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TOWNSHIP OF MCKELLAR
COMPREHENSIVE ZONING BY-LAW No. 2019-23

March 16, 2020

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**TOWNSHIP OF McKELLAR
BY-LAW NO. 2019-23**

BEING a By-law to regulate the use of land and the character, location and use of buildings and structures in the Township of McKellar.

The Council of the Corporation of the Township of McKellar, pursuant to Section 34 of The Planning Act, R.S.O., 1990, as amended,

ENACTS AS FOLLOWS:

SECTION 1 - TITLE AND INTERPRETATION

- 1.01 This By-law may be cited as the McKellar Township ("the Township") Zoning By-law ("this By-law").
- 1.02 The Maps annexed hereto as Schedules of this By-law are declared to be part of this By-law.
- 1.03 For the purposes of this By-law, the definitions and interpretations set out herein shall govern.
- 1.04 Nothing in this By-law shall be construed to exempt any person from complying with the requirements of any other by-law of the Township or of any law of the Province of Ontario, or Canada.
- 1.05 The provisions of this By-law are held to be the minimum requirements adopted for the promotion of the public health, safety, convenience or general welfare of the Township.
- 1.06 In the event of an inconsistency or conflict between two or more provisions in this By-law, the more restrictive provision shall prevail.
- 1.07 The provisions of this By-law may not apply to Crown land. However, this By-law reflects the established planning policies of the Township and it is intended that the Crown shall have regard for the provisions of this By-law.
- 1.08 Numerical figures used in this By-law are given in metric units and are intended to provide the sole standard governing the provisions of this By-law. Conversions of these metric units to equivalent imperial units may be deemed acceptable by the Township when the conversion is made to at least two decimal places.
- 1.09 In this By-law, words importing the singular number include, where appropriate, more persons, parties or things of the same kind than one, and a word interpreted in the singular number has a corresponding meaning when used in the plural.
- 1.10 Where any Act or portion of an Act is referred to in this By-law, such reference shall be interpreted to refer to any subsequent renumbering of sections in said Act and/or changes in the date of said Act.
- 1.11 Nothing in this By-law shall be construed to confer any ownership rights to any land below the controlled high water mark caused by flooding because of natural or man-made dams.
- 1.12 Where the permitted uses contained in the various zones in this By-law do not list a specific use in that Zone, this By-law shall be interpreted to deem that such uses are to be prohibited in the respective zones.
- 1.13 Former By-laws

Any by-law passed prior to the passage of this By-law under section 34 of the Planning Act is hereby repealed. The adoption of this By-law will not exempt any person or use of property from complying with the requirements of any other by-law in force at the time of passage of this By-law.

1.14 Transition

This By-law does not apply to prevent the issuance of a building permit for a development for which approval has been previously obtained under the Planning Act for a minor variance, zoning amendment or site plan approval.

SECTION 2 - DEFINITIONS

In this By-law:

- 2.01 Accessory Apartment: means that part of a building originally constructed as a single detached dwelling which has been altered, renovated or enlarged to accommodate a second self-contained dwelling unit.
- 2.02 Accessory Building: means a detached building, located on the same lot as the main building, the use of which is incidental or subordinate to that of the main building.
- 2.03 Accessory Use: means a use of lands or buildings which is incidental or subordinate to the principal use of the said lands and buildings.
- 2.04 Agriculture Use: means any agricultural use or uses, and the structures or buildings accessory thereto, and it includes field crops, animal husbandry, tree nurseries and any other use customarily carried on in the field of general agriculture, including the sale on the premises, of produce grown or raised on the property.
- 2.05 Animal Hospital: includes a veterinary establishment, and any other land, building or structure where domestic animals, birds, or livestock are treated or boarded for short-term periods, but shall not include a kennel.
- 2.06 Apartment: means a multiple dwelling excluding triplex dwelling, a rowhouse dwelling or any group of semi-detached or duplex dwellings.
- 2.07 Arboretum: means a botanical garden exhibiting trees for display or study.
- 2.08 Arena: includes a building, or part of a building, in which facilities are provided for such purposes as ice or roller skating; but does not include any establishment otherwise defined or classified herein.
- 2.09 Assembly Hall: includes a building or part of a building in which facilities are provided for such purposes as meetings for civic, educational, political, religious, or social purposes, a banquet hall, community centre, union hall or Canadian Legion Hall.
- 2.10 Automobile Sales Establishment: means a building or structure or a clearly defined space on a lot used for the display and sale of motor vehicles and may include the servicing, repair, cleaning, polishing, and lubricating of motor vehicles, the sale of automotive accessories and related products, and the leasing or renting of motor vehicles.
- 2.11 Automobile Service Station: means a building or place where petroleum products, supplies, parts or accessories are kept for sale to service motor vehicles, snowmobiles, farm implements and machinery, or where repairs are performed to motor vehicles, snowmobiles, farm implements and machinery or a public garage.
- 2.12 Average Grade: is the mean elevation of the proposed finished ground at the front face of a building or structure.
- 2.13 Aviary: means an enclosure or large cage for live birds.
- 2.14 Basement: means a storey or storeys of a building located below the first storey.
- 2.15 Boarding House: means a dwelling in which the owner or lessor supplies habitable rooms for the accommodation of not more than 6 persons, with or without meals, for the persons so accommodated.
- 2.16 Boat: includes any vessel or watercraft suitable for navigation on or through the water.

- 2.17 Boathouse: means any building or structure intended to house, shelter or protect a boat or other form of water transportation, but it does not include a dry land boat storage building.
- 2.18 Boat Launch: includes a parcel of land and related structures adjoining a waterbody for the placement of watercraft into and out of the water and any adjoining parking areas, aisles or ancillary buildings.
- 2.19 Bridge: includes a structure erected across or spanning two or more points of lands to afford passage by vehicle or pedestrians.
- 2.20 Building: means any edifice used or intended to be used for shelter, accommodation or the enclosure of persons, animals or chattels other than a fence or wall.
- 2.21 Building Line: means a line lying in the interior of a lot drawn parallel to a lot line for the purpose of establishing the minimum distance that must exist between a building or structure erected upon the land and a lot line.
- 2.22 Building, Main: means the building in which the principal use of the lot is conducted.
- 2.23 Building Supply Outlet: means a retail or wholesale store with or without a storage area used for the temporary storage and sale of building supplies such as lumber, cement, bricks and hardware.
- 2.24 Bulk Fuel Storage Establishment: means a building or place where tank(s) for the bulk storage of petroleum, gasoline, fuel oil, gas or flammable liquid or fluid is located.
- 2.25 Business or Professional Office: means an office in which any business is carried on or any profession is practised.
- 2.26 Camping Establishment: means a tourist establishment consisting of at least six campsites and comprising land used or maintained as grounds for the camping or parking of trailers, motorized motor coach, truck campers, campers or tents but not including mobile homes and also excepting parks or camping grounds maintained by any Public Authority.
- 2.27 Campsite: means an area of land within a tent and trailer park or camping establishment which is designed to accommodate the placement of tents, travel trailers, motor coach or truck campers for the temporary quarters of a travelling or vacationing public.
- 2.28 Car Wash: means a building or structure containing facilities for washing motor vehicles by production line methods which may include a conveyor system or similar mechanical devices, and includes a self-service car wash.
- 2.29 Carport: includes a building or structure intended to shelter vehicles that has at least one open wall.
- 2.30 Cellar: means the portion of a building between two floor levels which is partly or wholly underground and which has less than 0.5 metres of its height, from finished floor to finished ceiling, above adjacent finished grade.
- 2.31 Cemetery: includes a cemetery or columbarium within the meaning of The Cemeteries Act.
- 2.32 Chief Building Official: means the official employed by the Township appointed pursuant to the provisions of The Building Code Act, R.S.O., 1990, and amendments thereto, and shall include any Inspector likewise employed and appointed.
- 2.33 Church: means a building set aside by any religious organization for public worship and may include a church hall, church auditorium, Sunday school, nursery school, convent, monastery or parish hall.
- 2.34 Clinic: includes a public or private building, used for medical, surgical, dental, physiotherapeutic,

- chiropractic or other human health treatments by one or more practitioners.
- 2.35 Community Hall: includes any tract of land or building or buildings or any part of any building used for community activities, including recreational and institutional uses, with commercial uses incidental thereto, and the control of which is vested in the municipality, local board or agent thereof.
- 2.36 Condominium: Condominium shall mean a lot on which each individual unit is held in separate interest and all floor space, facilities, outdoor areas and other such areas used in common by all tenants are the interest of, administered and maintained by a corporation created to the provisions of the Condominium Act.
- 2.37 Contractor's Yard: means a yard of any building trade or contractor where equipment and material are stored or where a contractor performs shop or assembly work but does not include any other yard or establishment otherwise defined or classified herein.
- 2.38 Convenience Store: means a retail commercial establishment not exceeding 200 square metres in gross floor area, which serves the daily needs of the residents of the immediately surrounding area, or boaters requiring provisions, and may include provisions for the sale of refreshments, snacks and gasoline in areas not designated for residential use.
- 2.39 Corporation: means the Corporation of the Township of McKellar.
- 2.40 Cottage, Rental: means a tourist establishment that has a building to accommodate one or more guests that:
- a) contains at least two rooms; and,
 - b) that may or may not contain facilities for guests to prepare and cook food.
- 2.41 Crown Land: means lands belonging to Her Majesty in right of Canada or Ontario, whether or not they are covered with water.
- 2.42 Custom Workshop: means a building or part of a building used by a trade, craft or guild for the manufacture in small quantities of made-to-measure clothes or articles, and includes upholstery but does not include metal spinning, woodworking or furniture manufacture, or any factory production or any shop or factory otherwise classified or defined in this By-law.
- 2.43 Deck: includes a floor structure without a roof that is level or has a level surface area capable of accommodating persons or furniture, that may be attached to or detached from a main building or an accessory building.
- 2.44 Development and/or Redevelopment, New: means any development and/or redevelopment in any and all identified zones that goes beyond those existing zoning "permitted as-of-right" uses zoned in this By-law, as amended.
- 2.45 Dock: means a structure, floating or fixed, including a wharf or pier, where boats can remain for loading, unloading, repair or storage on or adjacent to water, but does not include connecting ramps, stairs or walkways.
- 2.46 Dwelling, Single Detached: means a separate building containing only one dwelling unit.
- 2.47 Dwelling, Semi-detached: means a building that is divided vertically into two dwelling units.
- 2.48 Dwelling, Duplex: means a building that is divided horizontally into two dwelling units, each of which has an independent entrance.
- 2.49 Dwelling, Multiple: means a building which contains four or more dwelling units to which units access is provided by a common entrance at street level and common corridors, stairs or elevators.

- 2.50 Dwelling, Rowhouse: means one of a group of three or more attached dwellings each having at least two separate private entrances.
- 2.51 Dwelling, Seasonal: means a single detached residential dwelling that is within the scope of Part 9.36 of Division B of the Ontario Building Code.
- 2.52 Dwelling, Split Level: means a dwelling in which the first floor above finished grade is so constructed as to create two or more different levels, the vertical distance between such levels being less than the full storey. For the purpose of this By-law, a split level dwelling shall be considered a one storey dwelling.
- 2.53 Dwelling, Triplex: means a building that is divided horizontally into three dwelling units.
- 2.54 Dwelling Unit: means one or more rooms in which only one separate kitchen is provided with a private entrance from outside the building or from a common hallway or stairway inside the building.
- 2.55 Dwelling Unit, Secondary: means self-contained residential dwelling units with a private kitchen, bathroom facilities and sleeping areas within a dwelling unit or in a structure accessory to a dwelling unit.
- 2.56 Erect: means to build, construct, reconstruct or relocate and, without limiting the generality of the word, also includes:
- (a) any excavating, dredging, filling, draining, or the creation of retaining walls, beams, siding or breakwalls;
 - (b) the placement or construction of docks, wharves, piers, rafts or pumphouses;
 - (c) altering any existing building or structure by an addition, enlargement, extension or other structural change; and,
 - (d) any work which requires a permit under The Building Code Act, and amendments thereto, and regulations thereunder.
- 2.57 Established Building Line: means the average setback of the existing buildings. A building line is considered to be established when at least 3 buildings have been erected on any one side of a continuous 200 metres of land with road frontage.
- 2.58 Fairground: means an agricultural fairground where farm produce is on display for judging and for sale, and livestock shows, horse racing and other sports events are held.
- 2.59 Farm: includes land or buildings used for growing or storing trees, grain, vegetables, fruit crops or any other agricultural crops, and dairying, grazing, pasturing or housing of livestock and also includes aquaculture, a fishery or hatchery for trout farming or other species and includes a farm dwelling and accessory buildings.
- 2.60 Farm, Specialized Use: means land or buildings which are predominantly used for the raising of chickens, turkeys or other fowl, fur-bearing animals, hogs or the growing of mushrooms, or the intensive feeding of cattle in a confined area.
- 2.61 Farm Implement Dealer: means a building, structure or area where farm equipment and farm supplies are kept for sale at retail, but shall not include any other establishment otherwise defined or classified herein.
- 2.62 Fire Hall: includes a building housing firefighting equipment and personnel.
- 2.63 Fish Habitat: means the spawning grounds and nursery, rearing, food supply and migration areas on which fish depend directly or indirectly for their life processes.

- 2.64 Floor Area: means the space on any storey of a building between exterior walls and required firewalls, including the space occupied by interior walls and partitions, any attached private garage, carport, storage area, breezeway, porch, veranda, but does not include the space occupied by exits, vertical service spaces and their enclosing assemblies, a basement, a cellar, an attic or a boathouse, unenclosed attached porch or unenclosed attached veranda.
- 2.65 Floor Area, Ground: means the floor area of the first storey of any building or structure and it includes, in the case of a dwelling unit, the area of any attached private garage, enclosed attached porch or enclosed attached veranda.
- 2.66 Floor Area, Gross: means the sum total of the gross horizontal areas of all storeys of all buildings excluding attics and basements when used solely for the purpose of storage.
- 2.67 Forest Management Area: means land used for wood lot conservation or forest management practices carried out under a program of the Ministry of Natural Resources.
- 2.68 Fractional Development Project: means a project consisting of any dwelling unit, hotel, lot or parcel in which a purchaser receives a Fractional Development Project interest.
- 2.69 Fractional Development Project Interest: means a contractual right of occupancy in a Fractional Development Project, whether by membership, agreement, share, tenancy in common, sale, deed, licence, right-to-use agreement or otherwise, where such right is divided into two or more undivided interests, whether or not such interest is coupled with an estate in real property, where a purchaser, in exchange for consideration, receives a right to use a portion of a Fractional Development Project for a period of time less than six months during any given year.
- 2.70 Front Line of Main Building: means the side of a building that is the closest distance between the building and the front lot line.
- 2.71 Funeral Home: includes a building or structure designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of human bodies for interment or cremation.
- 2.72 Garage, Private: means an accessory building or a portion of the main building including a carport, which is designed or used for the storage of one or more private vehicles and the storage of household equipment incidental to residential occupancy and in which no business, occupation or service is conducted for profit.
- 2.73 Garage, Public: means a building which is used for the servicing, repair or equipping of motor vehicles, or where such vehicles are parked or stored for remuneration, hire or sale.
- 2.74 Gazebo: an accessory open air building not exceeding 4 metres in height and a floor area less than 15 square metres, in which there are no services.
- 2.75 Golf Course: means a public or private area used for the playing of golf and includes a driving range, but not a miniature course or similar uses.
- 2.76 Government Office: includes any building, structure or land where any level of government conducts business.
- 2.77 Group Home: means a building or buildings, licensed or approved under any provincial statute, in which not more than six (6) persons live as a single housekeeping unit under responsible supervision, but does not include a dwelling unit occupied for the purpose of providing shelter for persons on parole or released from penal institutions, or for persons ordered to reside there as a result of conviction of a criminal offence.

- 2.78 Guest Cabin: See Sleeping Cabin.
- 2.79 Height: means, when used with reference to a building, the vertical distance between the average grade at the front of a building and, in the case of:
- (a) a flat roof - the highest point of the roof surface or the parapet, whichever is greater;
 - (b) a mansard roof - the deck roof line;
 - (c) a gable, hip or gambrel roof - the mean distance between the eaves and the ridge; and,
 - (d) an "A"-frame construction - one and one half times the mean distance between the eaves and the ridge.
- 2.80 Highwater Mark: means the normal water mark of any water at the time of the original survey of the Township unless altered by the construction of a dam or dams belonging to any municipal, provincial or other public authority, in which case the measurement shall be from the highwater mark as controlled by such dam or dams and in the case of Lake Manitouwabing and Robinson Lake, the highwater mark shall be defined as 240 metres G.S.C.
- 2.81 Home Industry: means a gainful occupation including an animal hospital, electrical, woodworking, window frame, welding, plumbing, machine or auto repair shop, service shop, or blacksmith, conducted in whole or in part in an accessory building to a single detached dwelling house, provided that:
- a) there is no external advertising other than a sign erected in accordance with any by-laws of the Township regulating signs;
 - b) there is no external storage of goods, materials or equipment;
 - c) such home industry is not an obnoxious use, business or manufacture;
 - d) such home industry is clearly secondary to the main residential use and does not change the residential character of the dwelling unit or lot;
 - e) not more than two persons, other than the owner, are employed therein on a full-time basis; and,
 - f) the lot shall be not less than 60 metres of frontage and 0.5 hectares of area.
- 2.82 Home Occupation: means a gainful occupation including an office; arts/crafts studio; caterer; barber; hairdresser; beautician; dressmaker; seamstress; tailor; photographer; studio of a teacher of music; the arts or academic subjects; conducted in whole or in part in a dwelling or in an accessory building to a single detached dwelling, provided that:
- (a) there is no external display or advertising other than a sign, a maximum of 1 square metre, erected in accordance with any by-laws of the Township regulating sign;
 - (b) there is no external storage of goods, materials or equipment associated with the use;
 - (c) such home occupation is clearly secondary to the main residential character of the single detached dwelling and does not change the residential character thereof;
 - (d) the home occupation use shall not be an obnoxious use creating unacceptable levels of noise, vibration, fumes, dust, odour, traffic, heat or glare outside the single detached dwelling within which is contained nor should it interfere with other radio or television reception;
 - (e) home occupation uses that involve the sale of goods shall provide a minimum of one parking

space, in addition to that required by the single detached dwelling;

- (f) any processing or manufacturing is limited to the manufacture of small mechanisms, assembly of electronic instruments, packaging of small articles or construction of light objects and similar such activities;
 - (g) not more than 45 percent of the floor area (which excludes the basement) may be used for the home occupation anywhere in the dwelling, "including the basement"; and
 - (h) the sales area should be limited to one half (50 percent) of the floor area used for the home occupation use.
- 2.83 Hospital: means an institution as defined by the Public Hospitals Act, being Chapter P40 of the Revised Statutes of Ontario, 1990, as amended from time to time.
- 2.84 Hotel: includes a tourist establishment, other than a boarding house, catering primarily to the travelling public by supplying overnight sleeping accommodation with or without meals.
- 2.85 Hunting Camp: means any land or buildings which is used solely for the incidental habitation of persons angling or hunting wildlife.
- 2.86 Institution: means any building or structure or part thereof used for a non-commercial purpose by any organization, group or association for the promotion of charitable, educational or benevolent objects but it does not include a private club, mental health centre or place of detention.
- 2.87 Institutional Use: means pertaining to, or characteristic of an institution.
- 2.88 Island: means a parcel of land which is capable of being conveyed and which is entirely surrounded by water.
- 2.89 Kennel: includes a place where dogs and/or other animals, other than livestock, are bred and raised, or are sold or kept for sale, boarded or trained.
- 2.90 Kitchen: means a room or part of a room where food is stored or prepared or cooked, and which has cooking appliances.
- 2.91 Landfill Site: includes a waste disposal site or dump where waste is deposited with or without cover material being applied for which a Certificate of Approval has been issued under the Environmental Protection Act.
- 2.92 Lane: means a public thoroughfare which affords a secondary means of access to abutting lots, but which does not include a street, private road, right-of-way or road allowance.
- 2.93 Laundromat: means a place where laundry is washed and dried in coin-operated automatic machines.
- 2.94 Library: means a building or room housing a collection of books, pamphlets, etc.; esp., such a collection arranged to facilitate reference.
- 2.95 Lodge: includes a tourist establishment that has facilities for serving meals and furnishes equipment, supplies or services to persons in connection with angling, hunting, camping or recreational purposes.
- 2.96 Lot: means a single, separate parcel of land, which is capable of being conveyed, whether such a parcel is described in a registered deed or is shown in a registered plan of subdivision, including any of its parts which are subject to right-of-way or easement.
- 2.97 Lot Area: means the total horizontal area within the lot lines of a lot. In the case of a corner lot

having a sight triangle or having street lines rounding at the corner with a radius of 6 metres or less, the lot area of such lots shall be calculated as if the lot lines were extended to their point of intersection.

- 2.98 Lot, Corner: means a lot situated at the intersection of and abutting upon two or more roads provided that the angle of intersection of such roads is not more than 135 degrees.
- 2.99 Lot Coverage: means the percentage of the lot area covered by buildings and structures, including a private garage and accessory buildings, but not including buildings located over the Crown lake bed or uncovered structures.
- 2.100 Lot Depth: means the horizontal distance between the front and rear lot lines. Where the front and rear lot lines are not parallel, it shall be the length of a straight line joining the mid-points of these lines. Where the side, front and rear lot lines are not determinable, the lot depth shall be the maximum separation between any two points on the boundary of the lot.
- 2.101 Lot Frontage: means the horizontal distance between the side lot lines measured along the front lot line, but where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage is to be measured either by a line equal to the minimum front yard measured back from and parallel to the chord of the lot frontage, or by the chord of the lot frontage, whichever is the greater.

For the purpose of this paragraph, the chord of the lot frontage is a straight line joining the two points where the side lot lines or the lines, as defined in Section 2.102, extending from the side lot lines intersect the front lot line.

Where the side, and/or front and/or rear lot lines are not determinable, the lot frontage shall be the distance of the maximum separation between any two points on the boundary of the lot.

- 2.102 Lot Line: means any boundary of a lot or the vertical projection thereof.
- 2.103 Lot Line, Front: means, in the case of an interior lot, the line dividing the lot from the road. In the case of a corner lot, the shorter lot line abutting a road shall be deemed to be the front lot line and the longer lot line abutting the road shall be deemed to be a side lot line. In the case of a lot with water frontage on a navigable waterway, the front lot line shall be the highwater mark of such waterway. In the case of a lot fronting on a road allowance or Crown Reserve along the shore of a navigable waterway, the front lot line shall be measured between the points where two straight lines extended from the intersection of the side lot lines with the inner limit of that shoreline road allowance or Crown Reserve intersect at an angle of 90 degrees with the highwater mark. In the case of a through lot, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line.
- 2.104 Lot Line, Rear: means the lot line opposite the front lot line.
- 2.105 Lot Line, Side: means any lot lines other than the front lot line and the rear lot line.
- 2.106 Lot, Through: means a lot either bounded on two opposite sides by road or by navigable water.
- 2.107 Machine or Welding Shop: means a building or structure where manufacturing is performed by tradesmen requiring manual or mechanical skills and may include a carpenter's shop, a locksmith's shop, a gunsmith's shop, a tinsmith shop, a commercial welder's shop or similar uses.
- 2.108 Manufacturing Establishment: means an establishment in which the process of producing a product is within the scope and meaning of the Statistics Canada, "Standard Industrial Classification Manual".
- 2.109 Marina: means buildings, structures or lands, containing docking facilities and automobile parking areas, where boats and boat accessories are built, stored, serviced, repaired or kept for sale and where facilities for the sale of marina fuels and lubricants may be provided. Such an establishment may include facilities for mooring, storing and fueling float-equipped aircraft.

- 2.110 Minister: means the Minister responsible for the administration of the Planning Act.
- 2.111 Mobile Home: means any dwelling that is factory made and designed to be made mobile provided that it is constructed on a permanent foundation, having a minimum floor area of 60 square metres, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a trailer otherwise designed.
- 2.112 Mobile Home Park: means an area set aside for the use of mobile homes in which communal sewer, water and hydro services are provided and in which community laundry, social, local commercial and recreation facilities may be located, and which may be licensed for this purpose by the Township.
- 2.113 Motel: includes a tourist establishment other than a boarding house, catering primarily to the travelling public by supplying overnight sleeping accommodation with or without meals.
- 2.114 Motor Vehicle: means an automobile, truck, motorcycle, motorized snow vehicle, and any other vehicle propelled or driven other than by muscular power but does not include cars of electric or steam railways, or other motor vehicles running only upon rails, or a traction engine, farm tractor, self-propelled implement of husbandry or road building machine within the meaning of the Highway Traffic Act.
- 2.115 Municipal Garage: means any land, building or structure owned by the Corporation of the Township of McKellar or the Province of Ontario and used for the storage, maintenance and/or repair of material, equipment, machinery and/or motor vehicles used in connection with civic works.
- 2.116 Museum: means a place or building for preserving and exhibiting works of art, scientific objects, curiosities, etc.
- 2.117 Navigable: means any body of water which is capable, in its natural state or normal water level, of being navigated by floating vessels of any description for the purposes of transportation, recreation or commerce so long as such navigation does not negatively impact the aquatic environment of that body of water. It also includes a canal and any other body of water created or altered for public use as a result of the construction of any work, as well as any waterway where the public right of navigation exists by dedication of the waterway for public purposes or by the public having acquired the right to navigate through long use.
- 2.118 Nursery or Commercial Greenhouse: means a building or structure, and lands associated therewith, for the growing of flowers, fruits, vegetables, plants, shrubs, trees or similar vegetation together with gardening tools and implements which are sold at retail from such building or lot to the general public.
- 2.119 Nursing Home: includes a home as defined by The Nursing Homes Act for Ontario for the care of elderly or chronically ill persons.
- 2.120 Nursery School: includes a day nursery within the meaning of The Day Nurseries Act for Ontario.
- 2.121 Obnoxious Use: means any use that causes or may cause harm or discomfort to any person or any use that impairs the natural environment that would affect the safety or enjoyment of any adjoining property owner.
- 2.122 Original Road Allowance: means the 20 metres wide allowance for road or reserve along the shore of navigable streams, rivers and lakes identified in the original survey of the abutting lands.
- 2.123 Park, Private: means any open space or recreational area, other than a public park, owned and operated or maintained in whole or in part for profit by a private club or fraternal organization for members only, and may include therein one or more swimming, wading and boat facilities, picnic area, ski area, gardens or refreshment rooms.

- 2.124 Park, Public: means any open space or recreational area, owned or controlled by the Township or any other Authority established under any statute of the Province of Ontario and may include one or more athletic fields, field houses, community centres, bleachers, swimming pools, greenhouses, botanical gardens, zoological gardens, bandstands, skating rinks, tennis-courts, bowling greens, boat liveries, bathing stations, curling rinks, refreshment rooms, fair grounds, arenas, tent or trailer camps or parks, golf courses or similar uses.
- 2.125 Parking Area: means an area provided for the parking of vehicles and may include aisles, parking spaces and related ingress and egress lanes or a private garage, but does not include any part of a public road or street.
- 2.126 Parking Lot: means a parking area operated by either a private or public organization for public use.
- 2.127 Parking Space: means an area of not less than 18 square metres, exclusive of any aisles or ingress and egress lanes, usable for the temporary parking or storage of motor vehicles, and may include a private road.
- 2.128 Person: means a person as defined in The Interpretation Act for Ontario.
- 2.129 Pit or Quarry: means any pit or excavation made for the purpose of searching for, or the removal of, any soil, earth, clay, marl, sand, gravel or rock for commercial purposes but does not include an excavation incidental to the construction or alteration of a building for which a permit has been granted or a wayside pit as defined in this By-law.
- 2.130 Place of Entertainment: means a building, lot or structure for a motion picture or other theatre, arena, curling rink, auditorium, public hall, billiard or pool room, bowling alley, ice or roller skating rink, dance hall or music hall, but does not include any place of entertainment or amusement otherwise defined or classified.
- 2.131 Point of Intersection: means the point at which two street lines abutting a corner lot intersect or if the two street lines meet in a curve then it is the point at which the production of the two lines abutting the two streets intersect.
- 2.132 Portable Asphalt Plant: means a facility:
- a) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and,
 - b) which is not of permanent construction, but is designed to be dismantled and moved to another location as required.
- 2.133 Post Office: means any local office, building, structure or place that receives, sorts and delivers mail, sells stamps, etc.
- 2.134 Provincial Highway: means a street under the jurisdiction of the Ministry of Transportation.
- 2.135 Pumphouse: means a building or structure used to fence, wall in, or cover a hydraulic device used to deliver, pressurize or store a private domestic water supply and accessory equipment or tools.
- 2.136 Restaurant: includes a building or a part of a building where food is offered for sale or sold to the public for immediate consumption therein, with or without a license to sell alcoholic spirits and includes any appurtenant outdoor patios intended or designed for restaurant purposes.

- 2.137 Restaurant, Take-Out: means a lot and/or building or structure or part thereof where refreshments, food or meals are served to the public in consideration of payment, specializing in fast food preparation, the provision of take-out service and/or the dispensing of meals by means other than individual table attendants.
- 2.138 Retail Store: see Store, Retail.
- 2.139 Riding Stable: means an area of land which is used for horse training, handling, care, or for the lodging of horses.
- 2.140 Road, Private: means any roadway or openway that allows for the passage of a conventional passenger vehicle, but does not include a public road or public highway as defined in the Municipal Act.
- 2.141 Salvage Yard: means land or buildings used for a wrecking yard or premise, the keeping and/or storing of used motor vehicles, farm implements, building products, waste paper, rags, bones, bottles, bicycles, tires, old metal, other scrap material or salvage and where such materials are bought, sold, exchanged, baled, packed, disassembled or handled for further use.
- 2.142 Satellite Dish: means a structure used or intended to be used to receive broadcast signals from satellites.
- 2.143 Sauna: means a building that is used for steam or dry heat baths, and not for human habitation.
- 2.144 Saw Mill: means an establishment for sawing logs with power-driven machinery including portable machinery and facilities.
- 2.145 School: means a school under the jurisdiction of a Board as defined by the Ministry of Education or Ministry of Colleges and Universities.
- 2.146 Service Shop: includes a building or part of a building, whether used in conjunction with a retail store or not, for the performance of personal services such as a barber shop or beauty parlour, or for the servicing or repairing of articles, goods or materials, in which no product is manufactured.
- 2.147 Service Station: means one or more pump islands, each consisting of one or more gasoline pumps, and a shelter having a floor area of not more than 2.5 metres, which shall not be used for the sale of any product other than liquids and small accessories required for the operation of motor vehicles, but shall not include any other establishment otherwise defined or classified in this By-law.
- 2.148 Setback: means the open, uncovered and unoccupied horizontal distance appurtenant to a building or structure.
- 2.149 Shop, Variety or Grocery: means a building or structure used for the performance of retail services provided that no repairing or manufacturing of articles, goods or materials is permitted in such building or structure.
- 2.150 Shoreline: means the point where the water meets the land regardless of the original or high water mark.
- 2.151 Slaughterhouse: means a place, building or structure where animals are butchered.
- 2.152 Sleeping Cabin: means a building for overnight accommodation which is accessory to a single detached dwelling and which contains no provisions for cooking and is greater than 10 square metres in floor area.
- 2.153 Storage Building: means when referring to a principal use on a lot, a one storey building not exceeding 4 metres in height, having a ground floor area greater than 10 square metres and a maximum ground floor area of 11.5 square metres to be used for the storage of property

- maintenance equipment and not for human habitation but does not include a tent or trailer as defined in this By-law.
- 2.154 Storage Terminal, Truck or Bus: means any building or land where trucks or buses are rented, leased, kept for hire, stored or parked for commercial purposes.
- 2.155 Store, Retail: includes a building or part of a building where commodities or goods are sold to ultimate consumers for personal or household consumption.
- 2.156 Storey: means the portion of a building other than the basement, cellar or attic which lies between the surface of the floor and the surface of the next floor above it, or if there is no floor above it, then the space between such floor and the ceiling or roof next above it, or in the case of a boathouse, then the space between such floor and roof.
- 2.157 Storey, One Half: means the portion of a building situated wholly or in part within the roof and in which there is sufficient space to provide a height between finished floor and finished dwelling of at least 2 metres over a floor area equal to at least 50 per cent of the area of the floor next below.
- 2.158 Street: means a public highway or public road which affords the principal means of access to abutting lots but does not include a lane, private road, right-of-way or unopened road allowance.
- 2.159 Street Line: means the dividing line between a lot and a street or a road.
- 2.160 Structure: means anything constructed or erected, other than a building, and for the purposes of this By-law, shall include a tennis court, a vehicle or a boat but does not include a septic tile field.
- 2.161 Tennis Court: includes a flat structure, whether such structure is made of natural materials or not, that may or may not be elevated above the ground on which the game of tennis or other racquet sports are played, and which is surrounded by a fence.
- 2.162 Tent: means any kind of temporary shelter for sleeping that is not permanently fixed to land and that is capable of being easily moved, but does not include a structure.
- 2.163 Tourist Establishment: includes buildings, structures or uses operated to provide sleeping accommodation for the travelling public or sleeping accommodation for the use of the public engaging in recreational activities, and includes the services and facilities in connection with which sleeping accommodation is provided, and includes lodges, rental cottages, trailer parks, a camping establishment, a hotel, a motel, and other similar uses, as defined in this By-law, as amended, for the Township of McKellar, but does not include fractional development project use, condominium use, and other similar uses, as defined in this By-law, as amended, for the Township of McKellar.
- 2.164 Township: means the Corporation of the Township of McKellar.
- 2.165 Tradesman Shop: means a yard of any tradesman where equipment and material are stored or where a tradesman performs shop or assembly work but does not include any other yard or establishment otherwise defined or classified herein.
- 2.166 Trailer: means any vehicle less than 60 square metres so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, and is capable of being used for the living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked-up or that its running gear is removed.
- 2.167 Trailer Park: means a tourist establishment that has an area that may be licensed by the Township which is set aside for trailers which are being used for travel, vacation or recreational use on a seasonal basis where community laundry, social, local commercial and recreational facilities may be located, and where mobile homes are not permitted.
- 2.168 Transfer Station: means a parcel of land and/or structure used for the collection of waste for a

temporary time until such waste may be transported but does not include a waste disposal site or landfill site.

- 2.169 Use: means the purpose for which a site or structure is arranged, designed, intended, constructed, moved, erected, altered or enlarged or for which either a site or structure is or may be occupied and maintained.
- 2.170 Use, New: means any use that goes beyond those existing general commercial establishment uses and their identified permitted as-of-right uses, existing tourist commercial establishment uses and their identified permitted as-of-right uses, and existing special provisions permitting uses of a tourist commercial nature, along with their permitted as-of-right uses, zoned in this By-law, as amended.
- 2.171 Use, Permitted as-of-right: means a use which is listed as a “permitted use” in any given zone in this By-law. Such use shall be allowed to be established within that zone, subject solely to the specific requirements of this By-law, as amended.
- 2.172 Use, Prohibited: means any use not specifically listed/permitted or permitted by special use permit in this By-law, as amended, is prohibited.
- 2.173 Vehicle: means a vehicle as defined in the Highway Traffic Act.
- 2.174 Warehouse: means a building or part of a building used 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 they do not exceed 10 percent of the gross floor area, but shall not include a truck or transport terminal or yard.
- 2.175 Waste Disposal Site: means any land or land covered by water upon, into, in or through which, or building or structure in which, waste is deposited or processed and any machinery or equipment or operation required for the treatment or disposal of waste and for which a Certificate of Approval has been secured from the appropriate government authority.
- 2.176 Water Supply: means a distribution system of underground piping and related storage, including pumping and purification appurtenances owned and operated by the Township or the Provincial Government for public use.
- 2.177 Wayside Pit: means a temporary excavation from which sand, gravel or earth fill material is removed by:
- a) a public authority or their agent for its own use in maintaining local roads and highways and for landfill sites;
 - b) the owner of a lot having an area of at least two hectares for his own personal use; or,
 - c) someone issued a quarry permit from the appropriate government authority to extract sand or gravel from Crown land.
- 2.178 Wildlife Habitat: means areas of the natural environment where plants, animals, and other organisms, excluding fish, survive in self-sustaining populations, and from which they derive services such as cover, protection, or food.
- 2.179 Yard: means the open, uncovered and unoccupied horizontal space appurtenant to a building.
- 2.180 Yard, Front: means a yard extending across the full width of the lot between the front lot line of the lot and the nearest part of any building or structure on the lot, with the exception of any encroachment permitted by this By-law.

Where there is no front lot line, the front yard is to be measured from a point set back 10 metres from the centre line of the travelled road to the nearest part of any building on the lot, with the

exception of any encroachments permitted by this By-law.

- 2.181 Yard Depth, Front: means the least distance between the front lot line of the lot and the nearest part of any building or structure on the lot, with the exception of any encroachment permitted by this By-law.
- 2.182 Yard, Rear: means a yard extending across the full width of the lot between the rear lot line of the lot and the nearest part of any building or structure on the lot, with the exception of any encroachment permitted by this By-law.
- 2.183 Yard Depth, Rear: means the least distance between the rear lot line of the lot and the nearest part of any building or structure on the lot, with the exception of any encroachment permitted by this By-law.
- 2.184 Yard, Required: means the minimum yard required by the provisions of this By-law.
- 2.185 Yard, Side: means a yard extending from the side lot line of the lot to the nearest part of any building or structure on the lot, with the exception of any encroachment permitted by this By-law.
- 2.186 Yard, Exterior Side: means a side yard immediately adjoining a road or a 0.3 metre reserve abutting a road.
- 2.187 Yard, Interior Side: means a side yard other than an exterior side yard.

SECTION 3 - GENERAL PROVISIONS

3.01 Zones

For the purpose of this By-law, the following Zones are established and are shown on the various sheets comprising the five schedules of this By-law being Schedules 1, 1A, 2, 3 and 4:

Zone	Zone Symbol
RURAL	RU
RURAL RESIDENTIAL	RR
MULTIPLE RESIDENTIAL	RM
WATERFRONT RESIDENTIAL 1	WF1
WATERFRONT RESIDENTIAL 2	WF2
WATERFRONT RESIDENTIAL 3	WF3
WATERFRONT RESIDENTIAL 4	WF4
WATERFRONT RESIDENTIAL 5	WF5
GENERAL COMMERCIAL	
CONTRACTOR COMMERCIAL	C1.1
GENERAL COMMERCIAL	C1.2
RETAIL COMMERCIAL	C1.3
MARINE COMMERCIAL	C1.4
AUTOBODY COMMERCIAL	C1.5
TOURIST COMMERCIAL	C2

Zone	Zone Symbol
TOURIST COMMERCIAL MARINE	C2M
TOURIST COMMERCIAL MARINE RESTRICTED	C2MR
INDUSTRIAL	M1
INDUSTRIAL PIT	M2
LANDFILL	M3
OPEN SPACE PARKS	OS
WASTE DISPOSAL	WD
ENVIRONMENTAL PROTECTION	EP
FLOOD PLAIN	FP

and no person shall use land or erect, alter or use any building or structure except in accordance with the provisions of this By-law.

3.02 Zone Boundaries

- a) Where the boundary of a zone does not coincide with a road or railway right-of-way, a lot line, the boundaries of registered plans, or a natural feature such as a creek, stream or shoreline, the location of the boundary line shall be scaled from the Zoning Maps – Schedules 1, 1A, 2, 3 and 4.
- b) Schedules 1, 1A, 2, 3 and 4, the Zoning Maps have been prepared from geographic information system parcel fabric from the West Parry Sound Geographic Network transferred from zone symbols on the zoning schedules.

3.03 Accessory Uses

- a) Where this By-law provides that land may be used or a building or structure may be erected, altered or used for a purpose, that purpose shall be deemed to include any accessory building or structure or any use incidental thereto. Subject to the provisions of this By-law, an accessory building, structure or use may only be established once the main building, structure or use has been established.
- b) Except as may be provided elsewhere in this By-law, any accessory building or structure which is not attached to the main building shall be erected behind the front line of the main building or shall comply with the front yard requirements of the zone in which the main building is situated whichever is the lesser. Such accessory buildings and structures shall not occupy more than 5 percent of the lot area.
- c) Notwithstanding sub-paragraph (b) above, a dock, wharf or gazebo may be located in the front yard, side yard, rear yard or adjoining lakebed, where a lot abuts a navigable waterway, provided that the approval of any other governmental authority having jurisdiction has been obtained.

- d) Where an accessory building is used for a home industry as defined in this By-law, such buildings shall be located on the lot at a setback from any abutting road or street 7.5 metres greater than the front yard required by this By-law for the main building on the lot.
- e) The use of any accessory building or structure other than a sleeping cabin for human habitation is not permitted, except where a dwelling unit is a permitted accessory use. The use of any accessory building or structure for the keeping of animals, other than domestic pets, is not permitted in any Rural Residential or Waterfront Residential Zone unless specifically authorized by the provisions of the zone and except as provided for in a farm use under Section 3.09.
- f) Notwithstanding sub-paragraph a), b), c), d) and e) above, no accessory buildings, structures or uses are permitted on a lot where the principal use on the lot is a storage building.
- g) Portable structures including storage containers are permitted accessory structures subject to complying with the above provisions. In the Rural Residential and Waterfront Residential Zones, only one shipping container up to 6 metres in length is permitted on a property subject to a 10 metre front yard.
- h) Notwithstanding any provision in this By-law, any accessory building must be a minimum of 1.2 metres from any other building on a lot.

3.04 Application of By-law

This By-law applies to all lands within the Township.

Notwithstanding the provisions of Section 3.02, where any zone on the Schedules abuts a waterway, such Zone shall be deemed to extend into the waterway and to apply to any water lots, Crown lake bed or any land created by changing lake levels, land fill operations or by any other means, and to extend over all docks, boathouses, breakwalls, groins, seawalls, cribs, anchorages and floating or buoyant structures, boats or barges whether or not they are fastened to the shoreline, beached or anchored to the Crown lake bed.

No building or structure shall be erected, altered or used, and the use of any building, structure or lot shall not be changed in whole or in part except in conformity with the provisions of this By-law.

3.05 Automobile Service Station or Public Garage

Notwithstanding the provisions of this By-law, a pump island may be located within any front yard or exterior side of an automobile service station or public garage, provided that:

- a) the minimum distance between any portion of the pump island and any lot line shall be 6 metres; and,
- b) where the lot is a corner lot, no portion of any pump island shall be located closer than 4 metres to the base of a sight triangle.

3.06 Boathouses

In addition to Section 3.03(b), a boathouse is a permitted accessory use which may be located in any yard of a lot excepting that part of the front yard 2 metres back from the high water mark and the front building line which abuts a navigable waterway provided that:

- a) approval for the occupation of the Crown lake bed for the boathouse has been obtained from any government authority having jurisdiction;
- b) the boathouse is not located closer than 6 metres to the side lot line, including the straight line extension of the said lot line into the water;
- c) the boathouse is not used for human habitation and no plumbing fixtures are permitted;

- d) in the case of a lot zoned for residential use, the design of any boathouse shall be limited to one storey; and,
- e) in the case of a lot zoned for residential use, no boathouse can occupy an area exceeding two percent of the lot area or 100 square metres, whichever is the lesser.
- f) in the case of a lot zoned for residential use in a waterfront zone, a boathouse is permitted only if the lot has a minimum frontage of 90 metres;
- g) in the case of a lot zoned for residential use, the height of boathouse may not exceed 6.0 metres measured from the high water mark.
- h) in the case of a lot zoned for commercial use, the height of a boathouse may not exceed 8.0 metres measured from the high water mark.

Subparagraphs (a), (b) and (c) are to apply to boathouses in commercial zones.

3.07 Buffer Areas

Anywhere in this By-law where a buffer area is required it shall consist of an area to remain in its natural state where native vegetation is to remain undisturbed except for: pathways; the removal of dead or hazardous trees; or the thinning of trees for views.

3.08 Building Repair and Reconstruction

3.08.1 Non-Complying Lots

- (a) Where a dwelling unit or units legally existed on a lot with inadequate frontage, depth or area requirements, it may be enlarged provided there is compliance with all applicable provisions of this By-law.
- (b) A dwelling unit is permitted use on a lot having less area, frontage and depth required by this By-law provided there is compliance with all applicable provisions of this By-law.

3.08.2 Non-Complying Buildings

- (a) Where a dwelling or accessory building legally exists on a lot zoned WF1 to WF5, the RR and RU Zones inclusive and that dwelling does not comply with the yard, height or coverage requirements of this By-law, nothing shall prevent the repair or reconstruction of that dwelling or accessory building so long as the repair or reconstruction does not further contravene the yard, height or coverage requirements of this By-law and further provided that any reconstruction is located on the same footprint as the existing dwelling or accessory building.
- (b) if the building is a dwelling in other than a residential zone, it shall comply with all of the requirements set out in the Rural (RU) Zone.
- (c) if the building is removed by the owner through the issuance of a demolition permit, the replacement of any building with an increased footprint or total floor area must comply with the yard requirements of this By-law.
- (d) Extensions of Existing Buildings Encroaching Upon Yards

Notwithstanding the yard provisions of this By-law, the extension of any legal non-conforming building which has less than the required yard requirements is allowed, provided that such extension does not further contravene the yard provisions of this By-law.

3.09 Buildings to be Moved

No building or structure which would have required a building permit for its construction shall be moved to any location within the Township without the issuance of a building permit from the Township. This requirement does not apply to the temporary removal or placement of a floating dock or docks for winter storage.

3.10 Continuation of Farming Use

Nothing in this By-law shall prevent the continued use of any land, building or structure for farming purposes or any addition or extension of such use provided that any such additions or extensions shall comply with the requirements of the Rural (RU) Zone as to coverage, yard and height provisions. Notwithstanding the requirements of the Rural (RU) Zone, any accessory farm buildings are subject to a minimum yard of 30 metres.

3.12 Decks and Docks

- a) Notwithstanding the yard and setback provisions of this By-law, attached unenclosed porches, balconies, decks, steps and patios, may project into any required yard a maximum distance of 4.0 metres if it is not covered and 2.0 metres if it is covered, but not closer than 1.2 metres to any lot line. Where the floor of any porch, balcony, or deck is more than 2.0 metres above the average grade, the side yard and rear yard setback requirements for the main building shall apply to the porch, balcony or deck.
- b) A detached, open- air deck including steps is permitted within the front yard provided that the deck is less than 30 square metres and that the height of the floor of the deck is less than 2 metres above the average grade.
- c) In a residential zone, a single dock is a permitted accessory structure subject to the following additional regulations:
 - i) The maximum length of a dock should not exceed 15 metres or 25% of the width of the channel whichever is more restrictive;
 - ii) The cumulative width of a dock, including fingers, cannot exceed 10 metres;
 - iii) The maximum area of a dock including ramps shall not exceed 60 square metres (decking area of dock only) excluding any docks adjacent to boathouses); and
 - iv) Permission is obtained from any government organization having approval authority.
- d) In a tourist commercial zone, a dock is a permitted structure subject to:
 - i) obtaining authority from the Crown for a water lot if applicable;
 - ii) the maximum length of a dock not exceeding 20 metres or 25% of the width of the channel whichever is more restrictive;
 - iii) a maximum area of any waterlot devoted to docks and slips not to exceed 10 percent of the adjacent lot area, not occupy more than 50 percent of the lot frontage up to a limit of 4000 square metres (includes lake surface area between dock slips);
 - iv) an increased side yard to 6 metres where the commercial lands abut a residential zone; and
 - v) permission being obtained from any relevant government agency.

3.13 Dwelling Unit in Non-Residential Building or Lot

No person shall use any land, or erect, alter or use any building or structure for the purpose of a separate dwelling unit or units on a lot in a C1.1, C1.2, C1.3, C1.4, C1.5, C2, M1 or an M2 zone, unless the following provisions are met:

- a) Up to two single dwelling units, including a mobile home, are permitted for personal use of the owner, operator or an employee of the non-residential use, provided that each unit has a water supply and sewage system which has been approved by the local approval.
- b) The dwelling unit or units has a minimum floor area in accordance with the requirements of the Building Code Act, and amendments thereto.
- c) The dwelling unit or units has separate washroom and kitchen facilities from those of the non-residential use.
- d) Each dwelling unit shall have a separate parking space in addition to the parking spaces otherwise required for the non residential use(s).
- e) The dwelling unit or units shall have a separate building entrance to that provided for the non-residential use.
- f) The gross floor area of the residential portion of a non-residential building in a Commercial or Industrial Zone shall not exceed 50 per cent of the total floor area.

Notwithstanding the provisions of this By-law, no dwelling unit shall be located in a non-residential building that is used for an Automobile Service Station or a Public Garage.

3.15 Flood Plain Requirements

No building or structures which are to be used for human habitation shall be permitted below the theoretical flood elevation on the shores of any lakes.

3.16 Frontage on Public Road or Street

No person shall erect any building or structure in any zone unless the lot upon which such building or structure is to be erected fronts upon an open public highway maintained year-round by the Township or public authority, except in:

- a) a Waterfront Residential Zone, a dwelling unit may front on a navigable waterway, provided that the side or rear yard has a minimum of 20 metres that directly abuts a public road, private right-of-way or road allowance subject to a minimum right-of-way width of 10 metres this provision does not apply to water access properties;
- b) a Rural (RU) Zone, a hunt camp;
- c) a commercial or industrial zone, the lot may front upon a private road or right-of-way having a minimum width of 20 metres.

3.18 Greater Restrictions

This By-law shall not be effective to reduce or mitigate any restrictions lawfully imposed by a governmental authority having jurisdiction to make such restrictions.

3.19 Height Exceptions

A place of worship, spire, belfry, clock tower, chimney, farm building or structure, silo, water tank, windmill, radio, radar or television tower or antenna or drive-in theatre screen may exceed the height provisions.

3.20 Keeping of Animals

Subject to the provisions of this By-law, no person shall use any land, erect, alter or use any building for the keeping of any exotic animals within any Residential Zone other than the keeping of domestic pets.

3.21 Kennels

Despite any provisions in this By-law to the contrary, commercial or boarding kennels shall only be permitted in an Industrial, Commercial or Rural Zone. The minimum separation distance between a kennel and any existing residential dwelling or any lot in a rural or residential zone shall be 150 metres.

3.22 Lane as Yard

Where the rear lot line of a lot adjoins any portion of a lane, one-half of the width of that portion of such lane may be considered part of the lot for the purpose of computing the area of the lot or the depth of any rear yard required under this By-law.

3.23 Loading Space Regulations

a) Loading Space Requirements

The owner or occupant of any non-residential lot, building or structure erected or used for any purpose involving the receiving, shipping, loading or unloading of persons, animals, goods, wares and merchandise and raw materials, shall provide and maintain at the premises on the lot occupied by the building or structure and not forming part of a street or lane, within the zone in which such use is located, one loading or unloading space 10 metres long, 3.5 metres wide for each 450 square metres of floor area of the building or structure and having a vertical clearance of at least 4 metres provided, however, that adequate space shall be provided for the parking of vehicles awaiting access to loading spaces. No loading space will be required for buildings less than 450 square metres of floor area.

b) Access

Access to loading or unloading space shall be by means of a driveway at least 6 metres wide.

c) Loading Space Surface

The driveways, loading and unloading spaces shall be constructed and maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles and with provisions for drainage facilities.

d) Location

The loading space or spaces required shall be located in the interior side or rear yard unless set back from the street line a minimum distance of 25 metres.

e) When a building or structure has insufficient loading space at the date of passing of this By-law to comply with the requirements herein, this By-law shall not be construed to require that the deficiency be made up prior to the construction of any addition. No addition may be built however, and no change of use may occur, the effect of which would be an increase in that deficiency.

3.24 Lots Having Less Area, Frontage or Depth Than Required

Where a lot having a lesser frontage, area or depth than is required by this By-law is:

(a) held under distinct and separate ownership from abutting lots on or before the date of passing of this By-law;

- (b) a lot on a registered plan of subdivision;
- (c) a lot created as a result of a consent granted by the consent granting authority;
- (d) created as a result of expropriation or other land acquisition by any authority having statutory powers of expropriation; or
- (e) a lot on a draft plan of subdivision approved on or before the passing of this By-law;

and where such a lot has a frontage of at least 30 metres, and a depth of at least 60 metres, or an area of at least 1,800 square metres, such lot shall be deemed to conform to the lot frontage, lot depth and area requirements of this By-law.

Lots less than 1800 square metres existing on the date of the passage of this By-law, may be eligible for a building permit subject to compliance with the yard and coverage requirements.

3.25 Measurement of Lot or Island Area

For the purposes of calculating the lot area of any lot or island fronting on a navigable waterway, the water level to be used shall be the high water mark.

3.26 Minimum Distance Separation

- a) No building shall be constructed in the Rural (RU) zone which does not comply with the Minimum Distance Separation I (MDS I) and Minimum Distance Separation II (MDS II) Formulas as calculated using the provincial Implementation Guidelines (Publication 707).
- b) Setbacks for new dwellings from barns containing livestock, other than dwellings on the lot containing the barn shall be in compliance with MDSI Formulae.
- c) New barns or expansions to existing barns shall require setbacks in compliance with MDSII Formulae.

3.27 Mobile Homes

A mobile home is a permitted use provided it complies with all current requirements of the Ontario Building Code Act Regulations thereunder and amendments thereto so long as it is constructed on a permanent foundation.

3.28 Multiple Zones

Where a lot is divided into more than one zone, each portion of the said lot shall only be used in accordance with the provisions of the zone governing that portion. For example, the permitted uses and building provisions related to coverage and yard requirements shall apply to each of the respective zones on the lot.

3.29 Non-Conforming Uses

Continuation of Existing Uses

The provisions of this By-law shall not apply:

- a) to prevent the use of any land, building or structure for any purpose prohibited by this By-law if such land, building or structure was lawfully used for such purpose on the day of the passing of this By-law, so long as it continues to be used for that purpose; or,

- b) to prevent the erection or use of any building or structure for which a permit has been issued under the Building Code Act, prior to the day of passing of this By-law, for a purpose prohibited by this By-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under the Building Code Act.
- c) for the purpose of this Section, any lawful dock used at the time of the passing of this By-law shall be deemed to comply with this By-law.
- d) the seasonal removal of docks does not affect their non-conforming status, provided they are returned to their former location;
- e) Residential Use in a Commercial Zone

Nothing in this By-law shall apply to prevent the alteration or enlargement of a residential dwelling unit or units existing on the date of passing of this By-law in a Commercial Zone, provided that the number of dwelling units is not increased and provided further that such alteration or enlargement is subject to all applicable general provisions and zone standards of the Rural Residential (RR) Zone.

- f) Ground Floor Area Less Than Required

Nothing in this By-law shall prevent an alteration being made to a permitted dwelling house, which dwelling house existed at the time of passing of this By-law but which has a ground floor area or dwelling unit area less than that required by this By-law, provided such alteration does not contravene any other provisions of this By-law.

3.30 Number of Dwelling Units on One Lot

Only one dwelling unit shall be permitted on a lot unless otherwise indicated

3.30.1 Secondary Dwelling Units

A secondary dwelling unit is permitted in the Rural (RU) Zone or the Rural Residential (RR) Zone subject to:

- a) a maximum of one secondary dwelling unit per lot;
- b) confirmation that the septic system has capacity to accommodate the secondary dwelling units;
- c) the total floor area of the secondary dwelling unit must not exceed the total floor area of the principal dwelling on the lot; and
- d) complying with all other applicable requirements of this By-law.

3.31 Occupation of Uncompleted or Unserviced Building

No building shall be used for human habitation before the septic system has been installed and functioning as certified by the approval authority.

3.32 Parking Area Regulations

Parking spaces and areas are required under this By-law in accordance with the following provisions:

- (a) Parking Space Requirements

Every building or structure erected or used for any of the following purposes shall have the following parking spaces and areas:

<u>Type of Building or Use</u>	<u>Minimum Parking Required</u>
Building containing one dwelling unit	1 parking space, or 1 garage, or a carport
Building containing two or more dwelling Units	1 1/2 parking spaces per dwelling unit
Boarding House	1 parking space for each room available for rent
Clinic	5 parking spaces for each practitioner
Church, Assembly Hall, Funeral Home, Community Hall, Restaurant, Arena	Where there are fixed seats, 1 parking space for every five seats or 3 metres of bench space; where there are no fixed seats, 1 parking space for each 10 square metres of floor area devoted to public use
Hospitals or Institutions	1 parking space for each 2 beds or 35 square metres of floor area whichever is greater, plus one additional space for each resident doctor or resident employee
Hotel or Motel	1 parking space per suite or guestroom, and 1 additional parking space for each 9 square metres of floor area devoted to public use
Lodge	0.75 spaces per bedroom
Office, including Home Occupation	1 parking space per 10 square metres of office or home occupation floor area
Variety or Grocery Shop	1 parking space for every 9 square metres of total retail floor area
A Retail Store, Service Store, or other similar retail establishment	1 parking space for each 9 square metres of floor area and 1 parking space for every 25 square metres of service area
Other Commercial Uses	1 parking space for each 15 square metres of total floor area
Schools	1 1/2 parking spaces for each teaching area, plus 1 separate bus loading area per 2 teaching areas
Industrial including Home Industry	At least 3 parking spaces for every 90 square metres of total floor area up to 1800 square metres, plus one additional space for every 800 square metres of total floor area over 1800 square metres including any basement area if used for industrial use
Marina	1.25 parking spaces for every docking slip

b) Parking Area Requirements

Parking areas shall conform to the following provisions:

- (i) the parking area shall be located on the same lot as the use it is intended to serve, except in the case of a water access lot where the parking area shall be located in a zone where such use is permitted by this By-law or within 500 metres of the lot it is intended to serve in the case of a commercially zoned property;
- (ii) each parking space shall be at least 3 metres by 6 metres and shall be provided with unobstructed access to a street directly or by way of a driveway, aisle, lane or private road or in the case of barrier free parking each space shall be at least 5 metres by 6 metres;
- (iii) wherever more than 5 parking spaces are required, at least one space shall be barrier free;
- (iv) any parking area designed to serve water access lots shall have a minimum area of 100 square metres for each lot to be served and no parking shall be permitted within 10 metres of the high watermark or within 6 metres of any side lot line abutting a lot in a Waterfront Residential Zone and be owned by or registered on title to the water access land owner.

c) Parking Area Surface

In a Commercial or Industrial Zone, parking areas and driveways connecting the parking areas with a street shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles. The parking area shall, before being used, be constructed of crushed stone, slag, gravel, crushed brick (or tile), cinders, asphalt, concrete, Portland cement binder or like material and with provisions for drainage facilities which have been designed and constructed so as to prevent erosion, the washout of such parking areas, driveways or aisles or the carrying of soil, sand or sediment into an adjacent waterway.

d) Ingress and Egress

- (i) Ingress and egress, to and from the required parking spaces and areas shall be provided by means of unobstructed driveways or passageways at least 4 metres but not more than 10 metres in perpendicular width.
- (ii) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 10 metres.
- (iii) The minimum distance between a driveway and an intersection of street lines measured along the street line intersected by such driveway shall be 7 metres.
- (iv) The minimum angle of intersection between a driveway and a street line shall be 60 degrees.
- (v) Every lot shall be limited to the following number of driveways:
 - (1) up to the first 30 metres of frontage - not more than 2 driveways; and,
 - (2) for each additional 30 metres of frontage - not more than 1 additional driveway.

e) Illumination

Where parking areas are illuminated, lighting fixtures shall be so arranged that no part of any fixture shall be more than 8 metres above the finished grade of the parking area. Fixtures

shall be so designed and installed that the light is directed downward and deflected away from adjacent lots, roads and streets.

f) Addition to Building or Structure

When a building or structure has insufficient parking area at the date of passing of this By-law, nothing in this By-law shall be construed to require that the deficiency be made up prior to the construction of any addition. No addition may be built, however, and no change of use may occur, that would have the effect of further contravening the provisions of this By-law.

g) Use of Parking Spaces and Areas

Any area where parking is permitted under this By-law shall only be used for the parking of operational operative passenger vehicles and commercial vehicles used incidentally to the permitted uses on the lot, bearing currently valid license plates or for the seasonal storage of boats.

For the purpose of this subsection "commercial motor vehicle" shall mean any commercial vehicle as defined in The Highway Traffic Act.

h) Parking Area Location on Lot

Notwithstanding the yard and setback provisions of this By-law, uncovered surface parking areas in other than residential zones, shall be permitted in the required yard or in the area between the road or street line and the required setback provided no part of any parking area, other than a driveway, is located closer than 1 metre to any road or street line.

3.33 Pits and Quarries

No person shall use any land, or erect, alter or use any building or structure for the purpose of processing, washing, sorting, screening or crushing rock, sand or gravel except in conformity with the provisions of this By-law.

The making, establishment or operation of any new pits or quarries, except wayside pits as herein defined, is prohibited except in the locations permitted and in accordance with the provisions of this By-law.

Any pit or quarry permitted by this By-law shall be set back a minimum of 120 metres from the high water mark of any navigable waterway and 50 metres from any public road or side lot line.

3.34 Portable Asphalt and Portable Concrete Plants

Portable asphalt and portable concrete plants, used by a public road authority or their agent, shall be permitted throughout the Township without requiring an amendment to this By-law, except in existing built up areas and in an Environmental Protection (EP) Zone.

3.35 Prohibited Uses

Except as specifically permitted by this By-law, the following uses are prohibited:

- (a) any obnoxious use or noxious trade as defined under any Act;
- (b) buildings or structures on docks except for those specifically permitted;
- (c) campsite, tent, trailers or camping on vacant rural or residential lots except in accordance with the By-law to License Trailers in the Municipality;
- (d) a track for the racing of motor vehicles, motor cycles or snowmobiles for commercial use;

- (e) pits and quarries except those licensed under the Aggregate Resources Act and wayside pits; and
- (f) outside storage on vacant lands except in accordance with any applicable by-law of the Township.

3.36 Public Uses

Nothing in this By-law shall prevent any land, building or structure, other than in an Environmental Protection (EP) Zone, from being used:

- a) as a public park, community park, playground, cemetery, or as a site for a public statue, monument, cenotaph, fountain or other memorial or ornamental structure; or,
- b) by the Township or by any local board thereof, by any telephone, telegraph or gas company, or by any other government agency, including Ontario Hydro, provided that, where such land, building or structure is located in a Rural Residential (RR) Zone:
 - i) no goods, material or equipment shall be stored in the open;
 - ii) the lot coverage and yard provisions prescribed for the Rural Residential (RR) Zone shall be complied with; and,
 - iii) any building erected pursuant to the provisions of this paragraph is designed and maintained in general harmony with surrounding buildings.

3.37 Pumphouse Restrictions

Where a lot abuts a navigable waterway, a single pumphouse is a permitted accessory use which may be located in any front yard, side yard or rear yard provided that:

- a) the pumphouse is set back at least 3 metres from the high water mark;
- b) the maximum ground floor area of the pumphouse is 9 square metres; and,
- c) the maximum height of the pumphouse is 3 metres.

3.38 Reduction of Requirements

No person shall change the purpose for which any land, building or structure is used, or erect any new building, structure or addition to any existing building or structure or sever any land from any existing parcel, if the effect of such action is to cause the land or the original, adjoining or remaining buildings or structures to be in contravention of any of the provisions of this By-law.

3.39 Sauna

A sauna is a permitted accessory building which may be located in any front yard, side yard or rear yard provided that:

- (a) approval is obtained from any government agency having jurisdiction;
- (b) the maximum height is one storey not exceeding 4 metres; and,
- (c) the maximum floor area is 20 square metres, including decks.

3.40 Setback From Environmental Protection Area

Notwithstanding the provisions of this By-law, all buildings and structures excepting docks,

pumphouses, boathouses or saunas, must be set back a minimum of 5 metres from all areas zoned Environmental Protection (EP) as shown on the map schedules.

3.41 Shore Road Allowance

Where a shore road allowance or Crown Reserve exists in front of any lot which has not been stopped up and acquired by the abutting land owner in whole or in part, the area of the shore road allowance or Crown Reserve above the high water mark between the extension of the side lot lines may be considered part of the lot area or depth required by this By-law.

3.42 Shore Road Allowance As Yard

Notwithstanding the provisions of this By-law, where a shore road allowance or Crown Reserve exists in front of any lot, which has not been stopped up and acquired by the abutting land owner in whole or in part, a building or structure may be erected without a front yard provided that the minimum front yard distance to the high water mark is maintained and further provided the building or structure or any part thereof does not encroach upon the shore road allowance or Crown Reserve.

3.43 Signs

The provisions of this By-law shall not apply to prevent the erection, alteration or use of any sign, provided such sign complies with the By-laws of the Township regulating signs.

3.44 Sleeping Cabins

Subject to Section 3.03, a single sleeping cabin is a permitted accessory use on any lot zoned for residential use, provided that the maximum gross floor area does not exceed 50 square metres or does not exceed the ground floor area of the principal dwelling on the lot, whichever is the lesser.

And where a sleeping cabin is proposed above or as part of a detached garage, the access to the sleeping cabin portion of the detached garage shall have a separate entrance without access to the non-habitable portions of the garage.

3.45 Swimming Pools

The following provisions apply to outdoor swimming pools:

a) For a single-detached, duplex and semi-detached:

- i) Swimming pools may not be constructed in a front yard, and not closer than 2 metres to any lot line, other than a street line, plus 0.3 additional metres distance for each 0.5 metres which the top edge of the swimming pool is above grade at the property line.
- ii) Swimming pools to be constructed adjacent to street lines, shall be set back the same distance as the dwelling is required to be set back, as set out in the this By-law.
- ii) Every in-ground swimming pool in a residential zone shall be enclosed by a fence of at least 1.5 metres in height and located at a distance of not less than 1 metre and not more than 5 metres from the inside edge of the pool.

b) For any other use:

Distance from any street or other lot line shall be 15 metres. The distance referred to above shall be measured from the inside edge of the swimming pool.

3.46 Temporary Uses Permitted

The following uses are permitted in all zones within the Township excepting the Environmental Protection (EP) and the Flood Plain (FP) Zones provided that a building permit has been issued for the main building on the lot:

- a) Temporary camps, including trailers that comply with the By-law to License Trailers in the Municipality, used in the construction of public works but only for so long as it is necessary for such works as may be constructed adjacent to the camp and only until such time as the work is completed, or abandoned, or;
- b) A tool shed, scaffold, trailer (licensed) or other building or structure incidental to the construction on the premises where it is situated and only for so long as it is necessary for the work in progress and until the work is completed or abandoned.

"Abandoned" in this Section shall mean the failure to proceed expeditiously with the construction of a work, specifically abeyance of construction for twelve months.

3.47 Through Lot

Where a lot is a through lot, or where the front lot line of a lot is not determinable because of the lot or island configuration, the setback, frontage and front yard requirements contained herein shall apply on each road, or from each highwater mark, in accordance with the provisions of the zone or zones in which such lot is situated.

3.48 Tourist Establishment Regulations

Notwithstanding the provisions of this By-law, the following special provisions shall also apply to new and expanding or enlarging tourist establishments on the waterfront and located in the General Commercial and Tourist Commercial (C2) Zones.

(a) Waterbody Size (Where Applicable)

Tourist establishments on the waterfront in the General Commercial Zones and Tourist Commercial (C2) Zone within the Township of McKellar, shall not be located next to lakes which are smaller than 19 hectares in surface area.

(b) Minimum Frontage on Navigable Water (Where Applicable)

The minimum water frontage required for tourist establishments on water in the General Commercial Zones and Tourist Commercial (C2) Zone shall be 100 metres or 2 metres for each person that can be accommodated or 20 metres for each 5 campsites; whichever results in the greater requirement. For the purpose of this By-law, every bedroom will generate 2 persons. For the purposes of determining the number of persons accommodated, this provision does not include owners or employees of tourist establishments.

(c) Minimum Lot Size

The minimum lot size for tourist establishment in the General Commercial Zones and Tourist Commercial (C2) Zone shall be 2 hectares or one hectare for each 20 persons that may be accommodated or fraction thereof; whichever is a greater requirement. For the purpose of this By-law, every bedroom will generate 2 persons and every campsite will generate 3 persons. For the purposes of determining the number of persons accommodated, this provision does not include owners or employees of tourist establishments.

d) Parking

Each tourist establishment in the General Commercial Zones and Tourist Commercial (C2) Zone shall provide at least one parking space for each tent or trailer site, housekeeping cottage, motel, hotel or efficiency unit.

3.49 Trailers and Motor Homes

No trailer or motor home may be used for human habitation except in accordance with the provisions of this By-law and in accordance with the By-law to License Trailers in the Municipality.

3.50 Unzoned Lands

Any lands illustrated on as shown on the map schedules to this By-law without a reference to a zone symbol shall be deemed to be zoned Rural (RU) and all applicable provisions of this zone shall apply.

3.51 Landfill Site To Be Set Back

Notwithstanding the provisions of this By-law, a landfill site must be separated from any standing body of water in excess of 20 hectares of surface area a minimum of 300 metres.

3.52 Yard and Setback Encroachments Permitted

a) Ornamental Structure

Notwithstanding the yard provisions of this By-law, sills, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters or other ornamental structures may project into any required yard or the area between the road or street line and the required setback a maximum distance of 1 metre.

b) Accessory Structure

Notwithstanding the yard provisions of this By-law, drop awnings, clothes poles, flag poles, garden trellises, fences, retaining walls, signs, or similar accessory structures shall be permitted in any required yard or in the area between the road or street line and the required yard.

c) Fire Escape

Notwithstanding the yard provisions of this By-law, an unenclosed fire escape and the structural members necessary for its support, may project into any required yard a maximum distance of 2 metres.

d) Railway Spur in Industrial Zone

Notwithstanding the yard provisions of this By-law, in an Industrial Zone a railway spur shall be permitted within any required yard or in the area between the street line and the required setback.

e) Gate House

Notwithstanding the yard provisions of this By-law, in an Industrial Zone, a gate (guard) house shall be permitted in a front or side yard in the area between the street line and the required yard.

f) Building in Built-up Area

Notwithstanding the provisions of this By-law, where a detached dwelling unit or accessory use thereto is to be erected in a non-waterfront zone where there is an established building line, such dwelling unit or accessory use may be erected closer to the street line or the centre line of the road or street, as the case may be, than required by this By-law provided such dwelling unit or accessory use is not erected closer to the street line or to the centre line of the road or street, as the case may be, than the established building line on the date of passing of this By-law.

3.53 Waterfront Bed and Breakfasts

A waterfront bed and breakfast is a permitted use in any Waterfront Residential (WF1 - WF5) Zone provided that:

- (a) there is no external display or advertising other than a sign, a maximum of 1 square metre, erected in accordance with any by-laws of the Township regulating signs;
- (b) not more than two bedrooms are rented to overnight guests for commercial purposes;
- (c) the lot upon which the waterfront bed and breakfast use is proposed complies with the lot area, frontage and depth requirements for the WF Zone in which it is located, except in the case of the WF5 zone where the waterfront bed and breakfast use must comply with the minimum lot area, frontage and depth requirements of the WF1 zone;
- (d) the waterfront bed and breakfast use must front on a public or private road which allows for adequate, safe and legal passage over said road;
- (e) one parking space shall be provided on the lot for each bedroom made available for the waterfront bed and breakfast use; and
- (f) a change of use permit is obtained from the Township.

For the purpose of this provision, a bed and breakfast means: a building whose primary intent is to be used as a principal residence but where in a portion thereof persons are harboured, received or lodged for hire for less than one week at one time but does not include a hotel, hospital, nursing home, home for the young or aged or institution if the hotel, hospital, home or institution is licensed, approved or supervised under any other general or special act of the Province of Ontario.

For the purpose of non-waterfront zones, bed and breakfasts will continue to be administered as home occupations.

SECTION 4 - RURAL (RU) ZONE

4.01 Uses Permitted

No person shall within the Rural (RU) Zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

a) Rural Uses

- a single detached dwelling;
- seasonal dwelling;
- an accessory apartment;
- secondary dwelling;
- an accessory dwelling;
- a farm, and a specialized use farm as defined in this By-law;
- an animal hospital
- kennel
- riding stable;
- a nursery or commercial greenhouse;
- a contractor's yard;
- agriculture use;
- bed breakfast;
- a home industry;
- a home occupation;
- a custom workshop;
- a school, church, community hall, private or public park or cemetery;
- an additional dwelling unit or units as permitted by this By-law;
- a boarding house;
- a mobile home;
- a group home;
- a golf course;
- a hunting camp;
- government offices;
- library;
- notwithstanding the accessory use permissions of Section 3.03(a) and the minimum building area provisions of this By-law, one (1) storage building excepting a storage building intended for agriculture or farming use;
- wayside pit.

4.02 Zone Standards

Any building or structure permitted under Section 4.01 shall comply with the following provisions except as otherwise provided for in Section 3, General provisions.

a)	Minimum Lot Frontage	60 metres
b)	Minimum Lot Area	0.8 hectares
c)	Minimum Lot Depth	45 metres
d)	Minimum Front Yard	7.5 metres
e)	Minimum Interior Side Yard	5 metres
f)	Minimum Exterior Side Yard	7.5 metres
g)	Minimum Rear Yard	7.5 metres
h)	Minimum Building Area – Ground Floor	60m ²
i)	Maximum Building Height	10 metres
j)	Accessory Building – Yard	3 metres
k)	Accessory Building – Height	6 metres
l)	Maximum Lot Coverage by building in percent	15%

4.03 Special Exception Regulations – Rural (RU)

The regulations contained in Section 4.01 and 4.02, General Use Provisions and Zone Standards, shall apply to the Special Provision Use areas or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 4.03.

4.03.1 Rural Exception 1 (RU1)

Part of Lot 20, Concession 10 may be used for a public garage in the existing building subject to:

- i. no outside storage is allowed except for customer vehicles awaiting repair and customer vehicles awaiting pickup.
- ii. additions to the existing public garage building may be permitted subject to a total gross floor area of 185 square metres.
- iii. Maximum public garage building height of 6 metres.

4.03.2 Rural Exception 2 (RU-2)

No buildings or structures are permitted on Part of Lots 24 and 25, Concession 5.

4.03.3 Rural Exception 3 (RU-3)

Part of Lot 16, Concession A is subject to a west side yard of 55.474 metres.

4.03.4 Rural Exception 4 (RU-4)

A machine and welding shop is a permitted use on Part of Lot 17, Concession B, being Part 1 of Reference Plan No. 42R-15712.

4.03.5 Rural Exception 5 (RU-5)

Part of Lot 28, Concession 7 fronting Smithpine Crescent is subject to a minimum frontage of 39 metres and a lot area of 0.3 hectares.

4.03.6 Rural Exception 6 (RU-6)

Part of Lot 23, Concession 3 fronting on Hurdville Road is subject to a lot frontage of 53 metres.

4.03.7 Rural Exception 7 (RU-7)

A docking facility designed to service the Ridge at Manitou Clubhouse, not exceeding an area of 115 square metres, and a secondary dock designed to service the golf course's main water pump, not exceeding an area of 55 square metres, may be permitted on the Crown lakebed in front of Lot 23, Concession 8 subject to the following provisions:

- a) that any dock facility must be located within the defined envelope as shown on Schedule 'A', Sheet 1;
- b) that any dock and/or shoreline improvements will be subject to receiving permission or authorization from any relevant provincial or federal agency having jurisdiction; and
- c) The minimum front and side yards shall be maintained at 15 metres for no other purpose excepting a vegetative buffer.

4.03.8 Rural Exception 8 (RU-8)

A small non-commercial workshop may be erected, altered and used on Part of Lot 31, Concession 14 prior to the construction of a principal dwelling.

4.03.9 Rural Exception 9 (RU-9)

610 Hurdville Road, located in Part of Lot 33, Concession 3, being Part of Part 4 of Reference Plan No. 42R-20140 may be used for an assembly hall for up to 200 persons including accessory uses and services subject to the general provisions and zone standards of the General Commercial (C1) Zone.

4.03.10 Rural Exception 10 (RU-10)

The lands described as Part of Lots 21, 22 and 23 in Concession 7 and 8, being the golf course identified as the Ridge at Manitou will be subject to the following additional restrictions:

- (a) the minimum front yard shall be 15.0 metres;
- (b) a boathouse and/or a dwelling unit is not a permitted accessory building or structure; and
- (c) an environmental buffer not less than 15 metres in width and extending inland from the highwater mark shall be maintained adjacent to the Environmental Protection (EP) Zones. No buildings, structures or accessory buildings or golf course uses shall be permitted on lands set aside as environmental buffer.

SECTION 5 - RURAL RESIDENTIAL (RR) ZONE

5.01 Uses Permitted

No person shall within the Inland Development 2 (RR) Zone use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses:

a) Residential Uses

- a single detached dwelling;
- secondary dwelling;
- seasonal dwelling;
- bed and breakfast;
- a home occupation;
- a home industry;
- a boarding house;
- a nursing home;
- a mobile home;
- notwithstanding the accessory use permissions of Section 3.03(a) and the minimum building area provisions of this By-law, one (1) storage building

5.02 Zone Standards

Any building or structure permitted under Section 5.01 shall comply with the following provisions except as otherwise provided for in Section 3, General provisions.

a)	Minimum Lot Frontage	60 metres
b)	Minimum Lot Area	0.4 hectares
c)	Minimum Lot Depth	45 metres
d)	Minimum Front Yard	7.5 metres
e)	Minimum Interior Side Yard	5 metres
f)	Minimum Exterior Side Yard	7.5 metres
g)	Minimum Rear Yard	7.5 metres
h)	Minimum Building Area – Ground Floor	60m ²
i)	Maximum Building Height	10 metres
j)	Accessory Building – Yard	3 metres
k)	Accessory Building – Height	6 metres
l)	Maximum Lot Coverage by building in percent	15%

5.03 Special Exception Regulations – Rural Residential (RR)

The regulations contained in Section 5.01 and 5.02, General Use Provisions and Zone Standards, shall apply to the Special Provision Use areas or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 5.03

5.03.1 Rural Residential Exception 1 (RR-1)

The addition of 450 square feet to the main dwelling unit to be used as a retail store is a permitted use on Lot 1, Plan 74.

SECTION 6 - MULTIPLE RESIDENTIAL (RM) ZONE

6.01 Uses Permitted

No person shall within the Multiple Residential (RM) Zone use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses:

a) Residential Uses

- a single detached dwelling;
- a semi-detached dwelling;
- a triplex dwelling;
- a duplex dwelling;
- a rowhouse
- a townhouse;
- a secondary dwelling;
- an apartment containing up to four dwelling units; or
- any use permitted in the Rural Residential (RR) Zone.

b) Institutional Uses

- church;
- school;
- library;
- public park;
- school;
- arena

6.02 Zone Standards

Any building or structure permitted under Section 6.01 shall comply with the following provisions except as otherwise provided for in Section 3, General provisions.

a)	Minimum Lot Frontage	60 metres Semi – 30/unit Rowhouse- 6/unit Triplex/duplex – 60 metres Apartment – 60 metres
b)	Minimum Lot Area	0.4 hectares Semi – 0.2ha/unit Rowhouse – 0.1 ha/unit Triplex/duplex – 0.4 ha Apartment – 0.4 ha
c)	Minimum Lot Depth	60 metres
d)	Minimum Front Yard	7.5 metres
e)	Minimum Interior Side Yard	5 metres
f)	Minimum Exterior Side Yard	7.5 metres
g)	Minimum Rear Yard	7.5 metres
h)	Minimum Building Area – Ground Floor	60m ²
i)	Maximum Building Height	12 metres
j)	Accessory Building – Yard	3 metres
k)	Accessory Building – Height	6 metres
l)	Maximum Lot Coverage by building in percent	15%

6.03 Special Exception Regulations – Multiple Residential (RM)

The regulations contained in Section 6.01 and 6.02, General Use Provisions and Zone Standards, shall apply to the Special Provision Use areas or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 6.03

SECTION 7 - WATERFRONT RESIDENTIAL (WF1, WF2, WF3, WF4, WF5) ZONES

7.01 Uses Permitted

No person shall within the Waterfront Residential (WF1, WF2, WF3, WF4 and WF5) Zones use any lot, or erect, alter or use any building or structure for any purpose except one of the following uses:

a) Residential Uses

- a single detached dwelling per lot of record including a home occupation;
- a bed and breakfast subject to the provisions of section 3.53 of this By-law;
- seasonal dwelling;
- a mobile home;
- notwithstanding the accessory use permissions of Section 3.03(a) and the minimum building area provisions of this By-law, one (1) storage building

7.02 Zone Standards

Any building or structure permitted under Section 7.01 shall comply with the following provisions except as otherwise provided for in Section 3, General provisions.

a)	Minimum Lot Frontage	WF1 – 60 metres WF2 – 90 metres WF3 – 120 metres WF4 – 150 metres WF5 –existing at time of passage
b)	Minimum Lot Area	WF1 – 0.8 hectares WF2, WF3 – 1 hectares WF4 – 1.5 hectares WF5 - existing at time of passage
c)	Minimum Lot Depth	WF1 – 45 metres WF2, WF3, WF4 – 60 metres WF5 - existing at time of passage
d)	Minimum Front Yard	10 metres (the required front yard must be preserved as a natural vegetative buffer except where there are structures or pathways.
e)	Minimum Interior Side Yard	5 metres
f)	Minimum Exterior Side Yard	7.5 metres
g)	Minimum Rear Yard	7.5 metres
h)	Minimum Building Area – Ground Floor	60m ²
i)	Maximum Building Height	10- metres
j)	Accessory Building – Yard	3 metres – boathouses excepted from front yard, 6 metre side yard required
k)	Accessory Building – Height	6 metres
l)	Maximum Lot Coverage by building in percent	15%

7.03 Special Exception Regulations – Waterfront Residential (WF1, WF2, WF3, WF4 and WF5)

The regulations contained in Section 7.01 and 7.02, General Use Provisions and Zone Standards, shall apply to the Special Provision Use areas or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 7.03.

7.03.1 Waterfront Residential 1 Exception

7.03.1.1 Waterfront Residential 1 Exception 1 (WF1-1)

A dwelling unit on Part of Lot 23, Concession A, being Part of Part 3, Plan 42R-4854 is restricted to the area shown as WF1-1.

7.03.1.2 Waterfront Residential 1 Exception 2 (WF1-2)

A sleeping cabin is not permitted on Part of Lot 19, Concession 1 and is subject to a minimum lot frontage of 49 metres, a minimum lot area of 0.36 hectares, a maximum lot coverage of 10%

7.03.1.3 Waterfront Residential 1 Exception 3 (WF1-3)

A sleeping cabin is not permitted on Part of Lot 19, Concession 1 and is subject to a minimum lot frontage of 55 metres, a minimum lot area of 0.36 hectares, a maximum lot coverage of 10%, a minimum dwelling unit ground floor area of 29.7 square metres

7.03.1.4 Waterfront Residential 1 Exception 4 (WF1-4)

A dwelling with any permitted accessory uses are permitted on each of two parcels located on Part of Lot 24, Concession A known as 5 Martha Drive subject to a minimum frontage of 80 metres and a lot area of 0.6 hectares

7.03.2 Waterfront Residential 2 Exception

7.03.2.1 Waterfront Residential 2 Exception 1 (WF2-1)

A single detached dwelling unit including any accessory buildings or structures is a permitted use on Lot 7, Plan 42M-550 subject to the following regulations:

a) Minimum Front Yard

- southeast corner of main dwelling and any additions thereto - 1.2 metres
- southwest corner of main dwelling and any additions thereto - 4 metres
- unenclosed deck - 2 metres
- steps - 0 metres

b) Front Lot Line is defined as the highwater mark established at the elevation 239.942 G.S.C.; and

c) except for the above special provisions, all other general provisions and zone standards for the Waterfront Residential 2 (WF2) Zone shall apply.

7.03.2.2 Waterfront Residential 2 Exception 2 (WF2-2)

An accessory apartment is permitted on Lot 19, Plan M-426.

7.03.2.3 Waterfront Residential 2 Exception 3 (WF2-3)

A dwelling unit together with any accessory buildings, structures and uses is permitted on Lots 2, Plan 42M-550 subject to a rear yard of 4 metres.

7.03.2.4 Waterfront Residential 2 Exception 4 (WF2-4)

A dwelling unit and any accessory building or structure is a permitted use on Lot 6, Plan 42M-

550 subject to a minimum rear yard of five metres.

7.03.2.5 Waterfront Residential 2 Exception 5 (WF2-5)

A dwelling unit is a permitted use on Part of Lot 3, Plan 42M-550 on Lake Manitouwabing subject to a maximum lot coverage of nineteen point three (19.3) percent, a rear yard of 0.59 metres, a minimum front yard of 4 metres.

7.03.2.6 Waterfront Residential 2 Exception 6 (WF2-6)

A dwelling unit together with any accessory buildings, uses or structures are permitted on Lot 4, Plan 42M-550 on Lake Manitouwabing subject to a minimum front yard of 4 metres.

7.03.2.7 Waterfront Residential 2 Exception 7 (WF2-7)

A storey and one half boathouse is permitted on and adjacent to the lands described as Lot 1, Plan 42M-550 (2 Fire Route 161).

7.03.2.8 Waterfront Residential 2 Exception 8 (WF2-8)

Part of Lot 27, Concession 10 includes the following restrictions:

- one single detached dwelling is permitted on each of four lots on the lots described as Part 4 of Plan 42R-5877
- a front yard of 30 metres to be preserved as a vegetative buffer except for paths and docking areas up to 4 metres in width
- docks and boathouses are restricted on the lands adjacent to Part of Lot 27, Concession 10
- a parking area and boat docking area with up to two docks not exceeding 12 square metres is permitted n Part of Lot 27, Concession 10 so long as the parking area does not exceed 600 square metres.

7.03.2.9 Waterfront Residential 2 Exception 9 (WF2-9)

Part of Lot A, Concession 8, designated as Part 2, Plan PSR 1474, 4 South Point Drive is subject to a maximum lot coverage of 16.21% and a minimum southerly side yard setback of 2.21 metres

7.03.2.10 Waterfront Residential 2 Exception 10 (WF2-10)

The dwelling on Part of Lot 15, Concession 9 is subject to a minimum building area of 46.64 square metres

7.03.2.11 Waterfront Residential 2 Exception 11 (WF2-11)

A private boat launch, dock and parking area is permitted on Part of Lot 22, Concession 4 subject to a minimum side and rear yard of 2 metres

7.03.2.12 Waterfront Residential 2 Exception 12 (WF2-12)

Part of Lots 32 and 33 in Concession 4 fronting on Lake Manitouwabing may be used for any use permitted in the Waterfront Residential 2 (WF2) Zone on each of two parcels created by consent. Any shoreline structures including accessory docks and boathouses are restricted to those area along the shoreline free of any Environmental Protection (EP).

7.03.2.13 Waterfront Residential 2 Exception 13 (WF2-13)

Parts 7, 8 and 9 of Plan PSR-118 at 27 and 31 Deerfield Road fronting on Lake Manitowabing may be used for a dwelling unit on each of two parcels together with any accessory buildings and structures subject to the following standards.

Parcel 1

Part 7 and Part of Part 8 - minimum frontage of 54 metres
minimum lot area of 0.29 hectare

Parcel 2

Part of Part 8 and Part 9 - minimum frontage of 43 metres
minimum lot area of 0.14 hectare

7.03.2.14 Waterfront Residential 2 Exception 14 (WF2-14)

A one storey boathouse is permitted provided there are no kitchen or cooking facilities nor any bedrooms, nor any plumbing in the boathouse on Part of Lot 33, Concession 7 being Lot 15 on Plan 42M-599, 25 Lyndsey Lane.

7.03.2.15 Waterfront Residential 2 Exception 15 (WF2-15)

A boat docking facility and car parking facility together with a one storey boathouse not exceeding 61 square metres is permitted in Lot 32, Concession 7.

7.03.2.16 Waterfront Residential 2 Exception 16 (WF2-16)

A 1 1/2 storey boathouse may be erected provided there are no kitchen or cooking facilities nor any bedrooms in the boathouse on Part of Lot 33, Concession 6 being Lot 19 on Plan 42M-599.

7.03.2.17 Waterfront Residential 2 Exception 17 (WF2-17)

A single detached dwelling, not exceeding 384 square metres ground floor area may be permitted on Part of Lots 27 and 28, Concession 5, fronting on Lake Manitowabing, subject to a minimum separation of 60 metres between main dwelling.

7.03.2.18 Waterfront Residential 2 Exception 18 (WF2-18)

Each of the lots in Part of Lot 25, Concession 8 will be subject to a lot frontage of 120 metres, a lot area of 1 hectare and a minimum front yard of 30 metres.

7.03.3 Waterfront Residential 3 Exception

7.03.3.1 Waterfront Residential 3 Exception 1 (WF3-1)

Up to two accessory apartments are permitted on Part of Lot 22, Concession 12, being Part 2 of Reference Plan 42R-6338.

7.03.3.2 Waterfront Residential 3 Exception 2 Limited Services (WF3-2-LS)

A maximum of four lots in Part of Lot 25, Concession 8 fronting Middle River and Manitowabing Lake are subject to the following:

- i) Minimum front yard of 20 metres
- ii) Minimum frontage on private road – 20m

SECTION 8 - GENERAL COMMERCIAL ZONES

8.01 Contractor Commercial (C1.1) Zone

Uses Permitted

No person shall within the Contractor Commercial (C1.1) Zone, use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses:

a) Residential Uses

- a dwelling unit or units in accordance with the provisions of this By-law;
- a home occupation;
- a home industry; or,
- a boarding house.

b) Commercial Uses

- contractor's yard;
- external storage of goods and material to be used in connection with the building trade;
- outside storage of contractors vehicles and equipment;
- contractor's business or professional office;
- parking area;
- storage buildings;
- service shop;
- an animal hospital, kennel, or riding stable;
- a nursery or commercial greenhouse;
- a custom workshop;
- a group home; or
- a hunting camp

8.02 General Commercial (C1.2) Zone

Uses Permitted

No person shall within the General Commercial (C1.2) Zone, use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses:

a) Residential Uses

- a dwelling unit or units in accordance with the provisions of this By-law;
- a home occupation;
- a home industry;
- a boarding house; or
- a mobile home.

b) Commercial Uses

- retail store
- restaurant
- take-out restaurant
- business or professional office
- automobile service station
- automobile sales establishment
- parking area
- service shop
- motel

8.03 **Retail Commercial (C1.3) Zone**

Uses Permitted

No person shall within the Retail Commercial (C1.3) Zone, use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses:

a) Residential Uses

- a dwelling unit or units in accordance with the provisions of this By-law;
- a home occupation;
- a home industry;
- a boarding house; or
- a mobile home.

b) Commercial Uses

- retail store
- business or professional office
- automobile service station
- parking area
- service shop

8.04 **Marine Commercial (C1.4) Zone**

Uses Permitted

No person shall within the Marine Commercial (C1.4) Zone, use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses:

a) Residential Uses

- a dwelling unit or units in accordance with the provisions of this By-law;
- a home occupation;
- a home industry; or,
- a boarding house.

b) Commercial Uses

- automobile service station (excluding autobody shop);
- automobile sales establishment;
- marina;
- snowmobile sales and service;
- small engine repair;
- an animal hospital, kennel, or riding stable;
- a nursery or commercial greenhouse;
- a custom workshop;
- a group home; or
- a hunting camp

8.05 **Autobody Commercial (C1.5) Zone**

Uses Permitted

No person shall within the Autobody Commercial (C1.5) Zone, use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses:

a) Residential Uses

- a dwelling unit or units in accordance with the provisions of this By-law;
- a home occupation;
- a home industry; or,
- a boarding house.

b) Commercial Uses

- autobody repair shop;
- welding shop;
- service shop;
- automobile service station;
- automobile sales establishment;
- public garage;
- an animal hospital, kennel, or riding stable;
- a nursery or commercial greenhouse;
- a custom workshop;
- a group home; or
- a hunting camp

8.06 **Zone Standards**

Any building or structure permitted under Section 8 shall comply with the following provisions except as otherwise provided for in Section 3, General provisions.

a)	Minimum Lot Frontage	60
b)	Minimum Lot Area	0.4 hectares
c)	Minimum Lot Depth	40 metres
d)	Minimum Front Yard	10
e)	Minimum Interior Side Yard	C1.1, C1.2, C1.3 – 5 metres C1.4, C1.5 – 3 metres
f)	Minimum Exterior Side Yard	7.5 metres
g)	Minimum Rear Yard	7.5 metres
h)	Minimum Building Area – Ground Floor	C1.1, C1.2, C1.3 – see Ontario Building Code Act, R.S.O. 1990 and Regulations thereunder C1.4, C1.5 – n/a
i)	Maximum Building Height	12 metres
j)	Accessory Building – Yard	3 metres
k)	Accessory Building – Height	10 metres
l)	Maximum Lot Coverage by building in percent	25%

8.07 **Special Exception Regulations – Contractor Commercial (C1.1), General Commercial (C1.2), Retail Commercial (C1.3), Marine Commercial (C1.4) and the Autobody Commercial (C1.5)**

The regulations contained in Section 8.01, 8.02, 8.03, 8.04, 8.05 and 8.06, General Use Provisions and Zone Standards, shall apply to the Special Provision Use areas or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 8.07.

8.07.2 General Commercial Exception 1 (C1.2-1)

8.07.2.1H Retail Commercial Exception 1 Holding (C1.2-1H)

Part of Lot 20, Concession A is subject to the following provisions:

(a) Permitted Uses Under the General Commercial - Holding (C1.2-H) Zone

No person shall use any lot, erect, alter or use any building or structure for any purpose except those existing at the date of passage of this By-law;

(b) Permitted Uses Under the General Commercial (C1.2) Zone

No person shall use any lot, erect, alter or use any building or structure for any purpose except for a retail store, restaurant, take-out restaurant, business or professional office, automobile service station, automobile sales establishment, parking area, service shop or.

(c) The 'H' - Holding symbol shall be removed provided that:

(i) any extensions for public services are approved by the appropriate authority;

(ii) a site plan has been approved by the *Township* where required under a Site Plan Control By-law;

(iii) approvals are obtained, where applicable from any government agency.

8.07.3 Retail Commercial (C1.3) Exception

8.07.3.1H Retail Commercial Exception 1 Holding (C1.3-1H)

Part of Lot 20, Concession B, North side of Centre road is subject to the following provisions:

(a) Permitted Uses Under the Retail Commercial - Holding (C1.3-H) Zone

No person shall use any lot, erect, alter or use any building or structure for any purpose except those existing at the date of passage of this By-law;

(b) Permitted Uses Under the Retail Commercial (C1.3) Zone

No person shall use any lot, erect, alter or use any building or structure for any purpose except for a retail store, business or professional office, automobile service station, parking area or service shop.

(c) The 'H' - Holding symbol shall be removed provided that:

(i) any extensions for public services are approved by the appropriate authority;

(ii) a site plan has been approved by the Township where required under a Site Plan Control by-law;

(iii) approvals are obtained, where applicable from any government agency.

SECTION 9 - TOURIST COMMERCIAL (C2) ZONE

9.01 Uses Permitted

No person shall within the Tourist Commercial (C2) Zone, use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses:

a) Residential Uses

- a single detached dwelling;
- a dwelling unit or units in accordance with the provisions of this By-law;
- a home occupation;
- a home industry; or
- a mobile home.

b) Commercial Uses

- a lodge;
- a children's camp
- rental cottages;
- a tourist establishment;
- a trailer park;
- a hotel/motel;
- a restaurant;
- a parking area;
- a camping establishment;
- a convenience store; or
- a tourist establishment subject to the provisions of section 3.48.

9.02 Zone Standards

Any building or structure permitted under Section 9.01 shall comply with the following provisions except as otherwise provided for in Section 3, General provisions.

a)	Minimum Lot Frontage	C2 – 60 metres C2M, C2MR – see Tourist Establishment Regulations
b)	Minimum Lot Area	C2- 0.4 hectares C2M, C2MR – see Tourist Establishment Regulations
c)	Minimum Lot Depth	60 metres
d)	Minimum Front Yard	10 metres
e)	Minimum Interior Side Yard	C2 – 5 metres C2M, C2MR – 3 metres
f)	Minimum Exterior Side Yard	7.5 metres
g)	Minimum Rear Yard	7.5 metres
h)	Minimum Building Area – Ground Floor	C2 –see Ontario Building Code Act, R.S.O. 1990 and Regulations thereunder C2M, C2MR – n/a
i)	Maximum Building Height	C2 - 10 metres C2M, C2MR – 12 metres
j)	Accessory Building – Yard	3 metres
k)	Accessory Building – Height	10 metres
l)	Maximum Lot Coverage by building in percent	C2 – 10% C2M, C2MR – 15% (maximum gross floor area is 20 percent)

9.03 Tourist Commercial Marine (C2M) Zone

Notwithstanding the permitted uses contained in Section 9.01 above, any lands having the C2 Zone symbol together with the symbol "M" attached as a suffix to that symbol, shall include a marina as a permitted use together with all uses permitted in the Tourist Commercial (C2) Zone and subject to the zone standards for the C2.

9.04 Tourist Commercial Marine Restricted (C2MR) Zone

Notwithstanding the permitted uses contained in Section 9.01 above, any lands having the C2 Zone symbol together with the symbol "MR" attached as a suffix to that symbol, shall include a marina as a permitted use together with all uses permitted in the Tourist Commercial (C2) Zone provided that there shall be no fuel sales and subject to the zone standards for the C2.

9.05 Special Exception Regulations – Tourist Commercial (C2)

The regulations contained in Section 9.01 and 9.02, General Use Provisions and Zone Standards, shall apply to the Special Provision Use areas or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 9.05.

9.05.1 Tourist Commercial Exception 1 (C2-1)

9.05.1.1 Tourist Commercial Exception 1 (C2-1)

A lodge, bed and breakfast, existing garage and up to seven sleeping cabins are permitted on Part of Lot 32, Concession 13, being Lot 71 of Registered Plan No. 258.

9.05.1.2 Tourist Commercial Exception 2 (C2-2)

Part of Lots 27, 28 and 29, Concessions 3 and 4 may be used for up to eleven rental cabins.

9.05.1.3 Tourist Commercial Exception 2 (C2-3)

Part of Lots 23 and 24 Concession 8 may only include the following permitted uses:

- tourist establishment;
- lodge;
- childrens camp;
- restaurant;
- riding stable;
- staff quarters;
- health spa;
- maintenance and storage facilities;
- tuck shop

SECTION 10 - INDUSTRIAL (M1) ZONE

10.01 Uses Permitted

No person shall within the Industrial (M1) Zone, use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses:

a) Residential Uses

- a dwelling unit or units in accordance with the provisions of this By-law.

b) Commercial Uses

- building supply outlet;
- parking garage, structure or lot;
- a bulk fuel storage establishment;
- an automobile service station;
- farm implement dealer;
- a marina;
- a business or professional office;
- a laundromat;

c) Industrial Uses

- a car wash;
- manufacturing establishment;
- a saw mill;
- a contractor's yard;
- a tradesman shop;
- a truck or bus storage terminal;
- a welding shop;
- a wayside pit;
- a warehouse;
- a salvage yard.

10.02 Zone Standards

Any building or structure permitted under Section 10.01 shall comply with the following provisions except as otherwise provided for in Section 3, General provisions.

a)	Minimum Lot Frontage	60 metres – commercial, industrial applicable only when fronting directly on public road
b)	Minimum Lot Area	0.4 hectares
c)	Minimum Lot Depth	60 metres
d)	Minimum Front Yard	7.5 metres (marinas excepted)
e)	Minimum Interior Side Yard	5 metres
f)	Minimum Exterior Side Yard	9 metres
g)	Minimum Rear Yard	9 metres
h)	Minimum Building Area – Ground Floor	Residential – see Ontario Building Code Act, R.S.O. 1990 and Regulations thereunder commercial, industrial – n/a
i)	Maximum Building Height	12 metres
j)	Accessory Building – Yard	residential – 3 metres; commercial, industrial - 1 metre
k)	Accessory Building – Height	10 metres
l)	Maximum Lot Coverage by building in percent	25%

10.03 Special Exception Regulations – Industrial (M1)

The regulations contained in Section 10.01 and 10.02, General Use Provisions and Zone Standards, shall apply to the Special Provision Use areas or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 10.03.

SECTION 11 - INDUSTRIAL PIT (M2) ZONE

11.01 Uses Permitted

No person shall within the Industrial Pit (M2) Zone, use any lot, or erect or alter or use any building or structure for any purpose except one or more of the following uses.

a) Industrial Uses

- pit or quarry;
- a sand, gravel or rock processing, washing, sorting storage, screening or crushing operation; or
- a farm.

11.02 Zone Standards

Any building or structure permitted under Section 11.01 shall comply with the following provisions except as otherwise provided for in Section 3, General provisions.

a)	Minimum Lot Frontage	100 metres
b)	Minimum Lot Area	2.0 hectares
c)	Minimum Lot Depth	60 metres
d)	Minimum Front Yard	7.5 metres
e)	Minimum Interior Side Yard	9 metres
f)	Minimum Exterior Side Yard	9 metres
g)	Minimum Rear Yard	9 metres
h)	Minimum Building Area – Ground Floor	n/a
i)	Maximum Building Height	20 metres
j)	Accessory Building – Yard	1 metres
k)	Accessory Building – Height	10 metres
l)	Maximum Lot Coverage by building in percent	n/a

11.03 Special Exception Regulations – Industrial Pit (M2)

The regulations contained in Section 11.01 and 11.02, General Use Provisions and Zone Standards, shall apply to the Special Provision Use areas or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 11.03.

SECTION 12 - LANDFILL (M3) ZONE

12.01 Uses Permitted

No person shall within the Landfill (M3) Zone use any lot, or erect or alter or use any building or structure for any purpose except one or more of the following uses:

(a) Landfill Uses

- a landfill site;
- a transfer station.

12.02 Zone Standards

Any building or structure permitted under Section 12.01 shall comply with the following provisions except as otherwise provided for in Section 3, General provisions.

a)	Minimum Lot Frontage	100 metres
b)	Minimum Lot Area	2.0 hectares
c)	Minimum Lot Depth	100 metres
d)	Minimum Front Yard	7.5 metres
e)	Minimum Interior Side Yard	9 metres
f)	Minimum Exterior Side Yard	9 metres
g)	Minimum Rear Yard	9 metres
h)	Minimum Building Area – Ground Floor	n/a
i)	Maximum Building Height	20 metres
j)	Accessory Building – Yard	3 metres
k)	Accessory Building – Height	10 metres
l)	Maximum Lot Coverage by building in percent	10

12.03 Special Exception Regulations – Landfill (M3)

The regulations contained in Section 12.01 and 12.02, General Use Provisions and Zone Standards, shall apply to the Special Provision Use areas or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 12.03.

SECTION 13 – WASTE DISPOSAL (WD) ZONE

13.01 Uses Permitted

No person shall within the Waste Disposal (WD) Zone use any lot, or erect or alter or use any building or structure for any purpose except one or more of the following uses:

- (a) a sewage stabilization pond;
- (b) a treated sewage spray irrigation area;
- (c) sewage treatment plant

13.02 Zone Standards

Any building or structure permitted under Section 13.01 shall comply with the following provisions.

- a) Only those existing lands zoned Waste Disposal (WD) may be used for those uses permitted subject to the existing lot sizes and areas as of the date of the passing of this By-law.

SECTION 14 - OPEN SPACE PARKS (OS) ZONE

14.01 Uses Permitted

No person shall within the Open Space (OS) Zone, use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses:

a) Open Space and Park Uses

- an area where the primary land use is for public or private recreation, a playing field, public park, a community hall, an outdoor or closed swimming pool, a beach, a botanical garden, a golf course, a tennis court;
- a cemetery;
- a municipality owned arena;
- a private park;
- a boat launch;
- a fire hall; or,
- a municipal garage.

14.02 Zone Standards

Any building or structure permitted under Section 14.01 shall comply with the following provisions except as otherwise provided for in Section 3, General provisions.

a)	Minimum Lot Frontage	40 metres
b)	Minimum Lot Area	0.2 hectares
c)	Minimum Lot Depth	40 metres
d)	Minimum Front Yard	7.5 metres
e)	Minimum Interior Side Yard	5 metres
f)	Minimum Exterior Side Yard	7.5 metres
g)	Minimum Rear Yard	7.5 metres
h)	Minimum Building Area – Ground Floor	n/a
i)	Maximum Building Height	10 metres
j)	Accessory Building – Yard	3 metres
k)	Accessory Building – Height	5 metres
l)	Maximum Lot Coverage by building in percent	5%

14.03 Special Exception Regulations – Open Space Parks (OS)

The regulations contained in Section 14.01 and 14.02, General Use Provisions and Zone Standards, shall apply to the Special Provision Use areas or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 14.03.

14.03.1 Open Space Parks Exception 1 (OS-1)

A non-habitable boathouse together with an accessory building or structure is permitted on Part of Lot 25, Concession 6 and 7 being Parts 1, 3, 5 and 7 on Registered Plan 42R-13530.

SECTION 15 - ENVIRONMENTAL PROTECTION (EP) ZONE

15.01 Uses Permitted

No person shall within the Environmental Protection (EP) Zone, use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses:

a) Rural Uses

- a farm but not a specialized use farm as defined in this By-law;
- a dock, boathouse, pumphouse or sauna provided authorization is received from any relevant government agency.

b) Open Space Uses

- an area for the protection of an environmental hazard such as fish habitat and wildlife habitat; or,
- a conservation area primarily for the location of flood control, bank stabilization or erosion protection structures or projects.

15.02 Zone Standards

Any building or structure permitted under Section 15.01 shall comply with the following provisions except as otherwise provided for in Section 3, General provisions.

a)	Minimum Lot Frontage	
b)	Minimum Lot Area	
c)	Minimum Lot Depth	
d)	Minimum Front Yard	
e)	Minimum Interior Side Yard	
f)	Minimum Exterior Side Yard	
g)	Minimum Rear Yard	
h)	Minimum Building Area – Ground Floor	n/a
i)	Maximum Building Height	
j)	Accessory Building – Yard	Rural Uses – 3 metres, boathouses excepted from front yard, 6 metres side yard required.
k)	Accessory Building – Height	Rural Uses – 5 metres, boathouses excepted from front yard, 6 metres side yard required.
l)	Maximum Lot Coverage by building in percent	Rural Uses – 5% Open Space Uses – n/a

15.03 Special Exception Regulations – Environmental Protection (EP)

The regulations contained in Section 15.01 and 15.02, General Use Provisions and Zone Standards, shall apply to the Special Provision Use areas or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 15.03.

15.03.1 Environmental Protection Exception 1 (EP-1)

Docks or boathouses are permitted on Part of Lot 25, Concession 8 and shall be maintained as a natural vegetation area save and except for one pathway not exceeding 2.0m in width providing access to the shoreline on each lot.

SECTION 16 - FLOOD PLAIN (FP) ZONE

16.01 Uses Permitted

No person shall within the Flood Plain (FP) Zone, use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses:

a) Rural Uses

- a farm excluding any buildings or structures;
- an aviary, arboretum, nursery garden or forestry operation except that no structures shall be permitted in this zone, except dock, boathouse and flood and erosion control structures; and
- pumphouses having a maximum area of 0.9 square metres.

b) Open Space Uses

- a dock, pumphouse or sauna approved by the appropriate government agency;
- an area for the location of flood control measures including bank stabilization, erosion protection and ancillary structures or projects; or
- an area for the protection of environmental hazard such as wetlands subject to very high water table, steep slopes, gullies, or lands subject to wind or water erosion.

16.02 Zone Standards

Any building or structure permitted under Section 16.01 shall comply with the following provisions except as otherwise provided for in Section 3, General provisions.

a)	Minimum Lot Frontage	
b)	Minimum Lot Area	
c)	Minimum Lot Depth	
d)	Minimum Front Yard	n/a
e)	Minimum Interior Side Yard	n/a
f)	Minimum Exterior Side Yard	n/a
g)	Minimum Rear Yard	n/a
h)	Minimum Building Area – Ground Floor	n/a
i)	Maximum Building Height	
j)	Accessory Building – Yard	3 – boathouses excepted from front yard, 6 metre side yard required
k)	Accessory Building – Height	5 - boathouses excepted from front yard, 6 metre side yard required
l)	Maximum Lot Coverage by building in percent	n/a

16.03 Special Exception Regulations – Flood Protection (FP)

The regulations contained in Section 16.01 and 16.02, General Use Provisions and Zone Standards, shall apply to the Special Provision Use areas or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 16.03.

SECTION 17 - BY-LAW REPEALS

The following By-laws are hereby repealed:

By-law No. 95-12, free standing By-law 95-15 and 96-9 are hereby repealed.

READ a **FIRST** and **SECOND** time this 21st day of
May, 2019

Original signed by Peter Hopkins

MAYOR

Original signed by Tammy Wylie

CLERK

READ a **THIRD** time and **PASSED** in **OPEN**
COUNCIL this _____ day of
_____, 2020

MAYOR

CLERK

METRIC - IMPERIAL EQUIVALENTS TABLE

NOTE: The equivalent figures in the following table are approximate only. For more accurate conversion, the following factors should be used:

1 metre = 3.281 feet 1 foot = 0.3048 metres
1 square metre = 10.765 square feet
1 hectare = 2.471 acres 1 acre = 0.405 hectares

APPROXIMATE EQUIVALENTS

METRIC	IMPERIAL	METRIC	IMPERIAL
0.5 metres	1.6 feet	9 square metres	97 square feet
1 metre	3.3 feet	10 square metres	108 square feet
1.2 metres	3.9 feet	14 square metres	151 square feet
1.5 metres	4.9 feet	15 square metres	161 square feet
2 metres	6.6 feet	18 square metres	194 square feet
3 metres	10 feet	20 square metres	215 square feet
3.5 metres	11.5 feet	25 square metres	269 square feet
4 metres	13 feet	35 square metres	377 square feet
5 metres	16 feet	50 square metres	538 square feet
6 metres	20 feet	90 square metres	969 square feet
7 metres	23 feet	100 square metres	1,076 square feet
7.5 metres	25 feet	200 square metres	2,153 square feet
8 metres	26 feet	450 square metres	4,844 square feet
10 metres	33 feet	800 square metres	8,612 square feet
12 metres	40 feet	1,800 square metres	19,377 square feet
15 metres	50 feet		
20 metres	66 feet	4,000 square metres	1 acre
23 metres	75.5 feet	0.5 hectares	1.2 acres
25 metres	82 feet	0.8 hectares	2 acres
30 metres	100 feet	1 hectare	2.5 acres
50 metres	164 feet		
60 metres	200 feet		
70 metres	230 feet		
90 metres	300 feet		
100 metres	328 feet		
120 metres	394 feet		
150 metres	500 feet		
200 metres	656 feet		
300 metres	984 feet		
500 metres	1,640 feet		