

# TOWNSHIP OF CARLING

## CONSOLIDATED - COMPREHENSIVE ZONING BY-LAW

NO. C500-2011



Including: OMB PL120369, C501-2012, C503-2012, C504-2012, C506-2013,  
OMB PL120009, C509-2014, C511-2014, C512-2015, C513-2015,  
C514-2015, C515-2015, C516-2015, C517a-2015, C518-2016, C519-2017,  
C520-2017, C521-2018, C523-2018, C524-2018, C525-2018, C526-2018,  
C527-2018, C530-2020, C531-2020, C532-2020, C533-2020, C534-2020, C535-2021,  
C536-2021, C537-2021, C538-2021, C539-2021, C540-2021, C541-2021, C542-2021,  
C543-2022, C544-2022, C545-2022 (OLT-22-003187), C546-2023 (OLT-22-004251),  
C547-2023, C548-2023, C549-2024, C550-2024, C551-2024, C553-2024



## TABLE OF CONTENTS

<b>SECTION 1 – TITLE AND INTERPRETATION</b> .....	<b>1</b>
<b>SECTION 2 – ADMINISTRATION</b> .....	<b>2</b>
2.01 Zoning Administration .....	2
2.02 Application and Plans.....	2
2.03 Penalty.....	2
2.04 Date of By-law Approval.....	2
2.05 By-law Repeals .....	2
2.06 Conformity and Compliance with By-law .....	2
2.07 Building Permits and Municipal License .....	2
2.08 Effective Date .....	2
2.09 Transition Provisions .....	2
2.10 Inspection of Property and Premises .....	3
<b>SECTION 3 – ESTABLISHMENT OF ZONES</b> .....	<b>4</b>
3.01 Zones.....	4
3.02 Zone Requirements.....	4
3.03 Zone Boundaries.....	4
3.04 Waterway .....	4
3.05 Incorporation of Zoning Maps .....	4
3.06 Use of Zone Symbols.....	5
3.07 Unzoned Lands .....	5
3.08 Multiple Zones .....	5
3.09 Site Specific Zones .....	5
3.10 Holding Provision Symbols .....	5
<b>SECTION 4 – DEFINITIONS</b> .....	<b>6</b>
<b>SECTION 5 – GENERAL PROVISIONS</b> .....	<b>18</b>
5.01 <i>Accessory Buildings and Structures</i> .....	18
5.02 <i>Automobile Service Station and Gas Storage</i> .....	19
5.03 <i>Bed and Breakfast</i> .....	19
5.04 <i>Boathouses and Boatports</i> .....	19
5.05 <i>Bridges, Causeways and Watercrossings</i> .....	19
5.06 <i>Buffer Areas</i> .....	20
5.07 <i>Building in a Built-up Area</i> .....	20
5.08 <i>Buildings to Be Moved</i> .....	20
5.09 <i>Building Repair or Reconstruction</i> .....	20
5.09.1 <i>Non-Complying Buildings</i> .....	20
5.09.2 <i>Non-Conforming Uses</i> .....	21
5.10 <i>Connections between Buildings</i> .....	22
5.11 <i>Converted Dwelling, Basement or Accessory Apartment</i> .....	22
5.12 <i>Crown Land</i> .....	22
5.13 <i>Decks, Attached</i> .....	22
5.14 <i>Decks, Detached</i> .....	22
5.15 <i>Docks, Residential</i> .....	23
5.16 <i>Dwelling Unit in a Non-Residential Building or on a Non-Residential Lot</i> .....	24
5.17 <i>Dwelling Units Below Grade</i> .....	24
5.18 <i>Existing Buildings on Lots with Inadequate Requirements</i> .....	24
5.19 <i>Fences</i> .....	24
5.20 <i>Frontage Requirements</i> .....	24
5.21 <i>Garden Suite</i> .....	25
5.22 <i>Gazebo</i> .....	25
5.23 <i>Georgian Bay Flood Elevation</i> .....	25
5.24 <i>Group Homes</i> .....	25
5.25 <i>Height Exceptions</i> .....	25
5.26 <i>Home Occupations</i> .....	25
5.27 <i>Home Industry</i> .....	26
5.28 <i>Hunt Camps</i> .....	26
5.29 <i>Island Requirements</i> .....	27
5.30 <i>Keeping of Animals</i> .....	27

5.31	<i>Kennels</i>	27
5.32	Landscaped Buffer Area	27
5.33	Loading Space Regulations	27
5.34	<i>Lots Having Less Area, Depth, or Frontage Than Required</i>	27
5.35	Lights	28
5.36	Measurement of <i>Lot or Island Area</i>	28
5.37	Mining	28
5.38	<i>Mobile Home</i>	28
5.39	Multiple Zones	28
5.40	Multi-Storey Dwelling	28
5.41	Number of Dwellings on One <i>Lot</i>	28
5.42	Occupation of Unserviced <i>Building</i>	29
5.43	Outdoor Woodstoves	29
5.44	<i>Parking Area</i> Regulations	29
5.45	Permitted Encroachments	31
5.46	Pits and Quarries	32
5.47	Prohibited Uses	32
5.48	Public Uses	33
5.49	Pump House	33
5.50	<i>Sauna</i>	33
5.51	Septic System	33
5.52	<i>Setbacks From EP Zones</i>	33
5.53	<i>Shore Road Allowance, Original as Part of Lot</i>	33
5.54	<i>Shore Road Allowance, Original Setback</i>	33
5.55	Signs	33
5.56	<i>Sleeping Cabins</i>	34
5.57	Special and Temporary Uses	34
5.58	Special Use Restrictions	34
5.59	Storage of Unlicensed <i>Vehicles or Trailers</i>	34
5.60	<i>Tents</i>	34
5.61	<i>Through Lots</i>	34
5.62	Tourist Commercial Waterfront Regulations	35
5.63	Width Restrictions	36
<b>SECTION 6 - RURAL (RU) ZONE</b>		<b>37</b>
6.01	Uses Permitted	37
6.02	Zone Standards	37
6.03	Provisions for <i>Accessory Uses</i>	37
6.04	Special Exception Regulations – Rural (RU)	38
<b>SECTION 7 - RURAL RESIDENTIAL (RR) ZONE</b>		<b>43</b>
7.01	Uses Permitted	43
7.02	Zone Standards	43
7.03	Provisions for <i>Accessory Uses</i>	43
7.04	Special Exception Regulations – Rural Residential (RR)	43
<b>SECTION 8 - BAYVIEW RESIDENTIAL (BR1) ZONE</b>		<b>46</b>
8.01	Uses Permitted	46
8.02	Zone Standards	46
8.03	Provisions for <i>Accessory Uses</i>	46
8.04	Special Exception Regulations – Bayview Residential 1 (BR1)	46
<b>SECTION 9 - WATERFRONT RESIDENTIAL (WF1, WF2, WF3, WF4, WF5) ZONES</b>		<b>48</b>
9.01	Uses Permitted	48
9.02	Zone Standards	48
9.03	Provisions for <i>Accessory Uses</i>	48
9.04	Special Exception Regulations – Waterfront Residential (WF1, WF2, WF3, WF4, WF5)	49
9.04.1	Waterfront Residential 1 Exceptions	49
9.04.2	Waterfront Residential 2 Exceptions	62
9.04.3	Waterfront Residential 3 Exceptions	66
<b>SECTION 10 - HIGHWAY – SERVICE COMMERCIAL (C1) ZONE (NON WATERFRONT)</b>		<b>68</b>
10.01	Uses Permitted	68
10.02	Zone Standards	69

10.03 Provisions for <i>Accessory Uses</i> .....	69
10.04 Special Exception Regulations – Highway-Service Commercial (C1) .....	69
<b>SECTION 11 - TOURIST COMMERCIAL (C2) ZONE .....</b>	<b>72</b>
11.01 Uses Permitted .....	72
11.02 Zone Standards .....	72
11.03 Provisions for <i>Accessory Uses</i> .....	72
11.04 Special Exception Regulations – Tourist Commercial (C2) .....	72
11.05 Holding Provisions .....	74
<b>SECTION 12 - CONTRACTOR COMMERCIAL (CC) ZONE .....</b>	<b>75</b>
12.01 Uses Permitted .....	75
12.02 Zone Standards .....	75
12.03 Provisions for <i>Accessory Uses</i> .....	75
12.04 Special Exception Regulations – Contractor Commercial (CC) .....	75
<b>SECTION 13 - COMMERCIAL MARINE (CM) ZONE .....</b>	<b>76</b>
13.01 Uses Permitted .....	76
13.02 Zone Standards .....	76
13.03 Provisions for <i>Accessory Uses</i> .....	76
13.04 Special Exception Regulations – Commercial Marine (CM) .....	76
<b>SECTION 14 - INSTITUTIONAL (INST) ZONE .....</b>	<b>77</b>
14.01 Uses Permitted .....	77
14.02 Zone Standards .....	77
14.03 Provisions for <i>Accessory Uses</i> .....	77
14.04 Special Exception Regulations – <i>Institutional</i> (INST) .....	77
<b>SECTION 15 - INDUSTRIAL GENERAL (M) ZONE .....</b>	<b>78</b>
15.01 Uses Permitted .....	78
15.02 Zone Standards .....	78
15.03 Provisions for <i>Accessory Uses</i> .....	78
15.04 Special Exception Regulations – Industrial (M) .....	78
<b>SECTION 16 - INDUSTRIAL PARK (M1) ZONE .....</b>	<b>80</b>
16.01 Uses Permitted .....	80
16.02 Zone Standards .....	80
16.03 Provisions for <i>Accessory Uses</i> .....	81
16.04 Special Exception Regulations – Industrial Park (M1) .....	81
<b>SECTION 17 - INDUSTRIAL PIT (M2) ZONE .....</b>	<b>82</b>
17.01 Uses Permitted .....	82
17.02 Zone Standards .....	82
17.03 Provisions for <i>Accessory Uses</i> .....	82
17.04 Special Exception Regulations – Industrial Pit (M2) .....	82
<b>SECTION 18 - WASTE DISPOSAL (M3) ZONE .....</b>	<b>83</b>
18.01 Uses Permitted .....	83
18.02 Zone Standards .....	83
18.03 Provisions for <i>Accessory Uses</i> .....	83
18.04 Special Exception Regulations – Waste Disposal (M3) .....	83
<b>SECTION 19 - INDUSTRIAL QUARRY (MQ2) ZONE .....</b>	<b>84</b>
19.01 Uses Permitted .....	84
19.02 Zone Standards .....	84
19.03 Provisions for <i>Accessory Uses</i> .....	84
19.04 Special Exception Regulations – Industrial Quarry (MQ2) .....	84
<b>SECTION 20 - OPEN SPACE (OS) ZONE .....</b>	<b>85</b>
20.01 Uses Permitted .....	85
20.02 Zone Standards .....	85
20.03 Provisions for <i>Accessory Uses</i> .....	85
20.04 Special Exception Regulations – Open Space (OS) .....	85
from Boundaries 5 metres .....	86
<b>SECTION 21 - CROWN LAND (CL) ZONE .....</b>	<b>87</b>
21.01 Uses Permitted .....	87
21.02 Provisions for <i>Accessory Uses</i> .....	87
<b>SECTION 22 - ENVIRONMENTAL PROTECTION (EP) ZONE (Fish Habitat) .....</b>	<b>88</b>

22.01 Uses Permitted .....	88
22.02 Zone Standards .....	88
22.03 Provisions for <i>Accessory Uses</i> .....	88
22.04 Special Exception Regulations – Environmental Protection (EP) .....	88
<b>SECTION 23 - ENVIRONMENTAL PROTECTION 1 (EP1) ZONE (PSW's) .....</b>	<b>89</b>
23.01 Uses Permitted .....	89
23.02 Zone Standards .....	89
23.03 Provisions for <i>Accessory Uses</i> .....	89
23.04 Special Exception Regulations – Environmental Protection 1 (EP1) .....	89
<b>SECTION 24 - ENVIRONMENTAL PROTECTION 2 (EP2) ZONE (<i>Wetlands/Flood Plains</i>) .....</b>	<b>90</b>
24.01 Uses Permitted .....	90
24.02 Zone Standards .....	90
24.03 Provisions for <i>Accessory Uses</i> .....	90
24.04 Special Exception Regulations – Environmental Protection 2 (EP2) .....	90

# TOWNSHIP OF CARLING

## BY-LAW NO.

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**BEING A BY-LAW** to regulate the use of land and the character, location and use of buildings and structures in the Township of Carling

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### SECTION 1 – TITLE AND INTERPRETATION

- 1.01 This By-law may be cited as the Township of Carling (“the *Township*”) Zoning By-law (“this By-law”).
- 1.02 The Maps annexed hereto as Schedules of this By-law are declared to be part of this By-law.
- 1.03 For the purposes of this By-law, the definitions and interpretations set out herein shall govern.
- 1.04 Nothing in this By-law shall be construed to exempt any *person* from complying with the requirements of any other by-law of the *Township* or of any law of the Province of Ontario, or of Canada.
- 1.05 The provisions of this By-law are held to be the minimum requirements adopted for the promotion of the public health, safety, convenience or general welfare of the *Township*.
- 1.06 In the event of an inconsistency or conflict between two or more regulations in this By-law, the more restrictive provision shall prevail.
- 1.07 The provisions of this By-law may not apply to *Crown land*. However, this By-law reflects the established planning policies of the *Township* and it is intended that the Crown shall have regard for the provisions of this By-law.
- 1.08 Numerical figures used in this By-law are given in metric units and are intended to provide the sole standard governing the provisions of this By-law. Conversions of these metric units to equivalent imperial units may be deemed acceptable by the *Township* when the conversion is made to at least two decimal places.
- 1.09 In this By-law, words importing the singular number include, where appropriate, more *persons*, parties or things of the same kind than one, and a word interpreted in the singular number has a corresponding meaning when used in the plural.

## **SECTION 2 – ADMINISTRATION**

### **2.01 Zoning Administration**

This By-law shall be administered by *persons* as may be authorized from time to time by the Council of the *Township*.

### **2.02 Application and Plans**

An application for a building permit shall contain all of the information required to determine whether or not such application conforms with the requirements of this By-law.

### **2.03 Penalty**

Every *person* who uses or alters the use of any land or *lot* or alters or *erects* or uses any *building* or *structure* in a manner contrary to any requirements of this By-law, or who causes or permits such use or *erection* or alteration, or who violates any provisions of this By-law or causes or permits a violation, is guilty of an offence and upon conviction thereof shall be liable to a fine as set out in the Planning Act, as amended from time to time, for each offence, and each day of the occurrence of the offence shall be deemed to be a separate occurrence. Every such penalty shall be recoverable under the Provincial Offences Act, as amended from time to time.

### **2.04 Date of By-law Approval**

This By-law shall take effect and come into force in accordance with the *Planning Act*.

### **2.05 By-law Repeals**

By-law No. C400-2000 as amended is hereby repealed.

### **2.06 Conformity and Compliance with By-law**

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

### **2.07 Building Permits and Municipal License**

The requirements of this By-law must be met before a Building Permit, Certificate of Occupancy, or approval of an application for a municipal license is issued for the use of land or the use, *erection*, addition to or alteration of any *building* or *structure*.

### **2.08 Effective Date**

This By-law shall come into force the day it was passed if no appeals are received. If an appeal(s) is received, this By-law, or portions thereof, shall come into force upon the approval of the Ontario Municipal Board and in accordance with the provisions of the Planning Act as amended.

### **2.09 Transition Provisions**

This By-law does not apply to prevent the issuance of a building permit for a *building* or *structure* for which an approval under the Planning Act has been granted for:

- a) a minor variance to a zoning by-law or interim control by-law,
- b) an amendment to a zoning by-law,
- c) an amendment or exemption to an interim control by-law,
- d) *site plan* approval, or
- e) consent that has been provisionally approved,

where the said *building* or *structure* occurs in strict accordance with the plans originally filed with the *Township* in support of the application.

## **2.10 Inspection of Property and Premises**

Any designated employee of the *Township* acting under its direction may, at any reasonable hour and upon producing proper identification, enter and inspect any property but shall not enter any *building* or *structure* used as a *dwelling unit* without:

- a) the consent of the occupier, or
- b) the authority of a Search Warrant issued pursuant to the provisions of section 142 of the Provincial Offenses Act, R.S.O. 1990, as amended.

## SECTION 3 – ESTABLISHMENT OF ZONES

### 3.01 Zones

For the purposes of this By-law, the following Zones are established and are shown on the various Schedules to this By-law:

Zone	Zone Symbol
RURAL	RU
RURAL RESIDENTIAL	RR
BAYVIEW RESIDENTIAL 1	BR1 (non waterfront lands)
WATERFRONT 1	WF1
WATERFRONT 2 (Islands)	WF2
WATERFRONT 3	WF3
WATERFRONT 4	WF4
WATERFRONT 5	WF5
HIGHWAY-SERVICE COMMERCIAL	C1
TOURIST COMMERCIAL	C2
CONTRACTOR COMMERCIAL	CC
COMMERCIAL MARINE	CM
INSTITUTIONAL	INST
INDUSTRIAL GENERAL	M
INDUSTRIAL PARK	M1
INDUSTRIAL - PIT	M2
WASTE DISPOSAL	M3
INDUSTRIAL QUARRY	MQ2
OPEN SPACE PARK	OS
ENVIRONMENTAL PROTECTION (Fish Habitat)	EP
ENVIRONMENTAL PROTECTION 1 (PSW)	EP1
ENVIRONMENTAL PROTECTION 2 (Flood Plains/Wetlands)	EP2
CROWN LAND	CL

### 3.02 Zone Requirements

No *person* shall use any land, or *erect*, alter or use any *building* or *structure* except in accordance with the general and special provisions of this By-law, or in accordance with the provisions of any applicable amending By-law or exceptions to any of the zone categories identified herein.

### 3.03 Zone Boundaries

Where the boundary of a zone does not coincide with a *street* or railway right-of-way, a ***lot line***, the boundaries of registered plans, or a natural feature such as a creek, stream or *shoreline*, the location of the boundary line shall be scaled from the Zoning Map - Schedule 'A'.

### 3.04 Waterway

Where a zone boundary abuts a waterway, such zone shall be deemed to extend into the waterway and apply to any water lots, Crown lakebed or any land created by changing water levels, land fill operations or by any other means and to extend over all *docks*, *buildings* and *structures* or vessels whether or not they are fastened to the *shoreline*, beached or anchored to the Crown lake bed.

### 3.05 Incorporation of Zoning Maps

The locations and boundaries of the Zones established by this By-law are contained on Zoning Schedules attached to and form part of this By-law.

### **3.06 Use of Zone Symbols**

The symbols listed in subsection 3.01 may precede the word “Zone” (i.e. RR zone) in place of the “Zone Name” and shall have the same meaning. The symbols, when used within the Schedules of this By-law, shall refer to the Zone in which the lands are situated and the provisions of such Zone shall apply.

### **3.07 Unzoned Lands**

Any lands illustrated on Schedule 'A' to this By-law without a reference to a zone symbol shall be deemed to be zoned Rural (RU) and all applicable provisions of this zone shall apply.

### **3.08 Multiple Zones**

Where a *lot* is divided into more than one zone, each portion of the said *lot* shall only be used in accordance with the Zone Regulations governing that portion.

### **3.09 Site Specific Zones**

Where a Zone symbol on the attached Schedule(s) is followed by a dash, and a number, such as RU-1, the symbol refers to a site-specific exception that applies to the lands noted. Site-specific exceptions are listed in Sections 6 to 24 of this By-law.

### **3.10 Holding Provision Symbols**

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

## SECTION 4 – DEFINITIONS

In this By-law:

- 4.01 Accessory Apartment: means part of a *building* originally constructed as a *single detached dwelling* which has been legally altered, renovated or enlarged to accommodate a second self-contained *dwelling unit*.
- 4.02 Accessory *Building*: means a one *storey*, detached *building*, located on the same *lot* as a *main building*, the use of which is incidental or subordinate to that of the *main building*.
- 4.03 Accessory Use: means a use of lands or *buildings* which is incidental or subordinate to the principal use of lands or *buildings*.
- 4.04 Animal Hospital: means a veterinary establishment, and any other land, *building* or *structure* where animals, birds, or livestock are treated or boarded for short-term periods, but not including a *kennel*.
- 4.05 Assembly Hall: means a *building* or part of a *building* in which facilities are provided for such purposes as meetings for civic, educational, political, religious, or social purposes, a banquet hall, community centre, union hall or Canadian Legion Hall.
- 4.06 Auctioneer: means a *person* employed in conducting a sale by auction.
- 4.07 Automobile Sales Establishment: means a *building* or *structure* or a clearly defined space on a *lot* used for the display and sale of *motor vehicles* and may include the servicing, repair, cleaning, polishing, and lubricating of *motor vehicles*, the sale of automotive accessories and related products, and the leasing or renting of *motor vehicles*.
- 4.08 Automobile Service Station: includes a *building* or place where fuel, petroleum products, supplies, parts or accessories are kept for sale to service *motor vehicles*, snowmobiles, *farm* implements and machinery, or where repairs are performed to *motor vehicles*, snowmobiles, *farm* implements and machinery, or a *public garage*.
- 4.09 Automobile Washing Establishment: means a *building* or *structure* containing facilities for washing *motor vehicles* by production line methods which may include a conveyor system or similar mechanical devices; and includes a self-service car wash.
- 4.10 Basement: means a *storey* or *storeys* of a *building* located below the *first storey*.
- 4.11 Basement, Walkout: means that portion of a *building* which is partly underground and which has an entrance or exit directly to the outside at grade level.
- 4.12 *Bed and Breakfast*: means a dwelling, the primary purpose of which is a residence, in which no more than two (2) *guest rooms* are made available for the temporary accommodation of the travelling or vacationing public. Such an establishment may offer host meals to those *persons* temporarily residing at the establishment, but not the general public. The proprietor shall reside in such dwelling.
- 4.13 Boarding House: means a dwelling in which the owner or leasee supplies habitable rooms for the accommodation of not more than 6 *persons*, with or without meals, for the *persons* so accommodated.
- 4.14 Boat: includes any vessel or watercraft suitable for navigation on or through water.
- 4.15 Boathouse: means an *accessory building* located on or immediately adjacent to water, intended to house, shelter or protect a *boat* or other form of water transportation, but it does not include a *storage building*.

- 4.16 Boatport: means an *accessory building* or *structure* located on or immediately adjacent to water; which is not enclosed by more than one wall, which is designed and used only for the sheltering of *boats* or other forms of water transportation.
- 4.17 Bridge: includes a *structure erected* across a waterway or spanning two or more points of land to afford passage by *vehicles* or pedestrians.
- 4.18 Building: means any edifice used or intended to be used for shelter, accommodation or enclosure of *persons*, animals or chattels other than a fence or wall.
- 4.19 Building Line: means a line lying in the interior of a *lot* drawn parallel to a *lot line* for the purpose of establishing the minimum distance that must exist between a *building* or *structure erected* upon the land and a *lot line*.
- 4.20 Building, Main: means a *building* in which the principal use of the *lot* is conducted.
- 4.21 Building Supply: means a retail or wholesale store with or without a storage area used for the temporary storage and sale of building supplies such as lumber, cement, bricks and hardware.
- 4.22 Bulk Fuel Storage: means a tank in excess of 1000 litres for the bulk storage of petroleum, gasoline, fuel oil, gas or flammable liquid or fluid.
- 4.23 Business or Professional Office: means an office in which any business is carried on or any profession is practised.
- 4.24 Cabin, Sleeping: means a *building* for overnight accommodation accessory to a *single detached dwelling*, which contains no *cooking facilities* and having a *floor area* at least 10 square metres and no greater than 56 square metres.
- 4.25 Campsite: means an area of land within a *tent* and *trailer park* or private camp ground which is designed to accommodate the placement of *tents*, travel *trailers*, motor coaches or truck campers for the temporary quarters of the travelling or vacationing public.
- 4.26 Carport: means a *building* or *structure* intended to shelter *vehicles* that has at least one open wall.
- 4.27 Cellar: means the portion of a *building* between two floor levels which is partly or wholly underground and which has less than 0.5 metres of its *height*, from finished floor to finished ceiling, above adjacent finished grade.
- 4.28 Cemetery: means a cemetery or columbarium as defined within the *Cemetery Act*.
- 4.29 Chief Building Official: means the official employed by the *Township* appointed under the Building By-law or pursuant to the provisions of the *Building Code Act*, as amended, and shall include any Inspector likewise employed and appointed.
- 4.30 Church: means a *building* set aside by a religious organization for public worship and may include a *church* hall, *church* auditorium, Sunday *school*, *nursery school*, convent, monastery or parish hall.
- 4.31 Clinic: includes a public or private *building*, used for medical, surgical, dental, physiotherapeutic, chiropractic or other human health treatment by one or more practitioners.
- 4.32 Community Hall: includes any tract of land or *building* or *buildings* or any part of any *buildings* used for community activities, including recreational and *institutional* uses, with commercial uses incidental thereto, and the control of which activities are vested in the municipality, local board or agent thereof.

- 4.33 Consumer Waste Recycling Facility: means an establishment where recycling or the reuse of consumer waste is processed but shall not include the processing of hazardous materials.
- 4.34 Contractor's Yard: means a *yard* of any building trade or contractor where equipment and materials are stored or where a contractor performs shop or assembly work, but does not include any other *yard* or establishment otherwise defined or classified herein.
- 4.35 Convenience Store: means a retail commercial establishment which serves the needs of residents of or visitors to the immediately surrounding area, and may include provisions for the sale of refreshments, snacks, and gasoline in areas not designated for residential use.
- 4.36 Cooking Facilities: means any appliance, cooking or warming device intended to be used for the preparation of food including all ovens, hotplates and cooking related appliances.
- 4.37 Cottage, Rental: means a *building* to accommodate guests, located in a Tourist Commercial Zone
- a) that contains at least two rooms; and
  - b) that may or may not contain facilities for guests to prepare and cook food.
- 4.38 Crown Land: means land belonging to Her Majesty in right of Ontario, whether covered with water or not.
- 4.39 Dark Sky Compliant: means lighting particularly located along the waterfront that does not produce glare or excessive lighting that maintains safety and welfare for navigation and preserves the ability to view the night sky thereby preserving an important quality of life.
- 4.40 Day Nursery: means a day nursery operated for pre-*school* age children within the meaning of the *Day Nurseries Act*, as amended.
- 4.41 Deck: means a floor *structure* without a roof that has a level surface area to accommodate *persons* or furniture, that may be freestanding or attached to a *main building* or an *accessory building*.
- 4.42 Dock: means a *structure*, floating or fixed, including a wharf or pier where *boats* can remain for loading, unloading, repair, or storage on or adjacent to water, but does not include connecting ramps, stairs or walkways.
- 4.43 Dwelling, Converted: means a detached dwelling, at least 2 years old which is altered to add a *dwelling unit* but, upon conversion does not contain therein more than three dwellings in total.
- 4.44 Dwelling, Seasonal: means a *dwelling unit* intended to be used for recreational purposes from time to time through the year.
- 4.45 Dwelling, Single Detached: means a separate *building* containing only one *dwelling unit*.
- 4.46 Dwelling, Spilt Level: means a dwelling in which the first floor above finished grade is so constructed as to create two or more different levels, the vertical distance between such levels being less than the full *storey*. For the purpose of this By-law, a *split level dwelling* is considered a one *storey* dwelling.
- 4.47 Dwelling, Transportable Prefabricated: means a *single detached dwelling* which has been manufactured in a factory remote from the site where it is intended to be used and transported to the site for installation on a prepared foundation and which unit complies with all applicable standards of the Canadian Standards Association.
- 4.48 Dwelling Unit: means one or more rooms designed for *human habitation* in which only one separate *kitchen* is provided, with a private entrance from outside the *building* or from a common hallway or stairway inside the *building*.

- 4.49 Erect: means to build, construct, reconstruct or relocate and, without limiting the generality of the word, also includes:
- a) any excavating, dredging, filling, draining, or the creation of retaining walls, beams, siding or breakwalls;
  - b) the placement or construction of *docks* or rafts;
  - c) altering any existing *building* or *structure* by an addition, enlargement, extension or other structural change; and
  - d) any work which requires a *building* permit under the Building By-law of the *Township*.
- 4.50 Established *Building Line*: means the average *setback* of the existing *buildings*. A *building line* is considered to be established when at least 3 *buildings* have been erected on any one side of a continuous 300 metres of land with *street* or water frontage. this definition does not apply to waterfront zones.
- 4.51 Exotic Animals: includes those animals not indigenous to the country.
- 4.52 Fairground: means an agricultural fairground where *farm* produce is on display for judging and for sale, and livestock shows, horse racing and other sports events may be held.
- 4.53 Farm: means land or *buildings* used for growing and storing trees, grain, vegetables, fruit crops or any other agricultural product.
- 4.54 Farm, Specialized Use: means land or *buildings* which are predominantly used for the raising of chickens, turkeys or other fowl, fur-bearing animals, hogs or the growing of mushrooms, or the intensive feeding of cattle in a confined areas and includes a fish hatchery for trout farming and other species.
- 4.55 Floor Area: means the space on any *storey* of a *building* between exterior walls and firewalls, including the space occupied by interior walls and partitions, any *private garage*, *carport*, storage area, breezeway, *porch*, or unenclosed *porch*, but does not include the space occupied by exits, vertical service spaces and their enclosing assemblies, a *basement*, a *cellar*, an attic or a *boathouse*.
- 4.56 Floor Area, Ground: means the *floor area* of the *first storey* of any *building* or *structure* and it includes, in the case of a *dwelling unit*, the area of any *private garage*, *porch*, but not including an open air *deck*.
- 4.57 Floor Area, Gross: in the case of a *lot* zoned WF1 to WF5 inclusive, the aggregate of the areas of each floor and space occupied by walls and stairs above and below grade measured between the exterior faces of the exterior walls of the *building* or *structure*, including the horizontal area above the uppermost storey having:
- a vertical clearance of more than 1.4 metres between the ceiling joists and the roof rafters; and
  - provided that there is a floor in this uppermost storey that has a minimum of 7 square metres with a height equal to or greater than 2.1 metres; but

excluding:

- a) any unenclosed breezeways, *docks* or *decks*;
- b) the part of the *building* or *structure* that is used for the parking of *motor vehicles*, *boats* or other *accessory uses* identified in this by-law;
- c) in the case of the floor of the first floor below a sloping roof, any unfinished areas enclosed by the exterior face of a vertical interior wall that does not exceed 1.4 metres in *height* and the nearest exterior face of the exterior wall or roof at that floor level;
- d) non-habitable *buildings*;
- e) *sleeping cabins*;
- f) attics, *basements* and crawlspaces.

- 4.58 Forest Management Area: means land used for wood *lot* conservation or forest management practices carried out under a program of the Ministry of Natural Resources.
- 4.59 Garage, Private: means an *accessory building* or a portion of the *main building* which is designed or used for the storage of one or more private *vehicles* and the storage of household equipment incidental to residential occupancy and in which no business, occupation or service is conducted for profit and in the case of a *lot* zoned WF1 – WF5 inclusive, an *accessory building* or a portion of a main *dwelling* which is designed or used for the storage of one or more private *vehicles* and/or the storage of household equipment incidental to residential occupancy and in which no business or service is conducted for profit and such garage shall not exceed 111 square metres."
- 4.60 Garage, Public: means a *building* which is used for the servicing, repair or equipping of *motor vehicles*, or where such *vehicles* are parked or stored for remuneration, hire or sale.
- 4.61 Garden Suite: means a one-unit detached residential *structure* containing bathroom and kitchen facilities that is ancillary to an existing residential *structure* and that is designed to be portable.
- 4.62 Gazebo: means a detached *accessory building* to a *single detached dwelling* either enclosed or unenclosed to be used exclusively to accommodate *persons* and furniture and shall not be suitable for overnight accommodation and shall not exceed 38 square metres.
- 4.63 Golf Course: means a public or private area used for the playing of golf and may include a driving range, but not a miniature course or similar use.
- 4.64 Grade, Natural: means, in the case of a *lot* zoned WF1 – WF5 inclusive, the average level of the finished grade of the ground where it meets the exterior of a *building* or *structure*.
- 4.65 Group Home: means a *building* or *buildings*, licensed or approved under any provincial statute, in which not more than four (4) *persons* live as a single housekeeping unit under responsible supervision, but does not include a *dwelling unit* occupied for the purpose of providing shelter for *persons* on parole or released from penal institutions, or for *persons* ordered to reside there as a result of conviction of a criminal offence.
- 4.66 G.S.C.: means the Geodetic Survey of Canada.
- 4.67 Guest Room: means a room or suite of rooms used or maintained for the accommodation of the public, which contain no *cooking facilities*.
- 4.68 Height: means, when used with reference to a *building*, the vertical distance between the average grade at the front of a *building*, and in the case of:
- a) a flat roof - the highest point of the roof surface or the parapet, whichever is greater,
  - b) a mansard roof - the *deck* roof line,
  - c) a gable, hip or gambrel roof - the mean distance between the eaves and the ridge; and,
  - d) an "A" frame - one and one half times the mean distance between the eaves and the ridge,
- and in the case of a *lot* zoned WF1 – WF5 inclusive, when used with reference to a *building*, the vertical distance between the finished grade at the front of a *building* or the average grade at the front of a *building* whichever is lesser, and in the case of:
- e) a flat roof – the highest point of the roof surface or the parapet, whichever is greater;
  - f) a mansard roof – the *deck* roof line;
  - g) a gable, hip or gambrel roof – the mean distance between the eaves and the ridge;
  - h) a gable, hip or gambrel roof where the slope of the roof exceeds a ratio of 1:1 – one and one half times the mean distance between the eaves and the ridge; or
  - i) an "A" – frame construction - one and one half times the mean distance between the eaves and the ridge.

- 4.69 High Water Mark: In the case of Georgian Bay means 176.44 metres G.S.C. above sea level. In all other cases means the normal water mark of any water at the time of the original surveys of the geographic *Township* unless altered by the construction of a dam or dams belonging to any municipal, provincial or other public authority, in which case the measurement shall be from the *high water mark* as controlled by such dam or dams.
- 4.70 Home Industry: means a gainful occupation including but not limited to an *animal hospital*, electrical, woodworking, window frame, welding, plumbing, machine or auto repair shop, or blacksmith, conducted in whole or in part in an *accessory building* to a *single detached dwelling* house.
- 4.71 Home Occupation: means a gainful occupation conducted entirely within a *single detached dwelling*.
- 4.72 Hospital: means an institution as defined by the *Public Hospitals Act*.
- 4.73 Hotel: includes a commercial establishment other than a *boarding house*, catering primarily to the travelling public by supplying overnight sleeping accommodation with or without meals.
- 4.74 Human Habitation: means a *building, trailer* or shelter that is used for the occupation of a *person* or *persons* on a permanent or temporary basis that includes areas for sleeping, sitting or relaxing that may include appliances, cooking or refrigeration, but does not include an area used exclusively for the storage of goods or materials.
- 4.75 Hunt Camp: means any land or *buildings*, other than a *dwelling unit* which are used solely for the incidental habitation of *persons* angling or hunting wildlife.
- 4.76 Institution: means any *building* or *structure* or part thereof used for a non-commercial purpose by any organization, group or association for the promotion of charitable, educational or benevolent objects, but does not include a mental health centre or place of detention.
- 4.77 Island: means a parcel of land which is capable of being conveyed and is entirely surrounded by water.
- 4.78 Kennel: includes a place where dogs and/or other animals other than livestock are bred and raised, or are sold or kept for sale, boarded, or trained.
- 4.79 Kitchen: means a room or part of a room where food is stored or prepared or cooked.
- 4.80 Land Division Authority: means the agency responsible for approving consents and/or plans of subdivision under the *Planning Act*.
- 4.81 Landscaping: means any combination of trees, shrubs, flowers, grass or other horticultural elements, together with decorative stonework, paving, screening or other architectural elements, all of which is designed to enhance the visual amenity of a property and/or to provide a screen to mitigate any objectionable aspects that may detrimentally affect adjacent land.
- 4.82 Lane: means a public thoroughfare which affords a secondary means of access to abutting *lots*, but does not include a *street* or *private road* or right-of-way.
- 4.83 Lodge: means a *tourist establishment* that has facilities for overnight sleeping accommodation, serving meals and furnishes equipment, supplies or services to *persons* in connection with angling, hunting, camping or recreational purposes.
- 4.84 Lot: means a single, separate parcel of land which is capable of being conveyed, whether such a parcel is described in a registered deed or is shown in a registered plan of subdivision, including any of its parts which are subject to right-of-way or easement.
- 4.85 Lot Area: means the total horizontal area within the *lot lines* of a *lot*.

- 4.86 *Lot, Corner*: means a *lot* situated at the intersection of and abutting upon two or more roads.
- 4.87 *Lot Coverage*: means the area of a *lot*, or in the case of a *lot* zoned for commercial use means the area of the *lot* zoned for commercial use, which is covered by the *ground floor area* of any *buildings* or *structures* measured from the face of the building, including *accessory buildings* or *structures*, including the *ground floor area* of any *accessory building* or *structure* constructed over the Crown lake bed, but not including a *deck*, a *dock* or a *sewage system*. *Lot coverage* shall include the portion of any overhang of an eave in excess of 1 metre.
- 4.88 *Lot Depth*: means the horizontal distance between the *front* and *rear lot lines*. Where the *front* and *rear lot lines* are not parallel, it shall be the length of a straight line joining the mid-points of these lines. Where the *side, front* and *rear lot line* are not determinable, the *lot depth* shall be the maximum separation between any two points on the boundary of the *lot*.
- 4.89 *Lot Frontage*: means the horizontal distance between the *side lot lines* measured along the *front lot line*, but where the *front lot line* is not a straight line, or where the *side lot lines* are not parallel, the *lot frontage* is to be the greater of the horizontal lengths of:
- a) the chord of the *lot frontage*, or
  - b) the line extending between the *side lot lines*, lying parallel to the chord of the *lot frontage*, and back from it a distance equal to the minimum *front yard* permitted in each zone.

For the purpose of this paragraph, the chord of the *lot frontage* is a straight line joining the two points where the *side lot lines* or the lines extended from the *side lot lines* intersect *the front lot line*; and

In the case of a *lot* zoned WF1 to WF5 inclusive, the horizontal distance between the *side lot lines* measured along the *front lot line*, but where the *front lot line* is not a straight line, or where the *side lot lines* are not parallel, the *lot frontage* is to be the greater of the horizontal lengths of:

- c) the chord of the *lot frontage*, or
- d) the line extending between the *side lot lines*, lying parallel to the chord of the *lot frontage*, and back from it a distance equal to the minimum *front yard* permitted in each zone.

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

For the purpose of this paragraph, the chord of the *lot frontage* is a straight line joining the two points where the *side lot lines* or the lines extended from the *side lot lines* intersect *the front lot line*.

- 4.90 *Lot Line*: means any boundary of a *lot* or the vertical projection thereof.
- 4.91 *Lot Line, Front*: means, in the case of an interior *lot*, the line dividing the *lot* from the road. In the case of a *corner lot*, the shorter *lot line* abutting a road shall be deemed to be the *front lot line* and the longer *lot line* abutting the road shall be deemed to be a *side lot line*. In the case of a *through lot*, the *front lot line* shall be where the principal access to the *lot* is provided. In the case of a *lot* with water *frontage* on a *navigable waterway*, the *front lot line* shall be the *high water mark* of the *navigable waterway*. In the case of a *lot* fronting on a road allowance or Crown Reserve along the shore of a *navigable waterway*, the *front lot line* shall be measured between the points where two straight lines extended from the intersection of the *side lot lines* with the inner limit of that *original shore road allowance* or Crown Reserve intersect with the *high water mark* at an angle of 90 degrees.
- 4.92 *Lot Line, Rear*: means the *lot line* opposite the *front lot line*.
- 4.93 *Lot Line, Side*: means any *lot lines* other than the *front lot line* and the *rear lot line*.

- 4.94 *Lot, Through*: means a *lot* bounded on two opposite sides by *streets* or *navigable waterways*.
- 4.95 *Manufacturing*: means the use of land, *building* or *structure* designed for the purpose of manufacturing, assembly, making, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, warehousing or storing or adapting for sale of any goods, substances, articles, things or services, but shall not include an *obnoxious use*, mine, *pit* or *quarry*.
- 4.96 *Marina*: includes *buildings*, *structures* or lands containing docking facilities and *vehicle parking areas*, and where *boats* and *boat* accessories are built, stored, serviced, repaired or kept for sale or where facilities for the sale of marine fuels and lubricants may be provided. Such an establishment may include facilities for mooring, storing and fuelling float-equipped aircraft.
- 4.97 *Minister*: means the Minister responsible for the administration of the *Planning Act*.
- 4.98 *Mobile Home*: means any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more *persons*, but does not include a travel *trailer* or *tent trailer* otherwise designed.
- 4.99 *Motel*: includes a commercial establishment other than a *boarding house*, catering primarily to the travelling public by supplying overnight sleeping accommodation with or without meals.
- 4.100 *Motor Vehicle*: means an automobile, truck, motorcycle, motorised snow *vehicle*, or any other *vehicle* propelled or driven other than by muscular power but does not include cars of electric or steam railways, or other *motor vehicles* running only upon rails, or a traction engine, *farm* tractor, self-propelled implement of husbandry or road building machine within the meaning of the *Highway Traffic Act*.
- 4.101 *Navigable Waterway*: means any body of water which is capable, in its natural state or normal water level, of being navigated by floating vessels of any description for the purposes of transportation, recreation or commerce so long as such navigation does not negatively impact the aquatic environment of that body of water; it also includes a canal and any other body of water created or altered for public use as a result of the construction of any work, as well as any waterway where the public right of navigation exists by dedication of the waterway for public purposes or by the public having acquired the right to navigate through long use.
- 4.102 *Non-Complying*: means a use, *building* or *structure*, permitted by the provisions of the zone in which such use, *building* or *structure* is located, which does not meet the zone provisions with respect to *yards*, *lot area*, frontage, parking, *setbacks*, or any other provisions of this By-law.
- 4.103 *Non-Conforming*: means a use, *building* or *structure* not permitted by the use provisions for the zone in which such use, *building* or *structure* is located, as of the date of passing of this By-law.
- 4.104 *Nursing Home*: includes a home as defined by the *Nursing Homes Act* for the care of elderly or chronically ill *persons*.
- 4.105 *Nursery School*: includes a *day nursery* within the meaning of the *Day Nurseries Act*.
- 4.106 *Obnoxious Use*: means a use, trade, business or manufacture that is offensive within the meaning of the *Public Health Protection and Promotion Act*.
- 4.107 *Park, Private*: means any open space or recreational area, other than a *public park*, owned and operated or maintained in whole or in part for profit by a private club or fraternal organization for members only, and may include therein one or more swimming, wading and *boat* facilities, picnic areas, ski areas, gardens or refreshment rooms.
- 4.108 *Park, Public*: means any open space or recreational area, owned or controlled by the *Township* or other Authority established under any statute of the Province of Ontario and may include athletic

fields, field houses, community centres, bleachers, *swimming pools*, greenhouses, botanical gardens, zoological gardens, bandstands, skating rinks, tennis-courts, bowling greens, *boat liveries*, *boat ramps*, *boat docks*, bathing stations, curling rinks, refreshment rooms, *fairgrounds*, arenas, *tent* or *trailer camp* or park, *golf courses*, or similar uses.

- 4.109 Parking Area: means an area provided for the parking of *motor vehicles* and may include aisles, *parking spaces* and related ingress and egress *lanes* or a *private garage*, but does not include any part of a road or a *street*.
- 4.110 Parking Lot: means a *parking area* operated by either a private or public organization for public use.
- 4.111 Parking Space: means an area for the temporary parking or storage of *motor vehicles*, and may include a *private road*.
- 4.112 Person: means a *person* as defined in the *Interpretation Act*.
- 4.113 Pit: means any pit or excavation made for the purpose of searching for, or the removal of any natural occurring soil, earth, clay, marl, sand, gravel or rock for commercial purposes but does not include an excavation incidental to the construction or alteration of a *building* for which a building permit has been granted or a *wayside pit* as defined herein. A pit does not include any excavation requiring blasting; washing; crushing or processing of earth materials.
- 4.114 Pit or Quarry, Wayside: means a temporary excavation from which sand, gravel, bedrock or earth fill material is removed by:
- a) a public authority for its own use in maintaining local roads and highways and for land fill sites;
  - b) by a *person* issued a permit from the appropriate government authority to extract material from *Crown land*.
- 4.115 Place of Entertainment: means a *building*, *lot*, or *structure* for a motion picture or other theatre, arena, curling rink, auditorium, public hall, billiard or pool room, bowling alley, video arcade, ice or roller skating rink, dance hall or music hall; but does not include any *place of entertainment* otherwise defined or classified in this By-law.
- 4.116 Point of Intersection: means the point at which two *street lines* abutting a *corner lot* intersect or if the two *street lines* meet in a curve then it is the point at which the projection of the two lines abutting the two *streets* intersect.
- 4.117 Porch: means a *structure*, abutting a *building*, having a roof but with walls that are open and unenclosed.
- 4.118 Portable Asphalt Plant – means a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material and includes stockpiling and storage of bulk materials used in the process, which is not of permanent construction but is designed to be dismantled and moved to another location as required.
- 4.119 Provincial Highway: means a *street* under the jurisdiction of the Province.
- 4.120 Quarry: means an excavation of rock or other earthen materials that includes blasting and/or washing and/or processing of the blasting materials and may include rock crushing.
- 4.121 Restaurant: means a *building* or part of a *building* where food is offered for sale or sold to the public with or without a license to sell alcoholic spirits issued by the Liquor Licensing Board of Ontario.

- 4.122 Road, Private: means any roadway that allows for the passage of a conventional passenger vehicle, but does not include a public road or public highway as defined in the *Municipal Act*.
- 4.123 Salvage Yard: means land or *buildings* used for a wrecking yard or premise, the keeping and/or storing, of used *motor vehicles*, *farm* implements, building products, waste paper, rags, bones, bottles, bicycles, tires, old metal, other scrap material or salvage and where such materials are bought, sold, exchanged, baled, packed, disassembled or handled for further use.
- 4.124 Satellite Dish: means a *structure* used or intended to be used to receive broadcast signals, but does not include an antenna.
- 4.125 Sauna: means a *building* that is used for steam or dry heat baths, and not for *human habitation* and in the case of a *lot* zoned WF1 to WF5 inclusive, a *building* that is used for steam or dry heat baths, and not for *human habitation*, not exceeding 19 square metres in *floor area*."
- 4.126 School: means a school under the jurisdiction of a Board as defined by the Ministry of Education or Ministry of Colleges and Universities.
- 4.127 Service Shop: means a *building* or part of a *building*, whether used in conjunction with a *retail store* or not, for the performance of personal services such as a barber shop or beauty parlour, or for the servicing or repairing of articles, goods or materials, and in which no product is manufactured.
- 4.128 Setback: means the open, uncovered and unoccupied horizontal distance appurtenant to a *building* or *structure* on the *lot*.
- 4.129 Shop, Variety or Grocery: means a *building* or *structure* used for the performance of retail services provided that no repairing or *manufacturing* of articles, goods or materials is permitted in such *building* or *structure*.
- 4.130 Shore Road Allowance, Original: means an allowance for road made by the Crown surveyors, sixty-six feet in perpendicular width around the *shoreline* of some waterways.
- 4.131 Shoreline: means the point where the water meets the land regardless of the *high water mark*.
- 4.132 Short Term Accommodation: means the use of a dwelling or structure or any part thereof that operates or offers a place of temporary residence, lodging, or occupancy by way of general concession, lease, rental agreement or similar commercial arrangement for any period of less than thirty (30) calendar days, throughout all or any part of a calendar year. Short term accommodation shall not mean or include a motel, hotel, bed and breakfast establishment, commercial resort unit, or similar commercial or institutional use.
- 4.133 Sight Triangle: means the triangular space formed by two intersecting *street lines* and a line drawn from a point in one *street line* to a point in the other *street line*, each point being 12 metres measured along the *street line* from the *point of intersection* of the *street lines*.
- 4.134 Site Plan: means a scaled drawing prepared to illustrate the relation between the *lot lines* and the uses, *buildings* or *structures* existing or proposed on a *lot*, including such details as *parking area*, driveways, walkways, landscaped areas, *building area*, minimum *yards*, *building heights*, *floor area*, densities and areas for special uses.
- 4.135 Storage Shed: means, in the case of a *lot* zoned WF1 to WF5 inclusive, a detached *accessory building* used to store household items or equipment incidental to residential occupancy and such storage shed shall not exceed 54 square metres.
- 4.136 Store, Retail: means a *building* or part of a *building* where commodities or goods are sold to ultimate consumers for personal or household consumption, but it does not include any retail outlet otherwise classified or defined in this By-law.

- 4.137 *Storey*: means the portion of the *building* other than the *basement*, *cellar* or attic which lies between the surface of the floor and the surface of the next floor above it, or if there is no floor above it, then the space between such floor and the ceiling or roof next above it.
- 4.138 *Storey, First*: means, in the case of a *lot* zoned WF1 to WF5 inclusive, the *storey* with its floor closest to *natural grade* and having its ceiling more than 1.8 metres above *natural grade*.
- 4.139 *Storey, One Half*: means the portion of a *building* situated wholly or in part within the roof and in which there is sufficient space to provide a *height* between finished floor and finished dwelling of at least 2 metres over a *floor area* equal to at least 50 percent of the area of the floor next below.
- 4.140 *Street*: means a public highway or public road which affords the principal means of access to abutting *lots*, but does not include a *lane* or *private road*, right-of-way, or unopened road allowance.
- 4.141 *Street Line*: means the dividing line between a *street* or a road and a *lot*.
- 4.142 *Structure*: means anything constructed or *erected*, other than a *building*, and, for the purposes of this By-law, shall include a tennis court, *vehicle*, a *boat* when located on land or a *sewage system* in the case of any waterfront zone.
- 4.143 *Sewage System*: means a) a chemical toilet, an incinerating toilet, a recirculating toilet, a self-contained portable toilet and all forms of privy including a portable privy, an earth pit privy, a pail privy, a privy vault and a composting toilet system; b) a graywater system; c) a cesspool; d) a leaching bed; and e) a system which requires or uses a holding tank for the retention of hauled sewage at the site where it is produced prior to its collection by a hauled sewage system.
- 4.144 *Swimming Pool*: means any body of water located outdoors, contained by artificial means, and having a depth greater than 0.3 metres at any point, and used and maintained for the purpose of swimming, wading, diving, or bathing.
- 4.145 *Syrup Operation*: means the lands or *buildings* associated with the collecting, processing and *manufacturing* of syrup derived from trees indigenous to the lands on which the *buildings* or *structures* are located and which do not contain *buildings* or *structures* suitable for *human habitation*.
- 4.146 *Tavern*: see *Hotel*, *Motel* and *Restaurant*, Licensed defined herein.
- 4.147 *Tent*: means any kind of temporary shelter for sleeping that is not permanently fixed to land and that is capable of being easily moved, but does not include a *structure*.
- 4.148 *Tourist Establishment*: includes *buildings*, *structures* or uses intended primarily for the touring and vacationing public.
- 4.149 *Township*: means the Corporation of the Township of Carling.
- 4.150 *Trailer*: means any *vehicle* so constructed that it is suitable for being attached to a *motor vehicle* for the purpose of being drawn or propelled by the *motor vehicle*, and capable of being used for living, sleeping or eating accommodations, even if the *vehicle* is jacked-up or its running gear is removed.
- 4.151 *Trailer Camp*: means a commercial operation where *trailer* or *tent* sites are made available to the travelling public for temporary use during any year and are licensed by the *Township* and the Province.
- 4.152 *Trailer Park*: means an area, licensed by the *Township*, which is set aside for *trailers* which are being used for travel, vacation or recreational use on a seasonal basis where community laundry, social, local commercial and recreation facilities may be located, and where *mobile homes* are not permitted.

- 4.153 Vehicle: means a vehicle as defined in the *Highway Traffic Act*.
- 4.154 Warehouse: means a *building* or part of a *building* used for the storage and distribution of goods, wares, merchandise, substances or articles and may include facilities for a wholesale or retail commercial outlet, provided that they do not exceed 10 percent of the *gross floor area*, but shall not include a truck or transport terminal or *yard*.
- 4.155 Waste: means ashes, garbage, refuse, domestic waste, industrial waste, municipal refuse and such other wastes which may be designated pursuant to the *Environmental Protection Act*.
- 4.156 Waste Disposal Site: means any land and *accessory buildings* or *structures* thereto, upon, into or in which *waste* may be deposited or processed and for which a Certificate of Approval has been secured from the appropriate government authority.
- 4.157 Waste Transfer Station: means a parcel of land and *accessory buildings* or *structures* thereto used for the collection of *waste* for a temporary time until such *waste* may be transported, but does not include a *waste disposal site*.
- 4.158 Water Supply: means a distribution system of underground piping and related storage, including pumping and purification appurtenances owned and operated by the *Township* or the Provincial Government for public use.
- 4.159 Wetlands: means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of *wetlands* are swamps, marshes, bogs and fens.
- 4.160 Wetland, Provincially Significant: means an area identified as provincially significant by the Ministry of Natural Resources using evaluation procedures established by the province.
- 4.161 Wetland, Adjacent Lands: means the lands contiguous to a *Provincially Significant Wetland*.
- 4.162 Workshop: means, in the case of a *lot* zoned WF1 to WF5 inclusive, an *accessory building* or a portion of the *main building* which is used by the occupants of the *dwelling* for activities associated with hobbies, crafts, home repair and in which no business or service is conducted for profit and the maximum *floor area* of the shop is 56 square metres.
- 4.163 Yard: means an open, uncovered, unoccupied horizontal space appurtenant to a *building* or in the case of a *sewage system* the actual piping or system chambers.
- 4.164 *Yard, Front*: means a *yard* extending across the full width of the *lot* between the *front lot line* and the nearest part of the front vertical wall of any *building* or *structure* on the *lot*, with the exception of any encroachment permitted by this By-law. For the purpose of this section, a *sight triangle* shall be considered part of the *lot*.
- 4.165 *Yard, Rear*: means a *yard* extending across the full width of the *lot* between the *rear lot line* and the nearest part of any *building* or *structure* on the *lot*, with the exception of any encroachment permitted by this By-law.
- 4.166 *Yard, Side*: means a *yard* extending from the *side lot line* to the nearest part of any *building* or *structure* on the *lot*, with the exception of any encroachment permitted by this By-law.
- 4.167 *Yard, Exterior Side*: means a *side yard* immediately adjoining an open and maintained road or a 0.3 metres reserve abutting a road.
- 4.168 *Yard, Interior Side*: means a *side yard* other than an *exterior side yard*.

## SECTION 5 – GENERAL PROVISIONS

### 5.01 *Accessory Buildings and Structures*

- a) Where this By-law provides that land may be used or that a *building* or *structure* may be erected, altered or used for a purpose, that purpose shall be deemed to include any *accessory building* or *structure* or use incidental thereto. Subject to any general or specific provisions of this By-law, any *accessory building*, *structure* or use, excepting a *sewage system* and a *dock*, may only be established once the *main building*, *structure* or use has been established. For the purposes of this by-law, an *accessory building* cannot exceed the footprint of the *main building*.
- b) Except as may be provided elsewhere in this By-law, any *accessory buildings* or *structures* which are not part of the *main building* shall be erected behind the front line of the *main building* or shall comply with the *yard* requirements of the zone in which the *main building* is situated, whichever is lesser. Such *accessory building* or *structure* shall not exceed one storey, except for private residential detached garages which are permitted to be one and one half storey, where the half storey is used for the purposes of human habitation in the form of a sleeping cabin, subject to all other provisions of this by-law.
- c) Notwithstanding sub-paragraph (b) above, one sauna, one gazebo, or one storage shed, along with one pump house may be located in the front yard of any lot zoned for waterfront residential use, provided that the building or structure complies with all other provisions of this by-law.
- d) Notwithstanding sub-paragraph (b) above, a *dock* or wharf, may be located in the *front yard*, *side yard* or *rear yard* where a *lot* abuts a *navigable waterway*, provided that the *building* or *structure* complies with all other applicable provisions of this by-law and provided that the approval of any governmental authority having jurisdiction has been obtained and provided that any *docks* are not located closer than 6 metres to the *side lot line* and does not encroach upon said 6 metre side yard when the *lot* boundaries are extended into the water. This *setback* provision does not apply beyond 30 metres from the *shoreline*.
- e) Where an *accessory building* is used for a *Home Industry*, as defined in this By-law, such *building* shall be located on the *lot* at a *setback* from any abutting road or *street* which is 15 metres greater than the *setback* required by this By-law for the *main building* on the *lot*.
- f) The use of any *accessory building* or *structure*, other than a *sleeping cabin*, for *human habitation* is not permitted, except where a dwelling is a permitted *accessory use*. The use of any *accessory building* or *structure* for the keeping of animals, other than domestic pets, is not permitted in any Zone unless specifically authorized.
- g) Any lot zoned for residential use is permitted a maximum of one (1) sleeping cabin which is to be used for human habitation, including any sleeping cabin located above a detached garage, subject to all other provisions of this by-law. A sleeping cabin is permitted as a stand-alone structure or in the half-storey above a private residential detached garage.
- h) Notwithstanding the Maximum *Floor Area* for *Accessory Buildings*, in the case of a *lot* zoned WF1 to WF5 inclusive, 56 square metres of the *accessory building* entitlement or any portion thereof may be allocated to the main dwelling provided that the entitlement for an accessory entitlement shall be reduced by the area allocated to the main *dwelling*.
- i) Truck, Bus, Shipping Container Use prohibited – No *person* shall, in any Residential Zone, use any truck, bus, coach, streetcar body, railway car body, railway shipping container, or similar *structure* of any kind, for the purpose of an *accessory structure*.

- j) *Accessory building(s) or structure(s)* shall not be equipped with *cooking facilities*.
- k) *Accessory building(s), structure(s) or use(s)* may only be established after the *main building, structure or use* has been established.
- l) Notwithstanding any of the other provisions of this By-law, in the case of a *lot* zoned WF1 to WF5 inclusive, a storage *building* not exceeding 9.9 square metres of *floor area* and 3.5 metres in *height*, may be located in the *front yard* for the residential use of storing *boat* supplies and marine accessories subject to 1 metre front yard.
- m) Notwithstanding the definition of a storage *building*, an *accessory building* may include a storage/loft not in excess of 1.5 metres.

#### **5.02 Automobile Service Station and Gas Storage**

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

- a) the minimum distance between any portion of the pump island and any *lot line* shall be 6 metres; and
- b) where the *lot* is a *corner lot*, no portion of any pump island shall be located closer than 4 metres to the base of a *sight triangle*.
- c) no propane storage tank may be located closer than the greater of 6 metres or the requirement of the applicable code from the property line of any residential use or zone unless said tank is separated by an unpierced wall or fence of non-combustible construction having a minimum *height* of 1.75 metres above the level of the ground adjoining the tank.

#### **5.03 Bed and Breakfast**

A *bed and breakfast* is not permitted in any zone that is directly adjacent to a recreational waterbody.

New *bed and breakfast* uses will require a rezoning and be subject to the requirements for a *home occupation*.

#### **5.04 Boathouses and Boatports**

No *person* shall use land adjacent to or on a *navigable waterway* for the purpose of a *boathouse* or *boatport*.

#### **5.05 Bridges, Causeways and Watercrossings**

No *person* shall use any *lot* adjacent to a *waterway* for the purpose of *erecting* a *structure* or placing material for the construction of a roadway, walkway, *bridge* or causeway to join two *lots, islands* and/or parcels separated by navigable water without obtaining the appropriate authorization from any government authority having jurisdiction.

## 5.06 Buffer Areas

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

## 5.07 Building in a Built-up Area

Despite the *yard* and *setback* provisions of this By-law, where a permitted *building* and *structure* is to be *erected* on a *lot* in a built-up area where there is an *established building line*, such *building* or *structure* may be *erected* closer to the *front lot line* up to a maximum of ten metres than required by this By-law provided that such *building* or *structure* is not *erected* closer to the *front lot line* than the *established building line* on the date of the passing of this By-law. This provision does not apply to waterfront zones.

## 5.08 Buildings to Be Moved

No *building* or *structure* which would have required a *building* permit for its construction shall be moved to any location within the *Township* without the issuance of a *building* permit from the *Township*.

## 5.09 Building Repair or Reconstruction

### 5.09.1 Non-Complying Buildings

- (a) In the case of a *lot* zoned WF1 to WF5, nothing in this By-law shall prevent the enlargement, repair, reconstruction or replacement of a lawful *building* or *structure* that does not comply with the *yard*, *height* or coverage requirements of this by-law so long as the repair, enlargement or reconstruction of such *building* or *structure* does not further contravene the *yard* requirements.
- (b) Notwithstanding paragraph (a) above, in any zone except a *lot* zoned WF1 to WF5 inclusive, where a *dwelling unit* legally existed on a *lot* with inadequate frontage, depth or area requirements, it may be enlarged provided there is compliance with all other applicable provisions of this by-law.
- (c) The reconstruction or replacement of a *non-complying building* in a WF1 to WF5 zone inclusive may only be located on the footprint as the existing *building*.
- (d) Notwithstanding the provisions of 5.09.1 (a) above, where a *dwelling unit* encroaches upon the required *front yard* in a WF1 through WF5 zoning, the dwelling may be enlarged, repaired, replaced or renovated in that *yard* provided that the enlargement, repair, replacement or renovation does not further contravene the front yard and complies with the following:

Existing <i>Front Yard</i>	Maximum Allowable <i>Gross Floor Area</i> Increase
<5m	0
≥5m - <10m	50m <sup>2</sup>
≥10m - <15m	75m <sup>2</sup>
≥15m - <20m	100m <sup>2</sup>

Provided that all other applicable zone regulations and provisions are met.

- (e) Where the *gross floor area* of any *main building* exceeds the allowable square metres on the day of passing of this by-law, the allowable coverage for any *accessory building* or *structure* would continue to apply.

- (f) Where the size of any *accessory building* or *structure* exceeds the maximum area permitted under this by-law on the day of passing of this by-law, the excess will not be deducted from the *gross floor area* of the *main building*.
- (g) Legal *non-complying accessory buildings* or *structures* may not be enlarged or extended except where the enlargement or extension does not increase the *non-complying* feature and complies with all other applicable provisions of the by-law.
- (h) Nothing in this by-law will prevent the interior alteration of a legal *non-complying building* or *structure*.
- (i) A legal *non-complying* attached *deck* on a *main building* may be permitted to expand provided that there is no further encroachment on any *required yard* and the *deck* is less than 3 metres above final grade.

### 5.09.2 Non-Conforming Uses

#### (a) *Building* Repair and Reconstruction

Nothing in this By-law shall prevent the strengthening to a safe condition of a *building* or *structure* or the reconstruction of a *building* or *structure* or repair of minor damage to a *building* or *structure* that is a *non-conforming* use, provided that:

- (i) such repair or reconstruction does not further contravene the provisions of this By-law because of an increase in the *height*, size or volume, or by changing the use of such *building* or *structure*; and
- (ii) if the *building* is a *dwelling unit* in other than a residential zone, it shall comply with all of the requirements set out in the zone.

#### (b) Continuation of Existing Uses

The provisions of this By-law shall not apply:

- (i) to prevent the use of any land, *building* or *structure* for any purpose prohibited by this By-law if such land, *building* or *structure* was lawfully used for such purpose on the day of the passing of this By-law, so long as such land has been continuously used and continues to be used for that purpose; or
- (ii) to prevent the *erection* or use for a purpose prohibited by this By-law of any *building* or *structure* for which a permit has been issued under the *Building Code Act*, prior to the day of the passing of this By-law, so long as the *building* or *structure* when *erected* has been continuously used and continues to be for the purpose for which it was *erected* and provided the permit has not been revoked; and
- (iii) to prevent the alteration or enlargement of a residential *dwelling unit* or units lawfully existing at the day of passing of this By-law in a Commercial Zone, provided that the number of *dwelling units* is not increased and provided further that such alteration or enlargement is subject to all applicable general provisions and requirements of the Rural Residential (RR) Zone.

#### (c) *Non-Conforming Use*, Discontinued

Where a use, *building* or *structure* which was lawfully established prior to the day of the passing of this By-law has been used for a purpose not permitted in the zone in which it is situated but the said use has been intentionally discontinued, the said *building* or *structure* may only be used again for a use that conforms to this By-law.

(d) Continuation of *Farming Use*

Nothing herein contained shall prevent the continued use of any land, *building* or *structure* for *farming* purposes or any addition or extension of such use, provided that any additions or extensions comply with the requirements for the Rural (RU) Zone as to coverage, *yard* and *height* provisions.

(e) Change of Use

The use of a *lot*, *building* or *structure*, under the provisions hereof, which is a legal *non-conforming* use within the zone in which such *lot*, *building* or *structure* is located, shall not be changed except to a use which is permissible within such zone or where approved by the Committee of Adjustment and a permit has been obtained from the *Chief Building Official*.

**5.10 Connections between *Buildings***

*Buildings* are deemed to be attached if they are connected by a covered passageway, breezeway or roof in which case said *buildings* are considered a single *building*. If *buildings* and *structures* are connected by open air *decks* or where there is at least one metre of physical separation, said *buildings* and *structures* are considered detached.

**5.11 *Converted Dwelling, Basement or Accessory Apartment***

A *converted dwelling*, originally constructed as a *single detached dwelling* is permitted in any zone except the WF1 to WF5 zones provided that:

- (a) there is no substantial change in the external appearance of the dwelling;
- (b) the *converted dwelling* or apartment does not exceed 120 square metres;
- (c) in the case of a *basement* apartment, there shall be a separate entrance; and
- (d) compliance with all applicable by-law requirements.

**5.12 *Crown Land***

While it is recognized that this By-law may not apply to *Crown land*, the provisions of the by-law shall apply to any *Crown land* that is authorized to any private individual, corporation or organization by means of any patent, lease or permit where upon any general provisions or zone requirements shall apply.

**5.13 *Decks, Attached***

- (a) Where a *deck* is attached to the main dwelling, it may project into the required rear and *side yards* so long as a minimum 3 metre *yard* is maintained.
- (b) Any *deck* attached to an *accessory building* or *structure* may encroach into a *side yard* up to 2 metres provided said *decks* are not more than 3 metres above grade.
- (c) Any stairs, including landings, providing access on to and off of an attached *deck* may encroach in to a front or *side yard* provided that the maximum width of the stairs is 2 metres.

**5.14 *Decks, Detached***

Notwithstanding the *yard* and *setback* provisions of this By-law, in a Waterfront (WF) Zone a detached accessory *deck* may be located in the *front yard*, if the total area does not exceed 20

square metres and if the floor of the *deck* is no more than 2.0 metres above the average grade of the land over which it is located.

#### 5.15 **Docks, Residential**

- (a) No more than two *docks* are permitted for each property.
  - (b) *Islands* greater than 0.5 hectares may have up to three *docks*.
  - (c) All *docks* must have a minimum 6 metre *side yard* including the straight line extension of the *side yard* into the water up to a distance of 30m.
  - (d) No *dock* can exceed 30 metres in length perpendicular to the *shoreline*.
  - (e) No individual *dock* or *dock* system can exceed 100m<sup>2</sup>.
  - (f) The maximum cumulative area of all *docks* cannot exceed 200m<sup>2</sup>.
  - (g) The maximum cumulative width of any *dock* or *docks* cannot exceed 25 metres or 30 percent of the *lot frontage*, whichever is lesser.
  - (h) Walkways or stairways to the water's edge not exceeding 2 metres in width shall not be considered part of the total *dock* area.
  - (i) No *dock* shall extend more than 25% of the total distance across an adjacent waterway.
  - (j) All *docks* must be approved by the appropriate government authority where applicable.
  - (k) No lights shall be permitted on a *dock* unless the light is authorized or required by the appropriate government authority.
  - (l) A *dock* may be permitted in an Environmental Protection (EP) Zone where authorized by the appropriate government authority.
  - (m) A *dock* is permitted use on *Crown land* where it has been authorized.
  - (n) No *buildings* or *structures* are permitted on *docks* except as follows:
    - (i) *tent-like structures* for the purpose of shade protection consisting of canvas or plastic material with open sides that have a maximum area of 60 square metres, a maximum mean *height* of 2.4 metres; and where said *structures* are capable of being removed;
    - (ii) water slide not exceeding 3.0 metres in *height* and 5 metres in length;
    - (iii) a diving board not exceeding 1.0 meters in *height*.
- for the purpose of this section, *height* is measured from top of *dock* to peak of *structure*.
- (o) A *dock* is a permitted *accessory use* once the main use is established except that a *dock* is a permitted temporary use for vacant water access properties.
  - (p) A building permit will not be required for the seasonal storage of a *dock structure* or minor locational changes to accommodate fluctuating water levels.
  - (q) A marine railway will be subject to a 3 metres *side yard*.

#### **5.16 Dwelling Unit in a Non-Residential Building or on a Non-Residential Lot**

No *person* shall use any *lot*, or *erect*, alter or use any *building* or *structure* for the purpose of a separate *dwelling unit* on a *lot* zoned other than for residential or development use or within a portion of a non-residential *building* except in accordance with the following regulations:

- (a) Up to two *single detached dwelling units* shall be permitted with a private *water supply* and *sewage system*, where such have been approved by the appropriate authority.
- (b) The *dwelling unit* shall have a minimum *floor area* of 55 square metres.
- (c) The *dwelling unit* shall have a separate washroom or bathroom and *kitchen* facilities from those of the non-residential use.
- (d) The *dwelling unit* shall have a separate *parking space* as provided by this By-law.
- (e) The *dwelling unit* shall have a separate *building* entrance to that provided for the non-residential use.
- (f) The *gross floor area* of the residential portion of a non-residential *building* in a Commercial Zone shall not exceed 10 percent of the *lot area*.

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

#### **5.17 Dwelling Units Below Grade**

No *dwelling unit* shall in its entirety be located in a *cellar*. If any portion of a *dwelling unit* is located in a *cellar*, such portion of the dwelling shall be limited to use as a furnace room, laundry room, storage room, recreation room, or utility room or a similar use but shall not be used for sleeping accommodation.

#### **5.18 Existing Buildings on Lots with Inadequate Requirements**

Where a *dwelling unit* legally existed on a *lot* with inadequate frontage, depth or area requirements, it may be enlarged provided there is compliance with all other applicable provisions of this By-law.

#### **5.19 Fences**

A fence *erected* within the *Township* shall comply with the following provisions:

- (a) a fence is not permitted in the *front yard* of any WF1 to WF5 zone inclusive;
- (b) the maximum height of a fence will be 2 metres;
- (c) a fence is permitted in any *required yard* excepting paragraph (a) above; and
- (d) notwithstanding paragraph (b) above, the maximum height of a fence in a non-residential zone will be 3 metres.

#### **5.20 Frontage Requirements**

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

- (a) in a Waterfront Zone, a *seasonal dwelling unit* may front on a *navigable waterway*; and

- (b) or in a Rural (RU) or *Crown Land (CL) Zone*, a *hunting camp* or *syrup operation* may front upon a private right-of-way, *private road* or unopened road allowance or road over Crown Land provided there is a legal registered right-of-way, where applicable.

#### **5.21 Garden Suite**

Subject to the enactment of a site-specific temporary use by-law for a period not to exceed ten years under the Planning Act, one *garden suite* may be permitted in a separate *dwelling unit* accessory to a permitted main residential *building* on the same *lot* in any non-waterfront residential zone provided that the minimum *lot area* is 0.6 hectares and the maximum total *floor area* of the *garden suite* does not exceed 75m<sup>2</sup> and the maximum *height* is 6 metres and the *garden suite* is located behind the front *building line* of the *main building*.

#### **5.22 Gazebo**

Notwithstanding the frontage requirements set out in this By-law, a *gazebo* not exceeding 9.9m<sup>2</sup> of *floor area* and 3.5 metres in *height*, may be located in the required *front yard* subject to maintaining a minimum *front yard* of one metre.

#### **5.23 Georgian Bay Flood Elevation**

No new *buildings* or *structures* intended to be used for *human habitation* shall be permitted below the 178.3 metre elevation G.S.C. datum.

#### **5.24 Group Homes**

*Group homes* are permitted in any residential zone provided they are licensed by the appropriate authority and provided there is no existing *group home* within one kilometre.

#### **5.25 Height Exceptions**

Notwithstanding the *height* provisions of this By-law, nothing in this By-law shall apply to prevent the *erection* of:

- a silo
- a *church* spire
- belfry
- clock tower
- chimney
- water tank
- a windmill not exceeding 23 metres
- antenna
- communication towers
- solar panels
- a *Township* municipal *building* or *structure*
- flag pole
- forest observation tower
- hydro transmission line
- light standards
- lighting rods

#### **5.26 Home Occupations**

*Home occupations* where permitted by this By-law, are businesses that are conducted entirely within a residential dwelling on a residential property by *persons* residing therein subject to the following provisions:

- (a) the business must be clearly secondary to the residential use;

- (b) there is no external display or advertising other than a sign *erected* in accordance with the *Township's* sign by-law;
- (c) there is no external storage of goods, materials or equipment;
- (d) not more than 25 percent of the *floor area* of the residence is used for the *home occupation* use;
- (e) the business must be conducted by the *persons* residing in the residents with no more than two employees;
- (f) the provision of adequate parking;
- (g) no noise, dust or other nuisances resulting from business; and
- (h) in a WF1 through WF5 zone, the *home occupation* is limited to an office, accountant, lawyer, hairdresser or any such similar business.

### **5.27 Home Industry**

Home industries where permitted by this By-law, are businesses that reflect small scale industrial-type uses conducted on non-waterfront residential and rural properties subject to the following provisions:

- (a) such uses shall include contractor, woodworkers, welding, machine shop, body shop, auto or marine repair;
- (b) there is no external advertising other than a sign *erected* in accordance with any by-law of the *Township* regulating signs;
- (c) there is no external storage of goods, materials or equipment;
- (d) such *home industry* is not an *obnoxious use*;
- (e) such *home industry* is clearly secondary to the main residential use and does not change the residential character of the *dwelling unit* or *lot*;
- (f) not more than five *persons*, other than the owner, are employed therein on a full-time basis;
- (g) the *lot* shall not have less than 60 metres of road frontage and 0.5 hectares of area;
- (h) where an *accessory building* is used for a *Home Industry*, as defined in this By-law, such *buildings* shall be located on the *lot* at a *setback* from any abutting road or *street* which is 15 metres greater than the *setback* required by this By-law from the *main building* on the *lot*;
- (i) the maximum *floor area* of the *home industry* does not exceed 200m<sup>2</sup>.

### **5.28 Hunt Camps**

*Hunt camps* are permitted in any zone except the Environmental Protection (EP) and the Flood Plain (FP) Zones subject to a minimum *building* size of 10 square metres and a maximum *building* size 50 square metres or in the case of a WF Zone, in accordance with the requirements.

### 5.29 **Island Requirements**

Notwithstanding the provisions of this By-law, a one owner *island* shall be deemed to conform to the *lot area*, frontage and depth requirements of this By-law if it has an area of 2500 square metres or more above the *high water mark*.

### 5.30 **Keeping of Animals**

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

### 5.31 **Kennels**

A *kennel* is only permitted in a rural, commercial or industrial zone. The minimum separation distance between a *kennel* and any residential dwelling shall be 150 metres.

### 5.32 **Landscaped Buffer Area**

Wherever this By-law requires a landscaped or buffer area, such area will consist of an area free of *buildings* and *structures* solely for the growing, preservation or maintenance of natural vegetation.

### 5.33 **Loading Space Regulations**

- (a) Loading Space Requirements: The owner or occupant of any *lot*, *building* or *structure* erected or used for any purpose involving the receiving, shipping, loading or unloading of *persons*, animals, goods, wares and merchandise and raw materials, shall provide and maintain at the premises of the *lot* occupied by the *building* or *structure* and not forming part of a *street* or *lane*, within the zone in which such use is located, one loading or unloading space 10 metres long, 3.5 metres wide and having a vertical clearance of at least 4 metres for each 450 square metres of *floor area* of the *building* or *structure* provided, however, that adequate space shall be provided for the parking of *vehicles* awaiting access to loading spaces and the manoeuvring of same within the *lot area*. No loading space will be required for *buildings* less than 450 square metres of *floor area*.
- (b) Access: Access to loading or unloading space shall be by means of a driveway at least 6 metres wide.
- (c) Loading Space Surface: The driveways, loading and unloading spaces shall be constructed and maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles and with provisions for drainage facilities.
- (d) Location: The loading space or spaces required shall be located in the interior side or *rear yard* unless set back from the *street line* a minimum distance of 25 metres.
- (e) Insufficient Loading Space: When a *building* or *structure* has insufficient loading space at the date of passing of this By-law to comply with the requirements herein, this By-law shall not be construed to require that the deficiency be made up prior to the construction of any addition. No addition may be built however, and no change of use may occur, the effect of which would be an increase in that deficiency.

### 5.34 **Lots Having Less Area, Depth, or Frontage Than Required**

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

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

- (b) a *lot* on a registered plan of subdivision; or
- (c) a *lot* created as a result of a subdivision or consent granted by the *Land Division Authority* under the provisions of the *Planning Act*; or
- (d) created as a result of an expropriation or other land acquisition by Her Majesty the Queen in right of Ontario or Canada or any Crown agency or corporation, or any municipality, or any other authority having statutory powers of expropriation; and
- (e) where such a *lot* has a frontage of at least 30 metres, and a depth of at least 60 metres, or an area of at least 1,800 square metres, such *lot* shall be deemed to conform to the area, frontage and depth requirements of this By-law.

### **5.35 Lights**

No *person* shall *erect* or use an outside light fixture in any zone except in conformity with the provisions contained in any by-law of the *Township* regulating lights and in conformity with the following provisions:

- (a) flashing lights other than navigational lights are prohibited;
- (b) lights may not be used where they would conflict with navigation;
- (c) all lights installed for the purpose of navigation, must be approved by the appropriate authority having jurisdiction;
- (d) lights used to illuminate *structures* or property shall be arranged to direct light away from adjacent premises, roads and waterways;
- (e) all external lights shall be *dark sky compliant*.

### **5.36 Measurement of *Lot* or *Island* Area**

For the purpose of calculating the *lot area* of any *lot* fronting upon, or *island* located in a *navigable waterway*, the water level to be used shall be the *high water mark*.

### **5.37 Mining**

No *person* shall use any land, or *erect, alter* or use any *building* or *structure* for the purpose of extracting any minerals unless a permit has been issued under the *Mining Act*.

### **5.38 *Mobile Home***

No *person* shall *erect, locate* or use any *mobile home* or homes.

### **5.39 Multiple Zones**

Where a *lot* is divided into more than one zone, each portion of the said *lot* shall only be used in accordance with the *Zone Regulations* governing that portion.

### **5.40 Multi-Storey Dwelling**

No residential dwelling including *seasonal dwellings* shall exceed two *storeys* in *height* not including the *basement*.

### **5.41 Number of Dwellings on One *Lot***

Only one *dwelling unit* shall be permitted on any *lot*, except:

- (a) In a Rural (RU) Zone, notwithstanding the zone requirements, an additional dwelling and *accessory buildings* thereto, is permitted where the *lot* is greater than 25 hectares in area. Such additional dwelling shall have the same *yard* requirements and shall use the same driveway or entrance way as the principal dwelling on the *lot*;
- (b) in a Waterfront Zone, an additional detached *seasonal dwelling* and *accessory buildings* thereto is permitted on a *lot* having an area of at least 1.2 hectares in a WF1, WF3, WF4, WF5 Zone and at least 1.6 hectares in a WF2 Zone; and a frontage of 200 metres or greater provided there is a minimum separation of 60 metres between dwellings and further provided the second dwelling is equipped with its own separate sewage disposal system approved by the appropriate authority; and
- (c) On application for a *building* permit to construct an additional dwelling as permitted by subsection (a) and (b), the applicant shall file with the *Chief Building Official* a *site plan* showing the portion of the *lot* which is appropriated to each of the proposed dwellings and each such portion must comply with the zone requirements of the zone in which the *lot* is located. The effect of this section is to require that each portion comply with the requirements of this zoning by-law in the event of an application for severance.

**5.42 Occupation of Unserviced Building**

No *building* shall be used for *human habitation* before the approved sanitary facilities have been installed and made fully operational.

**5.43 Outdoor Woodstoves**

Outdoor woodstoves shall only be permitted on lands in the Rural (RU) Zone and subject to the following provisions:

- (a) outdoor woodstoves may only be permitted in the *rear yard*;
- (b) outdoor woodstoves must be a minimum of 5 metres from any property line;
- (c) outdoor woodstoves shall not be located any closer than 15 metres to any existing residence;
- (d) outdoor woodstoves shall not be located any closer than 5 metres from any *building* or *structure*; and
- (e) the minimum flue or chimney height for any outdoor wood stove shall be 5.0 metres.

**5.44 Parking Area Regulations**

*Parking spaces* and areas on all *lots* (excepting water access *lots*) are subject to the following provisions.

- (a) *Parking Space* Requirements

RESIDENTIAL

<u>Type of Building/Use</u>	<u>Minimum Parking Required</u>
<i>Single Detached Dwellings</i>	1 <i>parking space</i> , 1 garage or <i>carport</i>
Two or More Dwellings	1.5 <i>parking spaces</i> for each unit
<i>Home Occupation</i>	1.0 <i>parking space</i> for each 100m <sup>2</sup>
<i>Home Industry</i>	1 <i>parking space</i> for each 200m <sup>2</sup>
<i>Group Home</i>	1 <i>parking space</i> for each staff

## NON-RESIDENTIAL

<u>Type of Building/Use</u>	<u>Minimum Parking Required</u>
Arena	1 <i>parking space</i> for each 6 seats
B&B	1 per each B&B unit plus 1 per dwelling
Banquet Hall	1 <i>parking space</i> for each 5 seats
Body Shop	3 spaces per bay
Business office	1 <i>parking space</i> for each 30m <sup>2</sup> of <i>floor area</i>
Campground	1 <i>parking space</i> for each site
Church	1 <i>parking space</i> for each 5 seats
Clinic	5 <i>parking spaces</i> for each practitioner
Contractors	1 <i>parking space</i> for each 50m <sup>2</sup> of <i>floor area</i>
Equipment Rental	1 <i>parking space</i> for each 50m <sup>2</sup> of <i>floor area</i>
Farmers Market	1 <i>parking space</i> for each 0.5 vendors or vendors booths
Golf Course	1 <i>parking space</i> per hole
Hotel/Motel	1 <i>parking space</i> for each suite
Industrial	1 <i>parking space</i> for each 100m <sup>2</sup> of <i>floor area</i>
Institution	1 <i>parking space</i> for each 350m <sup>2</sup> of <i>floor area</i>
Laundromat	1 <i>parking space</i> for each 20m <sup>2</sup> of <i>floor area</i>
Marina	1.75 <i>parking spaces</i> per slip
Nursery	1 <i>parking space</i> for each 50m <sup>2</sup> of <i>floor area</i>
Office	1 <i>parking space</i> for every 10m <sup>2</sup>
Place of Assembly	1 <i>parking space</i> for each 6 seats
Place of Entertainment	1 space per each seat
Private Club	1 <i>parking space</i> for each 150m <sup>2</sup> of <i>floor area</i>
Resort	1 <i>parking space</i> for each unit or suite
Resort	1 <i>parking space</i> per unit or cottage
Restaurant	1 <i>parking space</i> for each 20m <sup>2</sup> of <i>floor area</i>
Retail	1 <i>parking space</i> for each 10m <sup>2</sup> of retail space
School	1.5 <i>parking space</i> for each classroom
Self Storage	1 <i>parking space</i> for each 40m <sup>2</sup> of <i>floor area</i>
Truck/Bus Terminal	1 <i>parking space</i> for each 20m <sup>2</sup> of <i>floor area</i>
Warehouse	1 <i>parking space</i> for each 100m <sup>2</sup> of <i>floor area</i>
Workshop	1 <i>parking space</i> for each 30m <sup>2</sup> of <i>floor area</i>

### (b) *Parking Area* Requirements

*Parking Area* Requirements: *Parking areas* shall conform to the following requirements:

- (i) the *parking area* shall be located on the same *lot* as the use it is intended to serve, except in the case of a water access *lot* where the *parking area* shall be located within the *Township* in a zone where such use is permitted by this By-law or within 500 metres of the *lot* it is intended to serve in the case of a commercially zoned property;
- (ii) each *parking space* shall be at least 3 metres by 6 metres and shall be provided with unobstructed access to a *street* directly or by way of a driveway, aisle, *lane* or *private road*;
- (iii) a *parking area* designed to serve water access *lots* shall have a minimum area of 100 square metres for each *lot* to be served and no parking shall be permitted within 15 metres of the *high water mark* or within 6 metres of any *side lot line* abutting a *lot* in a Residential Zone and be owned or leased by or registered on title to the water access land owner.

- (c) *Parking Area* Surface: In a Commercial or Industrial Zone, a *parking areas* and driveways or aisles connecting the *parking areas* with a *street* shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles. The *parking area* shall, before being used, be constructed of crushed stone, slag, gravel,

crushed brick (or tile), cinders, asphalt, concrete, Portland cement binder or like material and with provisions for drainage facilities which have been designed and constructed so as to prevent erosion, or washout of such *parking area*, driveways or aisles and the carrying of soil, sand or sediment into an adjacent waterway.

- (d) Ingress and Egress
  - (i) Ingress and egress, to and from the required *parking spaces* and areas shall be provided by means of unobstructed driveways or passageways at least 4 metres but not more than 10 metres in perpendicular width.
  - (ii) The maximum width of any joint ingress and egress driveway ramp measured along the *street line* shall be 10 metres.
  - (iii) The minimum distance between a driveway and an intersection of *street lines* measured along the *street line* intersected by such driveway shall be 7 metres.
  - (iv) The minimum angle of intersection between a driveway and a *street line* shall be 60 degrees.
  - (v) Every *lot* shall be limited to the following number of driveways:
    - 1) up to the first 30 metres of *frontage* - not more than 2 driveways; and
    - 2) for each additional 30 metres of *frontage* - not more than 1 additional driveway.
  - (vi) A driveway serving an individual *lot* must maintain a one metre *setback* from any *side yard*.
- (e) Illumination: Where *parking areas* are illuminated, lighting fixtures shall be so arranged that no part of any fixture shall be more than 8 metres above the finished grade of the *parking area*. Fixtures shall be so designed and installed that the light is directed downward and deflected away from adjacent *lots*, roads and *streets*.
- (f) Addition to *Building* or *Structure*: When a *building* or *structure* has insufficient *parking area* at the date of passing of this By-law, this By-law shall not be construed to require that the deficiency be made up prior to the construction of any addition. No addition may be built, however, and no change of use may occur, that would have the effect of exacerbating that deficiency.
- (g) Use of *Parking Spaces* and *Areas*: Any area where parking is permitted under this By-law shall be used for no other purpose than for the parking of *vehicles* bearing currently valid license plates.
- (h) *Parking Area* on *Lot*: Notwithstanding the *yard* and *setback* provisions of this By-law, uncovered surface *parking areas* in other than residential zones, shall be permitted in the *required yard* or in the area between the road or *street line* and the required *setback* provided no part of any *parking area*, other than a driveway, is located closer than 1 metre to any road or *street line*. In residential zones, no parking shall be permitted in the *required front yard* of any *lot* except on a driveway of 6 metres maximum width.

#### 5.45 Permitted Encroachments

- (a) Ornamental *Structure*: Notwithstanding the *yard* and *setback* provisions of this By-law to the contrary, sills, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters or other ornamental *structures* may project into any *required yard* a maximum distance of 1 metre.

- (b) *Accessory Structure*: Notwithstanding the *yard* and *setback* provisions of this By-law to the contrary, drop awnings, clothes poles, flag poles, garden trellises, fences, retaining walls, or similar accessory *structures* shall be permitted in any *required yard*.
- (c) *Balcony, Patio, or Attached Deck*: Notwithstanding the *yard* and *setback* provisions of this By-law to the contrary, a balcony, patio, or *deck* may project into any *required front yard* a maximum distance of 5 metres and 2 metres in any *side yard* and further provided that such uses are not more than 3 metres above average grade.
- (d) *Fire Escape*: Notwithstanding the *yard* and *setback* provisions of this By-law to the contrary, an unenclosed fire escape and the structural members necessary to its support, may project into any *required yard* a maximum distance of 1 metre.
- (e) *Railway Spur in Industrial Zone*: Notwithstanding the *yard* and *setback* provisions of this By-law to the contrary, in an Industrial Zone a railway spur shall be permitted within any *required yard* or in the area between the *street line* and the *required setback*.
- (f) Any gate, entrance, or fence may encroach in any *required yard*, except in any waterfront zone.

#### **5.46 Pits and Quarries**

The making, establishment or operation of any new *pit or quarry*, except *wayside pits*, is prohibited except in the locations permitted and in accordance with the express provisions of this By-law. No *person* shall use land, *erect*, alter or use any *building or structure* for the purpose of processing, washing, sorting, screening or crushing rock, gravel or sand except as permitted by this By-law.

Any *pit or quarry* permitted by this By-law shall be required to comply with any license issued under the Aggregate Resources Act.

#### **5.47 Prohibited Uses**

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

- (a) any *obnoxious use* or noxious trade as defined under any Act;
- (b) *boathouses* and *boatports* located on any *navigable waterway*;
- (c) *buildings* or *structures* on *docks* except for those specifically permitted;
- (d) containers used as temporary or permanent accessory *structures* in any waterfront or Bayview zone;
- (e) *campsite, tent*, trailers or camping on vacant rural or residential *lots*;
- (f) a track for the racing of *motor vehicles*, motor cycles or snowmobiles;
- (g) pits and quarries except those licensed under the Aggregate Resources Act;
- (h) commercial or industrial wind turbines except those approved or licensed in accordance with any applicable legislation;
- (i) storage on vacant lands; and
- (j) *private roads* and driveways in provincial significant wetlands (EP1 Zones); and
- (k) short term accommodation in any residential zone.

#### **5.48 Public Uses**

Nothing in this By-law shall prevent any land, *building* or *structure* from being used:

- (a) as a public park, playground, road allowance, or as a site for a public statue, monument, cenotaph, fountain or other memorial or ornamental *structure*; or
- (b) by the *Township* or by any local board thereof, by any communications or gas company, or by any Department of the Government of Ontario or Canada, including Hydro One, provided that:
  - (i) no goods, material or equipment shall be stored in the open;
  - (ii) the *lot coverage* and *yard* regulations prescribed for the zone in which the public use is located shall be complied with; and
  - (iii) any *building erected* under the authority of this paragraph shall be designed and maintained in general harmony with the surrounding *buildings*.

#### **5.49 Pump House**

A pump house is a permitted use in a *required yard* provided that said pump house does not exceed 6m<sup>2</sup> in *floor area* and 2 meters in *height*.

#### **5.50 Sauna**

A *sauna* not exceeding 9.9m<sup>2</sup> of *floor area* is a permitted use in the *front yard* of any *lot* zoned for residential use subject to a maximum *height* of 3.5 metres subject to maintaining a minimum *front yard* of 1 metre.

#### **5.51 Septic System**

In the case of a *lot* in the Waterfront Residential 1 (WF1) through Waterfront Residential 5 (WF5) Zones, a septic system shall be considered a *building* for the purpose of any required *front yard*.

#### **5.52 Setbacks From EP Zones**

All *buildings* and *structures* must be *setback* a minimum of 5 metres from any EP, EP1 or EP2 Zone.

#### **5.53 Shore Road Allowance, Original as Part of Lot**

Where an *original shore road allowance* or Crown Reserve exists in front of any *lot*, the area of the *shoreline* road allowance or Crown Reserve above the *high water mark* between the extension of the *side lot lines* shall be considered part of the *lot area* or *depth* required by this By-law.

#### **5.54 Shore Road Allowance, Original Setback**

Where a *shore road allowance* or Crown Reserve, which has not been stopped up and acquired by the abutting land owner in whole or in part, exists in front of any *lot*, a *building* or *structure* may be *erected* without a *front yard* provided the *building* or *structure* or any part thereof does not encroach upon the *original shore road allowance* or Crown Reserve.

#### **5.55 Signs**

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

### **5.56 *Sleeping Cabins***

A *sleeping cabin* is a permitted *accessory use*, on any *lot* zoned for residential use, provided that the maximum *gross floor area* does not exceed 56 square metres or does not exceed the *ground floor area* of the principal dwelling on the *lot*, whichever is the lesser.

### **5.57 *Special and Temporary Uses***

The following uses are permitted in all zones within the *Township*:

- (a) temporary camps used in the construction of public works for up to a maximum of two years from the date of commencement of construction or until such time as the work is completed or abandoned.
- (b) a tool shed, scaffold or other *building* or *structure* incidental to the construction on the premises where it is situated for up to a maximum of two years from the date of commencement of construction or until the work is completed or abandoned.
- (c) an *accessory building* or *structure* is a permitted use where such a *building* or *structure* is incidental to the construction of a *main building* or *structure* permitted by this by-law. A travel trailer may be used for human habitation during the construction of a principal use dwelling for up to a maximum of two (2) years from the date of issuance of a building permit or until construction is abandoned.
- (d) a *storage building* prior to the *erection* of the *main building*, where the *storage building* is 10 square metres or less and complies with the *yard* and *setback* requirements of this By-law

"Abandoned" in this Section shall mean abeyance of construction for one year.

### **5.58 *Special Use Restrictions***

No *person* shall in any zone, use a travel *trailer*, truck, truck body, street car, bus, coach, railway or transport shipping container, vessel, *boat* or any similar *structure* for *human habitation*, except in accordance with the special and temporary uses outlined in Section 5.57.

### **5.59 *Storage of Unlicensed Vehicles or Trailers***

The parking or storage of an unlicensed *motor vehicle* or *trailer* shall be prohibited unless it is stored within an enclosed garage or *accessory building* permitted by this By-law.

### **5.60 *Tents***

No new commercial *tent* or *trailers* sites will be permitted in the *Township* nor will the expansion of any campground or *trailer park* be permitted. No additions to existing lawful *trailers* will be permitted except for open *decks*, patios or screened in *decks* that do not exceed the square footage of the *trailer*.

### **5.61 *Through Lots***

Where a *lot* which is not a *corner lot* has *frontage* on more than one *street* or *waterway*, or the *front lot line* is not determinable because of the *lot* or *island* configuration, the *setback*, frontage and *front yard* requirements contained herein shall apply on each *street*, or from each *high water mark*, in accordance with the provisions of the zone or zones in which such *lot* is situated.

## 5.62 Tourist Commercial Waterfront Regulations

### (a) General

The following provisions apply to lands zoned C2 or C2-H.

#### (i) Minimum Lot Size

The minimum *lot* size for any property zoned C2 or C2-H is 0.4 hectares.

#### (ii) Minimum Lot Frontage

The minimum *lot frontage* for any property zoned C2 or C2-H is 70 metres.

#### (iii) Parking

Each property zoned C2 or C2-H shall provide at least one *parking space* for each unit, *tent*, *trailer*, cottage or *motel* unit.

#### (iv) Access

All lands zoned C2 or C2-H must have a registered right-of-way to a year round publicly maintained road or front directly upon a year round publicly maintained year round road.

(v) For the purpose of this section, a unit shall include a *dwelling unit*, a cabin, whether such cabin contains *cooking facilities*, a *motel* unit, a *mobile home* or *trailer* site or *tent* site whether or not such sites or units are connected to services.

### (b) Expansion Regulations

The following provisions apply to those lands zoned C2 or C2-H, where none of the units exceed 110m<sup>2</sup> in total *gross floor area*.

#### (i) Maximum Unit Size

In addition to any *lot coverage* limits applicable to the C2 or C2-H Zone, units may not exceed 110m<sup>2</sup> for each unit.

#### (ii) Tent and Trailer Sites

The number of *tent* and *trailer* sites on any lands zoned C2 or C2-H shall be limited to the number of sites that existed on the date of passing of this By-law.

#### (iii) Minimum Area Per Unit

The minimum area for lands zoned C2 or C2-H is one unit per 0.1 hectare. For the purpose of this Section, a unit includes a *tent* site, a *trailer* site or a *rental cottage*. The owner or operators residence is not included in this regulation.

#### (iv) Minimum Frontage Per Unit

The minimum frontage for lands zoned C2 or C2-H is one unit per 20 metre of frontage.

(v) These regulations do not apply to the owners/operators residence.

(c) Tourist Commercial Redevelopment Regulations

The following provisions apply to those lands zoned C2 or C2-H where one or more of the units exceeds 110m<sup>2</sup> in total *gross floor area*.

(i) Maximum Number of Units

The maximum number of units shall be one unit per 30 metres of frontage.

(ii) For the purposes of this section a redevelopment of *tent* or *trailer* sites will be permitted on the basis that any combination of four existing *tent* and/or *trailer* sites is equivalent to one *dwelling unit* or cabin.

(iii) Maximum Unit Size

The maximum unit size shall be 150m<sup>2</sup> of total *floor area*.

(iv) Holding 'H' Symbol on C2 Lands

All lands zoned C2 shall be zoned with an 'H' symbol. The holding provision will apply to any tourist commercial redevelopment for units proposed to exceed 110m<sup>2</sup> of total *gross floor area*. The 'H' symbol will be removed once the relevant studies as defined in the Official Plan are completed and a *site plan* is prepared and approved to the satisfaction of Council.

(v) These regulations do not apply to the owners/operators residence.

(vi) Notwithstanding the provisions of this by-law, accessory *sleeping cabins* are not permitted as part of any redevelopment.

**5.63 Width Restrictions**

In the case of a *lot* zoned WF1 to WF5 inclusive, notwithstanding the *side yard* requirements of this by-law, the aggregate width of all *buildings* parallel to the *front lot line* or the chord of the *front lot line* shall not exceed a dimension greater than 50 percent of the *lot frontage* except that *accessory buildings* located more than 5 metres behind the *rear line* of the *main building* and overlapping *buildings* and *structures* are not to be included in this calculation.

## SECTION 6 - RURAL (RU) ZONE

### 6.01 Uses Permitted

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

- a) Rural Uses
- *Institutional* camps but not including *trailer camps*;
  - a *single detached dwelling*, subject to the *Frontage Requirements*;
  - a *seasonal dwelling*, provided that the *lot* fronts on a navigable waterbody or inland lake;
  - a *converted dwelling*;
  - a maximum of 1 *sleeping cabin*;
  - an *accessory apartment*, to a maximum size of 135 square metres;
  - a *farm*, and a *specialized use farm*;
  - a *farm* produce storage facility;
  - an *animal hospital, kennel*, or riding stable;
  - any use or enterprise carried on in the field of general agriculture;
  - an additional dwelling, as permitted by provisions relating to the *Number of Dwelling Units on One Lot*;
  - a *school, church, community hall, private or public park or cemetery*;
  - a *boarding house*;
  - a *syrup operation*;
  - a *home industry*;
  - a *hunting camp*;
  - a *home occupation*;
  - a *bed and breakfast*, provided that the *lot* on which the *building* is *erected* does not have frontage on any body of water;
  - a *portable asphalt plant*;
  - a *wayside pit or quarry*

provided that where the land abuts a *navigable waterway* or an inland lake, the only uses permitted shall be those as permitted in Section 7 hereof and the *building* requirements shall be those governing Zone WF1.

### 6.02 Zone Standards

Any *building* or *structure* permitted under Section 6.01 shall comply with the following provisions except as otherwise provided for in Section 5, General provisions.

a)	Minimum <i>Lot Frontage</i>	120 metres
b)	Minimum <i>Lot Area</i>	1.6 hectares
c)	Minimum <i>Lot Depth</i>	120 metres
d)	Minimum <i>Front Yard</i>	20 metres
e)	Minimum <i>Interior Side Yard</i>	10 metres
f)	Minimum <i>Exterior Side Yard</i>	20 metres
g)	Minimum <i>Rear Yard</i>	15 metres
h)	Minimum <i>Building Area – Ground Floor</i>	55 square metres
i)	Maximum <i>Building Height</i>	12 metres
j)	Accessory <i>Building – Yard</i>	5 metres
k)	Accessory <i>Building – Height</i>	6 metres
l)	Maximum <i>Lot Coverage by building</i> in percent	5%

### 6.03 Provisions for Accessory Uses

The provisions of Section 6.01 shall apply to *accessory buildings, structures* and uses, except as otherwise provided for in Section 5, General Provisions.

#### 6.04 Special Exception Regulations – Rural (RU)

The regulations contained in Section 6.01, General Use Provisions and Zone Requirements, shall apply to the Special Provision Use areas or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 6.04.

##### 6.04.1 Rural Exception 1 (RU-1)

Part of Lot 35, Concession 7 may be used for an auto wrecker and *salvage yard*, including any *accessory uses, buildings and structures*.

##### 6.04.2 Rural Exception 2 (RU-2)

Part of Parts 1 & 2, Plan 43R-7360 in Lot 14, Concession 5 may be used for any permitted use in the Rural (RU) Zone and shall be subject to a thirty metre *front yard setback*.

##### 6.04.3 Rural Exception 3 (RU-3)

Part of Lot 10, Concession 3, more particularly described as Part 4 of Plan 42R-8623 may be used for the raising, storage and marketing of worms, including any *accessory uses*.

##### 6.04.4 Rural Exception 4 (RU-4)

Non Development Lands. No *buildings, structures* or uses are permitted on the lands described as Part of Lot 67, 68 and 69, Concessions 9 and 10 including a portion of the *original shore road allowance* and a portion of the Crown Lake bed in front thereof being Block 21 and part of Lot 5 of Plan 42M-617.

##### 6.04.5 Rural Exception 5 (RU-5)

An *accessory building* may be *erected* on Part of Lot 12, Concession 4 and used for the non-commercial storage and repair of snowmobiles and equipment related to the maintenance and grooming of the Carling Trailblazer's snowmobile trail, subject to a maximum *building size* of 44' x 60'.

##### 6.04.6 Rural Exception 6 (RU-6)

Part of Lot 38, Concession 6, more particularly described as Part 1 on Plan 42R-3335, may have a *garage/Storage building* located in the *front yard*, approximately 9 metres from the *front lot line*.

##### 6.04.7 Rural Exception 7 (RU-7)

Two parcels of land located in part of Lot 12, Concession 2, being Parts 6 to 13, Plan 42R-10966, shall be subject to a minimum frontage of 120 metres and a minimum area of 1.2 hectares. And further that a parcel of land located in Part of Lot 12, Concession 2, being part of Part 6, Plan 42R-12935, may have an *accessory building (garage)* located in the *front yard*

##### 6.04.8 Rural Exception 8 (RU-8)

A single family dwelling may be *erected* and used on each of two parcels described as part of Part 3 on Reference Plan 42R-6167 located in Lot 49, Concession 12.

##### 6.04.9 Rural Exception 9 (RU-9)

Part of Lot 14 and 15, Concession 8, being Part of Part 2 of Plan 42R-16707, more particularly described as the remainder of Parcel 1109 P.S.S.S. may have an *accessory building (garage)* located in the *front yard*, fronting on Shebeshekong Road.

#### 6.04.10 Rural Exception 10 (RU-10)

No *buildings* excepting *docks* and pump houses shall be constructed on the lands below an elevation of 178.3 metres G.S.C. located the Lots 31, 32 and 33, Concession 4, fronting on the little Shebeshekong River.

No *building* or *structure*, including a *dock* or *boathouse* may be *erected*, altered or used along part of the *original shore road allowance* and the Crown River bed of the Little Shebeshekong River fronting Lots 31, 32 and 33 in Concession 4.

#### 6.04.11 Rural Exception 11 (RU-11)

Lot 19, Concession 10, which derives access along the open concession between Concession 10 in the Township of Carling and Concession 1 in the Township of Shawanaga, may have a hunting camp.

#### 6.04.12 Rural Exception 12 (RU-12)

Two new *lots* on Lots 67 and 68, Concession 12, as approved on Consent Application B44/96(C), with frontages of 70 metres and 92 metres and a retained *lot* with 92 metres frontage, may be used for any permitted use in the Rural (RU) Zone.

#### 6.04.13 Rural Exception 13 (RU-13)

Part of Lot 64, Concession 12 being Part 2 and part of Part 3 of Plan 42R-14550 may be used for the operation of a combined bakery/ delicatessen and *accessory uses* thereto.

#### 6.04.14 Rural Exception 14 (RU-14)

Part of Lot 64, Concession 12 shall be subject to a minimum *lot frontage* of 130 metres.

#### 6.04.15 Rural Exception 15 (RU-15)

Notwithstanding the requirements of this By-law, Part of Lots 17, 18 and 19, Concession 1 may include an *accessory apartment* to be constructed up to a maximum size of 104 square metres.

#### 6.04.16 Rural Exception 16 (RU-16)

Part of Lot 12, Concession 5, being Part 2, Plan 42R-13794, may have an *Accessory Building* (garage) located in the *front yard* 4.8 metres from the property line on the east side of Part 2, Plan 42R-13794. The *Accessory Building* (garage) may be used for *Home Industry* uses as defined.

#### 6.04.17 Rural Exception 17 (RU-17)

Notwithstanding the requirements of this By-law part of Lot 13 & 14, Concession 5, being Part 1 Plan 42R-8785, may have an *Accessory Building* (Garage) located 11.9 metres from the *front lot line*.

#### 6.04.18 Rural Exception 18 (RU-18)

Notwithstanding the requirements of this By-law part of Lots 9 and 10, Concession 1, more particularly described as Parts 3 to 13 and 15 of Plan 42R-14587 may have a *Variety or Grocery Shop* (58 metres square) within the existing *accessory building* (garage) attached to the main dwelling.

#### 6.04.19 Rural Exception 19 (RU-19)

Notwithstanding the road frontage requirements, Lot 44, Concession 12 may have a *single detached dwelling* and *accessory buildings* and uses thereto.

#### 6.04.20 Rural Exception 20 (RU-20)

Notwithstanding the requirements of this by-law, part of Lots 49 and 50, Concession 12 (99 West Carling Bay Road) being Plan 42R-12597 Part 3 and Plan 42R-6167 remainder of Part 3 may be used for the following uses:

- a) a *single detached dwelling* and *accessory uses* thereto;
- b) a maximum of one *sleeping cabin*;
- c) an *accessory apartment*;
- d) a *boarding house*;
- e) a *home industry*;
- f) a *home occupation*;
- g) a *bed and breakfast* operation for up to and including 10 bedrooms;
- h) a studio for the accommodation of exercise, dance, music, art, and health therapeutic services, including but not limited to massage therapy, shiatsu, reflexology, and other similar therapies;

subject to a minimum front, side and *rear yard* of 30 metres for all *buildings* and *structures*.

#### 6.04.21 Rural Exception 21 (RU-21)

Notwithstanding the requirements of this By-law, Part of Lot 6, Concession 2, more particularly described as Parcel 12208 Parry Sound South Section may be used for the following permitted uses:

##### 1. Industrial Uses

- a) a self-service storage facility, subject to the following Zone Requirements:  
Minimum *Side Yard*: 15 metres  
Minimum *Rear Yard*: 5 metres  
Minimum *Front Yard*: 20 metres\*  
\* measured from the boundary of Part 24, Plan 42R-13238  
Maximum *Building Height* 12 metres  
Maximum *Lot Coverage by Buildings*: 1,250 square metres
- b) open storage of recreational *vehicles* (*boats*, motor homes, *trailers*, snowmobiles and similar *vehicles*), accessory to the self-service storage facility, to a maximum of 2000 square metres

#### 6.04.22 Rural Exception 22 (RU-22)

No person shall within the Rural Exception 22 (RU-22) use any land, or erect any building or structure for any purpose except in accordance with the following:

##### (a) Permitted Uses - (Inverlochy Rural Area)

- up to 8 units for the entire area zoned RU-22;
- one *single detached dwelling* per unit;
- a single *sleeping cabin* per unit; and,
- *accessory buildings* and *structure*.

##### (b) Standards

###### i) *Gross floor area*:

The maximum combined *gross floor area* of all *single detached dwellings* in the area identified as "RU-22", shall be 2,100 square metres.

The maximum *gross floor area* of all *single detached dwellings* in the area identified as

"RU-22", shall be 225 square metres.

- ii) Maximum *Lot Coverage*: 10%
- iii) Maximum *Height*: 9 metres
- iv) *Building Setbacks*:
  - from Square Lake: 20 metres
  - from Unit Boundaries: 5 metres
- v) *Sleeping Cabins*

Each *sleeping cabin* to be located to the rear of each unit's *single detached dwelling*.

No *sleeping cabin* shall have kitchen facilities.

For the purposes of the Rural exception 22 (RU-22) Zone, sleeping cabins shall have a maximum *gross floor area* of 30 square metres and a maximum *height* of 6 metres.

- vi) Units Fronting on Square Lake

Units fronting on Square Lake shall only be permitted to have one floating *dock* per Unit. Fixed *docks* shall not be permitted.

#### 6.04.23 Rural Exception 23 (RU-23)

Part Lot 28, Concession 1, being Part 2 of Plan 42R-7543 shall be subject to a minimum frontage of 149 metres.

#### 6.04.24 Rural Exception 24 (RU-24)

Part of Lot 39, Concession 6, being Parts 1 of Plan 42R-6024 is restricted to the storage of a *boat* and *accessory buildings*.

#### 6.04.26 Rural Exception 26 (RU-26)

Concession D, Pt. Lot 7, Plan 42M556, Pt. Lot 37 may be used for any permitted use, subject to a minimum lot frontage of 100 metres.

#### 6.04.27 Rural Exception 27 (RU-27)

Part of Lots 14 and 15, Concession D, being *Proposed Severed Lot 3* as described in Consent Application No. B27/2020(C) as approved by the Parry Sound Area Planning Board on October 26, 2020 is subject to a minimum lot frontage of 23.49 metres and is to be used solely for the purpose of a telecommunications tower. No other uses are permitted on these lands.

#### 6.04.28 Rural Exception 28 (RU-28-H)

Part of Lots 14 and 15, Concession D, being *Proposed Severed Lot 1* as described Consent Application No. B27/2020(C) as approved by the Parry Sound Area Planning Board on October 26, 2020 is subject to all applicable permitted uses in the Rural Zone as well as all applicable Rural Zone standards and general standards contained within the Township's Comprehensive Zoning By-law.

The lands have been zoned with a Holding ("H") Symbol. Until the Holding Symbol has been removed, no person shall use those lands in any manner (no development or site alteration permitted). The Holding Symbol shall not be lifted until the following has been completed:

- a) The execution of a Site Plan Agreement. This Agreement shall implement the recommendations of an Environmental Site Evaluation prepared by FRi Ecological Services Ltd. dated October 2, 2020.
- b) The Site Plan Agreement has been registered on title for the subject lands.
- c) All fees associated with preparing the Site Plan Agreement, including Township legal costs, have been paid in full by the applicant.

#### 6.04.29 Rural Exception 29 (RU-29-H)

Part of Lots 14 and 15, Concession D, being *Proposed Severed Lot 2* as described in Consent Application No. B27/2020(C) as approved by the Parry Sound Area Planning Board on October 26, 2020 is subject to all applicable permitted uses in the Rural Zone as well as all applicable Rural Zone standards and general standards contained within the Township's Comprehensive Zoning By-law.

The lands have been zoned with a Holding ("H") Symbol. Until the Holding Symbol has been removed, no person shall use those lands in any manner (no development or site alteration permitted). The Holding Symbol shall not be lifted until the following has been completed:

- a) The execution of a Site Plan Agreement. This Agreement shall implement the recommendations of an Environmental Site Evaluation prepared by FRi Ecological Services Ltd. dated October 2, 2020.
- b) The Site Plan Agreement has been registered on title for the subject lands.
- c) All fees associated with preparing the Site Plan Agreement, including Township legal costs, have been paid in full by the applicant."

## SECTION 7 - RURAL RESIDENTIAL (RR) ZONE

### 7.01 Uses Permitted

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

- a) Rural Uses
  - a *farm*, but not a *specialized use farm* as defined in this By-law.
- b) Residential Uses
  - a *single detached dwelling*;
  - a *converted dwelling*;
  - a maximum of 1 *sleeping cabin*;
  - an *accessory apartment*, to a maximum size of 100 square metres;
  - a *home industry*; provided the lands do not front on any waterbody;
  - a *home occupation*;
  - a *boarding house*.
  - a *bed and breakfast*, provided that the *lot* on which the *building* is *erected* does not have frontage on any body of water;
- c) *Institutional* Uses
  - a private or *public park*, playground;
  - a *church*, *community hall*;
  - a religious or government *institution*;
  - a *cemetery*.

provided that where the land abuts a *navigable waterway* or an inland lake, the only uses permitted shall be those as permitted in Section 6 hereof and the *building* requirements shall be those governing Zone WF1:

### 7.02 Zone Standards

a)	Minimum <i>Lot Frontage</i>	70 metres
b)	Minimum <i>Lot Area</i>	0.4 hectares
c)	Minimum <i>Lot Depth</i>	60 metres
d)	Minimum <i>Front Yard</i>	20 metres
e)	Minimum <i>Interior Side Yard</i>	5 metres
f)	Minimum <i>Exterior Side Yard</i>	20 metres
g)	Minimum <i>Rear Yard</i>	15 metres
h)	Minimum <i>Building Area</i> – Ground Floor	55 square metres, except <i>Institutional</i>
i)	Maximum <i>Building Height</i>	12 metres
j)	Accessory <i>Building</i> – Yard	5 metres
k)	Accessory <i>Building</i> – Height	6 metres
l)	Maximum <i>Lot Coverage</i> by <i>buildings</i> in percent	10% for Rural and Residential 20% for <i>Institutional</i>

### 7.03 Provisions for Accessory Uses

The provisions of Section 7.01 shall apply to *accessory buildings*, *structures* and uses, except as otherwise provided for in Section 5, General Provisions.

### 7.04 Special Exception Regulations – Rural Residential (RR)

The regulations contained in Section 7.01, General Use Provisions and Zone Requirements, shall apply to the Special Provision Use areas or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 7.04.

7.04.1 Rural Residential Exception 1 (RR-1)

Part of Lot 11, Concession D more particularly described as Part 4 on Plan 42R-2182, may be used for any permitted use in the Rural Residential (RR) zone and for woodworking and *boat building*, refinishing and repairing.

7.04.2 Rural Residential Exception 2 (RR-2)

Notwithstanding the requirements of this By-law, part of Lot 65, Concession 11, being Plan PSR 735, Part 1,

- a) may be used for any permitted use in the Rural Residential (RR) Zone;
- b) may establish a *Home Industry* prior to a residential use being established;
- c) is exempt from the requirement set out in the General Provisions Section for *Home Industry*, secondary to the main residential use; and *setback* requirement; and

provided that no *Home Industry* established includes a business which is open to the public.

7.04.3 Rural Residential Exception 3 (RR-3)

Notwithstanding the requirements of this By-law, Concession 12, Part Lot 64, Plan 42R-2723 Part 2 shall be subject to a minimum *lot frontage* of 22 metres and a minimum *lot* acreage of 0.4 hectares.

7.04.4 Rural Residential Exception 4 (RR-4)

Notwithstanding the requirements of this By-law, a *single detached dwelling* together with any *accessory buildings* or *structures* may be *erected* and used on the two *lots* created by consent on lands described as Part of Lot 8, Concession 1, being Plan 42R-7171 Part 2 and Plan 42R-4553 Part 6, fronting on East Carling Bay Road, subject to a minimum *lot frontage* of 60 metres and a minimum *lot* acreage of 0.4 hectares.

7.04.5 Rural Residential Exception 5 (RR-5)

Part Lot 74, Concession 12, being Parcel 6754 P.S.S.S. may be used for any permitted use in the Rural Residential (RR) Zone, and the grounds and existing *accessory building* may be used for the operation of a *Kennel*.

7.04.6 Rural Residential Exception 6 (RR-6)

Part 1 of 42R-9513 located in Lot 16 Concession 9, fronting on Wood's Road, formerly Highway 559 shall be subject to a frontage of 104 metres and a *lot area* of 1.6 hectares.

7.04.7 Rural Residential Exception 7 (RR-7)

Part of Lot 9, Concession 1, more particularly described as Part 1 on Plan PSR 2386, may be used for a car, *boat* and furniture refinishing shop, provided that all other requirements for a *Home Industry*.

7.04.8 Rural Residential Exception 8 (RR-8)

A *single detached dwelling*, together with any permitted *accessory building* or *structures*, may be *erected* and used on each of the two *lots* and the retained *lot* created by Consent B30/93(C) and located in Part of Lot 6, Concession 2, being Parts 2 and 3 of Plan 42R-13281 provided that each *lot* has a minimum area of 4 acres and a minimum frontage of 400' on Shebeshekong Road.

#### 7.04.9 Rural Residential Exception 9 (RR-9)

Part of Lot 39 in Concession 6 being parts 1, 2, 3, and 4 of Reference Plan No. PSR-2392 may be used exclusively for a *private garage* or *storage shed* provided the minimum *yard* and *setback* requirements are met.

#### 7.04.10 Rural Residential Exception 10 (RR-10)

Part of Concession C & D, Pt Lots 12 & 13, Plan 42R-4565 Parts 1 to 5, Plan 42R-9124 Parts 1 & 2, Plan 42R-14147 Parts 1 & 2 may be used for any permitted use in the Rural Residential (RR) Zone, subject to a minimum lot frontage of 20 metres.

#### 7.04.11 Rural Residential Exception 11 (RR-11)

Part of Lot 17, Concession 2, P.I.N. No. 520980513, being 7 Carling Bay Road West, shall be subject to a frontage of 50 metres.

#### 7.04.12 Rural Residential Exception 12 (RR-12)

Part of Lot 25, Concession 3 being Part 2 of Plan 42R-17331 and known as Highway No. 559 may include the following uses:

- a professional service sales building, including but not limited to architectural sales; and
- a small scale contractor's yard.

And for the purposes of this exception, a contractor's yard, small scale, shall mean a contractor's yard where equipment and materials are limited to the owner's operation and not exceeding a yard area of 5% of the total lot area.

#### 7.04.13 Rural Residential Exception 13 (RR-13-H)

Part of Lots 14 and 15, Concession D, being the *Retained Lot* as described in Consent Application No. B27/2020(C) as approved by the Parry Sound Area Planning Board on October 26, 2020 is subject to all applicable permitted uses in the Rural Residential Zone as well as all applicable Rural Residential Zone standards and general standards contained within the Township's Comprehensive Zoning By-law.

The lands have been zoned with a Holding ("H") Symbol. Until the Holding Symbol has been removed, no person shall use those lands in any manner (no development or site alteration permitted). The Holding Symbol shall not be lifted until the following has been completed:

- a) The execution of a Site Plan Agreement. This Agreement shall implement the recommendations of an Environmental Site Evaluation prepared by FRi Ecological Services Ltd. dated October 2, 2020.
- b) The Site Plan Agreement has been registered on title for the subject lands.
- c) All fees associated with preparing the Site Plan Agreement, including Township legal costs, have been paid in full by the applicant.

## SECTION 8 - BAYVIEW RESIDENTIAL (BR1) ZONE

### 8.01 Uses Permitted

No *person* shall within the Bayview Residential 1 (BR1) Zone use any *lot*, or *erect*, alter or use any *building* or *structure* for any purpose except one or more of the following uses:

- a) Residential Use
  - a *single detached dwelling* subject to the *Frontage Requirements*;
  - a *seasonal dwelling*
  - a *converted dwelling*
  - a maximum of 1 *sleeping cabin*;
  - a *home occupation*

### 8.02 Zone Standards

a)	Minimum <i>Lot Frontage</i>	70 metres
b)	Minimum <i>Lot Area</i>	0.4 hectares
c)	Minimum <i>Lot Depth</i>	60 metres
d)	Minimum <i>Front Yard</i>	20 metres
e)	Minimum <i>Interior Side Yard</i>	5 metres
f)	Minimum <i>Exterior Side Yard</i>	20 metres
g)	Minimum <i>Rear Yard</i>	15 metres
h)	Minimum <i>Building Area</i> – Ground Floor	55 square metres
i)	Maximum <i>Building Height</i>	9 metres
j)	Accessory <i>Building</i> – Yard	5 metres
k)	Accessory <i>Building</i> – Height	6 metres
l)	Maximum <i>Lot Coverage</i> by <i>buildings</i> in percent	10%

### 8.03 Provisions for Accessory Uses

The provisions of Section 8.01 shall apply to *accessory buildings*, *structures* and uses, except as otherwise provided for in Section 5, General Provisions.

### 8.04 Special Exception Regulations – Bayview Residential 1 (BR1)

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

#### 8.04.1 Bayview Residential Exception 1 – (BR1-1)

A dwelling and any permitted *accessory uses*, *buildings* or *structures* may be permitted on Lot 151, Plan M170 known locally as 1 Pine Valley Drive subject to a *front yard* of 16 metres and an *exterior side yard* of 6.7 metres.

#### 8.04.2 Bayview Residential Exception 2 – (BR1-2)

Plan M170 Lot 155, Parcel 17973 SS shall be subject to a minimum *front yard* of 13.5 metres and minimum south *side yard* of 1.53 metres.

#### 8.04.3 Bayview Residential Exception 3 – (BR1-3)

Lot 156, Plan M170 in Bayview Subdivision may have a 16' x 24' garage located in the *front yard* with a minimum *setback* from the front line of 10.5 metres.

8.04.4 Bayview Residential Exception 4 – (BR1-4)

Lot 129/130, Plan M170 may have a dwelling with an attached garage with a *front yard* of 13 metres and a *rear yard* of 10 metres.

8.04.5 Bayview Residential Exception 5 – (BR1-5)

Lot 114, Plan M170, may have a single family residence and *accessory uses* thereto except that the maximum *lot coverage* shall be 2% of the *lot area* or 93 square metres plus 1% of the *lot area*, whichever is greater.

8.04.6 Bayview Residential Exception 3 – (BR1-6)

Lot 296 Plan M171 in Bayview Subdivision may have a two car garage located in the *front yard* with a minimum *setback* from the front line of 22 metres and with a maximum *height* of 6.25 metres.

## SECTION 9 - WATERFRONT RESIDENTIAL (WF1, WF2, WF3, WF4, WF5) ZONES

### 9.01 Uses Permitted

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

- a) Residential Use
  - a *single detached dwelling* subject to the *Frontage Requirements*;
  - a *seasonal dwelling*;
  - an additional *seasonal dwelling* and *accessory uses* thereto, as permitted by provisions relating to the *Number of Dwelling Units on One Lot*;
  - a maximum of 1 *sleeping cabin*;
  - a *home occupation*.

### 9.02 Zone Standards

a)	Minimum <i>Lot Frontage</i>	WF1, WF2 – 100 metres WF3 – 120 metres WF4 – 150 metres WF5 – 200 metres
b)	Minimum <i>Lot Area</i>	WF1 – 0.6 hectares WF2 – 0.8 hectares WF3 – 1 hectares WF4 – 1.5 hectares WF5 – 2 hectares
c)	Minimum <i>Lot Depth</i>	WF1 – 80 metres WF2 – 80 metres WF3 – 100 metres WF4 – 100 metres WF5 – 100 metres
d)	Minimum <i>Front Yard</i>	20 metres
e)	Minimum <i>Interior Side Yard</i>	5 metres
f)	Minimum <i>Exterior Side Yard</i>	10 metres
g)	Minimum <i>Rear Yard</i>	15 metres
h)	Minimum <i>Building Area – Ground Floor</i>	55 square metres
i)	Maximum <i>Building Height</i>	9 metres
j)	Accessory <i>Building – Yard</i>	3 metres, 6 metres <i>side yard</i> for <i>docks</i>
k)	Accessory <i>Building – Height</i>	6 metres
l)	Maximum <i>Lot Coverage</i> by <i>buildings</i> in percent	N/A
m)	Maximum <i>Gross Floor Area – Main Dwelling</i>	WF1, WF3, WF4, WF5- 93 square metres plus 2% of <i>lot area</i> , maximum 750 square metres  WF2- 75 square metres plus 1% of <i>lot area</i> , maximum 750 square metres
n)	Maximum <i>Floor Area – Accessory Buildings</i>	WF1, WF3, WF4, WF5- 93 square metres plus 1% of <i>lot area</i> , maximum 390 square metres  WF2- 47 square metres plus 0.5% of <i>lot area</i> , maximum 280 square metres

### 9.03 Provisions for Accessory Uses

The provisions of Section 9.01 shall apply to *accessory buildings*, *structures* and uses, except as otherwise provided for in Section 5, General Provisions.

## 9.04 Special Exception Regulations – Waterfront Residential (WF1, WF2, WF3, WF4, WF5)

The regulations contained in Section 9.01, General Use Provisions and Zone Requirements, shall apply to the Special Provision Use areas or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 9.04.

### 9.04.1 Waterfront Residential 1 Exceptions

#### 9.04.1.1 Waterfront Residential 1 Exception 1 - (WF1-1)

- (a) Existing *single detached dwellings* with existing *accessory uses, buildings and structures* including the temporary use of up to two existing dwellings may be permitted on each of six *lots* located in Part of Lot 13, Concession C and Part of Lot 12 and 13, Concession D being Parts 1 to 12 inclusive and Part 21 of Reference Plan No. 42R-14643 subject to a minimum *lot frontage* of 70 metres and zero side or *front yards*.
- (b) On September 30, 1998 the provisions of this exception shall apply to the lands described herein excepting that the *yard* and use provisions shall apply. Only one main dwelling for each *lot* shall be permitted after this date and the minimum front and *side yards* shall be 20 and 5 metres respectively.
- (c) The H - Holding provision restricting uses to existing dwellings and existing *accessory buildings and structures* may be removed to permit *buildings and structures* under the Waterfront Residential 1 (WF1) Zone.

#### 9.04.1.2 Waterfront Residential 1 Exception 2 - (WF1-2)

Part of Lot 75, Concession 11, being Parts 1 to 12 of Plan 42R-18237, shall be subject to minimum *lot frontages, lot depths and lot areas* as follows:

Severed Lot: *Lot Frontage* of 75metres, Depth of 60metres and Area 0.29 Hectares  
Retained Lot: *Lot Frontage* of 58 metres, Depth of 80 metres and Area of 0.51 Hectares

#### 9.04.1.3 Waterfront Residential 1 Exception 3 - (WF1-3)

Parts 1, 2 and 3 of Plan 42R-17943 shall be subject to:

- a) the minimum *lot frontage* shall be 90 metres and the existing *dock* shall be a permitted use;
- b) where the front line is the *high water mark*, a vegetative buffer strip consisting of natural and indigenous vegetation shall be maintained within the *front yard* save and except for a clearing or clearings to provide access to the water. The width of the clearing or aggregate width of the clearings shall not exceed 5.0 metres in width;
- c) only floating or pipe supported *docks* shall be permitted appurtenant to the lands and no *dock* shall be located closer than 15 metres from any land zoned Environmental Protection (EP).

#### 9.04.1.4 Waterfront Residential 1 Exception 4 - (WF1-4)

Part Lot 39, Concession 6, being Plan PSR-1008, Parts 6 and 7 shall be subject to the following provisions:

- a) Minimum Size, severed *lot*: Frontage, 43 metres. Depth, 81 metres;
- b) Minimum Size, retained *lot*: Frontage, 39 metres. Depth, 77 metres;

The maximum *building height* for all *buildings* shall be 5.0 metres;

The maximum *lot coverage* shall be 5%;

The accessory cabin located on Part 6, Plan PSR-1008 shall not be expanded without further amendment to this By-law.

9.04.1.5 Waterfront Residential 1 Exception 5 - (WF1-5)

A *single detached dwelling* together with an *accessory building* containing a garage on the first floor and sleeping quarters on the second floor are permitted on Lot 5, Plan 42M-556 provided that the *two storey accessory building* does not exceed 85 square metres and there are no *cooking facilities*.

9.04.1.6 Waterfront Residential 1 Exception 6 - (WF1-6)

Two parcels of land located on the easterly shore of Alves' Point, Lot 14, Concession C shall be subject to the general provisions and zone requirements, except that the minimum *front yard* shall be increased from 20 metres to 30 metres.

9.04.1.7 Waterfront Residential 1 Exception 7 - (WF1-7)

Part of Lot 21 and Lot 22, Concession C, more particularly described as Lot 31, Plan M-104:

- a) may have a 9.1 metre x 12.2 metre *accessory building* (garage), which is larger than the main dwelling; and
- b) may have an 8.9 square metre *accessory building* (*storage shed*) located 7.6 metres from the original *high water mark*.

9.04.1.8 Waterfront Residential 1 Exception 8 - (WF1-8)

Lot 22, Plan 42M-606 may have an existing an *Accessory Building* (garage) may be converted to permit sleeping accommodations and a recreation area on a second *storey* within the existing area of the *building* and further provided that no additional *sleeping cabin* is permitted on the subject lands.

9.04.1.9 Waterfront Residential 1 Exception 9 - (WF1-9)

Part of Lots 37 and 38, Concession 6, more particularly described as part of part of Part 1, Plan 42R-11327, shall have a minimum *front yard* of 30 metres.

9.04.1.10 Waterfront Residential 1 Exception 10 - (WF1-10)

Lot 4, Plan 42M-606 may have an *accessory building* (9.3 m<sup>2</sup> *gazebo*) placed 7.6 metres from the original high water line.

9.04.1.11 Waterfront Residential 1 Exception 11 - (WF1-11)

Lot 23, Concession C, more particularly described as Plan M 103 Lot 44, Plan 42R-8718, Part 12, may have an *Accessory Building*, being an 8' x 11' *sauna/storage building*, with an attached, roofed *deck*, resulting in a footprint of 14' x 16' (224 square feet), located approximately 8' from the original *high water mark*.

9.04.1.12 Waterfront Residential 1 Exception 12 - (WF1-12)

Part Lot 44, Concession 7, more particularly described as Plan 42R-11944, Part 1, may have an addition to a legal *non-complying seasonal dwelling* is permitted, subject to:

- a) a minimum *side yard* of 1.9 metres on the east side of the existing dwelling;
- b) a minimum *front yard* of 18.3 metres on the south corner of the existing dwelling;

- c) maximum *gross floor area* of 309 square metres for the main dwelling, of which 69.5 square metres is open, unenclosed, roofed *deck*;
- d) maximum *gross floor area* of 46.5 square metres for a *sleeping cabin*;
- e) the addition being constructed substantially in accordance with the Architectural Design Drawings dated October, 2004, submitted in connection with the application for rezoning.

9.04.1.13 Waterfront Residential 1 Exception 13 - (WF1-13)

Part of Lots 52 and 63, Concession 12 being *Lot 1* to 10 of Plan 42M-653 and Parts 11, 12, 13, 14 and 15 of Reference Plan No. 42R-17943 the following requirements shall also be met:

- a) all septic tile beds shall meet the minimum *setback* requirements set out below;

*Tile Bed setback from high water mark*

<i>Lot 1</i> , Plan 42M-653	95 metres
<i>Lot 2</i> , Plan 42M-653	65 metres
<i>Lot 3</i> , Plan 42M-653	85 metres
<i>Lot 4</i> , Plan 42M-653	45 metres
<i>Lot 5</i> , Plan 42M-653	60 metres
<i>Lot 6</i> , Plan 42M-653	85 metres
<i>Lot 7</i> , Plan 42M-653	100 metres
<i>Lot 8</i> , Plan 42M-653	62 metres
<i>Lot 9</i> , Plan 42M-653	75 metres
<i>Lot 10</i> , Plan 42M-653	40 metres
Parts 11 and 12, Plan 42R-17943	55 metres
Parts 13 and 14, Plan 42R-17943	65 metres
Part 15, Plan 42R-17943	<i>Setback not applicable. Tile Bed is existing.</i>

- b) where the front line is the *high water mark*, a vegetative buffer strip consisting of natural and indigenous vegetation shall be maintained within the *front yard* save and except for a clearing or clearings to provide access to the water. The width of the clearing or aggregate width of the clearings shall not exceed 5.0 metres in width;
- c) only floating or pipe supported *docks* shall be permitted appurtenant to the lands and no *dock* shall be located closer than 15 metres from any land zoned Environmental Protection (EP).

9.04.1.14 Waterfront Residential 1 Exception 14 - (WF1-14)

Part of Lot 39, Concession 2 being Part 1 of Plan 42R-17210 and Loc. CT-217 may have a 77 square metre addition to an existing dwelling, being 53.5 square metres of living space and 23.5 metres of unenclosed *porch*.

9.04.1.15 Waterfront Residential 1 Exception 15 - (WF1-15)

*Lot 1* Plan M469 in *Lot 65*, Concession 8, may have a bathhouse/*sauna* located in the *front yard*, 20 metres back from the water's edge. For the purpose of this exception a "Bathhouse/*sauna*" means an *accessory building* which contains no *cooking facilities*.

9.04.1.16 Waterfront Residential 1 Exception 16 - (WF1-16)

A dwelling and any permitted *accessory uses, buildings or structures* may be permitted on Concession 11, Part *Lot 75*, Parcel 7429 known locally as 6 Banting Lane subject to allowing a *sleeping cabin* no larger than 79 square metres, a detached dwelling not exceeding 245 square metres, that the *sleeping cabin* not contain any *cooking facilities* including any appliance, cooking or warming device intended to be used for the preparation of food including ovens, hotplates and cooking related appliances.

9.04.1.17 Waterfront Residential 1 Exception 17 - (WF1-17)

Part of Lot 73, Concession 10, and more particularly described as *Lot 14* of Plan M80, RP 42R-9117 Part 1, may have a second dwelling located no closer than 6 metres from the *high water mark*, a maximum *height* of 4.5 metres, a maximum *floor area* of 75 square metres including *decks* and landings, may have a *boathouse* located in the *front yard* provided that the *boathouse* is limited to one *storey* not exceeding 4 metres in *height*.

9.04.1.18 Waterfront Residential 1 Exception 18 - (WF1-18)

Plan 42M-556 *Lot 22*, Parcel 23349 SS may exceed the permitted percentage of *lot coverage* by having additions totalling 188 square metres added to the existing *seasonal dwelling*, exceeding the requirements by 70 square metres including a open unenclosed *deck* to encroach 3.05 metres into the *original shore road allowance* and 3.66 metres above grade, subject to the condition that no further *sleeping cabins* be permitted and that the accessory entitlement be reduced to a maximum *floor area* of 118 square metres.

9.04.1.19 Waterfront Residential 1 Exception 19 - (WF1-19)

Part of Lot A, Concession C, Parcel 7632 SS, SR Loc NL68 and Part 1 of Plan 42R-17272 shall be subject to: a maximum *gross floor area* for the main dwelling of 334m<sup>2</sup>; an unenclosed *porch* not to exceed 117m<sup>2</sup>; a *front yard* of 17 metres; excluding a *sleeping cabin*; and a maximum aggregate *floor area* of *accessory buildings* not to exceed 111m<sup>2</sup>.

9.04.1.20 Waterfront Residential 1 Exception 20 - (WF1-20)

Part of Lots 21 and 22, Concession D being Part 1 of Plan 42R-22157, provided that the following provisions apply:

- i) a single family dwelling, together with any permitted *buildings* or *structures*, shall be located within 150 metres of the Loon Bay *shoreline*;
- ii) a Guest Cabin or *Gazebo* may be located within 100 metres of the *shoreline* of Deep Bay;
- iii) the lands shall be subject to a minimum frontage of 50 metres on Deep Bay..

9.04.1.21 Waterfront Residential 1 Exception 21 - (WF1-21)

Part of Lot 74, Concession 10, SRL JDD 269, Plan 42R-9009 Parts 1 & 3, may have an existing *seasonal dwelling* with *deck* to be located 7.9 metres from the original *high water mark*, and to permit a 67 square metre 1½ *storey* addition to the existing *seasonal dwelling*, subject to a minimum *front yard* of 8 metres and an aggregate width of *buildings* not to exceed 23 metres.

9.04.1.22 Waterfront Residential 1 Exception 22 - (WF1-22)

Part of Lot 6, Concession 5, Plan PSR-289 Part 4, may have an existing *seasonal dwelling* with *deck* located 14.6 metres from the original *high water mark*.

9.04.1.23 Waterfront Residential 1 Exception 23 - (WF1-23)

Part of Lot 40, Concession 6 being Parts 14, 15 and remainder of Part 16 of Plan 42R-8445 and Part 1 of Plan 42R-11759 each of four *lots* created by consent are subject to an 8 metre maximum *height* for all *main buildings*.

9.04.1.24 Waterfront Residential 1 Exception 24 - (WF1-24)

Part of Lot 12, Concession C, being Part 1, Plan 42R-13657, may have a residence located, with the closest part of the *building* located approximately 12.5 metres from the original *high water mark*.

9.04.1.25 Waterfront Residential 1 Exception 25 - (WF1-25)

Lot 68, Plan M170 may have a 12' x 12' *Accessory Building* (storage) located in the *front yard* approximately 6.1 metres from the original *high water mark*.

9.04.1.26 Waterfront Residential 1 Exception 26 - (WF1-26)

Part of Lot 71, Concession 10, being Part 3 of Reference Plan 42R-14609 shall be subject to a minimum *lot area* of 0.5 hectares and minimum frontage of 79 metres.

9.04.1.27 Waterfront Residential 1 Exception 27 - (WF1-27)

Part of Lot 12, Concession 4, more particularly described as Parts 1 and 2, Plan 42R-11715, may have an existing *Accessory Building* (*boathouse*) located in the *front yard*.

9.04.1.28 Waterfront Residential 1 Exception 28 - (WF1-28)

Lot 53, Plan M-170 at 2 Rockcliffe Drive is permitted to have a 10m<sup>2</sup> storage building with an attached 18m<sup>2</sup> deck located 12 metres from the original high water mark, a maximum accessory building floor area of 267 square metres and a maximum main dwelling gross floor area of 244 square metres. For the purpose of this exception "storage building" means an *accessory building* which contains no sleeping or cooking facilities, and which is not used for *human habitation*.

9.04.1.29 Waterfront Residential 1 Exception 29 - (WF1-29)

Lot 13, Plan 42M-590 may have an attached *gazebo* encroach 3 meters in to the *front yard* and subject to:

- a minimum *lot frontage* of 70 metres;
- a minimum *lot area* of 0.7 hectares
- a maximum *building height* of 1 ½ storeys and 8.0 metres;
- the restriction of all *accessory buildings* and *structures* including *satellite dishes* to the *rear yard* with the exception of those permitted under general provisions;

9.04.1.30 Waterfront Residential 1 Exception 30 - (WF1-30)

Part of Lot 71, Concession 10, more specifically described as *Lot 7* and *7a* on Plan M80 may be used for a single family residence subject to minimum frontage of 30 metres and further that no further *buildings* or *structures* are permitted on these lands.

9.04.1.31 Waterfront Residential 1 Exception 31 - (WF1-31)

Lot 48, Concession 9, being Parts 1 to 5 of Plan 42R-17642 shall be subject to the following:

- a) The minimum *lot area*, frontage and depth shall be as follows:

42R-17642	Frontage (metres)	Depth (metres)	Area (hectares)
Parts 1-4	45	107	0.5
Part 5	45	100	0.5

- b) Any sewage disposal systems shall be located a minimum of 50 metres from the original *high water mark*;

- c) with respect to Part 5 of Plan 42R-17642, notwithstanding the minimum *side yard*, an existing sewage disposal system may be located not closer than 3 metres to the *side lot line*.

9.04.1.32 Waterfront Residential 1 Exception 32 - (WF1-32)

Part of Lots 69 and 70, Concession 9 and more particularly described as Parts 1 and 2 on Reference Plan No. 42R-15042 shall be subject to a minimum *lot frontage* of 70 metres, a westerly *interior side yard* of 4.3 metres for Part 2.

9.04.1.33 Waterfront Residential 1 Exception 33 - (WF1-33)

Notwithstanding the requirements of this By-law, a *single detached dwelling* together with any permitted *accessory building* or *structure* may be *erected* and used on Part of Lot 25, Concession 1 and part of the *Original Shore Road Allowance* in front thereof and Part 10 of Reference Plan No. 42R-12131.

9.04.1.34 Waterfront Residential 1 Exception 34 - (WF1-34)

Part of Lot 71, Concession 10, being Part 4 of Reference Plan 42R-14609 shall be subject to a minimum *lot area* of 0.5 hectares and a minimum *lot frontage* of 85 metres and may have a 10' x 14' *accessory building (sauna)* located in the *front yard* approximately 5.2 metres (17') from the original *high water mark*.

9.04.1.35 Waterfront Residential 1 Exception 35 - (WF1-35)

Part of Lot 25, Concession D, being Part 1 of Reference Plan 42R-15355 shall be subject to a minimum *lot frontage* of 82 metres.

9.04.1.36 Waterfront Residential 1 Exception 36 - (WF1-36)

A residential *dwelling unit* together with any permitted *accessory uses* may be *erected* on part Lot 21, Concession C, being Part 2, Plan 42R-12714 with a minimum *front yard* of 12 metres.

9.04.1.37 Waterfront Residential 1 Exception 37 - (WF1-37)

An *accessory building, (boathouse)* not exceeding 109.25 square metres in area may be *erected* and used on the *original shore road allowance*, being Part 4 of Reference Plan No. 42R-13919 and the Crown lakebed in front of Part of Lot 11, Concession C, Part 4 of Plan PSR-1660.

9.04.1.38 Waterfront Residential 1 Exception 38 - (WF1-38)

Part of Lot 23, Concession D, Parcel 6589 may be used for any permitted use in the Waterfront Residential 1 (WF1) Zone, and may have a 20' x 25', single *storey boat storage building* located in the *front yard* approximately 4.5 metres from the original *high water mark*.

9.04.1.39 Waterfront Residential 1 Exception 39 - (WF1-39)

Notwithstanding the requirements of this By-law, part of Lot 15, Concession VI may be used for two seasonal residential *dwelling units* provided that the minimum *lot frontage* is 175 meters, the minimum *front yard* is 45.7 meters and provided that all other requirements for a Waterfront Residential 1 (WF1) Zone are met.

9.04.1.40 Waterfront Residential 1 Exception 40 - (WF1-40)

*Lot 3, Plan M-195, being part of Lot 62, Concession 12 in the Township of Carling, the following special requirements shall apply:*

- i) number of permitted *dwelling units* 2
  - ii) number of permitted guest cabins 0
  - iii) minimum *front yard*
  - iv) maximum *ground floor area* for each *dwelling unit* 167 sq. metres.
- 9.04.1.41 Waterfront Residential 1 Exception 41 - (WF1-41)
- Part of Lot 40, Concession 2 being Part 3 and Part 10 on Plan 42R-8824, may have a maximum of two guest cabins.
- 9.04.1.42 Waterfront Residential 1 Exception 42 - (WF1-42)
- Part of Lot 75, Concession 10 may have an 18' x 30' *boathouse* located in the *front yard* approximately 2 metres from the original *high water mark*.
- 9.04.1.43 Waterfront Residential 1 Exception 43 - (WF1-43)
- Part 18 Plan PSR 1957 may have a *boathouse* located in the *front yard*.
- 9.04.1.44 Waterfront Residential 1 Exception 44 - (WF1-44)
- Part 1 of Plan 42R-4367 being part of the *original shore road allowance* in front of part of Lot 14, Concession 5 may be used for an existing *gazebo* provided that no further *buildings* or *structures* are permitted, excepting a *dock* as provided for in the general provisions.
- 9.04.1.45 Waterfront Residential 1 Exception 45 - (WF1-45)
- Lot 2*, Plan M121 on Pengally Bay Road may be used for two *dwelling units*.
- 9.04.1.46 Waterfront Residential 1 Exception 46 - (WF1-46)
- Lot 69* on Plan M170 may have a *boathouse* located in the *front yard*.
- 9.04.1.47 Waterfront Residential 1 Exception 47 - (WF1-47)
- Part of Lot 44, Concession 7, being the east part of Part 2, Plan 42R-10703 may have a *sauna* located in the *front yard*.
- 9.04.1.48 Waterfront Residential 1 Exception 48 - (WF1-48)
- Concession C & D, Pt. Lot 15, Parts 15 & 17 on Plan PSR-1957, Part 1 on Plan 42R-2507, Part 3 on Plan 42R-8873 may have an existing *boathouse structure* located in the *front yard*, subject to a minimum lot frontage of 58 metres.
- 9.04.1.49 Waterfront Residential 1 Exception 49 - (WF1-49)
- The lands at the southern extremity of Alves' Point in Lot 14, Concession C shall have a minimum *lot frontage* of 130 metres.
- 9.04.1.50 Waterfront Residential 1 Exception 50 - (WF1-50)
- The lands located along the south easterly shore of Alves' Point in Lot 14, Concession C shall have a minimum *front yard* of 40 metres.
- 9.04.1.51 Waterfront Residential 1 Exception 51 - (WF1-51)
- No *building* or *structure* is permitted in the lands located in Part of Lot 6, Concession C and identified as Blocks 41 and 42 in Ministry of Municipal Affairs draft plan 49T-87004. Blocks CIL Subdivision M556.

9.04.1.52 Waterfront Residential 1 Exception 52 - (WF1-52)

Part of Lot 24, Concession 1 on Deep Bay, Parts 7 & 9 of Plan PSR-724 including the *original shore road allowance* fronting thereon may be used for two *lots* on which any use in the Waterfront Residential 1 (WF1) Zone is permitted so long as each *lot* has a minimum of 65 metres frontage and 3000 square metres of *lot area*.

9.04.1.53 Waterfront Residential 1 Exception 53 - (WF1-53)

Parts 6 and 7 Plan 42R-9242 Lot 11, Concession C and part of the *original shore road allowance* in front thereof, being Parts 6 & 7, Plan PSR 1660 may have an existing *boathouse structure* located in the *front yard*.

9.04.1.54 Waterfront Residential 1 Exception 54 - (WF1-54)

Lot 1 Plan 42M-556 may have an existing *boathouse structure* and an existing open unenclosed *deck* in the *front yard*.

9.04.1.55 Waterfront Residential 1 Exception 55 - (WF1-55)

A *single detached dwelling unit* including a *home occupation* may be *erected* and used on each of 20 *lots* being *Lots* 1 – 20 of Plan 42M-617 on the lands described as Part of *Lots* 67, 68 and 69 in Concession 9, including the *original shore road allowance* in front thereof subject to the following provisions:

- i) Zone Standards - All those standards for the Waterfront Residential 1 (WF1) Zone;
- ii) Use Restrictions - no guest cabin, no open space uses, no rural uses.
- iii) General Provisions - all other applicable general provisions to the Waterfront Residential 1 (WF1) Zone.

9.04.1.56 Waterfront Residential 1 Exception 56 - (WF1-56)

No *buildings* or *structures* are permitted on that portion of the Crown Lake bed fronting *Lots* 18 and 19 in a draft plan of subdivision under Ministry of Municipal Affairs File No. 49T-92016 excepting a *dock* provided a work permit has been issued by the Ministry of Natural Resources under the Public Lands Act.

9.04.1.57 Waterfront Residential 1 Exception 57 - (WF1-57)

Part of Lot 25, Concession D, being Part 2 of Plan 42R-11740 shall not be used for any purpose and no *building* or *structure* shall be *erected* for any except for following:

- a) a *private road*;
- b) a gatehouse, subject to a maximum *floor area* of 10 square metres, a maximum *height* of 5 metres and a minimum side, front and *rear yard setback* of 3 metres. For the purpose of this exception a "gatehouse" is defined as an *accessory building* for the purpose of housing utilities, telephone and other equipment used in conjunction with the operation of a gate;
- c) a garage, subject to a maximum *floor area* of 38 square metres, a maximum *height* of 5 metres and a minimum side, front and *rear yard setback* of 3 metres. For the purpose of this exception, a "garage" is defined as a non-commercial *accessory building* used for the care, repair or storage of *motor vehicles* used in conjunction with road maintenance purposes and the storage of road maintenance equipment and materials.

9.04.1.58 Waterfront Residential 1 Exception 58 - (WF1-58)

Part of Lot 41, Concession 6, being Parts 1 and 2 of Plan 42R-9007 may have:

- a) Two residential units, together with *accessory buildings* thereto, are permitted in the west half of Parts 1 & 2, Plan 42R-9007 and three residential units, together with *accessory buildings* thereto, are permitted on the east half of Parts 1 & 2, Plan 42R-9007.
- b) No *building* permit shall be issued for the strengthening, reconstruction or repair of the residential unit described as Cottage No.7, at its present location.
- c) Cottage No. 7 may be relocated or reconstructed on the east half of Parts 1 & 2, Plan 42R-9007, provided that such relocation or reconstruction does not further contravene the provisions of this By-law because of an increase in *height*, size or volume, or by changing the use of the *building*.

9.04.1.59 Waterfront Residential 1 Exception 59 - (WF1-59)

A single family dwelling may be *erected* and used on *Lots* 1 to 12 inclusive of Plan 42M-590 subject to:

- a) a minimum *lot frontage* of 70 metres,
- b) a minimum *lot area* of 0.7 hectares,
- c) a minimum *lot depth* of 80 metres for proposed *lots* 6 and 7,
- d) a maximum *building height* of 1 1/2 *storeys* or a maximum *building height* of 8.0 metres, whichever is the lesser,
- e) the restriction of all *accessory buildings* and *structures* including *satellite dishes* to the *rear yard*, with the exception of those permitted under general provisions,
- f) a minimum *front yard* of 20 metres and 5 metres for all other *yards* for proposed *lot* 9,
- g) a minimum easterly *side yard* of 10 metres for proposed *lot* 1.

9.04.1.60 Waterfront Residential 1 Exception 60 - (WF1-60)

*Lot* 1 Plan M489, may be used for a seasonal residential *dwelling unit* and *accessory uses* thereto, including an *accessory building* located in the *front yard*, approximately 22 metres from the original high water line.

9.04.1.61 Waterfront Residential 1 Exception 61 - (WF1-61)

A *seasonal dwelling unit* may be *erected* and used together with any permitted *accessory uses* on each of two *lots* described as Parts 1 and 2 of Reference Plan No. 42R-11213 located in Part of *Lot* 26, Concession 1 including an *accessory dock* restricted to the Crown lake bed within 5 metres of the extended common *lot* boundary between Parts 1 and 2, so long as the location of the *dock* does not encroach upon that extended *lot* boundary.

9.04.1.62 Waterfront Residential 1 Exception 62 - (WF1-62)

A *seasonal dwelling unit*, together with any permitted *accessory uses*, may be *erected* on *Lot* 12 Plan M-489 with a minimum *front yard* of 15 metres.

9.04.1.63 Waterfront Residential 1 Exception 63 - (WF1-63)

A *seasonal dwelling unit* may be permitted and used on the lands described as part of *Lots* 17 and 18, Plan M-80 and the *original shore road allowance* in front thereof located in part of *Lot* 74 Concession 10 together with any permitted *accessory building* or *structure*.

9.04.1.64 Waterfront Residential 1 Exception 64 - (WF1-64)

Part *Lot* 56, Concession 12, Parcel 3653 S.S. may have an 12' x 12' *sauna* located in the *front yard*, approximately 5' from the original *high water mark*.

9.04.1.65 Waterfront Residential 1 Exception 65 - (WF1-65)

*Lot 12, Plan 42M-556 may have a 7' x 14' storage building located in the front yard approximately 7 metres from the original high water mark.*

9.04.1.66 Waterfront Residential 1 Exception 66 - (WF1-66)

Part of Lot 74, Concession 11, being Plan M-93, *Lot 2A*, may have a *seasonal dwelling* house, together with any permitted *accessory buildings* or *structures* with a *front yard* of 49' and an unenclosed *porch* may project into the *front yard* an additional maximum distance of 7'.

9.04.1.67 Waterfront Residential 1 Exception 67 - (WF1-67)

*Lot 1, Plan M-247, together with Part 1, Plan 42R-9679, being the original shore road allowance in front thereof, may have an existing Accessory Building - (Guest Cabin) and an existing accessory building (Storage) located with in the front yard, together with any other permitted accessory uses. For the purpose of this exception "storage building" means an accessory building which contains no sleeping or cooking facilities, and which is not used for human habitation.*

9.04.1.68 Waterfront Residential 1 Exception 68 – (WF1-68)

No *buildings* or *structures* are permitted on the lands described as Part of Lots 69 and 70 in Concessions 9 and 10 including Part of Parts 6, 7 and 8 of Plan 42R-14185 and Part of Part 1 of Plan 42R-14692.

9.04.1.69 Waterfront Residential 1 Exception 69 – (WF1-69)

*Lot 7 of Plan M-121, being Part 5 of Plan 42R-8379, may be used for any permitted use including a maximum of 62 square metres of gross floor area to be added in the area currently occupied by a deck to the existing seasonal dwelling currently located 3 metres from the original high water mark.*

9.04.1.70 Waterfront Residential 1 Exception 70 – (WF1-70)

A dwelling and any permitted *accessory uses, buildings* or *structures* may be permitted on Concession D, Part Lot 21, Plan 42R-5762 Part 3, Parcel 19710 SS known locally as 39 Curran Trail subject to allowing a *sleeping cabin* no larger than 65 square metres, that the *sleeping cabin* not contain any *cooking facilities* including any appliance, cooking or warming device intended to be used for the preparation of food including ovens, hotplates and cooking related appliances, a total aggregate width of *buildings* not to exceed 36.4 metres.

9.04.1.71 Waterfront Residential 1 Exception 71 – (WF1-71)

A dwelling together with any permitted *accessory buildings* or *structures* is permitted on each of two lots located in Part of Lot 13, Concession D and more particularly described as Parts 21 and 22 on Plan 42R-8744, Parts 3 and 4 of Plan 42R-12538 and Part 1 of Plan 42R-13639 subject to a minimum *lot area* of 0.4 hectares and a minimum *lot frontage* of 50 metres.

9.04.1.72 Waterfront Residential 1 Exception 72 – (WF1-72)

Part of Lot 44, Concession 7 being Part 1 of Plan 42R-11944 and Part 1 of Plan 42R-17563, may have a *sauna* with a maximum *gross floor area* not exceeding 6m<sup>2</sup> located on the *dock*

and within 40 metres of the *high water mark* subject to a maximum *height* of 2.4 metres measured from the peak to the top of the *dock*.

9.04.1.73 Waterfront Residential 1 Exception 73 – (WF1-73)

Part of Lots 40 and 41, Concession 7 being Part 1 of Plan 42R-9212 and Part 1 of Plan 42R-9271 may have a *gazebo* having a maximum *gross floor area* of 9.9m<sup>2</sup> located on the *dock* and within 80 metre of the *high water mark* subject to a maximum *height* of 2.4 metres measured from the peak to the top of the *dock*.

9.04.1.74 Waterfront Residential 1 Exception 74 – (WF1-74)

Part of Lot 76, Concession 12, fronting the Georgian Bay being Plan 42R-9114 Part 1, Plan 42R-17780 Parts 1 to 3, LOC RH 6, Parcel 9042 SS may be used for any permitted use including construction of a 56 square metre sleeping cabin to be located 11.5 metres from the original high water mark.

9.04.1.75 Waterfront Residential 1 Exception 75 - (WF1-75)

Part of Lot 75, Concession 12 being Part 1 of Plan PSR-439 and Part 3 of Plan 42R-9115 may be used for any permitted use in the Waterfront Residential 1 (WF1) Zone.

9.04.1.76 Waterfront Residential 1 Exception 76 - (WF1-76)

No person shall within the Waterfront Residential 1 Exception 76 (WF1-76) Zone, use any land, or erect any building or structure for any purpose except in accordance with the following:

(a) Permitted Uses – (Inverlochy Waterfront Area)

- 14 units for the entire area zoned WF1-76;
- a single detached dwelling per unit;
- a single sleeping cabin per unit; and,
- accessory buildings and structures.

(b) Standards

- i) Gross floor area:                      The maximum combined gross floor area of all single detached dwellings, not including sleeping cabins, shall be 3,150 square metres.
- The maximum gross floor area of any individual single detached dwelling shall be 300 square metres.
- ii) Maximum Lot Coverage:    10%.
- iii) Maximum Height:                      9 metres
- iv) Building Setbacks:
- from High Water Mark:    20 metres
- from Unit Boundaries       5 metres

v) Sleeping Cabins

Each sleeping cabin to be located to the rear of each unit's single detached dwelling.

No sleeping cabin shall have kitchen facilities.

For the purposes of the WF1-76 Zone, sleeping cabins shall have a maximum gross

floor area of 30 square metres and a maximum height of 6 metres.

vi) Other Provisions:

All other general provisions shall apply.

9.04.1.77 Waterfront Residential 1 Exception 77 (WF1-77)

Lot 3 on Plan 42M-606 may be used for any permitted use in the Waterfront Residential 1 Zone including a minimum lot frontage of 57 metres.

9.04.1.78 Waterfront Residential 1 Exception 78 (WF1-78)

Plan M104 Summer Resort Lot 23 and RP 42R-8718 Part 34, PCL 7763 SS, PIN No. 521010221 may have a sleeping cabin with a maximum height of 6.4 metres and an interior loft of 3.7 metres. The interior loft can be no larger than 30.2 square metres in size. The interior loft can be used for human habitation purposes, but no additional bedrooms are permitted in the loft space. The sleeping cabin can only be occupied upon authorization from the appropriate authority that a septic system has been installed which is capable of accommodating the sleeping cabin.

9.04.1.79 Waterfront Residential 1 Exception 79 (WF1-79)

Part of Lot 40, Concession 2, being Summer Resort Lot CT43 and RP 42R-20635 Part 1, PCL 7618 SS, PIN No. 520990052 is permitted to replace the existing legal non-complying dwelling with a new larger dwelling, subject to:

- a) a maximum gross floor area of 381.6 square metres;
- b) complying with all other requirements of the Waterfront Residential 1 (WF1) Zone and any applicable general provisions.

9.04.1.80 Waterfront Residential 1 Exception 80 (WF1-80)

Summer Resort Lot 5, Plan M94 and Part 1 on Plan 42R-21021, being PIN No. 520960024 (20 Palmer's Road) is permitted an oversized sleeping cabin, with a floor area not exceeding 80.83 square metres, and with a front yard setback no lesser than 13.1 metres.

9.04.1.81 Waterfront Residential 1 Exception 81 (WF1-81)

Pt Broken Lot 75, Concession 11, being Summer Resort Location CT216; including Pt Shore Road Allowance in front of Lot 75, Concession 11 Carling Pt 2 Plan 42R-10666, being P.I.N. No. 521000119, is hereby permitted a storage shed which includes a half-storey above the main storey, subject to the following conditions:

- a) The half storey is limited in height to a maximum of 2.3 metres;
- b) The overall height of the storage shed is limited to 5 metres (16 feet, 5 inches);
- c) The storage shed is permitted a maximum floor area of 13.5 square metres and the half storey is limited to a floor area of 24.4 square metres (a total permitted gross floor area of 37.9 square metres);
- d) The storage shed must maintain a front yard setback no less than 30 metres from the highwater mark of Georgian Bay, a rear yard setback no less than 82.5 metres, and an interior side yard setback no less than 27 metres.

The storage shed is permitted to be used for storage purposes, incidental to the principal dwelling only. No human habitation is permitted within the storage shed whatsoever.

9.04.1.82 Waterfront Residential 1 Exception 82 (WF1-82):

Lot 14, Plan M170, being PIN 521010279 (22 Pine Valley Drive) is permitted the following:

- a) A single detached residential dwelling with a Gross Floor Area not exceeding 186.4 square metres;
- b) A garage attached to the main dwelling with a floor area not exceeding 53.7 square metres;
- c) A single sleeping cabin not exceeding a floor area of 26.5 square metres; and
- d) A maximum cumulative floor area for all accessory structures on the subject land not exceeding 55.9 square metres.

Subject to all Waterfront Residential 1 (WF1) zone standards as set out in Section 9.02 of the Zoning By-law and any applicable general provisions as outlined in Section 5 of the Zoning By-law.

9.04.1.83 Waterfront Residential 1 Exception 83 (WF1-83):

Part of Lot 13, Concession D, being PIN 521010949 (5 Carrie Lane) is permitted a garage attached to the main dwelling with a covered porch. A separate bedroom is permitted in the storey above the garage. The attached garage and bedroom must maintain a minimum side yard of 1 metre.

No cooking or kitchen facilities will be permitted in the second-storey bedroom located above the attached garage.

Subject to all Waterfront Residential 1 (WF1) zone standards as set out in Section 9.02 of the Zoning By-law and any applicable general provisions as outlined in Section 5 of the Zoning By-law.

9.04.1.84 Waterfront Residential 1 Exception 84 (WF1-84):

Part 1 on Plan 42R-9079, being 66 Shebeshekong Road (PIN No. 52098-0449) is permitted a detached garage, not exceeding 194.17 square metres (2090 square feet) in total floor area, subject to complying with the following provisions:

- a) The detached garage must maintain a minimum interior side yard setback of 15 metres (49.2 feet);
- b) The detached garage must maintain a minimum front yard setback of 70 metres (230 feet); and
- c) The detached garage must be erected behind the principal dwelling on the subject lands;

Part 1 on Plan 42R-9079 is permitted a maximum cumulative floor area for all accessory structures on the property of 194.17 square metres (2090 square feet).

9.04.1.86 Waterfront Residential 1 Exception 86 (WF1-86):

Part of Lot 75, Concession 11, being PCL 6726 SEC SS; PT LT 75, CON 11 Carling as in LP6949 (PIN No. 52100-0130) and PCL 10015 SEC SS; PT LT 75 OCN 11 Carling, being Summer Resort Location GC107; PT RDAL in front of LT 75 CON 11 Carling PT 1 42R-8815 (PIN No. 52100-0129), shall be subject to the following minimum *lot frontages*:

PIN 52100-0130 (36 Back Bay Road): 95 metres

PIN 52100-0129 (38 Back Bay Road): 74 metres

All other applicable Waterfront Residential 1 Zone Provisions and General Provisions shall apply.

#### **9.04.2 Waterfront Residential 2 Exceptions**

##### 9.04.2.1 Waterfront Residential 2 Exception 1 – (WF2-1)

Part of Weldon Island (353C) may have a *boathouse* located in the *front yard* provided that the *boathouse* is limited to one *storey* not exceeding 4 metres in *height*.

##### 9.04.2.2 Waterfront Residential 2 Exception 2 – (WF2-2)

Lot 5 of Plan M-184, Plan 42-8454 Part 2, may exceed the permitted percentage of *lot coverage* by having an addition of 396 square feet added to the *main building*, exceeding the requirements by 394 square feet.

##### 9.04.2.3 Waterfront Residential 2 Exception 3 – (WF2-3)

Notwithstanding the requirements of this By-law, part of Horse Island, being Lot 34, Plan M-458 may have an *accessory building* (3.12 metre x 4.37 metre *sauna*), located approximately 2' from the original *high water mark*.

##### 9.04.2.4 Waterfront Residential 2 Exception 4 – (WF2-4)

Part of Island 94C, Pleasant Island, being Lot 2, Plan M-184, Plan 42R-10011, Part 2, may have a 93 square metre *deck* may be added to an existing legal *non-complying seasonal dwelling*.

##### 9.04.2.5 Waterfront Residential 2 Exception 5 – (WF2-5)

Island 44C, Hydro Island, more particularly described as Parcel 11663 P.S.S.S., may have a 16' x 24' *sauna* located in the *front yard* approximately 6 metres from the original *high water mark* and may have a main residential dwelling with a *setback* of 35' and *lot coverage* by *buildings* of 2100 square feet.

##### 9.04.2.6 Waterfront Residential 2 Exception 6 – (WF2-6)

Island 351C may have a single *storey boathouse / sauna* with a maximum *height* of 4 metres from average grade, located in the *front yard* subject to the location and the maximum *boathouse* size of 30 square metres.

##### 9.04.2.7 Waterfront Residential 2 Exception 7 – (WF2-7)

The minimum depth of a *lot* on Island 311C, Isle of Pines shall be 60 metres and the minimum *rear yard* for a *lot* on Island 311C Isle of Pines shall be 5 metres.

The former dance hall, being the most northern of the existing *buildings* on Island 311C, Isle of Pines, as shown as a Survey Plan prepared by Paul F. Forth, O.L.S. dated August 18, 2004, shall be deemed not to exceed the maximum *floor area* provision in this By-Law for a *sleeping cabin*.

The two 1 *storey* frame dwellings, shown as the two most southern of the existing *buildings* on Island 311C Isle of Pines illustrated in a Survey Plan prepared by Paul F. Forth, O.L.S. dated August 18, 2004, shall each be deemed to meet the minimum *floor area* provision in this By-Law for a *dwelling unit*.

9.04.2.8 Waterfront Residential 2 Exception 8 – (WF2-8)

Part of Island 84C, Kewis Island, more particularly described as Summer Resort Locations NL 141 and NL 142, Plan 42R-8901, shall be subject to the following minimum *lot* sizes:

Frontage (metres)	Depth (metres)	Area (hectares)
Severed <i>Lot</i>	50	88 .50
Retained <i>Lot</i>	69	88 .60

9.04.2.9 Waterfront Residential 2 Exception 9 – (WF2-9)

Part of Island 257C, Snug Island, may have an *Accessory Building* (Guest Cabin) located in front of the front line of the main dwelling.

9.04.2.10 Waterfront Residential 2 Exception 10 – (WF2-10)

Island 33C(Giffen Island) may have a *boathouse* located in the *front yard*.

9.04.2.11 Waterfront Residential 2 Exception 11 – (WF2-11)

Island 253C Walton Island, may have a *boathouse* located in the *front yard*.

9.04.2.12 Waterfront Residential 2 Exception 12 – (WF2-12)

Part of Palestine Island (57C Parcel 2889 PPS) may have a *boathouse* located in the *front yard*.

9.04.2.13 Waterfront Residential 2 Exception 13 – (WF2-13)

Parts Q and P on Bateau Island (235C) as shown on the original survey plan, may each be used for a single family *seasonal dwelling*.

9.04.2.14 Waterfront Residential 2 Exception 14 – (WF2-14)

Island 29C, Mowat Island, shall be subject to the following minimum *lot frontages* and areas:

Plan 42R-9927

Part #	Minimum <i>Lot Area</i>	Minimum <i>Lot Frontage</i>
Part 1	4.0 hectares	300 metres
Part 2	3.0 hectares	110 metres
Part 3	7.0 hectares	300 metres
Part 4	5.0 hectares	350 metres
Part 5	4.0 hectares	250 metres

Part 3 of Plan 42R-9927 may be used for any permitted use and may have a *seasonal dwelling unit* with a *front yard* of 15 metres.

Draft Plan of Subdivision Ministry File 49T-87017

Part #	Minimum <i>Lot Area</i>	Minimum <i>Lot Frontage</i>
<i>Lot A</i>	4.0 hectares	300 metres
<i>Lot B</i>	4.0 hectares	300 metres
<i>Lot C</i>	6.0 hectares	250 metres
<i>Lot D</i>	6.0 hectares	200 metres
<i>Lot E</i>	5.0 hectares	250 metres
<i>Lot F</i>	3.0 hectares	250 metres
<i>Lot G</i>	2.5 hectares	150 metres

9.04.2.15 Waterfront Residential 2 Exception 15 – (WF2-15)

The lands described as the North Part of Oak Island (357C) and identified as Part 1 on Plan 42R-10380, may have a maximum of two guest cabins, one of which may be located no closer than sixteen and one half metres to the *shoreline* on the west side of the property.

9.04.2.16 Waterfront Residential 2 Exception 16 – (WF2-16)

A guest cabin may be located 20 metres from the original *high water mark* on Lot 15, Plan M-197 on Huckleberry Island.

9.04.2.17 Waterfront Residential 2 Exception 17 – (WF2-17)

A *seasonal dwelling unit* may be *erected* and used together with any permitted *accessory uses* on each of three *lots* described as the south portion of Part of Island 36C, Johnson Island, being Parts 1 to 3 of Plan 42R-12086 comprised of plus or minus 7 acres subject to a minimum *lot* size of 0.8 hectares.

9.04.2.18 Waterfront Residential 2 Exception 18 – (WF2-18)

A *seasonal dwelling* together with any permitted *accessory uses* may be located on Part 6, Plan PSR 2101 with a *side yard* of 1.5 metres on the east side of the *lot* and a *front yard* of 13 metres.

9.04.2.19 Waterfront Residential 2 Exception 19 – (WF2-19)

A *seasonal dwelling* may be located on Lot 8, Plan 219 with a *front yard* of 13 metres, together with any permitted *accessory uses*.

9.04.2.20 Waterfront Residential 2 Exception 20 – (WF2-20)

Lot 1, Plan M-197 may have an 8' x 14' storage *building* located in front of the existing main residential unit, approximately 21 metres from the original *high water mark*. For the purpose of this exception "storage *building*" means an *accessory building* which contains no sleeping or *cooking facilities*, and which is not used for *human habitation*.

9.04.2.21 Waterfront Residential 2 Exception 21 – (WF2-21)

Island No. 66C, Cameron Island may have a *seasonal dwelling* house, together with any permitted *accessory buildings* or *structures*, with a *front yard* of 25' and an unenclosed *deck* or steps may project into the *front yard* a maximum distance of 4' provided that such uses are not more than 2 metres above grade.

9.04.2.22 Waterfront Residential 2 Exception 22 – (WF2-22)

Part of Island 49C, Dubeau Island may have an *Accessory Building - Boathouse* located in the *front yard* with a total *lot coverage* allowance of 325 square metres.

9.04.2.23 Waterfront Residential 2 Exception 23 – (WF2-23)

Lot 6, Plan 219 may have a 8' x 12' *Accessory Building - Storage Building* located approximately 10.5 metres from the original *high water mark*. For the purpose of this exception "storage *building*" means an *accessory building* which contains no sleeping or *cooking facilities*, and which is not used for *human habitation*.

9.04.2.24 Waterfront Residential 2 Exception 24 – (WF2-24)

No *building* or *structure*, including a *dock* or *boathouse* may be *erected*, altered or used on part of Grave Island No 18C including parts of the Crown Lakebed in front thereof.

9.04.2.25 Waterfront Residential 2 Exception 25 – (WF2-25)

Part of Island 20C (Horse Island), being *Lot 6*, Plan M458 may have an *Accessory Building* (Storage) located in the *front yard* 25' from the water's edge.

9.04.2.26 Waterfront Residential 2 Exception 26 – (WF2-26)

Island 32C may have a *seasonal dwelling* with a *setback* of 6.4 metres, and *lot coverage* by *buildings* of 147.5 square metres.

9.04.2.27 Waterfront Residential 2 Exception 27 – (WF2-27)

Part of Rose Island, being *Lot 6*, Plan M-579 may have an 18' x 8'4 *accessory building* (storage), located 16.45 metres from the original *high water mark*, with an additional encroachment of 3.4 metres for an open unenclosed *deck*.

9.04.2.30 Waterfront Residential 2 Exception 30 - (WF2-30)

The total allowable lot coverage for main dwellings for Island 256C, Westyle is 296.1 square metres and the removal of any main dwelling may incorporate the equivalent square footage into one of the remaining main dwellings so long as the front yards are preserved.

9.04.2.31 Waterfront Residential 2 Exception 31 – (WF2-31)

Part of Island 92C (Beatty Island), being 1 Island 92C, P.I.N. No. 520950721 is permitted a second sleeping cabin not exceeding 30 square metres in size and is permitted a maximum accessory structure floor area of 166 square metres.

9.04.2.32 Waterfront Residential 2 Exception 32 (WF1-32)

Part 1 on Plan 42R-17166, being PIN No. 520950503 (2 Island 311C) is permitted a storage shed, with a footprint not exceeding 42.18 square metres and with a front yard setback of 9.14 metres (30 feet).

Part 1 on Plan 42R-17166 is also permitted a sauna located within the front yard, subject to a footprint not exceeding 19.23 square metres and a front yard setback no less than 5.79 metres (19 feet).

9.04.2.33 Waterfront Residential 2 Exception 33 (WF2-33)

1 Island 339C (Edgar Island) is permitted a second dwelling, located no closer than 12.3 metres to the highwater mark of Georgian Bay. The dwelling's maximum Gross Floor Area allowance will be calculated based on a lot area of 2.3 hectares as per the Sketch prepared by Tulloch Engineering dated June 25, 2021.

1 Island 339C will also be permitted a second sleeping cabin, with a floor area not exceeding 78 square metres and a front yard setback no less than 33.8 metres as measured to the highwater mark of Georgian Bay.

9.04.2.34 Waterfront Residential 2 Exception 34 (WF2-34)

1. 1 Island 360C (Morlock Island), Township of Carling is permitted the following buildings and structures:

- a. 1 storey dwelling;

- b. Sleeping cabin;
  - c. Privy;
  - d. Outbuilding;
  - e. 3 "A" Frame Buildings;
  - f. Floating dock on the north side of the island;
  - g. Floating dock on the south side of the island.
2. The Waterfront Residential 2 (WF2) zone standards as set out in Section 9 of the Zoning By-law and any applicable general provisions as outlined in Section 5 of the Zoning By-law shall apply except for the following:
- a. The dwelling is permitted a minimum front yard setback of 4.0 metres on the south east corner of the dwelling;
  - b. The dwelling is permitted a minimum front yard of 9.0 metres on the western corner of the dwelling;
  - c. The maximum footprint of the dwelling is 175.12 square metres and limited to one storey in height;
  - d. The maximum cumulative footprint of all accessory buildings is 101 square metres;
  - e. Walkways are permitted.

### 9.04.3 Waterfront Residential 3 Exceptions

#### 9.04.3.1 Waterfront Residential 3 Exception 1 – (WF3-1)

Lots 11, 12 and 13, Concession 1 may be used for any permitted use in the Waterfront 3 (WF3) Zone, provided that the following provisions shall apply:

- i) Notwithstanding the minimum *lot area* and frontage requirements, the minimum *lot frontages* and areas for Lots 11, 12 and 13, Concession 1 shall be those approved by the Parry Sound Area Planning Board on Consent Application B/2/2004(C).
- ii) No *buildings* or *structures*, including *docks*, shall be located within the Environmental Protection (EP) Zone;
- iii) The minimum *front yard* from the Environmental Protection (EP) Zone for all *buildings* and *structures*, with the exception of *docks*, shall be 30 metres;
- iv) The minimum *side yard* from the Environmental Protection (EP) Zone for all *buildings* and *structures*, including *docks*, shall be 15 metres;
- v) No addition, enlargement, reconstruction, replacement or renovation is permitted to any existing *building* or *structure* unless such *building* or *structure* complies with all applicable yard and *height* requirements of this by-law.

#### 9.04.3.2 Waterfront Residential 3 Exception 2 – (WF3-2)

Severed *lot* located on Concession 1, Part of Lot 10 may be used for any permitted use in the Waterfront Residential 3 (WF3) Zone with the additional requirements that:

- (a) any use permitted in the Waterfront Residential 3 (WF3) Zone;
- (b) a minimum *front yard* of 30 metres for any septic system;
- (c) the required *front yard* will be left in its natural state;
- (d) notwithstanding paragraph (c) above, a clearing of the natural vegetation is permitted for access to the lake at the location adjacent to the rock clearing along the *shoreline* and said clearing is not to exceed 15 metres in width;

- (e) any *dock* and ramp *structure* shall be described to be floating or built on poles provided that there is no disturbance of the natural conditions along the nearshore area;
- (f) that the existing development meets all the required *setbacks* for the Waterfront Residential 3 (WF3) Zone;

## SECTION 10 - HIGHWAY – SERVICE COMMERCIAL (C1) ZONE (NON WATERFRONT)

### 10.01 Uses Permitted

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

- a) Residential Uses
  - a *dwelling unit* or units permitted under the provisions of this By-law.
  
- b) Commercial Uses
  - a *restaurant*;
  - a *retail store*
  - all terrain *vehicle* dealership and rentals/ all terrain trail riding
  - an antique shop
  - an outfitter
  - *animal hospital/shelter*
  - archery range
  - *automobile sales establishment*
  - *automobile service station*,
  - bakery
  - *bed and breakfast*
  - *boat sales*
  - *boat sales/rentals*
  - *boat storage*
  - *business or professional office*
  - canoe, kayak and *boat manufacturing* and sales
  - *clinic*
  - community centre
  - *convenience store*
  - custom *workshop*
  - *dock builder*
  - drive-in movie
  - dry cleaning/Laundromat
  - dry land *marina*
  - farmers market
  - fish processing for retail
  - fuel sales
  - furniture *manufacturing* (lawn furniture/garden)
  - golf driving range
  - green house (retail)
  - *hotel/motel*
  - internet café
  - *kennel* (pet *hotel* and dog breeding)
  - laundromat
  - live bait shop
  - *lodge*
  - lumber *yard* (retail)
  - *manufacturing* for local retail/small scale wholesale
  - micro brewery retail/wholesale
  - miniature golf
  - movie theatre
  - *office/warehouse*
  - paint ball field
  - petting farm
  - pool hall/arcade
  - *public garage*

- public storage
- real estate office
- rental shop of tools, and light commercial equipment
- repair shop e.g. auto/off road *vehicles*, appliances,
- RV sales and rental
- self storage
- snowmobile dealership and rental
- studio for producing and displaying art, crafts and prototypes
- *tavern*
- *tent trailer/recreational vehicle* sales and service including storage
- tourist information centre
- *tent trailer* rental and sales
- skate park
- fish pond

## 10.02 Zone Standards

a)	Minimum <i>Lot Frontage</i>	60 metres
b)	Minimum <i>Lot Area</i>	0.4 hectares
c)	Minimum <i>Front Yard</i>	20 metres
d)	Minimum <i>Side Yard</i>	5 metres
e)	Minimum <i>Exterior Side Yard</i>	15 metres
f)	Minimum <i>Rear Yard</i>	15 metres
g)	Maximum <i>Height</i>	15 metres
h)	Accessory <i>Building – Yard</i>	3 metres
i)	Accessory <i>Building - Height</i>	6 metres
j)	Maximum <i>Lot Coverage</i>	20%

## 10.03 Provisions for Accessory Uses

The provisions of Section 10.01 shall apply to *accessory buildings, structures* and uses, except as otherwise provided for in Section 5, General Provisions.

## 10.04 Special Exception Regulations – Highway-Service Commercial (C1)

The regulations contained in Section 10.01, General Use Provisions and Zone Requirements, shall apply to the Special Provision Use areas or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 10.04.

### 10.04.1 Highway-Service Commercial Exception 1 (C1-1)

Part of Lot 4, Concession 3 may be used for the following Industrial uses and *accessory uses* thereto:

- a) reclamation of refrigerant fluorocarbons, subject to the licensing and regulatory requirements of the Ministry of Environment and Energy;
- b) a *service shop* for the repair and sale of used appliances;
- c) a *salvage yard* as defined as land or *buildings* used for a wrecking *yard* or premise, the keeping and/or storing of used *motor vehicles, farm* implements, building products, *waste* paper, rags, bones, bottles, bicycles, tires, old metal, other scrap materials or salvage and where such materials are bought, sold, exchanged, baled, packed, disassembled or handled for further use;
- d) an existing *dwelling unit*

#### 10.04.2 Highway-Service Commercial Exception 2 (C1-2)

Part 1 of Plan 42R-3608, located in Lot 45, Concession 12 fronting on Carling Bay Road and Coles Lake may be used for a retail of service establishment, *parking area*, a *marina* retail outlet, a *boat* livery, a *boat* building or storage establishment, an antique shop, a *bed and breakfast* establishment, or a facility for instructing skiing, canoeing or kayaking.

#### 10.04.3 Highway-Service Commercial Exception 3 (C1-3)

Part of Lot 37, Concession 7, more particularly described as part of Part 1, Plan 42R-4396, may be used for a *dwelling unit* and *accessory uses* thereto and for the *manufacturing* of wood products and *docks*, together with a *service shop* and retail uses.

#### 10.04.4 Highway-Service Commercial Exception 4 (C1-4)

Part of Lot 75, Concession 12, being Parcel 6525 PSSS, including Part 6, Plan 42R-9115 may have an existing *Dwelling Unit* and existing Guest Cabin on the subject lands.

#### 10.04.5 Highway-Service Commercial Exception 5 (C1-5)

Part of Lot 10, Concession 2 being Part 1 of Plan PSR-1874, may be used for a retail business catering to the public including the sale of "take-out" food products, firewood, bait and similar products.

#### 10.04.6 Highway-Service Commercial Exception 6 (C1-6)

Holding: Part of Lots 48 and 49, Concession 12, being Parts 1 and 6 of Plan 42R-5734; and Part of Lot 14, Concession D, more particularly described as Part 5 on Reference Plan 42R-7608 may be used for enclosed *boat* storage, a *Marina* Maintenance and Repair Facility, and *vehicle* parking, all ancillary to the operation of the Carling Bay Marina, provided that:

- i) the percentage of *lot coverage* by *buildings* shall not exceed 20%;
- ii) the minimum *lot frontage* shall not be less than 27 metres;
- iii) the minimum *lot area* shall not be less than 0.63 hectares; and
- iv) all other requirements of the Tourist Commercial (C2) Zone are met.

For the purpose of this By-law, a "*Marina* Service and Repair Facility" shall mean the use of any land, *building* or *structure* for the purpose of servicing, repairing and maintaining *boats* or other recreational watercraft and shall not include the storing or keeping for retail sale of any goods including fuels, oil, grease, anti-freeze other similar supplies.

#### 10.04.7 Highway-Service Commercial Exception 7 Holding – (C1-7-H)

Part of Lot 25, Concession 2, and more particularly described as Part 1 of Reference Plan No. 42R-19977 may be used for one or more of the following uses:

- a rental store
- all-terrain vehicle repair dealership and rentals / all-terrain riding
- an outfitter
- boat sales
- boat sales/rentals
- boat storage
- business or professional office
- canoe, kayak and boat manufacturing and sales
- convenience store
- custom workshop
- dock builder
- dry land marina
- farmers market

- furniture manufacturing (law furniture/garden)
- laundromat
- office warehouse
- public garage
- public storage
- repair shop (e.g. auto/off road vehicles, appliances)
- self-storage
- studio for producing and displaying art, crafts and prototypes
- tent trailer / recreational vehicles sales and services including storage
- tourist information centre

Subject to a maximum lot coverage of 10% and provided that all other applicable requirements of the Highway-Service Commercial (C2) Zone are met.

## SECTION 11 - TOURIST COMMERCIAL (C2) ZONE

### 11.01 Uses Permitted

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

- a) Residential Uses
  - a *dwelling unit* or units permitted under the provisions of this By-law.
- b) Commercial Uses
  - *tourist establishment*
  - existing *tent* and *trailer park*
  - rental cabins/cottages
  - *hotel/motel*
  - a *marina*
  - children's summer camp
  - auxiliary retail/service establishment
  - *lodge*
  - accessory *restaurant*

### 11.02 Zone Standards

a)	Minimum <i>Lot Frontage</i>	70 metres
b)	Minimum <i>Lot Area</i>	0.4 hectares
c)	Minimum <i>Lot Depth</i>	60 metres
d)	Minimum <i>Front Yard</i>	20 metres
e)	Minimum <i>Side Yard</i>	5 metres
f)	Minimum <i>Exterior Side Yard</i>	15 metres
g)	Minimum <i>Rear Yard</i>	15 metres
h)	Minimum <i>Building Area</i> – Ground Floor	55 square metres
i)	Maximum <i>Height</i>	15 metres
j)	Accessory <i>Building</i> – <i>Yard</i>	3 metres
k)	Accessory <i>Building</i> – <i>Height</i>	6 metres
l)	Maximum <i>Lot Coverage</i>	10%
m)	Maximum <i>Floor Area</i> – Accessory <i>Buildings</i>	10%

### 11.03 Provisions for Accessory Uses

The provisions of Section 11.01 shall apply to *accessory buildings*, *structures* and uses, except as otherwise provided for in Section 5, General Provisions.

### 11.04 Special Exception Regulations – Tourist Commercial (C2)

The regulations contained in Section 11.01, General Use Provisions and Zone Requirements, shall apply to the Special Provision Use areas or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 11.04.

#### 11.04.1 Tourist Commercial Exception 1 Holding (C2-1-H)

Notwithstanding the requirements of this By-law part of Lot 12, Concession 4, being Part 1 of Plan 42R-2483, may have an *Accessory Building* (16' octagonal *gazebo*) located 7.6 metres from the *front lot line*.

#### 11.04.2 Tourist Commercial Exception 2 Holding (C2-2-H)

Notwithstanding the requirements of this By-law:

- (a) Residential uses existing on the date of passage of this By-law will be permitted on Part of Lots 12 and 13, Concession D being Part 20 of Reference Plan No. 42R-14643.
- (b) A tourist commercial use including up to ten units consisting of any combination of *tent* sites, *trailer* sites and *rental cottages*, a maximum of fifteen *boat docking* slips including any other *accessory uses*, *buildings* or *structures* may be permitted on Part of Lots 12 and 13, Concession D being Part 20 of Reference Plan No. 42R-14643 subject to a minimum *lot frontage* of 80 metres, a minimum *lot area* of 6 hectares, and subject to all other general provisions and zone requirements.

For the purpose of this by-law, a *boat docking* slip means a *structure* where *boats* can remain for loading, unloading, repair or storage including the water space adjacent to the *structure* that is capable of being occupied by a *boat* and for the purpose of calculating the numbers of slips, each slip shall consist of eight (8) metres of adjacent *dock structure*.

#### 11.04.3 Tourist Commercial Exception 3 Holding (C2-3-H)

A dwelling is a permitted use, together with an accessory general contracting business including a shop, storage of equipment that is in good working order, storage of building materials only for designated work in progress and the *docking* of work *boats* by the owner on Part of Lot 46, Concession 8 being Parts, 8, 9, 10, 11, 12, Plan 42R8519.

#### 11.04.4 Tourist Commercial Exception 4 Holding (C2-4-H)

No *buildings* excepting *docks* and pump houses shall be constructed on the lands below an elevation of 178.3 metres G.S.C. located the Lots 31, 32 and 33, Concession 4, fronting on the little Shebeshekong River.

No *building* or *structure*, including a *dock* or *boathouse* may be *erected*, altered or used along part of the *original shore road allowance* and the Crown River bed of the Little Shebeshekong River fronting Lots 31, 32 and 33 in Concession 4.

#### 11.04.5 Tourist Commercial Exception 5 Holding (C2-5-H)

Two main dwellings, five *sleeping cabins*, a *boatport* and any other *accessory buildings* or *structures* may be *erected* and used on Part of Lot 12 and 13, Concession 4, being Parts 2 & 5 of Plan No. 42R-10761, subject to a maximum main dwelling *gross floor area* of 700 square metres and 280 square metres respectively, a maximum *boatport* height of 6.1 metres measured from the high water mark to the peak, a maximum covered area of the *boatport* of 122.2 square metres and provided the total *lot coverage* for *accessory buildings* does not exceed 717.2 square metres including 200 square metres for a *building* with 4 *sleeping cabins* and a storage unit and that the *sleeping cabins* not contain any *cooking facilities* defined as any appliance, cooking or warming device intended to be used for the preparation of food including ovens, hotplates and cooking related appliances.

#### 11.04.7 Tourist Commercial Exception 7 Holding (C2-7-H)

Any use permitted in the Tourist Commercial (C2) Zone may be used on the lands described as Lot 18A and Part of Lot 18 and the *Original Shore Road Allowance* in front thereof, all located in Part of Lots 73 and 74, Concession 10 provided that there are no additional dwellings in the form of house-keeping cottages and that further, any additions or expansions of non-residential *structures* must comply with the general provisions and applicable *lot* and *yard* requirements for the Tourist Commercial (C2) Zone.

#### 11.04.8 Tourist Commercial Exception 8 Holding (C2-8-H)

The lands known as Shebe Resort located in Part of Lot 11, Concession 3 fronting on Lake Shebeshekong including the *original shore road allowance* in front thereof may be used for any purpose permitted in the Tourist Commercial (C2) Zone provided that three of the 13 existing rental cabins being identified as cottage nos., 3, 4 and 13 are subject to a minimum *front yard* of 10 metres and further provided that all other general provisions and zone requirements of the Tourist Commercial (C2) Zone are met. This property will be subject to a holding provision in accordance with the requirements of the Official Plan and Zoning By-law C464-2008 for the purpose of any Expansion of the tourist commercial use.

#### 11.05 Holding Provisions

The use of the 'H' Holding symbol on any lands zoned Tourist Commercial Holding – (C2-H) is to ensure that the policies for redevelopments of these lands as set out in 15.04 of the official plan are met. Once a redevelopment plan has been approved in accordance with these policies the H – symbol shall be removed.

## SECTION 12 - CONTRACTOR COMMERCIAL (CC) ZONE

### 12.01 Uses Permitted

- a) Residential Uses
  - a *dwelling unit* or units permitted under the provisions of this By-law.
- b) Commercial Uses
  - *contractor's yard*;
  - *equipment/boat storage*;
  - *office*;
  - *home industry*

### 12.02 Zone Standards

a)	Minimum <i>Lot Frontage</i>	60 metres
b)	Minimum <i>Lot Area</i>	0.4 hectares
c)	Minimum <i>Lot Depth</i>	50 metres
d)	Minimum <i>Front Yard</i>	20 metres
e)	Minimum <i>Side Yard</i>	5 metres
f)	Minimum <i>Exterior Side Yard</i>	10 metres
g)	Minimum <i>Rear Yard</i>	15 metres
h)	Minimum <i>Building Area</i> – Ground Floor	55 square metres
i)	Maximum <i>Height</i>	15 metres
j)	Accessory <i>Building</i> – <i>Yard</i>	3 metres
k)	Accessory <i>Building</i> – <i>Height</i>	6 metres
l)	Maximum <i>Lot Coverage</i> by <i>buildings</i> in percent	20%
m)	Maximum <i>Floor Area</i> – Accessory <i>Buildings</i>	10%

### 12.03 Provisions for Accessory Uses

The provisions of Section 12.01 shall apply to *accessory buildings, structures* and uses, except as otherwise provided for in Section 5, General Provisions.

### 12.04 Special Exception Regulations – Contractor Commercial (CC)

The regulations contained in Section 12.01, General Use Provisions and Zone Requirements, shall apply to the Special Provision Use areas or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 12.04.

## SECTION 13 - COMMERCIAL MARINE (CM) ZONE

### 13.01 Uses Permitted

- a) Residential Uses
  - a *dwelling unit* or units permitted under the provisions of this By-law.
- b) Commercial Uses
  - a *marina*;
  - *restaurant*;
  - equipment storage facility;
  - shop;
  - *boat building*;
  - *marina* retail outlet;
  - snowmobile/all terrain/*boats* dealership

### 13.02 Zone Standards

a)	Minimum <i>Lot Frontage</i>	60 metres
b)	Minimum <i>Lot Area</i>	0.4 hectares
c)	Minimum <i>Lot Depth</i>	50 metres
d)	Minimum <i>Front Yard</i>	0 metres
e)	Minimum <i>Interior Side Yard</i>	5 metres
f)	Minimum <i>Exterior Side Yard</i>	15 metres
g)	Minimum <i>Rear Yard</i>	15 metres
h)	Minimum <i>Building Area</i> – Ground Floor	55 square metres
i)	Maximum <i>Building Height</i>	15 metres
j)	Accessory <i>Building</i> – <i>Yard</i>	3 metres
k)	Accessory <i>Building</i> – <i>Height</i>	6 metres
l)	Maximum <i>Lot Coverage</i> by <i>buildings</i> in percent	20%
m)	Maximum <i>Floor Area</i> – Accessory <i>Buildings</i>	10%

#### Split Zone

There are *marinas* that include Tourist Commercial uses and these properties will be assigned both the C2-H and CM Zone symbols. For any C2-H uses, the more restrictive zone standards shall apply.

### 13.03 Provisions for Accessory Uses

The provisions of Section 13.01 shall apply to *accessory buildings, structures* and uses, except as otherwise provided for in Section 5, General Provisions.

### 13.04 Special Exception Regulations – Commercial Marine (CM)

The regulations contained in Section 13.01, General Use Provisions and Zone Requirements, shall apply to the Special Provision Use areas or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 13.04.

## SECTION 14 - INSTITUTIONAL (INST) ZONE

### 14.01 Uses Permitted

- a) Residential Uses
  - a *dwelling unit* or units permitted under the provision of the by-law
  
- b) *Institutional* Uses
  - a *church*;
  - a *hospital*;
  - a *school*;
  - a *nursery school*;
  - a *nursing home*;
  - a community centre;
  - a public hall;
  - a library;
  - government facilities

### 14.02 Zone Standards

a)	Minimum <i>Lot Frontage</i>	70 metres
b)	Minimum <i>Lot Area</i>	0.4 hectares
c)	Minimum <i>Lot Depth</i>	
d)	Minimum <i>Front Yard</i>	20 metres
e)	Minimum <i>Side Yard</i>	5 metres
f)	Minimum <i>Exterior Side Yard</i>	15 metres
g)	Minimum <i>Rear Yard</i>	15 metres
h)	Minimum <i>Building Area</i> – Ground Floor	55 square metres
i)	Maximum <i>Height</i>	20 metres
j)	Accessory <i>Building</i> – <i>Yard</i>	3 metres
k)	Accessory <i>Building</i> – <i>Height</i>	6 metres
l)	Maximum <i>Lot Coverage</i>	15%

### 14.03 Provisions for *Accessory Uses*

The provisions of Section 14.01 shall apply to *accessory buildings, structures* and uses, except as otherwise provided for in Section 5, General Provisions.

### 14.04 Special Exception Regulations – *Institutional (INST)*

The regulations contained in Section 14.01, General Use Provisions and Zone Requirements, shall apply to the Special Provision Use areas or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 14.04.

## SECTION 15 - INDUSTRIAL GENERAL (M) ZONE

### 15.01 Uses Permitted

- a) Residential Uses
  - a *dwelling unit* or units permitted under the provisions of this By-law
  
- b) Commercial Uses
  - *building supply* outlet;
  - a *parking* garage, *structure* or *lot*;
  - *bulk fuel storage*;
  - telephone exchange;
  - wind turbines;
  - truck or bus storage;
  - *restaurant*;
  - laundromat;
  - a light *manufacturing* establishment
  
- c) Industrial Uses
  - a fabricating, processing or *manufacturing* establishment;
  - an assembly plant;
  - *boat* building;
  - saw mill;
  - gas station;
  - *contractor* shop or *yard*;
  - a *farm* operation;
  - open storage;
  - a machine or welding shop;
  - *warehouse*;
  - cold storage;
  - autobody shop

### 15.02 Zone Standards

a)	Minimum <i>Lot Frontage</i>	60 metres
b)	Minimum <i>Lot Area</i>	0.4 hectares
c)	Minimum <i>Lot Depth</i>	50 metres
d)	Minimum <i>Front Yard</i>	10 metres
e)	Minimum <i>Interior Side Yard</i>	5 metres
f)	Minimum <i>Exterior Side Yard</i>	10 metres
g)	Minimum <i>Rear Yard</i>	15 metres
h)	Maximum <i>Building Height</i>	15 metres
i)	<i>Accessory Building – Yard</i>	5 metres
j)	<i>Accessory Building - Height</i>	6 metres
k)	Maximum <i>Lot Coverage</i>	50%

### 15.03 Provisions for Accessory Uses

The provisions of Section 15.01 shall apply to *accessory buildings, structures* and uses, except as otherwise provided for in Section 5, General Provisions.

### 15.04 Special Exception Regulations – Industrial (M)

The regulations contained in Section 15.01, General Use Provisions and Zone Requirements, shall apply to the Special Provision Use areas or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 15.04.

#### 15.04.1 Industrial Exception 1 (M-1)

Part of Lot 37 Concession 7, more particularly described as Part 1 of Plan 42R-12626, may be used for a *dwelling unit* and *accessory uses* thereto and for the *manufacturing* and production of rope, together with a *service shop* and retail uses.

## SECTION 16 - INDUSTRIAL PARK (M1) ZONE

### 16.01 Uses Permitted

- a) Residential Uses
  - one accessory dwelling occupied by the owner or caretaker or security officer
  
- b) Commercial Uses
  - *building supply* outlet;
  - a *parking* garage, *structure* or *lot*;
  - *bulk fuel storage*;
  - telephone exchange;
  - wind turbines;
  - truck or bus storage;
  - *restaurant*;
  - laundromat;
  - a light *manufacturing* establishment
  - *automobile washing establishment*
  
- c) Industrial Uses
  - a fabricating, processing or *manufacturing* establishment;
  - an assembly plant;
  - *boat* building;
  - saw mill;
  - gas station;
  - *contractor* shop or *yard*;
  - a *farm* operation;
  - open storage;
  - a machine or welding shop;
  - *warehouse*;
  - cold storage;
  - autobody shop
  - an *automobile sales establishment*
  - an *automobile service station*
  - custom workshop
  - *auctioneer* establishment
  - printing establishment
  - public storage mini-storage
  - transportation depot
  - *consumer waste recycling facility*

### 16.02 Zone Standards

a)	Minimum <i>Lot Frontage</i>	50 metres
b)	Minimum <i>Lot Area</i>	0.2 hectares
c)	Minimum <i>Lot Depth</i>	40 metres
d)	Minimum <i>Front Yard</i>	8 metres
e)	Minimum <i>Interior Side Yard</i>	3 metres
f)	Minimum <i>Exterior Side Yard</i>	5 metres
g)	Minimum <i>Rear Yard</i>	10 metres
h)	Maximum <i>Building Height</i>	15 metres
i)	Accessory <i>Building – Yard</i>	3 metres
j)	Accessory <i>Building – Height</i>	6 metres
k)	Maximum <i>Lot Coverage</i> by <i>buildings</i> in percent	50%

### **16.03 Provisions for Accessory Uses**

The provisions of Section 16.01 shall apply to *accessory buildings, structures* and uses, except as otherwise provided for in Section 5, General Provisions.

### **16.04 Special Exception Regulations – Industrial Park (M1)**

The regulations contained in Section 16.01, General Use Provisions and Zone Requirements, shall apply to the Special Provision Use areas or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 16.04.

#### **16.04.1 Industrial Park Exception 1 (M1-1)**

Part of Lots 11 and 12 in Concession 8 and 9 and a portion of the concession road allowance located the Woods Road Industrial Park may be used for any purpose in the Industrial (M1) Zone, including a medical waste processing use subject to all of the requirements for the Industrial (M1) Zone. \*Note: Ontario Municipal Board order - Appeals filed against Zoning By-law C253-89 were dismissed, however, the by-law will not come into force until certificates of approval are issued, pursuant to the Environmental Protection Act.

#### **16.04.2 Industrial Park Exception 2 (M1-2)**

The lands located in Part of Lots 11 and 12 in Concession 9 on Ritchie Court in the Industrial Park are subject to front, rear, side and exterior side yards of zero (0) metres.

## SECTION 17 - INDUSTRIAL PIT (M2) ZONE

### 17.01 Uses Permitted

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

a) Industrial Uses

- extraction and screening of natural occurring sands and gravel

Prohibited Uses

- blasting and crushing of rock and other *quarry* material
- no processing or washing of rock or other *quarry* material is permitted.
- a sand, gravel or rock *quarry* extraction operation;
- a sand, gravel or rock processing, washing, sorting storage, screening or crushing operation.
- a *portable asphalt plant*;
- a *wayside pit* or *quarry*;

### 17.02 Zone Standards

The following standards needs to be applied together with any requirements under any license issued under the Aggregate Resources Act.

a)	Minimum <i>Lot Frontage</i>	100 metres
b)	Minimum <i>Lot Area</i>	1.0 hectare
c)	Minimum <i>Lot Depth</i>	100 metres
d)	Minimum <i>Front Yard</i>	20 metres
e)	Minimum <i>Interior Side Yard</i>	5 metres
f)	Minimum <i>Exterior Side Yard</i>	10 metres
g)	Minimum <i>Rear Yard</i>	5 metres
h)	Maximum <i>Building Height</i>	15 metres
i)	Accessory <i>Building – Yard</i>	5 metres
j)	Accessory <i>Building – Height</i>	6 metres
k)	Maximum <i>Lot Coverage</i> by <i>buildings</i> in percent	5%

### 17.03 Provisions for Accessory Uses

The provisions of Section 17.01 shall apply to *accessory buildings*, *structures* and uses, except as otherwise provided for in Section 5, General Provisions.

### 17.04 Special Exception Regulations – Industrial Pit (M2)

The regulations contained in Section 17.01, General Use Provisions and Zone Requirements, shall apply to the Special Provision Use areas or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 17.04.

## SECTION 18 - WASTE DISPOSAL (M3) ZONE

### 18.01 Uses Permitted

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

- a solid *waste* collection, sorting, processing and disposal area;
- a *waste transfer station*;
- a recycling facility;
- *buildings* and *structures* for and accessory to the permitted uses.
- a *salvage yard*

### 18.02 Zone Standards

a)	Minimum <i>Lot Frontage</i>	100 metres
b)	Minimum <i>Lot Area</i>	1.0 hectares
c)	Minimum <i>Lot Depth</i>	60 metres
d)	Minimum <i>Front Yard</i>	20 metres
e)	Minimum <i>Interior Side Yard</i>	10 metres
f)	Minimum <i>Exterior Side Yard</i>	20 metres
g)	Minimum <i>Rear Yard</i>	15 metres
h)	Maximum <i>Building Height</i>	10 metres
i)	Accessory <i>Building – Yard</i>	6 metres
j)	Accessory <i>Building – Height</i>	6 metres
k)	Maximum <i>Lot Coverage</i> by <i>buildings</i> in percent	5%

### 18.03 Provisions for Accessory Uses

The provisions of Section 18.01 shall apply to *accessory buildings*, *structures* and uses, except as otherwise provided for in Section 5, General Provisions.

### 18.04 Special Exception Regulations – Waste Disposal (M3)

The regulations contained in Section 18.01, General Use Provisions and Zone Requirements, shall apply to the Special Provision Use areas or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 18.04.

## SECTION 19 - INDUSTRIAL QUARRY (MQ2) ZONE

### 19.01 Uses Permitted

a) Industrial Uses

Permitted Uses

- a sand, gravel or rock *pit or quarry* extraction operation;
- a sand, gravel or rock processing, blasting, washing, sorting, storage, screening or crushing operation

### 19.02 Zone Standards

a)	Minimum <i>Lot Frontage</i>	100 metres
b)	Minimum <i>Lot Area</i>	1.0 hectares
c)	Minimum <i>Lot Depth</i>	60 metres
d)	Minimum <i>Front Yard</i>	20 metres
e)	Minimum <i>Interior Side Yard</i>	10 metres
f)	Minimum <i>Exterior Side Yard</i>	20 metres
g)	Minimum <i>Rear Yard</i>	15 metres
h)	Maximum <i>Building Height</i>	10 metres
i)	Accessory <i>Building – Yard</i>	6 metres
j)	Accessory <i>Building – Height</i>	6 metres
k)	Maximum <i>Lot Coverage by buildings</i> in percent	5%

### 19.03 Provisions for Accessory Uses

The provisions of Section 19.01 shall apply to *accessory buildings, structures* and uses, except as otherwise provided for in Section 5, General Provisions.

### 19.04 Special Exception Regulations – Industrial Quarry (MQ2)

The regulations contained in Section 19.01, General Use Provisions and Zone Requirements, shall apply to the Special Provision Use areas or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 19.04.

## SECTION 20 - OPEN SPACE (OS) ZONE

### 20.01 Uses Permitted

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

- a) Open Space and Park Uses
- an area where the primary land use is for *public* or *private park*, a playing field, playground, a *community hall*, a *swimming pool*, a botanical garden, a *golf course*, a skating rink, a bowling green, a tennis court;
  - a *cemetery*;
  - a municipally-owned arena, curling rink or *marina* and a refreshment pavilion or booth.

### 20.02 Zone Standards

a)	Minimum <i>Lot Frontage</i>	70 metres
b)	Minimum <i>Lot Area</i>	0.4 hectares
c)	Minimum <i>Lot Depth</i>	60 metres
d)	Minimum <i>Front Yard</i>	20 metres
e)	Minimum <i>Interior Side Yard</i>	5 metres
f)	Minimum <i>Exterior Side Yard</i>	10 metres
g)	Minimum <i>Rear Yard</i>	5 metres
h)	Maximum <i>Building Height</i>	10 metres
i)	Accessory <i>Building – Yard</i>	3 metres
j)	Accessory <i>Building – Height</i>	6 metres

### 20.03 Provisions for Accessory Uses

The provisions of Section 20.01 shall apply to *accessory buildings*, *structures* and uses, except as otherwise provided for in Section 5, General Provisions.

### 20.04 Special Exception Regulations – Open Space (OS)

The regulations contained in Section 20.01, General Use Provisions and Zone Requirements, shall apply to the Special Provision Use areas or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 20.04.

#### 20.04.1 Open Space Exception 1 (OS-1)

Block A on the east side of Haggart Island (356C) shall be subject to a minimum *lot frontage* is 85 metres and the minimum *lot depth* is 42 metres.

#### 20.04.2 Open Space Exception 2 (OS-2)

Concession C, Pt. Lot 7, Plan 42M556, Pt. Lot 37 shall be subject to a minimum lot frontage of 49.8 metres, a minimum lot acreage of 0.20 hectares and further provided that no buildings, structures or uses be permitted on these lands.

#### 20.04.3 Open Space Exception 3 (OS-3)

No person shall within the Open Space Exception 3 (OS-3) Zone, use any land, or erect any building or structure for any purpose except in accordance with the following:

(a) Permitted Uses

- Open Space;
- Trails;
- Recreation;
- Swimming Pool;
- Cabana;
- Recreation courts;
- Parking;
- Storage Building;
- Recreation centre; and,
- Up to 50 docking slips on Deep Bay

(b) Standards

i) Gross Floor Area:	Storage Building	500 square metres
	Recreation Centre:	200 square metres
	Cabana:	120 square metres

ii) Maximum Lot Coverage: 5%

iii) Maximum Height: 9 metres

iv) Building Setbacks:

from High Water Mark:	20 metres
from Boundaries	5 metres

## **SECTION 21 - CROWN LAND (CL) ZONE**

### **21.01 Uses Permitted**

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

- an area for the protection of the natural environment;
- lawful uses existing at the time of passage of this By-law;
- resource uses under the management of the Ministry of Natural Resources;
- a commercial sand and gravel pit provided that the lands are specifically zoned for that purpose;
- a *wayside pit or quarry*;
- a *dock* or *structure* approved by Ministry of Natural Resources;
- a *portable asphalt plant*;
- existing aquaculture operations

### **21.02 Provisions for Accessory Uses**

The provisions of Section 21.01 shall apply to *accessory buildings*, *structures* and uses, except as otherwise provided for in Section 5, General Provisions.

## SECTION 22 - ENVIRONMENTAL PROTECTION (EP) ZONE (Fish Habitat)

### 22.01 Uses Permitted

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

- a) Rural Uses
  - a *farm*, but not a *specialized use farm* as defined in this By-law, an aviary, arboretum, nursery garden, or forestry operation, except that no *dwelling unit* shall be permitted in this zone.
- b) Open Space Uses
  - an area for the protection of an environmental hazard such as *wetlands* subject to very high water tables, steep slopes, gullies, or lands subject to wind or water erosion, or;
  - a conservation area primarily for the location of flood control, bank stabilisation or erosion protection *structures* or projects;
  - areas of natural and scientific interest, including important fish habitat.
- c) Waterfront Uses
  - *shoreline* improvements including *docks*, berms, and breakwalls, provided that approval has been obtained from all government agencies having jurisdiction or alternatively, that an exemption from any required approval has been obtained from said agencies.

### 22.02 Zone Standards

a)	Minimum <i>Lot Frontage</i>	100 metres
b)	Minimum <i>Lot Area</i>	0.6 hectares
c)	Minimum <i>Lot Depth</i>	60 metres
d)	Minimum <i>Front Yard</i>	20 metres
e)	Minimum <i>Interior Side Yard</i>	5 metres
f)	Minimum <i>Exterior Side Yard</i>	10 metres
g)	Minimum <i>Rear Yard</i>	5 metres
i)	Maximum <i>Building Height</i>	10 metres
j)	Accessory <i>Building – Yard</i>	3 metres
k)	Accessory <i>Building – Height</i>	6 metres

### 22.03 Provisions for Accessory Uses

The provisions of Section 22.01 shall apply to *accessory buildings*, *structures* and uses, except as otherwise provided for in Section 5, General Provisions.

### 22.04 Special Exception Regulations – Environmental Protection (EP)

The regulations contained in Section 22.01, General Use Provisions and Zone Requirements, shall apply to the Special Provision Use areas or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 22.04.

**SECTION 23 - ENVIRONMENTAL PROTECTION 1 (EP1) ZONE (PSW's)**

**23.01 Uses Permitted**

a) Open Space Uses

- an area for the protection of an environmental hazard such as *wetlands* subject to very high water tables, steep slopes, gullies, or lands subject to wind or water erosion, or;
- a conservation area primarily for the location of flood control, bank stabilisation or erosion protection *structures* or projects;
- areas of natural and scientific interest, including important fish habitat.

b) Waterfront Uses

- *shoreline* improvements including *docks*, berms, and breakwalls, provided that approval has been obtained from all government agencies having jurisdiction or alternatively, that an exemption from any required approval has been obtained from said agencies.

**23.02 Zone Standards**

a)	Minimum <i>Lot Frontage</i>	See Applicable General Provisions
b)	Minimum <i>Lot Area</i>	
c)	Minimum <i>Lot Depth</i>	
d)	Minimum <i>Front Yard</i>	
e)	Minimum <i>Interior Side Yard</i>	
f)	Minimum <i>Exterior Side Yard</i>	
g)	Minimum <i>Rear Yard</i>	
i)	Maximum <i>Building Height</i>	
j)	Accessory <i>Building – Yard</i>	
k)	Accessory <i>Building – Height</i>	

**23.03 Provisions for Accessory Uses**

The provisions of Section 23.01 shall apply to *accessory buildings, structures* and uses, except as otherwise provided for in Section 5, General Provisions.

**23.04 Special Exception Regulations – Environmental Protection 1 (EP1)**

The regulations contained in Section 23.01, General Use Provisions and Zone Requirements, shall apply to the Special Provision Use areas or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 23.04.

**SECTION 24 - ENVIRONMENTAL PROTECTION 2 (EP2) ZONE (*Wetlands/Flood Plains*)**

**24.01 Uses Permitted**

- a) Open Space Uses
  - an area for the protection of an environmental hazard such as *wetlands* subject to very high water tables, steep slopes, gullies, or lands subject to wind or water erosion, or;
  - a conservation area primarily for the location of flood control, bank stabilisation or erosion protection *structures* or projects;
  - areas of natural and scientific interest, including important fish habitat.
  
- b) Waterfront Uses
  - *shoreline* improvements including *docks*, berms, and breakwalls, provided that approval has been obtained from all government agencies having jurisdiction or alternatively, that an exemption from any required approval has been obtained from said agencies.

**24.02 Zone Standards**

a)	Minimum <i>Lot Frontage</i>	See Applicable General Provisions
b)	Minimum <i>Lot Area</i>	
c)	Minimum <i>Lot Depth</i>	
d)	Minimum <i>Front Yard</i>	
e)	Minimum <i>Interior Side Yard</i>	
f)	Minimum <i>Exterior Side Yard</i>	
g)	Minimum <i>Rear Yard</i>	
h)	Maximum <i>Building Height</i>	
i)	Accessory <i>Building – Yard</i>	
j)	Accessory <i>Building – Height</i>	

**24.03 Provisions for Accessory Uses**

The provisions of Section 24.01 shall apply to *accessory buildings, structures* and uses, except as otherwise provided for in Section 5, General Provisions.

**24.04 Special Exception Regulations – Environmental Protection 2 (EP2)**

The regulations contained in Section 24.01, General Use Provisions and Zone Requirements, shall apply to the Special Provision Use areas or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 24.04.

READ a FIRST, SECOND and THIRD time and PASSED this 14th day November, 2011.

\_\_\_\_\_  
Gord Harrison, Mayor

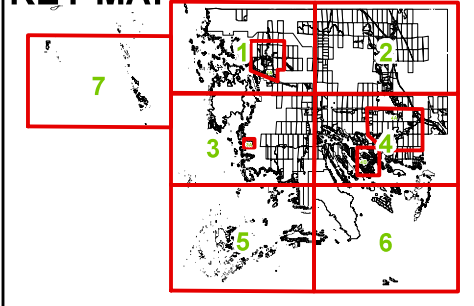
\_\_\_\_\_  
Maryann Sidon, Deputy Clerk

# TOWNSHIP OF CARLING

## THIS IS SCHEDULE 1

### ZONING BY-LAW No. C500-2011

#### KEY MAP



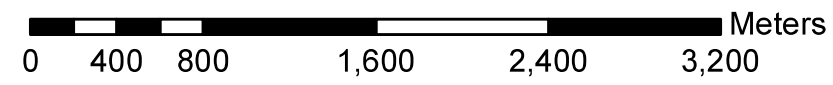
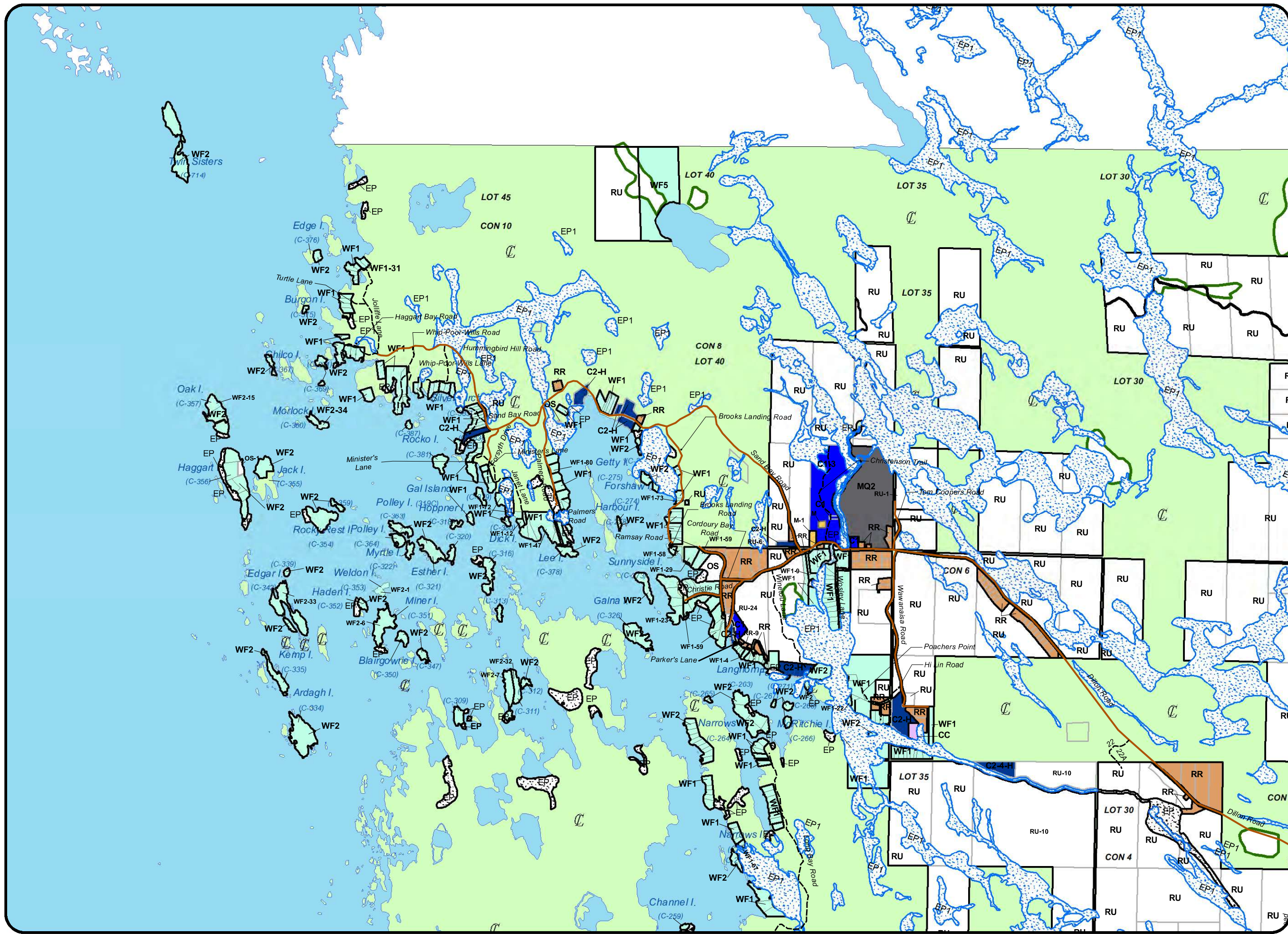
#### COMMUNITY INSERTS

- 1A - DILLON
- 3A - SNUG HARBOUR
- 4A - CARLING BAY
- 4B - BAYVIEW



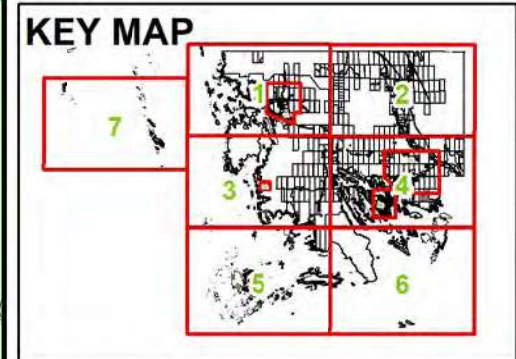
#### Legend


- Zoning**
- Environmental Protection Areas
- EP - (Type 1 Fish Habitat)
  - EP1 - (Provincially Significant Wetland)
  - EP2 - (Flood Plains/Wetlands)
- Highway-Service Commercial (C1)
  - Tourist Commercial (C2)
  - Contractor Commercial (CC)
  - Commercial Marine (CM)
  - Institutional (INST)
  - Industrial General (M)
  - Industrial Park (M1)
  - Industrial Pit (M2)
  - Industrial Quarry (MQ2)
  - Waste Disposal (M3)
  - Open Space (OS)
  - Rural Residential (RR)
  - Bayview Residential (BR1)
  - Rural (RU)
  - Waterfront (WF1-WF5)
  - Crown Land (CL)
- Road Symbols**
- Year Round (Public)
  - Highway
  - Seasonal (Private)



Adopted: November 14, 2011  
 Updated: January 2025

**TOWNSHIP OF CARLING**  
**THIS IS SCHEDULE 1A**  
**ZONING BY-LAW**  
**No. C500-2011**



- COMMUNITY INSERTS**
- 1A - DILLON
  - 3A - SNUG HARBOUR
  - 4A - CARLING BAY
  - 4B - BAYVIEW
- 

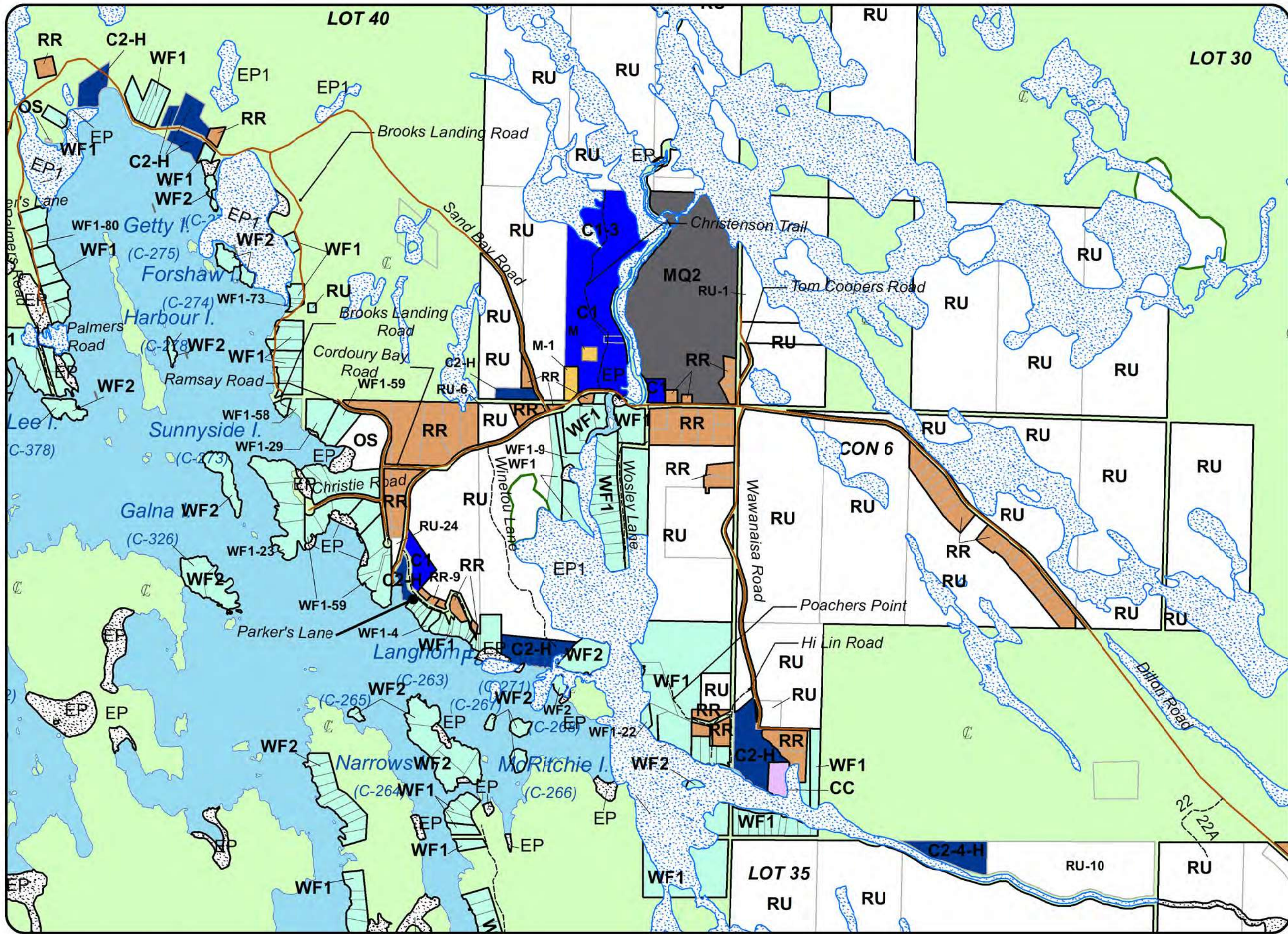
**Legend**

**Zoning**

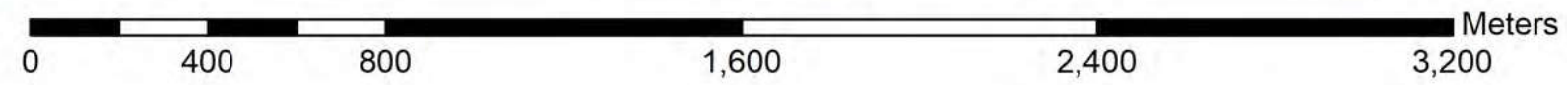
- Environmental Protection Areas
  - EP - (Type 1 Fish Habitat)
  - EP1 - (Provincially Significant Wetland)
  - EP2 - (Flood Plains/Wetlands)
- Highway-Service Commercial (C1)
- Tourist Commercial (C2)
- Contractor Commercial (CC)
- Commercial Marine (CM)
- Institutional (INST)
- Industrial General (M)
- Industrial Park (M1)
- Industrial Pit (M2)
- Industrial Quarry (MQ2)
- Waste Disposal (M3)
- Open Space (OS)
- Rural Residential (RR)
- Bayview Residential (BR1)
- Rural (RU)
- Waterfront (WF1-WF5)
- Crown Land (CL)

**Road Symbols**

- Year Round (Public)
- Highway
- Seasonal (Private)



**Adopted: November 14, 2011**  
**Updated: January 2025**

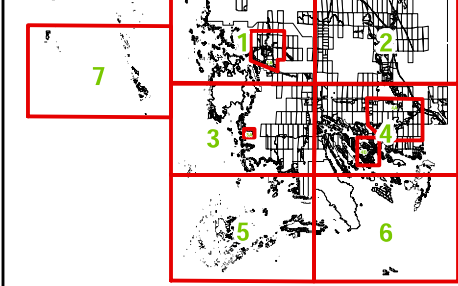


# TOWNSHIP OF CARLING

## THIS IS SCHEDULE 2

### ZONING BY-LAW No. C500-2011

#### KEY MAP



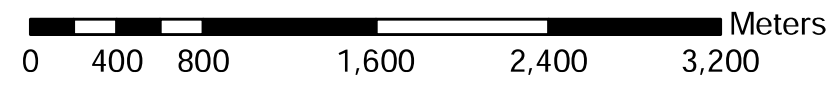
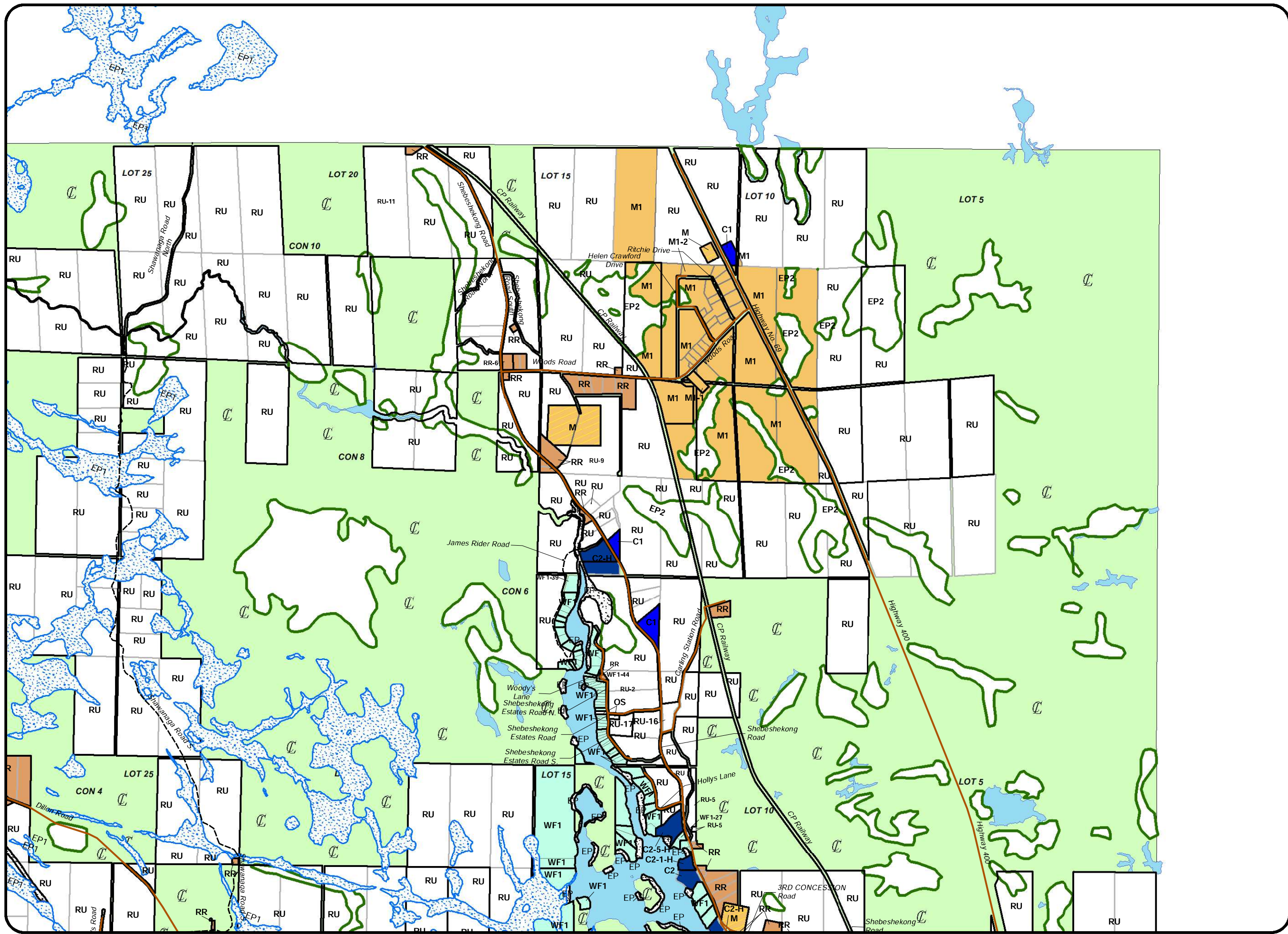
#### COMMUNITY INSERTS

- 1A - DILLON
- 3A - SNUG HARBOUR
- 4A - CARLING BAY
- 4B - BAYVIEW



#### Legend

- Zoning**
- Environmental Protection Areas
- EP - (Type 1 Fish Habitat)
  - EP1 - (Provincially Significant Wetland)
  - EP2 - (Flood Plains/Wetlands)
- Highway-Service Commercial (C1)
  - Tourist Commercial (C2)
  - Contractor Commercial (CC)
  - Commercial Marine (CM)
  - Institutional (INST)
  - Industrial General (M)
  - Industrial Park (M1)
  - Industrial Pit (M2)
  - Industrial Quarry (MQ2)
  - Waste Disposal (M3)
  - Open Space (OS)
  - Rural Residential (RR)
  - Bayview Residential (BR1)
  - Rural (RU)
  - Waterfront (WF1-WF5)
  - Crown Land (CL)
- Road Symbols**
- Year Round (Public)
  - Highway
  - Seasonal (Private)

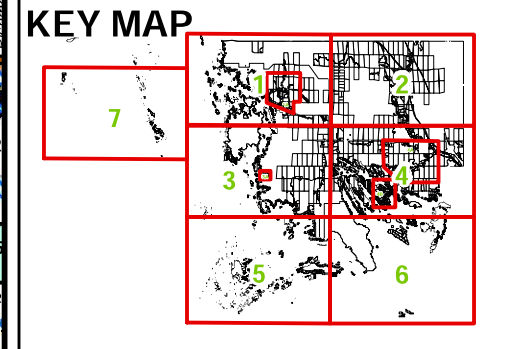


Adopted: November 14, 2011  
Updated: January 2025

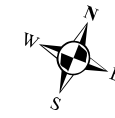
# TOWNSHIP OF CARLING

## THIS IS SCHEDULE 3

### ZONING BY-LAW No. C500-2011



- COMMUNITY INSERTS**
- 1A - DILLON
  - 3A - SNUG HARBOUR
  - 4A - CARLING BAY
  - 4B - BAYVIEW



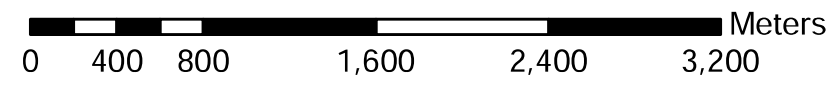
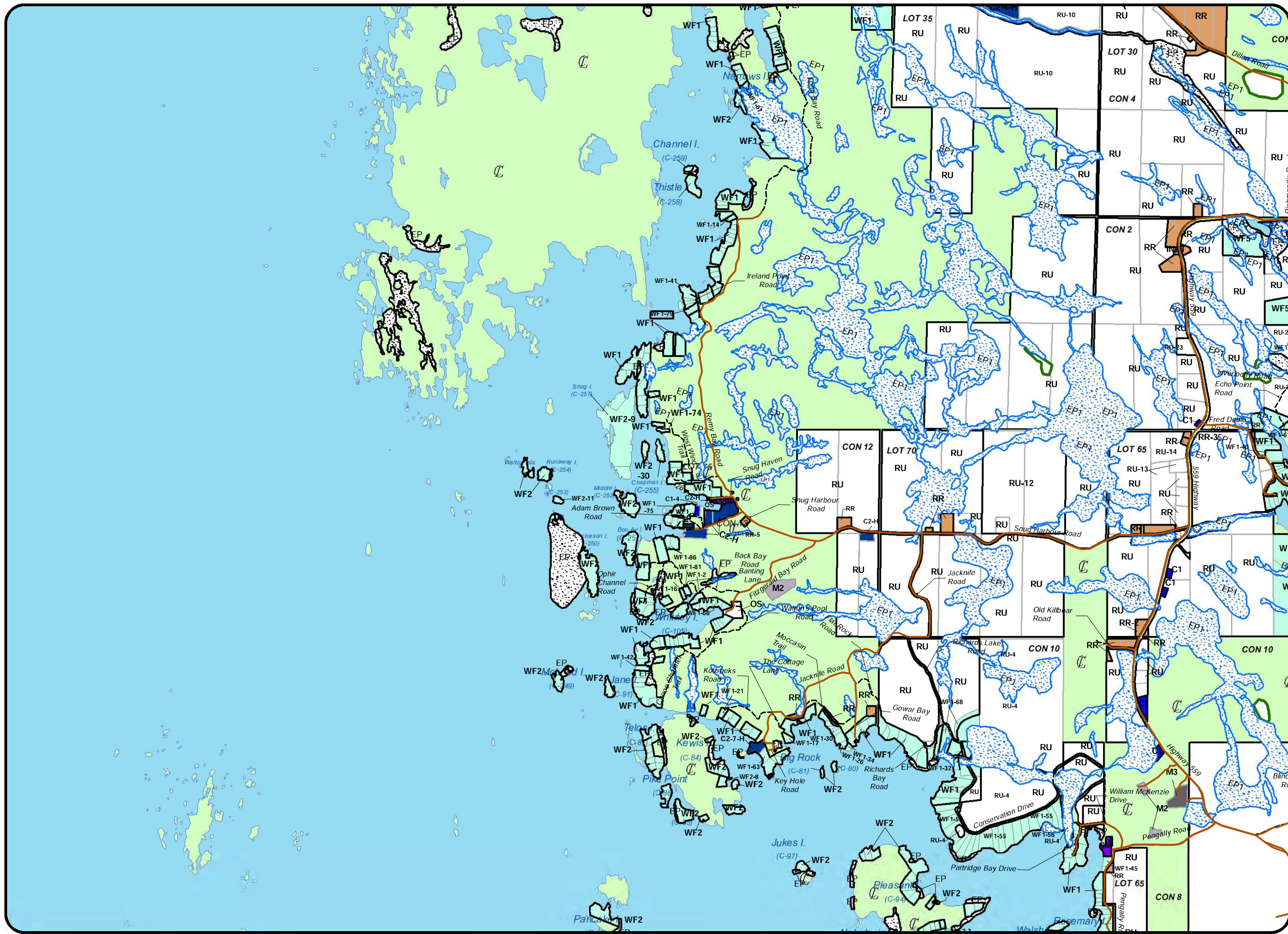
**Legend**

**Zoning**

- Environmental Protection Areas
  - EP - (Type 1 Fish Habitat)
  - EP1 - (Provincially Significant Wetland)
  - EP2 - (Flood Plains/Wetlands)
- Highway-Service Commercial (C1)
- Tourist Commercial (C2)
- Contractor Commercial (CC)
- Commercial Marine (CM)
- Institutional (INST)
- Industrial General (M)
- Industrial Park (M1)
- Industrial Pit (M2)
- Industrial Quarry (MQ2)
- Waste Disposal (M3)
- Open Space (OS)
- Rural Residential (RR)
- Bayview Residential (BR1)
- Rural (RU)
- Waterfront (WF1-WF5)
- Crown Land (CL)

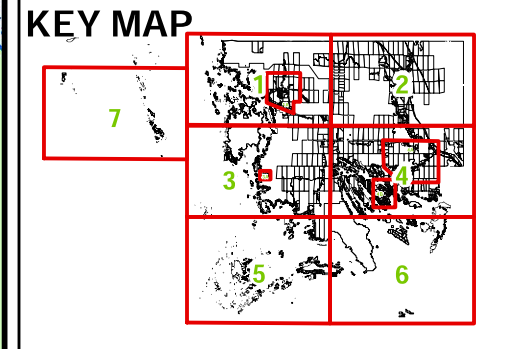
**Road Symbols**

- Year Round (Public)
- Highway
- Seasonal (Private)



**Adopted: November 14, 2011**  
**Updated: January 2025**

**TOWNSHIP OF CARLING**  
**THIS IS SCHEDULE 3A**  
**ZONING BY-LAW No. C500-2011**



- COMMUNITY INSERTS**
- 1A - DILLON
  - 3A - SNUG HARBOUR
  - 4A - CARLING BAY
  - 4B - BAYVIEW
- 

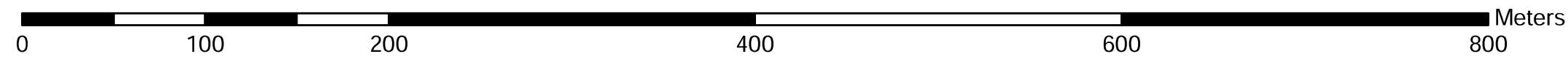
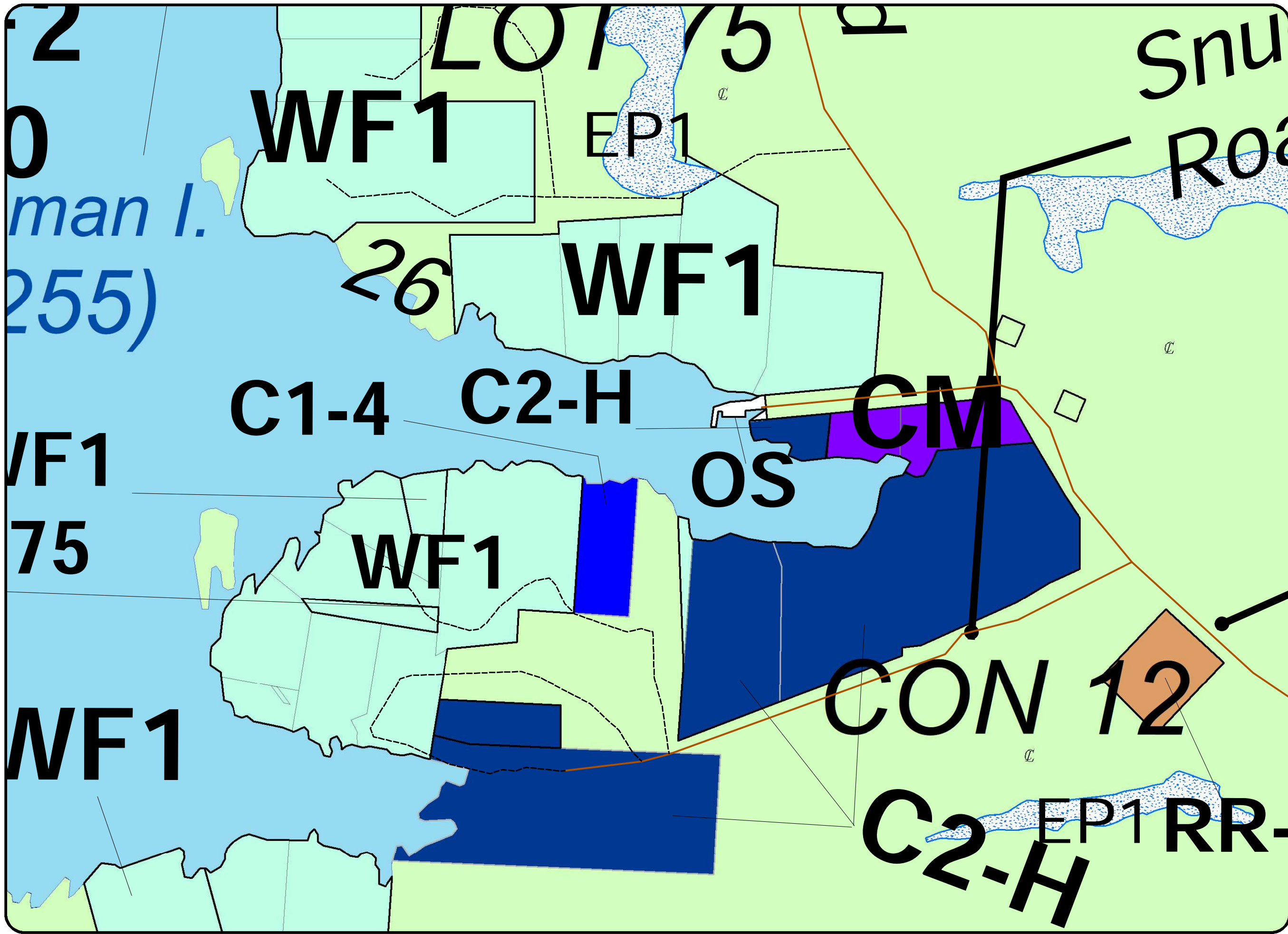
**Legend**

**Zoning**

- Environmental Protection Areas
  - EP - (Type 1 Fish Habitat)
  - EP1 - (Provincially Significant Wetland)
  - EP2 - (Flood Plains/Wetlands)
- Highway-Service Commercial (C1)
- Tourist Commercial (C2)
- Contractor Commercial (CC)
- Commercial Marine (CM)
- Institutional (INST)
- Industrial General (M)
- Industrial Park (M1)
- Industrial Pit (M2)
- Industrial Quarry (MQ2)
- Waste Disposal (M3)
- Open Space (OS)
- Rural Residential (RR)
- Bayview Residential (BR1)
- Rural (RU)
- Waterfront (WF1-WF5)
- Crown Land (CL)

**Road Symbols**

- Year Round (Public)
- Highway
- Seasonal (Private)



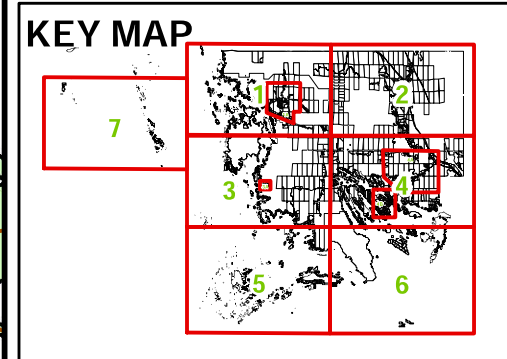
**Adopted: November 14, 2011**  
**Updated: January 2025**



# TOWNSHIP OF CARLING

## THIS IS SCHEDULE 4A

### ZONING BY-LAW No. C500-2011



- COMMUNITY INSERTS**
- 1A - DILLON
  - 3A - SNUG HARBOUR
  - 4A - CARLING BAY
  - 4B - BAYVIEW

**Legend**

**Zoning**

Environmental Protection Areas

- EP - (Type 1 Fish Habitat)
- EP1 - (Provincially Significant Wetland)
- EP2 - (Flood Plains/Wetlands)

Highway-Service Commercial (C1)

Tourist Commercial (C2)

Contractor Commercial (CC)

Commercial Marine (CM)

Institutional (INST)

Industrial General (M)

Industrial Park (M1)

Industrial Pit (M2)

Industrial Quarry (MQ2)

Waste Disposal (M3)

Open Space (OS)

Rural Residential (RR)

Bayview Residential (BR1)

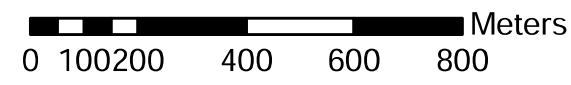
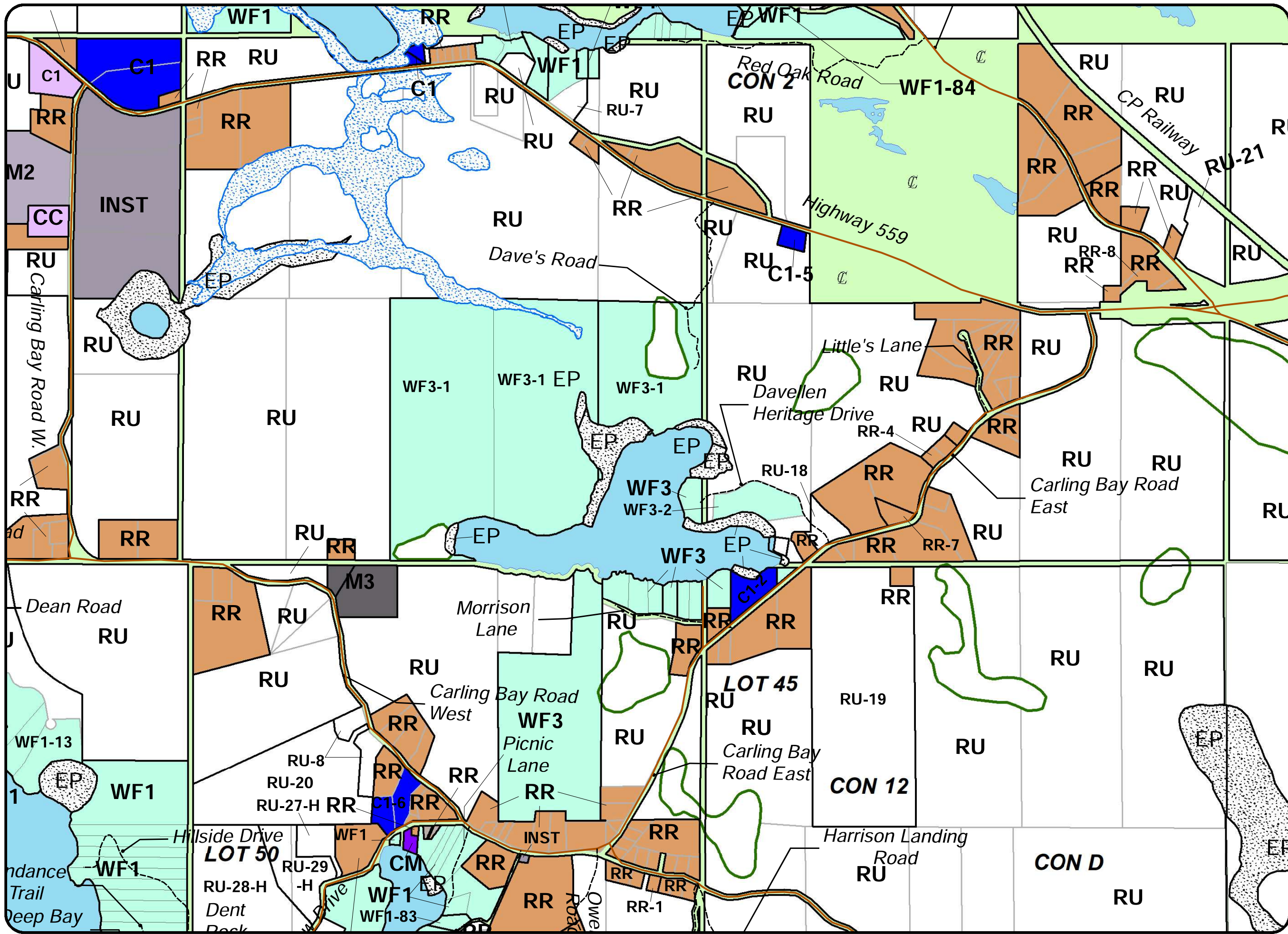
Rural (RU)

Waterfront (WF1-WF5)

Crown Land (CL)

**Road Symbols**

- Year Round (Public)
- Highway
- Seasonal (Private)



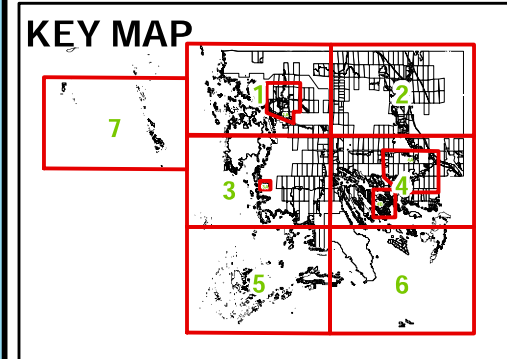
Adopted: November 14, 2011  
Updated: January 2025



# TOWNSHIP OF CARLING

## THIS IS SCHEDULE 5

### ZONING BY-LAW No. C500-2011



- COMMUNITY INSERTS**
- 1A - DILLON
  - 3A - SNUG HARBOUR
  - 4A - CARLING BAY
  - 4B - BAYVIEW



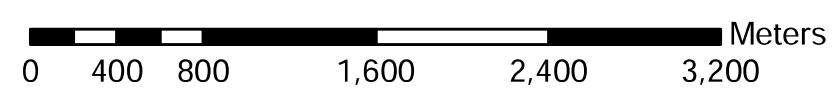
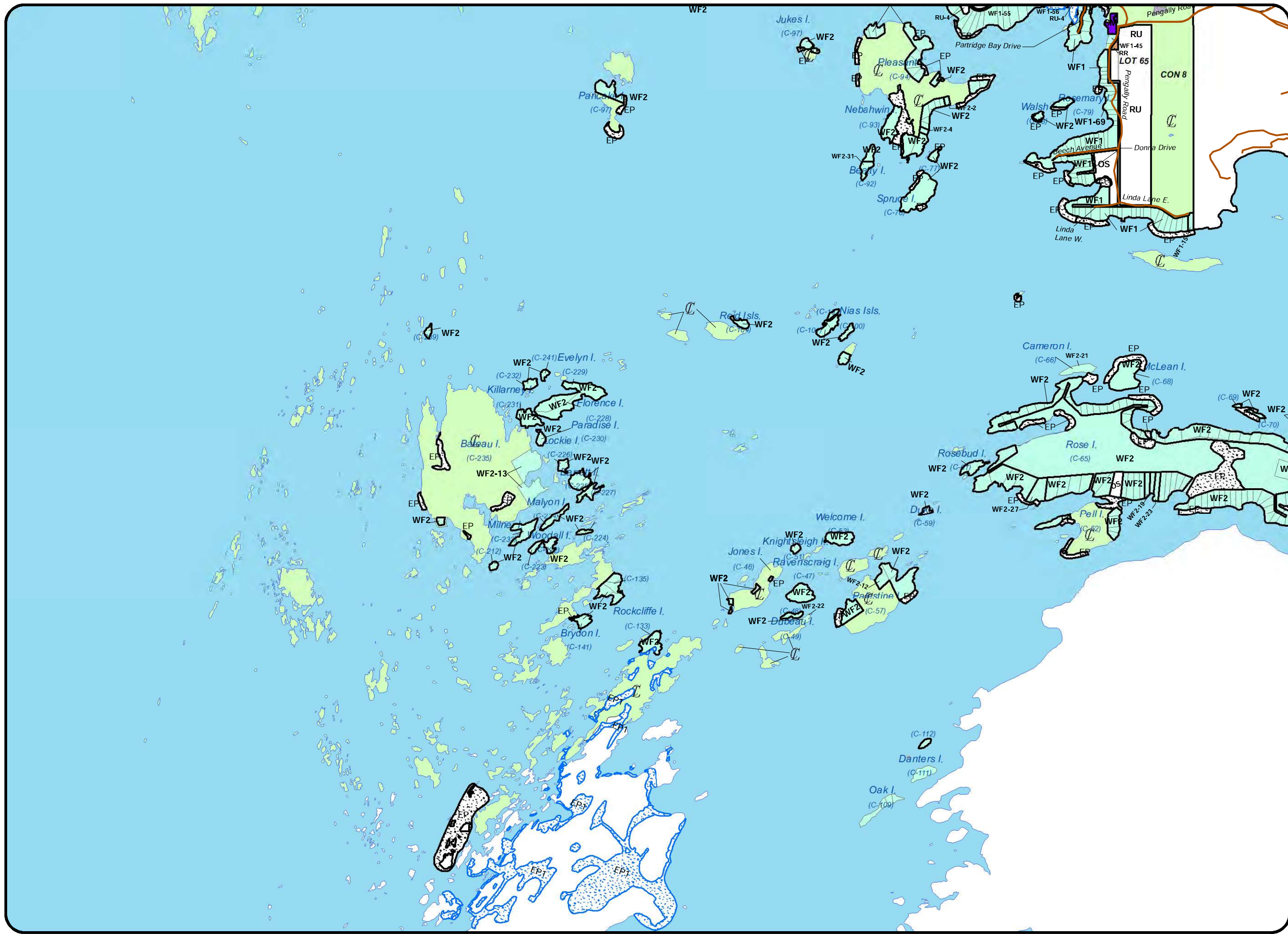
**Legend**

**Zoning**

- Environmental Protection Areas
  - EP - (Type 1 Fish Habitat)
  - EP1 - (Provincially Significant Wetland)
  - EP2 - (Flood Plains/Wetlands)
- Highway-Service Commercial (C1)
- Tourist Commercial (C2)
- Contractor Commercial (CC)
- Commercial Marine (CM)
- Institutional (INST)
- Industrial General (M)
- Industrial Park (M1)
- Industrial Pit (M2)
- Industrial Quarry (MQ2)
- Waste Disposal (M3)
- Open Space (OS)
- Rural Residential (RR)
- Bayview Residential (BR1)
- Rural (RU)
- Waterfront (WF1-WF5)
- Crown Land (CL)

**Road Symbols**

- Year Round (Public)
- Highway
- Seasonal (Private)

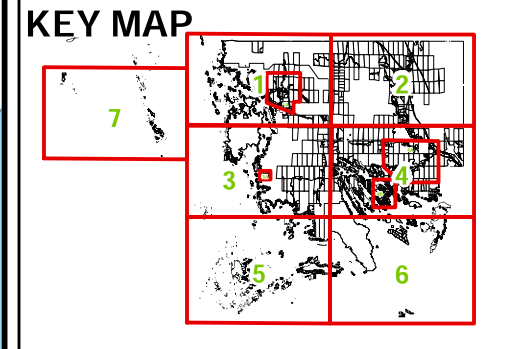
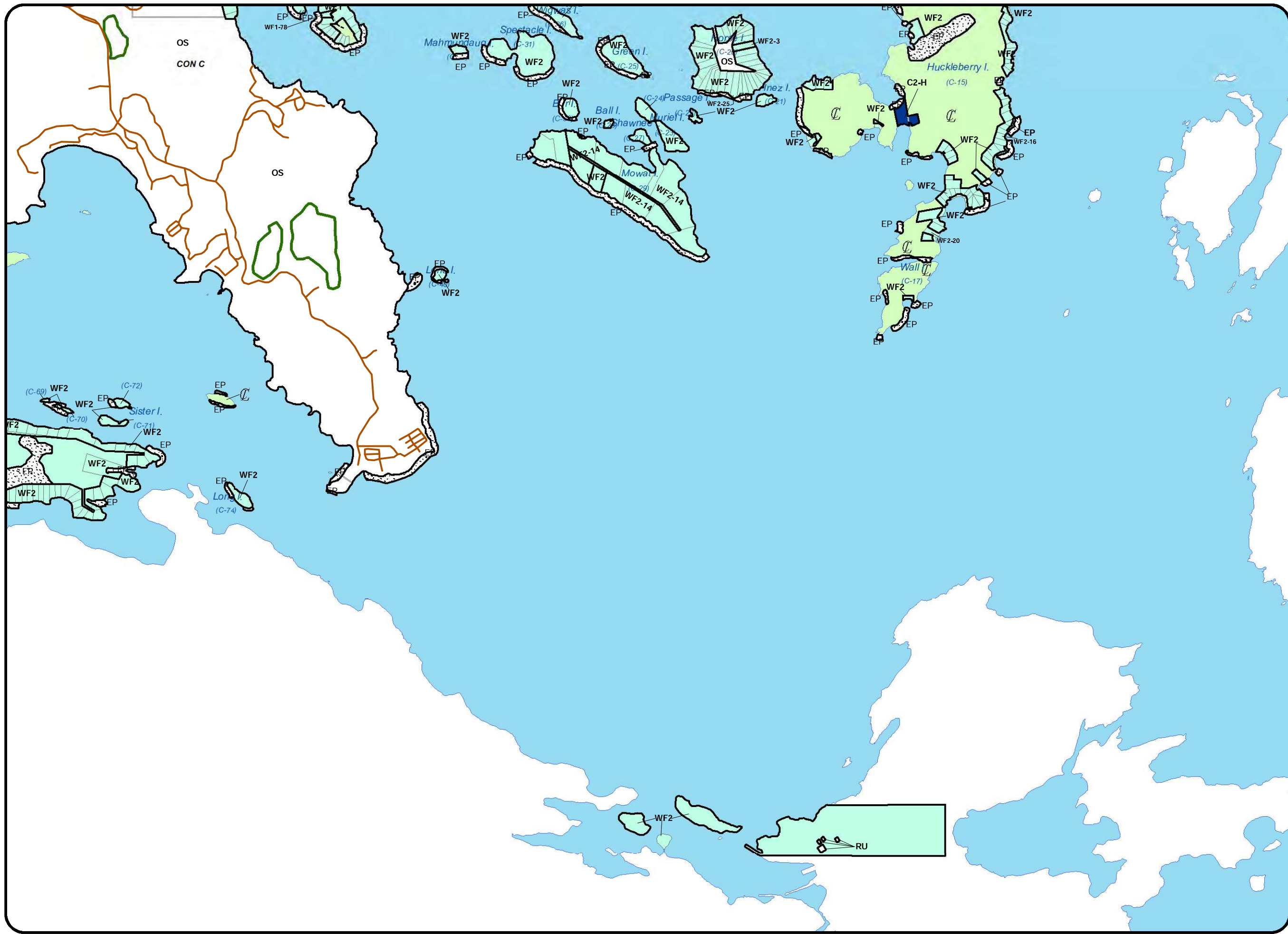


**Adopted: November 14, 2011**  
**Updated: January 2025**

# TOWNSHIP OF CARLING

## THIS IS SCHEDULE 6

### ZONING BY-LAW No. C500-2011



- COMMUNITY INSERTS**
- 1A - DILLON
  - 3A - SNUG HARBOUR
  - 4A - CARLING BAY
  - 4B - BAYVIEW



**Legend**

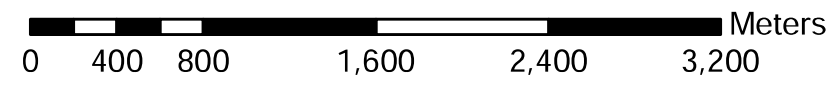
**Zoning**

- Environmental Protection Areas
  - EP - (Type 1 Fish Habitat)
  - EP1 - (Provincially Significant Wetland)
  - EP2 - (Flood Plains/Wetlands)
- Highway-Service Commercial (C1)
- Tourist Commercial (C2)
- Contractor Commercial (CC)
- Commercial Marine (CM)
- Institutional (INST)
- Industrial General (M)
- Industrial Park (M1)
- Industrial Pit (M2)
- Industrial Quarry (MQ2)
- Waste Disposal (M3)
- Open Space (OS)
- Rural Residential (RR)
- Bayview Residential (BR1)
- Rural (RU)
- Waterfront (WF1-WF5)
- Crown Land (CL)

**Road Symbols**

- Year Round (Public)
- Highway
- Seasonal (Private)

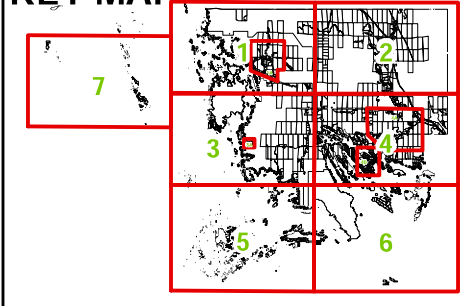
**Adopted: November 14, 2011**  
**Updated: January 2025**



**TOWNSHIP OF CARLING**  
**THIS IS SCHEDULE 7**  
**ZONING BY-LAW**  
**No. C500-2011**

Limestone Isl.

**KEY MAP**



**COMMUNITY INSERTS**

- 1A - DILLON
- 3A - SNUG HARBOUR
- 4A - CARLING BAY
- 4B - BAYVIEW

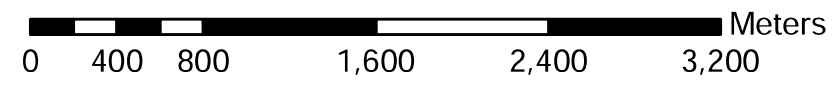


**Legend**

- Zoning**
- Environmental Protection Areas
- EP - (Type 1 Fish Habitat)
  - EP1 - (Provincially Significant Wetland)
  - EP2 - (Flood Plains/Wetlands)
- Highway-Service Commercial (C1)
  - Tourist Commercial (C2)
  - Contractor Commercial (CC)
  - Commercial Marine (CM)
  - Institutional (INST)
  - Industrial General (M)
  - Industrial Park (M1)
  - Industrial Pit (M2)
  - Industrial Quarry (MQ2)
  - Waste Disposal (M3)
  - Open Space (OS)
  - Rural Residential (RR)
  - Bayview Residential (BR1)
  - Rural (RU)
  - Waterfront (WF1-WF5)
  - Crown Land (CL)
- Road Symbols**
- Year Round (Public)
  - Highway
  - Seasonal (Private)

Boucher I. (C-E66)  
 Mink Isl.  
 Heather (C-E69)  
 Stalker I. (C-E73)  
 Brayne I. (C-E83)  
 Searle I. (C-E82)  
 Heron I. (C-E75)

Red Rock



**Adopted: November 14, 2011**  
**Updated: January 2025**