ZONING BY-LAW

TOWNSHIP OF COLEMAN

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THE PLANTARIO GROUP LTD.

EAST YORK, ONTARIO

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THE CORPORATION OF THE TOWNSHIP OF COLEMAN

BY-LAW NO. 06-01

A BY-LAW TO REGULATE THE USE OF LANDS AND THE CHARACTER, LOCATION AND USE OF BUILDINGS AND STRUCTURES IN THE TOWNSHIP OF COLEMAN

WHEREAS the Planning Act, R.S.O. 1990, as amended, provides that the council of a local municipality may pass zoning by-laws restricting the use of land and the erecting, locating or using of buildings and structures;

NOW THEREFORE the Council of the Corporation of the Township of Coleman **ENACTS** as follows:

SECTION 1 INTRODUCTION

(1) TITLE OF BY-LAW

This By-law may be cited as the "Zoning By-law".

(2) SCOPE OF BY-LAW

(a) LANDS SUBJECT TO BY-LAW:

The provisions of this By-law shall apply to all lands within the corporate limits of the Township of Coleman.

(b) CONFORMITY WITH BY-LAW:

No building or structure shall hereafter be erected, altered or located, nor shall the use of any building, structure or lot hereafter be changed, in whole or in part, except in conformity with the provisions of this By-law.

(c) EXISTING USE CONTINUED:

Nothing in this By-law shall prevent the use of any land, building or structure for any purpose prohibited by this By-law if such land, building or structure was

lawfully used for such purpose on the date of passing of this By-law, so long as it continues to be used for that purpose.

(d) BUILDING PERMIT ISSUED:

Nothing in this By-law shall prevent the erection or use of any building or structure for a purpose prohibited by this By-law where a permit has been issued under Section 5 of the Building Code Act, S.O. 1992, as amended, prior to the day of passing of this By-law provided:

(i) when the building or structure is erected, it shall be used and shall continue to be used for the purpose for which the building permit was issued;

(ii) the erection of such building or structure is commenced within 6 months of the date of passing this By-law and provided the erection of such building or structure is completed within 18 months after the erection thereof is commenced; and

(iii) such permit has not been revoked under Section 6, of the Building Code Act, S.O. 1992, as amended.

(e) COMPLIANCE WITH OTHER RESTRICTIONS:

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

(3) INTERPRETATION OF BY-LAW

(a) SINGULAR AND PLURAL WORDS:

In this By-law, unless the context requires otherwise, words used in the singular number include the plural and words used in the plural include the singular number.

(b) SHALL IS MANDATORY:

In this By-law, the word "shall" is mandatory.

(c) USED AND OCCUPIED:

In this By-law, unless the context requires otherwise, the word "used", shall include "designed to be used" and "arranged to be used" and the word "occupied" shall include "designed to be occupied" and "arranged to be occupied".

(d) BUILDING, STRUCTURE AND USE CLASSIFICATION:

In this By-law, all buildings, structures and uses named as permitted uses and classified under the headings "RESIDENTIAL USES" or "NON-RESIDENTIAL USES" may be referred to as Residential or Non-Residential buildings, structures, or uses respectively.

(4) SCHEDULE TO BY-LAW

The following Schedule, which is attached hereto, and the information shown on such schedule shall form part of the by-law to the same extent as if included therein:

SCHEDULE A - ZONE MAP

Each of the Zone Maps, attached to the By-law, is designated as Schedule A. Each Zone Map has been given a map number which corresponds to a specific geographic area as follows:

ZONE MAP NO.	GEOGRAPHIC AREA
1	Township, excluding the detailed areas
2	Detailed Areas

SECTION 2 DEFINITIONS

In this By-law, unless the context requires otherwise, the following definitions shall apply:

(1) **ALTER**, when used in reference to a building, structure or part thereof, means:

to change any one or more of the external dimensions of such building or structure; or

to change the type of construction of the exterior walls or roof of such building or structure; or

to change the use of such building or structure; or

to change the number of uses or dwelling units contained therein.

"Alter", when used in reference to a lot, means:

to change the boundary of such lot with respect to a street or lane; or

to change any dimension or area, relating to such lot, which is covered herein by a zone provision; or

to change the use of such lot; or

to change the number of uses located thereon.

"Altered" and "alteration" shall have corresponding meanings.

(2) **AUTOMOBILE SERVICE STATION**, means an establishment primarily engaged in the retail sale of fuels or lubricants for motor vehicles or recreational vehicles. Accessory uses may include the sale of motor vehicle or recreational vehicle accessories and minor maintenance or repair operations for such vehicles, other than bodywork or painting.

If any vehicle, other than a private automobile, a tow truck or similar service vehicle, is kept on the premises of the establishment, except while awaiting repair, maintenance or sale, then such establishment shall be classified as a commercial garage.

(3) **BALCONY**, means a partially enclosed platform attached to or extending horizontally from one or more main walls of a building and used as an outdoor porch or sundeck

(4) **BODY SHOP**, means a building or premises used for the painting or repairing of motor vehicle bodies, exteriors or undercarriages. Accessory uses may include a towing service and the rental of motor vehicles to customers whose motor vehicles are being repaired. This definition shall not include a salvage yard as defined herein.

(5) **BUILDING**, means any structure, consisting of walls and a roof, which is used for shelter, accommodation or enclosure of persons, animals, equipment, goods or materials.

(a) **ACCESSORY BUILDING**, means a detached building which is incidental, subordinate and exclusively devoted to a main building or main use and located on the same lot therewith.

(b) **MAIN BUILDING**, means the building which contains the principal use of the lot on which such building is located.

(6) **BUILDING AREA**, means that portion of the lot area of a lot permitted to be covered by one or more building envelopes.

(7) **BUILDING BY-LAW**, means any by-law of the Corporation passed pursuant to the Building Code Act, S.O. 1992, as amended.

(8) **BUILDING ENVELOPE**, means the total horizontal area of a building calculated by perpendicular projection onto a horizontal plane. This definition shall not include:

sills, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters or similar ornamental structure unless such structure projects more than 1.0 metre horizontally from an exterior wall of the building; or

unenclosed porches, balconies or steps unless such structure projects more than 2.0 metres horizontally from an exterior wall of the building.

A swimming pool shall be considered as part of the building envelope.

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(9) **BUILDING HEIGHT**, means the vertical distance between the finished grade of the lot on which the building is situated and the highest point of the building proper.

(10) **BUILDING PERMIT**, means a permit required by the Building By-law.

(11) **BUILDING SEPARATION**, means the least horizontal distance permitted between the nearest portions of any building envelopes on a lot.

(12) **BUILDING SETBACK**, means the least horizontal distance permitted between a lot line of a lot and the nearest portion of any building envelope or excavation on such lot.

(a) **FRONT BUILDING SETBACK**, means the building setback on a lot measured from each front lot line of such lot.

(b) **FLANK BUILDING SETBACK**, means the building setback on a lot measured from each flank lot line of such lot.

(c) **REAR BUILDING SETBACK**, means the building setback on a lot measured from each rear lot line of such lot.

(d) **SIDE BUILDING SETBACK**, means the building setback on a lot measured from each side lot line of such lot.

(13) **BUILDING SUPPLY OUTLET**, means an establishment engaged in the selling or installing of building supplies including lumber, millwork, siding, roofing, plumbing, electrical, heating, air conditioning and similar items. This definition shall not include any establishment otherwise defined herein, or specifically named elsewhere, in this By-law.

(14) **BULK STORAGE TANK**, means a tank for the bulk storage of petroleum, petroleum products, chemicals, gases or similar substances. This definition shall not include a storage tank which is accessory to another use on the lot where such tank is located.

(15) **BUSINESS OFFICE**, means a building or part of a building where one or more persons are employed in administering, directing, managing or conducting the affairs of a private enterprise. This definition shall not include any manufacturing operation or any premises used for repairing equipment, goods, materials or vehicles.

(16) **CAMPGROUND**, means an open area provided for the use of outdoor camping in tents or similar facilities. This definition shall not include a tourist camp or mobile home park.

(17) **CARPORT**, means a roofed structure, supported by columns, piers or not more than two walls, which is used for the sheltering of permitted vehicles.

(18) **CEMETERY**, means land that is set apart or used as a place for the interment of the dead, or in which human bodies have been buried. "Cemetery" may include a structure for the purpose of cremation of human remains and may include facilities for storing ashes of human remains that have been cremated, or the interment of the dead in sealed crypts or compartments.

(19) **CHIEF BUILDING OFFICIAL**, means the employee appointed by Council for the purpose of enforcing the Building By-law.

(20) **CLUB**, means a building or premises used as an athletic, recreational, service or social club. This definition may include the premises of a fraternal organization.

(21) **COMMERCIAL GREENHOUSE**, means a building used for the growing of flowers, vegetables, shrubs, trees and similar vegetation for wholesale or retail sale. This definition shall not include any premises used for the growing of mushrooms.

(22) **CONVENIENCE STORE**, means an establishment where food, tobacco, drugs, periodicals or similar items of household necessity are kept for retail sale.

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(23) **CORPORATION**, means the Corporation of the Township of Coleman.

(24) **COUNCIL**, means the Council of the Corporation of the Township of Coleman.

(25) **DETACHED**, when used in reference to a building, means a building which is not dependent on any other building for structural support or enclosure.

(26) **DRIVEWAY**, means an unobstructed passageway used to provide vehicular access to a lot from a street or lane.

(27) **DRIVEWAY SETBACK**, means the least horizontial distance permitted between a lot line of a lot and the nearest portion of any driveway on such lot.

(28) **DWELLING HOUSE**, means a detached building occupied or capable of being occupied as the home or residence of one or more persons. This definition shall not include any part of any vehicle as defined herein.

(a) **ACCESSORY DWELLING HOUSE**, means a single detached dwelling house which is accessory to a permitted Non-Residential use and is occupied either by the owner of such Non-Residential use or by a family of a person, or person employed on the lot where such dwelling house is located.

(b) **APARTMENT BUILDING**, means a dwelling house containing three or more, but not more than five, separate dwelling units. This definition may include a senior citizen's apartment building, but shall not include any dwelling house otherwise defined herein or specifically named elsewhere in this By-law.

(c) **BOARDING HOUSE**, means a dwelling house, erected prior to the date of passing of this By-law, which contains not more than three guest rooms wherein, for gain or profit, lodgings, with or without meals, are provided to the public.

(d) **DUPLEX DWELLING HOUSE**, means the whole of a dwelling house divided horizontally into two separate dwelling units, each such dwelling unit having an independent entrance either directly from outside the building or through a common vestibule.

(e) **GROUP HOME**, means the use of a dwelling house for a residential care facility accommodating up to ten (10) persons, excluding resident staff, who, by reason of their emotional, mental, social or physical condition, require specialized residential care in a group living arrangement, as licensed or approved by the applicable Provincial agency.

(f) **MOBILE HOME**, means a prefabricated building, designed to be transported on its own chassis (notwithstanding that its running gear is or may be removed), or by other means, and designed and equipped for year-round occupancy. This definition shall not include any tourist vehicle nor any trailer which has a gross floor area of less than 30.0 square metres.

(g) **MODULAR DWELLING HOUSE** , means a prefabricated single-detached dwelling house being so constructed or assembled that the shortest side of such dwelling house is not less than 6.1 metres in width.

(h) **SEASONAL DWELLING HOUSE**, means a dwelling house, containing only one dwelling unit, which is constructed and used as a secondary place of residence, for seasonal vacation and recreational purposes and not as a principal residence of the owner or occupant thereof.

(i) **SEMI-DETACHED DWELLING HOUSE**, means the whole of a dwelling house divided vertically by a common wall, above the finished grade, into two separate dwelling units, each such dwelling unit having an independent entrance either directly from outside the building or through a common vestibule.

(j) **SINGLE DETACHED DWELLING HOUSE** means a dwelling house containing only one dwelling unit.

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(29) **DWELLING UNIT**, means a suite of two or more habitable rooms occupied by not more than one household unit, in which sanitary conveniences are provided and in which facilities are provided for cooking or for the installation of cooking equipment, and with an independent entrance either directly from outside the building or through a common corridor or vestibule inside the building. This definition shall not include any part of any vehicle as defined herein.

(a) **ACCESSORY DWELLING UNIT**, means a dwelling unit which is part of, and accessory to, a permitted Non-Residential building other than a service station or a commercial garage. Such dwelling unit shall be occupied either by the owner of such Non-Residential building or by a person employed on the premises where such dwelling unit is located.

(30) **ENTRANCE**, when used with reference to a lot, means the area of intersection between a driveway and a street line.

(31) **ENTRANCE SEPARATION**, means the least horizontal distance permitted between the nearest portions of any entrances on the lot.

(32) **ENTRANCE SETBACK**, means the least horizontal distance permitted between an intersection of street lines and the nearest portion of any entrance, measured along the street line.

(33) **ENTRANCE WIDTH**, means the horizontal distance permitted between the extremities of an entrance, measured along the street line.

(34) **ERECT**, means to build, construct, place, reconstruct or relocate and, without limiting the generality of the word, also includes:

any preliminary operation such as excavating, filling or draining;

altering any existing building or structure by an addition, enlargement, extension or other structural change; and

any work which requires a building permit.

"Erected" and "erection" shall have corresponding meanings.

(35) **EXISTING**, means existing on the date of passing of this By-law.

(36) **FARM**, means the use of lands, buildings or structures for the raising of livestock and other animals for food, or fur, including poultry and fish; aquaculture; agro-forestry; maple syrup production, and for the growing of crops, including nursery and horticultural crops, turf grass, greenhouse crops and mushrooms. Woodlots and the raising or boarding of dogs or cats are also permitted.

(37) **FINISHED GRADE**, means the median elevation between the highest and lowest points of the finished surface of the ground (measured at the base of a building or structure), but exclusive of any embankment in lieu of steps.

(38) **FLOOD PLAIN**, means the area below the high water mark of a waterbody.

(39) **FLOOR AREA**, means the horizontal area of a storey, measured between the exterior faces of the exterior walls at the floor level of such storey.

(a) **DWELLING UNIT AREA**, means the aggregate of the floor areas of all habitable rooms in a dwelling unit, excluding the thickness of any exterior walls.

(b) **GROSS FLOOR AREA**, means the aggregate of all floor areas of a building or structure.

(c) **GROUND FLOOR AREA**, means the floor area of the first storey of a dwelling unit, excluding any portion of such first storey which is not a habitable room and which has no habitable room, or portion thereof, located thereover.

(40) **FORESTRY USE**, means the management, development and cultivation of timber resources.

(41) **FUEL PUMP ISLAND**, means a structure which is an accessory use intended to provide fuel for vehicles.

(a) **FUEL PUMP ISLAND, PRIVATE**, means a fuel pump island used to dispense fuel solely to vehicles owned or leased by the occupant of the lot where such fuel pump island is located. This definition shall not include a service station or any other facility for the sale of fuels.

(42) **GARAGE, COMMERCIAL**, means an establishment or premises where vehicles owned by the general public are repaired or maintained.

(43) **GARAGE, MAINTENANCE**, means an establishment or premises where vehicles owned or leased by the occupant of such premises are repaired or maintained.

(44) **GARAGE, PRIVATE**, means an accessory building or portion of a dwelling house which is fully enclosed and used for the sheltering of permitted vehicles. This definition shall not include a carport or other open shelter.

(45) **GRAVEL PIT**, means any open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock to supply such material for construction, industrial or manufacturing purposes. This definition shall not include:

any excavation incidental to the erection of a building or structure for which a building permit has been issued;

any excavation incidental to the construction of any public works;

any asphalt plant, cement manufacturing plant or concrete batching plant; and

any wayside pit as defined herein.

(46) **GUEST ROOM**, means a room or suite of rooms which contains no facilities for cooking and which is used or maintained, for gain or profit, by providing accommodation to the public.

(47) **HABITABLE ROOM**, means a room designed to provide living, dining, sleeping or kitchen accommodation for persons. This definition may include a bathroom, den, library or enclosed sun room, but shall not include any private garage, carport, porch, verandah, unfinished attic, unfinished basement or unfinished cellar.

(48) **HIGH WATER MARK**, means the mark made by the action of water under natural conditions on the shore or bank of a body of water, which action has been so common and usual and continued so long 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.

(49) **HOME INDUSTRY**, means a use accessory to a permitted residential use which may include a carpentry shop, a craft shop, a metal working shop, a plumbing shop, an electrical shop, a welding shop, a storage building for school buses, boats or recreational vehicles, or similar uses.

(50) **HOME OCCUPATION**, means any occupation conducted for gain or profit within a dwelling unit. This definition may include dressmaking; hairdressing; instruction in arts, crafts, dancing or music to not more than six pupils at any one lesson; molding; painting; sculpting; weaving; or the making or repairing of garden or household ornaments, clothing, personal effects or toys.

(51) **HOME OCCUPATION, RURAL**, means any occupation conducted for gain or profit as an accessory use on a permitted farm. This definition may include a retail outlet for farm supplies or farm produce, a produce grading station or a merchandise service shop.

(52) **HOME PROFESSION**, means any profession practised within a dwelling unit. This definition may include the offices of an accountant, architect, auditor, dentist, drugless practitioner, engineer, insurance agent, land surveyor, lawyer, medical practitioner, notary, realtor, or town planner.

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(53) **HOUSEHOLD UNIT**, means one or more human beings living together as a single housekeeping unit. This definition may also include domestic servants and not more than two roomers or boarders. This definition shall not include a group home.

(54) **HUNT CAMP**, means a building used as a temporary base for hunting, fishing or trapping activities.

(55) **LANDSCAPING AREA**, means that portion of the lot area of a lot required for the growth and maintenance of grass, flowers, bushes, trees and other landscaping, including planting strips. This definition may include any surfaced walk, surfaced patio, play facility or similar area, but shall not include any driveway or ramp (whether surfaced or not) or any curb, retaining wall, parking area or any open space beneath or within a building or structure.

(56) **LANE**, means a public thoroughfare, whether or not improved for use, which has a right-of-way width of 10.0 metres or less and which affords only a secondary means of access for vehicular traffic to abutting lots and which is not intended for general traffic circulation.

(57) **LOT**, means a parcel of land which is capable of being legally conveyed in accordance with the provisions of the Planning Act.

(a) **CORNER LOT**, means a lot having four or fewer lot lines and situated at the intersection of two street lines which contain an angle of not more than 135 degrees. Where such street lines are curved, the angle of intersection of the street lines shall be deemed to be the angle formed by the intersection of the tangents to the street lines, drawn through the extremities of the side lot lines. In the latter case, the corner of the lot shall be deemed to be that point on the street line nearest to the point of intersection of the said tangents.

(b) **EXISTING LOT**, means a lot which, on the date of passing of this By-law, was capable of being legally conveyed in accordance with the Planning Act.

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(c) **FULLY SERVICED LOT**, means a lot which is served by a public water system and a public sanitary sewer system.

(d) **INTERIOR LOT**, means a lot, other than a corner lot or a through lot, which has street access, but has no water access.

(e) **MOBILE HOME LOT**, means a lot used for the placement of a mobile home in a mobile home park.

(f) **PARTLY SERVICED LOT**, means a lot which is served by a public water system only, or a public sanitary sewer system only.

(g) **STANDARD WATERFRONT LOT**, means a lot which has water access on one shoreline and has a lot area of less than one hectare.

(h) **THROUGH LOT**, means a lot, other than a corner lot, which has street access on two or more street lines, but has no water access.

(i) **TOURIST CAMP LOT**, means a parcel of land within a campground or a tourist camp occupied by a tent, a tourist trailer or tourist vehicle.

(j) **UNSERVICED LOT**, means a lot which is not served by a public water system or a public sanitary sewer system.

(58) **LOT AREA**, means the total horizontal area within the lot lines of a lot, excluding the horizontal area of any flood plain located on such lot.

(59) **LOT FRONTAGE**, means, in the case of a corner lot, an interior lot or a through lot, the horizontal distance between the two lot lines which intersect the front lot line of a lot, such distance being measured along a line which is parallel to the front lot line and distant from the front lot line a distance equal to the minimum front building setback required herein for the specified use in the zone where such lot is located. In the case of a standard waterfront lot, "lot frontage" means the straight line horizontal distance between the two most widely separated points on the front lot line.

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(60) **LOT LINE**, means any boundary of a lot or the vertical projection thereof.

(a) **FRONT LOT LINE**, means, in the case of an interior lot, the lot line dividing the lot from the street. In the case of a corner lot, the shorter lot line abutting a street shall be deemed to be the front lot line, except where the lot lines abutting a street are the same length, then the lot line used for the principal entrance to the lot shall be deemed to be the front lot line. In the case of a through lot, the lot line used for the principal entrance to the lot shall be deemed to be the front lot line. In the case of a standard waterfront lot, the shoreline shall be deemed to be the front lot line.

(b) **FLANK LOT LINE**, means any lot line other than a front lot line which is also a street line.

(c) **REAR LOT LINE**, means any lot line which is not a front lot line, a flank lot line or a side lot line.

(d) **SIDE LOT LINE**, means a lot line which intersects a front lot line or a flank lot line provided that, if any side lot line or portion thereof is the rear lot line of an abutting lot, such lot line or portion thereof shall be deemed to be a rear lot line.

(61) **MARINE FACILITY**, means a building or structure which is used to place a boat into, or take a boat out of, a waterbody; or to moor, to berth or to store a boat. This definition may include a boat launching ramp, boat lift, dock or boathouse, but excludes any boat service, repair or sales facility, or building or portion thereof being used for human habitation.

(62) **MINING INDUSTRIAL**, means the extraction of minerals and the processing of those raw materials extracted from the ground and may include smelting, or any other form of processing.

(63) **MOBILE HOME PARK**, means land which has been provided and designed for the location thereon of 2 or more occupied mobile homes.

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(64) **MOBILE HOME STAND**, means that part of a mobile home lot which is reserved for the placement of an individual mobile home.

(65) **MUNICIPAL YARD**, shall mean any land and buildings owned by the Municipality, or any local board or commission, and used for the storage, maintenance and repair of equipment used in connection with civic works and/or for the storage of materials and supplies used to repair or maintain municipal infrastructure.

(66) **NON-COMPLYING**, when used in reference to a lot, building or structure, means a lot, building or structure which does not comply with one or more of the zone provisions of the zone in which such lot, building or structure is located.

(67) **NON-CONFORMING**, when used in reference to a use, building or structure, means a use, building or structure which is not a permitted use in the zone where such use, building or structure is located.

(68) **NOXIOUS USE**, means a use which, by it nature or the materials used or produced therein, is declared to be a noxious trade, business or manufacturer, or a noxious use as defined in the Health Protection and Promotion Act, as amended.

(69) **OPEN STORAGE AREA**, means land used for the outside storage of equipment, goods or materials. This definition shall not include a storage use located in a building, a salvage yard, a vehicle agency, a parking area, or a parking space.

(70) **PARK**, means an area, consisting largely of open space, which may include a recreational area, trails, playground, playfield or similar use, but shall not include a mobile home park or tourist camp.

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(a) **PUBLIC PARK**, means a park owned or operated by the Corporation, any local board of the Corporation or any Authority, Board, Commission or Ministry established under any statute of Ontario or Canada.

(b) **PRIVATE PARK**, means a park other than a public park.

(71) **PARKING AREA**, means an area or structure provided for the parking of motor vehicles and includes any related driveways and parking spaces, but shall not include any part of a street or lane. This definition may include a carport or private garage.

(72) **PARKING LOT**, means any parking area other than a parking area which is accessory to a permitted use and located on the same lot therewith.

(73) **PARKING SPACE**, means a portion of a parking area, exclusive of any driveways, which may be used for the temporary parking or storage of a motor vehicle.

(74) **PERMITTED**, means permitted by this By-law.

(75) **PERMITTED USE**, means a use which is permitted in the zone where such use is located.

(76) **PERSON**, means any human being, association, firm, partnership, corporation, agent or trustee, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

(77) **PLACE OF WORSHIP**, means a building owned or occupied by a religious congregation or religious organization dedicated exclusively to worship and other religious activities. Accessory uses may include a hall, auditorium or Sunday school.

(78) **PLANTING STRIP**, means an area which shall be used for no purpose other than planting a row of trees or a continuous unpierced hedgerow of evergreens or shrubs, not less than 1.5 metres high, immediately adjacent to the lot line or portion thereof along which such planting strip is required herein. The remainder of such planting strip shall be used for no purpose other than planting trees, shrubs, flowers, grass or similar vegetation.

(79) **PLANTING STRIP WIDTH**, means the least horizontal dimension of a planting strip measured perpendicularly to the lot line abutting such planting strip.

(80) **PRIVATE HOME DAY CARE**, means the temporary care and custody, for reward or compensation, of five children or less who may not be of common parentage, where such care is provided in a private residence for a continuous period not exceeding 24 hours.

(81) **PUBLIC USE**, means a building, structure or lot used for public services by the Corporation, any local board of the Corporation, any Authority, Board, Commission or Ministry established under any statute of Ontario or Canada, any telephone or telegraph company, any public utility corporation or any railway company authorized under the Canada Transportation Act, S.C. 1996, as amended.

(82) **RESTAURANT**, means a building or part of a building where food is offered for sale or sold to the public for immediate consumption in the dining room of such building or for consumption off the premises.

(83) **RETAIL STORE** , means a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept for retail sale to the public. This definition shall not include any establishment otherwise defined herein or specifically named elsewhere in this By-law.

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(84) **SALVAGE YARD**, means an establishment or premises where bones, bottles, hides, junk, rags, scrap metals, wrecked vehicles or parts therefrom are stored wholly or partly in the open.

(85) **SATELLITE SIGNAL BROADCAST OR RECEIVING DISH**, shall mean any device used or intended to be used to send or receive signals to or from satellites.

(86) **SCHOOL**, means a school under the jurisdiction of a Board as defined in the Education Act, as amended.

(87) **SEWAGE TREATMENT FACILITY**, means a building or structure, approved by the Ministry of the Environment, where domestic and/or industrial waste is treated.

(88) **SEWER SYSTEM, SANITARY**, means a system of underground conduits, operated by the Corporation or by the Ministry of the Environment, which carries sewage to an approved sewage treatment facility.

(89) **SHORELINE**, means any lot line or portion thereof which abuts a waterbody.

(90) **SIGHT TRIANGLE**, means the triangular space on a lot formed by two intersecting street lines and a line drawn from a point in one street line across such lot to a point in the other street line, each such point being a distance from the point of intersection of the street lines (measured along the street lines). Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

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(91) **SIGN**, means a name, identification, description, device, display or illustration which is affixed to, or represented directly or indirectly upon a building, structure or lot, and which directs attention to an object, product, place, activity, person, institute, organization or business.

(a) **LEGAL SIGN**, means a sign which complies with the Sign By-law of the Corporation.

(92) **STONE QUARRY**, means any open excavation made for the removal of any limestone, sandstone, shale or consolidated rock to supply such material for construction, industrial or manufacturing purposes. This definition shall not include:

any excavation incidental to the erection of a building or structure for which a building permit has been issued;

any excavation incidental to any public works;

any asphalt plant, cement manufacturing plant or concrete batching plant; and

any wayside quarry as defined herein.

(93) **STOREY**, means that portion of a building or structure between any floor level of such building or structure and the floor, ceiling or roof next above such floor level.

(a) **ATTIC**, means that portion of a building situated wholly or partly within the roof, but which is not a one-half storey.

(b) **BASEMENT**, means any storey below the first storey which is at least 50% above finished grade (measured from finished floor to finished ceiling).

(c) **CELLAR**, means any storey below the first storey which is more than 50% below finished grade (measured from finished floor to finished ceiling).

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(d) **FIRST STOREY**, means the storey with its floor closest to finished grade and having its ceiling at least 1.5 metres above finished grade.

(e) **ONE-HALF STOREY**, means that portion of a building situated wholly or partly within the roof and in which there is a vertical dimension of at least 2.0 metres (measured from finished floor to finished ceiling) over a floor area equal to at least 50% of the floor area of the storey next below.

(f) **SECOND STOREY** , means that portion of a building situated above the first storey and in which there is a vertical dimension of at least 2.0 metres (measured from finished floor to finished ceiling) over a floor area equal to at least 75% of the floor area of the storey next below.

(94) **STREET**, means a public thoroughfare under the jurisdiction of either the Corporation or the Province of Ontario. This definition shall not include a lane, a private right-of-way, or a registered right-of-way.

"Street allowance" shall have a corresponding meaning.

(a) **IMPROVED ROAD**, means a street defined herein as a "Provincial Highway" or a "Township Road" which is maintained on a year-round basis and shown on Schedule A hereto.

An improved street may also include a private road which has been designated in the Township Official Plan document as an exception to the access provisions of the Plan.

(b) **PROVINCIAL HIGHWAY**, means Highway Nos. 11 and 11B.

(c) **TOWNSHIP ROAD**, means a street, other than a street under the jurisdiction of the Province of Ontario.

(d) **UNIMPROVED ROAD**, means a street defined herein as a "Township Road" which is not maintained on a year-round basis and shown on Schedule A hereto.

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(95) **STREET ACCESS**, means, when referring to a lot, that such lot has a lot line or portion thereof which is also a street line.

(96) **STREET LINE**, means the limit of a street allowance and is the dividing line between a lot and a street.

(97) **STREET SETBACK** , means the least horizontal distance required between the centreline of a street allowance and the nearest part of any building envelop or excavation on a lot (measured at right angles to such centreline).

(98) **STRUCTURE**, means anything constructed or erected, the use of which requires location on or in the ground, or attached to something having location on or in the ground. This definition shall include a private sewerage system.

(99) **TOURIST CAMP**, means any land used to provide temporary accommodation for the public or members of an organization, in tents, tourist trailers, tourist vehicles or cabins, whether or not a fee is charged or paid for such accommodation.

(100) **TOURIST ESTABLISHMENT**, means a building or buildings designed or used for the accommodation of the travelling or vacationing public.

(a) **LODGE**, means a tourist establishment containing therein five or more guest rooms served by a common building entrance while additional guest rooms may have separate entrances directly from outside the building. Accessory uses may include rental cabins, accommodation for permanent staff and one or more beverage rooms, dining rooms, meeting rooms or similar uses.

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(b) **MOTEL**, means a tourist establishment containing therein five or more guest rooms, each guest room having a separate entrance directly from outside the building. Accessory uses may include accommodation for permanent staff and one or more beverage rooms, dining rooms, meeting rooms or similar uses.

(c) **RENTAL CABIN OR RENTAL COTTAGE**, means a tourist establishment designed to accommodate one household unit in a detached building.

(101) **TOURIST TRAILER**, means a trailer capable of being used for the temporary living, sleeping or eating accommodation of persons (notwithstanding that its running gear is or may be removed).

(102) **TOURIST VEHICLE**, means a self-propelled vehicle capable of being used for the temporary living, sleeping or eating accommodation of persons. This definition may include a bus, motor home, truck or van.

(103) **TRAILER**, means any vehicle designed to be towed by a motor vehicle.

(104) **USE**, when used as a noun, means the purpose for which a lot, building or structure, or any combination thereof, is designed, arranged, occupied or maintained.

"Uses" shall have a corresponding meaning.

"Use" (when used as a verb), "used" and "to use" shall have corresponding meanings.

(a) **ACCESSORY USE**, means a use which is incidental, subordinate and exclusively devoted to a main building, main structure or main use and located on the same lot therewith.

(b) **MAIN USE**, means the principal use of a lot.

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(105) **VEGETATION STRIP**, means a naturally vegetated strip of land devoted exclusively to the provision of a visual amenity and a physical barrier between a waterbody and a building or structure constructed on a lot where such strip is required. It shall be permissible to interrupt the strip for a walkway between the waterbody and building or structures on the lot.

(106) **VEHICLE**, means an all-terrain vehicle, automobile, a boat, a commercial motor vehicle, a farm implement, a motorcycle, a snowmobile, a truck, a tourist vehicle or a trailer.

(107) **WAREHOUSE**, means a building or part of a building used only for the bulk storage of goods, wares, merchandise or materials and accessory office space and shall include a wholesale establishment.

(108) **WATER ACCESS**, means, when referring to a lot, that such lot has a lot line or portion thereof which is also a shoreline.

(109) **WATERBODY**, means any bay, lake, natural watercourse or canal, other than a drainage ditch or irrigation channel.

(110) **WATER SETBACK**, means the straight line horizontal distance from a high water mark of a waterbody to the nearest part of any excavation, building, structure or open storage area on the lot.

(111) **WATER SUPPLY PLANT**, means a building or structure, approved by the Ministry of the Environment, where water is treated for human consumption.

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(112) **WATER SYSTEM, PUBLIC**, means a distribution system of underground piping and related storage, including pumping and purification appurtenances, owned and operated by the Corporation or by the Ministry of the Environment.

(113) **WAYSIDE PIT**, means a temporary open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock, opened and used by a public authority solely for the purpose of a particular project or contract of construction.

(114) **WAYSIDE QUARRY**, means a temporary open excavation made for the removal of any limestone, sandstone, shale or consolidated rock, opened and used by a public authority solely for the purpose of a particular project or contract of construction.

(115) **YARD**, means a space, appurtenant to a building, structure or excavation, located on the same lot as the building, structure or excavation, and which space is open, uncovered and unoccupied from the ground to the sky except for such accessory buildings, structures or uses as are specifically permitted.

(a) **FRONT YARD**, means a yard located between the front lot line and the nearest part of any excavation or main building on the lot and extending across the full width of the lot.

(b) **FLANK YARD**, means a yard located between a flank lot line and the nearest part of any excavation or main building on the lot and extending for the full length of such flank lot line, but excluding any front yard.

(c) **REAR YARD**, means a yard located between a rear lot line and the nearest part of any excavation or main building on the lot and extending for the full length of such rear lot line, but excluding any front yard or flank yard.

(d) **SIDE YARD**, means a yard located between a side lot line and the nearest part of any excavation or main building on the lot and extending for the full length of such side lot line, but excluding any front yard, flank yard or rear yard.

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(116) **ZONE**, means a designated area of land use shown on Schedule A hereto and includes any special zone used in this By-law.

(117) **ZONE PROVISION**, means any provision of this By-law which is listed under the heading "ZONE PROVISIONS" and includes anything contained in Section 3 hereof which is applicable to the zone or use.

(118) **ZONED AREA**, means all the lands within the corporate limits of the Township of Coleman.

(119) **ZONING ADMINISTRATOR**, means the officer or employee of the Corporation charged with the duty of enforcing the provisions of this By-law.

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SECTION 3 GENERAL PROVISIONS

(1) ACCESSORY USES

Any use, building or structure which is accessory to a permitted use in a zone shall be permitted in such zone, except that none of the following accessory uses shall be permitted in any zone unless such accessory use is listed as a permitted use in such zone: an accessory manufacturing use; a building or portion thereof used for human habitation; a disposal site; a fuel pump island; a private fuel pump island; livestock building; a marine facility; any occupation for gain or profit conducted within or accessory to a dwelling unit or accessory to a farm; and an open storage use.

(2) ACCESS REGULATIONS

No person shall erect any building or structure in any portion of the Zoned Area unless the lot upon which such building or structure is to be erected front on and has access to an improved road as defined herein.

(a) EXISTING LOT:

The above provision shall not apply to an existing lot, created in accordance with the Planning Act, which does not front on an improved road. For such a lot, buildings and structures shall be permitted in accordance with the approved use and the zone provisions for the zone in which the lot is located.

(b) EXISTING BUILDINGS AND STRUCTURES:

The above provision shall not apply to a lot which lacks frontage on and access to an improved road, but contains a legally existing building or structure. For such existing building or structure, their rebuilding or repair shall be permitted in accordance with Section 3(15) and accessory buildings and structures may be permitted in accordance with Section 3(1) hereof.

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(c) **REGISTERED PLAN OF SUBDIVISION:**

The above provision shall not apply to a lot on a registered plan of subdivision, registered subsequent to the date of passing of this By-law for which an Agreement, containing a provision for municipal assumption and ownership of roadways, has been signed and registered on title between the developer and the Corporation.

(d) **EXEMPTION FOR WATERFRONT LOTS:**

The above provision shall not apply to a standard waterfront lot as defined herein, which lacks frontage on and access to an improve road, provided access to water can be gained and assured over the long term from a public marine facility in the general vicinity of the lot.

(e) **EXEMPTION FOR HUNTING CAMPS:**

The above provision shall not apply to a lot containing a hunting camp use which lacks frontage on and access to an improved road.

(3) **ADDITION TO OR CHANGE OF EXISTING USE**

When a building or structure has insufficient parking spaces, or if the planting or vegetation strips are not adequate on the date of passing of this By-law to comply with the requirements herein, this By-law shall not be interpreted to require that the deficiency or inadequacy be made up prior to the construction of any addition if such addition does not increase the building area of such building or structure by more than 10%. However, no addition which increases the building area by more than 10%, and no change of use may occur if the effect of an addition or change of use would be to increase such deficiency or inadequacy.

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(4) CONSTRUCTION USES

A building or structure incidental to construction on a lot where such building or structure is situated shall be permitted in any portion of the Zoned Area, but only for as long as it is necessary for the work in progress and until the work is completed or abandoned.

"Abandoned" in this subsection means the failure to proceed expeditiously with the construction work or the failure to undertake any construction work during any continuous six-month period.

(5) DWELLING UNITS

(a) LOCATION IN PRIVATE GARAGE:

No dwelling unit shall be located in or above a private detached garage.

(b) LOCATION IN CELLAR:

No dwelling unit shall be located in any cellar of any Non-Residential building. No part of any dwelling unit, except a bedroom, furnace room, laundry room, recreation room, storage room, washroom or similar room, shall be located in the cellar of a Residential building.

(c) LOCATION IN BASEMENT:

No dwelling unit shall be located in the basement of a Non-Residential building. A dwelling unit may be located in the basement of a Residential building, provided that the finished floor level of such basement is not more than 1.0 metre below finished grade.

(6) GROUP HOME

A group home is only permitted within a detached dwelling house and must be spaced at least 500 metres from another similar facility.

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(7) HEIGHT EXCEPTIONS

The building height provisions of this By-law shall not apply to the following uses:

an aid to navigation or aviation;

a barn;

a belfry;

a bridge;

a bulk storage tank;

a chimney;

a church spire;

a communications tower;

an electric power facility, other than a building;

a farm implement shed;

a fire tower station;

a flagpole;

a forestry tower;

a mining shaft head;

a piece of heating, cooling or ventilating equipment;

a power transmission tower;

a radio or television antenna;

a railroad signal;

a silo;

a skylight;

a solar panel;

a stack;

a water storage tank; and

a windmill.

(8) HOME INDUSTRIES AND RURAL HOME OCCUPATIONS

No home industry or rural home occupation shall be permitted in any portion of the Zoned Area unless such home industry, or rural home occupation, complies with the following provisions:

(a) EMPLOYMENT:

Not more than three persons, other than an occupant of the premises, shall be employed in a home industry or rural home occupation.

(b) ADVERTISING:

There shall be no external display or advertising, other than a lawful sign, to indicate to persons outside that any part of the lot is being used for a home industry or rural home occupation purpose.

(c) USES PROHIBITED:

No home industry or rural home occupation shall be permitted which interferes with television or radio reception. As well, the home industry, or rural home occupation, shall not create or become a public nuisance, in particular, in regard to noise, traffic or parking.

(9) HOME OCCUPATIONS AND HOME PROFESSIONS

No home occupation or home profession shall be permitted in any portion of the Zoned Area unless such home occupation, or home profession, complies with the following provisions:

(a) **SIZE:**

Not more than 25% of the dwelling unit area shall be used for purposes of home occupation or home profession uses.

(b) **ACCESSORY BUILDING:**

No accessory building shall be erected, altered or used for purposes of a home occupation or home profession.

(c) **SALES OR RENTALS:**

On any lot containing a home occupation, there shall be no goods, wares or merchandise, other than those which are part of the home occupation, offered or exposed for sale or rent on such premises.

(d) **EMPLOYMENT AND OCCUPANCY:**

No person, other than an occupant of the dwelling unit containing the home occupation or home profession, shall be engaged in the home occupation or home profession, except that one person, other than an occupant of a dwelling unit containing a home profession shall be permitted.

(e) **ADVERTISING:**

There shall be no external display or advertising, other than a lawful sign, to indicate to persons outside that any part of the dwelling house or lot is being used for a purpose other than residential.

(f) **OPEN STORAGE AREA:**

No part of any lot containing a home occupation or home profession shall be used as an open storage area accessory to that home occupation or home profession use.

(g) **USES PROHIBITED:**

No home occupation or home profession shall be permitted which interferes with television or radio reception. As well, the home occupation or home profession

shall not create or become a public nuisance, in particular, in regard to noise, traffic or parking.

(10) ILLUMINATION

Lighting fixtures, which are not public uses and which are designed for exterior illumination, shall be installed with the light directed downward and deflected away from adjacent lots and streets. Such lighting fixtures shall not be more than 9.0 metres above ground and no closer than 4.5 metres to any street line.

(11) LANES AS YARDS

Where the rear lot line of a lot adjoins any portion of a lane, one-half of the width of that portion of such lane may be considered part of the lot for the purpose of computing the lot area and the rear building setback for such lot.

(12) LOTS CONTAINING MORE THAN ONE USE

Where a lot contains more than one use, the lot area requirement shall be the sum of the requirements for the separate uses thereof, but the lot frontage requirement shall be no less than the greater of the lot frontage requirements for each individual use in the zone where such lot is located.

Where a building, structure or lot accommodates more than one use, the parking space requirements for such building, structure or lot shall be the sum of the requirements for the separate uses thereof.

(13) LOTS DIVIDED INTO MORE THAN ONE ZONE

Where a lot is divided into more than one zone, each such portion of the lot shall be used in accordance with the provisions of this By-law for the zone where such portion of the lot is located. Each such portion of the lot shall be considered as a separate lot for the purpose of determining zone provisions.

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(14) LOTS REDUCED BY ROAD CONSTRUCTION

Notwithstanding any other provision of this By-law, where, for the purpose of laying out a road, a road widening, or a road realignment, the Corporation, or the Province, acquires a portion of a lot which contains a building, then the remaining portion of the lot and any building thereon shall be deemed to comply with the provisions of this By-law, provided any reduction in a required building setback is not greater than 75% of the minimum setback required by this By-law and, provided that the lot area provision and the building situated thereon were lawful prior to the date of such acquisition.

(15) NON-COMPLYING BUILDINGS, STRUCTURES AND LOTS

(a) ALTERATIONS TO NON-COMPLYING BUILDINGS AND STRUCTURES:

Nothing in this By-law shall prevent the enlargement, reconstruction, renovation, repair or replacement of an existing, non-complying building or structure provided such enlargement, reconstruction, renovation, repair or replacement shall not:

(i) increase the number of dwelling units in the replacement building over those of the original number of dwelling units;

(ii) increase the portion of the lot area covered by building envelopes if such coverage exceeds the applicable maximum building area permitted herein;

(iii) reduce the size of any yard adjoining that portion of such building or structure which is less than the applicable minimum building setback required herein;

(iv) reduce the distance between building envelopes if such distance is less than the applicable minimum building separation required herein;

(v) increase the overall vertical dimension of such building or structure if such dimension exceeds the applicable maximum building height permitted herein;

(vi) reduce the dwelling unit area of any dwelling unit if it is less than the applicable minimum dwelling unit area required herein;

(vii) reduce the gross floor area of any building or structure if it is less than the applicable minimum gross floor area required herein;

(viii) increase the net floor area of any building or structure if it exceeds the applicable maximum net floor area permitted herein;

(ix) reduce the portion of the lot used for landscaping purposes if such portion is less than the applicable minimum landscaping area required herein;

(x) reduce the size of any planting strip required herein; or

(xi) contravene any other zone provisions.

(b) USE OF UNDERSIZED VACANT LOTS:

Nothing in this By-law shall prevent the use of a vacant lot which has a lesser lot area and/or lot frontage than the applicable minimum lot area and/or minimum lot frontage required herein provided such lot is an existing lot as defined herein, the proposed use of such lot is a permitted use and the proposed use shall not contravene any other zone provisions.

Nothing in this By-law shall prevent the use of a vacant lot created by expropriation, street widening, or realignment which has a lesser area and/or frontage than the applicable minimum lot area and/or minimum lot frontage required herein.

(16) NON-CONFORMING BUILDINGS AND STRUCTURES

(a) REBUILDING, REPAIR OR REPLACEMENT PERMITTED:

Nothing in this By-law shall prevent the rebuilding, repair or replacement of an existing non-conforming building or structure that is damaged or destroyed subsequent to the date of passing of this By-law, provided that the external dimensions, excluding building height, of the original building or structure are not increased, the size and number of dwelling units of the original building are not

increased and the use of the building or structure is not altered, unless altered to a permitted use.

Notwithstanding the above, where a building or structure is destroyed by flood, such rebuilding or replacement shall not be permitted unless in conformity with this By-law.

(b) STRENGTHENING PERMITTED:

Nothing in this By-law shall prevent the strengthening to a safe condition of an existing non-conforming building or structure, provided that the external dimensions of the original building or structure are not increased and the use of the building or structure is not altered, unless altered to a permitted use.

(17) OBNOXIOUS USES

No person shall within the Zoned Area use any lot or erect, alter or use any building or structure for an animal or fish glue manufacturing use, a blood boiling use, a gas manufacturing use, a noxious use, a salvage yard, or a tannery.

(18) OCCUPANCY OF PARTIALLY COMPLETED DWELLING HOUSES

No dwelling house shall be used for human habitation before the main walls and roof have been erected, the external roofing and siding have been completed, and services and utilities have been installed and are operable.

(19) PARKING AREA REGULATIONS

(a) SIZE:

Each parking space shall be at least 6.0 metres long, 3.0 metres wide and have a vertical clearance of at least 2.0 metres.

(b) **LOCATION:**

The required parking area shall not form part of any street or lane. The required parking area shall be provided on the lot occupied by the building, structure or use for which the said parking area is required. No part of any parking space shall be located closer to any front lot line than 2.0 metres and to any side lot line than the required side yard setback for that zone.

(c) **ACCESS:**

Access to parking spaces shall be by means of a driveway contained within the lot on which the parking spaces are located and leading to an adjacent improved road.

(d) **SURFACE:**

Each 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) **RESTRICTIONS IN RESIDENTIAL ZONES:**

No person shall use any parking area or parking space in a Residential zone to park a vehicle, unless such vehicle bears a vehicle license plate or sticker which is currently valid, or to park more than one commercial motor vehicle as defined by the Highway Traffic Act, as amended.

(20) PLANTING STRIPS

(a) **SIZES:**

Each planting strips shall be at least 3.0 metres wide and have a vertical dimension of at least 1.5 metres unless otherwise specifically set out in a zone.

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(b) INTERRUPTION FOR DRIVEWAY OR WALKWAY:

Where a driveway or walkway extends through a planting strip, it shall be permissible to interrupt the planting strip within 3.0 metres of the edge of such driveway or within 1.5 metres of the edge of such walkway.

(21) PUBLIC USES

(a) STREETS AND INSTALLATIONS:

Nothing in this By-law shall prevent the use of land for a street or prevent the installation of a watermain, sanitary sewer main, storm sewer main, gas main, pipeline, lighting fixture, overhead or underground electrical or telephone line or other supply line or communication line or structure clearly ancillary to the foregoing, provided that the location of such street, main, line, fixture or structure has been approved by the Corporation. Notwithstanding the generality of the foregoing, this approval by the Corporation shall not be required for any public works project which has been authorized pursuant to the Environmental Assessment Act, as amended.

(b) ZONES WHERE PERMITTED:

Except as provided in clause (a) hereof, the only public uses permitted in a specific zone shall be those public uses listed as permitted uses in the said zone.

(c) REQUIREMENTS IN RESIDENTIAL ZONES:

Any above-ground non-residential public use which is located in a Residential zone shall be enclosed in a building designed, located and maintained in general harmony with the Residential buildings permitted in such zone.

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(22) SATELLITE DISHES, TELEVISION AND RADIO ANTENNAE

(a) USES PERMITTED:

A satellite signal broadcast receiving dish, television and radio antennae and their supporting towers are permitted in all zones.

(b) LOCATION:

Radio and television antennae and their supporting towers may be located in all parts of rear and side yards, but no part of any such structure may be extended beyond the limits of the lot upon which it is erected.

A satellite signal broadcast receiving dish shall be permitted only in rear yards, provided such dishes are not located closer to any lot line than a distance equal to the greater of the diameter of the satellite signal broadcast receiving dish or the minimum yards required for a residential dwelling in the zone.

(c) HEIGHT:

When located on lands in or abutting a Residential zone, satellite signal broadcast receiving dishes may be located on the roof of a building, but the height may not exceed the height limits of the zone in which the building is located. This restriction shall not apply to federally licensed installations.

(23) SIGHT TRIANGLES

(a) SIZE:

The distance from the point of intersection of the street lines shall be 10.0 metres.

(b) USES PERMITTED:

Within any area defined as a sight triangle, the following uses shall be prohibited:

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a building, structure or use which would obstruct the vision of a driver of a vehicle;

a fence, tree, hedge, bush or other vegetation, the top of which exceeds 1.0 metre in height above the elevation of the street;

any portion of a parking space;

a berm or other ground surface which exceeds the elevation of the street by more than 0.5 metre; and

a sign, other than a pole sign, the body of which is not less than 2.0 metres above the elevation of the centreline of the street.

(24) SIGNS

Nothing in this By-law shall apply to prevent the erection, alteration or use of any sign, provided such sign complies with the by-laws of the Corporation regulating signs and provided such sign complies with the provisions of this By-law regarding sight triangles.

(25) SPECIAL SETBACKS AND BUILDING RESTRICTIONS

(a) LANDFILL SITES:

No use of any land adjacent to property containing a landfill site shall be permitted within 30.0 metres of a property line.

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(b) MONTREAL RIVER:

No building or structure with the exception of a marine facility; a building or structure accessory to flood or erosion control; a building or structure normally associated with watercourse protection works or bank stabilization projects; or a hydro electric project, shall be built on the Montreal River, including Bay Lake, Portage Bay and Marsh Bay, below the 278.68 metre CGD contour level above the Latchford Dam, or below the 277.0 metre CGD contour level below the Latchford Dam.

(c) PIPELINE RIGHTS-OF-WAY:

No building, structure or excavation shall be allowed on a pipeline right-of-way. All permanent buildings, structures and excavations shall be set back 20.0 metres from the right-of-way. In addition, no person shall undertake exploration within 40.0 metres of a pipeline or any works connected therewith.

(d) RAIL RIGHTS-OF-WAY:

No use of any land adjacent to a rail right-of-way shall be permitted within 30.0 metres of the right-of-way.

(e) STREET SETBACKS:

No person shall erect any building in any portion of the Zoned Area, unless such building complies with the following street setback requirements:

Provincial Highway: - 23.0 metres,
plus the minimum front building setback required for such use in the zone where it is located.

Township Road: - 10.0 metres,
plus the minimum front building setback required for such use in the zone where it is located.

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(26) STORAGE OF SPECIAL VEHICLES

(a) VEHICLES PERMITTED:

No person shall use any lot in any Residential zone for the purpose of parking or storing more than: two boats; one tourist vehicle; three snowmobiles; and one tourist trailer.

(b) YARDS WHERE PERMITTED:

In any Residential zone, the storage of a boat, tourist vehicle, snowmobile or tourist trailer shall only be permitted in a garage, carport or other building and not in any parking space or sight triangle, however, such vehicle may be parked in any interior side yard or rear yard, but no closer than 1.5 metres to any lot line.

(27) STORAGE OF CONSTRUCTION TYPE EQUIPMENT AND VEHICLES:

The use of land for the storage of construction type equipment and vehicles shall only be permitted where the subject land is zoned to permit a construction business or an equipment rental business.

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SECTION 4 ZONES

(1) ZONE CLASSIFICATION

For the purpose of this By-law, all lands within the Zoned Area are divided into zones and are classified as Residential, Commercial/Industrial or Restricted zones. Following each zone name is a corresponding alpha-numeric or alphabetical symbol referred to herein as a "zone symbol".

(a) RESIDENTIAL ZONES:

Sewerage Service Residential zone	R1
Water Service Residential zone	R2F
Rural Settlement Residential zone	R3
Shoreline Residential zone	R4

(b) COMMERCIAL/INDUSTRIAL ZONES:

Commercial/Industrial zone	CM1
Tourist Commercial zone	C1
Extractive Industrial zone	M1
Disposal Industrial zone	M2

(e) RESTRICTED ZONES:

Open Space zone	OS
Environmental zone	EP
Sensitive zone	SE
Rural zone	RU
Development zone	DE

(2) ZONE SYMBOLS

The zone symbols listed in Section 4(1) hereof may be used to refer to buildings and structures, and the uses of lots, buildings and structures permitted in this By-law in the said

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zones, and whenever in this By-law the word "zone" is used, preceded by any of the said zone symbols, such reference shall mean any portion of the Zoned Area delineated on Schedule A hereto and designated thereon by the said zone symbol.

(3) ZONE BOUNDARIES

The extent and boundaries of all zones and special zones are shown on Schedule A hereto. When determining the location of a zone boundary on Schedule A or on any schedule which amends Schedule A, the following provisions shall apply.

(a) CORPORATION BOUNDARIES:

All boundaries of the Corporation shall be zone boundaries.

(b) TOWNSHIP LOT OR CONCESSION LINES:

A zone boundary indicated as approximately following a Township lot line or concession line shall be deemed to follow such Township lot line or concession line.

(c) STREET LINES:

A zone boundary indicated as approximately following a street line shall be deemed to follow such street line.

(d) RIGHTS-OF-WAY:

A zone boundary indicated as approximately following a right-of-way for a private road, railroad, powerline, pipeline, etc., shall be deemed to follow such right-of-way.

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(e) SHORELINES:

A zone boundary indicated as approximately following a shoreline of a waterbody shall be deemed to be the present controlled high water mark of such waterbody.

(f) SUBDIVISION LOT LINES:

A zone boundary indicated as approximately following a lot line on a plan of subdivision shall be deemed to follow such lot line.

(g) OTHER PROPERTY LINES:

A zone boundary indicated as approximately following any other property line shall be deemed to follow such property line.

(h) DIMENSIONS AND MEASUREMENTS:

If the location of a zone boundary cannot be determined using any of the preceding methods, its location shall be according to the dimensions shown on the schedule. If such dimensions are not shown, its location shall be as measured on the schedule at the original size and scale of such schedule.

(4) PERMITTED USES AND ZONE PROVISIONS

For each zone listed in Section 4(1) hereto, there shall be a section of this By-law which sets out the permitted uses and the zone provisions for such zone.

(5) SPECIAL ZONES

Where a zone symbol is followed by a dash and a number (e.g. "R4-1"), this denotes a special zone. The permitted uses and the zone provisions for such special zone shall be set out in subsections of the Section of this By-law applicable to the said zone symbol.

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SECTION 5 SEWERAGE SERVICE RESIDENTIAL (R1) ZONE

(1) USES PERMITTED

No person shall within any R1 zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following R1 uses, namely:

(a) RESIDENTIAL USES:

a converted dwelling house;
a group home;
a modular dwelling house;
a single detached dwelling house.

(b) NON-RESIDENTIAL USES:

a home occupation;
a home profession;
a marine facility;
a private home daycare.

(2) ZONE PROVISIONS

No person shall within any R1 zone use any lot or erect, alter or use any building or structure without such lot being served by a public sewerage system, except in accordance with the following provisions:

(a)	**LOT AREA (minimum):**	- 700.0 square metres
(b)	**LOT FRONTAGE (minimum):**	- 15.0 metres
(c)	**DWELLING HOUSES PER LOT (maximum):**	- 1 only
(d)	**BUILDING AREA (maximum):**	- 35%

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(e)	**BUILDING SETBACK, FRONT (minima):**	
(i)	marine facility, when located on a standard waterfront lot	- nil
(ii)	other uses, when located on a standard waterfront lot	- 15.0 metres
(iii)	other uses, when not located on a standard waterfront lot	- 6.0 metres
(f)	**BUILDING SETBACK, FLANK (minimum):**	- 6.0 metres
(g)	**BUILDING SETBACK, REAR (minima):**	
(i)	accessory buildings, when not located on a standard waterfront lot	- 2.0 metres
(ii)	other uses, when not located on a standard waterfront lot	-6.0 metres
(iii)	other uses, when located on a standard waterfront lot	- 6.0 metres
(h)	**BUILDING SETBACK, SIDE (minima):**	
(i)	main building, one side	- 1.5 metres
(ii)	main building, other side except where a garage or carport is provided then the setback shall be 1.5 metres	- 6.0 metres
(iii)	other accessory buildings	- 1.0 metre
(i)	**BUILDING SEPARATION (minimum):**	- 3.0 metres
(j)	**BUILDING HEIGHT (maxima):**	
(i)	main building	- 11.0 metres
(ii)	accessory buildings	- 6.0 metres
(k)	**DWELLING UNIT AREA (minima):**	
(i)	existing dwelling unit	- 75.0 square metres
(ii)	other dwelling units	- 100.0 square metres
(l)	**LANDSCAPING AREA (minimum):**	- 30%
(m)	**ENTRANCES PER LOT (maximum):**	- 1
(n)	**ENTRANCE WIDTH (minimum):**	- 3.0 metres

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(o) **DRIVEWAY SETBACK (minimum):** - 1.5 metres

(p) **PARKING SPACES (minima):**

(i) Residential uses - 1 for each dwelling unit

(ii) Non-Residential uses - 1 for each use

(q) **GENERAL PROVISIONS:**

In accordance with the provisions of Section 3 hereof.

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SECTION 6 WATER SERVICE RESIDENTIAL (R2-F) ZONE

(1) USES PERMITTED

No person shall within any R2-F zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following R2-F uses, namely:

(a) RESIDENTIAL USES:

an existing converted dwelling house;
an existing duplex dwelling house;
an existing group home;
an existing modular dwelling house;
an existing semi-detached dwelling house;
an existing single detached dwelling house.

(b) NON-RESIDENTIAL USES:

a home occupation;
a home profession;
a marine facility.

(2) ZONE PROVISIONS

No person shall within any R2-F zone use any lot or erect, alter or use any building or structure without such lot being served by a public water system, except in accordance with the following provisions:

(a) LOT AREA (minimum): - 2,000.0 square metres

(b) LOT FRONTAGE (minimum): - 30.0 metres

(c) DWELLING HOUSES PER LOT (maximum): - 1 only

(d) BUILDING AREA (maximum): - 35%

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(e)	**BUILDING SETBACK, FRONT (minima):**	
(i)	marine facility, when located on a standard waterfront lot	- nil
(ii)	other uses	- 8.0 metres
(f)	**BUILDING SETBACK, FLANK (minimum):**	- 8.0 metres
(g)	**BUILDING SETBACK, REAR (minima):**	
(i)	main building	- 6.0 metres
(ii)	accessory buildings	- 2.0 metres
(h)	**BUILDING SETBACK, SIDE (minima):**	
(i)	main building, one side	- 3.0 metres
(ii)	main building, other side except where a garage or carport is provided then the setback shall be 3.0 metres	- 7.0 metres
(iii)	any other accessory building	- 2.0 metres
(i)	**BUILDING SEPARATION (minimum):**	- 3.0 metres
(j)	**BUILDING HEIGHT (maxima):**	
(i)	main building	- 11.0 metres
(ii)	accessory buildings	- 6.0 metres
(k)	**DWELLING UNIT AREA (minimum):**	- 75.0 square metres
(l)	**LANDSCAPING AREA (minimum):**	- 30%
(m)	**ENTRANCES PER LOT (maximum):**	- 1
(n)	**ENTRANCE WIDTH (minimum):**	- 3.0 metres
(o)	**DRIVEWAY SETBACK (minimum):**	- 1.5 metres

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(p) PARKING SPACES (minima):

(i)	Residential uses	- 1 for each dwelling unit
(ii)	Non-Residential uses	- 1 for each use

(q) GENERAL PROVISIONS:

In accordance with the provisions of Section 3 hereof.

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SECTION 7 RURAL SETTLEMENT RESIDENTIAL (R3) ZONE

(1) USES PERMITTED

No person shall within any R3 zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following R3 uses, namely:

(a) RESIDENTIAL USES:

a group home;
a modular dwelling house;
a single detached dwelling house.

(b) NON-RESIDENTIAL USES:

a home occupation;
a home profession;
a private home daycare.

(2) ZONE PROVISIONS

No person shall within any R3 zone use any lot or erect, alter or use any building or structure, except in accordance with the following provisions:

(a)	**LOT AREA (minimum):**	- 4,000.0 square metres
(b)	**LOT FRONTAGE (minimum):**	- 45.0 metres
(c)	**DWELLING HOUSES PER LOT (maximum):**	- 1 only
(d)	**BUILDING AREA (maximum):**	- 20%
(e)	**BUILDING SETBACK, FRONT (minimum):**	- 8.0 metres
(f)	**BUILDING SETBACK, FLANK (minimum):**	- 8.0 metres

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(g) BUILDING SETBACK, REAR (minima):

(i)	main building	- 6.0 metres
(ii)	accessory buildings	- 2.0 metres

(h) BUILDING SETBACK, SIDE (minima):

(i)	main building, one side	- 3.0 metres
(ii)	main building, other side except where a garage or carport is provided then the setback shall be 3.0 metres	- 7.0 metres
(iii)	any other accessory building	- 2.0 metres

(i) BUILDING SEPARATION (minimum): - 3.0 metres

(j) BUILDING HEIGHT (maxima):

(i)	main building	- 11.0 metres
(ii)	accessory buildings	- 6.0 metres

(k) DWELLING UNIT AREA (minima):

(i)	existing dwelling unit	- 75.0 square metres
(ii)	any other dwelling unit	- 90.0 square metres

(l) LANDSCAPING AREA (minimum): - 30%

(m) ENTRANCES PER LOT (maximum): - 1

(n) ENTRANCE WIDTH (minimum): - 3.0 metres

(o) DRIVEWAY SETBACK (minimum): - 5.0 metres

(p) PARKING SPACES (minima):

(i)	Residential uses	- 1 for each dwelling unit
(ii)	Non-Residential uses	- 1 for each use

(q) GENERAL PROVISIONS:
In accordance with the provisions of Section 3 hereof.

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SECTION 8 SHORELINE RESIDENTIAL (R4) ZONE

(1) USES PERMITTED

No person shall within any R4 zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following R4 uses, namely:

(a) RESIDENTIAL USES:

a boarding house;
a single detached dwelling house;
a seasonal dwelling house.

(b) NON-RESIDENTIAL USES:

a marine facility.

(2) ZONE PROVISIONS

No person shall within any R4 zone use any lot or erect, alter or use any building or structure, except in accordance with the following provisions:

(a) LOT AREA (minimum): - 4,000.0 square metres

(b) LOT FRONTAGE (minimum): - 45.0 metres

(c) DWELLING HOUSES PER LOT (maximum): - 1 only

(d) BUILDING AREA (maximum): - 25%

(e) BUILDING SETBACK, FRONT (minima):

(i) marine facility, when located on a standard waterfront lot - nil
(ii) other uses on Bass, Gillies or Sharpe Lakes, when located on a standard waterfront lot -7.5 metres
(iii) other uses, when located on a standard waterfront lot - 15.0 metres
(iii) other uses, when not located on a standard waterfront lot - 7.5 metres

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(f) **BUILDING SETBACK, FLANK (minimum):** - 7.5 metres

(g) **BUILDING SETBACK, REAR (minima):**
- (i) main building - 15.0 metres
- (ii) accessory buildings - 1.5 metres

(h) **BUILDING SETBACK, SIDE (minimum):** - 5.0 metres

(i) **BUILDING SEPARATION (minimum):** - 3.0 metres

(j) **BUILDING HEIGHT (maxima):**
- (ii) main building - 11.0 metres
- (ii) accessory buildings - 6.0 metres

(k) **DWELLING UNIT AREA (minimum):** - 60.0 square metres

(l) **LANDSCAPING AREA (minimum):** - 40%

(m) **VEGETATION STRIP:**
A vegetation strip, 5.0 metres in width, shall be maintained along any portion of a front lot line for a standard waterfront lot.

(n) **ENTRANCES PER LOT (maximum):** - 1

(o) **ENTRANCE WIDTH (minimum):** - 3.0 metres

(p) **DRIVEWAY SETBACK (minimum):** - 5.0 metres

(q) **PARKING SPACES (minimum):** - 1 for each dwelling unit

(r) **GENERAL PROVISIONS:**
In accordance with the provisions of Section 3 hereof.

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(3) USES PERMITTED IN R4-1 ZONES

No person shall within any R4-1 zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with Section 8(1) hereof.

(4) ZONE PROVISIONS FOR R4-1 ZONES

No person shall within any R4-1 zone use any lot or erect, alter or use any building or structure, except in accordance with the following provisions:

(a) **LOT AREA (minimum):** - 1,950.0 square metres

(b) **LOT FRONTAGE (minimum):** - 24.0 metres

(c) **DWELLING HOUSES PER LOT (maximum):** - 1 only

(d) **BUILDING AREA (maximum):** - 20%
provided that accessory buildings not occupy more than 2.0% of the total building area.

(e) **BUILDING SETBACK, FRONT (minima):**
(i) marine facility, when located on a standard waterfront lot - nil
(ii) other uses - 20.0 metres

(f) **BUILDING SETBACK, FLANK (minimum):** - 7.5 metres

(g) **BUILDING SETBACK, REAR (minima):**
(i) main building - 10.0 metres
(ii) accessory buildings - 2.0 metres

(h) **BUILDING SETBACK, SIDE (minima):**
(i) main building - 10.0 metres
(ii) accessory buildings - 2.0 metres

(i) **BUILDING SEPARATION (minimum):** - 3.0 metres

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(j) **BUILDING HEIGHT (maxima):**
(iii) main building - 11.0 metres
(ii) accessory buildings - 6.0 metres

(k) **DWELLING UNIT AREA (minimum):** - 48.0 square metres

(l) **LANDSCAPING AREA (minimum):** - 40%

(m) **VEGETATION STRIP:**
A vegetation strip, 5.0 metres in width, shall be maintained along any portion of a front lot line.

(n) **ENTRANCES PER LOT (maximum):** - 1

(o) **ENTRANCE WIDTH (minimum):** - 3.0 metres

(p) **DRIVEWAY SETBACK (minimum):** - 5.0 metres

(q) **PARKING SPACES (minimum):** - 1 for each dwelling unit

(r) **GENERAL PROVISIONS:**
In accordance with the provisions of Section 3 hereof.

(5) USES PERMITTED IN R4-2 ZONES

No person shall within any R4-2 zone use any lot or erect, alter or use any building or structure for any purpose, except in accordance with Section 8(1) hereof.

(6) ZONE PROVISIONS FOR R4-2 ZONES

No person shall within any R4-2 zone use any lot or erect, alter or use any building or structure, except in accordance with Section 8(2) hereof, unless otherwise provided herein:

(a) **LOT AREA (minimum):** - 3,000.0 square metres
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(b) **LOT FRONTAGE (minimum):** - 38.0 metres

(7) USES PERMITTED IN R4-3 ZONES

No person shall within any R4-3 zone use any lot or erect, alter or use any building or structure for any purpose, except in accordance with Section 8(1) hereof.

(8) ZONE PROVISIONS FOR R4-3 ZONES

No person shall within any R4-3 zone use any lot or erect, alter or use any building or structure, except in accordance with Section 8(2) hereof, unless otherwise provided herein:

(a) **LOT AREA (minimum):** - 3,000.0 square metres

(9) USES PERMITTED IN R4-4 ZONES

No person shall within any R4-4 zone use any lot or erect, alter or use any building or structure for any purpose, except in accordance with Section 8(1) hereof.

(10) ZONE PROVISIONS FOR R4-4 ZONES

No person shall within any R4-4 zone use any lot or erect, alter or use any building or structure, except in accordance with Section 8(2) hereof, unless otherwise provided herein:

(a) **LOT AREA (minimum):** - 2,500.0 square metres

(b) **LOT FRONTAGE (minimum):** - 35.0 metres

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(11) USES PERMITTED IN R4-5 ZONES

No person shall within any R4-5 zone use any lot or erect, alter or use any building or structure for any purpose, except in accordance with Section 8(1) hereof.

(12) ZONE PROVISIONS FOR R4-5 ZONES

No person shall within any R4-5 zone use any lot or erect, alter or use any building or structure, except in accordance with Section 8(2) hereof, unless otherwise provided herein:

(a) **LOT AREA (minimum):** - 3,700.0 square metres

(13) USES PERMITTED IN R4-6 ZONES

No person shall within any R4-6 zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with Section 8(1) hereof.

(14) ZONE PROVISIONS FOR R4-6 ZONES

No person shall within any R4-6 zone use any lot or erect, alter or use any building or structure, except in accordance with Section 8(2) hereof, unless otherwise provided herein:

(a) **BUILDING SETBACK, FRONT (minima):**

(i) marine facility - nil

(ii) other uses - 5.0 metres

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SECTION 9 COMMERCIAL/INDUSTRIAL (CM1) ZONE

(1) USES PERMITTED

No person shall within any CM1 zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following CM1 uses, namely:

(a) RESIDENTIAL USES:

an accessory dwelling house;
an accessory dwelling unit.

(b) NON-RESIDENTIAL USES:

a building supply outlet;
a bulk storage tank;
a business office, related to another CM1 Zone use;
a commercial garage;
a commercial greenhouse;
a construction business;
an equipment rental business;
an equipment storage building;
a fuel pump island;
a maintenance garage, as part of a transport terminal;
a manufacturing plant;
a municipal firehall;
a municipal office;
a municipal yard;
a printing and publishing business;
a private fuel pump island;
a restaurant;
a retail store;
a service station;
a transport terminal;
a vehicle agency;
a warehouse.

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(2) ZONE PROVISIONS

No person shall within any CM1 zone use any lot or erect, alter or use any building or structure, except in accordance with the following provisions:

(a)	**LOT AREA (minimum):**	- 4,000.0 square metres
(b)	**LOT FRONTAGE (minimum):**	- 45.0 metres
(c)	**DWELLING HOUSES OR DWELLING UNITS PER LOT (maximum):**	- 1 only
(d)	**BUILDING AREA (maximum):**	- 20%
(e)	**BUILDING SETBACK, FRONT (minimum):**	- 15.0 metres
(f)	**BUILDING SETBACK, FLANK (minimum):**	- 10.0 metres
(g)	**BUILDING SETBACK, REAR (minimum):**	- 10.0 metres
(h)	**BUILDING SETBACK, SIDE (minimum):**	- 7.5 metres
(i)	**BUILDING SEPARATION (minimum):**	- 5.0 metres
(j)	**BUILDING HEIGHT (maximum):**	- 12.0 metres
(k)	**DWELLING UNIT AREA (minimum):**	- 50.0 square metres plus 15.0 square metres for each bedroom
(l)	**LANDSCAPING AREA (minimum):**	- 40%

(m) **PLANTING STRIP LOCATION:**
A planting strip shall be required along any portion of a rear lot line which abuts a Residential zone.

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(n) ENTRANCES PER LOT (maximum): - 2

(o) ENTRANCE WIDTH (minimum): - 10.0 metres
(maximum): - 15.0 metres

(p) DRIVEWAY SETBACK (maximum): - 10.0 metres

(q) PARKING SPACES (minima):

(i)	Residential uses	- 1 for each dwelling unit
(ii)	a restaurant	- 1 for each 10 seats
(iii)	other Non-Residential uses	- 1 for each 10 square metres of gross floor area, or portion thereof

(r) FUEL PUMP ISLAND LOCATION:
No part of any fuel pump island shall be located closer than 15.0 metres to any street line, or 10.0 metres to any other lot line.

(s) EXCEPTION FOR ACCESSORY DWELLING UNIT:
Notwithstanding any other provision herein, an accessory dwelling unit shall not be permitted in conjunction with any lot containing a fuel pump island or a private fuel pump island.

(t) GENERAL PROVISIONS:
In accordance with the provisions of Section 3 hereof.

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SECTION 10 TOURIST COMMERCIAL (C1) ZONE

(1) USES PERMITTED

No person shall within any C1 zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following C1 uses, namely:

(a) RESIDENTIAL USES:

an accessory dwelling house;
an accessory dwelling unit.

(b) NON-RESIDENTIAL USES:

a campground;
a convenience store, related to a tourist establishment;
a lodge;
a marine facility;
a motel;
a private fuel pump island;
a private park;
a rental cabin or rental cottage;
a restaurant, related to a tourist establishment;
a tourist camp;
a tourist establishment.

(2) ZONE PROVISIONS

No person shall within any C1 zone use any lot or erect, alter or use any building or structure, except in accordance with the following provisions:

(a) LOT AREA (minimum): - 4,000.0 square metres

(b) LOT FRONTAGE (minimum): - 45.0 metres

(c) DWELLING HOUSES OR DWELLING UNITS PER LOT (maximum): - 1 only

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(d)	**BUILDING AREA (maximum):**	- 40%
(e)	**BUILDING SETBACK, FRONT (minima):**	
	(i) marine facility	- nil
	(ii) other uses	- 15.0 metres
(f)	**BUILDING SETBACK, FLANK (minimum):**	- 15.0 metres
(g)	**BUILDING SETBACK, REAR (minimum):**	- 10.0 metres
(h)	**BUILDING SETBACK, SIDE (minimum):**	- 10.0 metres
(i)	**BUILDING SEPARATION (minima):**	
	(i) between tourist establishments	- 9.0 metres
	(ii) between tourist vehicles, tents and similar facilities	- 12.0 metres
	(iii) between all other arrangements	- 5.0 metres
(j)	**BUILDING HEIGHT (maxima):**	
	(i) main building	- 11.0 metres
	(ii) accessory buildings	- 6.0 metres
(k)	**DWELLING UNIT AREA (minimum):**	- 50.0 square metres, plus 15.0 square metres for each bedroom
(l)	**NUMBER OF TOURIST CAMP LOTS (maxima):**	
	(i) for the Knights of Columbus (Club Colombien) Trailer Park	- 70 sites
	(ii) for the Legion Trailer Park	- 15 sites
(m)	**LANDSCAPING AREA (minimum):**	- 40%

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(n) PLANTING STRIP LOCATION:
A planting strip shall be required along any portion of a rear lot line which is also a street line, or any portion of a side lot line which abuts a Residential zone.

(o) PLANTING STRIP WIDTH (minimum): - 5.0 metres

(p) PLAY FACILITY AREA (minimum): - 5%

(q) PLAY FACILITY LOCATION:
No part of any play facility shall be located closer than 12.0 metres to any lot line.

(r) ENTRANCES PER LOT (maximum): - 2

(s) ENTRANCE WIDTH (minimum): - 10.0 metres
(maximum): - 15.0 metres

(t) DRIVEWAY SETBACK (maximum): - 10 metres

(u) PARKING SPACES (minima):

(i)	Residential uses	- 1 for each dwelling unit
(ii)	a restaurant	- 1 for each 10 seats
(iii)	a management office and convenience store	- 3 each
(iv)	a campground, a lodge, a motel, a rental cabin or rental cottage, tourist camp and a tourist establishment	- 1 for each guest room, cabin, cottage or each tourist camp lot

(v) FUEL PUMP ISLAND LOCATION:
No part of any fuel pump island shall be located closer than 10.0 metres to any street line, or 6.0 metres to any other lot line.

(w) GENERAL PROVISIONS:
In accordance with the provisions of Section 3 hereof.

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SECTION 11 EXTRACTIVE INDUSTRIAL (M1) ZONE

(1) USES PERMITTED

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

(a) RESIDENTIAL USES:

prohibited.

(b) NON-RESIDENTIAL USES:

an asphalt plant;
a business office, related to another M1 Zone use;
an equipment storage building;
a gravel pit;
a maintenance garage;
a milling and/or processing plant;
a mining industrial;
an open storage area;
a private fuel pump island;
a stone quarry;
a warehouse;
a wayside pit;
a wayside quarry.

(2) ZONE PROVISIONS

No person shall within any M1 zone use any lot or erect, alter or use any building or structure, except in accordance with the following provisions:

(a) LOT FRONTAGE (minimum): - 200.0 metres

(b) BUILDING AREA (maximum): - 60%

(c) BUILDING SETBACK, FRONT (minimum): - 15.0 metres

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(d) **BUILDING SETBACK, FLANK (minimum):** - 15.0 metres

(e) **BUILDING SETBACK, REAR (minima):**
(i) main building - 12.0 metres
(ii) accessory buildings - 5.0 metres

(f) **BUILDING SETBACK, SIDE (minimum):** - 15.0 metres

(g) **BUILDING SEPARATION (minimum):** - 5.0 metres

(h) **BUILDING HEIGHT (maximum):** - 11.0 metres

(i) **LANDSCAPING AREA (minimum):** - 30%

(j) **PLANTING STRIP LOCATION:**
A planting strip shall be required along any portion of a rear lot line which abuts a zone other than a M1 zone.

(k) **ENTRANCES PER LOT (maximum):** - 2

(l) **ENTRANCE WIDTH (minimum):** - 10.0 metres
(maximum): - 15.0 metres

(m) **DRIVEWAY SETBACK (minimum):** - 10.0 metres

(n) **PARKING SPACES (minima):** - the greater of: 5 per lot;
or 1 for each 50.0 square metres
of gross floor area, or portion thereof

(o) **PRIVATE FUEL PUMP ISLAND LOCATION:**
No part of any private fuel pump island shall be located closer than 20.0 metres to any street line, or 15.0 metres to any other lot line.

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(p) OPEN STORAGE AREA REGULATIONS:

No open storage area shall be permitted except in accordance with the following provisions:

(i) no open storage shall be permitted in a front yard or a flank yard;

(ii) no open storage area shall be permitted in a rear yard adjacent to a rear lot line of such lot which abuts a Residential zone;

(iii) no open storage area shall be permitted in a side yard adjacent to a side lot line of such lot which abuts a Residential zone;

(iv) every open storage area or lot having an open storage area situated thereon shall be enclosed by a wall or fence not less than 1.8 metres in height and constructed of uniform material, and

(v) no portion of any open storage area for combustible materials shall be located closer than 6.0 metres to any lot line.

(q) EXCAVATION LOCATION:

No part of any excavation for a pit or quarry shall be located closer than 70.0 metres to any lot line which abuts a zone other than a M1 Zone.

(r) GENERAL PROVISIONS:

In accordance with the provisions of Section 3 hereof.

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SECTION 12 DISPOSAL INDUSTRIAL (M2) ZONE

(1) USES PERMITTED

No person shall within any M2 zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following M2 uses, namely:

(a) RESIDENTIAL USES:

prohibited.

(b) NON-RESIDENTIAL USES:

a salvage yard;
a sanitary landfill site;
a sewage treatment facility.

(2) ZONE PROVISIONS

No person shall within any M2 zone use any lot or erect, alter or use any building or structure, except in accordance with the following provisions:

(a)	**BUILDING AREA (maximum):**	- 5%
(b)	**BUILDING SETBACK, FRONT (minimum):**	- 30.0 metres
(c)	**BUILDING SETBACK, FLANK (minimum):**	- 30.0 metres
(d)	**BUILDING SETBACK, REAR (minimum):**	- 30.0 metres
(e)	**BUILDING SETBACK, SIDE (minimum):**	- 30.0 metres

(f) BUILDING SETBACK EXEMPTION:
Notwithstanding any building setback provisions herein to the contrary, on a lot used for a sewage treatment facility, no building setback shall be required from any portion of a lot line which abuts an EP Zone.

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(g) **BUILDING SEPARATION (minimum):** - 10.0 metres

(h) **BUILDING HEIGHT (minimum):** - 11.0 metres

(i) **LANDSCAPING AREA (minimum):** - 30%

(j) **PLANTING STRIP LOCATION:**
A planting strip shall be required along any portion of a front lot line and side lot line which abuts a zone other than a M2 zone.

(k) **PLANTING STRIP WIDTH (minimum):** - 7.5 metres

(l) **ENTRANCES PER LOT (maximum):** - 1

(m) **ENTRANCE WIDTH (minimum):** - 10.0 metres
(maximum): - 15.0 metres

(n) **DRIVEWAY SETBACK (minimum):** - 15.0 metres

(o) **PARKING SPACES (minimum):** - 2 for each use

(p) **FILL AREA LOCATION:**
No dumping or disposal of any waste material on a sanitary landfill site or a salvage yard shall be permitted within 50.0 metres of any lot line.

(q) **GENERAL PROVISIONS:**
In accordance with the provisions of Section 3 hereof.

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SECTION 13 OPEN SPACE (OS) ZONE

(1) USES PERMITTED

No person shall within any OS zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following OS uses, namely:

(a) RESIDENTIAL USES:

prohibited.

(b) NON-RESIDENTIAL USES:

a cemetery;
a club;
a conservation use;
a marine facility, related to another OS Zone use;
a public park;
a recreational facility;
a recreational trail;
a ski area.

(2) ZONE PROVISIONS

No person shall within any OS zone use any lot or erect, alter or use any building or structure, except in accordance with the following provisions:

(a)	**BUILDING AREA (maximum):**	- 30%
(b)	**BUILDING SETBACK, FRONT (minimum):**	- 10.0 metres
(c)	**BUILDING SETBACK, FLANK (minimum):**	- 10.0 metres
(d)	**BUILDING SETBACK, REAR (minimum):**	- 6.0 metres

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(e)	**BUILDING SETBACK, SIDE (minimum):**	- 6.0 metres
(f)	**BUILDING SEPARATION (minimum):**	- 5.0 metres
(g)	**BUILDING HEIGHT (maximum):**	- 11.0 metres
(h)	**ENTRANCES PER LOT (maximum):**	- 2
(i)	**ENTRANCE WIDTH (maximum):**	- 15.0 metres
(j)	**DRIVEWAY SETBACK (minimum):**	- 10.0 metres

(h) **GENERAL PROVISIONS:**
In accordance with the provisions of Section 3 hereof.

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SECTION 14 ENVIRONMENTAL (EP) ZONE

(1) USES PERMITTED

No person shall within any EP zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following EP uses, namely:

(a) RESIDENTIAL USES:

prohibited.

(b) NON-RESIDENTIAL USES:

a conservation use, other than a building;
a farm, other than a building;
a flood control and erosion protection use;
a forestry use, other than a building;
an outdoor recreational use, other than a building;
a water supply plant.

(2) ZONE PROVISIONS

No person shall within any EP zone use any lot or erect, alter or use any building or structure, except in accordance with the following provisions:

(a) BUILDING AREA (maximum): - 30%

(b) BUILDING SEPARATION (minimum): - 10.0 metres

(c) SPECIAL PROVISIONS:
No accessory buildings or structures are permitted except a parking lot and a rest room.

(d) GENERAL PROVISIONS:
In accordance with the provisions of Section 3 hereof.

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SECTION 15 SENSITIVE (SE) ZONE

(1) USES PERMITTED

No person shall within any SE zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following SE uses, namely:

(a) RESIDENTIAL USES:

prohibited.

(b) NON-RESIDENTIAL USES:

an archaeological site;
a conservation use;
a cultural/heritage use;
a wildlife and fish management use.

(2) ZONE PROVISIONS

No person shall within any SE zone use any lot or erect, alter or use any building or structure, except in accordance with the following provisions:

(a) BUILDING AREA (maximum): - 30%

(b) BUILDING SEPARATION (minimum): - 10.0 metres

(c) BUILDING HEIGHT (maximum): - 11.0 metres

(d) SPECIAL PROVISIONS:
No accessory buildings or structures are permitted except a parking lot and a rest room.

(e) GENERAL PROVISIONS:
In accordance with the provisions of Section 3 hereof.

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SECTION 16 RURAL (RU) ZONE

(1) USES PERMITTED

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

(a) RESIDENTIAL USES:

an accessory dwelling house;
a boarding house;
an existing mobile home;
a group home;
a modular dwelling house;
a single detached dwelling house.

(b) NON-RESIDENTIAL USES:

a commercial greenhouse;
a communications tower;
a conservation use;
an electrical power substation;
an equipment storage building;
a farm;
a forestry use;
a home industry;
a home occupation;
a home profession;
a hunt camp;
a municipal fire hall;
a municipal yard;
an open storage area;
a private home day care;
a private fuel pump island;
a recreational trail, other than a building;

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a rural home occupation;
a wayside pit;
a wayside quarry;
a woodlot.

(2) ZONE PROVISIONS

No person shall within any RU zone use any lot or erect, alter or use any building or structure, except in accordance with the following provisions:

(a)	**LOT AREA (minimum):**	- 8.0 hectares
(b)	**LOT FRONTAGE (minimum):**	- 200.0 metres
(c)	**DWELLING HOUSES PER LOT (maximum):**	- 1
(d)	**BUILDING AREA (maximum):**	- 1%
(e)	**BUILDING SETBACK, FRONT (minimum):**	- 15.0 metres
(f)	**BUILDING SETBACK, FLANK (minimum):**	- 15.0 metres
(g)	**BUILDING SETBACK, REAR (minimum):**	- 10.0 metres
(h)	**BUILDING SETBACK, SIDE (minimum):**	- 10.0 metres
(i)	**BUILDING SEPARATION (minimum):**	- 5.0 metres
(j)	**BUILDING HEIGHT (maximum):**	- 11.0 metres
(k)	**DWELLING UNIT AREA (minimum):**	- 80.0 square metres
(l)	**LANDSCAPING AREA (minimum):**	- 50%

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(m) **ENTRANCE WIDTH (maximum):** - 15.0 metres

(n) **DRIVEWAY SETBACK (minimum):** - 10.0 metres

(o) **PARKING SPACES (minima):**

(i)	Residential uses	- 1 for each dwelling unit
(ii)	home industry, home occupation, home profession or rural home occupation	- 2
(iii)	other Non-Residential uses	- 3

(p) **PRIVATE FUEL PUMP ISLAND LOCATION:**
No part of any private fuel pump island shall be located closer than 20.0 metres to any street line, or 10.0 metres to any other lot line.

(q) **CREATED RESIDENTIAL LOT:**
Notwithstanding any provisions of Section 16(2)(a), Section 16(2)(b), Section 16(2)(d), Section 16(2)(h) or Section 16(2)(k) hereof to the contrary, where a consent is given to create a residential lot, such lot may be used for a single detached dwelling house provided the minimum lot area is 4,000.0 square metres, the minimum lot frontage is 45.0 metres, the maximum building area is 20%, the minimum side yard setback is 3.0 metres and the minimum dwelling unit area is 100.0 square metres.

(r) **OPEN STORAGE AREA REGULATIONS:**
No open storage area shall be permitted except in accordance with the following provisions:

(i) no open storage area shall be permitted in a front yard or a flank yard;
(ii) no open storage area shall be permitted in the area required for the rear building setback;
(iii) no open storage area shall be permitted in the area required for the side building setback;
(iv) no portion of any open storage area for combustible materials shall be located closer than 15.0 metres to any lot line.

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(s) GENERAL PROVISIONS:
In accordance with the provisions of Section 3 hereof.

(3) USES PERMITTED IN RU-F ZONES

No person shall within any RU-F zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following RU-F uses, namely:

(a) RESIDENTIAL USES:

an existing accessory dwelling house;
an existing mobile home;
a existing modular dwelling house;
a existing single detached dwelling house.

(b) NON-RESIDENTIAL USES:

a communications tower;
a conservation use;
an electrical power substation;
an existing equipment storage building;
a forestry use;
a home occupation;
a home profession;
a hunt camp;
a recreational trail, other than a building;
a wayside pit;
a wayside quarry;
a woodlot.

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(4) ZONE PROVISIONS FOR RU-F ZONES

No person shall within any RU-F zone use any lot or erect, alter or use any building or structure, except in accordance with the following provisions:

(a)	**LOT AREA (minimum):**	- 8.0 hectares
(b)	**LOT FRONTAGE (minimum):**	- 200.0 metres
(c)	**DWELLING HOUSES PER LOT (maximum):**	- 1
(d)	**BUILDING AREA (maximum):**	- 1%
(e)	**BUILDING SETBACK, FRONT (minimum):**	- 15.0 metres
(f)	**BUILDING SETBACK, FLANK (minimum):**	- 15.0 metres
(g)	**BUILDING SETBACK, REAR (minimum):**	- 10.0 metres
(h)	**BUILDING SETBACK, SIDE (minimum):**	- 10.0 metres
(i)	**BUILDING SEPARATION (minimum):**	- 5.0 metres
(j)	**BUILDING HEIGHT (maximum):**	- 11.0 metres
(k)	**DWELLING UNIT AREA (minimum):**	- 80.0 square metres
(l)	**LANDSCAPING AREA (minimum):**	- 50%
(m)	**ENTRANCE WIDTH (maximum):**	- 15.0 metres
(n)	**DRIVEWAY SETBACK (minimum):**	- 10.0 metres

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(o) **PARKING SPACES (minima):**

(i)	Residential uses	- 1 for each dwelling unit
(ii)	home industry, home occupation, home profession or rural home occupation	- 2
(iii)	other Non-Residential uses	- 3

(p) **GENERAL PROVISIONS:**
In accordance with the provisions of Section 3 hereof.

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SECTION 17 DEVELOPMENT (DE) ZONE

(1) USES PERMITTED

No person shall within any DE zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following DE uses, namely:

(a) RESIDENTIAL USES:

an existing dwelling house.

(b) NON-RESIDENTIAL USES:

an existing non-residential use.

(2) ZONE PROVISIONS

No person shall within any DE zone use any lot or erect, alter or use any building or structure, except in accordance with the following provisions:

(a)	**LOT AREA (minimum):**	- 8.0 hectares
(b)	**LOT FRONTAGE (minimum):**	- 200.0 metres
(c)	**DWELLING HOUSES PER LOT (maximum):**	- 1
(d)	**BUILDING AREA (maximum):**	- 1%
(e)	**BUILDING SETBACK, FRONT (minimum):**	- 15.0 metres
(f)	**BUILDING SETBACK, FLANK (minimum):**	- 15.0 metres
(g)	**BUILDING SETBACK, REAR (minimum):**	- 10.0 metres
(h)	**BUILDING SETBACK, SIDE (minimum):**	- 10.0 metres
(i)	**BUILDING SEPARATION (minimum):**	- 5.0 metres

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(j) **BUILDING HEIGHT (maximum):** - 11.0 metres

(k) **DWELLING UNIT AREA (minimum):** - 80.0 square metres

(l) **LANDSCAPING AREA (minimum):** - 50%

(m) **ENTRANCE WIDTH (maximum):** - 15.0 metres

(n) **DRIVEWAY SETBACK (minimum):** - 10.0 metres

(o) **PARKING SPACES (minima):**

(i) Residential uses - 1 for each dwelling unit

(ii) Non-Residential uses - 3

(p) **GENERAL PROVISIONS:**

In accordance with the provisions of Section 3 hereof.

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SECTION 18 ADMINISTRATION

(1) ZONING ADMINISTRATOR

This By-law shall be administered by the Zoning Administrator.

(2) ISSUANCE OF PERMITS AND LICENSES

Notwithstanding any provision of the Building By-law or any other by-law of the Corporation to the contrary, no permit or license shall be issued where the proposed building, structure or use would be in violation of any provision of this By-law.

(3) REQUESTS FOR AMENDMENTS

Every request for an amendment to this By-law shall be accompanied by three (3) copies of the Corporation's "APPLICATION FOR AMENDMENT TO OFFICIAL PLAN AND/OR ZONING BY-LAW".

(4) INSPECTION

(a) CONDITIONS FOR ENTRY:

Subject to clause (b) of this subsection, the Zoning Administrator, Chief Building Official or any other officer or employee of the Corporation, acting under the direction of Council, is hereby authorized to enter, at reasonable hours, upon any property or premises for the purpose of carrying out his duties under this By-law, provide proper identification is displayed or produced upon request.

(b) RESTRICTIONS FOR ENTRY OF DWELLING UNITS:

Notwithstanding any provision of clause (a) of this subsection to the contrary, no officer or employee of the Corporation shall enter any room or place being used as a dwelling unit or part thereof without the consent of the occupant, with the

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occupier first having been informed that the right of entry may be refused and, if refused, may only be under authority of a search warrant issued pursuant to the Provincial Offences Act, as amended.

(5) VIOLATIONS AND PENALTIES

Every person who contravenes a by-law passed under Section 34 or 38 or an Order made under Section 47 and, if the person is a corporation, every director or officer of the corporation who knowingly concurs in the contravention, is guilty of an offence and, on conviction is liable, on a first conviction to a fine of not more than Twenty-five Thousand Dollars ($25,000.00), and on a subsequent conviction to a fine of not more than Ten Thousand Dollars ($10,000.00) for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted.

Where a corporation is convicted under the above, the maximum penalty that may be imposed is on a first conviction a fine of not more than Fifty Thousand Dollars ($50,000.00), and on a subsequent conviction to a fine of not more than Twenty-five Thousand Dollars ($25,000.00) for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted, and not as provided above.

If an offence has been committed under a by-law passed under Section 34 or 38, and a proceeding in respect of the offence is undertaken by the Municipality and a conviction has been entered, the proceeds of any fine in relation to the offence shall be paid to the Treasurer of the Municipality. Section 2 of theAdministration of Justice Act, as amended and Section 4 of the Fines and Forfeitures Act, do not apply in respect of the fine.

(6) REMEDIES

Where any building or structure is to be erected or altered or any part thereof is to be used, or any lot is to be used, in contravention of any requirement of this By-law, such contravention may be restrained by action at the instance of any ratepayer or the

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Corporation pursuant to the provisions of the Planning Act or the Municipal Act, S.O. 2001, in their behalf.

(7) VALIDITY

If any section, clause or provision of this By-law including anything contained in Schedule A attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof, other than the section, clause or provision so declared to be invalid. It is hereby declared to be the intention that all the remaining sections, clauses or provisions of this By-law shall remain in full force and effect until repealed, notwithstanding, that one or more provisions hereof shall have been declared to be invalid.

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SECTION 19 REPEALS AND APPROVALS

All by-laws of the Corporation passed under Section 34 of the Planning Act, or a predecessor thereof are hereby repealed. These shall include, but are not limited to, By-law Nos. 87-6, 88-3, 89-15, 92-5, 94-4, 94-9, 95-7, 95-9, 95-12, 95-13, 96-8, 97-3, 99-4, 01-07, 01-20, 02-05 and 03-26.

This By-law shall become effective on the date hereof subject to:

(i) the expiration of the time period specified for the filing of objections by the notice of the passing of this By-law, provided that no notice of objection has been filed within the time period specified, or

(ii) the determination or direction of the Ontario Municipal Board where an objection to the approval of this by-law has been filed within the time period specified in the notice of the passing of this By-law.

THIS BY-LAW read a first and second time this 15. day of JANUARY. 2006.

THIS BY-LAW read a third time and passed this 15. day of JANUARY. 2006.

Signed: _____ (Reeve)

SEAL

Signed: _____ (Clerk)

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