TOWNSHIP OF McMurrich/Monteith

COMPREHENSIVE ZONING BY-LAW

By-law No. 16-2016

Adopted by Council on
June 23, 2016

Approved, in part, by the
Ontario Municipal Board
January 24, 2017

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Building Community Through Planning

Note: Areas subject to OMB appeal are marked in the document in red.

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Section 1 - INTERPRETATION AND ADMINISTRATION

1.1 **Title**: This By-law shall be known as the "*Township* of McMurrich/Monteith Zoning By-law".

1.2 **Lands Affected by this By-law**: This by-law applies to all lands within the *Township***.**

1.3 **Validity**: Should any section or provision of this By-law for any reason be declared invalid by a court of competent jurisdiction, such declaration does not affect the validity of the By-law as a whole and all the remaining sections or provisions of this By-law remain in full force and effect until repealed.

1.4 **Effective Date**: This By-law shall come into force in accordance with Section 34 of the Planning Act, R.S.O. 1990, as amended.

1.5 **Appeals**: Where one or more appeals are filed under subsection 34(19) of the Planning Act, the affected portions of this By-law do not come into force until all such appeals have been withdrawn or finally disposed of, whereupon the By-law, except for those parts of it that are replaced by or at the direction of the Ontario Municipal Board, is deemed to have come into force on the day that it was passed.

1.6 **Repeal of *Existing* By-laws**: The following zoning by-laws are repealed upon the coming into force of this by-law:

- By-law 09-2013
- By-law 28-2013
- By-law 12-2014
- By-law 24-2014
- By-law 25-2014
- By-law 10-2015

1.7 **Interpretation of Words**: For the purposes of this By-law:

i) words used in the present tense include the future;
ii) words in singular form include plural, and words in the plural form include the singular;

iii) the word "shall" is mandatory;
iv) the words "*used*" and "occupied" also mean "designed to be *used*" and "designed to be occupied"; and
v) the words indicated in *Italic* are defined in Section 2, "Definitions".

1.8 **Interpretation**:

i) Where a situation arises that is not covered by a specific regulation, or where two or more regulations are equally applicable, all provisions must be complied with or, where it is not possible to comply with all the provisions applicable, the most restrictive provisions must be complied with.
ii) The provisions of this By-law are the minimum requirements except where the word "maximum" is used, in which case the maximum requirement applies.
iii) Unless otherwise defined in Section 2, the words and phrases used in this By-law have their normal and ordinary meaning.
iv) Tables are part of the By-law and are used throughout to present regulations in a concise format.
v) All measurements in this By-law appear in metric. Imperial measurements are shown for convenience only.

1.9 **Boundary Interpretation**: Where any uncertainty exists as to the location of any boundary of any *zone*, the following applies:

i) where the boundary is shown as following a *Street*, lane, right-of-way, or electrical transmission line, the *zone* boundary is the centre line of such;
ii) where the boundary is shown as substantially following the *lot line* on a registered plan of subdivision or a reference plan, the *zone* boundary is the *lot line*;
iii) where the boundary is shown as substantially following the *high water mark* of a *waterbody*, the z*one* boundary is the *high water mark*;
iv) the precise location of the boundary of the regulatory floor elevation shall be determined by a surveyor, and shall be based on the elevations noted in Section 4.4 of this by-law;
v) the precise location of the boundary of the Environmental Protection One or Two (EP1 or EP2) zones may be determined by a surveyor or qualified environmental consultant, to the satisfaction of the Township;
vi) where uncertainty exists as to the boundary of any *zone* then the boundary of such *zone* shall be determined in accordance with the scale on the applicable Schedule at the original size; or,
vii) where the lot fabric on the base map is found to be incorrect, the zone symbol would apply to the lot as it legally exists, as shown on a survey or more updated base map.

1.10 **Conformity and Compliance with Zoning By-law**: No land, *building* or *structure* may be used, *erected* or *altered* except in accordance with the provisions of this By-law.

1.11 ***Other Requirements:*** Nothing in this Bylaw shall serve to relieve any person from any obligation to comply with the requirements of any other by-law of the *Township* or any requirement of the Province of Ontario or Government of Canada that may affect the *use* of lands, *buildings* or *structures* in the *Township*.

1.12 ***Zones***: For the purposes of this By-law, the following *zones* are established and they may be referred to by the name or by the symbol set opposite the name of the *zone* below:

WR	-	Waterfront Residential
RS	-	Settlement Residential
RU	-	Rural
CG	-	General Commercial
CT	-	Tourist Commercial
IG	-	General Industrial
IE	-	Extractive Industrial
IN	-	Institutional
OS	-	Open Space
EP1	-	Environmental Protection One
EP2	-	Environmental Protection Two

1.13 ***Zone* Schedules**: The z*ones* and *zone* boundaries are shown on Schedules A1 to E3 to this By-law.

1.14 **Zoning of Water and parcels of land that do not have a zone symbol:** All permanent bodies of water are zoned Open Space (OS). Any parcel of land that does not have a zone symbol on the Schedules to this By-law shall be zoned Open Space (OS).

1.15 **Special Zones**: A *zone* symbol followed by a number (for example, "WR-2"), denotes a special *zone*. The permitted *uses* and *zone provisions* for such special *zone* shall be set out in Section 4.5 of this By-law.

1.16 **Property Detail Schedules:** Property Detail Schedules form part of this By-law and are identified as Schedule F. These schedules more particularly show the boundary of the zone or property and any special provisions applicable to the property.

1.17 **Holding Zones**:

i) Where a *zone* symbol is followed by the letter "H" (for example, WR-H), the land shall only be used for *existing uses*, the minor expansion of those *uses*, or open space or outdoor recreation *uses* which do not require the *erection* of a *building* or *structure* or the placement or removal of fill, and shall be subject to any applicable provisions of Section 4.6.

ii) Council may pass a By-law pursuant to Section 36 of the Planning Act to remove the Holding (H) Symbol thereby placing the lands in the *zone* indicated by the *zone* symbol, when all of the applicable requirements have been met.

1.18 **Enforcement**: Any person convicted of a violation of this By-law is liable, at the discretion of the convicting Justice, on first conviction to a fine of not more than $25,000 and on a subsequent conviction to a fine of not more than $10,000 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted.

1.19 **Level of Municipal Services***:* This By-law does not imply the provision or availability of a specific level of municipal services on individual *lot*s in the *Township*. *Lot*s that do not abut year round publicly maintained roads may not have the same level of municipal services as do *lot*s fronting on other *public roads*.

1.20 **Technical Revisions to the Zoning By-law**: Revisions may be made to this By-law without the need for a zoning by-law amendment in the following cases:

i) Correction of grammar or typographical errors or revisions to format in a manner that does not change the intent of a provision.

ii) Adding or revising technical information on maps or schedules that does not affect the zoning of lands including, but not limited to, matters such as updating and correcting infrastructure information, keys, legends or title blocks.

iii) Changes to appendices, footnotes, headings, indices, marginal notes, table of contents, illustrations, historical or reference information, page numbering, footers and headers, which do not form a part of this By-law and are editorially inserted for convenience of reference only.

iv) Minor adjustments to the boundary of the Environmental Protection Zone on a property may be made, without amendment to the Zoning By-law, where the Chief Building Official for the *Township* is satisfied that the mapping of the Environmental Protection Zone on a schedule is in obvious error.

Section 2 - DEFINITIONS

2.1 ***Accessory***: A *use*, *building* or *structure* that is commonly incidental, subordinate and exclusively devoted to the permitted principal *use*, *building* or *structure*, and located on the same *lot*.

2.2 ***Agricultural Use***: The growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry, maple syrup production; and associated on-farm *buildings* and *structures*, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment. *Agricultural uses* include value retention activities required to make a commodity salable (i.e. Corn dryer, washing, sorting, packing, and packaging). For the purposes of this by-law, accommodation for full time farm labour does not constitute a separate *dwelling*.

2.3 ***Alter***:

a) With respect to a *building* or *structure* any alteration in a bearing wall, or partition column, beam, girder, or other supporting member of a *building* or *structure*, or any change in the area or cubic contents of a *building* or *structure*.

b) With respect to a *lot*, to change frontage, depth, or area of the *lot* or to change frontage, depth, or area of any *required yard*, *setback*, landscaped open space or *parking area*, or to change the location of any boundary of such *lot* with respect to a public highway or laneway, whether such alteration is made by conveyance or alienation of any portion of said *lot*, or otherwise.

2.4 ***Bed and Breakfast Establishment***: A detached *dwelling* which is owner occupied and in which not more than four bedrooms are used or maintained for the accommodation of the travelling or vacationing public, in which the owner supplies lodging with or without meals.

2.5 ***Boathouse***: A detached *accessory building* used for the berthing, sheltering or storing of boats and related equipment, built, founded or anchored near or at the *high water mark* of a navigable waterway or on land, but does not include living quarters for human habitation.

2.6 ***Boat Port***: A detached *accessory building* used for the berthing, sheltering or storing of boats and related equipment that is roofed, but not enclosed by more than one wall and is built, founded or anchored near or at the *high water mark* of a navigable waterway or on land.

2.7 ***Building***: Any *structure* used for the shelter or accommodation or enclosure of persons, animals, chattels or equipment, having a roof which is supported by columns or walls and including any *tent*, awnings or carports.

2.8 ***Building Supply and Lumber Outlet***: Premises in which *building* or construction and home improvement materials are offered or kept for sale at retail and may include the fabrication of certain materials related to home improvements.

2.9 ***Bulk Fuel Depot***: Premises for the storage and/or distribution of fuels and oils but not including retail sales or key lock operations.

Subject to OMB Appeal

2.10 ***Campground:*** A commercial establishment used for seasonal recreational activity as grounds for camping, including the use of *tents* and *trailers* and which may include buildings and structures for:

- an administrative office;
- washroom facilities and a laundromat that are limited to use by occupants of the *campground* only;
- a convenience store that is limited to use by occupants of the *Campground* only; and
- recreational facilities and storage facilities that are limited to use by the occupants of the *Campground* only.

Subject to OMB Appeal

2.11 ***Camp Site***: An area provided within a *Campground* for the location of *tents* and *trailers*.

Subject to OMB Appeal

2.12 ***Camp Site, Serviced***: A *camp site* which has both piped potable water and a sanitary private drain connection to a sewage treatment and disposal system.

2.13 ***Cartage, Transport or Bus Depot***: Premises where trucks, tractor *trailer*s and/or buses are rented, leased, kept for hire, stored, or parked, for remuneration, of from which trucks, tractor *trailer*s or buses are dispatched for hire as common carriers.

2.14 ***Cemetery***: The land that is set apart or used as a place for the interment of the dead or in which human bodies have been buried.

2.15 ***Commercial Nursery or Greenhouse***: Premises used for the growing of flowers, fruits, vegetables, plants, shrubs, trees and/or similar vegetation which is sold directly from the *lot* at retail.

2.16 ***Commercial Self-Storage Facility***: Premises used for the temporary storage of household items and seasonal, recreational or commercial vehicles, boats and *trailer*s in storage areas or lockers that are generally accessible by means of individual loading doors.

2.17 ***Communications Tower***: A *structure* situated on a non-residential site that is intended for transmitting or receiving television, radio, or telephone communications, excluding those used exclusively for dispatch communications.

2.18 ***Community Centre***: Premises used for community activities, the control of which is vested in the *Township* or other *Public Authority*.

2.19 ***Conservation Use***: The preservation, protection and improvement of components of the natural environment, through a comprehensive management and maintenance program.

2.20 ***Contractor's Establishment***: Premises where equipment and materials used by a general contractor are stored or where a contractor performs shop assembly work.

2.21 ***Convenience Store***: A retail commercial establishment supplying groceries and other daily household conveniences to the immediate surrounding area.

2.22 ***Day Care Centre***: Premises that receive more than five (5) persons, primarily for the purpose of providing temporary care, but does not include a school, *group home* or *nursing home*.

2.23 ***Day Care, Private Home***: Premises for the temporary care for reward or compensation of 5 children or less who are under 12 years of age where such care is provided in a *dwelling*, other than the home of a parent or guardian of any such child, for a continuous period not exceeding 24 hours.

2.24 ***Deck***: An unenclosed *structure* that is *accessory* to a residential *use* and used as an outdoor living *area*, with a foundation holding it *erect*, and, where attached to a *building*, with a floor which is above *finished grade*; a *deck* shall not include a landing or a stair, and may be attached or detached from a *building*.

2.25 ***Designated Barrier Free Parking Space***: A *parking space* identified with appropriate signage and markings for the exclusive *use* of persons in possession of valid accessible parking permits.

2.26 ***Dock***: An *accessory structure* built at the *high water mark* or anchored over water at which watercraft are berthed or stored and which may provide a foundation for a *boathouse* or *boat port* or contain a non-permanent *tent* to provide shelter for such watercraft.

2.27 ***Dwelling***: A *building* or part of a *building* occupied or capable of being occupied, in whole or in part as the home, residence or sleeping place of one or more persons either continuously, permanently, temporarily or transiently but shall not include a *trailer*, or *truck camper*.

2.28 ***Dwelling, Duplex***: The whole of a *building* that is divided horizontally into two separate *dwellings*, each of which has an independent entrance either directly from the outside or through a common vestibule.

2.29 ***Dwelling, Secondary***: A detached or attached *accessory dwelling* permitted in conjunction with a *single detached dwelling*.

2.30 ***Dwelling, Semi-Detached***: The whole of a *building* divided vertically into two separate *dwellings*, each of which has an independent entrance directly from the outside.

2.31 ***Dwelling, Single Detached***: A detached *building* containing one *dwelling* only, and shall include a Modular Home.

2.32 ***Dwelling Unit***: A room or rooms in which a kitchen, living quarters and sanitary conveniences are provided for the exclusive *use* of the resident(s), with a private entrance from outside the *building* or from a common hallway or stairway.

2.33 ***Equestrian Facility***: An area of land or *buildings* which are used for horse training, handling, care or lodging.

2.34 ***Erect***: To Set up, build, construct, reconstruct or relocate, and, without limiting the generality of the work, also includes:

- any preliminary physical operation, such as excavating, filling or drainage;
- altering any *existing building* or *structure* by an addition, enlargement, extension, relocation or other structural change;
- any work for the doing of which a *Building* Permit is required under The *Building* Code Act and Regulations; and,
- *erect*, *erected*, and *erection* shall have a corresponding meaning.

Subject to OMB Appeal

2.35 ***Existing***: A *use*, *building* or *structure* legally in existence on the date of the passing of this By-law. In the case of a *Tourist Establishment* or *Campground*, existing means the actual number of accommodation units, *camp sites* or *trailers* existing on the date of passing of this By-law.

2.36 ***Farm Produce Sales Outlet***: A *use accessory* to a farm that consists of the retail sale of agricultural products produced on the farm where such outlet is located.

2.37 ***Finished Grade***: The average elevation of the finished surface of the ground at ground level on any one side of a *building* or *structure*.

2.38 ***Floor Area***: The total habitable *floor area* of all floors contained within the outside walls of a *building* excluding, in the case of a *dwelling*, the *floor area* of a private *garage*, *porch,* verandah, unfinished attic, basement or cellar.

2.39 ***Floor Area, Gross***: The total *floor area*, exclusive of any portion of the *building* or *structure* below *finished grade* measured between the exterior faces of the exterior walls which is used for heating, the storage of goods or personal effects, laundry facilities, or recreational areas, exclusive of any *garage*, carport, *porch*, verandah, *deck* or sunroom (unless such sunroom is habitable during all seasons of the year).

2.40 ***Floor Area, Ground***: The *floor area* of the grade level *storey* of a *building* measured by the outside walls, excluding, in the case of a *dwelling* house, any private *garage*, carport, *porch*, verandah, *deck* or sunroom (unless such sunroom is habitable at all seasons of the year).

2.41 ***Forestry Use***: The raising and harvesting of wood, and without limiting the generality of the foregoing, shall include the raising, cutting and storage of fuel wood, pulpwood, lumber, Christmas trees, and other forestry products.

2.42 ***Funeral Home***: Premises for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for internment or cremation.

2.43 ***Garage***: A detached *accessory building* or portion of a *dwelling* which is designed or used for the sheltering of a private *motor vehicle* and storage of household equipment incidental to the residential occupancy and which is fully enclosed and roofed and excludes a carport or other open shelter.

2.44 ***Gazebo***: A freestanding, roofed, *accessory structure* which is not closed, except for screening or glass, and which is utilized for the purposes of relaxation.

2.45 ***Golf Course***: A public or private area operated for the purpose of playing golf, and includes a par 3 *Golf Course*, club house and recreational facilities, *accessory* driving ranges, miniature *golf courses*, and similar *uses*.

2.46 ***Group Home***: A single-detached *dwelling* in which not more than 6 persons, having physical, social or mental handicaps reside under the appropriate supervision of personnel, who may also reside in the *dwelling*, and which is licensed and/or approved for funding under provincial statutes and in compliance with municipal by-laws. A *dwelling* or other facility 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 a conviction of a criminal offence is not a *Group Home* for the purposes of this By-law.

2.47 ***Guest Cabin***: A single *storey accessory structure* with no cooking facilities, which is not attached to the main *single detached dwelling* on a *lot* and is maintained for the accommodation of an individual or individuals occasionally, from which there shall be no monetary gain.

2.48 ***Habitable Room***: A room designed for living, sleeping, eating or food preparation including but not limited to a den, library, *office*, craft or hobby room, sewing room, enclosed sunroom, or screened room.

2.49 ***Height of Building***: The vertical distance measured from the average *finished grade* on the side of the *building* facing the *front lot line* or *exterior side lot line*, whichever results in the greater height measurement of the *building*, or from the side of the *building* facing the *high water mark* on a *lot* that abuts a *waterbody*, or in the case of a *boathouse* over water, the vertical distance between the *high water mark* to:

i) In the case of a flat roof, the highest point of the roof surface;
ii) In the case of a mansard roof, the *deck* roof line;
iii) In the case of a gable, hip or gambrel roof, the average height between the eaves and ridge;
iv) In the case of an A-frame, 75% of the distance between the *finished grade* measured at the midpoint of the front and rear of the *building* and the ridge.

2.50 ***High Water Mark***: The normal ordinary or regulated *high water mark* of any body of water, as indicated by the character of the vegetation or soil.

2.51 ***Home Industry***: A small scale light industrial *use*, such as a carpentry shop, a metal working shop, a welding shop or an electrical shop that provides services or wares to the community and which is an *accessory use* to a *single detached dwelling*. For the purposes of this By-law, the repairing of *motor vehicles*, *mobile homes* and *trailers* is not a *home industry*.

2.52 ***Home Occupation***: Any occupation conducted for gain or support conducted entirely within a *single detached dwelling* as an *accessory use* by the residents thereof in accordance with the provisions of this By-law.

2.53 ***Hunt Camp***: A *building* with a maximum *floor area* of 60 square metres (645.8 square feet) occupied as a temporary base for hunting or fishing activities.

2.54 ***Institutional Camp***: the use of land, buildings or structures for an establishment operated by a private or non-profit organization that provides recreational, educational, health or spiritual programs, sleeping accommodation on a temporary and reserved basis and centralized facilities associated with such accommodation or programs, including administration, meeting and dining facilities. An *Institutional Camp* may include accessory buildings, structures or facilities incidental to the principal use, such as common washrooms, recreational facilities, educational facilities or a convenience store. An *Institutional Camp* does not include dwelling units other than accessory dwellings for the owner, operator and staff.

2.55 ***Kennel***: Premises where domestic household pets are kept, raised and/or boarded on a commercial basis, and which is licensed by the *Township*.

2.56 ***Landscaped Open Space***: The open unobstructed space from ground to sky at grade on a *lot*, and suitable for the growth and maintenance of grass, flowers, trees, bushes and other landscaping and includes any surfaced walk, patio or similar area but does not include any driveway or ramp, whether surfaced or not, any curb, retaining wall, *parking area* or any *open space* beneath or within any *building* or *structure*.

2.57 ***Light Equipment Sales And Rental Establishment***: Premises in which light machinery and equipment such as air compressors and related tools and accessories, augers, automotive tools, cleaning equipment, light compaction equipment, concrete and masonry equipment, electric tools and accessories, fastening devices such as staplers and tackers, floor and carpet tools, gasoline generators, jacks and hydraulic equipment, lawn and garden tools, ladders, moving equipment, painting and decorating equipment, pipe tools and accessories plumbing tools and accessories, pumps, hoses, scaffoldings, welding equipment, and other similar tools and appurtenances are offered or kept for rent, lease or hire under agreement for compensation, but shall not include any other establishment defined or classified in this By-law.

2.58 ***Loading Space***: An off-*street* space on the same *lot* as the *building*, or contiguous group of *buildings*, for the temporary parking of a commercial vehicle while loading or unloading of merchandise or materials, which abuts upon a *street*, lane, road, highway or other appropriate means of *Access*.

2.59 ***Lot***: A parcel of land legally capable of being conveyed separately from any other lands.

2.60 ***Lot Area***: The total horizontal area within the boundaries of a *lot*, measured above the *High Water Mark*.

2.61 ***Lot, Corner***: A *lot* situated at the intersection of two or more *streets*, or a *lot* abutting on one or more parts of the same *street*.

2.62 ***Lot Coverage***: The percentage of the *lot area* covered by the *ground floor area* of all *buildings* or *structure*s on the *lot*, excluding a *septic system* leaching bed.

2.63 ***Lot Frontage***: The horizontal straight-line distance determined as follows:

i) Where the *front lot line* is the *high water mark*, the straight-line distance between the points where the *side lot lines* or their straight *line* projections intersect the *high water mark*;

ii) Where there are no *side lot lines*, the greatest distance between any point on the *front lot line* and any point on the *rear lot line*;

iii) Where there are two (2) *front lot lines* abutting the same *street* or *high water mark*, the longer of the two *front lot lines* shall be used to measure frontage; or

iv) In all cases other than those above, the distance between the points where the *side lot lines* intersect with the *front lot line*.

2.64 ***Lot Line***: A boundary of a *lot* or the vertical projection of such *lot line*.

2.65 ***Lot Line, Exterior Side***: The *side lot line* which abuts an improved public *street* or an unopened *road* allowance on a *corner lot*.

2.66 ***Lot Line, Front***:

i) In the case of an *interior lot*, the *line* dividing the *lot* from the *street* or private right-of-way;

ii) In the case of a *corner lot*, the shorter *lot line* abutting a *street* or private right-of-way shall be deemed the *front lot line* and the longer *lot line* abutting a *street* or private right-of-way shall be deemed a *side lot line*;

iii) In the case where a *lot* fronts upon a waterbody, the *high water mark* shall be deemed to be the *front lot line*; or

iv) 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*, with the exception of where the *lot* abuts the *high water mark*, in which case the *high water mark* is the *front lot line.*

2.67 ***Lot Line, Interior Side***: A *lot line* other than a *front*, *rear*, or *exterior side lot line*.

2.68 ***Lot Line, Rear***: The *lot line* furthest from or opposite to the *front lot line*.

2.69 ***Lot Line, Side***: A *lot line* other than a *front* or *rear lot line*.

2.70 ***Lot*, Through**:

i) a *lot* other than a *corner*, having separate frontages on two *streets*; or

ii) a *lot* other than a *corner lot* having separate frontages on a *waterbody*;

iii) a *lot* other than a *corner lot* having separate frontages on a *street* and a *waterbody*.

2.71 ***Manufacturing Plant***: The *use* of land, *buildings* or *structure* for the purposes of *manufacturing*, assembling, making, preparing, inspecting, finishing, treating, *altering*, repairing, warehousing or storing or adapting for sale, any good, substance, article, thing or service.

2.72 ***Marina***: Premises inclusive of boat launching and docking facilities, located on a navigable waterway, where boats, other watercraft and boating accessories, and

recreational vehicles are stored, serviced, repaired, or kept for sale or rental and where facilities for the sale of marine fuels and lubricants may be provided.

2.73 ***Medical Marihuana Production Facility***: A *building* or *structure* or part thereof that is used for growing, producing, processing, testing, destroying, storing, packaging or shipping of marihuana or cannabis authorized by a license issued by the Federal Minister of Health under the Controlled Drugs and Substances Act SC 1996, c 19, as amended, but shall not include any other establishment or use as may be defined or classified in this By-law.

2.74 **Minimum Distance Separation (MDS):** the mathematical tool to determine a recommended distance between livestock and manure storage facilities and non-*agricultural uses*.

2.75 ***Mobile Home***: Any dwelling that is designed to be made mobile and constructed or manufactured to provide a permanent residence for one of more persons, but does not include a travel *trailer* or *tent trailer* or *trailer* otherwise designed.

2.76 ***Modular Home***: a factory built home which is a single detached dwelling designed and built to be transported to a site. It may contain parts that can be folded, collapsed, or telescoped when being towed and expanded later to provide additional floor space, and will sit on a permanent foundation. It shall be a minimum of two or more separately towable components that are joined on the chosen site. The modular dwelling is designed for long term year round occupancy. It has facilities for cooking, eating, living, sleeping and sanitation. A modular dwelling does not include a park model *mobile home trailer*, travel *trailer*, *tent trailer* or *trailer* otherwise designed. For the purposes of this definition, a modular home having an A277 Standard is permitted, while those having either a Z240, Z241 Standard or a combination of either of these with the A277 Standard are not permitted.

2.77 ***Motor Vehicle***: Any equipment self-propelled by an engine or a motor mounted on the vehicle, within the meaning of The Highway Traffic Act.

2.78 ***Motor Vehicle Body Shop***: Premises used for the painting or repairing of *motor vehicle* bodies, in conjunction with which there may be towing services and *motor vehicle* rentals for customers while the *motor vehicle* is under repair, but shall not include any other establishment otherwise defined or classified in this By-law.

2.79 ***Motor Vehicle Dealership***: Premises where a dealer displays new *motor vehicles* for sale or rent or where used *motor vehicles* are kept for sale in conjunction with which there may be a *motor vehicle repair garage* or a *motor vehicle Body Shop*.

2.80 ***Motor Vehicle Repair Garage***: Premises where the exclusive service performed or executed on *motor vehicles* for compensation may include the installation of exhaust systems, repair of the electrical systems, transmission repair, brake repair, radiator

repair, tire repair and installation, rustproofing, *motor vehicle* diagnostic centre, major and minor mechanical repairs or similar *use* and in conjunction with which there may be a towing service, a *motor vehicle service station* and *motor vehicle* rentals for the convenience of the customer while the *motor vehicle* is being repaired, but shall not include any other establishment otherwise defined or classified in this By-law.

2.81 ***Motor Vehicle Service Station***: Premises where gasoline, oil, grease, antifreeze, tires, tubes, tire accessories, electric light bulbs, sparkplugs, batteries, automotive accessories for *motor vehicles*, and new retail goods are stored or kept for sale to the general public; such shall require a public washroom.

2.82 ***Non-Complying***: An *existing lot*, *building* or *structure* that does not fulfill the requirements of the *zone* provisions for the *zone* in which the *lot*, *building* or *structure* is located.

2.83 ***Non-Conforming***: An *existing use* of any land, *building* or *structure* which does not conform with the permitted *uses* of this By-law for the *zone* in which such *existing* land, *building* or *structure* is located, so long as it continues to be used or enjoyed for that purpose.

2.84 ***Noxious***: When used with reference to any *use* or activity in respect of any land, *building* or *structure* or a *use* or activity which, from its nature or form the manner of carrying on same, creates or is liable to create, by reason of destructive gas or fumes, dust, objectionable merchandise, salvage, machinery parts, junk, waste or other material(s), conditions which may become hazardous or injurious as regards to health or safety or which prejudices the character of the surrounding area or interferes with or may interfere with the normal enjoyment of any *use* or activity in respect of any land, *building* or *structure*.

2.85 ***Nursing Home***: Premises in which the proprietor supplies for hire or gain, lodging with or without meals and nursing, medical or similar care and treatment, and operates under the appropriate statute(s).

2.86 ***Office***: Premises in which one or more persons are employed in the management, direction or conducting of a business, or where professionally qualified persons and their staff serve clients or patients who seek advice, consultation or treatment.

2.87 ***Open Storage***: The storage of goods, merchandise or equipment outside of a *building* or *structure* on a *lot* but does not include the storage of vehicles or equipment for sale of repair. This definition shall not include the *open storage* of goods or equipment incidental to the residential occupancy of the *lot*, a *parking area*, or a *storage use* or area located inside a *building*.

2.88 ***Outdoor Display and Sales Area***: An area of land, used in conjunction with a business located within a *building* or *structure* on the same *lot*, for the display or sale of produce, merchandise or the supply of services.

2.89 ***Park***: An area of public land specifically defined or set aside for *use* by and for the general public for active and/or passive recreational *uses*, and includes all landscaping, facilities, *buildings* and *structure*s related to the recreation *use*.

2.90 ***Parking Area***: An area or a *building* or part thereof which is provided and maintained upon the same *lot* upon which the principal *use* is located for the purpose of parking *motor vehicles*.

2.91 ***Parking Space:*** An area of not less than 18 square metres (194 square feet), exclusive of any aisles or ingress and egress lanes, usable for the temporary parking or storage of motor vehicles and may include a private garage or carport. Each *parking space* shall be at least 3.0 metres (9.8 feet) by 6.0 metres (19.7 feet).

2.92 ***Pit***: An area where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an excavation to supply materials for construction, industrial or manufacturing purposes, but does not include a wayside pit.

2.93 ***Pit, Wayside***: a temporary pit opened and used by a public authority, or their agents, solely for the purpose of road construction or an associated road project or contract and which is not located on the road right-of-way.

2.94 ***Place of Assembly:*** Premises designed and used to accommodate gatherings of people such as clubs, reception halls, funeral homes, conference centres, legion halls, community halls and lodges, and for events such as trade shows, banquets, and political or other conventions.

2.95 ***Place of Worship***: A church, chapel, temple, parish hall, mosque or synagogue including *offices* for the administration of the religious institution, convent, seminary, monastery, rectory, parsonage or parish house.

2.96 ***Planting Strip***: A landscaped or naturally planted area reserved for the purpose of screening adjacent *uses* by the planting or maintaining of trees and shrubs and shall consist of at least a continuous row of trees, evergreens or shrubs, not less than 1.8 metres (5.9 feet) high.

2.97 ***Porch***: A *structure* attached to a permitted *building* which is covered and enclosed partially or wholly on its sides by screening.

2.98 ***Portable Processing Plant***: Equipment for the crushing, screening or washing of sand and gravel aggregate materials, which is capable of being readily drawn or readily propelled by a *motor vehicle* and is not considered permanently affixed to the site, but not including a concrete batching plant or an asphalt plant.

2.99 ***Principal Building***: Any *building* which is the principal purpose for which the *building lot* is used and shall include a barn or silo used in conjunction with an *agricultural use*.

2.100 ***Private Road***: A road, laneway or driveway providing *motor vehicle* access to a property which is not a *Public Road* including a right-of-way or an Access Road as defined in the Road Access Act.

2.101 ***Public Authority***: Any Federal, Provincial, or Municipal agency, and includes any commission, board, authority or department established by such agency and shall include Hydro One, Ontario Power Generation, and Bell Canada.

2.102 ***Public Road***: A road that is either under the jurisdiction of the Province of Ontario or the Township, and which may be shown on the schedules to this By-law as a "Municipal Year Round Road" or a "Municipal Seasonal Road".

2.103 ***Public Use***: The *use* of premises by a *public authority*, for the purpose of providing its services to the public, or carrying out its public mandate.

2.104 ***Pumphouse***: An *Accessory building* used only to shelter a pump and related tools and equipment used to take water from a well, stream or lake and pressurize it, and which has a horizontal *floor area* of less than 1.5 square metres (16.1 square feet).

2.105 ***Quarry***: An area where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside quarry or open pit or mine.

2.106 ***Quarry, Wayside***: a temporary quarry opened and used by a public authority, or their agents, solely for the purpose of road construction or an associated road project or contract and which is not located on the road right-of-way.

2.107 ***Recreational Facility***: Premises designed and equipped for the conduct of sports, leisure time activities and other customary and usual recreational activities.

2.108 ***Recreational Trail***: An integrated, accessible open space system used for hiking, horseback riding, cross country skiing, snowmobiling and/or other similar forms of recreation travel.

2.109 ***Restaurant***: Premises where food is offered for sale or sold to the public primarily for immediate consumption.

2.110 ***Retail Store***: Premises where goods, wares, merchandise, substances or articles, are offered or kept for retail sale or rental and includes storage on or about the store premises for limited quantities of such goods, wares, merchandise, substances, or articles sufficient to service such stores but does not include any retail outlet otherwise classified or defined in this By-law.

2.111 ***Salvage or Wrecking Yard***: Premises where *motor vehicles* and parts are wrecked, disassembled, repaired and resold; second-hand goods, including waste paper, bottles, automobile tires, clothing, other scrap materials, used lumber, used *building* materials and salvage are collected to be sorted, and/or stored for sale or resale.

2.112 ***Sawmill or Planing Mill***: Premises where timber is cut or milled, and temporarily stored either as finished or unfinished lumber.

2.113 ***Septic System Leaching Bed***: An absorption system constructed as absorption trenches or as a filter bed, located wholly in filter media that is contained between the surface to ground or raised or partly raised above ground as required by local conditions, to which effluent from a treatment unit is applied for treatment and disposal but does not include the mantle area.

2.114 ***Service Shop, Light***: Premises, not otherwise defined or classified in this By-law, for the servicing or repairing of articles, goods or materials, as well as facilities for *accessory* retail sales.

2.115 ***Service Shop, Personal***: Premises in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, such as a barber's shop, a ladies hairdressing establishment or a shoe repair shop.

2.116 ***Setback***: The distance between a *lot* or zone boundary and a *building*, *structure* or *use* on a *lot*.

2.117 ***Shoreline Buffer***: A natural area maintained in its natural pre-development state, with the exception of minimal pruning of vegetation and the removal of trees for safety reasons, for the purpose of buffering *buildings* or *structures* on a *lot*. Where the natural state has been *altered*, the area may be planted with indigenous trees and shrubs. Where the natural shoreline of a property is a natural beach or is a rock outcropping with little or no soil, such shall be deemed to comply.

2.118 ***Storey***: The portion of a *building* other than the basement 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.

2.119 ***Street***: A highway as defined under The Highway Traffic Act, or the Municipal Act or a *public road* which has been assumed and is maintained by the *Township*.

2.120 ***Street Line***: The limit of the *street* or road allowance and the dividing line between a *lot* and a *street* or road.

2.121 ***Structure***: Anything man-made that is fastened to or into the earth or another *structure* or rests on the earth by its own mass or is attached to a *building* including a *trailer*, septic *system leaching bed*, holding tanks, satellite receiving dishes and heat pumps.

2.122 ***Tent***: A portable shelter made of leather, canvas, cloth or similar material, usually supported by poles and usually extended by means of ropes fasted to pegs inserted into the ground.

2.123 ***Tourist Establishment***: The premises used for the provision of commercial roofed accommodation where commercial accommodation units are offered for rent on a short term or transient basis to the public who is travelling, vacationing, engage in leisure or recreation, or participating in conventions or meetings. A *tourist establishment* may include accessory uses, services, equipment or facilities, including a restaurant, normally incidental to such accommodation. A *tourist establishment* does not include a dwelling unit except for a dwelling unit for the owner or operator, or staff quarters that are accessory to the principal use. A *tourist establishment* does not include a *campground*.

2.124 ***Township*****:** The Corporation of the *Township* of McMurrich/Monteith.

2.125 ***Trailer***: Any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or is propelled by the motor vehicle and is capable of being used for the living, sleeping, or eating accommodation of persons on a temporary, transient or short term basis, even if the vehicle is jacked up or its running gear is removed. Examples include a *tent trailer*, a camper *trailer*, a recreational *trailer*, a fifth wheel, a bus converted into a motor home, a motor home, a *truck camper* but does not include a *mobile home*.

2.126 ***Trailer, Park Model***: means a manufactured building to which Section 9.39 of the Building Code applies, which has been designed and constructed in conformance with CAN/CSA-Z241 Series, "*Park Model Trailers*", and which is used or is intended to be used as a seasonal recreation building or residential occupancy.

2.127 ***Truck Camper***: Any unit constructed so that it may be attached upon a *motor vehicle*, as a separate unit, and capable of being temporarily utilized for the lodging of persons.

2.128 ***Use***: Any purpose for which a *building, structure* or a parcel of land may be designed, arranged, intended, maintained or occupied; or any activity, occupation, business or operation carried on, or intended to be carried on, in a *building*, *structure* or on a parcel of land.

2.129 ***Veterinary Clinic***: Premises where a veterinary surgeon treats domestic animals, birds or other livestock and in which animals may be boarded.

2.130 ***Warehouse***: Premises used for the storage and distribution of goods, wares, merchandise, substances or articles and may include facilities for a wholesale or retail commercial outlet, but shall not include facilities for a truck or transport terminal or *yard*.

2.131 ***Waste Disposal Site***: An area of land where garbage, refuse and/or domestic waste is disposed of or dumped and, for the purposes of this By-law, shall include a sanitary landfill site or sewage lagoon owned, operated and maintained by the *Township* or the Ministry of the Environment or their agents, but shall not include a private or communal *septic system leaching bed*.

2.132 ***Waterbody***: A lake greater than 15 ha in area and any navigable river or stream.

2.133 ***Watercourse***: A body of water or natural channel for a perennial or intermittent stream of water including a river or stream, but not including a waterbody as defined herein.

2.134 ***Waterfront Landing***: The *use* of land as a docking and parking facility, which serves as a mainland access point for a commercial or residential property that are accessible by water, but which does not include vessel or vehicle sales, rental or service, or the sale of fuel.

2.135 ***Water Setback***: The straight line horizontal distance from the *high water mark* of a *waterbody* to the nearest part of an excavation, *building*, *structure*, or *open storage use* on the property.

2.136 ***Workshop***: Premises where fabrication or *manufacturing* is performed by tradespersons requiring manual or mechanical skills and may include an upholsterer's shop, a carpenter's shop, a locksmith's shop, a gunsmith's shop, a tinsmith's shop, a machine and/or welder's shop.

2.137 ***Yard***: An open, uncovered space on a *lot* appurtenant to a *principal building* or *use* and unoccupied by *buildings* or *structures* except as specifically permitted in this By-law.

2.138 ***Yard, Exterior Side***: A *yard* extending from the required *front yard* to the required *rear yard* and from the exterior *side lot line* of the *lot* to the nearest part of any *building* or *structure* on the *lot*, the nearest outside storage *use* on the *lot*, or edge or rim of an excavation on the *lot*.

2.139 ***Yard, Front***: 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*, the nearest outside storage *use* on the *lot*, or edge or rim of an excavation on the *lot*.

2.140 ***Yard, Interior Side***: A *yard* extending from the required *front yard* to the required *rear yard* and from the interior *side lot line* of the *lot* to the nearest part of any *building* or *structure* on the *lot*, the nearest outside storage *use* on the *lot*, or edge or rim of an excavation on the *lot*.

2.141 ***Yard, Rear***: 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*, the nearest outside storage *use* on the *lot*, or edge or rim of an excavation on the *lot*.

2.142 ***Yard, Required***: The minimum *yard* required by the provisions of this By-law.

Section 3 - GENERAL PROVISIONS

3.1 Accessory Buildings, Structures and Uses

3.1.1 Permitted *Uses*

a) Where this By-law provides that a *lot* may be used and a *building* or *structure* may be *erected* or used for a purpose, that purpose shall include any *accessory building* or *accessory use* provided that a *building* permit for the principal *use*, if required, is issued or that the *principal building* or *structure* is already in existence on the *lot*.

b) *Accessory buildings* shall not be used for any occupation for gain or human habitation, except where specifically permitted by this By-law.

3.1.2 *Setback* Requirements

Except as specifically provided in this section, any *accessory building* or *structure* shall comply with the applicable *yard* and *setback* requirements of the *zone* within which it is located.

3.1.3 *Principal Building to be Erected First*

No *accessory building* or *structure* shall be *erected* on any *lot* until the *principal building* has been *erected*, with the exception of: temporary construction *uses* or a garage during the term of an active *building* permit for the principal building, or a *septic system, or dock*, or a single storage shed not exceeding 25 square metres (270 square feet) in gross floor area.

3.1.4 *Lot Coverage*

The total *lot coverage* of all a*ccessory buildings* and *structure*s shall not exceed 5 percent of the *lot area* and shall be included as part of the total permitted *lot coverage* noted in Table 5 of this By-law.

3.1.5 Height

The height of any *accessory building* or *structure, with the exception of a detached garage,* shall not exceed 6 metres (19.7 feet) or the height of the permitted *principal building* or *structure* whichever is most restrictive.

3.1.6 *Accessory Structure* Encroachments

a) Notwithstanding the *yard* and *setback* provisions of this By-law to the contrary, drop awnings, clothes poles, flag poles, garden trellises, retaining walls, fences, signs, or similar *uses* which comply with this By-law are permitted in any *required yard.*

b) The following obstructions may project not more than 1.0 metre (3.3 ft.) into a required *side yard* and not more than 1.5 metres (4.9 ft.) into any other *required yard*:

fire escape or open stairway
deck
bay window
dormer
vestibule

provided, however, such obstruction is no closer than 1.0 metre (3.3 ft.) to the *lot line*.

3.1.7 *Dock* or Launching Ramp

Notwithstanding the *yard* provisions of this By-law to the contrary, a boat launching ramp, or *dock* may be *erected* and used in any *yard*, abutting on a navigable waterway, except where prohibited by the provisions of a specific *zone*, provided such *structure* is located no closer than 6 metres (19.7 feet) to the *side lot line* or the projection of the *side lot line* into the water, and provided all applicable Federal and Provincial statutes and regulations are adhered to.

3.1.8 *Boathouse* or *Boat Port*

a) The maximum size of any *boathouse* or *boat port* shall be one *storey* in height and 100 square metres (1,076.4 square feet) in area.

b) A maximum of one *boathouse* or *boat port* is permitted on a *lot*.

c) A minimum side *yard* of 6 metres (19.7 feet) is maintained both on land and in the water when the *side lot line* boundaries are extended from the *high water mark* into the water.

d) The maximum projection of a *boathouse* or *boat port* into the water shall be 15 metres (49.2 feet) from the *high water mark*.

e) No *boathouse*, or part thereof, shall be used for the provision of sleeping or

cooking accommodation.

f) All applicable Federal and Provincial statutes and regulations are adhered to.

3.1.9 *Garages* or Other *Accessory Buildings* or *Structure*s

a) Notwithstanding the *yard* and *setback* provisions of this By-law to the contrary, a detached private *garage* or other *accessory building* or *structure* may be *erected* and used in a *side* or *rear yard*, provided that:

i) where such *accessory building* or *structure* is located in an *interior side yard*, it shall not be closer than 3 metres (9.8 feet) to the *interior side lot line* or 10 metres (32.8 feet) to an *exterior side lot line*;

ii) where such *accessory building* or *structure* is located in a *rear yard*, it shall not be closer than 3 metres (9.8 feet) to the *rear lot line* except, where the *rear lot line* abuts a municipally maintained road, where it shall not be closer than 10 metres (32.8 feet) to the *rear lot line*;

iii) Notwithstanding the foregoing provisions, no *accessory building* or *structure* shall be *erected* closer than 6 metres (19.7 feet) to an *interior side lot line* within any Commercial (C) or Industrial (I) *zone;* and

iv) A maximum of one detached *garage* is permitted on a *lot*.

b) The maximum height for a detached garage shall be 10 metres (32.8 feet), provided the garage meets all yard requirements for the principal building; otherwise, the maximum height shall be 6 metres (19.7 feet).

3.1.10 *Deck*s, Steps, Balconies, Verandahs or Patios

Notwithstanding the *yard* and *setback* provisions of this By-law, *decks*, balconies, steps and patios, may project into any *required yard* a maximum of 3 metres (9.8 feet), but not closer than 1.5 metres (4.9 feet) to any *lot line*, where the floor of any *porch*, balcony, or *deck* is more than 1.0 metres (3.3 feet) above *finished grade* the *setback* requirements for the principal *use* shall apply.

3.1.11 *Gazebo*

One freestanding *gazebo* may be permitted within the *required yard* abutting a shoreline in the Rural (RU) or Waterfront Residential (WR) zone, provided that:

i) the *structure* does not exceed 15 square metres (161.5 square feet) in *floor area*, but may not be located on a *dock*;

ii) the *gazebo* is set back at least 4 metres (13 feet) from the shoreline; and,

iii) the *gazebo* is set back at least 2 metres (6.6 feet) from any *side lot line*.

3.1.12 *Guest Cabin*

a) A *guest cabin* is permitted on a *lot* in the Rural (RU) or Waterfront Residential (WR) zone provided that:

i) No cooking facilities are located in the *guest cabin*;

ii) It has an area of 50 square metres (538 square feet) or less;

iii) It has a height not greater than one *storey*;

iv) It complies with all of the *setbacks* that apply to the *principal building* on the *lot*; and

v) A maximum of one *guest cabin* is permitted on a *lot*.

b) A guest cabin may be permitted in a detached garage.

3.1.13 Pumphouse

A *pumphouse* may be *erected* and used in the *required yard* of a *lot* abutting a shoreline provided it complies with the minimum required *side yard*. A free standing *pumphouse* shall not exceed a height of 2 metres (6.6 feet) or an area of 9 square metres (96.9 square feet).

3.1.14 *Septic System Leaching Bed*

No part of any *septic system leaching bed* shall be located within 30 metres (98.4 feet) of the high water mark of any waterbody. Notwithstanding the 30 metres (98.4 feet) setback, the replacement and/or enlargement of an existing *septic system leaching bed* can be located at its existing setback from the high water mark, or a minimum 15 metres (49.2 feet) from the highway water mark, whichever is greater. Setbacks for *septic system leaching beds* shall not be required from any other *lot* lines other than those required by the Ontario Building Code.

3.1.15 **Temporary Structure and Uses**

A structure without a foundation or footings which is removed when the designated time period, activity or use for which the temporary structure was erected has ceased, including *tents*, canopies, platforms and exterior displays, which shall only be permitted as accessory to a permitted use and shall meet all of the requirements of this By-law. Temporary structures shall only be erected or used for a period of up to 60 days in any given calendar year.

3.2 Building Permit Issued

The provisions of this By-law shall not apply to prevent the *Use* of any *Existing Lot*, *Building* or *Structure* for any purpose prohibited by this By-law for which the plans have, prior to the passing of this By-law, been approved by the Chief Building Official, so long as the *Building* or *Structure*, when *Erected*, is used and continues to be used for the purpose for which it was *Erected* or the *Building* permit remains valid.

3.3 Established Building Line

Where a permitted *dwelling* is to be *erected* on a *lot* and where there is an established *building line* extending along the *street* on both sides of the *lot* 50 metres (164 feet) in either direction, such permitted *dwelling* may be *erected* closer to the *street line* than required by this By-law such that the *yard* is equal to the average *setback* of adjacent *dwellings* on the same *side* of the *street*. This provision does not apply to the *lot line* abutting a *waterbody.*

3.4 Existing Buildings, Structures and Uses

3.4.1 Continuation of *Existing Uses*:

The provisions of this By-law shall not apply to prevent the *use* of any *lot*, *building* or *structure* for any purpose prohibited by this By-law if such *lot*, *building*, or *structure* was lawfully used and legally established for such purpose on the date of passing of this By-law so long as it continues to be used for that purpose and the *use* has not been discontinued.

3.4.2 Prohibited Exterior Extension:

The exterior of any *building* or *structure*, which at the date of passing of this By-law was lawfully used for a purpose not permissible within the Zone in which it is located, shall not be enlarged, extended, reconstructed, or otherwise structurally *altered*, unless such *building* or *structure* is to be used for a purpose permitted within such Zone, and complies with all requirements of this By-law for such Zone.

3.4.3 Permitted Interior Alteration:

The interior of any *building* or *structure*, lawfully used at the date of passing of this By-law may be reconstructed or structurally *altered*, in order to render the same more convenient or commodious for the same purpose for which such *building* or *structure* was lawfully used.

3.4.4 Restoration to a Safe Condition:

Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any *building* or *structure* or part thereof lawfully used on the date of passing of this By-law, provided that the strengthening or restoration does not increase the *building* height, size or volume, or change the *use* of such *building* or *structure*, and provided that approval for a *septic system* may be obtained for the *use*, where applicable.

3.4.5 Permitted *Non-Complying Building* or *Structure*:

Nothing in this By-law shall prevent the reconstruction, relocation, renovation, enlargement or repair of an *existing building* or *structure* on a *lot* that does not comply with the *setback* and *yard* requirements of this By-law, which existed at the date of passing of this By-law, and which is used for a purpose specifically permitted within the Zone in which such *building* or *structure* is located, provided:

i) there is no further encroachment into the required *setback* or *yard*;
ii) any addition to the *existing building* or *structure* maintains the *existing setback* from the *high water mark* or 15 metres (49.2 feet), whichever is greater;
iii) approval for a *septic system* is obtained, where applicable; and,
iv) it is in compliance with all other provisions of this By-law.

3.5 Existing Lots

3.5.1 *Existing* Undersized *Lots*:

Notwithstanding any other provision of this By-law to the contrary, where a *lot* having a lesser *lot area* and/or frontage than required herein is not located on an island and is held under distinct and separate ownership from an abutting *lot* or *lot*s as shown by a conveyance of title properly registered prior to the date of passing of this By-law or, where such a *lot* is created as a result of an expropriation, or highway widening or other land acquisition by any public authority, such *lot* may be used and a *building* or *structure* may be *erected*, *altered* or used on such smaller *lot*, provided that all other applicable zone provisions of this By-law are complied with.

3.5.2 Enlargement of *Existing Lots*:

Where lands are added to an *existing* undersized *lot*, the resulting *lot* shall be deemed to comply with the minimum *lot frontage* and area requirements of this By-law, and may be used for a purpose permitted in the Zone in which such *lot* is located, provided it is in compliance with all other applicable provisions of this By-law.

3.6 Floor Area Less Than Required:

Nothing in this By-law shall prevent an extension or an addition being made to a permitted *Dwelling*, which *Dwelling* existed at the time of passing of this By-law but which has a *gross floor area* less than required by this By-law, provided such extension or addition does not contravene any other provision of this By-law.

3.7 Frontage on a Public Road

3.7.1 Improved *Public Road*

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 and is directly accessible from a road maintained year round by a *public authority*, except as noted below.

3.7.2 Subdivision Agreement

The provisions of Section 3.7.1 shall not apply to prevent the *erection* of a permitted *building* or *structure* on a *lot* in a registered plan of subdivision where a Subdivision Agreement has been entered into with the *Township*, notwithstanding that the road or roads will not be assumed by the *Township* until the end of the maintenance period.

3.7.3 *Existing Uses* not on a road maintained year round by a *public authority*

The provisions of Section 3.7.1 shall not apply to prevent the enlargement, extension, renovation, reconstruction or other structural alteration of an *existing building* or *structure*, which is located on a *lot* which fronts on a road that is not maintained year round by a *public authority*, provided the *use* of such *building* or *structure* does not change and is permissible within the *zone* in which it is located.

3.7.4 *Exception to Road Access*

a) Where a *lot* is located in the Waterfront Residential (WR) *zone*, a *use, building* or *structure* may be used on such *lot* in accordance with the provision of the zone with access by a seasonally maintained *public road*, a Crown road, or a *private road* with legal right-of-way.

b) Where a lot is located on an island, or is a lot that abuts a waterbody which does not have road access and only has water access from a navigable waterway, adequate long term parking and docking facilities shall be provided to the satisfaction of the *Township*.

3.7.5 *Hunt Camp*

A *hunt camp* shall be permitted if it is located a minimum of 120 metres (393.7 feet) from the nearest *Public Road* in the Rural (RU) *zone*. The provisions and requirements of the Waterfront Residential Zone (WR) *zone* apply to any *hunt camp*.

3.7.6 Condominium Access

Where property is developed by condominium description, the *lot frontage* and access may be on a *private road* for individual units within the condominium description.

3.8 Group Home

a) A *group home* is permitted in all *zones* that permit a *dwelling* as a permitted *use*.

b) No *group home* shall be permitted within 450 metres (1,476.4 feet) of another *group home* in the *Township*.

3.9 Height Exceptions

Notwithstanding the height provisions of this By-law to the contrary, nothing in this By-law shall apply to prevent the *erection*, *alteration*, or *use* of a barn, silo, church spire, belfry, flag pole, clock tower, chimney, water tank, radio or television tower or antenna, air conditioner duct, grain elevator, incidental equipment required for processing, external equipment associated with internal equipment or machinery and conveying equipment, which exceeds the maximum height requirements provided the main or principal *use* is permitted within the *zone* in which it is located and provided all other applicable provisions of this By-law are complied with.

3.10 Home Occupation:

The following regulations apply to regulate a home occupation where such a use is permitted.

i) The *home occupation* shall clearly be secondary to the main residential *use* of the property and shall not change the residential character of the *dwelling*;

ii) Such *home occupation* shall not be a nuisance to, nor interfere with, television or radio reception of others in neighbouring *buildings* or *structures*;

iii) Such *home occupation* shall not include a medical clinic, a private hospital, a *nursing home*, a boarding house, an eating establishment or a *veterinary clinic*, but may include a business or professional *office* that complies with the provisions of this subsection;

iv) There shall be no display to indicate that any part of the property is being used for other than residential or *agricultural uses* except for an unlit sign of not more than 0.5 square metres (5.4 square feet), except where a *lot* fronts on a Provincial Highway, in which case the requirements of the Province shall be complied with;

v) The *home occupation use* shall be conducted entirely within the *dwelling*;

vi) Not more than 25% of the *gross floor area* of the *dwelling* shall be used for the purposes of *home occupation use*;

vii) Such *use* is conducted by a person or persons residing in the *dwelling*;

viii) There shall be no more than two (2) commercial vehicles parked at any one time on the property;

ix) There shall be no outside storage of goods or materials associated with the *home occupation use,* unless screened from view with a planting strip or privacy fence; and,

x) There shall be no goods, wares or merchandise offered for sale or rent from the *dwelling* which are not manufactured or processed on the *lot*.

3.11 Home Industry:

The following regulations apply to regulate a home industry where such a use is permitted:

i) The *home industry* shall clearly be secondary to the main residential *use* of the property and shall not change the residential character of the *dwelling*;

ii) There shall be no emission of noise, odour or dust that is not normally attributable to the *use* of the land for other *uses* permitted in the *Zone*;

iii) Such *home industry* shall not be a nuisance to, nor interfere with, television or radio reception of others in neighbouring *buildings* or *structures*;

iv) There shall be no display to indicate that any part of the property is being used for other than residential or agricultural *uses* except for an unlit sign of not more than 0.8 square metres (8.6 square feet), except where a *lot* fronts on a Provincial Highway, in which case the requirements of the Province shall be complied with;

v) No *home industry* shall be located within 300 metres (984.3 feet) of any *waterbody*;

vi) The *home industry* shall meet the same *yard* provisions as required for the principal residential *use* for the *Zone* in which it is located, with the exception of the *interior side yard*, which shall be a minimum of 10 metres (32.8 feet);

vii) The *use* shall not occupy more than 25% of the *gross floor area* of a *dwelling*, or where located in an *accessory building*, shall not occupy more than 90 square metres (968.8 square feet);

viii) A maximum of two (2) employees who do not live in the *dwelling* may be employed on site in the *home industry* and additional employees may be employed off-site;

ix) There shall be no more than three (3) commercial vehicles parked at any one time on the property;

x) Any permitted *open storage* shall be screened from view;

xi) A *planting strip* shall be provided on the *lot* in accordance with the provisions of this By-law; and,

xii) There shall be no goods, wares or merchandise offered for sale or rent from the *dwelling* which are not manufactured or processed on the *lot*.

3.12 Landscaping and Buffers

a) A minimum 3.0 metre (9.8 feet) landscaped buffer shall be provided along a *side* or *rear lot line* of a commercial or industrial zone.

b) Landscaping shall be provided, planted or located, and maintained in a healthy condition by the owner of the land on which the landscaping is located.

c) Where landscaping is required on a *lot*, such *lot* shall not be used for any purpose other than that which existed at the date of passing of this by-law, until the required *planting strip*/privacy fence is planted or located, unless as otherwise provided for in a registered site plan agreement.

d) Where a *lot* abuts a *waterbody*, a *shoreline buffer* measured 7.5 metres inland from the shoreline is required to be restored and maintained save and except for up to 25% of the shoreline frontage to a maximum width of 20 metres. Within the shoreline buffer, no vegetation shall be removed with the exception of dead or decaying vegetation that creates a potential safety hazard. Areas not built on with *structures* will have soft landscaping.

3.13 Loading Space Regulations:

Loading or *unloading spaces* are required under this By-law, in accordance with the *Loading Space* Requirement Table. The owner of every *building* or *structure erected* for any purpose involving the receiving, shipping, *loading* or unloading of persons, animals, goods, wares, merchandise or raw materials shall provide and maintain on the *lot*, *loading* and *unloading spaces*. For the purposes of this By-law, each *loading* or *unloading space* shall be 9.0 metres (29.5 feet) in length, 4.0 metres (13 feet) in width and have a vertical clearance of 5.0 metres (16.4 feet). In addition, adequate space shall be provided for the parking of vehicles awaiting access to the *loading* or *unloading spaces*.

***Table 1 - LOADING SPACE* REQUIREMENTS**	
Gross Floor Area of Building	Loading Spaces Required
Less than 300 m^2 (3,200 sq. ft.)	1 space
300 m^2 to 2,800m^2 (3,230-30,140 sq. ft.)	2 spaces
2,800m^2 to 7,500m^2 (30,140-80,730 sq. ft.)	3 spaces
More than 7,500m^2 (80,730+ sq. ft.)	3 spaces + 1 additional space for each additional 9,300 m^2 (100,100 sq. ft.) or part thereof in excess of 7,500 m^2 (80,730 sq. ft.)

3.13.1 Access:

Access to *loading* or *unloading spaces* shall be by means of a driveway at least 6 metres (19.7 feet) in width contained on the *lot* on which the spaces are located and leading to a *public road*.

3.13.2 *Loading Space* Surface:

Driveways, *loading* and *unloading spaces*, and, related aisles and turning areas shall be maintained with a stable surface which is treated so as to prevent the raising of dust. Such *loading* and unloading facilities shall be constructed of crushed stone, gravel, asphalt, concrete or similar material and shall include provisions for drainage facilities.

3.13.3 Location:

The *loading space* or spaces required hereunder shall be located in the *interior side* or *rear yard* unless such space or spaces are removed from the *street line* a minimum distance of 15 metres (49.2 feet).

3.13.4 Additions to or Change in *Use* of *Existing Buildings*:

The *loading space* requirements shall not apply to any *building* in existence at the date of passing of this By-law so long as the *gross floor area*, as it existed as such date, is not increased; if an addition is made to the *building* or *structure* which increases the *gross floor area*, or if the *use* is changed, then additional *loading spaces* shall be provided in accordance with the *Loading Space* Table Requirements for such addition or *use*.

3.14 Mobile Home

A *mobile home* may be used as a dwelling where it is listed as a permitted use in the Zone in which it is located and where it meets the following requirements:

i) The structure must be constructed to C.S.A. Standards Z240 or Z241 and located on permanent foundations, with the running gear and towing equipment removed;
ii) The structure shall have at least 60 square metres (646 square feet) of ground floor areas and be completely enclosed from the surface of the finished grade to the roof; and
iii) The structure shall be fully serviced with running water, electricity and sanitary sewage facilities.

3.15 Mobile Home Parks

The establishment of a *mobile home park* is prohibited in any Zone, unless specifically recognized in Section 4.5 of this By-law

3.16 Multiple Uses on One Lot

Where any land, *building* or *structure* is used for more than one permitted *use*, the applicable *zone provisions* of this By-law which service to regulate each such *use* shall be complied with.

3.17 Multiple Zones on One Lot

Where a *lot* is divided into more than one *zone* under the provisions of this Bylaw, each such portion of the *lot* shall be used in accordance with the *zone provisions* of this By-law for the applicable *zone* as if it were a separate *lot*, provided however that a maximum of one *dwelling* is permitted on the *lot*.

3.18 Number of Dwellings per Lot

Unless specified elsewhere in this By-law, no more than one *dwelling* shall be permitted on a *lot*.

3.19 Outdoor Storage

Where outdoor storage is permitted, the following provisions shall apply:

i) Outdoor storage is located behind the front or exterior wall of the main *building* facing any *street* and complies with all *yard* requirements;

ii) Any portion of a *lot* used for outside storage is screened from adjacent *uses* and *streets* adjoining the *lot* by a *building*, *planting strip*, and or fence at least 2.0 metres (6.6 feet) in height from the ground; and,

iii) The area used for outdoor storage shall be in addition to the areas required for parking, loading and landscaping.

3.20 Parking Area Regulations

3.20.1 More than One *use* on a *Lot*

When a *building* or *structure* accommodates more than one type of *use*, the *parking space* requirement for the whole *building* or *structure* shall be the sum of the requirements for the separate parts of the *building*.

3.20.2 *Parking Area* Location on *Lot*

Notwithstanding the *yard* and *setback* provisions of this By-law to the contrary, uncovered surface *parking areas* shall be permitted in the *required yard* or in the area between the *street line* and the required *setback* provided that they are a minimum of 1.0 metre (3.3 feet) from any *lot line*.

3.20.3 Additions to, or changes in, the *Use* of *Existing Buildings* and *Structures*

a) The Parking Space requirements referred to herein shall not apply to any *existing building* or *structure* so long as the *gross floor area* is not increased. If any addition is made to a *building* or *structure* which increases its *gross floor area*, *parking space*s for the addition shall be provided as required by the *Parking Area* Regulations. Where a change in *use* occurs, *parking space*s shall be provided for such new *use* in accordance with the requirements of the *Parking Area* Regulations.

b) The provision of this paragraph shall not apply to require the establishment of Parking Spaces for a *dwelling* which existed at the passing of this By-law.

3.20.4 *Use* of Parking Spaces and Areas

Parking Spaces and areas required in accordance with this By-law shall be used for the parking of operative, currently licensed vehicles only, and for vehicles used in operation incidental to the permitted *uses* on the *lot*.

Table 2 - PARKING REQUIREMENTS	
Type of Building	Minimum Parking Required
Dwelling; Agricultural Use;	2 *parking space*s for each dwelling
Bed and Breakfast Establishment	1 *parking space* for each guest room in addition to 2 *parking space*s for the dwelling
Medical, Veterinary, Dental Office or Clinic	5 *parking space*s for each Practitioner
Place of Assembly; Place of Worship; Community Centre; Funeral Home, Restaurant,	Where there are fixed seats, 1 *parking space* for every 4 seats or 3 metres (9.8 feet) of bench space. Where there are no fixed seats, 1 *parking space* for each 10 sq. metres (107.6 sq. feet) of floor area devoted to public use.
Tourist Establishment, *Campground*	1 *parking space* for each guest room, cottage, cabin or *camp site*, plus such parking facilities as are required for a restaurant, should such exist.
Office, including a Home Occupation or Home Industry; Day Care Centre	1 *parking space* for each 20 sq. metres (215.3 sq. feet) directly related to the permitted use.
Manufacturing, Processing, Assembling or Fabricating Plant; Bulk Fuel Depot, Building Supply and Lumber Outlet; Commercial Nursery or Greenhouse;	1 *parking space* per 40 sq. metres (430.6 sq. feet) of gross floor area or portion thereof.
Convenience Store	1 *parking space* for each10 sq. metres (107.6 sq. feet) of total floor area.
Retail use; Other Commercial Uses	1 *parking space* for each 20 sq. metres (215.3 sq. feet) of total floor area.
Uses Permitted by this By-law other than those listed in this Table	1 *parking space* for each 30 sq. metres (323 sq. feet) of gross floor area.
Equestrian Facility	1 *parking space* for each 50 sq. metres (538.2 sq. ft.) of total floor area devoted to training and handling facilities.
Self Storage Facility; Warehouse; Wholesaling	1 *parking space* for each 90 square metres (968.8 sq. ft.) of the gross floor area which accommodates the use;

3.20.5 Barrier-Free Parking

a) Number of Barrier-Free Parking Spaces Required: The minimum *designated barrier-free parking spaces* requirements for new development shall be as follows:

Table 3 - BARRIER-FREE PARKING REQUIREMENTS	
Total Number of Parking Spaces Required	**Minimum Barrier-Free Spaces Required**
1 - 15	1
16 - 30	2
31 and beyond	3 spaces plus one additional space for each 15 spaces beyond 45.

b) Barrier-Free Parking Space: A *designated barrier-free parking space* for *motor vehicles* shall have:

i) A minimum width of 4.5 metres (14.8 feet);

ii) A minimum length of 6 metres (19.7 feet);

iii) An adjacent 1.5 metre (4.9 feet) wide aisle that is hatch marked on the parking *lot*, which may be shared by two adjacent *designated barrier-free spaces*; (in the case of a *parking area* that is not paved, the 1.5 metre (4.9 feet) aisle shall be added to the width of the *parking space*)

iv) A firm, level surface; and

v) Shall be located as near as possible to the main entrance, within 30 metres (98.4 feet) of the entrance.

3.21 Pits and Quarries and Peat Harvesting

a) The making or establishment of *Pits* or Quarries and the harvesting of peat is prohibited within the area covered by this By-law, except in the locations specifically zoned Extractive Industrial (IE) in this By-law, and in accordance with the express provisions of this By-law.

b) No person shall *use* or occupy land or *erect* any *building* or *structure* or conduct any activity on land for the purpose of processing, washing, screening, sorting or crushing rock, sand and/or gravel and/or peat, except as expressly provided for in this By-law.

3.22 Public Uses

3.22.1 Public Services

The provisions of this By-law shall not apply to prohibit the *use* of any *lot* or the *erection* or *use* of any *building* or *structure* for the purposes of *public uses* provided by the *Township*, or any *public authority* including any Department or Ministry of the Government of Canada or Ontario and, shall include Ontario

Power Generation, Hydro One or other electrical utility, any telephone, telegraph or cable TV company and any natural gas distribution system operated by a Company distributing gas to the residents of the *Township*, which company possesses all the necessary powers, rights, licenses and franchises.

3.22.2 Location Restrictions

Notwithstanding any other provision contained in this By-law to the contrary, where a *public use* is only permitted within a specific *zone* classification, then such *public use* shall only be permitted within that *zone* or *zones* and shall comply with the *zone provisions* of the *zone* or *zones* in which the *public use* is permitted, save and except that there shall be no minimum *lot area* or *lot frontage* requirement. This provision does not apply to Crown Agencies.

3.22.3 Provisions

a) No goods, materials or equipment shall be stored outside the *building* or *structure* located on the *lot*, except as may otherwise be permitted under this By-law.
b) The *zone provisions* of the *zone* in which the *use* is located shall be complied with.
c) No *building* or *structure erected* in accordance with the provisions of this Section shall be used for the purpose of an *office* or maintenance or works depot.

3.22.4 Public Installations

Nothing in this By-law shall prevent the installation of a watermain, sanitary sewer, storm sewer, gas main, pipeline, hydro, communication line, or high voltage and extra high voltage electrical facilities owned, operated and maintained by Hydro One or Ontario Power Generation.

3.23 Reduction of Requirements

No person shall change the purpose for which any land, *building*, or *structure* is used, or *erect* any *building* or *structure*, or construct an addition to an *existing building* or *structure*, or sever any lands, if the effect of such action is to cause the original, adjoining, remaining or new *building*, *structure* or *lot* to be in contravention with this By-law.

3.24 Dwelling Unit in Non-Residential Buildings

Notwithstanding any other provision of this By-law to the contrary, no *dwelling unit* shall be located within a portion of a non-residential *building* which has gasoline or other flammable fluids stored in bulk for commercial purposes, in conjunction therewith, and without limiting the generality of the foregoing, a *dwelling unit* shall not be permitted within a *motor vehicle service station*, a *motor vehicle repair garage*, a *motor vehicles body shop*, a *marina*, or a marine sales and *service shop*.

3.25 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* including the specific sign provisions for *home occupation* or *home industry*, as provided in this By-law.

Subject to OMB Appeal

3.26 Special Provisions for Campgrounds

3.26.1 The minimum area of a *camp site* shall be 300 square metres (3,229 square feet).

3.26.2 The maximum number of *camp sites* shall not exceed 30 sites per hectare (12 units per acre) of the area zoned for such use.

3.26.3 A maximum of one *trailer* is permitted on a *camp site*.

3.26.4 The minimum setback from the shoreline for a structure, *tent* or *trailer* shall be 20 metres (65.6 feet).

3.26.5 The minimum frontage on a driveway for a *camp site* shall be 15 metres (49.2 feet).

3.26.6 The minimum side yard and rear yard for a *tent* or *trailer* shall be 6 metres (19.7 feet).

3.26.7 The minimum distance of a *tent* or *trailer* from a *public road* shall be 6 metres (19.7 feet).

3.26.8 The minimum distance of a *tent* or *trailer* from an existing dwelling unit which is located outside of the *Campground* shall be 15 metres (49.2 feet).

3.26.9 Each *camp site* shall be accessible by means of a driveway at least 4 metres (13.1 feet) in width where the driveway is for one-way traffic, or at least 8 metres (26.2 feet) in width where the driveway is for two-way traffic.

3.26.10 The maximum floor area of a *trailer*, including all additions (whether enclosed or unenclosed) shall not exceed 37 square metres (398 square feet).

3.26.11 The maximum floor area of all accessory buildings or structures on a *camp site* shall not exceed 14 square metres (151 square feet).

3.26.12 A minimum of one *parking space* shall be provided within the area of a *camp site*.

3.26.13 The replacement of a *trailer* with a *park model trailer* in an existing *campground* or the installation of a new *park model trailer* shall only be permitted where the *park model trailer* is located on a serviced *camp site* and meets all of the provisions of this By-law.

3.26.14 Notwithstanding the provisions of Section 3.4.5 and Section 3.26.4, the location of existing *trailer*s that do not comply with the provisions of this By-law and their replacement with a *trailer* of the same dimensions and on the same footprint are recognized; Any replacement that enlarges the footprint of the *trailer* with a larger *trailer* shall meet all of the provisions of this By-law.

3.26.15 Except as noted above, all other provisions of the Tourist Commercial Zone continue to apply.

3.27 Special Provision for Through Lots

Where a *lot* is a *through lot*, the *front yard* requirements shall apply on each *street* or adjacent private right-of-way or *waterbody*, as the case may be, in accordance with the provisions of the Zone(s) in which such *lot* is located.

3.28 Special Provisions for Water Access Only Properties and Islands:

Notwithstanding any provision to the contrary in this by-law, the following provisions apply to development on islands or other water access only properties:

i) the minimum *lot* size for development on an island is 0.8 hectares (2 acres).

ii) The provisions of Section 3.5.1 do not apply;

iii) The parking requirements shall be provided at a suitable location with legal road access, and long term secure mainland access shall be provided to the *lot*.

3.29 Special Setback Requirements

3.29.1 *Setback* from *Watercourses*

The minimum setback for any building or structure, shall be 15 metres (49.2 feet) from the *top of bank of the watercourse,* except where the setback from the watercourse is zoned Environmental Protection Two (EP2), in which case the minimum setback shall be the boundary of the EP2 Zone.

3.29.2 *Setback from an Environmental Protection One (EP1) Zone*

The minimum *setback* from the edge of an Environmental Protection One (EP1) Zone shall be 120 metres (393.7 feet), except in the following circumstances:

i) where the Environmental Protection One (EP1) Zone is exclusively located under water, then the minimum *setback* shall be 30 metres (98.4 feet);

ii) where an Environmental Impact Study (EIS) is completed to the satisfaction of the *Township*, then the minimum *setback* shall be as identified in the EIS, but shall not be less than 3 metres (9.8 feet).

iii) where an Environmental Impact Study (EIS) is completed to the satisfaction of the *Township* and the EIS recommends a *setback* for shoreline *structures* that do not contain *habitable rooms*, then the minimum *setback* shall be as identified in the EIS.

3.29.3 *Setback* for *Pits* and *Quarries*

No edge of a *Pit* or *Quarry* shall be located closer than 120 metres (393.7 feet) to an *existing dwelling* or the boundary of an Environmental Protection One (EP1) Zone, or 30 metres (98.4 feet) from a municipal road allowance, Environmental Protection Two (EP2) Zone, *lot line* or *watercourse*.

3.29.4 Minimum Separation for Farms

Despite any *yard* provisions of this By-law to the contrary, no *building* or *structure* shall be *erected* or expanded unless it complies with the Provincial Minimum Distance Separation I and II formulae.

3.29.5 Setback from Steep Slopes

No *building* or *structure* shall be constructed on slopes greater than 20% and shall be *setback* a minimum of 10 metres (32.8 feet) from the edge of the slope.

3.30 Temporary Construction Use:

a) A temporary *building*, *structure* or *trailer* incidental to the construction of a *principal building* on a *lot* is permitted in all *zones*, but only during construction and until the *building* permit which authorizes it expires or is revoked.

b) A tool shed not exceeding 9.3 square metres (100.1 square feet), construction *trailer*, scaffolding or other *building* or *structure* incidental to construction is permitted in all *zones* within the *Township*, except the Provincially Significant Wetland (PSW), Environmental Protection (EP) and Open Space (OS) *zones*, on the *lot* 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. For the purpose of this Section, abandoned shall mean the discontinuation of work for more than 120 consecutive days or the failure to maintain a current *building* permit.

3.31 Temporary Housing

Notwithstanding any other provision of this By-law to the contrary, where a *dwelling* is destroyed or a new *dwelling* is being constructed and a *Building* Permit for reconstruction of the *dwelling* has been issued by the *Township* for the *lot*, the residents may occupy the *existing dwelling* or a *trailer* on a temporary basis, but only during the period which the new *dwelling* is being constructed to a maximum of one year from the date of issuance of the *building* permit.

3.32 Trailers

The *use* of *tents* or *trailer*s for permanent or temporary human habitation is prohibited in all zones except:

i) in a Rural (RU) or Waterfront Residential (WR) Zone, a *trailer* equipped with toilet facilities and an approved sewage holding tank may be used for temporary human habitation during the construction of a *dwelling* on a *lot*, provided that such *structure* is located on the same *lot* as the *dwelling* under construction, is in compliance with the *setback* provisions for the *zone* in which it is located and provided that:

- no such *structure* shall be located on the premises until a *building* permit for said construction has been issued and construction commenced;
- such *structure* shall cease to be used for human habitation upon completion of the *dwelling*;
- where not specifically permitted elsewhere in this By-law, such *structure* shall be removed from the premises upon completion of the *dwelling*, or in all cases, within 60 days of the discontinuance of construction;
- a license is obtained from the Township in accordance with the Trailer Licensing By-law; and,
- a maximum of one *trailer* is permitted.

ii) For the occasional accommodation of guests in any Rural (RU), Settlement Residential (RS) or Waterfront Residential (WR) Zone provided that a detached *dwelling* exists on the property.

iii) For the *use* of *tents* for children's play, picnics, weddings, family reunions, or other similar private functions.

iv) In a Rural (RU) or Waterfront Residential (WR) Zone, a maximum of one *trailer* equipped with toilet facilities and connected to an approved sewage holding tank or septic system leaching bed may be used for temporary human habitation on an *existing* vacant *lot*, provided such *trailer* has a current license issued in accordance with the *Township*'s Trailer Licensing By-law. Such *structure* shall cease to be used for human habitation upon expiry of the license.

3.33 *Truck, Bus, Coach Bodies and Derelict Vehicles:*

a) No truck, bus, coach or streetcar body, or *structure* of any kind, other than a *dwelling unit erected* and used in accordance with this By-law, The Ontario *Building* Code and Regulations passed thereunder and all other By-laws of the *Township*, shall be used for human habitation or storage of goods and materials whether or not the same is mounted on wheels.

b) The provisions of this By-law shall not apply to prohibit the *outside storage* of a maximum of two derelict *motor vehicles* within the Rural (RU) Zone nor the *outside storage* of contractor's equipment, whether currently licensed or inoperative, provided the applicable provisions regarding *outside storage* are complied with, and further that such *use* is *accessory* to the principal permitted *use* on the *lot*, and that such storage area is screened from view from adjacent *lot*s and roads.

3.34 *Unimproved Road Allowances*

The *exterior side yard* requirements outlined in this By-law shall be reduced by 50 percent where the *yard* abuts an unimproved road allowance.

3.35 Waste Management Influence Area

Lands located within the Waste Management Influence Area as shown on the Schedules to this by-law are subject to a Holding (H) provision and shall be used for no other purpose than those uses which legally exist on the date of passing of this By-law. The uses permitted within the underlying zone shall not be permitted and the Holding (H) provision removed until a ground and surface water study (hydrology and hydrogeology study) and methane gas migration study, and any other study as may be required by the Township, have been completed to the satisfaction of the Township to demonstrate

that there will be no adverse public health and safety risks associated with the former waste disposal site(s), and to require that the owner enter into a development agreement with the Township to implement the recommendations of the studies. Notwithstanding the above, such studies shall not be required for the following:

i) interior alterations to existing structures;

ii) exterior alterations that do not expand the footprint of an existing structure;

iii) new structures or alterations to existing structures where such structures do not prevent the free movement of air into the atmosphere; and

iv) any structure that does not require a building permit.

3.36 *Waterfront Landing*

The following provisions apply to the installation of a *waterfront landing*:

i) The *waterfront landing* shall provide access to a maximum of 3 water access only *lot*s.

ii) Docking facilities shall not contain more than 3 boat slips, a boat slip is defined as a *parking area* for boats with a minimum length of 6 metres (19.7 feet) and a maximum length of 10 metres (32.8 feet);

iii) No enclosed *buildings* or *structures* are permitted on the *waterfront landing* property.

iv) The minimum *setback* from the shoreline for any *structure* (except a *dock*) or *parking area* shall be 30 metres (98.4 feet);

v) The minimum side *yard* shall be 6 metres (19.7 feet);

vi) The minimum *rear yard* shall be 10 metres (32.8 feet);

vii) The maximum coverage of all *structures* and *parking areas* shall not exceed 10%

3.37 Wayside Pits and Quarries and Portable Processing Plants

Where specifically permitted in the By-law, a *wayside pit* or *quarry* or portable asphalt plant shall be subject to the following provisions:

i) the *wayside pit* or *quarry* shall be used by or on behalf of a *Public Authority*;

ii) the *wayside pit* or *quarry* shall have a Certificate of Approval from the Ministry of Environment or its designate;

iii) the *wayside pit* or *quarry* shall not be located closer than 120 metres (393.7 feet) from an *existing* residence;

iv) a portable processing plant is permitted as an *accessory use* to the *wayside pit* or *quarry*; and,

v) upon completion of the public project, the site shall be rehabilitated to its former *use*.

Section 4 - ZONE PROVISIONS AND EXCEPTIONS TO ZONES

4.1 Zone Provisions

No person shall, within any of the *Zones*, use any land or *erect* or use any *building* or *structure*, except in accordance with the *uses* permitted in **Table 4 – Permitted *Uses*** and the provisions of **Table 5 – *Lot* Regulations** of this By-law.

(Tables 4 and 5 are at the end of the by-law)

4.2 Provisions for Waterfront Residential (WR) Zone and Rural (Ru) Zone with no year round maintained public road access

a) Properties in the Waterfront Residential (WR) *Zone* with no direct access or frontage to a year round maintained public road are suitable for occasional or seasonal *uses* only.

b) Properties in the Rural (Ru) zone with no direct access or frontage to a year round maintained *public road* are suitable for occasional *uses*, with no *dwellings* permitted.

c) The *Township* does not guarantee or provide any level of access to any property within these *zones* by *public road* or to a public *dock* landing allowing water access to a property. Public Seasonal Roads will not be maintained or plowed in the winter and may also be impassable in the Spring season and following storms and other events causing damage. They will be the last to receive attention from road maintenance crews. Securing access to property under these circumstances is the sole responsibility of the landowner.

d) The *Township* does not guarantee fire protection and other emergency services.

e) The *Township* does not commit itself now or at any time in the future to:

i) provide any *public road* access to any property or to open, maintain or improve any public landing or *dock*;
ii) upgrade any *existing public road* from a seasonally maintained road to a year round maintained road;
iii) to open, maintain or upgrade any *public road* or road allowance;

iv) to do or permit work by anyone on any road allowance (such work is expressly prohibited without consent of Council expressed in a resolution or by-law) to improve any road allowance and render it passable by any *motor vehicle* including snow machines and off-road vehicles; or

v) to provide or facilitate access to a property by emergency vehicles or school buses.

f) A Landowner seeking a *building* permit in the Waterfront Residential (WR) *Zone* on a property with no direct access or frontage to a year round maintained public road or for a *hunt camp* in the Rural (Ru) zone may be required to enter into an agreement with the Township acknowledging and incorporating the applicable provisions contained in Sections 4.2.1 through 4.2.5 inclusive.

4.3 Environmental Protection Zone Special requirements

a) Lands zoned Environmental Protection One or Two (EP1 or EP2) may be included in the calculation of *lot area* and *yard* requirements for a *lot*, except for lands below the *high water mark*.

b) *Setback* and *yard* requirements shall be measured from the limit of the *high water mark*, provided that no *building* or *structure* is constructed within 3 metres (9.8 feet) of the boundary of the Environmental Protection One (EP1) *Zone*, or 1 metre (3.3 feet) of the boundary of the Environmental Protection Two (EP2) Zone.

4.4 Lake Flood Elevations

4.4.1 Doe Lake

The regulatory flood elevation for Doe Lake is 296.91 metres (974.11 feet) CGD (Canadian Geodetic Datum) (which includes a one metre wave uprush). All new structural development, except a boathouse and a dock, shall be prohibited on lands currently below the 296.91 metre (974.11 feet) CGD. The minimum elevation for building openings outside the Flood Plain shall be above the 297.91 metre (977.4 feet) CGD.

4.4.2 Buck Lake

The regulatory flood elevation for Buck Lake is 302.65 metres (992.95 feet) CGD (which includes a 0.7 metre wave uprush). All new structural development except a boathouse and a dock, shall be prohibited on lands currently below the 302.65 metre (992.95 feet) CGD. The minimum elevation for building openings outside the Flood Plan shall be above the 303.65 metre (996.23 feet) CGD.

4.4.3 *Existing Buildings* in the Flood Plain:

a) On those lots which are entirely within the regulatory flood elevation, *buildings* or *structures which are replaced, restored or reconstructed may be permitted provided all other provisions of this By-law are adhered to, the building or structure is floodproofed above the regulatory flood elevation, and* there shall be no increase in the *ground floor area*.

b) On those *lots* which are only partially within the regulatory flood elevation, *buildings* or *structures* which are replaced or reconstructed shall be relocated to that portion of the *lot* situated outside of the regulatory flood elevation provided that all other provisions of this By-law are adhered to.

4.4.4 Site Alteration within the Flood Plain:

No site alteration is permitted on lands currently below the regulatory flood elevation.

4.5 Exceptions to Zones

4.5.1 Notwithstanding any provisions to the contrary in this By-law, the following provisions in Table 6 apply to the properties identified in the specific exception noted below:

Table 6 – Special Provisions

Note: In all other respects, the provisions of this By-law continue to apply.

	Exception Zone	Location	Schedule	Special Provisions
Subject to OMB Appeal	CT-1	819 West Bear Lake Road	D1	The permitted principal uses are limited to the following: • An existing *campground* where: ○ The maximum number of camp sites shall not exceed 22 including any located on adjacent crown land; • A Single detached dwelling; • A *tourist establishment*.
Subject to OMB Appeal	CT-2	532 East Bear Lake Road	C2	The permitted principal uses are limited to the following: • An existing *campground* where: ○ The maximum number of camp sites shall not exceed 22 ○ The maximum number of cabins shall not exceed 4; • A Single detached dwelling
Subject to OMB Appeal	CT-3	136 Delaware	D4	The permitted principal uses are limited to the following: • An existing *campground* where:

Table 6 – Special Provisions

Note: In all other respects, the provisions of this By-law continue to apply.

Exception Zone	Location	Schedule	Special Provisions
			○ the maximum number of camp sites shall not exceed 18 ○ the maximum number of cabins shall not exceed one. • A Single detached dwelling.
WR-4	Pt Lot 10, Con 2, McMurrich, Lots 1 to 12, subdivision File S-02/13 (By-law 24-2014)	D4	The Lot and Yard requirements are as follows: • Minimum lot area ○ Lots 1, 6 to 8 – 1 hectare (2.5 ac.) ○ Lots 2 t 5, 12 – 6000 sq. m (64,583 sq.ft.) ○ Lots 9 to 11 – 4000 sq. m (43,056 sq. ft.) • Minimum lot frontage ○ Lots 1 to 8 – 70 metres (229.7 ft.) ○ Lots 9 to 11 – 60 metres (196.9 ft.) • Minimum front yard ○ Lots 1 to 4, 9 to 12 – 30 metres (98.4 ft.) ○ Lots 5 to 8 – 20 metres (65.6 ft.) • Minimum side yard – 6 metres (19.7 ft.) • Minimum rear yard – 3.5 metres (11.5 ft.) A naturally vegetated shoreline buffer shall be maintained within the required front yard. Within the shoreline buffer, no vegetation shall be removed with the exception of dead or decaying vegetation that creates a potential safety hazard, and as required to create a walking path. A walking path having a maximum width of 2 metres (6.6 ft.) is permitted in the shoreline buffer. No docking facilities are permitted in Type 1 Fish Habitat.
RU-5	Pt Lot 16, Con 2, McMurrich	D3	The Lot and Yard requirements are as follows: • Minimum lot frontage – 60 metres (196.9 ft.) • Minimum rear yard – 7.5 metres (24.6 ft.)
RU-6	Pt Lot 10, Con 4, McMurrich	C4	The Lot and Yard requirements are as follows: • Minimum lot area – 6,000 sq. metres (64,583 sq. ft.) • Minimum front yard – 15 metres (49.2 ft.)
RU-7	Pt Lot 20, Con 1 McMurrich	D3	In addition to the permitted uses in the Rural Zone, an automotive repair facility and vehicle inspection station (light duty vehicles) are permitted.
WR-8	Part Lots 1, 2, 3, Con 1	D2, E2	The lot and yard requirements are as follows: • Minimum lot area – 1 hectare (2.5 ac.)

Table 6 – Special Provisions

Note: In all other respects, the provisions of this By-law continue to apply.

Exception Zone	Location	Schedule	Special Provisions

	and 2, Monteith (By-law 9-2013)		• Minimum lot frontage – 90 metres (295.3 ft.)
			• Minimum front yard – 10 metres (32.8 ft.)
			• Minimum side yard – 6 metres (19.7 ft.)
			• Minimum rear yard (Lots 18, 19, 20) – 6 metres (19.7 ft.)
			• Maximum height of all buildings structure structures:
			  ○ 9 metres (29.5 ft.) for a single detached dwelling
			  ○ 6 metres (19.7 ft.) for any other building or structure
			• Maximum cumulative footprint for a single detached dwelling – 400 sq. metres (4,305.6 sq. ft.)
			• Maximum cumulative footprint for all accessory structures – 100 sq. metres (1,076.4 sq. ft.)
			• Parking requirements:
			  ○ Minimum of two *parking space*s per dwelling, each space having a minimum area of 18 sq. metres (193.8 sq. ft.)
			  ○ Maximum of six *parking space*s per dwelling, with a maximum cleared area for all *parking space*s not to exceed 150 sq. metres (1,614.6 sq. ft.)
			
			For the purposes of this section, the front lot line is the lot line that dives the lot from the private internal road, upon which it abuts.

EP1-9	Part Lots 1, 2, 3, Con 1 and 2, Monteith (By-law 9-2013)	D2, E2	The permitted uses are limited to the following: • Conservation • Lands to remain in their natural state except for removal of hazardous trees and a 1.5 metre (4.9 ft.) wide pathway • Boardwalk and/or bridge as part of the pathway Prohibited uses/activities include the following: • No other buildings or structures are permitted • No placement of fill, yard waste or debris is permitted • No parking or use of a motorized vehicle is permitted; • No hunting or discharging of firearms is permitted
EP1-10	Part Lots 1, 2, 3, Con 1 and 2, Monteith (By-law 9-2013)	D2, E2	The permitted uses are limited to the following: • Conservation • Lands to remain in their natural state except for removal of hazardous trees and a 1.5 metre (4.9 ft.) wide pathway • Boardwalk and/or bridge as part of the pathway Prohibited uses/activities include the following: • No other buildings or structures are permitted

Table 6 – Special Provisions

Note: In all other respects, the provisions of this By-law continue to apply.

Exception Zone	Location	Schedule	Special Provisions
			• No placement of fill, yard waste or debris is permitted • No parking or use of a motorized vehicle is permitted; • No hunting or discharging of firearms is permitted • No structure or pathway is permitted within any Provincially Significant Wetland or within 30 metres (98.4 ft.) of the Provincially Significant Wetland
EP1-11	Part Lots 1, 2, 3, Con 1 and 2, Monteith (By-law 9-2013)	D2, E2	The EP-11 Zone is a 5 metre (16.4 ft.) wide strip of land located on the shore sides of the lots. The permitted uses are limited to the following: • Conservation • Lands to remain in their natural state except for removal of hazardous trees and a maximum 1.5 metre (4.9 ft.) wide pathway • Temporary clearing for construction related purposes.
OS-12	Part Lots 1, 2, 3, Con 1 and 2, Monteith (By-law 9-2013)	E2, F-1	The permitted uses are limited to the following: • Conservation • A maximum 18.6 sq. metre (200.2 sq. ft.) canoe rack • A maximum 13 sq. metre (139.9 sq. ft.) dock, anchored to the mainland only • A maximum 300 square metre (3,229 sq. ft.) graveled parking area • A maximum 18.6 sq. metre (200.2 sq. ft.) outdoor educational kiosk/pavilion • Existing roadway The location of the permitted uses shall be as shown on Schedule B-1 to this by-law. The lot and yard requirements are as follows: • Minimum lot area – nil • Minimum lot frontage- 10 metres (32.8 ft.) • Minimum front yard – 10 metres (32.8 ft.) • Minimum side and rear yards – as shown on Schedule B to this by-law. For the purposes of this section, the front lot line is the lot line that dives the lot from the private internal road, upon which it abuts.
IN-13	Pt. Lot 12, Con 10,	B3	The permitted uses are limited to the following: • Waste disposal facility

Table 6 – Special Provisions

Note: In all other respects, the provisions of this By-law continue to apply.

Exception Zone	Location	Schedule	Special Provisions
	McMurrich		• Conservation use
EP2-14	Pt. Lot 30 & 31, Con. 1, McMurrich	E3	In addition to the permitted uses in the EP2 Zone and notwithstanding the requirements related to road access set out in the first sentence of Section 3.7.5 herein, a “hunt camp” is permitted and for the purposes of access shall be subject to section 3.7.4(b). Notwithstanding any other provisions herein: • a dock and/or boathouse shall not be permitted; • no buildings or structures shall be permitted within the Front Yard; and • the Front Yard shall be used for no purposes other than a shoreline buffer.

4.6 Holding Zones

4.6.1 Notwithstanding any provisions to the contrary in this By-law, the following provisions in Table 7 apply to the properties identified in the specific provision noted below:

Table 7 – Holding Zone Provisions

Note: In all other respects, the provisions of this By-law continue to apply.

Holding Zone	Location	Schedule	Provisions	By-law removing the Holing Zone
CG-H1	Pt 1, 42R-11352, Part Lot 6, Con 11, Monteith	C2	The Holding zone will be removed and development may proceed upon approval of the following to the satisfaction of the Township: • A site plan is prepared showing the proposed uses, buildings, driveways, parking areas and site servicing; • Entrance permits are obtained, if required.	
RU-H2; RS-H2;	Waste management assessment area surrounding the Township waste disposal site	B3	The Holding zone will be removed and development may proceed in accordance with the provisions of Section 3.35, and upon completion of a study satisfactory to the Township that examines the impact of the waste disposal site on the proposed development. The study shall be completed in accordance with the Ministry of Environment and Climate Change Guideline D4, as amended/	

Section 5 - ENACTMENT

5.1 Date of By-law Approval

This By-law shall take effect from the date of its passage by Council and shall come into force in accordance with Section 34 of the Planning Act, R.S.O. 1990, Ch. P. 13, as amended.

Read a first and second time this 6th day of June, 2016.

_____
Joanne Griffiths, Reeve

_____
Cheryl Marshall, Clerk

Read a third time and passed this 23rd day of June, 2016.

_____
Joanne Griffiths, Reeve

_____
Cheryl Marshall, Clerk

Township of McMurrich/Monteith Zoning By-law											
TABLE 4 - Permitted Uses for all Zones											
	Waterfront Residential (WR)	Settlement Residential (RS)	Rural (RU)	General Commercial (CG)	Tourist Commercial (CT)	General Industrial (IG)	Extractive Industrial (IE)	Institutional (IN)	Open Space (OS)	Environmental Protection One (EP1)	Environmental Protection Two (EP2)
Principal Use											
Residential											
Dwelling, Duplex		x	x								
Dwelling, Semi-Detached		x	x								
Dwelling, Single Detached	x	x	x							x(1)	x(1)
Mobile Home		x	x								
Non-Residential											
Agricultural Use			x			x	x(2)		x	x(1)(3)	x(1)(3)
Building Supply and Lumber Outlet				x		x					
Bulk Fuel Depot						x					
Campground					x(1)						
Cartage, Transport or Bus Depot						x					
Cemetery								x	x		
Commercial Nursery or Greenhouse			x	x		x					
Commercial Self Storage Facility				x		x					
Communications Tower						x					
Community Centre				x				x	x		
Conservation Use	x	x	x	x	x	x	x	x	x	x	x
Contractor's Establishment						x					
Convenience Store				x							
Day Care Centre				x							
Equestrian Facility			x								
Farm Produce Sales Outlet			x	x							
Forestry Use			x				x		x		
Funeral Home				x							
Hunt Camp			x							x(1)	x(1)
Institutional Camp								x			
Kennel			x	x		x					
Light Equipment Sales & Rental Establishment				x		x	x				

TABLE 4 - Permitted Uses for all Zones											
	Waterfront Residential (WR)	Settlement Residential (RS)	Rural (RU)	General Commercial (CG)	Tourist Commercial (CT)	General Industrial (IG)	Extractive Industrial (IE)	Institutional (IN)	Open Space (OS)	Environmental Protection One (EP1)	Environmental Protection Two (EP2)
Manufacturing Plant						x					
Marina					x	x					
Motor Vehicle Body Shop				x		x					
Motor Vehicle Dealership				x							
Motor Vehicle Repair Garage				x		x					
Motor Vehicle Service Station				x		x					
Nursing Home		x						x			
Office				x							
Pit or Quarry							x				
Place of Assembly				x				x			
Place of Worship				x				x			
Recreational Facility				x					x		
Restaurant				x							
Retail Store				x							
Salvage or Wrecking Yard							x(1)				
Sawmill or Planning Mill						x					
School								x			
Service Shop, Light				x		x					
Service Shop, Personal				x							
Tourist Establishment					x						
Veterinary Clinic			x	x							
Warehouse						x					
Waterfront Landing (11)	x										
Wayside Pit or Wayside Quarry			x	x	x	x	x	x			
Workshop				x		x					
Accessory											
Bed & Breakfast Establishment	x(10)	x	x								
Convenience Store					x (4)						
Day Care, Private Home	x(10)	x	x								
Dwelling Unit in a Non-Residential Building				x(5)	x(6)	x (5)					

TABLE 4 - Permitted Uses for all Zones											
	Waterfront Residential (WR)	Settlement Residential (RS)	Rural (RU)	General Commercial (CG)	Tourist Commercial (CT)	General Industrial (IG)	Extractive Industrial (IE)	Institutional (IN)	Open Space (OS)	Environmental Protection One (EP1)	Environmental Protection Two (EP2)
Dwelling, Single Detached				x	x(6)	x					
Dwelling, Secondary		x(8)	x(8)(9)								
Golf Course			x								
Home Industry			x								
Home Occupation	x	x	x	x	x	x					
Office					x	x	x	x			
Open Storage						x	x				
Outdoor Display & Sales Area				x		x					
Place of Assembly					x						
Recreational Facility					x						
Restaurant					x						
Retail Store					x(4)	x	x				
Other										x(7)	x(7)

NOTES:

(1) existing on the date of passage of this by-law

(2) excluding a dwelling

(3) excluding any enclosed structure

(4) to a maximum of 50 square metres (540 square feet)

(5) except in a motor vehicle service station or repair garage, where no dwelling is permitted

(6) provided a maximum of one dwelling is permitted on the property

(7) dock, pumphouse accessory to a permitted residential use on the same property where the residential use is permitted

(8) the floor area of the secondary dwelling shall be a maximum 50% of the floor area of the single detached dwelling.

(9) shall only be permitted on a lot greater than 1 hectare (2.5 acres) in area

(10) provided access is available from a road maintained year round by a public authority

(11) subject to provisions of Section 3.36

Table 5 - Zone Requirements Table

Requirement	Waterfront Residential (WR)	Settlement Residential (RS)	Rural (RU)		General Commercial (CG)	Tourist Commercial (CT)	General Industrial (IG)	Extractive Industrial (IE)	Institutional (IN)	Open Space (OS)	Environmental Protection One (EP1)	Environmental Protection Two (EP2)
			All Other Uses	Residential								
Frontage (minimum)	60 m (196.9 ft)	30 m (98.4 feet)	100 m (328 ft)	60 m (196.9 ft)	30 m (98.4 ft)	60 m (196.9 ft)	60 m (196.9 ft)	90 m (295.3 ft)	45 m (147.6 ft)	n/a	n/a	n/a
Area (minimum)	4,000 sq m (43,060 sf)	2000 sq m (.5 ac)	10 ha (24.7 ac)	1 ha (2.47 ac)	4,000 sq m (43,060 sf)	2 ha (4.9 ac)	1 ha (2.47 ac)	10 ha (24.7 ac)	4,000 sq m (43,060 sf)	n/a	n/a	n/a
Yards (minimum)												
Front Yard	20 m (65.6 ft)	10 m (32.8 ft)	30 m (98.4 ft.)	15 m (49.2 ft)	15 m (49.2 ft)	30 m (98.4 ft)	15 m (49.2 ft)	30 m (98.4 ft)	6 m (19.7 ft)	15 m (49.2 ft)	(1)	(1)
Interior Side Yard	3 m (9.8 ft)	3 m (9.8 ft)	15 m (49.2 ft)	6 m (19.7 ft)	6 m (19.7 ft)	15 m (49.2 ft)	15 m (49.2 ft)	30 m (98.4 ft)	6 m (19.7 ft)	6 m (19.7 ft)	(1)	(1)
Exterior Side Yard	15 m (49.2 ft)	10 m (33 ft)	30 m (98.4 ft)	15 m (49.2 ft)	8 m (26.2 ft)	30 m (98.4 ft)	15 m (49.2 ft)	30 m (98.4 ft)	6 m (19.7 ft)	6 m (19.7 ft)	(1)	(1)
Rear Yard	8 m (26.2 ft)	5 m (16.4 ft)	15 m (49.2 ft)	15 m (49.2 ft)	8 m (26.2 ft)	30 m (98.4 ft)	15 m (49.2 ft)	30 m (98.4 ft)	10 m (32.8 ft)	10 m (32.8 ft)	(1)	(1)
Lot Coverage (%) (maximum)	10	20	5	10	40	25	25	5	15	5	(1)	(1)
Height (maximum)	10 m (32.8 ft)	10 m (32.8 ft)	10 m (32.8 ft)	10 m (32.8 ft)	12 m (39.4 ft)	12 m (39.4 ft)	12 m (39.4 ft)	12 m (39.4 ft)	12 m (39.4 ft)	5 m (16.4 ft)	(1)	(1)
Dwelling Unit Area (minimum)	74 sq m (796.5 sf)	74 sq m (796.5 sf)	74 sq m (796.5 sf)	74 sq m (796.5 sf)	40 sq m (430.6 sf)	56 sq m (602.8 sf)	56 sq m (602.8 sf)					
Landscaped Open Space (%) (minimum)	30	10	5	10	10	30	10	10	10	n/a	n/a	n/a
Number of dwelling units per lot (maximum)	1	2 (3)		2(3)	1 (2)	1(2)	1(2)	0	0	0	0	0
Other												

NOTES:

(1) all lot and yard requirements for existing uses shall remain as exisitng on the date of passing of this By-law.

(2) accessory dwelling to a permitted commercial use

(3) if a duplex or semi-detached dwelling, or secondary dwelling; otherwise, ony one single detached dwelling is permitted.