Crown Land or on private land.
- 2.162 Welding shop** shall mean the use of land, building, and/or structure where pieces of metal; parts of equipment; and/or parts of vehicles are welded.
- 2.163 Wholesale establishment** shall mean the use of land, building(s) and/or structure(s), or part thereof for bulk storage and bulk sale of quantities of goods, commodities, wares, merchandise, or materials intended for resale.
- 2.164 Wind turbine, Wind mill** shall mean a device, which shall be considered to be a structure, aligned vertically or horizontally, consisting of a rotor, electrical generator, and a mast or pole, operated to capture kinetic wind energy and to convert it to electricity for consumption and/or for distribution.
- 2.165 Wind farm** shall mean the use of land upon which an array of wind turbines are located and operated to generate bulk electrical power for distribution, and may include accessory wind measuring, electrical power collection and transmission, and operating, control and maintenance facilities, buildings, structures, and/or equipment. **Solar Farm** shall mean the use of lands upon which an array of solar panels are located and operated to generate bulk electrical power for distribution and may include accessory wind measuring, electrical power collection and transmission, and operating, control and maintenance facilities, buildings, structures, and/or equipment.

- 2.166 Woodlands processing operation** shall mean the use of land, building(s) and/or structure(s) for a sawmill, debarking mill, planing mill, chipping and/or other similar processing or secondary manufacturing of harvested timber.
- 2.167 Workshop** shall mean a building where construction or manufacturing is performed, and may include a carpenter's shop, locksmith, gunsmith, plumbing and/or electrical shop, or a heating and/or ventilation shop or similar activity.
- 2.168 Yard** shall mean any open unoccupied space appurtenant to a building measured from the closest supporting part of the building to the relevant lot line. **Front yard** shall mean a yard crossing the full width of a lot between side lot lines, along the front lot line. **Side yard** shall mean any yard extending from the front yard to the rear yard. Where a lot has less than four lot lines, the yards that are not a front yard shall be deemed to be side yards. **Flank or exterior side yard** shall mean a side yard that abuts a street line along its length or part of its length. **Rear yard** shall mean a yard crossing the full width of a lot between the side lot lines, along the rear lot line. **Required yard** shall mean the minimum yard as set out and required by the provisions of the various zones within this By-law.
- 2.169 Zone** shall mean the category of land use activity permitted and regulated by this By-law, as designated on the land use maps being a part of this By-law and defined in the relevant zone sections contained in this By-law.
- 2.170 Zone provision/regulation** shall mean the minimum area, lot dimensions, required yards, lot coverage, open space, height, minimum setbacks, number of main uses and/or buildings, or other such regulations that are set out in this By-law in the respective zones, excluding such regulations as are set out in the general provisions section of this By-law, and excluding listed permitted uses.

SECTION THREE

GENERAL PROVISIONS

3.1 Application Of This Section

The provisions and requirements set out in this Section of the By-law shall apply to all lands within the Township unless otherwise specified.

3.2 Uses Prohibited

All uses of land are prohibited unless specifically permitted in this By-law.

3.3 Continuing Use

Nothing herein shall prevent the continued use of any land, building, or structure for any purpose that prohibited by this By-law provided that:

- a) Such land, building, or structure was legally used for such purpose on the date of passing of this By-law, so long as it continues to be used for that purpose; or
- b) A building permit has been issued and not revoked prior to the date of passing of this By-law, so long as the building or structure, when erected, is used and continues to be used in accordance with the purpose that was provided for in the building permit. Where such a building permit is revoked, the relief provided by this Section shall cease to apply.

Such land, building, or structure shall be considered to be a legally non-permitted use.

3.4 Non-Permitted Use

3.4.1 Should an existing legally non-permitted building, structure, or use be damaged or destroyed by accidental fire or natural disaster that is beyond the capacity of the owner/occupant to control, nothing shall prevent such building or structure from being restored, repaired, strengthened or reconstructed, provided that the height, size and/or volume of the building are not increased; that the building is reconstructed at its prior location on the lot; and provided further that the use is not altered or changed.

3.4.2. Except in the case where lands are taken by a public body for public purposes, the size of a legally non-permitted lot shall not be reduced **but may be enlarged**. Where

lands are taken by a public body, the residual lot shall not lose its legally non-permitted status through such action.

3.4.3 Except as provided for in this Section, so long as any land, building, or structure remains as a legally non-permitted use, none of the relevant zone regulations apply. Use will be limited entirely to those buildings and/or structures as they existed on the date of passing of this By-law, and such alterations as are provided for hereafter in this section, or as are approved by relevant zoning or variance decisions.

3.4.4 Where a non-permitted use is converted into a legally permitted use, or where a non-permitted use has been abandoned or otherwise terminated; all future use of the lands, buildings, and/or structures shall be in accordance with this By-law, and any previous legally non-permitted status shall no longer exist. Where such conversion to a permitted use exists, any existing building or structure shall be deemed to be legally non-complying with respect to any discrepancy to any regulation or requirement that is not met at the date of such conversion.

3.4.5 Nothing herein shall prevent the maintenance, repair, or strengthening of a legally non-permitted use to a safe condition.

3.4.6 Nothing herein shall prevent the interior of any non-permitted use from being reconstructed or structurally altered for the existing purpose for which the building or structure is being legally utilized.

3.4.7 Where, in any zone a non-permitted residential use exists, nothing in this by-law shall prevent the construction of a detached accessory garage to such use provided that all yard and setback requirements are complied with.

3.5 Long Standing Uses

3.5.1 Where any land, building, or structure was used at January 1st, 1980 for a purpose that is permitted in the zone in which it was then located, such use is deemed to have been legally permitted use as at that date.

3.5.2 Where any land, building, or structure was used at January 1st, 1980 for a purpose that was not permitted in the zone in which the lands are located, such use is deemed to be a legally non-permitted use as at that date.

3.5.3 Except in the case of a non-permitted use, any non-complying situation existing at the time of passing of this By-law shall be considered and deemed to be a legal non-conforming use.

3.6 Undersized Lots

Where a vacant lot exists in separate ownership as of the date of passing of this By-law, and has a lesser lot width/frontage and/or a lesser minimum lot area than is required by this By-law, such deficiency shall not prevent the use of the lot for the erection, alteration, or use of buildings, structures consistent with all other regulations and requirements of the zone in which the land is located, provided that;

- i) A minimum of 6.0 metres of lot boundary is abutting and has direct and practical access to a public road.
- ii) Such lot is capable of supporting a private septic sewage system and a potable water supply, or is attached to municipal sewer and water.

For such undersized lots;

- i) The required side yards may be reduced to not less than 10 % of the lot width/frontage.
- ii) Any such undersized lot may be increased in size and where the resulting new lot continues to be undersized, the relief, status, and rights bestowed by this Subsection shall continue to apply.
- iii) In no instance shall an extension to a building on an undersized lot be closer than 0.6 metres to a lot line.

3.7 Legally Non-Complying Use

3.7.1 Nothing in this By-law shall prevent the renovation, repair, expansion or rebuilding of a legally non-complying use, at the same location, provided in the case of reconstruction, that a minimum 0.6 metre setback is maintained between the building and any lot line.

3.7.2 Nothing in this By-law shall prevent the strengthening, repair, expansion, or enlargement of any legally non-complying use provided such works do not further contravene any of the regulations of this By-law.

3.7.3 For the purposes of this section, any expansion or addition that extends or continues further along the same building line of an existing legally non-complying situation shall be considered not to represent a further contravention of the relevant regulation or provision of this By-law. Notwithstanding, no such extension shall bring an expansion or addition to an existing building closer than 0.6 metres to a lot line.

3.7.4 Nothing herein shall prevent a lot containing a legally non-complying use from being increased in size, provided that such increase in size does not in any way further contravene any of the regulations of this By-law. Where such increase in size reduces the extent of an existing contravention or discrepancy, the resulting new lesser contravention or discrepancy is deemed to be legally non-complying.

3.8 Accessory Apartment

In addition to all other provisions of this By-law an accessory dwelling or apartment is permitted where provided with full municipal/urban sewer and water services in a single detached dwelling, in a semi-detached dwelling or in a duplex dwelling in accordance with the following

- a) The lot must have the minimum lot frontage and lot area set out in the zoning by-law
- b) A maximum of one accessory apartment is permitted in any such dwelling.
- c) A party wall is not permitted to divide the accessory apartment from the dwelling.
- d) The maximum GFA of the apartment shall be 40% of the GFA of the dwelling.
- e) An accessory apartment is not permitted in a non-conforming dwellings.

3.9 Condominium

Condominium shall refer to land ownership or tenure and shall not be used to describe a land use.

3.10 Removal Of Land By A Public Authority

Where the acquisition of land by a public agency or authority results in the creation of a deficiency with respect to one or more of the regulations that are set out in the general or in any specific portion of this By-law, such resulting condition shall be deemed to be legally non-complying.

3.11 Minimum Street Frontage

No main building or structure shall be erected in any zone for any purpose unless the lot upon which such building or structure is located abuts and has frontage and direct and practical/useable access of not less than 6.0 metres on an existing public road that is opened, constructed and traveled, and maintained by the Township or by any other appropriate public road authority, provided that this requirement shall not apply to;

- i) Lands for which a private road has been considered and accepted as a component within an approved plan of condominium.
- ii) a remote cottage or fishing/hunting camp accessed over private road crossing Crown Lands and/or involving private lands for which legal access has been arranged.

- iii) Lands used for forestry purposes, including the harvesting of trees and secondary processing of woodland products, and/or for mining purposes, accessed over Crown Lands and/or involving private lands for which legal access has been arranged.
- iv) A lot contained in a registered plan of subdivision where a properly executed subdivision agreement has been entered into with the Township, notwithstanding that the street(s) may not be accepted by the Township until the end of any maintenance period.
- v) The continued use; and the enlargement, extension, reconstruction, renovation, repair or maintenance of existing buildings and/or structures that are located upon a lot that utilizes private road access existing on the date of passing of this By-law.

3.12 Occupancy Restrictions

Except as specifically provided, human habitation shall not be permitted in any of the following;

- i) A building which is an accessory building to a residential use, except a bunk house or a guest house where such is provided for in a specific zone.
- ii) A truck, bus, coach, vehicle, or streetcar body whether mounted on wheels or not.
- iii) In a recreational vehicle located outside of a campground or tent and trailer park, except for casual use or short term visitor accommodation.
- iv) A dwelling for which the main side walls and roof have not yet been erected, and for which windows, external siding, roofing, have not yet been completed, and for which electrical, kitchen, heating and sanitary services and facilities/conveniences have not been installed and rendered useable.
- v) Notwithstanding iv) above which shall otherwise continue to apply, a dwelling unit in a multiple residential building may be occupied provided that all of the conditions described in iv) above are satisfied for such dwelling unit, whether or not one or more of the other dwelling units in the building have not been completed.

3.13 Accessory Buildings, Structures and/or Uses

3.13.1 Where this By-law provides that a lot may be used, or a building or structure may be erected or used, for a listed purpose such purpose shall include accessory uses, buildings, and/or structures that are related to, incidental to, and ancillary to the said purpose, provided that;

- i) No use is made of such buildings or structures for use or gain, except as specifically provided for elsewhere in this By-law.

- ii) Except in the case of a guest house, no such accessory building shall be utilized for human habitation unless specifically permitted elsewhere in this By-law.
- iii) The main building, structure or use for the lot is already established and in existence on the lot, or a building permit has been issued for such main building.

3.13.2 Maximum height for any accessory building shall not exceed the height of 4.2 metres, except in the case of a bunkhouse or guesthouse which shall not exceed the height of the main building.

3.13.3 Accessory buildings or structures which are detached from the main building shall be erected and maintained in compliance with the yard and setback requirements of the zone in which such buildings or structures are located.

- i) 2.12.4 A detached garage or other accessory building or structure shall not be permitted in the front or exterior side/flank yards.

3.14 Encroachment Into Yards

3.14.1 Notwithstanding the yard and setback provisions of this By-law to the contrary, drop awnings, clothes poles, garden trellises, retaining walls less than 1.5 metres above the average finished grade, fences, and landscaping and planting of all forms may be permitted in any required interior side yard or rear yard.

3.14.2 Notwithstanding the yard and setback provisions of this By-law to the contrary, sills, chimneys, cornices, eaves, gutters, parapets, pilasters, bay windows, and other ornamental structures may project into any required side yard a maximum distance of 0.6 metres.

3.14.3 Notwithstanding the yard and setback provisions of this By-law to the contrary, porches, balconies, decks, landings, steps and patios may project into any required front, rear, or exterior/flank side yard, but may not be closer than 1.2 metres from any lot line, or extend more than 3.6 metres into a front yard. Where a porch projects into a required front yard, such porch shall not exceed 6.0 square metres in size, and such front porches shall not be permitted to be opened from the inside and integrated into the space of the main building.

3.14.4 No water circulating or pumping equipment for a swimming pool or hot tub shall be located closer than 3.0 metres to any side or rear yard.

3.14.5 Notwithstanding the yard and setback provisions of this By-law to the contrary, an unenclosed fire escape, and/or an access ramp for handicap access may be permitted to encroach into any required yard setback.

3.15 Gazebos/Saunas

3.15.1 Notwithstanding the yard provisions set out elsewhere in this By-law, a gazebo and/or a sauna may be permitted in a required front yard adjacent to a waterbody, provided that it :

- i) Is no larger than 14.0 square metres
- ii) Has a setback of at least 4 metres from the high water mark of the waterbody
- iii) Does not exceed a maximum height of 4.5 metres
- iv) Does not include a hot tub

3.15.2 In all other situations, a gazebo and/or sauna shall not be permitted within the required front yard.

3.16 Outdoor Furnaces, electrical generation wind turbines

Furnaces

An outdoor furnace used for the burning of wood, coal, and/or waste materials shall have a minimum setback of 10.0 metres from any lot line, and shall not be permitted in any yard area in front of the main building. Outdoor furnaces shall not be permitted in the settlement area, or within 150 metres of the settlement area, or on any lot that is less than 2.0 hectares in size.

Wind Turbines

Where an individual wind turbine is proposed for a parcel of land of less than 1.0 hectare in size the following shall apply;

- Location in yards – not in a front yard or, where a main building exists on an abutting lot and is within 5 metres of the lot line, not within a side yard.
- Minimum setbacks – from any property line, 5.0 metres
 - from a main building, 5.0 metres
 - from a power line, 10.0 metres
- Noise standard -- turbine shall be described in corporate literature as not generating more than 55 dB(A) measured at the noise source
- Rotor dimension – not exceeding 9.0 metres in diameter
- The height of the mast/pole shall not exceed 12.0 metres, measured from the normal and unaltered surrounding ground level at a distance of 0.3 metres distant from the mast/pole.
- Must be equipped with an over ride mechanism or other such feature that is able to stop operation of the turbine in winds that are in excess of 65 km/hour.
- Turbine must not be located in a direct reception line of any existing external signal receiving device on an abutting lot

- Device shall not be larger than what is necessary to service the main building, and shall service that building with power as the primary function, with distribution of surplus power as a secondary function only.

Where an individual wind turbine is proposed on lands that are greater than 1.0 hectare in size, and/or in the Rural area, the following shall apply;

- Location in yards – not in a front yard or, where a main building exists on an abutting lot and is within 10 metres of the lot line, not within a side yard.
- Minimum setbacks – from any property line --- not less than the height of the wind turbine
 - from a main building -- not less than the height of the wind turbine
 - from a power line, -- not less than the height of the wind turbine
- Noise standard -- turbine shall be described in corporate literature as not generating more than 65 dB(A) measured at the noise source, for any property of up to 3 hectares in size and not greater than 85 dB(A) measured at the source for any property greater than 3 hectares in size.
- Rotor dimension – not exceeding 12.0 metres in diameter for any property of up to 3 hectares in size.
- The height of the mast/pole shall not exceed 15.0 metres, measured from the normal and unaltered surrounding ground level.
- Must be equipped with an over ride mechanism or other such feature that is able to stop operation of the turbine in winds that are in excess of 65 km/hour.
- Turbine must not be located in a direct reception line of any existing external signal receiving device on an abutting lot.

Wind or Solar Farms

Where a wind or solar farm is proposed, amendment to this zoning by-law shall be required, and appropriate studies, including a noise study shall accompany such application.

3.17 Boat Launching and/or Docking, Boat house

Notwithstanding the yard provisions set out elsewhere in this By-law, a boat dock and/or boat launching facility may be permitted as an accessory feature in the front or side yard of a lot adjacent to a waterbody, provided that such feature is located no closer than 3.0 metres from any side lot line. Any existing boat house is deemed to be legal, and any new boat house shall only be permitted by rezoning.

3.18 Height Limitations

Height limitations/provisions set out in the general regulations or in specific zones of this by-law shall not apply to the following uses;

- Air conditioning ducts, antenna, belfry, bridge, chimney, bulk storage tank other than a propane tank, church spire, clock tower, communication tower, electric power facility other than a building, flag pole, lighthouse, railway signal or tower, skylight, stack, ventilator, water storage tank, or lighting used to as part of an airfield or emergency landing site.
- The maximum height for a propane bulk storage tank shall not exceed 6.2 metres.
- Height limitations/provisions shall not apply to a wind testing tower, or to wind turbines for which Section 3.15.2 or 3 applies.

3.19 Home Occupation

Where a home occupation is permitted in association with a dwelling unit that is not a seasonal dwelling, the following provisions shall apply;

- i) A home occupation shall be secondary to the principal residential use, and shall not change the residential character of the property.
- ii) One only home occupation shall be permitted in conjunction with a single detached dwelling.
- iii) No person, other than a person living in the dwelling shall be involved in the conduct of the home occupation within the dwelling unit,
- iv) There shall be no outside storage of goods, materials, containers, or other materials used in conjunction with the home occupation.
- v) Not cause or generate noise, dust, air pollution, or involve the storage of chemicals that are likely to cause air emissions that are noticeable at the property boundary.
- vi) Not more than 50 % of the gross floor area of the dwelling shall be committed to a home occupation.
- vii) The home occupation shall be carried out entirely within the dwelling except for required parking and a sign as provided for herein.
- viii) A home occupation shall not include a beauty salon, hair dressing shop, barber shop; boarding, rooming or lodging house; any eating establishment; a Bed and Breakfast. In addition, the delivery, storing, and/or cutting of logs for fire wood for subsequent resale is not permitted as a home occupation.
- ix) A non-illuminated sign, with a maximum size of 0.2 square metres will be permitted.

3.20 Bed and Breakfast Establishment

A Bed and Breakfast is permitted in association with a single detached, semi-detached or a duplex dwelling, in accordance with the following regulations;

- i) Operation of the Bed and Breakfast shall be incidental and secondary to the main use as a dwelling unit, and shall not change the character or the exterior appearance of the dwelling.
- ii) Operation of a Bed and Breakfast shall be by person(s) whose principal residence is the dwelling unit containing the Bed and Breakfast.
- iii) Meals may be provided to the Bed and Breakfast guests, but such service shall not be extended to the general public.
- iv) Not more than four bedrooms for guests shall be allowed and a minimum of one additional bedroom for the occupant of the dwelling shall be required to be provided.
- v) The maximum length of stay for a guest shall not exceed four (4) days.
- vi) The operation of a Bed and Breakfast shall not be permitted in conjunction with rental of accommodation of rooms to boarders or roomers.
- vii) A non-illuminated sign with a maximum size of 0.2 square metres shall be permitted.

3.21 Loading Space

3.21.1 Loading spaces are required and shall be provided under this By-law in accordance with the standards and regulations set out herein.

3.21.2 Each required loading space shall be not less than 15.0 metres in length; 3.5 metres in width; and have a vertical clearance of at least 4.3 metres.

3.21.3 Loading spaces shall not include any area that is committed to the calculation and provision of require parking spaces.

3.21.4 For residential buildings containing more than 10 dwelling units, one loading space shall be provided and maintained.

3.21.5 For non-residential uses, the following spaces shall be required and maintained;

- | | |
|---|---------------------|
| i) building less than 500 square metres | no spaces required. |
| ii) buildings of 500 to 2,500 square metres | one space required |
| iii) buildings in excess of 2,500 square metres | two spaces required |

3.21.6 Access to any loading space shall be by means of a driveway of at least 3.5 metres in width contained on the lot on which the loading space is required and leading to an improved road, either directly or through aiseways and/or driveways elsewhere on the lot.

3.21.7 Any required loading space shall be located in a side yard or rear yard; or in a front yard where such space or spaces are removed from the street or highway a minimum of fifteen (15) metres.

3.21.8 Where any non-residential building in existence at the date of passing of this By-law does not provide loading space in accordance with the requirements set out herein, expansion of such building may occur, provided that such expansion does not exceed 300 square metres, without the need for such loading space to be provided. Where expansion exceeds the said 300 square metres size, loading space shall be provided for building in accordance with the requirements set out in 2.21.5 above.

3.21.9 Where any residential building in existence at the date of passing of this By-law does not provide loading space in accordance with the requirements set out herein, expansion of the number of units may occur within the existing gross floor area of the building without the need to provide a loading space. Where expansion of the gross floor area of such a building is involved in order to facilitate new dwelling units, a loading space shall be provided.

3.22 Parking

3.22.1 Permanently maintained off street parking spaces are required and shall be provided under this By-law in accordance with the standards and regulations set out herein.

3.22.2 Parking spaces shall be provided in accordance with the following table, and where the calculation of the number of required spaces exceeds a whole space by more than 0.4 the required spaces shall be the next whole number.

Single/seasonal detached, semi detached, duplex dwelling	1.0 space per dwelling unit
Senior Citizen dwelling	0.5 spaces per dwelling unit
Lodging, boarding, rooming house	0.5 spaces per unit
All other residential dwelling units	1.5 spaces per dwelling unit
Combined commercial or institutional	1 space per 20 square metres of gross floor area
Hotel, motel	1 space per guest room or suite and 1 space per five persons that can be accommodated at dining, banquet, meeting room, lounge or other such facilities
Automotive gas bar, service station	In addition to 1 fueling and 1 queuing space at each pump, 1 space per service bay and 1 space per 40 square metres of accessory office, retail or storage space

Restaurant, tavern	1 space per 10 square metres of gross floor area or 1 space per 6 persons legally accommodated
Hardware store	1 space per 55 square metres of gross floor area
Personal service shop	1 space per 20 square metres of gross floor area
All other commercial or service uses	1 space per 30 square metres of gross floor area
Arena, curling rink, auditorium, bowling alley, community centre	2 spaces per designed activity area (ie per bowling lane, curling sheet) and 1 space per 6 persons legally accommodated
Church, private club, theatre	1 space per 6 fixed seats
Golf course Mini golf, driving range	10 spaces per 3 holes minimum of 10 spaces
School	1 space for each teaching area (ie classroom)
Hospital	1 space per 2 beds
Warehouse	1 space per 55 square metres of gross floor area
Industrial use	1 space per 150 square metres of gross floor area
Auto body repair shop	1 space per bay or 1 space per 150 square metres of gross floor area
Tourist cabins	1 space per cabin
RV campsite	1 space per individual RV site
Marina	Minimum of 10 spaces for vehicle parking Plus 1 space per 6 persons legally accommodated at any gathering facility.
All other permitted uses	1 space per 30 square metres of gross floor area

3.22.3 Every lot shall have one or more unobstructed driveways not exceeding 9.0 metres in width, providing that no lot shall have more than two driveways for the first 30.0 metres of street line thereof + one more driveway for each additional 30.0 metres of street line.

3.22.4 The width of a driveway leading to any parking area shall be a minimum of 3.0 metres for one-way traffic and a minimum of 6.0 metres for two-way traffic, except in the case of a duplex dwelling in which case the width of a driveway for one or two way traffic shall be not less than 3.0 metres.

3.22.5 Where more than three parking spaces are provided at one location, such parking spaces shall have direct and unobstructed access to an aisleway, which aisleway may also be a part of the driveway. The size of such aisleway shall be not less than;

- | | |
|-----------------------------------|------------|
| i) Up to and including 45 degrees | 4.6 metres |
| ii) Over 45 and up to 70 degrees | 5.4 metres |
| iii) Over 70 degrees | 6.7 metres |

3.22.6 Each required parking space shall have rectangular dimensions of not less than 2.8 metres by 6.0 metres, except

- i) Where the parking space abuts an obstruction, the width shall be increased to 3.0 metres
- ii) Where principal access is provided along the longest dimension of the parking space, then the minimum space shall be 2.4 metres by 6.7 metres

3.22.7 Where an existing building or structure has insufficient parking spaces on the effective date of this By-law, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition or a change of use, provided that any additional parking spaces required for such addition shall be provided in accordance with all regulations herein respecting parking spaces.

3.22.8 Parking spaces may be provided on the same lot as the main use, or on additional owned lands within 40.0 metres of the closest boundary of the lot containing the main use.

3.22.9 Where there is more than one use on the lot, the parking space calculation for the whole building may be either of ;

- i) The sum of the parking space requirements for each separate use, applied to that specific portion of the building containing or to contain such use, or
- ii) The parking requirement set out for combined uses applied to the whole of the building and/or other permitted uses on the lot.

3.22.10. Parking spaces shall be permitted in all yards, except as specifically regulated elsewhere in this By-law.

3.23 More Than One Zone On A Lot/Split Zoning

3.23.1 Where a lot has more than one zone applying to it, then the regulations of the zone where 50 % or more of the use, buildings, or structures are, or are intended to be located shall apply, except in the case where one of the zones is a Use Limitation zone in which instance the regulations of the next largest zone shall apply.

3.23.2 In such situations, regardless of the number of zones that might apply to a lot, the total lot may be used to satisfy the minimum lot area or frontage requirements of this By-law.

3.24 Temporary Uses

3.24.1 A tool shed, construction trailer, scaffold or other such building or structures incidental to construction are permitted in all zones so long as necessary for work in process until such work is abandoned and/or the building permit for such work is revoked.

3.24.2 Notwithstanding any other provision of this By-law to the contrary, where a dwelling is destroyed, and a building permit has been issued for the same lands, the owner and family may occupy a temporary trailer during the period within which the dwelling is being reconstructed.

3.24.3 A vinyl, temporary vehicle shelter or other similar portable building may be erected on any residential lot to provide shelter to a private vehicle, provided that all of the requirements of the particular zone for yards are complied with.

3.25 Motor Homes/Campers/Recreational Vehicles

3.25.1 A maximum of one trailer, camper, recreational vehicle, motor home, boat or skidoo may be stored when not licensed and/or not in season, in any Residential zone, where a dwelling is in existence on the same lot, provided that such vehicle shall not be stored in a required front yard.

3.25.2 A recreational vehicle that is licensed, in season, and in regular use or an boat trailer, skidoo trailer or any other such vehicle may be parked in any rear or side yard, or may be parked in any front yard provided that the entire vehicle can be parked on the lot without overhang onto the public road allowance.

3.25.3 For the purposes of this subsection, “in season” for a recreational vehicle shall be defined to be the period between April 15th and October 15th of any given calendar year.

3.26 Provincial Highway

Where any development is adjacent to any Provincial Highway, a minimum setback of 45 metres for all buildings shall be required.

In addition, access approval and or building permit controls may be applicable. Compliance with such controls will be required to be demonstrated prior to the issue of a building permit by the Township.

3.27 Noxious Uses

Except as may otherwise be specifically permitted in this By-law, no use shall be permitted which, by virtue of its nature or the materials used or produced, is defined as a noxious trade, business, or manufacture under the Health Protection and Promotion Act, S.O. 1983, as amended, and the regulations relating thereto.

3.28 Use of Streets For Services

Nothing in this By-law shall prevent land from being used for a street or highway, or shall prevent the installation of sewer or water services, storm sewer, gas main or feeder line, pipeline, overhead or underground hydro, communication line, or electrical high voltage facilities.

3.29 Public Service Use

3.29.1 The Provisions of this By-law shall not apply to prohibit the use of any lot or the erection of any building or structure for the purposes of public use by the Township, or by any public authority, agency or level of government for the purposes of carrying out their mandate. Nothing herein shall prevent the use of land as a public road, lane or sidewalk, or prevent the installation of water, sewer, or storm sewer main, or of underground or overhead hydro, telephone, or communication lines; or of any natural gas distribution system operated by a company that has obtained and possesses all necessary rights, licenses and franchises.

3.29.2 Where a public use is specifically mentioned as a permitted use within a specific zone, then such public uses shall only be permitted in that zone.

3.30 Special Setbacks

3.30.1 Street Less Than Twenty Metres

Where a lot abuts an road allowance that is less than 20 metres in width, the minimum setback from the street line shall be ten (10.0) metres from the centre line of the traveled street, plus the required front yard or exterior side yard as set out within the relevant zone.

3.30.2 Waste Disposal Site

No habitable building shall be located closer than 500 metres to any zone boundary that includes a landfill site as a permitted use.

3.30.3 Watercourse, Waterbody

Unless otherwise permitted by this By-law, no building or structure, and no leaching bed for a sewage system shall be located within twenty (20.0) metres of the normal high water mark of any watercourse or lake.

3.30.4 Group Homes

No Group Home shall be located closer than 200 metres from an existing Group Home.

3.30.5 Gas Transmission Line

No development or site alteration shall occur within 7 metres of a gas transmission line.

SECTION FOUR

ZONES AND BOUNDARIES TO ZONES

4.1 Zones

For the purpose of this By-law all lands within the limits of the Township shall be divided into the following zones, which are identified on the zoning schedules referred to hereafter.

Zones

Zone	Symbol
Low Density Residential	LDR
Multiple Residential	MR
Townsite Commercial/Institutional	TCI
Highway/Tourism Commercial	HTC
Marina Zone	MA
Industrial	IND
Rural	RU
Rural Residential	RR
Extractive Uses	EX
Open Space	OS
Environmental Protection	EP
Special Purpose	SP
Waste Disposal	WD

4.2 Use of Schedules

The location and the boundaries of all of the zones established by this By-law are shown on the Zoning Schedule(s) that are included in and that form a part of this By-law.

4.3 Use of Symbols

Where a zone referred to in the list of zones in 4.1 above includes a symbol, or where the zone Schedule utilizes a symbol such symbol shall refer to and identify the zone.

4.4 Lands Missed By Zoning Schedules

Should any lands not be shown on the zoning schedules to be contained in a zone, or where the Township might annex or otherwise add to the limits of the Township, such lands as are not otherwise zoned shall be deemed to zoned as Rural.

4.5 Use of the Word Zone

Where the word “zone” is used in this By-law, preceded by any of the names or symbols contained in 4.1 above, the zone shall mean and read as such area(s) delineated on the zoning map and as provided for in each appropriate section of the By-law specifically addressing such zone.

4.6 Determination of Zone Boundaries.

When determining the boundary of any zone, the following shall apply;

- i) Where a zone boundary is located within a road allowance, highway allowance, lane, easement, right of way, or a watercourse, the centre line of such feature shall be deemed to be the said boundary. Where such feature has been closed by Council by-law, the centre line of such closed feature shall continue to be the zone boundary.
- ii) Where a zone boundary is indicated as following a lot line shown on a registered plan of subdivision and/or condominium, or other defined property boundary, such lot property line shall be deemed to be the said boundary.
- iii) Where a zone boundary is indicated as following a shoreline of a waterbody, the boundary shall follow such shoreline.
- iv) Where uncertainty exists as to the location of a boundary of any zone, the location of the boundary shall be determined by the Chief Building Official or such other person or position as Council has determined to administer this By-law, and where measurement is involved in such determination, such

measurement shall be from the middle of the width of the zone line as it is shown on the relevant zoning map.

- v) Where uncertainty or disagreement continues to exist relative to the determination of such boundary line as determined in accordance with the above, Council shall make the final determination as to the location of the boundary.

4.7 Holding Zone Provisions

4.7.1 Where an “H” prefix is included in any zone, the intent is to signify that such zone is further categorized as being a holding zone.

4.7.2 Where a holding zone applies, notwithstanding the permitted uses section of such zone, no land shall be utilized, and no building(s) and/or structure(s) shall be erected or used for any purpose other than for uses existing on the date of passing of this By-law, or for any use described in an amendment by-law implementing a holding zone, until such time as the holding designation has been removed.

4.7.3 Upon removal of the holding provision, all permitted uses in such zone shall once again continue to be permitted uses.

4.7.4 A holding designation may be removed by by-law where the preconditions that have been set out in the implementing holding zone by-law have been complied with. For all of the lands that are established with a holding provision on the date of passing of this By-law, the condition for which the holding provision may be removed is the processing of a draft plan of subdivision.

SECTION FIVE
LOW DENSITY RESIDENTIAL ZONE
[LDR]

5.1 Permitted Uses

Within this zone, the predominant use of land shall be for the regular and ongoing accommodation and home life of person or persons in a low density setting; including sleeping, eating and leisure activities, and for uses and activities that are customarily associated with such accommodation and home life; and shall involve;

single detached dwelling
duplex or semi-detached dwelling, in accordance with the specified lot size and frontage provisions contained herein

Church
School
Day nursery, day care
Park
Group home

Accessory home occupation
Accessory Bed and Breakfast

5.2 Lot Requirements

5.2.1 Minimum Lot Frontage

Single detached dwelling	15.0 metres
Semi-detached/ duplex dwelling	9.0 metres for each unit or independent lot
Other permitted uses	15.0 metres

5.2.2 Minimum Lot Area

Single detached dwelling	460.0 square metres
Semi-detached, duplex	275.0 square metres for each unit
Other permitted uses	560.0 square metres

5.2.2 Maximum Lot Coverage

All permitted uses 35 %

5.3 Other Zone Regulations and Provisions

5.3.1 Required Front and Rear Yard

Front Yard	7.5 metres
Rear Yard	7.5 metres
Flank Yard	7.5 metres

5.3.2 Required Interior Side Yard

Single detached dwelling;

- | | |
|--|---|
| i) with an attached carport or garage
at the side of the dwelling | 2.0 metres on each side |
| ii) without an attached carport or garage | 2.0 metres on one side and
3.0 metres on the other |

Semi detached	3.0 metres on one side and no minimum where a common wall exists
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Other uses	2.0 metres for each side
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A detached garage shall be located in the rear yard.

5.3.2 Required Exterior Side Yard

all uses	3.0 metres
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5.3.4 Maximum Height

Main building	10.5 metres
Accessory building(s)	4.2 metres

5.3.5 Maximum Number of Main Uses

All permitted uses;	one use only
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5.3.6 Maximum Number of Permitted Main Buildings

All uses	one only
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5.3.7 Building Separation

i) between main building and detached garage	3.0 metres
ii) between main building and other accessory buildings	1.0 metres
iii) between accessory buildings	1.0 metres

5.3.8 Minimum Required Landscaping

All permitted uses	30 %
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5.4 Special Provisions

5.4.1 Separate title

Where ownership of each side of a semi-detached unit is under separate title, a 0.0 side yard shall be permitted along the lot lines containing the common party wall.

5.4.2 Group Home Separation Distance

No group home shall be located closer than 200 metres from the boundary of a lot of any other group home.

SECTION SIX

MULTIPLE RESIDENTIAL ZONE

[MR]

6.1 Permitted Uses

Within this zone, the predominant use of land shall be for the regular and ongoing accommodation and home life of person or persons in a medium low to medium density setting; including sleeping, eating and leisure activities, and for uses and activities that are customarily associated with such accommodation and home life; and shall involve;

Any existing single detached, semi-detached or duplex dwelling
A multiple residential building
Triplex, quadruplex building, double duplex dwelling
Rowhouse/townhouse building
Retirement residence, Seniors dwelling
Boarding/rooming/lodging house
Church
School
Day nursery
Park
Group home, crisis residence

Accessory home occupation
Accessory Bed and Breakfast

6.2 Lot Requirements

6.2.1 Minimum Lot Frontage

Existing single detached dwelling	24.0 metres
Existing semi-detached	9.5 metres on each side
Townhouse/rowhouse	7.5 metres for each exterior unit and 6.0 metres for each interior unit
Multiple Residential , Seniors dwelling, Retirement residence	
- all multiple residential buildings	20.0 metres

All other permitted uses 20.0 metres

6.2.2 Minimum Lot Area

Single detached dwelling	460.0 square metres
Semi-detached	580.0 square metres for each side
Duplex	580.0 square metres
Townhouse/rowhouse	250.0 square metres for each interior unit and 250.0 square metres for each exterior unit
Multiple residential, Seniors dwelling, Retirement residence	
- under five units	460 square metres for the first four and 90 square metres for the fifth
- more than five units	650 square metres for the first four and 90 square metres for every additional
All other Uses	560 square metres

6.2.3 Maximum Lot Coverage

All permitted uses 35 %

6.3 Other Zone Regulations and Provisions

6.3.1 Required Front and Rear Yard

Existing Single detached, semi-detached or duplex; and rowhouses/townhouses

Except where a lot has no rear yard, a combined front and rear yard of 14.0 metres shall be provided and maintained, provided that a minimum front yard of six (6) metres shall be required. Where a lot has no rear yard, a minimum 6.0 metre front yard shall be provided and maintained.

All other uses - front and rear 7.5 metres

6.3.2 Required Interior Side Yard

Single detached dwelling;

- | | |
|--|--|
| i) with an attached carport or garage along one side of the dwelling | 2.0 metres on each side |
| ii) without an attached carport or garage | 2.0 metres on one side and 3.0 metres on the other |

Semi detached, rowhouse/townhouse	3.0 metres on each exterior side of the building
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All other uses	1.0 metre
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6.3.3 Required Exterior Side

All uses	3.0 metres
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6.3.4 Maximum Height

Multiple residential buildings	10.5 metres or 3 storeys
All other main buildings	10.0 metres
Accessory buildings	4.2 metres

6.3.4 Maximum Number of Main Uses

All permitted uses;	one use only
---------------------	--------------

6.3.5 Maximum Number of Permitted Main Buildings

one only

6.3.6 Building Separation

- | | |
|---|------------|
| i) between main building and detached garage | 3.0 metres |
| ii) between main building and other accessory buildings | 1.0 metres |
| iii) between accessory buildings | 1.0 metres |

6.3.7 Minimum Required Landscaping

All permitted uses	20 %
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6.4.1 Special Provisions

6.4.1 Separate ownership

Where ownership of one or more semi-detached or townhouse/rowhouse units connected as a building is under separate title, a 0.00 side yard shall be permitted along the lot lines containing the common party wall.

6.4.2 Group and Crisis Home Separation Distances

No group home or crisis residence shall be located closer than 200 metres from the boundary of a lot of any other group home or crisis residence

SECTION SEVEN

TOWNSITE COMMERCIAL/INSTITUTIONAL ZONE

[TCI]

7.1 Permitted Uses

Within this zone, the predominant use of land shall be for the conduct of activities related to and involving the purchasing and/or sale of goods, products, commodities; and/or the supply of services; both for profit or gain; and/or for the conduct of any public or non-profit service or function, and including uses and/or activities customarily related thereto, and shall involve;

Commercial use, retail store
Food Store, bake shop, bakery
Church
Automobile sales showroom, automobile service station or gas bar
Office, government office, professional office, clinic, service commercial office
Municipal/government office
Hospital
Ambulance service
Fire hall, police station, libraries, museums, post office or other such cultural facilities
Tourist information and/or promotion office/facility, tourist outfitter
Existing automobile gas bar and/or service station
Personal service shop
School, including a commercial school
Laundromat
Restaurant, which may include a drive through
Tavern, pub
Financial institution
Theatre
Place of amusement, private club, tavern
Commercial parking lot
Light industrial use that is totally contained within the main or accessory building(s)
Veterinary clinic excluding a kennel or any external keeping or exercising of animals
Hotels, motels
Video rental/sales outlet
Combined use facility
Shopping centre
Park

Existing single detached, semi-detached, duplex, or townhouse residential uses
Dwelling units above a permitted ground floor use

Accessory dwelling to a commercial use
Accessory uses to a main use.

7.2 Lot Requirements

7.2.1 Minimum Lot Frontage

A Combined use facility	7.5 metres
Automobile gas bar and/or service station	30.0 metres
All other uses	00 metres

7.2.2 Minimum Lot Area

Existing at the date of passing of this by-law	00 metres
All new uses	450 square metres

7.2.3 Maximum Lot Coverage

All permitted uses	75 %
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7.3 Other Zone Regulations and Provisions

7.3.1 Required Front and Rear Yard

Required front yard

All uses	7.5 metres
----------	------------

Required rear yard

All uses	7.5 metres
----------	------------

7.3.2 Required Side Yards

All uses	3.0 metres, except that where a main building is attached to an adjacent main building with a party wall there shall be no required interior side yard.
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7.3.3 Maximum Height

All permitted uses	12.0 metres
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7.3.4 Maximum Number of Main Uses

All permitted uses;	no maximum
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7.3.5 Maximum Number of Permitted Main Buildings	no maximum
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7.3.6 Building Separation

i) between main building and detached garage	3.0 metres
ii) between main building and other accessory buildings	1.0 metres
iii) between accessory buildings	1.0 metres
iv) between main buildings	6.0 metres

7.3.7 Minimum Required Landscaping

All permitted uses	10.5 %
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7.3.8 Buffer or privacy fence

Where a commercial use abuts a residential zone, a privacy fence of not less than 1.6 metres or a buffer strip shall be required to be constructed and maintained.

SECTION EIGHT

HIGHWAY/TOURISM COMMERCIAL ZONE

[HTC]

8.1 Permitted Uses

Within this zone, the predominant use of land shall be for the conduct of activities related to and involving the purchasing and/or sale of goods, products, commodities; and/or the supply of services; both for profit or gain, directed to the travelling public, and/or relating to any commercial activity that typically cannot locate in the general commercial setting due to land considerations or other such constraints, and including uses and/or activities customarily related thereto, and shall involve;

Small equipment, appliance, or motor sales and/or repair shop that is totally contained within the main or accessory building(s)

Automobile gas bar and/or service station

Car wash

Automotive or watercraft sales/rental establishment

Construction material/lumberyard yard/hardware sales establishment

Greenhouse, nursery, garden centre

Restaurant, which may include a drive through

Hotel, Motel

Campground, RV/Tent and Trailer Campsite

Golf Driving Range or Mini-put Golf Course

Laundromat

Sale of tourist goods and/or merchandise

Veterinary clinic, Kennel

Video rental/retail store

Convenience store

Park,

Commercial Resource Based Recreation

Tourist gift shop,

Tourist Lodge, Tourist cabins

Tavern, pub

Watercraft sales, service

Communication tower

Combined use

Open storage accessory to a permitted use

Accessory dwelling which may contain a bed and breakfast

Accessory uses to a main use

8.2 Lot Requirements

8.2.1 Minimum Lot Frontage

All permitted uses 60.0 metres

8.2.2 Minimum Lot Area

unserviced or water only 1.0 hectares
full serviced 1,400 square metres

8.2.3 Maximum Lot Coverage

All permitted uses 50 %

8.3 Other Zone Regulations and Provisions

8.3.1 Required Front and Rear Yard

Front yard 10.0 metres
Rear Yard 10.0 metres

8.3.2 Required Side Yards

Interior side 10.0 metres
Exterior side yard 10.0 metres

8.3.3 Maximum Height

All permitted uses 10.5 metres

8.3.4 Maximum Lot Coverage

All permitted uses 35 %

8.3.5 Maximum Number of Main Uses

All permitted uses; no maximum

8.3.6 Maximum Number of Permitted Main Buildings no maximum

8.3.7 Building Separation

- i) between main building and accessory buildings 1.5 metres
- ii) between accessory buildings 1.0 metres

8.3.8 Minimum Required Landscaping

All permitted uses 15 %

8.4 Special Provisions

8.4.1 RV/Tent and trailer campsite

8.4.1.1 A minimum of ten campsite spaces shall be provided, and;

- i) each space shall be not less than 300 square metres in size.
- ii) The overall density of the site shall not exceed 20 spaces per hectare

8.4.2 Buffer or privacy fence

Where a commercial use abuts a residential zone, a privacy fence of not less than 1.6 metres or a buffer strip shall be required to be constructed and maintained.

SECTION NINE

INDUSTRIAL ZONE

[IND]

9.1 Permitted Uses

Within this zone, the predominant use of land shall be for the conduct of activities related to and involving the manufacturing, processing, fabrication, or assembly of goods, products, or materials, whether or not a finished product results; the dismantling or separation into parts of articles of machinery, vehicles; welding; storage and/or transportation of goods, materials; and including uses and/or activities customarily related thereto, and shall involve;

Lumber mill, which may be expanded, and which may include new activities that are directly related to and which provide product or service to the mill or which produce secondary, value added product or output

Auto body repair shop
Aggregate storage, open storage of materials and/or vehicles, machinery, equipment
Building supplies/lumber outlet
Bulk storage and/or sales establishment
Automobile sales, repair
Recreational vehicles, watercraft sales, repairs
Construction/contractor yard
Equipment sales/rental, repairs
Welding shop
Service/repair shop
Automobile wrecking yard
Manufacturing or other industrial activity
Transportation terminal, truck depot
Wholesale sales establishment
Kennels
Mining office
Laboratory
Greenhouse, nursery
Warehouse
Rail Yard
Open storage
Open space

9.3.3 Maximum Height

all permitted uses n/s

9.3.4 Maximum Number of Main Uses

All permitted uses; no maximum

9.3.5 Maximum Number of Permitted Main Buildings no maximum

9.4 Special Provisions

9.4.1 Abutting a dwelling unit

No industrial use shall be located closer than 10.0 metres from any dwelling unit.

9.4.2 Buffer strip/privacy fence

A privacy fence or a vegetated buffer strip with a minimum height of 1.6 metres shall be provided and maintained along each lot line that is not a street line, abutting a residential zone.

SECTION TEN

RURAL ZONE

[RU]

10.1 Permitted Uses

Within this zone, the predominant use of land shall be for the conduct of activities related to and/or involving natural resource based development; recreational or recreational resource based development; agriculture; and a variety of other, low intensity uses that are typically not suited to or practical within an urban setting, and including uses and/or activities customarily related thereto, and shall involve;

Agriculture, Greenhouse, Nursery

Airport and related functions and activities, including industrial or public institutional activities that are or have functions that are directly related to airport transportation; and may also include use of the airport for special events including automobile racing

Single detached dwelling

Forestry

Woodlands processing operation

Resource based recreational activities excluding seasonal residential dwellings

Greenhouse, nursery

Electrical generation

Extraction, processing, bottling of water

Cemeteries

Golf Course; outdoor recreation, which may include related building(s) and/or structure(s) and facilities such as hiking trails.

Bait fishing, sale of baits

Wayside pits and/or quarries

Portable asphalt or concrete plant

Mineral exploration, mining

Communication facilities

Public utilities

Kennel

Wind Generation Testing Tower

Aggregate extraction only on Crown Lands

Accessory residential uses relating to agriculture, kennel or forestry uses, including a permanent work camp relating to forestry activity

10.2 Lot Requirements

10.2.1 Minimum Lot Frontage

All permitted uses	90.0 metres, except in the case of a public utility, communication tower, bait fishing or wayside pit/quarry or alternative energy facility where there shall be no minimum required.
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10.2.2 Minimum Lot Area

Single Detached Dwelling	1.5 hectares
All permitted uses	4.0 hectares, except in the case of a public utility, communication tower, bait fishing or wayside pit/quarry where there shall be no minimum required.

10.2.3 Maximum Lot Coverage

All permitted uses	n/a
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10.3 Other Zone Regulations and Provisions

10.3.1 Required Front and Rear Yard

Front and rear	10.5 metres each, except in the case of a public utility, communication tower, bait fishing or wayside pit/quarry or wind turbine where there shall be no minimum required
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10.3.2 Required Side Yards

Each side	10.0 metres , except in the case of a public utility, communication tower, bait fishing or wayside pit/quarry
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where there shall be no minimum required

10.3.3 Maximum Height

All permitted uses n/a

10.3.4 Maximum Lot Coverage

All permitted uses 15 %

10.3.4 Maximum Number of Main Uses

All permitted uses; no maximum

10.3.5 Maximum Number of Permitted Main Buildings no maximum

10.4 Special Provisions

10.4.1 Setback for pits and quarries and asphalt plant

10.4.1.1 Notwithstanding any other provision of this By-law, no wayside pit or quarry shall be established or operated within 90 metres of a dwelling, or within 300 metres of Lake Superior.

10.4.1.2 Notwithstanding any other provision of this By-law, a portable asphalt or concrete plant shall not be located closer than 500 metres to any existing residential or commercial building.

10.4.2 Agricultural setbacks

All development will comply with the Minimum Separation Distances I and II as described in Ontario's Ministry of Agriculture's Minimum Separation Distance Regulations.

10.4.3 Setbacks on Lake Superior

10.4.3.1 Aggregate extraction and Forestry harvesting shall not occur within 300 metres of the shoreline of Lake Superior.

10.4.4 Electrical Generation Wind Farms

Where an electrical generation wind mill is established as a use, notwithstanding any regulation to the contrary, the structure shall have and maintain minimum setbacks as follows;

- a) from a side lot line where the abutting lands contain a residential dwelling 200 metres
- b) from a side lot line in any other situation 150 metres
- c) from a highway or municipal road 150 metres

Any electrical power generating wind turbine project that exceeds an output of two megawatts must comply with the requirements of the Electricity Projects Regulations and the Environmental Assessment Act, and requires a Certificate of Approval under Section 9 of the Environmental Protection Act.

SECTION ELEVEN
RURAL RESIDENTIAL ZONE

[RR]

11.1 Permitted Uses

Within this zone, the predominant use of land shall be for the regular and ongoing accommodation and home life of person or persons in a low density setting; including sleeping, eating and leisure activities.

single detached dwelling

Park

Group home

Accessory home occupation

Accessory Bed and Breakfast

Notwithstanding the zoning maps that form a part of this by-law, the following properties are zoned Rural Residential (RR)

Parcels 1577, 9151, 9920

Parcels 11505, 11530,

Parcels 11505, 11524, 11530, 11578, 11645, 11659, 11660, 11661, 11662, 11745,
11795

Parcels 12286, 12485, 12877

Parcels 13681, 13682, 13694, 13818

Parcels 14268, 14272, 14390, 13694

Parcels 16285, 16286, 16355

Parcels 18605

Parcels 20132, 22322, 23664

11.2 Lot Requirements

11.2.1 Minimum Lot Frontage

Single detached dwelling 90.0 metres

11.2.2 Minimum Lot Area

Single detached dwelling 1.5 hectares
Other permitted uses 1.5 hectares

11.2.3 Maximum Lot Coverage

All permitted uses 15 %

11.3 Other Zone Regulations and Provisions

11.3.1 Required Front and Rear Yard

Front Yard 10.0 metres
Rear Yard 10.0metres
Flank Yard 10.0 metres

11.3.2 Required Interior Side Yard

Single detached dwelling; 7.5 metres each interior side
Other uses 7.5 metres for each side

A detached garage shall be located in the rear yard.

11.3.3 Required Exterior Side Yard

all uses 3.0 metres

11.3.3 Maximum Height

Main building 10.5 metres
Accessory building(s) 4.2 metres

11.3.5 Maximum Number of Main Uses

All permitted uses; one use only

11.3.6 Maximum Number of Permitted Main Buildings one only

11.3.7 Building Separation

- i) between main building and detached garage 3.0 metres
- ii) between main building and other accessory buildings 1.0 metres
- iii) between accessory buildings 1.0 metres

11.3.8 Minimum Required Landscaping

All permitted uses 30 %

11.4 Special Provisions

11.4.1 Separate title

Where ownership of each side of a semi-detached unit is under separate title, a 0.0 side yard shall be permitted along the lot lines containing the common party wall.

11.4.2 Group Home Separation Distance

No group home shall be located closer than 200 metres from the boundary of a lot of any other group home.

SECTION TWELVE

EXTRACTIVE USES ZONE

[EX]

12.1 Permitted Uses

Within this zone, the predominant use of land shall be for the conduct of activities related to and involving the extraction, processing, storage and/or hauling of aggregate resource material found in the ground on the subject lands, and including uses and/or activities customarily related thereto, and shall involve;

Mining and/or mineral exploration
Aggregate extraction and including processing, pits and quarries
Portable asphalt plant

park

12.2 Lot Requirements

12.2.1 Minimum Lot Frontage

All permitted uses 1`40 metres

12.2.2 Minimum Lot Area

All permitted uses 5.0 hectare

12.2.3 Maximum Lot Coverage

All permitted uses 10 %

12.3 Other Zone Regulations and Provisions

12.3.1 Required Front and Rear Yard

Front Yard 20 metres

Rear Yard 15 metres

12.3.2 Required Side Yards

Each side 20 metres

12.3.3 Maximum Height

All permitted uses 20.0 metres

12.3.4 Maximum Number of Main Uses

All permitted uses; one use only

12.3.5 Maximum Number of Permitted Main Buildings one only

12.4 Special Provisions

12.4.1 Separation distance for pit or quarry

Notwithstanding any other provision of this By-law, no wayside pit or quarry shall be established or carried out within 50 metres of any other zone, except the Rural or Industrial zones, and no major extractive pit or quarry shall be established or carried out within 150 metres of any other zone, except the Industrial zone.

12.4.2 Separation distance for portable asphalt/concrete plant

Notwithstanding any other provision of this By-law, a portable asphalt/concrete plant shall not be located closer than 500 metres to any existing residential or commercial building.

12.4.3 Separation Distance for Aggregate from Lake Superior

Aggregate extraction shall not occur within 300 metres of Lake Superior.

SECTION THIRTEEN

OPEN SPACE ZONE

[OS]

13.1 Permitted Uses

Within this zone, the predominant use of land shall be for the conduct of activities related to and involving open space, conservation, and or preservation; and/or public recreation which may involve activity/play fields, and/or buildings, complexes, arenas and other such buildings, and including uses and/or activities customarily related thereto, and shall involve;

Public and private park, including playground, trails, picnic areas, sports/activity/play fields and facilities, docks and boat launching,
Golf course, driving and/or mini golf
Conservation, preservation
Public utilities
Community Centre
Sports arena
Marina
Waterfront Centre
Cemetery

13.2 Lot Requirements

13.2.1 Minimum Lot Frontage

All permitted uses except conservation and preservation 20.0 metres

13.2.2 Minimum Lot Area

All permitted uses with full urban services 460.0 square metres
All permitted uses without full services 1.0 hectare

13.2.3 Maximum Lot Coverage

All permitted uses n/a

13.3 Other Zone Regulations and Provisions

13.3.1 Required Front and Rear Yard

Front Yard	7.5 metres
Rear yard	7.5 metres

13.3.2 Required Side Yards

Each yard	5.0 metres
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13.3.3 Maximum Height

All permitted uses	14.0 metres
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13.3.4 Maximum Number of Main Uses

All permitted uses;	one use only
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13.3.5 Maximum Number of Permitted Main Buildings one only

13.4 Special Provisions

SECTION FOURTEEN

ENVIRONMENTAL PROTECTION ZONE

[EP]

14.1 Permitted Uses

Within this zone, the predominant use of land shall be for the conduct of activities related to and involving the conservation and protection of identified natural features of significance, and including uses and/or activities customarily related thereto, and shall involve;

conservation, preservation
natural resource protection
outdoor education, hiking trails
flood control

14.2 Lot Requirements

14.2.1 Minimum Lot Frontage

All permitted uses n/a

14.2.2 Minimum Lot Area

All permitted uses na/

14.2.3 Maximum Lot Coverage

All permitted uses n/a

14.3 Other Zone Regulations and Provisions

14.3.1 Required Front and Rear Yard

Front Yard n/a

Rear Yard n/a

14.3.2 Required Side Yards

Each side n/a

14.3.3 Maximum Height

All permitted uses n/a

14.3.4 Maximum Number of Main Uses

All permitted uses; n/a

14.3.5 Maximum Number of Permitted Main Buildings no buildings permitted

14.4 Special Provisions

SECTION FIFTEEN
SPECIAL PURPOSE ZONE

[SP]

15.1 Permitted Uses

Within this zone, the predominant use of land shall be for the conduct of activities related to and involving uses that are specifically described hereafter, and including uses and/or activities customarily related thereto, and shall involve;

Conservation, preservation

On lands zoned SP-1 on the zoning map a hydro tower shall be a permitted use.
Uses existing of the date of passing of this by-law

For Conc 5 W Pt Lot 5 55 R 2113 Parts PCL 17520, 11869, 8843, 13225 TBF, more particularly shown as Parts 1, 2, 3,4 55R -- 2113, and zoned SP – 2 the permitted uses shall be those uses listed in Section 8.1 Highway Commercial Zone, and additional use as a gas /compression and supply facility, including the compressing, storage, transportation and sale of compressed natural gas.

15.2 Lot Requirements

15.2.1 Minimum Lot Frontage

All permitted uses 45 metres

15.2.2 Minimum Lot Area

All permitted uses 1.0 hectare

15.2.3 Maximum Lot Coverage

All permitted uses 10 %

15.3 Other Zone Regulations and Provisions

15.3.1 Required Front and Rear Yard

Front Yard	15 metres
Rear Yard	15 metres

15.3.2 Required Side Yards

Each side	10.0 metres
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15.3.3 Maximum Height

All permitted uses, except SP-1 hydro	10.0 metres
SP – 1 hydro	existing water tower height

15.3.4 Maximum Number of Main Uses

All permitted uses;	one use only
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15.3.5 Maximum Number of Permitted Main Buildings one only

15.4 Special Provisions

15.4.1 Where use of Conc 5 W Pt Lot 5 55 R 2113 Parts PCL 17520, 11869, 8843, 13225 TBF and zoned SP – 2 is for a gas liquefaction plant the following shall apply;

- Notwithstanding Section 15.3.3 Maximum Height the height of a main building for a gasification plant shall not exceed 18 metres. There shall be no maximum height for accessory buildings or for structures related to use as a gasification plant.
- A landscaped strip being not less than 3.0 metres shall be maintained along each property line abutting a provincial highway or municipal road, except where an access driveway is located within such area.
- Notwithstanding the yard regulations, a minimum setback from a property line of 30 metres shall be required for all buildings.

SECTION SIXTEEN

WASTE DISPOSAL/UTILITIES ZONE

[WD]

16.1 Permitted Uses

Within this zone, the predominant use of land shall be for the conduct of activities related to and involving the receiving, storing, and management of waste material, and/or the operation of sewage treatment or other such public facilities, including uses and/or activities customarily related thereto, and shall involve;

Public landfill operation
Public utilities
Sewage treatment plant
Public water treatment plant

park
private forest products wastes disposal and management

16.2 Lot Requirements

16.2.1 Minimum Lot Frontage

All permitted uses 45 metres

16.2.2 Minimum Lot Area

Landfill site 4.0 hectares
All other permitted uses 1.0 hectare

16.2.3 Maximum Lot Coverage

All permitted uses 10 %

16.3 Other Zone Regulations and Provisions

16.3.1 Required Front and Rear Yard

Front Yard	20 metres
Rear Yard	20 metres

16.3.2 Required Side Yards

Each side yard	20 metres
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16.3.3 Maximum Height

All permitted uses	n/a
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12.3.4 Maximum Number of Main Uses

All permitted uses;	one use only
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16.3.5 Maximum Number of Permitted Main Buildings one only

16.4 Special Provisions

16.4.1 Setback

Notwithstanding any other provision to the contrary in this By-law, a 450 metre setback shall be maintained between any landfill activity and any building located on an abutting lot.

16.4.2 Setback for a portable asphalt/concrete plant

Notwithstanding any other provision of this By-law, a portable asphalt/concrete plant shall not be located closer than 500 metres to any existing residential or commercial building.