THE CORPORATION
OF THE TOWNSHIP OF
MUSKOKA LAKES

COMPREHENSIVE ZONING BY-LAW 2014-14

CONSOLIDATED FEBRUARY 2023

EXPLANATORY NOTE

By-law 2014-14 is a Comprehensive Zoning By-law (Zoning By-law) for the Township of Muskoka Lakes.

This explanatory note explains the purpose of this Zoning By-law and how it should be used. These pages do not form part of the Zoning By-law passed by Council and are intended only to make the Zoning By-law more understandable and easier to reference.

Purpose of this Zoning By-law

The purpose of the Zoning By-law is to implement the policies of the Official Plan for the District of Muskoka and the Official Plan for the Township of Muskoka Lakes. The District and Township Official Plans both contain general policies that affect the use of land throughout the Township. These policies specify where certain land uses are permitted and, in some instances, specify what regulations should apply to the development of certain lands.

The District and Township Official Plans are general documents that are not intended to regulate every aspect of the built-form on a private lot. In the Province of Ontario, this is the role of the Zoning By-law. The statutory authority to zone land is granted by the Ontario Planning Act. The Planning Act specifies what a By-law can regulate.

A Zoning By-law can:

- Prohibit the use of land or buildings for any use that is not specifically permitted in the By-law;
- Prohibit the erection or siting of buildings and structures on a lot except in locations permitted by the By-law;
- Regulate the type of construction and the height, bulk, location, size, floor area, spacing and use of buildings or structures;
- Regulate the minimum frontage and depth for a parcel of land;
- Regulate the proportion of any lot, a building or structure may occupy;
- Regulate the minimum elevation of doors, windows or other openings in buildings or structures;
- Require parking and loading facilities be provided and maintained for a purpose permitted by the By-law; and
- Prohibit the use of lands and the erection of buildings or structures on land that is:
    - subject to flooding
    - the site of steep slopes
    - rocky, low-lying, marshy or unstable;
    - contaminated;
    - a sensitive groundwater recharge area or head water area;
    - the location of a sensitive aquifer;
    - a significant wildlife habitat area, wetland, woodland, ravine, valley or area of natural and scientific interest;
    - a significant corridor or shoreline of a lake, river or stream; or,
    - the site of a significant archaeological resource.

How to Use This By-law

In order to reference this By-law most easily, a property owner should follow each of the steps listed below to determine what permissions apply to their particular property.

Locate the Property on the Zone Schedules

The first step to using this By-law is to refer to the zone schedules (maps) that are available in hard copy at the Township Office or electronically on the Township's website. These schedules will indicate the zone category in which a particular property is located. The zone category is indicated

on the schedules by a symbol or abbreviation. For example, you may see the boundary of the property you wish to obtain information on, with a WR1 abbreviation on it. This indicates that the property is within the 'Waterfront Residential' zone. To obtain the specific requirements of that zone you would reference Section 4.0 – Waterfront Zones of the By-law.

If you are unsure of the property boundaries or the applicable zone symbol, consult the Township's Planning Department for further clarification.

By-law Amendments

A Zoning By-law is not a static document; it is amended over time as demands and policies governing land use change. Before proceeding any further, you should verify that your property is not the subject of an earlier Zoning By-law amendment. While the Township aims to make regular consolidations to the By-law, more recent amendments may not be included in the version you are viewing. The Township's Planning Department will be able to assist you to confirm if your property has been subject to a more recent By-law amendment.

Zone Provisions

The next step to using this By-law is to determine what *uses* are permitted on your property. Sections 4 to 10 of the By-law identify the permitted uses and zone standards for each zone in the Municipality.

Section 11.0 can assist you if you are not sure what a permitted use entails or how it has been defined by the Township. All words found in *italics* within the By-law have been defined within Section 11.0, except those directly located in the tables of this document which are not italicized. If a word is not italicized, it is not specifically defined. Uses which are not listed as permitted uses within a particular zone are not permitted in that zone.

Once you have identified the permitted uses within your zone you can further review Section 4 to 10 to determine the zone standards and provisions applicable to your property. Zone standards include standards for minimum lot area, minimum yard requirements, maximum lot coverage for buildings, etc. To develop or redevelop the property, you will be required to meet these standards.

General Provisions

In addition to the specific standards of the zone on your property, Section 3.0 of the By-law also contains General Provisions that apply to all properties in all zones in the Township. Consult this section to understand provisions that relate to accessory structures regardless of which zone they are located within in the Township. This Section will also provide you with the required parking and loading spaces required on a site, based on use.

Exemptions, Holding Zones and Temporary Uses

If the zone symbol for your property contains a special suffix (i.e. –H or -T) this indicates that the property is subject to additional provisions known either as a Holding provision or Temporary Use. The requirements associated with these zones should be discussed with Township Planning Staff. If the zone symbol for your property contains a special number suffix (i.e. 87-123) this indicates that the property is subject to site-specific regulations which must be obtained from Township Planning Staff. Section 12 contains exemptions to the by-law and is contained under separate cover and is available at the Township office.

What happens if you can't meet the By-law's requirements?

Sometimes it is not possible to meet all of the By-law's requirements and therefore a permit or approval cannot be issued. You are encouraged to discuss your options with Township Planning Staff to determine if revised plans can accommodate your needs, or if an application for a Minor Variance or Zoning By-law Amendment should be submitted.

All measurements in this By-law are shown in metric and imperial. Metric measurements shall prevail.

THE TOWNSHIP OF MUSKOKA LAKES
By-law No. 2014-14

BEING a regulatory By-law to implement the policies of the Official Plan for the Corporation of the Township of Muskoka Lakes and govern land use.

WHEREAS the Council of the Corporation of the Township of Muskoka Lakes deems it in the public interest to prohibit and regulate the use of land, buildings and structures.

AND WHEREAS pursuant to the provisions of Section 34 of the *Planning Act, R.S.O. 1990, c.P. 13* as amended, By-laws may be enacted and amended by Councils of Municipalities;

NOW THEREFORE the Council of the Corporation of the Township of Muskoka Lakes enacts as follows:

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1.1 TITLE

This By-law shall be cited as the "*Township* of Muskoka Lakes Zoning By-law 2014-14"

1.2 COMPONENTS

This By-law consists of all textual components and schedules contained herein. The appendices are not considered part of this document.

1.3 APPLICATION

The provisions of this By-law shall apply to all lands including islands within the boundaries of the *Township* of Muskoka Lakes (herein after referred to as 'the *Township*').

Where a Zone on the Schedules abuts a waterway or *original shore road allowance*, such Zone shall be deemed to extend to the *high water mark*. No *building* or *structure* shall be *erected*, *altered* or used, and the use of any *building*, *structure* or *lot* shall not be changed, in whole or in part, except in conformity with the provisions of this By-law.

1.4 SCOPE

No lands shall be used and no *buildings* or *structures* shall be *erected, altered*, enlarged and no changes may be made to the use of any *buildings* or *structures* or lands within the *Township* except in conformity with the provisions of this By-law. Uses not listed as permitted or otherwise provided for in this By-law shall be prohibited.

In the event of any inconsistency or conflict between two or more provisions in this By-law, the more restrictive provision shall prevail.

1.5 REPEAL OF EXISTING BY-LAWS

From the date of the coming into force of this By-law, all previous By-laws passed under Section 34 of the *Planning Act, R.S.O. 1990, c.P. 13,* or predecessor thereof, shall be deemed to have been repealed except for those specifically preserved in Section 12 or by General Provision 3.39.

1.6 VALIDITY

Every provision of this By-law is declared to be severable from the remainder of this By-law and, if any provision of this By-law shall be declared invalid by a court of competent jurisdiction, such declaration shall not affect the validity, effectiveness, or enforceability of the remainder thereof.

1.7 EFFECTIVE DATE

This By-law shall come into force and take effect on the day it is passed by Council subject to any approval necessary pursuant to the Planning Act, R.S.O. 1990, c.P.13 as amended from time to time.

1.8 COMPONENTS OF THE BY-LAW

Section 1: Introduction
Section 2: Administration and Interpretation
Section 3: General Provisions
Section 4: Waterfront
Section 5: Community

Section 6: Rural
Section 7: Institutional
Section 8: Environmental Protection
Section 9: Open Space
Section 10: General Restricted
Section 11: Definitions
Section 12: Exemptions
Section 13: Enactment
Appendix 1: Metric Conversions Table
Appendix 2: Illustrations
Appendix 3: Inactive Landfill Locations
Table 1: Lake Classification Table (Located within Section 4.0)

1.9 SCHEDULES

Schedules "1" to "62" contained under separate cover are hereby declared to form part of this By-law.

1.10 ZONES

For the purpose of this By-law the following zone symbols are used and the location of such zones are established on Schedules "1" to "62" (Zoning Schedules) and the land shown is zoned accordingly.

	WATERFRONT	COMMUNITY	RURAL
Rural	---	---	Ru1, Ru2, Ru3, RuSp, RuSA
Residential	WR1, WR2, WR3, WR4, WR5, WR6, WR7, WR8	R1, R2, R3, R4, RM1, RM2	RuR, Ru4, RuRH
Commercial	WC, WC1, WC1A1, WC1A2, WC1A3, WC1A4, WC1B, WC1B1, WC2, WC3, WC4, WC5, WC6, WC7, WC4A.5, WC4A1, WC4A1.5, WC4A2, WC4B, WC4B1	C1A, C1B, C1C, C1CA, C1D, C1DA, C2, C3, C4, C5	RuC1, RuC2, RuC2B, RuC3, RuC4, RuC5, RuC6
Waterfront Landing	WL	---	---
Industrial	---	M1, M2, M3	RuM1, RuM2, RuM3, RuM4
Institutional	I		
Environmental Protection	EP1, EP1-PSW, EP2		
Open Space	WOS, OS1, OS2, OS3, OS4		
General Restricted	GR		

1.11 PUBLIC ACQUISITION

No *lot* contravenes any provision of this By-law by reason of the fact that any part of the *lot* has been conveyed to or acquired from any *public authority*.

2.1 *USE* OF ZONE SYMBOLS

The symbols listed in subsection 1.10 may precede the word “Zone” (i.e. WR Zone) in place of the “Zone Name” and shall have the same meaning. The symbols, when used within the Schedules of this By-law, shall refer to the Zone in which the lands are situated and the provisions of such Zone shall apply.

2.2 APPLICATION OF ZONES

No *person* within any Zones defined in this By-law and delineated on the Zoning Schedules attached hereto, shall use any lands, *buildings* or *structures*, or erect, *alter*, enlarge or make changes to any *buildings* or *structures* or to the use of any *buildings* or *structures* or lands except in compliance with the provisions of this By-law.

2.3 DISCREPANCIES

In the event that there is a discrepancy between regulations in the “General Provisions” of this By-law and a specific Zone, the most restrictive provisions shall apply, except where specifically stated otherwise.

2.4 BOUNDARY INTERPRETATION

Where any uncertainty exists as to the location of any boundary of any zone, the following applies:

a. Where the boundary is shown as following a *street*, *lane*, railway, *right-of-way*, water course, or electrical transmission line then the zone boundary is the centre line of such;

b. Where the boundary is shown as substantially following the *lot line* on a registered plan of subdivision or a reference plan, then the zone boundary is the *lot line*;

c. Where the boundary is shown as substantially following the shoreline of a *watercourse* or waterbody or o*riginal shore road allowance*, the zone boundary is the *high water mark*; and

d. 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.

2.5 INTERPRETATION OF WORDS

For the purposes of this By-law:

a. words used in the present tense include the future;

b. words in singular number include the plural, and words in the plural include the singular number;

c. the word “shall” is mandatory;

d. the words “used” and “occupied” mean “designed to be used” or “designed to be occupied”;

e. the words indicated in *italics* are defined in Section 11 "Definitions"; and

f. where a word or a phrase is used in an amending by-law, and that word or phrase is defined in Section 11 of this By-law, and that word or phrase does not appear in italic letters in that amending by-law, then that word or phrase shall nevertheless be considered a reference to the defined word or phrase contained in Section 11 of this By-law, unless the context of the amended by-law clearly and obviously requires otherwise.

2.6 INTERPRETATION OF PROVISIONS

The provisions and regulations of this By-law are the minimum requirements except where the word "maximum" is used, in which case the provisions and regulations are the maximum permissible.

2.7 INTERPRETATION OF NUMBERS

Where any numbers or values are specified in this by-law, such quantities shall be considered to no more than one decimal place. During measurement of any *lot, building*, or *structure*, if the number or value at one decimal place is followed by 5, 6, 7, 8, or 9, round the number up. If the number or value at one decimal place is followed by 0, 1, 2, 3, or 4, round the number down.

All measurements in this by-law are shown in metric and the imperial equivalent is in brackets following. The metric measurement shall prevail and the imperial measurement is for reference only.

2.8 HOLDING PROVISION SYMBOLS

Where a Zone symbol applying to certain lands on the Schedules is followed by a dash and the letter "(H)" in brackets, the lands shall be placed in a "Holding Zone" pursuant to the *Planning Act, R.S.O. 1990, c.P.13*, as amended. The Holding Symbol "H" shall be removed according to the provisions of the Official Plan and the provisions of this By-law and the amendments hereto. When the Holding Symbol has been removed, the lands shall be developed according to the requirements of the zone used in conjunction with the Holding Symbol. Until the "H" is removed, no *person* shall *use* those lands except in compliance with the provisions of the applicable zone for *uses* existing on the date of passing of this By-law or amendment thereto, except as may otherwise be provided for on specific properties by special zone or general provisions contained in this By-law.

2.9 RELATIONSHIP WITH OTHER BY-LAWS

Nothing in this By-law shall operate to relieve any *person* from the requirements of the Building Code or any By-law or requirements of the *Township* in force from time to time, or the obligation to obtain any license, permit, authority, or approval required under any By-law or law of the *Township* or other government authority. Any *use* established in violation of a predecessor of this By-law will be deemed to have been established unlawfully.

2.10 GENERAL INTERPRETATION AND APPLICATION

a) In their interpretation and application, the provisions of this By-law shall be held to be the minimum requirements adopted for the promotion of the public health, safety, convenience, or general welfare. Whenever the requirements of this By-law are at variance with the requirements of any other By-law, the most restrictive, or the By-law imposing the higher standards shall govern and apply. Nothing in this By-law shall be construed to exempt any standards that govern and apply. Nothing in this By-law shall

be construed to exempt any *person* from complying with the requirements of any By-law of the *Township* or from any law of the Province of Ontario or of Canada.

b) In the event that an obvious grammatical or graphical error has been made in the preparation of this By-law, the Administrator of this By-law may interpret the intent of this By-law in a reasonable manner without amendment to this By-law.

2.11 ZONES ABUTTING WATER

Where any zone abuts an Environmental Protection (EP2) Zone or a Waterbody Open Space (WOS) Zone, the provision of the abutting zone must be read in conjunction with the provisions of the EP2 or WOS Zone. Notwithstanding the other provisions of the abutting zones, the provisions of the EP2 or WOS Zone take precedence.

2.12 OFFICIAL PLAN REQUIREMENTS

Compliance with the Zoning By-law requirements does not exempt an individual from further requirements of the Official Plan (e.g. water quality impact assessment, site plan approval).

2.13 MINOR VARIANCES TO FORMER BY-LAWS

Where the Committee of Adjustment of the *Township* of Muskoka Lakes has authorized a minor variance from the provisions of By-law 87-87, in respect of any land, *building* or *structure* and the decision of the Committee of Adjustment of the *Township* of Muskoka Lakes or the Ontario Municipal Board authorizing such minor variance has become final and binding prior to the enactment of this By-law, the provisions of this By-law, as they apply to such land, *building* or *structure*, shall be deemed to be modified to the extent necessary to give effect to such minor variance.

2.14 ILLUSTRATIVE DIAGRAMS

Illustrative diagrams included in Appendix 2 provide a visual representation of some of the concepts utilized in this By-law. These diagrams do not form part of this By-law.

2.15 TRANSITION PROVISIONS

Amended by By-law 2019-154

2.15.1 Site Plans - Sport Courts and Recreational Surfaces

i) Where a Site Plan Agreement has been entered into prior to July 16, 2020, and the Site Plan Agreement is in full force and effect, the provisions of this By-law, as they apply to *sport courts and recreational surfaces*, shall be deemed to be modified to the extent necessary to give effect to such Site Plan Agreement for a period up to two years from the execution date of the Site Plan Agreement.

3.1 *PUBLIC USES*

Nothing in this By-law affects the *erection*, *alteration,* or *use* of any *building* or *structure* or the *use* of any *lot* by a *public authority* for a *public use*.

3.2 *NON-COMPLYING* LOTS, BUILDINGS AND *STRUCTURES*

Amended by By-law 2017-17

a) Application

An increase in *floor* area of a *dwelling unit* or *sleeping cabin* is not permitted on a *lot* where:

i. only one (1) *dwelling unit* is permitted and more than one (1) *dwelling unit* exists, or,

ii. only one (1) *sleeping cabin* is permitted and more than one (1) *sleeping cabin* exists, or,

iii. a *sleeping cabin* exists and there is more than one (1) *dwelling unit* on the *lot*.

Amended by By-law 2021-116

b) Exterior Extension, Undersized *Lot*

Any lawful *building* or s*tructure* which is located:

Zoning Not Identified in Section 3.4.1

i. on a *lot* which does not comply with the minimum *lot frontage* and/or *lot area* requirement(s) for the applicable Zone (as specified in the Zone Table for each Zone within which it is located); or

Zoning Identified in Section 3.4.1

i. on a *lot* which does not comply with the minimum *lot frontage* and/or *lot area* requirement(s) for the applicable Zone (as specified in the Zone Table for each Zone within which it is located) and where such *lot* is subject to Section 3.4.1, but the *lot* does not comply with the *lot frontage* and/or *lot area* criteria set out in Subsections 3.4.1. e., f. or g. (as applicable);

such lawful *building* or *structure* may be enlarged, extended, reconstructed or structurally *altered* provided such enlargement, extension, reconstruction, or structural alteration complies with all other requirements of this By-law.

Amended by By-law 2021-116

c) Exterior Extension, Required *Yards*

Nothing in this By-law shall prevent an increase in *floor area* and/or *height* of any lawful *building* or *structure*, or part thereof, located within a required *yard* (or *yards* as the case may be), provided that:

i. the increase in the *floor area* and/or *height* does not occur in or upon the required *yard (or* required *yards)* that has given rise to the non-compliance; and

ii. such increase in the *floor area* and/or *height* complies with any other required *yards*, *height* and all of the other requirements of this By-law.

Amended by By-law 2021-116

d) Second Storey Additions to *Buildings* and *Structures* on a *Lot* where the maximum *Lot Coverage* is exceeded

Any lawful *building* or *structure* on a *lot,* where the maximum permitted *lot coverage* is already exceeded, may be added to, by way of a second *storey* or an

addition to an existing second *storey,* provided the cumulative *floor area* of all second *storeys* on the *lot,* does not exceed the amount of the maximum *lot coverage* and provided the second *storey* complies with all other requirements of this By-law.

The foregoing permission in this Subsection 3.2 d) does not include permission to add a second *storey* balcony and/or a second *storey sundeck*, or to add to any existing second *storey* balcony and/or second *storey sundeck*.

e) *Reconstruction* or *Restoration* of Existing *Non-Complying Buildings* or *Structures*
Nothing in this By-law shall prevent the *restoration*, replacement or *reconstruction* of any *non-complying building* or *structure*, or part thereof, lawfully used on the date of passing of this By-law, provided that:

i. The *building* or *structure* as restored, replaced or reconstructed is in the same location, has the equivalent or reduced dimensions, there is no increase in *floor area*, and does not change the *use*, of the existing *building* or *structure.*

f) Interior *Alteration*
The interior of any *building* or *structure* which was lawfully used for a *use* permitted in the By-law but does not comply with all requirements of the By-law, may be reconstructed or structurally *altered*, in order to render the same more convenient or commodious for the existing purpose for which such *building* or *structure* was lawfully used on the date the By-law was passed.

Amended by By-laws 2017-17 & 2021-116

g) Additions to Shoreline *Structures* Exceeding Maximum *Cumulative Width*
Where *docks* or *boathouses* are legal *non-complying* due to the requirements of the maximum *cumulative width* of *docks* and *boathouses*, additions are permitted provided the *cumulative width* permitted is not exceeded by all of the additions subsequent to October 11, 1988 and all other requirements of the By-law are complied with.

3.3 *NON-CONFORMING* USES, *BUILDINGS* AND *STRUCTURES*

a) Existing *Uses, Buildings,* and S*tructures*
The provisions of this By-law shall not apply to prevent the *use* of any existing *lot, building,* or s*tructure* for any purpose prohibited in this By-law if such existing *lot, building* or s*tructure* was lawfully used for such purposes, on the date this By-law was passed and continues to be used for that purpose.

b) Exterior Extension
The exterior of any *building* or *structure* which was lawfully used prior to the passage of this By-law for a *use* not permitted within the zone in which it was located, shall not be enlarged or extended, reconstructed or otherwise structurally *altered*, unless such *building* or s*tructure* is thereafter to be used for a *use* permitted within such zone, and complies with all requirements of this By-law for such zone.

c) Interior *Alteration*
The interior of any *building* or s*tructure* which was lawfully used for a *use* not permitted in the zone in which it is located, may be reconstructed or structurally a*ltered*, in order to render the same more convenient or commodious for the existing purpose for which such *building* or *structure* was lawfully used on the date this By-law was passed.

d) *Reconstruction* or *Restoration* of Existing *Non-Conforming Buildings* or *Structures*
Nothing in this By-law shall prevent the *restoration*, replacement or *reconstruction* of any *building* or *structure*, or part thereof, used for a *non-conforming use,* which lawfully existed on the date of passing of this By-law, provided that:

i. The *building* or *structure* as restored, replaced or reconstructed has the equivalent or reduced dimensions, is in the same location, there is no increase in *floor area*, and does not change the existing lawful *use*, of the existing *building* or *structure.*

3.4 *LOTS* OF RECORD

3.4.1 Existing Undersized *Lots* of Record

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

a. held under distinct and separate ownership from abutting *lots*, on or before the passing of this By-law, as evidenced by the records of the Land Registry *Office*; or,

b. is a *lot* or block on a registered plan of subdivision; or,

c. is created as a result of expropriation or highway widening or other land acquisition by any authority having such statutory powers; or,

d. is a *lot* created by consent under the *Planning Act*, or its predecessor, after March 31, 1979; and,

e. has a WR1, WR2, WR4, WR5, WR6, WR7, WR8, R2, R3, Ru1, Ru2, Ru3, RuR, or RuRH Zone, whether or not proceeded by a -7 and/or –R suffix, and has a *lot frontage* not less than 30.5 m (100 ft.) and a *lot area* not less than 1393.5 m² (15,000 ft.²); or,

f. has a WR3 Zone, or any other WR zone listed in Section 3.4.1.e, on an island in excess of 0.8 hectares (2.0 acres), and has a *lot frontage* of not less than 30.5 m (100 ft.) and a *lot area* not less than 1393.5m² (15,000 ft.²); or,

g. has a R4 Zone and has a *lot frontage* of not less than 15.2 m (50 ft.) and a lot area of not less than 557.4m² (6000 ft.²).

Such *lot* shall be deemed to conform with the *lot frontage* and *lot area* requirements of this By-law.

3.4.2 Enlargement of Existing *Lots*

a. Where a *lot* meets the criteria set out in Section 3.4.1, or has been granted an exemption or Minor Variance to this By-law for lot size, or is zoned Waterfront Commercial – *Marina* (WC2) or Community Commercial – *Marina* (C2), and lands are added to that *lot*, the resulting *lot* is deemed to meet the criteria in Section 3.4.1.

b. where a *lot* does not meet the criteria set out in Section 3.4.1, but through a lot addition the resulting *lot* exceeds the criteria set out in Section 3.4.1, the resultant *lot* is deemed to meet the criteria in Section 3.4.1.

3.5 *ACCESSORY BUILDINGS* AND *STRUCTURES*

3.5.1 Construction Sequence

No *Accessory Building* or *Structure* shall be *erected* prior to the establishment of the *main building*, *structure* or *use* with the exception of the following;

a. A *dock, single storey boathouse* and *inclinator* on a *lot* accessible only by water; and

b. A *tool shed* not exceeding 10m² (108 ft.²) in total *floor area*;

3.5.2 *Use* of *Accessory Buildings*

Where this By-law provides that land may be used or a *building* or *structure* may be *erected* or used for a purpose, that purpose shall include any *Accessory Use*, but shall not include the following:

a. an occupation for gain or profit, except as this By-law specifically permits;

b. any *building* or *structure* used for *human habitation* or as a *habitable room* except as this By-law specifically permits.

3.5.3 Temporary *Accessory Buildings* and *Structures*

Where a consent under Section 53 of the *Planning act* results in the creation of a *lot* upon which an *accessory building* or *structure* is located before a *main building*, *structure* or *use* has been established, such *accessory building* or *structure*, shall be allowed to continue provided that the application to construct the *main building* or *structure* is submitted within two (2) years of the date of conveyance of the land, and the construction of the *main building* or *structure* is completed or the *use* has been established within three (3) years of the date of conveyance of the land.

3.5.4 *Gazebo*

No *person* shall *erect* or *use* a *gazebo*, which exceeds 23.3 m² (250 ft.²) in *floor area*.

3.6 *BUILDING* INTERIOR DESIGN

Where an application is made to construct an addition to a *building*; to join two or more existing *buildings* together; construct/reconstruct a *building* containing a hallway of which the walls are also exterior walls; or to join two living areas is proposed; the result will be considered as two or more *buildings* for the purpose of this By-law unless:

a. the new construction of the *building* being moved, which is to be added to the existing *building*, is designed and built to an integral part of the existing *building*;

b. the new construction or *building* being moved shares at least one common wall with the existing *building*; and,

c. the connection between the existing buildings and the new construction or building being moved, or a new building designed as having a hallway with exterior walls, is not one or more walkways, breezeways, screened *porch*es or other such passages, and which is enclosed by four walls and a minimum of 2.0 m (6.5 ft.) in width and a maximum of 5.0 m (16.4 ft.) in length.

3.7 *FRONTAGE* ON *PUBLIC STREET* OR *NAVIGABLE WATERWAY*

3.7.1 General *Frontage* Requirement

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, for a distance equal to the minimum *frontage* requirement for the zone in which the *lot* is located upon:

a. A *street* maintained year round by a *Public Authority*; or

b. a *navigable waterway* or *original shore road allowance*; or

c. a *street* dedicated as a public highway on a registered plan of subdivision and subject to terms and conditions of a Subdivision Agreement under the *Planning act* or its predecessor.

d. Where any *lot frontage* on a lot, outside of the Community Zones or where the *front lot line* is the *high water mark*, abuts a Provincial Highway or Class A District Road (District Roads 3, 4, 7, 13, 24, 25, 29, 35, 38, 118, and 169), the minimum required *lot frontage* shall be 150 m (492 ft.) or where the frontage abuts a Class B District Road (District Roads 26, 27, 28, 30, and 47), the minimum required *lot frontage* shall be 135 m (443 ft.), with the exception of Lot 4, Concession 5 and 6, and Lot 12, Concession A, in the former Township of Watt.

3.7.2 Exemption to *Frontage* Requirement

a. A *hunt camp* may be *erected* on a *lot* in an Open Space (OS1, OS2) Zone, which does not front upon a year round maintained road or a *navigable waterway*.

b. Where there is an existing *residential dwelling* on a *lot*, which does not have *frontage* on a year round maintained road or a *navigable waterway*, *uses accessory* to the permitted *use* are permitted.

c. A *building* or *structure* which does not comply with Section 3.7.1 and existed on the

date this By-law was passed, which is a permitted *use*, and is located in a Community Zone, can be reconstructed or structurally *altered* despite the fact the *frontage* requirements are not met.

d. A *building* or *structure* which is located on a *lot* which does not comply to the *frontage* requirement and does not contain a *habitable room* can be e*rected*, used or *altered* in any Community zone despite the fact the *frontage* requirements are not met.

3.8 *FRONTAGE* ON AN *ORIGINAL SHORE ROAD ALLOWANCE*

Amended by By-law 2017-17

Where a *lot* is separated from a *navigable waterway* by only an *original shore road allowance* the *lot* shall be considered for the purpose of permitted land *uses* and required *setbacks* in this By-law as if it abuts the *navigable waterway*.

3.9 REDUCTION OF *LOT AREA*

Amended by By-law 2017-17

Where a *lot* is reduced in *lot area* by way of a lot addition consent under the *Planning Act* but the *lot frontage* is not changing and the *lot area* complies with the minimum *lot area* requirements under Section 3.4.1, relief from the minimum *lot frontage* and *lot area* requirements of this By-law are not required.

Where a *lot* zoned Waterfront Residential (WR4) is reduced in *lot frontage* and/or *lot area* by way of a lot addition consent under the Planning Act, and the retained *lot* exceeds the minimum *lot frontage* and *lot area* requirements of the applicable Waterfront Residential (WR1, WR5, or WR6) zones as defined in Sections 4.1.3.11 and 4.1.3.12 and a minimum *lot frontage* of 91.4 m (300 ft.) and minimum *lot area* of 0.8 ha. (2 ac.) on Lake Joseph, relief from the minimum *lot frontage* and *lot area* requirements of this By-law are not required.

3.10 GREATER RESTRICTION

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

3.11 *HEIGHT* EXCEPTIONS

No *height* provision in this By-law shall apply to prevent the *erection*, *alteration* or *use* of the following *accessory buildings* or *structures* provided that such *buildings* or *structures* are permitted within the zone in which it is located:

- church spire
- belfry
- clock tower
- chimney
- water tank
- windmill
- *residential* radio or TV tower or antenna
- air conditioner duct
- any *farm building* or *structure* including a barn
- cupola or other similar ornamental *structure* which contains no floor and is less than 9.3 m² (100 ft.²) in size

3.12 PROHIBITED HABITATION

No truck, bus, shipping container, coach, or other vehicle may be used for habitation or as a *dwelling unit* within the *Township*, whether or not the same is maintained on wheels.

3.13 *HOME BASED BUSINESS*

Home Based Business means a gainful occupation conducted in whole or in part in a *single detached dwelling unit* or an *accessory building* to a *single detached dwelling unit* by the residents of the *single detached dwelling unit* provided that:

Amended by By-law 2017-17

a. In the Waterfront and Community Zones, the *Home Based Business* includes only the following permitted *uses,* where in an *accessory structure;* professional/personal services; artisans/studios; day care; repair services (excluding vehicles, water crafts, heavy equipment, and aircraft repair).

b. there is no external advertising other than a sign of not more than 0.6 m² (6 ft.²) erected in accordance with any by-laws regulating signs;

c. there is no external storage of goods or materials;

d. such *Home Based Business* is clearly secondary and incidental to the main *residential* character of the *residential use*;

e. such *Home Based Business* does not interfere with radio or television reception;

f. not more than four *person*s, other than the residents of the *single detached dwelling unit* are employed;

g. the *floor area* of the accessory building does not exceed 23.2 m² (250 ft.²) for lots zoned Waterfront or Community.

h. when a *Home Based Business* is located in a *single detached dwelling unit* or an *attached garage*, it shall not exceed 25 percent of the *ground floor area* of the *single detached dwelling unit*, including an *attached garage* except in the case of a *bed and breakfast* where the

ground floor area of the *single detached dwelling unit* for the *home based business* is the *floor area* of the three bedrooms used for the *bed and breakfast*.

i. the sum of the *floor area* of the *accessory building* does not exceed the following areas dependant on *lot* area and provided the *lot* is zoned Rural:

Lot Area	*Maximum Accessory Building Size*
1 – 10 acres	1,000 ft²
10-50 acres	1,500 ft²
50 acres+	2,000 ft²

j. such *home based business* does not involve the repair, maintenance or storage of aircraft, motor vehicles, water craft, or heavy equipment; and

k. the *home based business* does not produce waste products, which are disposed of in a manner, which contravenes any Provincial environmental legislation or regulations.

3.14 *RIGHT-OF-WAY / LANE* AS A *YARD*

No *building* may be *erected* or used within 3 m (10 ft.) of a private *right-of-way* where such *right-of-way* does not form part of a *lot line*.

3.15 CHANGE IN *USE* OR LOCATION

No change in the *use* of any land, *building* or *structure* shall be permitted, unless such change in *use* complies with the permitted *uses* within the *zone* in which such land, *building*, or *structure* is located or unless such change has been approved through an amendment to this By-law and all loading and *parking spaces* are provided as required by this By-law for such different *uses*.

In all zones, any *building* or *structure* which is moved from one location to another, whether within the zone or from one zone to another, or from any location beyond the boundary of the *Township*, into any zone, shall be considered as being a new *building* or *structure* and shall comply with the provisions of this By-law.

3.16 ABANDONED EQUIPMENT AND MOTOR VEHICLES WITHOUT CURRENT LICENSE PLATES

Unless otherwise specifically permitted in this By-law, the parking, storing or locating of abandoned or discarded motor vehicles without current license plates is prohibited in all zones, except that:

a. vehicles may be stored inside a *private garage*;

b. one such vehicle may be stored in a screened space that is not visible from any *street* or adjacent *lot*; and

c. seasonal vehicles, necessary for lawn care and winter maintenance are permitted.

3.17 *AUTOMOBILE SERVICE STATIONS*

a. Despite the requirement of this By-law, a pump island shall not be located closer than 4.6 m (15 ft.) to the *lot line* of any existing or planned *street*.

b. No portion of any ingress or egress shall be located closer than 15.2 m (50 ft.) to the intersection of any two *streets*.

c. No portion of any ingress or egress *ramp* along any *lot line* shall be located closer than 3 m (10 ft.) to any *side lot line*.

d. The width of any egress or ingress *ramp* along any *lot line* shall not be more than 9.1 m (30 ft.) nor less than 7.6 m (25 ft.).

e. Except for the *ramp*s, an area not less than 1.5 m (5 ft.) in width along the f*ront lot line* shall be used for landscaping.

3.18 *LANDSCAPED BUFFERS*

Landscaped buffers, as required by this By-law, shall be provided, planted and maintained by the owner of the lot on which the buffers are required and located.

3.18.1 *Non-Conforming Uses*

Nothing in this By-law shall require the provision of a *landscaped buffer* for a *use*, which existed on the date this By-law was passed.

3.18.2 Addition

Where an addition to an existing *building* or *structure* occurs, the owner shall be responsible to provide, plant and maintain, the required *landscaped buffer* for the addition.

3.19 *DWELLING UNIT* IN A NON-*RESIDENTIAL BUILDING*

With the exception of an *automobile service station*, a *dwelling unit* or a *multiple dwelling unit* may be permitted, as specified in this By-law, within a non-*residential building*, provided that:

a. it complies with the requirements of Section 5.1.5 in the case of a *multiple dwelling*;

b. each *dwelling unit* shall have a separate washroom/bathroom and *kitchen* facility from those of the non-*residential use*;

c. each *dwelling unit* shall have separate *parking spaces* in accordance with the parking requirements of Section 3.28; and,

d. each *dwelling unit* shall have a separate *building* entrance than that to the non-*residential* portion.

3.20 REDUCTION OF REQUIREMENTS

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

3.21 *SIGHT TRIANGLE*

On a *corner lot*, no hedge, shrub or tree shall be planted, nor *building* or *structure erected* in a *sight triangle* where such would obstruct the vision of vehicular traffic or is over 1.0 m (3 ft.) in *height*.

3.22 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 any authorized by-law regulating signs.

3.23 *SETBACK* FROM *STREETS* , UNOPENED ROAD ALLOWANCES and *HIGH WATER MARK*

3.23.1 *Setbacks* from *Streets* and Unopened Road Allowances

Amended by By-law 2017-17

No *building* or *structure* including a *dock* and a *boathouse* shall be *erected*, or enlarged within 7.6 m (25 ft.) from a *lot line* abutting a *street* or unopened road allowance.

3.23.2 *Setbacks* on Provincial Highways and *District* Roads

Where a *building* or s*tructure* is located adjacent to a provincial highway or a *District* road, *setbacks* shall be provided and maintained in accordance with the requirements of the Ministry of Transportation or of the *District* where such requirements are in excess of those required by this By-law.

3.23.3 *Setbacks* from *High Water Mark*

Amended by By-laws 2017-17 & 2019-154

No *building* or s*tructure* shall be erected within 20.1 m (66 ft.) of the *high water mark* unless a specific exemption or provision is provided for a reduced setback from the *high water mark* in the provisons of the applicable zone. *Sport courts* and *recreational surfaces* shall not be located within 61 m (200 feet) of the *high water mark*.

3.24 *SETBACKS* FROM MUNICIPAL SEWAGE AND WATER FACILITIES

3.24.1 Development adjacent to municipal sanitary sewage disposal facilities including sewage lagoons shall be *setback* from the facilities as noted below:

a. 150 m (500 ft.) *setback* radius from a sanitary sewage disposal site (other than *residential uses*).
b. 200 m (660 ft.) *setback* radius from a sanitary sewage disposal site (*residential use*).
c. 400 m (1,310 ft.) *setback* radius from waste stabilization ponds (all *uses*).
d. 400 m (1,310 ft.) *setback* radius from hauled sewage lagoons (all *uses*).

For the purposes of determining the above, the *setback* shall be measured from the property line of the property where the municipal facilities are located to the *building* or *structure* being developed.

3.24.2 New industrial development within 1000 m (3,280 ft.) of a municipal water supply intake or municipal sanitary sewage outfall is not permitted.

3.25 *YARD* ENCROACHMENTS

Notwithstanding the *yard* and *setback* provisions of this By-law, the following shall apply:

a. chimneys, eaves, *bay windows*, pilasters, or other ornamental *structures* may project into any *required yard* a maximum distance of 1.2 m (4 ft.);

b. drop awnings, clothes poles, flagpoles, garden trellises, fences, retaining walls, similar *Accessory Uses* or signs *erected* in accordance with any authorized by-law regulating signs, are permitted in any *required yard*;

c. fire escapes and the structural members may project into a *required yard* a maximum distance of 1.2 m (4 ft.).

3.26 *RECREATIONAL VEHICLES*

3.26.1 Storage or Sale

A *recreational vehicle* may only be *erected* or placed in an area specifically zoned for such a *use*. This provision shall not apply where a maximum of one *recreational vehicle* is located on the said land solely for the purposes of sale or storage, complies with the *required yards* and is not occupied at any time.

3.26.2 *Temporary Use*

Despite Section 3.26.1 a *recreational vehicle* may be placed on *residential* zoned land for *temporary use* for storage purposes or for accommodation during development of the *lot* provided that the *recreational vehicle* is located on the same *lot* as the construction and in compliance with the *yard* requirements for the zone in which it is located and provided that the *recreational vehicle* is not located on the *lot* until a building permit for the said construction has been issued and the *recreational vehicle* is removed within sixty (60) days of the completion or discontinuance of construction or if a building permit is revoked.

3.27 *MOBILE HOMES* AND *MOBILE UNITS*

3.27.1 Permanent *uses*

No *person* shall *use* land for the purpose of *erecting* or placing thereon a *mobile home* or *mobile unit*.

3.27.2 *Temporary uses*

Despite Section 3.27.1 a *mobile unit*, may be placed on industrial or commercial zoned land for *temporary use* as an *Office* or for storage purposes during development of the *lot* provided that the *mobile unit* is located on the same *lot* as the construction and in compliance with the *yard* requirements for the zone in which it is located and provided that the *mobile unit* is not located on the *lot* until a building permit for the said construction has been issued and that the *mobile unit* is removed within sixty (60) days of the completion or discontinuance of construction.

Despite Section 3.27.1 a *mobile unit* may also be placed on land for temporary use as a sales office for the purpose of marketing development consisting of commercial units and/or a minimum of two or more *dwelling units* that are permitted by the zoning by-law and which have received site plan approval, provided that the *mobile unit* is located on the same lot and in compliance with the *yard* requirements for the zone in which it is located and that the *mobile unit* is removed within sixty (60) days of the completion or discontinuance of construction.

3.28 PARKING REQUIREMENTS

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

a. The owner of every *building* or s*tructure erected* or used for any of the following purposes hereinaft.er set forth shall provide and maintain for the sole *use* of the owner, occupant or other *person*s entering upon or making *use* of the said premises from time to time, *parking spaces* and areas as set out in the following Table 3.28.

Table 3.28
Parking Standards

USES	REQUIRED PARKING SPACES
Apartment Dwellings (i.e. triplex, fourplex)	1.75 spaces per dwelling unit, plus 1 visitor parking space per 2 dwelling units or part thereof.
Auditoriums, Theatres, Arenas, Convention Centres, Stadium, Clubs, Places of Amusement, Museum	1 space per 5 seats where there are fixed spaces, or 1 space per 9.3m² (100 ft.²) of gross floor area open to the public, whichever is the greater of the two.
Bed and Breakfast	1 space per dwelling unit, plus 1 space for each guest room.
Bowling alley or curling rink	1 space per each 4 persons of maximum design capacity of the establishment
Car Wash – Automatic	10 spaces in advance of and 3 spaces at the terminus
Car Wash – Self Serve	2 spaces per wash stall.
Drive-Thru, Accessory	For restaurants a stacking lane a minimum depth of 55 m (180.4 ft.) or that required to accommodate ten motor vehicles, whichever is greater. For all other uses, a stacking lane a minimum depth of 11 m (36 ft.) or that required to accommodate two motor vehicles, whichever is greater
Dwellings – detached, semi-detached, duplex, converted, townhouses	2 spaces per dwelling unit plus additional spaces as may be required for any home based business.
Dwelling (other than those listed herein)	2 spaces per dwelling unit
Financial Institution	1 space per 30m² (322.9ft.²) of gross floor area
Funeral Home	1 space per 5 seats with a minimum of 10 spaces, or 1 per 20m² (215.3 ft.²) of gross floor area, whichever is greater
Golf Course	2 spaces per golf green or 24 spaces per nine holes of golfing facilities, whichever is greater
Group Home	2 spaces per dwelling unit plus 1 space for every 2 bedrooms devoted to the Group Home
Home Based Business	2 spaces per dwelling unit plus 1 for each 24m² (258.3 ft.²) of floor space occupied by the home based business with a minimum of 2 spaces provided for the business.

Table 3.28 Parking Standards Continued	
USES	**REQUIRED PARKING SPACES**
Hospital, Institution	1 space per every 2 beds, or 40m² (430.5 ft.²) of gross floor area, whichever is the greater, plus 1 additional space for each resident doctor or resident employee.
Hotels and Motels	1 space per guest room or suite
Industrial	1 space for each 92.9 m² (1,000 ft.²) of total floor area at a minimum up to 1858 m² (20,000 ft.²) plus 1 space for every 464.5 m² (5,000 ft.²) of total floor area over 1858 m² (20,000 ft.²) including any basement area if used for industrial use.
Library	1 space per 40m² (430.5 ft.²) of gross floor area
Marina	1 space per 20m² (215.3 ft.²) of total retail floor area, plus 1 space for each boat slip provided
Motor Vehicle Repair Establishment / Service Station	3 spaces per repair bay, or in the case of a Service Station or Gas Bar 1 space per 20m² (215.3 ft.²) of gross floor area devoted to the convenience/retail use.
Motor Vehicle Sales and Service Establishment	1 space per 10m² (107.6 ft.²) of gross floor area and 3 spaces per repair bay.
Office, including government buildings	1 space per 30m² (322.9 ft.²) of gross floor area
Medical, Dental, or Drugless Practitioners office or clinic	5 spaces per for each practitioner
Place of Worship	1 space for every 5 persons of maximum design capacity
Recreational Uses (including outdoor uses such as driving ranges and miniature *golf course*s), Private Camps, Tent and Trailer Parks	1 space per 2 persons maximum design capacity, or for a miniature golf facility a minimum of 10 spaces plus 1 space for each tee on the driving range, or for Private Camps and Tent and Trailer Parks a minimum of 1 space per site and 0.5 spaces per site for visitor and staff parking
Restaurant (eat-in or take-out)	1 space per each 4 persons of maximum design capacity or 1 space per 20m² (215.3 ft.²) of gross floor area, whichever is the greater, plus 1 space for each 30 m² (322.9 ft.²) of space associated with a sundeck or patio used in conjunction.
Retail, Convenience Store, Service Shops	1 space per 20 m² (215.3 ft.²) of gross floor area with a minimum of 2 spaces provided
Retirement Home, Nursing Home, Home for the Aged	1 space per each 4 persons of maximum design capacity
Rooming House	1 space for each room for rent and 1.5 spaces for any dwelling unit on the property
Schools, Elementary	1.5 spaces per each teaching classroom
Schools, Secondary	4 spaces per each teaching classroom
Senior Citizens Apartment/Senior Citizen Home	1 space per dwelling unit plus one visitor parking space per 5 dwelling units or part thereof
Shopping Mall / Plaza	5 spaces per 100m² (1,076.3 ft.²) of leasable floor area
Social or Service Club	1 space per 20 m² (215.3 ft.²) of gross floor area of all habitable club buildings plus: 1 space per lawn bowling green; 4 spaces per tennis or racquet ball court

Table 3.28 Parking Standards Continued	
USES	**REQUIRED PARKING SPACES**
Sports Field, including Private Park, Recreational Establishment	1 space per 5 seats or 3.0 m (9.8 ft.) of bench space of maximum seating capacity, or 1 space per 800m² (8,611.1 ft.²) of gross field / floor area whichever is the greater of the two.
Tavern, Pub, Bar, Drinking Establishment	1 space per each 20m² (215.3 ft.²) of gross floor area, plus 1 space for each 30 m² (322.9 ft.²) of space associated with a sundeck or patio used in conjunction.
Tourist Resort	1 space for each accommodation unit or housekeeping unit, plus 1 space for each resident owner or live-in employee, plus 1 additional space for each 20 m² (215.3 ft.²) of restaurant or tavern floor space open to the public.
Wholesale, Warehousing and Storage	1 space per each 100m² (1,076.3 ft.²) of gross floor area up to 3,000m² (32,291.7 ft.²) and 1 space per each 200m² (2,152.8 ft.²) of gross floor area above 3,000m² (32,291.7 ft.²)
Uses permitted by this By-law other than those listed herein	1 space per 40m² (430.5 ft.²) of gross floor area

If the calculation of the required *parking spaces* results in a fraction greater than one-half, the required *parking spaces* shall be the next higher number.

Where any land or *building* accommodates more than one *use*, the total *parking space* requirement for such land or *building* shall be the aggregate sum of the requirements for each individual *use*.

b. Barrier Free Parking Requirements:

The owner or occupant of any *lot*, *building* or *structure erected* or used for any *use* accessible to the Public shall provide and maintain at the premises, on the *lot* occupied by the *building* or *structure* and not forming part of a *street* or *lane*, within the zone in which such *use* is located, the following spaces to accommodate barrier free access to the *building* or *structure* where a minimum of 5 *parking spaces* are required:

i. 1 *parking space* per 25 *parking spaces* required based on the *use* as described in Table 3.28; and

ii. 1 additional *parking space* per 25 or more *parking spaces* required based on Table 3.28.

Each *parking space* shall be a minimum of 4.6 m (15 ft.) in width and 6.0 m (20 ft.) in depth and shall be located in close proximity to the main entrance of the *building* or s*tructure* and accommodate access at ground level or through the *use* of a *ramp*.

c. *Parking Area* Requirements:

Parking Areas shall conform to the following requirements:

i) the *parking area* shall be located in the same zones as, and within 152.4 m (500 ft.) of the location it is intended to serve, except for water access properties, in which case the *parking space* may be more than 152.4 m (500 ft.) from the *use* and in a different zone;

ii) each perpendicular or angled *parking space* shall be at least 3.0 m (9.8 ft.) by 6.1 m (20 ft.); each parallel *parking space* shall be at least 2.7 m (8.8 ft.) by 6.7 m (21.9 ft.) and each *parking space* shall be provided with unobstructed access to a *street* by a driveway, aisle or *lane*; and,

iii) the *parking area* must be in the same ownership as the *lot* for which the *parking spaces* are required.

d. *Parking Area* Surface:

In a Zone which allows commercial, industrial or multiple *residential uses*, a *parking area* and driveway connecting the *parking area* with a *street* shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.

e. Ingress and Egress:

i. ingress and egress, to and from the required *parking spaces* and *areas* shall be provided by means of unobstructed driveways or passageways at least 6.1 m (20 ft.) but not more than 9.1 m (29.8 ft.) in perpendicular width except, in respect to parking, for a *residential use* located in a *structure* or *building* other than a *multiple dwelling*;

ii. the maximum width of any joint ingress and egress driveway *ramp* measured along the *street line* shall be 12.2 m (40 ft.);

ii. on a *Township* owned street every *lot* shall be limited to the following number of driveways:

a) up to the first 30.1 m (100 ft.)of *street* frontage – not more than 2 driveways; and,

b) for each additional 30.1 m (100 ft.) of *street frontage* – not more than 1 additional driveway.

f. Illumination:

Where *parking areas* are illuminated, lighting fixtures shall be so arranged that no part of any fixture shall be more than 9.1 m (30 ft.) above the finished grade of the *parking area*. Fixtures shall be so designed and installed that the light is directed downward and deflected away from adjacent *lots*, roads and *streets*.

g. Addition to *Building* or *Structure*:

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

Amended by By-law 2021-116

h. *Use* of *Parking Spaces* and *Areas*:

Any area allotted for off-street parking under this By-law shall be used for no other parking purpose than for the parking of operative passenger vehicles and vehicles used in operations incidental to the permitted *uses* on the *lot*, all bearing currently valid license plates. No *person* shall in any *Residential* Zone *use* any *lot* for the parking and

storage of any commercial motor vehicle in excess of a weight of 7,500 kg, except that one commercial motor vehicle and one (1) School bus may be parked on any *lot*.

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

i. *Parking Area* Location on *Lot*:

Despite the *yard* and *setback* provisions of this By-law, uncovered surface *parking areas* are permitted in the *required yards* or in the area between the road or *street line* and the required *setback* provided no part of any *parking area*, other than a driveway, is located closer than 0.9 m (3 ft.) to any *street line*. No *parking area* is to be located closer than 20.1 m (66 ft.) to the *high water mark*.

j. Boat Parking:

i. 33 percent of the required *parking spaces* may be provided for the parking of boats or similar vessels provided such *parking spaces* are adjacent to or on the *lot* requiring such *parking spaces*.

ii. Each *boat parking space* shall be 6.1 m (20 ft.) in length along a *dock*, *boathouse*, or mooring facility and 3 m (9.8 ft.) in width with an unobstructed means of accessing the *boat parking area*.

3.29 LOADING AREAS

a. Loading Space Requirements

The owner or occupant of any *lot*, *building* or *structure erected* or used for any purpose involving the receiving, shipping, loading or unloading of *person*s, animals, goods, wares, merchandise or raw materials, shall provide and maintain at the premises, on the *lot* occupied by the *building* or *structure* and not forming part of a *street* or *lane*, within the zone in which such *use* is located, the following loading spaces per Table 3.29, provided that adequate space shall be provided for the parking of vehicles awaiting access to loading spaces

TABLE 3.29 – Loading Space Requirements

Gross Floor Area	Number of Spaces
278.6 m² (2,999 ft.²) or less	0
278.7 m² (3,000 ft.²) up to 1000 m² (10,764 ft.²)	1 loading space
Over 1000 m² (10,764 ft.²)	2 loading spaces, plus a minimum of 1 loading space for each 1000 m² (10,764 ft.²) of additional floor area in excess of 1000 m² (10,764 ft.²)

b. Access

Access to loading or unloading spaces shall be by means of a driveway at least 6.1 m (20 ft.) wide contained within the *lot* on which the spaces are located within or adjoining the zone in which the *use* is located.

c. Loading Space Surface

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

d. Location

Amended by By-law 2017-17

The loading space or spaces required may be located in the *side* or *rear yard* only. No loading space or spaces shall be located closer than 20.1 m (66 ft.) from the *high water mark*.

e. Size of Loading Spaces

Any loading space shall have a minimum width of 4.6 m (15 ft.), a minimum length of 12.2 m (40 ft.), and a minimum vertical clearance of 4 m (13 ft.).

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

3.30 PROHIBITED *USES* IN ALL ZONES

Notwithstanding anything contained in this By-law, no land or building in any zone shall be used for any purpose, which from its nature or from the material used, is declared to be a health hazard under the Health Protection and Promotion Act without the consent of the local Medical Officer of Health as provided for in that Act.

3.31 PERMITTED *USES* IN ALL ZONES

Nothing in this By-law shall prevent the following:

a. The conducting of a temporary sales event including an outside garage sale or rummage sale, whether or not for profit, shall be permitted in all zones a maximum of four (4) days within a calendar year. All requirements of the current Ontario Building Code must be adhered to.

b. The conducting of an *occasional or special event*, whether or not for profit, and whether or not located in a *tent,* shall be permitted in all zones save and except that such an event may not occur on more than two (2) occasions in a calendar year and each event is not to exceed seven (7) consecutive calendar days. All requirements of the current Ontario Building Code must be adhered to.

Compliance with the Tree Preservation (2008-55) and Site Alteration (2008-56) By-laws, as amended, shall be required, and tree removal and/or site alteration shall not be permitted whether or not a Building Permit has been issued.

3.32 MORE THAN ONE ZONE ON A LOT

When a *lot* is designated as being in more than one zone, each part of the *lot* shall be used in accordance with the zone regulations applicable to the zone designation for that part.

3.33 ONE *DWELLING* / ONE *LOT*

Except as otherwise specifically permitted in this By-law, where a *dwelling unit* is a permitted *use*, only one *dwelling* is permitted on a *lot*.

3.34 MAXIMUM *HABITABLE FLOOR AREA* FOR A *DWELLING* AND MINIMUM *GROSS FLOOR AREA* FOR A *DWELLING*

Amended by By-law 2021-116

The maximum *habitable floor area* for a *dwelling* is 696.8 m² (7500 ft.²) and the minimum *gross floor area* for a *dwelling* is 23.3 m^2 (250 ft^2).

3.35 BUILDABLE AREA

No *building* or *structure* may be *erected* on a *lot*, which does not have an area suitable for the *erection* of proposed *buildings* and *structures* and the installation of any required sewage disposal facilities, a minimum of 1.0 vertical metre (3.3 ft.) above the *high water mark*.

3.36 *GROUP HOMES*

A *group home* is a permitted *use* in any zone in which a *single detached dwelling unit* is a permitted *use* provided that the *group home* is located a minimum of 304.8 m (1,000 ft.) from any other *group home*.

3.37 CALCULATING *GROSS FLOOR AREA*

In calculating the *gross floor area*, the full *floor area* of every *building* located on the zone boundary between a Waterfront Commercial Zone and a Backlot Commercial Zone is included in the *gross floor area* of the Waterfront Commercial Zone and is not included in the Backlot Commercial Zone.

3.38 COMMERCIAL OPERATIONS ON MORE THAN ONE *LOT*

Where a Waterfront Commercial Establishment, *Tourist Resort, Hotel*, *Motel, Tent and Trailer Park* or *Private Camp* consists of two or more parcels or property or *lots* with common administration and with common ownership or condominium ownership, and separated by a Road Allowance, the entire Waterfront Commercial Establishment, *Tourist Resort*, *Hotel*, *Motel*, *Tent and Trailer Park* or *Private Camp* will be considered as one *lot* for the purposes of:

a. Calculating *gross floor area;*

b. Determining *lot frontage* and *lot area* (and any other requirements based on these) but not for the purpose of the minimum *yard* requirements for each constituent parcel or *lot*. Section 3.40 does not apply.

c. The provision of on-site management.

3.39 EXEMPTIONS TO THE BY-LAW

Amended by By-law 2017-17

Despite the provisions of Section 1.5 where a *use, building* or *structure* has been authorized by a By-law passed or a Minor Variance granted after January 1, 1985, the *use*, *building* or *structure* and all other specific requirements imposed by the By-law or Minor Variance continue to be permitted and imposed by this By-law except where a time limitation has been imposed as part of a Minor Variance decision and that date has passed. All other applicable zone provisions are those required by this By-law. Where there is a conflict between provisions of this By-law and

the specific provisions so passed or granted, the specific provisions passed or granted prevail.

3.40 *LOTS* OF TWO OR MORE LAND PARCELS

Where a *lot* consists of two or more parcels of land the Zone Requirements apply to each parcel as if each is a separate *lot* for the purpose of erecting *buildings* and *structures* on that parcel except that the *lot area* requirements apply to the sum of the areas of all of the parcels in the *lot*.

3.41 SERVICES IN RESORT VILLAGE OF MINETT

At which time water and/or sewer services are available in the Resort Village Designation of Minett as confirmed by the District of Muskoka, connection to services is required prior to any development. Development shall only be permitted on private services on lots where confirmation has been received from the District of Muskoka that services are not available.

3.42 SERVICES IN COMMUNITIES

Development is permitted on private services in the serviced Urban Centres of Bala and Port Carling only on lots where confirmation has been received from the District of Muskoka that services are not available.

3.43 LANDS ADJACENT TO LAND ZONED RURAL INDUSTRIAL (RuM3) AND LANDFILL SITES

For lands adjacent to lands Zoned Rural Extractive (RuM3), the minimum *setback* from such lands is 30.1 m (100 ft.).

For lands adjacent to an active landfill site, new land *uses* shall be *setback* a minimum of 500 m (1,640 ft.) from the *lot line* abutting the landfill. For lands adjacent to an inactive/closed landfill site, new land *uses* shall be *setback* a minimum of 500 m (1,640 ft.) from the waste footprint.

3.44 ILLEGAL *STRUCTURES* CONSTRUCTED PRIOR TO PASSAGE OF BY-LAW

Any *building* or *structure* constructed prior to October 11, 1988, is deemed to be permitted except when:

a. there is more than one *residential dwelling unit* on the *lot*; or,

b. there is more than one *sleeping cabin* on the *lot*.

All such *buildings* or *structures* must comply with the zone requirements in which it is located. Where the *building* or *structure* does not comply with the by-law requirement it shall be deemed legal *non-complying.*

3.45 MAXIMUM TWO HABITABLE BUILDINGS PER LOT

Amended by By-law 2017-17

Where the by-law permits a *dwelling unit* and a *sleeping cabin*, these shall constitute the only *buildings* with a *habitable room* permitted on the *lot*, excluding a *Home Based Business* building where permitted. An *accessory structure* containing a *habitable room* is deemed to be a *sleeping cabin*.

3.46 SEWAGE DISPOSAL SYSTEMS

Amended by By-law 2015-77

On lots abutting or adjacent to the high water mark or an original shore road allowance, no part of any septic system leaching bed distribution pipe shall be located within 30 metres (100 feet) of the high water mark. Notwithstanding the 30 m (100 ft.) setback, the replacement and/or enlargement of an existing septic system leaching bed distribution pipe can be located at its existing setback from the high water mark, or a minimum of 15 m (50 ft.) from the high water mark, whichever is greater. Setbacks for septic system leaching bed distribution pipes shall not be required from any other lot lines other than those required by the Ontario Building Code. Sections 4.1.3.5 and 5.1.4.4 of this By-law shall not apply to septic system leaching bed distribution pipes.

4.0 WATERFRONT ZONES

4.1 WATERFRONT *RESIDENTIAL* ZONES

Amended by By-law 2017-17

4.1.1 Permitted *Uses*

No *person* shall within any Waterfront *Residential* Zone *use* any land or *erect*, locate, *alter* or *use* any *building* or *structure* for any *use* except in accordance with the following applicable zones noted below in Table 4.1.1:

X *indicates the uses permitted in the particular zone*

TABLE 4.1.1 – WATERFRONT RESIDENTIAL ZONES, PERMITTED MAIN USES	
PERMITTED USES	**WATERFRONT RESIDENTIAL**
RESIDENTIAL	**X**

4.1.2 Permitted Accessory Uses

Amended by By-law 2017-17

No *person* shall, in any Waterfront *Residential* Zone, construct an *Accessory Use* on any property unless a main use / permitted use has been established on the property and in accordance with the following applicable zones in Table 4.1.2:

X *indicates the uses permitted in the particular zone*

Amended by By-law 2017-17

TABLE 4.1.2 – WATERFRONT RESIDENTIAL ZONES, PERMITTED ACCESORY USES	
PERMITTED ACCESSORY USES	**WATERFRONT RESIDENTIAL**
BED AND BREAKFAST	**X**
HOME BASED BUSINESS	**X**
SLEEPING CABIN	**X**
ACCESSORY USES	**X**

4.1.3 Zone Requirements

No *person* shall within any Waterfront *Residential* Zone *use* any *lot*, or *erect*, locate, *alter* or *use* any *building* or *structure* except in accordance with the following requirements of the applicable zone as noted on the following page in Table 4.1.3:

TABLE 4.1.3 – WATERFRONT RESIDENTIAL ZONE PROVISIONS

LOT REQUIREMENTS	ZONES (2) (10) (13)							
	WATERFRONT NO CONSTRAINTS	BACKLOT	WATER ACCESS	HIGHLY SENSITIVE OR OVER THRESHOLD LAKES	STEEP SLOPES AND/OR NARROW WATERBODY		LAKE TROUT LAKES	REMOTE LAKES
	WR1	WR2	WR3	WR4	WR5 (11)	WR6 (12)	WR7	WR8
Minimum Lot Frontage (4)	61m (200 ft.)	201.2 m (660 ft.)	91.4 m (300 ft.)	--- (1)	91.4 m (300 ft.)	122.0 m (400 ft.)	--- (1)	91.4 m (300 ft.)
Minimum Lot Area (4)	0.4 ha. (1 ac)	2.0 ha. (5 ac.)	0.8 ha. (2 ac.)	--- (1)	0.6 ha. (1.5 ac.) (14)	0.8 ha. (2 ac.)	--- (1)	0.8 ha. (2 ac.)
Maximum Lot Coverage	(6)(7)	5.0%	(6) (7)	(6) (7)	(6) (7)	(6) (7)	(6) (7)	(6) (7)
Minimum Front Yard Setback (5)	20.1 m (66 ft.)	20.1m (66 ft.)	20.1 m (66 ft.)	20.1 m (66 ft.)	20.1 m (66 ft.)	20.1 m (66 ft.)	30.5 m (100 ft.)	20.1 m (66 ft.)
Minimum Interior Side Yard Setback (16)	4.6 m (15 ft.)	4.6 m (15 ft.)	4.6 m (15 ft.)	4.6 m (15 ft.)	4.6 m (15 ft.)	4.6 m (15 ft.)	4.6 m (15 ft.)	4.6 m (15 ft.)
Minimum Exterior Side Yard Setback (16)	9.1 m (30 ft.)	9.1 m (30 ft.)	9.1 m (30 ft.)	9.1 m (30 ft.)	9.1 m (30 ft.)	9.1 m (30 ft.)	9.1 m (30 ft.)	9.1 m (30 ft.)
Minimum Rear Yard Setback (16)	4.6 m (15 ft.)	4.6 m (15 ft.)	4.6 m (15 ft.)	4.6 m (15 ft.)	4.6 m (15 ft.)	4.6 m (15 ft.)	4.6 m (15 ft.)	4.6 m (15 ft.)
Maximum Height (5)(9)	10.7 m (35 ft.)	10.7 m (35 ft.)	10.7 m (35 ft.)	10.7 m (35 ft.)	10.7 m (35 ft.)	10.7 m (35 ft.)	10.7 m (35 ft.)	9.1 m (30 ft.) (8)
Maximum Height – Accessory Bldg (5)(15)	7.7 m (25 ft.)	7.7 m (25 ft.)	7.7 m (25 ft.)	7.7 m (25 ft.)	7.7 m (25 ft.)	7.7 m (25 ft.)	7.7 m (25 ft.)	7.7 m (25 ft.)

(1) See 4.1.3.1
(2) See 4.1.3.2
(3) See 4.1.3.3
(4) See 4.1.3.4
(5) See 4.1.3.5
(6) See 4.1.3.6
(7) See 4.1.3.7
(8) See 4.1.3.8
(9) See 4.1.3.9
(10) See 4.1.3.10
(11) See 4.1.3.11
(12) See 4.1.3.12
(13) See 4.1.3.13
(14) See 4.1.3.14
(15) See 4.1.4
(16) See 3.23

Amended by By-law 2021-116

4.1.3 WATERFRONT *RESIDENTIAL* ZONE PROVISIONS

Amended by By-law 2017-17

4.1.3.1 The minimum *lot frontage* and *lot area* requirements of a *lot* in the Waterfront *Residential* (WR4) or Waterfront *Residential* (WR7) zones are the dimensions of that *lot* existing on the date this By-law was passed unless in accordance with Section 3.9. No new *structure* or *building* may be constructed on a *lot* unless the *lot* complies with the appropriate section of the existing *Lot* of Record provision.

4.1.3.2 The inclusion of a "-7" suffix to a zone symbol indicates that the Ministry of Natural Resources has identified a concern for habitat significant to wildlife populations. All such lands will be subject to site plan control.

4.1.3.3 In relation to all Waterfront *Residential* zones minimum *lot frontage* refers only to the least *lot frontage* that may be approved for new *lots* and is not a predetermination of what *lot frontages* will be approved. Minimum *lot frontages* applicable to Waterfront *Residential* zones do not take into account site-specific concerns of the Ministry of Natural Resources, other interested agencies, or as a result of site-specific technical studies. Such concerns will be addressed in the *lot* creation process and *lots* with greater standards may be required for approval.

4.1.3.4 Where a *lot* has a lesser *lot frontage* or *lot area* than is required, it may be deemed to conform. (Reference the *lot* of Record Provision, Section 3.4).

4.1.3.5 *Buildings* and *Structures*

Amended by By-law 2017-17

The *front yard setback* for each *building* and *structure*, on a *lot*, which are considered legal *non-complying* due to an encroachment into the required 20.1 or 30.5 m (65.9 or 98.7 ft.) *front yard setback*, shall be the *setback* which existed on that date, or a minimum of 15.2 m (50 ft.) from the *high water mark*, or from the *front lot line,* whichever is greater.

Notwithstanding the above, for those *buildings* and *structures* with an existing legal *non-complying front yard setback* less than 15.2 m (50 ft.), they may be enlarged, extended, *reconstructed* or otherwise structurally *altered* at their existing *front yard setback* or a minimum of 10.6 m (35 ft.), whichever is greater, provided the following is complied with;

The resultant *ground floor area* located within 15.2 m (50 ft.) of the *high water mark* shall not exceed 120% of the *ground floor area* of the existing *building* or *structure,* and the resultant *height* shall not exceed 120% of the *height* of the existing *building* or *structure*, both as of the date of passage of this by-law.

Notwithstanding the above, no *height* shall exceed that permitted in the zone requirements for that type of *building* or *structure*.

For the purpose of determining the existing *front yard setback*, it shall be calculated based on the *setback* for each type of *building* or *structure,* with the exception of a *dwelling unit,* which a portion of can be replaced by a *sundeck*.

Sundecks

In the case of a *sundeck*, which existed prior to the passing of this By-law, which is considered legal *non-complying* due to an encroachment into the required 15.2 m (50 ft.) *front yard setback*, the *front yard setback* for that *sundeck* shall be the *setback* which existed on that date or a minimum of 12.2 m (40 ft.) from the *high water mark* or from the front *lot line*, whichever is greater.

Notwithstanding the above, for a *sundeck* with an existing legal *non-complying front yard setback* less than 12.2 m (40 ft.), it may be enlarged, extended, *reconstructed* or otherwise structurally *altered* at its existing *front yard setback* or a minimum of 7.6 m (25 ft.), from the *high water mark*, whichever is greater, provided the following is complied with;

The resultant increase in size of the *sundeck* located within 12.2 m (40 ft.) of the *high water mark* or *front lot line*, does not exceed 120% of the area of the existing *sundeck,* as of the date of passage of this by-law.

4.1.3.6 For *lots* with *lot frontage* on lakes and rivers classified on Table '1' to this by-law, the following maximum *lot coverage* shall apply:

Category 1:	10%	Category 3:	5%
Category 2:	8%	Category 4:	8%

4.1.3.7 For all *buildings* and *structures* constructed or *erected* within 61 m (200 ft.) of the *high water mark* abutting the *lot*, *lot coverage* shall be based on that portion of the *lot area* within 61 m (200 ft.) of the *high water mark*, abutting the *lot*.

In the case of a *lot* abutting an *original shore road allowance*, which in turn abuts a *high water mark*, *lot coverage* shall be based on that portion of the *lot area* and the area of the *original shore road allowance* within 61 m (200 ft.) of the *high water mark* abutting the *original shore road allowance* within the projection of the *side lot lines***.**

For all *buildings* and *structures* constructed or *erected* on the *lot* beyond 61 m (200 ft.) of the *high water mark* abutting the *lot*, *lot coverage* shall be based on the total *lot area*.

4.1.3.8 For *lots* with *lot frontage* on a Category 3 Lake, the maximum *height* shall be 9.1 m (30 ft.).

4.1.3.9 A screened *porch* or *veranda* or a *habitable room* in or on an *attached garage* is deemed to be part of the *main building* (*dwelling*) for the purpose of determining *height*.

Amended by By-law 2019-154

4.1.3.10 *Small lots* in Waterfront Zones are defined as an individual property or island that has less than 61 m (200 ft.) of *lot frontage* and 0.4 hectares (1 acre) in *lot area***.** *Sport courts and recreational surfaces* shall not be permitted on *small lots*.

4.1.3.11 Applicable to lands with slopes >40% and <60% and/or a narrow waterbody 76.2 m (250 ft.) to 152.4 m (500 ft.) across measured from shoreline to shoreline.

4.1.3.12 Applicable to lands with slopes >60% and/or where a narrow waterbody is <76.2 m (250 ft.) across measured from shoreline to shoreline.

Amended by By-law 2017-17

4.1.3.13 The inclusion of a "-R" suffix to a zone symbol indicates that different standards apply in each Zone for shoreline structures in accordance with Section 4.1.7.19.

Amended by By-law 2017-17

4.1.3.14 Where a *lot* is zoned Waterfront Residential (WR5) and is accessible by water only, the minimum *lot area* requirement shall be 0.8 ha. (2 ac.).

Amended by By-law 2015-77

4.1.4 FRONT *YARD SETBACK* EXEMPTIONS

The following *buildings* and *structures* are exempt from the *front yard setback* requirements:

i. Stairs, *ramps* and *landings* which do not exceed 1.8 m (6 ft.) in width and where *landings* do not exceed a maximum area of 4.6 m² (50 ft.²).

Amended by By-law 2017-17

ii. No more than two (2) of a *pumphouse,* sauna or *gazebo*, of which the maximum *pumphouse floor area* shall be 4.6 m² (50 ft.²), maximum sauna *floor area* 9.3 m² (100 ft.²), and maximum *gazebo floor area* 18.6 m² (200 ft.²). Each *structure* shall not exceed a *height* of 4.6 m (15 ft.) and each shall have a minimum separation distance from the other of 4.6 m (15 ft.). A pumphouse and sauna shall have a minimum *setback* of 4.6 m (15 ft.) from the *high water mark*. A *gazebo* shall have a minimum *setback* of 1.0 m (3 ft.) from the *high water mark*.

iii. *Inclinator*.

iv. *Sundecks*, but must have a minimum *setback* of 15.2 m (50 ft.) from the *high water mark*.

4.1.5 MAIN USE

The *main building* permitted as a *residential use* in this section shall be limited to one (1) *dwelling unit* per *lot*.

4.1.6 *SLEEPING CABINS*

i. only one (1) *sleeping cabin* is permitted per each *residential lot*;

ii. the maximum *floor area* is 60.4 m² (650 ft.²);

iii. where two (2) or more *dwelling units* exist on a *lot*, a *sleeping cabin* is not permitted;

iv. a *basement* used solely for the purposes of storage shall not have access from the interior of the building;

v. A *gazebo* exceeding 18.6 m² (200 ft.²) in *floor area*, which is screened or glassed, shall be considered to be a *sleeping cabin*.

vi. where a *habitable room* is located in an *attached garage* which is attached by means of a walkway, breezeway or other such passage, the maximum *height* shall be 10.7 m (35 ft.) and the maximum *floor area* of all such *habitable rooms* shall be 60.4 m² (650 ft.²).

4.1.7 ACCESSORY *STRUCTURES* OVER WATER

A *dock*, *sun shelter*, *boathouse*, or *boatport* may be located in a Waterbody Open Space Zone (WOS) where it abuts a Waterfront *Residential* Zone or in a Waterfront *Residential* Zone provided it is an *accessory structure* to the main permitted *use* in the Waterfront *Residential* zone and is subject to the provisions in table 4.1.7 and footnotes on the following pages:

TABLE 4.1.7

ACCESSORY *STRUCTURES* OVER WATER (Up to < 61 m (200 ft.) and 61 m (200 ft.) to < 91.4 m (300 ft.) (REFER TO TABLE 1)

Lot Frontage	**Up to < 61 m (200 ft.)**				**61 m (200 ft.) to < 91.4 m (300 ft.)**			
Lake Classes	Category 1	Category 2	Category 3	Category 4	Category 1	Category 2	Category 3	Category 4
DOCKS (2)(3)(17)(18)(19)								
Maximum Length	20.1 m (66 ft.)	20.1 m (66 ft.)	20.1 m (66 ft.)	20.1 m (66 ft.)	20.1 m (66 ft.)	20.1 m (66 ft.)	20.1 m (66 ft.)	20.1 m (66 ft.)
Maximum Cumulative Width (12)	25%	15%	5%	15%	25%	15%	5%	15%
Minimum Sideyard Setbacks (1)(11)(14)	9.1 m (30 ft.)	9.1 m (30 ft.)	9.1 m (30 ft.)	9.1 m (30 ft.)	9.1 m (30 ft.)	9.1 m (30 ft.)	9.1 m (30 ft.)	9.1 m (30 ft.)
BOATHOUSES (2)(5)(6)(8)(9)(10)(13)(15)(16)(17)(18)(19)								
Maximum Length	15.2 m (50 ft.)	15.2 m (50 ft.)	–	15.2 m (50 ft.)	15.2 m (50 ft.)	15.2 m (50 ft.)	–	15.2 m (50 ft.)
Maximum Cumulative Width (12)	16%	12%	–	12%	16%	12%	–	12%
Habitable Floor Area	No	No	–	No	No	No	–	No
Maximum Size Second Storey (7)	–	–	–	–	–	–	–	–
Location of Second Storey	–	–	–	–	–	–	–	–
Maximum Height	4.9 m (16 feet) (with no floor)	4.9 m (16 feet) (with no floor)	–	4.9 m (16 feet) (with no floor)	4.9 m (16 feet) (with no floor)	4.9 m (16 feet) (with no floor)	–	4.9 m (16 feet) (with no floor)
Minimum Side Yard Setbacks (Boathouse) (1)(4)(8)(11)(14)								
1 Storey (8)(11)	9.1 m (30 feet)	9.1 m (30 feet)	-	9.1 m (30 feet)	9.1 m (30 feet)	9.1 m (30 feet)	-	9.1 m (30 feet)
2 Storey and/or where roof is sundeck (8)(11)	13.7m (45 ft.)	13.7m (45 ft.)	-	13.7m (45 ft.)	13.7m (45 ft.)	13.7m (45 ft.)	-	13.7m (45 ft.)

TABLE 4.1.7								
	ACCESSORY *STRUCTURES* OVER WATER 91.4 m (300 ft.) to < 122 m (400 ft.) and 122 m (400 ft. or over)							
Lot Frontage	**91.4 (300 ft.) to <122 m (400 ft.)**				**122 m (400 ft.) or over**			
Lake Classes	Category 1	Category 2	Category 3	Category 4	Category 1	Category 2	Category 3	Category 4
DOCKS (2)(3)(17)(18)(19)								
Maximum Length	20.1 m (66 ft.)	20.1 m (66 ft.)	20.1 m (66 ft.)	20.1 m (66 ft.)	20.1 m (66 ft.)	20.1 m (66 ft.)	20.1 m (66 ft.)	20.1 m (66 ft.)
Maximum Cumulative Width (12)	22.9 m (75 ft.)	15% up to 15.2 m (50 ft.)	5%	15% up to 15.2 m (50 ft.)	22.9 m (75 ft.)	15.2 m (50 ft.)	6.1 m (20 ft.)	15.2 m (50 ft.)
Minimum Sideyard Setbacks (1)(11)(14)	9.1 m (30 ft.)	9.1 m (30 ft.)	9.1 m (30 ft.)	9.1 m (30 ft.)	9.1 m (30 ft.)	9.1 m (30 ft.)	9.1 m (30 ft.)	9.1 m (30 ft.)
BOATHOUSES (2)(5)(6)(8)(9)(10)(13)(15)(16)(17)(18)(19)								
Maximum Length	15.2 m (50 ft.)	15.2 m (50 ft.)	–	15.2 m (50 ft.)	15.2 m (50 ft.)	15.2 m (50 ft.)	–	15.2 m (50 ft.)
Maximum Cumulative Width (12)	16% for first storeys/ 13% for second storeys	12%	–	12%	16% up to 22.9 m (75 ft.) for first storeys/ 13% up to 22.9 m (75 ft.)for second storeys	12% up to 15.2 m (50 ft.)	–	12% up to 15.2 m (50 ft.)
Habitable Floor Area	Yes	No	–	No	Yes	No	–	No
Maximum Size Second Storey (7)	60.4 m^2 (650 $ft.^2$) (7)	–	–	–	60.4 m^2 (650 $ft.^2$) habitable floor area and covered *area* up to max 23.2 m^2 (250 $ft.^2$) (7)	–	–	–
Location of Second Storey	Max 10.7 m (35 ft.) from high water mark	–	–	–	–	–	–	–
Maximum Height	7.6 m (25 ft.)	4.9 m (16 ft.) (with no floor)	–	4.9 m (16 ft.) (with no floor)	7.6 m (25 ft.)	4.9 m (16 ft.) (with no floor)	–	4.9 m (16 ft.) (with no floor)
Minimum Side Yard Setbacks (Boathouse) (1)(4)(8)(11)(14)								
1 Storey (8)(11)	9.1 m (30 ft.)	9.1 m (30 ft.)	-	9.1 m (30 ft.)	9.1 m (30 ft.)	9.1 m (30 ft.)	-	9.1 m (30 ft.)
2 Storey and/or where roof is sundeck (8)(11)	13.7 m (45 ft.)	13.7 m (45 ft.)	-	13.7 m (45 ft.)	13.7 m (45 ft.)	13.7 m (45 ft.)	-	13.7 m (45 ft.)

*See referenced provisions on the following page.

(1) See 4.1.7.1
(2) See 4.1.7.2
(3) See 4.1.7.3
(4) See 4.1.7.4
(5) See 4.1.7.5
(6) See 4.1.7.6
(7) See 4.1.7.7
(8) See 4.1.7.8
(9) See 4.1.7.9
(10) See 4.1.7.10
(11) See 4.1.7.11
(12) See 4.1.7.12
(13) See 4.1.7.13
(14) See 4.1.7.14
(15) See 4.1.7.15
(16) See 4.1.7.16
(17) See 4.1.7.17
(18) See 4.1.7.18

ACCESSORY *STRUCTURES* OVER WATER PROVISIONS

4.1.7.1 No part of any *dock* or *boathouse* shall be *erected* within the *side yard* distance indicated in the table from the *side lot line* and *rear lot line* and any 30.5 m (100 ft.) *straight line projection* thereof from the *high water mark***.**

4.1.7.2 A *dock* is permitted to extend from or to be located in the *front yard* of a *lot*. Any portion of the *dock* structure extending onto the land above the *high water mark* is deemed to be a *sundeck* and is permitted to extend into the *front yard* of a *lot* a maximum of 3.1 m (10 ft.) and only directly behind the envelope described in Section 4.1.7.3.

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4.1.7.3 A *dock* shall only be constructed within one or more building envelope(s) to be bounded as follows:

- firstly, a line drawn in the *navigable waterway* 20.1 m (66 ft.) from the *high water mark* abutting the *lot*;
- secondly, by two parallel lines, one being perpendicular to the *high water mark*, which are no farther apart than the permitted maximum *cumulative width* whichever is lesser,
- thirdly, by the *high water mark* abutting the *lot***.**

4.1.7.4 For the purpose of this By-law a *boathouse* which has a second *storey*, or any part thereof, shall be deemed to be a two *storey boathouse* and no part of the two *storey* portion of the *boathouse* shall be erected within 13.7 m (45 ft.) of the *side lot line* and *rear lot line* and any 30.5 m (100 ft.) *straight line projection* thereof.

4.1.7.5 A *boathouse* in a Waterbody Open Space zone (WOS) is permitted to extend into the *front yard* of a *lot* a maximum of 3.1 m (10 ft.) provided it is not connected to a *dwelling*.

4.1.7.6 A *boathouse* shall not contain a *dwelling unit***.**

4.1.7.7 For *lots* with 91.4 m (300 ft.) of *lot frontage* to less than 122 m (400 ft.) of *lot frontage* the maximum size of all second *storeys* of a *boathouse* is 60.4 m² (650 ft.²) which can be *habitable floor area*, *covered area*, or any combination thereof.

For *lots* with 122 m (400 ft.) or more of *lot frontage*, the maximum size of all second *storeys* of a *boathouse* is 60.4 m² (650 ft.²) which can be *habitable floor area*, *covered area*, or any combination thereof plus a maximum of 23.2 m² (250 ft.²) of *covered area*.

4.1.7.8 Any part of a *boathouse* which exceeds 4.9 m (16 ft.) in *height*, or where the roof is capable of being used as a *sundeck*, shall be a minimum of 13.7 m (45 ft.) from the *side lot line* and *rear lot line* and any 30.5 m (100 ft.) *straight line projection* thereof.

A *sundeck* or balcony in conjunction with the second *storey* of a *boathouse* is permitted as part of the *boathouse*.

Amended by By-law 2017-17

4.1.7.9 A *boathouse* shall only be constructed within one or more building envelopes to be bounded as follows:

- firstly a line drawn in the *navigable waterway* 15.2 m (50 ft.) from the *high water mark* abutting the *lot*;
- secondly by two parallel lines, one being perpendicular to the *high water mark* which are no farther apart than the permitted maximum *cumulative width*, whichever is lesser; and,
- thirdly, by the *high water mark* abutting the *lot*.

4.1.7.10 The minimum *lot frontage* required for a two *storey boathouse* is 91.4 m (300 ft.). Two *storey boathouses* are only permitted on Category 1 (Large) Lakes.

4.1.7.11 The *side yard setback* for *docks* and *boathouses* which existed prior to January 3, 2005, which are considered legal *non-complying* due to an encroachment into the minimum *side yard setbacks* shall be the greater of:

a. the *setback* existing on that date or,

b. a minimum of 4.6 m (15 ft.) for a *dock* or *boathouse* less than 4.9 m (16 ft.) in *height* or,

c. a minimum of 9.1 m (30 ft.) for a two *storey boathouse* or a *boathouse* with a roof capable of being used as a *sundeck*.

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4.1.7.12 *Cumulative width* of *docks* and *boathouses*

a. the total *cumulative width* on a *lot* shall not exceed the limits in Table 4.1.7 or 22.9 m (75 ft.), whichever is lesser; and,

b. when a lot abuts a navigable waterbody and/or Original Shore Road Allowance in more than one location the maximum permitted *cumulative width* shall be the maximum permitted in Table 4.1.7 or 22.9 m (75 ft.), whichever is lesser. The *cumulative width* for each separate *frontage* on the *lot* shall not exceed the requirements of Table 4.1.7 for each *frontage*.

c. the maximum *cumulative width* of a two *storey boathouse* refers to the second *storey* or portion exceeding 4.9 m (16 ft.) in *height* only. The maximum *cumulative width* is 16% for the lower *storey* and 13% for the upper *storey* and where so limited each to a maximum of 22.9 m (75 ft.).

4.1.7.13 All provisions in this by-law related to *boathouses* also apply to *boatports*.

4.1.7.14 For the purpose of measuring the *sideyard setback* from the 30.5 m (100 ft.) *straight line projection*, it shall be the required minimum distance measured perpendicular to the projected line.

4.1.7.15 *Structures* and *alterations* on the second *storey* of a two *storey boathouse*, where permitted, are limited to a *sleeping cabin*, *covered area* and *sundeck* (with no structure above).

4.1.7.16 The *use* of the first *storey* of any *boathouse* is limited to:

a. The berthing and sheltering of boats or other marine related equipment;

b. A washroom, utility room for electrical panels, water supply equipment, plumbing related to sewage disposal, or other similar purpose, and sauna, which do not cumulatively exceed 9.3 m² (100 ft²) in *floor area;* and,

c. The washroom, sauna and utility room noted above are the only permitted separate rooms in the first *storey* of a *boathouse*.

4.1.7.17 A hot tub shall not be permitted on a *dock* or *boathouse*.

4.1.7.18 In the case of a *sun shelter;*

Amended by By-law 2017-17

a. A *sun shelter* shall not contain *habitable floor area* or be screened or glassed or otherwise enclosed on any side;

b. The maximum permitted *gross floor area* shall be 18.6 m² (200 ft.²);

c. The *sun shelter* shall not exceed a *height* of 4.6 m (15 ft.);

d. No part of any *sun shelter* shall extend beyond 10.7 m (35 ft.) from the *high water mark*;

e. A *sun shelter* shall not be permitted on a Category 3 lake; and

f. A *sun shelter* shall comply with all other provisions regulating a *boathouse*.

4.1.7.19 For those portions of land fronting onto a *restricted waterbody* and zoned with a "-R" suffix to the zone symbol, a *dock, boathouse, boatport,* or *sun shelter* may be located in the abutting Waterbody Open Space (WOS) zone and subject to the following additional provisions:

a. The maximum length of a *dock,* measured from the *high water mark*, is the lesser of 12.2 m (40 ft.) or 25% of the distance from shoreline to opposite shoreline as established by the Schedules to By-law 2014-14, measured from the subject *dock* to the closest shoreline of another *lot* opposite the subject *dock*;

b. The maximum length of a *boathouse, boatport* or *sun shelter*, measured from the *high water mark*, is the lesser of 10.7 m

(35 ft.) or 25% of the distance from shoreline to opposite shoreline as established by the Schedules to By-law 2014-14, measured from the subject *boathouse* to the closest shoreline of another *lot* opposite the subject *boathouse*;

c. A two *storey boathouse* is not permitted; and

d. A single *storey boathouse, boatport* or *sun shelter* where the roof is capable of being used as a *sundeck* shall not be permitted.

4.1.8 SHORELINE BUFFER

Within the *front yard setback,* an area of land 15.2 m (50 ft.) wide abutting and running parallel to the *high water mark* shall contain a *shoreline buffer.* This provision applies to all *lots* on which development takes place within 60.1 m (200 ft.) of the *high water mark* after December 21, 1998.

4.1.9 CLASSIFICATION OF LAKES

Amended by By-law 2017-17

The classification of lakes and rivers referred to in this by-law is as listed in Table 1 on the following page to this by-law. Any reference to a category in this by-law is a reference to the category as determined by Table 1 on the following page.

The following table refers to Lake Classification. For the purposes of this By-law, Lakes are categorized based on a number of factors, including size and health, which is carried through in the specific zones of the properties surrounding each lake.

TABLE 1 - CLASSIFICATION OF LAKES			
Category 1	**Category 2**	**Category 3**	**Category 4**
Large Lakes	**Medium-sized, Developed Lakes / Rivers**	**Small-sized, Low Density/ Remote Lakes**	**Special Lakes**
Lake Joseph (incl. Joseph River, Little Lake Joseph) Lake Muskoka (incl. Indian River, Dark Lake, Mirror Lake) Lake Rosseau	Ada Lake Bass Lake Black Lake Brandy Lake Bruce Lake Butterfly Lake Camel Lake Gullwing Lake Henshaw Lake Hessner's Lake Hillman Lake Moon River Nine Mile Lake Ricketts Lake Rutter Lake (Little Long Lake) Severn R./Cain L. Skeleton Lake Thorne Lake	Barnes Lake Barrett Lake Bastedo Lake Bear Lake Beaton Lake Berry Lake Bogart Lake Brotherson Lake Bunn Lake Cardwell/Long L. Cassidy Lake Clarkes Pond Concession Lake (Cardwell) Concession Lake (Medora) Cowan Lake Crowder Lake Duffy Lakes (E&W) East Brophy Lake Eaton Lake Echo/Resound L. Gagnon Lake Haggart Lake Haighton Lake Hardy Lake Hart Lake Harts Lake Island Lake Leech Lake Lily Lake (Cardwell) Little Musquito Lake Little Otter Lake Lower Boleau Lake Marion Lake Mary Jane Lake McCaffery Lake Mosquito Lake Narrow Lake Neilson Lake Neipage Lake O'Kane Lake Ottaway Lake Pennsylvania Lake Roderick Lake Round Lake Sawyer Lake Shaw Lake Speiran Lake Stevenson Lake St.Germaine Lake (Medora) Swan Lake Tank Lake Thompson Lake Tar Lake Turtle Lake Upper Boleau Lake Unnamed L. (Monck) Unnamed L. (Wood) Water Lily Lake Wier Lake Woodland Lake Woods Lake Young Lake	Clear Lake High Lake Leonard Lake Long Lake (Bala) Medora Lake Nutt Lake Silver Lake Stewart Lake Three Mile Lake

4.2 WATERFRONT COMMERCIAL ZONES

4.2.1 Permitted Main *Uses*

No *person* shall, in any Waterfront Commercial Zone, *use* any *lot* or *erect*, locate, *alter* or *use* any *building* or *structure* for any purpose except in accordance with the following applicable zones in Table 4.2.1:

TABLE 4.2.1 – WATERFRONT COMMERCIAL ZONE, PERMITTED MAIN USES

PERMITTED MAIN USES	RESORT COMMERCIAL WATERFRONT	RESORT COMMERCIAL BACKLOT	MARINA	TENT & TRAILER PARK	PRIVATE CAMP	PRIVATE CAMP BACKLOT		WATERFRONT COMMERCIAL		
	WC1, WC1A1, 2, 3, 4	WC1B	WC2	WC3	WC4, WC4A.5, 1, 1.5, 2	WC4B	WC4B1	WC5	WC6	WC7
CONTRACTOR'S YARD									X	X
CONVENIENCE STORE								X	X	
RESIDENTIAL DWELLING UNIT										X
GOLF COURSE		X								
HOME BASED BUSINESS										X
HOTEL	X									
MARINA			X							
MOTEL	X									
OFFICE								X	X	
PERSONAL SERVICE SHOP								X	X	
PRIVATE CAMP					X	X				
RESTAURANT								X	X	
RETAIL STORE								X	X	
TENT & TRAILER PARK				X						
TOURIST RESORT	X									

X *indicates the uses permitted in the particular zone*

4.2.2 Permitted *Accessory Uses*

No *person* shall, in any Waterfront Commercial Zone, construct an *Accessory Use* on any property unless a main use / permitted use has been established on the property and in accordance with the following applicable zones in Table 4.2.2:

TABLE 4.2.2 – WATERFRONT COMMERCIAL, PERMITTED ACCESSORY USES

ACCESSORY USES	**RESORT COMMERCIAL WATERFRONT**	**RESORT COMMERCIAL BACKLOT**	**MARINA**	**TENT & TRAILER PARKS**	**PRIVATE CAMPS**	**PRIVATE CAMP BACKLOT**	**PRIVATE CAMP BACKLOT**	**WATERFRONT COMMERCIAL**		
	WC1, WC1A1, 2, 3, 4	**WC1B**	**WC2**	**WC3**	**WC4, WC4A.5, 1, 1.5, 2**	**WC4B**	**WC4B1**	**WC5**	**WC6**	**WC7**
ARTIST STUDIO	X	X	X	X	X	X	X			
CONVENIENCE STORE	X		X	X						
CULTURAL CENTRE	X	X	X	X	X	X	X			
RESIDENTIAL – DWELLING UNIT	X		X	X	X			X	X	
GOLF COURSE	X	X								
HOME BASED BUSINESS	X		X	X	X					
MARINA	X			X						
OPEN SPACE RECREATION	X	X	X	X	X	X	X			
PARKING AREAS	X	X	X	X	X	X	X			
PARKING SPACES	X	X	X	X	X	X	X			
PERSONAL SERVICE SHOP	X									
RETAIL STORE	X		X							
RESTAURANT	X		X	X						
ROOFED RECREATION FACILITY	X	X		X	X	X	X			
STAFF QUARTERS	X	X			X	X	X			
STORAGE FACILITIES	X	X	X	X	X	X	X			
TUCK SHOP	X				X					
WASTE TREATMENT FACILITY		X				X				
OFFICE	X	X	X	X	X	X	X			

X *indicates the uses permitted in the particular zone*

4.2.3 ZONE REQUIREMENTS

No *person* shall, in any Waterfront Commercial Zone, *use* any *lot* or *erect*, locate, *alter* or *use* any *building* or *structure* except in accordance with the following requirements in Table 4.2.3 and the applicable Special Provisions:

TABLE 4.2.3 – WATERFRONT COMMERCIAL ZONE PROVISIONS

LOT REQUIREMENTS	ZONE											
	RESORT WATERFRONT COMMERCIAL			RESORT COMMERCIAL BACKLOT		MARINA	TENT AND TRAILER PARK	PRIVATE CAMP	PRIVATE CAMP BACKLOT	WATERFRONT COMMERCIAL		
	WC1 WC1A1	WC1A2 WC1A3	WC1A4	WC1B	WC1B1 (1)	WC2	WC3	WC4 WC4A.5 WC4A1 WC4A1.5 WC4A2	WC4B WC4B1	WC5 WC6	WC7	WC (1)
Minimum Lot Frontage	152.4 m (500 ft.)	76.2 m (250 ft.)	152.4 m (500 ft.)	---	---	76.2 m (250 ft.) (2)	91.4 m (300 ft.)	152.4 m (500 ft.)	---	--- (4)	91.4 m (300 ft.) (8) (11)	---
Minimum Lot Area	2.0 ha. (5 ac.)	0.8 ha. (2 ac.)	2.0 ha. (5 ac.)	4.0 ha. (10 ac.)	---	0.8 ha. (2 ac.)	2.0 ha. (5 ac.)	2.0 ha. (5 ac.)	4.0 ha. (10 ac.)	--- (4)	0.6 ha. (1.5 ac.) (9)	---
Maximum Lot Coverage	10%	10%	10%	1%	---	20%	10%	10%	1%	35%	5% (7)	---
Minimum Front Yard Setback	20.1 m (66 ft.)	20.1 m (66 ft.)	20.1 m (66 ft.) (3)	20.1m (66 ft.) (3)	---	---	20.1 m (66 ft.)	20.1 m (66 ft.)	20.1 m (66 ft.)	10.7 m (35 ft.) (5)	30.5 m (100 ft.) (6)	---
Minimum Interior Side Yard	9.1 m (30 ft.)	9.1 m (30 ft.)	9.1 m (30 ft.) (3)	9.1 m (30 ft.) (3)	---	9.1 m (30 ft.)	30.5 m (100 ft.)	30.5 m (100 ft.)	30.5 m (100 ft.)	3.1 m (10 ft.)	15.2 m (50 ft.) (6)	---
Minimum Exterior Side Yard	20.1 m (66 ft.)	20.1 m (66 ft.)	20.1 m (66 ft.) (3)	20.1 m (66 ft.) (3)	---	20.1 m (66 ft.)	20.1 m (66 ft.)	20.1 m (66 ft.)	20.1 m (66 ft.)	3.1 m (10 ft.)	15.2 m (50 ft.) (6)	---
Minimum Rear Yard	15.2 m (50 ft.)	15.2 m (50 ft.)	15.2 m (50 ft.)	15.2 m (50 ft.)	---	15.2 m (50 ft.)	30.5 m (100 ft.)	30.5 m (100 ft.)	30.5 m (100 ft.)	7.6 m (25 ft.)	15.2 m (50 ft.) (6)	---
Maximum Height	13.7 m (45 ft.)	13.7 m (45 ft.)	13.7 m (45 ft.)	13.7 m (45 ft.)	---	10.7 m (35 ft.)	9.1 m (30 ft.)	9.1 m (30 ft.)	9.1 m (30 ft.)	9.1 m (30 ft.)	9.1 m (30 ft.) (10)	---

(1) See 4.2.4.1
(2) See 4.2.4.2
(3) See 4.2.4.3
(4) See 4.2.4.4
(5) See 4.2.4.5
(6) See 4.2.4.6
(7) See 4.2.4.7
(8) See 4.2.4.8
(9) See 4.2.4.9
(10) See 4.2.4.10
(11) See 4.2.4.11

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4.2.4 WATERFRONT COMMERCIAL ZONE PROVISIONS

4.2.4.1 No *person* shall, within a Resort Commercial Backlot 1 (WC1B1) or within a Waterfront Special Lakes Commercial (WC) Zone *use* any *lot* except for those *uses*, which existed on the date of passing of this By-law, which *uses* shall not be extended by the erection of further *buildings* or *structures* or *additions* to existing *buildings* or *structures.*

4.2.4.2 For *lots* zoned WC2 on the date of passing of this By-law the minimum *lot frontage* requirement shall be 76.2 m (250 ft.) or the *lot frontage* which existed on the date of passing of this By-law, whichever is less.

4.2.4.3 See Provision 4.2.10.h, 4.2.11.c, 4.2.11.f.

4.2.4.4 The minimum *lot frontage* and *lot area* requirements are the dimensions of that *lot* which existed on the date this by-law was passed.

4.2.4.5 For the purposes of this by-law, the *front lot line* shall be the *high water mark* and the *rear lot line* shall be the *street* in the case of a *through lot*. Where the *front lot line* is a s*treet*, the *front yard setback* shall be 7.6 m (25 ft.).

4.2.4.6 For *lots* zoned Waterfront Commercial (WC7) with a *residential use*, the *residential use* shall have a minimum *front yard setback* of 10.7 m (35 ft.), a minimum *side yard setback* of 4.6 m (15 ft), and a minimum *rear yard setback* of 4.6 m (15 ft.).

4.2.4.7 For *lots* zoned Waterfront Commercial (WC7) with a *residential use*, the maximum total *lot coverage* shall be 5% for the commercial *use* and 10% in total for both *uses*.

4.2.4.8 For *lot*s zoned Waterfront Commercial (WC7), the minimum *lot frontage* requirement shall be 91.4 m (300 ft.) or the *lot frontage* which existed on the date of the passing of this by-law.

4.2.4.9 For *lots* zoned Waterfront Commercial (WC7), the minimum *lot area* requirement shall be 0.6 hectares (1.5 acres) or the *lot area* which existed on the date of the passing of this by-law.

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4.2.4.10 For lots zoned Waterfront Commercial (WC7), commercial buildings over 6.1 m (20 ft.) in *height*, the minimum *front yard setback* shall be 30.5 m (100 ft.).

4.2.4.11 The *lot* shall abut a *street* maintained year round by a *Public Authority.*

4.2.5 FRONT *YARD* EXEMPTIONS

The following *buildings* and *structures* are exempt from the *front yard* requirements:

i.) *Landings, ramps* and stairs.

ii.) *pumphouses*, saunas and *gazebos* not exceeding 4.6 m (15 ft.) in *height*.

iii.) *Sundecks*, but must have a minimum *setback* of 15.2 m (50 ft.) from the *high water mark*.

4.2.6 *DWELLING UNIT*

Where an *accessory Residential use* is permitted, if it is located in a non-*residential* building it shall conform with General Provision 3.19, *dwelling unit* in a Non-*Residential building*.

4.2.7 *LANDSCAPED BUFFER*

Where a Waterfront Commercial Zone abuts a *Residential* Zone, 6.1 m (20 ft.) of the *required yard* abutting that zone, shall be used and maintained as *landscaped buffer*. (See Section 4.2.10.g for *landscaped buffer* requirement in a WC1A4 zone)

4.2.8 *STRUCTURES* OVER WATER

A *boathouse, boatport, sun shelter* and *dock* may be located in a Waterbody Open Space Zone (WOS) where it abuts a Waterfront Commercial Zone or in a Waterfront Commercial Zone (WC), provided it is an *Accessory Use* to the main permitted *use* and is subject to the following:

a. In the case of a *dock*

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i. No part of any *dock* shall extend beyond 24.4 m (80 ft.) from the *high water mark* abutting the *lot;*

ii. No part of any *dock* shall be *erected* within 9.1 m (30 ft.) of the s*ide* or r*ear lot line* or any 30.1 m (100 ft.) *straight line projection* thereof from the *high water mark;* or when a commercial *lot* abuts another commercial *lot* such *side yard* may be a minimum of 4.6 m (15 ft.);

iii. a *dock* is permitted to extend from or be located within the f*ront yard* of a *lot* a maximum of 3 m (10 ft.)

iv. the total *cumulative width* of *docks* and *boathouses* on a *lot* shall not exceed 25% of the *lot frontage,* excluding *docks* and *boathouses* in a Waterfront Commercial – *Marina* (WC2) Zone which shall not exceed 75%*; a*nd,

v. Subsection 4.2.8(a)(iv) shall not apply to: the Lake Joseph Club, Muskokan Resort Club and Ferndale Resort provided any new *docks* and *boathouses* conform to the requirements of the Official Plan.

b. In the case of a *boathouse;*

Amended by By-law 2017-17

i. No part of any *boathouse* shall extend beyond 15.2 m (50 ft.) from the *high water mark* abutting the *lot;*

ii. The total *boathouse width* shall not exceed 25% of the *lot frontage* or 15.2 m (50 ft.) whichever is greater, excluding *boathouses* in a Waterfront Commercial - *Marina* (WC2) Zone which shall not exceed 75%;

iii. The *boathouse* shall not exceed a *height* of 7.6 m (25 ft.);

iv. No part of any single *storey boathouse* shall be *erected* within 9.1 m (30 ft.) or two *storey boathouse* within 13.7 m (45 ft.) of the s*ide* or *rear lot line* or any 30.5 m (100 ft.) *straight line projection* thereof, from the *high water mark;* or when a commercial *lot a*buts another commercial *lot* such *side yard* may be a minimum of 4.6 m (15 ft.); and,

v. a *boathouse* is permitted to extend from or be located in the *front yard* of a lot a maximum of 3 m (10 ft.).

c. In the case of a *sun shelter:*

i. A *sun shelter* shall not contain *habitable floor area* or be screened or glassed*;*

ii. The maximum permitted *gross floor area* shall be 18.6 m² (200 ft.²);

iii. The *sun shelter* shall not exceed a *height* of 4.5 m (15 ft.);

iv. No part of any *sun shelter* shall extend beyond 10.7 m (35 ft.) from the *high water mark;* and,

v. A *sun shelter* shall comply with all other provisions regulating a *boathouse.*

d. For those portions of land fronting onto a *restricted waterbody* and zoned with a "-R" suffix to the zone symbol, a *dock, boathouse, boatport,* or *sun shelter* may be located in the abutting Waterbody Open Space (WOS) zone and subject to the following additional provisions:

i. The maximum length of a *dock,* measured from the *high water mark*, is the lesser of 12.2 m (40 ft.) or 25% of the distance from shoreline to opposite shoreline as established by the Schedules to By-law 2014-14, measured from the subject *dock* to the closest shoreline of another *lot* opposite the subject *dock*;

ii. The maximum length of a *boathouse, boatport* or *sun shelter*, measured from the *high water mark*, is the lesser of 10.7 m (35 ft.) or 25% of the distance from shoreline to opposite shoreline as established by the Schedules to By-law 2014-14, measured from the subject *boathouse* to the closest shoreline of another *lot* opposite the subject *boathouse*;

iii. A two *storey boathouse* is not permitted; and

iv. A single *storey boathouse, boatport* or *sun shelter* where the roof is capable of being used as a *sundeck* shall not be permitted.

4.2.9 PARKING AND LOADING

See General Provisions 3.28 and 3.29 for Parking and Loading Requirements.

4.2.10 SPECIAL PROVISIONS: RESORT COMMERCIAL WATERFRONT (WC1, WC1A1, WC1A2, WC1A3, WC1A4)

The following requirements are applicable in these zones:

a. For the purposes of this By-law limited development shall mean that properties zoned WC1 (undersized lots) will be limited to a development allowance of 46.5 m² (500 ft.²) of *gross floor area* for each 0.4 ha. (1 ac.) of land zoned WC1.

b. For the purposes of this By-law limited development shall mean that properties zoned WC1A1 will be limited to a development allowance of 93 m² (1000 ft²) of *gross floor area* for each 0.4 ha. (1 ac.) of land zoned WC1A1.

c. For the purposes of this By-law limited development shall mean properties zoned WC1A2 will be limited to a development allowance of 185.8 m² (2000 ft.²) of *gross floor area* for each 0.4 ha. (1 ac.) of land zoned WC1A2.

d. For the purposes of this By-law limited development shall mean that properties zoned WC1A3 will be limited to a development allowance of 278.7 m² (3000 ft²) of *gross floor area* for each 0.4 ha. (1 ac.) of land zoned WC1A3.

e. For the purposes of this By-law limited development shall mean that properties zoned WC1A4 will be limited to a development allowance of 371.6 m² (4000 ft.²) of *gross floor area* for each 0.4 hectares (1 ac.) of land zoned WC1A4.

f. Where a Resort Commercial (WC1A3) Zone abuts a *Residential* Zone, 6.1 m (20 ft.) of the *required interior yard* abutting that zone shall be planted and maintained as a *landscaped buffer*.

g. Where a Resort Commercial (WC1A4) Zone abuts a *Residential* Zone, 9.1 m (30 ft.) of the *required interior yard* abutting that zone shall be planted and maintained as a *landscaped buffer*.

h. In a WC1A4 Zone, no *roofed recreation facility* is permitted within 30.5 m (100 ft.) of a *Residential* Zone, a legally existing *residential* property or a *high water mark*.

4.2.11 SPECIAL PROVISIONS: RESORT COMMERCIAL BACKLOT (WC1B, WC1B1)

The following requirements are applicable in this zone:

a. The maximum *gross floor area* allowed for all permitted *uses* on a *lot* in a WC1B zone is limited to 1% of the *lot area* zoned WC1B to a maximum of 4046.7 m² (43,560 ft.²).

b. On properties larger than 40.5 ha. (100 acres) the maximum *gross floor area* allowed for all permitted *uses* on a *lot* in a WC1B zone is limited to 1% of 40.5 ha. (100 acres).

c. The *interior side yard* in a WC1B zone, which abuts any zone other than a *residential* zone shall be 9.1 m (30 ft.).

d. No *building* shall be erected in any part of the area or areas zoned Resort Commercial Backlot (WC1B) within a *tourist resort*, *hotel* or *motel* such that the cumulative *gross floor area* of all buildings within that zone in that *tourist resort, hotel* or *motel* exceeds 4046.7 m² (43,560 ft.²).

e. No *uses* are permitted on a *lot* or a part of a *lot* zoned Resort Commercial Backlot (WC1B) unless such *lot* is part of a *tourist resort, hotel* or *motel*, which also includes a *lot* or a part of a *lot* zoned Resort Commercial Waterfront.

f. In a Resort Commercial Backlot Zone (WC1B) no *roofed recreation facility* is permitted within 30.5 m (100 ft.) of a *Residential* Zone, a legally existing *residential* property or a *high water mark*.

g. No *person* shall, within a Resort Commercial Backlot 1 (WC1B1) Zone use any *lot* except for those *uses*, which existed on the date of passing of this By-law, which *uses* shall not be extended by the erection of further *buildings* or *structures* or additions to existing *buildings* or s*tructures.*

4.2.12 SPECIAL PROVISIONS: WATERFRONT COMMERCIAL - *MARINA* (WC2)

The following specific requirements are applicable in this zone:

a. A detached *dwelling unit* may be *erected* if it is located a minimum of 20.1 m (66 ft.) from the *high water mark*.

b. No boat *storage facility* exceeding a *height* of 7.6 m (25 ft.) may be *erected* within 30.5 m (100 ft.) of the *high water mark*.

4.2.13 SPECIAL PROVISIONS: *TENT AND TRAILER PARK* (WC3)

The following specific requirements are applicable in this zone:

a. Minimum *lot frontage* per *campsite* – 3.1 m (10 ft.).

b. No *campsite* may be located within 30.5 m (100 ft.) of any *lot line* or the present *high water mark*. For those lands described as Part Lots 31 to 34, Concession 14, in the former township of Watt, the minimum yard setback shall be 15.2 m (50 ft.) for all lot lines other than those that abut a residential zone or a navigable waterway.

c. Minimum area of each *campsite* – 232.3 m² (2500 ft.²).

d. *Housekeeping units* and *cabins* may be *erected* and used only in accordance with the following requirements:

i. minimum *lot area* per *cabin* located on the *lot* – 464.5 m² (5000 ft.²);

ii. maximum *floor area* per *cabin* – 93 m² (1000 ft.²);

iii. minimum *lot area* per *housekeeping unit* – located on the *lot* – 696.8 m² (7500 ft.²);

iv. maximum *floor area* per *housekeeping unit* – 111.5 m² (1200 ft.²); and,

v. total number of *housekeeping units* and *cabins* on a *lot* shall not exceed 10% of the number of developed *campsites* on a *lot*.

e. The total *lot* size requirement is the sum of the requirements for each *housekeeping unit*, *cabin* and *campsite* on a *lot*.

4.2.14 SPECIAL PROVISIONS: *PRIVATE CAMP*S WATERFRONT (WC4, WC4A.5, WC4A1, WC4A1.5, WC4A2)

The following specific requirements are applicable in this zone:

a. For the purposes of this By-law limited development shall mean that properties zoned WC4 will be limited to a development allowance of 23.2 m² (250 ft.²) of *gross floor area* for each 0.4 ha. (1 ac.) of land zoned WC4.

b. For the purposes of this By-law limited development shall mean that properties zoned WC4A.5 will be limited to a development allowance of 46.5 m² (500 ft.²) of *gross floor area* for each 0.4 ha. (1 ac.) of land zoned WC4A.5.

c. For the purposes of this By-law limited development shall mean that properties zoned WC4A1 will be limited to a development allowance of 93 m² (1000 ft.²) of *gross floor area* for each 0.4 ha. (1 ac.) of land zoned WC4A1.

d. For the purposes of this By-law limited development shall mean that properties zoned WC4A1.5 will be limited to a development allowance of 139.4 m² (1500 ft.²) of *gross floor area* for each 0.4 ha. (1 ac.) of land zoned WC4A1.5.

e. For the purposes of this By-law limited development shall mean that properties zoned WC4A2 will be limited to a development allowance of 185.8 m² (2000 ft.²) of *gross floor area* for each 0.4 ha. (1 ac.) of land zoned WC4A2.

f. Minimum *lot frontage* per *campsite* – 3.1 m (10 ft.).

g. No *campsite* may be located within 30.5 m (100 ft.) of any *lot line* or the present *high water mark*.

h. Minimum area of each *campsite* – 232.3 m² (2500 ft.²).

4.2.15 SPECIAL PROVISIONS: *PRIVATE CAMP*S BACKLOT (WC4B, WC4B1)

The following specific requirements are applicable in this zone:

a. The maximum *gross floor area* allowed for all permitted *uses* on a *lot* in a WC4B Zone or in a WC4B1 Zone is limited to 1% of the *lot area* zoned WC4B or WC4B1 to a maximum of 4046.7 m² (43,560 ft.²).

b. On properties larger than 40.5 ha. (100 ac.) the maximum *gross floor area* allowed for all permitted *uses* on a *lot* in a WC4B Zone or in a WC4B1 Zone is limited to 1% of 40.5 ha. (100 ac.).

c. Minimum *lot frontage* per c*ampsite* – 3.1 m (10 ft.)

d. No *campsite* may be located within 30.5 m (100 ft.) of any *lot line* or the present *high water mark*.

e. Minimum area of each *campsite* – 232.3 m² (2500 ft.²).

4.2.16 SPECIAL PROVISIONS: WATERFRONT CONTRACTORS (WC7)

The following specific requirements are applicable in this zone:

a. *Open storage* areas shall be limited to a maximum of 1% of the total *lot area*. *Open storage* must comply with all *setback* requirements for commercial *use*.

4.3 WATERFRONT LANDING ZONES

4.3.1 Permitted *Uses*

No *person* shall within the *Waterfront Landing* Zone (WL) *use* any *lot* or *erect*, locate, *alter* or *use* any *building* or *structure* for any purpose except in accordance with the following permitted *use*:

a. *Waterfront landing* with associated *parking area*;

b. A single *storey private garage* or storage shed; and,

c. *Boathouse* or d*ock*.

4.3.2 Permitted *Structures*

Buildings and *structures* permitted in a *Waterfront Landing* Zone (WL) are limited to the following:

a. A single *storey private garage* or a storage shed; and

b. *Boathouse*, and

c. *Dock*.

4.3.3 Zone Requirements

No *person* shall within the *Waterfront Landing* Zone (WL) *use* any *lot*, or *erect*, locate, *alter* or *use* any *building* or *structure* for any purpose except in accordance with the following requirements noted in Table 4.3.3:

TABLE 4.3.3 – WATERFRONT LANDING ZONE PROVISIONS

LOT REQUIREMENTS	ZONES WL (3)(4)
Minimum Lot Frontage	22.9 m (75 ft.)
Minimum Lot Area	0.1 ha (0.25 ac.) (1)
Maximum Lot Coverage	5% (2)
Minimum Front Yard Setback	20.1 m (66 ft.)
Minimum Interior Side Yard Setback	4.6 m (15 ft.)
Minimum Exterior Side Yard Setback	9.1 m (30 ft.)
Minimum Rear Yard Setback	4.6 m (15 ft.)
Maximum Height	6 m (20 ft.)
Maximum Dock Size	1 *boat slip* per 4 m (13 ft.) of *lot frontage*
Maximum Disturbed Site Area	50% incl. parking and driveways

(1) See 4.3.4.1
(2) See 4.3.4.2
(3) See 4.3.4.3
(4) See 4.3.4.4.

4.3.4 *WATERFRONT LANDING* ZONE PROVISIONS

4.3.4.1 A *lot area* maximum of 1.2 ha. (3 ac.) applies to the *Waterfront landing* (WL) Zone.

4.3.4.2 A maximum of 50% of the *lot* including parking and driveways can be a *disturbed site area*.

4.3.4.3 For lots zoned WL on the date of passing of this By-law, the minimum *lot frontage* and *lot area* requirements are deemed to comply.

4.3.4.4 A minimum of two (2) vehicle *parking area*s are required per *boat slip* which are subject to a minimum *front yard setback* of 15.2 m (50 ft.).

4.3.5 *STRUCTURES* OVER WATER

A *boathouse* or *dock* may be located in a Waterbody Open Space Zone (WOS) where it abuts a *Waterfront landing* (WL) Zone or in a *Waterfront landing* Zone (WL) provided that:

a. In the case of *docks*

Amended by By-law 2017-17

i. No part of any *dock* shall extend beyond 20.1 m (66 ft.) in the water from the *high water mark* abutting the *lot;*

ii. No part of any *dock* shall be e*rected* within 9.1 m (30 ft.) from the s*ide* or *rear lot line* or any 30.5 m (100 ft.) s*traight line projection* thereof, from the *high water mark;* and,

iii. The *dock* is permitted to extend from or to be located in the *front yard* of a *lot*, a maximum distance of 3 m (10 ft.).

b. In the case of a *boathouse*

Amended by By-law 2017-17

i. No part of any *boathouse* shall extend beyond 15.2 m (50 ft.) from the *high water mark* abutting the *lot;*

ii. The total *boathouse width* shall not exceed 25% of the *lot frontage* or 7.6 m (25 ft.), whichever is greater;

iii. The *boathouse* shall not include a second *storey;*

iv. No part of a *boathouse* shall be e*rected* within 9.1 m (30 ft.) from the s*ide* or *rear lot line* or any 30.5 m (100 ft.) *straight line projection* thereof, from the *high water mark;*

v. The *boathouse* is permitted to extend from or to be located in the *front yard* of a *lot*, a maximum distance of 3 m*;* and,

vi. The *boathouse* shall not contain a *dwelling unit* or s*leeping cabin.*

4.3.6 *LANDSCAPED BUFFER*

i. Where a *Waterfront landing* (WL) zone abuts any *Residential* Zone, 3.1 m (10 ft.) of the *required yard* abutting that *Residential* zone shall be used and maintained as a *landscaped buffer*.

ii. Where a *Waterfront landing* (WL) Zone abuts any Waterbody Open Space (WOS) or Environmental Protection (EP2) Zone, 7.6 m (25 ft.) of the *required yard* abutting that Waterbody Open Space or Environmental Protection Zone shall be used and maintained as a *landscaped buffer*.

4.3.7 PARKING

No part of any *parking area* shall be located within 4.6 m (15 ft.) of a *side* or *rear lot line*.

5.1 COMMUNITY *RESIDENTIAL* ZONES

5.1.1 Permitted Main *Uses*

No *person* shall within any of the Community *Residential* Zones *use* any *lot* or *erect*, locate, *alter*, or *use* any *building* or *structure* for any purpose except in accordance with the following applicable zones as noted below in Table 5.1.1:

TABLE 5.1.1 – COMMUNITY RESIDENTIAL ZONE, PERMITTED MAIN USES

PERMITTED MAIN USES	URBAN CENTRES	URBAN CENTRES	UNSERVICED COMMUNITIES	URBAN CENTRES		
	RESIDENTIAL (R1) SEWER AND WATER	RESIDENTIAL (R2) SEWER OR WATER OR PRIVATE SERVICES	RESIDENTIAL (R3) PRIVATE SERVICES	RESIDENTIAL (R4) WATERFRONT	MULTIPLE RESIDENTIAL MEDIUM DENSITY (RM1) SEWER AND WATER	MULTIPLE RESIDENTIAL HIGH DENSITY (RM2) SEWER AND WATER
RESIDENTIAL – DWELLING UNIT *	X	X	X	X	X	
RESIDENTIAL – CONVERTED DWELLING *	X				X	X
RESIDENTIAL – DUPLEX DWELLING *					X	X
RESIDENTIAL – SEMI DETACHED DWELLING *					X	X
RESIDENTIAL TOWNHOUSE					X	X
RESIDENTIAL APARTMENT DWELLING						X
GROUP HOME	X	X	X	X	X	X
SENIOR CITIZEN HOME					X	X
ROOMING HOUSE	X	X	X	X	X	X

X *indicates uses permitted in applicable zone*

5.1.2 Permitted *Accessory Uses*

No *person* shall, in any Community Residential Zone, construct an *Accessory Use* on any property unless a main use / permitted use has been established on the property and in accordance with the following applicable zones in Table 5.1.2:

TABLE 5.1.2 – COMMUNITY RESIDENTIAL ZONE, PERMITTED ACCESSORY USES

ACCESSORY USES	URBAN CENTRES	URBAN CENTRES	UNSERVICED COMMUNITIES	URBAN CENTRES		
	RESIDENTIAL (R1) SEWER AND WATER	RESIDENTIAL (R2) SEWER OR WATER OR PRIVATE SERVICES	RESIDENTIAL (R3) PRIVATE SERVICES	RESIDENTIAL (R4) WATERFRONT	MULTIPLE RESIDENTIAL MEDIUM DENSITY (RM1) SEWER AND WATER	MULTIPLE RESIDENTIAL HIGH DENSITY (RM2) SEWER AND WATER
RESIDENTIAL SECONDARY DWELLING UNITS	**X**	**X**	**X**		**X**	
HOME BASED BUSINESS	**X**	**X**	**X**	**X**	**X**	
BED AND BREAKFAST	**X**	**X**	**X**	**X**		

X *indicates uses permitted in applicable zone*

5.1.3 Zone Requirements

No *person* shall within any of the Community Residential zones *use* any *lot*, or *erect*, locate, *alter* or *use* any *building* or *structure* except in accordance with the following requirements as noted below in Table 5.1.3:

TABLE 5.1.3 – COMMUNITY RESIDENTIAL ZONE PROVISIONS

LOT REQUIREMENTS	ZONES (2)					
	URBAN CENTRES	URBAN CENTRES	UNSERVICED COMMUNITIES	URBAN CENTRES		
	R1	R2	R3 (6)	R4 (6)	RM1	RM2
Minimum Lot Frontage	15.2 m (50 ft.)	--(5)	45.7 m (150 ft.)	30.5 m (100 ft.)	20.1 m (66 ft.) (3)	30.5 m (100 ft.) (3)
Minimum Lot Area	0.05 ha. (0.1 ac.)	--(5)	0.4 ha. (1 ac.)	0.19 ha. (0.5 ac.)	0.06 ha. (0.15 ac.)	0.09 ha. (0.2 ac.)
Maximum Lot Coverage	35%	35%	20%	20%	35%	35%
Minimum Front Yard Setback	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.) (4)	20.1 m (66 ft.) (4)	7.6 m (25 ft.)	7.6 m (25 ft.)
Minimum Interior Side Yard Setback (7)	1.8 m (6 ft.)	1.8 m (6 ft.)	1.8 m (6 ft.)	4.6 m (15 ft.)	1.8 m (6 ft.) (3)	7.6 m (25 ft.)
Minimum Exterior Side Yard Setback (7)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)
Minimum Rear Yard Setback (1) (7)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)
Maximum Height	10.7 m (35 ft.)	10.7 m (35 ft.)	10.7 m (35 ft.) (4)	10.7 m (35 ft.) (4)	10.7 m (35 ft.)	10.7 m (35 ft.)
Maximum Height – Accessory Bldg.	6.1 m (20 ft.)	6.1 m (20 ft.)	6.1 m (20 ft.) (4)	6.1 m (20 ft.) (4)	6.1 m (20 ft.)	6.1 m (20 ft.)
Minimum Landscaped Area	30%	30%	30%	30%	30%	35%

(1) See 5.1.4.1
(2) See 5.1.4.2
(3) See 5.1.4.3
(4) See 5.1.4.4
(5) See 5.1.4.5
(6) See 5.1.9
(7) See 3.23

Amended by By-laws 2017-17 & 2021-116

5.1.4 COMMUNITY RESIDENTIAL ZONE PROVISIONS

5.1.4.1 The minimum *rear yard setback* for an *accessory building* with a *floor area* of 23 m^2 (250 ft.²) or less shall be 1.8 m (6 ft.).

5.1.4.2 The inclusion of a "-R" suffix to a zone symbol indicates that different standards apply in each Zone for *shoreline structures* in accordance with Section 5.1.11.

5.1.4.3 *Semi-detached dwelling units* shall have a total minimum *lot frontage* of 30 m (100 ft.), with a minimum of 15 m (50 ft.) for each unit, and a total *lot area* of 1110 m^2 (11,948 ft.²). *Townhouse dwelling units* shall have a *lot frontage* of 7 m (23 ft.) for each unit, a *lot area* of 210 m^2 (2260 ft.²), an exposed end or side wall of 3 m (10 ft.) and a minimum *ground floor area* of 65 m^2 (700 ft.²).

5.1.4.4 *Buildings* and *Structures*

Amended by By-law 2017-17

The *front yard setback* for each *building* and *structure*, on a *lot* that abuts the *high water mark*, which are considered legal *non-complying* due to an encroachment into the required 20.1 m (65.9 ft.) *front yard setback*, shall be the *setback* which existed on that date, or a minimum of 15.2 m (50 ft.) from the *high water mark*, or from the *front lot line,* whichever is greater.

Notwithstanding the above, for those *buildings* and *structures* with an existing legal *non-complying front yard setback* less than 15.2 m (50 ft.), they may be enlarged, extended, *reconstructed* or otherwise structurally *altered* at their existing *front yard setback* or a minimum of 7.6 m (25 ft.), whichever is greater, provided the following is complied with;

The resultant *ground floor area* located within 15.2 m (50 ft.) of the *high water mark* shall not exceed 120% of the *ground floor area* of the existing *building* or *structure,* and the resultant *height* shall not exceed 120% of the *height* of the existing *building* or *structure*, both as of the date of passage of this by-law.

Notwithstanding the above, no *height* shall exceed that permitted in the zone requirements for that type of *building* or *structure*.

For the purpose of determining the existing *front yard setback*, it shall be calculated based on the *setback* for each type of *building* or *structure,* with the exception of a *dwelling unit,* which a portion of can be replaced by a *sundeck*.

Sundecks

In the case of a *sundeck*, which existed prior to the passing of this By-law, which is considered legal *non-complying* due to an encroachment into the required 15.2 m (50 ft.) *front yard setback*, the *front yard setback* for that *sundeck* shall be the *setback* which existed on that date or a minimum of 12.2 m (40 ft.) from the *high water mark* or from the front *lot line*, whichever is greater.

Notwithstanding the above, for a *sundeck* with an existing legal *non-complying front yard setback* less than 12.2 m (40 ft.), it may be enlarged, extended, *reconstructed* or otherwise structurally *altered* at its existing *front yard setback* or a minimum of 4.6 m (15 ft.), from the *high water mark*, whichever is greater, provided the following is complied with;

The resultant increase in size of the *sundeck* located within 12.2 m (40 ft.) of the *high water mark* or *front lot line*, does not exceed 120% of the area of the existing *sundeck,* as of the date of passage of this by-law.

5.1.4.5 Where water or sewer services are not available, the minimum *lot frontage* and *lot area* requirements are the dimensions of that *lot* existing on the date this By-law was passed. No new *structure* or *building* may be constructed on a *lot* unless the *lot* complies with Section 3.42.

5.1.5 MULTIPLE DWELLINGS

In the case of a *multiple dwelling*, *apartment dwelling,* or a *converted dwelling*, the following provisions apply:

i. Minimum *floor area***:**

Bachelor	26.9 m² (290 ft.²)
1 Bedroom	33 m² (355 ft.²)
2 Bedroom	39 m² (420 ft.²)
3 Bedroom	45.1 m² (485 ft.²)

ii. In the case of a *multiple dwelling* and *apartment dwelling* only, no *parking space* shall be located within 3 m (10 ft.) of a *lot line*.

iii. Where a *multiple dwelling* or *apartment dwelling*, greater than 3 units abuts a single *family residential* zone (R1, R2, R3, or R4), 3 m (10 ft.) of the *required yard* shall be used and maintained as a *landscaped buffer***.**

5.1.6 FRONT *YARD* EXEMPTIONS (where the *front lot line* is the *high water mark*)

The following *buildings* and *structures* are exempted from the front *yard* requirements:

i. Stairs, *ramps* and *landings* which do not exceed 1.8 m (6 ft.) in width and where *landings* do not exceed a maximum area of 4.6 m² (50 ft²).

ii. No more that two (2) of a *pumphouse*, sauna or *gazebo*, of which the maximum *pumphouse floor area* shall be 4.6 m² (50 ft.²), maximum sauna *floor area* 9.3 m² (100 ft.²), and maximum *gazebo floor area* 18.6 m² (200 ft.²). Each *structure* shall not exceed a *height* of 4.6 m (15 ft.) and each shall have a minimum separation distance from the other of 4.6 m (15 ft.). A *pumphouse* and sauna shall have a minimum *setback* of 4.6 m (15 ft.) from the *high water mark*. A *gazebo* shall have a minimum *setback* of 1.0 m (3 ft.) from the *high water mark*.

iii. *Inclinator*.

iv. *Sundecks*, but must have a minimum *setback* of 15.2 m (50 ft.) from the *high water mark*.

5.1.7 *ROOMING HOUSES*

Rooming Houses exceeding three (3) bedrooms shall be subject to the following specific provisions:

i. A minimum *lot frontage* and *lot area* in accordance with the applicable zone in Table 5.1.3.

ii. A maximum *gross floor area* of 280 m² (3010 ft.²);

iii. A maximum of five (5) bedrooms;

iv. A minimum bedroom size of 7 m² (75 ft.²) and a maximum bedroom size of 27.9 m² (300 ft.²);

v. A minimum of 1 *parking space* per bedroom used for the *Rooming House* and a minimum of 1.5 *parking spaces* for any *dwelling unit* on the property;

vi. A minimum front *yard setback* of 10.7 m (35 feet);

vii. A *height* not exceeding 3 *storey*s;

viii. A minimum interior side *yard setback* of 4.6 m (15 ft.) in the Urban Centres and 7.6 m (25 ft.) in the Communities;

ix. A minimum exterior side *yard setback* of 7.6 m (25 ft.);

x. A minimum *landscaped area* of 35%;

xi. A minimum distance separation between *Rooming Houses* of 152.4 m (500 ft.); measured from any and all points of their respective *lot lines*;

xii. The cumulative *floor area* of bedrooms shall be limited to 50% of the *gross floor area* of the *Rooming House*.

xiii. No *person* shall erect a *Rooming House* unless the *lot* upon which such *Rooming House* is to be erected fronts, for a distance equal to the minimum frontage requirement, a Provincial Highway or District Road.

xiv. Where a *dwelling unit* and *Rooming House* are permitted *uses*, only one *building* containing these *uses* is permitted on a *lot,* excluding RM1 and RM2 zones.

5.1.8 SPECIAL PROVISIONS: MULTIPLE *RESIDENTIAL* (RM1, RM2)

The following specific requirements are applicable in these zones:

a. In a Multiple *Residential* Medium Density (RM1) zone the density of development shall not exceed 30 *dwelling units* per hectare (12 units/acre) in addition to the requirements of Section 5.1.4.3 of this By-law.

b. In a Multiple *Residential* High Density (RM2) zone the density of development shall not exceed 60 *dwelling units* per hectare (24 units/acre) in addition to the requirements of Section 5.1.4.3 of this By-law.

5.1.9 SPECIAL PROVISIONS: *RESIDENTIAL* WATERFRONT (R3,R4)

The following specific requirements are applicable in the R3 and R4 zones:

a. A two *storey boathouse* is permitted on a waterfront lot abutting a Category 1 Lake in accordance with Table 1 of Section 4.1, with a minimum of 91.4 m (300 ft.) of *lot frontage*.

b. A two *storey boathouse* may contain a *sleeping cabin*.

c. Only one (1) *sleeping cabin* is permitted per each *residential lot,* provided the *lot* meets the minimum *lot* of record criteria in Section 3.4 abutting the *high water mark.*

d. The maximum *floor area* of a *sleeping cabin* shall be 60.4 m² (650 ft.²).

e. Where two (2) or more *dwelling units* exist on a lot, a *sleeping cabin* is not permitted.

f. A *basement* used solely for the purposes of storage in a *sleeping cabin* shall not have access from the interior of the building.

g. Within the *front yard*, an area of land 15.2 m (50 ft.) wide and running parallel to the *high water mark* shall contain a *shoreline buffer*.

h. Where a *lot* in an R3 zone abuts the *high water mark*, the minimum permitted *setback* from the *high water mark* shall be 20.1 m (66 ft.), and subject to the requirements of Section 5.1.4.4.

Amended by By-law 2017-17

i. Where a *lot* in an R3 zone abuts the *high water mark*, the minimum *lot frontage* shall be 61 m (200 feet), the minimum *lot area* shall be 0.4 ha. (1 ac.), the maximum *lot coverage* shall be 15% and the minimum permitted interior side yard setback shall be 4.6 m (15 ft.).

j. Where a *lot* in an R4 zone does not have municipal water and sewer service available the minimum *lot frontage* shall be 45.7 m (150 ft.), the minimum *lot area* shall be 0.4 ha. (1 ac.), and the maximum *lot coverage* shall be 15%.

5.1.10 SECONDARY DWELLING UNITS

Secondary Dwelling units shall be subject to the following:

i. A maximum of one (1) *secondary dwelling unit* is permitted per *lot.*

ii. *Secondary Dwelling units* must be located within *an accessory structure* or as an accessory apartment in an existing *single detached dwelling*.

iii. A *secondary dwelling unit* shall have a maximum *gross floor area* of 11m² (1195 ft.²).

iv. *Secondary Dwelling units* must have less *gross floor area* than the main *dwelling unit*.

v. A *Secondary Dwelling unit* is not permitted in a R3 zone where it abuts the *high water mark*.

Amended by By-law 2017-17

vi. A *Secondary Dwelling unit* shall have a minimum *gross floor area* of 17 m² (180 ft. ²).

5.1.11 ACCESSORY *STRUCTURES* OVER WATER

A *boathouse, boatport, sun shelter* or *dock* may be located in a Waterbody Open Space Zone (WOS) where it abuts a Community *Residential* Zone or in a Community *Residential* (R) Zone provided it is an *Accessory Use* to the main permitted *,* and is subject to the following:

a. In the case of *docks*

Amended by By-law 2017-17

i. No part of any *dock* shall extend beyond 20.1 m (66 ft.) from the *high water mark* abutting the *lot;*

ii. No part of any *dock* shall be e*rected* within 4.6 m (15 ft.) from the s*ide* or *rear lot line* or any 30.5 m (100 ft.) s*traight line projection* thereof, from the *high water mark;* and,

iii. The *dock* is permitted to extend from or to be located in the *front yard* of a *lot,* a maximum distance of 3 m (10 ft.)*;*

iv. The total *cumulative dock width* on a *lot* shall not exceed 25% of the *lot frontage* or 22.3 m (75 ft.) whichever is lesser.

v. A hot tub shall not be permitted on a *dock*.

b. In the case of a *boathouse*

i. The *lot* must abut a Category 1, 2, or 4 Lake in accordance with Table 1 of Section 4.1;

Amended by By-law 2017-17

ii. No part of any *boathouse* shall extend beyond 15.2 m (50 ft.) from the *high water mark* abutting the *lot;*

iii. The total *cumulative dock and boathouse width* shall not exceed 25% of the *lot frontage* or 22.3 m (75 ft.), whichever is lesser;

iv. A single *storey boathouse* shall not exceed a *height* of 4.9 m (16 ft.) with no floor, and a two *storey boathouse* shall not exceed a *height* of 7.6 m (25 ft.). A two *storey boathouse* is only permitted on a Category 1 Lake in accordance with Table 1 of Section 4.1 and on a *lot* with a minimum *lot frontage* of 91.4 m (300 ft.);

v. No part of any single *storey boathouse* shall be e*rected* within 4.6 m (15 ft.) from the s*ide* or *rear lot line* or any 30.5 m (100 ft.) *straight line projection* thereof, from the *high water mark;*

vi. For the purposes of this By-law a *boathouse* which has a *sundeck* above and/or which has a second *storey* or any part thereof shall be deemed to be a two *storey boathouse* and no part of any two *storey boathouse* or *sundeck* above shall be erected within 9.1 m (30 ft.) of the *side* or *rear lot line* or any 30.5 metre (100 ft.) s*traight line projection* of the *side* or r*ear lot line;*

vii. *Structures* and *alterations* on the second *storey* of a two *storey boathouse*, where permitted, are limited to a *sleeping cabin*, *covered area* and *sundeck* (with no *structure* above).

Amended by By-law 2017-17

viii. The maximum permitted size of the second *storey* of a *boathouse* shall be 60.4 m² (650 ft.²) which can consist of a *sleeping cabin*, *covered area*, or any combination thereof;

For *lots* with 122 m (400 ft.) or more of *lot frontage*, the maximum size of all second *storeys* of a *boathouse* is 60.4 m^2 (650 $ft.^2$) which can be *habitable floor area*, *covered area*, or any combination thereof plus a maximum of 23.2 m^2 (250 $ft.^2$) of *covered area*;

ix. The *boathouse* is permitted to extend from or to be located in the *front yard* of a *lot*, a maximum distance of 3 m (10 ft.)*;*

x. The *boathouse* shall not contain a *dwelling unit;*

xi. A hot tub shall not be permitted on a *boathouse*; and,

xii. The use of the first *storey* of any *boathouse* is limited to:

i) The berthing and sheltering of boats or other marine related equipment;

ii) A washroom, utility room for electrical panels, water supply equipment, plumbing related to sewage disposal or other similar purpose, and sauna, which do not cumulatively exceed 9.3 m² (100 ft²) in *floor area;* and,

iii) The washroom, sauna, and utility room noted above are the only permitted separate rooms in the first *storey* of a *boathouse*.

c) In the case of a *sun shelter:*

Amended by By-law 2017-17

i. A *sun shelter* shall not contain *habitable floor area* or be screened or glassed or otherwise enclosed on any side*;*

ii. The maximum permitted *gross floor area* shall be 18.6 m^2 (200 sq. ft.);

iii. The *sun shelter* shall not exceed a *height* of 4.5 m (15 ft.);

iv. No part of any *sun shelter* shall extend beyond 10.7 m (35 ft.) from the *high water mark;* and,

v. A *sun shelter* shall comply with all other provisions regulating a *boathouse.*

d) For those portions of land fronting onto a *restricted waterbody* and zoned with a "-R" suffix to the zone symbol, a *dock, boathouse, boatport,* or *sun shelter* may be located in the abutting Waterbody Open Space (WOS) zone and subject to the following additional provisions:

i. The maximum length of a *dock,* measured from the *high water mark,* is the lesser of 12.2 m (40 ft.) or 25% of the distance from shoreline to opposite shoreline as established by the Schedules to By-law 2014-14, measured from the subject *dock to the* closest shoreline of another *lot* opposite the subject *dock;*

ii. The maximum length of a *boathouse, boatport* or *sun shelter,* measured from the *high water mark*, is the lesser of 10.7 m (35 ft.) or 25% of the distance from shoreline to opposite shoreline as established by the Schedules to By-law 2014-14, measured from the subject *boathouse* to the closest shoreline of another *lot* opposite the subject *boathouse*

iii. A two *storey boathouse* is not permitted; and

iv. A single *storey boathouse, boatport* or *sun shelter* where the roof is capable of being used as a *sundeck* shall not be permitted.

5.2 COMMUNITY COMMERCIAL ZONES (C)

5.2.1 Permitted Main *Uses*

No *person* shall within any of the Community Commercial Zones *use* any *lot*, or *erect*, locate, *alter* or *use* any *building* or *structure* for any purpose except in accordance with the following applicable zones as noted on the following page in Table 5.2.1:

TABLE 5.2.1 – COMMUNITY COMMERCIAL ZONE, PERMITTED MAIN USES

PERMITTED MAIN USES	RESORT COMMERCIAL				MARINA	COMMUNITY	HIGHWAY	MIXED USE
	C1A	C1B	C1C C1CA	C1D C1DA	C2	C3	C4	C5
AUTOMOBILE SALES ESTABLISHMENT							X	X
AUTOMOBILE SERVICE STATION							X	X
AUTOMOBILE WASHING ESTABLISHMENT							X	X
BUILDING SUPPLY YARD							X	X
CLINIC						X	X	X
CONTRACTOR'S YARD							X	X
CONVENIENCE STORE						X	X	X
FINANCIAL BUSINESS						X		X
GAS BAR					X		X	X
HOTEL	X	X	X	X				
MARINA					X		X	X
MOTEL	X	X	X	X			X	X
OFFICE						X	X	X
PERSONAL SERVICE SHOP						X		X
PLACE OF AMUSEMENT						X	X	X
RECREATIONAL ESTABLISHMENT							X	X
RECREATIONAL VEHICLE AND EQUIPMENT CENTRE							X	X
RESTAURANT	X	X	X	X		X	X	X
RETAIL STORE						X		X
SERVICE SHOP					X	X	X	X
TAVERN						X	X	X
TOURIST RESORT	X	X	X	X				

***X** indicates uses permitted in applicable zone*

5.2.2 Permitted *Accessory Use*s

No *person* shall, in any Community Commercial Zone, construct an *Accessory Use* on any property unless a main use / permitted use has been established on the property and in accordance with the following applicable zones on the following page in Table 5.2.2:

TABLE 5.2.2 – COMMUNITY COMMERCIAL ZONE, PERMITTED ACCESSORY USES

ACCESSORY USES	RESORT COMMERCIAL				MARINA	COMMUNITY	HIGHWAY	MIXED USE
	C1A	C1B	C1C C1CA	C1D C1DA	C2	C3	C4	C5
ARTIST STUDIO	X	X	X	X	X	X		X
CONVENIENCE STORE	X	X	X	X	X			
CONTRACTOR'S YARD					X			
CULTURAL CENTRE	X	X	X	X	X	X		X
RESIDENTIAL – DWELLING UNIT	X	X	X	X	X	X	X	X
GOLF COURSE	X	X	X	X				
MARINA	X	X	X	X				
RESIDENTIAL – MULTIPLE DWELLING	X	X				X		X
OFFICE	X	X	X	X	X	X	X	X
PERSONAL SERVICE SHOP	X	X	X	X				
PLACE OF AMUSEMENT	X	X	X	X		X	X	X
RECREATIONAL ESTABLISHMENT	X	X	X	X				
RESTAURANT	X	X	X	X	X			
RETAIL STORE	X	X	X	X	X			
SERVICE SHOP					X	X		
STAFF QUARTERS	X	X	X	X	X	X	X	X
TAVERN	X	X	X	X				

***X** indicates uses permitted in applicable zone*

(1) Where permitted in Table 5.2.1 or 5.2.2, both one *dwelling unit* and one *single detached dwelling unit* are permitted as *Accessory Use*s provided that the provisions of Section 3.19 are adhered to for the *dwelling unit*.

5.2.3 Zone Requirements

No *person* shall within any of the Community Commercial Zones *use* any *lot* or *erect*, locate, *alter* or *use* any *building* or *structure* except in accordance with the following requirements as noted below in Table 5.2.3 and the applicable Special Provisions:

TABLE 5.2.3 – COMMUNITY COMMERCIAL ZONE PROVISIONS

LOT REQUIREMENTS	ZONES (4)									
	C1A	C1B	C1C	C1D	C1CA (1)	C1DA (1)	C2 (2)	C3	C4	C5
Minimum Lot Frontage	99.1 m (325 ft.)	76.2 m (250 ft.)	152.4 m (500 ft.)	76.2 m (250 ft.)	152.4 m (500 ft.)	76.2 m (250 ft.)	61 m (200 ft.)	---	45.7 m (150 ft.)	45.7 m (150 ft.)
Minimum Lot Area	0.4 ha (1 ac.)	0.4 ha. (1 ac.)	0.8 ha. (2 ac.)	0.8 ha. (2 ac.)	0.8 ha. (2 ac.)	0.8 ha. (2 ac.)	---	---	0.2 ha. (0.5 ac.)	0.2 (0.5 ac.)
Maximum Lot Coverage	35%	35%	15%	15%	15%	15%	35%	---	50%	50%
Minimum Front Yard Setback (3)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	---	3 m (10 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)
Minimum Interior Side Yard Setback	6.1 m (20 ft.)	6.1 m (20 ft.)	6.1 m (20 ft.)	6.1 m (20 ft.)	6.1 m (20 ft.)	6.1 m (20 ft.)	3 m (10 ft.)	3 m (10 ft.)	6.1 m (20 ft.)	6.1 m (20 ft.)
Minimum Exterior Side Yard Setback	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	3 m (10 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)
Minimum Rear Yard Setback	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	3 m (10 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)
Minimum Landscaped Area	30%	30%	30%	30%	30%	30%	30%	---	30%	30%
Maximum Height	13.7 m (45 ft.)	13.7 m (45 ft.)	13.7 m (45 ft.)	13.7 m (45 ft.)	13.7 m (45 ft.)	13.7 m (45 ft.)	10.7 m (35 feet)	12.2 m (40 ft.)	12.2 m (40 ft.)	12.2 m (40 ft.)

C1A, C1B Applies to Urban Centres of Bala and Port Carling

C1C, C1D Applies to the Communities of Foots Bay, Glen Orchard, Milford Bay, Minett, Torrance and Windermere

(1) See Section 5.2.4.1 (3) See Section 5.2.4.3
(2) See Section 5.2.4.2 (4) See Section 5.2.4.4

5.2.4 COMMUNITY COMMERCIAL ZONE PROVISIONS

5.2.4.1 See Section 5.2.13

5.2.4.2 For *lots* zoned C2 on the date of passing of this By-law the minimum *lot frontage* requirement shall be 60.1 m (200 ft.) or the *lot frontage* which existed on the date of passing of this By-law, whichever is less.

5.2.4.3 For *lots* that abut the *high water mark,* the minimum *setback* from the *high water mark* shall be 20.1 m (66 ft.).

5.2.4.4 The *front yard setback* for each *building* and s*tructure* on a *lot,* which are considered legal *non-complying* due to an encroachment into the required 20.1m (66 ft.) *front yard setback*, shall be the *setback* which existed on that date, or a minimum of 7.6 m (25ft.) from the *high water mark,* or from the *front lot line* whichever is greater.

For the purposes of determining the existing *front yard setback,* it shall be calculated based on the s*etback* for each type of *building* or s*tructure.*

In the case of a *sundeck,* which existed prior to the passing of this By-law, which is considered to be legal *non-complying* due to an encroachment into the required 15.2 m (50 ft.) *front yard setback,* the *front yard setback* for that *sundeck* shall be the *setback* which existed on that date or a minimum of 4.6 m (15 ft.) from the *high water mark,* whichever is greater.

5.2.5 FRONT *YARD* EXEMPTIONS

The following *buildings* and *structures* are exempted from the *front yard* requirements:

i) *Sundecks, landings*, *ramps* and stairs

ii) *Pumphouses*, saunas and *gazebos* not exceeding 4.6 m (15 feet) in *height.*

iii) Notwithstanding subsection i), for a *lot* that abuts the *high water mark*, s*undecks* must have a minimum *setback* of 15.2 m (50 ft.) from the *high water mark*.

5.2.6 *LANDSCAPED BUFFER*

Where a Commercial Zone (C1A, C1B, C1C, C1CA, C1D, C1DA, C2, C4, C5) abuts a *residential* Zone, 3 m (10 ft.) of the *required yard* abutting that zone shall be planted and maintained as a *landscaped buffer*.

5.2.7 *STRUCTURES* OVER WATER

A *boathouse, boatport, sun shelter,* or *dock* may be located in a Waterbody Open Space Zone (WOS) where it abuts a Community Commercial Zone or in a Community Commercial (C) Zone provided it is an *Accessory Use* to the main permitted *use,* and is subject to the following:

a. In the case of *docks*

Amended by By-law 2017-17

i. No part of any *dock* shall extend beyond 20.1 m (66 ft.) from the *high water mark* abutting the *lot;*

ii. No part of any *dock* shall be e*rected* within 4.6 m (15 ft.) from the s*ide* or *rear lot line* or any 30.5 metre (100 ft.) s*traight line projection* thereof, from the *high water mark;*

iii. the total *cumulative width* of *docks* on a *lot* shall not exceed 25% of the *lot frontage,* excluding *docks* in a Community Commercial – *Marina* (C2) Zone which shall not exceed 75%*;* and,

iv. The *dock* is permitted to extend from or to be located in the *front yard* of a *lot,* to a maximum distance of 3 m (10 ft).

b. In the case of a *boathouse*

Amended by By-law 2017-17

i. No part of any *boathouse* shall extend beyond 15.2 m (50 ft.) from the *high water mark* abutting the *lot;*

ii. The total cumulative *dock* and *boathouse width* shall not exceed 25 % of the *lot frontage* or 15.2 m (50 ft.), whichever is greater, excluding *boathouses* in a Community Commercial - *Marina* (C2) Zone, which shall be limited to 75%;

iii. The *boathouse* shall not exceed a *height* of 7.6 m (25 ft.);

iv. No part of any single *storey boathouse* shall be e*rected* within 4.6 m (15 ft.) from the s*ide* or *rear lot line* or any 30.5 metre (100 ft.) *straight line projection* thereof, from the *high water mark;*

v. For the purposes of this By-law a *boathouse* which has a second *storey* or any part thereof shall be deemed to be a two *storey boathouse* and no part of any two *storey boathouse* shall be erected within 9.1 m (30 ft.) of the *side* or *rear lot line* or any 30.5 metre (100 ft.) s*traight line projection* of the *side* or r*ear lot line;*

vi. The *lot* must abut a Category 1, 2, or 4 Lake in accordance with Table 1 of Section 4.1;

vii. A two *storey boathouse* is only permitted on a Category 1 Lake in accordance with Table 1 of Section 4.1 and on a *lot* with a minimum *lot frontage* of 91.4 m (300 ft.); and,

viii. The *boathouse* is permitted to extend from or to be located in the f*ront yard* of the *lot,* to a maximum distance of 3 m (10 ft.).

c. In the case of a *sun shelter:*

i. A *sun shelter* shall not contain *habitable floor area* or be screened or glassed*;*

ii. The maximum permitted *gross floor area* shall be 18.6 m² (200 ft.²);

iii. The *sun shelter* shall not exceed a *height* of 4.5 m (15 ft.);

iv. No part of any *sun shelter* shall extend beyond 10.7 m (35 ft.) from the *high water mark;* and,

v. A *sun shelter* shall comply with all other provisions regulating a *boathouse.*

d. For those portions of land fronting onto a *restricted waterbody* and zoned with a "-R" suffix to the zone symbol, a *dock, boathouse, boatport,* or *sun shelter* may be located in the abutting Waterbody Open Space (WOS) zone and subject to the following additional provisions:

i. The maximum length of a *dock,* measured from the *high water mark*, is the lesser of 12.2 m (40 ft.) or 25% of the distance from shoreline to opposite shoreline as established by the Schedules to By-law 2014-14, measured from the subject *dock* to the closest shoreline of another *lot* opposite the subject *dock*;

ii. The maximum length of a *boathouse, boatport* or *sun shelter*, measured from the *high water mark*, is the lesser of 10.7 m (35 ft.) or 25% of the distance from shoreline to opposite shoreline as established by the Schedules to By-law 2014-14, measured from the subject *boathouse* to the closest shoreline of another *lot* opposite the subject *boathouse*;

iii. A two *storey boathouse* is not permitted; and

iv. A single *storey boathouse, boatport* or *sun shelter* where the roof is capable of being used as a *sundeck* shall not be permitted.

5.2.8 PARKING AND LOADING

See General Provision 3.28 and 3.29 for Parking and Loading Requirements

5.2.9 DWELLING UNIT

Where an *accessory Residential use* is permitted if it is located in a non-*residential* building it shall conform with General Provision 3.19.

5.2.10 SPECIAL PROVISIONS: RESORT COMMERCIAL (C1A, C1B, C1C, C1CA, C1D, C1DA)

The following specific requirement is applicable in these zones:

a. For the purpose of calculating development density in all Community Resort Commercial zones all *accommodation units*, *housekeeping units*, and *dwelling units* shall be included in the calculation of the number of units per acre allowed.

5.2.11 SPECIAL PROVISIONS: RESORT COMMERCIAL (C1A, C1B)

The following specific requirements are applicable in these zones:

a. In a Resort Commercial (C1A, C1B) zone the density of development shall not exceed 30 units per hectare (12 units/acre).

b. Medium and High Density *residential* development shall comply with the provisions in Section 5.1.5 and 5.1.8.

c. Where a resort development has a *residential* use, the commercial use must be constructed prior to the *residential* use.

d. The number of *residential* units shall not exceed 50% of the *accommodation units*, *housekeeping units*, and *tourist resort units*.

e. Habitable *buildings* and *structures* must be connected to municipal water and *sewer services.*

5.2.12 SPECIAL PROVISIONS: RESORT COMMERCIAL (C1C, C1D)

a. In a Resort Commercial (C1C, C1D) zone the density of development shall not exceed 15 units per hectare (6 units/acre).

5.2.13 SPECIAL PROVISIONS: RESORT COMMERCIAL (C1CA, C1DA)

The following specific requirements are applicable in these zones:

a. In a Resort Commercial (C1CA, C1DA) zone the density of development shall not exceed 15 units per hectare (6 units/acre).

b. In a Resort Commercial (C1CA, C1DA) zone the *gross floor area* allowed for all permitted *uses* on a *lot* in a C1CA or C1DA zone shall be limited to 20% of the *lot area* zoned C1CA or C1DA.

c. Where a Resort Commercial (C1CA, C1DA) zone abuts a *Residential* zone the minimum *required yard* shall be 12.2 m (40 ft.). 3 m (10 ft.) of the *required yard* shall be planted and maintained as a *landscaped buffer*.

5.2.14 SPECIAL PROVISIONS: *MARINA* COMMERCIAL (C2)

The following specific requirements are applicable in this zone:

a. A detached *dwelling unit* may be located in a *Marina* Commercial (C2) Zone if it is a minimum of 20.1 m (66 ft.) from the *high water mark*.

5.2.15 SPECIAL PROVISIONS: COMMERCIAL ZONES (C3, C4, C5)

The following specific requirements are applicable in these zones:

a. Despite the *front* or *rear yard* requirements of Section 3.23, a *building* or *structure* may be *erected* or *altered* to conform with the *established building line*.

b. *Multiple dwelling units* are permitted in a Community Commercial (C3 or C5) Zone provided that:

i. The *dwelling units* are connected to municipal *sewer* and *water services*;

ii. The units shall comply with the requirements of Section 5.1.5;

iii. The units shall comply with General Provision 3.19; and

iv. The maximum density of development shall not exceed – 30 units per hectare (12 units/acre).

c. Where a Community Commercial (C3) Zone is in Port Carling and fronts on District Road #43 between Lock *Street* and Ferndale Road or fronts on Lock Street or is in Bala and fronts of Provincial Highway #169 between Bala Falls Road and Gordon *Street* or fronts on Bala Falls Road, no *interior side yard* is required.

d. *Open storage* in a Community Commercial (C4) Zone.

No *open storage* of goods or materials is permitted unless the following provisions are compiled with:

i. such *open storage* is an *Accessory Use* to the main permitted *use* on the *lot*;
ii. such *open storage* complies with the *required yards* of the applicable zone; and,

iii. any portion of a *lot* used for such *open storage* is screened from adjacent *residential uses* and *streets* adjoining the *lots* and *buildings* or a *landscaped buffer*.

5.3 COMMUNITY INDUSTRIAL ZONES (M)

5.3.1 Permitted *Uses*

No *person* shall within any of the Community Industrial Zones *use* any *lot*, or *erect*, locate, *alter* or *use*, any *building* or *structure* for any purpose except in accordance with the following applicable zones as noted below in Table 5.3.1:

TABLE 5.3.1 – COMMUNITY INDUSTRIAL ZONE, PERMITTED MAIN USES

PERMITTED USES	INDUSTRIAL (M1)	EXTRACTIVE (M2)	WASTE (M3)
AUTOMOBILE SERVICE STATION	X		
BUILDING SUPPLY YARD	X		
CONTRACTOR'S YARD	X	X	
LIGHT INDUSTRY	X		
MARINA	X		
PIT OR QUARRY		X	
SERVICE SHOP	X		
SEWER & WATER TREATMENT			X
WAREHOUSING	X		
WASTE DISPOSAL			X
OFFICE (ACCESSORY ONLY)	X	X	X
RETAIL STORE (ACCESSORY ONLY)	X	X	

***X** indicates uses permitted in applicable zone*

5.3.2 Zone Requirements

No *person* shall within any of the Community Industrial zones *use* any *lot*, or *erect*, locate, *alter* or *use* any *building* or *structure* except in accordance with the following requirements and the applicable Special Provisions:

TABLE 5.3.2 – COMMUNITY INDUSTRIAL ZONE PROVISIONS

LOT REQUIREMENTS	ZONES		
	LIGHT	EXTRACTIVE	WASTE
	M1	M2	M3
Minimum Lot Frontage	45.7 m (150 ft.)	---	---
Minimum Lot Area	0.4 ha. (1 ac.)	---	---
Maximum Lot Coverage	60%	20%	---
Minimum Front Yard Setback	9.1 m (30 ft.)	20.1 m (66 ft.)	---
Minimum Interior Side Yard Setback	7.6 m (25 ft.)	20.1 m (66 ft.)	---
Minimum Exterior Side Yard Setback	9.1 m (30 ft.)	20.1 m (66 ft.)	---
Minimum Rear Yard Setback	7.6 m (25 ft.)	20.1 m (66 ft.)	---
Maximum Height	9.1 m (30 ft.)	9.1 m (30 ft.)	---

5.3.3 *OPEN STORAGE*

No *open storage* of goods or materials is permitted unless the following provisions are complied with:

i) such *open storage* is an *Accessory Use* to the main permitted *use* on the *lot* with the exception of an extractive industrial *use*;

ii) such *open storage* complies with the *required yards* of the applicable zone;

iii) any portion of a *lot* used for such *open storage* is screened from adjacent *residential uses* and *streets* adjoining the *lot*, by *buildings* or a *landscaped buffer*.

5.3.4 *LANDSCAPED BUFFER*

Where any Industrial Zone (M) abuts a *Residential* Zone, 3 m (10 ft.) of the *required yard setback* abutting that zone shall be planted and maintained as a *landscaped buffer*.

5.3.5 *OBNOXIOUS USE*

An *OBNOXIOUS USE* is not permitted.

5.3.6 SERVICING RESTRICTION

In the absence of a *sewer service* the permitted *uses* are restricted to those industries, which use water only for the personal use of the employees and not in connection with any *manufacturing*, processing, assembling or fabricating process with the exception of *pits* and/or *quarries*, or *wayside pits* and/or *wayside quarries.*

5.3.7 GATEHOUSE

Despite the *required yards* of this By-law, a gatehouse is permitted within a *yard* adjacent to the *street*.

5.3.8 INDUSTRIAL *USE*

An industrial *use* may include retail sales provided it is an *Accessory Use* to the main *use* and provided that the retail sales area does not exceed 15% of the industrial floor area.

5.3.9 PARKING

For Parking and Loading Area Requirements see Sections 3.28 and 3.29.

6.1 RURAL ZONES (Ru)

6.1.1 Permitted Main *Uses*

Amended by By-law 2017-17

No *person* shall with any Rural Zone *use* any *lot* or *erect*, locate, *alter* or *use* any *building* or *structure* for any purpose except in accordance with the following applicable zones as noted in Tables 6.1.1 and 6.1.2:

TABLE 6.1.1 – RURAL ZONES, PERMITTED MAIN USES

PERMITTED MAIN USES	AREA 3	AREA 2	RURAL AGRICULTURE	RURAL LAND EXTENSIVE	RURAL RESIDENTIAL	RURAL RESIDENTIAL HAMLET	RURAL SPECIAL	SCENIC AREA
	RU1	RU2	RU3	RU4	RUR	RURH	RUSP	RUSA
AGRICULTURAL USES	X	X	X	X				
BED & BREAKFAST	X	X	X	X	X	X	X	
CONSERVATION	X	X	X	X	X	X	X	X
RESIDENTIAL – DWELLING UNIT	X	X	X	X	X	X	X	
FARM	X	X	X	X				
FORESTRY OPERATION	X	X	X	X				
KENNEL	X	X	X	X				
OPEN SPACE RECREATION	X	X	X	X	X	X	X	X
ROOMING HOUSES	X	X	X	X	X	X	X	
SPECIALIZED FARM USE				X				
TENT & TRAILER PARK							X	
TOURIST RESORT							X	
WAYSIDE PIT OR WAYSIDE QUARRY	X	X		X				

***X** indicates uses permitted in applicable zone*

6.1.2 Permitted *Accessory Uses*

No *person* shall, in any Rural Zone, construct an *Accessory Use* on any property unless a main use / permitted use has been established on the property and in accordance with the following applicable zones in Table 6.1.2:

TABLE 6.1.2 – RURAL ZONES, PERMITTED ACCESSORY USES

PERMITTED *ACCESSORY USES*	Ru1	Ru2	Ru3	Ru4	RuR	RuRH	RuSp	RuSA
RESIDENTIAL – SECONDARY DWELLING UNIT	X	X	X	X	X	X	X	
HOME BASED BUSINESS	X	X	X	X	X	X	X	

X *indicates uses permitted in applicable zone* Amended by By-law 2017-17

6.1.3 ZONE REQUIREMENTS

No *person* shall within any Rural Zone *use* any *lot* or *erect*, locate, *alter*, or *use* any *building* or *structure* except in accordance with the following requirements as noted below in Table 6.1.3 and the applicable Special Provisions:

TABLE 6.1.3 – RURAL ZONE PROVISIONS

LOT REQUIREMENTS	ZONES (2)							
	AREA 3	AREA 2	RURAL AGRICULTURE	RURAL LAND EXTENSIVE	RURAL RESIDENTIAL	RURAL RESIDENTIAL HAMLET	RURAL SPECIAL	SCENIC AREA
	Ru1 (4)	Ru2 (4)	Ru3 (4)	Ru4	RuR (4)	RuRH	RuSp	RuSA
Minimum Lot Frontage	180 m (600 ft.) (1)	100 m (325 ft.) (1)	100 m (325 ft.) (1)	200 m (660 ft.)	100 m (325 ft.)	60 m (200 ft.)	100 m (325 ft.) (3)	180 m (600 ft.)
Minimum Lot Area	4 ha. (10 ac.) (1)	1 ha. (2.5 ac.) (1)	1 ha. (2.5 ac.) (1)	30 ha. (75 ac.)	1 ha. (2.5 ac.)	0.5 ha. (1.25 ac.)	1 ha. (2.5 ac.) (3)	4 ha. (10 ac.)
Maximum Lot Coverage	2%	5%	5%	1%	5%	10%	10%	2%
Minimum Front Yard Setback (2)	15.2 m (50 ft.)	15.2 m (50 ft.)	15.2 m (50 ft.)	15.2 m (50 ft.)	15.2 m (50 ft.)	15.2 m (50 ft.)	15.2 m (50 ft.)	30.5 m (100 ft.)
Minimum Interior Side Yard Setback	6.1 m (20 ft.)	6.1 m (20 ft.)	6.1 m (20 ft.)	30.5 m (100 ft.)	6.1 m (20 ft.)	6.1 m (20 ft.)	6.1 m (20 ft.)	30.5 m (100 ft.)
Minimum Exterior Side Yard Setback	15.2 m (50 ft.)	15.2 m (50 ft.)	15.2 m (50 ft.)	15.2 m (50 ft.)	15.2 m (50 ft.)	15.2 m (50 ft.)	15.2 m (50 ft.)	30.5 m (100 ft.)
Minimum Rear Yard Setback	6.1 m (20 ft.)	6.1 m (20 ft.)	6.1 m (20 ft.)	30.5 m (100 ft.)	6.1 m (20 ft.)	6.1 m (20 ft.)	6.1 m (20 ft.)	30.5 m (100 ft.)
Maximum Height	10.7 m (35 ft.)	10.7 m (35 ft.)	10.7 m (35 ft.)	10.7 m (35 ft.)	10.7 m (35 ft.)	10.7 m (35 ft.)	10.7 m (35 ft.)	9.1 m (30 ft.)
Maximum Height – Accessory Bldg (m)	6.1 m (20 ft.)	6.1 m (20 ft.)	6.1 m (20 ft.)	6.1 m (20 ft.)	6.1 m (20 ft.)	6.1 m (20 ft.)	6.1 m (20 ft.)	6.1 m (20 ft.)

(1) See Section 6.1.4.1 (4) See Section 6.1.5 Amended by By-law 2017-17 & 2021-116
(2) See Section 6.1.4.2
(3) See Section 6.1.4.3

6.1.4 RURAL ZONE PROVISIONS

6.1.4.1 For all lot creation policies refer to the *Township* of Muskoka Lakes Official Plan, in addition to the following:

a. The number of lots created by consent is limited to one additional lot per existing lot as of October 13th, 1992. In the case of a *lot* zoned Rural (Ru2), a total of three (3) lots may be created per original 40.5 ha. (100 ac.) lot.

b. One (1) *lot* for *residential* purposes may be created for a minimum of each 20 ha. (50 ac.) zoned Rural-Agriculture (Ru3). The maximum *lot frontage* and area in such cases shall be 100 m (325 ft.) and 1.0 ha. (2.5 ac.).

6.1.4.2 The inclusion of a "-S" suffix to a zone symbol indicates that the area is a Scenic Corridor. The zoning provisions of the prefix apply to this area except the front *yard setback* or the *setback* from the *lot line* abutting the scenic corridor as identified in the *Township* of Muskoka Lakes Official Plan. The *setback* adjacent to the corridor shall be 30.5 m (100 ft.).

The *front yard setback* for each *building* and s*tructure* which existed prior to December 18, 2006, which is considered legal *non-complying* due to an encroachment into the required 30.5 m (100 ft.) *setback* from the corridor, shall be the existing *setback* or a minimum of 15.2 m (50 ft.) from the *front lot line*, whichever is greater for each *building* or *structure*. Any new *building* or *structure* shall comply with the requirements of the table to which this is a footnote.

6.1.4.3 For a *Tourist Resort* or *Tent* and *Trailer Park* the minimum *lot area* shall be as follows:

Lot frontage	91.4 m (300 ft.)
Lot area	4 ha. (10 ac.)

6.1.5 SPECIAL PROVISIONS: RURAL (RU1, RU2, RU3, RUR)

The following Specific requirements are applicable in these zones:

a. *Lots* zoned Rural (Ru1, Ru2, Ru3, RuR) which qualify as a *lot* of record under Section 3.4 of this By-law are subject to the following:

i. *Kennels* are not a permitted *use* on *lots* with a *lot area* less than 4 hectares (10 acres);

ii. the maximum *lot coverage* for a *lot* with an area of 0.4 ha. (1 ac.) or less shall be 10%; and,

iii. where *kennels* are a permitted use, any enclosed area, *structure* or *building* used as a *kennel* must be a minimum of 30 m (100 ft.) from any *lot line*.

Specialized *Farm Uses*

b. *Specialized Farm Uses* are permitted in a Rural Land Extensive Zone (Ru4) subject to the following:

i. Minimum separation distance to a *dwelling unit* located on a *lot* under separate ownership – 305 m (1000 ft.).

ii. Minimum *setback* from a *street* – 90 m (300 ft.).

iii. Minimum *setback* from a *watercourse* – 30 m (100 ft.).

iv. Minimum separation from a *Residential* Zone – 305 m (1000 ft.).

v. Minimum Separation from any remaining *lot line* – 60 m (200 ft.).

Agricultural *Uses* (*Agri-Tourism*)

c. An *Agricultural Use* includes *Agri-tourism* and the following provisions shall apply:

i. Minimum *lot* area – 40 ha. (100 ac.)

ii. Minimum *setback* from a *street* and all *lot lines* – 40 m (132 ft.)

iii. Maximum *lot* area devoted to *agri-tourism uses* shall not exceed 15% of the total *lot area,* including required *parking spaces.*

iv. *Agri-tourism uses* shall remain secondary to the principal *farming* operation on the *lot.*

v. The *retail store* component associated with any *agri-tourism* use shall be limited to 200m² (2153 ft.²).

Kennels

d. Where *kennels* are a permitted *use*, any enclosed area, *structure* or *building* used as a *kennel* must be a minimum of 30 m (100 ft.) from any *lot line*.

Rooming house

e. *Rooming houses* exceeding three bedrooms shall be subject to the following specific provisions:

i. A minimum *lot frontage* of 30.5 m (100 ft.) and a minimum *lot area* of 0.2 ha. (5 ac.). In the case of a lot zoned Rural Special (RuSp) a minimum *lot frontage* and a minimum *lot area* in compliance with the Lot and Site Requirements of Section 6.1.3;

ii. A maximum *gross floor area* of 279 m² (3000 ft.²);

iii. A maximum of five (5) bedrooms;

iv. A minimum bedroom size of 7 m² (75 ft.²);

v. A maximum bedroom size of 28 m² (300 ft.²);

vi. A minimum of one (1) *parking space* per bedroom used for the *rooming house*;

vii. A minimum *front yard setback* of 20.1 m (66 ft.), a minimum *interior side yard* and *rear yard setback* of 15.2 m (50 ft.);

viii. A minimum *landscaped area* of 35%; and

ix. A *height* not exceeding three (3) *storeys*;

x. A minimum distance separation between *rooming houses* of 152.4 m (500ft), measured from any and all points of their respective *lot lines*.

xi. Where a *dwelling unit* and *rooming house* are permitted *uses*, only one *building* containing these *uses* is permitted on a *lot*.

Secondary Dwellings Units

f. *Secondary Dwelling units* shall be subject to the following:

i. A maximum of one (1) *secondary dwelling unit* is permitted per *lot.*

ii. *Secondary Dwelling units* must be located within an *accessory structure* or as an *accessory* apartment in an existing *single detached dwelling*.

iii. A *secondary dwelling unit* shall have a maximum *gross floor area* of 111 m² (1195 ft.²).

iv. *Secondary Dwelling units* must have less *gross floor area* than the main *dwelling unit*.

Amended by By-law 2017-17

v. A *Secondary Dwelling unit* shall have a minimum *gross floor area* of 17 m^2 (180 $ft.^2$).

6.2 RURAL COMMERCIAL ZONE (RUC)

6.2.1 Permitted Main *Uses*

No *person* shall, in any Rural Commercial Zone *use* any *lot* or *erect*, locate, *alter* or *use* any *building* or *structure* for any purpose except in accordance with the following applicable zones as noted below in Table 6.2.1:

TABLE 6.2.1 – RURAL COMMERCIAL ZONE, PERMITTED MAIN USES

PERMITTED MAIN USES	RURAL	RESORT	RESORT BACKLOT	TENT & TRAILER	PRIVATE CAMPS	LAND EXTENSIVE	COMMERCIAL INDUSTRIAL
	RuC1	RuC2	RuC2B	RuC3	RuC4	RuC5	RuC6
AUTOMOBILE SALES ESTABLISHMENT						X	X
AUTOMOBILE SERVICE STATION	X					X	X
BUILDING SUPPLY YARD						X	X
CONTRACTOR'S YARD						X	X
CONVENIENCE STORE	X						
GAS BAR	X						
HOTEL		X					
KENNEL						X	X
LANDSCAPING CENTRE						X	X
LIGHT INDUSTRY							X
MARINA	X					X	X
MOTEL		X					
PRIVATE CAMP					X		
PRIVATE CLUB	X					X	
RECREATIONAL ESTABLISHMENT						X	
RECREATIONAL VEHICLE AND EQUIPMENT CENTRE						X	X
RESTAURANT	X	X					
RIDING STABLE						X	
SERVICE SHOP						X	X
TENT AND TRAILER PARK				X			
TOURIST RESORT		X					
VETERINARY CLINIC						X	X
WAREHOUSING							X

X *indicates uses permitted in applicable zone*

6.2.2 Permitted *Accessory Uses*

No *person* shall in any Rural Zone, construct an *Accessory Use* on any property unless a main use/permitted use is established and in accordance with the following application zones in Table 6.2.2.

TABLE 6.2.2 – RURAL ZONES, PERMITTED ACCESSORY USES

ACCESSORY USES	RURAL	RESORT	RESORT BACKLOT	TENT & TRAILER	PRIVATE CAMPS	LAND EXTENSIVE	COMMERCIAL INDUSTRIAL
	RuC1	RuC2	RuC2B	RuC3	RuC4	RuC5	RuC6
CONVENIENCE STORE		X		X		X	X
RESIDENTIAL – DWELLING UNIT	X	X		X	X	X	X
GAS BAR	X						
GOLF COURSE		X	X				
OFFICE	X	X		X	X	X	X
OPEN SPACE RECREATION		X	X	X	X	X	X
PARKING AREAS	X	X	X	X	X	X	X
PARKING SPACES	X	X	X	X	X	X	X
PERSONAL SERVICE SHOP	X	X					
RECREATIONAL ESTABLISHMENT		X		X			
RESTAURANT	X	X		X			
RETAIL STORE	X	X				X	X
ROOFED RECREATION FACILITY		X	X	X	X		
SERVICE SHOP	X					X	X
STAFF QUARTERS		X	X		X		
STORAGE FACILITIES		X	X	X	X	X	X
TUCK SHOP					X		
WASTE TREATMENT FACILITY		X	X	X	X		

X *indicates uses permitted in applicable zone*

6.2.3 Zone Requirements

No *person* shall, in any Rural Commercial Zone *use* any *lot*, or *erect*, locate, *alter* or *use* any *building* or *structure* except in accordance with the following requirements as noted below in Table 6.2.3 and any applicable Special Provisions:

TABLE 6.2.3 – RURAL COMMERCIAL ZONE PROVISIONS

LOT REQUIREMENTS	ZONES (3)						
	RURAL	RESORT	RESORT BACKLOT	TENT & TRAILER	PRIVATE CAMPS	LAND EXTENSIVE	COMMERCIAL INDUSTRIAL
	RuC1	RuC2	RuC2B (1)	RuC3	RuC4	RuC5	RuC6 (4)
Minimum Lot Frontage	61 m (200 ft.)	76.2 m (250 ft.)	---	91.4 m (300 ft.)	91.4 m (300 ft.)	91.4 m (300 ft.)	91.4 (300 ft.)
Minimum Lot Area	0.4 ha. (1 ac.)	0.8 ha. (2 ac.)	4 ha. (10 ac.)	4 ha. (10 ac.)	2 ha. (5 ac.)	2 ha. (5 ac.)	2 ha. (5 ac.)
Maximum Lot Coverage	10%	10%	1%	10%	10%	5%	5%
Minimum Front Yard Setback (3)	15.2 m (50 ft.) (2)	15.2 m (50 ft.)	15.2 m (50 ft.)	15.2 m (50 ft.)	15.2 m (50 ft.)	15.2 m (50 ft.) (2)	15.2 m (50 ft.) (2)
Minimum Interior Side Yard Setback	9 m (30 ft.)	9 m (30 ft.)	20.1 m (66 ft.)	30 m (100 ft.)	30 m (100 ft.)	30 m (100 ft.)	30 m (100 ft.)
Minimum Exterior Side Yard Setback	15.2 m (50 ft.)	15.2 m (50 ft.)	15.2 m (50 ft.)	15.2 m (50 ft.)	15.2 m (50 ft.)	15.2 m (50 ft.)	15.2 m (50 ft.)
Minimum Rear Yard Setback	15.2 m (50 ft.)	15.2 m (50 ft.)	15.2 m (50 ft.)	15.2 m (50 ft.)	15.2 m (50 ft.)	15.2 m (50 ft.)	15.2 m (50 ft.)
Maximum Height	9.1 m (30 ft.)	13.7 m (45 ft.)	13.7 m (45 ft.)	9.1 m (30 ft.)	9.1 m (30 ft.)	9.1 m (30 ft.)	12.2 m (40 ft.)

(1) See Section 6.2.4.1 (3) See Section 6.2.4.3
(2) See Section 6.2.4.2 (4) See Section 6.2.4.4

6.2.4 RURAL COMMERCIAL ZONE PROVISIONS

6.2.4.1 See Section 6.2.7.

6.2.4.2 In the case of a Dryland *Marina*, the minimum front *yard setback* for *open storage* and/or a *storage facility* is 30.5 m (100 ft.).

6.2.4.3 The inclusion of a "-S" suffix to a zone symbol indicates that the area is a Scenic Corridor. The zoning provisions of the prefix apply to this area except the front *yard setback* or the *setback* from the *lot line* abutting the scenic corridor as identified in the *Township* of Muskoka Lakes Official Plan. The *setback* adjacent to the corridor shall be 30.5 m (100 ft.).

The *front yard setback* for each *building* and s*tructure* which existed prior to December 18, 2006, which is considered legal *non-complying* due to an encroachment into the required 30.5 m (100 ft.) *front yard setback*, shall be the existing *setback* or a minimum of 15.2 m (50 ft.) from the *front lot line*, whichever is greater for each *building* or *structure*. Any new *building* or *structure* shall comply with the requirements of Section 6.2.3.

6.2.4.4 Where an RuC6 zone abuts or gains access from District Road 169, *light industry* is not a permitted *use*.

Any *light industry use* is restricted to low effluent producing uses.

6.2.5 DWELLING UNIT**:**

Where an *accessory Residential use* is permitted if it is located in a non-*residential building* it shall conform with General Provision 3.19, *dwelling* in a Non-*Residential building*.

6.2.6 *LANDSCAPED BUFFER*:

Where any Rural Commercial Zone abuts any *Residential* Zone 3 m (10 ft.) of the *required yard* abutting that zone shall be planted and maintained as a *landscaped buffer*.

6.2.7 PARKING AND LOADING:

For Parking and Loading Area requirements see General Provision 3.28 and 3.29

SPECIAL PROVISIONS: RURAL COMMERCIAL (RuC1)

The following further requirements are applicable in RuC1 zone.

No *open storage* of goods or materials is permitted unless the following provisions are

a. such *open storage* is an *Accessory Use* to the main permitted *use* on the *lot*;

b. such *open storage* complies with the *required yards* of the applicable zone;

c. any portion of a *lot* used for such *open storage* is screened from adjacent *residential uses* and *streets* adjoining the *lot* by *buildings* or a *landscaped buffer*.

6.2.9 SPECIAL PROVISIONS: COMMERCIAL BACKLOT (RUC2B)

The following further requirements are applicable in the RuC2B zone:

a. The maximum *gross floor area* allowed for all permitted *uses* on a *lot* in a RuC2B zone is limited to 1% of the *lot area* zoned RuC2B zone to a maximum of 4046.7 m² (43,560 ft.²).

b. The *interior side yard* in a RuC2B zone, which abuts any zone other than a *residential* zone shall be 9.1 m (30 ft.).

c. No *uses* are permitted on a *lot* zoned Resort Commercial Backlot (RuC2B) unless such *lot* is part of a *Tourist Resort*, *Hotel* or *Motel*, which also includes a *lot* or a part of a *lot* zoned Rural Resort Commercial.

6.2.10 SPECIAL PROVISIONS: RURAL *TENT AND TRAILER* ZONE (RUC3)

The following further requirements are applicable in the RuC3 zone:

a. No *campsite* may be located within 30.5 m (100 ft.) of any *lot line* or *high water mark;*

b. Minimum area of each *campsite* – 232.3 m² (2500 ft.²);

c. *Housekeeping Units* and *cabins* may be *erected* and used only in accordance with the following requirements:

i. minimum *lot area*, per *cabin* located on the *lot* – 464.5 m² (5000 ft.²);

ii. maximum *floor area* per *cabin* – 92.9 m² (1000 ft.²);

iii. minimum *lot area* per *housekeeping unit* located on the *lot* – 696.8 m² (7500 ft.²);

iv. maximum *floor area* per *housekeeping unit* – 111.5 m² (1200 ft.²);

v. total number of *housekeeping units* and *cabins* on a *lot* shall not exceed 10% of the number of developed *campsites* on the *lot*.

d. The total *lot* size requirement is the sum of the requirements for each *housekeeping unit*, *cabin* and *campsite* on a *lot.*

6.2.11 SPECIAL PROVISIONS: RURAL *PRIVATE CAMP* (RUC4)

The following specific requirements are applicable in this zone:

a. No *campsite* may be located within 30.5 m (100 ft.) of any *lot line* or *high water mark*.

b. Minimum area of each *campsite* – 232.3 m² (2500 ft.²).

6.3 RURAL INDUSTRIAL ZONE (RuM)

6.3.1 Permitted *Uses*

No *person* shall, in any of the Rural Industrial Zones, *use* any *lot* or *erect*, locate, *alter* or *use* any *building* or *structure* for any purpose except in accordance with the following applicable zones as noted below in Table 6.3.1:

TABLE 6.3.1 – RURAL INDUSTRIAL ZONE, PERMITTED MAIN USES

PERMITTED USES	LIGHT	WASTE DISPOSAL	EXTRACTIVE	SALVAGE YARDS
	RuM1	RuM2	RuM3	RuM4
AGRICULTURE			X	
CONTRACTOR'S YARD	X			
LIGHT INDUSTRY	X			
MARINA	X			
PIT OR QUARRY			X	
SALVAGE YARD				X
SERVICE SHOP	X			
WASTE DISPOSAL		X		
WASTE TREATMENT FACILITY		X		
WAYSIDE PIT OR QUARRY			X	
CONTRACTOR'S YARD (ACCESSORY ONLY)			X	X
RESIDENTIAL – DWELLING UNIT (ACCESSORY ONLY)	X		X	X
OFFICE (ACCESSORY ONLY)	X	X	X	X
RETAIL STORE (ACCESSORY ONLY)	X		X	

X *indicates uses permitted in the applicable zone*

6.3.2 Zone Requirements

No *person* shall within any of the Rural Industrial Zones *use* any *lot*, or *erect*, locate, *alter* or *use* any *building* or *structure* except in accordance with the following requirements as noted in Table 6.3.2 and applicable Special Provisions:

TABLE 6.3.2 – RURAL INDUSTRIAL ZONE PROVISIONS

LOT REQUIREMENTS	ZONES			
	LIGHT	WASTE DISPOSAL	EXTRACTIVE	SALVAGE YARDS
	RuM1	RuM2	RuM3	RuM4
Minimum Lot Frontage	91.4 m (300 ft.)	---	---	91.4 m (300 ft.)
Minimum Lot Area	0.8 ha. (2 ac.)	---	---	1 ha. (2.5 ha.)
Maximum Lot Coverage	10%	---	10%	---
Minimum Front Yard Setback (1)	15.2 m (50 ft.)	---	20.1 m (66 ft.)	20.1 m (66 ft.)
Minimum Interior Side Yard Setback	9.1 m (30 ft.)	---	20.1 m (66 ft.)	20.1 m (66 ft.)
Minimum Exterior Side Yard Setback	9.1 m (30 ft.)	---	20.1 m (66 ft.)	20.1 m (66 ft.)
Minimum Rear Yard Setback	9.1 m (30 ft.)	---	20.1 m (66 ft.)	20.1 m (66 ft.)
Maximum Height	10.7 m (35 ft.)	---	10.7 m (35 ft.)	10.7 m (35 ft.)

(1) See Section 6.3.3.1 Amended by By-law 2017-17

6.3.3 RURAL INDUSTRIAL ZONE PROVISIONS

6.3.3.1 The inclusion of a "-S" suffix to a zone symbol indicates that the area is a Scenic Corridor. The zoning provisions of the prefix apply to this area except the front *yard setback* or the *setback* from the *lot line* abutting the scenic corridor as identified in the *Township* of Muskoka Lakes Official Plan. The *setback* adjacent to the corridor shall be 30.5 m (100 ft.).

The *front yard setback* for each *building* and s*tructure* which existed prior to December 18, 2006, which is considered legal *non-complying* due to an encroachment into the required 30.5 m (100 ft.) *front yard setback*, shall be the existing *setback* or a minimum of 15.2 m (50 ft.) from the *front lot line*, whichever is greater for each *building* or *structure*. Any new *building* or *structure* shall comply with the requirements of the table to which this is a footnote.

6.3.4 *LANDSCAPED BUFFER*:

Where any Rural Industrial Zone abuts any *Residential* Zone, 6.1 m (20 ft.) of the *required yard* abutting the zone shall be planted and maintained as a *landscaped buffer*.

6.3.5 PARKING AND LOADING:

For Parking and Loading Area requirements see General Provision 3.28 and 3.29.

6.3.6 OBNOXIOUS USE:

An *obnoxious use* is not permitted.

6.3.7 GATEHOUSE:

A gatehouse shall be permitted in a *required front* or *side yard* adjacent to the *street line*. A gatehouse shall be a maximum *floor area* of 9.3 m² (100 ft.²).

6.3.8 *OPEN STORAGE*:

No *open storage* of goods or materials is permitted unless the following provision is complied with:

i) any portion of a *lot* used for open space storage must be screened from adjacent *residential uses* and *streets* adjoining the *lot* by *buildings* or *landscaped buffer*.

6.3.9 RETAIL SALES:

An industrial *use* may include retail sales provided it is an *Accessory Use* to the main *use* and provided that the retail sales area does not exceed 15% of the industrial *floor area*.

6.3.10 RESTRICTED INDUSTRIES:

Permitted *uses* are restricted to those industries which use water only for the personal *use* of the employees and not in connection with any *manufacturing*, processing, assembling or fabricating process with the exception of a *pit* or *quarry* or *wayside pit* or *wayside quarry*.

7.1 INSTITUTIONAL ZONE (I)

7.1.1 Permitted *Uses*

No *person* shall within the Institutional Zone (I) *use* any *lot* or *erect*, locate, *alter* or *use* any *building* or *structure* for any purpose except in accordance with the following applicable zones as noted below in Table 7.1.1:

TABLE 7.1.1 – INSTITUTIONAL ZONE, PERMITTED USES

PERMITTED USES	INSTITUTIONAL (I)
PUBLIC USE	**X**
NURSING HOME	**X**
RETIREMENT HOME	**X**
HOME FOR THE AGED	**X**
ARENA	**X**
CURLING CLUB	**X**
SERVICE CLUB	**X**
CHURCH	**X**
PLACE OF WORSHIP	**X**
EDUCATIONAL INSTITUTIONS	**X**
NURSERY SCHOOL	**X**
HOSPITAL	**X**
NURSING STATION	**X**
RESIDENTIAL USE, ACCESSORY	**X**

X *indicates uses permitted in the applicable zone*

7.1.2 Zone Requirements

No *person* shall within the Institutional Zone (I) *use* any *lot*, or *erect*, locate, *alter* or *use* any *building* or *structure* except in accordance with the following requirements of the applicable zones:

TABLE 7.1.2 – INSTITUTIONAL ZONE PROVISIONS

ZONE		LOT REQUIREMENTS			MINIMUM YARD REQUIREMENTS				MAXIMUM HEIGHT
TITLE	SYMBOL	MIN. FRONTAGE	MIN. AREA	MAX. COVER-AGE	FRONT	INT.SIDE	EXT. SIDE	REAR	
INSTITUTIONAL	**I**	61 m (200 ft.)	0.4 ha. (1 ac.)	30 %	7.6 m (1) (25 ft.)	4.6 m (15 ft.)	7.6 m (25 ft.)	4.6 m (15 ft.)	12.2 m (40 ft.)

(1) See Section 7.1.3.1

7.1.3. INSTITUTIONAL ZONE PROVISIONS

7.1.3.1 Where a lot abuts the *high water mark*, the minimum *front yard setback* shall be 20.1 m. (66 ft.)

7.1.4 COMMUNITY LOT REQUIREMENTS

Despite the provisions listed in Table 7.1.2, where an Institutional *use* exists in a Community Zone the following shall apply:

	LOT FRONTAGE	LOT AREA
Sewer and Water	20.1 m (66 ft.)	0.1 ha (0.25 ac.)
Sewer or Water	30.5 m (100 ft.)	0.2 ha (0.50 ac)
Private Service	45.7 m (153 ft.)	0.4 ha (1.0 ac.)

7.1.5 PARKING AND LOADING

For Parking and Loading requirements see General Provision 3.28 and 3.29.

7.1.6 *STRUCTURES* OVER WATER

A *boathouse* and *dock* may be located in a Waterbody Open Space (WOS) Zone where it abuts an Institutional (I) Zone, or in an Institutional Zone (I), provided it is an *Accessory Use* to the main permitted *use* and is subject to the following:

a. in the case of a *dock*

Amended by By-law 2017-17

i. no part of any *dock* shall extend beyond 24.4 m (80 ft.) from the *high water mark* abutting the *lot*;

ii. no part of any *dock* shall be *erected* within 9.1 m (30 ft.) of the *side* or *rear lot line* or any 30.5 m (100 ft.) *straight line projection* thereof, from the *high water mark*;

iii. the total *cumulative width* of *docks* on a *lot* shall not exceed 25% of the *lot frontage* or 15.2 m (50 ft.), whichever is greater*;* and,

iv. a *dock* is permitted to extend from or to be located in the *front yard* of a *lot*, a maximum distance of 3 m (10 ft.).

b. in the case of a *boathouse*

Amended by By-law 2017-17

i. no part of any *boathouse* shall extend beyond 15.2 m (50 ft.) from the *high water mark* abutting the *lot*;

ii. the total *cumulative dock* and *boathouse width* shall not exceed 25 % of the *lot frontage* or 15.2 m (50 ft.), whichever is greater;

iii. the *boathouse* shall not exceed a *height* of 7.6 m (25 ft.);

iv. no part of any single *storey boathouse* shall be *erected* within 9.1 m (30 ft.) and two *storey boathouse* 13.7 m (45 ft.) of the *side* or *rear lot line* or any 30.5 m (100 ft.) *straight line projection* thereof, from the *high water mark*;

v. the *boathouse* is permitted to extend from or to be located in the *front yard* of a *lot,* a maximum distance of 3 m (10 ft.); and,

vi. the *boathouse* shall only be used for the storage and servicing of boats and marine related equipment.

8.1 ENVIRONMENTAL PROTECTION ZONE (EP1, EP1-PSW, EP2)

8.1.1 Permitted *Uses*

a. No *person* shall within the Environmental Protection Zones (EP1, EP1-PSW), being environmentally sensitive lands which require protection, *use* any *lot* or *erect*, locate, *alter*, or *use* any *building* or *structure* for any purpose except in an Environmental Protection Zone (EP1) and in accordance with the following:

All *structures*, *buildings* and facilities necessary in conjunction with:

i. The production of cranberries excluding *buildings* and *structures*;

ii. flood control;

iii. erosion control; and

iv. provision of pedestrian access such as a *boardwalk* but not including shoreline *structures*.

8.1.2 Zone Requirements

No *person* shall within the Environmental Protection Zone (EP2), being environmentally sensitive lands which require protection, *use* any *lot*, or *erect*, locate, *alter* or *use* any *building* or *structure* for any purpose except *docks* and *boathouses* in accordance with the provisions of the closest abutting zone.

8.1.3 Specific Zone Requirements

Special Provisions: Environmental Protection (EP2)

The following specific requirements are applicable in this zone:

Amended by By-law 2017-17

a. No *building* or *structure* except those listed in Section 8.1.1 and *docks* and *boathouses* shall be *erected* within 30 m (100 ft.) of an Environmental Protection (EP2) Zone.

9.1 WATERBODY OPEN SPACE ZONE (WOS): LANDS UNDER WATER

9.1.1 Limitation

The provisions of this section of this By-law do not constitute regulation of navigation or shipping, which are within the exclusive jurisdiction of the Government of Canada.

9.1.2 Permitted *Uses*

No *person* shall within the Waterbody Open Space (WOS) Zone *use* any *lot* or land covered by water, or *erect*, locate, *alter* or *use* any *building* or *structure* for any purpose except for the following:

a. in the case of lands under water abutting *lots* zoned *Residential* and Commercial:

Docks, boathouses, or *sun shelters* if they are an *Accessory Use* to the permitted *uses* of the nearest abutting zone above the *high water mark* and subject to the provisions of the abutting zone; or

b. in the case of lands under water abutting lands zoned *Waterfront landing* (WL) or *Marina* Commercial (WC2, C2):

The permitted *uses* of the nearest abutting zone above the *high water mark*, excluding *dwelling units* and subject to the provisions of that zone for *docks* and *boathouses*.

c. in the case of lands abutting an Environmental Protection (EP1) zone, Environmental Protection – Provincially Significant Wetlands (EP1-PSW) or an Environmental Protection (EP2) zone:

The permitted *uses* set out in Sections 8.1.1. and 8.1.2.

9.1.3 Zone Requirements

No *person* shall within the Waterbody Open Space (WOS) Zone *use* any *lot* or land covered by water, or *erect*, locate, *alter*, or *use* any *building* or *structure* except in accordance with the Zone and Specific Zone Requirements applicable to the nearest abutting zone above the *high water mark*.

9.2 OPEN SPACE ZONES (OS)

9.2.1 Permitted *Uses*

No *person* shall within any Open Space Zone *use* any *lot* or *erect*, locate, *alter* or *use* any *building* or *structure* or any purpose except in accordance with the following applicable zones as noted below in Table 9.2.1:

TABLE 9.2.1 – OPEN SPACE ZONE, PERMITTED USES

PERMITTED USES	OS1 (PUBLIC OPEN SPACE)	OS2 (PRIVATE OPEN SPACE)	OS3 (COMMERCIAL OPEN SPACE)	OS4 (PRIVATE OPEN SPACE ISLANDS)
AGRICULTURAL USES	X	X	X	
CONSERVATION	X	X	X	X
FORESTRY OPERATION	X	X		
GOLF COURSE			X	
HUNT CAMP	X	X		
MUSEUM	X			
OPEN SPACE RECREATION	X	X	X	X
PRIVATE CLUB			X	
PRIVATE PARK			X	
WAYSIDE PIT OR QUARRY	X	X	X	

X *indicates uses permitted in the applicable zone*

9.2.2 Zone Requirements

No *person* shall within any Open Space Zone (OS1, OS2, OS3, OS4) *use* any *lot* or *erect*, locate *alter* or *use* any *building* or *structure* except in accordance with the following requirements as noted below in Table 9.2.2 and applicable Special Provisions:

TABLE 9.2.2 – OPEN SPACE ZONE PROVISIONS

LOT REQUIREMENTS	ZONES			
	OS1	OS2	OS3	OS4
Minimum Lot Frontage	---	---	201.2 m (660 ft.)	30.5 (100 ft.)
Minimum Lot Area	---	---	10.1 ha. (25 ac.)	0.14 ha. (0.35 ac.)
Maximum Lot Coverage	---	5%	5%	---
Minimum Front Yard Setback	---	6.1 m (20 ft.)	20.1 m (66 ft.)	10.7 m (35 ft.)
Minimum Interior Side Yard Setback	---	3 m (10 ft.)	9.1 (30 ft.)	---
Minimum Exterior Side Yard Setback	---	7.6 m (25 ft.)	20.1 m (66 ft.)	---
Minimum Rear Yard Setback (m)	---	3 m (10 ft.)	9.1 m (30 ft.)	---
Maximum Height (m)	---	4.6 m (15 ft.)	12.2 m (40 ft.)	4.6 m (15 ft.)

9.2.3 SPECIAL PROVISIONS: OPEN SPACE PUBLIC AND PRIVATE LANDS (OS1, OS2)

The following specific requirements are applicable in these zones:

a. A *building* may be *erected* if it is an *accessory use* to a permitted *use*, or a *use* which existed at the time of the passing of this By-law and does not exceed a *floor area* of 23.2 m^2 (250 ft^2).

b. A *dock* may be located in a Waterbody Open Space (WOS) Zone where it abuts an Open Space (OS1, OS2) Zone or in an Open Space (OS1, OS2) Zone provided it is subject to the following:

Amended by By-law 2017-17

i. no part of any *dock* shall extend beyond 20.1 m (66 ft.) from the *high water mark* abutting the *lot*;

ii. no part of any *dock* shall be *erected* within 9.1 m (30 ft.) of the *side* or *rear lot line* of any 30.5 m (100 ft.) *straight line projection* thereof from the *high water mark*;

iii. a *dock* is permitted to extend from or to be located in the *front yard* of a *lot* and shall not extend more than 3 m (10 ft.) onto land; and,

iv. the total *cumulative width* of *docks* on a *lot* shall not exceed 15% of the *lot frontage* or 13.7 m (45 ft.), whichever is lesser.

c. A *hunt camp* may be *erected* and used only in accordance with the following:

i. A maximum of two (2) *hunt camps* shall be permitted per lot.

ii. Maximum *gross floor area* of each *hunt camp* – 92.9 m² (1000 ft.²).

d. A *dwelling unit* is not permitted.

9.2.4 SPECIAL PROVISIONS: OPEN SPACE COMMERCIAL (OS3)

The following specific requirements are applicable in this zone:

a. Where a *building* is *erected* or *altered* within 15.2 m (50 ft.) of a *Residential lot*, 3 m (10 ft.) of the *required yard*, abutting the *residential lot* shall be planted and maintained as a *landscaped buffer*.

b. A *dwelling unit* is permitted if it is an *Accessory Use* to the main *use* on the *lot* and if it is located in a non-*residential building* shall conform with General Provision 3.19, *dwelling* in a Non-*Residential building*.

c. A *boathouse* may be located in a Waterbody Open Space Zone (WOS) where it abuts an Open Space (OS3) or in an Open Space Zone (OS3), provided it is an *Accessory Use* to the main permitted *use*, and is subject to the following:

Amended by By-law 2017-17

i. No part of any *boathouse* shall extend beyond 15.2 m (50 ft.) from the *high water mark* abutting the *lot;*

ii. The total *cumulative dock and boathouse width* on a *lot* shall not exceed 25 % of the *lot frontage* or 7.6 m (25 ft.) whichever is greater, and the *boathouse width* of any individual *boathouse s*hall not exceed 22.9 m (75 ft.);

iii. The *boathouse* shall not exceed a *height* of 7.6 m (25 ft.);

iv. No part of any *boathouse* shall be e*rected* within 9.1 m (30 ft.)of the s*ide* or r*ear lot line* or any 30.5 m (100 ft.) s*traight line projection* thereof, from the *high water mark;*

v. A *boathouse* is permitted to extend into or to be located in the f*ront yard* of a *lot,* a maximum distance of 3 m (10 ft.)*;* and

vi. The *boathouse* shall only be used for the storage and servicing of boats and marine related equipment.

d. A *dock* may be located in a Waterbody Open Space (WOS) Zone where it abuts an Open Space (OS3) Zone or in an Open Space (OS3) Zone, provided it is subject to the following:

Amended by By-law 2017-17

i. No part of any *dock* shall extend beyond 24.4 m (80 ft.) from the *high water mark* abutting the *lot;*

ii. No part of any *dock* shall be e*rected* within 9.1 m (30 ft.) of the s*ide* or r*ear lot line* or any 30.5 m (100 ft.) s*traight line projection t*hereof, from the *high water mark;*

iii. The total *cumulative width* of *docks* on a *lot* shall not exceed 25% of the *lot frontage* or 7.6 m (25 ft.), whichever is greater*; a*nd,

iv. A *dock* is permitted to extend from or to be located in the *front yard* of a *lot,* a maximum distance of 3 m (10 ft.).

e. See General Provisions 3.28 and 3.29 for Parking and Loading Requirements.

9.2.5 SPECIAL PROVISIONS: OPEN SPACE PRIVATE ISLANDS (OS4)

The following specific requirements are applicable in this zone:

a. A *picnic shelter* may be erected provided it does not exceed a *floor area* of 23.2 m² (250 ft.²).

b. A *picnic shelter* shall only be single *storey* with a maximum *height* of 4.6 m (15 ft.) .

c. In the case of a *picnic shelter* with a flat roof, the roof cannot be used as a *sundeck*, for lounging, or for picnicking.

Amended by By-law 2017-17

d. One *dock* may be constructed parallel to the shoreline, which abuts the shoreline for its whole width, covering no more than 9.1 m (30 ft.) of the *lot frontage* and may project no more than 1.8 m (6 ft.) from the *high water mark* abutting the *lot*,

OR

One *dock* may be constructed, other than parallel to and abutting the shoreline along its whole width, projecting no more than 9.1 m (30 ft.) from the *high water mark* abutting the *lot* and be no more than 1.8 m (6 ft.) in width.

10.1 GENERAL RESTRICTED ZONE (GR)

10.1.1 Permitted *Uses*

No *person* shall within a General Restricted (GR) Zone *use* any *lot* except for those *uses*, which existed on the date this By-law was passed.

Any new shoreline *structures*, or expansion or extension of existing shoreline *structures* shall only be permitted by way of a site-specific Zoning By-law Amendment.

10.1.2 Enlargement of Permitted *Uses*

Nothing in this By-law prevents the enlargement or *alteration* of an existing *building* or *structure* in a GR Zone, or the *erection* of any *building* or *structure accessory* to the *use* of the *lot* in a GR Zone, provided that the *use* of the *lot* does not change and the enlargement or *erection* conforms with the zone requirements for the General Restricted (GR) Zone.

10.1.3 Zone Requirements

No *person* shall within the General Restricted (GR) Zone *use* any *lot* or *erect*, locate, *alter* or *use* any *building* or *structure* except in accordance with the following requirements as noted below in Table 10.1.3:

TABLE 10.1.3 – GENERAL RESTRICTED ZONE PROVISIONS

ZONE		LOT REQUIREMENTS			MINIMUM YARD REQUIREMENTS				MAXIMUM HEIGHT	
TITLE	SYMBOL	MIN. FRONTAGE	MIN. AREA	MAX. COVER-AGE	FRONT	INT. SIDE	EXT. SIDE	REAR	MAIN BUILDING	ACC. BUILDING
GENERAL RESTRICTED	GR	61 m (200 ft.)	0.4 ha. (1 ac.)	20 %	15.2 m (50 ft.)	9.1 m (30 ft.)	15.2 m (50 ft.)	15.2 m (50 ft.)	9.1 m (30 ft.)	6.1 m (20 ft.)

11.1 **Accessory Structure:**

Shall mean a *building* or *structure*, the use of which is incidental, subordinate, and exclusively devoted to the principal use and located on the same lot.

11.2 ***Accessory Use*:**

Shall mean a *use* naturally and normally incidental to, subordinate to, or exclusively devoted to a principal *use* and located on the same lot.

11.3 **Accommodation Unit:**

Shall mean a room or suite of rooms used or maintained for the accommodation of the travelling or vacationing public and which does not contain a *kitchen*.

11.4 **Agricultural Use:**

Shall mean the *use* of land, *buildings* or *structures* for the purposes of animal husbandry, horticulture, dairying, fallow and / or forestry, and shall include crops and pasturage, raising of poultry and other similar *uses* and shall include roadside facilities for the retail sale of produce grown on the *farm. Agricultural use* does not include the extraction, mining, or excavating of peat for commercial purposes.

11.5 **Agri-Tourism:**

Agricultural use which is designed to accommodate the visiting public for the purpose of enjoyment, education or active involvement in the activities of the *farm* or operation.

11.6 **Alter:**

Shall mean, when used in reference to a *building***,** *structure* or part thereof, to change any one or more of the internal or external dimensions of such *building* or to change the type of construction of the exterior walls or roof or a change from one type of occupancy to another or a structural *alteration* or change.

When used in reference to a *lot* the word *alter* means a change in *use* or a decrease or increase in the width, depth or area or to decrease or increase the width, depth or area of any required *yard, setback,* or boundary of such lot with respect to a *street* or *high water mark*, whether such alteration is made by conveyance or alteration or any portion of said *lot* or otherwise.

11.7 **Artist Studio:**

Shall be defined as the workroom of an artist, as a painter or sculptor or a room, or place for instruction or experimentation in one of the performing arts, or a room or set of rooms specially equipped for developing photographs within a *building* or *structure.*

11.8 **Automobile Sales Establishment:**

Shall mean a *building* or *structure* or a clearly defined space on a *lot* used for the display and sale of motor vehicles and may include the servicing, repair, cleaning, polishing, and lubricating of motor vehicles, the sale of automotive accessories and related products, and the leasing or renting of motor vehicles.

11.9 **Automobile Service Station:**

Shall mean a *building* or *structure* or a clearly defined space on a *lot* where gasoline, or other motor fuels and conveyance accessories are stored or kept for sale and where repairs essential to the actual operation of motor vehicles are executed or performed and includes areas where motor vehicles are parked or stored for remuneration, hire or sale and may include a *gas bar*.

11.10 **Automobile Washing Establishment:**

Shall mean a garage for washing and cleaning motor vehicles.

11.11 **Basement:**

Shall mean that portion of a *building* between two floor levels which has at least one half of the distance from the average finished floor to underside of joist, below the average finished grade.

11.12 **Bay/Bow Window:**

Shall mean a window or series of windows forming a bay in a room which projects outward from the wall but does not require footings or additional structural support.

11.13 **Bed & Breakfast:**

Shall mean a *single detached dwelling unit* in which not more than three bedrooms are used or maintained for the accommodation of the travelling or vacationing public, in which the Owner supplies lodgings either with or without meals for the *person*s so accommodated and which may be classified as a *home based business***.**

11.14 **Berm:**

Shall mean a landscaped natural or manmade rise in land or a hill, designed to screen or buffer adjacent *uses*.

11.15 **Boardwalk:**

Shall mean a constructed pedestrian walkway along or overlooking beaches, or walking paths and trails over bogs, wetlands or fragile ecosystems, generally constructed of wood or similar material intended to provide minimal disruption to the natural environment.

11.16 **Boat Parking Space:**

Shall mean a single *parking space* for a boat or other marine vessel, which forms part of a *dock, boathouse* or other mooring facility.

11.17 **Boathouse:**

Shall mean an *accessory building* built or anchored near the shore for the berthing and sheltering of boats or other marine related equipment and enclosed by more than one wall. The second *storey* of the *boathouse* may include a *sleeping cabin* or other *uses*, as outlined by the applicable zone requirements. For the purposes of the applicable zone requirements and permitted *uses***,** a *boathouse* shall include a *boatport*.

11.18 **Boathouse Width:**

Shall mean the longest perpendicular measurement from any point on the exterior of one sidewall of a *boathouse* (or the outside of a supporting post in the case of a *boatport*) to any point on the exterior of the opposite sidewall (or supporting post in the case of a *boatport*), provided overhangs do not exceed 1.2 m in width, in which case width shall be measured to the exterior of the overhangs. For the purpose of this definition, a sidewall means the outside wall of a *boathouse*, which is the closest to being perpendicular to the *high water mark* immediately behind such *boathouse*.

11.19 **Boatport:**

Shall means a roofed *accessory building* built or anchored near the shore for the purpose of berthing and sheltering of boats or other marine related equipment and is not enclosed by more than one wall.

11.20 **Building:**

Shall mean any *structure* used or intended to be used for shelter or occupation of *persons*, animals or chattels other than a fence or wall.

11.21 **Building Envelope:**

Shall mean the buildable area of a *lot,* defined by all required *setbacks* and maximum *height* requirements, within which a *building* can be erected, as established in this By-law.

11.22 **Building Main:**

Shall mean a *building* in which the principal *use* of the *lot* is conducted.

11.23 **Building Supply Yard:**

Shall mean a commercial *building* and lot for the sale and storage of *building* materials and equipment, and may include incidental assembly / fabrication for the purposes of sales and service for a wide variety of *building* supplies, including but not limited to the following: lumber, millwork, siding, plumbing, fencing, electrical supplies, heating equipment and other commodities.

11.24 **Bulk Fuel Storage:**

Shall mean a tank for the bulk storage of petroleum, gasoline, fuel oil, gas or flammable liquid or fluid.

11.25 **Cabin:**

Shall mean a *building* without a *kitchen* designed for the overnight accommodation of the travelling or vacationing public.

11.26 **Campsite:**

Shall mean an area of land within a *tent and trailer park* or *private camp* which is designed to accommodate the placement of tents, *recreational vehicle*, motor coach or truck campers for the temporary quarters of a travelling or vacationing *family*.

11.27 **Church:**

Shall mean a *building* dedicated to religious worship and may include a church hall, church, auditorium, Sunday school, convent, monastery or parish hall.

11.28 **Clinic, Medical:**

Shall mean a public or private *building* used for medical, surgical, dental, physio therapeutic chiropractic or other human health treatment, consultation or diagnosis by one or more practitioners.

11.29 **Clinic, Veterinary:**

Shall mean a *building* or *structure* where animals, birds or other livestock are treated and where domestic animals or birds are kept for treatment.

11.30 **Commercial Houseboat:**

Shall mean a boat, rented for commercial gain, which contains facilities for overnight accommodation of people by including facilities for sleeping, the preparation, storage and cooking of food, and sanitary facilities.

11.31 **Conservation:**

Shall mean the protection and improvement of the components of the natural environment through comprehensive management and maintenance for both the individual and society's *uses* both in the present and in the future.

11.32 **Contractor's Yard:**

Shall mean an area of a *lot* used by contractor's, including but not limited to, construction, mechanical, electrical, structural, plumbing, or landscaping contractors to store, maintain, or repair construction equipment and material. It may include a business *office* related to the business, and may include an area for the parking of employees' vehicles. It does not include an area for the crushing or screening of aggregates or topsoil.

11.33 **Convenience Store:**

Shall mean a retail commercial establishment supplying groceries and other daily household supplies to the immediate surrounding area.

11.34 **Corporation:**

Shall mean the Corporation of the *Township* of Muskoka Lakes.

11.35 **Covered Area:**

Shall mean an area covered by a roof bounded by a maximum of three walls which is open at one end or side.

11.36 **Cultural Centre:**

Shall be defined as a building complex that promotes culture and arts.

11.37 **Cumulative Width:**

Shall mean in reference to a *boathouse* or a *dock* is the sum of the widths of every *boathouse* and every *dock* on the *lot*. Cantilevered structures and free-standing boat lifts shall be included.

11.38 **District:**

Shall mean the *District* Municipality of Muskoka.

11.39 **Disturbed Site Area**

Shall mean the removal of vegetation and/or the alteration of land from its natural state which would permanently affect the permeability of the site.

11.40 **Dock:**

Shall mean a *structure* built at or anchored to the shore at which boats or other floating vessels are berthed or secured to and which may provide a foundation for a *boathouse*. Any structure situated in or over lands covered by water, which is within 3 m (10 ft.) of a *dock*, shall be deemed to be part of the *dock* unless it is a *boathouse* or a *boatport*.

11.41 **Dwelling, Apartment:**

Shall mean a *building* which contains three or more *dwelling units* each having independent entrances directly from the outside of the *building* or through a common entrance.

11.42 **Dwelling, Converted:**

Shall mean a completed separate *building* that was originally designed for, and constructed as a single detached *dwelling unit* that is converted to a maximum of three (3) *dwelling units*.

11.43 **Dwelling, Duplex:**

Shall mean a separate *building* that is divided horizontally into two (2) separate *dwelling units* each of which has an independent entrance either from the outside or through a common vestibule.

11.44 **Dwelling, Multiple:**

Shall mean a *building*, which contains two (2) or more *dwelling units*.

11.45 **Dwelling, Row:**

Shall mean a group of three (3) but not more than eight (8) attached *dwelling units* having independent entrances directly from the outside.

11.46 **Dwelling Unit, Secondary:**

Shall mean a separate *dwelling unit* subsidiary to, which may be located in the same building as its principal *dwelling unit, semi-detached dwelling* or *townhouse dwelling unit* or within a *building* or *structure accessory* to the *dwelling unit*.

11.47 **Dwelling, Semi-detached:**

Shall mean a pair of attached *dwelling units* with a common wall extending from the base of the foundation to the roofline.

11.48 **Dwelling Unit or Dwelling:**

Shall mean one or more *habitable rooms* designed for use by and occupation by not more than one *family* in which sanitary facilities and only one (1) separate *kitchen* are provided for the exclusive use of such a *family*, with a private entrance from outside the *building* or from a common hallway or stairway inside the *building*. A *recreational vehicle* or *mobile home* or *housekeeping unit* is deemed not to be a *dwelling unit* for the purpose of this By-law. A *dwelling unit* includes an *attached garage*.

11.49 **Dwelling Unit, Single Detached:**

Shall mean a separate *building* containing only one (1) *dwelling unit*.

11.50 **Dwelling Unit, Townhouse:**

Shall mean a *building* which contains three (3) or more *dwelling units* each having independent entrances directly from the outside of the *building***.**

11.51 **Erect:**

Shall mean to build, construct, reconstruct, *alter*, enlarge and relocate and without limiting the generality of the foregoing is taken to include any associated physical operation such as excavating, grading and/or structurally altering any existing *building* or *structure* by an addition, deletion, enlargement or extension.

11.52 **Established Building Line:**

Shall mean the average *setback* from the *front* or *rear lot line* of existing *buildings* and *structures* within 61 m (200 ft.) of the *side lot lines* of the subject property.

11.53 **Family:**

Shall mean one or more *person*s living together in one *dwelling unit.*

11.54 **Farm:**

Shall mean land used for the tillage of soil and the growing of vegetables, fruits, grains and other staple crops including livestock raising, dairying or woodlots and includes a *farm single detached dwelling unit* and *accessory buildings*.

11.55 **Farm, Specialized Use:**

Shall mean land on which the predominant economic activity consists of raising chickens, turkeys or other fowl, the raising of hogs, goats, horses or cattle on feed lots, the raising or boarding of dogs or cats or the growing of mushrooms.

11.56 **Financial Business:**

Shall mean an establishment, including, but not be limited to, a finance and loan company, mortgage company, investment and security company and other savings and credit establishments.

11.57 **Floor Area:**

Shall mean, with reference to a *building* the total habitable *floor area* of all *storeys* within a *building* as measured between the exterior faces of the exterior walls or from the centre line of a common party wall, but excluding any *private garage*, breezeway, open *porch*, *veranda*, balcony, attic, bay or bow windows, basement when used solely for the purpose of storage or cellar. In the case of walls less than 0.9 m (3 ft.) in *height*, the *floor area* is the total area of all *storeys* within the interior surface of the walls where such exist. For the purposes of a washroom, sauna, and utility room in a *boathouse, floor area* is the area within the interior faces of the interior and exterior walls.

11.58 **Floor Area, Gross (Dwelling)**

Amended by By-law 2017-17

Shall mean, in the case of a *dwelling*, the aggregate of all areas of all *storeys* measured from the exterior faces of the exterior walls but excluding any detached accessory *buildings*, a breezeway, unenclosed sunroom or *porch*, and / or *veranda*, attic, *bay and bow windows*, cellar, attached garage or *basement* when used solely for the purpose of storage.

11.59 **Floor Area, Gross (Building):**

Shall mean, in the case of a building, other than a *dwelling*, the aggregate of the area of all *storeys* devoted to retail sales, accommodation, customer service and / or *Office* use and other similar *uses*, measured to the face of exterior walls but shall not include mechanical rooms, common walls, stairwells, garbage and electrical rooms, parking *structures* and other similar *uses* ancillary to the main *use.*

11.60 **Floor Area, Ground:**

Amended by By-law 2017-17

Shall mean the *floor area* of the lowest storey of a building approximately at or above the finished grade level, excluding any basement or cellar, which area is measured between the exterior faces of the exterior walls at the floor level of such storey, but excludes car *parking area*s within the building and for the purpose of this definition the walls of an inner court area shall be deemed to be exterior walls.

11.61 **Forestry Operation:**

Shall mean the general raising and harvesting of wood for commercial purposes or gain and shall include the raising and cutting of fuel wood, pulpwood, lumber, Christmas trees and other forest products. A *forestry operation* does not include a *sawmill*.

11.62 **Garage, Attached:**

Shall mean a *private garage* attached to a *dwelling* by a common wall and/or common roof *structure* and shall be considered to be part of the *main building***.**

11.63 **Garage, Private:**

Shall mean a *building* which is primarily used for the storage of motor vehicles, tools and household equipment incidental to *residential* occupancy and in which no business, occupation or service is conducted for profit unless otherwise specifically permitted in this By-law. Except in a *Waterfront landing* Zone (WL) a *private garage* is an *accessory building*. If a *private garage* is an *attached garage*, it is not an *accessory building*.

11.64 **Gas Bar:**

Shall mean a *building* or *structure* which is used primarily for the sale of gasoline, or other motor fuels including minor running repairs to motor vehicles.

11.65 **Gazebo:**

Shall mean a freestanding, roofed *accessory structure* used for the purpose of relaxation in conjunction with a *residential dwelling* which shall be open, screened, or glassed on all sides. A *gazebo* exceeding 18.6 m^2 (200 sq. ft.) in *floor area*, which is screened or glassed, shall be considered to be a *habitable room*.

11.66 **Golf Course:**

Shall mean a public or private area operated for the purpose of playing golf and includes a driving range and a miniature *golf course*. A *golf course* may include a clubhouse.

11.67 **Group Home:**

Shall mean a *single detached dwelling unit* in which not more than six (6) *persons*, having physical, social or mental handicaps, reside as a *family* under the appropriate supervision of supervised personnel, who may also reside in the *dwelling unit*, and which is licensed or approved by a *Public Authority*. A *dwelling unit* occupied for the purpose of providing shelter for *persons* on parole or released from penal institutions, or for *persons* ordered to reside there as a result of conviction of a criminal offence, is not a *group home*. A *group home* shall not include detention facilities.

11.68 **Habitable Floor Area:**

Shall mean the total *floor area* of all *storeys* contained within the exterior walls of a *building* including a *basement* where finished floor or grade to underside of joist *height* is greater than 1.8 m, but excluding any *attached garage*, *private garage*, open *porch*, *verandas*, attic and *sundeck*.

11.69 **Habitable Room:**

Shall mean a room in a *dwelling* or *accessory structure*, used or intended to be used primarily for human occupancy, but does not include a bathroom, toilet room, serving or storage pantry, laundry and corridor. A den, library, craft. or hobby room, sewing room, enclosed sunroom, *gazebo* exceeding 18.6 m^2 (200 sq. ft.), or screened room are deemed to be a *habitable room* under this By-law.

11.70 **Height:**

Shall mean, when used in reference to a *building* or *structure* the vertical distance between the lowest finished ground surface at the exterior of the *building* and the highest point of the roof; or, in the case of a *boathouse* or *sun shelter*, the vertical distance between the top of the *dock* and the highest point of the roof; or in the case of a *sundeck*, the vertical distance between the lowest finished ground surface adjacent to the perimeter of the *sundeck*. In the case where a *sundeck* is joined to a *building* or other *structure*, the *height* of the *sundeck* and the *height* of the *building* or *structure* shall be measured separately, and each shall comply with the provisions of this By-law.

11.71 **High Water Mark:**

Shall mean the present normal *high water mark* of a *navigable waterway* made by the section of water under natural conditions on the shores or bank of a body of water, which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark, without regard to any dredging or filling carried out subsequent to October 24, 1980.

11.72 **Home Based Business:**

Shall mean a gainful occupation conducted in whole or part in a *dwelling unit* or accessory building in accordance with General Provision 3.13.

11.73 **Home for the Aged:**

Shall mean a geriatric *Long Term Care Facility* which provides supervision and assistance in activities of daily living with medical and nursing services as required.

11.74 **Hotel:**

Shall mean a type of *tourist resort* used mainly for the purposes of catering to the needs of the vacationing or travelling public by supplying food and drink and furnishing sleeping accommodation of not less than ten (10) *accommodation units.*

11.75 **Housekeeping Units:**

Shall mean a room or a suite of rooms maintained for the accommodation of the travelling or vacationing public and equipped with a *kitchen*.

11.76 **Human Habitation:**

Shall mean a place of abode occupied by humans primarily for, but not limited to eating, sleeping and living functions. Such functions also include leisure and recreational activities, such as sewing, reading, crafting, hobbies, and exercising.

11.77 **Hunt Camp:**

Shall mean a *building* occupied not more than 14 days in any month and not more than 60 days in any twelve month period and used solely for the purposes of accommodating hunters. A *hunt camp* shall not be used as a *dwelling unit*.

11.78 **Inclinator:**

Shall mean a *structure* consisting of a cart on rails or track which is pulled up and down an incline or slope for the purpose of transporting people or goods. The *structure* may include a roofed *structure* no more than 9.3 m^2 (100 sq. ft.) in *floor area* at the upper and lower terminals of the *inclinator*.

11.79 **Kennel:**

Shall mean a place where dogs and/or other animals other than livestock as defined in the Agricultural Code of Practice (1976) are bred and raised, and are sold or kept for sale or boarded.

11.80 **Kitchen:**

Shall mean a room or part of a room where food is stored or prepared or cooked, and which has cooking appliances.

11.81 **Landings:**

Shall mean a *structure* or platform between flights of stairs or at the head or foot of a staircase.

11.82 **Landscaped Area:**

Shall mean an area comprised of a naturally vegetated area, or lawn and ornamental shrubs, grasses, flowers, and trees, on a *lot* outside of all *buildings* and *structures* which is not used for parking, a *sundeck*, or a patio and may include space occupied by paths and walkways.

11.83 **Landscaped Buffer:**

Shall mean 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 m (6 ft.) high.

11.84 **Landscaping Centre:**

Shall mean land, *buildings* or *structures* used for the purpose of growing and selling vegetables, plants and flowers and may include the selling of materials associated with landscaping.

11.85 **Lane:**

Shall mean a travelled private road or travelled private *right-of-way*, which affords access to abutting *lots*.

11.86 **Light Industry:**

Shall mean the *manufacturing,* assembling or processing of component parts or finished products for retail trade but does not include any operation involving stamping presses, furnaces, machinery or the emission of any air, water or noise pollution that creates a nuisance outside of the building. Such *use* shall not generate any outside activity other than one loading area and parking for employees and visitors cars.

11.87 **Long Term Care Facility:**

Shall mean a *Senior Citizen Home* which includes the administration or supervision of medication, or personal care services provided by a trained staff *person*.

11.88 **Lot:**

a. a parcel of land:

i. the whole of which can be transferred without approval for consent or approval of a plan of subdivision pursuant to the Planning Act; and
ii. no part of which can be transferred without such an approval; and
iii. which is not described in a registered condominium description; and
iv. which is not the subject of an agreement or By-law referred to in clause (c) below.

OR

b. a parcel of land described as a whole registered description by the Condominium Act.

OR

c. two or more parcels of land:

i. deemed to be one LOT by this By-law; or,
ii. required to be transferred together by an agreement made pursuant to the Planning Act.

11.89 **Lot Area:**

Shall mean the total horizontal area within the *lot lines* of a *lot* but does not include lands under water. In the case of a *corner lot* having *street lines* rounding at the corner with a radius of 6.0 m (20 ft.) or less, the *lot area* of such *lots* shall be calculated as if the *lot lines* were produced to their point of intersection.

11.90 **Lot, Corner:**

Shall mean a *lot* situated at the intersection of and abutting upon two or more *streets* provided that the angle of intersection within the *lot* formed by such *streets* is not more than 135 degrees.

11.91 **Lot Coverage:**

Shall mean that percentage of area covered by *buildings* and *structures* including *accessory buildings* and *structures* on the *lot* inclusive of any such area covered on lands adjacent to the *lot* in a WOS Zone and excluding non-roofed *structures* and *docks*. *Lot coverage* shall be calculated using the exterior faces of the exterior walls. If there are no walls, *lot coverage* shall be calculated using the exterior faces of the supporting posts. Where roof overhangs exceed 1.2 m (4 ft.) the portions exceeding 1.2 m (4 ft.) will be included in *lot coverage.*

11.92 **Lot Depth:**

Shall mean the horizontal distance between the f*ront* and r*ear lot lines*. Where these lines are not parallel, it is the length of a line joining the midpoints of the *front* and *rear lot lines*.

11.93 **Lot Frontage:**

Shall mean the horizontal straight-line distance determined as follows:

a. where the *front lot line* is a *high water mark* or abuts an *original shore road allowance*, the distance between the points where the *lot lines* or their *straight line projections* intersect the *high water mark*.

b. where the *front lot line* is in whole or in part within a *navigable waterway*, the distance between the points where each *side lot line* intersects.

i. the *high water mark*, if it so intersects, or

ii. the *front lot line*, otherwise.

c. 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*.

d. where there are no *side lot lines* and no *rear lot line*, such as on an island, the greatest distance between any two points.

i. on the *front lot line*, if those points are not within a *navigable waterway*; or

ii. on the *high water mark* and those parts of the *front lot line* not within a *navigable waterway*.

e. where there are two (2) *front lot lines* abutting the same *street*, the longer of the two *lot lines* shall be the *front lot line*.

f. in all cases other than those above, the distance between the points where the *side lot lines* intersect the *front lot line***.**

For the purposes of this definition, only those *side lot lines*, which intersect the *front lot line,* are to be considered in determining *lot frontage*.

11.94 **Lot, Interior:**

Shall mean a *lot* that is not a *corner lot* and not a *through lot*.

11.95 **Lot Line:**

Shall mean any boundary of the *lot* or the vertical projection thereof.

11.96 **Lot Line, Front:**

Shall mean in the case of:

a. an *interior lot*, the *lot line* abutting;

i. a *street*; or,

ii. a *navigable waterway*; or,

iii. an *original shore road allowance*;

iv. a *right-of-way*, where the *lot* does not abut a *street*, *navigable waterway* or an *original shore road allowance.*

b. a *corner lot*, the longest of the *lot lines*, which abut the *streets*. If one of the *streets* contains a 0.3 m (1 ft.) reserve that abuts the *lot* the *lot line* adjacent to that reserve is not to be considered in determining the *front lot line*.

c. a *through lot*;

i. if it abuts two *streets*, the *lot line* abutting the *street* from which access is primarily gained to the *lot*;

ii. if it abuts a *street* and a *navigable waterway*, the *lot line* along the *high water mark* or within the *navigable waterway*;

iii. if it abuts a *street* and an *original shore road allowance*, the *lot line* abutting the *original shore road allowance*;

iv. if it abuts two (2) *original shore road allowances*, the longer of the two (2) *lot lines* abutting the *original shore road allowances*;

v. if it abuts a *navigable waterway* and an *original shore road allowance*, the longer of the two (2) *lot lines*;

vi. if it abuts two (2) *navigable waterways*, the longer of the two (2) *lot lines* abutting the *navigable waterways*.

11.97 **Lot Line, Rear:**

Shall mean the longest *lot line* opposite the *front lot line*.

11.98 **Lot Line, Side:**

Shall mean any *lot lines* other than the *front lot line* and the *rear lot line*. For the purpose of measuring the *side yard setback* of *buildings* and *structures* over water, the *side lot line* includes the *straight line projection* of each *side lot line* into the water.

Amended by By-law 2017-17

11.99 **Lot, Small**

Shall mean any lot in a Waterfront *Residential* zone which is less than 61 m (200 ft.) of *lot frontage* and 0.4 hectares (1 acre) of *lot area*.

11.100 **Lot, Through:**

Shall mean a *lot* bounded on both the *front lot line* and the *rear lot line* by *streets*, or in the case of a *lot* on a *navigable waterway***,** by an *original shore road allowance* or *high water mark* on the *front lot line* and by a *street*, or *original shore road allowance* or *high water mark* on the *rear lot line*.

11.101 **Manufacturing:**

Shall mean the *use* of land, *building* or *structure* designed for the purpose of *manufacturing*, assembly, making, preparing, inspecting, ornamenting, finishing, treating, *altering*, repairing, *warehousing* or storing or adapting for sale of any goods, substance, article, thing or service, but shall not include an *obnoxious use*, mine, *pit* or *quarry*.

11.102 **Marina:**

Shall mean a *building*, *structure* or place, and may contain docking, boat storage facilities and automobile *parking areas*, and may be located on a *navigable waterway*, where boats and boat accessories are stored, serviced, repaired or kept for sale or hire and where facilities for the sale of marine fuels and lubricants may be provided but shall not include the rental of *commercial houseboats*.

11.103 **Medical Marihuana Facility:**

Shall mean a *building* or *structure* or place, specifically licensed by the Federal Government for the production of marihuana for medical purposes for use by those persons identified as having category 1 or 2 symptoms identified in an 'application to possess' under the Marihuana for Medical Purposes Regulation (MMAR) or subsequent regulation thereafter.

11.104 **Mobile Home:**

Shall mean a single wide factory built *single detached dwelling unit* that is designed to be transported and capable of being connected to service utilities so as to be suitable for a long term occupation, but does not include a double wide *mobile home*, *travel trailer*, *tent trailer*, or *trailer* otherwise designed.

11.105 **Mobile Unit:**

Shall mean a singlewide factory built unit that is designed to be transported and is capable of being connected to service utilities so as to be suitable for long-term occupation. *Mobile Units* include Park Model *Trailers* and do not include portable classrooms or an enclosed truck *trailer*.

11.106 **Motel:**

Shall mean a type of *tourist resort* which caters primarily to the traveling public by supplying overnight sleeping accommodation with or without meals, and contains not less than five (5) *accommodation units*.

11.107 **Navigable Waterway:**

Shall mean any body of water that is capable of affording reasonable passage of floating vessels of any description for the purpose of transportation, recreation or commerce.

11.108 **Non-Complying:**

Shall mean a *lot*, *building* or *structure* that does not fulfill the zone requirements for the zone in which the *lot*, *building*, or *structure* is located.

11.109 **Non-Conforming:**

Shall mean a *use*, which does not conform to the provisions of this By-law for the zones in which such a *use* is located on the date the By-law was passed.

11.110 **Nursery School:**

Shall mean a day nursery within the meaning of The Day Nurseries Act for Ontario.

11.111 **Nursing Home:**

Shall mean a *building* in which the proprietor supplies for hire or gain, lodging with or without meals and, in addition, provides nursing, medical or similar care and treatment, if required, and includes a rest home or convalescent home.

11.112 **Obnoxious Use:**

Shall mean an offensive trade within the meaning of The Public Health Act of Ontario.

11.113 **Occasional or Special Event:**

Shall mean a use which occurs occasionally and for a short period of time and includes a fair, midway, sale or auction, craft sale, plant and produce sale, wedding, festival and social, cultural, or sporting event.

11.114 **Office:**

Shall mean a *building* or *structure* or part thereof used for the purpose of providing accommodation for an *Office* in which business is carried on or a profession is practiced.

11.115 **Open Space Recreation:**

Shall mean the use of land, *structures* or equipment for outdoor sports and games not conducted for profit and does not include a range for firearms, a racetrack or *private park*, or *Golf Course*.

11.116 **Original Shore Road Allowance:**

Shall mean a 20.1 m (66 ft.) wide allowance for a road reserved along the shore of a *navigable waterway* by the Crown but not an allowance that has become a *street*.

11.117 **Open Storage:**

Shall mean the storage of equipment, goods, chattels, raw materials or processed materials outside of any *building* or *structure* for a period of more than 24 hours. For the purpose of this by-law the overnight parking of licensed vehicles shall not be *open storage*.

11.118 **Parking Area:**

Shall mean an area provided for the parking of motor vehicles and includes aisles, *parking spaces* and related ingress and egress lands or a *private garage*, but does not include any part of a public *street*.

11.119 **Parking Space:**

Shall mean an area of not less than 18.6 m^2 (200 sq. ft.), 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 m (10 ft.) by 6.1 m (20 ft.).

11.120 **Pavilion:**

Shall mean a *structure* accessory to a *Tourist Resort* for the purpose of sheltering people with a maximum *floor area* of 55.7 m^2 (600 sq. ft.) and containing no walls.

11.121 **Person:**

Shall mean any human being, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executors or other legal representatives of a *person* to whom the context can apply according to law.

11.122 **Personal Service Shop:**

Shall mean barbershop, beauty parlour, shoe repair shop, self-service laundry or depot for the collection of any cleaning and laundry.

11.123 **Picnic Shelter:**

Shall mean a *structure* with a roof, floor and support posts without walls, screening or any other form of closure (except a railing no higher than 1.2 m (4 ft.) from the floor), that is used temporarily for the prime purpose of picnicking or lounging, not for overnight accommodation of *person*s or the storage of chattels.

11.124 **Pit:**

Shall mean an open excavation or cavity in the natural level of the ground made other than by natural causes by the removal of soil or rock for the purpose of removing sand, gravel or similar material and shall include the processing of excavated material.

11.125 **Place of Worship:**

Shall mean lands or *buildings* used for worship by an association of *person*s that is:

i. Charitable under the laws of the Province of Ontario; and,

ii. Organized for the advancement of religion and for the conduct of religious worship, service or rites; and,

iii. is intended to be permanently established as to the conduct of its existence.

and may include accessory *structures* such as a *dwelling* for a caretaker or head of the congregation and an assembly hall.

11.126 **Place of Amusement:**

Shall mean a bowling alley, athletic club, billiard or pool hall, amusement arcade, theatre, arena or other similar *use*.

11.127 **Planning Act:**

Shall mean a Registered Statue of Ontario, 1990, as amended, and any successor legislation relating to the same subject matter.

11.128 **Porch:**

Shall mean a roofed structure projecting from the exterior wall of a *building* for the purpose of providing a covered shelter for an entrance to a *building* and does not have an exterior wall.

11.129 **Private Camp:**

Shall mean an establishment operated by a religious or private organization that provides reserved accommodation in the form of *cabins*, rooms or *campsites*, which is not open to the travelling public, and has centralized facilities for dining and recreation, and provides recreational, religious or educational programs.

11.130 **Private Club:**

Shall mean golf, tennis, sailing or other athletic, social or recreational club located on private lands.

11.131 **Private Park:**

Shall mean a park operated for commercial gain on land permanently devoted to recreational *uses* and may be generally characterized by its natural, historic landscape or recreational features or activities and is used for both passive and active forms of recreation.

11.132 **Professional or Personal Services:**

Shall mean accounting, legal, medical or other such services provided by a formally certified member of a Professional body or by an artist.

11.133 **Public Authority:** shall mean

i. the *Corporation*, the *District*, the Government of Ontario, the Government of Canada, or any board, authority, or commission of any of them; or,

ii. any utility company providing telephone, telegraph, electrical or natural gas services; or,

iii. any railway company authorized under the Railway Act of Canada; or,

iv. any corporation providing services to the public, that has an operating budget entirely funded by one or more entities described in clause (a).

11.134 **Public Use:**

Shall mean the use of a *lot***,** *building* or *structure* by a *Public Authority* or authorized by a *Public Authority*, for the purpose of providing its services to the public, or carrying out its public mandate, but does not include an *office* building.

11.135 **Pumphouse**

Shall mean a *building* or *structure* where pump(s) and/or other pumping equipment utilized for fire suppression, potable water supply, sewage disposal, or other similar purpose has been installed.

11.136 **Quarry:**

Shall mean an excavation in the natural level of the ground made other than by natural causes for the purpose of removing stone or similar material which is to be used for construction, further processing or as a raw material in a *manufacturing* process and shall include the processing of excavated material.

11.137 **Ramp:**

Shall mean an inclined plane installed in addition to, or instead of, stairs, to provide access to a *building* or *structure*.

11.138 **Reconstruction:**

Shall mean the replacement of an existing *building* or *structure* where the amount of the *building* or *structure* being replaced exceeds the requirements of a *restoration*.

11.139 **Recreational Establishment:**

Shall mean a drive-in theatre, miniature *golf course*, tennis courts or similar *use*.

11.140 **Recreational Vehicle:**

Shall mean any vehicle that is mobile either by itself or when attached to a motor vehicle and that is capable of being used for the living, sleeping or eating accommodation of *persons*, notwithstanding that such vehicle is jacked-up or that its running gear is removed, for seasonal or temporary occupancy only.

11.141 **Recreational Vehicle and Equipment Centre:**

Shall mean a *building* or *structure* or part thereof used for the storage, service, sale and hire of recreation vehicles including snowmobiles, boats and all-terrain vehicles.

11.142 **Renovation:**

Shall mean the repair and *restoration* of a building to a good condition but shall not include its replacement.

11.143 **Residential:**

Shall mean the *use* of land, *buildings*, or *structures* for *human habitation*.

11.144 **Restaurant:**

Shall mean a *building* or part thereof where food is prepared and offered for sale or sold to the public for immediate consumption on or about the premises which may include an eat in or take-out *restaurant*, bake shop and small food service industries.

11.145 **Restoration:**

Shall mean the repair of a *building* or *structure* to a safe condition where over 20% of the *floor area* and walls remains in its present state. It does not include the *reconstruction* or replacement of an entire *building* or *structure*. In the case of a *dock*, it applies to over 20% of the top decking and does not include the foundation cribbing, piling, or poles.

11.146 **Restricted Waterbody:**

Shall mean a portion of a navigable lake or river with a minimum distance from shoreline to shoreline of less than 75 m (250 ft.) or where the bay is more than 100 m (330 ft.) deep (horizontally) as measured along the axis of the bay and where denoted by a –R suffix on zoning schedules.

11.147 **Retail Store:**

Shall mean a *building* or part of a *building* where goods, wares, merchandise, substances or articles are offered for retail sale.

11.148 **Retirement Home:**

Shall mean a *residential* facility, which may be a rest home, but does not include a hospital, *nursing home*, *home for the aged* or *group home* in which lodging is provided and where, in addition to sleeping accommodations, meals are supplied by a common *kitchen*, and other communal facilities may be provided. Nursing, medical or similar care and treatment may also be provided.

11.149 **Riding Stable:**

Shall mean land and *buildings* used to house horses and for their exercise and training and may include a school, boarding stables, tack shop or other related *uses*.

11.150 **Right-of-Way:**

Shall mean an area of land that is legally described in a registered deed for the provision of private access on which there is usually a *lane*.

11.151 **Roofed Recreation Facility:**

Shall mean a covered *building* or *structure* used for sport or recreation *uses* only, such as an indoor swimming pool, racquet courts or gymnasium.

11.152 **Rooming House:**

Shall mean a *building* in which lodging is provided in no more than five (5) bedrooms in return for remuneration or the provision of services or both, per each bedroom where sanitary facilities and one *kitchen* are provided for the inclusive use of the Roomers. A *Rooming House* shall not include a *Group Home***,** *Hotel***,** *Motel***,** *Retirement Home, Senior Citizen Home*, *Bed and Breakfast*, or other similar establishment.

11.153 **Salvage Yard:**

Shall mean land or *buildings* used for an automobile wrecking *yard* or premises, the keeping and/or storing of used building products, waste paper, rags, bottles, bicycles, automobile tires, old metal, other scrap material or salvage and where such materials are bought, sold, exchanged, baled, packed, disassembled or handled for further *use.*

11.154 **Saw Mill:**

Shall mean a *building* or *structure* used to process wood from saw logs to another use and may include land used for *open storage* of raw or finished lumber or products.

11.155 **Secondary Uses:**

Shall mean *uses* related to but are secondary or subordinate to the principle *uses* permitted on the *lot*.

Amended by By-law 2017-17

11.156 **Septic System Leaching Bed Distribution Pipe:**

Shall mean as part of a Class 4 sewage system, a line or lines of perforated or open jointed pipe or tile installed in a leaching bed for the purpose of distributing effluent from a treatment unit to the soil, as defined in the Ontario Building Code, and does not include the mantle area.

For the purposes of this By-law, a septic system leaching bed distribution pipe shall be considered a structure.

11.156 **Senior Citizen Home:**

Shall mean an assisted living residence or assisted living facility with housing facilities for people with disabilities, which provide supervision or assistance with activities of daily living, coordination of services by outside health care providers, and monitoring of resident activities to help to ensure their health, safety, and well-being. Assistance may include the administration or supervision of medication, or personal care services provided by a trained staff *person*.

11.157 **Service Club:**

Shall mean an association of *person*s united by a common community service interest. This includes the premises owned and occupied by the members of such an association within which the activities of the club are conducted.

11.158 **Service Shop:**

Shall mean a *building* or part of a *building* devoted primarily to the repair or servicing of goods, commodities, articles or materials, but not the *manufacturing* of same. A *service shop* does not include the repair or service of motor vehicles.

11.159 **Setback:**

Shall mean the least horizontal distance between any *lot line* or *high water mark*, and the nearest part of any *building* or *structure* on the *lot*. Where the *lot line* is within a *navigable waterway* the distance shall be measured from the *high water mark*.

11.160 **Sewer Service:**

Shall mean a system of underground piping for the collection of and treatment of sewage, owned and operated by a *Public Authority*.

11.161 **Shoreline Buffer:**

Shall mean a natural area maintained in its natural predevelopment state for the purpose of buffering *buildings* or *structures* on a *lot*. Where the natural state does not include significant vegetative cover the area shall be planted with indigenous trees and shrubs. Such a buffer shall consist of trees or shrubs a minimum of 1.8 m (6 ft.) in *height* and a density of one (1) tree per 9.3 m^2 (100 sq. ft.) of the required buffer.

11.162 **Sight Triangle:**

Shall mean the triangular space formed by two intersecting *street lines* and a line drawn from a point in one *street line* to a point in the other *street line*, each such point being 12.2 m (40 ft.) measured along the *street line* from the point of intersection of the *street lines*.

11.163 **Sleeping Cabin:**

Shall mean a *building* not attached to the *main residential building* for the accommodation of *persons*, but not containing a *kitchen*. A *recreational vehicle* is deemed not to be a *sleeping cabin* for the purposes of this By-law.

11.164 **Slip, Boat**

Shall be defined as one (1) docking place for a boat.

Amended by By-law 2019-154

11.164.A **Sport Courts and Recreational Surfaces**

Shall mean an outdoor area of land or non-roofed *structure* that is purpose built, intended to be permanent, and is capable of being used for sports or recreational activities, and other similar uses, but excludes ice rinks located in the Waterbody Open Space (WOS) zone and swimming pools.

11.165 **Staff Quarters:**

Shall mean an *accessory building* for accommodating only the employees of a *tourist resort* or *private camp* and which may contain a *kitchen*.

11.166 **Storage Facility:**

Shall mean a covered *building* or *structure* used for the storage of chattels, but not for the accommodation of *person*s.

11.167 **Storey:**

Shall mean 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. In the case of a *boathouse*, the *docks* are considered to be a floor.

11.168 **Straight Line Projection:**

Shall mean the straight-line extension or projection of a *lot line*.

11.169 **Street:**

Shall mean a travelled public highway or a travelled public road and does not include a *lane* or a *private right-of-way*, or unopened road allowance.

11.170 **Street Line:**

Shall mean the dividing line between the *lot* and a *street*.

Amended by By-law 2019-154

11.171 **Structure:**

Shall mean anything that is built, constructed or *erected* of parts joined together or requiring a foundation to hold erect, the use of which requires location on the ground, but shall not include free standing walls, driveways, fences, hedges, or a septic system except for a Septic System Leaching Bed Distribution Pipe. For the purposes of this definition, a *structure* shall include *sport courts and recreational surfaces*, or propane tank or generator intended to be permanent.

Amended by By-law 2017-17

11.172 **Sundeck:**

Shall mean a non-roofed *structure* designed for lounging or sunbathing and can include a hot tub. A *sundeck* is not part of a *dwelling unit*.

11.173 **Sun Shelter:**

Shall mean a freestanding, roofed *accessory structure* used for the purpose of relaxation in conjunction with a *dock,* which shall be open on all sides and not screened, glassed or otherwise enclosed on any side.

11.174 **Tavern:**

Shall mean a *building* or *structure* or part thereof which is primarily used for the sale and serving of alcoholic beverages with or without entertainment and may serve food or meals.

11.175 **Temporary Building:**

Shall mean a building or structure intended for removal or demolition within a prescribed time as set out in the building permit application.

11.176 **Temporary Use:**

Shall mean the use of land, buildings, or *structures* for a construction *office*, *tool shed*, or for the storage of scaffolds, equipment and materials which is incidental to and necessary for construction work in progress for so long as the same are necessary for the construction work which has neither been finished nor abandoned on the same *lot.*

11.177 **Tent**:

Shall mean a temporary structure covered with a canvas or similar lightweight material and supported by poles, stakes, beams, ropes, etc.

11.178 **Tent and Trailer Park:**

Shall mean a parcel of land used and maintained as an overnight *tenting* or camping ground where people are temporarily accommodated in *tent*s, *travel trailers*, *cabins*, *recreational vehicles* or other similar facilities, whether or not a fee or charge is paid for the rental thereof, but does not accommodate *mobile homes*.

11.179 **Tool Shed:**

Shall mean a *building* or *structure* less than 10 m^2 (108 sq. ft.) in *floor area* for the purposes of temporarily storing tools and construction materials on an active construction site, or for the permanent storage of garden tools. A *tool shed* must maintain the *setback* provisions of the zone in which it is located.

11.180 **Tourist Resort:**

Shall mean a commercial establishment under one management, which is located on-site, designed and used for the travelling or vacationing public and that has facilities for accommodation and serving meals and drinks and furnishes equipment, supplies or services to *person*s for recreational purposes. No *dwelling unit* is permitted within a *tourist resort* except as accessory to the principal permitted use, by way of living accommodation for the manager or owner of the resort and *family*, and *staff quarters* for the staff of the resort, or as specifically permitted by this by-law.

11.181 **Township:**

Shall mean the Corporation of the *Township* of Muskoka Lakes.

11.182 **Trailer:**

Shall mean any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle and capable of being used for the living, sleeping or eating accommodation of *persons*, notwithstanding that such vehicle is jacked-up or that its running gear is removed.

11.183 **Travel Trailer:**

Shall mean a *trailer* designed and equipped for travel, recreation and vacation *uses* and for seasonal or temporary occupancy only.

11.184 **Tuck Shop:**

Shall mean a *retail store* selling personal supplies, sundries, sports equipment and clothing to visitors to, and employees of, a *private camp*.

11.185 **Veranda:**

Shall mean a roofed open structure along one or more sides of a *building* having the purpose of, or capability of providing for lounging and relaxation.

11.186 **Use:**

Shall mean when used as a noun, the purpose for which the land or a *building* or *structure* or any combination thereof, is designed, arranged, intended, occupied or maintained and "*uses*" has a corresponding meaning. "Use" when used as a verb, or "to use" has a corresponding meaning.

11.187 **Warehouse:**

Shall mean any *building* or *structure* involved primarily in transportation, storage and shipment of goods.

11.188 **Waste Disposal:**

Shall mean a facility for the transfer and treatment and disposal of sanitary wastes or other wastes.

11.189 **Waste Treatment Facility:**

Shall mean an area on the same site as the principle permitted *use* which is used for the purpose of storing, treating and spraying effluent generated on site in compliance with the relevant regulations of the Ministry of Environment.

11.190 **Watercourse:**

Shall mean a creek, river and/or drainage ditch.

11.191 **Waterfront Landing:**

Shall mean the *use* of land, parking vehicles, and storing boats, which facilitate access by *person*s to one or more *residential* properties, to which access is gained by water.

11.192 **Water Service:**

Shall mean a distribution system of underground piping and related storage, including pumping and purification appurtenances owned and operated by a *Public Authority*.

11.193 **Wayside Pit or Wayside Quarry:**

Shall mean a temporary *pit* or *quarry* open and used by a *Public Authority* solely for the purpose of a particular project or contract and road construction and not located on the *street*.

11.194 **Yard:**

Shall mean an open, uncovered and unoccupied space between a *building* or *structure* and a *lot line*.

11.195 **Yard, Front:**

Shall mean 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*.

11.196 **Yard Depth, Front:**

Shall mean the least horizontal dimensions between the *front lot line* of the *lot***,** or the nearest *open storage use* on the *lot*.

11.197 **Yard, Rear:**

Shall mean 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***,** or the nearest *open storage use* on the *lot*.

11.198 **Yard Depth, Rear**

Shall mean the least horizontal dimensions between the *rear lot line* and the nearest part of any *building* or *structure* on the *lot***,** or the nearest *open storage use* on the *lot*.

11.199 **Yard, Required:**

Shall mean the minimum *yard* required by the provisions of this By-law.

11.200 **Yard, Side:**

Shall mean a *yard* extending from the *front yard* to the *rear yard* and from the *side lot line* of the *lot* to the nearest part of any *building* or *structure* on the *lot*, or the nearest *open storage use* on the *lot*.

11.201 **Yard Width, Side:**

Shall mean the least horizontal dimension between the *side lot line* of the *lot* and the nearest part of any *building* or *structure* on the *lot*, or the nearest *open storage* use on the *lot*.

11.202 **Yard, Exterior Side:**

Shall mean a *side yard* immediately adjoining a public *street* or an unopened road allowance.

11.203 **Yard, Interior Side:**

Shall mean a *side yard* other than an *exterior side yard*.

12.0 EXEMPTIONS TO THE BY-LAW

This Section outlines exceptions to the permitted *uses* and provisions of this By-law as it relates to individual properties located throughout the Township. A complete listing of exceptions can be obtained from the Township Office. This section should not be interpreted or construed as granting any other rights than those specifically applying to the individually identified properties.

This section is also intended to act as a log of Zoning By-law Amendments, which may be granted by the Township in the future.

12.1564 For those lands described as Part of Lots 32 and 33, Concession 3 (Medora), Part Lot 88, Plan 1, Parts 1 & 2, Plan 35R-13029, Roll # 5-9-065-01, Council shall only consider a By-law to remove the "Holding – H" provision when:

i. A satisfactory Environmental Impact Study has demonstrated that the proposed development will not negatively impact the features and functions of a wetland located on the subject lands.

12.1565 For those lands described as Part of Lot 30, Concession 5 (Medora), Part 7 and Part of Part 11, Plan 35R-13687, Council shall only consider a By-law to remove the "Holding-H" provision when:

i. Municipal water and sanitary *sewer service*s are available to service the properties;

ii. A Development Agreement is entered into with the municipality; and,

iii. To encourage high quality urban design for commercial and *residential* development such as improved streetscape, massing of buildings, internal traffic patterns, integration with surrounding, existing, and proposed commercial and *residential* development, satisfactory urban design guidelines will be required for development on these properties.

iv. Notwithstanding the above, minor additions to existing *dwelling units* and *accessory structures* not exceeding 25% of the *floor area* of the *buildings* and *structures* as of the date of approval of this By-law shall be permitted, in accordance with Community Residential (R2) zone provisions.

12.1566 For those lands located within the Resort Village designation of the Official Plan and subject to a Holding (–H) zone on Schedule 60, Council shall only consider a By-law to remove the "Holding-H" provision when:

i. To ensure the orderly development of lands, development shall not be permitted until municipal water and sanitary sewer services are available to service the Resort Village;

ii. That a Development Agreement be entered into with the municipality; and,

iii. A Zoning By-law Amendment Application rezoning the subject property in conformity with Official Plan policies is approved.

iv. Notwithstanding the above, new *buildings* and *structures,* minor additions, *reconstructions* and *restorations* to existing *buildings* and *structures* not exceeding 20% of the existing *lot coverage,* units, and *gross floor area* of the existing *buildings* and *structures* as of the date of approval of this By-law shall be permitted, in accordance with the applicable zone provisions.

v. Notwithstanding the above, for properties subject to a Holding (-H2, -H3, or –H4) zone on Schedule 60, *reconstructions* and *resorations* to existing *buildings* and *structures* shall be permitted, but additions and new *buildings* and *structures*, as of the date of approval of this By-law, shall not exceed the cumulative totals of eight (8) units, and 20,000 square feet of *gross floor area*, in accordance with the applicable zone provisions. These cumulative totals are apportioned four (4) units and 10,800 square feet to areas zoned Holding (-H2), three (3) units and 5,800 square feet to areas zoned Holding (-H3) , and one (1) unit and 3,400 square feet to areas zoned Holding (-H4).

12.1567 For those lands described as Part Lot 23, Concession 8, former Township of Wood (Clear Lake Village Resort), more particularly described as Parts 1 and 4, Plan 35R-5955, the maximum permitted number of *accommodation units, housekeeping units,* and *tourist resort units* shall be limited to 20. No additional *docks* or *boathouses* are permitted. No additional units shall be constructed prior to the provision of a pool to serve as an amenity on the subject lands.

For those lands described as Part Lot 23, Concession 8, former Township of Wood (Clear Lake Village Resort), more particularly described as Lot 18, Plan 7, the maximum gross floor area for *restoration*, enlargement, extension, replacement, or *reconstruction* of any *non-complying building* or *structure* will be limited to eight (8) percent of the area of lands within 61 m (200 ft.) of the *high water mark*. No *restoration*, enlargement, extension, replacement, or *reconstruction* on the lands shall be permitted prior to the provision of a satisfactory swimming pool to serve as a1n amenity on the lands described as Parts 1 and 4, Plan 35R-5955 (Wood). The maximum *height* of any *building* or *structure* shall be limited to 10.7 m (35 ft.).

12.1585 Despite the provisions of Section 4.2.3 of By-law 2014-14, as amended, for those lands described as Part of Lots 11 and 12, Concession G, in the former Township of Medora, now in the Township of Muskoka Lakes, (Bala Woodlands), Roll No. 6-12-036, *boardwalks* and *sundecks* shall be permitted to be located within the *front yard*, as shown in the location and extent of Exhibit 19 to OMB Order/Decision No. 0352.

12.1600 All lands located within 120 metres (394 feet) of a Provincially Significant Wetland, as defined by the EP1-PSW zone on the Schedules to this By-law, are subject to a holding provision in accordance with Section 36(1) of the Planning Act, RSO, 1990, as amended. No *building* or *structure* shall be erected and no site alteration shall occur within 120 metres (394 feet) of a Provincially Significant Wetland unless the holding provision is removed. Removal of the holding provision will require the preparation of an Environmental Impact Study to the satisfaction of the appropriate approval authority, which demonstrates that there will be no negative impacts on the natural features or ecological functions for which the area is defined.

Notwithstanding the provisions of this By-law to the contrary, on lands identified with a (-1600) exception number, the following provisions shall apply:

i. The replacement, *alteration* and reconstruction of legal *non-conforming buildings* and *structures* in accordance with Section 3.3;

ii. The replacement, *alteration*, reconstruction and expansion of legal existing *buildings* or *structures* permitted in that zone, provided that any addition does not comprise more than 50% of the *gross floor area* of the *building* or *structure* that existed on the date of the passage of this Zoning By-law; or

iii. The construction of new *structures* up to 50m² (538 ft.²) *gross floor area* which are *accessory* to a legally permitted *use*.

12.1604 Despite the provisions of Sections 3.4.1.e and 3.42 of By-law 2014-14, as amended, for those lands described as Part of Lot 13, Concession B, in the former Town of Bala, now in the Township of Muskoka Lakes, (Gaines), more particularly described as Lot 264, Plan 1, Lot 264A, Plan 4, Roll No. 7-9-021, development as a singular lot only, is permitted to be serviced solely by a municipal water system and the minimum lot frontage requirement shall be the lot frontage that exists on the date of passing of this by-law.

12.1647 Despite the provisions of Sections 11.93, for those lands described as Part Lot 10, Concession 4, in the former Township of Wood, (Wood), more particularly described as Parts 2 and 3, Plan 35R-14619, the lot frontage shall be 200 m (660 ft.).

12.1691 Despite the provisions of Sections 5.1.3 and 5.1.6.iv. of By-law 2014-14, as amended, for those lands described as Part Lot 32, Concession 7, in the former Town of Bala, now in the Township of Muskoka Lakes, more particularly described as Parts 2 to 6, Plan 35R-19216, the minimum permitted front yard setback for a dwelling shall be 35 feet and the minimum permitted front yard setback for a sundeck shall be 25 feet.

12.1692 Despite the provisions of Section 4.2.8.a.i of By-law 2014-14, as amended, for those lands described as Part Lots 18 to 20, Concession 10, in the former Township of Medora, now in the Township of Muskoka Lakes, more particularly described as Part 9, Plan 35R-12297, and Parts 1, 4, 6 and 8 to 10, Plan 35R-16596, the maximum permitted length of a dock addition shall be 125 feet, with a location and extent as shown on Schedule “A” to the Minutes of Settlement related to Pride Marine Group Ltd. with respect to OMB Case No. PL150235.

12.1693 Despite the provisions of Section 4.1.2. of By-law 2014-14, as amended, for those lands described as Part Lots 9 and 10, Concession 4, in the former Township of Wood, now in the Township of Muskoka Lakes, more particularly described as Parts 1 and 3, Plan 35R-11045, and Part 1, Plan BR-1308, a dwelling and/or sleeping cabin shall not be permitted in the area zoned Waterfront Residential (WR6) and fronting onto Pine Needle Point Road, as shown hatched on Schedule “C” to the Minutes of Settlement related to David Nash and Gerald Nash with respect to OMB Case No. PL150235.

13.0 ENACTMENT

Schedules “1” to “62” and all other notations thereon are hereby declared to form part of this By-law.

This By-law shall come into force and take effect upon being passed by Council subject to any approval necessary pursuant to the *Planning Act R.S.O. 1990,* as amended.

This By-law read a first time this 13th day of February, 2015.

This By-law read a second time this 13th day of February, 2015.

This By-law read a third time and finally passed this 13th day of February, 2015.

Original Orginal Signed By D. Furniss Mayor, Don Furniss

Original Signed By C. Mortimer Clerk, Cheryl Mortimer

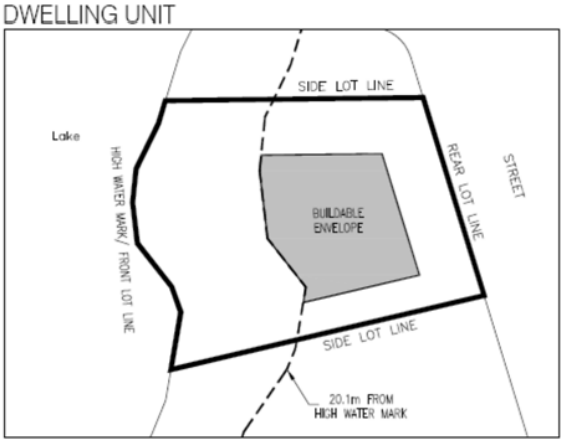
APPENDIX 1 – METRIC CONVERSIONS

DISTANCE	
Metric (m)	Imperial (ft.)
0.9 m	3 ft.
2.7 m	9 ft.
4.6 m	15 ft.
4.9 m	16 ft.
6.1 m	20 ft.
7.6 m	25 ft.
9.1 m	30 ft.
10.7 m	35 ft.
12.2 m	40 ft.
13.7 m	45 ft.
15.2 m	50 ft.
20.1 m	66 ft.
22.9 m	75 ft.
30.5 m	100 ft.
61 m	200 ft.
91.4 m	300 ft.
121.9 m	400 ft.
152.4 m	500 ft.
201.2 m	660 ft.

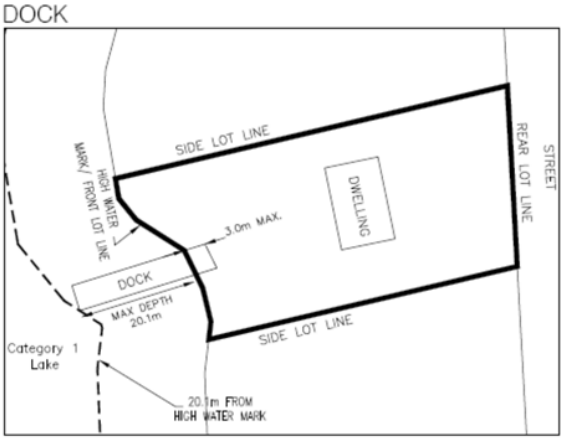
AREA	
Metric	Imperial
9.3 m2	100 ft.2
13.9 m2	150 ft.2
18.6 m2	200 ft.2
23.2	250 ft.2
27.9 m2	300 ft.2
37.2 m2	400 ft.2
46.5 m2	500 ft.2
60.4 m2	650 ft.2
69.7 m2	750 ft.2
74.3 m2	800 ft.2
100 m2	1076 ft.2
0.4 hectares	1.0 acres
0.6 hectares	1.5 acres
0.8 hectares	2 acres
1.0 hectares	2.5 acres
1.2 hectares	3.0 acres
1.6 hectares	4.0 acres
2.0 hectares	5.0 acres
4.0 hectares	10.0 acres
8.1 hectares	20 acres
40.5 hectares	100 acres

SETBACKS FROM THE HIGH WATER MARK (TYPICAL)

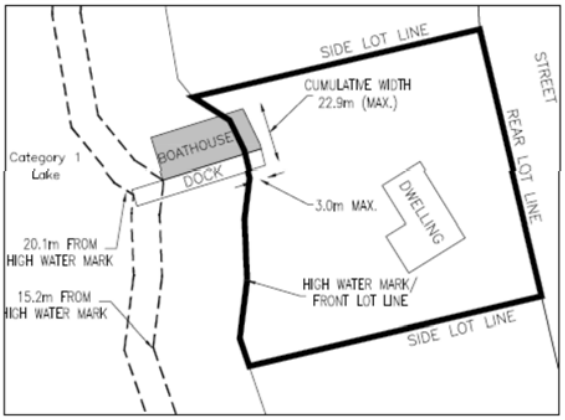
DWELLING UNIT



DOCK

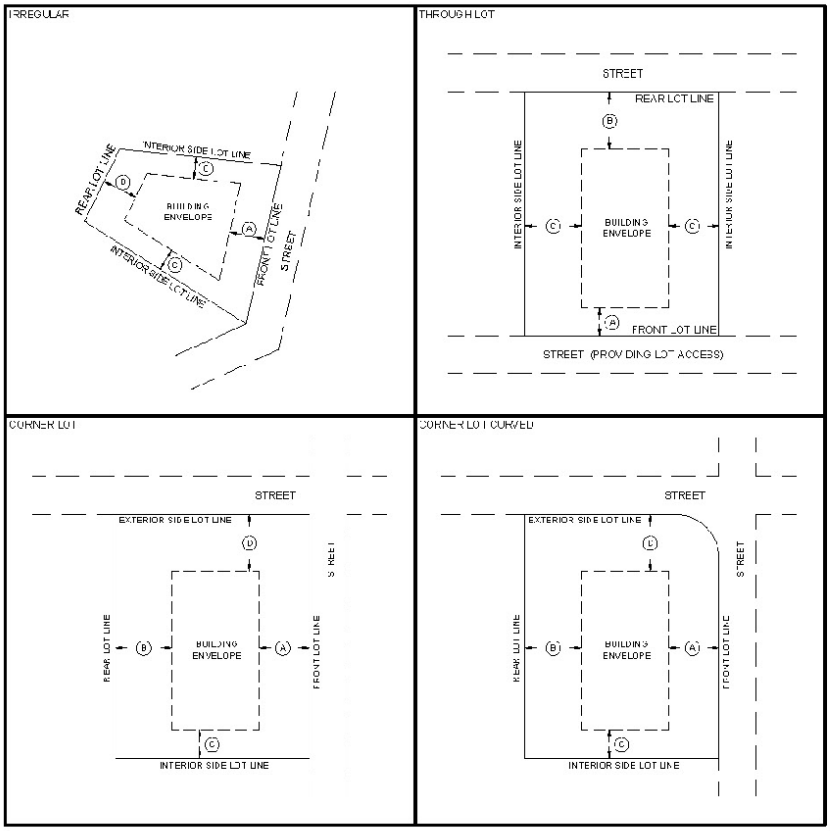


BOATHOUSE AND DOCK



NOTE:
FOR MORE SPECIFIC PROVISIONS PLEASE REFER TO SECTION 3 - GENERAL PROVISIONS

ILLUSTRATIONS OF TYPES OF YARD DEFINITIONS BASED ON LOT TYPES



Ⓐ Minimum Front Yard Setback distance as specified by zone. (FRONT YARD)

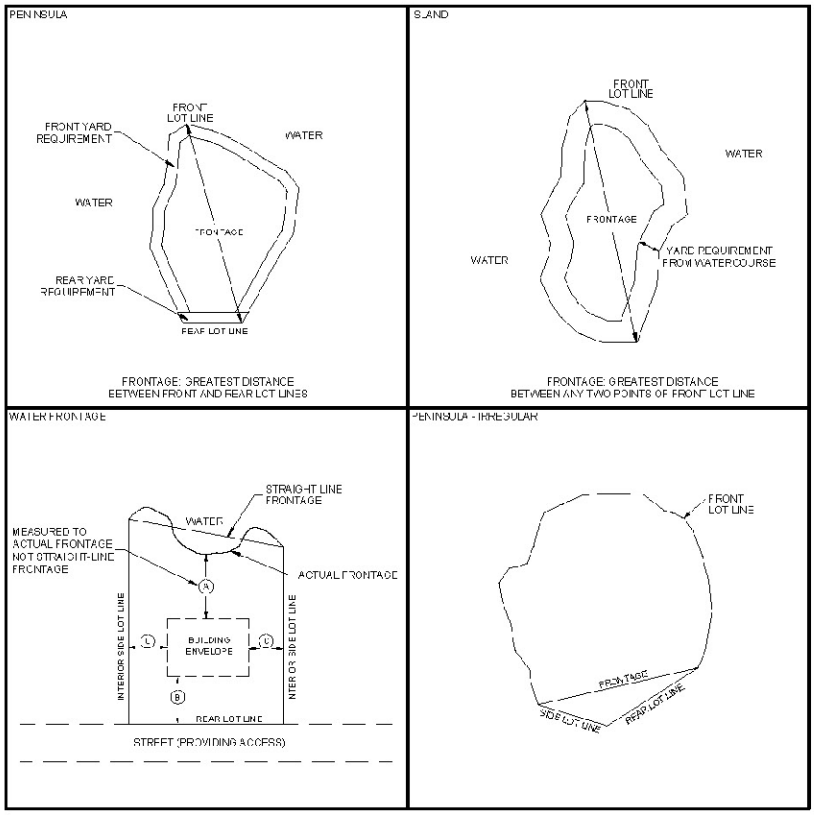
Ⓑ Minimum Rear Yard Setback distance as specified by zone. (REAR YARD)

Ⓒ Minimum Interior Yard Setback distance as specified by zone. (INTERIOR SIDE YARD)

Ⓓ Minimum Exterior Yard Setback distance as specified by zone. (EXTERIOR SIDE YARD)

*NOTE:
See further definition for alternative lot scenerios under Section 11.0

ILLUSTRATIONS OF TYPES OF YARD DEFINITIONS BASED ON LOT TYPES



Ⓐ **Minimum Front Yard Setback distance as specified by zone. (FRONT YARD)**

Ⓑ **Minimum Rear Yard Setback distance as specified by zone. (REAR YARD)**

Ⓒ **Minimum Interior Yard Setback distance as specified by zone. (INTERIOR SIDE YARD)**

Ⓓ **Minimum Exterior Yard Setback distance as specified by zone. (EXTERIOR SIDE YARD)**

*NOTE:
For alternative lot scenarios please refer to Section 4.0 - Waterfront

Municipal Address	Legal Description
169	Medora Ward Lot 16 Conc. 1
1391 Highway 118	Watt Ward Lot 31 Conc. 4
Muskoka Road 25 West	Watt Ward Lot 22 Conc. 7
Highway 4	Watt Ward Lot 25 Conc. 8
Buck Eye Road	Medora Ward Lot 3 Conc. 10
Small road off Highway 7	Medora Ward Lot 16 Conc. 12
Rosseau Lake Road 3	Watt Ward Lot 32 Conc. 14
N/A	Watt Ward Lot 28 Conc. 8